



**TOWN OF PORTOLA VALLEY**  
**REGULAR PLANNING COMMISSION MEETING**  
765 Portola Road, Portola Valley, CA 94028  
Wednesday, November 2, 2011 – 7:30 p.m.  
Council Chambers (Historic Schoolhouse)

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**AGENDA**

Call to Order, Roll Call

Commissioners Gilbert, McIntosh, Von Feldt, Chairperson McKitterick, and Vice-Chairperson Zaffaroni

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.

Regular Agenda

1. *Public Hearing: Request for Deviation from Town Resolution 2506-2010, 21 Santa Maria Avenue, Berka/Akers*
2. *Compliance with Annual Reporting Conditions, Conditional Use Permit X7D-30, The Priory School*

Commission, Staff, Committee Reports and Recommendations

Approval of Minutes: September 21, 2011 and October 19, 2011

Adjournment

**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 ext. 211. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

**AVAILABILITY OF INFORMATION**

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.

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley branch of the San Mateo County Library located at Corte Madera School, Alpine Road and Indian Crossing.

### **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).

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This Notice is posted in compliance with the Government Code of the State of California.

Date: October 28, 2011

CheyAnne Brown  
Planning Technician

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# MEMORANDUM

TOWN OF PORTOLA VALLEY

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**TO:** Planning Commission  
**FROM:** Tom Vlastic, Town Planner  
**DATE:** October 26, 2011  
**RE:** Public Hearing, Request for Deviation from Town Resolution 2506-2010,  
21 Santa Maria Avenue, Berka/Akers

**Request, background, evaluation, October 24, 2011 ASCC review and AR Approval**

This request is for planning commission approval of a deviation from town Resolution 2506-2010. In this case, the applicant is seeking approval of plans for additions and modifications to the existing residential improvements on the subject 22,059 sf Woodside Highlands property. The project is shown on the following plans dated September 8, 2011, prepared by F. John Richards Architect:

Sheet A.1, Site Plan  
Sheet A.2, Proposed Plans  
Sheet A.3, Existing Plans

On October 19, 2011 the planning commission conducted a preliminary review of the request including consideration of the proposal as described and evaluated in the attached October 13, 2011 report to the commission, which includes the September 29, 2011 report from the town geologist conditionally supporting the project and proposed deviation. The report also contains excerpts from the March 29, 2011 comprehensive geotechnical investigation prepared for the project by Murray Engineers and evaluated in the report from the town geologist.

At the 10/19 preliminary review meeting the commission discussed the deviation request that would increase the existing site floor area by 25% and, in general, supported the deviation. The commission did request a listing of the specific structure and safety improvements that would be made with the proposed improvements and this data is provided below.

As is noted in the October 13<sup>th</sup> report to the planning commission, the ASCC was scheduled to consider and act on the architectural review application for the addition project at its October 24<sup>th</sup> meeting. The ASCC did review and conditionally approve the project as evaluated and recommended in the attached October 20, 2011 staff report. The ASCC supported the concentration of floor area given the geologic and slope constraints of the property. Also, the ASCC concluded that the project was appropriate to resolve covered parking requirements and consistent with the character of development in the neighborhood.

No one was present at the ASCC meeting to comment on the project other than the applicant and project architect.

In approving the architectural review request, the only conditions imposed by the ASCC were that a construction staging and vegetation plan be prepared and implemented to the satisfaction of planning staff and that existing spotlights be removed. The ASCC approval is also subject to planning commission granting of the requested deviation.

### **Additional Data**

Since the October 19<sup>th</sup> preliminary review, the project architect has provided the attached revised site plan dated 10/24/11 and the attached 10/26/11 listing of structural upgrades that would be incorporated into the detailed building permit drawings. The revised site plan recognizes the full extent of the parcel, responding to comments in the 10/13 staff report, and also adds a note relative to the concepts for a rainwater dissipater outfall that, for final design, would be subject to approval by the project geotechnical engineer and public works director.

