

Town of Los Altos Hills
Planning Commission Special Meeting
July 13, 2023 Minutes

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Chair Waschura called the July 13, 2023 Planning Commission Special meeting to order at 6:00 p.m.

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

Absent: None

Staff: Senior Planner Ling, Associate Planner Loh, Assistant Planner Fox, Administrative Clerk/Technician Brunner

2. REORGANIZATION OF THE PLANNING COMMISSION

Before beginning the nominations for the new Chair and Vice-Chair of the Planning Commission, **Chair Waschura** thanked the planning staff and his fellow commissioners for their contributions during his tenure as Planning Commission Chair.

2.1 Appointment of Chair

Commissioner Couperus nominated Commissioner Bredo for the position of Planning Commission Chair.

Chair Waschura seconded the nomination.

MOTION MADE AND SECONDED: Commissioner Couperus motioned to nominate Commissioner Bredo for the position of Planning Commission Chair.

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

MOTION PASSED: 5-0-0-0-0

Commissioner Waschura, Commissioner Couperus,

AYES: Commissioner Indaco, Commissioner Patel, Commissioner Bredo

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: None

2.2 Appointment of Vice-Chair

Commissioner Couperus nominated Commissioner Patel for the position of Planning Commissioner Vice-Chair.

Commissioner Waschura seconded the nomination.

MOTION MADE AND SECONDED: Commissioner Couperus motioned to nominate Commissioner Patel for the position of Planning Commission Vice-Chair.

The motion was seconded by **Commissioner Waschura**

MOTION PASSED: 5-0-0-0-0

AYES: Commissioner Waschura, Commissioner Couperus,
Commissioner Indaco, Commissioner Patel, Chair Bredo
NOES: None
ABSTAIN: None
RECUSE: None
ABSENT: None

3. PRESENTATIONS FROM THE FLOOR

Chair Bredo opened PRESENTATIONS FROM THE FLOOR.

No presentations from the floor.

Chair Bredo closed PRESENTATIONS FROM THE FLOOR.

4. CONSENT CALENDAR

4.1 Approval of June 1, 2023 Regular Meeting Minutes

Chair Bredo called for a unanimous vote for approval of the Consent Calendar.

The Planning Commission approved the Consent Calendar as presented with all “ayes.”

MOTION MADE AND PASSED BY UNANIMOUS CONSENT: Chair Bredo moved to approve Consent Calendar containing the June 1, 2023 Regular Planning Commission meeting minutes as presented.

No second was required, as all Commissioners responded with, “aye.”

MOTION PASSED: 5-0-0-0-0

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

5. PUBLIC HEARINGS

Ex Parte

Commissioner Indaco had communications with Hans Alenhofen, a resident of Los Altos Hills, and Carol Gottlieb, of the Environmental Design & Protection Committee (EDPC), and Vicki Oldberg on Item 5.1. She also had communications with Barry Smith, a neighbor to the applicant, and Carol Gottlieb, of the EDPC, on Item 5.3.

Commissioner Couperus had communications with Barry Smith, a neighbor to the applicant, and the architect for the applicant on Item 5.3. He also had communications with the neighbors, Mr. & Mrs. Alenhofen, neighbors to the applicant, on Item 5.1.

Chair Bredo had communications with Julie & Barry. Smith, neighbors to the applicant, and the architect for the applicant on Item 5.3.

Commissioner Waschura and **Vice-Chair Patel** had no ex parte communications.

- 5.1 [10701 Magdalena Drive – File #SD22-0042 – Lands of Ng](#)
Site Development Permit to demolish an existing dwelling for a new 4,972 square-foot two (2) -story residence with attached garage, pool, and associated improvements.
CEQA Review: Categorical Exemption per Sections 15301(1)(1) and 15303(a).
Project Planner: Jonathan Fox
Continued from the February 2, 2023 Planning Commission Hearing.

Assistant Planner Jonathan Fox presented the staff report.

Commissioner Indaco asked a question about the location of solar panels and staff deferred the answer to the applicant.

Commissioner Couperus commented on the issue of the ridgeline consideration.

Commissioner Waschura asked staff a question regarding the municipal code as it pertained to ridgelines.

Chair Bredo opened the PUBLIC HEARING.

Harry Price, engaged as legal representation for the applicant, offered comments on the ridgeline determination.

The architect, **Julia Arria**, from ODS Architecture, shared a presentation and offered comments in support of the project and the changes made at the direction of the planning commissioners in a previous public hearing.

Commissioner Indaco asked the architect where the solar panels were located in the proposed project and she shared a drawing and indicated it would be over the garage and the ADU, set back and mounted flat.

Public Comment

Hans Altenhofen, a resident of Los Altos Hills, offered comments against the proposed project, citing the loss of views and privacy it represents.

Dorit Perry, a neighbor to the applicant, offered comments regarding the proposed removal of the cypress trees and asked for other solutions to satisfy the fire department requirements.

Carol Gottlieb, a resident and member of the Environmental Design & Protection Committee (EDPC), offered comments on other possible design choices for this project to preserve neighbors' views.

