

REGULAR PLANNING COMMISSION MEETING, TOWN OF PORTOLA VALLEY, JULY 21, 2004, TOWN CENTER, HISTORIC SCHOOLHOUSE, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Chairman Breon called the meeting to order at 8:07 p.m. Ms. Lambert called the roll:

Present: Commissioners Elkind, McIntosh and Wengert, and Chairman Breon
Absent: Commissioner Zaffaroni
Staff Present: Tom Vlastic, Dep. Town Planner
Richard Merk, Council Liaison
Leslie Lambert, Planning Manager

ORAL COMMUNICATIONS: None.

REGULAR AGENDA

- (1) PUBLIC HEARING: Request for Deviation from Town Resolution 500-1974, 377 Wayside Road, Lyons

Mr. Vlastic reviewed the staff report of 7/15/04 on the request for deviation from Resolution 500-1974 and supplemental Resolutions 545-1974 and 791-1979 on the subject 1.5 acre Wayside Road property. Responding to Commissioner Elkind, he said the final details related to drainage would be handled by the building permit; the recommendations from the Town Geologist were included in his report of 6/4/04.

Ray Viotti, architect, said the proposal was to add a bathroom and a closet space onto the existing residence; no bedrooms would be added.

Referring to the staff report, Commissioner Elkind said she was concerned that calculating the increase in floor area for the overall development on the site to come up with an increase of only 8% would establish a tricky precedent. The intent of the 10% restriction was to control the size and potential occupancy of a building on unstable soil. Adding out buildings to the calculation would allow an extension beyond the intent of the 10% policy limit.

Commissioner McIntosh said he was ambivalent for two reasons. First, the size of the house was considerably below the available square footage. Second, 10% was a good model in general, but there might be some flexibility in certain situations--particularly when a house was way underbuilt. The difference in square feet between 10% and 13% in this case was quite insignificant. He felt safety and conditions would be improved by the proposed addition.

Commissioner Wengert concurred. She also felt the stability would be improved. The definition of deviation was to allow an exception to a normal policy. This was not a large exception, and she felt it was reasonable.

Chairman Breon said he was not enthusiastic about approving the deviation. He felt the Town would be pressured by other homeowners in Wayside and Woodside Highlands to do the same thing. The homes were small for various reasons, and their price reflected their size. He did not want to encourage any more pressure to expand development in those areas. He could support the deviation only if it was limited to a 10% increase by downsizing the bedroom.

Commissioner Elkind agreed that the difference between 10% and 13% was very small in this case. The most critical issue was that the project would yield much safer conditions on the site. She also felt the standards for the drainage should be the highest; drainage was a huge problem in this community. She could accept the 13% increase.

Responding to Chairman Breon, Mr. Vlastic confirmed that the 10% calculation had been based on the percentage of the main structure in the past. Chairman Breon said he wanted to continue with that method

rather than re-engineer the numbers to come up with something that was below 10%. Commissioners concurred. Responding to Mr. Vlastic, he said a separate rule for accessory structures could be crafted if and when that situation came up.

Commissioner Elkind moved to approve the deviation subject to the conditions set forth in the report of 6/4/04 from the Town Geologist. Commissioner Wengert seconded, and the motion carried 3-1 (Breon opposed).

(2) Preliminary Review - Site Development Permit X9H-522, Lot 6 Blue Oaks Court, Jagers

Chairman Breon reviewed the purpose of a preliminary review. Mr. Vlastic reviewed the staff report of 7/16/04 on the request for approximately 1,550 cubic yards of grading to accomplish the proposed project on the subject Blue Oaks lot. Responding to Commissioner Elkind, he said there was no direct view of Los Trancos Road because of the vegetation. Using the plans, he described off-site views and screening, the building envelope, retaining walls, driveway, swimming pool and open space easement areas. Responding to Commissioner Elkind, he said the removal of most of the vegetation that had been there was part of the first fuel management efforts. Responding to Commissioner Wengert, he said the maximum square footage was 6,300 sf. Responding to Chairman Breon, he said there was no proposal to merge lot 5 and lot 6.

