

Town of Los Altos Hills
Planning Commission Special Meeting
August 5, 2021 Minutes

Council Chambers, 26379 Fremont Road, Los Altos Hills, California

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Via teleconference according to the Governor's Executive Order N-29-20, Chair Patel called the Planning Commission meeting to order at 6:00 p.m.

Chair Indaco called the August 5, 2021 Regular Planning Commission meeting to order.

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

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

2. PRESENTATIONS FROM THE FLOOR

Persons wishing to address the Commission on any subject not on the agenda are invited to do so now. Please note, however, that the Commission is not able to undertake extended discussion or act tonight on non-agendized items. Such items will be referred to staff or placed on the agenda for a future meeting.

No presentations from the floor.

3. APPROVAL OF MINUTES

3.1 Approval of July 1, 2021 Regular Meeting Minutes

Commissioner Patel expressed confusion regarding Item 9.2, the Appointment of Vice-Chair, as to which commissioner initiated the nomination for Vice-Chair and which commissioner seconded the nomination.

The commissioners agreed that the record should reflect **Commissioner Smith** initiated the nomination for Vice-Chair and **Commissioner Couperus** seconded the nomination and noted the minutes should match the motion.

MOTION MADE AND SECONDED: Motion by **Commissioner Patel** to approve the July 1, 2021 Regular Meeting Minutes with corrections.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

MOTION: Carried 5-0

4. PUBLIC HEARINGS

Planning Commission Ex Parte

Commissioner Couperus had communication with **Chair Indaco** on Item 4.1, exchanged email with the applicant on Item 4.2 and recused himself on this item due to living within 500 feet of the property; exchanged email with Sue Welch and reached out via email to Peter Brown with no reply on item 4.3; and had communication with Bob Elson on Item 4.4.

Commissioner Patel had communication with Bob Elson on Item 4.4.

Vice -Chair Waschura had communication with Bob Elson on Item 4.4; with Peter Brown, Sue Welch, and Michael Grady on Item 4.3;

Commissioner Smith had communication with Sue Welch and **Vice-Chair Waschura** on Item 4.3.

Chair Indaco had communication with **Commissioner Couperus**, Bob Elson, Joanna Strober, a neighbor, and Glenn Yanekura, the homeowner, and the Studio S² staff on Item 4.1; Carol Gottlieb for all Items; Mana Lewis on Item 4.2; Sue Welch on Item 4.3; and Bob Elson, Harold Wachs, and Kit Gordon on Item 4.4.

4.1 [14381 Miranda Way – File # APL21-0002 and SD20-0081 – Lands of West Valley Ventures LLC](#)

Reconsideration of a Site Development Permit for a new 4,729 square-foot, two-story residence with a 1,827 square-foot basement, a new 270 square-foot pool house, and a detached 800 square-foot ADU. *This project was continued from the June 3, 2021 Planning Commission meeting.*

CEQA Review: Categorical Exemption per Section 15303(a)

Staff: *Jeremy Loh*

Commissioner Smith recused himself from this item and the zoom meeting due to living within 500 feet of the applicant.

Chair Indaco opened the PUBLIC HEARING.

Associate Planner Loh presented the staff report.

Chair Indaco allowed time for the Commissioners to ask questions of the staff regarding the presentation.

Glenn Yanekura, the applicant, shared a presentation and spoke on behalf of his project.

Eugene Sakai, architect for the project, shared a presentation and spoke on behalf of the applicant, addressing previous design concerns.

Dennis Taniguchi, the landscape designer, shared a presentation and spoke on behalf of the applicant.

Vice-Chair Waschura asked the applicant's team a question regarding the oleander bushes along the driveway.

Dennis Taniguchi answered that there would be a string line run to delineate the property line at the time of planting.

Public Comment

Bob Elson, a neighbor on the east side of the property, commented on the light, sound, and parking issues the new design presented.

Martha Bowden, a Los Altos Hills resident, shared her concerns regarding the proposed landscaping plans and fire safety.

Carol Gottlieb, representing the Environmental Design & Protection Committee (EDPC), commented on the concerns regarding lighting and landscaping on the proposed project.

Joanna Strober, a neighbor, commented about the landscaping plan regarding privacy issues.

