

March 25, 2014 San Mateo County Board of Supervisors Meeting on the Appeal of the Use Permit Appeal of the Stillpath Drug and Alcohol Recovery Center

Supervisors Present: President Pine, Groom, Horsley, Slocum, Tissier

President Pine outlined how we would proceed: Mr. Eggermeyer (head of the Planning Department) will speak first for 10 minutes. Next will come the applicant. Mr. Rodine asked for 30 minutes which will include a PowerPoint by Ray Blatt followed by Dr. Bridgette Lank. Mr. Pine asked them to try to keep it to 15 to 20 minutes. He also offered to have the applicant follow the appellants, an offer that Mr. Pine declined. Appellants will speak as follows: 10 minutes attorney Annie Mudge. 5 minutes for attorney Ellen Wise. Following public comments, which will be limited to 2 minutes per person (and he encouraged people to speak for less than that if they could), each side will have a chance to rebut.

Jim Eggermeyer: Stillpath is asking for a modification of the Use Permit to change the site from a meditation center into a drug and alcohol rehabilitation center. The use permit is for a non-medical residential treatment center using many of the same elements as Stillheart. It will be a holistic program that uses spiritual counseling, meditation and art therapy along with a 12-step program. The facility will be within the existing structures and no new construction is needed.

Carole Groom said she thought that some construction was needed to complete the treehouse rooms.

Mr. Eggermeyer said he thought that 3 rooms needed completing but the structures were complete and all the plumbing and wiring are complete. Only minor steps are needed to complete the 3 rooms. He was corrected and it was pointed out that these are 6 structures that need to be completed and they are more than 6 rooms.

Nearby is Corte Madera Park, Wunderlich, Huddart and many other lovely parks. He showed a site map for the property, 16 acres, which shows the 12 treehouse out-buildings. On the far side is the creek.

There have been three Planning Commission meetings on this topic.

- (1) October 2013: The meeting focused on issues like trails, smoking, fire hazards, traffic and staffing. At the end of the meeting the Commissioners voted 3-1 to continue so staff could look into these problems.
- (2) December 2013: They addressed the issues raised in October. More conditions were added. More information was provided by the applicant including a more complete staffing plan. CEQA conditions were discussed. A vote requiring an EIR tied 2-2. They voted to continue again 3-1.
- (3) January 2014: They reconsidered the CEQA issues. They agreed 3-1 that it was exempt from CEQA and then 3-1 to grant the use permit with some additional conditions.

Mr. Eggermeyer next addressed Appellants' "Basis for Appeal," arguing for Denial of both Appeals:

- (1) Density analysis at the site: He argued that density at a site in the RM district is based on the acreage and a site varies from 5 – 160 acres depending on the slope of the site. Flatter sites can be closer to the 5 acres and steeper sites closer to the 160 acres. But the code doesn't speak to how many people you can then put on that site.
- (2) This appeal(s) fails the general welfare standard since the Planning Commission found that it is not detrimental to the public welfare.
- (3) The appeal(s) should fail because the Planning Commission did find that the project is necessary. There is a substantial shortfall of beds for people in drug and alcohol recovery. This does not mean that there are no other alternative beds. When enacting the standards in the RM zone wiggle room was left for groups such as churches, quarries or fire stations because you didn't know exactly where they would go. That is the reason that a use permit is required.
- (4) The appeal(s) fails on the basis of CEQA: the proposed Use Permit Amendment qualifies for a categorical exemption as decided by the Planning Commission. Stillheart Meditation Center hosted both large and small groups during its operations. Some large groups were larger than the planned daily census at Stillpath and the Planning Commission considered this when looking at intensity of use.
- (5) The appeal argues that there is a history of non-compliance at this site. They looked at that and found only that they were non-compliant with fire safety law issues.
- (6) The appeal argues that the Planning Commission was in error but they believe that they found appropriately.

Planning says that the Stillpath operation as a Drug and Alcohol Rehabilitation Center is in conformance with the General Plan. The signage (including the electric blue neon sign) and the change in land use intensity are both conforming. This is more like a hospital and should be viewed that way.

Two findings are made 1) there is minimal impact on the surrounding property. The buildings are already built and cannot be seen from the road and 2) there is no detrimental impact on the public, and in fact, they are providing a service to the public by providing a drug and alcohol recovery center.

The Board of Supervisors has the following options:

- 1) Accept the findings of the Planning Commission and deny the appeal, which is what they recommend.
- 2) Reduce the scope of the project
- 3) Reverse the findings of the Planning Commission and Grant the Appeal(s) (deny the Stillpath Use Permit amendment.)
- 4) Remand the matter back to Planning to do an Environmental Impact Report (EIR)

Don Horsley. I have been looking at the intensity of use numbers. I understand that average daily staff at Stillheart was 22 people (including staff) and this will increase it to 108 people (including staff). Water use will increase from 400K gallons per year to 2.1 million gallons per year. He cited quite a few other statistics on use intensity.

Jim Eggermeyer: The site has a 100,000 gallon water tank on site for fire suppression.

Don Horsley: Yes but it has a 1" meter and you aren't going to put out a fire with 100,000 gallons and you aren't going to get much more water there through a 1" water meter. Is there anyone here today from Calfire? (apparently, there is not)

Adrienne Tissier: I understand that this is to be a non-medical rehabilitation center and yet the staffing plan talks about there being medical staff on site round the clock. Why will they be there?

Jim Eggermeyer: I will defer that question to Mr. Rodine.

Dave Pine: I will now open this up to the public portion of the session. Mr. Rodine, I ask that you keep the remarks of your group to 15 – 20 minutes.

JR Rodine: I would like to introduce Mr. Ray Blatt (the Applicant) and Dr. Brigitte Lank, a clinical psychologist. Mr. Blatt will be showing a PowerPoint (a copy is given to the Supervisors)

Ray Blatt (the writing on the PowerPoint was pretty small and I couldn't read it): There is a need for drug and alcohol treatment everywhere. Drug addiction (including alcohol addiction) is a disease. Only about 10% of those who need treatment ever receive it. There are 140,000 people in San Mateo County and there are insufficient beds to meet their needs.

Dr. Lank: We have looked at staffing ratios and they will be 1:1 during the day, 2:1 in the late day and 1:3 at night. This is way above the state standards. The need for the medical staff on site will not be due to detox on-site. That is an exclusionary condition for admissions. But some people arrive at the center using medicines that they need to continue and because they will be there for an average of 6 weeks they need medical personnel there to help with that. Their model is a social model which involves things like meditation and yoga.

Ray Blatt: I'd like to address traffic. At Stillheart groups of 30 to 100 people would come with their cars. Guests can't bring their cars to this facility. They looked at the Appellants figures and there is not a big adverse impact in terms of trips per day. Under condition #6 for approval they will provide an employee shuttle which will come from the Ralston/280 Park and ride. They will use a 12 person van. So they will be at or below the vehicle trips per day to Stillpath as was at Stillheart. Employee participation is not mandatory. There will be family/friends who visit but they will bring them up by shuttle from the recommended hotel. (Mr. Pine asked if they had a hotel they were working with and Mr. Blatt said they were talking to 3 of them right now but a final decision had not been made).

Dr. Lank: Visitation is based on clinical need. There is a limit to the number of visitors and it is strict and a privilege.

Ray Blatt: In terms of water supply, I have an e-mail from Dawn Smithson of Calwater that shows they have installed a pressure valve and shows that no change is needed. (What Ms. Smithson's letter actually says is that the applicant has not yet requested any change in water at the time when they did not yet own the property and the facility was not operational). In terms of fire safety, they will have a strict smoking policy and would be willing to make this site a non-smoking facility. In terms of

comparables, they will have 76 guests but the same parking. They will decommission the trails to address the trespassing concerns. (He ran through a series of comparative figures, all too small to see).

President Dave Pine: How many of your clients are likely to be smokers?

Ray Blatt: Perhaps they could use e-cigarettes.

Vice President Carole Groom: I'd like to ask about the park and ride for employees.

Ray Blatt: We estimate about the half the employees will use the Park and Ride.

Carole Groom: Then with 16 employees using it, you'll use up half the spaces at the Ralston/280 Park and Ride and that is a concern for me.

Ray Blatt: They could park at different park and ride

Don Horsley: So you'll have 108 people there with staff and that seems like a pretty big increase in intensity of use.

Ray Blatt: This is a CEQA issue and our attorney is here to address that.

Christian Marsh (Downey Brand attorney): The Appellants have to prove that an exception exists to their categorical exemption from CEQA. He cited the Gilroy Citizen's case (which involved a proposal to expand usage of an existing waste treatment facility from 5.2M gallons per year to the already allowed 6.1M gallons per year); the court found a categorical exemption under CEQA appropriate because the proposed intensity of use was a negligible increase from the existing use. He argued that the Stillpath proposed addiction treatment facility is not a new use at this site and the increased intensity would be negligible above the previously allowed use. This is a non-medical rehab center that treats using tools like meditation and yoga. There is no environmental impact. The traffic effects on Skyline are trivial.

Annie Mudge: I am a land use attorney for the Appellants. A quick summary of what I will cover:

- 1) This facility is not allowed in the RM zone
 - 2) The Board of Supervisors can also find it is not necessary in this area
 - 3) Having approval for such a large facility without CEQA is at best odd.
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- 1) This facility is not allowed in the RM Zone. You have defined precisely what a drug and alcohol rehab facility is in the zoning code. You allow them in some zones and don't allow them in others. They are not allowed in the RM Zone. A drug and alcohol rehab IS NOT the same as a sanitorium. It is not a hospital because it is "non-medical". It is only for adults. There is no way to define it as another compatible use and there is no wiggle room for other "compatible uses" in the RM Zone anyway. Stillpath is NOT allowed in the RM Zone.
 - 2) Even if it was allowed, you as the Board of Supervisors could approve or deny the use. But even then you could only do it if it is necessary. But it is not "necessary" to have such a facility at such

a remote location. 76 beds at \$45K per month are not necessary. This is also injurious to the community and you have to consider that.

