



**TOWN OF PORTOLA VALLEY
ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
Monday, September 13, 2010
Special Field Meeting (time and place as listed herein)
7:30 PM – Regular ASCC Meeting
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028**

SPECIAL JOINT PLANNING COMMISSION/ASCC FIELD MEETING*

4:00 p.m. 555 Portola Road (convene at Windy Hill Open Space Preserve parking lot),
Consider revisions to Conditional Use Permit (CUP) proposals for X7D-169, Spring Ridge
LLC (Neely/Myers) (ASCC review to continue at Regular Meeting)

Prior to the adjournment of the special afternoon site session staff asks the ASCC and
Planning Commission to consider Conditional Use Permit for Recreational Facility at 610 Los
Trancos Road (City of Palo Alto), McNealy (Staff report to continue at Regular Meeting)

7:30 PM - REGULAR AGENDA*

1. Call to Order:
2. Roll Call: Aalfs, Breen, Clark, Hughes, Warr
3. Oral Communications:

Persons wishing to address the Commission on any subject, not on the agenda, may
do so now. Please note, however, the Commission is not able to undertake extended
discussion or action tonight on items not on the agenda.

4. Old Business:
 - a. Continued Consideration of Conditional Use Permit (CUP) Application X7D-169,
Request to Permit Additional Floor Area and Impervious Surface Area on 229-Acre
Parcel, 555 Portola Road, Spring Ridge LLC (Neely/Myers)
 - b. Architectural Review for Proposed Carport Addition and Driveway Modifications,
190 Golden Oak Drive, Sweetnam
 - c. Continued Architectural Review for “Train Room” House Additions and Detached
Accessory Structure “Workshop” and Related Site Improvements, and Site
Development Permit X9H-587, 385 Westridge Drive, Cooper
 - d. Request for Modifications to Previous Approval, Garage Addition, 10 Grove Drive,
Dhillon
5. Staff Report – Referral from the City of Palo Alto, Request for Conditional Use Permit
for Recreational Facility to Allow for Construction of a Roof Structure over Existing
Sports Court/Hockey Rink, 610 Los Trancos Road, McNealy
6. Approval of Minutes: August 30, 2010

7. Adjournment

*For more information on the projects to be considered by the ASCC at the Special Field and Regular meetings, as well as the scope of reviews and actions tentatively anticipated, please contact Carol Borck in the Planning Department at Portola Valley Town Hall, 650-851-1700 ex. 211. Further, the start times for other than the first Special Field meeting are tentative and dependent on the actual time needed for the preceding Special Field meeting.

PROPERTY OWNER ATTENDANCE. The ASCC strongly encourages a property owner whose application is being heard by the ASCC to attend the ASCC meeting. Often issues arise that only property owners can responsibly address. In such cases, if the property owner is not present it may be necessary to delay action until the property owner can meet with the ASCC.

WRITTEN MATERIALS. Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

ASSISTANCE FOR PERSONS WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Technician at 650-851-1700, extension 211. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

This Notice is Posted in Compliance with the Government Code of the State of California.

Date: September 10, 2010

CheyAnne Brown
Planning & Building Assistant



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: ASCC
FROM: Tom Vlastic, Town Planner
DATE: September 9, 2010
RE: Agenda for September 13, 2010 ASCC Meeting

Note: A special ASCC field meeting has been noticed for 4:00 p.m. on Monday, September 13, 2010 and will convene at the Windy Hill Open Space Preserve parking lot, adjacent to 555 Portola Road. The purpose of the meeting is to consider revisions to the conditional use permit (CUP) proposals for X7D-169, Spring Ridge LLC (Neely/Myers). The background on the CUP request and focus of the site meeting are discussed under **agenda item 4a**.

The special site meeting has been noticed as a joint session with the planning commission as the commission will be the final approving authority for the Neely conditional use permit application. The planning commission will continue discussion of this revised proposal at its regular September 15th meeting. No formal actions on the application are scheduled at this time.

Prior to the adjournment of the special afternoon site session, staff asks that the ASCC and Planning Commission consider a very recent, August 30th referral from the City of Palo Alto for a project on the McNealy property located at 610 Los Trancos Road. This referral is briefly discussed as a “staff report” under **agenda item 5**. There is a short response time on this matter, as any town comments on the request need to be forwarded to the Palo Alto planning commission in time for consideration at its September 15, 2010 hearing.

The following comments are offered on the items listed on the ASCC agenda.

4a. CONTINUED CONSIDERATION OF CONDITIONAL USE PERMIT (CUP) APPLICATION X7D-169, REQUEST TO PERMIT ADDITIONAL FLOOR AREA AND IMPERVIOUS SURFACE AREA ON 229-ACRE PARCEL, 555 PORTOLA ROAD, SPRING RIDGE LLC (NEELY/MYERS)

There are two primary purposes for the September 13, 2010 continued consideration of this matter. The first is to apprise both the planning commission and ASCC of the changes to the CUP application that have been developed since the matter was last considered in November of 2009. The second is to conduct a site meeting to primarily address the proposals for the agricultural building in the meadow area of the subject

229-acre property located just to the west of Portola Road. As noted at the head of this report, project consideration will start with an afternoon site meeting focusing on the revised proposal for the meadow area. ASCC discussion would continue at the regular evening meeting and planning commission discussion would continue at the commission's regular September 15th evening meeting. No action is proposed or appropriate at this time. The main focus is to obtain both ASCC and planning commission reactions to the revised proposal that would assist staff and the applicant in developing the application in final form for eventual formal planning commission hearing. The September 13th and 15th meetings are considered study sessions on the revised application.

