

PLANNING COMMISSION MEETING, TOWN OF PORTOLA VALLEY, OCTOBER 19, 2011, SCHOOLHOUSE, TOWN CENTER, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Chair McKitterick called the Planning Commission regular meeting to order at 7:30 p.m. Ms. Brown called the roll:

Present: Commissioners Denise Gilbert, Arthur McIntosh and Alexandra Von Feldt; Vice Chair Leah Zaffaroni; Chair Nate McKitterick

Absent: None

Staff Present: Tom Vlastic, Town Planner
CheyAnne Brown, Planning Technician
Councilmember Ann Wengert

ORAL COMMUNICATIONS

None

REGULAR AGENDA

- (1) Preliminary Review: Request for deviation from Town Resolution 2506-2010, 21 Santa Maria Avenue (Chris Berka/Rebecca Akers)

Mr. Vlastic referenced the staff report of October 13, 2011 on the deviation request that would enable the applicant to correct problems with an existing carport that's deteriorating, to build a two-car garage attached to the residence, and to increase the living area of the residence by 327 square feet with minor kitchen, bedroom and bathroom additions. He explained that the addition has been designed to meet the 25% limit for a deviation as set forth in Town Resolution 2506-2010, when work is being done to increase stability of improvements on a property.

In pursuing this project, Mr. Vlastic said, the applicant engaged Murray Engineers Inc. to conduct a detailed geotechnical investigation, which supported the proposed improvements. Town Geologist Ted Sayre subsequently reviewed the Murray report and supported the project and the deviation request in a September 29, 2011 submittal to Planning Technician Carol Borck.

Factors for the Planning Commission to consider include the legality of the parcel and its structures, Mr. Vlastic noted. In terms of legality, as the staff report explains, he said the property includes three parcels that the Town merged in 1985 so that it now meets the minimum 20,000-square-foot parcel area. The site plan, he said, shows only the northerly portion of the property – the area where the improvements are proposed. He also indicated that the staff report discusses issues relative to drainage, a septic system and soil stability.

The property has a Pd (potentially deep) landslide designation, and Mr. Vlastic said there's no way to put in improvements that wouldn't be affected by that Pd designation. According to Mr. Vlastic, the Murray report discusses the scope of the landslide, which also was evaluated by the Town Geologist. With the Pd zone extending well past the property boundaries, he explained, it's not feasible to stabilize the land in any engineered way. Consequently, the project is being approached from the standpoint of improvements that would be made by foundation work and other efforts enumerated by the Murray report and reiterated in the staff report.

In response to one of the Town Geologist's questions, Mr. Vlastic said that the applicant informed him that the house has been bolted to its foundation, straps installed and shear walls added five years ago.

The overall scope of the improvements, Mr. Vlastic continued, address not only parking needs but also would repair uncompacted fill. This area may contain an old septic system that would be removed, followed by additional compacting. That work, plus the removal of the deteriorating carport, correction of retaining walls and implementation of the Murray report and Town Geologist recommendations, Mr. Vlastic summarized, would seem to support the criteria that the Planning Commission must consider in handling a deviation request.

Fundamentally, he explained, in that context the proposal would improve the safety of the site without risk to adjoining properties.

The proposal would require ASCC architectural review and consideration of the applicant's request for concentrating 94% of the floor area in the main building. Findings for the ASCC to consider would include limitations imposed by geology on the property's overall floor area, constraints imposed by slope, tree cover and existing conditions. The additions proposed should have little visual impact in terms of views from the road and from adjoining properties, Mr. Vlasic said.

Next steps, he concluded, would be for the Planning Commission to discuss the proposal and take comments, for the ASCC to complete its review, and then for the matter to come back to the Planning Commission for a public hearing on the deviation request – probably at the November 2, 2011 meeting.

In response to Chair McKitterick's questions about retaining walls John Richards, project architect, indicated that those in the vicinity of the improvements that require replacement would be replaced. In terms of the five-foot retaining wall mentioned in the Murray report, Mr. Richards said that it's below the house, off to the side, and thus outside the scope of the project.