Architect **Julia Arria** provided rebuttal comments regarding the public comment on the cypress tree removal and their steps towards the proposed resolution and the open space.

Chair Bredo closed the PUBLIC HEARING.

Commissioner Discussion

Commissioner Waschura thanked everyone who contributed to this project and offered comments in support of the proposed project's design changes and the subject of ridgelines and views.

Commissioner Indaco shared a presentation and offered comments in support of preserving the scenic views of neighbors during development. She cited a past planning

commission hearing from July 7, 2016 regarding the Commission's motion on a project that also proposed preserving the views of the neighbors.

Commissioner Couperus posed a question to the commission regarding the open space in front of the property and who controls the height of the trees in that area to preserve the views of the applicant. He offered to modify the language in the condition that allow the owners to prune their oak trees to preserve the views.

Commissioner Waschura read the proposed conditions of approval language regarding the pruning of the oak tree grove for this project.

Vice-Chair Patel offered comments in support of the changes made by the applicant at the request of the planning commission at an earlier hearing and commented on the preservation of the view issue.

Chair Bredo offered comments in support of the changes made by the applicant at the request of the planning commission at an earlier hearing.

Commissioner Indaco shared a photo of the current views on the subject property.

Commissioner Waschura offered comments regarding the expense of the current retaining walls and the financial constraints it would impose to shift their design to another area of the property.

Commission discussion regarding preserving the views of the neighbors during development ensued.

MOTION MADE AND SECONDED: Vice-Chair Patel moved to ADOPT a resolution, as in Attachment 1, to APPROVE the Site Development Permit, subject to the conditions of approval for 10701 Magdalena Road.

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

MOTION PASSED: 3-2-0-0-0

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

- 5.2 [12355 Hilltop Drive – File #SD21-0046 – Lands of 12355 Hilltop Drive LAH LLC](#)
Site Development Permit for a new 5,359 square-foot residence with 3,461 square-foot basement, 718 square-foot pool, and 746 square-foot ADU.
CEQA review: Categorical Exemption per Section 15303(a)
Project Planner: Jeremy Loh
Continued from the June 1, 2023 Planning Commission Hearing.

Associate Planner Loh presented the staff report.

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

Chair Bredo opened the PUBLIC HEARING.

Curt Cline, the architect for the applicant, offered comments in support of the proposed design, noting the low roofline compared to the neighboring properties and the light fixtures as 2-inch recessed.

Commissioner Indaco asked the applicant a question regarding the "bunker" / "lightwell" area of the guest room of his plans and staff provided a response.

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

Cheryl Matthews, a neighbor to the applicant, expressed her concerns regarding drainage and water runoff coming from that property.

Carol Gottlieb, a resident on Hilltop Drive, offered comments regarding drainage and water runoff in that area and noted concerns around the amount of glass used in the design and her concern with building around the oak tree.

Todd Arnett, representing a neighboring property to the applicant, offered comments and concerns regarding the proposed design.

The applicant was invited to provide a rebuttal to public comment, and he spoke to their voiced concerns.

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

Vijay Chawla, a member of the EDPC, offered comments regarding the landscape screening and shared her experience with water management on her property.

Vice-Chair Patel offered comments about water drainage solutions around Town.

Chair Bredo closed the PUBLIC HEARING.

Commission Discussion

Commissioner Indaco requested the conditions of approval contain these additional items:

- no excavations to occur within 10 feet of the oak tree trunk on all sides
- reduce the light well for the guest room to a maximum of 6-feet by 10-feet
- enlarge the driveway turnaround to at least 20-feet and shift the house to allow for greater vehicular ingress and egress to the property
- remove the skylights in the hallway
- remove two of the down lights in the exterior kitchen area

Commissioner Couperus noted he had no new comments to add.

Vice-Chair Patel noted his concerns regarding water runoff issues from the properties around the Town and this property.

A question-and-answer session regarding water runoff management for this project and future new projects ensued.

Commissioner Waschura and **Commissioner Indaco** shared their comments regarding the proposed development.

Chair Brede shared her concerns regarding the proposed development.

Commissioner Couperus shared his perspectives regarding the commission's concerns about this project.

MOTION MADE AND SECONDED: Commissioner Indaco motioned to CONTINUE to a date uncertain, with the stipulations below:

1. no excavations to occur within 10 feet of the oak tree trunk on all sides
2. reduce the light well near the driveway to a maximum of 6-feet by 10-feet for the guest room
3. adjust the driveway turnaround so that there is at least 20-foot width from the northern section of the closed-car garage
4. remove the skylights in the glass-lined bridge
5. have the pool lights face the kitchen and the living area
6. that the landscape screening be reviewed at a future planning commission

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

MOTION PASSED: 5-0-0-0-0

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

Chair Brede called for a RECESS of the planning commission public hearing at 9:30pm.

Chair Brede RECONVENED the planning commission public hearing at 9:36pm.