In addition to the structural upgrades 10/26 listing from Mr. Richards, the lengthy detailed criteria in the March 29, 2011 Murray Engineers report would be incorporated into the final building permit plans. Application of these criteria is a condition of project approval of the town geologist and also a requirement of the Murray report, which specifically states on page 20 that "Murray Engineers, Inc. must review the completed project plans prior to construction," and that the "following project-specific note be added to the architectural, structural and civil plans:"

*The geotechnical aspects of the construction, including excavation of piers and footings, septic tank backfill, subgrade preparation and placement of engineered fill beneath slabs, and the installation of surface drainage control systems should be performed in accordance with the recommendations presented in the geotechnical report prepared by Murray Engineers, Inc., dated March 29, 2011. Murray Engineers, Inc., should be provided at least 48 hours advance notification (650-326-0440) of any geotechnical aspects of the construction and should be present to observe and test, as necessary, the earthwork, foundation, and drainage installation phases of the project.*

The report contains detailed criteria for the following items that would be incorporated into the building permit plans. These criteria are based on site specific earthquake design conditions that the report states were developed based on procedures described in Chapter 16, Section 1613 of the 2010 California Building Code:

- Foundations – continuous spread footings, drilled piers for decks. The criteria for footings apply to all new construction and existing foundations where there would be an increase in load of more than 25%. The criteria for drilled piers are for the deck. Criteria are provided for how the new and existing foundations are to be linked to reduce the risk of differential movement.
- Retaining walls. Criteria are provided for the retaining walls that support the upper walls of the garage and residential additions. These address anticipated lateral earth pressures, retaining wall drainage, and backfill.

- Concrete slab-on-grade. Criteria are provided for the design of the interior garage floor slab, exterior slab if needed for the driveway, and vapor retarder considerations.
- Earthwork. Criteria address clearing and site preparation, demolition and backfill relative to the removal of the existing septic tank, materials for fill, compaction, and excavations for foundations.
- Site Drainage. Criteria address not only the proposed additions, but also drainage associated with existing conditions. The provisions specifically take into account site slope and geologic conditions and ensure that existing potential issues are resolved to enhance site protection from potential drainage impacts.

In addition to the above improvements, the project building permit plans must also comply with the fire safety provisions of Chapter 7A of the building code. It is further noted that at the 10/19 commission meeting, the applicant advised that the house has been bolted to the foundation, straps added for bracing, and that shear walls were added to enhance stability.

Overall, with implementation of the design criteria as recommended in the geotechnical report, and as listed in the 10/26/11 statement from the project architect, the project should not only ensure the additions are properly constructed, but also that the existing site improvements are enhanced relative to safety and stability.

### **Recommendation**

Based on the evaluations presented above and in the referenced attached materials, it is recommended that the requested deviation be approved subject to the conditions set forth in the September 29, 2011 report from the town geologist, which specifically require conformity to the criteria in the Murray Engineers report dated March 29, 2011. The project would also be subject to conditions of the architectural review approval granted by the ASCC at its October 24, 2011 meeting. The project, as proposed includes the following plans and materials prepared by F. John Richards architect:

Three Sheet Plan set dated September 8, 2011 (as listed above)  
Revised Site Plan, October 24, 2011  
Listing of Structural "upgrades" dated 10/26/11

TCV  
Attach.  
encl.

cc. Leslie Lambert, Planning Manager  
Ted Sayre, Town Geologist  
Angela Howard, Town Manager  
Town Council Liaison  
John Richards, Project Architect  
Mr. Berka, Applicant



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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**TO:** Planning Commission  
**FROM:** Tom Vlastic, Town Planner  
**DATE:** October 27, 2011  
**RE:** Compliance with Annual Reporting Conditions,  
Conditional Use Permit X7D-30, The Priory School

Pursuant to the requirements of The Priory's conditional use permit as amended on February 22, 2005 by Resolution No. 2005-416, each year the school is to provide both Spring and Fall reports to the town on the status of compliance with the conditions of the amended permit. The school has continued to implement the approved use permit master plan and has annually reported to the town in compliance with permit conditions. The required Fall 2011 report is attached and is dated October 3, 2011. It was prepared by Tim Molak, Head of School, and, in part, is based on interaction with town staff for clarification, particularly as related to CUP permit numbers and the affordable housing provisions of the amended permit. Also attached is the Spring 2011 report dated June 27, 2011.

The Fall 2011 report discusses on-going school activities relative to CUP requirements and also includes the calendar for the 2011-12 school year. As the report notes, the Priory continues to make its facilities available for community use pursuant to the use agreement with the town and consistent with other permit conditions. As was the case last year and for the previous years, during the 2009-2010 school year we've not received any neighbor or other public input identifying any concerns with the school's operation. The following are also specifically noted relative to key current school activities and conditions:

1. **Enrollment.** The permit authorizes a maximum enrollment of 350 students. At the start of this school year and currently the actual enrollment is 367 students. At this time last year the enrollment was 371 and the school year ended with the same enrollment.

During past annual reviews, the commission recognized and accepted that there would be some variation in actual enrollment and that typically the start of the school year would likely have enrollment slightly above the 350 number, with enrollment being reduced to at or below the 350 number by the end of the school year. The commission found such minor variation to be in substantial compliance with the provisions of the use permit and necessary to allow for the fact that The Priory needs to issue acceptances for more spaces than are available, as is common, because not all applicants elect to attend the school. Further, as experience has shown, some students who start the school year at the school leave during the course of the school term.

