

**APPROVED MINUTES
PLANNING COMMISSION MEETING
March 23, 2005
6:00 p.m.**

ATHERTON TOWN COUNCIL CHAMBERS
94 Ashfield Road
Atherton, California

REGULAR MEETING

Vice-Chair Hau called the meeting to order at 6:00 p.m.

1. ROLL CALL:

PRESENT: **Rose Hau
Marion Oster
Kristi Waldron
Jim Dobbie**

EXCUSED: **Bob Andrews**

City Attorney Marc Hynes, Building Official Mike Hood, Deputy Town Planner Lisa Costa Sanders and were also present.

2. APPROVAL OF MINUTES

MOTION approval of the February 23, 2005 meeting minutes as submitted.

M/S Oster/Waldron Ayes: 3 Noes: 0 Excused: 1 Abstain: 1 (Hau)

3. PUBLIC COMMENTS

None.

4. COMMISSIONER'S REPORTS

None.

5. GENERAL PLAN COMMITTEE REPORTS

Oster reported that at the last meeting, the committee discussed changes to the special events ordinance. A special General Plan Committee meeting is scheduled for April 13, 2005.. The City Council refereed the issue of preservation of "historical artifacts" to the General Plan Committee.

6. STAFF REPORTS

None.

NEW BUSINESS

7. Annual Master Plan Update – Menlo School, 50 Valparaiso

David McAdoo, Menlo School, indicated that the school has finished the upper classroom buildings, currently negotiating with the College on separation, completed a renovation of Wunderlich field, and working on a master parking plan. They continue to work with their neighbors. The athletic fields are shared with the College and others on occasion. Mr. McAdoo reviewed the improvements to Wunderlich field.

Larry Fry, Menlo School Board member, indicated that their meetings with neighbors depends on the level of activity and that they typically meet about once per month. He stated that the school is continuing to identify items for their “wish list”.

David McAdoo expressed his commitment that they would not rent the campus for commercial enterprises. He also indicated that the School is involved with the College to resolve the neighborhood issues at Cartan field and establish positive relations with the Britney Meadows neighbors.

Ed Goodstein, 71 MacBain, indicated his support for the Music at Menlo program stating that it has a strong educational component. He also stated that he is pleased with the progress with the school.

Henry Ilg, 96 Leon Way, stated that he is pleased with discussions with the school and noted excellent communications.

MOTION to accept the 2005 annual Master Plan Update from Menlo School:

M/S Oster/Dobbie Ayes: 4 Noes: 0 Excused: 1

8. Annual Master Plan Update – Sacred Heart Schools, 150 Valparaiso

Sandy Dubinsky, Sacred Heart Schools, stated that they presented the master plan to their neighbors. They have also received positive comments from neighbors on the parking lot and playground improvements. She indicated that they plan to work in the following projects this year; renovation of classrooms, parking at Sigall building, removal of portable buildings, replacing exterior signage and locker rooms at the track. There are no changes to the student population.

Joe Ciangalini, Sacred Heart School, stated that Oakwood plans are uncertain at this time and that the nuns are working on a National plan for their retirement.

Ed Goodstein, 71 MacBain, stated that there could be issues relating to the increased parking at Elena and stated that condition at Emilie has improved with the School’s parking lot improvements.

MOTION to accept the 2005 annual Master Plan Update from Sacred Heart Schools.

M/S Dobbie/Waldron Ayes: 4 Noes: 0 Excused: 1

PUBLIC HEARINGS

9. **Heritage Tree Removal Permit – 84 Almendral** – Heritage tree removal request to allow the removal of two heritage trees. Atherton Municipal Code section 8.10.

Lisa Costa Sanders presented the staff report and noted the reasons outlined in the staff report to support the removal of two heritage trees.

Radu Vanco, property owner, stated that there are over 45 large trees on his property and that he will find room for the replacement planting.

MOTION to approve the Heritage Tree Removal Permit at 84 Almendral to allow the removal of two heritage trees based on the following finding and subject to the conditions contained in the Heritage Tree Removal Permit:

M/S Oster/Waldron Ayes: 4 Noes: 0 Excused: 1

Finding:

1. The removal of the trees would not be contrary to the purpose and intent of the Atherton General Plan.

10. **Heritage Tree Removal Permit and Negative Declaration – 222 Greenoaks** – Heritage tree removal request and Negative Declaration to allow the removal of fifteen heritage trees. Atherton Municipal Code section 8.10

Lisa Costa Sanders presented the staff report and noted the reasons outlined in the staff report to approve the Negative Declaration, approve the removal of the twelve pine trees along the rear property line and to deny the removal of trees number 41 and 42. The applicant has withdrawn their request to remove tree number 27.

In response to a question, Kathy Hughes Anderson stated that the removal of the pine trees provides a good opportunity for more appropriate replacement planting that would not interfere with the PG&E lines. She further stated that Monterey Pines are not long lived species.

Jackie Gaertner, 222 Greenoaks, noted their plans to construct a new home and that the primary reason for the removal of the twelve pine trees is to alleviate the conflict with the PG&E lines and to allow for replacement planting. She is most concerned with tree #42 and #41. She further stated that tree #42 leans towards the location of the new home.