Vijay Chawla, representing the EDPC, commented on the landscaping and lighting.

Eugene Sakai answered concerns regarding public comments on the light well.

Dennis Taniguchi answered concerns regarding public comments on the landscaping plans.

Chair Indaco asked the applicant questions regarding transom windows and emanating light.

The applicant offered comments in response.

Chair Indaco closed the PUBLIC HEARING.

Commission Discussion

Commissioner Couperus offered comments regarding the history of the approval process of this project, his concerns regarding parking, his approval of the new design, and his chagrin at the attempted "bullying" of a commissioner.

Vice-Chair Waschura agreed with **Commissioner Couperus'** positive comments and commented that the pool lighting should be facing the house.

Commissioner Patel offered comments regarding his approval for the new design as it addressed the major concerns of the commission.

Chair Indaco offered comments regarding the new design and communicated a list of eight (8) concerns:

1. Remove condition #10, no roof eaves in the setback, as the applicant addressed this in their redesign
2. Request all upper transom windows be tinted to reduce light emissions at night
3. The metal roof should have a matt or non-reflective finish
4. The driveway design should easily accommodate all parking spots easily
5. No parking allowed on Miranda Rd before, during or after construction and no ingress or egress from Miranda Rd at any time
6. Landscape Screening review to return to Planning Commission
7. Keep all living oaks during construction
8. Add pool lights facing the house

Chair Indaco commented she would share this list with the public after the hearing.

Vice-Chair Waschura asked staff if the conditions of approval were standard for this type of application and expressed concerns regarding the large redwoods already on the property prior to the landscape screening review.

Chair Indaco noted that redwood trees are fire resistant and that the redwoods were part of the conditions of approval for screening of a previous hearing and would be considered as existing at the landscape screening review.

Vice-Chair Waschura asked about approval of the landscaping

Commissioner Patel commented that the five (5) larger redwood trees have already been planted and that the neighbor was not completely happy with the locations. He noted that the eight (8) smaller redwood trees should be placed with the consensus of the neighbor.

Associate Planner Loh read the Conditions of Approval as it pertained to planting the redwood trees.

MOTION MADE AND SECONDED: Motion by **Vice-Chair Waschura** to adopt the Resolution (Attachment 1) to APPROVE the Site Development Permit, subject to the listed findings and conditions of approval, adding the following conditions: that the pool lights face the house, a request to the owners that the transom lights either be tinted or the illumination emitted be attenuated in some other fashion, that a consultation with the neighbor on the placement of the remaining 24-inch box redwoods occur, that the metal roof be a non-reflective matte finish, and the removal of Condition #10.

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

AYES: Commissioner Couperus, Commissioner Patel, Vice-Chair Waschura, Chair Indaco
NOES: None
ABSENT: None
ABSTAIN: Commissioner Smith
MOTION: 4-0-0-1

- 4.2. 27772 Lupine Road – File #SD21-0066 – Lands of Klein
Site Development Permit for landscape screening for a previously approved single-family residence.
CEQA Review: Categorical Exemption per Section 15304 (b)
Project Planner: Jeremy Loh

Commissioner Couperus recused himself from the zoom meeting due to him living within 500 feet of the property.

Chair Indaco opened the PUBLIC HEARING.

Associate Planner Loh presented the staff report.

Commissioner Patel asked staff if the screening was being considered for the new construction or for the entire property (ADU or including the barn & guesthouse) and about the wall sconces located on the second story of the modified garage.

Chair Indaco and **Commissioner Patel** asked staff questions regarding outdoor lighting for this project.

The Commissioners requested that staff ensure at the final planning inspection that the project conforms to the conditions of approval.

Chair Indaco asked staff to confirm if no new outdoor lighting was proposed and if sound attenuation was addressed.

Staff shared a communication that addressed the sound concern.

Danielle Guttman and **Robert Klein**, the owners and applicants, spoke on behalf of their proposed design.

Commissioner Patel noted the landscape trees have already been planted and that the planting appeared to be different from the presented plan.

Robert Klein addressed Commissioner Patel's concerns and expressed his and his wife's desire to plant or move anything requested.

Chair Indaco offered comments regarding the location of the Crepe myrtle trees and suggested oak trees. She recommended they follow the other suggestions of the EDPC regarding planting.

