

**PLANNING COMMISSION VERBATIM MINUTES**

**August 3, 2022**

**Special Teleconference Meeting**

**CALL TO ORDER AND ROLL CALL**

Chair Kopf-Sill: Great, well welcome everyone to the Portola Valley Planning Commission meeting for August 3<sup>rd</sup>, 2022. I guess as usual we'll start with a roll call.

Planning & Building Director Russell: Commissioner Hasko?

Commissioner Hasko: Present.

Planning & Building Director Russell: Commissioner Taylor will be absent this evening. Commissioner Targ? I do not see him present yet. Vice Chair Goulden?

Vice Chair Goulden: Present.

Planning & Building Director Russell: And Chair Kopf-Sill?

Chair Kopf-Sill: Present. Great, thanks.

**ORAL COMMUNICATIONS**

Chair Kopf-Sill: And so, our agenda item is a hearing on the development at 1195 Westridge but we always allow the public to comment on things that are not on the agenda so in the oral communications. So, if any attendees would like to comment not on that topic, on some other topic. Go ahead and raise your hand or I see some phone numbers. What is it Laura, \*9 on a phone?

u Yes, that's correct.

Chair Kopf-Sill: Okay, good. Let's see, I see Caroline Vertongen has her hand up so I'll call on her.

Caroline Vertongen: Good evening, thank you so much. Can you hear me this time?

Chair Kopf-Sill: Yes.

Ms. Vertongen: Thank you so much. I am still puzzled and I think a lot of residents are trying to find consistency in the guidelines. So, one of the issues we had was I'm still puzzled with the outcome for the Woodside Priory. And hopefully, you can find or you can give me some guidelines that would help me because I cannot... I have tried to get them from the Planning Department. So, CEQA guidelines 15314 exempt minor addition within existing school grounds where the addition does not increase the original student capacity by more than 25 percent. And so, I'm wondering if... can you hear me?

Chair Kopf-Sill: Yes, there was an echo for a minute but now when you're talking it's okay.

Ms. Vertongen: Great. So, when you were presented a report from the Planning Department?

Planning & Building Director Russell: Caroline, it might be because you are using your other device also. So, if you're also tuning into the meeting on your phone. If you could mute whatever device you're not using.

Ms. Vertongen: I just want to let you know that when we use the phone it says that we are unmuted. That we are muted so if that's not the case let me know and then I will mute it using \*6.

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Chair Kopf-Sill: [inaudible] Your current device you're talking on sounds okay right... the moment.

Ms. Vertongen: Okay, thank you. So, you were given the guidelines from the Planning Department that the original student enrollment was 350. But I hope you know that Woodside Priority had a CUP in 2004 and the maximum student at that time was 250. So, I'm still trying to understand why the Planning Department used 350 as the baseline. They also say that it was based on past practices, Town practices, and CEQA case law. And I was hoping that you have a report on those Town practices that would set the precedent and also the CEQA case laws that actually make the conclusion that 350 was the baseline. Thank you so much.

Chair Kopf-Sill: Okay, thanks Caroline and you probably know but let me say it for everybody. In this oral communication, we can accept information but we can't have a discussion or talk about it so we'll take that in.

Ms. Vertongen: Thank you.

Chair Kopf-Sill: Let's see, next I see Rita's hand is up.

Rita Comes Whitney: Hi, thank you so much for hearing my comment. I've been looking through all the paperwork on the status of the Housing Element. You know, the newspaper says oh, everything's been approved but it seems in the meetings that I've been in there was going to be a subcommittee about the opt-in, or it just wasn't clear. So, I was really surprised to see an article in the newspaper saying that it was all approved and it was moving forward. Is there a location where I can see the completed document that is going to be sent in? Since it wasn't very clear in any of the last meetings what the final packet was going to look like since there was some open items that were to be sent. If there is a location or a link I'd be very happy. But I was surprised to see in the newspaper that it was all a go and it was moving forward because I spent a lot of hours in those meetings and perhaps I napped off at that moment. Thank you.

Chair Kopf-Sill: Great, thanks Rita and Laura, I see in our agenda there's a staff report. You'll talk about the Housing Element then perhaps?

Planning & Building Director Russell: Through the Chair, just very briefly right now, there's final final revisions that are being made to the Housing Element right now. So, cleanup of [inaudible] typos and the final direction from the Council subcommittee. That's going to be completed in the next couple of days and then the document will be widely distributed to all of our lists and posted on the website and available for everyone to view. So, that should be in the next couple of days.

Chair Kopf-Sill: Great, thanks, Laura. Okay, so I see no more hands up from the participants. Oh no, oh, oh no I do see Kristi Corley, go head.

Kristi Corley: I'm sorry, I came a little late. Have you talked about public comment on things that are not on the agenda item?

Chair Kopf-Sill: That's right, you barely... you snuck under just under the wire. I was just about to close it but you made it.

Ms. Corley: Okay, thank you. I'm wondering how the subcommittee is doing on the Housing Element. I don't think we've heard about the standards from the opt-in or the buffer or Glenoaks. And I'm wondering if the staff can give us a report back on that since it is a subcommittee? How will get that information and I'd appreciate the answer, thank you.

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Chair Kopf-Sill: Ah darn Kristi, you came... you must have come just after Laura gave the answer. So, they're working on the details and it will be published soon so you'll get that.

Ms. Corley: Well, let's see, it's 5-minutes after 7:00. You can't answer me?

Chair Kopf-Sill: Well, we already... Kristi, think of all the other people on the call. They just heard the answer. We would be doing that answer just for you, the person that came late.

Ms. Corley: Okay, I guess I have to listen to the tape again, huh?

Chair Kopf-Sill: Perfect. Let me see, any more attendees? No, okay.

### **PUBLIC HEARING**

- (1) **Appeal of Architectural and Site Control Commission decision to approve an architectural review and site development permit to construct a new residence with detached garage, detached ADU, pool and landscape improvements pursuant to Portola Valley Municipal Code Chapter 18.66, File #PLN ARCH0002-2022, 1195 Westridge Drive; this project is exempt from the California Environmental Quality Act, Kaveh**

Chair Kopf-Sill: So, we'll go onto our agenda item and I think this was in the report but let me just tell everyone and especially for the public what the order is. There's going to be a set order. So, we're going to have staff presentation. Then the Commissioners are going to ask clarifying questions of the staff. Then there's going to be a presentation by the appellant, so the people filing the appeal, hopefully, 15-minutes. Then the Commissioners are going to ask the appellant questions. Then the applicant, the original person with the proposal for the house, will give a presentation. Also, hopefully only 15-minutes. Then the Commissioners will ask the applicant questions and then the public will make comments. Neighbors and whoever, so that's letter G as in girl. Then there will be closing remarks from the appellant, the people appealing and then closing remarks from the applicant. Hopefully, each of those 3-minutes. Then the Planning Commission will do discussion and decision after that. So, I guess I'll turn it over to staff for a presentation on the project.

Consultant Planner Robinson: Great so (interrupted)

Planning & Building Director Russell: I'm sorry, Ralph Robinson is the planner for this. He's going to be giving the presentation. So, we just wanted to make sure that we have all of the parties presents.

Chair Kopf-Sill: Good.

Consultant Planner Robinson: So, I did get a message from, excuse me, from Irene. So, she mentioned Pedro... you mentioned Pedro may be joining from a different location. So, I don't know, can you chat maybe that email to me and Laura? The best email for Pedro, Irene.

Irene Ruiz: Well, unfortunately, it's the same.

Consultant Planner Robinson: Oh okay.

Ms. Ruiz: Can you send a second link to the same email address or no?

Consultant Planner Robinson: Can he join with the same link or how does that work?

Planning & Building Director Russell: He can just join the meeting from... just join the meeting from the link on the agenda and I can make him a panelist.

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Ms. Ruiz: Okay, thank you. Let me (interrupted)

Planning & Building Director Russell: I'm just looking for Pedro Ruiz, is that who I'm looking for?

Ms. Ruiz: Yeah, he understood that he couldn't use the same link. So, he should go to... I'm sorry, I'm sorry, that he should go... I have to let him know. So, he should go to the link in the email, same one?

Planning & Building Director Russell: No, the agenda. On the agenda for tonight's meetings, there's a link to join the meeting (interrupted)

Consultant Planner Robinson: Yeah, I'll put that in the chat right now.

Planning & Building Director Russell: And he can join there.

Ms. Ruiz: In the chat, okay. Wait and I can send it to him? Can you just send it to our email?

Consultant Planner Robinson: Yeah, I'll go ahead and send that to your email.

Ms. Ruiz: I should have asked for [inaudible]

Consultant Planner Robinson: No problem.

Ms. Ruiz: We're really backward here.

Consultant Planner Robinson: Okay, I just sent that link to your email there, so try that one.

Ms. Ruiz: Thank you, thank you. I'll let him know. Okay, I will mute myself.

Chair Kopf-Sill: Great, thanks, everybody.

Planning & Building Director Russell: Okay, so we'll turn it over to Ralph for the presentation.

Consultant Planner Robinson: Thank you, Laura, and thank you, Anne. So, yeah, this evening we're discussing the appeal of an ASCC decision approving an Architectural Review and Site Development Permit for a new residence at 1195 Westridge Drive. So, Anne just went over our meeting structure but again, just to quickly recap it... recap that. I'll be presenting, followed by the appellants and then the applicants. With each of those presentations followed up for time for staff questions or excuse me, for Commission questions, followed by the public hearing.

So, the project at 1195 Westridge is located at the corner of Westridge, Cervantes and Mapache Drives. So, we see 1195 Westridge outlined in that orange border with the appellants at 115 Meadowood and 470 Cervantes highlighted in green. So, throughout the report, we make references to kind of the downhill or the downslope neighbors which would be 470 and 115 here. So, the project does slope upwards towards the rear neighbor and I believe that is 1185 Westridge and then downwards toward 470, 480 and then 115 Meadowood.

So, what the applicants are proposing are a new residences to replace an existing roughly 3,000 square foot single-story residence. Now the existing residence you can see outlined in red here on the plans. Slightly more forward on the property towards Cervantes and with the new location, the applicants will be locating a larger, still single-story residence with a mostly submerged basement, with a small portion of that that is daylight, kind of further back into the hillside. They're also proposing to add this detached garage and detached ADU. Now I'm sure the applicants will comment on this more in their application but to accommodate these new structures. They're building a new driveway with this

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hammerhead turnaround as you can see in the illustration here. To bring that up into conformance with the fire district regulations, they had to somewhat widen that curve with the existing driveway and build this larger parking area as well. So, they'll talk a little bit about the impacts on that or how that informed the location of these structures.

So, what we're going to do now is we're going to go through kind of the plans as reviewed and approved by the ASCC. I'll quickly note, the applicants did submit a new plan set at the end of last week which staff briefly had a chance to review. Now, should the Planning Commission uphold the ASCC decision, those plans would then be reviewed by staff as well as two ASCC members per the Conditions of Approval that were initially approved. Those are included with the staff report of course.

So, here we see the materials again as approved but there's a new set of materials I believe the applicant will also overview in their presentation. And we see here they're making use of stone materials, natural color palette while conforming to the Town's reflectivity guidelines. The materials I believe are essentially unchanged. Although there's some slight changes to the colors per recommendation of the ASCC which we will get into in just a moment as well.

And here we see the elevations for the proposed house. So, when you come up the driveway this is kind of the view looking kind of behind here would be the 115 Meadowood property. So, here we have the main residence parking area, trash enclosure, etc. And then here would be the view of the house, excuse me, kind of looking from that rear portion... excuse me, yeah, from the front portion of the house. So, standing again with your back to Cervantes and so to the right here would be our pool location and then to the left is our parking area. And then here again is standing on the east side, so looking towards the driveway and Westridge Road and then here is our back view. Again, with your back towards that rear neighbor at 1185 Westridge. Now again, there have been some revisions to the plans since this was reviewed by ASCC. This is the set again though that was approved at that May 23<sup>rd</sup> meeting. The applicant will get into it a bit more but when you look here at the south elevation on the left side. There have been some reductions to the plate heights along the left side of this illustration here. To reduce that visual impact to the downhill neighbors at 470 Cervantes and 115 Meadowood. Again, I believe Stuart and Mark are going to take us through that in more detail. And here are elevations for proposed accessory buildings. So, here we have standing in the driveway looking toward Westridge we see the ADU on the left and the garage on the right. And then we have our front elevations for both our garage, this left bottom image and then our ADU, this bottom right image as well.

So, at the May 23<sup>rd</sup> ASCC meeting, the Commission was generally supportive of the project and approved the plans as is and as we've just briefly overviewed. They did however add an additional Condition of Approval for the applicant to consider. This was motivated by a comment that was submitted prior to that meeting by Irene Ruiz who is one of our appellants of course. And she also spoke to this comment further during the public comment portion of the May 23<sup>rd</sup> meeting. And her comment was concerning essentially the visual impact of the new structure. And especially its situation higher up on the hill and that visual impact again, to her... from her backyard as well as from kind of her main living area. So, considering that comment, that ASCC suggested the applicant consider doing one of these three things or some combination of these three things. The first either being a reduction in the height of the structure by reducing the plate heights of the basement and the main levels. The second, potentially revising the colors used. Now, we saw that earlier the proposed color palette. The Commission commented that the palette, while in conformance with the requirements, was a bit dark which caused it to stand out somewhat from I believe the phrase use was a warm natural color template that exists currently. So, they suggested kind of warming those colors up a bit to blend a little bit more seamlessly into the natural terrain. The third consideration was perhaps adding some additional landscape screening to further shield the structure itself from both 115 Meadowood and 470 Cervantes. With the suggestion that they work with those neighbors to come up with a screening plan

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that would be adequate for everyone involved. But apart from that, again these were kind of additional considerations for the applicant to pursue. Not necessarily required but the project was approved by a vote of 4-0, there was one Commissioner absent and any changes to the plans it was included in the Conditions of Approval that those changes be reviewed by both staff as well as two members of the ASCC.

So, following that decision, this was appealed by both 115 Meadowood and 470 Cervantes. Those are the Ruiz's and the Hennefarth's who are who are on our call tonight. And within their appeal materials which are all included within the staff report, it is Attachment 6A through 6J I want to say perhaps. The first being that the project failed to comply with the Town of Portola Valley General Plan. The second being that it fails to comply with the Zoning Code. Third that it fails to comply with the Design Guidelines and fourth they also mentioned some merit concerns related to building mass, location, lighting, impacts to wildlife, drainage, etc. which again we will also overview here a bit further.

So, first concerning the conformance with the General Plan. So, in the ASCC discussion... of course, let me back up a little bit more. In the General Plan Land Use Element Sections 1010, 2103, and 2104, there's a lot of phrasing to the effect of preserving a rural atmosphere, preserving the present character of residential neighborhoods. That new buildings should [inaudible] disturbance to the terrain. There should be minimal grading with an overall view towards preventing adverse impacts from new construction and making sure buildings are subservient, excuse me, to the existing natural setting. So, within that conversation during the ASCC meeting, it was found that this... that the proposed structures do integrate into the surroundings and the location of them is appropriate for the lot. The uses are concentrated kind of around that central parking area as we saw on the site plan which minimized the disturbance overall to the natural terrain. The grading proposed is what is minimally needed to accommodate the structures. Overall, the ASCC found that this project maintains the natural beauty of the site and is in keeping with the existing development in the residential area. And lastly, there were comments made by the Commissioner leading to the effect that they found that while there are some impacts to the neighborhood residences with respect again to the visibility of the residence. They found that the applicants did make... take reasonable measures to reduce those impacts through careful use of whether its limited use of lighting, proposed new landscaping. There's minimal fencing as well or excuse me, there's no new fencing which we'll get into a bit further.