1. **Background and revised application.** The following attached materials provide background on this request through the last meeting on the application on November 23, 2009:

- Minutes of the 11/23/09 joint site meeting with the ASCC and Planning commission.
- Minutes of the 11/18/09 planning commission hearing on the proposal.
- November 12, 2009 staff report to the planning commission for the 11/18 meeting.

There are a number of attachments to the 11/12/09 staff report that provide significant background on the project and issues that staff has been working with the applicant to resolve since the November 23, 2009 site meeting. Some have been addressed with the revised plans and others are still under consideration. For example, we still believe that a separate CUP application is appropriate relative to the floor area (FA) and impervious surface area (IS) proposals; but, based on continued commission discussion, this matter could be processed as an amendment to the existing winery CUP. Nonetheless, there are no proposals with the current application that would change any of the winery CUP provisions and there is no additional winery authorization that is requested or suggested with the current plans.

In response to the issues discussed in the 2009 reviews and in light of additional comments offered by staff, the applicant has submitted the following enclosed revised application plans prepared by CJW Architecture and received by the town on August 16, 2010:

Sheet: A-0.0, Title Sheet, 2/23/10
Sheet: A-1.0, Site Plan All Projects. 7/20/10
Plate 1, Geomorphic/Lineament and Exploration Map, Geomatrix
Sheet: T-0.1A, Title Sheet Cabana, 6/18/10
Sheet: A-1.1A, Site Plan Cabana, 6/18/10
Sheet: A-2.1A, Cabana Floor Plan and Elevations, 6/16/09
Sheet: T-01.1B, Green House - Project #2, Title Sheet, 7/20/10
Sheet: A-1.1B, Green House - Project #2 Site Plan, 1/14/09
Sheet: A-2.1B, Greenhouse - Project #2 Main Floor Plan, 2/23/10
Sheet: A-3.1B, Greenhouse - Project #2 Exterior Elevations, 2/23/10
Sheet: A-1.1C, Site Plan – Guest House (with elevations), 7/20/10
Sheet: A-1.1D, Site Plan – Future Barn (with elevations), 7/20/10
Sheet: A-1.1E, Site Plan – Ag. Building, 7/20/10

Sheet: A-1.1F, Updated Agricultural Building Site Plan, 9/3/10

In support of the revised plans, the applicant has submitted the attached statement regarding the Ag. building proposal in the meadow area and within the fault setback area. This statement references the data presented on Plate 1 of the plans. Also in response to the access issue raised by the Open Space District, Dr. Neely has provided the attached August 27, 2010 letter that is still being considered by staff and the town attorney.

The applicant has also advised that the proposed water tanks to serve the cabana building would be underground. We have not had a chance to inspect and fully evaluate the water tank proposal, but this will be accomplished as staff project review continues.

Some of the key changes that have been made to the plans include clarification of impervious surfaces, identification of possible septic system sites for each proposed building, and elimination of any riding rink proposal associated with the "future" barn and stable. Sheet: A-1.0, however, still needs to be revised to remove the riding rink options that are no longer part of the application. Further, the plans now include elevations for all sides of the proposed buildings. The total proposed floor area has been reduced by 200 sf from the numbers presented in the attached 9/12/09 staff report, mainly through reduction in the size of the barn. There has also been some minor shifting of floor area and clarification of data requested by staff.

As to impervious surfaces, the total proposed IS has been reduced by 22,000 sf, mainly through elimination of the proposed riding rinks. There has also been clarification of existing and proposed IS surfaces.

The revised plans have been referred to the site development committee for review and comment and the following attached reports have been received:

Town Geologist memorandum of August 31, 2010
8/19/10 email with updated comments from the Public Works Director
August 19, 2010 report from the Health Department
September 2, 2010 report from the Fire Marshal

We anticipate reports from the conservation committee and trails committee, but have yet to receive these. Planning staff may need to provide some additional assistance to these committees to assist them in their plan review, particularly in light of the concerns previously identified with the proposal.

- 2. Proposed 1,800 sf Agricultural Building in meadow area.** The primary focus of the site meeting, and the direction now being sought by staff, is relative to the proposed 1,800 sf agricultural building with 420 sf covered porch that is proposed to be located within 70 feet of the Portola Road right of way and within the fault setback area. Staff does not support this proposal and has recommended that if a agricultural maintenance building is needed it be located at the northerly end of the property, in the area between the fault zones.

In preparation of the site meeting, the proposed building location, with porch, is to be identified by story poles. Further, we have asked that the alternative site

suggested by staff be specifically identified for inspection during the 9/13 site meeting. The project design team has indicated that the applicant's preference is for the building to be in the proposed location and, if this is not acceptable, the best alternative location for the applicant would be at the southwesterly end of the meadow, adjacent to the main access drive to the property. We've asked that this site also be identified for consideration at the site meeting.