Noting that the Murray report also discusses analyzing the appropriateness of the construction for a Ps (potentially shallow) landslide designation, Chair McKitterick surmised that the engineers didn't analyze for a deep landslide because the improvements are based on the best that can be accomplished under the circumstances. In response, Mr. Vlasic said that because the Pd designation goes well beyond this property, the ability to analyze it in a way that would lead to potential stabilization would be a huge project. He explained that the Murray investigation expected the additions proposed to have essentially no impact in regard to adding load on the landslide area.

Chair McKitterick, indicating that the relevant part of Resolution 2506-2010 is "improvements to structural stability and foundation are required commensurate with the scope of the alteration or repair," asked what improvements to the current site situation would improve stability. Mr. Richards said that the biggest change will be removal of foundations that are of questionable quality and replacing them with new, up-to-date foundations. The structure of the new building in itself also will add considerable lateral stability to the existing house, he continued.

Mr. Richards stated that this isn't discussed in the Murray report because it's a structural engineering issue rather than a soils engineering issue, but everything above the ground level is addressed – including the new foundation and the big, new shear walls, particularly on the sides of the garage. Mr. Vlasic pointed out that a requirement in the Murray report regarding loading of the additions within the area calls for foundation work under the existing house. Mr. Richards said that a new foundation will go in around the front wall, where they're pulling out the existing retaining walls.

Commissioner Gilbert referenced a statement in the Murray report – "In our opinion, the proposed foundations for the additions would mitigate this hazard to some degree . . ." She said she presumes that's because it would help anchor the rest of the building. Mr. Richards said that is correct.

Alluding to Mr. Vlasic's comment about the house being bolted five years ago, Commissioner Gilbert said that she is somewhat puzzled by the Town Geologist's recommendation. Mr. Vlasic clarified that the Town Geologist said that if the bolting hadn't been done already, it should be. Commissioner Gilbert said that it's also apparent that the Town Geologist's recommendation that damaged foundations be replaced also is being addressed.

In response to Commissioner Gilbert's question about the area's landslide history, Mr. Vlasic said that a significant portion of the large landslide mass where the subject property is located seems to have reached some equilibrium. In terms of water problems, he said that the Hibbard property (at 16 Santa Maria Avenue) in particular is where the issues have been the most serious. That makes drainage a critical factor, he said.

Commissioner Gilbert said that the most important criterion is what Chair McKitterick mentioned (from XIII.7 in Resolution 2506-2010): "Improvement of the overall safety of a structure and site . . ." – and she noted that it sounds as if it's been addressed.

Vice Chair Zaffaroni said that she didn't see what was just described reflected in the staff report comments about criteria the Planning Commission should consider in granting a deviation. She mentioned in particular (from Page 3, No. 1) that state-of-the-art structural/geotechnical standards address the foundation with respect to the new deck, but not for the house itself. It was confirmed that a new foundation would replace the existing foundation in the front portion of the house. Mr. Vlasic said that – and Murray's signoff – would be required with the building permit plans.

Vice Chair Zaffaroni also asked for clarification on the size of the proposed addition, having found 560 additional square feet noted in the Murray report. Mr. Vlasic said that the additional square footage is 579, nearly 25%; 25% would be 582 square feet. He confirmed that the garage is considered a residential addition in terms of floor area.

With respect to the criteria for improvement of safety, Vice Chair Zaffaroni asked whether the proposal would include fireproof roofing on the addition. Mr. Richards indicated that yes, fireproof roofing is required. That being the case, Vice Chair Zaffaroni said that it should be noted specifically in the criteria. Mr. Vlasic said that all of the addition work that's affected will have to comply with Building Code Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure), including the roof.

Vice Chair Zaffaroni also had a question about drainage. Mr. Vlasic said that the Murray report addressed drainage in detail, although Commissioners' packets contained only the report summary. He said that many pages went on about the details, including those that pertain to site drainage. Again, Vice Chair Zaffaroni said that she'd appreciate the information because drainage is among the criteria the Planning Commission has to consider. She said she was glad to know that the issue is addressed in detail within the report, because she found it somewhat disturbing that the (summary) report indicated that the home's roof gutters and downspouts "in general tie into buried pipes that discharge into an unknown location." She said that didn't strike her as good coverage of drainage issues.

