

# TOWN OF PORTOLA VALLEY REGULAR PLANNING COMMISSION MEETING

765 Portola Road, Portola Valley, CA 94028 Wednesday, May 7, 2014 – 7:30 p.m. Council Chambers (Historic Schoolhouse)

### **REGULAR AGENDA**

### Call to Order, Roll Call

Chairperson Gilbert, Vice-Chairperson Targ, Commissioners Hasko, McKitterick, and Von Feldt

### 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

- Public Hearing Proposed Revision to Approval of Variance Request X7E-135, 3 Grove Court, Ciancutti
- 2. Public Hearing Site Development Permit X9H-672 for 18 Redberry Ridge, Blue Oaks Lot #15, Douglass/LaShay Residence
- 3. Continued Study Session Housing Element Update
- 4. Review of Housing Element Annual Report for 2013

### Commission, Staff, Committee Reports and Recommendations

Approval of Minutes: April 2, 2014

### 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 Assistant Planner 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 Town Center.

### **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: May 2, 2014 CheyAnne Brown Planning Technician



## MEMORANDUM

## TOWN OF PORTOLA VALLEY

TO:

Planning Commission

FROM:

Karen Kristiansson, Interim Town Planner

DATE:

May 1, 2014

RE:

Agenda for May 7, 2014 Planning Commission Meeting

The following comments provide an overview of the items on the May 7<sup>th</sup> agenda.

# Public Hearing – Proposed Revision to Approval of Variance Request X7E-135, 3 Grove Court, Ciancutti

As is described in the attached May 1, 2014 staff report, the Planning Commission, sitting as the Board of Adjustment, conditionally approved a variance for restoration and additions to this 1.25 acre Grove Court parcel with historic resources last November. The applicant has requested approval of modifications to the project to reduce the scope of the project relative to site changes and grading, primarily to control costs. The changes are related to the driveway and garage, to the second unit and pool area, and to related grading and retaining walls. No changes are proposed to the approved renovations and additions to the historic house or to the historic wine cellar/bunker.

The ASCC approved the proposed plan modifications at its meeting on April 14, 2014, contingent on approval of the revised variance request for the modified project, and the Board of Adjustment is now being asked to consider and act on the variance changes in light of the proposed project modifications.

The variance which was approved in November was for four aspects of the project: 1) encroachment of a replacement garage into the side yard; 2) encroachment of a trellis for screening of guest parking into the front yard; 3) house height over the ordinance height limit; and 4) floor area greater than the allowed maximum floor area. None of the changes to the project would change the floor area or house height, and the garage and driveway adjustments result in less site change and disturbance while still addressing the key issue of access conflict with the neighboring property. Overall, the revised project would still resolve long-standing access conflicts and parking deficiencies, but with less grading, site disturbance and tree removal, and with less need for variance relief.

The reasons for supporting the variance findings in November therefore still appear to be valid, and it would appear that the Planning Commission could approved the modified

variance request for the revised project with the original conditions of approval and one clarification to recognize the April 14, 2014 ASCC approval of the modified project.

# Public Hearing – Site Development Permit X9H-672 for 18 Redberry Ridge, Blue Oaks Lot #15, Douglass/LaShay Residence

This project proposes a new house with attached garage and detached guest house on this vacant 2.09 acre Blue Oaks parcel, with 1,520 cubic yards of grading as defined under the Town's site development ordinance. Because of the amount of grading, the Planning Commission is the body responsible for action on the site development permit for the project.

The enclosed staff report dated May 1, 2014 describes this project and assesses the site development permit request. In particular, the staff report discusses two issues that were raised by the Commission at the March 19, 2014 joint field meeting with the ASCC and related evening meeting: 1) the design of the driveway swale crossing, and 2) the location of the auto-court south retaining wall and related impacts on manzanitas. The staff report also discusses the grading, the site development committee review, and CEQA compliance, and provides recommended conditions of approval for the Planning Commission's consideration.

# Continued Study Session, 2014 Housing Element – Review of Goals and Policies, and Housing Element Schedule Update

The enclosed May 1, 2014 staff report transmits the goals and policies from the adopted, certified 2009 Housing Element. The Planning Commission should review these and provide direction as to whether and how these should be updated or modified for the 2014 Housing Element. The staff report also provides an update on the 2014 Housing Element preparation schedule.

### **Review of Housing Element Annual Report for 2013**

State law requires that the town submit an annual report on the housing element to the California Department of Housing and Community Development (HCD) and that the governing body consider the report at a public meeting where members of the public are allowed to provide comments. The report must be provided on a form developed by HCD.

The enclosed May 1, 2014 staff report transmits the annual report on the form required by HCD and also provides a brief discussion of three programs for which the Town's 2009 Housing Element requires annual monitoring (inclusionary housing, multifamily housing, and second units). The Town Council is tentatively scheduled to review and approve the annual report at its meeting on May 14 and would consider any Planning Commission input on the report from the Commission's May 7<sup>th</sup> meeting.

KLK encl.

cc. Town Council Liaison Mayor Assistant Planner

Town Attorney
Town Manager
Planning Consultant



## **MEMORANDUM**

## **TOWN OF PORTOLA VALLEY**

TO:

Board of Adjustment (Planning Commission)

FROM:

Karen Kristiansson, Interim Town Planner

DATE:

May 1, 2014

RE:

Proposed Revision to Approval of Variance Request X7E-135, 3 Grove Court,

Ciancutti

In November, the Planning Commission, sitting as the Board of Adjustment\*, conditionally approved a variance for restoration and additions to this 1.25 acre Grove Court parcel with historic resources (see attached vicinity map, October 31, 2013 staff report, and minutes of the November 6, 2013 Planning Commission meeting). The applicant has requested approval of modifications to the project to reduce the scope of the project relative to site changes and grading, primarily to control costs. The changes are related to the driveway and garage, to the second unit and pool area, and to related grading and retaining walls. No changes are proposed to the approved renovations and additions to the historic house or to the historic wine cellar/bunker. The ASCC approved the proposed plan modifications at its meeting on April 14, 2014 (staff report and minutes attached), contingent on approval of the revised variance request for the modified project. The Board of Adjustment is now being asked to consider and act on the variance changes in light of the proposed project modifications.

### **Proposed Revisions**

The proposed revisions are described in detail in the attached April 4, 2014 staff report to the ASCC. To summarize, key aspects of the revisions are:

- The existing garage would remain and would be repaired and enlarged towards the
  interior of the property, rather than being replaced. The carport roof on the existing
  garage would be removed, reducing the current setback encroachment. As a result,
  there would be no new yard encroachment as part of the project, and the garage
  component of the original variance would be no longer be needed.
- The driveway would be shorter, and the parking area would be provided higher up on the site, closer to Grove Court, so that less grading would be needed. In addition, the trellis over the guest parking would be removed. Part of the original variance approval was to allow this trellis feature in the front setback area. That part of the approved variance would also no longer be needed.

<sup>\*</sup> Pursuant to zoning ordinance provisions, the Planning Commission sits as the Board of Adjustment in considering and acting on variance applications.

- The second unit and pool would be reconfigured and relocated to the area where the level lawn area was previously proposed, and the amount of lawn area would be reduced. The number of retaining walls would also be reduced.
- Four trees that were previously proposed for removal would remain on the site as a result of the proposed modifications.

The revised project is presented on the following enclosed plans dated 2/18/14 and prepared by Jeffrey Mahaney, Architect, unless otherwise noted. The highlighted sheets are those which have been revised or updated since the original project was approved:

Architectural Plans, Jeffery Mahaney, Architect:

Sheet A1.0, Cover Sheet, 2/18/14

Sheet A2.1, Existing Site Plan, 8/27/13

Sheet A2.2, Proposed Site Plan, 2/18/14

Sheet A2.3, Proposed Landscape Plan, 2/18/14

Sheet A2.4, Proposed Irrigation Plan, 2/18/14

Sheet A2.5, Proposed Lighting Plan, 2/18/14

Sheet A2.6, Tree Removal Plan, 2/18/14

Sheet A2.7, Existing & Proposed Level 1/Lower Floor Plan, 9/26/13

Sheet A2.8, Existing & Proposed Level 2/Ground Floor Plan, 9/26/13

Sheet A2.9, Existing & Proposed Level 3/Upper Floor Plan, 8/27/13

Sheet A2.10, Existing & Proposed Roof Plan, 9/26/13

Sheet A2.11, Existing & Proposed Plans - Garage, 2/18/14

Sheet A2.12, Proposed Plan Guest House, 2/18/14

Sheet A2.13, Proposed Story Pole Plan, 2/18/14

Sheet A2.14, Construction Management Plan, 2/18/14

Sheet A3.1, Existing Exterior Elevations, 8/27/13

Sheet A3.2, Existing Exterior Elevations, 8/27/13

Sheet A3.3, Existing Elevations - Garage, 8/27/13

Sheet A3.4, Proposed Exterior Elevations, 10/23/13

Sheet A3.5, Proposed Exterior Elevations, 10/23/13

Sheet A3.6, Proposed Elevations - Garage, 2/18/14

Sheet A3.7, Proposed Elevations - Guest House, 2/18/14

Sheet A3 8 Proposed Site Elevation along Grove Drive, 2/18/14

### Civil Plans, Flo-Rite Engineers, 2/17/14;

Sheet C-1, Title Sheet

Sheet C-2, Notes

Sheet C-3, Grading Plan

Sheet C-4, Utility Plan

Sheet C-5, Erosion Control Plan

Sheet C-6, Details Sheet

Sheet C-7, Best Management Practices

Topographic and Boundary Survey, B & H Surveying, Inc., June 2013

As was stated above, the ASCC approved this revised project and recommended that the Planning Commission approve the variance for the modified project at its meeting of April 14, 2014. The ASCC's revised conditions of approval are attached.

### Previous variance approval

At its November 6, 2013 meeting, the Planning Commission granted a variance for this project for four items:

- 1. Permit a proposed replacement garage to encroach 15 feet into the required 20-foot northwest side yard.
- 2. Permit the guest parking area to have a 12-foot high trellis for screening that extends a maximum of 9 feet into the required 50-foot front yard setback.
- 3. Permit the maximum height of the roof over the planned third story addition to the historic residence to be at 37.75 feet over adjacent grade whereas the ordinance limit is 28 feet. (Note that existing roof heights already exceeded this height limit and the approved plans increased the building height in the proposed location by approximately 2.5 feet.)
- 4. Allow the project to exceed the total floor area limit of 5,071 square feet (sf) by 250 sf and permit the historic bunker/cellar to be preserved and not count against the floor area.

With the revised project, as noted above, the first two of these four items would be eliminated and would no longer need a variance. First, the garage would remain in its current location and would be enlarged to the south, which would not increase its non-conformity. As a result, a variance would not be needed for the proposed addition to the garage. Second, the guest parking area has been moved and the trellis eliminated, so that a variance would not be necessary for the trellis feature.

The variance would still be needed for the height of the main house to exceed the height limit, and for the total floor area to exceed the floor area limit, although no changes are proposed to the approved house plans or to the total amount of floor area granted with the existing variance. The Planning Commission therefore needs to make a determination as to whether the variance would still be appropriate for the revised project. The ASCC recommended approval of the variance at its meeting on April 14, 2014.

The required findings for a variance are:

- 1. There are special circumstances applicable to the property, including, but not limited to, size, shape, topography, location or surroundings that do not apply generally to other properties or uses in the district;
- 2. Owing to such special circumstances the literal enforcement of the provisions of this title would deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning;
- 3. The variance is subject to such conditions as are necessary to assure the adjustment authorized will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and zone in which such property is situated;
- 4. The variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity or in the district in which the property is located;
- 5. A variance shall not be granted for a parcel of property which authorizes a use or activity which is not authorized by the zone regulation governing the parcel of property.

6. That the granting of such variance shall be consistent with this title and the general plan.

The proposed revisions would not change either the height or the floor area, and the reasons for approving the variance findings, as set forth in the attached October 31, 2013 staff report (supporting documents available on the Town's website), and the November 6, 2013 minutes of the Planning Commission meeting, still appear to be valid. In addition, the plan revisions reduce the level of site impacts and overall site changes from the original approval and reduce the scope of the setback issues.

Based on a review of the record from the granting of the original variance and from ASCC consideration of the revised project at their April 14<sup>th</sup> meeting, it appears that the basic variance findings could still be made as determined in November, and the modified variance could be approved. None of the changes to the project would change the floor area or house height, and the garage and driveway adjustments result in less site change and disturbance while still addressing the key issue of access conflict with the neighboring property. Overall, the revised project would still resolve long-standing access conflicts and parking deficiencies, but with less grading, site disturbance and tree removal, and with less need for variance relief.

## Effective date of approval of revised plans and timing of building permit processing for the main house.

If the Board of Adjustment approves the variance modifications to recognize the revised plans, the approvals of both the ASCC and the Board would become effective 15 days after the Board's action.

The originally approved plans are now in the process of building permit review and may be ready for permit issuance prior to the effective date for the revised project. If this is the case, the applicant has advised that they would like to obtain the building permit for the house and begin work on that portion of the project. Staff is considering the technical issues relative to the request, and particularly associated with rough grading for the project, but assuming these can be worked out, would be prepared to issue the permit. If there were any problem associated with a modified action becoming effective, the applicant would be bound by the original plan approval, and they are aware of this risk. Staff did want to the Board of Adjustment to be aware of this situation.

### Conclusion

Prior to acting on this request, the Board of Adjustment should consider the above comments as well as comments presented at the May 7, 2014 meeting. The Board of Adjustment then needs to act on the modified variance request for the revised project.

The conditions of approval from the Board's November 6, 2013 approval are listed below. These conditions still appear appropriate, although staff recommends amending condition c to recognize the April 14 ASCC approval of the modified project as shown:

a. The variance shall run with the property. Any change in plans shall require a separate variance (unless the new plans are found to comply with all ordinance requirements).

- b. Unless exercised through the issuance of a building permit and start of construction in conformance with that building permit, this variance shall expire two (2) years from the effective date of the variance approval.
- c. All October 28, 2013 ASCC architectural review and site development permit conditions, as adopted on October 28, 2013 and modified on April 14, 2014, shall be adhered to.
- d. Prior to issuance of any building permits, the applicant shall execute a deed restriction to the satisfaction of the town attorney providing that the bunker/wine cellar shall only be used for storage and other, similar non-habitation uses.

### **ASCC Conditions of Approval**

The ASCC approved this project on October 28, 2013 and approved modifications to the project on April 14, 2014 with the following conditions:

- 1. The landscape plan shall be modified to address the 10/22/13 addendum comments of the conservation committee and the comments of the ASCC at the 10/28 meeting.
- 2. The exterior lighting plan shall be revised as called for in the October 24, 2013 staff report.
- 3. A final construction staging and management plan with tree protection provisions shall be prepared and shall address the comments in the October 24, 2013 staff report. Once approved the tree protection and construction staging/management plan shall be implemented to the satisfaction of planning staff.
- 4. The requirements of all site development committee members, as recorded in the October 24, 2013 staff report, shall be addressed to the satisfaction of the respective committee member. In addition, compliance with the recommendations of the Town Geologist, as set forth in the March 17, 2014 Supplemental Geotechnical Peer Review, shall be required.
- 5. The final placement of all new fencing shall be under the direction of a designated ASCC member. In particular, the intent of this condition is to minimize the visual impacts of the post and wire fencing, particularly from Grove Drive, in order to preserve the open character of the slope and achieve conformity with the purpose and intent of the fence ordinance. In light of these objectives and existing site conditions, portions of the fence may be either required to be located outside of the required side yard or allowed to be located on slopes that are 20% or greater.
- 6. The number of lights in the pool and spa shall be reduced to the minimum required by code.
- 7. Additional planting shall be proposed to screen the retaining walls by the pool.



## **Vicinity Map**

## Architectural Review, Ciancutti

0	25	50	100	150	200
	LE				Feet

APN 079-030-170, 3 Grove Drive May 2014



# MEMORANDUM TOWN OF PORTOLA VALLEY

TO:

Board of Adjustment\*

FROM:

Tom Vlasic, Town Planner

DATE:

October 31, 2013

RE:

Variance Application X7E-135, Site and Historic House Additions/Restorations,

3 Grove Court, Clancutti

\*Note: Pursuant to zoning ordinance provisions, the Planning Commission sits as the Board of Adjustment in considering and acting on variance applications.

#### Location

1. Address: 3 Grove Court

2. Assessor's parcel number: 079-030-170

3. Zoning District: R-E/1A/SD-1a (Residential Estate, one acre minimum parcel area, slope density combining district 1a)

### Request, Background, Preliminary Board of Adjustment Review, ASCC Review

This request is for Board of Adjustment approval of a variance application seeking relief from zoning ordinance standards to permit plans to proceed for restoration and additions to the subject 1.25-acre Grove Court parcel with historic resources (see attached vicinity map). The details for the following specific requests are set forth in the attached variance application dated September 30, 2013:

- 1. Permit a proposed replacement garage to encroach 15 feet into the required 20-foot northwest side yard. (The existing garage already encroaches into the side yard setback.)
- 2. Permit the guest parking area to have a 12-foot high trellis for screening that extends a maximum of 9 feet into the required 50-foot front yard setback.
- Permit the maximum height of the roof over the planned third story addition to the historic residence to be at 37.75 feet over adjacent grade whereas the ordinance limit is 28 feet. (Existing roof heights are already over the current height limits and the proposal would result in an increase of building height in the proposed location of approximately 2.5 feet.)
- 4. Allow the project to exceed the total floor area limit of 5,071 sf by 250 sf and permit the historic bunker, "cellar," to be preserved and not count against the floor area.

The requests are shown on the enclosed project plans listed below. The highlighted sheets have revisions made in response to preliminary review comments received at the October 14<sup>th</sup> ASCC meeting and October 16<sup>th</sup> planning commission/board of adjustment meeting. All other sheets are as previously shared with the planning commission.

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Architectural Plans, Jeffery Mahaney, Architect:
Sheet A1.0, Cover Sheet, 10/23/13
Sheet A2.1, Existing Site Plan, 8/27/13
Sheet A2.2, Proposed Site Plan, 10/23/13
Sheet A2:3, Proposed Landscape Plan, 10/23/13
Sheet A2.4, Proposed Irrigation Plan, 9/29/13
Sheet A2.5, Outdoor Lighting Plan, 10/23/13
Sheet A2.6, Tree Removal Plan, 10/22/13
Sheet A2.7, Existing & Proposed Level 1/Lower Floor Plan, 9/26/13
Sheet A2.8, Existing & Proposed Level 2/Ground Floor Plan, 9/26/13
Sheet A2.9, Existing & Proposed Level 3/Upper Floor Plan, 8/27/13
Sheet A2.10, Existing & Proposed Roof Plan, 9/26/13
Sheet A2.11, Existing & Proposed Plans - Garage, 8/27/13
Sheet A2.12, Proposed Plan Guest House, 9/26/13
Sheet A2.13, Proposed Story Pole Plan, 9/25/13
Sheet A2 14, Construction Management Plan, 10/23/13
Sheet A3.1, Existing Exterior Elevations, 8/27/13
Sheet A3.2, Existing Exterior Elevations, 8/27/13
Sheet A3.3, Existing Elevations - Garage, 8/27/13
Sheet A3.4. Proposed Exterior Elevations, 10/23/13 (Note: While this sheet has a
revised date, it is the same elevation plan considered at the 10/14 meeting.)
Sheet A3.5, Proposed Exterior Elevations, 9/26/13
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Submitted in support of the variance applications are the following attached materials:

Analysis of the historic conditions of the property including:

Sheet A3.6, Proposed Elevations – Garage, 8/27/13 Sheet A3.7, Proposed Elevations – Guest House, 8/27/13

- -- October 3, 2013 transmittal to the town of the letter from the current owners to the previous owners of the property.
- -- October 3, 2013 letter to the town planner and staff relative to the historic analysis of the property.
- -- October 4, 2013 <u>Historic Resource Documentation</u>, including seven images of the residence.
- September 23, 2013 email from the town historian relative to the project and conclusion that it does "not harm" the "historic integrity." It is also noted that the town historian has recommended and the applicants agreed to place a plaque at the site relative to the historic conditions.

In addition to the above data, the applicants transmitted to the town the attached communications from neighbors that support of the project proposals:

- October 2, 2013 email, Mike and Elisa Fabian, 361 Grove Drive
- · September 18, 2013 email, Bradley and Jacqueline Howe, 4 Grove Court
- August 26, 2013 email, Larry Tesler and Colleen Barton, 351 Grove Drive
- August 26, 2013 email, Ken and Susan Reed, 2 Grove Court
- August 27, 2013 email, Hamid and Tina Moghadam, 1 Grove Court
- September 4, 2013 email, Emiko Kim, 5 Grove Court

One additional email was received by the town from a concerned neighbor and previously shared with the Board of Adjustment. This email dated October 8, 2013 is attached and is from David Maahs, DDS, and Rui Hua Yan, 360 Grove Drive. They raised concerns over the changes to the site that have opened views from Grove Drive on the north side of the property. As noted in the attached materials associated with the ASCC project reviews, the lower site clearing that opened views was done by the previous parcel owner and the applicants have developed plans to install new landscaping for privacy and screening along the Grove Drive frontage.

As indicated above, the ASCC conducted a preliminary review of the project on October 14, 2013 and the Board of Adjustment conducted a preliminary review on October 16, 2013. During the ASCC review, planning commissioner McKitterick provided an email raising concerns over the "historic" condition of the bunker/wine cellar. In response, staff contacted the town historian and received the attached October 16, 2013 email setting forth additional data on the bunker/cellar. Based on this input, at the 10/16 Board of Adjustment review commissioner McKitterick advised that he was satisfied with the historic condition of the bunker cellar.

The above listed revised plans were developed specifically in response to ASCC preliminary review comments. The revised plans were considered at the October 28, 2013 ASCC meeting. At the conclusion of the October 28<sup>th</sup> review, the ASCC acted 5-0 to grant conditional approval for the architectural review and site development permit applications. The approval was granted subject to Board of Adjustment approval of the variance request and also the following specific conditions to be addressed, unless otherwise noted, to the satisfaction of a designated ASCC member prior to issuance of a building permit:

- 1. The landscape plan shall be modified to address the 10/22/13 addendum comments of the conservation committee and the comments of the ASCC at the 10/28 meeting. (These comments centered on modifications to planting along the Grove Drive fence line, i.e., more use of native materials and pruning of plant materials along the parcel boundary. The basic landscape plan was, however, found acceptable by the ASCC.)
- 2. The exterior lighting plan shall be revised as called for in the October 24, 2013 staff report.
- 3. A final construction staging and management plan with tree protection provisions shall be prepared and shall address the comments in the October 24, 2013 staff report. Once approved the tree protection and construction staging/management plan shall be implemented to the satisfaction of planning staff.
- 4. The requirements of all site development committee members, as recorded in the October 24, 2013 staff report, shall be addressed to the satisfaction of the respective committee member.
- The final fencing plan and fencing alignment along the Grove Drive side of the property shall be modified to address concerns in the staff report and final Grove Drive side fencing alignment shall be installed under the direction of a designated ASCC member.

Based on the application record and input from the town historian, the ASCC concluded that the proposed architectural review application and, particularly, the changes to the main residence, were consistent with the historic conditions of the structure and property, and this includes preservation of the bunker/wine cellar. The ASCC did discuss the form of the proposed south side gable roof on the house and acknowledged that the current hip element was not consistent with the historic house architecture. Members noted that while the

current hip form at the south side allowed for a lower height, the proposed gable with increased height (i.e., needing the variance) was consistent with the historic architecture and did not in any significant way impact the massing of the structure. ASCC members again acknowledged the ambitious nature of the project and commended the applicants for the proposed efforts.

Background to both ASCC review and the Board of Adjustment (planning commission) preliminary review is contained in the following attached materials:

- October 10, 2013 staff report prepared for both the ASCC and Board of Adjustment preliminary project reviews.
- Approved minutes from the October 14, 2013 ASCC meeting.
- October 24, 2013 staff report prepared for the October 28, 2013 ASCC meeting,

Also enclosed are the draft minutes from the October 16, 2013 planning commission meeting. The main concerns expressed at that time were with respect to the findings needed to support the floor area variance request. The applicant meet with staff on October 23, 2013 to discuss this matter and also the plan revisions needed to address ASCC preliminary review comments. As noted above, the ASCC concluded that the revisions, subject to conditions, addressed the preliminary review comments and, with input from the town historian, were consistent with the historic preservation provisions of the general plan. Further, based on planning commission input, the applicant and project design team developed the attached October 31, 2013 response letter relative to the floor area increase request and required variance findings.

### **Ordinance Requirements**

In order to grant the variance the board of adjustment must make findings in support of the requirements of Section 18.68.070 of the zoning ordinance. Attached is a copy of the required zoning ordinance variance findings as amended in December of 2008 for conformity with state planning law.

### Conformance with Required Findings for Variance Requests

The following evaluation is provided relative to the findings required under Section 18.68.070 of the zoning ordinance:

- 1. Exceptional or extraordinary circumstances applying to the property or intended use that don't apply generally to other properties in the same district. For this property these circumstances include:
  - a. Historic (structure) house and historic use of property as documented in the general plan and by the analysis provided by the applicant and town historian.
  - b. Poor access to a private garage causing problems that impact at least two properties (3 and 4 Grove Court) and have impacted these properties and neighbor relationships for a number of years. The placement of parking as proposed, and analyzed in the attached October 10<sup>th</sup> staff report, will replace the existing yard encroaching garage, but pull all access into the subject site and make use of a very low design, with green roof, that reduces visual impacts over current conditions, provides needed guest parking to meet town standards, and resolves longstanding access easement issues. It is noted that often garage storage space is in an attic over the garage that has a pull down ladder. Such attic storage does not count as floor area. In this case, the applicants have made significant efforts to minimize the

- visual impacts of the garage design and are seeking some additional area to accommodate typical garage storage.
- c. Building and site use that originally was not for a primary residence and the primary residential use were created by a subdivision that was not to current town standards including those for access, slope, etc. The house "historic structure" was then modified in a piecemeal fashion over the years to try to make it work as a standalone residence. This was done without specific efforts to preserve the historic character of the structure or its original architecture. Further, trying to make the site a standalone residential property given the history of combined use with the parcel to the northwest has clearly proven to present extraordinary circumstances, particularly when considered in light of the requirements for historic preservation. It is also noted that after original subdivision, there was a lot line adjustment in the area of the bunker/wine cellar to place the structure on one parcel as the original boundary line cut thought the wine cellar that is cut into the hillside.
- d. Willingness of the new property owners to go to exceptional lengths to make the parcel use meet current standalone single family residential standards. This includes making use of extraordinary resources to preserve/restore the historic structure and solve clearly complicated and unusual access issues while improving conditions without completely gutting the site and changing the residential character of its use. Most others would have sought the support of the town to tear down the existing problem structures and start over. The potential for site and neighborhood change would have been substantially greater than the current efforts to work with the historic site conditions, solve the clearly recognized problems and, at the same time, make the site functional for a contemporary Portola Valley family.
- e. The expansion of the house by 157 sf is a modest change to correct the existing problems and, particularly, address kitchen and bedroom needs. Not counting the wine cellar, the existing house and detached garage already make use of much of the allowable site floor area. The house and garage total 4,431 sf of the allowed 5,071 sf. This leaves only 640 sf to correct the house issues, fix the problem garage and accommodate any pool or guest house space. With the 157 sf house additions to fix the house problems, there then is only 483 sf to accommodate some garage expansion and the guest house.
- f. The town's general plan housing element and zoning ordinance do encourage guest houses and a standard guest house in town is typically larger than 600 sf and most are designed to the 750 sf allowed maximum. Such a size is not possible on this site even with the proposed floor area variance.
- g. The proposed 558 sf guest house serves both as a guest house and pool house, and there will be some storage benefit with the historic wine cellar nearby. This provides some additional relief, but the applicant is willing to limit wine cellar use with a deed restriction to only storage, and this is not a limitation that applies to typical accessory structures on other properties in town.
- h. Removal of the bunker/wine cellar that is cut into the hillside would raise historic preservation concerns and also would required more grading and site disturbance to essentially "fix" the slope after bunker removal. The applicants are not proposing any changes to the structure to make it a "living" space and receive limited benefit from it. Removal would clearly present issues and burdens that are not faced by other parcels in this district. As noted at the 10/16 Board of Adjustment meeting, the historic *Mariani Barn* in Blue Oaks was required to be preserved in approval of the entitlements for the project and the town did not require the barn floor area to count against the limit for the private residential parcel on which the barn is located. In addition, a floor area variance was granted for additions to the historic *Villa Lauriston Superintendent's House* that reflected the extraordinary thickness of the

walls. These examples provide some reference to past actions by the town relative granting floor area relief for historic structure additions and restoration. Commissioner McKitterick also wondered about past experiences relative to treatment of "bunker" floor area. We have not been able to find examples of similar old features or how they were treated relative to floor area.

- i. The total allowed site floor area of 5,071 sf is reduced from the normal standard for a 1.25-acre parcel, which would typically be over 5,600 sf. In this case, the steep slopes and some geologic constraints (i.e., Pd zone) along the Grove Drive frontage reduce the allowed floor area.
- j. The existing house is a very tall, vertical structure that does not conform to current height limits. Making changes to correct the piecemeal additions, respect the historic architecture, and also conform to contemporary height limits is not readily accomplished as evaluated by the ASCC and noted above. The height variance represents a minor change to existing conditions and allows for improvements to living spaces and needed architectural corrections.

In summary, there clearly are extraordinary factors that taken together impact the floor area, setback, height and other conditions on the property, and these factors do not apply generally to other properties in the RE/1A zoning district.

In addition to the above, it is noted that at the 10/28 ASCC meeting, members reflected on the floor area variance. While there was some reaction that granting additional floor area feels "uncomfortable," members concurred if there ever were circumstances that supported such a variance "this is the case."

2. Literal enforcement would result in practical difficulty or unnecessary hardship. If all current floor area limits had to be conformed to, then with the existing historic house, wine cellar and garage, there would only be 240 sf to work with to solve house and garage problems and accommodate a guest house. The guest house would not be possible without removal of the historic wine cellar and only a modest garage would be possible. Given the efforts that must be made to restore the house and make it functional for family needs, including the foundation work and removal of the poor non-historic additions made in the past, there would be practical difficulty and hardship for the applicant to not have some additional floor area to work with.

If the proposed replacement garage had to conform to required setbacks, a longer driveway would be needed with more site grading and tree impacts and this could also impact plans for house restoration and the general character of the historic pattern of site use and access. The proposed garage and trellis-covered guest parking solve longstanding problems while reducing visual and other neighborhood impacts. Thus, there would be practical difficulty to the property owners to move the garage and trellis to locations that conform to setbacks.

Without the minor height variance, it would be difficult to ensure the upper level additions and corrections can be made in keeping with the historic architecture of the house, and this was specifically evaluated by the ASCC in acting on the architectural review application.

3. Preservation of property rights possessed by other property owners in the same district. The proposed yard, height and floor area variances are sought only to permit a more normal residential use of the property in keeping with its historic conditions and to solve a list of past problems as discussed above. They are not intended to make the site different from neighbors and, in fact, will largely help to preserve the historic character of site use. The plans have been shared with neighbors and, except for concerns over the previous owners' site vegetation removal, all are supportive of the plans.

4. Detrimental to the public welfare or injurious to the property or improvements in the vicinity or district. For the reasons stated above, including the written record of neighbor support, it appears the request is fully consistent with this required finding.

It is also noted that locating the garage or driveway on the Grove Drive side of the parcel might permit setback conformity. However, this would create new visual impacts that did not previously exist. Further, a small portion of the site parallel to the Grove Drive frontage is impacted by unstable "Pd" slopes as designated on the town's map of land movement potential.

- 5. **Grant of Special Privilege**. Given the factors cited above and the efforts to solve longstanding neighborhood problems, restore the historic structure and make the site functional for a contemporary Portola Valley family, the floor area and other variance elements do not appear to be a grant of special privilege.
- 6. Conformity with the general plan and intent of the zoning ordinance. Preserving the historic structure and residential use of the parcel are called for under both the provisions of the general plan and zoning ordinance. The scope of uses proposed is not beyond the intent of either the general plan or zoning ordinance. Some relief from floor area, height and setback limits to support historic preservation efforts, solve access issues, and allow for contemporary residential family needs would seem fully consistent with the intent of the general plan and zoning ordinance.

### **Environmental Impact**

The "variance" project is categorically exempt from filing an environmental impact report pursuant to Section 15305(a) of the Town's CEQA guidelines, which addresses minor variances and exceptions not resulting in the creation of any new parcel.

The architectural review project for house restoration and minor addition has been found by staff and the ASCC to be consistent with the historic preservation provisions of the general plan. Based on historical documentation and analysis of the project, particularly the materials provided by the applicant developed in consultation with the town historian, the building permit for house renovation and additions will be issued with a finding that the work is Categorically Exempt from CEQA subject to the provisions in Section 15301, existing facilities, and 15331, historical resource restoration/rehabilitation.

### Recommendations for Action

If the Board of Adjustment determines it can make all of the required variance findings, that it concurs with the ASCC and staff evaluations, and that information presented at the public hearing does not lead to other determinations, the following actions could be taken:

1. **Environmental Impact.** Move to find the project categorically exempt pursuant to Section 15305(a) of the town's CEQA guidelines.

- 2. Variance Request. Move to approve the variance application to permit the yard, height and floor area proposals as described under the request section of this report subject to the following conditions:
  - a. The variance shall run with the property. Any change in plans shall require a separate variance (unless the new plans are found to comply with all ordinance requirements).
  - b. Unless exercised through the issuance of a building permit and start of construction in conformance with that building permit, this variance shall expire two (2) years from the effective date of the variance approval.
  - c. All October 28, 2013 ASCC architectural review and site development permit conditions shall be adhered to,
  - d. Prior to issuance of any building permits, the applicant shall execute a deed restriction to the satisfaction of the town attorney providing that the bunker/wine cellar shall only be used for storage and other, similar non-habitation uses.

TCV

attachments encl.

CC.

Assistant Planner Town Attorney Mayor Town Council Liaison Town Manager ASCC Deputy Town Planner Town Geologist Fire Marshal Applicant

# REGULAR PLANNING COMMISSION MEETING, TOWN OF PORTOLA VALLEY, NOVEMBER 6, 2013, SCHOOLHOUSE, TOWN CENTER, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Chair Von Feldt called the Planning Commission regular meeting to order at 7:30 p.m.

Present:

Commissioners Arthur McIntosh, Nate McKitterick, Nicholas Targ, Chair Alexandra Von Feldt

Absent:

Vice Chair Denise Gilbert

Staff Present:

Tom Vlasic, Town Planner

Karen Kristiansson, Deputy Town Planner

### **ORAL COMMUNICATIONS**

None.