The following comments offer some perspective on the current staff position on the proposal:

- As noted in the attached report from the town geologist, the data offered by the applicant relative to trenching and location of the fault trace is not considered up to date or sufficient to render the Trancos trace "inactive." Further, based on the comments from the town geologist, there is economic risk to a building even if not designed for human occupation, within 50 feet of the fault trace. Due to the risk, the town geologist recommends consideration of a site outside of the fault setback area.
- Under current town regulations, any building of the proposed size can be located within the fault setback area if it is not for human habitation. The applicant has committed to a building design that would be only for equipment storage as noted in the attached statement. Nonetheless, in staff's opinion, if an alternative site is available for the structure that would also serve the needs of the applicant it should be considered.
- Pursuant to the general plan, the meadow area of the property is considered a "meadow preserve." This recognizes the important visual sensitivity of the area. The proposed building site is highly visible from the public trail along the west side of Portola Road and from the open space district parking lot. We conclude that it would not be consistent with preserving the visual integrity of the meadow. The alternative site we have suggested for the building is located to the north of the proposed site and at an elevation that is considerable lower. A building at this location would have limited potential for visual impacts and would also be on the existing dirt road access system serving the property. It would be closer to the northerly secondary access point and would be in some proximity to other agricultural buildings on the parcels to the north of the subject property.
- The planning commission has completed review of changes to the town's geologic ordinances and has concluded that only small non-habitable buildings should be considered for locations in the fault setback areas closest to the mapped fault traces. The proposed 1,800 sf building is considerably larger than the 120 sf number the planning commission has recommended to the town council.

It is emphasized that the planning commission has the authority under the CUP findings to authorize the request for additional floor area and to set any limits on the area that it finds appropriate. As a result and based on the foregoing, we would not recommend the placement of the agricultural building floor area within the fault setback area or any area that is highly visible in the meadow preserve portion of the property.

The ASCC and planning commission should conduct the 9/13 and 9/15 study sessions and offer comments and reactions to the revised proposal that would assist the applicant and staff in developing the application in form for formal public hearing by the planning commission.

4b. ARCHITECTURAL REVIEW FOR PROPOSED CARPORT ADDITION, AND DRIVEWAY MODIFICATIONS, 190 GOLDEN OAK DRIVE, SWEETNAM

On August 30, 2010, the ASCC was scheduled to consider this request for approval of plans to add an attached carport with replacement shed to the northerly end of the existing single-story residence on the subject 1.0-acre Alpine Hills property. In response to a request of a neighbor, the applicant asked that project review be continued to the September 13, 2010 meeting so that efforts could be made to interact with the neighbor and address any concerns.

The staff report prepared for the August 30th meeting is attached and the enclosed minutes of the 8/30 meeting offer some additional perspective on the continuance. The project plans discussed in the original staff report are enclosed, but have been revised and re-dated 9/9/10, to incorporate changes made in response to neighbor concerns. The attached August 30 and August 31, 2010 emails from Jennifer Young, 210 Golden Oak Drive, set forth the concerns of the neighbor.

In response to the neighbor's input, the applicant has provided the above referenced, enclosed revised plan package and the attached materials listed below. As requested by Mr. Young at the August 30th meeting, the neighbor's concerns were transmitted to staff and then staff forwarded them to Mr. Sweetnam. Also at Mr. Young's request, the responses from the applicant were provided to staff and then the neighbor was made aware of them. In addition to the 9/9/10 enclosed revised plan package, the applicant has provided the attached materials:

- September 9, 2010 letter from Ellen Innis, Tecta Associates, explaining the plan revisions and clarifications
- Plant material description sheet for the creeping fig proposed for the west facing side of the carport
- Cut sheet for the alternative dark asphalt shingle "weather wood" roof material for the proposed carport
- September 9, 2010 arborist report for the ten significant trees around the project area

These materials address the specific neighbor comments as follows:

1. **Landscape screening.** The applicant is proposing to add screening along the west side of the garage using the creeping fig material. In addition, the applicant has advised that he intends to engage a landscape architect to help identify appropriate screen tree planting along the westerly property line. It is recognized that this will need to be done with care in light of the limitations, particularly the soil conditions, but the desire is to as effectively as possible screen views between properties.

We believe that the low profile of the carport, overhanging tree canopy that won't be impacted by the project, refer to arborist's conclusions, and the dark roof for the carport should adequately address view impact concerns. If, however, the ASCC concludes that additional landscaping along the property line is needed, this could be handled as a condition that would be addressed to the satisfaction of a designated ASCC member.

2. **Relationship of proposed improvements to existing significant trees, arborist's evaluation.** The project arborist has considered the proposal and the attached report notes that the design would have little potential for impacting the adjacent oak trees. It is also noted that the report sets forth a number of recommendations that should be implemented for tree protection.

The applicants have advised that they are committed to implementing the tree protection measures. Further, the project designer has noted that the distances from the proposed work to the trees is actually more than shown on the original plans and the revised plans correctly show distances and tree diameter.