With the 2010 review, concern was expressed over the 371 figure and the use of average daily attendance as a way to compare the attendance with the use permit limits. It was stressed that if the figure continued at the 371 level or higher, CUP compliance would be an issue.

Last year Mr. Molak explained that problems were encountered as a result of the higher level of student acceptance during the recent recessionary cycle and that he saw the problem being resolved as that larger class moved through the school. The current enrollment reflects the changes Mr. Molak suggested would occur and it appears that as the current junior class moves to graduation in June of 2013, the enrollment number would be back in line with those encountered during the first few years after use permit amendment and as found by the planning commission to be in substantial compliance with CUP provisions.

Based on the forgoing, we believe that the problems of 2010-2011 are on course to resolution and that no further action is needed relative to enrollment matter, at this time.

2. **School year calendar, frequency of larger events.** Use permit condition #13 allows for a maximum of seven larger events each school year with an allowance for up to 10 events in each of the first five years after approval of the 2005 amendment to accommodate for impacts of the construction activities. The initial five year period has passed and the number of larger events is now limited to 7.

The enclosed calendar indicates that for the 2011-12 year, 5 such events are anticipated, and Mr. Molak also clarified that a recent reception attracted a relatively large number of attendees, raising the number of events to 6. The calendar also suggests that it is difficult to judge if a school sport event will attract a larger crowd that could create a demand for overflow parking. The report advises that when this occurs, traffic management ensures that parking will be found on site. This parking, however, may include the use of the overflow area on the track and that could result in more than seven "larger" events. Last school year there were nine "larger" events, which included 3 home football games. If sporting event attendance results in a significant impact on parking demands, beyond those anticipated with the use permit, then corrective action may need to be taken. At this point, the town has not received any calls or other contacts relative to any parking or traffic problems associated with Priory events. At the same time, the limit on overflow parking on the track in the current permit may not be realistic given the reality of the inability to know in advance the actual attendance at a normal school sporting event. We've requested that the school do a detailed monitoring of such attendance and parking demands so that decisions can be made on adjustments that may need to be considered, including possible use permit amendment.

3. **Conformity with affordable housing provisions.** The Priory is to provide, "to the extent reasonably possible," six (6) affordable housing units within the existing faculty and staff housing on campus. The report shows that the school has provided seven such units, and but that it currently has no very low-income units. Specifically, the housing includes four (4) low income units and three (3) moderate income units. The CUP targets are two (2) very low, one (1) low and three (3) moderate. The annual report explains the circumstances relative to current occupancies.

Also as noted in the report, Priory representatives do continue to work with the town to address both the use permit and housing element objectives. Thus, we believe that the Priory continues to be in substantial compliance with the CUP housing objectives.

4. **Lay Faculty.** The CUP limits lay faculty to a total of 50. The report notes that the current lay faculty is at 52. Mr. Molak has advised that this includes 36 full load teachers and 16 part time positions. He has clarified that the faculty equates to 44 full time positions.
5. **Key improvements over the past year, use of Gambetta Property/Fromhertz House, Turf Field.** There have been no significant school improvements over the past year but, as noted in the June 27, 2011 report, a new three-year “Capital Campaign” has been approved to pursue several specific school projects, most consistent with CUP master plan provisions.

The proposed turf field project was presented to the town, but is on-hold as environmental documents are finalized and also pending decisions by the school relative to the scope of improvements. As noted in the October 3<sup>rd</sup> report, it is possible that a portion of the Gambetta/Fromhertz House property would be used to allow for a new 400-meter track. This would include a lot line adjustment if the Gambetta property is not added to the land covered by the school use permit. If the track expansion using a portion of the Gambetta property, with removal of the berm, were to be proposed, a CUP amendment would be needed. Also, if the school would decide to want to use the entire Gambetta property with the Fromhertz house for Priory activities, a CUP amendment would be needed. At this time no final decisions have been made on either the scope of the turf field project or the use of the Gambetta Property/Fromhertz house.

Based on the foregoing comments, it is recommended that the attached annual report provided by the Priory for this year be accepted by the planning commission, but with the continued reservation and recognition that the school must continue to carefully monitor the maximum enrollment and the number of large events to ensure conformity to CUP limits and any adjustments that may be needed.

TCV

attach.

cc. Leslie Lambert, Planning Manager  
Angela Howard, Town Manger  
Tim Molak, Head of School, The Priory School

Town Council Liaison  
Sandy Sloan, Town Attorney