### REGULAR AGENDA

(1) <u>Public Hearing</u>: Variance Application X7E-135, Site and Historic House Additions/Restorations, 3 Grove Court, John and Crystal Ciancutti [7:31 p.m.]

Mr. Vlasic presented the October 31, 2013 staff report, which described the four basic components of the variance request. They would permit:

- 1. The proposed replacement garage to encroach 15 feet into the required 20-foot northwest side yard; the existing garage already encroaches into the side yard setback;
- 2. The guest parking area to have a 12-foot high trellis for screening that extends a maximum of 9 feet into the required 50-foot front yard setback;
- 3. The maximum height of the roof over the planned third-story addition to the historic residence to be at 37.75 feet over adjacent grade whereas the ordinance limit is 28 feet; existing roof heights already exceed current height limits and the project would increase building height by approximately 2.5 feet in the proposed location; and
- 4. Total floor area to exceed limit by 250 square feet (for a total of 5,071 square feet), and preservation of the historic bunker without counting it as floor area; as of the October 16, 2013 preliminary review meeting, the applicants were willing to commit to a deed restriction to ensure using the bunker for storage only.

The Planning Commission and ASCC have both been involved in the project and Mr. Vlasic said they are basically supportive of the applicants' efforts to conform to the provisions of the General Plan for historic preservation and to solve a number of conditions pertaining to this property, the way it was developed, and how it relates to other properties on Grove Court. The ASCC conducted its preliminary review and granted approval to the Architectural Review and Site Development permit applications, subject to the Board of Adjustment's actions on the variance requests and five conditions set forth in the staff report.

Mr. Vlasic suggested that the findings necessary for the encroachments into yard areas could be more readily made given all of the circumstances that apply to the property, but in terms of the floor area request, Planning Commissioners had asked for additional information to help them appreciate and act on it. The applicants have provided a letter that contains some additional information, including factors that are unique to this property. Mr. Vlasic said other properties in Town have one or two similar aspects (such as slope or historical problems related to how property was subdivided), but this property has some extraordinary circumstances. For example, the 3 Grove Court home was built as an adjunct to the main house on the historic estate.

Some historic structures in Town have had individual problems, such as the Mariani Barn at Blue Oaks. It went through a major redo as a subdivision requirement, Mr. Vlasic said, but with that preservation effort, the barn floor area was not deducted from the floor area attributable to the whole subdivision or to the individual lot that it sat on. As a consequence, there was a grant of relief, he said, although it wasn't a variance.

Given all of the factors, the ASCC concluded that setback and the height variances were appropriate, and that if any project was unique and deserved consideration of adding additional floor area, it would be this one. Mr. Vlasic pointed out that the applicants have worked to reduce the floor area requested from their original submittal. He said they had not been pushing for maximum floor area for its own sake, but rather trying to define the family's space needs in the combination of guest house, garage and main house.

When Chair Von Feldt asked whether the applicants had anything to add, Ms. Ciancutti offered to answer questions regarding the letter they submitted.

Commissioner McKitterick said his questions focus on height and floor area variance requests. In looking for precedent, he said he considered 169 Wayside Road, where the Planning Commission allowed the applicants to build a second story that encroached, in part because the project included work to prevent the house from slipping into the creek.

He asked for the approximate of square footage above the maximum for the house and guest house, and the number of linear feet of roof that would exceed the height limit by 2.5 feet. Mr. Vlasic said the project would exceed the floor area limit by 250 square feet total for the house, guest house and garage. Jeff Mahaney, the project architect, said that the baseline of the taller section of roof would extend about 20 linear feet. While acknowledging that these are relatively minor numbers, and setting aside the issue of historic preservation, Commissioner McKitterick asked about precedents for minor deviations from Town rules. Mr. Vlasic said it's not articulated specifically, but over the years the Planning Commission has been far more comfortable with minor variances than major changes. In terms of the height, he said, the Town has granted variances in a few instances where preexisting conditions made it difficult to work within the height limits, particularly when taking into account slope conditions on a property where a house has already been built. Further, he said that every house in Portola Valley Ranch is based on a height limit that differs from the Town's current limits.

According to Mr. Vlasic, the house at 3 Grove Court was built before Portola Valley even had the more generous pre-incorporation height limit. In response to a further question from Commissioner McKitterick, he confirmed that special circumstances in regard to the roof are the historic nature of the property and the odd shape of the site. He added that the applicants in fact are proposing to fix an area that was modified in a way inconsistent with the original architecture, which is something the ASCC specifically discussed, and the roof area in question would be lower than the highest point of the existing house.

Commissioner McKitterick said he isn't concerned about the additional square footage needed for the main house and garage to make them usable and useful but he questions how a smaller guest house would deprive the property of privileges enjoyed by other properties in the area with identical zoning. Mr. Vlasic explained that pool houses, guest houses and accessory structures are now pretty common on lots and the Town encourages guest houses in particular. For this property to accomplish that using a fairly normal approach to site development, he said, the applicants likely would have to either remove the existing house and cut its square footage to accommodate the garage and the guest house, or scale way back on the garage. Already, he said, they're at 558 square feet for the guest house, roughly 200 square feet less than the maximum allowed. Mr. Vlasic added that in looking at the details, the pressure comes from the main house, which contains spaces that would be done differently if the house were built today.

Mr. Vlasic called attention to the effort being made to preserve a building that was not designed initially to serve as a single-family residence, noting that it's rare to have a resident willing to make such efforts not only to restore an historic structure but to make it work for the long term.

In response to Commissioner McKitterick's inquiring about the specific historic designation for this property, Mr. Vlasic said the house is included in the General Plan's Historic Element as an historic structure with the designation to preserve. Commissioner McKitterick agreed that the finding for the floor-area variance could be

justified by this special circumstance that limits the property owners from developing the site in the way that other neighboring properties could develop theirs.

In response to a question from Chair Von Feldt, Mr. Vlasic said the previous owner had cleared the lower portion of the property, mainly removing brush and shrubs. Larry Tesler, Grove Drive, added that some trees also were cleared at that time. Mr. Tesler also said he feels the applicants' proposal will improve the property, maybe in a way that should have been done years ago. He credited the Ciancuttis with doing a good job of including everyone affected – and in this case more of the impacts are positives. He noted, too, that they addressed concerns about more cars parking on Grove Drive, which is narrow, and went over and beyond to solve the drainage problem. Don Ekstrom, Grove Drive, said that he was particularly interested in the planting and screening on the property. Ms. Ciancutti described the efforts she took to reach out to the neighbors and previous applicants. She agreed that everyone seems really happy with the project. In response to Commissioner McKitterick asking whether the ASCC had dealt with the issue of parking during construction, Mr. Vlasic said the conditions cover phasing of the construction work.

In terms of the landscaping plan, Chair Von Feldt noted that some of the shrubbery proposed doesn't fare well in Portola Valley, and some of the stronger native plantings removed in clearing might re-grow at the expense of the new ones. Ms. Ciancutti said they would go through the final landscaping and intersperse plantings recommended by the Conservation Committee. Chair Von Feldt encouraged leaving a 50-foot buffer at the bottom of the hill, keeping the construction out of it and seeing what comes back on its own. Mr. Vlasic said the landscaping plan along the lower portion would be revised to address these questions as well as the alignment of the fence to produce more of an organic feel and use of screening only where needed.

Commissioner McKitterick said he had originally had difficulty with Finding 2, and while there may be reasons to deny the application with regard to the square-footage increase in order to accommodate the guest house, factors staff has mentioned, plus the fact that this is a designated historic structure and the arguable restrictions that might come along with that, enable him to make that finding.

Reiterating that the Town encourages guest houses, Commissioner McIntosh said 250 square feet is very minor with respect to the overall project. He considers the proposal marvelous and a real improvement to the neighborhood, and said he has no problems with either the additional square footage or any of the other variances. If ever there was a project that the variance ordinance was written for, he said, this is it.

Commissioner Targ commented to the applicant that the process and their attention to detail are laudable. He said that by the time the Ciancuttis are done, they will have created a jewel for the Town. The unusual nature, historic character and topography of the house place it in a different category than almost any other house in Portola Valley. He described the outreach, support and absence of opposition as impressive. Commissioner Targ also asked whether the applicants would document the changes photographically. Ms. Ciancutti said Town Historian Nancy Lund took photos right after they bought the house and they will start taking documentary photos as soon as construction begins.

Chair Von Feldt said she agrees with most of her colleagues and enabling the applicants to keep a piece of the Town's historic element warrants approving their variance requests.

Commissioner McKitterick moved to find the project categorically exempt from CEQA. The motion carried 4-0.

Commissioner McKitterick moved to make the findings for the variance requests, subject to the conditions set forth in the staff report. Seconded by Commissioner Targ, the motion carried 4-0.

### COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

Ms. Kristiansson said a draft policy for staff referral to the ASCC for smaller projects (up to 400 square feet) will go to the ASCC on November 11. The December 9 ASCC agenda will include the Priory's plans for its track, in accordance with conditions for review of the drainage, grading and site development permits, vegetation screening along Portola Road, the design of the shed, etc. At that meeting, the ASCC also may discuss architectural review of a Priory project for some new buildings at Benedictine Square, all within the confines of



## **MEMORANDUM**

### TOWN OF PORTOLA VALLEY

TO:

**ASCC** 

FROM:

Karen Kristiansson, Deputy Town Planner

DATE:

April 4, 2014

RE:

Proposed Revisions to Approvals for Architectural Review of Garage and Second Unit Accessory Structures and associated site work, Site Development Permit X9H-662 and Variance Request X7E-135, 3 Grove Court, Ciancutti

This proposal is for revisions to the applications approved by the ASCC and Planning Commission late in 2013 for this 1.25 acre Grove Court parcel. The requested revisions are to the garage and driveway locations and designs, as well as the guest house and pool locations, together with associated changes to grading. The revisions are largely intended to reduce the cost and scope of the project outside of the area of the main house, with significant changes to reduce the amount of grading. It is important to note that no modifications are proposed to the approved renovations and additions to the historic house or to the historic wine cellar/bunker.

The ASCC will be acting on the modifications to the architectural and grading plans and forwarding recommendations to the Planning Commission, sitting as the Board of Adjustment, on any impacts the revisions could have relative to approved variance X7E-135. The Planning Commission is tentatively scheduled to consider the revised project at its meeting on May 7, 2014.

### Background, Previous Approvals, and Proposed Revisions

The ASCC reviewed and approved plans for residential additions, accessory structures, and a site development permit last October, with conditional approval granted at the October 28, 2013 meeting. In addition, the ASCC recommended granting a variance for increased floor area, increased height, and location of a new garage and covered parking structure in the required setback area adjacent to the parcel's Grove Drive frontage. The Planning Commission granted conditional approval of the variance at its meeting on November 6, 2013. The conditions of approval from both Commissions' actions are attached, as well as the staff reports and minutes from both action meetings.

The attached letter from Jeffrey Mahaney, Project Architect, dated February 20, 2014, describes the proposed revisions and states that they are needed to reduce the site work costs. In addition, the letter advises that revised plans have been shared with neighbors

and no issues were identified. A collection of emails from five neighbors is attached and indicates that the neighbors were comfortable with the proposed plan revisions.

To summarize, the key changes to the plans include:

- Existing garage to be retained and enlarged, with garage access and one guest parking space to be located closer to existing grade and between the existing garage and Grove Court. The general location of the garage access and parking is similar to the approved plans, and the guest parking spaces would still be lower than the elevation of the cul-de-sac bulb, but with less of an elevation difference than was provided on the original plans. As part of this change, the variance-approved trellis feature to cover the guest parking spaces has been eliminated.
- Second unit and pool to be relocated further downslope, with the pool extending into
  the area where a level lawn area was previously proposed. Less grading is needed
  in this area, fewer trees would be affected, and the lawn area would be reduced from
  what was shown on the approved plans. Both the second unit and the pool would be
  the same size as was previously approved, although the second unit would have a
  somewhat more compact footprint as it would no longer have a linear design.
- Reduced grading, from 921 cubic yards to 435 cubic yards.
- Four trees to be retained that were previously proposed for removal.
- Modifications to the outdoor lighting plan.

Overall, the amount of site work and associated retaining walls and landscaping is considerably less than was previously approved. Much of the central part of the site between the main house and the wine cellar will be left open, whereas this area contained the second unit and pool with associated retaining walls in the approved plans. With the relocation of the second unit and pool to the lower, east side of the property, there would be less grading, less disturbance, and less irrigated lawn.

The revised project is presented on the following enclosed plans dated 2/18/14 and prepared by Jeffrey Mahaney, Architect, unless otherwise noted. The highlighted sheets are those which have been revised or updated since the original project was approved:

Architectural Plans, Jeffery Mahaney, Architect:

Sheet A1.0, Cover Sheet, 2/18/14

Sheet A2.1, Existing Site Plan, 8/27/13

Sheet A2.2, Proposed Site Plan, 2/18/14

Sheet A2.3, Proposed Landscape Plan, 2/18/14

Sheet A2.4, Proposed Irrigation Plan, 2/18/14

Sheet A2.5, Proposed Lighting Plan, 2/18/14

Sheet A2.6; Tree Removal Plan, 2/18/14

Sheet A2.7, Existing & Proposed Level 1/Lower Floor Plan, 9/26/13

Sheet A2.8, Existing & Proposed Level 2/Ground Floor Plan, 9/26/13

Sheet A2.9, Existing & Proposed Level 3/Upper Floor Plan, 8/27/13

Sheet A2.10, Existing & Proposed Roof Plan, 9/26/13

Sheet A2.11, Existing & Proposed Plans - Garage, 2/18/14

Sheet A2.12, Proposed Plan Guest House, 2/18/14

Sheet A2.13, Proposed Story Pole Plan, 2/18/14

Sheet A2.14, Construction Management Plan, 2/18/14

Sheet A3.1, Existing Exterior Elevations, 8/27/13

Sheet A3.2, Existing Exterior Elevations, 8/27/13

Sheet A3.3, Existing Elevations - Garage, 8/27/13

Sheet A3.4, Proposed Exterior Elevations, 10/23/13

Sheet A3.5, Proposed Exterior Elevations, 10/23/13

Sheet A3.6, Proposed Elevations - Garage, 2/18/14

Sheet A3.7, Proposed Elevations - Guest House, 2/18/14

Sheet A3.8, Proposed Site Elevation along Grove Drive, 2/18/14

### Civil Plans, Flo-Rite Engineers, 2/17/14:

Sheet C-1, Title Sheet

Sheet C-2, Notes

Sheet C-3, Grading Plan

Sheet C-4, Utility Plan

Sheet C-5, Erosion Control Plan

Sheet C-6, Details Sheet

Sheet C-7, Best Management Practices

Topographic and Boundary Survey, B & H Surveying, Inc., June 2013

The following comments are offered to assist the ASCC in considering and acting on this proposal.

1. **Description of Project Revisions.** There would be no changes to the main house. Revisions are proposed primarily in relation to two areas: 1) the garage and driveway area, and 2) the second unit and pool area. Each of these is discussed in turn below.

### Garage and Driveway Area

The designs for the garage and the driveway have been simplified. The proposed garage would be the same size as was approved in 2013, but would incorporate the existing garage, which would be repaired and enlarged. The carport roof now attached to the front of the existing garage would be removed, however, reducing the current setback encroachment. The garage addition would not conflict with setback requirements and therefore would not require any variance action.

The driveway would include the existing driveway area on the site and would be expanded to provide one parking space adjacent to the entrance to 4 Grove Court and two parking spaces south of the garage. Because the driveway would be shorter and the parking area somewhat higher on the site and closer to the cul-desac, less grading would be needed in this area than was originally proposed and approved.

### Second Unit and Pool Area

The second unit and pool have been reconfigured and moved lower on the site to be located basically where the level lawn area was previously proposed, and a smaller lawn area would remain north of the pool. The new locations for the second unit and the pool are closer to and would be somewhat more visible from Grove Drive. Story poles have been erected at the site for the new second unit location, and Commissioners should visit the site to view the story poles.

Along with the second unit, the retaining walls on each side of the pool would also be visible from Grove Drive. The number of retaining walls associated with the second unit and pool has been reduced to two above the pool and two below the pool, with a total elevation change of about eight feet for all four walls. For comparison, the approved plans included five retaining walls below the pool, with a total elevation change of about eleven feet for all of the walls. Sheet A3.8 shows the guest house and retaining wall from Grove Drive (although please note that the scale of that sheet is actually ½" = 1"). The retaining walls will be concrete with plaster colored a light brown to match the second unit. Sheet A2.3 shows the plantings that are proposed both below and between the retaining walls. These plantings will provide screening of the retaining walls and help to break up the length and height of the walls. In addition, the revised plans also include fewer retaining walls higher on the site above the second unit and pool than in the originally approved plans.

The proposed second unit and pool changes would require less grading and retaining wall work and are associated with less lawn. As a result, these modifications would reduce overall site impacts from what was found acceptable with approval of the original plans. While the new location is closer to Grove Drive, the ability to landscape the area as proposed should limit visual impacts, and preserving more trees higher on the site would enhance the visual backdrop for views from Grove Drive.

2. **Revisions in terms of architectural review.** Because the garage will now be an expansion of the existing garage, rather than a new structure, it will incorporate the existing exterior wall framing and siding, with the proposed addition matching the architectural character of the existing structure.

The revised elevations for the second unit are shown on Sheet A3.7. The second unit includes gables, a trellis feature and vertical siding similar both to those on the main house and to what was approved for the original second unit design. Both the garage and the second unit will be painted a light brown. The second unit structure generally complies with the Town's second unit requirements, except for the lighting which is discussed below.

The exterior lighting plan has been revised as described on page two of the February 20, 2014 letter from project architect Jeffrey Mahaney. The lighting fixtures are the same fixtures that were previously approved, and the number of fixtures has been reduced as required by the conditions of approval and to work with the revised plans. The only new lights shown on the revised plans are those associated with the second unit and the stairs to the second unit. These appear to be consistent with the Town's lighting guidelines. The trellis feature at the entrance to the second unit includes four downlights, although the second unit performance standards limit exterior lighting for second units to one light fixture per entry door. The ASCC could therefore require less lighting in this area, or given the proximity of this trellis feature to the pool and the fact that this is the only above-ground lighting associated with the pool, the ASCC could determine that the amount of lighting is appropriate given the overall design of the project.

As was discussed earlier, the number of retaining walls around the pool has been reduced. Given the proposed light brown color and the plantings both downhill and

between the walls, these are not likely to have a significant visual impact even though they are closer to the property line and Grove Drive. There will be no fencing specifically associated with the pool; instead, the pool will have a hard cover to comply with Building Code requirements. Three light fixtures are proposed for the pool.

The landscaping plan, shown on Sheet A2.3, has also been revised, with revisions described on pages 1-2 of the February 20, 2013 letter from Jeffrey Mahaney. These revisions include preserving four additional trees, removal of planting outside the property line on Grove Drive, reducing the size of the water feature and the lawn area, and also changes to the plant palette.

The Conservation Committee reviewed the revised plans and provided comments which are dated March 31, 2014 and attached. The Committee asked that valley oak #18 be preserved if possible, that parthenocissus (Virginia Creeper) be replaced with a less aggressive vine, and that the lawn be further reduced. Overall, the Committee appreciated the reduced amount of grading and increased preservation of trees.

The Conservation Committee report also raised a question about the perimeter fencing crossing slopes greater than 20%. The zoning code only allows domestic fences within the required yards on slopes that are 20% or less (Section 18.43.020.A.4). For this property, portions of both side yards have slopes greater than 20%, and the fence as proposed does not fully comply with the requirements. The applicant could bring the fence into the property and place it parallel to the property line beyond the required yard. However, doing so would likely make the fence considerably more visually obtrusive, particularly on the north side of the property, and this would raise concerns because the basic intent of the fence ordinance is to limit the visual impacts of fencing.

The conditions of approval already require modifications to the alignment of the approved five-foot high post and wire fence along the Grove Drive frontage to the satisfaction of a designated ASCC member, and the zoning code also allows the ASCC to grant relief from fence regulations. As a result, staff suggests revising the condition of approval to allow the side yard fence placement to be reviewed and approved by a designated member of the ASCC together with the Grove Drive alignment. In particular, the Grove Drive alignment should be set first, consistent with the intent of the original ASCC condition. The fence connections to the side property lines could then be considered, both in light of the 20% slope limit and, more importantly, to ensure minimal visual impact consistent with the intent and objectives of the fence ordinance.

The final fence location and alignment of all new fencing should minimize the visual impacts of the fence, particularly from Grove Drive, in order to preserve the open character of the slope. If necessary, portions of the fence may be either required to be located outside of the required side yard or allowed to be located on slopes that are 20% or greater.

3. Revisions in terms of the site development permit. The ASCC granted a site development permit for this project in October, and that approval needs to be considered in light of the changes that are proposed to the grading for the project. Overall, the amount of grading has been reduced from 921 cubic yards to 435 cubic

yards. With the proposed changes, the site will be less disturbed and will remain in a more natural state.

Because of the slope and geologic conditions on the property, the applicant's geotechnical consultant reviewed the proposed new locations for the garage, the second unit and the pool, and recommended that reinforced concrete piers should be used as part of the foundation system for these structures. The Town Geologist assessed these recommendations and determined that with the incorporation of these design recommendations, the site would be suitable for the proposed improvements, as is stated in the March 17, 2014 Supplemental Geotechnical Peer Review (attached). Compliance with the Town Geologist's recommendations has been added to the suggested conditions of approval.

- 4. **Revisions in terms of variance findings.** The Planning Commission granted a variance for this project for four items:
  - 1. Permit a proposed replacement garage to encroach 15 feet into the required 20-foot northwest side yard.
  - 2. Permit the guest parking area to have a 12-foot high trellis for screening that extends a maximum of 9 feet into the required 50-foot front yard setback.
  - 3. Permit the maximum height of the roof over the planned third story addition to the historic residence to be at 37.75 feet over adjacent grade whereas the ordinance limit is 28 feet. (Note that existing roof heights already exceeded this height limit and the approved plans increased the building height in the proposed location by approximately 2.5 feet.)
  - 4. Allow the project to exceed the total floor area limit of 5,071 square feet (sf) by 250 sf and permit the historic bunker/cellar to be preserved and not count against the floor area.

With the revised project, the first two of these four items would be eliminated and would no longer need a variance. First, the garage would remain in its current location and be enlarged to the south, which would not increase its non-conformity. As a result, a variance would not be needed for the proposed addition to the garage. Second, the guest parking area has been moved and the trellis eliminated, so that a variance would not be necessary for the trellis feature.

The variance would still be needed for the height of the main house to exceed the height limit, and for the total floor area to exceed the floor area limit, although no changes are proposed to the approved house plans or to the total amount of floor area. Therefore, the ASCC needs to make a recommendation to the Planning Commission as to whether a variance would still be appropriate for the revised project. The required findings for a variance are:

1. There are special circumstances applicable to the property, including, but not limited to, size, shape, topography, location or surroundings that do not apply generally to other properties or uses in the district;

- 2. Owing to such special circumstances the literal enforcement of the provisions of this title would deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning;
- The variance is subject to such conditions as are necessary to assure the
  adjustment authorized will not constitute a grant of special privilege
  inconsistent with limitations on other properties in the vicinity and zone in
  which such property is situated;
- 4. The variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity or in the district in which the property is located;
- 5. A variance shall not be granted for a parcel of property which authorizes a use or activity which is not authorized by the zone regulation governing the parcel of property.
- 6. That the granting of such variance shall be consistent with this title and the general plan.

The proposed revisions would not change either the height or the floor area, and the reasons for approving the variance findings, as set forth in the attached October 31, 2013 staff report and supporting documents, and the November 6, 2013 minutes of the Planning Commission meeting, still appear to be valid. In addition, the plan revisions reduce the scope of site impacts and overall site changes from the original approval and reduce the scope of the setback variance issues. As a result, the basic variance findings, consideration and approvals would seem appropriate for the revised project.

5. Effective date of approval of revised plans and timing of building permit processing for the main house. If the ASCC acts to approve the revised plans at the April 14<sup>th</sup> meeting, the proposal will be considered by the Planning Commission on May 7<sup>th</sup>. If the variance is amended to recognize the revised plans on that date, the approvals would become effective 15 days after the Commission's action.

The originally approved plans are now the process of building permit review and may be ready for pick-up prior to the effective date for the revised project. If this is the case, the applicant has advised that they would like to obtain the building permit for the house and begin work on that portion of the project. Staff is considering the technical issues relative to the request, and particularly associated with rough grading for the project, but assuming these can be worked out, would be prepared to issue the permit. If there were any problem associated with a modified action becoming effective, the applicant would be bound by the original plan approval, and they are aware of this risk. Staff did want to the ASCC and Planning Commission to be aware of this situation.

### Conclusion

Prior to acting on this request, ASCC members should visit the site, view the revised story poles for the second unit, and consider the above comments as well as comments presented at the regular ASCC meeting on April 14.

The ASCC then needs to act on the revised architectural review request and site development permit, and make a recommendation to the Planning Commission relative to the variance findings. The following changes to the approved ASCC conditions are recommended if the ASCC acts to approve the project, with the revised conditions below to replace Conditions #4 and #5 that have already been adopted for the project:

- 4. The requirements of all site development committee members, as recorded in the October 24, 2013 staff report, shall be addressed to the satisfaction of the respective committee member. In addition, compliance with the recommendations of the Town Geologist, as set forth in the March 17, 2014 Supplemental Geotechnical Peer Review, shall be required.
- 5. The final placement of all new fencing shall be under the direction of a designated ASCC member. In particular, the intent of this condition is to minimize the visual impacts of the post and wire fencing, particularly from Grove Drive, in order to preserve the open character of the slope and achieve conformity with the purpose and intent of the fence ordinance. In light of these objectives and existing site conditions, portions of the fence may be either required to be located outside of the required side yard or allowed to be located on slopes that are 20% or greater.

In addition, staff anticipates recommending that the Planning Commission amend Condition c of their approval to reference the ASCC's action on the revised proposal as well as the original project.

### **Original Conditions of Approval**

The ASCC approved this project on October 28, 2013 with the following conditions, which would still apply to this project:

- 1. The landscape plan shall be modified to address the 10/22/13 addendum comments of the conservation committee and the comments of the ASCC at the 10/28 meeting.
- 2. The exterior lighting plan shall be revised as called for in the October 24, 2013 staff report.
- 3. A final construction staging and management plan with tree protection provisions shall be prepared and shall address the comments in the October 24, 2013 staff report. Once approved the tree protection and construction staging/management plan shall be implemented to the satisfaction of planning staff.
- 4. The requirements of all site development committee members, as recorded in the October 24, 2013 staff report, shall be addressed to the satisfaction of the respective committee member.
- 5. The final fencing plan and fencing alignment along the Grove Drive side of the property shall be modified to address concerns in the staff report, and final Grove Drive side fencing alignment shall be installed under the direction of a designated ASCC member.

The Planning Commission approved the variance for the project on November 6, 2013, subject to the following conditions:

- a. The variance shall run with the property. Any change in plans shall require a separate variance (unless the new plans are found to comply with all ordinance requirements).
- b. Unless exercised through the issuance of a building permit and start of construction in conformance with that building permit, this variance shall expire two (2) years from the effective date of the variance approval.
- c. All October 28, 2013 ASCC architectural review and site development permit conditions shall be adhered to.
- d. Prior to issuance of any building permits, the applicant shall execute a deed restriction to the satisfaction of the town attorney providing that the bunker/wine cellar shall only be used for storage and other, similar nonhabitation uses.

- The color of the paver used for the patio and steps shall be darker than the sample provided, with the color to be determined to the satisfaction of a designated ASCC member.
- 4. If an air conditioning unit is proposed for the house, it shall be sited and designed to minimize noise impacts on neighbors to the satisfaction of a designated ASCC prember.
- 5. The project team shall work with Rana Creek to determine the appropriate time, method, and specific manzanitas for transplanting and to document how many manzanitas shall be transplanted and to what locations. The applicant shall ensure that these transplants are monitored as part of the ongoing vegetation monitoring on the site. A plan for transplanting the manzanitas and for engoing monitoring shall be submitted for review and approval by a designated ASCC member and staff prior to building permit issuance.
- 6. Cut sheets shall be submitted for each fixture type with information about the level of illumination provided and showing the colors and materials for each fixture, to the satisfaction of staff prior to building permit issuance.
- 7. The path and wall lights along the stairs and walkway to the guest house shall be placed on a separate, manually operated switch with an automatic off-timer.
- 8. A comprehensive vegetation protection and construction staging plan shall be provided and, once approved, implemented to the satisfaction of the ASCC and planning staff. The plan shall provide that Rana Creek shall monitor and ensure that restoration efforts, and any additional screen plantings called for by the ASCC, are installed, protected and maintained to ensure long-term success.

The motion passed, 4-0.

Clark then proved that the ASCC recommend approval of the site development permit to the Planning Commission. Harrell seconded the motion, which passed 4-0.

Breen moved to recommend that the Town Council release the building permit for the project Harrell seconded the motion, which passed 4-0.

Proposed Revisions to Approvals for Architectural Review of Garage and Second Unit Accessory Structures and Associated Site Work, Site Development Permit X9H-662 and Variance Request X7E-135, 3 Grove Court, Ciancutti

For this item, Kristiansson presented the April 10, 2014 staff report and described the proposed revisions to the garage and driveway area, as well as to the second unit and pool area. She noted that no changes were proposed to the main house or the wine cellar/bunker.

Project architect Jeffrey Mahaney and property owner Crystal Ciancutti were present to answer questions from the Commission. Ms. Ciancutti said that the revisions were focused mainly on minimizing retaining walls because their cost was prohibitive. As a result, the project will involve moving less dirt and having fewer walls. In response to a question from Breen, Mr. Mahaney noted that the geotechnical piers would not affect the appearance of the second unit.

Commissioners considered the revised plans dated 2/18/14 and prepared by Jeffrey Mahaney, Architect, unless otherwise noted. The highlighted sheets are those which were revised or updated since the original project was approved:

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Architectural Plans, Jeffrey Mahaney, Architect:
Sheet A1-0-Cover Sheet 2/18/14
Sheet A2.1, Existing Site Plan, 8/27/13
Sheet A2-2, Proposed Site Plan, 2/18/14
Sheet A2.3, Proposed Landscape Plan, 2/18/14
Sheet A2.4 Proposed Irrigation Plan, 2/18/14
Sheet A2 5, Proposed Lighting Plan 2/18/14
Sheet A2-6. Free Removal Plan, 2/18/14
Sheet A2.7, Existing & Proposed Level 1/Lower Floor Plan, 9/26/13
Sheet A2.8, Existing & Proposed Level 2/Ground Floor Plan, 9/26/13
Sheet A2.9, Existing & Proposed Level 3/Upper Floor Plan, 8/27/13
Sheet A2.10, Existing & Proposed Roof Plan, 9/26/13
Sheet A2.11, Existing & Proposed Plans - Garage, 2/18/14
Sheet A2.12 Proposed Plan Guest House 2/18/14
Sheet A2:13, Proposed Story Pole Plan, 2/18/14
Sheet A2:14: Construction Management Plan, 2/18/14
Sheet A3.1, Existing Exterior Elevations, 8/27/13
Sheet A3.2, Existing Exterior Elevations, 8/27/13
Sheet A3.3, Existing Elevations - Garage, 8/27/13
Sheet A3.4, Proposed Exterior Elevations, 10/23/13
Sheet A3.5, Proposed Exterior Elevations, 10/23/13
Sheet A3.6, Proposed Elevations = Garage, 2/18/14
Sheet A3.7, Proposed Elevations—Guest House, 2/18/14
Sheet A3.8, Proposed Site Elevation along Grove Drive, 2/18/14
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### Civil Plans, Flo-Rite Engineers, 2/17/14;

Sheet C-1, Title Sheet

Sheet C-2, Notes Sheet C-3, Grading Plan

Sheet C-4, Utility Plan

Sheet C-5, Erosion Control Plan

Sheet C 6, Details Sheet

Sheet C-7, Best Management Practices

Topographic and Boundary Survey, B & H Surveying, Inc., June 2013

### Public comments were requested.

Don Eckstrom, 331 Grove Drive, said that he was concerned about the swimming pool and its integrity in an earthquake. He wondered what guarantees would apply. Kristiansson noted that the geotechnical report had been required to address the development of this area, and the Town Geologist had reviewed and approved the recommended measures as being the appropriate state of the art for this type of project.

Belinda Brent, 341 Grove Drive, said that she was concerned about water runoff and subsurface drainage. She said that there is Sudden Oak Death (SOD) in the soil of the hill and recommended a cellular check of the leaves of the trees on the site. Mr. Mahaney noted that there is a detention basin downhill of the project with a number of drains directing water to it. He said that the drainage system is designed to keep the water on the site. Ms. Ciancutti added that since the house will be connecting to sewer, there will no longer be a septic leach field on the property, which could help to improve drainage.

Don Eckstrom, 331 Grove Drive, noted that he was pleased with the oaks that were being saved with this revision, but said he was still concerned about tree removal. He also asked about the sewer line location. Ms. Ciancutti responded that the sewer line will be on Grove Court. Mr. Mahaney mentioned that many of the trees to be removed were unhealthy.

ASCC members discussed the project, including the plans and materials cited in the staff report. Breen expressed concern about the amount of planting at the retaining walls by the pool and said that the proposed Salvia would not provide sufficient screening. Commissioners also discussed the level of lighting both in the trellis outside the second unit and in the pool. Mr. Mahaney noted that the lights at the second unit trellis would be directional down lights that would point light into the property. He also added that the lights would be placed up in the trellis structure so that the fixtures would not be visible.

Harrell moved, and Breen seconded, to recommend that the Planning Commission approve the variance for the revised project and to approve the project with the following conditions 1-3 from the October 28, 2013 approval, revised conditions 4-5, and new conditions 6-7:

- 1. The landscape plan shall be modified to address the 10/22/13 addendum comments of the conservation committee and the comments of the ASCC at the 10/28 meeting.
- 2. The exterior lighting plan shall be revised as called for in the October 24, 2013 staff report.
- 3. A final construction staging and management plan with tree protection provisions shall be prepared and shall address the comments in the October 24, 2013 staff report. Once approved the tree protection and construction staging/management plan shall be implemented to the satisfaction of planning staff.
- 4. The requirements of all site development committee members, as recorded in the October 24, 2013 staff report, shall be addressed to the satisfaction of the respective committee member. In addition, compliance with the recommendations of the Town Geologist, as set forth in the March 17, 2014 Supplemental Geotechnical Peer Review, shall be required.
- 5. The final placement of all new fencing shall be under the direction of a designated ASCC member. In particular, the intent of this condition is to minimize the visual impacts of the post and wire fencing, particularly from Grove Drive, in order to preserve the open character of the slope and achieve conformity with the purpose and intent of the fence ordinance. In light of these objectives and existing site conditions, portions of the fence may be either required to be located outside of the required side yard or allowed to be located on slopes that are 20% or greater.
- 6. The number of lights in the pool and spa shall be reduced to the minimum required by code.
- 7. Additional planting shall be proposed to screen the retaining walls by the pool.