- 3) Astoundingly the Planning Department and the Planning Commission approved this without a shred of environmental analysis. Last year there was MUCH less use at Stillheart. So what the Blatts are proposing is a large increase in intensity at this site. If the neighbors challenge this, they will win. But a denial of the use permit cannot raise the CEQA challenge.

Attorney Ellen Wise, attorney for the Appellants: (a resident of Kings Mountain and a neighbor). San Mateo County has long recognized the need for addiction treatment. For this reason your 2012 zoning ordinance makes explicit provision for zoning districts where such programs are appropriate. In every zone in which the use is allowed, whether by right or by use permit, the definition is the same:

“Licensed facilities in a building containing dwelling units in which 24-hour a day non-medical care and supervision are provided for adults...including but not limited to, individuals who are...mentally disabled or recovering from drug or alcohol addictions.”

Certain zones expressly allow a licensed addiction treatment facility for adults while others include a provision for “Compatible Uses” which may be allowed at the discretion of the Planning Director (points them to Exhibit 1).

In stark contrast, the Resource Management (RM) zone was created by the County for the stated purpose of implementing required General Plan policies that “fulfill Open Space conservation elements and objectives.” (Chapter 20A. § 6310). Because addiction treatment is entirely unrelated to Open Space conservation or Resource Management, it is neither an expressly Permitted Use or one of the 14 enumerated uses for which a Use Permit may be obtained in the RM zone (Chapter 20A § 6310 and Chapter 24 § 6500). Moreover the RM Zoning Ordinance contains no provision for “Other Compatible Uses” which may be allowed at the discretion of the Planning Director (Chapter 23 § 6450 et seq)

The County’s intent to place “non-medical 24 hour/day residential addiction treatment” facilities in areas outside the RM Zone is patently clear from the language of the Zoning Regulations. Its explicit provisions bar the conclusion that Stillpath is an allowable use in this District and cannot be overcome the blatant artifice of comparing it to a Sanitorium, which is an old fashioned word for an isolated facility that treats tuberculosis and prevents its spread to a broader population.

The law is clear that a county cannot approve, by any procedure, an application to devote an individual parcel to a use which is disallowed by the County’s applicable zoning ordinance. Such action would grant an ad hoc exemption, not available to properties in the same district. For example, in *Neighbors in Support of Appropriate Land Use v. County of Tuolumne*, the Appellate Court invalidated a use permit for commercial use of a parcel located in an agricultural district stating that the very “foundations of zoning would be undermined if local governments could grant favored treatment to single parcels on a purely ad hoc basis.” The RM zone is one of those areas where the Use is excluded. You can’t provide favored treatment to this parcel.

Finally, our General Plan and Zoning Ordinance implement San Mateo County's long-standing commitment to the preservation of Open Space. Over two-thirds of county lands are subject to varying levels of policy protection to fulfill the Conservation Element of the General Plan. By limiting development to one density unit per 5 or more acres (depending on slope) resources such as forest lands, water supply and sensitive habitats are conserved.

Stillpath's location in the Skyline Scenic Corridor sets an even higher bar by limiting density to one unit per 10 acres. Stillpath greatly increases this. In the 1991 Planning Dept document on this property they said there were 1.2 density credits for the 16 intermittently used rooms. The basis for their calculations was density credits based on anticipated daily use per person of water consumption. Stillpath's proposed use would vastly exceed Planning's previous definition of allowable density for this parcel. This is an abuse of the Planning Dept. discretionary authority, even if it were allowed.

The Applicants must apply for a "non-medical, residential substance abuse license" under the California Health Code. But our zoning code does not allow them to operate this type of facility in the RM Zone.

For these reasons, the decision to allow conversion of the Stillheart Meditation Retreat into a non-medical residential addiction treatment facility was an abuse of the Planning Commissions discretionary authority and a clear violation of the zoning laws of this county. On behalf of the Skyline Community, I ask that you reverse Planning's decision to grant the Use Permit.

Steve Artim: I am a long-term resident and live across the street from the proposed Stillpath. Everything in this facility is bigger. Stillheart was a \$2M/year business; this will be a \$40M/year business. 76 people will live here full-time plus staff, 108 people every day. Very few people at Stillheart smoked but 78% of addicts smoke. Water use will increase for 209K gallons per year to 2.8 million gallons per year. He made quite a few other intensity comparisons and ran out of time.

Severo Ornstein: I have lived on the mountain for 30 years. The health spa at this site with 16 rooms was a failure. It became a bigger white elephant when the Porters took it over and invested \$40M and built more rooms but it was still a failure. The Blatts want it to be bigger still. But this time there will be lots of addicted guests, 78% of whom will smoke. How will you feel when one of them burns down the forest? Do you want that on your conscience?

Peggy Bogart: I have lived on the mountain across the street from Stillheart since 1993. We were told that if the Skylonda Fitness Retreat failed it would become a large home. And it failed. Instead in 1998 they proposed expanding it from 14 bedrooms to 36 rooms. That plan was not financially viable. But the Porters added \$40M of "improvements" and ran it as a meditation center. They averaged 22 people per day. Now the Blatts want to increase the intensity of the use at this site to 108 people/day. And I wonder what will come next when this one fails too?

Amy Bogart: I have been a resident, across the street from Stillpath for 24 years. 19% of people trust the government to do the right thing. The rest don't. This is your chance to do the right thing. I will address the many inconsistencies in this project. First, Mr. Rodine and the applicants lied about there

being a well on the Stillheart property. There isn't one. In an e-mail date Jan.31, 1997 Mr Rodine states that he is aware to the (Skyline County) Water Districts neglect and failure to upgrade the water system over the years. Because he knew this I believe that Mr. Rodine lied about the existence of a well on the property to avoid the question of how an already taxed and worn water system would support their huge increase in use. The staff report said there would be 6 full-time staff for 76 addicts who were paying \$45K/month to be there. It was laughable and I believe they did it to get around the parking problem at the site. Then they said it was a misunderstanding and increased the staffing to 32, which is still probably far less than the 1:1 guest to staff ratio at Alta Mira in Sausalito. This lie was solely meant to mislead the Planning Commissioners and the public to hide the traffic, parking and intensity of use issues. Lastly, Mr. Rodine and Mr. Schaller said Stillpath was already fully licensed by the State Department of Health Services. They didn't have such a license then and still don't. I plead with the Board of Supervisors to not reward these applicants for their dishonesty. Stop this project and the corruption it brings with it. Stop it in its tracks.

Martin Eberhard: The fire danger on the mountain is real. We are facing an historic drought in an area that hasn't burned in 150 years. Sudden oak death is decimating our forest so there is much more burnable fuel than normal. A tossed cigarette caused the Huddart Park fire. Dr. Lank said a smoking ban would not work for addicts who have an almost 80% likelihood they will smoke, despite the fact that the applicant is now proposing it. If they ban smoking their guests will still smoke but on the balconies or in the surrounding forest.

Lori Palazarro: If you listened closely to Dr. Lank, she now says that the staffing numbers will be a 1:1 ratio which means we are not looking at 32 staff but 76 staff. That increases the intensity even more. Trespassing is already a problem. I have found trespassers. Martin has found trespassers from Stillheart on his property. Some of those trespassing issues ended up in the newspaper. There is information on it on the Stillheart website warning against trespassing and getting lost in the woods. Dr. Lank has said all along that this is not a lockdown facility. Patients can check themselves out. Patients will have drug and alcohol addiction problems but will also have sex addiction problems and mental health problems. And they will be trespassing in the woods.

David Vesramee: I am from Moss Beach near the Big Wave project in Half Moon Bay. This project was also approved the Planning Commission and confirmed by this Board of Supervisors. Fortunately most of it was reversed by the Coastal Commission. Projects are being pushed through in areas where they don't belong.

Lennie Roberts of the Committee for Green Foothills: My thanks to the Board of Supervisors for the workshop on smoking this morning. It was very informative. In the RM Zone some things like agriculture and timber harvesting or quarries are specifically allowed other things are not. Only very low density housing is allowed. Stillpath is not permitted. It is inconsistent with the General Plan. Jim Eggermeyer, density is computed using a formula. How you translate one house into Stillpath is hard to fathom.

Dr. Herby Bell: (chiropractor from Redwood City who practices addiction recovery in Saratoga): I work in addiction recovery. My father died of addiction. My child is addicted. I reached out to Mr. Blatt. He is proposing the finest facility I have ever seen. He will bring this lifesaving treatment to San Mateo County.

Renee de Bruyn: I am the former mayor of Sausalito. When Alta Mira first came in the neighbors were up in arms. I live near Alta Mira. Now the neighbors love it and view it as an asset to the City of Sausalito. My daughter OD'd on heroin. Thank god for the Blatts.

Lev Leia: I live on Morse Lane. I am a former Skyline County Water Board member and was with them when it was merged into Calwater so they could help maintain the water system. There are 500+ customers. If anything goes wrong with the water system they are supposed to fix it but the truth is that Calwater has no one to solve problems on Skyline. There is no water engineer to check things out. If you approve this there will be no one to unwind this mess.

Rick Shapero: I have been a resident for 22 years on the mountain. We live in a redwood forest. This is San Mateo's Yosemite. You are being asked to put a drug and alcohol rehabilitation facility in the middle of Yosemite. There has been progressive expansion since 1991 and there is no sense of stewardship for this property.

Sandy Shapero: I have been a resident for 22 years. Will Stillpath help San Mateo County residents? They will charge \$45K per month. This is the Malibu model for Lindsay Lohan and Justin Bieber. It is meant for those who fly in and then are transported to the site. That is their model. It is an escape for those who are not from here. For 22 years I have watched businesses at this site fail. What will be next?

