

Town of Los Altos Hills
Planning Commission Special Meeting
January 13, 2022 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 January 13, 2022 Planning Commission Special meeting to order at 6:00 p.m.

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

Absent: Commissioner Patel

Staff: Planning Director Mangalam, Principal Planner Padovan, Associate Planner Loh, Assistant Planner Perez, 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 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.

MOTION MADE AND SECONDED: Chair Indaco 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 had no second.

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

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

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: Commissioner Patel

3.2 Approval of December 9, 2021 Special Meeting Minutes

Chair Indaco noted a correction to the last item in the motion for 4.1. It should read, "...request staff to examine the possibility of removal of the existing conservation easement."

MOTION MADE AND SECONDED: Vice-Chair Waschura moved that the December 9, 2021 Planning Commission Special Meeting Minutes be approved with noted corrections.

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

MOTION PASSED: 3-0-1-0-1

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

NOES: None

ABSTAIN: Commissioner Smith

RECUSE: None

ABSENT: Commissioner Patel

4. [PUBLIC HEARINGS](#)

[Planning Commission Ex Parte](#)

Commissioner Couperus had communication with **Chair Indaco**, on Item 4.3.

Vice-Chair Waschura had communications with Chair Indaco on Item 4.2, and with Commissioner Smith on Item 4.3.

Chair Indaco communications with Carol Gottlieb of the Environmental Design & Protection Committee (EDPC) on Item 4.1, **Vice-Chair Waschura** on Item 4.2, **Commissioner Couperus** and neighbors to the applicant Michael Grady and Tim Schreiner on Item 4.3.

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

4.1 [26685 Purissima Rd – File #VAR21-0006 – Lands of Stemm/Hsia](#)

Request for a Variance to allow approximately 9 sq. ft. of an existing unpermitted accessory structure that is encroaching 33 inches in the 30-foot rear yard setback.

CEQA Review: Categorical Exemption per Section 15303(e)

Project Planner: Areli Perez

Chair Indaco opened the PUBLIC HEARING.

Assistant Planner Perez presented the staff report.

The applicant, **Mark Stemm**, introduced himself and answered questions from the Commissioners.

Vice-Chair Waschura requested that the shed’s existing encroachment not be grandfathered in if it were to be demolished and that any new structure would be presented as a new development and built outside the Town’s required setbacks.

Public Comment

No public comment.

Chair Indaco closed the PUBLIC HEARING.

Commissioner Discussion

No Commission discussion.

MOTION MADE AND SECONDED: Vice-Chair Waschura motioned to adopt a resolution (Attachment 1) to APPROVE the Variance Permit, subject to the listed findings and conditions of approval, with the added condition that if the current structure is demolished, any new development would respect the standard setbacks.

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

MOTION PASSED: 4-0-0-1

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

4.2 [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) 15303(a)

Project Planner: Steve Padovan

Continued from the August 5, 2021 Planning Commission Meeting

Chair Indaco opened the PUBLIC HEARING.

Principal Planner Padovan presented the staff report.

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

Project Designer John Johnson spoke on behalf of the applicant, highlighting key design changes made at the recommendation of a previous planning commission meeting.

Gary Kleyner, the civil engineer for the project, was available to answer questions but did not speak at this time.

A question-and-answer session between the Commissioners and Mr. Johnson ensued.

Public Comment

Kit Gordon, representing the Open Space Committee (OSC), asked about adding an open space easement on a section of the property and offered advice on recommendations for native plants.

Don and Kelyn Dewar, Los Altos Hills residents on Moody Rd., offered comments on the road, easements, and oak trees.

Vijay Chawla, representing the EDPC, offered comments and shared a presentation.

Tom Goff, a Los Altos Hills resident, offered comments regarding Condition #21, requested nine-foot-wide access be added, and asked if solar panels were planned for the roof.

Gary Kleyner, the civil engineer for the project, responded to questions regarding the proposed road improvements and fire truck turnaround.

A question-and-answer session between the Commissioners and **Mr. Kleyner** ensued.

Chair Indaco asked staff about the placement of solar panels.

Principal Planner Padovan provided a response to that question and other questions asked during the public comment section.

A question-and-answer session between the Commissioners and **Mr. Johnson** ensued.

Chair Indaco closed the PUBLIC HEARING.

Commissioner Discussion

Vice-Chair Waschura commented on the efforts the design team made to work with the suggestions from the Planning Commission and the surrounding neighbors. He also approved of adding an open space easement, as previously suggested.

Chair Indaco offered a list of her recommendations for approval conditions.

Commissioner Couperus offered comments regarding fire danger and wildlife corridors.

Commissioner Smith had no specific comments to offer.

Vice-Chair Waschura stated he wanted to ensure there was a protected wildlife corridor and asked for Planning Director Mangalam’s input.

Planning Director Mangalam stated the easement recommendation illustrated by staff in the presentation was acceptable and would support including the entire area below the home as part of an easement.

Vice-Chair Waschura stated and confirmed his agreement with Chair Indaco’s list of recommendations, which were:

1. Color tinting of all retaining walls, on-site and off-site to blend in with nature.
2. Open space easement on the bottom left of the property
3. A nine- or ten-foot vehicular access to the neighbor’s garden area for something like a two-ton vehicle
4. Remove the east light on the patio entry and replace with landscape lighting

MOTION MADE AND SECONDED: Chair Indaco motioned to ADOPT a resolution (Attachment 1) to APPROVE the Site Development, and exceptions to the Town’s Grading Policy, subject to the listed findings and conditions of approval with these added conditions:

1. Extend the open space easement along the southern portion to include the entire length of the 28ft. roadway easement, which is dedicated to pedestrians and equestrians, allowing vehicular access to the interior of the property
2. Clarify Condition #21 to allow for a nine-foot-wide access for the neighbor above to access the flat portion of his property
3. Eliminate the recessed light on the second floor off the east, leading off the patio

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

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

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

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

Continued from October 7, 2021 Planning Commission Meeting

Chair Indaco opened the PUBLIC HEARING.