## **MEMORANDUM**

## TOWN OF PORTOLA VALLEY

TO:

Planning Commission

FROM:

Karen Kristiansson, Interim Town Planner

DATE:

May 1, 2014

RE:

Site Development Permit X9H-672 for 18 Redberry Ridge, Blue Oaks Lot #15,

Douglass/LaShay Residence

This project proposes a new house with attached garage and detached guest house on this vacant 2.09 acre Blue Oaks parcel, with 1,520 cubic yards of grading as defined under the Town's site development ordinance. An additional 2,900 cubic yards of material would be exported from the site, mostly from excavation for the basement, guest house, and footprint of the house. This excavation is for cutting the proposed development into the site slopes, largely to achieve conformity with the design guidelines as set forth in the Blue Oaks PUD provisions. Because of the amount of grading, the Planning Commission is the body which needs to act on the site development permit for the project.

As is described further below, the Planning Commission and ASCC held a joint preliminary project review meeting at the site on March 19, 2014, and the Planning Commission provided initial comments at their meeting that evening. Since that time, the ASCC completed its review of the project and approved it on April 14 with conditions, contingent on Planning Commission action on the site development permit.

A revised set of plans as conditionally approved by the ASCC is enclosed in Planning Commissioners' packets. The plan sheets are listed below, with the sheets that are most relevant for the site development permit consideration highlighted.

Square Three Design Studios, revised 4/1/14 unless otherwise noted:

Sheet A1.01, Project Data; Proposed Site Plan

Sheet A1.02, Proposed Partial Site Plan

Sheet A1.03, Proposed Partial Site/Main Level Floor Plan

Sheet C-1, Topographic Survey Plan, McLeod and Assoc., dated 1/13/14

Sheet C-2, Preliminary Grading, Drainage and Utility Plan, McLeod and Assoc., revised 3/28/14

Sheet C-3, Preliminary Grading and Drainage with Erosion Control Measures, McLeod and Assoc, revised 3/28/14

Sheet A2.01, Proposed Partial Main Level Floor Plan - Area A

Sheet A2.02, Proposed Partial Main Level Floor Plan - Area B

Sheet A2.03, Proposed Basement Plan

Sheet A2.04, Proposed Guest Cottage Floor Plan and Roof Plan, dated 1/16/14

Sheet A2.05, Proposed Roof Plan

Sheet A3.01, Proposed Exterior Elevations

Sheet A3.02, Proposed Exterior Elevations

Sheet A5.01, Proposed Building Sections

Sheet A5.02, Proposed Building Sections

Sheet A5.03, Proposed Building Sections

Sheet LE0.0, Lighting Design Title Sheet, Juarez Design, dated 1/16/14

Sheet LE2.0, Basement and Guest Cottage Lighting Plan, Juarez Design, dated 1/16/14

Sheet LE3.0A, Main Floor Lighting Plan – Area A, Juarez Design, dated 1/16/14

Sheet LE3.0B, Main Floor Lighting Plan – Area B, Juarez Design, dated 1/16/14

Sheet L1.0, Landscape Overall Site, Thuilot Associates, dated 4/1/14

Sheet L1.1, Existing Vegetation, Thuilot Associates, dated 4/1/14

Sheet L2.0, Layout Plan, Thuilot Associates, dated 4/1/14

Sheet L2.1, Layout Plan Driveway, Thuilot Associates, dated 4/1/14

Sheet L2.2, Layout Plan Notes, Thuilot Associates, dated 4/1/14

Sheet L3.0, Irrigation Diagram, Thuilot Associates, dated 4/1/14

Sheet L3.1, Irrigation Diagram Driveway, Thuilot Associates, dated 4/1/14

Sheet L4.0. Planting Plan, Thuilot Associates, dated 4/1/14

Sheet L4.1, Planting Plan Driveway, Thuilot Associates, dated 4/1/14

Sheet L4.2, Planting Zone, Thuilot Associates, dated 4/1/14

Sheet L4.3, Planting Zones Driveway, Thuilot Associates, dated 4/1/14

Sheet L5.0, Landscape Lighting Plan, Thuilot Associates, dated 4/1/14

Sheet L5.1, Lighting Plan Driveway, Thuilot Associates, dated 4/1/14

Sheet L6.0, Landscape Detail, Thuilot Associates, dated 4/1/14

Two sheets are also provided separately and not bound into the plan set:

Sheet L2.4, Tree Diagram, Thuilot Associates, dated 4/8/14

Sheet L6.1, Motorcourt Section/Elevation, Thuilot Associates, dated 4/8/14

In addition, the following supplemental materials are provided for the Planning Commission's consideration:

- Transmittal memo from Tom Carrubba summarizing the revisions made to the plans, dated 4/2/14
- Letter from Thuilot Associates responding to comments from the 3/24/14 ASCC meeting, dated 3/31/14
- Storm drain pipe sizing calculations for the driveway swale crossing, from MacLeod and Associates, dated 3/24/14
- Letter from Thuilot Associates, received April 9, 2014, concerning the retaining wall location at the auto-court.

The following comments are offered to assist the Planning Commission in considering the site development permit application.

1. **Previous consideration and ASCC action.** As was noted above, this project has been discussed and considered at several meetings: the March 19, 2014 joint field meeting of the Planning Commission and the ASCC; the March 19<sup>th</sup> Planning Commission meeting; the March 24<sup>th</sup> ASCC meeting, and the April 14<sup>th</sup> ASCC meeting. The staff reports and minutes from each of those meetings are attached.

At its April 14<sup>th</sup> meeting, the ASCC conditionally approved the project contingent on Planning Commission approval of the site development permit. The ASCC conditions of approval are attached for reference.

During the previous meetings, two issues were raised relative to the cut and fill on the site and therefore the site development permit: the driveway crossing of the swale and the location of the south retaining wall of the auto-court in relation to the manzanitas in the area. Each of these is discussed separately below.

The ASCC also recommended that the Town Council release the building permit for the project for several reasons. The ASCC found in their review that the restoration planting plan implementation is proceeding as expected and that the proposed planting, together with the restoration planting, provides appropriate screening for the house and overall site development (see Sheet L2.4 and Sheet L4.0). In addition, the cash deposit that the Town is holding for this project provides a surety that the restoration work will be completed, as does the 5-year contract that the owner entered into with environmental restoration consultant Rana Creek for this work.

2. Driveway swale crossing. The revised plans show a culvert for the driveway crossing of the swale, with backfill against the retaining wall to reduce the visual impact, as shown on Sheet C-2 and in Section B on Sheet C-3. A civil engineer reviewed the drainage conditions at the swale and recommended a 12" culvert pipe (engineering report attached), and these calculations would be reviewed by the town's engineering consultant as part of the normal building permit process. The project team explored the option of a bridge but determined that a bridge would have a more significant visual impact.

The plans indicate that the driveway over the swale would have retaining walls on both sides. Dirt would be backfilled against the north retaining wall to a slope of 3:1 in order to reduce the visibility of the exposed wall from off-site, leaving no more than 6 feet of the retaining wall exposed. The retaining wall would be board-formed concrete with integral color, to be a brownish-gray that would be slightly darker than the house color. As shown on Sheet L4.1, some wild lilac and mountain mahogany would be planted on the fill below the wall to soften views to the exposed portion of the retaining wall. Most of the wall would likely not be visible because of the backfill and plantings, and the darker color should help the remainder of the wall to blend with the site. A guard rail is not required for the retaining wall, and protection would be provided by an 18" concrete curb on the downhill side.

3. Auto-court south retaining wall and nearby manzanitas. At the March 19<sup>th</sup> field meeting, Commissioners expressed concern about the south retaining wall of the auto-court for two reasons. First was the proximity to the south property line and the potential visibility of the required guard rail above the retaining wall, particularly from the adjacent Salah residence. The ASCC, as part of its final project review and conditional approval, considered the visibility of the guard rail in light of the proposed plantings adjacent to and in the auto-court and concluded that the design was acceptable.

The second reason was that the south and east retaining walls for the auto-court would impact a mass of existing manzanitas. As is explained in the attached letter received on April 9, 2014 from landscape architect Stefan Thuilot, the project team

considered these concerns and looked at options. Because of the size of the hammerhead needed for the fire truck turn-around, the minimum driveway radius needed for fire truck access, and the fixed driveway entrance from the panhandle, the team found that moving the auto-court away from the south property line would necessitate redesigning or moving the house further to the north. Moving the house would bring it closer to and could affect the existing oaks on the north side of the house site.

In terms of impacts on the manzanitas, the project team proposes to transplant as many of these existing plants as possible, and they indicated that they have had success transplanting manzanitas on other sites in Blue Oaks. The ASCC approved a condition (see condition #5) requiring the project team to work with Rana Creek to determine the appropriate time, method, and specific manzanitas for transplanting and to document how many could be transplanted and to what locations. The success of these transplants would then be monitored by Rana Creek as part of the required ongoing monitoring of the restoration work on the site.

4. Revised grading plans and site development permit committee review. The grading plans have been updated to reflect the new design, although the cut and fill calculations provided on Sheet C-2 have not. The total volume of grading would be 1,520 cubic yards calculated according to the standards of the site development ordinance (the 1,275 cubic yards indicated on the grading plan, plus 245 cubic yards of cut to lower the bedroom wing). Approximately 2,900 cubic yards of materials would be exported from the site, much of this for cutting of the proposed basement and guest house, and for excavation within the footprint of the house (areas where the cut does not count under the site development ordinance provisions).

As has been explained as part of consideration of other Blue Oaks site development permit reviews, this quantity of grading is not unusual for a lot in Blue Oaks, where the relatively small building envelopes and hilly topography often result in the need for more grading than might otherwise be expected in order to fit a home in to a site. As stated previously, this is the case because the total lot area and defined building envelope are based on very specific PUD cluster provisions, which include much of the gross lot area in private and common open spaces.

The March 13, 2014 staff report summarized the input from site development permit committee members who had reviewed the original grading plans and, in general, found the project conditionally acceptable, as shown below.

<u>Public Works Director.</u> The project was found acceptable with standard conditions of approval for site development work, plus a condition that the project must comply with all items recommended in the Kielty Arborist report dated March 4, 2014, with written verification to be provided by Kielty.

<u>Town Geologist.</u> The project was found acceptable, with the conditions that structural plans be developed incorporating the recommendations of the project geotechnical consultant, and that the applicant's geotechnical consultant review and approval all geotechnical aspects of the plans. Prior to issuance of a building permit, the structural plans and geotechnical plan review should be submitted to the Town for review by town staff and the Town Geologist.

<u>Fire Marshal.</u> The Fire Marshal reviewed the plans and found the driveway layout and the project in general acceptable with the conditions set forth on the review sheet.

The Public Works Director has confirmed that his comments would apply to the revised grading plans, and the Fire Marshal's comments would also still apply since the fire truck access and turnaround were not changes. The Town Geologist is reviewing the revised plans and will provide any necessary updates to the recommended conditions of approval.

### **CEQA Compliance**

This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(a) of the CEQA Guidelines. This section exempts construction of individual new single-family residences. Also, an Environmental Impact Report (EIR) was certified for the whole Blue Oaks subdivision, and that EIR included evaluation of the potential development of individual sites. Mitigation measures from the EIR were incorporated into the Blue Oaks PUD provisions and the subdivision improvement plans (now complete). As a result, conformity with the PUD provisions ensures compliance with the required mitigation measures. As is discussed in previous staff reports for this project, the project as presented conditionally approved by the ASCC would comply to the PUD provisions.

The question was raised during the preliminary Planning Commission review about the loss of screening associated with the unauthorized vegetation removal on the site, and whether that or any associated increase in light spill would require additional CEQA review. The project team provided information about the vegetative screening that is and will be planted on the site due to the proposed planting plan and the restoration plantings. This information is contained on Sheets L2.4 and L4.0, and various renderings presented at the March 24, 2014 ASCC meeting. As part of its consideration of whether to recommend that the Town Council release the building permits for the project, the ASCC specifically determined that the level of screening was appropriate and found the project conditionally acceptable. The project and restoration plan therefore provide a level of screening for the project that will be approximately equivalent to what they would have been if the unauthorized clearing had not occurred. Therefore, additional CEQA review is not needed.

### Conclusion

Prior to completing its action, the Planning Commission should consider the above comments and any new information presented at the May 7<sup>th</sup> meeting. If the Planning Commission acts to approve the site development permit, the following conditions would be recommended, as well as any other conditions the Planning Commission may find necessary:

- 1. All conditions of the April 14, 2014 ASCC approval shall apply.
- 2. The applicant shall comply with the conditions of the Public Works Director as set forth in his March 11, 2014 memorandum.

- 3. The applicant shall comply with the conditions of the Town Geologist as set forth in his January 31, 2014 letter and any additional conditions as needed due to the revised plans.
- 4. The applicant shall comply with the conditions of the Fire Marshal as set forth in her January 29, 2014 review.
- 5. All finish contours shall be blended with the existing site contours to result in a finished slope condition that appears as naturally as is reasonably possible, to the satisfaction of the Public Works Director and Town Planner.

Enc. Att.

### **ASCC Conditions of Approval for the Architectural Review**

(Contingent upon Planning Commission Approval of the Site Development Permit)

- 1. Revised planting plans that conform with all appropriate PUD provisions, including those related to native landscape materials, shall be reviewed and approved by a designated member of the ASCC and staff prior to building permit issuance.
- 2. All lights along the panhandle of the driveway up to the curve shall be removed.
- The color of the paver used for the patio and steps shall be darker than the sample provided, with the color to be determined to the satisfaction of a designated ASCC member.
- 4. If an air conditioning unit is proposed for the house, it shall be sited and designed to minimize noise impacts on neighbors to the satisfaction of a designated ASCC member.
- 5. The project team shall work with Rana Creek to determine the appropriate time, method, and specific manzanitas for transplanting and to document how many manzanitas shall be transplanted and to what locations. The applicant shall ensure that these transplants are monitored as part of the ongoing vegetation monitoring on the site. A plan for transplanting the manzanitas and for ongoing monitoring shall be submitted for review and approval by a designated ASCC member and staff prior to building permit issuance.
- 6. Cut sheets shall be submitted for each fixture type with information about the level of illumination provided and showing the colors and materials for each fixture, to the satisfaction of staff prior to building permit issuance.
- 7. The path and wall lights along the stairs and walkway to the guest house shall be placed on a separate, manually operated switch with an automatic off-timer.
- 8. A comprehensive vegetation protection and construction staging plan shall be provided and, once approved, implemented to the satisfaction of the ASCC and planning staff. The plan shall provide that Rana Creek shall monitor and ensure that restoration efforts, and any additional screen plantings called for by the ASCC, are installed, protected and maintained to ensure long-term success.



# **MEMORANDUM**

### **TOWN OF PORTOLA VALLEY**

TO:

Planning Commission

FROM:

Karen Kristiansson, Deputy Town Planner

DATE:

March 13, 2014

RE:

Preliminary Consideration of Site Development Permit X9H-672 and

Architectural Review for New House and Guest House, for 18 Redberry Ridge,

Blue Oaks Lot #15, Douglass/LaShay Residence

The Planning Commission and ASCC will hold a site meeting for preliminary review of this project starting at 4:30 pm on Wednesday, March 19. The site meeting will begin at the site at the end of Redberry Ridge in the Blue Oaks subdivision. After presentations by staff and the project design team, as well as inspection of site conditions, the meeting will continue at the Elkind residence at 14 Hawkview for consideration of views of the proposed development from this Portola Valley Ranch property.

The 3/19 meeting is for preliminary consideration of plans for new residential development of this vacant 2.09 acre parcel. As is discussed below, this project includes over 1,000 cubic yards of grading, and therefore the Planning Commission is the approving body for the site development permit. The Planning Commission preliminary review is noticed to continue at the regular evening meeting on 3/19, and a public hearing on the site development permit is tentatively scheduled for the Commission's regular May 7<sup>th</sup> meeting.

After the 3/19 meeting, the ASCC is scheduled to continue its preliminary review of the project at the March 24 regular ASCC meeting. Tentatively, the ASCC would complete action on the architectural review portion of the application at the regular 4/14 ASCC meeting and forward final recommendations to the Planning Commission for consideration at the Commission's hearing on the site development permit.

The following report was prepared to support the preliminary reviews of both the Planning Commission and the ASCC and therefore addresses both grading and the design elements of the proposal.

This parcel is a flag lot located at the end of Redberry Ridge, as shown on the attached vicinity map. The entrance to the lot is provided through a narrow panhandle located between 16 Redberry Ridge (Borders residence) and 19 Redberry Ridge (Salah residents). The building envelope is located on the flatter southern portion of the lot, and the land slopes down to the north from the building envelope. A private open space easement (POSE) is located on the east and north sides of the lot, and beyond this POSE is common

lot A, which is covered by an open space easement that benefits both the town and underlying Blue Oaks homeowners association (HOA) ownership. This lot is within the "Stonecrest Zone of Habitation" as set forth in the Blue Oaks Planned Unit Development (PUD) Statement.

The proposal is for a new 5,679 sf home with a 1,467 sf basement and a detached 531 sf detached second unit. The enclosed plans show a design that has already been revised to address concerns expressed by neighbors and the Blue Oaks Homeowners' Association. Specifically, the proposal has been modified to lower the east bedroom wing by 3' 6" and remove the clerestories closest to the Salah residence, particularly the master bedroom spa terrace. In addition, the driveway and auto court layouts have been changed so that none of the required parking is provided adjacent to the driveway in the panhandle area, but it is all now concentrated in the auto court area. These changes are discussed further below and will also be reviewed at the site meeting.

Story poles have been erected at the site and show the original proposed home heights and forms with orange tape, and the changes to the bedroom wing described above with green tape. As the project team will explain at the site meeting, some of the story poles also mark the locations of proposed terraces. In addition, the locations of the driveway and the retaining wall between the auto court/driveway and the Salah property will be marked for consideration at the site meeting.

The total volume of grading would be 1,520 cubic yards calculated according to the standards of the site development ordinance.. This includes the 1,275 cubic yards indicated on the grading plan, as well as an additional 245 cubic yards of cut that would be needed to lower the bedroom wing as described above. Approximately 2,900 cubic yards of materials would be exported from the site, much of this for cutting of the proposed basement and guest house, and for excavation within the footprint of the house (areas where the cut does not count under the site development ordinance provisions).

The project is presented on the following enclosed plans dated 1/16/14 and prepared by Square Three Design Studios unless otherwise noted:

Sheet A1.01, Project Data; Proposed Site Plan, dated 3/6/14

Sheet A1.02, Proposed Partial Site Plan, dated 3/6/14

Sheet A1.03, Proposed Partial Site Plan, dated 3/6/14

Sheet C-1, Topographic Survey Plan

Sheet C-2, Preliminary Grading, Drainage and Utility Plan

Sheet C-3, Preliminary Grading and Drainage with Erosion Control Measures

Sheet A2.01, Proposed Partial Main Level Floor Plan - Area A

Sheet A2.02, Proposed Partial Main Level Floor Plan - Area B

Sheet A2.03, Proposed Basement Plan

Sheet A2.04, Proposed Guest Cottage Floor Plan and Roof Plan

Sheet A2.05, Proposed Roof Plan

Sheet A3.01, Proposed Exterior Elevations

Sheet A3.02, Proposed Exterior Elevations

Sheet A3.02A, Proposed Exterior Elevations, Original vs. Revised, dated 3/6/14

Sheet A5.01, Proposed Building Sections

Sheet A5.02, Proposed Building Sections

Sheet A5.03, Proposed Building Sections

Sheet LE0.0, Lighting Design Title Sheet

Sheet LE2.0, Basement and Guest Cottage Lighting Plan

Sheet LE3.0A, Main Floor Lighting Plan - Area A

Sheet LE3.0B, Main Floor Lighting Plan - Area B

Sheet L1.0, Landscape Overall Site, dated 3/6/14

Sheet L1.1, Existing Vegetation

Sheet L2.0, Layout Plan, dated 3/6/14

Sheet L2.1, Layout Plan Driveway, dated 3/6/14

Sheet L2.2, Layout Plan Notes, dated 3/6/14

Sheet L3.0, Irrigation Diagram, dated 3/6/14

Sheet L3.1, Irrigation Diagram Driveway, dated 3/6/14

Sheet L4.0, Planting Plan, dated 3/6/14

Sheet L4.1, Planting Plan Driveway, dated 3/6/14

Sheet L5.0, Landscape Lighting Plan

Sheet L5.1, Lighting Plan Driveway

Sheet L6.0, Driveway Elevations

In support of the plans and application, the following materials have been submitted:

- GreenPoint rated checklist (attached)
- Outdoor water use efficiency checklist, Thuilot Associates, dated 1/15/14 (attached)
- Geotechnical investigation by Romig Engineers, dated January 2013
- Landscape materials board, Thuilot Associates, received January 17, 2014 (attached)
- Architectural exterior color board, dated 1/16/14 (not attached; will be available at the meeting)
- Transmittal memo from Tom Carrubba, dated 3/10/14 (attached)
- Plan review letter from Rana Creek, dated 3/6/14 (attached)
- Letter report from Kielty Arborist Services, dated 3/4/14 (attached)
- Four color renderings, showing the original proposed bedroom wing and the revised bedroom wing, from the Salah terrace and from the rear side that faces Portola Valley Ranch. (attached)

Comments from the following members of the site development committee have also been received and are attached:

- Town Geologist (Cotton Shires), 1/31/14
- Fire Marshal (Denise Enea), 1/29/14
- Public Works Director (Howard Young), 3/11/14

The following comments are offered to facilitate the preliminary review process.

1. Background, project description, siting, and compliance with Blue Oaks PUD requirements. This lot was created as part of the Blue Oaks subdivision in 1988, which clustered residential lots in order to preserve roughly 186 acres under a conservation easement. The conservation easement includes much of Coal Mine Ridge as well as the steeper slopes above Los Trancos Road on the east side of Blue Oaks. As was indicated above, the Lot 15 building envelope is defined by a significant Private Open Space Easement (POSE) that extends to the open space easement over common lot A to the north and east. In addition, the subdivision approvals and Planned Unit Development (PUD) for the subdivision further define the building envelope and recognize that because of the cluster nature of the

development, area which is attributable to the lot in the common open space easement provides the majority of the open space area attributable to each lot.

The approved building envelopes for the lots in Blue Oaks were defined based on site constraints and the open space designated areas. Typically, the area allowed for building lots in Blue oaks is more limited than similarly sized parcels in the more conventional subdivision areas of town. Since the building envelopes are smaller and more concentrated, more grading and change is expected than would normally be expected on parcels where there is a larger building envelope and less open space restriction. This is the case for the proposed project.

Proposed development of the site would be concentrated in the southern portion of the building envelope (BE), on the higher and flatter portion of the site. In addition, the house has been located to avoid the trees on the northern portion of the site towards the conservation open space area, which is particularly important because of unauthorized clearing that has occurred on the parcel and the need to preserve the remaining trees, as is discussed further below. No trees would be removed as part of this project, and both the site restoration consultant Rana Creek and the project arborist have reviewed the plans and identified minor adjustments to the project to protect existing trees and ensure full consistency with the Town-approved and monitored restoration efforts (see attached letter reports). The project team has already incorporated several of these into the plan revisions and compliance with all of the recommendations would be required as a condition of any actions on the project.

The proposed residential development includes the main house with attached garage and basement oriented east-west and generally following the contours of the site. With the revisions to the structure in order to lower the eastern wing, the main house would all be at one level, with the eastern end cut into the site. Three terraces are located on the north side of the house and oriented toward the primary view corridor that was identified for the site under the PUD. A series of stairs and small vegetated terraces step down from the planting area outside the bedroom wing to the entrance of the guest house. The Blue Oaks PUD calls for homes in the Stonecrest zone to "hug" the ground and follow the form of the contours of the site, and this proposal appears to be consistent with this design guideline, particularly with the recent design revisions.

On the south side of the house, a retaining wall would extend approximately 66 feet along the line of the building envelope in order to create a level area for the parking area and auto court. It appears that this retaining wall would have a maximum exposed height on the north side of approximately seven to eight feet, but it should be noted that the civil sheets, and particularly the grading plan on Sheet C-2, have not yet been updated and still show the original proposal which included a shorter retaining wall and the guest parking located along the driveway access panhandle. The site plan on Sheet A1.02 shows the currently proposed retaining wall, parking area, and auto court. In addition, retaining walls along the southern side of the house allow the house to be cut into the site and for the basement to meet the building code's required light, ventilation and access requirements through the proposed light well.

The house has a contemporary architectural form with curved roof forms which could be seen as a concern given the PUD statement that design solutions should emphasize horizontal rather than vertical forms and that roofs should be flat or of low pitch. In this case, however, the flared roof has a relatively low pitch and the home does give an overall horizontal impression. In addition, the top elevation of the western portion of the home is well below the roof of the house behind it, so that the roof form will not be visually noticeable. At the eastern end of the home, the roof form allows for a lower roof between the Salah terrace and the northern secondary view corridor for that house, while at the same time allowing the bedroom wing of the proposed house to enjoy views to the east. These factors can be most clearly seen on the attached color rendering showing the "Revised proposed rear (north) exterior elevation." Both the garage and the guest house are proposed to have green roofs. This parcel is subject to, and the proposed project complies with, the single story height limits of 18 and 24 feet.

As was noted previously, the driveway extends down the panhandle of the lot between the neighboring properties. The parking shown in this area on the grading plan has been relocated to the auto court, which will allow for less impact on the manzanitas along the driveway alignment.

2. Vegetation restoration status. Unauthorized vegetation removal on the site, largely within the POSE area and extending to the open space area on common lot A, took place in late 2012/early 2013. This resulted in a restoration process that has been progressing under Town control since spring of last year. The ASCC last reviewed the restoration efforts on this parcel at their October 28, 2013 meeting (minutes attached). At that time, the ASCC called for additional planting and site management to the satisfaction of a designated ASCC member and town staff. That work has been completed and approved. The ASCC also recommended that the Town Council permit the property owner to proceed with town review of the plans for development of the parcel, so that the plans and any necessary screen planting could be considered in view of the restoration plans. The Town Council reviewed and approved the ASCC's recommendation at their meeting on January 8, 2014 (minutes attached).

One of the conditions of that approval states that "no building permits should be released until the ASCC completes a site review in early to mid-spring 2014 that is supported by similar data developed for the October 28, 2013 site review. From this review, the ASCC would provide a final recommendation to the town council relative to the timing for actual release of permits to allow site development to proceed." Rana Creek has provided the attached list of maintenance dates and activities and will be visiting the site to conduct their quarterly monitoring inspection, including taking photos of the restoration, on March 14.

The project team has indicated that the report from the March 14 inspection will be provided to staff prior to the March 19 site meeting. When received, this report will be posted on the Town's webpage for the March 19 meeting and also distributed to commissioners by email. In addition, John Wandke from Rana Creek will attend the March 19 field meeting. The ASCC will then be able to discuss and consider this information as part of their preliminary review on March 24.

- 3. Blue Oaks Homeowners' Association (HOA) review. The Blue Oaks HOA considered this project at their February meeting and expressed concern about the proposed location of required parking along the driveway in the panhandle. Concerns were also expressed about the potential impact of the project on the privacy and views from the adjacent terrace at the east side of the neighboring Salah property. In response, the project team has revised the plans to move the required parking to an enlarged auto-court area, and to lower the western wing of the house and remove the clerestory on the south elevation. The attached renderings show these changes to the western wing from two viewpoints, the first from the Salah terrace, and the second from the north side of the project facing towards Portola Valley Ranch. The revised plans have been submitted to the Blue Oaks HOA and will be considered at their next meeting.
- 4. Site development committee review. Comments from site development permit committee members on the project are attached and summarized below. However, it should be noted that the grading plan for the project needs to be updated to reflect the changes made in the driveway, auto-court, and western house wing areas to respond to comments from the Blue Oaks HOA. The site development committee will then need to determine whether any changes will be needed based on the revisions.

<u>Public Works Director.</u> The project was found acceptable with standard conditions of approval for site development work, plus a condition that the project must comply with all items recommended in the Kielty Arborist report dated March 4, 2014, with written verification to be provided by Kielty.

<u>Town Geologist</u>. The project was found acceptable, with the conditions that structural plans be developed incorporating the recommendations of the project geotechnical consultant, and that the applicant's cogeotechnical consultant review and approval all geotechnical aspects of the plans. Prior to issuance of a building permit, the structural plans and geotechnical plan review should be submitted to the Town for review by town staff and the Town Geologist.

<u>Fire Marshal.</u> The Fire Marshal reviewed the plans and found the driveway layout and the project in general acceptable with the conditions set forth on the review sheet.

5. Floor area, impervious surface, and height limit compliance, Build It Green points, and outdoor water conservation. The total proposed site floor area is at the floor area limit for the site of 6,210 sf, including the main house, the attached garage, and the guest house. The proposed impervious surface is 7,345 sf, which is well below the 12,000 sf limit for the property. As was stated previously, this parcel is subject to, and the proposed project complies with, the single story height limits of 18 and 24 feet.

The attached required Build It Green (BIG) GreenPoint rated single family checklist targets 219 points. For reference, the Town's Green Building Ordinance would require 221 points for the house as well as 25 points for the guest house, although it cannot currently be required. As you know, the Town began enforcing the 2013 CalGreen code in January, and staff will be working with the Town Council this spring to determine if a new green building code should be developed.

The completed outdoor Water Use Efficiency Checklist (attached) indicates that the project also complies with the town's Water Conservation in Landscaping Ordinance.

6. Architectural design, exterior materials and finishes. The site is within the "Stonecrest Zone of Habitation" of the Blue Oaks PUD. Homes in this zone are to "hug" the ground and follow the form of the contours of the site. In addition, design solutions should emphasize horizontal forms, and roofs should be flat or of low pitch. As was discussed above, this design does appear consistent with those criteria for architectural design.

In terms of exterior materials, the PUD calls for either natural stone or horizontal wood board siding. The materials and colors should harmonize with the building site and also minimize visual impacts. The "architectural exterior color board" that was submitted proposes use of the following:

- Horizontal wood siding of quarter-sawn western red cedar
- Exterior plaster (stucco) painted with Benjamin Moore "Norwich Brown"
- Horizontal board form concrete
- Wood eave decking of vertical grain fir
- Window cladding and expose steel of "dark bronze" anodized aluminum
- A brown single-ply membrane roof material

These materials and colors appear to be appropriate for the site and consistent with the intent set forth in the PUD.

One item that will need clarification is the surface for the driveway in the panhandle, which Sheet L2.1 identifies as "concrete/asphalt paving." The materials should be specified to the satisfaction of the ASCC.

In addition, the project landscape architect has submitted a "landscape materials board" consisting of colored photos. Some of the items pictured appear to be very light gray approaching white, such as the concrete paving and concrete steppers. Additional information or samples should be provided about the colors and finishes of these items so that their consistency with the Blue Oaks PUD and town standards can be assessed.

Finally, the landscape materials board shows a "metal and wood handrail," but some of the railings/guard rails shown on the elevations appear to be more vertical in nature. At the site meeting, the project team should clarify where railings will be placed and what materials will be used.

7. Conformance with second unit and accessory structure regulations. Second units are permitted in the Blue Oaks subdivision and allowed under the zoning ordinance on parcels of one acre or larger with the performance standards set forth in Section 18.12.040.B of the zoning ordinance (copy attached). This parcel is 2.09 acres, well over the one acre minimum parcel size. The parking requirement for Blue Oaks is set in the PUD and includes provisions for second units. Additionally, the design of the structure conforms to the design of the main house and otherwise appears to meet the second unit zoning requirements.

8. Landscaping. The proposed landscaping plans concentrate planting. Some additional planting extends north of the building envelope toward the restoration area; this planting consists primarily of dwarf coyote brush, California fescue, Pacific manzanita, and Lindheimer's muhly grass. Rana Creek has reviewed the landscaping plan and determined that, with incorporation of specified conditions, "the project as designed will be compatible with the ongoing habitat restoration and tree replacement activities" (see attached March 6, 2014 letter).

The project also proposes planting south of the building envelope between this project and the Salah property and residence. This planting includes some trees and shrubs to provide additional screen planting between the properties, which is consistent with the Blue Oaks PUD. However, the Blue Oaks PUD limits new trees to those listed in Appendix A of the PUD statement, and the three tree species proposed (strawberry trees, Chinese pistache, and water gum) are not on the approved tree list for the Stonecrest zone. The landscaping plan will therefore need to be revised to replace these trees with approved trees.

9. Exterior lighting, skylights, clerestories, and interior light spill. Exterior landscape lighting is shown on Sheets L5.0 and L5.1 and includes both path lights and down lights. In addition, lighting on the exterior of the house is shown on Sheets LE2.0, LE 3.0, and LE3.0B. Pictures of the features are provided on the sheets, and it appears that the proposed fixtures would be generally consistent with town standards. However, cut sheets also need to be submitted with information about the level of illumination provided by each fixture type and showing the colors and materials for each fixture.

In terms of the level of lighting, both the Blue Oaks PUD and the Town's Design Guidelines call for minimal lighting, with lighting to be provided for safety reasons. The proposed lighting appears to be generally consistent with this direction, although the level of lighting in the auto court may be somewhat high. This area includes three lights on the garage, seven path lights, and six wall lights in the retaining wall along the driveway entering the auto court. Also, while the amount of lighting for the guest house appears reasonable, the ASCC should consider whether the path and wall lights along the stairs and walkway to the guest house be placed on a separate switch.

The Blue Oaks PUD also states that lighting outside of the Building Envelope can be allowed "when it is demonstrated to the satisfaction of the ASCC that the lighting is necessary for safety." This project proposes seven light fixtures outside of the building envelope: six path lights along the driveway and one wall light in the retaining wall bordering the driveway. The ASCC will therefore need to determine that these light fixtures are necessary for safety.

The project includes both skylights and clerestories. The clerestories are shown on the elevations and in the color renderings, and the skylights are shown on Sheet 2.05, the proposed roof plan. The skylights are over the mud/pantry/storage room, three interior bathrooms, and the master closet. The skylights are located in rooms which are likely to be lighted only as needed, and the skylights themselves will not be visible from other properties. For both the skylights and the clerestories, the project team will need to confirm that any lighting near these elements will be downlights only.