3. **Roofing material for addition.** The plans now show an alternative, darker roof on the carport addition, i.e., the dark brown "Weathered Wood," asphalt shingle. There is some concern that using two roof colors would only call more attention to the new roof area; but, again, the applicant has advised of his willingness to use the darker material for the carport if the ASCC concludes this is needed.
4. **Status of un-permitted work, skylight and associated roof materials.** As explained in the attached 8/26 staff report, the resolution of issues relative to the permits needed for the work that was completed without town building review is still in process. The applicant has committed to address the matters to the satisfaction of the building official. Also, as noted in the staff report, the most significant planning matter is the need to provide covered parking to replace that lost to the conversion of the garage to living space. It is also noted that for a project of such minor scope, "patching" of the roof to accommodate the new skylight would have been considered a minor matter and not of a scope to require consideration of an entire new roof.

Prior to acting on this request, ASCC members should visit the project site and consider the above comments as well as any new information presented at the September 13, 2010 meeting. Overall, we conclude the proposal is a very reasonable way to address the covered parking requirements with minimum potential for site or area impacts.

4c. CONTINUED ARCHITECTURAL REVIEW FOR "TRAIN ROOM" HOUSE ADDITIONS AND DETACHED ACCESSORY STRUCTURE "WORKSHOP," AND RELATED SITE IMPROVEMENTS, AND SITE DEVELOPMENT PERMIT X9H-587, 385 WESTRIDGE DRIVE, COOPER

On June 23, 2008, the ASCC conducted a preliminary review of a very different proposal by this applicant for the desired model railroad "hobby barn" with workshop on the subject 3.3-acre Westridge Subdivision property (see attached vicinity map). The 2008 proposal was far more ambitious than the current plan and raised a number of

neighbor, ASCC and Westridge Architectural Supervising Committee (WASC) concerns. The previous proposal and site and area conditions are described in the attached June 19, 2008 report prepared for the June 23, 2008 meeting. The scope of concerns and issues with the proposal are discussed in the attached June 23, 2008 meeting minutes.

In follow-up to the June 2008 review, attempts were made to address the identified concerns, but without major changes to the scope of the project. Eventually, the 2008 plans were placed on hold and then abandoned. Since that time, the applicant has pursued other design options and one modified proposal was tentatively scheduled to be presented to the ASCC in May of this year. That plan also encountered concerns from the WASC and neighbors and staff too offered suggestions to address identified issues.

Since May a number of plan modifications were considered and, as reported at the August 30, 2010 ASCC meeting, eventually a proposal was developed that has been found conditionally acceptable by the WASC and is also responsive to the concerns identified by staff. Attached is the August 26, 2010 WASC approval letter for the enclosed plans and materials listed below that are now before the ASCC for consideration and approval. The plans and materials were, unless otherwise noted, prepared by CJW Architecture, have been revised through 7/26/10 and have an ASCC submittal date of 8/16/10:

Sheet: T-0.1, Title Sheet

Sheet: 1, Boundary and Topographic Survey, BGT Land Surveying, June 2007

Sheet: L-1, Landscape Plan, Cleaver Design, 8/5/10

Sheet: A-0, Site Facilities

Sheet: A-1, Site Plan

Sheet: A-2.1, Main Floor Plan

Sheet: A-2.4, Roof Plan

Sheet: A-3.1, Exterior Elevations

Sheet: A-3.2, Exterior Elevations

GreenPoint Rated Checklist received August 17, 2010

Outdoor Water Use Efficiency Checklist, Cleaver Design, 8/16/10

Exterior Lighting Plan, 11" x14" sheet received 8/17/10 with attached cut sheets for proposed exterior light fixtures A, B, and C

Finish Board, July 27, 2010

In support of the original plans, the applicant provided the attached arborist's report prepared by McClenahan Consulting, LLC dated January 8, 2008. This has been referenced in development of the current proposal and landscape plans.

It is noted that the scope of grading with the current proposal is 360 cubic yards and this is considerably less than proposed with the 2008 project, which included a large basement structure. The current proposal also calls for less grading than the plans that were to be considered by the ASCC in May. That project called for over 600 cubic yards of earthwork. In any case, the subject site development permit limits grading to the scope where the ASCC is the approving authority for the permit.

The following comments are offered to assist the ASCC consider and act on the revised request.

1. **Project Description, Grading and Vegetation Impacts.** As noted above, site and area conditions are discussed in the attached staff report prepared for the June 2008 project review. The current proposal is significant in terms of the following changes from the 2008 project:

- Location. The 2008 project placed the railroad facility in a large basement, with upper level entertainment space, and the improvements were proposed to be located at the south side of the existing house. This added considerably to the scope of development on that side and required a number of support improvements that would have more dramatically changed the appearance of the south and east sides of the property. The current plans eliminate all south side development and shift the proposed improvements immediately to the east side of the main house, where they can be more easily and directly served by the existing driveway system without the need for an east side driveway extension. This shift in location and scaling back of the scope of the project has permitted addressing a number of the issues identified with the 2008 project.