Having visited the site, Commissioner McIntosh said he felt the grading would improve the site; it lowered the construction and sited it into the hillside in a nice way. He also agreed with the homeowners' association's assessment.

Councilmember Merk noted that the building envelope was being increased by 30' along one side. Mr. Vlastic confirmed that it was not being decreased anywhere else. The building envelope was increased, but it did not impact potential development in terms of square footage. Responding to Councilmember Merk, he said the building envelope line could be changed to protect the forested Blue Oaks so that there would be an equivalent square footage to what currently existed. He pointed out that there were also restrictions on tree removal in the PUD. Responding to Councilmember Merk, he confirmed that there would be pathways and retaining walls outside of the building envelope.

Peter Duxbury, project architect, showed Commissioners additional plans of the project and discussed preservation of the knoll, off-site views and vegetation, the proposed structures and materials, activity areas, retaining walls, required parking, and siting of buildings. He reviewed the elevation drawings.

Commissioner Elkind said the straight line of the proposed terrace and swimming pool was unnatural in that landscape. She frequently hiked the Los Trancos Trail and Foothills Park and looked down at the property. The terrace and swimming pool would be quite a jarring view from the trail. Responding to Mr. Vlastic, Mr. Duxbury said the height of the upper retaining wall would be 2.5 feet. Mr. Vlastic said the proposed refinements would put some additional fill in to sculpt the area, and the amount of wall that was exposed would be less. At the same time, the Stonecrest Zone provisions encouraged more linear lot treatments on these ridges. That was part of the evolution of these zones of habitation that were defined for Blue Oaks.

Commissioner Wengert said she felt the design was very sensitive to the environment and merged very well with the landscape. Her focus was on the potential merger of the two lots. In this case, the immediate result would have less coverage than currently allowed if it had been sold to two separate owners. Long term, she thought they should be merged or some consideration be given to that. Responding, Kurt Jagers said the main lot had been built not knowing that he would buy the adjacent lot. People with merged lots would do a plan with the two lots combined to optimize the overall space. He had not had that opportunity but wanted to keep the flexibility of having two lots.

Mr. Vlastic noted that when lots were merged, the potential size of the single largest structure increased, but the overall permitted square footage on the two lots was reduced.

Chairman Breon said he thought the grading served a good purpose. However, he had the same concerns

about the linear look from off site--especially from people in the Foothills Park area. He liked the idea of moving the building envelope to compensate for the extra building space on one side. He would prefer that the lots were merged; he assumed at some time that this lot would be sold. The Town needed to think about what would happen when someone wanted to build a more full-sized residence--including changes to the driveway, access, etc. Adjusting the building envelope in one way or another was one way to deal with it. Also, given that the cabana was likely to be used for social functions, the required number of parking spaces might be appropriate. He would like to see as many of those spaces unpaved as possible.

Mr. Jagers noted that if the lot was sold, he would have significant issues about a full-scale house being built close to his residence.

(3) PUBLIC HEARING: Conditional Use Permit Amendment X7D-30, 302 Portola Road, Woodside Priory

Referring to the voluminous amount of material pertaining to this item, Chairman Breon noted that action would not be taken tonight other than to direct staff to provide more information. A field visit and at least one more public hearing before the Commission would be scheduled. Tonight's meeting would include discussion of what was being proposed, main issues identified by staff, and any additional issues the public or Priory wanted to bring up.

Father Martin, Priory, thanked the Town for helping the Priory work through this process. He introduced representatives from the Priory present.