Now regarding the Zoning Code requirements, so there are nine required findings in Section 18.48.060 of the Portola Valley Municipal Code. We'll just briefly go through a few of those so and first to the effect that there is again similar to the General Plan minimal disturbance to the natural terrain. And again, the Commission finding that this project does centrally locate the structures and reduce the overall effects on the natural terrain. Another one is to the effect that again that this allows adequate light and air both for this buildings as well as for the neighbors. The project does meet all required setbacks and complies with our maximum height requirements for the zoning district. And again, while that comment or was that comment submitted by 115 Meadowood and discussed to the effect that again there are some impacts visually. Overall the Commission thought again there was some thoughtful consideration taken by this project to mitigate those. There's... the Zoning Code also discusses landscaping. The use of that to assist in screening the site. The Commission did find that both the proposed landscaping as well as the situation of the new structure helps to screen much of the proposed structures from both the right of way and neighboring properties. In particular, there are minimal visual impacts and in fact, fewer visual impacts to the right of way from this proposed project. Minimal impacts on the neighbor at 1185. So, it's that neighbor that's kind of to the north there along Westridge as well as to the neighbors across the street. And while there are again, more impacts on those downhill neighbors at 470 Cervantes and 115 Meadowood. Overall there was again careful consideration of both the landscaping and the situation of the structures to try to minimize those impacts. And again, the Zoning Code, similar to our General Plan, also talks a bit about grading and

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reducing that to the amount necessary which again the Commission found for this project to be the case.

Now most critically within the appellant's materials as well as our staff report here and our presentation tonight. We're going to talk a bit more about the Design Guidelines. When especially with respect to site design and those subsections of view preservation and ridgelines and hilltops. I'll just briefly run through our architectural design and landscape design sections. So, we see kind of a brief listing of what those considerations are of both of those categories. These were all overviewed and discussed during the Commission meeting with again the Commission finding that whether it's concerning lighting, whether it's considering the overall materials used, whether it's considering the overall size and location of the building. Those were all found to be both appropriate to the site as well as in conformance with our Design Guideline standards and concern with the landscape design. The proposed landscaping was overall constrained to where the buildings themselves were. So, there was not a lot of landscaping beyond the building footprints and also that the plants and materials being used were from the native plant list provided by our Conservation Committee. And they also like that there's again no new fencing proposed. So, minimal impacts as far as egress of wildlife around the property.

Now I do want to spend a bit more time on the site preservation and the hillside/ridgetop sections here. So, here we see this is taken directly from the Design Guidelines and these are the standards listed as far as considering those visual impacts. Minimizing adverse visual impacts, maximizing open space preservation, protecting view corridors, preventing the obstruction of views and considering the future height of trees to create obstructions to views in the future. And then here again [inaudible] directly from our Design Guidelines is this section on ridgelines and hilltops. So, it mentions avoiding siting structures on ridgelines and hilltops, minimize removal of tree masses, minimizing offsite visual impacts and keeping rooflines... most critically perhaps keeping rooflines and structures below the height of the tree canopy. And also, lastly, it mentions integrating the constructions within the natural context.

So, after considering the Design Guidelines and considering the project overall. First off, the proposed structures are not located onto to the hillside and in fact, the top of them does not exceed the top of the hillside. So, if you've been to the site you'll notice that this slope of the hill continues up to that neighboring property at 1184 Westridge. So, the structures themselves are located below the top of that ridgeline. Again, the grading results overall in a project that steps somewhat naturally with the hillside and is integrated into the natural terrain. The overall design in conscientious of its impact. Again, we mentioned that but it was commented by the Commissioners that there's an over conscientiousness with this project to reduce those impacts. And also, that it makes appropriate accommodations for the currently increased visual impact to 115 Meadowood and 470 Cervantes. Through the limited use of outdoor lighting, the current selection of materials and the design of the structure overall and the use of landscape screening. With that addition mode of course, that was included in the Conditions of Approval that the applicant further consider again either reducing the height of the structure, changing those colors being used, or incorporating additional landscape screening to further limit those visual impacts. But again overall, after considering the Design Guidelines themselves in considering the project. This was all found to be in line with what is called for by the Design Guidelines.

Now there were some [inaudible] other concerns that were raised by the appellants in their comment letters that were submitted. So, one being drainage and the concern about the additional water flowing downhill. In particular onto 470 Cervantes, so of course as part of this project and any construction project in town. There are mitigation measures that are put in place and requirements put in place by the Town to ensure that there's not a condition where we are increasing the amount of water runoff from one property onto another. That also mentions lighting. Now there was a letter... there was one

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letter submitted and it's the last attachment I believe to the last of numbers, I think it's 6F that's in the staff report, that mentions perhaps studying well what are going to be the impacts of light spill from the windows on a residence onto the neighboring properties? Now, on that issue itself was not closely discussed by the Commission. The applicant, and again they'll touch on this in their presentation, has since then actually revised those windows to remove one of the larger windows. And also reduce the size of another window with this thought in mind of reducing the light impacts. The outdoor lighting was also found to be appropriate to the site and then aligned with our Zoning Code and Design Guidelines. Now the applicant's letter also... excuse me the appellant's letters, I'm probably going to mix those up a few more times, also mention potential impacts to wildlife. That currently wildlife uses to traverse through the property. So, while of course, we have a larger structure. There's no fencing being added to the property so staff finds that... again, staff and the Commission finds there's not going to be any negative impacts there. A couple other quick things I'll go through. So, landscaping, while the current plan is to concentrate the landscaping around the structures. The ASCC did recommend that they consider working with the neighbors to provide additional screening. Now there were concerns again raised by the appellants concerning the previously proposed screening and again, whether the new screening would be appropriate to the site. But we will let again each of them kind of over cap their concern as well as maybe what the applicant's done since then to address that issue. There's also some comments both by the appellants and some of the public comments received just kind of on the general review process. That's 1195 and other appellants have gone through. So, I do just want to reiterate that of course we're following the necessary procedures through the project review were followed. You know, staff review by planning and all our related departments. There was, of course, the necessary public noticing from the ASCC meetings, the story pole installation and of course all the requisites requirements for the public hearing itself were followed for both ASCC meeting as well as the Planning Commission meeting. So, we have this very well enumerated process that I think we're seeing in action here tonight so I did just want to reiterate that.

So, as I mentioned earlier, the applicant team did submit some revised plans late last week touching on these three items that were kind of the focus of the ASCC discussion relating to the heights or massing of the structure, the colors being used as well as the proposed landscaped screening. Again, those plans were provided as part of the meeting materials. I'm not sure if the Commissioners had a chance to get too closely into them but once again I'm going to count on our applicants to hopefully to take us in that... up through that a bit more in detail tonight. And just noting that any of those changes will also have to be reviewed. Go through the full review process with staff as well as two members of the ASCC.

So, we received a number of public comments on this item submitted by both the appellants and the applicants as well as received directly via email to the Town. So, those were all complied within Attachment B. Now there were a few comments that were added to start this week. We had one from Chrisi Fleming, Danna Breen and additional comment from George Savage. So, those were all provided to the Planning Commissioners. We also provide of course your required notice for all properties within 300-feet for this hearing and the notice itself was posted at the project site. There have not been additional comments since the last comments I sent to the Commission again for Danna Breen, Chrisi Fleming and George Savage. I'd be happy to overview those if you think it necessary but those were all attached within the staff report and included with our supplement materials.

So, our recommendation tonight, as we noted the ASCC approved this project by a four-to-nothing vote on May 23. Finding that it conforms to the General Plan, the Zoning Code and the Design Guidelines. We're recommending the Planning Commission deny this appeal and uphold that May 23<sup>rd</sup> decision by the ASCC to approve both the Architectural Review and Site Development Permits. However, the Planning Commission can either take that recommendation and deny the appeal and uphold the approval. You could also deny the appeal and uphold the approval with additional conditions to be added. Third, you could approve the appeal and rescind those approvals in which case we remand



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back to the ASCC for additional consideration. And then fourth would be the option to continue this to a future meeting if you deem it necessary. So, that is my staff presentation on this. I leave my time to any questions from the Commission and thank you.

Chair Kopf-Sill: Great, thank you, Ralph. So, I'll look to my fellow Commissioners to ask any questions you have. Start with whose on top, how about you Judith?

Commissioner Hasko: Sure, so these are a little random in order here. Some of it relates to how this process works relative to standard processes and some of it is merely definitional. So, for example, please define a plate height.

Consultant Planner Robinson: Yes, so plate height generally being from grade to kind of that the roof being the roof plate. Where you have kind of that if you imagine the wall going up and then we have our bit jumping out here. Slide it is our plate height or its kind of our room height in another way of defining it so. Stuart might have a more technical architectural definition for me.

Commissioner Hasko: It's just below the roof? Where the roof meets (interrupted)

Consultant Planner Robinson: Right so not being to the maximum height necessarily, right? So probably more, probably more useful in these settings to talk about our overall maximum heights and then our vertical heights. So, vertical height kind of being the height you see at any one location and then maximum being considering the lowest point of the structure to the highest point. Those are probably the more useful overall terms to consider. Now is your question getting to as far as what the revisions has that changed the maximum heights at all or is that what is [inaudible]?

Commissioner Hasko: I didn't see a definition in the materials and because one of the (interrupted)

Consultant Planner Robinson: Okay.

Commissioner Hasko: ASCC members actually recommended a reduction in plate height. I didn't know what he was asking for so that's (interrupted)

Consultant Planner Robinson: Oh okay, yeah, well I can defiantly provide more background on that so and those were within Chair Ross's comments. So, he made the comment to the effect that the plate height or effectively the room heights for both the basement and that main floor. I think it was 10 feet or essentially that room height for the basement and 14 feet for the main floor. So, his comments the effect that those seemed fairly generous for those two rooms. So, if there could be some accommodation to lower the basement somewhat as well as that top floor. You know whether it's by a few inches for the basement and a couple feet for the top floor or some combination therein. That could overall result in an overall reduction in the height for the impacted area of several feet which could be of a help for reducing those impacts.

Commissioner Hasko: Okay and then in terms of defining a ridgeline versus the hillside. Because we ripple, we don't just have a triangular topography here. Is there guidance in our guidelines or anywhere on what a ridgeline is and what the hillside is.

Planning & Building Director Russell: Those are items that are subject to interpretation by the decision-making body. So, the Design Guidelines give the diagrams and the language as guidance but it's up to you to interpret.

Commissioner Hasko: Okay. A little bit on procedure, the ASCC... some of your materials that you just presented said that findings were made, but when I read the ASCC minutes. It's not a formal finding of

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all of the criteria, right? I didn't see it. Please point it out if it's there. So, was it the staff that made the findings or was it the ASCC and how formal is it typically?

Planning & Building Director Russell: The... when (interrupted)

Consultant Planner Robinson: Yes, so I can speak to this specific process or Laura if you want to just give the general?

Planning & Building Director Russell: Yeah, let me speak to the big picture first Ralph. So, in general, staff will prepare draft findings for the ASCC to review. Similar to what we do for the Planning Commission and then different ASCC members have different kind of style. Some of them will expressly say I agree with the findings. But when they make the motion it usually included either expressly or implied that it's the findings that are in the staff report, or they will give us other rationale to include in the final findings.

Commissioner Hasko: Okay. More on procedure, our we even entitled tonight legally to consider the revised plans since they have not been approved? Or how do we... what's our role visa via the updated plans that the applicant has submitted between the appeal and now?

Planning & Building Director Russell: Let me try and then I'll have Cara add on to that. Our staff understanding is that the applicant is trying to demonstrate compliance with the ASCC's approval and trying to make further improvement to the plans that more people may find them more acceptable. According to those, the approval, the ASCC... two members of the ASCC would still need to review those plans. And so, the Planning Commission can take it as an indication of the direction that the applicant is going and the way that they're thinking about their design. And the Planning Commission is allowed to look at this application sort of with fresh eyes and so you can take those revised plans into consideration in the way that you think is appropriate. Cara, would anything to add to that?

Town Attorney Silver: I don't, that was perfect Laura, thank you.

Commissioner Hasko: Okay and is it normal for the ASCC to have as a condition the obligation to consider as opposed to the obligation to do? How common is that because an obligation to consider when Dave Ross was making his comment. It didn't seem that it was clear to me what they really intended and either maybe people who were in the room have a better interpretation of the intent. But what did the ASCC intend? Do we know or is there any more than is in the record?

Planning & Building Director Russell: It is fairly common for the ASCC to ask applicants to consider things and they're usually specific whether they want them to be conditions or not. And so, when the ASCC asked for something to be considered. What we're looking for at a staff level is for the applicant to analyze those items and normally they supply back to us some kind of narrative or email or plans or diagrams or descriptions about how they have considered them. And that goes through staff review first with my oversight and then we'd review it with the two ASCC members to make sure that they agree that the applicant has dually considered. Those they're not obligated to implement but they are obligated to consider and provide rationale.

Commissioner Hasko: Okay, I only have a couple more. There was commentary in some of the submissions about this process being different and maybe shortened in terms of the appellant's ability to have a chance to understand the plans for the house and the layout of the house as proposed. I don't know if you want to comment. Is it appropriate to comment on a preliminary review under the "old regime"? I'm a little confused because I'm not on the ASCC. What would have happened previously versus now? Because one of the things we're seeing is the story poles came up and people were

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surprised. So, I'm trying to understand what might have happened in another... under the old framework if that's an appropriate thing to ask.

Planning & Building Director Russell: I think that it is an appropriate thing to ask. The ASCC has been exploring some different things in terms of how they approach some of these applications. So, in the 4 years that I've been here new projects can either go through a preliminary review and a final review, or they can go to a one-time ASCC review. That started before I got here and so if there's a lot of neighborhood comments that we've already heard, or there's a lot of complexity to the project. I will sometimes make the judgment that the applicant has to go to a preliminary review but if the project at the time what's information that's available to us seem relatively routine. Then we'll make the decision to take it to ASCC prepared as a final review. The ASCC always has the discretion to say we'd like to treat this as a preliminary review and give you feedback. So, it's a just a matter of whether staff has prepared it with the findings and draft Conditions of Approval. So, they, you know, sometimes they do something different than what we staff expected. Sometimes they want to approve something in only one time and sometimes they need two or even more times to review it. So, we differ to them on that judgment.

Commissioner Hasko: Okay. Did... if it's not going to have that two-step review, do you normally go to the site? Does the planning staff go to the site and have a look from all the perspectives or was that done? I don't even know here.

Planning & Building Director Russell: Generally speaking we do go to the site and try to view it from different perspectives. Ralph, did you want to speak to this particular project?