Commissioner Smith offered positive comments regarding the applicants' outreach to their neighbors during their design process.

Public Comment

Vijay Chawla, representing the EDPC, shared a presentation and offered comments regarding the committee's report, trees, and lighting.

Vice-Chair Waschura asked about the location and number of the oak and Crepe myrtle trees.

The owners/applicants, **Danielle Guttman** and **Robert Klein**, offered rebuttal comments to concerns regarding the location and type of the screening trees and reiterated their decision to follow the advice of the commission.

Chair Indaco offered further comments regarding the placement of the trees.

Chair Indaco closed the PUBLIC HEARING.

Commission Discussion

Commissioner Patel offered comments in support of the proposed landscape design, noting the mismatch between the planting and the plans. He also suggested additional evergreen plants that would not grow as tall out of concern of the overhead power lines. He would like to see the 3 evergreen cedar trees replaced.

Vice-Chair Waschura offered comments that he did not support the idea of planting trees over a leach field, as suggested by the EDPC.

Commissioner Smith provided positive comments regarding their applicants' outreach to the neighbors.

Chair Indaco offered the following comments: 1. plant 3 or 4 oaks to screen the neighbor's patio (27878 Via Feliz) at the back, 2. construct a sound attenuation barrier for the 4 a/c units, and 3. recommend the planting of 3 evergreen trees behind the Deodar cedars along the frontage.

Commission discussion ensued regarding the placement of trees.

MOTION MADE AND SECONDED: Motion by **Chair Indaco** to APPROVE the Site Development Permit for landscape screening and the conditions of approval in Attachment 1 with the following added conditions:

1. plant 3 or 4 oaks to screen the neighbor's patio (27878 Via Feliz) at the back,
2. construct a sound attenuation barrier for the 4 a/c units, and
3. recommend the planting of 3 evergreen trees behind the Deodar cedars along the frontage.

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

AYES: Commissioner Smith, Commissioner Patel, Vice-Chair Waschura, Chair Indaco
NOES: None
ABSENT: None
ABSTAIN: Commissioner Couperus
MOTION: 4-0-0-1

- 4.3. [28001 Elena Road \(APN 182-02-016\) – File #ZP21-0047 – Lands of Sea Landing LP](#)
Zoning Permit for new 6’-0” tall property line fencing and gates.
CEQA Review: Categorical Exemption per Section 15303 (e)
Project Planner: Jeremy Loh

The meeting adjourned at 8:25PM.

The meeting resumed at 8:35PM.

Chair Indaco opened the PUBLIC HEARING.

Associate Planner Loh presented the staff report.

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

Claire Lai, from the City Attorney's office, was available to answer questions from the Commissioners.

Stephen Pahl, representing Lands of Sea Landing LP, spoke on behalf of the fence proposal, answered previously asked questions, and requested three modifications to the conditions of approval.

Public Comment

Mike Grady, a neighbor, expressed concern regarding the impact on wildlife this fence would have.

Charlie Bronitsky, an attorney for one of the neighbors, offered comments regarding the proposed fence.

Dru Anderson, a resident of Los Altos Hills, offered comments against the proposed fence regarding the negative impact on wildlife.

Carol Gottlieb, representing the EDPC, offered comments regarding the committee's review of the property.

Martha Bowden, a resident of Saddle Court, offered her objections to the approval of the fence.

Sue Welch, a resident of Los Altos Hills, expressed her concerns regarding the proposed fence.

John O Connell, a resident of Los Altos Hills, expressed his concerns regarding the proposed fence and the negative impact on wildlife it would cause.

Alisa Bredo, a resident of Los Altos Hills, offered comments expressing her concerns regarding the proposed fence relative to pathways and wildlife.

George Perlegos, the owner of the property known as Lot 1, expressed his concerns regarding the newly installed fence around his property.

Stephen Pahl, representing the applicant, responded to public comments.

A question-and-answer session between the **Commissioners, Clair Lai**, and **staff** ensued.

Chair Indaco closed the PUBLIC HEARING.

Commission Discussion

Commissioner Couperus shared a presentation and offered comments.

Vice-Chair Waschura offered comments regarding reaching a Planning Commission decision that would retain wildlife corridors and follow the Town Ordinances.