The clerestories are located above the home's picture windows and are part of the overall glazing scheme for the home. Together, the windows and clerestories would maximize the view from the home and the amount of natural light reaching the interior of the home. There will be interior light spill from these elements at night, as there is from other homes in Blue Oaks as well as homes in Portola Valley Ranch.

#### Conclusion

The Planning Commission and ASCC should conduct the preliminary review, including the site visit, and offer comments, reactions and directions to assist the applicant and project design team to modify or clarify plans as may be necessary to allow for eventual final action by both commissions. In general, however, the plans appear to be carefully designed to respect the Blue Oaks PUD standards, and revisions have been made specifically to respond to neighbor and HOA input.

Enc. Att.

# SPECIAL JOINT ASCC/PLANNING COMMISSION FIELD MEETING, TOWN OF PORTOLA VALLEY, MARCH 19, 2014, 18 REDBERRY RIDGE, PORTOLA VALLEY, CA

Prior to its Regular Meeting, the Planning Commission and ASCC met for a joint site meeting at 18 Redberry Ridge for preliminary consideration of plans for a new residential development on this vacant parcel.

Chairs Koch and Gilbert called the meeting to order at 4:30 p.m.

Present:

Planning Commission: Judith Hasko and Alexandra Von Feldt; Vice Chair Nicholas Targ; Chair

Denise Gilbert

ASCC: Danna Breen, Jeff Clark, and Iris Harrell; Vice Chair David Ross; Chair Megan Koch

Town Staff: Town Planner Vlasic, Deputy Town Planner Kristiansson

Others Present\*: David Douglas and Nanette LaShay, applicants

Tom Carrubba, project architect Nikki Villabroza, project architect

Stefan Thuilt, project landscape architect

John Wandke, Rana Creek
George Salah, 19 Redberry Ridge
Jerry and Linda Elkind, 14 Hawkview
Jim and Lynn Gibbons, Redberry Ridge
Carol Grundfest, 3 Coal Mine View
Judith Murphy, Conservation Committee

\* Others may have been present during the course of the site meeting but did

not formally identify themselves for the record.

Absent:

Planning Commissioner Nate McKitterick

Kristiansson presented the March 13, 2014 staff report on this preliminary review of the proposed new residence, guest house, and associated grading and site changes. She explained that the Planning Commission is the approving body for the Site Development Permit because of the amount of grading, while the ASCC will be conducting the architectural review of the project. After providing a brief orientation to the site and overview of the project, Kristiansson described how the project team had lowered the east wing of the house by 3'6", removed clerestories from a portion of the house, and moved parking from the panhandle of the lot to the autocourt. She also mentioned several key issues, including, the location of the retaining wall and height of the guard rail at the south portion of the auto-court, light spill to both the north and south, and the visibility of retaining walls, terraces and pathways to the north.

Tom Carrubba, project architect, presented the project to the Commissions using a model. He noted that the site was challenging because of the small building envelope, the locations of existing nearby homes and trees, and the requirements for fire truck access. He also explained the design concepts for the house, including bringing the outside in, taking advantage of the views to the west and east, as well as the north, and having a strong east-west axis for the home. Mr. Carrubba said that the design team has talked with the neighbors and made the changes explained earlier to the project in response to comments from neighbors and the Homeowners' Association. The project team is continuing to refine the design and has been working to minimize the height of the retaining walls on the north side of the house, and also to adjust the retaining wall and guard rail south of the auto-court to minimize the size and visibility of these elements.

In response to questions from Commissioners and the public, the design team and staff provided the following information:

- A guard rail is not required along the driveway, but there will be an 18" curb.
- There will not be a vegetable garden, and the intent is to keep fences and guard rails as open as
  possible.

- The proposed rainwater cisterns would be located under the northwest terrace, although the cisterns are still conceptual.
- There would be no lighting in the water element in the terraces north of the house.
- The guard rail over the guest house could be vertical elements about four inches apart, but the design is preliminary and could be adjusted.
- The PUD does allow retaining walls in the setback when they are associated with the driveway or parking areas, but no vertical faces can be greater than six feet. The project team is reviewing and modifying the plans as necessary to comply with this requirement.

John Wandke of Rana Creek presented information about the plant restoration for the property and the monitoring report that he had prepared on Friday. He stated that the oaks are all surviving; some were defoliated by oakworm, but they are doing all right. The three replacement madrones are also coming along well. Wire cages were put around re-sprouting stumps, and the toyon and mountain mahogany in particular are doing well. Weeds have started to pop up on the site, and for the next few months, the maintenance efforts will focus on weed control. Linda Elkind asked about defensible space requirements, and Town Planner Vlasic advised that staff has worked with the Fire Marshal on these for Blue Oaks, and very little would need to be done at this site. He said that no trees would need to be removed for fire management.

Commissioners walked the site with the project team and members of the public, starting with the proposed auto-court location. The manzanitas located near the auto-court were discussed, as well as the visibility of the guard rail from the neighboring property. Commissioners asked the project team to consider adjusting the configuration of the auto-court to preserve more of the manzanitas and reduce visibility of the guard rail.

Both Commissions also visited Mr. Salah's property to view the story poles from his east terrace. Mr. Salah said that his biggest concern was losing views on the eastern end of his property, and impacts of light spill at night. Mr. Douglas offered that he would have a lighting consultant come to the ASCC meeting to discuss light spillage.

ASCC members then offered the following comments relative to grading for the Planning Commission's consideration:

- The changes that had been made to the project, particularly the lowering of the east wing of the house, were very positive and appreciated.
- The driveway configuration, and particularly the swale crossing, is an area of concern that needs to be looked at carefully.
- Lowering the retaining walls in the auto-court and minimizing railings would be desirable.

Judith Murphy, on behalf of the Conservation Committee, said that she was impressed by the way the project proposed to save and move plants. She asked about the Douglas iris and the sage that are growing on the site now, and the project team stated that they would move those plants if feasible.

Planning Commissioner Targ said that although it is more of an issue for the ASCC than the Planning Commission, the Town needs to be vigilant about the trees and the way their removal affects the feel of the property and view corridors.

ASCC members then went on to conclude the meeting at the home of Linda and Jerry Elkind at 14 Hawkview Street, where they considered views of the proposed development from the Elkinds' Portola Valley Ranch property. The Elkinds expressed concern about the overall amount of lighting from the end of Redberry Ridge, with lights coming not just from this project but others that have been built and are being planned, and they asked about the deciduous and evergreen trees on the site. The project team pointed out the locations of the evergreen trees both from the site and in relation to the rendering showing the proposed home from this angle.

Members thanked the applicants and neighbors for participation in the site meeting. Thereafter, project consideration was continued to the regular evening Planning Commission meeting. The special site meeting concluded at 6:20 p.m.

# PLANNING COMMISSION REGULAR MEETING, TOWN OF PORTOLA VALLEY, MARCH 19, 2014, SCHOOLHOUSE, TOWN CENTER, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

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

Present:

Commissioners Judith Hasko, Nate McKitterick and Alexandra Von Feldt; Vice Chair Nicholas

Targ; Chair Denise Gilbert

Absent:

None

Staff Present:

Tom Vlasic, Town Planner

Karen Kristiansson, Deputy Town Planner Jeff Aalfs, Vice Mayor and Council Liaison

### **ORAL COMMUNICATIONS**

None.

### **REGULAR AGENDA**

(1) PRELIMINARY CONSIDERATION of Site Development Permit X9H-672 and Architectural Review for New House and Guest House, for 18 Redberry Ridge, Blue Oaks Lot #15, David L. Douglass/Nannette LaShay Residence

Ms. Kristiansson presented the staff report for the proposed house with attached garage and detached guest house. She said that at the field meeting, the project team discussed the two main design changes, and the related grading modifications, made in response to homeowners' association (HOA) and neighbor comments:

- Originally proposed along the panhandle into the property, the parking has been moved to be next to the auto court
- The bedroom wing on the east end of the house has been lowered 3.5 feet and some windows along the south elevation have been removed

The grading plan has yet to be updated, she said.

She also provided a summary of the site meeting (see minutes for that meeting) and noted that after tonight's meeting and the ASCC meeting on March 24 and April 14, 2014, the public hearing on the SDP is tentatively scheduled for the regular Planning Commission meeting on May 7, 2014.

Vice Chair Targ asked that his concerns with light spill, particularly in the context of the illegally cleared vegetation and trees, go on the record.

In response to Commissioner Von Feldt's question about whether the volume of grading is similar to the volumes for other Blue Oaks parcels, Mr. Vlasic said that it is consistent. The Blue Oaks subdivision is clustered in concept, with a good portion of the area attributable to each parcel taken up in common open space. While the lots aren't small in comparison to Portola Valley Ranch lots, for instance, the density and the design recognize a need for significant grading. Particularly in the Blue Oaks "Stonecrest area," he said the ability to hunker in a structure and give it a horizontal character — which the Blue Oaks design guidelines require — takes a considerable amount of grading. For this particular area, he said the amount of grading necessary isn't at all unusual. He said other examples include the Louis Borders and Joy Elliott properties as well as George Salah's, plus one that was approved but never moved ahead.

When Commissioner Von Feldt asked about the trees shown on the planting plan, Ms. Kristiansson said the Planned Unit Development (PUD) statement requires any new trees to be chosen from among those listed, and the planting plans will need to be revised to be consistent with this.

In response to discussion about the driveway, Mr. Vlasic noted that some aspects of the design are driven by both vertical and horizontal curvature, and Fire District needs for turnaround space.

Before opening the meeting to public comments, Chair Gilbert advised the audience that any design comments should be addressed directly to the ASCC either by email or in person at the Monday, March 24<sup>th</sup> ASCC meeting, since comments made at tonight's meeting would only be recorded in the minutes and would not get to the ASCC until well after its March 24<sup>th</sup> meeting.

Jerry Elkind, Hawkview Street, said that he and his wife, Linda, live right across the gully from the project site. He said it's a very attractive design, but with two issues – light spill and protection for the plantings that have been installed as part of the remediation of the site. As for the light spill, the Elkinds are concerned about the cumulative impact of light from the cluster of homes at the end of Redberry, including how much light will be coming through the windows at night. He asked what guidelines the Planning Commission has provided the ASCC to deal with light spill from interior lighting. Unauthorized clearing of trees and the understory removed plants that are critical to screening the view from their property, Mr. Elkind continued, and for softening the hard edge of the house. Although they're doing a good job of restoring vegetation, he asked about conditions being placed that would prevent construction and material storage from trampling restoration plantings as well as surviving trees. He noted that in addition to excavation for grading, drainage also is planned.

In response to Chair Gilbert, Ms. Kristiansson advised that two bonds are already in place to protect the restoration planting efforts. In addition to ongoing monitoring of the restoration, the conditions of approval for the project would require obtaining and implementing an arborist's recommendations to protect vegetation, old and new, that's on the site.

Mr. Vlasic clarified that the design guidelines address exterior lighting and reflection on glass surfaces (also in the PUD), but the only interior light spill control the Town has exercised is by judgment of the ASCC when it becomes an issue.

Vice Chair Targ asked whether the project's CEQA documents included any mitigations relating to the issues of light and glare. Mr. Vlasic said that the project Environmental Impact Report (EIR) included an analysis that recognized the potential for points of light along the Stonecrest ridge. The light spill at night was not viewed as a significant potential impact, largely due to the single-story limitation and the horizontal element. Vegetation was considered important as well. Also important, Mr. Vlasic said, is that the visual backdrop, Coalmine Ridge, remains undeveloped and unlit.

When Vice Chair Targ asked whether the conclusions of the EIR should be revisited because of all the unauthorized clearing, Mr. Vlasic said the key issue is that the PUD recognizes that houses on and around this site would be tucked into the trees in a way that minimized the visual presentation toward Portola Valley Ranch. Implementation of the restoration plan and additional plantings the ASCC may require closer to the house would be consistent with the PUD and its EIR, Mr. Vlasic stated.

John Shelton, Sandstone Street, said he's been a Portola Valley resident for 35 years, used to run each week through the Blue Oaks Subdivision, and now lives across the valley from the project site. He said the owners graciously showed him their lot, and specifically emphasized that they didn't ask him to speak on their behalf. He said they've done a remarkably good job to make this the least impactful it can be, and it's much less visible than everything else in his line of sight. He said he's been a developer for 35 years, and he's impressed. "Everything I've seen as a qualified expert? Awesome," he said, "and I wholly support the project."

Commissioner McKitterick addressed several issues:

Driveway: He said the Planning Commission always pays attention to massing and vertical structures, so
he's interested to see what the ultimate driveway design will be, how it will minimize the vertical massing

and how it will be rationalized, because it will be visible, he said. The ideas of building a bridge or building up the land to make the retaining wall lower might be feasible solutions, he said, but regardless, the driveway will be an important feature.

- Architectural feature wall: He asked about the architectural feature wall at the northwest side of the
  project. Project architect Tom Carrubba explained that the feature identifies the entry, and its primary
  purpose is to create some privacy between his clients' terrace and the Borders home.
- Windows: Commissioner McKitterick noted that several houses in Town have installed clerestories, and they've probably produced more light spill than people expected, but they are allowed. He said that the ASCC will look at this issue.

Commissioner McKitterick said the design and the earth movement necessary to help make the home compatible with the hilltop location seem reasonable for the site, and that it looks like the restoration plantings are being attended to.

Commissioner Von Fedlt said she appreciates the architectural design, the fact that it fits well into the site, that the applicants have lowered part of the home in response to neighbor and HOA concerns, and how well the guest house is hunkered in. She said the restoration of the vegetation seems to be coming along, and the grading requested seems consistent with the PUD.

Commissioner Von Feldt said she'd like to see analysis of the driveway, including the issue of blocking the swale. She said she'd like to see it more open. She said there are some large, old manzanita trees at the critical point of the driveway turn, and it would be important to keep them not only as a vegetative shield but for habitat purposes. She said that the manzanita grouping, located between the Douglass/LaShay property and the Salah property, is equally important as a part of the vegetation of the overall site, as well as providing great, natural screening.

Referring to the plant palette, Commissioner Von Feldt said that while she appreciates the idea of the site appearing natural, she found the plants on the list include non-natives and a lot of grasses. She said it's so rare to find such a pristine site, she gets very anxious about introducing non-native grasses that have a tendency to seed wildlands. She said that even plants that are theoretically non-invasive actually become invasive. In response, Stefan Thuilot, project landscape architect, said that when you consider the quantities, most of the plants are natives, especially around the perimeter. Some of the non-natives are located closer to the house, he said, adding that they're very sensitive about working with native plants.

Commissioner Von Feldt noted that the landscaping plans call for using a pre-emergent herbicide, and she wants to make sure that part is eliminated.

Vice Chair Targ said he's impressed by the sensitivity to the neighbor's concerns by reducing the height of the house and digging it in, as well as the use of permeable surfaces for parking and driving areas. He said he shares the concerns about the swale, adding that the project team needs to find a solution that doesn't create problems with erosion or water backup.

Vice Chair Targ said he's addressed the issue of habitat modification a couple of times, which he said troubles him because he sees a project taking advantage of the spectacular view resulting of the unauthorized clearing. He also asked about the basement and how it was accounted for in terms of floor area and grading. Ms. Kristansson and Mr. Vlasic explained that the basement would not count as floor area under the town's zoning ordinance, and the grading for the basement would be considered in terms of the overall amount of off-haul but not under the provisions of the site development ordinance. Mr. Vlasic noted, too, that several Blue Oaks homes have full basements, and before they were approved, the Planning Commission's desire to ratchet up the limitations on basement resulted in a lot of pushback from the community.

Commissioner Hasko said the overall plan has been very thoughtful and responsive to concerns of the HOA and neighbors. In the same vein, she said she expects the project team to explore ways to minimize the problem of light spill from the interior as well, and looks forward to how the plan evolves in terms of the driveway and the grading. She also would like the project team to determine the feasibility of a bridge over the swale, because it

could be a helpful alternative. Finally, she asked the project team to make reasonable accommodations to preserve the remaining manzanita trees.

Chair Gilbert said she likes the fact that the project is cut into the site, and that the applicant has done what's necessary to minimize the impact on the neighbor. She said she's intrigued by the idea of a bridge that would allow the swale to remain open, but isn't sure about the impact of a bridge on the aesthetics. She said she'd encourage the ASCC to require increased plantings to help address the issue of light spill, and would also encourage the use of some smaller, native shrubs to soften some of the elements between the guest house and the main house where there's a series of terraces and walls, particularly during the winter months.

Ms. Kristiansson said she would pass the Commission's comments along to the ASCC.

Mr. Douglass, property owner, said the way Redberry Ridge is banked, the water goes off to the side and when he's been out there during the rain, the water comes from the Borders site and their site from below where the driveway will be. He said he's not advocating any particular solution, but wanted to make sure it's understood that water doesn't stream down where the driveway is planned.

Mr. Douglass also emphasized that he and his wife didn't orchestrate the unauthorized clearing, and in fact weren't here when it happened. He noted that a moth disease in the area had left a swath of evergreens between Blue Qaks and Portola Valley Ranch with no foliage. He also stressed that none of the cleared trees affected the view or grew above the sightline where the home will be situated, he said. Nor would those trees have provided screening between the Elkinds' property and their guest house, bathroom and bedroom, he said.

### COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS [8: 20 p.m.]

Commissioner McKitterick asked about the purchase of 900 Portola Road. Vice Mayor Aalfs said Windmill School has contracted with Geoff and Colleen Tate to buy the 1.68 acre site that previously housed Al's Nursery. The purchase is apparently contingent upon receiving a letter confirming San Mateo County's satisfaction with the cleanup.

Mr. Vlasic provided information about the retreat which is scheduled for May 18, 2014. He said that last year, some Councilmembers' suggested that changes in the makeup of the Planning Commission, the ASCC and the Council, as well as the transition underway in the Planning Department, provided an opportunity to have everyone get together to discuss various planning documents and what we'll need to keep them vibrant and vital as we move forward to maintain the values of the community in light of changing demographics. During the retreat, participants also would cover key events from the planning perspective since the Town's incorporation. Input from Town committees and the community at large would be encouraged as well, Mr. Vlasic said, and it would be a noticed public meeting. He said the retreat is envisioned as beginning with an informal gathering at the start, and about an hour of presentations covering planning and legal issues to frame the context for decision-making, followed by dialogue, public comments and probably lunch afterwards.

Chair Gilbert reported that the Sustainability Committee is attempting to gather a small group, including Councilmembers, Planning Commissioners, ASCC members and Sustainability Committee members to visit, if the owner agrees, a house on Los Trancos Road with a prefabricated second floor before it goes on the market.

# APPROVAL OF MINUTES [8:28 p.m.]

Commissioner Von Feldt moved to approve the minutes of the March 5, 2014 Planning Commission meeting, as amended. Seconded by Commissioner Hasko, the motion carried 5-0.

<u>XDJOU</u>	<u>RNMENT</u>	[8:31	p.m.]

Denise Gilbert, Chair	Karen Kristiansson, Deputy Town Planner



# **MEMORANDUM**

## **TOWN OF PORTOLA VALLEY**

TO:

ASCC

FROM:

Karen Kristiansson, Deputy Town Planner

Carol Borck, Assistant Planner

DATE:

March 21, 2014

RE:

Agenda for March 24, 2014 ASCC Meeting

The following comments provide an overview of the items on the March 24th agenda.

4a. PRELIMINARY ARCHITECTURAL REVIEW FOR NEW RESIDENCE, DETACHED GUEST HOUSE, AND SITE DEVELOPMENT PERMIT X9H-672, 18 REDBERRY RIDGE, DOUGLASS

The ASCC will continue its preliminary review of this project in follow-up to the March 19<sup>th</sup> joint field meeting with the Planning Commission at the site. The March 13, 2014 staff report prepared by Deputy Town Planner Kristiansson for that field meeting provides the key background information for the March 24 ASCC meeting and was distributed to Commissioners prior to last Wednesday's meeting and is still available on the Town's website. Three additional items are attached. One is the March 14, 2014 Update on Habitat Restoration – First Quarter letter report from Rana Creek. The other two items are email comment letters from residents at 19 Redberry Ridge and 12 Hawkview Drive.

Key points from the March 19 joint ASCC/Planning Commission field meeting and the Planning Commission's preliminary review at their evening meeting on the same date are:

- Commissioners commented positively about the general approach and design of the project.
- Commissioners also appreciated the efforts that had been made in response to comments from the Blue Oaks Homeowners' Association (HOA) and neighbors, particularly to lower the eastern wing of the house by 3'6".
- Rana Creek provided a summary of the results of their quarterly monitoring.
   This monitoring found that the restoration efforts are on track.
- Concern was expressed about the driveway design, particularly where it crosses the swale, and the project team identified possible options to address these concerns.

- Commissioners also asked whether the design of the auto-court and garage areas could be adjusted to preserve more manzanitas, and to lower the retaining wall heights and minimize visibility of any associated guard rails. The design team stated that their intention was to minimize the need for guard railing, and to consider options to both lower the walls and preserve the manzanitas in place.
- Light spill was mentioned as an issue as well, both for the neighbor to the south and for residents of Portola Valley Ranch to the north.
- Additional information was requested about the heights, materials and colors for the landscape feature retaining walls and terraces north of house, particularly as they might be seen from off-site.
- The architectural entry wall feature was also discussed, and more background requested about the need for and visibility of the wall feature.

As noted above, this will be a continuation of the ASCC's preliminary review of this project. Project review should then be continued to the regular April 14<sup>th</sup> ASCC meeting, at which time action may be considered for the project.

# 4b. ARCHITECTURAL REVIEW FOR DRIVEWAY ENTRY GATE AND FENCING, 170 RAMOSO ROAD,

The enclosed March 24, 2014 staff report prepared by Assistant Planner Borck provides the background and evaluation of this request for approval of plans for a driveway entry gate and fencing located within an access easement on 170 Ramoso Road. The access easement serves the neighboring property, 188 Ramoso Road, and the applicant owns both properties. The proposal appears to be generally in compliance with Town guidelines, and the report offers conditions of approval for ASCC consideration and action on the application.

# 4c. ARCHITECTURAL REVIEW OF RESIDENTIAL ADDITIONS AND REMODELING, 157 WESTRIDGE DRIVE, BUCKHOLTZ

The enclosed March 20, 2014 staff report prepared by Deputy Town Planner Kristiansson describes and evaluates this application for replacement of the garage and guest suite, and addition of a living room and dining room, to the rear of the existing house on this approximately 2.6 acre parcel at 157 Westridge Drive. The project has been approved by the Westridge Architectural Supervising Committee, meets all Town zoning requirements and is generally consistent with the Town's Design Guidelines, although the ASCC will need to consider whether some adjustments to the exterior lighting or lighting related to the clerestory elements may be appropriate. The report offers recommended conditions of approval for ASCC consideration and action on the application.

# 4d. ARCHITECTURAL REVIEW OF RESIDENTIAL ADDITIONS AND REMODELING, 111 CORTE MADERA ROAD, BERGSTROM

The enclosed March 24, 2014 staff report prepared by Assistant Planner Borck provides the background and evaluation of this request for approval of plans for a 374 sf addition to the existing residence on the subject .583-acre Brookside Park property. The project

### Regular Evening Meeting, 765 Portola Road, Portola Valley, California

Chair Koch called the regular meeting to order at 7:30 p.m. in the Town Center historic School House meeting room.

#### Roll Call:

ASCC: Breen, Clark, Harrell, Koch, Ross

Absent: None

Planning Commission Liaison: Gilbert

Town Council Liaison: Hughes

Town Staff: Town Planner Vlasic, Deputy Town Planner Kristiansson, Assistant Planner

Borck

#### **Oral Communications**

Oral communications were requested, but none were offered.

# Preliminary Architectural Review for New Residence with Detached Guest House, and Related Site Improvements, and Site Development Permit X9H-672, 18 Redberry Ridge, Douglass

Kristiansson presented the March 13, 2014 staff report for this proposal for a new house with attached garage, partial basement and detached guest house, as well as associated grading and site work. She summarized comments from the March 19, 2014 joint field meeting with the Planning Commission, together with comments from the March 19, 2014 regular Planning Commission meeting. In particular, she listed five issues which had been identified:

- 1. Concern about the driveway design, particularly where it crosses the swale;
- 2. Request for the project team to consider changes to the retaining walls around the autocourt in order to minimize impacts on the manzanitas in the area;
- 3. Additional information was needed about the terraces and retaining walls on the north side of the home;
- 4. Questions about the purpose and design of the architectural feature wall; and
- 5. Concern about light spill, both to the north and the south, and questions as to how this could be mitigated by vegetation and other measures.

Kristiansson also reiterated that the Commissions appreciated efforts of the project team to address HOA and neighbor comments, particularly by lowering the eastern wing of the house.

ASCC members considered the staff report and the following project plans, dated 1/16/14 and prepared by Square Three Design Studios unless otherwise noted:

Sheet A1.01, Project Data; Proposed Site Plan, dated 3/6/14

Sheet A1.02, Proposed Partial Site Plan, dated 3/6/14

Sheet A1.03, Proposed Partial Site Plan, dated 3/6/14

Sheet C-1, Topographic Survey Plan

Sheet C-2, Preliminary Grading, Drainage and Utility Plan

Sheet C-3, Preliminary Grading and Drainage with Erosion Control Measures

Sheet A2.01, Proposed Partial Main Level Floor Plan - Area A

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Sheet A2.02, Proposed Partial Main Level Floor Plan - Area B
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Sheet A2.03, Proposed Basement Plan

Sheet A2.04, Proposed Guest Cottage Floor Plan and Roof Plan

Sheet A2.05, Proposed Roof Plan

Sheet A3.01, Proposed Exterior Elevations

Sheet A3.02, Proposed Exterior Elevations

Sheet A3.02A, Proposed Exterior Elevations, Original vs. Revised, dated 3/6/14

Sheet A5.01, Proposed Building Sections

Sheet A5.02, Proposed Building Sections

Sheet A5.03, Proposed Building Sections

Sheet LE0.0, Lighting Design Title Sheet

Sheet LE2.0, Basement and Guest Cottage Lighting Plan

Sheet LE3.0A, Main Floor Lighting Plan - Area A

Sheet LE3.0B, Main Floor Lighting Plan – Area B

Sheet L1.0, Landscape Overall Site, dated 3/6/14

Sheet L1.1, Existing Vegetation

Sheet L2.0, Layout Plan, dated 3/6/14

Sheet L2.1, Layout Plan Driveway, dated 3/6/14

Sheet L2.2, Layout Plan Notes, dated 3/6/14

Sheet L3.0. Irrigation Diagram, dated 3/6/14

Sheet L3.1, Irrigation Diagram Driveway, dated 3/6/14

Sheet L4.0, Planting Plan, dated 3/6/14

Sheet L4.1, Planting Plan Driveway, dated 3/6/14

Sheet L5.0, Landscape Lighting Plan

Sheet L5.1, Lighting Plan Driveway

Sheet L6.0, Driveway Elevations

The following materials submitted In support of the plans and application were also considered:

- GreenPoint rated checklist (attached)
- Outdoor water use efficiency checklist, Thuilot Associates, dated 1/15/14 (attached)
- Geotechnical investigation by Romig Engineers, dated January 2013
- Landscape materials board, Thuilot Associates, received January 17, 2014 (attached)
- Architectural exterior color board, dated 1/16/14 (not attached; will be available at the meeting)
- Transmittal memo from Tom Carrubba, dated 3/10/14 (attached)
- Plan review letter from Rana Creek, dated 3/6/14 (attached)
- Letter report from Kielty Arborist Services, dated 3/4/14 (attached)
- Four color renderings, showing the original proposed bedroom wing and the revised bedroom wing, from the Salah terrace and from the rear side that faces Portola Valley Ranch. (attached)

Comments from the following members of the site development committee were also considered:

- Town Geologist (Cotton Shires), 1/31/14
- Fire Marshal (Denise Enea), 1/29/14
- Public Works Director (Howard Young), 3/11/14

Tom Carrubba, Square Three Designs, was present to answer questions. He offered that Epifanio Juarez, the lighting designer for the project, was also present and could provide

information about lighting and light spill. In addition, Stefan Thuilot, landscape architect, was prepared to discuss the vegetation and screening on the north side of the home in particular.

Mr. Thuilot said that, in response to comments offered at the March 19 meetings, the project team was able to determine that the plans can be adjusted to move the fire truck turn around closer to the house and away from the Lot 14 property line, add about 2.5 feet of planting area, and move the guard rail associated with the south side retaining walls a couple of feet further away from the southern property line. In addition, the team looked at the driveway swale crossing and had a civil engineer consider the options, including a bridge. Mr. Carrubba added that the concern with a bridge approach was that the bridge profile and shadow that would be cast would make the bridge more noticeable from off-site, whereas by utilizing a retaining wall with culvert and grading with fill and some planting against the north side of the wall, the crossing could really disappear. The engineer calculated that a 12" culvert would be sufficient to handle water and even somewhat oversized to reduce clogs.

In response to questions from commissioners, the project team and staff offered the following information and clarifications:

- The design for the guard rail over the guest house has not been finalized, but the intent is to have a railing that is a safety device while also being as transparent as possible.
- The pavers in the auto-court are permeable pavers, and the project team will bring a sample to the next meeting.
- The Blue Oaks PUD identifies the major view corridors for each home in the development. For 18 Redberry Ridge, this corridor is to the north, while to 19 Redberry Ridge, the corridor is to the east.
- A dark color was chosen for the proposed house roof to fit with the darker bronze elements of the house and to help the roof recede if it were visible from off-site. However, the project team was open to other colors if this was a concern.
- The lighting along the driveway should be on the downhill side, not the uphill side as currently shown on the plans.

The project team also presented renderings of the proposed home and guest house from the north that showed existing deciduous and evergreen vegetation as it would appear with approximately five more years of growth. These renderings also showed the proposed terraces and retaining walls on the north side of the house.

The project lighting designer, Epifanio Juarez, then presented information about the project. He stated that all exterior lighting proposed for the project is dark sky compliant and that the interior lighting has been designed to try to mitigate light spill out. Some specific features he mentioned included:

- Interior downlights, pointed at specific objects and not toward glazed areas;
- Lighting controls that can be used to set the maximum intensity at 85% for fixtures and also allows lights to be put on timers;
- Lighting that will dim after dusk;
- Occupancy/vacancy sensors for most rooms, with overrides provided for special events such as parties;
- Motorized shades on the exterior of the home that can be set to open or close at particular times;
- Low-E glass that can cut the transmission of light.

Taken together, he said that no more than 20% of the interior lighting would spill out of the house, and it could well be less.

Public comments were requested. Linda Elkind, 14 Hawkview, said that she appreciates the project team's responsiveness to the issues she raised. However, she expressed concern that the renderings showed the trees as they would appear with about five more years of growth and asked what could be done to provide more screening in the meantime. In particular, she asked about evergreen trees located closer to the house. Mr. Thuilot responded that one evergreen tree was planned and explained that planting more in this area would be artificial. He said that the project is trying to maintain a balance between the existing oaks and new plantings.

Linda Elkind continued with her comments. She said that she trusts the ASCC to balance the needs of the property owners with those who can see the property, and thanked the property owners for their oversight of the replanting effort. She said that she continues to be concerned about the central section of the trees, which is deciduous and won't screen the house in fall and winter. In addition, she is concerned about the color of the cement elements and wants them to blend and not gleam in the sun. She also asked that the ASCC consider the cumulative effect of all lights on Redberry Ridge, and said she would like more information about how the fire management and defensible space requirements would affect the property.

For the record, Ms. Elkind left written copies of her comments dated 3/24/14 with staff and ASCC members.

**John Shelton**, Portola Valley Ranch resident, said that he could see the project from his property and had not been asked to speak. In his view, the Town had decided years ago where to develop and set up very detailed rules for that development in the Blue Oaks approval documents. No one in the Ranch is required to meet these rules, and the applicant has done a lot with this project and it is getting to be quite costly. He said that he whole-heartedly approves of what they are doing, and that they have set the house so low that he can hardly see it from his balcony.

ASCC members discussed the project. Commissioners agreed that the project was well-situated on the site, that the materials worked well, and that lowering the eastern wing was appreciated. In addition, Commissioners offered the following comments:

- The architectural feature wall continues to make some uneasy.
- The safety railing over the guest house should be minimal, or possibly some planting should be added in front of the railing, to make it less intrusive visually
- The guard rail over the corten wall of the auto court should also be designed to be less intrusive visually
- Additional adjustments to the auto-court and driveway to pull the project further away from the southern boundary and preserve the manzanitas would be important.
- A revised landscape plan would be desirable.
- Lights to the guesthouse should be on a separate switch, and more information should be provided about lights on the terraces to the north of the house, including any lights relative to the water feature.
- Samples of the pavers should be brought to the next meeting so that the ASCC can consider the potential reflectivity of the pavers.

Low plantings in front of the guest house would help it to blend in with the site.

Architectural Review for Driveway Entry Gate, 170 Ramoso Road, Foster

Borck presented the March 24, 2014 staff report on this proposal for a new driveway entry gate and fencing to be located within an access easement on 170 Ramoso Road that serves the property at 188 Ramoso Road. She clarified that both properties are under the same ownership and that the existing entry gate located within the easement would be removed.

ASCC members considered the staff report and the following project plans, dated 2/12/14:

Sheet A0.01, Proposed Elevation Plans

Sheet A0.02, Site Rlan

Sheet A0.03, Keypak Specification

Also considered were the following application materials:

Westridge HOA approval letter dated 3/3/14

Ashley Gonzalez, project architect, was present to discuss the project with ASCC members.

In response to a question, Ms. Gonzalez stated that the wood portion of the gate would either be cedar or redwood. Clark asked Borck about the purpose of the existing double fencing along the frontage of 188 Ramoso, and Borck clarified that double fencing is typically used to deter deer from entering a property.

Public comments were requested, but none were offered.

ASCC members briefly discussed the project and concurred that the gate design and location were acceptable and consistent with Fown gate standards and guidelines. Additionally, commissioners agreed that the proposed address illumination light should be eliminated, and they suggested that the applicant mitigate the existing double fencing, but did not view that as necessary as a condition to any action.

Ross then moved, seconded by Harrell and passed 5-0 approval of the gate plans subject to following conditions to be addressed to the satisfaction of planning staff prior to issuance of a building permit.

- 1. The site plan shall be revised to eliminate the proposed address illumination landscape light.
- 2. The proposed wire on the new fencing shall be 6" wire mesh and left it a natural condition rather than painted black.

Ross also suggested that the applicant mitigate the existing double fencing in a way that will allow a trapped deer to exit the property, e.g., an opening in one of the fence runs.