Tim Molak, Headmaster, and Ray Rothrock, Board Chairman used slides and discussed: 1) the mission statement and Benedictine values; 2) the Priory's founders; 3) governance and accreditation; 4) acreage and buildings; 5) students and faculty; 6) history of the Priory; 7) the County use permit; 8) first master plan; 9) acreage and open space; 10) the BMR residence; 11) development of the new master plan; 12) timeframe of the master plan; 13) contributions to the Town; 14) the enrollment cap of 350; 15) activities and uses; 16) updating of facilities; 17) proposed new buildings; 18) phased construction; 19) consultants for the project; 20) proposed increases in floor space and impervious surface; 21) campus layout and building envelope; 22) the performing arts center and gymnasium; 23) vehicular and pedestrian circulation; 24) increased parking; 25) landscape screening; 26) the need for the performing arts center; 27) traffic mitigations; 28) visual and environmental impacts; 29) parking; 30) the Priory subdivision process; 31) emergency services; 32) compliance with the General Plan; 33) the commitment to rural character and low density; and 34) the Benedictine way.

Mr. Vlastic reviewed the letter from Robin Kennedy, counsel for the Priory, dated 7/21/04 that addressed legal issues including field use. He reviewed the staff report of 7/14/04. For the most part, he said staff felt that what was being proposed, in terms of changes/development of the existing footprint of the campus with the mitigation measures set forth in the Initial Study and conditions for design review of all aspects, could be found consistent with the required findings. He noted that the CUP amendment would not go to the Council unless there was some specific reason such as the modified field use agreement. As to the facility improvements, he felt that with careful siting and details of plans, most would appear to work well. The one concern was the performing arts center (PAC). As set forth in the staff report, he reviewed staff's concerns about the footprint/scale of the PAC. Responding to Chairman Breon, Mr. Vlastic confirmed that the staff report, a large part of the Initial Study, and some of the Appendices were on the Website. He discussed the 30-day review period for the proposed mitigated negative declaration. Responding to Chairman Breon, he said the key mitigation measures were set forth at the front of the Initial Study. He noted that additional concerns, which had not been identified as significant impacts, would be addressed in the conditions of the use permit.

In addition to concerns raised in the staff report, Chairman Breon said his key questions/issues included: 1) whether the 350 enrollment cap was proposed for the 30-year life time of the master plan; 2) the history and location of the conservation easement and whether any additional open space easement was appropriate; 3)

why an additional road through the housing to the east side of the campus was needed; 4) size of the fitness center and how the gym and fitness center fit together; 5) screening of buildings and planting trees adjacent to roadways; 6) possible below-ground parking; 7) neighbors' reactions to the fencing proposal; and 8) considerations given to sustainable building concepts such as the use of recycled materials, passive or active use of solar, water conservation, etc.

Commissioner McIntosh said he would like to hear more details on the performing arts center. He wasn't clear whether it would be more than one building. He also wanted to hear the Priory's response to the staff's concern about the size. Also, he asked if the parking would accommodate on-campus parking for the field off of Georgia Lane. He also wanted to know about the resources for the buildout. Additionally, he had some questions about the southern entrance and the connecting road.

Commissioner Wengert said the performing arts center would require the most work to make sure everyone was comfortable with its siting, size and scale. The field use agreement was foremost in her mind, and she wanted to ensure there was a consensus throughout the community before decisions were made. Additionally, she wanted to understand the phasing in greater detail. While that would be driven by the ability to raise capital, it could change as the plan was carried out. Clearly, the PAC was the centerpiece of phase 1. She also was interested in green building possibilities. She felt parking on the basketball court would be an issue and should be addressed head-on.

With respect to scheduling, Commissioners agreed on a field meeting at 3:45 on 8/31/04 and to continue the hearing to the September 15, 2004, meeting.

Chairman Breon opened the public hearing.

A resident from Woodside said she was an alum of the Priory and supported the proposal--especially the performing arts center. She was in the first orchestra at the Priory. The music/theater program was very important and would grow with the PAC.

John Sugden, Millbrae, said he was the theater teacher at the Priory. He invited the Commissioners to see the existing facility, which he described. The orchestra and choral students could hear each other because of the nature and location of the classrooms. In order to put on a production, a theater had to be built and the classes had to move outside to the plaza. In addition, there were speech and acting classes. Right now everything was smashed on top of each other. With the new space, the Priory would be able to better serve the huge constituency of students. The large theater would be used for productions and school assemblies. There would be a smaller space to continue work on scenes as well as the speech class. To provide performing arts for kids was very important; it aided them in speaking and self-confidence. This facility would allow the Priory to serve more students and give them a professional experience in a way equivalent to other high schools.

