

PLANNING COMMISSION REGULAR MEETING, TOWN OF PORTOLA VALLEY, APRIL 6, 2016,
SCHOOLHOUSE, TOWN CENTER, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Chair Hasko called the Planning Commission regular meeting to order at 7:00 p.m.

Present: Commissioners McKitterick and Von Feldt; Vice Chair Gilbert; Chair Hasko

Absent: Commissioner Targ

Staff Present: Debbie Pedro, Planning Director

ORAL COMMUNICATIONS

None.

Commissioner Targ arrived at 7:05 p.m.

OLD BUSINESS

- (a) Public Hearing: Request for Modifications to the Town's Ground Movement Potential Map. 180 Bear Gulch Drive, Litton Residence, File #: 01-2016. (Continued from Regular Meeting of March 16, 2016)

Chair Hasko explained that this matter was continued so that the Commission could receive clarification from the Town Geologist on the three project recommendations in his report.

Planning Director Pedro introduced Town Geologist Ted Sayre from Cotton, Shires & Associates, and Dean Asborno, representing the property owner.

The Town Geologist explained the geologic history of the property. He clarified that the remarks in the report were not directed at the engineered fill that was placed as part of the previous landslide repair, but refer to the fill that extends from under the southwestern part of the house. He said the three remarks were meant to be considerations for any future development so a future developer would be cautious and aware that additional ground stability measures may be necessary.

Chair Hasko asked if it should be a requirement that if the property is developed the applicants must either replace the fill or provide an engineered solution to further stabilize the slope. The Town Geologist said that upon reviewing the application for the map modification, they only wanted to point out possible future design considerations in the event of future development.

Commissioner McKitterick asked why this was an issue if the Commission's task was merely to approve the map change. Chair Hasko said that when the Commissioners read the three remarks, they were not sure if they were recommendations or requirements and they continued the matter so they could get clarification from the Town Geologist.

Ms. Pedro said when and if a development permit comes in for the new house or an addition, the entire plan will be sent to the Town Geologist who will make their geotechnical recommendations based on the proposed development, which may or may not include these items as conditions.

Commissioner McKitterick said the Planning Commission's task is to approve or deny the map modification based on public interest, convenience, and necessity, and did not think development conditions could be tied to the map modification.

Chair Hasko was concerned that by approving the map modification resolution, the moving landslide designation was being removed, yet the Town Geologist said the artificial fill is potentially unstable.

Commissioner McKitterick said the proposed map modification is changing the moving landslide designation, and not the area referred to in the Town Geologist's remarks. He said the Town Geologist's letter will be in the property file and any seller of the property would have to disclose the Town Geologist's recommendation.

The Town Geologist confirmed Chair Hasko's interpretation that the letter was not intended to condition the map modification. The Town Geologist said they were approving the map modification cleanly, but added some items to be considered in the event future development of the site is ever proposed.

Commissioner Von Feldt asked if the property still met the criteria for a PS designation if the three recommendations were not implemented. The Town Geologist confirmed that it did.

The Town Geologist said he endorsed the map modification as proposed and said he could have just written a letter approving the map without the three additional remarks but wanted to state the considerations if there was a chance that future development was proposed so that they could be incorporated into any future proposal.

Commissioner Targ asked if it would be appropriate to put the recommendations into the resolution, which would not condition the map designation, but would put the recommendations into the record. Commissioner McKitterick said that he does not think it would be appropriate in a map modification. He said map modification decisions should be distinct from development decisions.

Ms. Pedro said that this report along with the minutes detailing the extensive discussion by the Commission on the three additional recommendations will become part of the parcel record.

There were no additional questions or comments.

Commissioner Targ moved to adopt the resolution as proposed with the modification that the third Whereas be changed to read: "WHEREAS, as a result of an application involving the property located at 180 Bear Gulch Drive, on-site geotechnical investigations have been performed which have led to the preparation of requested map modifications by Murray Engineers dated November 12, 2015, which have been reviewed by the Town Geologist who has submitted his review letter dated February 2, 2016, in which he recommends the modification of the map, with additional considerations as part of future development." Seconded by Commissioner McKitterick; the motion carried 5-0.

NEW BUSINESS

- (a) Public Hearing: Request for an Exception to Utility Undergrounding Requirement. 62 Santa Maria Avenue, Saii Residence, File #11-2016.

Commissioner Targ recused himself due to the proximity of his property to the proposed project.

Planning Director Pedro said the Planning Commission had the authority to grant an exception to the requirement to underground utilities if it is determined to be not feasible or practicable and there is no other reasonable alternative, location, or design of the installation of underground lines. Ms. Pedro presented the staff report describing the applicant's reasons for requesting an exception. The applicant described the location of the required leach field along the front of his property which made it unfeasible to underground the utility line, as confirmed in a letter by PG&E engineers.

Commissioner Von Feldt asked staff how many of these types of variances Portola Valley had provided over the years. Ms. Pedro said there were two approved by the Planning Commission in 2014. She said that from 2001 to 2014 there were 12 exceptions granted – 10 by staff and 2 by the Planning Commission.

Commissioner Von Feldt moved to find this project categorically exempt pursuant Section 15302 of CEQA. Seconded by Commissioner McKitterick; the motion carried 4-0.

Commissioner Von Feldt moved to approve the requested exception to the utility undergrounding requirement. Seconded by Vice Chair Gilbert; the motion carried 4-0.

Commissioner Targ rejoined the meeting.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

Chair Hasko said the staff, at the request of Commissioner McKitterick, obtained additional information on the Priory School's enrollment statistics. She said they have received preliminary data and have asked for some refinement. She said that when a more complete report is submitted, it will be presented to the Commission.

Chair Hasko said the Windmill School has reached out to her and other commissioners about their project. She said she agreed to meet with them to listen to what they have to say. Vice Chair Gilbert said her preference is to hear their comments via the public hearing process because she feels that one-on-one conversations between the applicant and each of the five individual commissioners in separate meetings could result in each commissioner receiving slightly different information. She would rather have the public and the commissioners hear the same information at the public hearing. Commissioner McKitterick said that while a one-on-one meeting is at the discretion of each Commissioner, caution must be exercised to not denigrate the deliberative function of the Commission. Commissioner Von Feldt said she declined the invitation to meet with them and would prefer hearing the comments at a public hearing to avoid the perception of being non-transparent. Commissioner Targ said he feels it is essential to disclose publicly if he is solicited and agrees to meet with an applicant. Chair Hasko said she thought it was important for the Commissioners to be open to listening to all opinions, exercising caution, and said she agreed to meet with the applicant in the spirit of getting up to speed.

Ms. Pedro advised that Commissioners can meet with applicants but it is best to express opinions about a project after hearing from all stakeholders at a public meeting. Ms. Pedro said Commissioners can contact staff for background information on the project. Commissioner McKitterick said that being open to discussing things with applicants may make them feel a little more personally connected and could be valuable to some applicants. Ms. Pedro said that a joint ASCC/Planning Commission site visit for this project is planned for April 25.

Commissioner Von Feldt reported on the recent Town Center Master Plan meeting where the committee members shared comments received from various committees. The group went on a site tour of Spring Down Open Space Preserve. She said there is a lot of interest in improving the trail system throughout the site for equestrians. Ms. Pedro said the submitted comments will now be gathered, categorized, and prioritized by the committee before presenting to Council.

APPROVAL OF MINUTES: March 16, 2016

Vice Chair Gilbert moved to approve the minutes of the March 16, 2016 meeting, as amended. Seconded by Commissioner Targ, the motion carried 5-0.

ADJOURNMENT [7:55 p.m.]