5.3 25851 Estacada Drive – File #CDP22-0002, SD22-0066 & VAR22-0001 – Lands of Merkle

Site Development, Conditional Development Permit for a 1,124 square-foot addition to an existing 2,731 square-foot residence, including a new attached 528 square-foot garage where there previously was no garage; new 657 square-foot swimming pool; new hardscape improvements; and detached 699 square-foot ADU. Variance request for 707 square feet to encroach 15 feet into side yard setback with a maximum height of 20'-11". CEQA review: Categorical Exemption per Sections 15301(e); 15303(a); 15303(e); 15305(a)

Project Planner: Jeremy Loh

Continued from the May 4, 2023 Planning Commission Hearing.

Associate Planner Loh presented the staff report.

Commissioner Indaco asked staff a question, which he deferred to the applicant.

Chair Bredo opened the PUBLIC HEARING

Christopher Anderson, the architect for the applicant, shared a presentation on the proposed project and noted changes made to the design to address the planning commission's concerns from an earlier hearing.

A question-and-answer session between **Commissioner Indaco** and **Mr. Anderson** ensued.

Hugh Pearce, a neighbor on Miranda Road, offered comments on this proposed project regarding setbacks and variances.

Carol Gottlieb, speaking on behalf of the EDPC, offered comments on the proposed project regarding its impact on the easterly neighbor, the proposed parking, and lighting plans.

Barry Smith, the neighbor to the east of the applicant, shared a presentation and offered comments against the proposed project.

Kjell Karlsson, a resident of Los Altos Hills, offered comments in favor of the proposed project's proposed extra parking because he felt cars should be parked off street.

The homeowner, **Brandon Merkley**, offered rebuttal comments.

Commissioner Waschura asked staff about the proposed parking on the left side of the property.

Staff responded that the Town does not allow secondary curb cuts but noted that this commission could allow it.

Commissioner Indaco asked staff about parking and staff responded, with additional input from the project architect.

Staff shared contextual information regarding decisions relative to other variance requests with the commission.

Chair Bredo closed the PUBLIC HEARING.

Commission Discussion

Commissioner Indaco shared a presentation, offered comments regarding variances, and made recommendations.

Commissioner Couperus shared a presentation and offered comments regarding the language of the staff report for this project.

Commissioner Waschura offered comments regarding the development of the half-acre lots in Town and shared a presentation to illustrate his points.

Vic-Chair Patel offered comments and noted the recent laws passed by the state have affected planning development for the Town and cautioned the planning commission to consider approving projects that retain the character of the neighborhoods and the Town versus what is legally allowed by the state.

Chair Bredo offered comments on the proposed project.

Commissioner Couperus offered comments on the proposed project.

Commission discussion ensued regarding development of this property in this neighborhood.

MOTION MADE AND SECONDED: Commissioner Waschura motioned to APPROVE the CEQA determination for the project located on 25851 Estacada Drive, as proposed, in accordance with the listed Conditions of Approval, but without the second driveway and with the additional conditions that the garage cannot exceed 19 feet in height, the heights of the remaining roofs not be greater than what was presented at this hearing, and the parking spaces to the right & left of the driveway be implemented.

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

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

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

The public meeting was adjourned at 12:11 AM by **Chair Bredo**. The remainder of the agendized items were not discussed.

6. REPORTS FROM THE COMMISSIONERS

6.1 Past Meeting Assignments

- ~~June 15, 2023—Commissioner Couperus~~
- ~~No July 2023 City Council Meeting~~

6.2 Upcoming Meeting Assignments

- ~~August 17, 2023—Commissioner Patel~~
- ~~September 28, 2023—Commissioner Indaco~~
- ~~October 19, 2023—Commissioner Waschura~~

7. REPORT ON PAST FAST TRACK/SITE DEVELOPMENT MEETINGS

7.1 JUNE 6, 2023
CANCELLED

7.2 JUNE 13, 2023
10842 Wet Loyola Drive—File #SD22-0084—Lands of Ho
Site Development Permit for landscape screening of an approved new residence.
APPROVED

7.3 JUNE 20, 2023
CANCELLED

7.4 JUNE 27, 2023

CANCELLED

7.5 JULY 4, 2023
CANCELLED

7.6 JULY 11, 2023
13109 Byrd Lane—File #SD22-0072—Lands of Schroeder
Site Development Permit for landscape screening of an approved new residence. To Be Determined (TBD)

27911 Via Ventana Way—File #SD23-0023—Lands of Khan
Site Development Permit for landscape screening of an approved new residence. TBD

13891 Ciceroni Lane, 13880 Ciceroni Lane, 13861 Ciceroni Lane, 13880 Campo Vista Lane & 13902 Campo Vista Lane—File #TM23-0001—Lands of Campo Vista Lane LLC
Lot Line Adjustment request between five (5) properties resulting in three (3) properties. TBD

8. PLANNING DEPARTMENT REPORT

9. ADJOURNMENT

The public meeting was adjourned at 12:11 AM by **Chair** Bredo after the motion for Item 5.3 was passed.

Respectfully submitted,

Keren Brunner

Keren Brunner
Administrative Clerk/Technician