Mary Hufty, Mapache Dr., described her experience with the Priory and the use of the facility/fields. One lesson they taught was to have a grateful heart. She was amazed by the generosity of that community. She did not think the location of the multi-purpose room was very good; community use of the facility was a safety problem for the Priory children.

Susan Leight, Sioux Way, said 400 seats might sound like a lot but having a place where parents, students and teachers could all be together to have a meeting or hear a performance was very important and key to the Priory's sense of community. With respect to the gym, she said there were multiple teams practicing at the same time, and there wasn't enough space for the middle schoolers and high schoolers to practice and play. There was a need for it.

Dr. Jeffers said she was a neighbor of the Priory; they had been an excellent neighbor. The esteem of the Priory had grown through the years, and she was very proud of that for the Town. What was good for the Priory was good for any other school in the area. When the Priory wanted to do things to make itself better, it

would make everyone better. She supported their proposal.

Jay Jernich, Grove Dr., said he had two children at the Priory. Before becoming students, he had used the Priory fields; the Priory had played a great part in helping raise his children. The Priory gave residents that opportunity.

Bernie Bayuk, Paloma, said there was no controversy about the value and virtue of the Priory. But, in all decisions, balance was required. Any institution in Portola Valley must be balanced with the needs and requirements of the whole neighborhood. Things like parking lots and traffic affected neighbors and residents of the Town. When parking was discussed and evaluated, nighttime effects should also be considered. Parking lots were floodlit. The impact of floodlights on neighbors should be taken into account and mitigation should be provided. The ability of the Town to use the facilities of the Priory was a major factor in evaluating the uses. He requested that that not be a factor in the equation. That distorted the decision and introduced possible conflicts of interest. There was a conflict of interest if it was emphasized that the Town could use the Priory's facilities.

Virginia Bacon, Golden Oak, agreed that balance was very important. When new facilities were built, they had to be maintained. She had some concerns about how that would be done. That might come from tuition or other uses, and she questioned how those uses would be controlled so that there wasn't an excessive burden on the rest of the people in Town. Responding to Chairman Breon, she was concerned about hospitality uses. She also felt that the issue of Town use of the facility was a conflict between church and state. Parks and rec represented a small fraction of the Town, and she felt it should be looked at from a much broader perspective.

Dale Pfau, Alpine Road, said there was no way to disassociate Town use and the Priory. That was the primary reason for the original use permit going back to 1957; there was no precedent for separating the Town use from the Priory. Furthermore, playing on the fields was a constant issue because there was a shortage of fields. Taking away that issue would cause major public opposition. There was no way that the use of the fields could be separated out.

Patrick Yam, Golden Oak, former member of the Board and father of a Priory student, said the Priory had been an outstanding and good citizen. Consistency must be maintained, and it must be kept in mind that there was separation of church and State.

Ed Kovachy, Sioux Way, said he had two children at the Priory. As indicated in the staff report, many schools were building performing arts centers. That was a recognition of how central to the education of children performing arts centers were. This was not a peripheral issue but at the core of the education of our children. Secondly, he had coached 24 youth teams in Portola Valley in a number of sports--one of which was soccer. Most people in Town knew about the Priory because the fields could be used. There were times when the programs would have been dead in the water without the Priory fields. Historically, they had come through, and he thought that was a terrific.

Dennis Laughtman, Willowbrook, said he had an 8th grader at the Priory. He said a low profile building was proposed that had large redwood trees in front of it. You wouldn't be able to see it from the road. Additionally, the Priory was one of the few places where people parked on the campus when there were large events as opposed to parking on the road. The Priory had few impacts on the Town. The same number of people would be attending events but the surroundings would be safer and the people would be more comfortable. The cars would also be down on the field and shielded from the road.