Consultant Planner Robinson: Yes. No, so I did do a site visit. Now it was prior to the story poles when I was doing kind of the preliminary staff review of all of this. So, and did you know kind of your... I wasn't able to get onto the property but kind of from the street level got a sense. So, did not get all of the perspectives that you mentioned but did make an effort to get out there to get a sense of the context of this.

Commissioner Hasko: Okay. Alright and then the last question that I have on this is the... when... is there a typical timeframe where the neighbors have access to the plans relative to the story poles? I don't... the timeline and that is a little unclear to me. What's normal or what's standard practice?

Planning & Building Director Russell: So, we ask applicants to do outreach to their neighbors themselves and then what the Town does is we provide notice the 10-days before the ASCC meeting. And then the plans are available anytime in the process for applicants to review. So, if an applicant reaches out to us at any point we'll share the plans. The plans are all digital now. We just get a few paper plans so normally if someone wanted to see something we can share that electronically or sometimes still people come in and look at a paper set of plans.

Commissioner Hasko: Okay, alright, thank you. Anne, sorry to take so long. Those are my questions.

Chair Kopf-Sill: Oh no, all good questions and covers some of the ones I had so efficient actually. Let's see who's next. Nicholas, do you have any additional questions? You're muted if you're talking.

Consultant Planner Robinson: Still muted.

Commissioner Hasko: You're there.

Chair Kopf-Sill: Yeah, we heard you for a second even though the mute button looked on. No. Still no. Oh, we see you waving. We see you finally (interrupted)

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Vice Chair Goulden: And his mute button went away but he's still (interrupted)

Chair Kopf-Sill: Yeah. How about if I go to John Goulden for questions and then see if something changes on your end. Okay, how about you John?

Vice Chair Goulden: Yeah, so as usual, as you noted Judith asked great... several of my questions. I did have two questions I think. Ones kind of nitty-gritty which is in terms of the driveway and the slope. Did... and the new requirements for our fire access. Did it have... did that have anything to do with where the building is located on the property? I mean did that push it up or is it... that just a different choice and may be a question for the architect also Ralph? I understand that and then the second question was really about again on the process. Who is it that sets the ASCC process? Is that something that they would do themselves? Is it the Town Council? Is it within our purview to tell them what their process should be? How do we integrate with them on that topic?

Planning & Building Director Russell: Okay so first on the fire access. Yes, it is staff's understanding that that had a meaningful impact on their site planning exercise and the applicant team can speak to that later on. In terms of the ASCC process, it's set between staff and the Chair of the ASCC and then sometimes the Council liaison to the ASCC. So, for example, we were doing some work with the ASCC to do very early reviews before the plans were completed. To do some trials on that to see how that worked for some projects that had big decisions that they need to make before finishing their plans. We did a couple of those where they had a very early review. They still had a two-step review but it was earlier in the process. Most of the time the projects at the ASCC reviews are what we would call a complete set of plans. Architectural, civil, survey and landscaping are all present so that they can evaluate the project on the whole and whether they review it once or twice is the process I was describing earlier. It starts with the staff basis and then it's up to the ASCC if they want to see it multiple times. And in terms of coordination, I'm certainly happy to hear feedback from the Planning Commission on the review of these types of projects in so much as it impacts decisions that fall within this body. Within your authority and further, any recommendations that you have when you act liaisons to the ASCC and then we would take those to... probably we would take them to a meeting of the Mayor and Chairs of the Planning Commission and the ASCC. That's the... we don't convene that group very often but every once in a while, when we do to go over those types of process questions. But from staff's point of view, the process for this project has been consistent with our standard process.

Vice Chair Goulden: Thank you.

Chair Kopf-Sill: Any others John? Questions?

Vice Chair Goulden: Nope, that's it.

Chair Kopf-Sill: Okay, good. Shall we try Nicholas again or no? Okay. No, okay. You could quickly... would he be allowed to text one of us the question he wants to ask and we could ask them?

Commissioner Hasko: How about a phone call? I mean can he phone in?

Chair Kopf-Sill: Or are you okay? Do you have no more questions? Let me ask my question and then we'll see if you have any left more okay? I have just one question. Ralph, the... a notice gets sent to the neighbors 300 feet radius like usual. Does an additional notice get sent when there's going to be an appeal?

Consultant Planner Robinson: Yes.

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Chair Kopf-Sill: I see so neighbors got two notices, can I say? They knew this was coming up if they wanted to. Okay. Okay (interrupted)

Planning & Building Director Russell: [inaudible]

Chair Kopf-Sill: Oh, go ahead.

Planning & Building Director Russell: Through the Chair, I just wanted to say to Commissioner Targ, if you want to call in separately to the call-in number. I can make your phone number a panelist also. That's the other choice or you could log off and log back on and see if that helps. We do have a quorum so if you need to drop off for a minute and come back that would be okay too.

Chair Kopf-Sill: Great, okay. Alright, so next on our plan is a presentation by the appellant. So, I think that's Irene and Pedro Ruiz. We're hoping this is around 15-minutes but its their time to give their story so go ahead.

Ms. Ruiz: Okay, so let me see if I can... I'll be speaking on behalf of ourselves, also the Hennefarth. Okay, I'm quite nervous, I don't do this. So, yeah, thank you so much. We really appreciate your time. We know you do this just for the good of our town and we are really grateful and we do appreciate all of this. Especially, during this time when you're quite occupied with other issues. Okay, so to make it easy I'm going to... well relatively. I'm going to try to do a slide show and I put... I think we summarized most of the information in the... in our appeal. So, I'm kind of just putting... wait a minute. Did I share my screen? No, sorry.

Chair Kopf-Sill: Not yet.

Ms. Ruiz: Sorry. Not yet? Okay, I'm getting there. I'm figuring this out. So, I won't take too much of your time but we did put together a summary in this way. Here we go, okay. So, let me start... let me get to the beginning, sorry. So, here's our... okay, now it is working?

Chair Kopf-Sill: Yes, we can see your slides now.

Ms. Ruiz: Okay, great.

Chair Kopf-Sill: You might make them full screen if possible (interrupted)

Ms. Ruiz: Yes, I need to make it full screen and I just have to see where that button is. Shoot, I was supposed to know how to do this.

Chair Kopf-Sill: It's okay if it... the way it is right now is also okay.

Commissioner Hasko: It's fine.

Commissioner Targ: You're doing great.

Lisa Hennefarth: You are... Irene, make sure you hit view... the view to just (interrupted)

Ms. Ruiz: Yeah, the (interrupted)

Ms. Hennefarth: Yeah, there you go.

Ms. Ruiz: Slideshow. There it is. That's how it works. Okay now it works, now it's ready.

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Chair Kopf-Sill: Very good.

Ms. Ruiz: Correct?

Chair Kopf-Sill: Very good.

Ms. Ruiz: Okay, so here's our appeal and essentially our assertion is as follows. We believe that the placement of this house is contrary to many of the Town Design Guidelines and to the direction of the General Plan. Specifically, we feel that the proposed plan fails to consider views from neighboring properties. That would be ours as well as the Hennefarths. The design relationship to the adjacent parcels, the protection of view corridors to maintain views of prominent scenic features, the avoidance of siting structures on ridges or hilltops and ensuring careful integration into the already developed area so as to ensure compatibility. So, I won't belabor this. These are the main points of the both the General Plan and more from the General Plan that we feel was overlooked. Also, from the Design Guidelines regarding view preservation, open space preservation, view corridors, obstruction of views. Let's just say our theme. Location on hilltops or ridgelines and then also this scale and context. It is quite a large structure and so of course it has more impact than the existing one but significantly more. So, there is the issue to designing structures in proportion and that keeping them sited and unobtrusive, subordinate to the landscape.

Okay, so a couple of visuals to emphasize. So, I know you already had photos from our property, also from the Hennefarth's property. You don't need more photos and a couple of you came to actually see it from our property and from the Hennefarths. And I appreciate that because we do feel that the effect is really only remarkable from our home. You know the photos don't quite do it justice. So, in this diagram, we're just showing the... where the existing structure is compared to the old one. I mean compared to the new one. So, you can see that it really is moved significantly from the existing site. In this slide, you see sort of where our property and sight line is and the Hennefarth's sightlines. So, we have this... sorry, it's very noisy. We have this open space up hill and you can see where the existing house is and this is where the proposed house will be or it's slated to be hopefully. So, this is really what we are concerned with.

So, essentially the reasons for our appeal as the sort of what we feel is a failure to adhere to the Design Guidelines as outlined previously and then there is the issue of the lack of communication. We really were taken by surprise when the story poles went up. And we've been in this town a long time and we've done some minor remodels but we have many friends who've done new builds and major remodels. And there was always quite a lot of dialog and interaction with the neighbors because this is a town where we all try to be good neighbors. And so, everyone is quite motivated to keep good relationships by accommodating and so it... we just feel like the whole process was skipped in this case. So, that is an issue and it is also kind of covered quite thoroughly in our appeal.

So, to conclude, I promised it would be short. Essentially our appeal request is that the Planning Commission would send the project back to the ASCC for reconsideration with the recommendation to strongly or more strongly adhere to the guidelines regarding siting of the structure. We, you know, with the points that we have already made. So, I don't believe I have much more to say accept thank you for your time and your consideration. Yeah, I'll leave it at that.

Chair Kopf-Sill: Thank you, thank you, Irene. Good so next we'll bring it back to the Commission for questions for Irene Ruiz. So, let me see, who wants to go first? Shall I start with John this time?

Vice Chair Goulden: Sure.

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Chair Kopf-Sill: Just a minute. Irene... what's the procedure? Should Irene stop sharing her screen so we can see the people a little bigger?

Ms. Ruiz: Yeah, sorry.

Planning & Building Director Russell: Yeah, that's recommended.

Ms. Ruiz: Okay, thanks.

Chair Kopf-Sill: Okay, perfect. Great, sorry go ahead John.

Vice Chair Goulden: So, my main question, so right at the very end there you said would it make sense to go back to the ASCC and at this point in time do you think that would help? I'm just... I mean I'm reading all the notes. Obviously, things are not... have not gone particularly well neighbor to neighbor here and I'm just wondering if we were to do that. Would it actually result in any change or I'm just really, I don't know, but kind of my rough question there? What do you think?

Ms. Ruiz: Actually, to be honest with you, you're absolutely right and I don't know. I just... I think our understanding was those were one of the choices... those were one of the four choices and the only one that was really appealing to us. Right because the other three are all that it gets approved with maybe some... right, it was the only choice that wasn't okay, let them go ahead and build it. So, you're absolutely right and this is pretty much how it's been going from the beginning. You know, when the ASCC approved it, it took us a few days to even learn that we could appeal. So, we've just been sort of clawing around in the dark. So, you're absolutely right and I don't know how to answer that. Yeah but thank you.

Vice Chair Goulden: Thank you.

Chair Kopf-Sill: I guess I'll go to Judith. I'm still worried about Nicholas's audio.

Commissioner Targ: I think Nicholas is okay.

Chair Kopf-Sill: Oh yeah, why don't you go next then?

Commissioner Targ: Guys first just to clear up the first portion. Judith is always doing an excellent job of clearing the deck. So, thank you both for your patience and thank you Commissioner Hasko for your thoughtful questions. The questions that I have and I think you're... and the point is a really good one and that is if we go back to the ASCC. Do we move the ball forward or is it another stop in order to come back here which is not inviting for anybody or a good use of anybody's time or resources including ours? Have you had an opportunity to meet and to discuss with the applicant following the revisions to the plan?

Ms. Ruiz: So, you mean the revisions that were submitted on Friday?

Commissioner Targ: That's right.

Ms. Ruiz: No, we have not spoken with them.

Commissioner Targ: Have you had an opportunity to review them?

Ms. Ruiz: Yes.

Commissioner Targ: And (interrupted)

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Ms. Ruiz: So, yes so (interrupted)

Commissioner Targ: And perhaps we will have an opportunity... there you are, Laura. In terms of process, we'll have an opportunity to hear from the project proponent. It would be perhaps useful to understand the response from the appellant following the presentation. Will we have that kind of opportunity or is this the appropriate time to query what the response is?

Planning & Building Director Russell: You can ask questions now but both the appellant and the applicant will have a brief chance to speak after public comments. So, to kind of given any kind of closing remarks and so that would be another time when either party will be able to speak.

Commissioner Targ: Interesting. No, it's a challenging process to have an appeal with new plans on the table. So, a different kind of decision-making process might be better positioned here. But have that being the case Ms. Ruiz, so in reviewing the applicant's revisions. Can you respond to this?

Ms. Ruiz: So, we appreciate that the effort to accommodate and the issue of the plate heights did come up in the ASCC meeting. It's very hard to describe. This is why we were so anxious that earlier that would have been the ASCC. Now that the Commissioners would come and view the site. The issue is that currently when we are in our kitchen or family room, you know dining room and we look out the window. We have an open hill, so whether you put a 20-foot high structure on a 24-foot high structure on it or a 16-foot structure on it. it doesn't change... I mean it changes the height of the structure that's there but now there is a structure there. And it changes completely the visual and quite frankly, that hillside is a pretty significant visual from our house. It's... you know in the last two months while the story poles have been up. There are almost everybody who walks into our house notices it within a few minutes and comments on it. So, it's not something we have to point out. It's not something that we have to go look at. It is a very prominent siting from every central location in our house. From our back patio and I'm not talking about walking to our backyard or some corner of our backyard to see it. It is ever-present. I will never walk from my garage to the kitchen or to my bedroom and not see it. So, whether it's 16 feet high or 20, it doesn't significantly alter the reality that there will now will be a massive structure up there instead of the open space. So, you know, I know that the applicant is trying to be accommodating but nevertheless it doesn't... its... I don't know how to say it. It doesn't really change it.

Commissioner Targ: That is helpful. I appreciate that. Thank you very much and by the way, you're doing a great job. Thank you.

Ms. Ruiz: Thank you.

Chair Kopf-Sill: Great, Judith do you have any questions for the appellant?

Commissioner Hasko: Just a couple. Between... so it seems to me and I want you to comment and tell me if this is wrong. You got a notice that there would be building or a project going on in I think January and then the story poles went up in May. What... is that accurate? I mean step one.

Ms. Ruiz: Yes.

Commissioner Hasko: Yeah, that is accurate and did you know that you could get access to plans? What was your awareness of your relationship to this project between January and May when the story poles went up? Because if I interpret correctly your statements you felt that you had 10 days to kind of get your bearings once the story poles went up and then the meeting took place. But I don't know if you were aware of the plans being available or that you could of gotten out ahead or asked more questions



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and I... this is not a loaded question at all. I just am curious what you were expecting to happen versus what actually happened.

Ms. Ruiz: Okay so in January Ms. Kaveh... I stopped by one day. I happened to be outside and she stopped by and so I met her in the yard. And she introduced herself and told me that she and her husband had bought the property over on Westridge. And so, we... it took me a few minutes to clarify which property it was and then... and we essentially had this nice conversation and she sort of handed me the paper which was the notice that they were going to build. But in the conversation how... and so yes, like just from that I am at fault for not reading the paper carefully. Going to the website and looking at what was going to happen. That was my mistake. However, in our conversation I very quickly... when I realized what the... which property it was. I very quickly commented or expressed on how much my husband and I love that hill because that is where we watch the deer and the coyotes. And I mean we purposely... there is an old fence and we purposely have sort of pushed it aside to make sure that the deer could go through freely and so. And then she did say oh, well we're going to rebuild the house because it's an old house. So, I just thought she was just being nice and letting us know and that of course yeah. There was no... there was nothing that would lead me to think that they were actually going to re-site the house and put a... block the view. Yeah, so that was my error.

