

Town of Los Altos Hills
Planning Commission Special Meeting
December 9, 2021 Minutes

Zoom Meeting and Town Hall, 26379 Fremont Road, Los Altos Hills, California

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Via teleconference according to the Government Code Section 54953(e), **Chair Indaco** called the December 9, 2021 Planning Commission Special meeting to order at 6:00 p.m.

Present: Commissioner Couperus, Commissioner Patel, Vice-Chair Waschura, Chair Indaco

Absent: Commissioner Smith

Staff: Planning Director Mangalam, Principal Planner Padovan, Associate Planner Loh,
Management Analyst Einfalt, Planning Technician Brunner

2. PRESENTATIONS FROM THE FLOOR

Chair Indaco opened PRESENTATIONS FROM THE FLOOR.

No presentations from the floor.

Chair Indaco closed PRESENTATIONS FROM THE FLOOR.

3. CONSENT CALENDAR

3.1 Approval of November 4, 2021 Regular Meeting Minutes

MOTION MADE AND SECONDED: Commissioner Patel moved that the November 4, 2021 Planning Commission Regular Meeting Minutes be approved as presented.

The motion was seconded by **Vice-Chair Waschura**.

MOTION PASSED: 4-0-0-0-1

AYES: Commissioner Patel, Commissioner Couperus, Vice-Chair Waschura,
Chair Indaco

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: Commissioner Smith

3.2 Approval of November 8, 2021 Special Meeting Minutes

Vice-Chair Waschura voiced his concern regarding using the video recording as a reference for the motion.

MOTION MADE AND SECONDED: Commissioner Patel moved that the November 8, 2021 Planning Commission Special Meeting Minutes be approved as presented.

The motion was seconded by **Vice-Chair Waschura**.

MOTION PASSED: 4-0-0-0-1

AYES: Commissioner Patel, Commissioner Couperus, Vice-Chair Waschura,
Chair Indaco

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: Commissioner Smith

3.3 Motion of the Planning Commission of the Town of Los Altos Hills to continue meeting virtually through teleconference meetings and making related findings pursuant to AB 361. – *added with Revision No. 1*

MOTION MADE AND SECONDED: Vice-Chair Waschura moved to approve the Planning Commission of the Town of Los Altos Hills continue meeting virtually through teleconference meetings and making related findings pursuant to AB 361.

The motion was seconded by **Chair Indaco**.

MOTION PASSED: 4-0-0-1

AYES: Commissioner Patel, Commissioner Couperus, Vice-Chair Waschura, Chair Indaco

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: Commissioner Smith

4. PUBLIC HEARINGS

Planning Commission Ex Parte

Commissioner Couperus had phone communications with the applicant, Nadar Mousavi, on Item 4.1.

Chair Indaco communication with the applicants, Nadar Mousavi and his wife, and a neighbor, Mary Gardener, on Item 4.1; exchanged email correspondence with Kit Gordon, on Item 4.2.

Vice-Chair Waschura had communication with the applicants, Nadar Mousavi and his wife on Item 4.1.

Commissioner Patel had communications with the applicants, Nadar Mousavi & his wife, on Item 4.1

4.1 26070 Newbridge Drive– File #SD21-0043 – Lands of Mousavi

Request for a Site Development Permit for a new 1,121 square-foot pool and spa and 1,788 sq.ft. patio; and a request for a grading policy exception.

CEQA Review: Categorical Exemption per Section 15303(e)

Project Planner: Jeremy Loh

Chair Indaco opened the PUBLIC HEARING.

Associate Planner Loh presented the staff report.

A question-and-answer session between the commissioners and staff ensued.

The applicant, **Nadar Mousavi**, introduced himself, his family, and his landscape architect, Simon Phillips, and offered comments.

Landscape Architect **Simon Phillips** offered comments on the project.

Peter Carlino, of Lea & Braze Engineering, was available for comments on behalf of the applicant but did not speak.

Public Comment

Vijay Chawla, of the Environmental Design & Protection Committee (EDPC), offered comments regarding the proposed pool.

Carol Gottlieb, speaking as a resident of Los Altos Hills, offered comments regarding the riparian habitat.

A question-and-answer session between the commissioners and staff ensued.

Chair Indaco closed the PUBLIC HEARING.

Public Comment

Vijay Chawla, of the Environmental Design and Protection Committee (EDPC), offered comments regarding the proposed pool.

Carol Gottlieb, speaking as a resident of Los Altos Hills, offered comments regarding the riparian habitat.

The applicant, **Nadar Mousavi**, offered a rebuttal to the public comments.

A question-and-answer session between the commissioners and staff ensued.

Chair Indaco closed the PUBLIC HEARING.

Commission Discussion

Commissioner Patel offered comments regarding the fences along La Paloma.

Chair Indaco offered comments regarding her preference for establishing an open space easement on the property.

Principal Planner Padovan offered comments regarding fences placed along the creeks and creek banks around the Town of Los Altos Hills and required permits.

A question-and-answer between the commissioners and staff ensued.

Commissioner Couperus offered comments regarding fencing, open space, and conservation easements. He also offered comments on the cut and fill request part of the project.