Chair Indaco shared a presentation, offered comments regarding inaccuracies in the information provided to the Commission, and requested this project be continued until clarifications can be made, citing several requests the applicant would need to consider for an updated fence proposal. She shared a list of items she wished addressed.

1. The map was not accurate and must be corrected and provide more detail
2. Ingress and egress between the lots located within the property must be determined
3. Any new fence should not preclude the eventual dedication of Pathway conservation and open space easements if the property is further developed in the future
4. No fence should cross any swale
5. Better defined details on all aspects

Commissioner Patel agreed with **Chair Indaco's** suggestion to continue the fence proposal to clear up the inconsistencies and lack of detailed information, noting the title report was not available until the very last minute, there was an issue with the accuracy of the property boundaries and easements. He recommended that the applicant perform all the research and not take up staff time, consider wildlife corridors, and provide the Planning Commission with a proposed land use plan for the proposed agricultural use of the property.

MOTION MADE AND SECONDED: Motion by **Chair Indaco** to CONTINUE to a date uncertain with the Zoning Permit for a fence and gate with the direction given by the Commission as listed below.

1. Revise the fencing to provide an accurate state of fencing and an accurate record of what is proposed.
2. Resolve legal property lines, ingress, and egress with Parcel 1 and Lot 1.
3. Consider wildlife-friendly fences to allow movement of all wildlife: split rail with 18-inch and 24-inch spacing at 4.5 feet tall.
4. Only fences in specific intended agriculture areas
5. Any wire fence does not bisect any future pathway easements, such as tying into the CalTrans fence, where there are supposed to be 20- and 40-foot pathway setbacks, according to the Master Path Plan
6. Any new fence should not preclude the eventual dedication of pathways, conservation, or open space easements if this property is developed in the future
7. No fences across any swales
8. The Packard approach, as shared by Commissioner Couperus' presentation
9. The Robleda approach, as shared by Commissioner Couperus' presentation
10. The Natoma approach, as shared by Commissioner Couperus' presentation
11. Resolution of the pathway easements along the north and east sides, as they are in the Master Path Plan
12. Present a map that includes elevation and topography

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

AYES: Commissioner Couperus, Commissioner Patel, Commissioner Smith, Vice-Chair Waschura, Chair Indaco
NOES: None
ABSENT: None
ABSTAIN: None
MOTION: 5-0

- 4.4. [27388 Sherlock Court – File #SD19-0003 – Lands of Chung](#)
Site Development Permit for a new 4,958 square-foot, two-story residence on a vacant parcel along with a request for a grading exception for parking and a firetruck turnaround and private road improvements to create a more conforming emergency access roadway with a minimum width of 18 feet.
CEQA Review: Categorical Exemption per Sections 15301(c) and 15303 (a)
Project Planner: Steve Padovan

Chair Indaco opened the PUBLIC HEARING.

Interim Planning Director Padovan presented the staff report.

A short question and answer session between the **Commissioners** and **staff** ensued.

John Johnson, from Zion Development and representing the client, shared a presentation and offered comments.

Gary Kleyner and another gentleman, civil engineers for the project, were available to offer comments regarding the widening of the road.

Eddie Chung, the property owner, was available to offer comments but did not speak.

A question-and-answer session between the **Commissioners** and the **applicant team** ensued.

Public Comment

Jennifer Bonnick, the neighbor to this property, expressed concerns regarding the proposed house design. She noted that 27440 Sherlock Road, as it was depicted on the architect's presentation, was incorrectly labeled.

Tom Goff, a neighbor adjacent to this property, offered comments regarding his concerns about this project's plan.

Alisa Bredo offered comments regarding the easements on the Master Path Plan.

Carol Gottlieb, a member of the EDPC, commented on the potential lighting, number of skylights, roadway, and open space issues.

Colin and Sandy Yang, residents at 27540 Sherlock Court, commented on the project design.

Chair Indaco and **Commissioner Smith** were dropped from the zoom connection due to technical issues at 12:25AM.

Vice-Chair Waschura continued as chair since there was still a quorum.

Tom Goff was invited back to wrap up his comments, which were to request another arborist report and to respond to skylight concerns.

Chair Indaco returned at 12:29AM to allow the applicant a rebuttal.