Commissioner Hasko: And again, these are just questions about what you knew and were expecting. [inaudible][interrupted]

Ms. Ruiz: Right so then [inaudible]... so yes, okay so then when the story poles went up. That was shocking because partly because we had assumed and one of the reasons I hadn't been concerned early on is because we had assumed that it was not... that the Town wouldn't let anyone build on that hill. I mean we knew enough about the Design Guidelines to think... to have felt safe about that. So, even if... I think even... I just never would... it wouldn't have occurred to me that someone would build up there or be allowed to build up there. So anyway, when the story poles went up I... that was a Friday afternoon. On Monday I think I emailed Ralph because I had some other communication with him and asked him well is this... I remember I wrote hey, can you please let us know? You know, these story poles went up and it seems to us that it's not aligned with Design Guidelines. Is this really... is this for real? And I was just told to submit my concerns in writing by Friday and show up to the meeting on Monday... the following Monday. So, which I did but of course, then you know the rest from the meeting notes so that's what happened.

Commissioner Hasko: And two last questions, if you had had a chance at that meeting to come back with a response because my understanding was after the decision was made. You did not get a chance to weigh in again. Do you know what you would have said or had (interrupted)

Ms. Ruiz: Well (interrupted)

Commissioner Hasko: Would you have had something in mind?

Ms. Ruiz: Well again it goes back to this idea that I... we didn't think this was permitted and so I felt like there was some error made by the ASCC. Like one of the Commissioner... I mean one of the Commissioners actually said literally in his... as he was approving he said well it's their hill and which okay, but then why are we worrying about pain colors if everyone can do what they want? Anyways (interrupted)

Commissioner Hasko: And my... oh, I'm sorry, please.

Ms. Ruiz: No, no.

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Commissioner Hasko: My last question is and you've already answered this in one way but the screening with trees. I understand it will always be there but your reaction to having screening there, more vegetation, blocking the same view as a structure. I don't know if you have any comments on that. The difference there if it makes any difference to your experience.

Ms. Ruiz: I don't know. I mean behind the trees there's still a wall so I don't know.

Commissioner Hasko: Okay, thanks. That... I just wanted to hear what you said. Thank you.

Ms. Ruiz: Yeah, yeah, thanks.

Commissioner Hasko: Anne, back to you.

Chair Kopf-Sill: Great, thanks. I guess I just have a small follow-up on that. I normally use this for or save this for later discussion and comments but it does seem like maybe more back and forth is good. So, why isn't... could you talk more about the screening? You say well there's still a wall but you wouldn't see the wall right if there were trees kind of in between your property and theirs.

Ms. Ruiz: You're right, yeah. I mean it would be... I mean the wall of trees. It would be a wall of trees.

Chair Kopf-Sill: People don't like walls of trees. It would be a scattering of bushes or trees not in a line. (interrupted)

Ms. Ruiz: Right but if there's a wall behind it.

Chair Kopf-Sill: Prevent looking at the house, right?

Ms. Ruiz: I'm... it's hard to comment on that. I'm sorry.

Chair Kopf-Sill: Okay. Okay good, I think we're now to the part where the applicant will make a presentation. Let's see, who's that? Is that going to be Sue Kaveh?

Stuart Welte: That would be me.

Chair Kopf-Sill: Stuart, okay great.

Mr. Welte: Can you hear me now? I unmuted myself and I'll share my screen.

Chair Kopf-Sill: Yes, perfect.

Mr. Welte: Okay. Where's the picture? Okay well, thank you very much. Good evening Planning Commissioners, good evening neighbors. Not my neighbors but Sue and Farro's new neighbors. We really appreciate your time this evening. I am... my name is Stuart Welte and I'm the principal architect at EID Architects. We've been located in Palo Alto and designing in the Bay Area for several decades. We focus primarily on sustainable design. We've won lots of awards including the Governor's Award for sustainable design. So, every design we bring to a new community is highly energy efficient and sustainable in every way.

This is a view on the screen right now that is characteristic of Portola Valley and our goal this evening is to illustrate for you the many ways that we've considered this unique character in Portola Valley and follow all of the design criteria. We've worked closely with staff over many months and several iterations, six submittals, in fact, to achieve a harmonious design for this new 1195 Westridge home. A new ADU and supporting structures. During that time, in answer to some of the comments that were

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made by our neighbors... potential new neighbors are that Sue and Farrell, the owners, did reach out many, many times and there's many, many pages. I would dare say hundreds of pages of documenting that communication... those communication efforts over this... what is this, August? Eight-month period and the previous pre-planning efforts before that in 2021. So, we've been open to comments and working with the staff throughout this process and we've again, the design has changed and developed through that time. Our goal has always been to honor the unique character here in Portola Valley and to site the home number one in a way that is consistent with the siting of homes in the... that most greatly exemplify this character.

So, one of the criteria for that is to understand our lot. Understand that have an essentially a triangular-shaped lot. As the Conservation Committee noted, which is by the way one of the groups that we do try to be very sensitive to, that we have some very mature and beautiful and healthy tree groves around our perimeter that are very evident here. And so, one of our goals is always to increase... keep and possibly increase the health of those types of groves; create a habitat. Sometimes the lots over decades, even though it's Portola Valley, sometimes the lots have become a little bit barren and some might say from a habitat or ecological standpoint a little bit abused. And this can be enhanced and restored this health of this kind of a lot so that these trees can have the other smaller shrubs and plants off of the native plant list that will help them to not only retain their health but also be able to withstand jolts in the environmental atmosphere etc. So, that when global warming comes along, like it is now, that these trees can have a chance to adapt and they don't get shocked. And part of that is to have the right habitat of other plants around them which then foster also the animals etc. So, that end we're proposing to remove no trees and we're keeping all of the existing trees. And we're proposing no new fences because we do believe in wildlife corridors and free movement of the wildlife. There are fences installed by our neighbors that were maybe folks who lived there before our neighbors lived there but there are fences along our northern property line and our eastern. And for ease of discussion, since this is Westridge, even though north is at an angle towards the left. We'll call this... we call this in our drawings west. This direction north and this is east and this is south towards Cervantes so just for orientation purposes.

Yeah, so we look at the lot and we decide where is the proper placement of the home. Well, the number one thing in Portola Valley is to work with the Fire Department because all of the old driveways and old homes do not meet the current criteria. And the Fire Department is very strict and very stern and very adamant about creating a proper driveway according to their standards which have strict slope radii, width configuration criteria. What the boils down to is that the amount of room it takes to accommodate a fire apparatus is definitely larger today than it was in days gone by. The next thing is okay where should the driveway enter from? Well again, the Conservation Committee noted that we have very healthy tree groves around our perimeter and that we have a very narrow, almost a point, of access from Cervantes which of course is way too close to the intersection. So, that the primary option for the driveway entrance is in its current location which is between mature trees. The roots are established so establishing the new driveway which will require a little extra width won't hurt the roots because they're already use to the concept of the driveway being there.

So, to that end, we look around the other directions of our site and we say, you know, toward the front is... becomes very narrow and starts to become constrained. And also, as we come towards the front of the lot we become very prominent and very... at whatever we do. No matter what size the structure would be it would be very apparent to anyone coming through Portola Valley anywhere. The majority of folks living around this intersection.

Sorry, the screen... oh, there it is. Let me just click on this page. Where are all the pages?

Mark Wommack: Oh, good lord. Oh, they're over at the bottom. Hang on. Yeah, you know where you're going. [inaudible]

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Mr. Welte: Thank you. Sorry about that. Little technical difficulty on this end.

Chair Kopf-Sill: That's okay.

Mr. Welte: So, this configuration here, this lot... set of lot lines clearly illustrates where our neighbor's lot lines are. So, we share our largest lot line with Westridge, our second largest lot line with our norther neighbor, our third largest property line with 480 Cervantes and then 470 Cervantes and this point we don't share a property line. We share a property point with 115 Meadowood Drive. Just to orient everyone to where the configuration. These are our neighbors' homes and the way they developed their lots with presumably per the ASCC and Design Guidelines as well. This... these slides here start to show how much of the lot would be visible from various areas along the surrounding our property in terms of how the existing contours are shaped, and how you may catch a glimpse of our lot or the nature terrain from any particular location around our lot. So, this is not only shows... these next few slides not only show how much of our lot is visible from each particular neighbor but from all neighbors around us as a group. From across the street, this portion of the lot is highly visible from our next-door neighbor. This... they have probably the widest view of our lot because they're looking up the slope from where they are toward the width of our lot. Then from the rear yard of 470 Cervantes, they would have a view... a width of view, a scope of view approximately that, you know, if you consider their property lines. This is from 115, again through really a very narrow view corridor through that... through these fences. This group of fences that cascade down their lot and from our northerly neighbor. They have second or maybe first greatest view of our lot. Now, put those all together and our lot is visible by some degree from every direction.

So, to balance this out we looked at the lot in relation to the configuration of a fire apparatus turn around which again has very strict rules and had very limited arrangements that it can be... that is can be configured into in order to accommodate all the rules. And this illustrates the tightest and most compact fire apparatus legal turnaround that we can create. And so that's where we started and we tried to minimize that. So, that we could keep that as close to Westridge as we could so that we could keep all of the buildings grouped as close to Westridge as possible and utilize the largest portion of our lot. The largest width which would then allow us to have the greatest amount of setbacks around our new structures. So, to that end, we... the setbacks are shown lightly here around the perimeter and you can see that these are the allowed setbacks. Our home where it currently sits is only one foot closer to the eastern property line than the existing home. That's stated in the staff report. From downhill... just to reiterate that, so center... putting... placing the home here you can see the distance from us to our northern neighbor. To all of our neighbors around us. If... you essentially have a circular configuration and of course, in the circle, if you put in the center of the circle is the greatest distance from all of the folks who live around the perimeter of the circle. So, this location gives the best location setback-wise to the entire neighborhood as opposed to just one neighbor. This accommodates everyone. From the downhill view the existing home is sort of old style and ouster as it is. Is highly visible from Cervantes and so this beautiful character of Portola Valley that everyone loves so much which can be enhanced and even made prettier than this because all it needs is a few more native plants to again bolster these habitats. But then we have this visible on our... which is that's the top of this slope from Cervantes. Well, so that maybe isn't the best approach to placing a home on this lot. Again, centering the home among all of the existing neighbors gives the greatest setback to all of them and in much larger, sometimes eightfold the required setback.

The placement of our home is not on the top of anything. The... it's exactly the opposite. It's below our neighbor to the north, it's nestled into a nature contour break in our lot. Our lot slopes up and then it becomes a little bit steeper towards the back toward the north. And we nestled the home in order to not eliminate but to greatly reduce the amount of excavation that we could have to create to... and earth movement that we would have to do in order to create the home. The new home and accommodate the fire apparatus turn around. So, we've took advantage of the shape of the lot, nestled it into the

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earth and so essentially, we have an earth-sheltered one-story home. And using the earth as an embankment to really... to embrace the sides and back of the home. Now, we stepped down the structures as we come to the perimeters. The garage and the ADU step down lower and the distance... and so again they're basically earth sheltered. The distance from the earth to the plate height... the discussion about the plate height was apropos because the plate height to the earth at the back of the garage is only 5 feet. And the plate height, so the vertical distance from the ground... many people standing next to this garage will be taller than the garage. At the end of the home along the back side, it's 6 feet. So, again many people standing next to this home on the back side are going to be able to see right over the top of the roof. Oh, and by the way, so our intention is to nestle the home into the lot, into the lower contours of the earth and not obscure folks' views and not set... definitely not to obscure the actual hills and ridgelines. This is essentially a series of sloped lots. This is a hill and a ridgeline.

Again, from the north looking south and the folks to the north and some of our neighbors... several of our neighbors actually wrote very complimentary letters. When Sue and Farrell met with the neighbors they didn't just go to one to two neighbors. They went to everybody. They went to all the neighbors and some neighbors had very productive conversations and wrote very nice letters and this is one of them. And so, we... the home before we lowered... and so let's step back to address the idea the ASCC. That planning staff and ASCC, those are bodies that are... that do this for... planning staff does this for a living. They do this every day. They read the guidelines and they know them by heart. They don't take them lightly and they certainly don't approve anyone on the first round. Again, we resubmitted six times. So, the home was taller, a little bit taller. You could see more of this roof line along here previously. We lowered it at the east end and now you can still see a tad from the north side but not much and these... some of these are new plants. The new Toyons which are off the native plant list and some of them are existing Oleander and anyway and this is Windy Hill view in the distance. So, again these are the kind of considerations we've been... we tried to make from every direction.

So, another architect in our office, Mark Wommack, he will now walk you through some great detail and again, at the end of our presentation we're open to any discussion. Any comments, any questions and we can go into as much detail as you would like and Mark will now take you through some of the detail regarding the views. The existing views and the new views etc. Thank you.

Mr. Wommack: Thank you. Good evening. What I want to do is shift our focus to look more closely at the relationships between our proposed residence and the two appellant's lots. So, that we can specifically understand the relationships and what issues we have about preserving views and maintaining privacy and screening.

Focusing first on 470 Cervantes, Stuart pointed out we share a common rear property line. There are views directly from this property across our lot looking at the currently the empty portion of the lot in which there's no development. There's no solar panels or any development of any sort on this property in this corner. We also have views of weekly across their lot that could see the location of the proposed residences if it were not screened appropriately. It could be very invasive.

To understand how to design and place our house on the property we did look carefully at 470 Cervantes. We wanted to understand how the house and the yard spaces were designed to live together. We realized that the predominant exterior space of the house, the most highly developed with trellises and pools and so forth, was actually in the side yard but that there was also a substantial rear yard. A large nice flat area that also contained some windows in the rear elevation that were exposed to the rear property line. We identified a very thick mature landscaping screen in between 470 and 408... 480 Cervantes as well as a mature redwood grove or if you will a line of trees along the property line. Looking at it from a Google Earth perspective back from our property you kind of get a sense of where that pool is. It's actually hidden in view by the Google Earth trees here but this is the relationship

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that we're looking at that we really need to understand in order to make an informed decision on this question.