Alma Fletcher: I am a 52 year resident of the mountain. At one point on the mountain a think tank came here. Shortly afterwards it was proposed that they needed 7 more buildings. Then we knew what it really was. In that case the Senator who was backing it ended up going to prison. This is an open space area. Don't compound the mistake that was made by allowing this to be built in the first place in 1991.

Dr. Mark Schwartz: I opened a 45 bed drug and alcohol rehab facility in Pacific Grove. There have been no complaints or problems. I have run facilities with non-smoking. We have had no traffic issues. Stillheart is beautiful.

Laurie Gottfried: I have been a therapist for 26 years. I deal with trauma survivors and people with related problems. I have opened other treatment programs. It is good to open them in beautiful places. This facility is not for the super rich. Insurance will pay for some of it. Neighbors are always concerned about property values but there hasn't been a problem with that.

Lisa Gervetto: I have lived on the La Honda Rd since 1968. I support rehab facilities but I don't support this one. Stillheart was different than the proposed Stillpath. Stillheart was vastly underutilized. You could go over there and no one else was there. There will be a lot more people here and I don't know if the community can provide the infrastructure to support it.

Chris Reynolds: I have lived on the mountain since 1987. I spent 10 years on the Skyline Water Board. There has been no improvement in the water system since Calwater took over. Stillheart had to spend \$1.6M to put in a 100,000 gallon water tank for fire suppression. They will be increasing the amount of water they need at this site by 30X. This is not a negligible increase.

Peter Kane: I spent 5 hours looking at all the materials on this project. To me the objections boil down to Not in My backyard (NIMBY). This will be a world class facility. Nothing of this caliber exists in this county. Please vote no to the appeal.

Rosemary O'Connor: I spent 14 years in recovery. Everyone she knows appears to be an addict. You have to weigh NIMBY vs. treating addiction and I say you have to come down on the side of treating addiction. This will be a world class facility and for that kind of treatment, \$45K/month is cheap.

Rocco Mancinelli: I live near this facility. You have to look at the environmental problems along with the challenges generated by the remote location. We do not need such a facility on the mountain although I support putting a drug and alcohol facilities elsewhere. Part of the problem we all are having a very difficult time getting fire insurance. Right now GEICO won't insure my house. They looked at my address and refuse to give me insurance. There is an extraordinarily high fire risk in the area. We really don't need a facility in the area that greatly increases the fire risk. We need to mitigate the risk.

Leo Von Rodderdam: I have been involved with facilities in Malibu and Alta Mira in Sausalito. There is always resistance when these come into a neighborhood. This one is well staffed and is a quiet area. Generally people find the level of activity goes down. Yes, Sausalito did sue them when they first started. But now they are okay with it. He also has Drug and Alcohol facilities in San Rafael.

Jennifer Von: I favor Stillpath. I am a person in recovery. I live in Portola Valley. People need to get sober. I went to Serenity Knolls in Sausalito to get sober.

Kathy Kennedy-Miller: I am past President of the Kings Mountain Association and have lived on the mountain for 40 years. The County can't grant a use permit to someone if it will be detrimental to the public welfare. The use permit for Stillheart threatens the water system of the 500+ households of the Kings Mountain Community. This is the same community that just celebrated 50 years of the Kings Mountain Art Fair, an organization that raises money for local fire protection.

In October 2013 the Planning Department said Stillheart got its water from their own well. At least 5 members of the former Skyline County Water District pointed out this is not true and I would like to ask former members of the board of the Water District that are here today to stand. The water for Stillheart comes through the same 6" pipe that was laid in the 1950's that services the rest of the Kings Mountain community. They are just at the end of the pipeline. It is a really old pipe, narrowed by debris and the whole water system is close to capacity. Mr. Rodine knew that in 2006 when planner Olivia Boo asked him about it before the approval of the building of the treehouse rooms. But he told her a fib. He told her the water district had a 100,000 gallon tank at the FAA road that could provide them with the water they need. There never was such a tank. He told Olivia they were looking at the

size of their water meter but today it is still the same 1" water meter that it was then when they only served 28 guests.

We still have no idea what their water needs will be for the extra rooms they built since 2006 or for the new rooms that they hope to finish. Mr. Rodine diverted attention from the water issue in 2006 by portraying Peggy Bogart, who asked the water question originally, as a bitter crazy neighbor, a story that Jim Eggermeyer quietly took to the Planning Commissioners 5 days later so they could limit the Bogart's "challenge" to the expansion. It passed the Planning Commission 5-0 in 2006 without ever addressing the water issue. And I have copies of the internal correspondence to support everything I have said. (holds up letters).

Dave Miller: I have lived on the mountain since 1970 and will finish Kathy's statement. There is a difference between political hardball and having water. Once construction started bad stuff happened. They couldn't get a "will serve" letter from the water district to run the sprinklers until Mark Colbert of County Fire gave them a special exemption. They had to spend over a million dollars to put in a 100,000 gallon water on their property for fire suppression. They were hit with a cease and desist order by the water district, threatened with a lawsuit, told they would be disconnected completely, all because they were running "2 to 3 nozzled water hoses" for dust control. They basically had to truck in water and take themselves off the water grid except from midnight to 5am. That was just to complete construction. Mr. Schaller, Mr. Eggermeyer and Mr. Rodine traded many e-mails about all these problems. I have copies.

The good news for everyone is that Stillheart was spectacularly unsuccessful. Occasionally there was a larger group and then bad things happened. Marguerite Kaufman couldn't use her washing machine. At least once Stillheart used some of the water from the 100,000 gallon fire suppression water tank for domestic use and Calwater threatened to report them to the County Health Dept. and shut them down. Dawn Smithson of Calwater reminded Mike Schaller about this incident in January 2014. Most people on Kings Mountain probably never figured out that their sporadic water problems were related to Stillheart hosting a large group. If the use permit is approved, it will be like having a large group at Stillpath every day; in fact a larger group than they ever had before. We don't know what it will do to the 500+ households of Kings Mountain who rely on the old pipe for household water and so we can fight fires. I can't believe it will be good. The Planning Department never asked the right questions about water. They initially claimed that the property was on a well when they knew it wasn't. They were equally disinterested in the question in 2006 and lots of bad things resulted. I ask you to reject the amendment to the Use Permit, with prejudice.

Patrice _____ - I get referrals from Alta Mira. I intern at Walden house in Haight Ashbury. We have had no complaints. 26 of the 80 women smoked and I run smoking cessation clinics for them.

Dr. Michael Jordan: I support the Blatts. This is a great location. Recovery from Drug and Alcohol addiction is more needed than Yosemite.

Michael Wise: I live just above Skyline and can see Stillheart from my house. I know you were given a 286 page document by the Planning Department. The last page, page 286 was written by Mike Schaller

of Planning and provides 4 reasons that they felt you could uphold the appeal and reject granting the use permit to the Blatts. I know you have probably already read it but I'd like to read it to you anyway to remind you of this option. "That the establishment, maintenance and/or conducting of the proposed use, under the circumstances of the particular case, will be detrimental to the public welfare or injurious to property or improvements in said neighborhood as follows:

- 1) The proposed change in use will heighten fire risks in the area by increasing the concentration of human population and activity within a confined area designated as "Very High Risk" by the County Fire Marshall.
- 2) The higher intensity use on the site will also create significantly higher demands on the local water supply system potentially impacting the ability to fight fires in the Skyline Area.
- 3) By increasing the number of people on the project site on a daily basis, the proposal will also increase the volume of traffic accessing the site which is located on a curve with limited sight distance in both directions. Increased traffic may give rise to heightened risks, given the limited sight visibility.
- 4) The project is designated as General Open Space on the County General Plan Land Use Map. The locational criteria for this Use Category states that "General Open Space" lands are suitable for very low density development because of hazards or conflict with surrounding resources. The proposed use is at a density that is higher than appropriate for General Open Space Lands, making the use incompatible with the surrounding, rural setting. The proposed use is appropriate for a more urbanized setting.

As Mr. Wise is the last public speaker, Mr. Pine asked for Closing Statements by each side.

JR Rodine (representing the applicant): I hope after all I am supposed to have done that I don't get handcuffed by the sheriff. This is about location, location, location. The location is compelling. He wants to provide the Board with the best possible information and knows that three of the members have not seen this beautiful site. He would like to present more information for them and have the time to develop an enforceable smoking ban for the site. They can also spend more time on whether CEQA applies in the RM District. County Counsel has vetted the opinion of the Planning Commission and would have alerted them if they didn't believe that they deserved the CEQA exemption. (Their attorney came forward to try to address the CEQA issue but Mr. Pine waved him off). I ask for a continuance.

Annie Mudge (representing the appellants): No continuance is needed. We agree with many of the speakers that treatment for Drug and Alcohol Addiction is a good thing. But not here. Staff and Mr. Rodine have railroaded this through. There have been a lot of problems with this project including staffing, intensity, fire danger and water. But the key thing is that this facility is located in the RM district and under county zoning code, this is not allowed.

Adrienne Tissier made a motion to close the public hearing.

Don Horsley noted he had received 174 letters from residents. Of those, 172 opposed the granting of the use permit to Stillpath and only 2 were in favor (both from outside San Mateo County). And these letters were each well thought out and clearly weren't form letters. This is not a low intensity use. The

water issues were ignored by Planning. This is a stretch on density. The fire issues are frightening at this site. I am moving to grant the appeal and deny the project.

Carole Groom: I am concerned with smoking at the site. I have visited Stillheart for a day. It is lovely. But it is not a place for a rehab. This is a much higher intensity of use. It is also a location where it is hard to fight fires. The county does need rehab centers, just not here.

Adrienne Tissier: This is not the right location. There are very serious fire and water issues. I will do a lot to increase the number of rehab centers in this county. But it has to be in the right place. I know where the site is. I too have problems with the fire and water issues. I am okay with the density discussion. I will vote to uphold the appeal.