Amy Berger, Woodside, said the campus was very modest. She did not think much had changed since her husband graduated in 1980. She saw no problem with trying to make it better.

Michael Goldberg, Woodside, said his children would graduate in 2009 and 2011. He hoped they would get to use the performing arts center. On behalf of all the parents in Woodside whose children had used these

fields, he offered thanks to the Priory.

Rick Holmstrom, Woodside, said he had a 7th grader at the Priory. He said the school was a good citizen. They asked parents to carpool, and almost every car had a minimum of two students and sometimes 3-4. Secondly, the old Gambetta Road had never been used for the general public; it was totally used by the residents. The Priory had been a good neighbor and citizen.

Sharon Reich, Georgia Ln., said she appreciated the efforts of all in discussing the issues for Georgia Lane. Safety was her first and foremost concern. She was okay with the fencing and thought it would be a proper mitigation to some aspects of the project. In the BKF report, only the Georgia Lane and Portola Road entrances were shown. She asked why the other entrances to the Priory campus were not shown. There was no mention of Gambetta. She wanted clarification on the actual uses of the Georgia Lane access to the Priory residences. In one document, it was stated that utility trucks would also use that entrance. She wanted clarification that it was only for the purpose of residential uses, would be gated, and would be maintained as a residential street. Responding, Mr. Vlasic said the original draft of the Initial Study included utility access. In finalizing the plan, it had been limited to only residential use without utility access. He confirmed that the Georgia Lane entrance was specifically and only for the four faculty houses. Ms. Reich said any signage that needed to be added should not be limited to Kalman Field. There were people that parked there for tennis, and it was unknown what would happen when the PAC, gym, and proposed tennis court were built. Georgia Lane needed to remain a residential and safe road--especially for the kids who rode to Ormondale School as well as the horse and jogging trails.

Claire Jernick, Grove Dr., said her children used to walk/bike to Ormondale. In 1989-1990, hardly anyone else used Georgia Lane. Now, there was a trend for people to park on Georgia Lane and walk their kids down the dirt road. In the afternoon, they parked there to wait for their kids so they didn't have to wait in traffic lines. The Priory had become enmeshed in that issue. Chairman Breon said the staff report included a discussion of that issue. Mr. Vlasic said this matter had been discussed at some length with the Traffic Committee. The reaction was that it was not a big enough issue at this point. The issue would probably not be dealt with in discussions of the Priory's CUP.

Susan Leight said she had friends on Georgia Lane who were not concerned about the issue. The Priory was not responsible for the parking on Georgia Lane; 90% of it was not related to the Priory.

Paul Trudeau said he lived on the Priory campus and would use the gate when it was put in. He agreed balance was needed. In his 21 years with the Priory, he saw it as a good example of growth and balance. To alleviate overcrowding, classes had been staggered and started 1/2 hour later to avoid conflicts with the local public schools. There were also vans that went out to two stations that took over thirty students to the Priory. He felt the Priory did a fine job of growing carefully and in a planned way.

Michael Reich, Georgia Ln., said Georgia Lane had been a complex issue for many years; there had never been a resolution. He had photographs from 1992 where the street was jammed; he had watched children almost get run over for years. He thought the Priory was a great school. The problem on Georgia Lane was because there was a very attractive field there where everyone wanted to go. People abused the privilege by parking there. There was nothing in the master plan to show how the problem would be solved. The problem was primarily with all of the other organizations using the field. Signs had been put up that disappeared in 24 hours. The Town and Priory had tried things, but the problem had not been resolved over the years. One day, a 450' paved driveway appeared from in front of the gym to Georgia Lane. He had confronted the Town and the Priory. That was supposed to have been a gravel road for emergency access only. Ms. Lambert had assisted in ensuring that it was locked, but it was never locked. To open the floodgate with a new gymnasium and tennis court would bring about additional significant problems in parking and traffic flow. Inviting more traffic down Georgia Lane would not solve the problem and would create conflict in the future with the CUP, neighbors and Priory. If the traffic flow was a good design on campus, there was no reason why any residents should have to go off and create another access on the campus. There did not need to be a gate other than a fire access on Georgia Lane. There was commercial sweeping

there on Saturday afternoon all the way to Georgia Lane; it was not appropriate in a rural atmosphere. The Town and Priory were trying to work through this process, which he appreciated, but the problem had to be solved.