For the benefit for those who haven't been out to the site and haven't experienced the relationship between our property and 470's. We decided we should give this some photographs to help demonstrate what exists out there. We took photographs from the story poles that you see here concentrating on the three corners of the building that are the closest to Cervantes. We put together an array of photographs. The upper array of photographs here were taken with the drone there at the top of the roof plan. So, basically what you're doing is you're at the highest elevation here looking down at 470 Cervantes. Actually, over on the right-hand side of the screen that's really looking across 480 through to where the pool on 470 is. The center section is really looking more directly at the house and then on the right, those views are further into the backyard. The array of photographs are actually taken essentially at eye level standing adjacent to these story poles on the site. Focusing on the center of these images down at eye level. You can see that the row of redwood trees at the back of this property is quite mature and affords a fairly significant degree of privacy and screening. Standing here I can't really even see the house except for a couple of parts of the roof that you can see up above and down through underneath the understory of these trees. You know obviously, no landscaping screen is entirely monolithic so it varies as you move from side to side. But returning back to this image you can see that it's a fairly consistent screen that we're talking about. We were... we've been made aware that subsequent to taking these pictures, which we took after the appeal was filed, that some pruning occurred on the property. And we returned to see what effect this might had on the screening that existed out there. The pruning was just down at the bottom level. Essentially from eye level down to ground and it does open up some of the vistas from eye level down into the yard space.

Mr. Welte: [inaudible – off camera]

Mr. Wommack: Yeah now this... yeah, just to confirm that these trees are along 470 Cervantes and those property owners were responsible for this pruning but the screening is still there. We'll need to pay attention to how we add landscaping to our project to make sure that we don't adversely impact these views. Even to the extent that they've been opened up now and we can do that.

Shifting over to 115 Meadow Drive... Meadowood Drive, as Stuart pointed out we share a point of connection between our two properties and it is essentially the view from down on the right. You see the house, the yard and the pool of the neighbors. Up through this point where there's a vista between trees up to where the house is proposed to be sited. This is an image that was included in the appeal that... where you see that lawn, you see the pool, you look up the hillside. The brown grass that you're looking at up at the top is our client's property. And this gives you a sense of the relationship of that backyard and its features and the gap in the trees that we're discussing today. So, once again, we used the drone to take photographs of the top of the plate line and put together an array of photographs here that are focused more on 115 Meadowood. Looking at an image taken from the middle of those three points. You see that you really can't see the home through that gap in the tree from this perspective. If you move up to the upper corner you then do see the exposed area and that is the story poles that are in line with this view that you're actually seeing in the images that were taken by the property owners at 115 Meadowood. We've lightened this image and then zoomed in onto it so that you can see the yard space and you can also see the windows of the living room I'm assuming or family room. The windows in the house which would have a visible line of sight through this gap in the tree up to our property. So, our objective in mitigating adverse impacts on these views for both of these properties is first we're more than willing and happy to maintain this lower portion of the site in its current undeveloped status. We're not proposing anything down here. We're not proposing solar panels, fencing, nothing will be put down here, save some landscaping which we will orient in the foreground of this image. We're bringing the landscape further uphill because further uphill it serves to screen the view more thoroughly without it being tall. And it preserves that open space between that

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landscaping and these property lines for the preservation of that open space. Returning again to an enlargement of that view looking through from the backyard. You can see the line of the story poles in the background and this simulates what a row of native species, oak trees, or some other... something else off the native species list would do to screen that view. You still see the grassland in between that screen and their fences, but we can easily screen the view of this fence... the view of this house from this property.

This section is cut through looking from 115 up towards our house. Down on the right, you see a 5-foot stick figure if you will and sight lines from that point looking up towards our house. If I zoom in on this landscaping, you can see that we really don't even need 10 feet of landscaping placed in this area in order to effectively provide this screening. We've revised the landscape plan to concentrate more landscaping in the upper portion of this line of sight here because we identified through these photographs that we really did need to pay more attention to the landscaping that screened from 115 the back of the proposed residence. At the bottom of this row of landscaping we're also providing the new vegetation that will help screen from view any visibility of this lot because the property line corner occurs where you see the existing redwood and oak. Would... this redwood and oak screen of trees transition into non-redwood species. This is where the property line comes in and so by planting this green here. We're effectively hiding the residence while preserving this open space here. So, that we're really doing what is asked of us and feel is required to mitigate adverse impacts of the massing of our house from these sight lines.

I will... I do want to say that I was surprised by some of the comments about how visible this house is from... even from the interior of the rooms of their house. We haven't had the ability to look at or experience how our proposed residence is experienced by our neighbors. If they could share some photographs with us or even invite us onto their property so that we could experience. We could probably address any additional issues that may exist but at the end of the day this is really, in my thinking, is a question of a balancing the right of an applicant to develop their parcel. While preserving to the fullest extent that we can our neighbor's view of that parcel. We're not talking about distance views of ridgelines. We're talking about our neighbor's view or the neighbor's view of our client's parcel.

I'm going to walk you through some of the changes that we proposed in the plan. This is the roof plan that was approved by ASCC. The darkest color is the highest roof. Then it steps down to a lower roof over the master bedroom and then we had proposed the lowest roof over the back bedrooms and the closet and master bathroom area to the east here. As Stuart pointed out at this back corner, the upper right back corner, the roof line at that point is literally only 6 feet above existing grade right now. This is achieved through the excavation out to earth shelter as Stuart says this house and to really minimize the height of this view as perceived by the neighbors. Particularly from the perspective of 115 but also 470. We have carved back the tallest section of the roof and reduce the massing of that second section over the master bedroom itself to add a great deal more roof area to that lowest level. Dropping by as much as 4 feet some of these roofs. Now, I'm going to back up a little here and go back to the section because I want you to see what we're talking about in terms of the distance and the angles of these vistas. And I want to return to this also because when we begin to discuss as I know we will whether a foot or two of dropping a plate height or top of roof is going to have a significant effect. When you consider the distance in between the lawn and the pool area and the angle of the site lines. If I were to drop this upper roof a foot or two. It would be difficult to even measure the difference in the angle of the line of sight from a person down here up to that roof. That the height of this roof, up or down slightly, isn't really going to substantially change the relationship of these properties. What does change the relationship of the new house to the existing properties are these trees. The native vegetation planning that we're going to bring in and strategically locate to hide these residences.

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Also, to address another question which I know you're going to return to and I want to elaborate a little on the questions of the hammer head. Because I know that there has been some disagreement about how thoroughly we looked at this and what opportunities we have to do something else. Now Stuart talked about the native screening down here by Westwood. These are beautiful trees, you saw a picture of that at the introduction of this PowerPoint presentation where you saw the character of Westwood in front of this property. It is absolutely gorgeous. In order to maintain or satisfy the requirements for fire truck access. We have very strict limit on the slope of this driveway coming in because we don't want to adversely impact any of the root structures of these native trees here. We really don't want to begin to change the grade of this road until we start to come out from behind the canopy of these trees. Now we have to raise at the maximum level permitted up to a point where we can locate a hammer head. We did look at the potential of bringing the hammer head more directly into the property. The problem is, is that we would have to rise up quickly and we would quickly exceed the maximum slope of this driveway. Unless we came back and extended that slope in underneath the tree line. We did not want to do that. We don't want to adversely affect any of those trees. We use the radius of this turn to give us distance to help us make the changes that we needed in elevation to get up to a turnaround. Now that hammer head also has really strict limitations on cross slopes. So, we really have to make sure that we orient this hammer head so that it runs parallel with the topography and not perpendicular to the topography. This really proved to be the only reasonable and feasible way for us to get this hammerhead in place. So, I think now I'll return the presentation to Stuart to wrap up his thoughts before we go back to the Commission for questions. Thank you.

Mr. Welte: Thank you, Mark.

Chair Kopf-Sill: Stuart, can you be brief?

Mr. Welte: Sure, I can.

Chair Kopf-Sill: The presentations been a little long.

Mr. Welte: Absolutely, yes. Once again this would be the enhanced native habitat. These are, you know, native plants to bolster the habitat for the existing tree groves that the Conservation Committee noted were significant and should be worked with if at all possible. To that end, the ASCC, when they approved us did so unanimously and did so as you say with conditions that were not required in order to be approved. They were a request by the ASCC to if... to look at one more time and bring back to two members on a staff level basis to discuss the potential for. And so, we did look at all of the points they requested. They requested essentially three areas to be looked at. One of them was the height, one of them was the materials and colors, and one of them was the vegetation the landscaping. We looked at all three and we actually worked with the owners and we worked with staff and we worked the various experts in the field and we did enhance all three of those. We made adjustments. We adjusted the materials and colors. We even when to the Building Department. As you know, Portola Valley has extremely strict rules for the WUI requirements. The most strict of any jurisdiction we ever work on. Even up north near Chico, they're not as strict as they are in Portola Valley. So, one-stone products aren't even allowable in Portola Valley because they don't have the right rating, but anyway we worked with them. We adjusted the materials. We brought the colors more into keeping with the earth tones that... I mean they were already pretty close but we tweaked them to make them even better matched to the existing tones that are out on the hill and of course when we begin the project. We would be doing mock-ups to confirm once again that the materials that we're using and the colors that are and pigments that are being chosen are actually going to look the same on the site as they do in imagines etc.

In terms of the height, Mark went into great detail and described how we lowered the roof heights to the lowest available roof height. We stepped down the elevations greatly on both ends and we kept the



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narrowest portion of the building of the structure facing towards the east and west and then nestled the rest into the hill. This again is the view from down at Cervantes and Mapache and Westridge at the intersection. And with the new location and configuration you will... really what will be prominent is the natural landscaping. The native and natural landscaping for Portola Valley. Not the architecture and the landscape I think speaks for itself. Again, choosing plants off the native plant list, not just the preferred plant list but the native. The most restrictive plant list and we worked hard with the landscape architect to make sure that we've got the right balance of those plants and the right locations. Again, through that analysis of the scope of human plan and the inclination of view in the section. We took great pains... we work in a very accurate revit [phonetic] programs that... so that every things tied into the county datum. So that the topography and the contours that we show are extremely accurate. And so, we worked really hard to make sure that the configurations and the overall configuration and impression, in the end, was very natural feeling.

So, that's really our presentation. We thank you again for your time and your patience and we're happy to answer any questions. Thank you.

Chair Kopf-Sill: Okay great, thank you. So, we'll bring it back to the Commission for questions of the applicant. Let's see, who wants to go first this time? Nicholas. Hey Nicolas, you're muted. Do you want to go?

Commissioner Targ: There we go. So, I think everybody is having a little bit of a technology issue here.

Vice Chair Goulden: Not here.

Commissioner Targ: Note that I have my telephone and my computer on.

Chair Kopf-Sill: Yes, good job.

Commissioner Targ: No, I'm sorry it's quite a bit to digest frankly. My thought is that there is basically three issues just as you called out that were identified by the ASCC and I think that you've actually hit them. I think that I have so fewer questions than and perhaps more appropriately oriented towards discussion really at this point. I note that there... it's interesting to see that it says 2-acre lot that has been manipulated pretty severely over time. That the vegs that's on it is oriented towards existing views and a lot of the vegetation, the redwood trees, aren't really appropriate to be in the location that they're in. But they are a vertical green fence so I think that this lot is, in a certain sense, a challenging lot and you can see that by the manipulation that's gone into the vegetation.

I can I guess I'm just going to close by noting that if you have a keystone lot you really are kind of in Macy's window and any modification from that... from a long-standing property. Other property owners will of course have developed their properties and their view sheds in a way that reflects the location of the structures that are on the buildings... on their properties. I question the use of coffee berry on a south-facing hill. I didn't know that you could do that. I can't do that on my property but I assume that there are arborists who will guide you to help you make that work.

And this is a very unsatisfactory or unsatisfying kind of response to the presentation but I think that's what I got for you at the moment.

Chair Kopf-Sill: Okay, if that's what you got, let's see. Judith, do you want to go next? Any questions for the applicant?

Commissioner Hasko: Yeah, just a few. Had other neighbors requested to see the plans between January and May? And or did you show them regardless of whether they were requested?

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Mr. Welte: Sue may have to answer that. She probably knows the best. Sue and Farrell walked the plans to all neighbors. And of course, they were invited by staff and by email, by many ways, all the neighbors, and some neighbors responded by email. Some responded by actually inviting Sue and Farrell over. Some wrote... you know many of the neighbors, there's lot of positive letters in our [inaudible](interrupted)

Commissioner Hasko: Great, I'm focused on the plans. Who had access and when?

Sue Kaveh: Yes... our communication, my husband and my communication to the neighbors, were exactly the same. We introduced ourselves, we gave them the form that Ralph sent us to communicate our project being in process. One neighbor, 1180 Westridge, Savages, they actually had a genuine interest in the location of our house. They were very concerned so they welcomed us, they asked us some question and when we left 2 days later I believe. They sent an email and said we want to review your plans. Can you print and bring them over, which of course we did. We make an appointment, we printed the plans, we went to their house, we show them everything and we really... it really was sort of at that point where things were going to be but then they were not even satisfied by that. They said we want to see the lot, we want to see exactly where every structure is going to be and at that point, we were deciding where to put our ADU. We weren't so sure if it would be down or up exactly. We were deciding where to put the ADU so we took them the same day. We took the plans and we walked to our lot. We spend about an hour there and based on the overlap of existing and the new structure. We figured out where every structure was going to be placed. So, they looked at the main structure, they were okay with that and then they said ADU... basically, we decided the location of the ADU together. Because they did not want the noise from our house to travel to theirs and apparently that was an issue with the previous owner. So, we zeroed in on the ADU location which was very good for us because it moves things along with some satisfaction for us also. That we knew we a neighbor who was going to be unhappy with us probably. We made them happy. So, we spent an hour or maybe more than hour with them and they became supportive.

Commissioner Hasko: When was that? Thank you, that was helpful but when roughly?

Ms. Kaveh: The first meeting with all the neighbors, except for Ms. Agogine [phonetic] because she didn't answer but we posted the notice on her door. And later, their family contacted me and I went there and introduced myself. But 1/13, January 13 I met with all the four neighbors who were available and wish Savages the second meeting was I believe on January 28<sup>th</sup>.

Commissioner Hasko: Okay. The other question that I had was probably for the architect. Just there are some mentions in the materials on water flow on the site and if you could explain how you're thinking of that? Is there an issue? How have you managed it, if at all? It would be helpful for us to understand that risk.

Mr. Welte: Sure, in the set there's a sheet for the civil engineer, C4, which shows it the most clearly and so the existing contours of the lot flow to all the sides. And it's, you know like you say a decent size lot and so there's probably considerable flow because the existing structures there and the existing utilities really, you know, they're not up to current codes. And so, the water really is not... stormwater is really not handled like it's supposed to be. These days, you know, we work to follow the rules to make sure that the C3-C6 requirements are all adhered to. And so, on C4 you'll see all around the north and east end south side of the proposed development is drainage accouchements. A v-ditch, slopes, swales, tight lines and the water is brought from the north of the lot. Instead of flowing off to the east and to the west. The water is brought down around the home and out to the west where the new sewer system will be a stepped force main. And the... so the stormwater will all be captured out toward the west of the lot close to Westridge. So, that as it's retained according to the rules and then metered out

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slowly. The metering will occur in the right spot. So, the stormwater outflow toward the east will be tremendously reduced from the current configuration.

Commissioner Hasko: Thank you, that was helpful. Anne, back to you.

Chair Kopf-Sill: Okay, sounds good. How about you John? Do you have any questions for the applicant?

Vice Chair Goulden: I do, I do. I think I have one question for the Stuart. So, Stuart, in... towards the end of your presentation you were talking about you hadn't had the chance to get onto the neighbor's sites to maybe think about things. And I... clearly things have gotten kind of tense so but what where you... could you elaborate a little bit on that about what you were thinking and what that, if anything, might result in or where were you going with that? And I guess I'm trying to explore what might work with the neighbors to defuse some tensions or establish better relations moving forward.