Architectural Review for Additions and Remodeling, 157 Westridge Drive, Buckholtz Kristiansson presented the March 20, 2014 staff report for this project to replace an existing garage and guest suite while also adding a new living room and dining room to the house. She



# **MEMORANDUM**

# TOWN OF PORTOLA VALLEY

TO:

Planning Commission

FROM:

Karen Kristiansson, Deputy Town Planner

DATE:

April 10, 2014

RE:

Continued Architectural Review for New House and Guest House and Site Development Permit X9H-672, for 18 Redberry Ridge, Blue Oaks Lot #15,

Douglass/LaShay Residence

On March 19, 2014, the ASCC held a joint afternoon site meeting with the Planning Commission, and on March 24, 2014, the ASCC finished conducting its preliminary review of this application for a new house with attached garage and detached second unit on this vacant 2.09 acre Blue Oaks parcel. The staff reports for both of those meetings are attached, along with the minutes and draft minutes for the meetings.

Overall, preliminary review comments were positive relative to the proposed design and modifications that had been made to address neighbor concerns. Both the ASCC and Planning Commission appreciated the lowering of the east wing of the home by 3' 6". The ASCC and Planning Commission did suggest revisions to or request additional information about the following items in particular:

- Adjustments to the retaining wall on the south side of the auto-court in order to reduce impacts on the adjacent property to the south and also to preserve additional manzanitas;
- Consideration of the best approach for the driveway crossing of the swale, with plans and details provided so that the Commissions can assess the design and potential off-site visual impacts;
- Design, materials and landscaping for the retaining walls and terraces on the north side of the house, particularly in relation to visibility from off-site; and
- How well the restoration plantings and additional project plantings mitigate for any screening lost due to the unauthorized clearing.

The applicants and project design team considered all input and have provided a revised set of plans as listed below.

Square Three Design Studios, revised 4/1/14 unless otherwise noted:

Sheet A1.01, Project Data; Proposed Site Plan

Sheet A1.02, Proposed Partial Site Plan

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Sheet A1.03, Proposed Partial Site/Main Level Floor Plan
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Sheet C-1, Topographic Survey Plan, McLeod and Assoc., dated 1/13/14

Sheet C-2, Preliminary Grading, Drainage and Utility Plan, McLeod and Assoc., revised 3/28/14

Sheet C-3, Preliminary Grading and Drainage with Erosion Control Measures, McLeod and Assoc., revised 3/28/14

Sheet A2.01, Proposed Partial Main Level Floor Plan - Area A

Sheet A2.02, Proposed Partial Main Level Floor Plan - Area B

Sheet A2.03, Proposed Basement Plan

Sheet A2.04, Proposed Guest Cottage Floor Plan and Roof Plan, dated 1/16/14

Sheet A2.05, Proposed Roof Plan

Sheet A3.01, Proposed Exterior Elevations

Sheet A3.02, Proposed Exterior Elevations

Sheet A5.01, Proposed Building Sections

Sheet A5.02, Proposed Building Sections

Sheet A5.03, Proposed Building Sections

Sheet LE0.0, Lighting Design Title Sheet, Juarez Design, dated 1/16/14

Sheet LE2.0, Basement and Guest Cottage Lighting Plan, Juarez Design, dated 1/16/14

Sheet LE3.0A, Main Floor Lighting Plan - Area A, Juarez Design, dated 1/16/14

Sheet LE3.0B, Main Floor Lighting Plan - Area B, Juarez Design, dated 1/16/14

Sheet L1.0, Landscape Overall Site, Thuilot Associates, dated 4/1/14

Sheet L1.1, Existing Vegetation, Thuilot Associates, dated 4/1/14

Sheet L2.0, Layout Plan, Thuilot Associates, dated 4/1/14

Sheet L2.1, Layout Plan Driveway, Thuilot Associates, dated 4/1/14

Sheet L2.2, Layout Plan Notes, Thuilot Associates, dated 4/1/14

Sheet L3.0, Irrigation Diagram, Thuilot Associates, dated 4/1/14

Sheet L3.1, Irrigation Diagram Driveway, Thuilot Associates, dated 4/1/14

Sheet L4.0, Planting Plan, Thuilot Associates, dated 4/1/14

Sheet L4.1, Planting Plan Driveway, Thuilot Associates, dated 4/1/14

Sheet L4.2, Planting Zone, Thuilot Associates, dated 4/1/14

Sheet L4.3, Planting Zones Driveway, Thuilot Associates, dated 4/1/14

Sheet L5.0, Landscape Lighting Plan, Thuilot Associates, dated 4/1/14

Sheet L5.1, Lighting Plan Driveway, Thuilot Associates, dated 4/1/14

Sheet L6.0, Landscape Detail, Thuilot Associates, dated 4/1/14

Two additional plan sheets were submitted separately; these were prepared by Thuilot Associates and are dated 4/8/14:

Sheet-L2.4, Tree-Diagram-

Sheet L6.1, Motorcourt Section/Elevation

In addition to the supplemental application materials listed in the March 13, 2014 staff report which all still pertain to this project, the following new items have been submitted:

- Transmittal memo from Tom Carrubba summarizing the revisions made to the plans, dated 4/2/14
- Letter from Thuilot Associates responding to comments from the 3/24/14 ASCC meeting, dated 3/31/14
- Color rendering of the entry/privacy wall feature, from Square Three Design Studios, dated 4/1/14

- Storm drain pipe sizing calculations for the driveway swale crossing, from MacLeod and Associates, dated 3/24/14
- Letter from Epifanio Juarez, Juarez Design, dated 4/1/14, summarizing lighting information provided at the March 24, 2014 ASCC meeting
- Color rendering of the guard rail at the cottage, from Thuilot Associates, dated 4/1/14
- Color photos of proposed plantings, from Thuilot Associates, dated 4/1/14
- Letter from Thuilot Associates, received April 9, 2014, concerning the retaining wall location at the auto-court.

The following comments are offered to assist the ASCC in completing action on the architectural review request. The ASCC should also forward any comments to the Planning Commission relative to the grading plans as the Planning Commission is scheduled to consider the site development permit application at a public hearing scheduled to take place at its May 7, 2014 meeting.

1. Driveway swale crossing. The revised plans now show a 12" culvert for the driveway crossing of the swale, with backfill against the retaining wall to reduce the visual impact, as shown on Sheet C-2 and in Section B on Sheet C-3. As was reported at the March 24<sup>th</sup> ASCC meeting, a civil engineer reviewed the drainage conditions at the swale and recommended a 12" culvert pipe (attached). These calculations would be reviewed by the town's engineering consultant as part of the normal building permit process.

The plans indicate that the driveway over the swale would have an approximately six foot tall retaining wall on the north side. Dirt would be backfilled against the retaining wall to a slope of 3:1 in order to reduce the visibility of the exposed wall from off-site. At the meeting on April 14, the project team should provide information concerning the height of the retaining wall that will likely be visible above the fill, as the section that was provided on Sheet C-3 in the plans is not to scale.

As shown on Sheet L4.1, some wild lilac and mountain mahogany would be planted on the fill below the wall to soften views to the exposed portion of the retaining wall. The retaining wall would be board-formed concrete with integral color, to be a brownish-gray that would be slightly darker than the house color. Assuming that the backfill would cover at least half of the retaining wall, most of the wall would likely not be visible because of the backfill and plantings, and the darker color should help the remainder of the wall to blend with the site.

2. Auto-court south retaining wall and nearby manzanitas, and architectural feature wall. At the March 19<sup>th</sup> field meeting, Commissioners expressed concern about the south retaining wall of the auto-court for two reasons. First was the proximity to the south property line and the potential visibility of the required guard rail above the retaining wall, particularly from the Salah residence. The second reason was that the south and east retaining walls for the auto-court would impact a mass of existing manzanitas.

As is explained in the attached letter received on April 9, 2014 from landscape architect Stefan Thuilot, the project team considered these concerns and looked at options. Because of the size of the hammerhead needed for the fire truck turnaround, the maximum radius for the fire truck access, and the fixed driveway entrance from the panhandle, the team found that moving the auto-court away from

auto-court area, where it could be located on the property line as was discussed above.

The location of this rail is not strictly in conformity with the PUD provisions in that a portion of it is located within the 20' property line setback and much of the rest is linear in character. However, the rail is required by building code given the elevation differences, which are needed to lower the house into the site and reduce view impacts. In addition, the safety rail is very open in style and would not cause a strong linear presence. As a result, the ASCC could approve the safety rail in this location as being consistent with the overall intent of the PUD fence provisions.

c. <u>Cable rail at cottage</u>. This rail would be 2' 4" in height and would have "soft steel tube" posts with three horizontal wires. Again, the posts would have the same hot brown patina finish. This type of railing would be located along the edges of the green roof above the second unit.

All three rail designs are relatively minimal and should have little visual presence.

4. Revised planting plans. The planting plans shown on Sheets L4.0 and L4.1 have been slightly revised since the last set of plans the Commission reviewed. In addition, two new sheets showing "planting zones" have been added (Sheets L4.2 and L4.3). These sheets are intended to provide an overview of the intent of the planting plants by showing the general areas where different types of vegetation would be planted. The four zones are: 1) mixed native planting; 2) foundation planting; 3) ornamental meadow planting mix of natives and non-native; and 4) ornamental planting adjacent to house.

The planting plans and planting zones plans are not fully consistent with the Blue Oaks PUD provisions, however, in two ways:

- 1. The plans still include three species of trees that are non-native and not approved for use in Blue Oaks. The PUD statement states clearly in Section II.M.3.(a)(2) that "All new trees shall be from the Town approved native plant list found in Appendix A." This includes trees planted within the building envelope for the property.
- 2. The planting plans include non-natives planted outside the building envelope, both to the north and the south, whereas in this area, "Planting of only appropriate natives is permitted" (Section II.M.3.(b)(1)). In addition, on the plant zones legend on Sheets L.2 and L.3, a number of non-natives are included in the list for the "mixed native planting" zone.

Staff has discussed these issues with the project landscape architect and advised that plantings should be drawn from the approved plant list in Appendix A of the Blue Oaks PUD Statement as much as possible, with additional plants perhaps selected from the "Native and Supplemental Plant List" in the Town's Design Guidelines. However, the PUD does have provisions that would allow 1,000 square feet of irrigated lawn area and 1,000 square feet of ornamental planting within the building envelope, as long as those areas are screened from off-site views.

Revised plans that conform to the PUD requirements are being developed and are expected to be ready to share with the ASCC at the April 14<sup>th</sup> meeting. To provide sufficient time to review and consider these revised plans, a condition of approval is recommended calling for approval of the revised plans by a designated member of the ASCC and staff prior to building permit issuance.

5. **Revised lighting.** As with the previous plans, exterior landscape lighting is shown on Sheets L5.0 and L5.1 and includes both path lights and down lights. In addition, lighting on the exterior of the house is shown on Sheets LE2.0, LE 3.0, and LE3.0B.

Pictures of the proposed light fixtures are provided on the sheets, and it appears that they are generally consistent with town standards and guidelines. Cut sheets are still needed to provide information about the level of illumination provided by each fixture type and identifying the colors and materials for each fixture. A request for these would be recommended as a condition of approval.

The lighting along the driveway has been revised so that all of it is located on the west side of the driveway. Nine of the eleven path lights along the driveway are proposed outside of the building envelope, but lighting is only permitted outside the building envelope "when it is demonstrated to the satisfaction of the ASCC that the lighting is necessary for safety." As a result, the ASCC will need to determine whether these fixtures are needed for safety and should be permitted.

The amount of lighting in the auto-court area has been reduced by the removal of four path lights. Also, because the east wing of the house was lowered, most of the steps from the spa outside the master bedroom to the meadow area could be eliminated, as could the two related wall lights. The revised plans also state that there would be no lighting in the water features.

As was pointed out in the March 13, 2014 staff report, the amount of lighting for the guest house appears reasonable. The path and wall lights along the stairs and walkway to the guest house should be placed on a separate, manually operated switch with an automatic off timer, and a condition is suggested that would require this.

Interior lighting, including potential light spill from skylights and clerestories, was discussed in the March 13<sup>th</sup> staff report and by the lighting consultant at the March 24<sup>th</sup> ASCC meeting. The letter from Juarez Designs dated April 1, 2014 summarizes his analysis. Based on the information presented, the interior lighting plan appears to address the concerns of the Town and Portola Valley Ranch neighbors, and the approach to lighting appears to be reasonable.

6. North retaining walls and terraces. As shown on the grading plan (Sheet C-2), the terrace area between the dining room and the second unit includes a system of retaining walls. The largest of these is approximately 30' long and runs from the overlook terrace to the stairs down to the second unit, and ranges in height from 4.5' to approximately 2'. There is another wall, about one foot tall, on the other side of the stairs which continues about 21' towards the second unit. The planting plan (Sheet L4.0) shows vegetation planted in front of both of these retaining walls, including grasses and some shrubs, which would help to screen the retaining walls from view from the north.

As part of the stair system in front of those walls, there are a couple of additional retaining walls, each less than two feet in height. All together, the elevation difference from the natural grade in front of the bottom landing to the top of the topmost retaining wall is approximately six feet.

The colors, materials and finishes of these retaining walls are not specified on the plans and should be provided to the satisfaction of the ASCC, either at the April 14<sup>th</sup> ASCC meeting or as a follow-up condition of approval.

7. Revised grading plans and site development permit. The grading plans have been updated to reflect the new design, although the cut and fill calculations on Sheet C-2 have not. The total volume of grading would be 1,520 cubic yards calculated according to the standards of the site development ordinance (the 1,275 cubic yards indicated on the grading plan, plus 245 cubic yards of cut to lower the bedroom wing). Approximately 2,900 cubic yards of materials would be exported from the site, much of this for cutting of the proposed basement and guest house, and for excavation within the footprint of the house (areas where the cut does not count under the site development ordinance provisions).

This quantity of grading is not unusual for a lot in Blue Oaks, where the relatively small building envelopes and hilly topography often result in the need for more grading that might otherwise be expected in order to fit a home in to a site. As stated previously, this is the case because the total lot area and defined building envelope are based on very specific PUD cluster provisions, which include much of the gross lot area in private and common open spaces.

The March 13, 2014 staff report summarized the input from committee members who, in general, found the project conditionally acceptable. The Planning Commission will be the authorizing body for the site development permit for this project, and staff will recommend conformity with the conditions set forth by the site development permit committee members as part of that action.

8. Building Permit Release. Unauthorized vegetation removal on the site, largely within the Private Open Space Easement (POSE) area and extending to the open space area on common Lot A, took place in late 2012/early 2013. This resulted in a restoration process that has been progressing under Town control since spring of last year. The ASCC reviewed the restoration efforts on this parcel at their October 28, 2013 meeting (minutes attached) and also were able to view the progress at the March 19, 2014 field meeting, at which John Wandke of Rana Creek presented information on the status of the restoration efforts. Minutes of both meetings are attached. In addition, the March 14, 2014 monitoring report from Rana Creek is also attached.

Last October, the ASCC also recommended that the Town Council permit the property owner to proceed with town review of the plans for development of the parcel, so that the plans and any necessary screen planting could be considered in view of the restoration plans. The Town Council reviewed and approved the ASCC's recommendation at their meeting on January 8, 2014 (staff report and minutes attached).

One of the conditions of that approval states that "no building permits should be released until the ASCC completes a site review in early to mid-spring 2014 that is supported by similar data developed for the October 28, 2013 site review. From this review, the ASCC would provide a final recommendation to the town council relative to the timing for actual release of permits to allow site development to proceed."

As part of this project review, therefore, the ASCC will need to make a recommendation to the Town Council concerning the timing of the release of the building permits for the project. The first question for the ASCC to consider in terms of this item is whether the restoration plan implementation is proceeding as expected. This question should be looked at in light of the March 14 report from Rana Creek and the March 19 field meeting. For additional background, the staff report and attachments from the October 14, 2013 ASCC meeting are available on the Town's website and include the final restoration plan and one year restoration monitoring report.

One of the reasons that the Town Council allowed the application for this project to proceed was in order to ensure that the design of the house could be considered relative to the loss of vegetation and the restoration plantings, so that any additional specific screening needed for the project could be identified. As a result, the ASCC also needs to consider whether the project as proposed has sufficient screening, particularly from the north.

The renderings that were presented at the March 24<sup>th</sup> ASCC meeting showed the screening of the house from the north with tree sizes estimated as they will likely appear in about five years. In addition, the landscape architect has provided the enclosed Tree Diagram on Sheet L2.4, which shows the locations of both deciduous and evergreen trees on the property, including those that were planted by Rana Creek. This diagram shows that the trees as they grow should provide significant screening of both the house and the second unit, with a cluster of existing evergreens at the west end of the house and another group of evergreens planted by Rana Creek at the east end of the house.

To summarize, the ASCC needs to consider two questions to determine whether to recommend that the Town Council allow building permits to be issued for this property:

- a. Is the restoration planting plan implementation proceeding as expected?
- b. Does the proposed planting plan, together with the restoration plantings, provide appropriate screening of the house?

In considering these questions, the ASCC should also keep in mind that the property owner has paid a \$75,000 fine and posted a \$65,000 bond to guarantee the restoration efforts. In addition, the property owner has paid, and will continue to pay, for all staff time related to monitoring of the restoration efforts. As a result, the Town will continue to have oversight of the restoration efforts regardless of the determination concerning building permits.

In light of this, and given the diligent efforts that the property owner has made to implement the restoration process, it appears that the ASCC could recommend that

the Town Council allow this project to proceed, contingent on Planning Commission approval of the site development permit, with any additional screen landscaping determined necessary by the ASCC. In addition, a comprehensive vegetation protection and construction staging plan should be required and implemented to the satisfaction of a designated member of the ASCC and planning staff. As part of the ongoing monitoring of the site, Rana Creek should also ensure that all restoration plantings are protected throughout the construction process, as well as any additional screen planting called for by the ASCC.

#### Conclusion

Prior to completing its action, the ASCC should consider the above comments and any new information presented at the ASCC meeting. The ASCC action for this project would have three parts:

- 1. Action on the architectural review plans;
- 2. A recommendation to the Planning Commission concerning the grading, i.e., the site development permit for the project; and
- 3. A recommendation to the Town Council concerning the release of the building permit for the project, contingent on Planning Commission approval of the site development permit.

If the ASCC acts to approve the architectural review for the project, staff would recommend the following conditions:

- 1. The project team shall work with Rana Creek to determine appropriate time method, and specific manzanitas for transplanting and to document how many manzanitas shall be transplanted and to what locations. The applicant shall ensure that these transplants are monitored as part of the ongoing vegetation monitoring on the site. A plan for transplanting the manzanitas and for ongoing monitoring shall be submitted for review and approval by a designated ASCC member and staff prior to building permit issuance.
- 2. Revised planting plans that conform with all appropriate PUD provisions shall be reviewed and approved by a designated member of the ASCC and staff prior to building permit issuance.
- 3. The color of the posts for cable safety rail and cable rail at cottage shall be a darker color as required by the Blue Oaks PUD, and the color shall be approved by a designated ASCC member and staff prior to installation.
- 4. Cut sheets shall be submitted for each fixture type with information about the level of illumination provided and showing the colors and materials for each fixture, to the satisfaction of staff prior to building permit issuance.
- 5. The path and wall lights along the stairs and walkway to the guest house shall be placed on a separate, manually operated switch with an automatic off-timer.
- 6. A comprehensive vegetation protection and construction staging plan shall be provided and, once approved, implemented to the satisfaction of the ASCC and planning staff. The plan shall provide that Rana Creek shall monitor and ensure that restoration efforts, and any additional screen plantings called for by the ASCC, are installed, protected and maintained to ensure long-term success.

If the colors, materials and finishes of the retaining walls north of the house are not specified to the ASCC's satisfaction at the April 14<sup>th</sup> meeting, the following condition would also be recommended:

7. The colors, materials and finishes of the retaining walls are not specified on the plans and should be provided to the satisfaction of the ASCC, along with any related detailing.

Enc. Att.

## Continued Architectural Review for New Residence, Detached Guest House, and Site Development Permit X9H-672, 18 Redberry Ridge, Douglass

Kristiansson presented the April 10, 2014 staff report for this continued review of a proposal for a new house with attached garage, detached second unit, and associated site work. She summarized the ASCC's and Planning Commission's preliminary comments for this project and the revisions and responses the project team had provided to those comments. In particular, she focused on the south retaining wall of the auto-court, the driveway crossing of the swale, the revised planting plans, and the north retaining walls and terraces. She also summarized the actions that the ASCC was being asked to consider at the meeting.

In response to a question from Breen, she noted that if the building permit were allowed to be issued, the Town would still have a cash deposit in place to ensure that the restoration efforts were completed. Vlasic added that the applicant has also entered into a five-year contract with Rana Creek for the restoration efforts, which provides another assurance.

Tom Carrubba, project architect, explained that moving the south retaining wall would require moving the entire house, which would be detrimental to the oaks north of the house and would also result in increased height for the retaining walls. He also provided information from the lighting designer about the level of lighting for the exterior fixtures.

Stefan Thuilot, landscape architect, described the interaction of the vegetation with the guard rail at the south retaining wall and property line. He noted that the manzanitas which would be impacted by the retaining wall location would be moved. In terms of screening on the north side, he pointed Commissioners to Sheet L2.3 and stated that there would be adequate screening ultimately. He also stated that the planting plan had been revised to remove all proposed non-native plants outside the building envelope.

Mr. Thuilot also presented materials samples for the project, including for the permeable paver at the driveway, the two colors of pre-cast concrete for the terrace areas, the serra brown for the house and darker color for the retaining wall, ipe for the decking, and dark metal for the water feature and guard rail posts.

Breen asked whether there would be a remote meter and expressed the desire to minimize the amount of equipment at the end of the cul de sac. She also asked whether an air conditioning unit would be needed for the project. The project architect responded that another home on Redberry Ridge has a remote meter, but he did not have information for this project. In terms of an air conditioning unit, the project may not have one. If it does, he stated that the location would be sensitive to the neighbors and potential noise impacts.

The ASCC considered the revised set of plans as listed below.

Square Three Design Studios, revised 4/1/14 unless otherwise noted:

Sheet A1.01, Project Data; Proposed Site Plan

Sheet A1.02, Proposed Partial Site Plan

Sheet A1.03, Proposed Partial Site/Main Level Floor Plan

Sheet C-1, Topographic Survey Plan, McLeod and Assoc., dated 1/13/14

Sheet C-2, Preliminary Grading, Drainage and Utility Plan, McLeod and Assoc., revised 3/28/14

Sheet C-3, Preliminary Grading and Drainage with Erosion Control Measures, McLeod and Assoc., revised 3/28/14

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Sheet A2.01, Proposed Partial Main Level Floor Plan - Area A
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Sheet A2.02, Proposed Partial Main Level Floor Plan - Area B

Sheet A2.03, Proposed Basement Plan

Sheet A2.04, Proposed Guest Cottage Floor Plan and Roof Plan, dated 1/16/14

Sheet A2.05, Proposed Roof Plan

Sheet A3.01, Proposed Exterior Elevations

Sheet A3.02, Proposed Exterior Elevations

Sheet A5.01, Proposed Building Sections

Sheet A5.02, Proposed Building Sections

Sheet A5.03, Proposed Building Sections

Sheet LE0.0, Lighting Design Title Sheet, Juarez Design, dated 1/16/14

Sheet LE2.0, Basement and Guest Cottage Lighting Plan, Juarez Design, dated 1/16/14

Sheet LE3.0A, Main Floor Lighting Plan – Area A, Juarez Design, dated 1/16/14

Sheet LE3.0B, Main Floor Lighting Plan – Area B, Juarez Design, dated 1/16/14

Sheet L1.0, Landscape Overall Site, Thuilot Associates, dated 4/1/14

Sheet L1.1, Existing Vegetation, Thuilot Associates, dated 4/1/14

Sheet L2.0, Layout Plan, Thuilot Associates, dated 4/1/14

Sheet L2.1, Layout Plan Driveway, Thuilot Associates, dated 4/1/14

Sheet L2.2, Layout Plan Notes, Thuilot Associates, dated 4/1/14

Sheet L3.0, Irrigation Diagram, Thuilot Associates, dated 4/1/14

Sheet L3.1, Irrigation Diagram Driveway, Thuilot Associates, dated 4/1/14

Sheet L4.0, Planting Plan, Thuilot Associates, dated 4/1/14

Sheet L4.1, Planting Plan Driveway, Thuilot Associates, dated 4/1/14

Sheet L4.2, Planting Zone, Thuilot Associates, dated 4/1/14

Sheet L4.3, Planting Zones Driveway, Thuilot Associates, dated 4/1/14

Sheet L5.0, Landscape Lighting Plan, Thuilot Associates, dated 4/1/14

Sheet L5.1, Lighting Plan Driveway, Thuilot Associates, dated 4/1/14

Sheet L6.0, Landscape Detail, Thuilot Associates, dated 4/1/14

Two additional plan sheets were submitted separately; these were prepared by Thuilot Associates and are dated 4/8/14:

Sheet L2.4. Tree Diagram

Sheet L6.1, Motorcourt Section/Elevation

The following supplemental application materials also describe the project and were considered:

- GreenPoint rated checklist
- Outdoor water use efficiency checklist, Thuilot Associates, dated 1/15/14
- Geotechnical investigation by Romig Engineers, dated January 2013
- Landscape materials board, Thuilot Associates, received January 17, 2014
- Architectural exterior color board, dated 1/16/14
- Transmittal memo from Tom Carrubba, dated 3/10/14
- Plan review letter from Rana Creek, dated 3/6/14
- Letter report from Kielty Arborist Services, dated 3/4/14
- Four color renderings, showing the original proposed bedroom wing and the revised bedroom wing, from the Salah terrace and from the rear side that faces Portola Valley Ranch
- Transmittal memo from Tom Carrubba summarizing the revisions made to the plans, dated 4/2/14

- Letter from Thuilot Associates responding to comments from the 3/24/14 ASCC meeting, dated 3/31/14
- Color rendering of the entry/privacy wall feature, from Square Three Design Studios, dated 4/1/14
- Storm drain pipe sizing calculations for the driveway swale crossing, from MacLeod and Associates, dated 3/24/14
- Letter from Epifanio Juarez, Juarez Design, dated 4/1/14, summarizing lighting information provided at the March 24, 2014 ASCC meeting
- Color rendering of the guard rail at the cottage, from Thuilot Associates, dated 4/1/14
- Color photos of proposed plantings, from Thuilot Associates, dated 4/1/14
- Letter from Thuilot Associates, received April 9, 2014, concerning the retaining wall location at the auto-court.

Public comments were requested.

Linda Elkind, 14 Hawkview, said that she had concerns about the colors and reflectivity of materials. In response to her question, the landscape architect provided the following information:

- Wires in the guard rails would be a dark gray galvanized wire.
- Steps to the second unit would have corten steel risers and would have concrete and gravel tops. The patio would be the same color.
- Lights along the panhandle of the driveway would be removed.
- The north retaining walls would be dark adobe-colored concrete; the underpinning of the decks would be corten steel, and the water feature would be patina'd steel.

Ms. Elkind said that she was pleased with most of the materials and colors, but continued to have concerns about the lightness of the steps and patio.

She also said that she would like to see more manzanita along the north side of the project. Mr. Thuilot mentioned that about 10 manzanitas will need to be relocated, and some could potentially go in this area. In terms of landscaping, Ms. Elkind also said that she was concerned about the proposed plants, such as the muhly grasses, some of which are native to Florida or Texas.

Belinda Brent, 341 Grove Drive, offered that in terms of the color of the patio pavers, darker colors absorb heat and can't be walked on barefoot.

ASCC members then discussed the project and noted that the additional materials provided and changes to the project were appreciated. Commissioners also agreed that a darker color would be preferable for the patio and steps.

Breen moved, and Harrell seconded, to approve the project with the following conditions:

- 1. Revised planting plans that conform with all appropriate PUD provisions, including those related to native landscape materials, shall be reviewed and approved by a designated member of the ASCC and staff prior to building permit issuance.
- 2. All lights along the panhandle of the driveway up to the curve shall be removed.

- 3. The color of the paver used for the patio and steps shall be darker than the sample provided, with the color to be determined to the satisfaction of a designated ASCC member.
- 4. If an air conditioning unit is proposed for the house, it shall be sited and designed to minimize noise impacts on neighbors to the satisfaction of a designated ASCC member.
- 5. The project team shall work with Rana Creek to determine the appropriate time, method, and specific manzanitas for transplanting and to document how many manzanitas shall be transplanted and to what locations. The applicant shall ensure that these transplants are monitored as part of the ongoing vegetation monitoring on the site. A plan for transplanting the manzanitas and for ongoing monitoring shall be submitted for review and approval by a designated ASCC member and staff prior to building permit issuance.
- 6. Cut sheets shall be submitted for each fixture type with information about the level of illumination provided and showing the colors and materials for each fixture, to the satisfaction of staff prior to building permit issuance.
- 7. The path and wall lights along the stairs and walkway to the guest house shall be placed on a separate, manually operated switch with an automatic off-timer.
- 8. A comprehensive vegetation protection and construction staging plan shall be provided and, once approved, implemented to the satisfaction of the ASCC and planning staff. The plan shall provide that Rana Creek shall monitor and ensure that restoration efforts, and any additional screen plantings called for by the ASCC, are installed, protected and maintained to ensure long-term success.

The motion passed, 4-0.

Clark then moved that the ASCC recommend approval of the site development permit to the Planning Commission. Harrell seconded the motion, which passed 4-0.

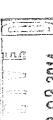
Breen moved to recommend that the Town Council release the building permit for the project. Harrell seconded the motion, which passed 4-0.

Proposed Revisions to Approvals for Architectural Review of Garage and Second Unit Accessory Structures and Associated Site Work, Site Development Permit X9H-662 and Variance Request X7E-135, 3 Grove Court, Ciancutti

For this item, Kristiansson presented the April 10, 2014 staff report and described the proposed revisions to the garage and driveway area, as well as to the second unit and pool area. She noted that no changes were proposed to the main house or the wine cellar/bunker.

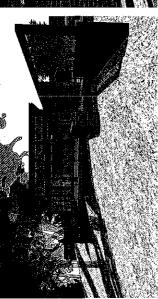
Project architect Jeffrey Mahaney and property owner Crystal Ciancutti were present to answer questions from the Commission. Ms. Ciancutti said that the revisions were focused mainly on minimizing retaining walls because their cost was prohibitive. As a result, the project will involve moving less dirt and having fewer walls. In response to a question from Breen, Mr. Mahaney noted that the geotechnical piers would not affect the appearance of the second unit.

