

**APPROVED MINUTES  
PLANNING COMMISSION MEETING  
October 26, 2005  
6:00 p.m.**

**ATHERTON TOWN COUNCIL CHAMBERS**  
94 Ashfield Road  
Atherton, California

**REGULAR MEETING**

Chair Andrews called the meeting to order at 6:00 p.m.

**1. ROLL CALL:**

**PRESENT:**       **Bob Andrews**  
                  **Rose Hau**  
                  **Kristi Waldron**  
                  **Marion Oster**

**EXCUSED:**       **Jim Dobbie**

City Attorney Marc Hynes, Deputy Town Planner Lisa Costa Sanders and Town Arborist Kathy Hughes Anderson were also present.

**2. APPROVAL OF MINUTES**

**MOTION approval of the September 28, 2005 meeting minutes as submitted.**

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

**3. PUBLIC COMMENTS**

Mimi Thaire, 41 Ridgeview stated that the street is a mess with neighbors uphill overwatering and mud due to the problem with water in the backyard on weekends.

**4. COMMISSIONER'S REPORTS**

Kristi Waldron reported on the Green Building Workshop and is working on further efforts.

**5. GENERAL PLAN COMMITTEE REPORTS**

At the most recent General Plan Committee meeting, the committee tabled a discussion on the topic of the Noise Ordinance, pending implementation of the Special Events guidelines.

**6. STAFF REPORTS**

Lisa Costa Sanders reported on recent City Council action as follows;

- City Council reconsidered their decision to approve an appeal and thereby approved the Exception Review for 40, 50 and 60 Ashfield based on the revised front elevations.

- The City Council referred the topic of building and construction issues to the General Plan Committee for discussion at their November 2, 2005 meeting..

**PUBLIC HEARINGS**

7. **Heritage Tree Removal Permit – 375 Lloyd Park Lane** – Heritage tree removal request to allow the removal of one heritage tree. Atherton Municipal Code section 8.10.

The applicant requested this item be continued to the December 7, 2005 meeting.

**MOTION to continue the item to the December 7, 2005 meeting.**

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

8. **Heritage Tree Removal Permit and Negative Declaration – 42 Ridgeview Drive and 83 Mesa Court** – Heritage Tree removal request to allow the removal of twenty-one 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 the twenty-one trees within the two lots.

Paula Erickson, landscape architect, stated that her client lives at 83 Mesa and purchased the property at 42 Ridgeview to complement their property. Ms. Erickson further stated that the palm trees are within the area of the proposed tennis court. Ms. Erickson continued to state that some trees will be donated to Stanford University, some of the smaller Oaks will be transplanted within the property, and would only like to removed the Monterey Pines along the center property line. She indicated that replacement trees will include; cedars, stone pines, olive trees, flowering magnolias and that they plan to plant a total of 47 new trees on the site, all of which will be 24 – 36 “ box size. In response to a question, Ms. Erickson indicated that Monterey Pines are quite tall and that they hinder development of the site.

Mimi Thaire, 41 Ridgeview, stated she would like to see the tree near the electrical pole at the front of the site saved. The applicant responded by stating they would try to save the tree adjacent to the electrical pole.

**MOTION to adopt the Draft Mitigated Negative Declaration for 42 Ridgeview Drive and 83 Mesa Court based on the following finding:**

**M/S Oster/Andrews                      Ayes: 4                      Noes: 0                      Excused: 1 (Dobbie)**

**Finding:**

1. The Initial Study and Draft Mitigated Negative Declaration prepared for this project are adequate and in conformance with the California Environmental Quality Act.

**MOTION to approve the Heritage Tree removal permit to allow the removal of twenty-one heritage trees at 42 Ridgeview Drive and 83 Mesa Court based on the following finding and subject to the conditions contained in the Heritage Tree Removal Permit:**

**M/S Hau/Waldron                      Ayes: 4                      Noes: 0                      Excused: 1 (Dobbie)**

**Finding:**

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

**9. Conditional Use Permit – 83 De Belle Drive –** Conditional Use Permit request to allow a pool to be located in the side yard. Atherton Municipal code section 17.36.

Lisa Costa Sanders presented the staff report and noted that reasons outlined in the staff report to support the construction of a pool in the side yard.

Steve McAdams, property owner, stated reason for request, noting the location of the pool at this side of the home provides visibility from the main living area of the home and is important to his family for safety reasons.

**MOTION to approve the Conditional Use Permit for the construction of a pool in the side yard at 83 De Belle Drive based on the following findings and subject to the conditions contained in the Conditional Use Permit with the following modified conditions:**

**M/S Andrews/Oster      Ayes: 4      Noes: 0      Excused: 1 (Dobbie)**

**Findings:**

1. The proposed pool at the proposed location will not be detrimental or injurious to person, property or improvements in the vicinity, and will not be detrimental to the public health, peace, safety, comfort, general welfare or convenience.
2. The proposed pool will be located and conducted in a manner in accord with the general plan and the purposes of that plan and zoning code.

**Modified Conditions:**

1. Modify condition #3 as follows; “The applicant shall submit a landscape screening plan to the satisfaction of the Zoning/Building Official. **[ADD] Screening shall include screening of fence in front yard.**”
2. Add condition #4 as follows; **“Pool equipment shall be located to the rear of the pool.”**

**10. Heritage Tree Removal Permit – 86 Michaels Way–** Heritage Tree removal request to allow the removal of one heritage tree. 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 the one Oak tree located in the front yard.

Commissioners requested all heritage trees be shown on the plan.

Erik Corrigan, property owner, indicated that he recently purchased property and noted improvement plans for site.

Bob Owen, contractor, plans to flip the house to save a Redwood tree, and may be able to save or move the Magnolia tree.

**MOTION to approve the Heritage Tree removal permit to allow the removal of one heritage tree at 86 Michaels Way based on the following finding and subject to the conditions contained in the Heritage Tree Removal Permit with the following additional condition:**

**M/S Hau/Waldron                      Ayes: 4        Noes: 0        Excused: 1 (Dobbie)**

**Finding:**

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

**Additional Condition:**

1. Add condition #3 as follows; **“Trees shall not be removed until the following are satisfied;**
  - **Heritage tree protection plan**
  - **Tree shall not be removed until a permit is issued on the main residence.”**

**11. ADJOURN**

The meeting adjourned at 7:40 p.m.

**Respectfully submitted,**

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Lisa Costa Sanders, Deputy Town Planner