Ms. Welte: I don't know if tension is the right word but it seems to be sort of a, I don't know, just a dissatisfaction with... like you... I think what was brought up by the neighbors themselves. In fact, this is how... for the most part this is how we've worked with the two neighbors who are a part of the appeal where rather... you know we have a drone. We fly the drone, that's typical. We don't fly it over people's... any folk's lots who main not want us to. We also like to get permission etc. So, when we understood that they were concerned about certain views we created views from our lot looking toward them and interpreted of course the reverse of that from that view. Now and then of course we worked with again the contours, the topography and the photographs to create very accurate (interrupted)

Vice Chair Goulden: Stuart, Stuart, let me interrupt. Now I'm more interested what would you like to see happen. I mean if everything was perfect and people were trying to work together. [inaudible](interrupted)

Mr. Welte: Well we... yeah, so it worked out fairly well in that.

Vice Chair Goulden: I don't want to get into the who shot pictures of whom, where, what drones flew over whom. So, like (interrupted)

Mr. Welte: Well, I guess I brought that up because just to reinforce to you that the views that we have created are accurate because then we based some of the... they did provide photographs to us... to the owners that we used for our presentation from their lot of the where... of the views, they were concerned. So, that's how... then we have those views in our presentation to show exactly what they were thinking of. And so that communication was maybe not as direct as it could have been but it did work. I mean it did provide us with an image of what they were thinking. Now, the little things like well we have a mature, healthy habitat and wooded grove of trees along the property lines. Now is that the best way to plant trees? We don't know exactly but you know, that's how it was done in the past. They're mature, they're healthy, the Conservation Committee loves them and they were thick and nice green landscaping screens. Now, up until two weeks ago, they were extremely thick as you saw in the photos. Then (interrupted)

Vice Chair Goulden: Okay, that's enough [inaudible](interrupted)

Mr. Welte: Then they were trimmed and their views were actually opened up which seems counterintuitive.

Vice Chair Goulden: Stuart, that's enough. That's okay, thank you.

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Chair Kopf-Sill: Is that all your questions John?

Vice Chair Goulden: Yes.

Chair Kopf-Sill: Okay and I have no further questions. Okay so now we'll get to the public part so if neighbors or other members of the public would like to speak and as usual, we do it with the hand-raising feature of Zoom. Great and I see Dave Cardinal's hand up so we'll start with him.

David Cardinal: Great thanks. First of all, as someone who knows a lot about drones. I don't think reversing the image on a drone is going to help you and second, to follow up on John's question. I think what he's asking is you said you were not allowed access to the plaintiff's property and that you could have done something else if you had gotten there. But your response was seemed totally non-appropriate and it didn't say what more you could have done. So, I'm just curious what... how you want to follow up on that or what your thoughts were. Thanks.

Chair Kopf-Sill: Good and the way we run these is we take the questions and then we'll... both the applicant and the appellant will be able to answer things. So, you can respond to those... any comments that have come up at that time. So, we'll go on, I see Greg Goumas.

Greg Goumas: Yes hi, thank you. I'm a California licensed appraiser and I've done some work at the property that... the subject property. And I just wanted to just hearing all the comments this evening wanted to highlight a few things. First of all, we're not talking about someone doing anything that they want. It seems to me as though there's been very careful consideration for all neighbors in consideration; six to eight or maybe more. There's been very strict adherence to General Plans, zoning and Design Guidelines. Screenage has been designed to accommodate. This is certainly the right approach. This approach allows for adherence to zoning, the General Plan, Design Guidelines and very special attention to neighbors. This is the right approach to develop a property where all requirements are met. The property owners have rights too and, in a marketplace, when buyers and sellers are going to interact. Predictability for what buyers and sellers can anticipate is essential for establishing and maintaining value and so when you take... when someone anticipates they can follow such a ridged approach that's been taken here for all stakeholders. This is exactly what needs to happen. When this approach is taken and then it's objected to and that objections are followed through on. This is exactly what erodes long-term value on a property. Thank you very much.

Chair Kopf-Sill: Great, thank you, Greg. Let's see, next, we have Loren Dakin or Dokin.

Loren Dakin: Can you hear me?

Chair Kopf-Sill: Yes, good.

Mr. Dakin: Great, thank you. Several months ago, we met Sue and she introduced herself to me. She discussed the ideas of her home. She showed me her plans. As a side note, I've development many... several properties in San Mateo County over the last decade. I currently live at... I currently own 118 Apache. I'm directly across the street. I'm at the corner of Westridge and Apache and quite frankly, I'm the most exposed to her out of anyone. If you look out my living room window I can see all levels of all structures. I see the most structures and when you take a look at the story poles that are up right now. You can see that they've done a great job of trying to build everything into the hill and I think, in my opinion, they're keeping with the spirit of what Portola Valley is and the design is tasteful. I think they've... from what I've read they're playing within the rules and they've done everything they can. At least she has expressed to me, called me several times asking for my opinion. What do you think I should do? And I think they've done everything they can do and to continue to drag this on for them. It costs a fortune to draw these plans up. There's a monthly expense of sitting here and waiting and

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we're talking about a little bit... some trees to be planted to let them move forward. And for them to have to go back six times to review I just think we're really hurting them more than anyone else. And I think they've gone through the process, they're following the rules, their architects have done a wonderful job and I think it's time to let them move forward. So, that's my view, thank you.

Chair Kopf-Sill: Great, thank you, Loren. Let's see and next, we have Danna.

Planning & Building Director Russell: It looks like her hand went down.

Chair Kopf-Sill: Oh yes, you're right. Okay.

Planning & Building Director Russell: Oh wait, there's... okay, it's back, just a second.

Chair Kopf-Sill: Okay.

Planning & Building Director Russell: Here's Danna.

Chair Kopf-Sill: Hey Danna.

Danna Breen: Unmute. Unmute, got it? Can you hear me?

Chair Kopf-Sill: Yes.

Ms. Breen: Okay you guys, I was asked to take a look at this by Irene. I am a 20-year ASCC veteran and I have no comments about the design or the way the ASCC did it. It was absolutely congruent when I went over the... when I... there were no minutes so I watched the film. Then I wrote a letter which was not in your Packets and it was not visible for the public to see. So, I mean I'm really brought back Judith by your first question tonight is what is a plate height and I want to know if Irene knows what a plate height is. And so, I... the fact that there was no preliminary and I think that we need to go back to preliminary meetings for all new houses. These people had no ability to respond to the first time they were hearing the ASCC comments and I have a problem with that. That's something that when you have a preliminary meeting everybody's on site. You go to all the neighbor's houses, everybody talks. What are the issues, where are the concerns and these people did not have that ability and I have a problem... as a 20 year veteran on ASCC I have a problem with that. And I think that it needs to be balanced so while yes, I appreciate your design and what you guys are trying to do. The residents were not heard and they didn't have the ability to respond and that really troubles me. And I think... I hope as all of you guys go on in Planning Commission, I think ASCC needs to go back on new houses to preliminary meetings. Thank you.

Chair Kopf-Sill: Thanks, Danna. Let's see, I don't see any more hands up, so any last-minute public hands? I don't think so. Our next step is going to be closing remarks from the appellant. Recommended to keep to three minutes and then we'll go to closing remarks for the applicant. So, I think now to Irene.

Ms. Ruiz: Oh, wait minute, let me turn my lights back on. It's gotten kind of dark here. Okay, so I don't really have much to add except to address a couple of the arguments or issues that were raised by the architect I suppose. And so, one is that in their presentation at the ASCC and in our... and today there was a lot of discussion about the idea that this was... they had to put the house on this site. And I really, I feel that that's somewhat disingenuous. I did submit with our appeal I did submit a photo of the view of the property from the corner of Cervantes and Westridge. There is some... first to all, its... the property sits above Cervantes and Westridge and there's, as you carried on about, the lovely mature oak trees. So, essentially, if you are walking on Cervantes and Westridge right now, you can't even...

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it's... granted it's a one-story house on the existing site but you can't even see it. So, putting something larger, more impactful seems like it really wouldn't be so impactful as they are suggesting. And furthermore, they're having a pool in front of the house and all they would have to do is shift the house in front and put the pool in back. And that would really solve it because now the existing property line with the next door neighbor that... because of where the old house was that's already quite well screened. And then, of course, we wouldn't see it and the Hennefarth's wouldn't see it if it were kind of closer to where the existing house is or at least where they're proposing to put the pool. So anyway, all I'm saying is I really... I think that the idea that the site... the proposed site is the only possibility probably is arguable and so I think that's really most of what I would respond to. I... If there was anything else.

Actually, there is one thing and that is and I hesitate to bring this up but I understand that some of the neighbors are very concerned about upzoning. And so, there's this sentiment that if we don't allow people to do build whatever they want or you know, that there is well if we don't let them build. Then they're going to upzone it and we're going to have multi-unit, I don't know. So, I feel like that it's unfortunate that that we're going to get hamstrung by that attitude. I feel like there's probably better ways to go about it. Okay, but I won't take any more of your time. I know you've been here a long time and there's lots more to go. So, thank you very much for you time and consideration and that's all. Thank you.

Chair Kopf-Sill: Thanks, Irene. So, next, we'll go to the applicant, so is that Stuart?

Mr. Welte: Well, I guess I'd like to say thanks first of all for your time once again. I think that we have, as has been stated, we have been very thorough. We've... we came into the project following... reading and following all of the tremendous amount of Design Guidelines. We've worked with staff, we've worked with many staff members. We've worked with various departments. We've worked with the neighbors and now some neighbors were very forthcoming and had communication. Everyone received the same packets. Everyone received the same information. Some folks responded more gratuitously than others. I don't know what else to say about that. We were provided with information by even the neighbors who weren't extremely communicative and they allowed... and they gave us the information that was pertinent to them. That was important and we used that information to the best of our ability to show that exactly what they gave us and then to show how exactly what they gave us can be handled in a very sensitive way.

Again, our lot... we're not planting new plants on our property line. We're not building new fences. We are very open, we are pulling... we are being as sensitive as we can. We're pulling plants away in a natural fashion and allowing our neighbors to view as much of our lot or as much past our lot as is possible from every direction. And I think that's attested to by the fact that we... a lot of folks are very complimentary of the project, of the design and I think that the drawings and the analysis that we've shown has been very detailed. And you know, there's even more where that came from if you care to know but I just feel like we've done our best. We have been sensitive, we have been thoughtful. We've really thought a lot about it I guess. You know, you can see my forehead, I had a little bit more hair 8 months ago. But anyway, I thank you and I hope you appreciate the... how that we... how we've tried to nestle the home into the natural contours of the lot into... in a way that really compliments the overall character of Portola Valley. Thank you.

Chair Kopf-Sill: Great, thank you. Okay, so now we'll come back to the Planning Commission discussion and then decision. Our choices are to deny the appeal and uphold what the ASCC approved. We can deny that appeal and uphold the ASCC but with some additional conditions. We could approve the appeal and rescind the ASCC approval which could result in remanding the project to ASCC for additional consideration or we could continue to a future meeting. So, I think at first, we'll

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just hear what the Commissioners are thinking about the project and the status of it. Do any of you want to volunteer to go first? Have thoughts about it?

Commissioner Targ: I'll go first and what I was really struck by was the view shed images that were put forth and that is it is a pretty exposed site. Part of the reason why it is so exposed is because it is so devoid of plant life. And I think that there is certainly a meadow area and I can't speak to the quality of the meadow, but it looks like a pretty disturbed area with not a lot of veg. So, we heard a lot about non-planting, no fencing, so it is a house on a two-acre lot that is quite visible. And I can imagine that having been a neighbor with that... I think they currently use was keystone and I think it's right... property in the middle with some pretty significant variation is going to be pretty jarring. It is going to be a real change from what that property has been. How people have aligned their screening and their veg to make their homes their own and perhaps oriented their properties in that way.

Having noted that, I don't see that as an infringement in and of itself on the guidelines or on the General Plan which is sort of the first question that we're asked to look at. Is it on a ridge? It's not on a ridge. It is subservient perhaps more so as planned and certainly as modified than it is now. Is it different and in some ways upsetting to certain homeowners? Undoubtedly it will be jarring until at least the veg has had an opportunity to come in and ones understanding if the property have been given something concrete to focus on. Rather than simply the modification of the property that's proposed with story poles.

So, from that perspective and in light of the modifications that have been proposed that are responsive to a technically expert body in the ASCC. I think that it is challenging certainly but I don't see it as creating a problem or an affirmity breach of the GP or of the guidelines. I think that there're probably things that we talk about with respect to process but I'm not sure that's within this scope or the appropriate scope of this meeting. But rather there's a broader question about how we might think about having a more deliberative process. You can have a lot of public process but if it's not shaped to be deliberative and I was really struck by Ms. Ruiz who again and I said it and I wasn't facetious. I thought she did a great job but if you aren't a custom to the processes and if you're meeting the issue in a, what this is, an adversarial forum. It's rather than a more conversation deliberative structure. I think that it is truly challenged.

So, no I would at this point subject to hearing the other Commissioners and the Chair. I would suggest that we move forward with the ASCC's findings four to zero as modified by the changes proposed by applicant in light of direction by ASCC.

Chair Kopf-Sill: Great, thanks, Nicholas. Let's see, Judith or John, do you want to go next?

Commissioner Hasko: Sure.

Chair Kopf-Sill: Judith? Okay, that'd be great.

Commissioner Hasko: So, so I'm sadden that we're here. I feel for both the applicant and the appellant. The applicant has invested a lot of time, certainly a lot of money and I think they've taken measures that they have felt were outward reaching and in good faith with the neighbors. And you know I wish there were an easier path here.

The appellants and I actually, since I'm not very [inaudible] about architectural changes myself and since I've moved to town. I've had some instances where surprising things have happened on my... on or near my property and I know for a fact that if you don't have notice. You might not understand the scope of changes that are being proposed on a property and that if you've been on your property for 15 or more years. That's disturbing to not have a heads up. And then feel like there's a short time window

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to get your mind around it and show up at a meeting and then not to have a chance to respond to the decision. I think that's wrong. I think there's a big process issue here that I am highly concerned about. I would revisit preliminary reviews, especially if there's going to be a reciting of the placements of a home on a site. This is a tough site. The applicant has really tried to be thoughtful as we've heard about considering the balance of neighbors and that's really hard. And I also... so I would have liked to have seen a process where all of the neighbors had a formal proceeding. Maybe it's the preliminary review that use to be but I would have thought that this is not an easy project. Why it was streamlined, put in the streamlined process I do not understand. It's a triangular piece, it's very exposed, it's very degraded and there are multiple neighbors' views. I would not have thought that was a simple project. Especially if you're building... moving the building. So, that's something I seriously think the, as Laura eluded to at the beginning, that there should be a meeting on process. I'm not the expert on these and I don't purport to be. I just think it's wrong when an applicant gets this far and there's this much strong feeling and a feeling of an inability to weigh in at the appropriate time. That's not okay, so I would support strongly looking at that process and reassessing what's going to be effective because these are huge investments.