Warren Slocum: I have received lots of e-mails on this topic. I am concerned about the fire and water issues. I am also moved by Annie Mudge's argument about it not being allowed in the RM Zone and there is no wiggle room. I will vote to uphold the appeal.

Dave Pine: This will be a unanimous decision. It is not the type of clients that concerns him. It is the intensity of use that concerns him. The water issues particularly bother him. He wishes the facility had not been built there at all. The intensity of use and the necessity issues are his special issues. It is hard to find this necessary when it will be little used by San Mateo County residents. We should be going in the other direction where we add beds that can be used by local residents.

John Bieirs (County Counsel) asked that they include the 4 findings included in Attachment E (read by Mike Wise). Is that the basis for your denial?

Don Horsley amended his motion to grant the appeal(s) and deny the Applicant's proposed use based on the 4 Attachment E Findings.

The revised motion passes 5-0.

Janneth Lujan

From: Tiare Pena
Sent: Wednesday, July 05, 2017 10:32 AM
To: Janneth Lujan
Subject: FW: PLN 2006-00181 (Stillpath) March 2014 Board of Supervisors Decision/Rationale
Attachments: Stillpath_Bd_of_Supes_Appeal_97.doc

From: Kathryn Kennedy [mailto:kennedyiti@aol.com]
Sent: Tuesday, July 04, 2017 10:11 AM
To: Tiare Pena <tpena@smcgov.org>
Cc: kennedyiti@aol.com
Subject: Fwd: PLN 2006-00181 (Stillpath) March 2014 Board of Supervisors Decision/Rationale

Hi Tiare,

Please share this with Ms. Grote in advance of the Zoning meeting on Thursday July 6th

As the last set of notes related to Stillheart/Stillpath, in March 2014 the Board of Supervisors heard the appeal by the neighbors of the January decision by the Planning Commission. As you recall, the Planning Commission heard the matter three times before reaching the decision to grant a Use Permit to Ray and Michael Blatt to operate Stillpath as a high end \$45,000/month Drug and Alcohol Rehabilitation facility.

The Board of Supervisors **REVERSED** that decision 5-0, despite all the members of the Board of Supervisors being in favor of drug and alcohol rehabilitation. Their rationale, which you will see from these notes, instead focused on grave concerns about the intensity of use at Stillpath, a single density parcel in the RM zone along the Skyline Scenic corridor.

Their rationale for the decision follows:

Don Horsley noted I received 174 letters from residents. Of those, 172 opposed the granting of the use permit to Stillpath and only 2 were in favor (both from outside San Mateo County). And these letters were well thought out and clearly weren't form letters. This is not a low intensity use. The water issues were ignored by Planning. This is a stretch on density. The fire issues are frightening at this site. I am moving to grant the appeal and deny the project.

Carole Groom: I am concerned about smoking at this site. I have visited Stillheart for a day. It is lovely. But it is not the right place for a rehab. This is a much higher intensity of use. It is also a location where it is hard to fight fires. The county does need rehab facilities, just not here.

Adrienne Tissier: This is not the right location. There are very serious fire and water issues. I will do a lot to increase the number of rehab centers in this county. But it has to be the right place. I know where the site is. I too have problems with the fire and water issues. I am okay with the density discussion. I will vote to uphold the appeal.

Warren Slocum: I have received a lot of e-mails on this topic. I am concerned about the fire and water issues. I am also moved by Annie Mudge's argument about it not being allowed in the RM Zone and there is no wiggle room. I will vote to uphold the appeal.

Dave Pine: This will be a unanimous decision. It is not the type of clients that concerns me. It is the intensity of use that concerns me. I wish the facility had not been built at all. The intensity of use and necessity issues are my special issues. It is hard to find this is necessary when it will be of little use to San Mateo County residents. We should be going in the other direction where we add beds that can be used by local residents.

If you have questions, please contact me at 650-291-9678 or kennedyiti@aol.com

Kathy Kennedy-Miller
Past President, Kings Mountain Association

Janneth Lujan

From: Tiare Pena
Sent: Monday, July 03, 2017 8:53 AM
To: Janneth Lujan
Subject: FW: PLN2006-00181

From: Rich Shapero [mailto:rich@tfim.com]
Sent: Friday, June 30, 2017 5:43 PM
To: Tiare Pena <tpena@smcgov.org>
Subject: PLN2006-00181

Dear Planning Department,

We see that the Blatts are once again trying to convince the county that they should expand their facility.

I would like to remind you of the following:

1. The Board of Supervisors voted 5-0 against the Blatts proposed expansion of Stillpath in March 2014. The consensus was

that the facility was ALREADY too large; that expansion would violate zoning restrictions and create traffic and trespassing

problems; and that it would pose serious fire and water challenges.

2. Because of the failure of the Planning Dept to do its job early in the process, a huge amount of effort was required by

residents to bring the county to its senses. We are still angry about this, and our disgust with Jim Eggemeyer and the

Planning Department's betrayal of its responsibility hasn't been forgotten.

3. As a result of Planning's betrayal of its responsibility back in 2013, the county put itself in legal jeopardy to

the Blatt's. This happened because Planning failed to listen to residents in the early phases of the discussion about the expansion of the Stillpath facility.

We are therefore requesting that you:

Take into FULL account ALL of the past testimony, documentation and work that went into establishing that any expansion of the Stillpath facility would be bad for our community, the Skyline wildlands and the county. If you force residents to straighten Planning out again, you can expect hostility from us. We wasted too much of our time on this matter. Do your job this time.

Thanks for your attention,

Rich and Sandy Shapero

--

Rich Shapero

TFIM

P. O. Box 1878

San Mateo, CA 94401

Phone: (650) 529-2302

email: rich@tfim.com

October 23, 2013 Notes on the Use Permit Application for the Stillpath Drug and Alcohol Rehabilitation Center

Item #6 Stillheart Institute with Owner StillPath which is located at 16350 Skyline Blvd. Woodside

Mr. Schaller

- Convert to non-medical addiction recovery center
- Will operate within the existing structure. Several buildings, treehouses and a meditation center need to be completed.
- 57 bed facility. If the 6 treehouses are completed, then 81 beds could be available but they only plan to have 76 beds.
- Guests will not bring their own cars.
- Staffing is planned as 6 full-time and 6 part-time.

Gail Slocum: We received a letter from Sausalito. Is staff aware of what conditions put on the facility in Sausalito? No. Is staff aware of the times of conditions that are put on other facilities? No.

JR Rodine: Has represented the current facility since 2005. It is time to transition it to the new applicants. Mr. Ray Blatt and Mr. Michael Blatt, the applicants, are with him. Today there are carpools bringing people to events and often the parking of 38 sites is completely full. This is a unique site and you have to look at the character of the operation at this location.

Ray Blatt: Manager of Stillpath Recovery Center. There were two site specific conditions in Sausalito. They were concerned about off-street parking and we don't allow it. They were also concerned about noise and we agreed to deal with it. We would deal with any noise restrictions if any of the 30+ neighbors in the residential area (within 30 feet of the property line) where Alta Mira is located.

Gail Slocum: It was indicated that Stillpath Recovery Center will not be taking any indigent patients or patients from the psych ward. How is that possible?

Ray Blatt: We don't take them. Nor do we take them at Sausalito.

Would you be willing to tone down the signage?

Ray Blatt: Yes, we would be willing to tone down the signage.

Chairman: Each speaker from the public will have 5 minutes per person.

Martin Eberhard: Concern about staffing. We have been told that there will be 6 full-time and 6 part-time staff serving 76 people or about 1:10 staff to client ratio. A normal ratio is 1:3 according to Health and Human Services. We have 30 residential facilities in the county which average 9.3 beds. The largest is 32 beds. This is by far the largest facility in the county. At Alta Mira staffing is 1:1 (per their website). Either staffing is grossly understated and parking will be a problem (38 parking spaces) or there is not sufficient staff. Next I'd like to talk about fire. It is a heavily forested area with fire danger. Addicts are

generally smokers, 59% according to HHS. If it is as poorly supervised as they say, it makes no sense at all to bring people with addictions and mental health issues who are also smokers to this area. I would like to talk about the adjacent property. These are trails going from the Stillheart property onto my property, onto State of California property and trails onto the MidPeninsula property and trails onto the Bogart property. And these are maps that the Stillheart people have been handing out to their guests for the last few years showing them how to trespass. Lots of trails onto our property. To close it would require building a ½ mile fence crossing La Honda Creek in at least two places to keep Stillheart people off my property. And we find lost Stillheart souls there all the time. We will have a problem keeping lost souls from Stillpath off our property and from getting hurt. Signage is not subdued lighting. It looks like an Arco station. Finally the staff report says that it is the center's policy to have no guests bring their cars; they will be dropped off. On October 10th it is not policy but what will usually happen. This is already a softening of their position. This is a safety issue. If they are struggling with addiction or mental illness it is already challenging for residents to drive there. Are there any questions.

Severo Ornstein: I live on Bear Gulch Road which is not adjacent but we have been there for 29 years. We are elderly but hike there often. You are bringing people with "troubles" but there is basically very little police supervision up there. I am also concerned about fire safety.

Chris Reynolds: I live on Skyline Blvd. There were a couple of things in the staff report that were inaccurate or I misunderstood them. It says the water supply is from their private well. That isn't true or if it is they need to have an engineer check the back floe every year. As Mr. Rodine knows well they worked closed with the Skyline Water District for years and built a 100K tank for sufficient water to fight a fire with the water supplied by Skyline County Public Water. I find it unlikely they are using a domestic well for water, which I find unlikely since the water isn't very good. But if they did, then there may not be sufficient water flow for fire fighting. Another concern I have is that the number of people there today at Stillheart. If you assume there 60 events per year, on average 3 days per day. Average of 15 people per day right now. But if you have 60-70 per day plus staff at Stillpath this is a gigantic increase. Certainly more than 5 times and that will have a big effect on the local community. It was discussed that people who go there will stay 45 days. It doesn't tell you the full effect on traffic. This is equivalent of adding a large restaurant along Skyline Blvd. Trucks will need to bring food. How much more traffic will be generated. It is not covered by staff. I'd like to address Ms. Slocum's question about permits from Sausalito and their licensing. The truth is that the Alta Mira did not get any permits of the normal type from Sausalito. They used a loop hole that said that they could get state licensing if their facility was 6 beds or fewer at a residential facility. They licensed it as a series of houses, of 6 bed facilities and many of the neighbors were quite upset at the time. It was licensed directly from the State Dept. Mental Health. Mr. Blatt can probably discuss how they got that through. There was controversy about it at the time.