Further, to address the concerns of the WASC, as well as suggestions by staff, the plans have been modified to have the train room attached to the house, thus reducing the scope of issues, and necessary findings, associated with a very large and unusual detached accessory structure. Now, in the future, it would be possible to more easily modify the “train room” to a conventional house addition than would be the case with the plans that called for all the improvements to be in detached structures.

The workshop is now the only detached building and it has a floor area of 1,440 sf. This is not unprecedented in terms of detached accessory structures in town and, therefore, is more readily considered in terms of the issues raised by the WASC in terms of conformity to the Westridge CC&Rs, and also less complicated relative to the accessory structure policies of the town.

- Floor area. The current proposal only includes a small, 259 sf basement space that, in part, facilitates the physical connection of the house to the train room. Office space is proposed in the area above the “basement” stair well and the sections on Sheet: A-3.2, show the “basement” area. Actually, the data does not clearly demonstrate that the space meets the town’s basement definition for exemption from the floor area limit. If it were to be counted as floor area, the total project/site floor area would be 8,230 sf and exceed the ordinance limit for the property by 191 sf. Thus, if basement ordinance compliance can’t be verified, the total floor area would have to be reduced for ordinance conformity at the 8,039 sf limit. The project design team is aware of this and has advised that likely they would take the excess floor area out of either the train room or the workshop.

In terms of compliance with the 85% floor area limit, even if the basement area in the main house were counted, the total floor area in the single largest building would be 6,790 sf and just under the 85% limit of 6,833 sf. The main floor area issue, therefore, remains demonstrating conformity with town basement ordinance provisions. Any action on the project should include a condition that the plans be modified as necessary to the satisfaction of staff to conform to the

total floor area limit for the property, but this is considered a minor adjustment to the project.

The above floor area numbers reflect that all proposed improvements have been designed to conform to the single story height limit, thereby yielding a 5% floor area bonus. The plan elevation sheets demonstrate such compliance. The plans don't, however, include data to verify that all existing improvements also conform to the 18-foot single story limit. Based on our site inspection, we concluded that all existing improvements are likely well under 18 feet in height, and we asked that this be confirmed by accurate data provided by the project design team. The project architect checked existing improvements and has verified that the tallest point of the existing house is 16 ft. 8 inches above adjacent grade. Thus, the project does conform to the single-story standard, allowing application of the 5% floor area bonus.

With the 2008 project the total countable floor area was 7,980 sf, but the proposal also included a 1,600 sf basement space. Thus, the current proposal includes considerably less floor area and site disturbance than was the case with the 2008 plans.

- Grading volume. The 2008 proposal called for just under 1,000 cubic yards of grading counted pursuant to the site development ordinance, with much of the basement excavation exempt from the grading calculations. The current plans propose 360 cubic yards of grading, with essentially a balance of cut and fill as counted pursuant to site development ordinance standards. An additional 193 cubic yards of excavation is proposed to cut the train room into the site and maintain the low building profile. This material would be off-hauled from the property.
- Access driveway/Impervious surface. The 2008 plan proposed a long driveway along the east side of the site to accommodate access to the then proposed building site on the south side of the parcel. That driveway with associated parking area was of particular concern to the easterly neighbor. The current plans limit access to a driveway that would extend from the existing drive to an access way located between the train room addition and the new shop and attached train room. Further, the parking associated with the access, i.e., to serve the train room and shop, would be largely screened from the neighbor's view by the siting of the shop and general approach to the design of the site improvements.

The total impervious surface area has been reduced from the 2008 proposal by over 2,800 sf, i.e., from 10,637 sf to 7,802 sf. This is well within the 13,770 sf impervious surface limit for the site.

As noted above, the scope of site disturbance and change is considerably less with the current plans than the 2008 proposal. Further, the approach to grading allows for the additions to maintain a very low profile and continue the architectural character of the existing single-story Ranch style of the main residence. In addition, the planned improvements would be no closer to Westridge Drive than 75 feet, whereas a minimum 50-foot setback is required.

The “shop” would be no closer than 34 feet to the easterly property line and the bulk of the building would be over 43 feet away from the east side parcel line. Further, in response to noise concerns of the easterly neighbor, there are no windows on the east side of the proposed shop and the roof skylights are all on west facing roofs. Also, all windows in the shop area are relatively small and located high on the walls to further enhance privacy and limit potential for noise and light spill.

The train room and associated service path are now over 60 feet from the easterly property line. And, as noted above, the approach to the design with the service pathway between buildings and partially below a breezeway cover, further limit potential for off-site impacts.

To accommodate the current design, some pine trees would be removed and also a few oaks would be lost. The tree impacts are shown on the landscape plan sheet and site plan. To enhance screening and accommodate for the tree impacts, some of the impacted oaks would be transplanted along the eastern property line. In addition, a number of native shrubs are proposed. Since the oak screening is important, it is recommended that a bond or other surety be placed with the town for a period of three years after project permit sign-offs to ensure relocated trees are established and healthy or that replacement trees are installed if any of the transplanted oaks don't survive.