But you know, I'm somebody that does love an open hillside and I've had that taken away. So, I'm there with you, I understand it, but that being said I do think the applicant and the architect have been really leaning forward to try and address what they've heard. Within the scope of what they feel they can do and I can't tell you if moving the building is possible. I've got to trust the experts have given it some thought. So, from my point of view, I don't know that there's a different approach at this late juncture that is even possible and I certainly wouldn't be the one to come up with it. So, I can see the logic of Nicholas's suggestion to move forward with the additional conditions. What I also think would be helpful is a better process of communication if there is any input that the appellant wants on specific plantings or anything. That's up to them but I think giving them a chance to have that input right now makes sense.

The alternative of remanding to the ASCC to have some of all this pressure tested is a very difficult one for me because I do appreciate the amount of time and effort that has gotten us here. And I'm not convinced there's an alternative that is going to be workable. So, that's what I'll say for now Anne and I'll let John comment.

Chair Kopf-Sill: Sounds great. Thanks, Judith. Okay, John?

Vice Chair Goulden: It's pretty interesting in that we have far more agreement among the Planning Commission than... in terms of how we interpreted this than we often have. And not that we have a lot of disagreement but I have notes here. Let me try to make sense of them but you're... they're going to sound a lot. I did start some place different and just trying to remind people that, you know, people have property rights. And if they develop that property according to Code then they get to do that. You know, and the only way you stop that is by changing the Code and that by mean Municipal Code. And you can't expect everybody around you just stay still and stop. People are going continue to buy houses here and they're going to take the old houses and given the prices of the lots. We're going to get bigger houses. So, there's going to be some change and as long as people... those are the objective codes that as long as people are meeting. They're pretty much going to get to move forward.

On top of that though we have some very important elements. We have our Town General Plan, we have our Design Guidelines. And those are things that are goals and guidelines and objectives and things we're trying to accomplish but they are subjective. You know, it's not as if you can say it's a 50 foot setback. We're talking about does it obstruct the neighbor's views? Those are really different things and we have certainly the ASCC has a lot of experience in trying to interpret those but you can't say you can have no impact on somebody's views. You try to... the words that you see in there are



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minimize or maximize or try to move in this direction and that's a balancing act. And I'm sort of back to there's not a perfect answer when you get a difficult lot in there.

I was actually most concerned about this, kind of echoing I think where Judith started, on the whole process issue. Was did we have the right process here and I do think it's our purview in the Planning Commission to look at whether or not process was followed. And it looks to me like process was followed based on all the notes I'm reading and the recommendation. That doesn't mean it was the perfect process but I think this is very similar to our discussions around when people want to say okay, do they need to apply by current Code or the Code when their project was approved? And I think this is they followed the current guidelines. I would like to encourage some discussion as my fellow Commissioners have suggested about trying to consider was there something about this case that didn't work well from a process perspective. That we were not well served as a community, but that doesn't mean change the results. That just means we should... that's something I'd like to recommend people consider.

Probably the most disturbing thing about this I found, people were very nice in this meeting. A lot of the notes I read were a lot more combative than that. My interpretation and you know, I like to see people... I guess I'm channeling Craig Taylor here. I like to see people trying to agree with each other and come to an agreement but there was a lot of disturbing disagreement here. And again, I thank everybody on the public side to having been much more civil about that and I would like to see if there's any way that the neighbors can get over this in terms of moving forward. You know, it's going to decide one way or the other but you're going to have to live with each other and you know, I'd like... I'd hope to see that we can... you know, I don't think you're going to become friends but at least you can become good neighbors out of all that.

Having said all of that and I considered remanding it back to the ASCC to trial... to [inaudible] but I don't think that's going to make a difference. I don't think they're going to come a different conclusion in terms of... I probably skipped over some of that but it's pretty clear. This project meets the Code from a subjective perspective. It meets all the guidelines and directions and those types of elements associated with the General Plan and our Design Guidelines. So, I'd be recommending moving it forward and denying the appeal.

Commissioner Hasko: If I could, Anne?

Chair Kopf-Sill: Yes.

Commissioner Hasko: Just ask John to clarify. Move forward and deny the appeal with or without additional conditions because that was number one and number two of the four possibilities.

Vice Chair Goulden: Yes, so my assumption is moving forward meant moving forward with the conditions associated with the ASCC. Which means that those items get reviewed by the two members of the ASCC so they'll be looking at that. Does that answer your question? I wasn't going to add any additional conditions beyond the ASCC conditions.

Commissioner Hasko: Okay so I guess I have a question for Nicholas and Anne. I don't want to get in front of you but my specific question is since these changes have been offered and baked into a new application.

Vice Chair Goulden: Right.

Commissioner Hasko: Are we going to require them to be included or are we going to require them to be considered which is what the ASCC did?

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Vice Chair Goulden: Good point.

Commissioner Hasko: So, that's the difference and I would think that after all of this. At a minimum, we would want those conditions to apply. Not the consideration of them but for them to be carried out. So, I don't know... I don't want to put words in your mouth but that's what I think we need to decide and Nicholas, I don't mean to characterize your intent but let me know.

Vice Chair Goulden: So, I go with that Judith. I'm just from a structural... procedural perspective since they have to go back to the ASCC. What if they don't like them? Then does it come back to us?

Commissioner Hasko: That's a good question.

Vice Chair Goulden: But I agree, I agree with your point. Yeah, I would go with that except have we complicated it even further by adding that stipulation in?

Commissioner Hasko: I'll differ to Nicholas.

Commissioner Targ: So, Anne, this is your meeting and we're kind of off-roading it. So, I'm going to differ to how you want to proceed. If this is a clarification of what I said I'm happy to clarify what I said if you want to do this when we're making (interrupted)

Chair Kopf-Sill: No, I'm fine with this. Go ahead and clarify Judith's question. I think it's a good one. Do we say with these conditions...I mean if we deny the appeal will it be with these conditions? Or I understood that the ASCC recommended these things but didn't require them. The... looking at the plate heights or the height and the colors I think it was. There was some step where they were going to have just two members of the ASCC look over what happened right?

Commissioner Targ: That's right. If I may? So, my proposal was to adopt the modifications as a modification to the existing matter that came to us rather than viewing this as a new application. If this were a new application then the appropriate place for it to be would be a withdrawal of the prior application and start back to the ASCC. And I... we wouldn't have just done what we have for the last 4 hours if that were the case. So, I would... my proposal was to condition the existing applications upon the modifications that are proposed by the applicant as a Condition of Approval but to leave the two-person review for consistency from the... with the ASCC as they had proposed. So, that was... if I were going to make a motion which this is not the right time to do it. That would be what I would do and Judith, if I can... let me know if you need me to be sharper than that.

Commissioner Hasko: No, that's clearer, thank you.

Vice Chair Goulden: What would the options of the ASCC be at that point Nicholas?

Commissioner Targ: I don't see that the ASCC as a body has a (interrupted)

Vice Chair Goulden: The two members of the ASCC then.

Commissioner Targ: So, they're frequently and now if either the Planning Director or the Town Attorney want to clarify the practice that we have in the Town of the subsequent shepherding by members of the ASCC.

Vice Chair Goulden: That was it?

Commissioner Targ: No, let's just Laura, we need... Laura, would you like to talk about the practice or I can do my best talking about (interrupted)

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Vice Chair Goulden: Let me clarify my question there. It's like if we were to move forward with your proposal Nicholas.

Commissioner Targ: Yes.

Vice Chair Goulden: Is okay, we deny the appeal (interrupted)

Commissioner Targ: Right.

Vice Chair Goulden: But we... the additional condition is they adhere to the modifications that have already occurred. Then the eight... we have two members of the ASCC that get to look at that (interrupted)

Commissioner Targ: Right.

Vice Chair Goulden: And what do they get to decide? Yeah, or nay or additional modifications or how does it flow from there?

Commissioner Targ: Planning Director, what is the practice of our two ASCC friends?

Planning & Building Director Russell: So, they have two different roles. Sometimes there's specific conditions that require an action. An example would be reduce the lighting on the driveway and then those two ASCC members would look to see if that lighting is sufficiently reduced. The other example is this language where the applicant should consider something. So, there's more discretion involved in evaluating how something has been considered. So, if this body wants to add those... if this body wants to approve the revised plans from Friday that were shown by the applicant to the Planning Commission tonight. Then it would be helpful for us for implementation to know what you would want those two ASCC members to look at. For example, the final planting plan would be something that I think would be appropriate and so it might be the final roof plan, the final colors and materials, and the final planting plan. Just to make sure that those items are consistent with, you know, their normal practices and their discussion. I don't know if that's helpful. This is a little bit of a tricky situation.

Vice Chair Goulden: [inaudible – crosstalk]

Commissioner Targ: I think that is helpful.

Vice Chair Goulden: Yes.

Commissioner Targ: Because they could be a... is a further implementation phase providing direction to staff or providing advice to staff. So, I think that (interrupted)

Vice Chair Goulden: Well, all is... sorry, when all was said and done the ASCC approved it but they asked them to consider these other items. We are adding the condition that they actually implement the items that they proposed.

Planning & Building Director Russell: And the exact implementation like the exact plant and the locations of those plants would be subject to two ASCC member's review.

Vice Chair Goulden: Yes, got it. Okay, I'm clear I think.

Chair Kopf-Sill: Okay and how about, you know, I might be the fourth wheel, extra wheel and let me give my overview. Just so the parties know and then we can figure out what our conclusion or official plan is. I did think the house is well-sited given all the constraints and appreciate that the fire truck

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constraint is quite something to work around. I'm actually glad it's not so visible from Cervantes and Westridge. I think it could have been a lot more... a different plan could have been a lot more visible from those road so I'm glad about that.

I did go to the neighbor's house and looked at the view from there. You know it is kind of tricky, there's a page... Red Page 10 in our... in the handout has the view thing. And I... you know it says there that prevent the obstruction of views of adjacent property owners but I frequently use this. The way these lines are that the house is getting built or I mean getting... that's already existing. This new house, in the thing that says what's okay, it's in the view. You know the line goes over here so it's good the house isn't right there. But even the guidelines say you know as long as it doesn't... I mean a little chop off the view is kind of I don't want to say okay but it's what the picture of the example of how you should do it is.

So, I don't think it's reasonable that a new house that gets built has no impact on other houses and views. And I do think that plants properly put will, you know, the neighbors won't even see the house after a while. I like the changes the project team has made like lower the roof a little and adding these plants and I actually think it's decent of them to put the plants well into their yard. I mean another choice is to put the... most people sticks the plants at their property line so that the new house gets the most view of a meadow or things. So, I think that's actually decent and nice. I agree with Judith I'm sad that we're here and I would... I guess I'd like staff and ASCC to maybe review the criteria for deciding if there's going to be a... if a projects going to have a preliminary review or not. Maybe shift the line to have a few more. I don't want... you know I'm sympathetic though to not making things just putting extra extra steps for everybody. I know we're Portola Valley and love to have meetings. We love to have everybody talk but I do want to push back a little on just how many meetings we have and how much time we spend. I think for applicants it can be just really feel onerous after a while so I don't want to do that. So, I'm basically in favor of upholding the ASCC's decision. The place my Commissioner... my fellow Commissioners were going with maybe codifying the changes that have already been incorporated sounds good to me so.

Commissioner Hasko: Anne, it okay if I just amplify one point you just raised (interrupted)

Chair Kopf-Sill: Please.

Commissioner Hasko: In terms of meetings. My hope would be to get a process... revisit the process in a way that even if it's one more step. It's at a point where you avoid delays because there's a different viewpoint or different level of understanding later. So, I'm not sure more meetings early necessarily translate to a more difficult process and I would hope that we can be thoughtful about that as well.

Chair Kopf-Sill: Okay great, good point. Good, so how about I'll entertain a motion if somebody thinks they can state clearly what we're aiming at?

Planning & Building Director Russell: Through the Chair? One way to think about this is there's an attached resolution.

Chair Kopf-Sill: Oh yeah.

Planning & Building Director Russell: So that would be the action, so the motion is to adopt the resolution and then Attachment two to the staff report of the recommended Conditions of Approval. And the change would be to Condition Number One and just changing the language in Condition Number One to require the implement... the applicant to implement all three of those suggestions from the ASCC subject to approval by two ASCC members.

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Chair Kopf-Sill: Oh, perfect and can you tell me what Red Page that's on?

Planning & Building Director Russell: Looks like 24.

Chair Kopf-Sill: Yeah, perfect. Okay, no, that's a great suggestion. I would (interrupted)

### **MOTION**

Vice Chair Goulden: I'd make a motion to approve the resolution on Red Page 24 subject to the changes of actually implementing the three conditions changes as proposed to the plan subject to the review of the two ASCC members.

Chair Kopf-Sill: Great and just a clarification. The resolutions really on Page 19 and that was (interrupted)

Vice Chair Goulden: So, Page 19, yes friendly amendment. Did that cover it Laura?

Planning & Building Director Russell: Yes, I believe that will cover it.

Vice Chair Goulden: Okay, that should cover it.

Chair Kopf-Sill: Do I hear a second? Can I... I can second it right?

Commissioner Targ: So, the reason I am not seconding it is I don't know what it means subject to the review. I thought that we were adopting the... we were conditioning the approval upon the implementation of the modifications as proposed by applicant with ASCC advice and recommendations to staff with respect to subsequent implementing documents. And (interrupted)

Vice Chair Goulden: I would accept that as a friendly amendment.

Commissioner Targ: And if that's now the motion I would second that.

Chair Kopf-Sill: Could I get a... John, do you mind restating the amendment?

Vice Chair Goulden: Okay, Nicholas, how about you help me on that to get the wording right? So, I think I said what you said but obviously, you thought I didn't quite say it and I'm totally agreeing with that. So, we are moving forward with the resolution on Red Page 19 but we are requiring that the currently submitted amendments to the plan be implemented and that the ASCC has a chance to comment on those implementations.

Commissioner Targ: And the two members of the ASCC.

Vice Chair Goulden: That the two members of the ASCC have a chance to comment on the implementations.

Commissioner Targ: Would provide advice and recommendation to staff on the implementation of subsequent planning as subsequent documents (interrupted)

Vice Chair Goulden: Excellent.

Commissioner Targ: Construction.

Vice Chair Goulden: Excellent, friendly amendment accepted.

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Commissioner Targ: Planning Director, do you have what you need by that or if you would like to restate it? Cara, here you are. Ta-da, here's the Town Attorney. Town Attorney, do you want to restate this for us?

Town Attorney Silver: Yeah, so I'm happy to restate. I think the issue is what type of review are the two ASCC members conducting. And as I understand the motion it is to adopt the modified plan and have the ASCC members review the final planting plan, the final (interrupted)

Commissioner Targ: Roof.

Town Attorney Silver: Roof line and (interrupted)

Commissioner Targ: Color palette.

Town Attorney Silver: And color palette to determine whether they meet the three objectives stated by the ASCC.