Laurie Palazzolo: I have a copy of the letter that I am going to read. I live across the street from Stillheart. We support the current program. I am surprised at how quickly this is to be transformed into a health care facility. We work in the health care community. We are a remote area. We are a long drive from anywhere and we are remote. The roads are long and winding. Some patients will probably need emergency care and to get to a hospital. Have you considered that? We are lucky to have a Cal

Fire facility. One careless cigarette dropped anywhere could lead to a fire endangering the whole community. Any backup fire fighting is a long way away and we can't escape. Did the county study this risk? Patients may wander and are they able to be safe and is staffing sufficient to keep them safe. Did the county study this risk? Our family would like answers from the county before you approve the largest health care facility of its kind in the county. The county should require answers. We think this puts the health, safety and welfare of the patients at significant risk and puts the health, safety and welfare of our community at significant risk too. Please do not let Stillheart make this transformation without first assessing these risks.

Amy Bogart: I have been a resident of Skyline Blvd. for 24 years. I have just handed out a staffing report. As you can see the proposed staffing is either significantly below industry standards or is false, misleading and designed to avoid zoning requirements. I know those who have brought up these to Mr. Schaller (the Planner) have been told that the Blatts run a similar facility in Sausalito and he refers them to the Alta Mira website. I am not sure Mr. Schaller if you yourself have looked at the Alta Mira website. But from the spreadsheet in front of you it is apparent that the proposed staffing at Stillpath is nothing like the staffing at Alta Mira. And you are welcome to confirm my numbers by looking at the Alta Mira website under Frequently Asked Questions. You can also find with the least amount of research that the Blatts do not operate the Alta Mira facility but are the landlords for the facility. I want to put on record that the carelessness or corruption with which the staff report was written and then trying to get it passed today, does not make me feel safe, protected or properly served by San Mateo County. Another major concern is the life safety issues for the patients and the community that under Section 65 of the zoning regulations the change in use must not be detrimental to the community or injurious to the surrounding facility. I have contacted a number of recovery facilities in the area. Most use 1:1 staffing, at minimum, but at the least 1:3. And even then with a well-trained security team, it is hard to keep patients from wandering off. They will have an urge to get the drugs they need. There is no public transportation and no way to get to a local pharmacy. So we can expect to have them show up at our homes seeking the drugs or alcohol they need. This goes far beyond trespassing or wandering. These are mentally ill individuals. My cousin is a heroin addict and my aunt passed away from alcoholism after 2 stays in a rehab facility. Getting drugs into rehab facilities is a serious issues. I agree that addictions are diseases nor should we discriminate against diseases. A facility treating any disease should not be located more than 30 minutes away. Often the police provide the support needed but the police are 30 or more minutes away. I don't want to think about the dangers and disasters that could befall the patients and the surrounding community while awaiting help.

Terry Bogart: I have lived up there for 40 years. Mr. Rodine has overbuilt this site to the point where he can't keep the people on the property. They are trespassing. They have promised to put up signage that reads No trespassing. They promised to remove trails on my property. They have cut trees on my property. They have destroyed some of my property and they have done it on all surrounding properties. I think the existing use permit should be pulled. I will bring in counsel to help do that. I think the staff report was so incompetent that we should bring in the Feds to see if there has been corruption.

Peggy Bogart: I have lived on Skyline (16351) for over 30 years. Our property is adjacent to the Stillheart property so we are one of the very few who received any notice of this meeting and we only got access to the staff report 4 business days before this meeting (Oct 17th). Counsel was unable to attend today due to short notice. I have been on notice with the county (in writing) for years to be notified in the event of any change in the status of the property. Mrs. Joan Porter, the owner of Stillheart, also said she would let me know if there were to be any changes planned to the property. As this was filed first in April and again in July, I consider this short notice as bad faith by both Mrs. Porter and the County Planning Dept. I would like to talk about the proposed use change. Much if not all of the land in the Skyline Scenic Corridor is zoned RM or Resource Management District. Zoning code 6310. In 1991 the Skylanda Fitness Retreat filed for a conditional use permit RM under 9.38 which encourages public land use as commercial recreation. When it became a hotel or motel it was still covered by the RM district as this is an accepted land use. In 1995 Stillheart and their county expeditor JR Rodine proposed and declined that it was a hotel and was permitted under the RM District use. On page 5 of Staff Report it is still operating under the original 1991 use permit as commercial recreation. Clearly, the leap from commercial recreation to a non-medical residential facility for the treatment of addiction and mental health disorders is a large leap. As stated in the staff report, according to Section 6500 of the zoning regulations prescribes hotels, rest homes and sanitariums are permitted outside of the coastal zones if a use permit is issued. The pending application only requests a modification to the use permit and does not request a new use permit. The proposed use is significantly different than the original use and is incompatible with uses in the RM zone. It also appears that the staff report is intentionally trying to mislead you and the public on this point. The uses for hospitals, rest homes and sanitariums are only permitted (Section 6500) must be necessary for the neighborhood's health, convenience and general welfare. The proposed center is not necessary for the residents of the local area. Furthermore it only requires (section 6500) a one year use permit. The applicant is trying to amend a use permit for 5 years. This is trying to mislead and allows the picking and choosing of regulations. Mr. Blatt, Mr. Schaller and Mr. Rodine should be admonished. It should not be up to the neighbors to police the staff report. To find the County can randomly change the regulations to fit its purposes at will, will cause an outcry when it comes before the Board of Supervisors.

Supervisor Slocum (?): I feel like a mom at a dinner table. Could everyone please be civil.

William Cargile: 16250 Skyline Blvd. This project is fundamentally at odds with the nature of the neighborhood, land use and peace of the residents and I oppose it categorically.

Steve Jones: Jim Megamy, you treated me well when I was getting my license for my ham radio tower a couple of years ago. I'm afraid I have to agree with the other speakers that the staff report is not adequate to approve this kind of proposal. Sure I am concerned about the staff of 6 who are taking care of the staff of 76. Someone who is going to pay 45K to stay at a place like this probably have their own staff of 6. I am more concerned about the public safety. If we have to call an officer where we are it can take up to 45 minutes for them to respond and sometimes they have to call for directions. That will not take care of us if something bad happens. I have no idea if someone will react violently when they are experiencing a psychotic episode but I don't want to find out when the sheriff is 45 minutes away. I'm going to do a little speculating here and let the applicant rebut. Some neighbors exchanged some e-

mails and discovered that the mayor of Sausalito letter talking about how nice the Alta Mira facility is, forgot to mention that there is currently a lawsuit going on between the city and the facility. It appears that none of my neighbors who have adjacent properties had input to the Staff report so from April until October none of the neighbors were contacted for input to this report and that just seems wrong. Lastly, I'd like to bring up the Arco blue sign that startles me every time I come around the corner on Skyline blvd after dark. I would like to read from the County's Skyline Corridor General Plan "quietness, repose and unobtrusiveness" are the design goals for buildings within the Skyline Scenic Corridor. Structures should blend in with the character of the area rather than detracting from it. They should be rustic in character. Natural, rural or harmonious. They should not be gharish. If that sign isn't gharish, I don't know what gharish means.

Ellen Wise: I will be reading my statement. I am both a concerned neighbor and a California lawyer. You have put in the position of deciding whether or not to allow this application to go through. The California Dept of Health Services will almost certainly approve the applicants request for a permit if you grant them the use permit. I also am of the opinion that the staff has not done their work thoroughly. It makes it hard for you to do your work in a thorough manner. You need the facts and the facts are not here. The Planning Staff report, page 2, paragraph 2 says the applicant has a permit from the State. This statement is false. No such license has been issued. I spoke with the state and there is no license that has been issued to Stillheart, Stillpath or in the name of Blatt. This license is mandatory to ensure the safety and welfare of the patients. Logic dictates that a license can not be issued by the state unless they can review the facility. Exhibit 2 is a partial copy of the State Licensing Boards (HHS) rules for licensing a state mental health facility. It requires applicants must have the ability to create a licensed treatment facility, have a valid fire clearance and pass an on-site inspection by an ADP analyst. I don't think any of this has been done. The proposed facility will be a great potential detriment to the public welfare and is a danger to the neighbors, residents of the facility and first responders. I believe the planning commission document represents a rush to judgement by the staff. I direct you to Exhibit 3. In it Mr. Schaller responds to a letter from Mr. Jones in which he attempts to compare the staffing at Alta Mira to Stillheart. It has already been pointed out the misleading staffing statistics. The Blatts are not operators of the facility so they never got a use permit. I suggest that the Planning Commission can only make one of two possible decisions today. 1) the staff report is inadequate and significant review is required. In that case, you can vote to continue. Or 2) you can deny the application. The falsehoods that have been brought to your attention today need to be corrected or they will surely be followed by legal action.