Overall, the revised plans appear to properly address the concerns that have been identified with the project and ensure that the desired train room and associated workshop spaces would be consistent with the residential character of the area. Both the revised site and architectural plans reflect significant efforts to accommodate WASC and town staff comments and concerns.

2. **Site Development Committee Review.** The following attached comments have been received on the proposed site development permit:

- 4/22/10 memorandum from the public works director
- 4/22/10 memorandum from the town geologist
- 4/26/10 memorandum from the fire marshal
- 4/16/10 email relative to San Mateo County Health Department review

These were related to the May proposal, which is similar to the current plans, but had the train barn in a fully detached structure. The revised plans are being shared with site development committee members, but no major changes are expected to the scope of comments in the above listed reports. These comments raise no significant site development permit committee issues with the current project.

There are no trails issues involved with the project, other than possible conflicts during construction access.

3. **Evaluation of request with respect to town polices for accessory structures.** The proposed detached workshop, while large for an accessory building, is no longer unusually large in terms of barns and larger detached garages and workshops that have been approved by the ASCC for other large parcels in town. Nonetheless, the ASCC must determine the workshop cannot be easily converted to a second unit larger than 750 sf. In terms of the design, the attached “**Second**

Units and Accessory Structures” policy statement is intended to guide the ASCC relative to the necessary findings. In this case, the proposed 1,440 sf workshop has only one room and has no bathroom, kitchen or bedroom facilities. This is in line with the policy statement.

The train room is attached to the main house and, with the addition, the main house conforms to the 85% floor area limit. The space is shown as basically one large train room/entertainment area, and a small washroom without shower is also provided. The space could be converted to more conventional living area, as an extension of the main house living area, but this would require building permits and the town would then have the opportunity to ensure conformity to current building standards.

In any case, it is recommended that the ASCC require a deed restriction recorded against the property to the satisfaction of the town attorney to ensure against future conversion of the workshop or train room to a detached or attached second unit larger than 750 sf or any other use that would be inconsistent with the residential zoning provisions that apply to the property. It is noted that the WASC approval also requires a Westridge deed restriction relative to commercial use of the site or conversion of the workshop to a residence.

4. **Project Design and Exterior Materials.** The design of the proposed house addition and accessory workshop structure are consistent with the Ranch style of the main house. In response to the design review process, the plans have been refined to provide a more harmonious transition between the existing house and proposed additions and significant efforts have been made to maintain a very low, residential profile. Further, the plans propose to use vertical wood siding in a dark taupe/brown color with a light reflectivity value (LRV) of under 25% and will be within the 40% maximum LRV policy limit for siding. The wood and metal trim elements would be in a medium dark taupe color with a LRV of approximately 30% and also well below the 50% LRV policy limit for trim.

The preferred, proposed roof is to be standing seam metal in a dark brown color, with a LRV of less than 10% and under the policy limit of 40%. If this option proves too expensive, then a dark brown asphalt shingle roof would be used. The proposed asphalt sample is also well under the LRV policy limit. The WASC has expressed a preference for the metal roofing option.

A small extension of the existing house shake roof is also planned. This would be over the stair/office connection to the train room. In addition, the project architect has advised that the existing house would be painted to match the finishes now proposed for the additions. This will further enhance the integration of the existing and proposed improvements and further the Ranch style residential character of the overall project.

5. **Landscaping and fencing.** The landscape proposals are shown on Sheet: L-1 and were discussed above. The only fencing plan is to replace a section of east side fencing as shown on Sheet: A-1. The replacement fencing is all within the building envelope area and no fencing work is planned in the setback area. The replacement fencing is a post and wire design with a gate.

As noted in the attached August 9 and 18, 2010 communications from Mr. and Mrs. Roberts, 357 Westridge Drive, i.e., the east side neighbors, there is some issue with the history of fencing along the common property line. The current plans only call for the fencing replacement in the building envelope. At the same time, the ASCC may, under the current fence ordinance provisions, require conformity with the current ordinance if it finds a specific relationship between the proposed project and any fencing that does not conform to current standards. In this case, the fencing that would be in question is the small section of fencing along the property line south of the project site (see Sheet: A-0). The ASCC should consider site conditions and the comments of the neighbor to determine if any fence adjustments in this area should be required. In this case, it appears that only a small modification would be needed to move the fence to the building envelope line and bring it into conformity with the current ordinance for parcels in the in this zoning district.

6. **Exterior Lighting.** Exterior lighting proposals are presented on the enclosed site plan sheet. Three new path lights are to be along the new access driveway on the north side of the train room. Two LED recessed lights are proposed in the breezeway area and three wall-mounted lights are proposed to serve new access doors. The scope of new lighting is minimal and the scope and fixture locations appear fully consistent with town standards. All lighting should, however, be manually switched unless other switching is required by building code.
7. **Workshop noise issues.** Both the communications from neighbors and the WASC approval letter discuss concerns over noise from use of the workshop area. As noted in the WASC letter, use of the workshop must conform to town noise standards, and the design has been adjusted to minimize potential for noise spill. The WASC letter requires measuring for compliance with noise standards prior to issuance of an occupancy permit. The concern we have is that the plans typically would not show what equipment would be in the workshop and such equipment may not be installed for some time after construction is complete. In any case, use of the space, like any other home workshop in town, would need to conform to the town's noise ordinance. The town has a number of both large and small accessory workshops in residential areas and, to this point, their use has not proven to be a significant issue of concern in terms of noise, dust, or any other matter.
8. **Construction staging.** Sheet: A-0 contains basic construction staging data. While this data and the recommendations of the arborist for tree protection are fairly complete, staff will work out final construction staging details with the project contractor prior to issuance of a building permit.
9. **"Sustainability" aspects of the project.** Attached is the completed BIG checklist for the project, which proposes a total of 30 GreenPoint rated points. While this project was proposed prior to adoption of the current green building ordinance, we would encourage that it be modified to achieve a higher sustainability level with development of the final building permit plans. It is noted that the May plan submittal actually targeted 49 BIG points and we would encourage a similar effort with the final plans for the current proposal.