Associate Planner Loh presented the staff report.

The lawyer for the applicant, **Stephen Pahl**, offered comments and requested permission to change Condition #2 from wood to metal posts.

A question-and-answer session between the Commissioners and Mr. Pahl ensued.

Public Comment

Dru Anderson, a Los Altos Hills resident, offered comments against the proposed fencing project.

Michael Grady, a Los Altos Hills resident, offered comments in agreement with Ms. Anderson's.

Kit Gordon, representing the OSC, offered comments regarding preserving wildlife corridors and shared a map illustrating aquatic resources on and around the property.

Vice-Chair Waschura asked about Ms. Gordon about her statement regarding her inability to walk the property to determine the extent the resident is cooperating.

Kit Gordon responded she asked for permission to walk the pathway easement and was denied access.

Charles Bronitsky, representing one of the neighboring properties, offered comments regarding the proposed fencing project and the applicant's response to the Planning Commission's requests.

Martha Bowden, a Los Altos Hills resident, offered comments against the proposed fencing project.

George Perlegos, a Los Altos Hills resident, offered comments against the proposed fence and gate project.

Stephen Pahl had no further comments in response to public comments.

Chair Indaco closed the PUBLIC HEARING.

Commission Discussion

Chair Indaco commented on the deficiencies in the applicant's application.

Commissioner Couperus shared a presentation and offered comments regarding the Commissioners' requests and the applicant's lack of response to these requests over multiple hearings.

Vice-Chair Waschura expressed his disappointment with this application, agreed with most of Commissioner Couperus' comments, and shared a topographical map of the applicant's property. He stated he would also like to add another condition to the applicant, which is to provide a map of waterways on the property.

Commissioner Smith commented on the fact that the applicant has ignored the Planning Commission's requests at each meeting and expressed his interest in continuing this project until they can comply with their requests.

MOTION MADE AND SECONDED: Chair Indaco motioned to CONTINUE to a date uncertain, adding a request for waterways information, in addition to the requests stated at the August 5, 2021 and the October 7, 2021 Planning Commission meetings.

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

MOTION PASSED: 4-0-0-1

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

5. REPORTS FROM THE COMMISSIONERS

The meeting recessed at 9:09pm.

The meeting reconvened at 9:15pm.

5.1 Past Meeting

- December 16, 2021 – Vice-Chair Waschura

Vice-Chair Waschura provided highlights of the past City Council meeting. Of note, it was the Town's first hybrid (in-person and zoom) meeting.

5.1 Upcoming Meeting Assignments

- January 20, 2022 – Chair Indaco
- February 17, 2022 – Commissioner Smith
- March 17, 2022 – Commissioner Patel
- April 21, 2022 – Commissioner Couperus

Chair Indaco confirmed upcoming meeting assignments.

5.3. Report by the Planning Commission subcommittee on Fire Department Standards Relating to ADU and Split-Lot Development.

Vice-Chair Waschura and Commissioner Couperus

Vice-Chair Waschura shared a presentation and provided an update on the subcommittee tasked to work with the County Fire Department on establishing Fire Department requirements for new residences.

Commissioner Couperus offered comments.

Chair Indaco suggested this presentation be sent to the City Council.

Vice-Chair Waschura agreed to forward it on to the City Council.

Planning Director Mangalam requested a copy for the Planning staff.

6. REPORT ON PAST FAST TRACK/SITE DEVELOPMENT MEETINGS

6.1 DECEMBER 14, 2021

CANCELLED

6.2 DECEMBER 21, 2021

26898 Dezahara Way – File # SD21-0085 – Lands of Fey

Site Development Permit for landscape screening, fences, and driveway gate for an approved new residence. APPROVED

10311 Magdalena Road – File # SD21-0011 – Lands of Weingarten

Site Development Permit for a major addition and remodel to an existing residence resulting in a 5,587 square-foot, single-story residence with a mezzanine, an attached 688 square-foot garage, a roof deck, and a new swimming pool. The proposed ADU is under a separate approval. APPROVED

6.3 DECEMBER 28, 2021

CANCELLED

6.4 JANUARY 4, 2022

CANCELLED

6.5 JANUARY 11, 2022

12815 Deer Creek Lane – File #SD21-0048 – Lands of Ng and Kim

Site Development Permit for a 6,192 square foot one-story residence with an attached 1,043 square foot, 4-car garage and an attached ADU. One heritage oak is proposed for removal and

the existing tennis court and road access will be demolished and filled to restore the property to its original site contours.

APPROVED

Planning Director Mangalam provided updates on past Site Development/Fast Track hearings and noted the new procedures of circulating the Notice of Decision for completed Fast Track hearings.

7. PLANNING DIRECTOR REPORT

Planning Director Mangalam provided updates on the Housing Element and the upcoming joint special City Council and Planning Commission meeting on January 19th, 2022. She noted there would be February and April workshops scheduled to gather information from the community regarding this issue.

8. ADJOURNMENT

Meeting was adjourned at 9:44 PM by **Chair Indaco**.

Respectfully submitted,

Keren Brunner
Planning Technician