Speaker Rodine: We'll be taking a short break now and then come back for more speakers in about 5 minutes. We appreciate you showing up on a Wednesday morning

Rocco Menchenelli and I live at 16363 Skyline Blvd. which is about across the street from the facility and I served 8 years on the SF Water Board. I appreciate the staff and all the work they have done. It is a general overview but doesn't address some key problems. I saw no mention of any emergency plans or even what happens if someone goes for a walk. There are no clear trails. They look like deer trails. What happens if a client goes for a walk. How will management prevent them from getting lost? The medical emergency response is 45 minutes away. What are the medical credentials of the staff? Will

there be a registered nurse on staff? A physician? What happens if there is an emergency? How will the sheriff dept be able to respond. This report is mostly boilerplate. That is where you start but you have to move on from there to the nitty-gritty. Choosing a non-controversial portion, on pages 7 and 8 relating to construction approval, deals with environmental impact. If you look at it and then look at the site it requires that you minimize pollutants. But how do you do it for this site? If I was Mr. Bogart I'd be concerned about runoff. I suggest a site visit. The data are insufficient to make a decision at this time.

Rob Ferber: I have been a neighbor for 15 years. I am a mile by road but 1500 feet cross country. We had our most recent Stillheart trespasser show up on our property this year. They have done no damage. I have alcoholics in my family. I have had fires started by smokers. They don't understand the difference between duff in September and duff in January. I had a ¼ acre fire started by a smoker on my property. I have personal experience calling for psychiatric help for someone on my property. I had to wait for 45 minutes for someone to come who could help with a psychiatric episode. During that time it went from mild to catastrophic. Your time frame does not help with that situation. It is an immediate concern of mine. I have done research on real estate transaction pricing at properties surrounding the Sausalito facility. Prices dropped 20%. Prices have recovered but it is a concern. I apologize for my son who has not filled out a form (he is a baby).

Linda Maepa: My concern is because you have not considered families. We have 10 children on our street now. In July we had a trespasser from Stillheart. How was the study conducted. Have you considered the impact on families.

Michael Wise: 285 Allen Road. Our property is the closest above Stillheart. We see visitors and staff from Stillheart who end up at our place regularly. They hike up through the connecting canyon. If there is a fire it will travel along that same canyon. It is a major concern. The staff report is extremely inadequate.

Chairman: I am going to give the applicant a chance to rebut.

Ray Blatt; We cannot submit for our state license until you provide us with the User Permit. There is not currently a lawsuit with Sausalito. There was 5 years ago. I am a contractor. I have built spec homes by treatment centers and the price hasn't dipped. Trespassers. I think additional signage might help. Stillheart has no staff to supervise groups so that is why there are trespassers. We will have supervision. Some staff like marketing won't be at the site. We cannot operate until the state finishes their inspection. As far as smoking there is smoking like hotels. We can have a designated smoking area. We have not had a wander off problem at any facilities. We have not seen additional traffic generated at Alta Mira. If people come they get dropped off. Psychiatric breaks. People going through medical detox won't be at our facility. It is not an acute care site.

Planning Commissioner **Gail Slocum:** I don't know if I heard it but could you tell us what the number of staff on-site will be?

Ray Blatt: We'll have 6 full-time and 6 part-time. Maybe one more if we need it. It is 1:10 or 1:6.

Gail Slocum: Well, it is either 1:10 or 1:6. Which is it?

Ray Blatt: We will have, if you count the part-timers.

Gail Slocum: You are the one who runs this business. Just tell me what it is going to be.

Ray Blatt: Well, it will be 1:7. 1 staff for 10 patients. They are program staff.

Gail Slocum: I am thinking about the nature of the staffing given the nature of the site. How did you come up with the staffing numbers?

Ray Blatt: Well we talked to our clinical advisor.

Gail Slocum: How does it compare to the Alta Mira facility?

Ray Blatt: Well it is pretty comparable. We may need a couple more on because of the size of the property. The 16 acres.

Gail Slocum: So you will have a better staff to patient ratio then for Alta Mira? So that means that you would have more staff.

Ray Blatt: Thanks for bringing that up. We also have a large out-patient program (at Alta Mira) that the staff covers.

Gail Slocum: Whether it is inpatient or out-patient isn't it a patient to staff ratio?

Ray Blatt: There is a higher ratio on the website. Due to residential and the out patient.

Gail Slocum: Would you be open to fencing the entire site to prevent trespassing. All 16 acres as a condition for approval.

Ray Blatt: All 16 acres? That would be kind of tough. Could we put it just in the areas where the pathways are?

Gail Slocum: I am trying to figure out how to address the neighbor's concerns.

Chairman Renken: Perhaps signage would solve the problem.

Gail Slocum: What besides signage would solve the problem?

JR Rodine: I am not aware of the trespassing. I can surmise all weren't attributable at Stillheart. There will be full supervising staff on the property. I don't think fencing the entire site is feasible. If we can identify sieve points we can choke those off. We can set up a 24 hour operations number for the neighbors to call. As regards the Arco blue sign, Mr Eggamyer worked with us on it, after looking at Scenic corridor regulations so people could find the site in the dark in the fog so we thought the electric blue sign was the way to go to prevent accidents. If there is a way to mute that we're happy to do that. It is not appropriate to assail the staff report. It is not appropriate to imply malfeasance by the staff. I would ask Mr. Fox (through the chair) to help us in understanding RM zoning laws and the use permit

process. Keep in mind that this is not new construction but involves completing tree house lodging (hotel rooms) that are 90% completed. As far as the water goes, it is administered by Cal Water (formerly by Skyline Water). We have a 100,000 water tank for fire suppression that cost 1.7 million to install. So there is no public safety issue. In the event of a fire they are welcome to use our water to help fight it. Fire is not what it is represented to be. You say families are moving in and families wouldn't move in if they couldn't get to a hospital so there isn't a safety issue. The sheriff will come. And you shouldn't assail the staff.

Chairman Renken: I will get Mr. Fox to give feedback.

Michael Blatt: Ray didn't explain it the way I would. Sausalito has a 6000 sq ft. facility a few blocks away that covers out-patient. All their accounting people are there. All their marketing people are there. They have their own parking.

Gail Slocum: This shows the problem with making comparisons to a single site. Alta Mira is a very different site. It is in a more suburban area. Did you look at any sites in a more rural area. What level staff do they have.

Michael Blarr: Yes we looked at other sites. If you have 30 patients or 50 patients. The staffing is the same.

Gail Slocum: So what is the occupancy rate you assume.

Michael Blatt: We figure on 80% occupancy.

Gail Slocum: So what is the staff.

Michael Blatt: So perhaps 1:5. At Alta Mira we have been 48% to 78% occupancy for 5 years. That is maximum.

Gail Slocum: So the 60 people (at 80% occupancy) are staying in the treehouses.

Michael Blatt: Most people will be staying in the central building. For the first 30 days they will stay in the 14 rooms in the large building. Then they will move into the cottages later in their stay.

Gail Slocum: Some percent will be in the decentralized treehouses. How do you supervise it. And that is not how the Alta Mira is.

Michael Blatt: No there are decentralized buildings at Alta Mira

Gail Slocum: if you have people in the decentralized cottages it is easy to understand why these would be perfect for a retreat center and hard to understand how you would supervise them for this kind of facility. And it is hard to understand how you will prevent them from throwing a cigarette off the balcony into the forest. Can you help me understand the staffing level when you have 32 people in remote living spaces.?

Michael Blatt: Well you notice that there are only two rooms on each floor in the treehouses. You need 1 person awake in each floor in the main building. So then I have 10 people left over to supervise.

Gail Slocum: I need to feel this is going to be adequately supervised.

Michael Blatt: The State of California has a rigorous licensing process. It takes 3 – 4 months. They'll tell us if there is a problem. If it is, we won't put people in the treehouses. Most people stay more than 30 days.

Gail Slocum: We have to address the kinds of issues that have been raised. So are you saying, or was your son saying, that there won't be any medical staff on-site?

Michael Blatt: He's wrong. We have licensed PhDs working. There is a nurse on staff. There is a doctor on site during the day. About the fencing. They need to redo the map. If you have 60 people at Stillheart there is no supervision. My idea is to put a 6 foot high fence where the deer trail type path goes. That will stop 90% of the people. People at Stillpath want to stay where the food is. They don't want to integrate the facility (by sex). Men and women are separated. The maps shouldn't show the trails.

Mr. Fox (Counsel for the County): I am not certain about the process. Some neighbors were concerned about insufficient notice and sometimes people should have more notice because of the seriousness of the issue, but under the Brown Act the staff is required to provide the staff report to the Commissioners and the public at the same time. Our usual zoning rules require notification of 300 feet. I am not clear about the questions related to RM zoning raised by Mr. Rodine. I would like to address one question and that is whether or not the users of the property personal characteristics prohibit building here. We cannot prevent people with disabilities from living here. We cannot apply zoning that way under federal guidelines. That also applies to race. Concerns about the intensity of the use is appropriate. You may decide it is inappropriate to have 76 people residing on the property. You may not prevent 76 people with addiction disabilities from living there. You cannot use disabilities as a condition to deny.

Gail Slocum: My questions go to intensity of the use. Not to the type of use. We have people in my family who need these services. It is people that we all know.

Chairman Renken: We will wrap it up.

JR Rodine: I ask that you approve the staff report

Mr. Fox: There has been a lot of questions about staff ratios and those were raised by the public too. They said the staff ratio has been understated to make the use seem less intense. I do not operate in the human services area. My guess is that there is a lot of law on this point. The commission may be concerned about the requirements. There is a risk that you would be taking a shot in the dark on the

staffing and you could be wrong. If the commission is inclined to investigate further, it may be worth having further inquiry.

Gail Slocum: I would be interested in that analysis. We should look at parking versus staff. I do not feel I have sufficient information to make the needed findings.

Chairman Renken: Moved the public hearing is closed. Are there any questions for staff?

???: What is the difference between getting an amended use permit versus a new use permit.

Mr. Fox: A new use permit gives you two uses. An amendment to an existing use permit says I will do this one but not the other.

Gail Slocum: So are you saying that the commission could do a one-year use permit?

????? Yes you could if you are changing the intensity of the use.

Mr. Fox: Shortening the duration of the Use Permit might effect the licensing. The state may choke on a facility that would only operate for a year.