Prior to acting on these applications, ASCC members should visit the project site and consider the above comments as well as any new information presented at the September 13, 2010 ASCC meeting.

4d. REQUEST FOR MODIFICATIONS TO PREVIOUS APPROVAL, GARAGE ADDITION, 10 GROVE COURT, *DHILLON*

In July of 2008, the ASCC approved plans for the addition of a 610 sf detached garage and studio accessory structure for the subject 1.0-acre parcel located immediately northeast of the intersection of Grove Drive and Portola Road, see attached vicinity map. As the ASCC was made aware earlier this year, the accessory structure is under construction and is currently taller and otherwise somewhat larger than the building approved by the ASCC and shown on the building permit plans issued for the project. A "stop-work" order has been placed on the project until the construction can be brought into conformity with the approved plans or a modified project can be found acceptable by the ASCC.

Town staff and designated ASCC members have been working with the applicant and project representatives since February of this year to assemble proposals to resolve the problems so that the project can proceed. This has been a complicated process that was made more complicated by the fact the property owner is not in town on a year around basis. In any case, in response to the problems and considerable effort expended by staff and designated ASCC members, the applicant has submitted the enclosed proposed screen landscaping plan dated July 20, 2010. In support of the plan, she has also provided the attached September 7, 2010 letter from her attorney, Gregory Klingsporn, Mitchell Herzog & Klingsporn LLP. The letter from Mr. Klingsporn sets forth considerable background on the proposal and explains the reasons for the landscape plan as presented. Additional comments are offered on the letter in the evaluation provided below.

The following comments are offered to assist the ASCC consider, and as possible act on, this proposal.

1. **Overview and scope of neighbor concerns.** The existing garage/studio as placed on the site is approximately 2-feet 3-inches taller than the 12 feet shown on the approved plans. It is also somewhat longer and wider than shown on the approved plans. Otherwise, the building location and design are generally consistent with the 2008 approval. The added height, however, in particular, increases the scale and mass of the building considerably over what was reviewed and approved by the ASCC.

As ASCC members are aware, not only has the construction of the building created plan consistency issues, a number of neighbors have expressed significant concern over the building design being out of character with the neighborhood. Nonetheless, the project was approved and the key focus is now how to get the design closer to what was shown on the plans the ASCC accepted in 2008. At the same time, staff and designed ASCC members have attempted to impress upon the applicant the need to be sensitive to neighbor concerns and to also consider actions she hopes to pursue for long-term use of the property.

It should also be noted that this project and the scope of correction efforts have been discussed with the town attorney. If the applicant could modify the design to conform to the ASCC approvals, the town attorney has advised that the applicant could proceed with the project. This, however, would require demolition of the existing structure and reconstruction. In staff's opinion, this would not serve the neighborhood or the applicant. For these reasons we have been working with the applicant and her representatives, including Mr. Klingsporn, to identify a plan that would satisfy ASCC input, address neighborhood concerns and, hopefully, permit ASCC approval so that the "stop-work" order could be lifted.

2. **Building height.** According to the project contractor, and as committed to in the letter from Mr. Klingsporn, the building height can be reduced by approximately 1 to 1.3 feet without having to change the structure of the building or garage door operating system. The height reduction would be achieved by cutting the top parapet area of the building. Thus, the height above grade would be just above 13 feet and still approximately one foot taller than the approved plans.

In addition to reducing the height by lowering the parapet roofline, the ground around the garage slab would be backfilled to the base of the metal siding. This would result in the visible siding surface being only approximately four-inches taller than what is shown on the approved plans. We have asked the applicant to have the project contractor place a visible tape line around the garage structure to clearly show the proposed height with the lowering of the parapet roofline.

At just over 13 feet, the height of the building would be well under both the 28 and 34-foot height limits. Further, it would also be well below the 18-foot single story height limit. In any case, both the size of the building and height would be well within zoning limits and relatively small considering other garage accessory structures in town. Further, the structure adheres to all yard setback requirements, including a 50-foot setback from Grove Drive, and being no closer to a side or rear property line than 26 feet where a 20-foot minimum setback is required. Also, the garage is over 150 feet from the Portola Road right of way line and the existing house is over 100 feet from the right of way.

