

**PLANNING COMMISSION
APPROVED MINUTES**

**TOWN OF ATHERTON
August 24, 2016
6:00pm
COUNCIL CHAMBERS
94 ASHFIELD ROAD**

1. ROLL CALL

PRESENT: Eric Lane
Joann Byrd-Sockolov
Nancy Lerner

EXCUSED: Paul Tonelli
Randy Lamb

Town Planner Lisa Costa Sanders, Senior Planner Stephanie Bertollo-Davis, Assistant Planner Dori Ganetsos, Assistant City Attorney Jennifer Larson and Town Arborist Sally Bentz were present.

2. PUBLIC COMMENTS – none

3. APPROVAL OF MINUTES

Commissioner Lerner made a correction to the minutes from July 27, 2016, to change the incorrect term “Amarillo” to “Armillaria” in the Public Hearing for 70 Stern.

MOTION to approve the minutes of the July 27, 2016 meeting as corrected.

M/S Byrd-Sockolov/ Lerner Ayes: 3 Noes: 0 Excused: 2 (Tonelli, Lamb)

4. PUBLIC HEARINGS

A. Heritage Tree Removal Permit – 70 Stern (APN 070-170-050) – Request for a Heritage Tree Removal Permit to allow the removal of three trees. Atherton Municipal Code Section 8.10.

Town Planner Lisa Costa Sanders recommended to continue this hearing to the September 28, 2016 Planning Commission meeting, in order to allow the applicant additional time for further investigation into the health of the trees and potential revisions to the tree replacement plan.

MOTION to continue the public hearing on the item to the September 28, 2016 Planning Commission meeting.

M/S Lerner/Sockolov Ayes: 3 Noes: 0 Excused: 2 (Tonelli, Lamb)

B. Heritage Tree Removal Permit- 207 Stockbridge Avenue (APN 070-022-310) – Request for a Heritage Tree Removal Permit to allow the removal of five trees. Atherton Municipal Code Section 8.10.

Senior Planner Stephanie Bertollo-Davis presented the staff report. Senior Planner Stephanie Bertollo-Davis stated that there is a cluster of 3 trees in the public right of way, and another cluster of two trees on public property, all of which are clearly visible from the street. She noted that the trees are leaning, which could lead to risk in the public right of way. It was noted that numerous neighbors, both in the Town of Atherton and neighboring Redwood City, have expressed safety concerns surrounding these trees.

The Planning Staff and Town Arborist Sally Bentz recommended the approval of the Heritage Tree Removal Permit.

OPEN PUBLIC HEARING

John Hennessy, property owner, presented on behalf of himself and his wife. He noted that the trees are large enough that if they fell, they would block Stockbridge Avenue. He also noted the details of his tree replacement plan.

A neighbor on Stockbridge Avenue noted that these trees are toxic and flammable, and bring up safety concerns- especially for the elderly as it is more difficult for them to evacuate quickly. The neighbor noted that if these trees fell, her and her husband might be blocked in. The neighbor expressed support for the proposed tree removal.

A neighbor at 1316 Stockbridge, Redwood City, noted that the oil in Eucalyptus trees present a fire hazard and supported the tree removal.

A neighbor at 215 Stockbridge noted that a tree had fallen on her family's home in the past, and supported the removal of these heritage trees.

CLOSE PUBLIC HEARING

Commissioner Sockolov stated that she viewed the trees and stated that they are massive and intimidating.

Commissioner Lerner agreed with Sockolov and the residents.

Commissioner Lane brought up the Right of Way issue, and noted that the proposed tree replacement plan is very thorough.

MOTION to Approve the Heritage Tree Removal permit for the removal and replacement of five heritage trees.

M/S Lerner/Sockolov Ayes: 3 Noes: 0 Excused: 2 (Tonelli, Lamb)

5. OLD BUSINESS

A. Discussion on Atherton Municipal Code Sidewall and Endwall Regulations

Senior Planner Stephanie Bertollo-Davis noted that this would be a topic for ongoing discussion, and no decision would be reached at this meeting but did request the Commission give Staff direction for further study to bring back to the Planning Commission. Senior Planner Stephanie Bertollo-Davis presented the staff report, provided an overview of existing regulations and issues faced in Ordinance implementation regarding sidewall height for modern and contemporary architecture at this time.