Gail Slocum: Could we see how it is going during a shorter period of time. Can we do something less than 5 years.

Mr. Fox: Yes there is precedent for a use permit less than 5 years and yes there is precedent for review by staff. Perhaps by staff.

Gail Slocum: Or some combination. Public involvement seems important to me.

Chairman Renken: Deliberations?

Are you prepared to discuss the fire related issues?

Mr. Schaller: No. We should address those.

Chairman Renken: What could not be solved.

Mr. Schaller: Perhaps we should address trespassing. What is staffing at other facilities of this size? What are the nature of the patients and their care? We need some specifics? What are their needs at that point in their care.

Gail Slocum: There were statements about who would not be there.

???: I would like to see trails decommissioned. I would like to address the smoking area. We could also look at the sign.

Gail Slocum: Especially if only staff is coming then the sign wouldn't be needed.

??? I can understand why the sign is there in foggy conditions.

Chairman Renken: Perhaps these issues could be covered today without a continuance.

Mr. Fox: Sometimes it is bad to presume that a statement by an applicant that they will make a change. We may need a more complete description of resolutions. We need a whole package.

Chairman Renken: From the applicant, do you think we need a continuance.

JR. Rodine: If we do a continuance we would be happy to work with staff. We would like a firm date.

Gail Slocum: I would like to make a motion for continuance. We should ask staff to look at how long they need to track down the types of issues that have been enumerated. I would like staff to look at conditions that were put in place for similar remote facilities with similar remote housing units. I would like to see what we can learn from other jurisdictions and not reinvent the wheel. I would also like to look at the length of the permit issued.

Chairman Renken: Mr. Hansson do you have a motion

Mr. Hansson: I'll second. I live a block south of San Mateo General Hospital. I have lived there since 1964. When they opened a methadone clinic people came out of the woodwork. I know how you feel. These people are in worse condition than those who are at Stillheart. I have experienced no loss of property values. We have no increase in safety issues.

Gail Slocum: Staff wants to continue. We have a very articulate comments by the public. And the applicant is willing to work with staff.

JR Rodine: Today is October 23. You have one meeting in November (20th) and there are 5 items on the agenda. You have one meeting in December.

Chairman Renken: Is there a rule when a meeting is full? Or is it as our discretion?

JR Rodine: We will try to answer your questions as needed.

Mr. Hansson: How much time do you think you need?

JR Rodine: Mike has a lot of things on his calendar.

??? A discussion of other items that are coming up on the agenda.

Chairman Renken: To the applicant, what are your wishes on dates?

JR Rodine: We could be ready for November. At latest early December. We can't apply for our state permit until we complete this process. We cannot be handcuffed by a 1 year permit when applying to the state. We need at least a 2 year permit.

???? We would need to have Mike complete his work within 1 week so he can publish his work with 2 weeks notice.

Gail Slocum: I will amend my motion to a December date.

Chairman Renken: Sometimes we can address with this conditions. For example the trespassing or the sign. In this case, it is clear there are enough serious issues that have been raised I will support the motion. He suggests that the applicant understand they are serious issues. He agrees that November is too soon. So he is in favor of pushing it back to December 11. Is the length of the review (1 year) covered.

Gail Slocum says I intend the length of the permit should be considered.

Chairman Renken: Thank you to the public and your input. 0 opposed with 1 absent.

Janneth Lujan

From: Tiare Pena
Sent: Monday, July 03, 2017 8:55 AM
To: Janneth Lujan; Timothy Fox; Lisa Aozasa; Steve Monowitz
Subject: FW: PLN2006-00181 (Stillpath) Planning Commission Notes from October 22, 2013
Attachments: October 2013 Stillheart Planning convert.doc

Categories: Follow-up

From: Kathryn Kennedy [mailto:kennedyiti@aol.com]
Sent: Saturday, July 01, 2017 11:54 AM
To: Tiare Pena <tpena@smcgov.org>
Subject: PLN2006-00181 (Stillpath) Planning Commission Notes from October 22, 2013

Hi Tiare,

You mentioned that none of the information from the 2013/2014 discussions on Stillpath have been included in the packet of information for the Zoning Officer to consider. Fortunately, I took notes at the 3 Planning Commission Meetings, the local evening hosted by the Kings Mountain Association with the applicants and at the Board of Supervisors appeal by the Blatts in which the Board voted 5-0 to reject the Blatts Use Permit application. This is the first of the notes.

The Blatts were asking for a 5 year Use Permit. Quite a lot of it deals with the same issues that are presented by the current application.

- **Parking:** There was a claim of a 1:10 staffing ratio in the report, which was hugely below industry norms, Alta Mira, (a facility with which the Blatts claim affiliation) claims a 1:1 so it was impossible to determine if parking is adequate. No guests were going to be allowed to drive to the facility, so perhaps the situation is worse in the current proposal. The applicant first said it was 1:10 staffing ratio then 1:6 or 1:7 then 1:5 but says they need more staff than Alta Mira because of the size of the property (which is 1:1).
- **Smoking:** There were concerns about smoking on the property, especially given contemplated low staff to guest ratios. This was a huge community concern after years of drought in a forest that hasn't burned in a long time.
- **Trespassing:** There were concerns about guests trespassing on neighbors property, a situation that has occurred routinely during the many incarnations of this property. Stillheart was inadequately staffed, according to Ray Blatt, to prevent trespassing.
- **Water:** A former member of the Skyline Water Board, noted that there is no well on the property, as the applicant claimed in the 2013 staff report. There is only a 100,000 gallon water tank for fire suppression.
- **Intensity of Use:** came up in many ways including the effects on traffic and the adequacy of parking. Staffing appears to have been understated to minimize the intensity of use for the property.
- **Approach of applicant to using loopholes:** In Sausalito, where they were denied a permit to operate a Drug and Alcohol Rehab Center, they used a legal loophole to create Alta Mira by licensing it as a series of 6 bed residential facilities.
- **Concern about fire**
- **Applicant's misleading claims:** The applicant claimed they operate the Alta Mira facility in Sausalito, CA but are in fact the landlords, not the operators. The applicant claimed they had a license from the California Dept of Health Services to operate a drug and alcohol rehab facility but do not and cannot unless they get a use permit first, a situation the applicant later conceded was true. They do not have a license.
- **Applicants unkept promises:** Promises were made to neighbors to put up no trespassing signs, to remove access to trails that encourage their guests from trespassing on neighbors properties and to stop cutting trees on neighbor's properties, egregious conditions that should result in pulling the current use permit.
- **Zoning:** violates conditions in the RM zone
- **Objections to the entrance neon sign** which is vastly out of character with the Scenic Corridor and violates the Skyline Corridor General Plan

- Fencing to prevent trespassing: The applicant is unwilling to fence the full 16 acres to prevent trespassing. Michael Blatt suggested they would be willing to put up 6 foot deer fencing at trail heads to prevent trespassing and remove trail references on the maps they hand out that encourages trespassing.
- Shortness of notice: the public only had a few days notice.
- Poor quality of staff report: It did not deal with fire-related issues, trespassing, intensity of use, the length of the use permit (the applicant felt they needed at least a 2 year use permit to apply to the state to get the operating license) and more.

The hearing was "continued" until December 2013 to let the staff begin to deal with the myriad of issues raised. .

If you have questions, you are welcome to contact me at 650-291-9678,

Kathy Kennedy-Miller
Past President, Kings Mountain Association

Janneth Lujan

From: Tiare Pena
Sent: Friday, June 30, 2017 12:32 PM
To: Janneth Lujan
Subject: FW: Stillpath Retreat Center Use Permit Renewal Hearing, PLN 2006-00181; 16350 Skyline Blvd

From: Ellen Wise [mailto:ellenjwise@mac.com]
Sent: Thursday, June 29, 2017 11:36 PM
To: Tiare Pena <tpena@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>; Martin Eberhard <eberhard@allenroad.com>; Kathy Kennedy <Kennedyiti@aol.com>; Michael Wise <wisegye@gmail.com>
Subject: Stillpath Retreat Center Use Permit Renewal Hearing, PLN 2006-00181; 16350 Skyline Blvd

Dear Tiare,

I am a close neighbor to the subject property and the attorney who represented the Skyline area Community of Interested Neighbors (COIN) in the 2014/15 Appeal to reverse the Planning Commission's allowance of a Use Permit Amendment. I am reprising that role in this matter.

I am writing at this very late hour to express our sincere concern that this renewal application be removed from the ZHO Agenda and heard in the Planning Commission for these reasons:

- 1) The ZHO hearing date of July 6th follows immediately the July 4th holiday weekend, preventing most interested neighbors from participation.
- 2) The Staff Report was due out today, but as of 11:30pm it is not available.
- 3) The file for the 2007 Use Permit under consideration for renewal is not available for review by neighbors. In fact, we have been informed that a member of County staff has taken it on his vacation and it will not be available until after the July 6th ZHO Hearing date.
- 4) This matter should be heard by the Planning Commission as a matter of procedure because of the scale of increasing intensity of use on the site, the history of high level neighborhood public interest and the fact that the Use Permit for which renewal is sought originated and was decided in Planning.
- 5) Finally, contrary to County regulations, only one of the adjacent residents received the requisite notification of the scheduled hearing and all close neighbors will be out of town for summer holidays on July 6th.

I respectfully request that this matter be removed from the July 6 ZHO Agenda and rescheduled in the Planning Commission with reasonable advance notice to allow neighborhood participation and opportunity to review the relevant files as well as a Staff Report. Please pass my email to Ms. Grote for her immediate consideration and response.

Respectfully,

Ellen Wise

Ellen J. Wise, Attorney Law

(650) 440-3416

Ellenjwise@mac.com

I respectfully request that this letter be submitted to Lisa Grote for her consideration.