Commissioner Patel agreed with Commissioner Couperus' comments regarding creating a conforming easement. He also offered comments regarding grandfathering in the fence and the grading request.

Chair Indaco offered comments regarding her position on the cut and fill request and agreed with the previous commissioners' comments.

Vice-Chair Waschura asked about approving a light for the barbeque for safety considerations. He noted he wished to protect the riparian corridor and open space easement and commented on the fence placement.

Commissioner Couperus commented on the fences along Fremont Road.

MOTION MADE AND SECONDED: Vice-Chair Waschura motioned to APPROVE the Site Development Permit and the exception to the Town's Grading Policy, subject to the listed findings and conditions of approval with the following modifications:

- the pool lights do not shine away from the house,
- to allow the existing fence to remain but not replaced,
- reduce the dining area lights from 10 lights down to 6 lights, dedicating one light to the barbeque,
- provide an enclosed and roofed structure for the pool equipment, not counting it towards the MDA,
- dedicate an open space easement 25' from top of bank, all along the western property and in doing so,
- request staff to examine the possibility of removal of the existing conservation easement.

The motion was seconded by **Commissioner Patel**.

MOTION PASSED: 4-0-0-0-1

AYES: Commissioner Patel, Commissioner Couperus, Vice-Chair Waschura,
Chair Indaco
NOES: None
ABSTAIN: None
RECUSE: None
ABSENT: Commissioner Smith

4.2 22560 Ravensbury Avenue – File #SD20-0045. VAR20-0007 – Lands of Perlegos
Request for a Site Development Permit for a new 4,985 square-foot, two-story residence with an attached 759 square-foot accessory dwelling unit; a Variance request to exceed maximum development area by 363 square feet; and a request for grading policy exception.

CEQA Review: Categorical Exemption per Section 15303(a)

Project Planner: Jeremy Loh

Chair Indaco opened the PUBLIC HEARING.

Associate Planner Loh presented the staff report.

A question-and-answer session between the Commissioners and staff ensued.

Designer, **Scott Zazueta**, offered comments regarding the new proposal. Mr. Zazueta offered to change the garage door to solid panels and commented on the lighting choices.

The applicant, **George Perlegos**, introduced himself and offered comments regarding the project delays and the road repair.

Pete Carlino, of Lea & Braze Engineering, was available for comment but did not speak.

Chair Indaco asked Mr. Zazueta questions regarding certain design details and possible changes.

Public Comment

Vijay Chawla, of the EDPC, offered comments and shared slides.

Robert Schlossman, a Los Altos Hills resident, offered comments regarding the proposed project.

Mr. Perlegos offered rebuttal comments regarding the concerns raised by the retaining wall.

Peter Carlino, of Lea & Braze, offered rebuttal comments regarding the proposed changes to drainage and hillside stability.

Scott Zazueta offered rebuttal comments addressing the concerns about the heritage oak.

Chair Indaco asked the applicant's team about screening or minimalizing the stucco wall and protecting the open space easement.

Associate Planner Loh offered comments addressing the EDPC's concerns.

Commissioner Patel asked a question about the parking.

Chair Indaco closed the PUBLIC HEARING.

Commissioner Discussion

Vice-Chair Waschura offered comments on the proposed redesign.

Commissioner Couperus offered comments on the proposed redesign.

Commissioner Patel offered comments on the proposed redesign. He noted the neighbors should appreciate the applicant's willingness to fix the historical issues of the road.

Chair Indaco offered comments on the proposed redesign. She offered recommendations for changing certain items.

Commissioner Patel also asked about the finish of the railing and **Chair Indaco** responded that it was deep bronze matte finish.

Associate Planner Loh commented that the landscape screening plan would need to be conditioned if the Planning Commission would like to review it.

Vice-Chair Waschura asked about open space easement areas that require remediation.

Commissioner Patel suggested that the remediation come back to the Planning Commission with the landscape screening plan.

MOTION MADE AND SECONDED: **Chair Indaco** motioned to ADOPT a resolution (Attachment 1) to APPROVE the Site Development Permit and Variance, subject to the listed findings and conditions of approval with these added conditions:

- no light on ceiling fan,
- solid panels on garage doors,
- grant an open space easement to cover the western swale side of the property,
- the landscape screening plan address the retaining wall by adding screening and return to the Planning Commission for approval,
- recommend the exterior materials be darker shades to blend in with the environment, and
- request that the front portico be less obvious to neighbor to the south.

The motion was seconded by **Commissioner Patel**.

MOTION PASSED: 4-0-0-0-1

AYES: Commissioner Patel, Commissioner Couperus, Vice-Chair Waschura, Chair Indaco

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: Commissioner Smith

5. NEW BUSINESS

The meeting recessed at 9:21pm.

The meeting reconvened at 9:28pm.

5.1 Planning Commission Project Ideas for 2022

Chair Indaco shared a presentation and spoke about all the Planning Commission's accomplishments in 2021. She also identified some project ideas for 2022.

Vice-Chair Waschura offered comments and asked questions regarding the submittal and selection of projects.

Planning Director Mangalam provided clarifying comments to Vice-Chair Waschura's questions.