Commissioners considered the revised plans dated 2/18/14 and prepared by Jeffrey Mahaney, Architect unless otherwise noted. The highlighted sheets are those which were revised or updated since the original project was approved:



## DOUGLASS - LASHAY RESIDENCE 18 REDBERRY RIDGE - PORTOLA VALLEY · CA



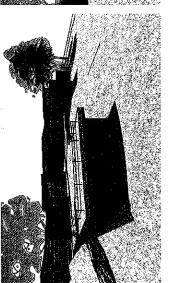


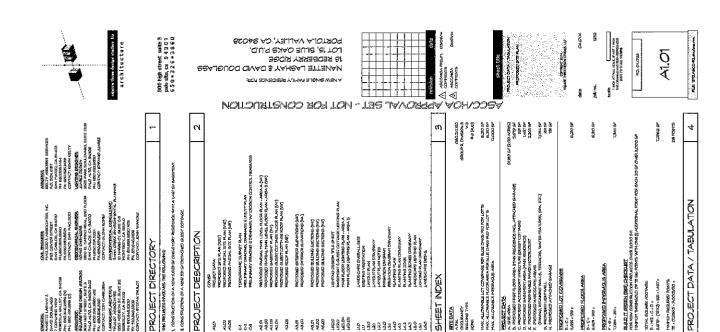












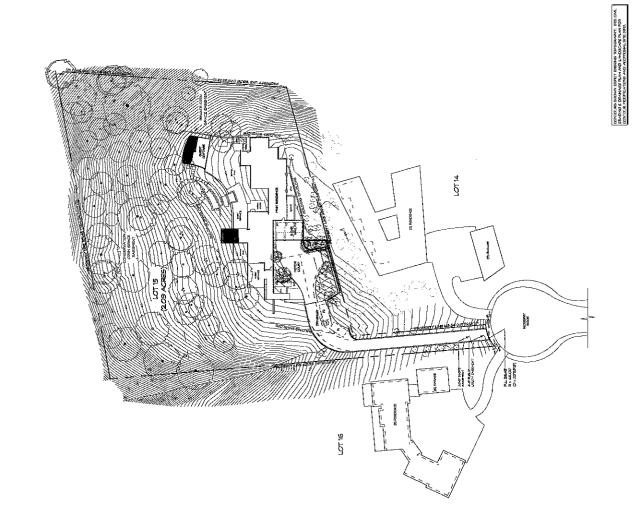
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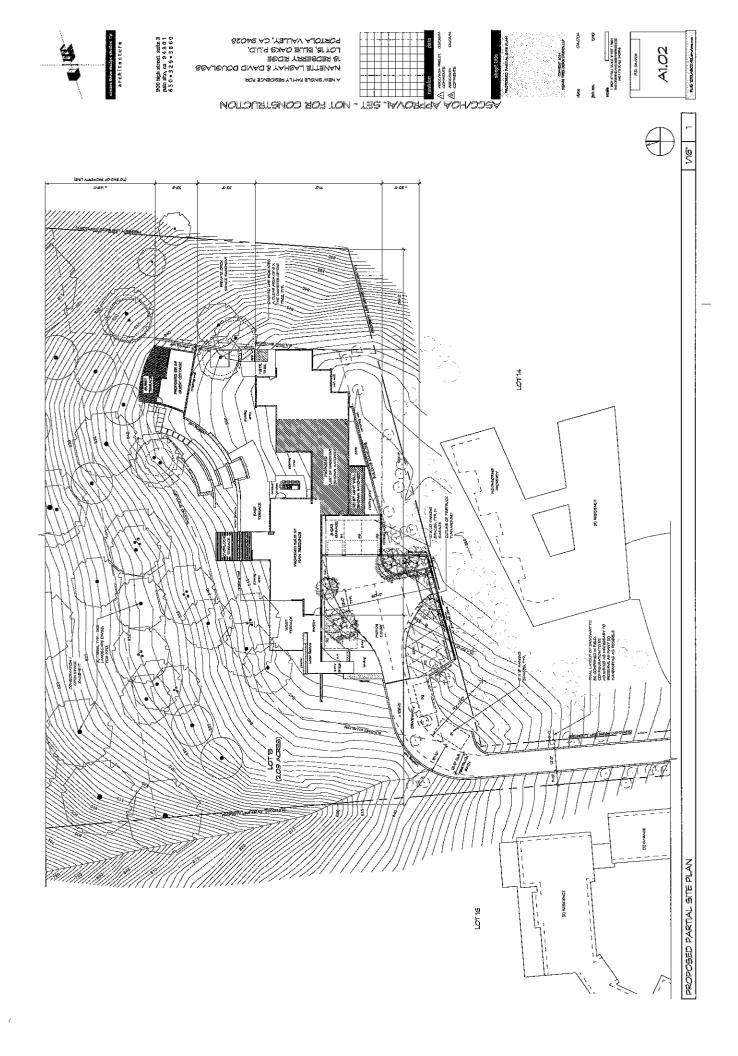
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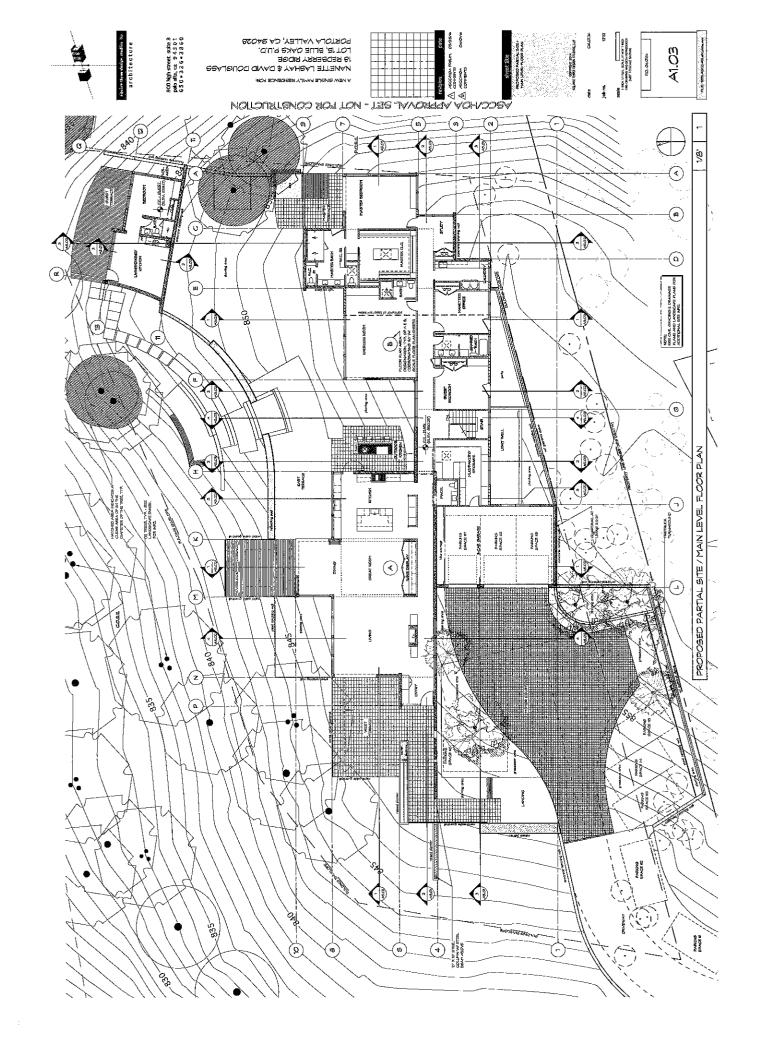
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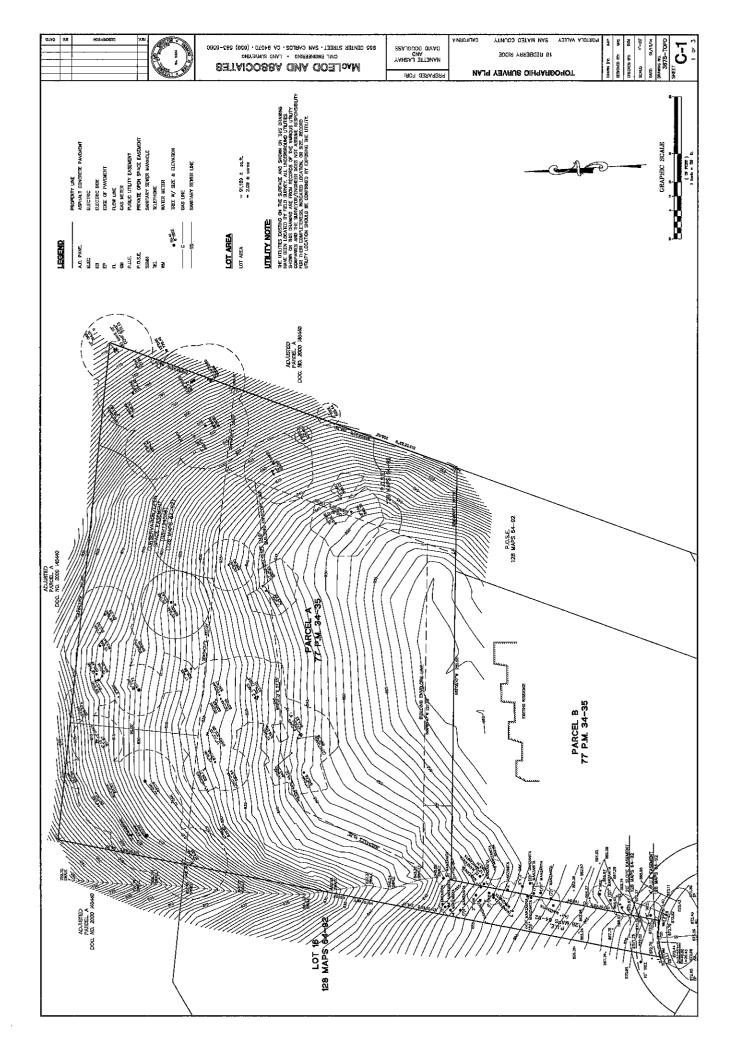
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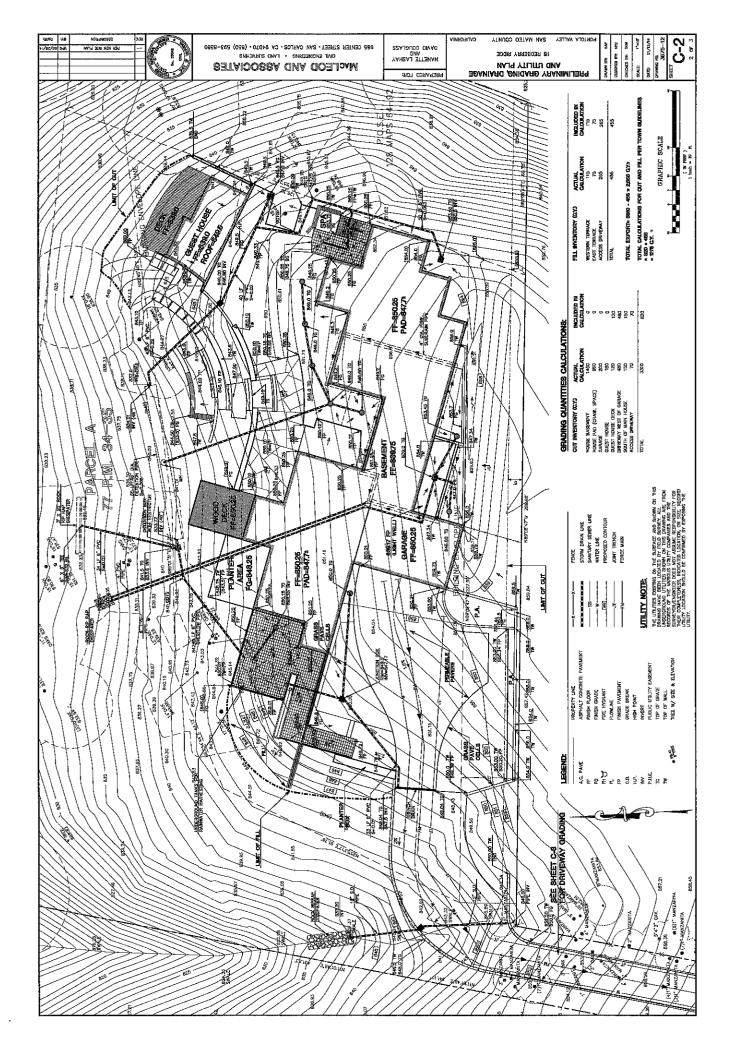
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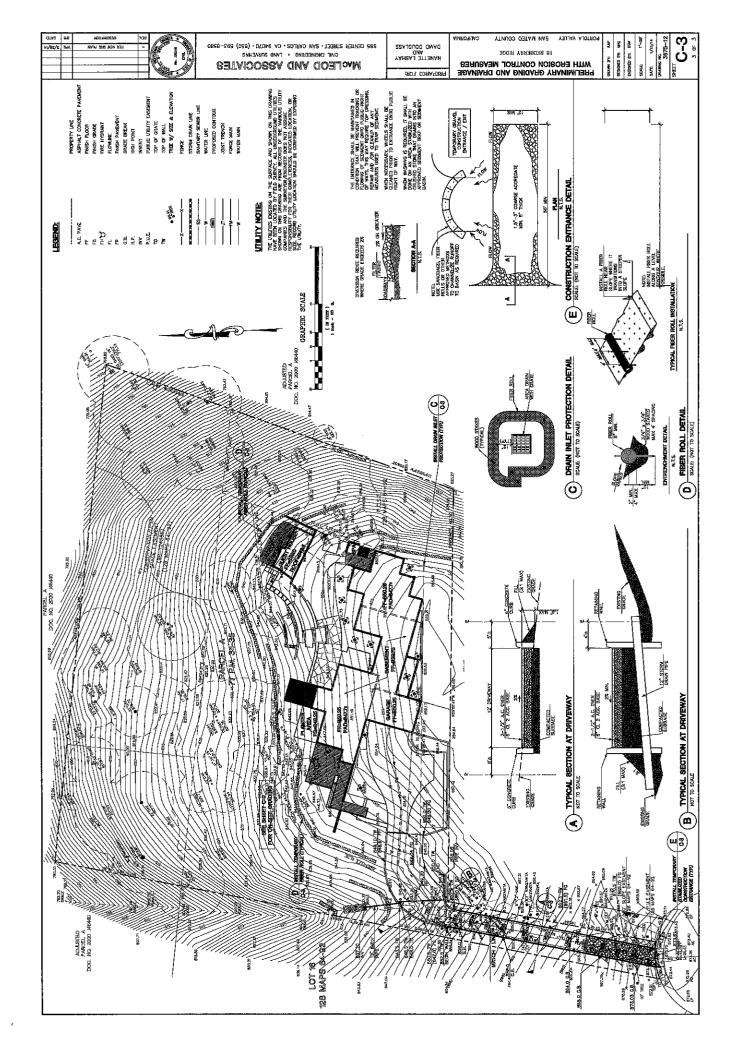