Janneth Lujan

From: Tiare Pena
Sent: Friday, June 30, 2017 12:32 PM
To: Janneth Lujan
Subject: FW: PLN2006-00181 16350 Skyline Blvd., unincorporated Woodside 067-012-050

-----Original Message-----

From: Peggy Bogart [mailto:peggy@bogartfamily.com]
Sent: Thursday, June 29, 2017 11:02 PM
To: Tiare Pena <tpeña@smcgov.org>
Cc: Planning_Zoning <Planning_Zoning@smcgov.org>; Debra Robinson <d robinson@smcgov.org>
Subject: PLN2006-00181 16350 Skyline Blvd., unincorporated Woodside 067-012-050

Tiare Pena: Project Planner
Scheduled Hearing: July 6, 2017

In reference to our telephone conversation yesterday in which I informed you that I would most likely not be able to attend the hearing for the above property on July 6th. you requested that I submit my thoughts in writing which was my intention. As of this evening the Staff Report is not available online as noted and required in your notice. Your department scheduled this hearing on what is one of the biggest holiday weeks of the year and then have not given me adequate time to review the Staff Report. Since there is such a high interest, by neighbors, in this property due to the ever increasing scope I ask that the hearing be postponed. I believe this is a reasonable request as the Staff Report was not posted on time and as an adjacent neighbor I have not been given adequate time to prepare a letter before leaving out of town.

Thank you and I look forward to your reply.

Peggy Bogart
16351 Skyline Blvd., Woodside, CA

Janneth Lujan

From: Tiare Pena
Sent: Friday, June 30, 2017 12:32 PM
To: Janneth Lujan
Subject: FW: PLN2006-00181 (Stillpath)

From: Kathryn Kennedy [mailto:kennedyiti@aol.com]
Sent: Thursday, June 29, 2017 11:23 PM
To: Tiare Pena <tpena@smcgov.org>
Subject: Re: PLN2006-00181 (Stillpath)

Hi Tiara,

I looked online and still can't find the staff report for the July 6th meeting. Perhaps I am looking in the wrong place. I know you said it would be available later today. You were even kind enough to say you would send it to me when it was available.

The hearing is now in less than a week and it is the Fourth of July weekend. Perhaps, under the circumstances, the hearing should be postponed or moved to the Planning Commission.

PLEASE let me know how to obtain the staff report. When you couple this with Mike Schaller having taken the 2007 Use Permit files for Stillheart/Stillpath with him on vacation (with them not returning until after the hearing) well... Things just don't seem to be kosher.

Best Regards.

Kathy Kennedy-Miller
650-291-9678

-----Original Message-----

From: Tiare Pena <tpena@smcgov.org>
To: Kathryn Kennedy <kennedyiti@aol.com>
Sent: Thu, Jun 29, 2017 7:58 am
Subject: Re: PLN2006-00181 (Stillpath)

Good morning,

The report for 7/6/2017 is not yet available. I can send it to you as soon as it is finalized.

--tiare

From: Kathryn Kennedy <kennedyiti@aol.com>
Sent: Wednesday, June 28, 2017 9:53:03 PM
To: Tiare Pena
Subject: Re: PLN2006-00181 (Stillpath)

Hi Tiare,

Thank you so much.

I plan to stop by tomorrow morning, at opening, and pick up a copy of (1) the staff report and (2) the 2007 Use Permit. Apparently the 2011 Use Permit was based on the 2007 Use Permit so both are needed.

Thank you in advance,

Kathy Kennedy-Miller
650-291-9678

-----Original Message-----

From: Tiare Pena <tpeña@smcgov.org>

To: Kathryn Kennedy <kennedyiti@aol.com>

Sent: Fri, Jun 23, 2017 2:41 pm

Subject: 300 ft. property owner notification

Janneth Lujan

From: Tiare Pena
Sent: Friday, June 30, 2017 1:01 PM
To: Janneth Lujan
Subject: FW: PLN2006-00181, Stillpath Retreat Center

From: mfeberhard@gmail.com [mailto:mfeberhard@gmail.com] **On Behalf Of** Martin Eberhard
Sent: Saturday, June 24, 2017 6:04 PM
To: Tiare Pena <tpeña@smcgov.org>
Cc: carolyn eberhard <carolyneberhard@gmail.com>
Subject: PLN2006-00181, Stillpath Retreat Center

TO: Lisa Grote, Zoning Hearing Officer
CC: Tiare Peña, Project Planner

Dear Ms Grote,

We are the owners of several parcels that are either immediately adjacent to or very close to parcel 067-012-050, the Stillpath Retreat Center. Our parcels numbers include 075-340-130, 075-330-100, 072-343-020, and 072-343-010. If you look at the map, you can see that we are very directly impacted by the various changes to what is now called the Stillpath Retreat Center.

We are writing in regard to the notification we just received of the hearing to consider renewing the Use Permit for Stillpath, scheduled for 6 July 2017. Unfortunately, we will not be in California that day, and will therefore not be able to attend this hearing, as much as we would like to do so. We are therefore writing to you to express our continuing concern about the over-development of this property in the Scenic Corridor.

We would like to remind you that Stillpath is on a small parcel with just ONE density credit. And yet, over the years, San Mateo County has incrementally allowed owners of this parcel to build more and more and more residential structures on the property, to the point where today, there are THIRTEEN residential buildings, and sleeping quarters for SEVENTY-SIX people.

Although the previous owner (Porter) had the latest expansion of structures constructed, the property in fact was never used to its full capacity. Indeed, when Porter sold the property to the Blatts (the current owners), many of the thirteen structures (including most of the ones that are along our property line) were incomplete, with the shells of the buildings completed, but the interiors unfinished, and the buildings had never been used.

We are extremely concerned about the intensity of use, should your department extend Stillpath's Use Permit, and the current owners fill all of these residential structures to capacity, as they had planned to do when they wanted to run a drug rehab operation there.

It is obvious that any use of this property that uses its 76-bed capacity is totally incompatible with the language and intent of the density restrictions in this scenic and sensitive area.

To put this in perspective, imagine the Planning Department's response if we were to apply for a permit to build another **thirteen** multi-story structures next door on parcel number 072-343-010, so that we could host our own **76-person** retreats. Of course, we would also want to have 25 feet of bright-green strip lighting and a big sign

on Skyline Blvd, as has Stillpath. And forget about parking. Like Stillpath, we would plan for only a couple dozen parking spaces, and justify this by saying we will use buses to bring in our guests.

If you simply renew the existing Use Permit, realize that you are in fact authorizing significantly increased intensity of use than this parcel (and our neighborhood) has ever experienced, because the current owners will for the first time occupy all thirteen of the structures on the property. **We strongly encourage you to restrict the intensity of use on this parcel to something that is compatible with ONE DENSITY CREDIT in this otherwise Scenic Corridor.**

Sincerely,

Martin and Carolyn Eberhard
300 Allen Road
Woodside, CA 94062

Janneth Lujan

From: Tiare Pena
Sent: Friday, June 30, 2017 1:01 PM
To: Janneth Lujan
Subject: FW: Stillpath Retreat Center Use Permit

From: Kathryn Kennedy [mailto:kennedyiti@aol.com]
Sent: Friday, June 23, 2017 10:31 AM
To: Tiare Pena <tpena@smcgov.org>
Cc: kennedyiti@aol.com
Subject: Re: Stillpath Retreat Center Use Permit

Hi Tiare,

Thank you for offering to send me the report. Let me provide you with a bit of background on Stillpath.

As I understand it, the treehouse rooms have now been completed. That is new since the last use permit. So the likely intensity of use on the property has increased.

Stillpath has been an ongoing case of scope creep for many many years. You probably do know that Stillpath is effectively a hotel on a single density parcel in the Skyline scenic corridor with limited water. It is not a 5 room B&B which would be allowed in the scenic corridor, it is a fairly large hotel. There is apparently no well at Stillpath. Stillpath is dependent on an aged creaky water system (formerly the Kings Mountain Water District and now CalWater) for filling their fire suppression water tank but will likely collapse the water system of the entire Kings Mountain community if they have events there requiring water (potable, cooking, bathing). Kings Mountain Water Company never approved Stillpath to use the Kings Mountain Water District system for water, other than water to fill their tank for fire suppression, due to that very concern. I'm hoping that the solution to the water problem, along with the host of other problems that caused the Board of Supervisors to reject their proposal for a rehab center, are laid out in the staff report.

I am hoping somewhere in the Use Permit it provides some insight on the Blatt's plans for the property. It has not been used much (about one event a month or every other month) since they acquired the property. According to Yelp, the site is closed for business until August 1, 2017. It had also not been used much as a retreat center by the prior owner who mostly spent her time expanding the property, not operating it.

So far, neither of the adjacent neighbors appears to have received any information about the hearing. That seems sort of odd.

Given the high profile of Stillpath, including the Blatt's multi-million dollar lawsuit against the county, I'm surprised that the hearing isn't going to be held in front of the Planning Commission. Perhaps you have your reasons.

Thanks for sending me the report.

Best Regards,

Kathy Kennedy
former Kings Mountain Association President
650-291-9678
16222 Skyline Blvd
Woodside, CA 94062

-----Original Message-----

From: Tiare Pena <tpeña@smcgov.org>

To: kennedyiti <kennedyiti@aol.com>

Sent: Fri, Jun 23, 2017 8:27 am

Subject: Stillpath Retreat Center

Good morning,

My name is Tiare Peña and I will be bringing the Stillpath Retreat Center renewal to the Zoning Hearing Officer on July 6, 2017. You didn't leave your name on the message, but I understand that you should be receiving correspondence regarding this item. Please send me your information and I will make sure to document your request. The project going before the Zoning Hearing Officer is a renewal of the original project, not the project that was denied by the Board of Supervisors. There are no amendments to the project. I am happy to send you a copy of the staff report when it is ready. Usually one week prior to the hearing.

If you have any questions, please contact me.

Best regards,

Tiare Pena
Project Planner