Vice-Chair Waschura shared his list of priorities for 2022, which were addressing the housing element, Senate Bill 9, updating the fencing, tree, and lighting ordinances, and addressing fire safety.

Commissioner Patel shared his list of priorities for 2022, which were addressing the housing element and Senate Bill 9, updating all the ordinances, and addressing fire safety.

Vice-Chair Waschura asked about how to measure success for each project.

Commissioner Patel suggested itemizing each element for each project.

Commissioner Couperus noted that the Planning Commission is more of a passive body, responding to requests instead of being proactive. He noted that the Commission had sent a letter of priorities to the City Council in the past and it had not been addressed.

Vice-Chair Waschura noted that he felt the City Council is not close enough to the Planning Commission to accurately assess and direct their priorities. He suggested the Planning Director could assist with that at the City Council level.

Chair Indaco suggested addressing the easier items, such as the lighting and fence ordinances.

Commissioner Couperus offered comments regarding fire safety suggestions that another municipality outlined.

Discussion between the Commissioners and staff ensued regarding identifying their projects and setting their priorities.

Chair Indaco created a list of project ideas for 2022 with feedback from the other commissioners:

1. Fire Hardening - House construction codes for existing and new houses
2. Wildlife Corridor - Formalize and Map (i.e. Pathway Map)
3. Tree Protection Policy
4. Outdoor Lighting Policy
5. Fence Setback Policy
6. Update the Senate Bill 9 Ordinance / Revise the ADU for consistency with Senate Bill 9
7. Housing Element
8. Climate Action Reach Codes

Principal Planner Padovan provided some clarification regarding the proposed tree protection policy.

Vice-Chair Waschura suggested sending all the project ideas, not just three, to the City Council.

Planning Director Mangalam addressed some of the items they listed.

Commissioner Couperus excused himself at 10:12pm. The meeting continued as the remaining commissioners maintained a quorum.

Commissioner Couperus returned at 10:15pm. He noted that what was listed by the Commissioners was good.

Discussion around the Wildlife Urban Interface (WUI) ensued.

Discussion around Senate Bill 9 and ADU ordinance ensued.

Chair Indaco asked if the Commissioners wanted to present a letter to the City Council.

Vice-Chair Waschura and **Commissioner Couperus** indicated they believed a list would be better than a letter. They noted that the Planning Commission had not received a response to the previous letter.

Commissioner Patel requested Planning Director Mangalam get feedback from the City Council on their list of priorities.

City Manager Pirnejad offered clarifying comments on this request to present projects to the City Council. He noted that the housing element and Senate Bill 9 items were important timing-wise. He spoke about the climate action reach codes and the process for addressing and updating them. He encouraged commissioners who were interested in researching any issue to do so if it did not involve staff time.

City Manager Pirnejad reminded the commissioners that they could address the City Council on January 10, 2022 during the goal-setting meeting.

The Commissioners agreed to separately provide any new input to Planning Director Mangalam and Chair Indaco could present their list to the City Council on January 10, 2022.

NO MOTION.

6. REPORTS FROM THE CITY COUNCIL MEETINGS

6.1 PAST MEETING

- [November 18, 2021 – Commissioner Couperus](#)

Commissioner Couperus provided highlights of the past City Council meeting.

6.2 UPCOMING MEETING ASSIGNMENTS

- [December 16, 2021 – Vice-Chair Waschura](#)
- [January 20, 2022 – Chair Indaco](#)
- [February 17, 2022 – Commissioner Smith](#)
- [March 17, 2022 – Commissioner Patel](#)

Chair Indaco confirmed upcoming meeting assignments.

7. REPORT ON PAST FAST TRACK/SITE DEVELOPMENT MEETINGS

7.1 NOVEMBER 9, 2021 CANCELLED

7.2 NOVEMBER 16, 2021 CANCELLED

7.3 NOVEMBER 23, 2021 CANCELLED

7.4 NOVEMBER 30, 2021 CANCELLED

No Site Development / Fast Track hearings to report for November.

8. PLANNING DIRECTOR REPORT

Chair Indaco introduced the new Planning Director.

Planning Director Mangalam outlined items regarding the Senate Bill 9 urgency ordinance and the plan to ask for an extension, addressing the housing element, noting that there would be a joint Planning

Commission and City Council meeting scheduled to discuss that topic, shared there was a page on the Town's website to address the subject, and noted there was an ad hoc subcommittee addressing road width.

Vice-Chair Waschura asked about the joint session subcommittee for housing meeting times.

Planning Director Mangalam noted dates would be made available soon.

Vice-Chair Waschura provided a summary of the roadway widths and the number of dwellings they service, and the new issues created regarding ADUs and Senate Bill 9. He noted the Sherlock Court problem, which is a private road, and the East Sunset location, which is a public road. He noted that the best course of action for now would be to collect information and forward it to City Council.

The Commissioners agreed that Vice-Chair Waschura would draft a letter addressing this subject to share at the next Planning Commission meeting.

9. [ADJOURNMENT](#)

Meeting was adjourned at 11:00 PM by **Chair Indaco**.

Respectfully submitted,

Keren Brunner
Planning Technician