Chairman Breon discussed a problem with dog access to a wildlife area in Los Gatos, which had been going on for 10 years. Signs had been put up, additional patrols requested, etc. There might not be a 100% solution, but there might be improvement. With the Georgia Lane concerns, he wanted to see significant improvement and felt that progress could be made. Mr. Vlasic said what was proposed would require continuous review. Any community-type use there would need to be coordinated with members and coaches in a much more comprehensive way. If rules weren't followed, the Commission had the authority to remove the right of community use of that field. With the General Plan statements and the use permit record, community use could not be separated without changing those documents. Chairman Breon reiterated that Parks and Rec, the Little League, AYSO, the Town, etc., were all involved.

Tom Dempsey, Westridge, said the building would not make the traffic worse.

Meredith Rothrock, Granada Ct., said she used to live across from Ormondale School. She knew that there would be traffic and students coming in and out. That was expected when the property was purchased. When people purchased property next to a field, they should expect that there would be field use.

Susan Leight said her children used to attend Woodland, which had similar traffic problems. The residents finally said that if anyone parked on their side of the road, they would have a \$50 fine. They also required everyone to carpool. For Georgia Lane, license plates could be checked and people fined.

A resident [*unidentified*] said the Priory made it very clear that people should not drop kids off or park on Georgia Lane, and virtually no Priory people did. With the new gym and performing arts center, the parking would be on-campus. The Priory could not control what the AYSO people or Ormondale people did. Her husband who coached AYSO had also been told by the Priory not to park there; he told all the parents. She also felt that the people who lived on the Priory campus on Georgia Lane should have the right to use the road.

Michael Reich said he was not personally attacking the Priory. He had been well aware of the Priory property and aware of the CUP in effect. It stated clearly that there was no parking allowed on Georgia Lane for Kalman Field and that the Priory residences should be properly screened. That screening had been removed over the years. There was no driveway entrance at the time. The CUP had not been followed. Now there was an amendment, and this problem and how to resolve it needed to be looked at.

Sharon Reich said the Planning Commission should consider the intensity of use and concentration of activity. If the Priory was going to be expanding the facilities, she would like to have caps on things like the International Benedictine Youth convention; there should be conditions regarding that. For retreats, seminars, conventions, performances, festivals, etc., it was important to seriously look at that. There was also a mention of weddings. The community needed to have an understanding of the intensity and frequency of use. In terms of the concentration of activities, there was the performing arts center, gym, pool, and another tennis court. When there was something happening at the performing arts center in addition to a basketball game, etc., she wanted some understanding of how that concentration of activity would be monitored. Chairman Breon said the staff had addressed what uses were allowable and what beyond that would come to the Planning Commission. He suggested Ms. Reich look at that language and indicate where the gaps were.

Steve Kraus, Priory Board, said traffic and usage spoke to the fact that this was a very vibrant community. He lived on Shawnee Pass and lived with the traffic that Ormondale produced. There were also issues on Alpine Road when there was a swim meet. There was lots of diversity and activity. Everyone had to work together. He saw a real attempt on the part of a good citizen of Portola Valley to listen to the comments of the local residents. They had also heard from those who used the facilities. There were conflicts, but this

was a real jewel to have. He thought a great effort had been made by the plan to try to resolve conflicts.

By motion and second, the hearing was continued to the field meeting at 3:45 on 8/31/04 at Founders Hall by a vote of 4-0.

APPROVAL OF MINUTES

Approval of the minutes of the June 16, 2004, consideration of minutes continued to the 8/4/04 meeting.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS: None

ADJOURNMENT

There being no further business, the meeting adjourned at 11:32 p.m.

Craig Breon, Chair
Planning Commission

Leslie Lambert
Planning Manager