Commissioner Lane noted that any revisions should be careful about incentivizing one type of residential design over another, if a sidewall increase in height was to be considered. The end goal could be to normalize this architectural style, but not incentivize it.

OPEN PUBLIC HEARING

Steve Borlik, of Young & Borlik Architects, gave a presentation and noted that he had no current projects which would be affected by any potential changes. He brought up a conversation he had with a previous Building Official who felt that screening of the home was of key importance. He presented a sketch of how the flat roof design limits ceiling height. He also showed sketches of the current zoning ordinance regarding dormers, and how any new sidewall and endwall regulations could consider drawing from the existing dormer regulations. He stated that the only thing that limits Atherton's Municipal Code from considering a taller sidewall as a dormer is the "two foot down from the ridge" limitation. He noted that if the Commission gave the dormer a height limit, the existing dormer ordinance could be used to allow portions of contemporary homes to be taller. Mr. Borklik pointed out that these increased sidewall heights wouldn't necessarily increase the mass under the roof.

Steve Owen, of Owen's Signature Homes, presented his project at 51 Faxon. Mr. Owen presented his original proposed design, and changes that had to be made to it in order to accommodate for current zoning regulations. Mr. Owen noted that the ordinance lends itself to traditional design but not modern.

Commissioner Lane described the modern homes as having the potential to be "bulky". He noted that Atherton does not have a design review board, so if there is too much room for interpretation in the code, it might be abused. Commissioner Lane said that some of the plans for recent modern homes have been extremely bulky and square, with some resemblance to industrial or commercial buildings rather than residential. He said he wants to allow for architectural creativity, without incentivizing "bulk square footage".

Steve Owen said the current ordinance easily lends itself to traditional architecture, but does not encourage creativity or modern design.

Jaqueline Greenmeyer, Architect, suggested considering a daylight plane rule, as an alternate set of rules for modern architecture. She noted if the Commission does not want a two sets of rules, the current language defining sidewalls should be altered, as the sidewall is currently measured to the bottom of the eave. Ms. Greenmeyer pointed out that the 7.5% of maximum FAR for the second floor rule does prevent architects from designing box and bulky homes.

Jude Kirik of the Pacific Peninsula Group noted that a daylight plane Ordinance might be abused. He noted that any new ordinance should consider limitations and flexibility, specifically the flexibility to break the 22' sidewall height limit.

CLOSE PUBLIC HEARING

Town Planner Lisa Costa Sanders asked the Commission for more conversation and comment on the presented materials.

Commissioner Lane stated he was worried about defining an architectural style that the Town might grow out of. He was interested in the idea of having a defined % (like the 50% dormer for example) for sidewalls and endwalls. He suggested the Commission look at the current designs in Atherton, and see which would be acceptable under any proposed new ordinances.

Commissioner Lane also expressed hesitation about changing the ordinance for accessory buildings/ second dwelling units. He stated he was more comfortable with allowing creativity on the main residence. He advised that the Commission move carefully in terms of making the changes first to the main residence, and potentially altering the second units later if the first changes were successful. Commissioner Lane also brought up the light and noise issues that these designs might create.

Commissioner Sockolov liked the idea of looking at existing designs, but did not like the idea of having two different sets of rules for different styles. Commissioner Lane concurred.

The Commission ended their discussion and directed to staff to study the issue and bring the item back at a future meeting for further discussion and consideration.

6. COMMISSIONER'S REPORTS

Commissioner Lane addressed concerns about the proposed High Speed Rail detrimentally affecting the Town. Town Planner Lisa Costa Sanders noted the Town has a rail committee and is constantly evaluating the proposed development.

Commissioner Lane noted the Marsh Road project went well and that the contractor did an outstanding job.

7. STAFF REPORTS

Senior Planner Stephanie Bertollo-Davis introduced Dori Ganetsos as the new Assistant Planner. Senior Planner Stephanie Bertollo-Davis discussed future scheduling of the Ad Hoc Tree Committee.

8. ADJOURN – The meeting adjourned at 7:17 pm.

Respectfully Submitted:

Lisa Costa Sanders, Town Planner