3. **Visual impacts, architectural design.** Because the modified building would still exceed the approved 12-foot height over existing grade, staff and designated ASCC members have requested development and implementation of a screen planting plan. The intent of this plan is to ensure that the garage/studio has the accessory visual relationship to the main house that the ASCC intended with the 2008 approval. The enclosed plan was developed with ASCC and staff input and specifically includes screen plantings along the western and northern sides of the detached garage.

While the plan is generally responsive to the recommendations of designated ASCC members, as noted in the letter from Mr. Klingsporn, it does not include the "large" screen tree requested at the southwest corner of the garage. There have been continuing differences of opinion relative to the ability to install such a tree and in last discussions with designated ASCC members Warr and Breen, it was emphasized that the tree was important to the effective screen planting scheme. This will need to be considered at the ASCC meeting and the ASCC will need to

determine if the tree needs to be added to the plan as a condition of any action on this request. We assume the person responsible for the proposed landscape plan would be present to further explain why there are constraints to the addition of the tree or any options for achieving the "tree" screening recommended by the designated ASCC members.

In addition to the above, we suggest that consideration be given to adding native shrubs along the northerly side of the garage. Further, the planting proposed for the "planter" surrounding the "pre-cast" stepping stones between the garage and house should be clarified.

It is also noted that the enclosed landscape plan specifically identifies "existing" site features and notes other features such as "dry-set Sonoma Stacked Walls" and "concrete patio." It is stressed that the focus of this review is only on the garage and screen planting proposals. No action has been requested or should take place beyond these matters. Any other actions that may be necessary relative to the "wall" or patio would be addressed separately.

4. **Guarantee for landscape maintenance.** If the ASCC finds the proposed landscape plan acceptable, with whatever changes the ASCC concludes are needed, plant installation should take place as soon as possible and a bond or other surety should be provided to the satisfaction of the town attorney guaranteeing landscape maintenance and replacement. The bond should be for a for a minimum period of three years from the date the project building permit is found complete.
5. **House color.** Work on the main house continues and we are uncertain as to the planned final color. Given the relationship of the garage structure to the house and the need to ensure it maintains an accessory use character, final painting of the house should conform to the town's color policies and be subject to prior review and approval by a designated ASCC member.

Prior to acting on this request for plan modification, ASCC members should visit the project site and consider the above comments as well as any that may be presented at the September 13, 2010 ASCC meeting.

5. STAFF REPORT -- REFERRAL FROM THE CITY OF PALO ALTO, REQUEST FOR CONDITIONAL USE PERMIT FOR RECREATIONAL FACILITY TO ALLOW FOR CONSTRUCTION OF A ROOF STRUCTURE OVER EXISTING SPORTS COURT/HOCKEY RINK, 610 LOS TRANCOS ROAD, MCNEALY

On August 30th the town received notice of, and application information relative to, the subject proposal for the McNealy property located immediately north of the town boundary on Los Trancos Road. The Palo Alto staff report, including vicinity map, for the project is attached and recently we received plans for the proposal that are available for review at town hall and will be presented to the ASCC and planning commission at the end of the afternoon site meeting on September 13th, i.e., as noted at the head of this memorandum.

The notice the town received on August 30th advised that the Palo Alto planning commission was to hold a hearing on the proposal on September 1, 2010 and that the city council would consider the proposal on September 20, 2010. Since some town residents had raised concern in the past over the use of the McNealy hockey rink and its original, temporary inflated “dome” cover, we contacted the city to request additional data and to let the Palo Alto staff and planning commission know that Portola Valley would at least appreciate the opportunity to review the project plans to determine if any comments or concerns should be shared with the City.

Due to the short notice, we would like to briefly share the plans with the ASCC and planning commission on Monday at the conclusion of the Neely/Myer site meeting. This will be a **staff report** and we would seek any comments or reactions planning commission or ASCC members may have to the proposal. For the most part, we conclude that the plans will adequately address the visual impact, including light spill, and noise issues that were identified previously by some town residents. The 7,329 sf sports court/hockey rink is cut into the hillside and the roof will result in somewhat of a “bunker” condition. The roof surface will be a dark asphalt shingle that should help it blend with the backdrop relative to any views from parcels in the town, largely from those in the upper Alpine Hills area. Considerable screen landscaping around the structure is also planned. Further, the rink will be completely enclosed and this should mitigate noise issues.

Based on our concerns and request, discussed with the Palo Alto staff planner last week, the Palo Alto planning commission decided to continue the matter to its 9/15 meeting and to also ask their staff to send notice to Portola Valley residents with potential views to the project site. We identified over 50 town parcels with potential views and forwarded these to Palo Alto staff for use in completing the notice requested by their commission. Thus, any town residents with concerns will be able to directly comment on the proposal to the Palo Alto planning commission and city council.

We will have the plans and some photo simulations available for consideration at Monday’s meeting. Again, this is a staff report and staff would use any ASCC and planning commission input in formulating a comment letter to Palo Alto. This will be shared with the chairs of the planning commission and ASCC, as well as the Mayor prior to forwarding the letter to Palo Alto.

TCV

encl.

attach.

cc. Planning Commission Liaison
Planning Manager

Town Council Liaison
Applicants

Mayor