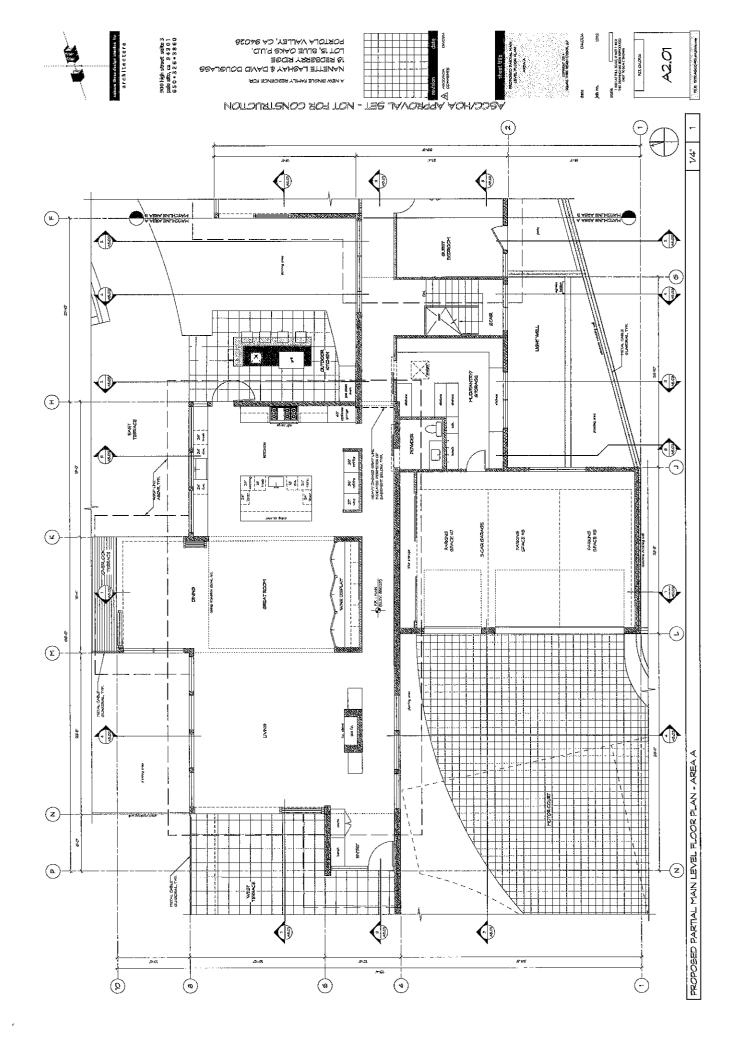


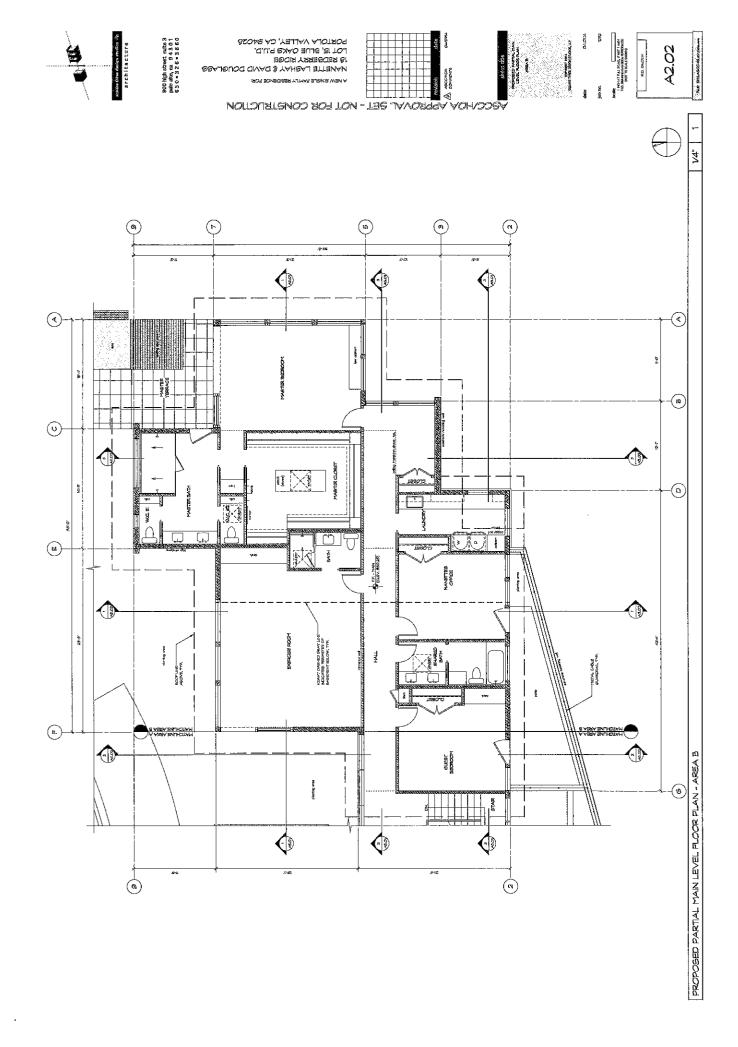


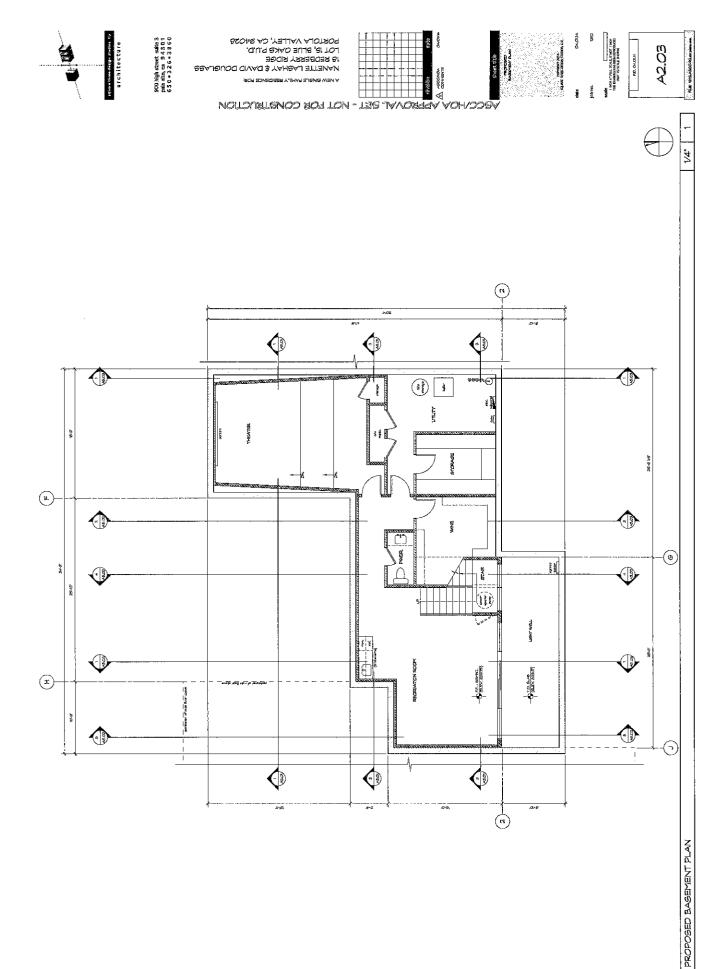


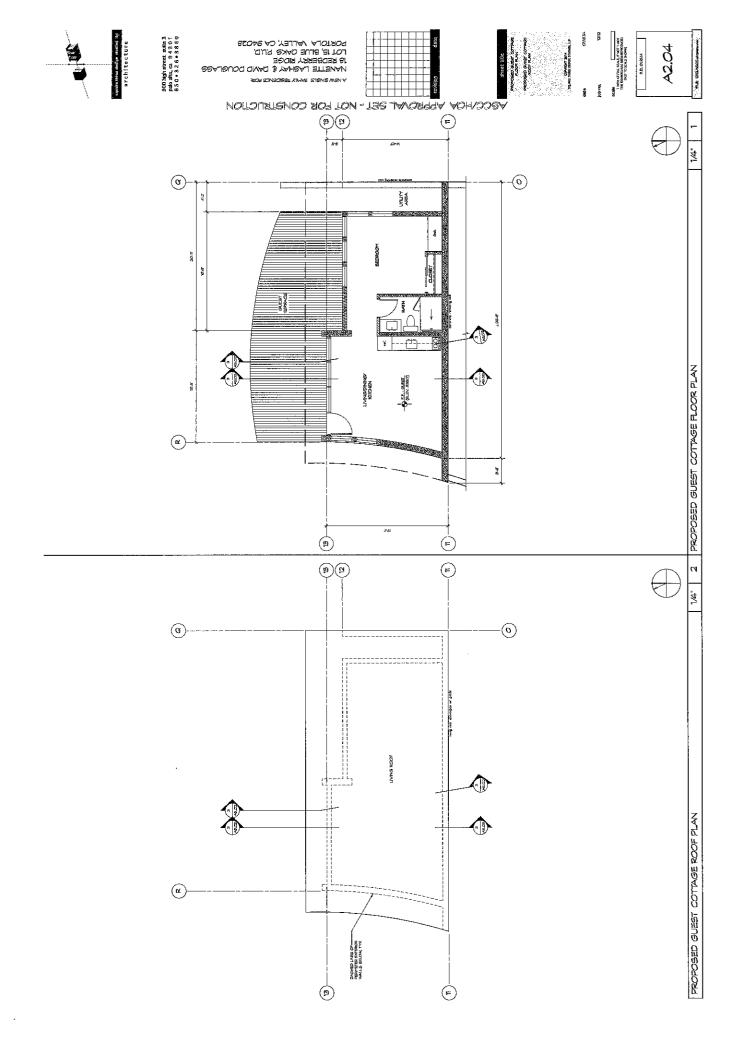


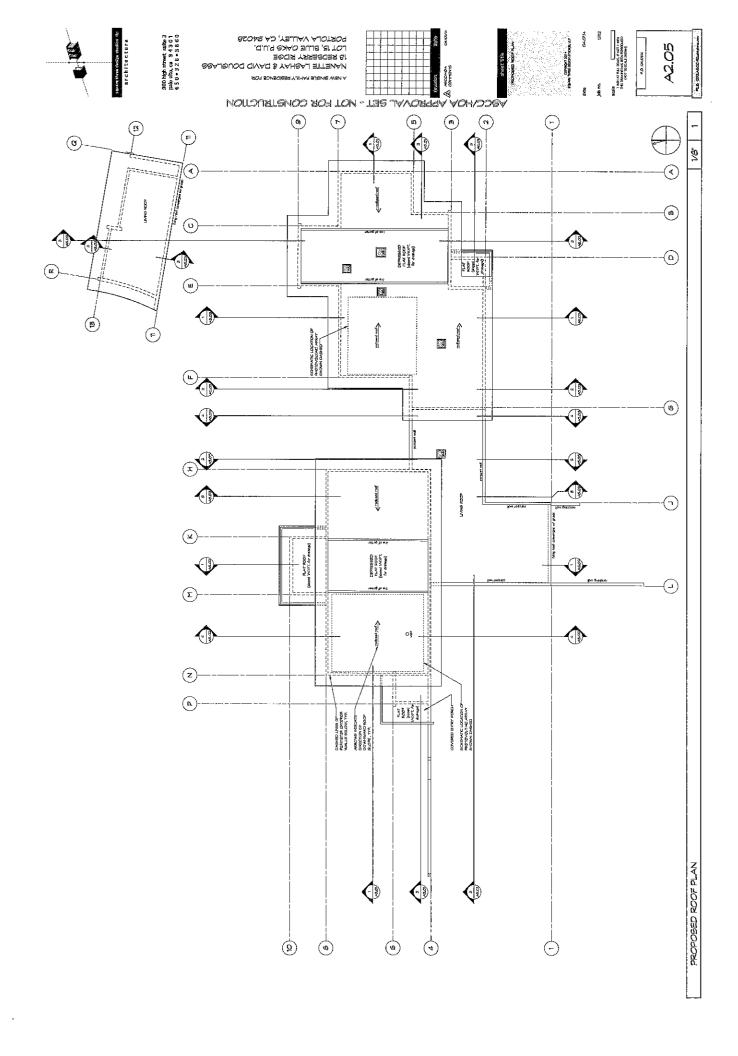


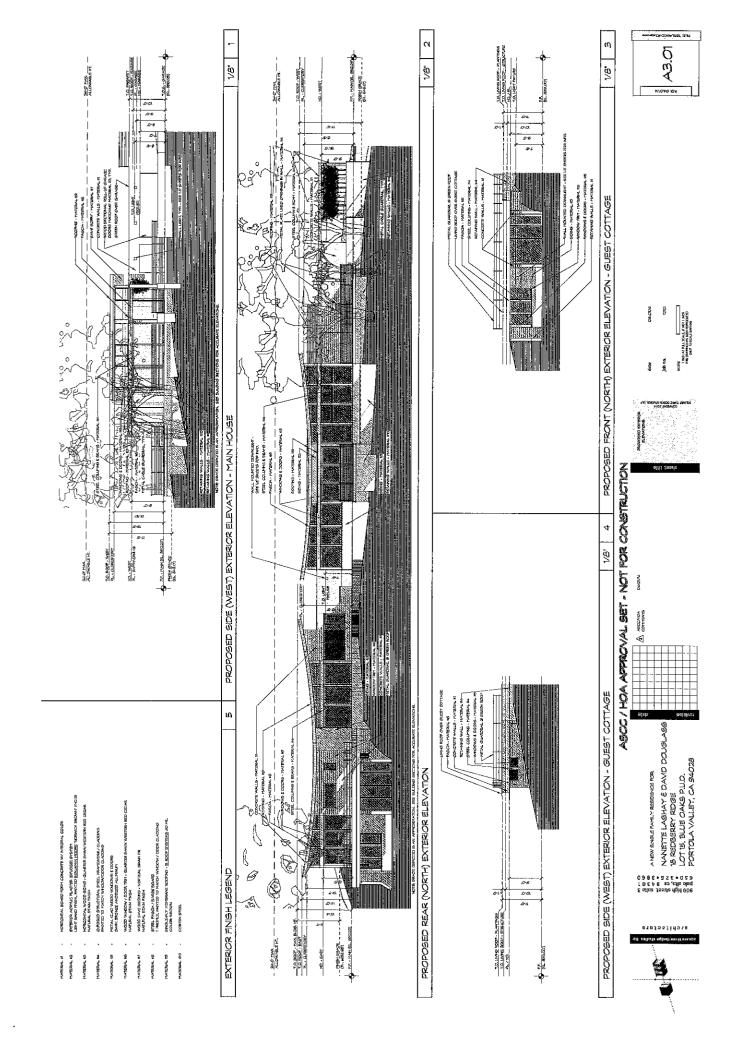


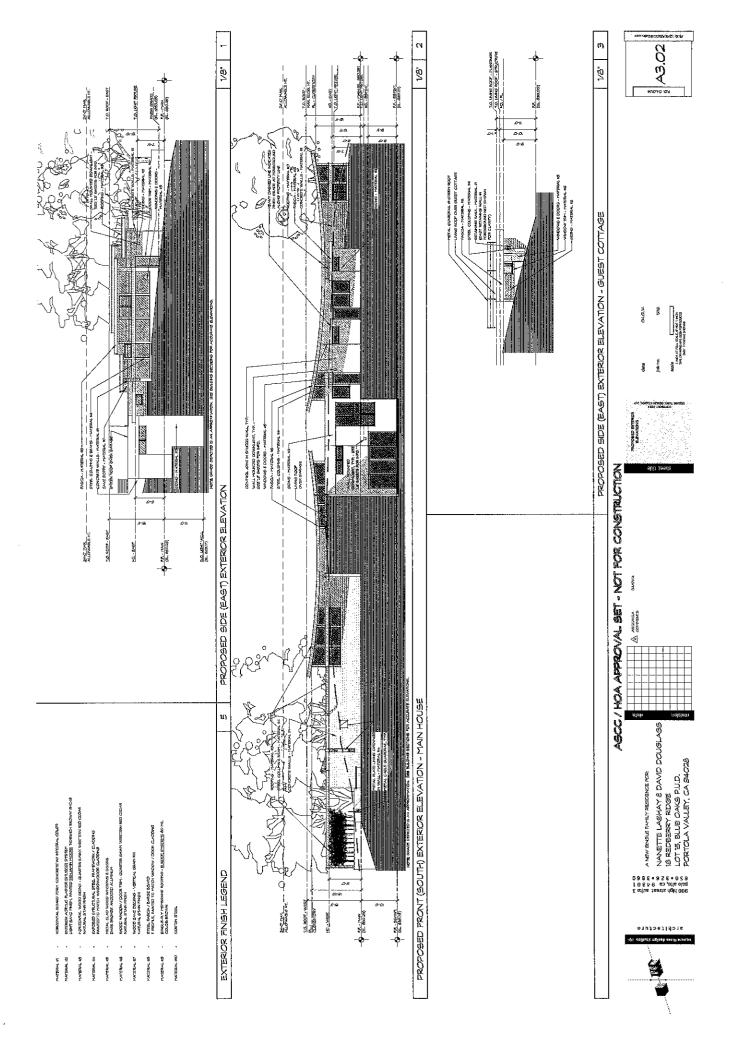


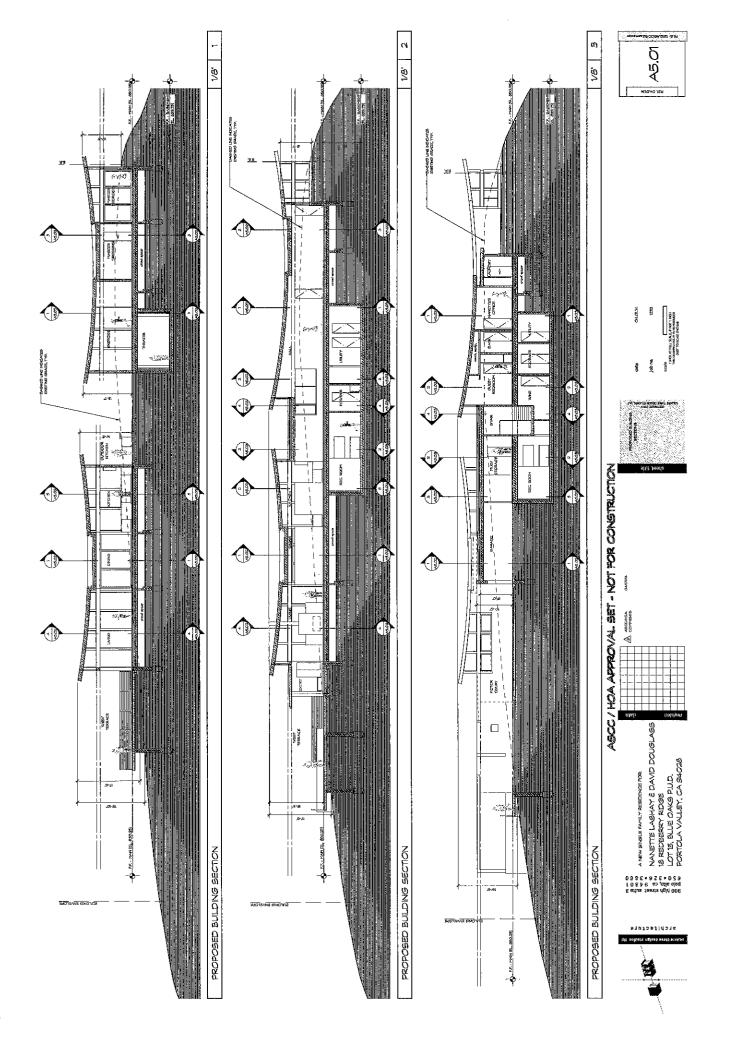


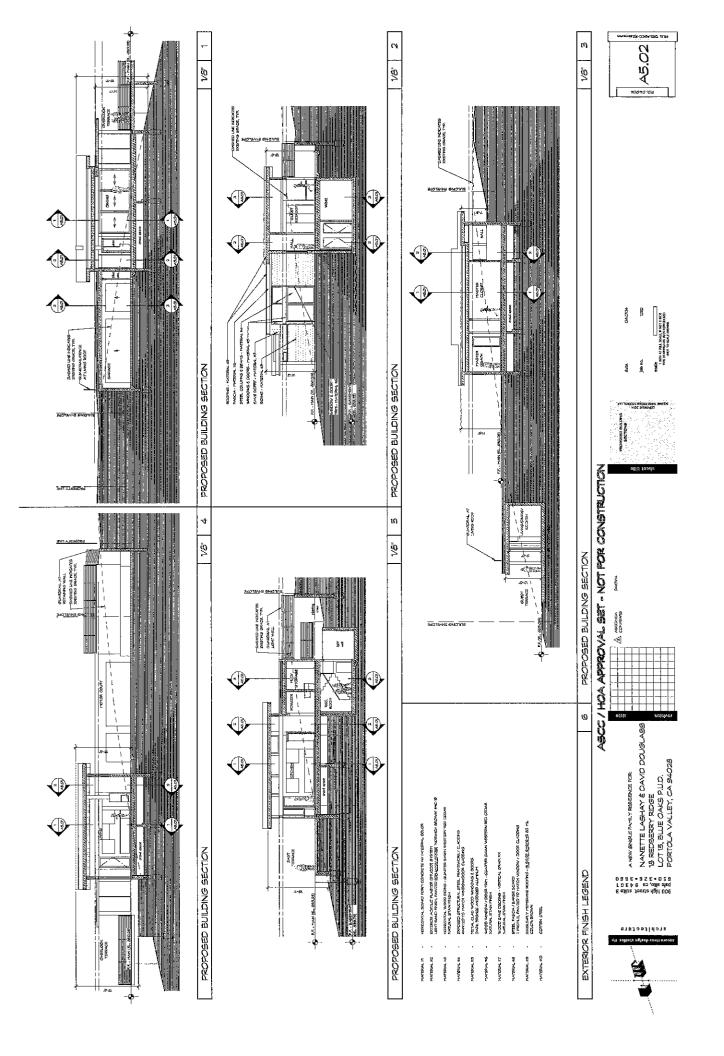


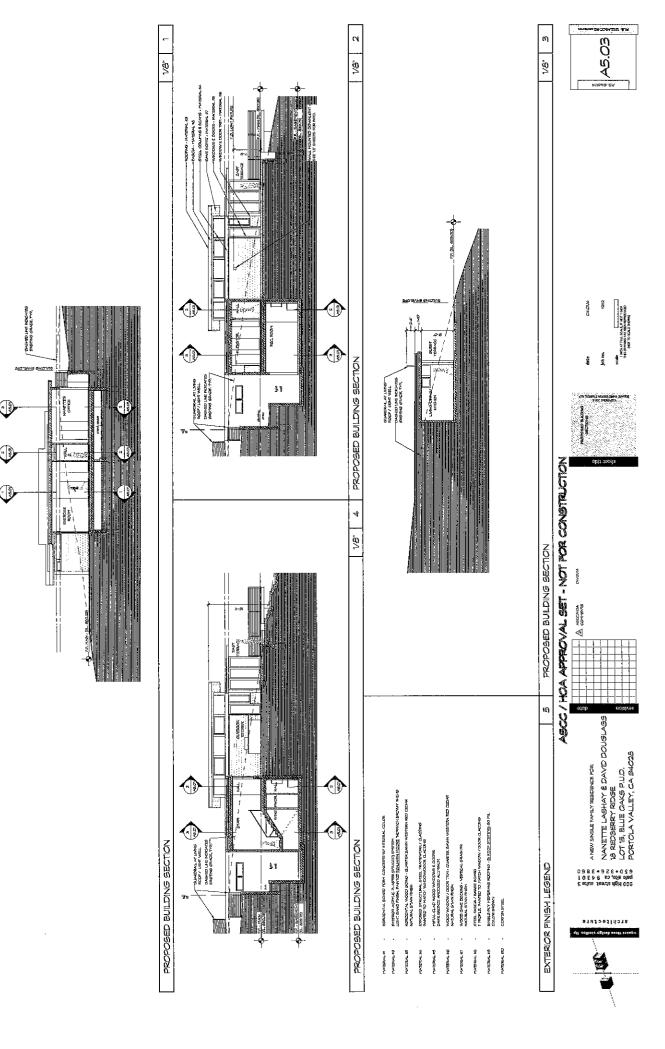








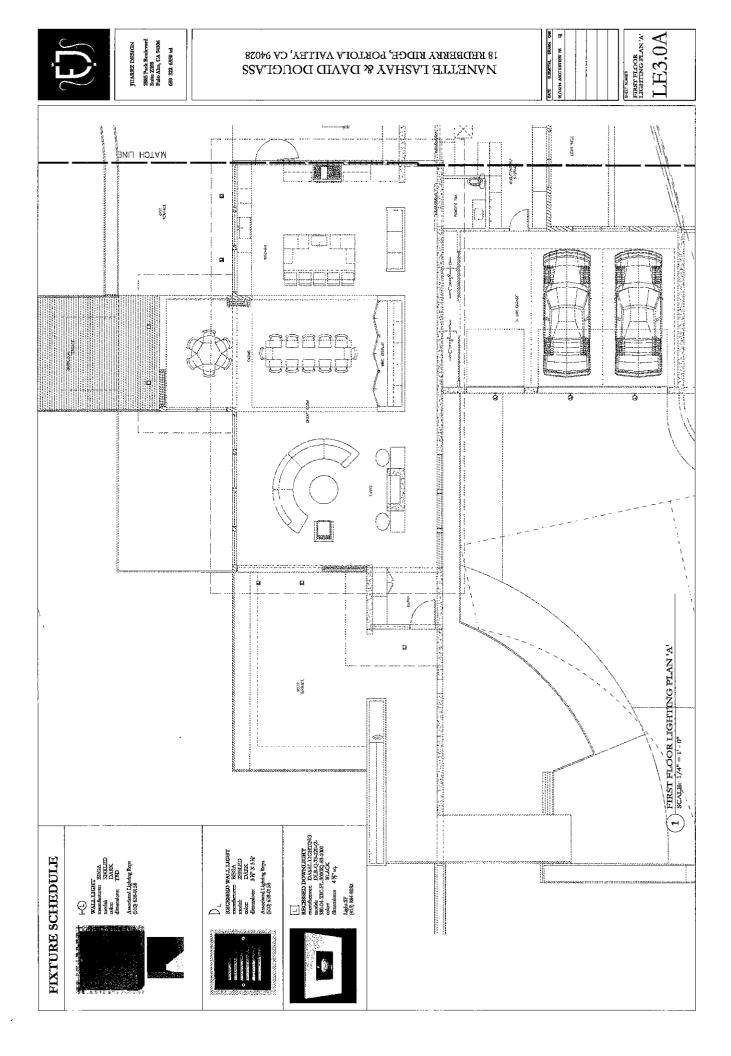




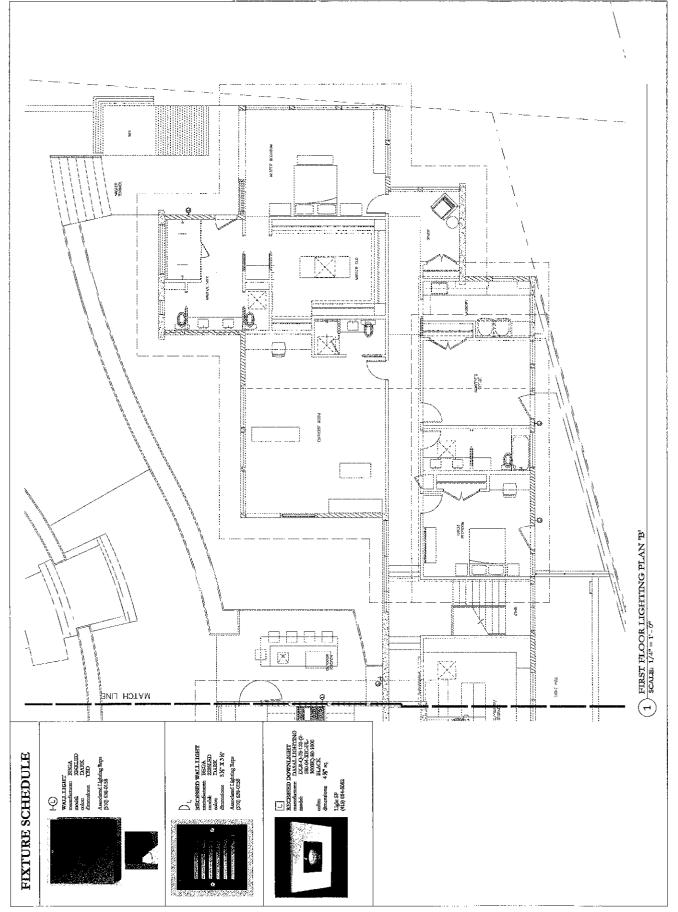
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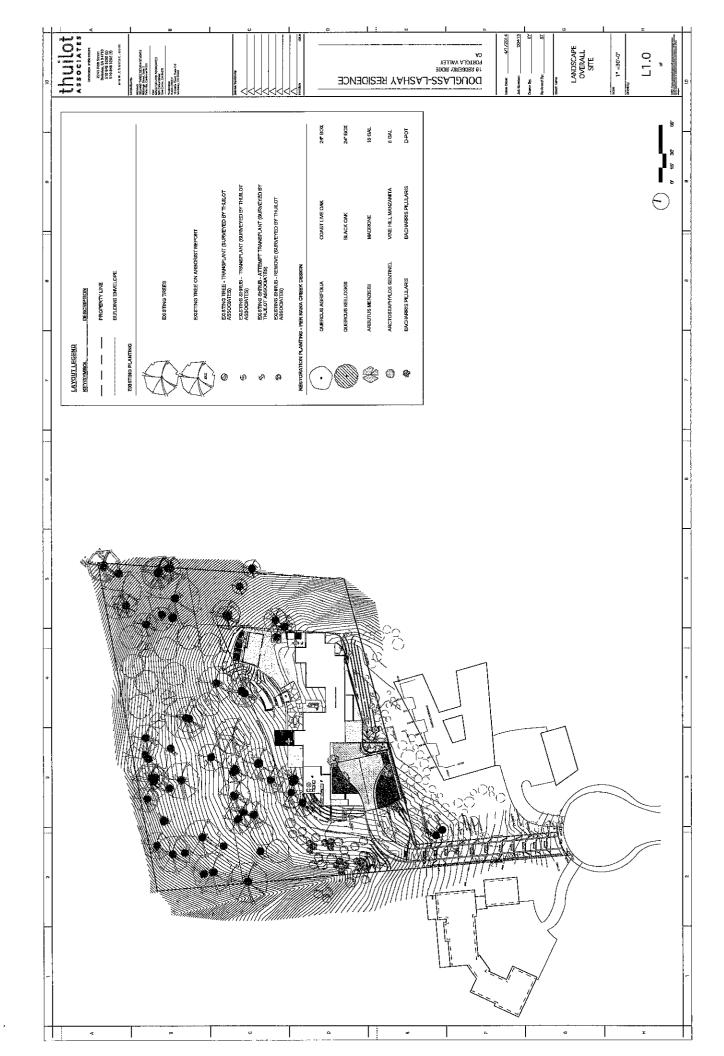
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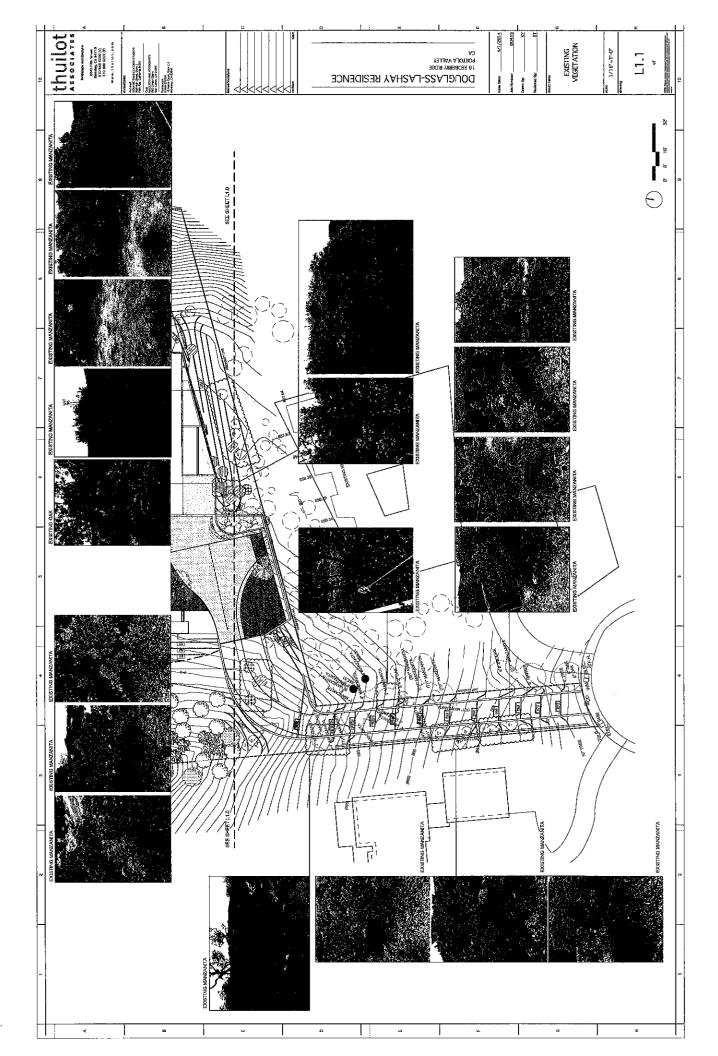
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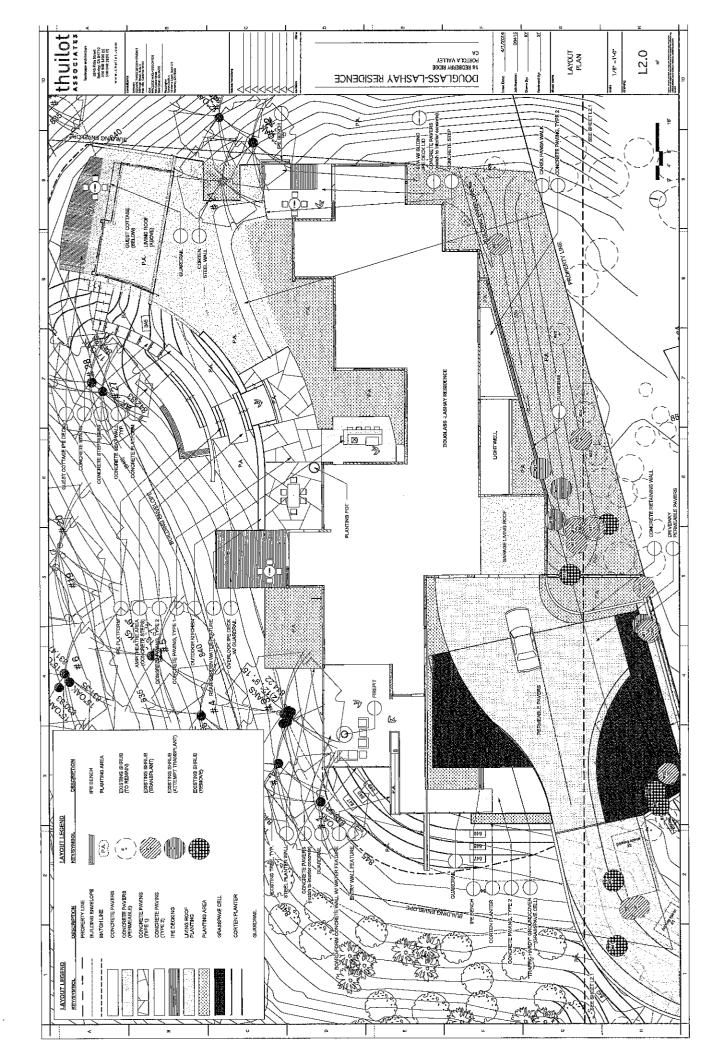


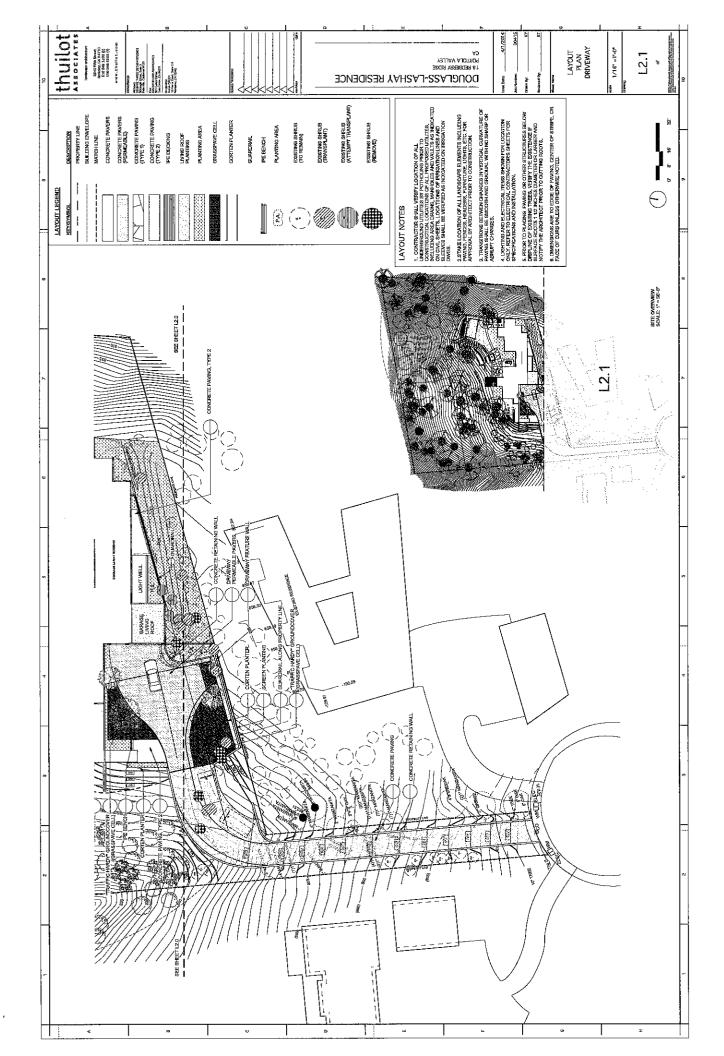






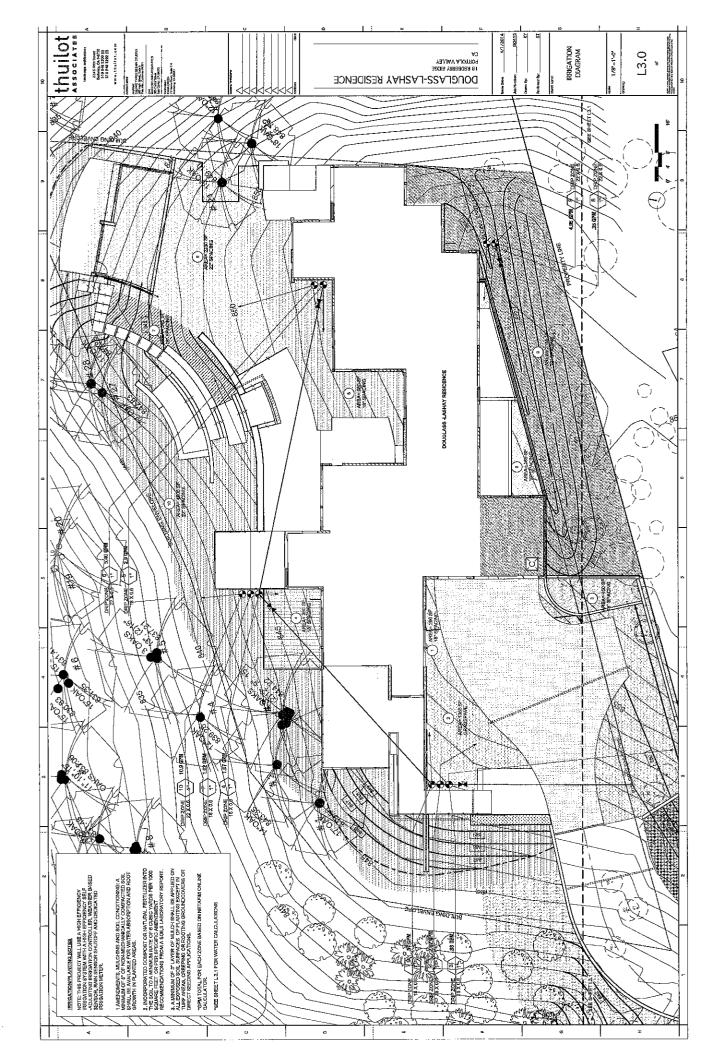


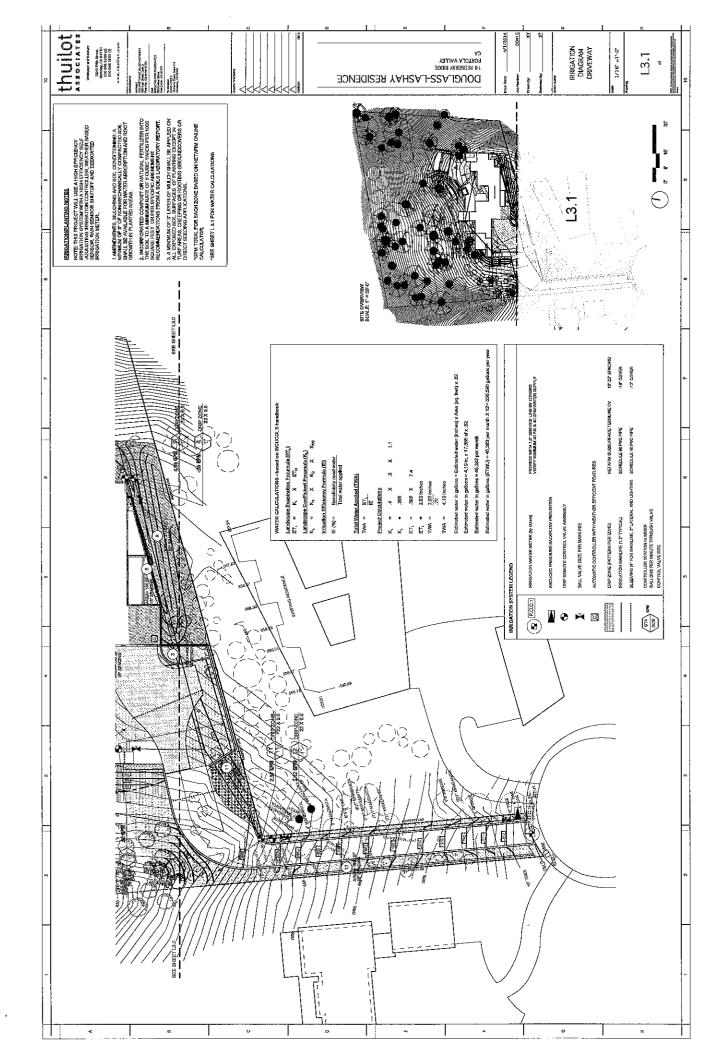


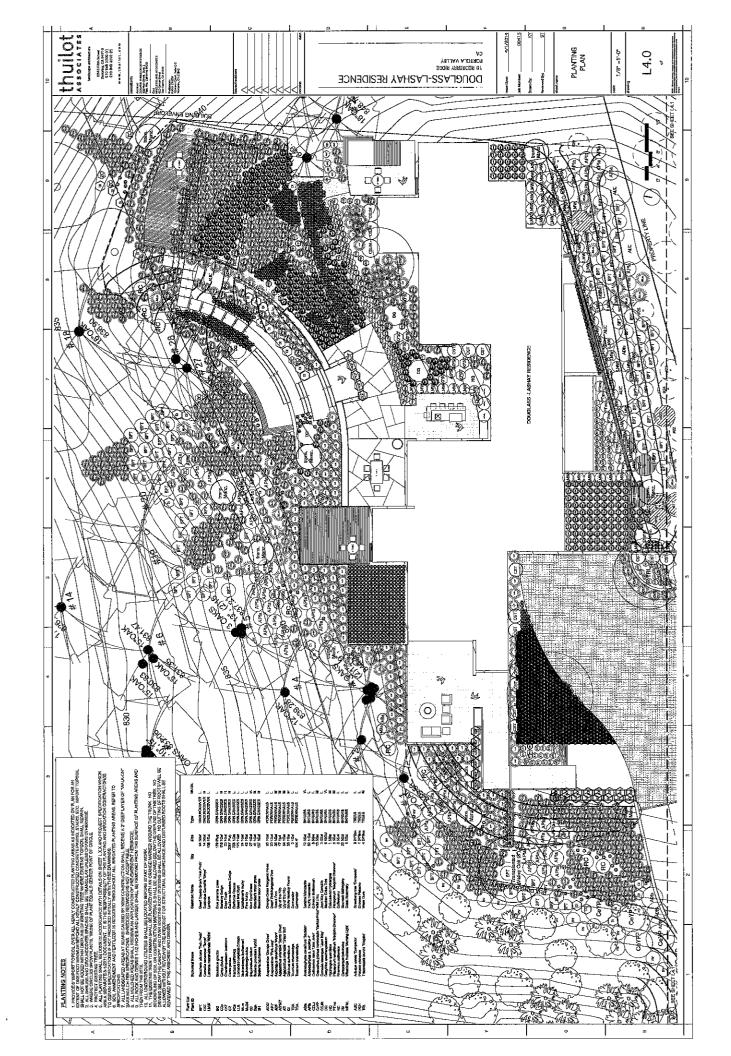


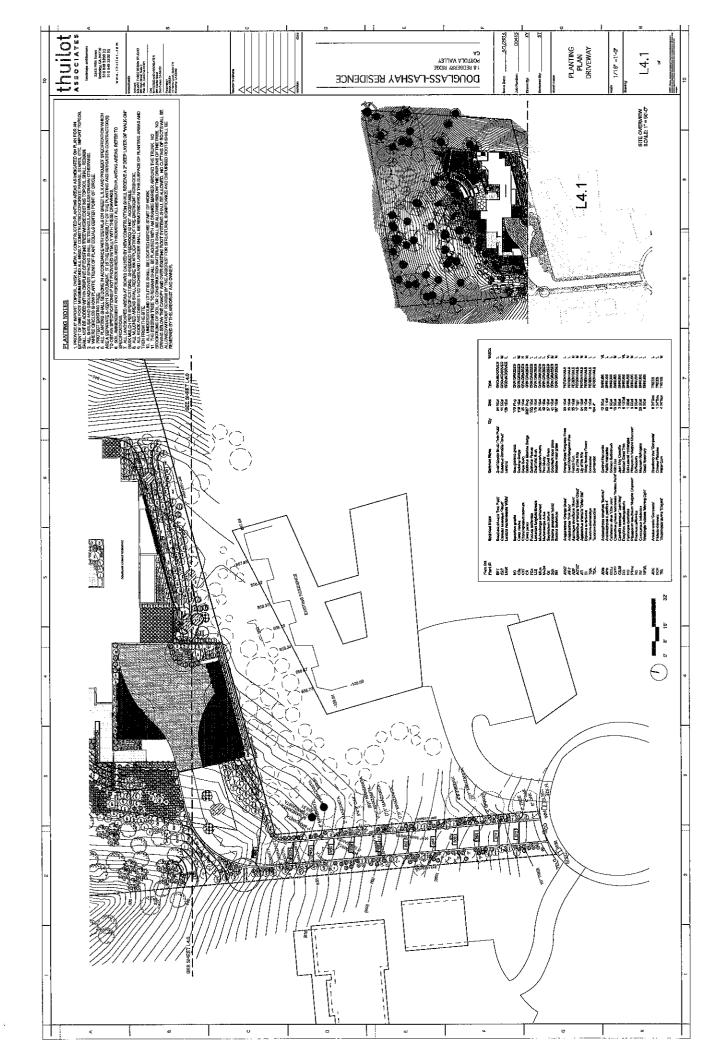
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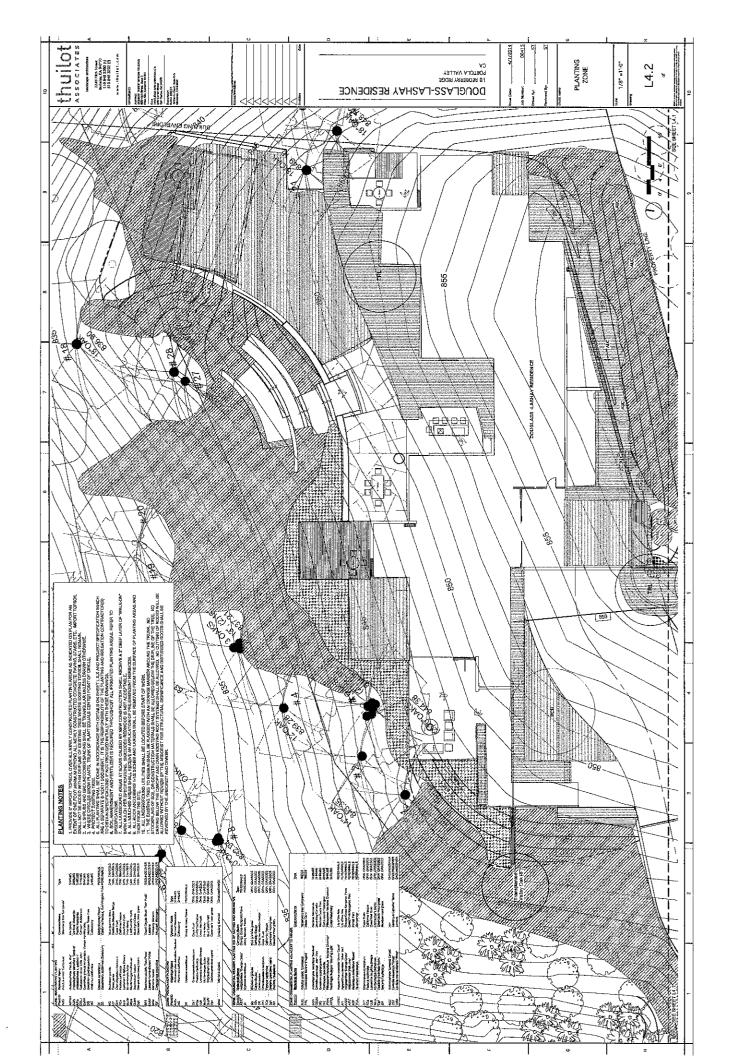
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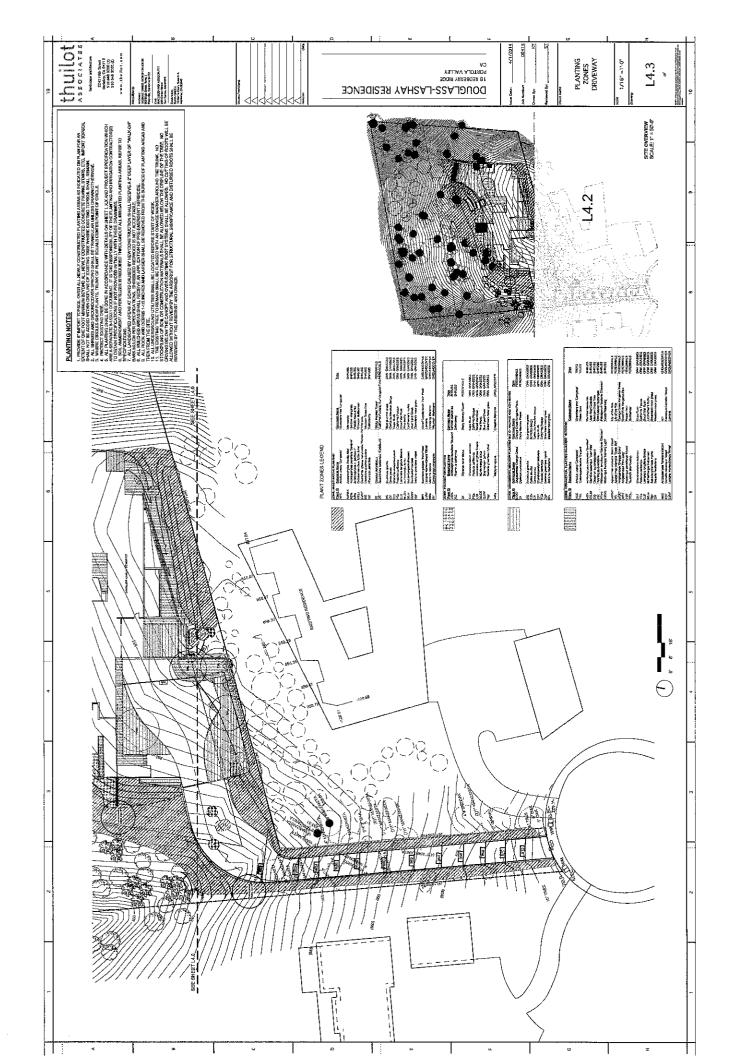


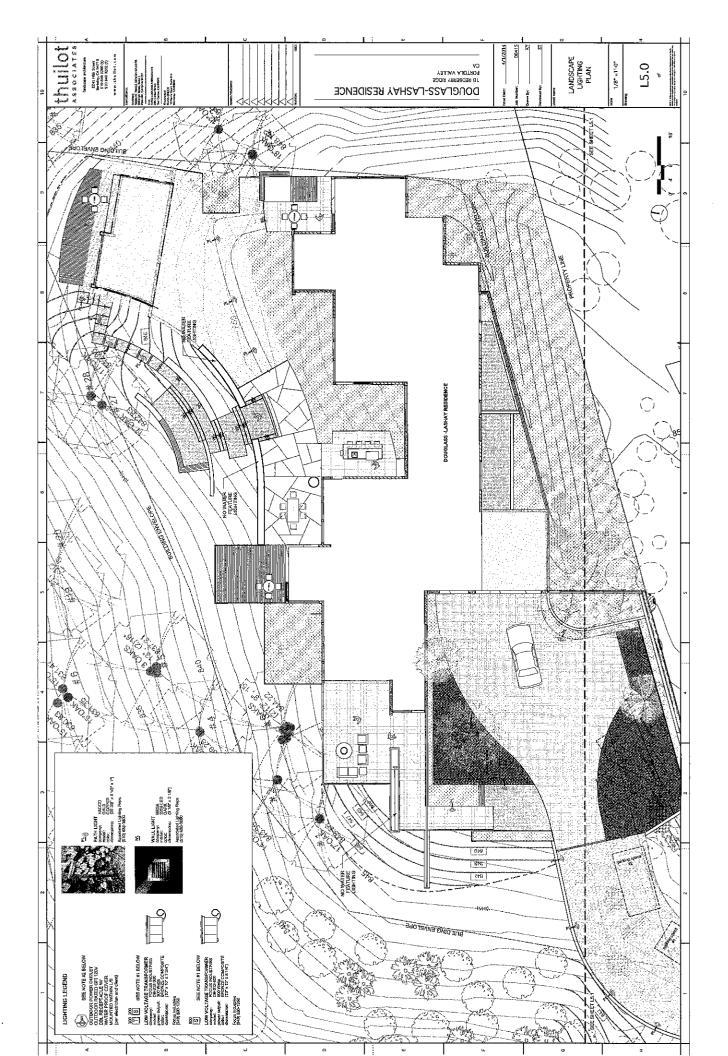


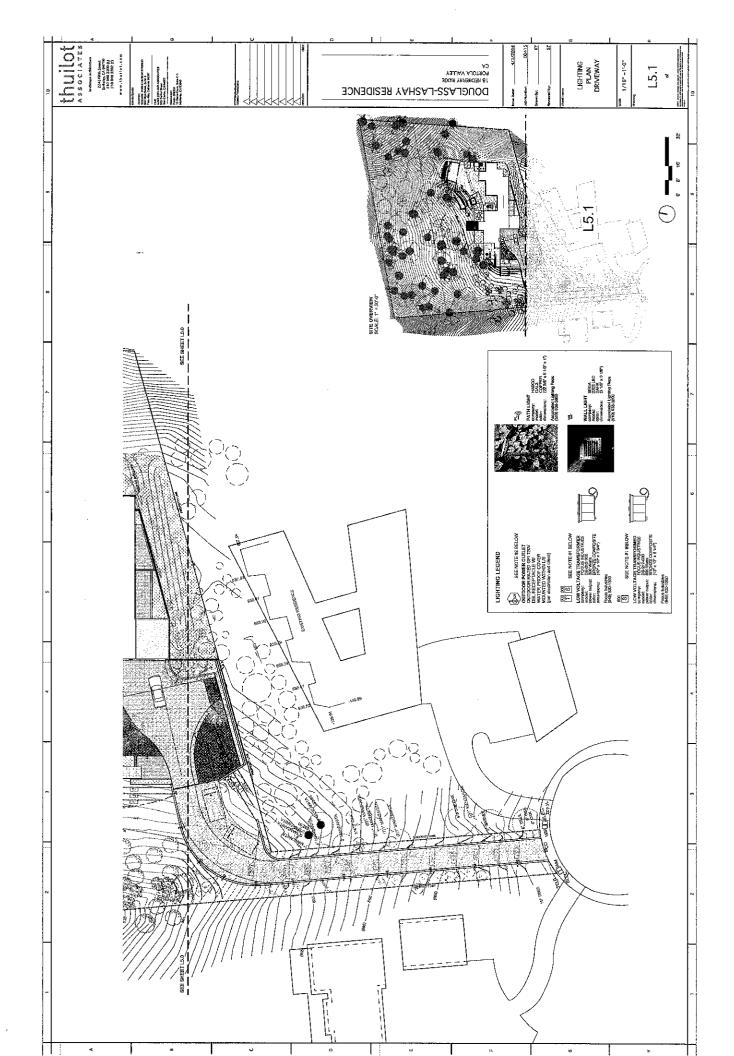


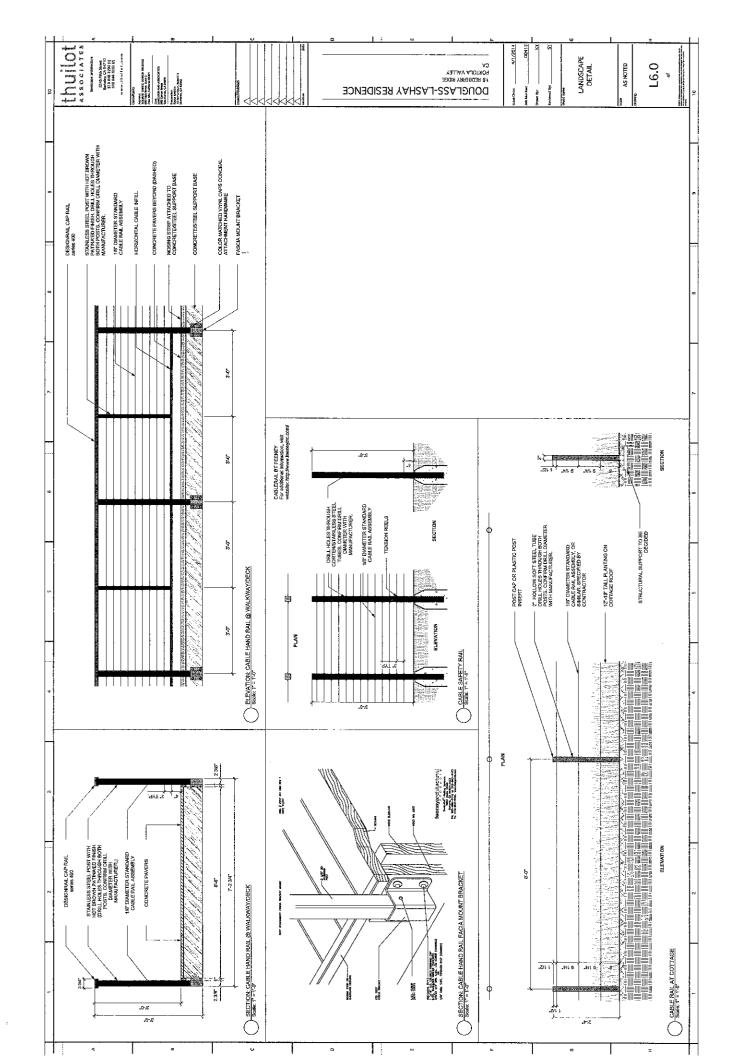














# **MEMORANDUM**

# TOWN OF PORTOLA VALLEY

TO:

Planning Commission

FROM:

Karen Kristiansson, Interim Town Planner

DATE:

May 1, 2014

RE:

Continuing Study Session, 2014 Housing Element -- Review of Goals and

Policies, and Housing Element Schedule Update

At the May 7, 2014 Planning Commission meeting, the Commission should review the Goals and Policies from the 2009 Housing Element (attached) and specifically consider and provide direction as to whether and how these should be updated or otherwise modified for the 2014 Housing Element. The Goals and Policies are discussed briefly below. This memo also provides an update on the 2014 Housing Element preparation schedule.