Commissioner Targ: To provide direction to staff or advice to staff on the adoption. I don't think that there is any further decision-making on the part of the ASCC. I think that there's guidance that the ASCC can provide. I think we're looking for something more akin to finality here. At least I'm looking for something closer to finality (interrupted)

Vice Chair Goulden: [inaudible]

Commissioner Targ: At this point and I trust that ASCC and staff will... the two members of the ASCC and staff will work it out. But I don't... I'm not looking for another appealable issue to come up.

### **MOTION RESTATED**

Town Attorney Silver: So, then the motion is to adopt the modified plans and to have the ASCC two member both review the final planting plans, roof structure and color palette.

Commissioner Targ: And provide recommendations to staff.

Town Attorney Silver: And provide recommendations to staff.

Commissioner Targ: Town Attorney, thank you very much, lawyers are wonderful. I appreciate it.

Chair Kopf-Sill: I wouldn't go that far, come on.

Commissioner Targ: Alright guys so I think we've got a motion and we've got a second.

Chair Kopf-Sill: But is there any further discussion from the Commission? I think we'll do a roll call vote on this one.

### **VOTE**

Planning & Building Director Russell: Commissioner Hasko?

Commissioner Hasko: Aye.

Planning & Building Director Russell: Commissioner Targ?

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Commissioner Targ: Aye.

Planning & Building Director Russell: Vice Chair Goulden?

Vice Chair Goulden: Aye.

Planning & Building Director Russell: Chair Kopf-Sill?

Chair Kopf-Sill: Aye. Okay, thank you, everyone. This closes out this agenda item. Everybody is welcome to say of course. Our next ones are Commission reports from our Commissioners and then staff reports for our last item.

Planning & Building Director Russell: But don't feel pressured to say.

Chair Kopf-Sill: Right.

Vice Chair Goulden: Right.

### **COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS**

#### **(2) Commission Reports**

Chair Kopf-Sill: Great so Commissioners, does anybody have a report?

Vice Chair Goulden: No reports.

Chair Kopf-Sill: No reports, okay.

#### **(3) Staff Reports**

Chair Kopf-Sill: So, I think we'll go to staff reports. Laura?

Planning & Building Director Russell: This is a little bit of a repeat but it's important. We talked about it just a touch in oral communications related to the Housing Element. Staff is working with the Council subcommittee of the Mayor and the Vice Mayor to make final [inaudible] to a couple of items in the Housing Element. The Council directed us to have some conversations with the horse operator at Glenoaks as well as with the property owner Stanford. And then they also asked us to make some changes to the opt-in program to further restrict opt-in and then we've got minor corrections. Typos, small things that have been submitted by some of you and members of the public and then we're making those small changes now. Then the Council subcommittee will review it and then we'll be sending off that whole package to HCD. We expect that to happen in the next few days and then as soon as we send it off we'll post the Housing Element to the website. And we'll put out a broad distribution email to all of our lists and everyone who's signed up and asked to be involved to give them that update.

And then the Ad Hoc Housing Element Committee, we are planning on having a meeting on, let me get it right here, August 15<sup>th</sup> which will be an update to that Committee. Talking about their roles going forward and providing them newer information about the exact timing of the HCD review process and what we can expect in the review process now that some cities in San Mateo County are in the middle of it. They're a little bit ahead of us, so that will be the substance of that upcoming meeting. So, that's the update on the Housing Element.

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And then also the Planning Commission is aware that there's another piece of work related to implementing Zoning Code amendments that go with the Housing Element. And we're going into contract with that consultant on the next Council agenda and then we'll be back to give the Planning Commission more information about your role in that Zoning Code amendment process. So, more is to come on that as we start to finalize some of the details. And (interrupted)

Commissioner Hasko: Laura?

Planning & Building Director Russell: Yeah?

Commissioner Hasko: I have a question, if that's okay Anne?

Chair Kopf-Sill: Yes, yes, please.

Commissioner Hasko: I was a little confused on the process on where you are with Glenoaks and then the opt-in. What's going to happen? Like is the public going to see what goes into the HCD submission beforehand and what was the outcome of the discussion around those points? I think it's important for people to understand exactly what's being submitted but I don't see, maybe I missed it, a step in the process where we get visibility into that before it goes to HCD?

Planning & Building Director Russell: The Council decided that that final step would happen with the Council subcommittee and staff. So, we're working on those final steps right now that the Council requested and then we'll put out a communication that explains what steps are happening. So, that people know what just happened but it won't be prior to the Housing Element going to HCD per the Council's direction.

Commissioner Hasko: So, for example, Glenoaks will not know whether it's on the rezoning before that submission goes in.

Planning & Building Director Russell: They will not know in advance. I'll... we'll put out a bunch of communications all at the same time. They will not know in advance.

Commissioner Hasko: Wow, okay thank you.

Vice Chair Goulden: Hey Laura, so are we expecting the zoning work to be significant on our part as the Planning Commission? I know it will be a lot of work for the consultants but what do you think is going to happen for us?

Planning & Building Director Russell: I think it will be significant. The zoning work is going to happen in two phases. The basic zoning requirements will be happening kind of this fall and so that wireless can get things adopted by early 2023 and that will include the base zoning for like the new districts. So, think about things like setback and height and floor area. So, those things a lot of that work will be with the Planning Commission and then there're be another phase in early 2023 where we're going to come back and look at some more detailed design-related items that is often called a form-based code. Where or an objective design standards where we're going to add another layer of requirements so that we can do our best to ensure the quality development. And so, we're doing that later to make sure that we have enough time to finish this phase we have to do by January. So, the Planning Commission will have a role on both of those phases.

Vice Chair Goulden: Thank you.



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Commissioner Targ: And if I can presumably we're [inaudible] looking at the General Plan amendments at the same time? It says this whole little ripple effect that's going to end up going through.

Planning & Building Director Russell: Correct.

Commissioner Targ: And then we'll also (interrupted)

Planning & Building Director Russell: The process is going to be a little different but yes, the Planning Commission will have an important role in that process as well.

Commissioner Targ: Are we presumably looking at the GPPs first before we (interrupted)

Planning & Building Director Russell: We probably have to start on some of the Zoning Code work, some of the earlier work first in terms of the timing to get everything done, but we're still working on how that scheduling is going to work out.

Commissioner Targ: We're also going to be receiving the fire safety evacuation data or reports coming up presumably at some point in the intermediate near future.

Planning & Building Director Russell: The evacuation study that the Town is overseeing is going to Council next week on August 10<sup>th</sup>. So, the part that's within the Town's purview is going forward this week. And then the part that's within the fire district purview for mapping and their studies are on their schedule but we expect that to be later in the year. At least the first part will be later this year.

Commissioner Targ: So, prior to making decisions presumably.

Planning & Building Director Russell: That's the hope.

Commissioner Targ: And then we also have a CEQA process that we're presumably running at the same time.

Planning & Building Director Russell: That's correct.

Commissioner Targ: You don't have nearly enough to do.

Planning & Building Director Russell: Yeah, it's a lot, it's a lot to figure out with the final timing for sure.

Commissioner Targ: I believe that. In... why don't I leave it alone.

Chair Kopf-Sill: Am I right we take public comments on the staff reports, is that right?

Planning & Building Director Russell: Yes, please.

Chair Kopf-Sill: Okay, so we're going to open it to the public. I see Rita's hand up, go ahead Rita.

Rita Comes Whitney: Hi there, I'm a little surprised and a little disappointed after listening to majority of this meeting tonight about how people need to work together and communicate together. And there was a meeting earlier this week that basically said the same thing but then the Housing Element that I read in the paper that was being sent on to HCD and I guess after this evening it's not being sent on. It's still being in subcommittee but it's just going to move forward without the residence's comments on that and Glenoaks won't know until they read about it. Similar to the residents that were upzoned and saw their address on a map without being contacted first. So, I'm just a little surprised after listening to

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a meeting tonight, a long meeting, it's 10:07 now, about communicating with our neighbors and being nice with each other. To have this just bypass the residents for the final say on this particular important document for our Town which is going to change our Town and it's going to move forward. I just wanted to say that out loud.

Chair Kopf-Sill: Thanks, Rita. Next, we have Caroline Vertongen.

Caroline Vertongen: Just like Rita I'm very surprised by Laura's comments and I've very disappointed. This is the process that we're use to in Portola Valley. Obviously, that process has changed. It has changed behind our back and it's not right.

I am still seeking all the guidelines about CEQA before you changed them and nobody seems to have clear answers to that. Again, we're not use that, again a change in process and we don't like it. Thank you.

Chair Kopf-Sill: Let's see, next is David Cardinal.

David Cardinal: Thanks, I'm unmuted. I just want to say I think the process has been amazing and if there's anyone in this town who thinks that their voice has not been heard in one of the dozen of meetings we've had. Then they haven't been paying attention or they've never raised their hand or they've never written an email or they've never paid any attention at all. I just think it's no, we've listened to everybody and whatever decisions the Commissions make are not going to make everybody happy. Not going to make me totally happy or anybody else but to say that this is some sort of weird, non-transparent, 1984ish thing is just insane. I mean we let everybody have a voice, hours and hours and hours. Including a couple of minutes from me, I guess tonight and we couldn't do any better. So, I don't see... if anybody hasn't... a person hasn't been heard then let them be heard but they've had infinite opportunities. Thank you.

Chair Kopf-Sill: Thanks, Dave. Next is Kristi Corley.

Kristi Corley: Thank you. This has been a long meeting, learning a lot. Two comments from previously, it's my understanding that the Conservation Committee is the expert on trees. So, I'd like to see them brought into the process if possible. I also liked the preliminary review. I've gone to many where we walk a site and then we walk the circular site around the site and I think all the neighbors deserve that if possible. So, if we could build that into the process I've gone to lots of meetings where it's been said that that should be done and the process still surprises people. Especially, when they need to learn the whole process.

Then regarding the Housing Element, it was not our understanding that we would not get to be able to have input on what the standards would be for opt-in. So, I've sent three ideas without response. Those ideas are possibly the person who owns the property for 3-years prior to opting in. Then we go off a SB9 rules where they can't buy two lots next to each other and that if you do four units. That one person doing it has to own... be in one of the units for 3-years. Also, we have historical and we have indigenous findings and so on in SB 9 that they spent many many months putting in. And I encourage you to read SB 9 inside and out and add what you can to that.

It's not my understanding that we decided on exactly the buffer unless you're going with 21 percent across the board. I use to hear that you were possibly varying the buffer percentage depending upon the level of affordability and I'm not clear what the final decision is there.

I know opt-in people were brought together for their ideas and I ask you to bring regular residents together for our ideas. But I have not heard that response and I appreciate all the effort that is being

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put into this. We're towards the end of the process I realize, everybody is working hard but do slow down for the residents to feel heard. Because we've been a part of the process all the way along and this last steps feels real rushed to me.

Glenoaks is also of interest. We don't know a lot about it. We can only see it from the road. We need more information about Glenoaks. I now know it's 20 acres and it has, you know, 1,200 letters came in and I'm interested in seeing what those people have to say because I'm not... my sport is more of softball and not horses. So, I'm interested in learning more about that. Thanks for listening.

Chair Kopf-Sill: Thanks, Kristi. Okay, I see no more hands so we'll wrap that up.

Planning & Building Director Russell: Just one other thing to add in response to those comments through the Chair. So, the Council did direct staff to reduce the buffer and look at different ways of addressing the buffer. And so that will likely result in a decrease in the density at Glenoaks but we're still working on those numbers and we're still working on those details. But I just wanted to mention that part to the Commission and to the public.

Commissioner Targ: If I may, Chair?

Chair Kopf-Sill: Okay, just briefly.

Commissioner Targ: Briefly, are we submitting it... what is the document that we're submitting to HCD? Is this the final document that we're submitting?

Planning & Building Director Russell: I'm sorry, we're submitting a draft to HCD. What do you mean by final document? The final document won't be (interrupted)

Commissioner Targ: So, it's a draft so what happens after that? Is there further discussion? Does it come back to this body? Does it come back to... are there opportunities for people to comment on it?

Planning & Building Director Russell: Yeah, there will be a whole other set of meetings that the public will have an opportunity to comment on. So, after we receive comments back from HCD, we'll reconvene the Housing Element Committee to respond to those comments. Look at any policy issues that need to be amended, so those will be public meetings. Then it will come back through this body for public meeting and then it will go to Council for public meeting. So, that's assuming that we don't have really drastic changes that are required by HCD. So, that will be happening... it will be a 90 day review period so it will be back in front of the Housing Element Committee in about three months. And then in front of this body and back in front of Council and we'll start... you know, when we're in that phase we'll do all of that outreach again. We'll notify everybody, we'll let everybody know about all the meetings and everyone can participate in the revisions to the Housing Element.

Commissioner Targ: Okay, thank you.

Commissioner Hasko: Anne, I just have a quick question. When... after the HCD document is submitted, is there going to be a time point at which the public can understand the basis of the more recent changes that it will not have had an opportunity to review in final form before submission? I know it's still a draft but from my point of view, you're never going to get certain types of changes once it goes in. And so, I think it's going to be important for people to understand what happened and why in the last set of non-discussed... non-publicly discussed steps. So, is that possible or is that planned?

Planning & Building Director Russell: Well, at the next Housing Element Committee we'll be giving a report and talking about what the changes were. What happened since the Council reviewed it? What

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happens next? We'll have some kind of graphic or table with what the policy changes where and why. So, that stuff will happen at the next Housing Element Committee meeting.

Commissioner Hasko: Okay, so that's the time to tune in to get that information. Thank you.

Vice Chair Goulden: But my assumption would be Judith that, you know, we've kind of pushed things out and delayed things enough that those later reviews are going to be kind of far and few between. You know because we kept delaying when we were actually making the decision as to what we're actually going to turn in. So, it keeps compressing the end of the schedule would be my guess (interrupted)

Commissioner Hasko: [inaudible - crosstalk]

Vice Chair Goulden: I know they'll try to give us some info but we've kind of compressed it a lot.

Commissioner Hasko: I'm not quite sure what you think my concern is. What I was wanting is to make sure that the public had a chance to understand the basis and that sounds like it will happen because that's very important. These people are going to have to live with it and that's... I'm not arguing about the overall process or steps or delays or anything like that. I just wanted to make sure that there would be a publicly disclose rationale and framework so that people could understand.

Planning & Building Director Russell: Yes, it's coming at the August 15<sup>th</sup> Ad Hoc Housing Element Committee meeting.

Commissioner Hasko: Okay, got it.

Chair Kopf-Sill: Okay, thanks, everyone. Shall we have a motion to adjourn?

**ADJOURNMENT** [10:18 p.m.]

### MOTION

Vice Chair Goulden: Motion to adjourn.

Chair Kopf-Sill: Great.

Commissioner Hasko: Second.

Chair Kopf-Sill: Great. All in favor?

[All state aye]

Chair Kopf-Sill: Great, thanks. Oh, is this okay to ask? What... are we having a meeting in two weeks? Let's see, what is today? The 3<sup>rd</sup>.

Planning & Building Director Russell: I do not anticipate having a meeting on August 17<sup>th</sup>. I anticipate the Planning Commission meeting being canceled unless something comes up that doesn't... that I'm not aware of right now.

Chair Kopf-Sill: So, I'll see you all maybe in a month. Okay.

Commissioner Hasko: Thank you.