Bill Taylor, project contractor, expressed concern with tree #42 and its proximity to the new basement.

MOTION to find the Initial Study and Draft Mitigated Negative Declaration prepared for this project are adequate and in conformance with the California Environmental Quality Act. It is further moved that the Planning Commission adopt the draft Mitigated Negative Declaration for the 222 Greenoaks Drive Tree Removal Project. It is further moved that the Planning Commission find that the proposed removal of twelve heritage trees at 222 Greenoaks Drive in Atherton would not be contrary to the purpose and intent of the General Plan, for the reasons outlined in the Staff Report, and that the Commission approve the removal with the conditions stated in the draft Heritage Tree Removal Certificate and that the removal of the trees number 27, 41 and 42 be denied:

M/S Oster/Dobbie Ayes: 4 Noes: 0 Excused: 1

Finding:

1. The removal of the trees would not be contrary to the purpose and intent of the Atherton General Plan.

11. Tentative Parcel Map – 64 Moulton – Tentative Parcel Map to allow the subdivision of one parcel into two parcels.

Lisa Costa Sanders presented the staff report and noted the reasons outlined in the staff report to support the tentative parcel map to allow the subdivision of one parcel into two parcels.

Frank Merrill, property owner, indicated that the main house has been moved to meet current setback requirements and that the other structures will be moved prior to recordation of the final parcel map.

MOTION to approve the Tentative Parcel Map at 64 Moulton based on the following findings and subject to the conditions contained in the Tentative Parcel Map Certificate:

M/S Dobbie/Oster Ayes: 4 Noes: 0 Excused: 1

Findings:

1. The Tentative Parcel Map is in conformance with the Subdivision Map Act and the Atherton Subdivision Ordinance.
2. The size and shape of the proposed subdivision is in general conformance with Town requirements and the general pattern of the neighborhood and will not cause traffic, health or safety hazards
3. The proposed subdivision will have proper and sufficient access to a public street.
4. The proposed map and the design or improvement of the proposed subdivision is consistent with the Atherton General Plan.
5. The site is physically suitable for the proposed type of development.
6. The site is physically suitable for the proposed density of development.
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or

their habitat.

8. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.
9. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision, or that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to those previously acquired by the public.
10. Discharge of waste from the proposed subdivision will not result in violation of existing water quality requirements prescribed by the regional water quality control board.

12. Heritage Tree Removal Permit – 70 Barry Lane – Heritage Tree removal request to allow the removal of three heritage trees. Atherton Municipal Code section 8.10.

Lisa Costa Sanders presented the staff report and noted the reasons outlined in the staff report to support the removal of two heritage trees with the preservation of tree #8.

Kathy Hughes Anderson answered questions of the Commission relating to preservation of trees #8 and #10.

Sam Benzacar, property owner, presented a landscape plan for the site and requested the Commission allow him to remove trees #8, #9 and #11. He indicated that he would plant mature trees along the side of the property.

MOTION to approve the Heritage Tree Removal Permit at 70 Barry Lane to allow the removal of three heritage trees based on the following finding and subject to the conditions contained in the Heritage Tree Removal Permit as amended:

M/S Oster/Dobbie Ayes: 4 Noes: 0 Excused: 1

Finding:

1. The removal of the trees would not be contrary to the purpose and intent of the Atherton General Plan.

Amended Conditions:

Condition 1 –shall be amended to include removal of tree #8.

Condition 2 – shall be amended to delete reference to preserving tree #8.

Condition 3 – shall be amended to include planting of three 48” box size trees.

13. Heritage Tree Removal Permit – 2 Cowell Lane – Heritage Tree removal request to allow the removal of three heritage trees. Atherton Municipal Code section 8.10.

Lisa Costa Sanders presented the staff report and indicated that the applicant would like to amend their request for the removal of two heritage trees and that they will preserve tree #13.

In response to a question, Kathy Hughes Anderson noted her support for the request to remove two trees and preserve tree #13 with the new driveway layout.

Russ Short, project architect, reviewed the alternate design. He noted that difficulties with the site given the setback limitations for accessory structures as the lot is boarded by streets on three sides.

Don Arahe, certified arborist, indicated that tree #13 can be preserved with the new driveway layout.

BB Patel, property owner, stated that he will take care of the remaining trees.

MOTION to approve the Heritage Tree Removal Permit at 2 Cowell Lane to allow the removal of two heritage trees, based on the following finding and subject to the conditions contained in the Heritage Tree Removal Permit with the following amended condition:

M/S Hau/Dobbie Ayes: 4 Noes: 0 Excused: 1

Findings:

1. The removal of two trees would not be contrary to the purpose and intent of the Atherton General Plan.

Amended Conditions:

Amend condition 1 – to eliminate tree #13.

Amend condition 2 – replace the words “the Oak” with “all”

14. ADJOURN

The meeting adjourned at 8:48 p.m.

Respectfully submitted,

Lisa Costa Sanders, Deputy Town Planner