# **Housing Element Goals and Policies**

The goals and policies in the housing element are intended to provide guidance on the Town's overall vision for housing in the community. Like the goals set forth in other elements of the General Plan, these are general, overarching statements that set the context for the housing programs and Town housing-related actions. The 2009 Housing Element includes four goals:

- 1. Maintain and enhance the character and quality of Portola Valley's residential neighborhoods and the condition of its housing.
- 2. Endeavor to provide opportunities for people of all income levels and with special housing needs, particularly elderly residents and those employed in Portola Valley, to live in the town.
- As set forth in the Sustainability Element of this General Plan, encourage energy conservation and green building practices to reduce costs of living and protect the environment.
- 4. Work to address housing issues on a regional basis.

Each of these goals has between two and six related policy statements associated with it, as shown on the attached excerpt from the adopted, certified 2009 Housing Element. In reviewing these existing goals and policies, the Planning Commission should consider

whether there is a need to update, add or remove any of the goals or policies. Based on Planning Commission discussions of the housing element to date, we do not see any major issues with the current goals and policies or need for substantial changes.

# **Updated Schedule**

Rather than considering the draft 2014 Housing Element at its regular meeting of May 28, 2014, the Town Council has scheduled a special meeting for June 18, 2014 in order to be able to focus on the housing element draft. As a result, the Planning Commission has more time to work on the draft element, and staff is proposing the following schedule for the next phase of housing element work.

- May 21: Planning Commission review of additional sections of the housing element, likely including the Analysis of Constraints on Housing and the Evaluation of the 2009 Housing Element.
- June 4: Planning Commission review of the full draft of the housing element. By this date, the Planning Commission will have already reviewed all of the major sections of the Housing Element individually and will be able to assess the document as a whole.
- June 18: Town Council review of the full draft of the housing element, with Planning Commission input from the June 4<sup>th</sup> study session.

After the Town Council has completed its review, staff will incorporate any revisions and submit the draft housing element to the California Department of Housing and Community Development (HCD) for review. To smooth the review process, staff is working to schedule a site visit with HCD representatives in May and will also begin to coordinate with HCD and obtain informal feedback as possible.

cc. Town Planning Consultant
Town Manager
Town Attorney
Mayor
ASCC

# 2009 Housing Element Goals & Policies

# Goal 1

- 2475 Maintain and enhance the character and quality of Portola Valley's residential neighborhoods and the condition of its housing.
  - Policy 1A: Accommodate new residential development in a manner compatible with the rural character of existing residential development.
  - Policy 1B: Continue to control the location, design and density of new residential development in order to preserve regional open spaces, avoid areas of seismic and geologic hazards, and ensure the adequate provision of safe and convenient access and public services.
  - Policy 1C: Require all housing units in the town to conform to the principles and standards set forth in the general plan and town regulations.

# Goal 2

- 2476 Endeavor to provide opportunities for people of all income levels and with special housing needs, particularly elderly residents and those employed in Portola Valley, to live in the town.
  - Policy 2A: Accept and fulfill responsibility for a reasonable share of the regional need for affordable housing.
  - Policy 2B: Encourage the creation of a diversity of housing options to meet the needs of people in different stages of the life cycle and with different income levels.
  - Policy 2C: Work to make land available for affordable or mixed income housing developments.
  - Policy 2D: Allow in-lieu funds to be used to reduce town fees for affordable or mixed income housing developments, as well as for the purchase of land and the construction of below market rate units.
  - Policy 2E: As possible, waive some fees, or portions of fees, for housing developments with a majority of below market rate units.
  - Policy 2F: Continue to encourage the provision of affordable housing that can be produced in association with market rate housing.

# Goal 3

- As set forth in the Sustainability Element of this General Plan, encourage energy conservation and green building practices to reduce costs of living and protect the environment.
  - Policy 3A: Continue to support energy efficient building and subdivision design that protects solar access, and to allow solar installations.
  - Policy 3B: Continue to encourage energy-efficient cluster development.

Policy 3C: Continue to require native landscaping, which reduces both water and power consumption.

Policy 3D: Allow and encourage green building practices.

# Goal 4

2478 Work to address housing issues on a regional basis.

Policy 4A: Continue to participate in regional and county efforts to increase the availability of affordable housing in the region and county, including housing for people with special needs.

Policy 4B: Support regional efforts to address the need for emergency and transitional shelter.



# **MEMORANDUM**

# TOWN OF PORTOLA VALLEY

TO:

Planning Commission

FROM:

Karen Kristiansson, Interim Town Planner

DATE:

May 1, 2014

RE:

Annual Housing Element Monitoring Report for 2013

State law requires that the town submit an annual report on the housing element to the California Department of Housing and Community Development (HCD). This report must be provided on a form developed by HCD. A copy of that form filled out for 2013 is attached. State law also requires that the governing body consider the report at a public meeting where members of the public are allowed to provide comments. The Town Council is therefore tentatively scheduled to review the annual report at its meeting on May 14.

Portola Valley's housing element also calls for annual monitoring of inclusionary housing, multifamily housing, and second units. Although the Planning Commission has discussed all of these programs during the last few months in the process of working on the 2014 Housing Element Update, this memo summarizes the goals and status of each of these programs.

# **Inclusionary Housing**

This program has two goals in the 2009 housing element. First is to assess the possibility of building below market rate housing at Blue Oaks, or alternatively, to sell the inclusionary lots and purchase another site. As you know, the Town sold the lots and proceeds have been deposited in the in-lieu housing fund. Although the Town attempted to purchase the property at 900 Portola Road as an alternative housing site, the purchase agreement expired because the County was unable to issue a letter of closure on the hazardous materials cleanup on the site. The proposed Program 7 of the 2014 housing element calls for the Town to study potential uses of these funds to meet identified local affordable housing needs.

The housing element also calls for the town to revise the inclusionary housing program to make it more effective, given the difficulties the town experienced getting the Blue Oaks BMR units built. The Planning Commission has determined that the Town should

revise this program to require building the below market rate housing rather than simply providing land. As part of developing those revisions, the Commission has recommended that the Town join the ongoing County-wide nexus study in order to obtain data that the Town can use in determining the appropriate amount of below market rate housing that should be required as part of a market rate development.

# **Multifamily housing**

The goal of the multifamily housing program during the current housing element cycle is the construction of eleven new housing units at The Priory School. Four of these units should be for low income households, four for moderate income households, and three for above moderate income households.

The Priory School has been focusing on other projects, but still intends to build these eleven new units. Long-term planning underway at the school could change the intended location of the units, however, which would likely require a change to the Priory's use permit.

# Second units

The current goal for this program is to increase the average number of second units constructed each year from under five up to six. To do this, the housing element lists a number of actions, which have now been completed. These are summarized below:

- In January 2011, the town adopted zoning ordinance amendments to allow staff level review and approval of second units that are created by converting floor area within the first floor of an existing home.
- Also in January of 2011, the town adopted zoning ordinance amendments to allow staff level review and approval of second units that are 400 square feet in area or smaller and that do not require a site development permit.
- In January 2012, the town's new second unit manual was posted on Portola Valley's website. In addition, a two-page flyer was created that can be handed out at the planning counter.

The table below shows the number of second units that were projected for each year in the housing element compared to the actual number of permits issued.

Year	Second Units Projected	Second Units Permitted
2008 (6 months)	2.5	1
2009	4.9	3
2010	6	8
2011	6	5
2012	6	4
2013	6	8
2014 (6 months)	3	3 (to date)
TOTAL	34.4	32

The number of second units permitted has been variable, but the total number of second units permitted is only two less than the number that was projected in the 2009 housing element. The average over the past 5.5 years, not including 2014, is 5.3 units per year (32 units permitted over 5.5 years), which is less than the target of 6 units per year. However, given the relatively high number of second units permitted last year and the number of applications approved or pending so far in 2014 that include second units, it does appear that the number of second unit permits is increasing. The draft 2014 Housing Element Update includes suggestions for three additional actions the Town can take to further encourage second units.

cc. Nick Pegueros, Town Manager
Tom Vlasic, Planning Consultant
Leigh Prince, Town Attorney
Ann Wengert, Mayor

# ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction

Town of Portola Valley

Reporting Period

12/31/2013 1/1/2013 - Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

		Housing	Housing Development Information	rmation					Housing with Financial Assistance and/or Deed Restrictions	ncial Assistance or rictions	Housing without Financial Assistance or Deed Restrictions
1	2	3		4			5	5a	9	7	. 80
Project identifier (may be Aph No. (project name or address)	Calegory	Tenre V R-Rener O-Owner	Afroda Very Low.	bility by Househol	seroid Incom	Above Moderate Roome	Total Unis	Est # India	Assistance Programs For Each Development See Instructions	Restricted Lorins Lorins See Instructions	Deed Note blow the number of units Restricted Advantage of Units Institution of Advantage of Units Institutions and Units Institutions affordable Refer to restrictions.
		-									
									5		
					-						
(9) Total of Moderate and Above Mod	nd Above	Moderate	erate from Table A3	<b>A</b>	-	9	7			7.4	
(10) Total by income Table A/A3	ble A/A3	<b>A</b>			<b>7</b>	9	2				
(11) Total Extremely Low-Income Units*	v-Income	Jnits*									

\* Note: These fields are voluntary

# ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction

Town of Portola Valley

Reporting Period

12/31/2013 1/1/2013 -

# Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1) Table A2

Please note: Units may only be credited to the table below when a jurisdiction has included a program if its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA whichmeet the specific criteria as outlined in GC Section 65583.1(c)(1)

	Affor	Affordability by Household Incomes	mooul ployesr	les	
Activity Type	Extremely Low- Incorner.	Very Low-	Low-	TOTAL	(4) The Description should adequately document how each unit complies with subsection (c X(7) of Government Code Section 65583.1
(1) Rehabilitation Activity				. 0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	T THE TAX T
(5) Total Units by Income	O	0	0	0	

\* Note: This field is voluntary

Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A) Table A3

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate				-		-	
No. of Units Permitted for Above Moderate	4	·		2		9	

\* Note: This field is voluntary

# ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

Jurisdiction

Town of Portola Valley

Reporting Period

1/1/2013 -

12/31/2013

Table B

# Regional Housing Needs Allocation Progress

# Permitted Units Issued by Affordability

	г	∢ -			T				Γ	1		
	Total	Remaining RHNA by Income Level	7	<u>.</u>	c	0	ę	2	o		19	
	Total Units	to Date (all years)		16		2		4	17	ōč.	}	
	2015	Year 9										
	2014	Year 8										
	2013	Year 7	0	4	0	1	0	-	. 9	22	l	
	2012	Year 6	0	2	o	0	0	-	ĸ	45	,	
•	2011	Year 5	٥	8	0	0	0	-	2	Ç		
	2010	Year 4	0	4	0	1	0	<b>~</b>	2	α		
	2009	Year 3	0	. 2	0	0	0	0	2	4		
	2008	Year 2	0	1	0	0	0	0	2	en.	ı	
	2007	Year 1	NA	NA	N.	NA	N.A.	NA	NA	ΨX		<b>A</b>
	the first year of Example.	RHNA Allocation by Income Level	ĸ	,	ç	?	17	-	26	58		<b>A A</b> p
	Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.	Income Level	Deed Restricted	Non-deed restricted	Deed Restricted	Non-deed restricted	Deed Restricted	Non-deed restricted	rate	Total RHNA by COG. Enter allocation number.	A A	Remaining Need for RHNA Period
	Enter Calen the RHNA a	ooul	Ventow	io fina	710		eterebow	an rapour	Above Moderate	Total RHNA by COG. Enter allocation numb	Total Units ▶	Remaining I

Note: units serving extremly low-income households are included in the very low-income permitted units totals.

# ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

Jurisdiction

Town of Portola Valley

1/1/2013 -

Reporting Period

12/31/2013

# Table C

# Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Prog Describe progress of all program improvement, a	grams Progres ns including for and developme	Housing Programs Progress Report - Government Code Section 65583.  Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
1. Inclusionary Housing Requirements	Build 8 Blue Oaks BMR units; one other BMR is expected; and revise the inclusionary housing program	Construction by 2012 or 2013; revise program in 2012	The Town determined that building the units was not feasible at the Blue Oaks site and sold the units in 2012. The Town identified an alternative site for this housing and entered into a purchase agreement for the property, but cleaup of hazardous materials issues on the site was not completed and the agreement lapsed. The Town has not been able to find another alternative site in town, but will look at options under a new program in the 2014 Housing Element.
2. Multifamily Housing	Construction of 11 new units anticipated; town will monitor annually	2014; annually	Construction is still anticipated but was been slowed by the economy and need for fundraising. The property owner is still planning to move foward; staff monitors progress regularly.
3. Second Units	Increase construction to an average of 6 second units/year	Starting 2010- 2011	The town amended its design review process and now allows staff level review for more units. The amendments were adopted in January 2011. The second units manual is complete and was Starting 2010 posted on the town's webpage in February 2012. The number of second units being built in Town appears to have increased, with the average over the planning period of 5.3 second units permitted per year. The range was from a low of 4 units in 2009 to a high of 8 units in 2010 and 2013.
4. Waiver of Fees	Mitigate a constraint by allowing fee waivers	2009	The zoning ordinance was amended to include a fee waiver provision in January 2011.
5. Shared Housing	Continue participation in HIP Housing	Ongoing	The town continues to participate in this program.
6. Emergency Shelters	Adopt zoning ordinance amendment to allow emergency shelters	2010	The zoning ordinance was amended to include provisions allowing emergency shelters in January 2011.
7. State-Required Density Bonus	Adopt a density bonus program	2010	The Planning Commission recommended approval of a density bonus implementation ordinance on April 2, 2014 and the Town Council had the first reading of the ordinance on April 23, 2014 Final action on the ordinance is scheduled for May 14, 2014
8. Fair Housing	Make information available about a county-wide program	Ongoing	Town staff is referring people to the county-program as necessary.

# ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

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Reporting Period

12/31/2013

1/1/2013 -

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9. Removal of Constraints to Housing for People with Disabilities	Amend zoning ordinance to remove constraints and add reasonable accommodations ordinance	2010	These zoning ordinance amendments were adopted in January 2011.
10. Housing Impact Fee	Study possibility of and options for housing impact fee, and adopt if appropriate	2010 and 2011	A county-wide housing nexus study is underway, and the Planning Commission is recommending that the Town participate in the study in order to revise the Town's inclusionary housing program and potentially consider an impact fee.
11. Farmworker Housing Zoning Amendments	nendments Amend zoning ordinance to comply with state law	2010	These zoning ordinance amendments were adopted in January 2011.
12. Transitional and Supportive Housing Zoning Amendments	Amend zoning ordinance to comply with state law	2010	These zoning ordinance amendments were adopted in January 2011.
13. Continue Existing Energy Conservation Measures and Implement Sustainability Element	Continue existing green & energy conservation measures, and implement the Sustainability Element	Ongoing	Work on this program is ongoing. In 2010, the town adopted a mandatory Build-It-Green Program for all new buildings and remodels, and also adopted an Indoor Water Conservation Ordinance and Water Conservation in Landscaping Ordinance. The Town has also been encouraging water and energy efficiency in existing homes through various state and local programs. The Town is also working towards adoption of a Climate Action Plan in 2014.

# ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

	12/31/2013
Town of Portola Valley	1/1/2013 -
Jurisdiction	Reporting Period

General Comments:

# PLANNING COMMISSION REGULAR MEETING, TOWN OF PORTOLA VALLEY, APRIL 2, 2014, SCHOOLHOUSE, TOWN CENTER, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

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

Present:

Commissioners Judith Hasko and Alexandra Von Feldt; Vice Chair Nicholas Targ; Chair Denise

Gilbert

Absent:

Commissioner Nate McKitterick

Staff Present:

Tom Vlasic, Town Planner

Karen Kristiansson, Deputy Town Planner Craig Hughes, Town Council liaison

# **ORAL COMMUNICATIONS**

None.

# REGULAR AGENDA

(1) PUBLIC HEARING: Proposed Zoning Ordinance Amendment to add Section 18.17 State Density Bonus Law (SDBL)

Ms. Kristiansson, referencing Town Attorney Leigh Prince's presentation at the Planning Commission's meeting on March 5, 2014, said the proposed ordinance would bring Portola Valley into compliance with the SDBL but wouldn't create any additional incentives. It would set up application requirements related to processing requests to use the SDBL and enable the Town to take advantage of streamlined Housing Element review.

The draft ordinance in tonights meeting packet incorporates two changes reflecting Commissioner requests: 1) It revises Section 18.17.050 to clarify language related to the Town retaining discretionary approval of projects, and 2) it adds Section 18.17.080 to address the timing of construction of affordable units vis-à-vis market-rate units.

In response to concerns about examples provided in the first draft, Ms. Kristiansson reiterated that those

In response to concerns about examples provided in the first draft, Ms. Kristiansson reiterated that those examples were illustrative only and pertained to the only four properties in Town where the SDBL could legally be utilized without rezoning, but no development has been proposed for any of the four properties and none is anticipated. She also emphasized that the Housing Element will not identify any other sites for rezoning, but rather proposes that the Town will meet its housing needs numbers primarily through a combination of second units and affiliated housing at the Priory.

Ms. Kristiansson said the Planning Commission could use the draft resolution attached to the staff report of March 26, 2014 to recommend adoption of the proposed ordinance by the Town Council. She confirmed that the Council would hold a public hearing prior to voting on the proposed ordinance.

In response to Commissioner Hasko, Ms. Kristiansson said the "maximum base density" mentioned in Section 18.17.040 is defined in state law.

With no further Commissioner questions or comments, Chair Gilbert opened the public hearing. No one came forward, so she closed the public hearing and brought the matter back to the Commission.

It was clarified that the Planning Commission would hold this one public hearing, but the Town Council would have two – one for the first reading of the ordinance and another for the second reading.

Vice Chair Targ complimented staff on both the presentation and the proposed ordinance, including incorporation of recommendations. He said it's unusual for additional rules to actually increase flexibility and make a process proceed more smoothly, but that's the case with this ordinance.

Commissioner Hasko agreed that the ordinance makes sense to give the Town a framework for implementation of the SDBL.

Vice Chair Targ moved to approve the resolution of the Planning Commission recommending the Town Council's adoption of the proposed SDBL implementation ordinance, which would add Chapter 18.17 (State Density Bonus Law) to Title 18 (Zoning) of the Portola Valley Municipal Code. Seconded by Councilmember Hasko, the motion carried 4-0.

# (1) CONTINUED STUDY SESSION: Housing Element Update

Chair Gilbert proposed that the Commission deal one at a time with the two drafted sections of the Housing Element update included with Ms. Kristiansson staff report of March 26 2014: first the "Population, Employment and Housing Conditions and Trends" section, which focuses on demographics, and then the "Housing Element Programs."

Ms. Kristiansson explained that the material in the Population, Employment and Housing: Conditions and Trends" section is structured the way it is because state law requires including most of this information, even though some items aren't significant issues in Portola Valley. She said data in the demographics section was updated largely by Planning Department intern Alvin Jen. Data collection was particularly difficult this year due to the elimination of the long form of the U.S. Census; Mr. Jen had to turn to various other sources, which were not always consistent. She said they tried to work around most of the inconsistencies and are confident about the accuracy of the overall trends presented in the current draft. Nonetheless, they will continue refining data as they work toward completing the Housing Element update.

According to Ms. Kristiansson the two key facts to take away from the demographic data are the same as those that were identified for the 2009 Housing Element:

- The population over age 65 is growing and is now more than one-fourth of the Town's population, which indicates a need for housing solutions for older residents
- Housing in Portola Valley is not affordable to most people who work in various Town institutions and businesses

Chair Gilbert said the inconsistencies in data sources made the draft difficult to read. Ms. Kristiansson explained that the data sources were identified because there were differences among them. For instance, the number of housing units in the California Department of Finance numbers isn't the same as in the American Community Surveys. She asked Commissioners to let her know if particular passages are difficult to understand, and staff can try to address them by either locating another source of data or re-writing those portions.

Commissioners began commenting on the Population, Employment and Housing: Conditions and Trends draft section by section.

## Population Trends

2427 Chair Gilbert pointed out that this section excludes residents of The Sequoias from the population of those who live in group quarters, but elsewhere the data includes that population. She asked why. Ms. Kristiansson said we don't know exactly who was counted; the data is based on what individuals reported on their Census forms and so isn't always accurate or consistent. The interpretation is staff's best guess based on the numbers. For instance, about 300 people live at The Sequoias, and the number shown in group quarters in the U.S. Census for 2010 was 44. Ms. Kristiansson could not explain the drop in group quarters numbers from 70 in 2000 to 44 in 2010. She did note that the U.S. Census definition of "group quarters" does not fit either the Priory or The Sequoias very well, but those are the numbers the U.S. Census has reported.

Commissioner Hasko asked whether housing at the Priory and The Sequoias is similar. Chair Gilbert said that it's staff and employees at the Priory and residents at the Sequoias. Ms. Kristiansson clarified that the Priory includes dormitories for students, as well as the small monastery and separate housing units on campus. Commissioner Hasko said that because this information is self-reported, there probably hasn't been a trend in the population recorded, but only how people identify where they live.

Chair Gilbert suggested that it could be helpful to include a statement about what the Town thinks has happened in group quarters.

# **Employment Trends**

- 2428a Chair Gilbert, noting that the table suggests that 17% of Town residents worked in Portola Valley in 1990 and the percentage increased to 25% in 2010, asked whether the increase results primarily from people working out of their homes. Ms. Kristiansson said yes.
- There was some discussion about the total number of jobs in Town, and whether construction jobs were counted. Ms. Kristiansson noted that the Town doesn't have data on construction jobs.
- 2428d Chair Gilbert pointed out that having approximately 57% of those employed in Town earning incomes in the very low income category does not necessarily support the conclusion that "those who administer the Town's affairs, teach its children, and care for its elderly generally cannot afford to live in Town." She suggested that including low income as well as very low income numbers would make a better case for using the adverb "generally." Ms. Kristiansson said sheld check the numbers and revise the section. If the numbers do not make a sufficient difference, Chair Gilbert recommended omitting "generally" and saying instead that the majority of those indicated can't afford to live in Town.

Commissioner Von Feldt asked whether the statement that "about 4% of those employed in Town earned incomes that would be in the above moderate income category for a family of three " suggests that's the level of income necessary to be able to live in Portola Valley. Ms. Kristiansson said that's pretty much the case, with second units being the primary source of housing for those with moderate incomes and below.

# **Housing Characteristics**

- 2429a Chair Gilbert asked that the "Department of Finance" be identified as the California Department of Finance when it is mentioned in the text, for clarity.
- Chair Gilbert asked whether the text which indicates that the housing unit count "seems" to include the senior housing at The Sequoias and some housing at the Priory as multi-family units, also could include the actual numbers of residents in those locations. Ms. Kristiansson explained that this data comes from the California Department of Finance, and she cannot explain the increase from 260 people in multi-family units of 5+ in 2000 to 324 in 2013. She said that she believes they'll be able to get the real numbers to include without much difficulty.

Ms. Kristiansson also explained that the "New Units" count for 2010 shows the increase from 2009, although 2009 is not included in the table. She said she would revise the table to clarify it.

Commissioners had no comments on Tenure, Overcrowded Households, Housing Conditions, or Vacancy Rates

# **Housing Affordability**

2430c Commissioner Hasko asked about the rental housing numbers from craigslist and Trulia.

Ms. Kristiansson explained that the numbers are provided only as a snapshot to provide a sense of the rental housing available in Town.

Chair Gilbert said this section reads as if a comparison is being made between the numbers of rental units available in 2001 to those available in 2013, but she believes the intention was to highlight the increase in the range of monthly rents from in 2001 versus 2013.

- 2430 Vice Chair Targ asked whether the home prices (2430a) and rental rates (2430c) are presented in constant dollars. Ms. Kristiansson said she didn't believe they were. He said everything should refer to the same base year, perhaps using 2010 dollars.
- 2430g Chair Gilbert objected to the use of the word "overpaying" in the first sentence, saying that "overpaying" is a judgment call that suggests residents are being charged more than the housing is worth, when she believes the intent is that they're paying more than 30% of their income for housing. Ms. Kristiansson said that "overpaying" is a housing term which specifically refers to spending more than a certain percentage of income on housing. Vice Chair Targ said it should be defined. Ms. Kristiansson agreed.

Chair Gilbert also noted that no data source is cited.

# Special Housing Needs

- 2431a Commissioner Von Feldt asked whether the data shows that half of the voting population is age 65 or older. Ms. Kristiansson pointed to the age breakdown on page two at the end of paragraph 2427a, which indicates that about one-third of the population age 20 and older is over age 65.
- 2431f In response to Chair Gilbert, Ms. Kristiansson said the data in this section was updated recently by The Sequoias.

Commissioners had no comments on People with Disabilities, Large Households, Single-Parent Households with Children, or Farm Workers

# Extremely Low Income Households Existing Needs

2431p In response to Chair Gilbert, Ms. Kristiansson confirmed the CHAS Data Book as the data source and said she would add a definition for "housing problems." She said it's a self-reported item, but she said she believes it reflects costs, overcrowding, substandard conditions, etc.

# Extremely Low Income Households — Projected Needs

Referring to the second sentence "This results in a projected need for 10 housing units for ELI households," Chair Gilbert asked about adding the timeframe for that projection. Ms. Kristiansson said it's 2431r over the planning period for the Housing Element, 2014-2022. She added that the number is based on a state formula.

# Homeless

2431t Vice Chair Targ suggested striking the last clause, so the sentence reads, "The Town believes that homelessness is a regional problem which needs to be addressed on a regional basis."

Commissioners had no comments on Rehabilitation and Replacement or Affordability for Assisted Housing Developments.

# Regional Housing Needs Allocation

2434e Referring to "an estimated 35% of income as a guide to affordability" (in the fifth sentence), Chair Gilbert pointed out that according to an earlier section (2430e), the federal government defines affordable housing as housing that costs 30% or less of a household's income. Ms. Kristiansson said the percentages differ depending on the source; she's seen 30%, 33%, 35% and up to 42%. Chair Gilbert suggested that it might be worthwhile acknowledging the discrepancy.

Ms. Kristiansson said she'd adjust the housing cost figures in the referenced table (2434d) to reflect the 30% figure. The income limits, not the percentages, are the data on the table that comes from the California Department of Housing and Community Development, income limits for San Mateo County, she said. Vice Chair Targ emphasized the importance of clarifying that the housing costs were derived from the source cited, and of being consistent throughout the section.

Moving on to discuss the Housing Element Programs section, Chair Gilbert invited Ms. Kristiansson if she had any introductory comments. Ms. Kristiansson said the housing programs had been outlined and discussed at the March 19, 2014 Planning Commission meeting. The text covers seven programs, four of which are basically the same as they were in the 2009 Housing Element, she said. Of the other three:

- The Inclusionary Housing Program would be revised to require developers to build the below-market-rate (BMR) units rather than simply providing the land
- The Second-Unit Program would be revised to 1) allow second units up to 1,000 square feet on lots that have two or more acres and 2) allow two second units on lots that have more than 3.5 acres, 3) allow staff review and approval of second units up to 750 square feet when no site development permit is required, and to revisit the performance standards to ensure that they are up-to-date and provide sufficient guidance for increased staff review.
- A new program focuses on future housing needs and potential housing programs. Ms. Kristiansson said this is the "vision component" that has been discussed, and it would cover options such as allowing employee housing on commercial properties as well as longer-range potential uses of the housing in-lieu fund money.

Commissioners had no comments on Program 1. Inclusionary Housing or Program 2: Affiliated Housing.

# Program 3: Second Units

2482c Commissioner Hasko asked at what point a proposal would go to the ASCC. Ms. Kristiansson confirmed that it would be in excess of 750 square feet unless there's a requirement for a site development permit. Commissioner Hasko suggested the wording be clarified.

Bev Lipman asked whether the Commission thought that administrative review is a good idea. Chair Gilbert said it was an effort to streamline the process to encourage more second-unit construction, but if a proposal is complex of staff is uncertain about it, they always have the option of forwarding a proposal to the ASCC. Ms. Kristiansson stressed that the program also involves reviewing and updating the second unit performance standards to ensure they provide sufficient guidance.

An unidentified man in the audience recommended reading the April 2, 2014 San Francisco Chronicle article about what can be done if San Francisco's "side units" or "granny units" aren't up to code. Chair Gilbert explained that the Housing Element program itself can count only second units that are new, although an amnesty program for existing second units has been discussed in Portola Valley and may be addressed again outside the Housing Element.

Onnolee Trapp, the Sequoias, pointed out that limiting the amount of rent landlords may charge in San Francisco may discourage renting out second units and lead them to keep the units vacant.

Commissioners did not review the programs that remain essentially unchanged from the 2009 Housing Element: Program 4: Shared Housing, Program 5: Fair Housing and Program 6: Energy Conservation and Sustainability.

# Program 7: Explore Future Housing Needs and Potential Housing Programs

2487b Ms. Kristiansson noted the two items specifically identified for further exploration:

- 1. The possibility of expanding the affiliated housing program to commercial sites, so that employers could provide employee housing on commercial properties
- 2. Potential uses of the money in the Town's in-lieu housing fund, including proceeds from the sale of the Blue Oaks BMR lots, to meet identified local affordable housing needs

Commissioner Von Feldt said it would be sufficient to cover those two items in the Housing Element, and other opportunities could be explored as well, without including them in the Housing Element.

Chair Gilbert closed the public hearing. Ms. Kristiansson said staff is currently planning to bring the final draft of the entire Housing Element back to the Planning Commission to consider at its meeting on either May 7 or May 21, 2014.

Vice Chair Targ commented that the Housing Element update process has been efficient and, by design, educational, and that addressing what the Town must do is the right tack to take. He noted that Program 7 set us up with a grace period for thinking about what we want for the next cycle.

Commissioner Von Feldt also complimented staff on the process, noting that having multiple meetings, starting with high-level, conceptual material, receiving feedback and proceeding into more detail was a good, smooth approach.

Commissioner Hasko said a summary or communication that outlines changes would help the public understand the programs as the process moves forward into the public hearings. Chair Gilbert suggested a staff report could serve that purpose. Others suggested that the staff report could also incorporate discussion of the SDBL and an indication of how the Housing Element draft reflects or departs from issues raised by the Ad Hoc Affordable Housing Committee.

Chair Gilbert suggested, too, that the Planning Commission revisit the Ad Hoc Affordable Housing Committee's

Chair Gilbert suggested, too, that the Planning Commission revisit the Ad Hoc Affordable Housing Committee's report when work on developing the vision for housing in Portola Valley gets underway. In response to Vice Chair Targ, Ms. Kristiansson said she would specifically invite Committee members to attend the upcoming public hearings. She pointed out that she also sent emails to Committee members at the start of the update process.

# COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS [8: 27 p.m.]

Ms. Kristiansson introduced Lisa Ring the consultant who will help pull together the Housing Element, CEQA and various other projects.

She also provided an update on the Planning Department transition, explaining that Town Manager Nick Pegueros presented a plan for the next steps that the Town Council approved at its meeting on March 26, 2014. In summary, the planning calls for adding a fourth Planning Department employee, in the position of Planning Director, with she, Planning Technician CheyAnne Brown and Assistant Planner Carol Borck continuing in their current positions. Tom Vlasic expects to step down as Town Planner as of May 1, 2014, Ms. Kristiansson said, and she will fill in as Interim Town Planner until the new Planning Director comes on board. Mr. Vlasic will continue to be involved through the end of the calendar year, she added, gradually stepping back and providing more of a supporting role.

Chair Gilbert said a situation came up that prompts a refresher on what to do when applicants call individual Commissioners. She said the Town Attorney advises deferring conversations to the public discussion, but if Commissioners take such calls, she said they should listen without commenting or opining, and then disclose the gist of the applicant contact when the application is discussed. The risk of violating the Brown Act is a primary reason to avoid ex parte communications with applicants, she explained, because an applicant may pass along to one Commissioner what was exchanged in a conversation with another Commissioner.

# **APPROVAL OF MINUTES**

Commissioner Hasko moved to approve the minutes of the March 19, 2014 Special Joint ASCC/Planning Commission Field Meeting and Regular Planning Commission meeting, as amended. Seconded by Vice Chair Targ, the motion carried 4-0.

ADJOURNMENT [8:32 p.m.]