Gary Kleyner, the civil engineer, offered rebuttal comments.

John Johnson offered rebuttal comments.

Chair Indaco closed the PUBLIC HEARING.

Commission Discussion

Commissioner Couperus cautioned that there were discrepancies with surveyor lines in that area of the Town, commented about skylights, and the potential widening of the road.

Commissioner Patel agreed with **Commissioner Couperus'** comments regarding the widening of the road. He indicated support for approval once the plans for the road improvement were finalized and wanted the other issues tweaked.

Chair Indaco also agreed with **Commissioner Patel's** comments.

Commissioner Smith also returned at 12:43AM.

Chair Indaco updated **Commissioner Smith** on the comments he missed.

Commissioner Smith also had questions regarding the road upgrading plan and supported the continuance of this item.

The Commissioners agreed that this project needed to be continued.

Chair Indaco offered suggestions for consideration for approval regarding the skylights and the garage windows.

Vice-Chair Waschura offered these comments: document the pathway easement; have the Open Space Committee agree upon and document the open space easements, and consider placing the septic field in that area; work with the neighbors regarding the light emitted from skylights; detail a description of the access through the neighbor's easement; and detail the roadway improvement.

MOTION MADE AND SECONDED: Motion by **Vice-Chair Waschura** to CONTINUE to a date uncertain the Site Development Permit for a new 4,958 square foot two-story residence on a vacant parcel until staff and the applicant agree all the details have been addressed. The video record would serve as the record for the Planning Commission recommendations.

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

AYES: Commissioner Couperus, Commissioner Patel, Commissioner Smith, Vice-Chair Waschura, Chair Indaco
NOES: None
ABSENT: None
ABSTAIN: None
MOTION: 5-0

5. REPORTS FROM THE CITY COUNCIL MEETINGS

5.1 Past Meetings Reviews

- July 15, 2021 – Vice-Chair Waschura

Vice-Chair Waschura shared highlights of the past City Council meeting.

Commissioner Patel offered that the Sherlock Court project might also be able to add fiber optic cable.

Chair Indaco noted only a 6-inch diameter conduit was required to run fiber.

- 5.2 Upcoming Meeting Assignments
- August 19, 2021 – Chair Indaco
 - September 16, 2021 – Commissioner Smith
 - October 21, 2021 – Commissioner Patel
 - November 18, 2021 – Commissioner Couperus

Chair Indaco confirmed upcoming meeting assignments.

6. REPORTS FROM SITE DEVELOPMENT / FAST TRACK MEETINGS

6.1 July 6, 2021

- 28001 Elena Road (APN 182-02-016) – File #ZP21-0047 – Lands of Sea Landing LP
Zoning Permit for new 6’-0” tall property line fencing and gates. REMANDED TO PLANNING COMMISSION
- 14330 DeBell Road – File #SD21-0042 – Lands of Lextera, LLC
Site Development Permit for a new 5,253 square-foot, one-story residence with a 3,358 square-foot basement, a detached 798 square-foot accessory dwelling unit and a 924 square-foot swimming pool with integrated spa. CONTINUED

6.2 July 13, 2021

- 14330 DeBell Road – File #SD21-0042 – Lands of Lextera, LLC
Site Development Permit for a new 5,253 square-foot, one-story residence with a 3,358 square-foot basement, a detached 798 square-foot accessory dwelling unit and a 924 square-foot swimming pool with integrated spa. Continued from July 6, 2021. APPROVED

6.3 July 27, 2021

- 24151 Dawnridge Drive – File #SD21-0015 – Lands of Hsiao and Wu
Site Development Permit for a new 5,730 square-foot, single-story residence with attached garage, an attached 800 square-foot accessory dwelling unit, and new pool. APPROVED

Interim Planning Director Padovan provided summaries on past Site Development / Fast Track hearings.

7. PLANNING DIRECTOR REPORT

Interim Planning Director Padovan reported a new planner has been hired and was scheduled to begin next month.

Vice-Chair Waschura and **Commissioner Patel** congratulated Chair Indaco on a great first planning commission meeting.

8. ADJOURNMENT

Meeting was adjourned at 1:04AM.

Respectfully submitted,

Keren Brunner
Planning Technician