The report also says that "the adequacy of drainage behind the existing retaining walls was not evaluated," Vice Chair Zaffaroni pointed out. Mr. Vlasic said there's a whole series of statements about collection and discharge of water, dissipation, etc. With the requirements from the Town Geologist, he explained, the Murray report will become a basis for detailed building permit plans. After Murray's signoff, those plans will go to the Town Geologist for review and confirmation. Furthermore, the plans include everything the Murray report recommended – including drainage plans. The building permit won't be issued until those things are finished, Mr. Vlasic said.

In response to Vice Chair Zaffaroni's concerns about Portola Valley's potential liability, Mr. Vlasic said the burden and responsibility fall upon Murray's geotechnical engineer as well as the project engineer and architect. The Town Attorney, he explained, has taken the position that while the Town reviews the detailed plans, the liability stands with the professionals who sign off on the project. Peer review ensures that the review performed conforms to state-of-the-art standards, he added, noting that's where the Town Geologist's role comes into play.

While she said she realizes that additional work would be costly, Vice Chair Zaffaroni again pointed out that the Murray report specifically states that its engineers didn't review current ground-movement potential map classifications. Chair McKitterick recalled that in working on Town Resolution 2506-2010, the Planning Commission accepted that creating a survivable engineered structure in a Pd area was nearly impossible. When Vice Chair Zaffaroni indicated that her concern is that the applicant's decision to build is fully informed, Mr. Vlasic replied that's covered in both the Town Geologist and Murray reports, wherein they basically say they can't guarantee that the hillside won't move because of the scope of the landslide. Thus, he said, that's a fact the property owner accepts as part of the review.

Commissioner McIntosh inquired about sewage disposal on the property. Mr. Vlasic said that the property contains an old septic tank that was part of a previous septic system, but there's also a new septic system downhill of the residence and not within the project area.

Commissioner Von Feldt asked whether the Murray report's recommendations are requirements. For instance, she said, the report suggests that "any of the existing foundations that will receive more than 25% increase in loads be underpinned with new foundations" and recommends "strong continuity be maintained where new and existing foundations connect." Mr. Richards confirmed that the foundation previously discussed responds to those

suggestions. He said that the Murray report would become part of the construction documents. Mr. Vlasic added that conformity with the Town Geologist requirements also ensures that the building plans meet the criteria.

In reference to Town Resolution 2506-2010, Commissioner Von Feldt wanted to confirm whether the foundation for the addition will be of an engineered design and whether particular attention will be given to the method of attachment of the addition to the existing building. Mr. Vlasic responded affirmatively.

Following up on one of Vice Chair Zaffaroni's comments, Commissioner Von Feldt asked whether the project will result in knowing where the gutters and downspouts lead. Mr. Richards said they go to an outfall that has an energy-dissipation device to spread it on the ground so it can sink in before it goes offsite. Mr. Vlasic said that the details of the Murray report articulate that information as well.

Chair McKitterick said that the improvements proposed appear commensurate with the intent of Resolution 2506-2010, but he'd like the final report to spell out how those improvements translate into improved structural stability and improved safety. Commissioner McIntosh and Vice Chair Zaffaroni said they agreed with Chair McKitterick. Vice Chair Zaffaroni added that the scale of improvements is reasonable and also meets the intent of the resolution in terms of encouraging residents to minimize hazards or risks. Commissioner Von Feldt agreed that the project would result in a safer home. Vice Chair Zaffaroni added that neighbors probably would be pleased about drainage improvements, inasmuch as drainage is an issue in the area.

Chair McKitterick said that he commends the applicant and staff for their effort in identifying potential improvements on this property and anticipating questions that the Planning Commission might ask.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

Commissioner Gilbert said that she planned to attend the Town Council meeting on October 26, 2011, when discussion of the Meadow Preserve is on the agenda. Mr. Vlasic said that he would attend also.

APPROVAL OF MINUTES

The Planning Commission will receive minutes of the September 21, 2011 Planning Commission for review prior to its meeting on November 2, 2011.

ADJOURNMENT 8:03 p.m.

Nate McKitterick, Chair

Leslie Lambert, Planning Manager