

**PLANNING COMMISSION
APPROVED MINUTES**

**TOWN OF ATHERTON
August 23, 2017
6:00pm
TOWN COUNCIL CHAMBERS
94 ASHFIELD ROAD**

1. ROLL CALL

**PRESENT: Eric Lane
Nancy Lerner
Paul Tonelli**

**EXCUSED: Joann Byrne-Sockolov
Randy Lamb**

Senior Planner Stephanie Davis, Assistant Planner Nestor Delgado, Town Arborist Sally Bentz and Assistant City Attorney Jen Larson were present.

2. PUBLIC COMMENTS – No public comments.

3. APPROVAL OF MINUTES

MOTION to approve the minutes of the July 26, 2017.

M/S Lane/Lerner Ayes: 3 Noes:0 Excused: 2

4. PUBLIC HEARINGS

- a. Continued from the July 26, 2017 Planning Commission meeting. Special Structures Permit and Variance– 264 Bay Road (APN 061-091-030) – Request for a Special Structures Permit to allow a habitable basement under an accessory building and a Variance to allow a detached garage to be located in the required front yard setback.**

Senior Planner Stephanie Davis presented the staff report. Town Arborist Sally Bentz noted the work done to protect heritage trees by proposed basement.

Commissioner Lerner showed concern of single entryway to basement and fire exit. Senior Planner Davis confirmed the plan has been run by fire department.

Commissioner Tonelli asked about which heritage trees were saved. Senior Planner Davis answered trees 40, 24 would be saved.

Chair Lane pointed out the detached garage is sitting under gas tanks, paints and other potentially hazardous materials. Asked for this and 1 exit only to be considered. Senior Planner Davis will look into egress, light, and exit requirements and bring back to the commission.

OPEN PUBLIC COMMENT/CLOSE PUBLIC HEARING

Applicant Ms. Goldman noted the fact that the basement will have a sprinkler system, that there is 1 stair out, and the presence of an egress window.

CLOSE PUBLIC COMMENT

MOTION to approve the Special Structure Permit at 264 Bay Road based on the findings and for the reasons enumerated in the staff report, subject to the conditions listed in the Special Structures Permit certificate to allow a habitable basement under an accessory building.

M/S Tonelli/Lane Ayes: 3 Noes: 0 Excused: 2

MOTION to approve the Variance at 264 Bay Road based on the findings and for the reasons enumerated in the staff report, subject to the conditions listed in the Special Structures Permit certificate to allow a detached garage to be located in the required front yard setback.

M/S Lane/Tonelli Ayes: 3 Noes: 0 Excused: 2

- b. Special Structures Permit– 40 Isabella Avenue (APN 070-230-100) – Request for a Special Structures Permit to allow for a second floor addition to the main residence to continue the existing, legal non-conforming sidewall and main building heights.**

Senior Planner Stephanie Davis presented the staff report. She noted the location of the property in an R-1B zone, with the property to the right also in an R-1B zone and the property to the left in an R-1A zone. The presence of the R-1A property adjacent creates a large setback between the two main residences.

Senior Planner Davis noted stairwell being non-conforming, safety concerns

Commissioner Lerner asked if the neighbors had been contacted. Senior Planner Davis answered that yes, they had.

OPEN PUBLIC COMMENT

Applicant stated that neighbor in R-1A zoning has no problem with the project.

Commissioners noted character of the house.

CLOSE PUBLIC COMMENT

Chair Lane expressed desire for character of house to be kept.

Commissioner Tonelli expressed safety of staircase trumping all other considerations.

MOTION to approve the Special Structure Permit to allow for a second floor addition to the main residence to continue the existing, legal non-conforming sidewall and main building heights.

M/S Lerner/Tonelli Ayes: 3 Noes: 0 Excused: 2

- c. Special Structures Permit– 150 Valparaiso Avenue (APN 070-390-010) – Request for adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and a Conditional Use Permit to allow for the construction of a new Academic**

Arts Building, other site improvements, and the installation of up to 20 additional portable classrooms.

Senior Planner Davis presented the staff report. She noted that the Master Plan was approved.

Senior Planner Davis mentioned environmental consulting firm in charge of project, MB1. She noted the 7 measure to mitigate environmental impacts to “insignificant”.

Commissioner Lerner expressed concern on mitigation, especially bird nesting season during construction.

OPEN PUBLIC COMMENT

Katina from MB1 Environmental Consulting Firm mentioned construction would start in May/June. She noted the pre-construction survey with a biologist for the birds.

Chair Lane noted the inconsistency of the architecture in the lower campus.

Mr. Dwyer from Sacred Hearts mentioned the difference with the lower campus architecture was due to heritage trees. He also noted 2 tree plantations replacing the sick heritage oak tree.

Ms. Diaz, neighbor, noted parking increasing around neighborhoods, leaving no sidewalk space for pedestrians, people parking on driveways.

CLOSE PUBLIC COMMENT

Chair Lane requested construction be hyper managed, especially placement of trucks.

Commissioner Lerner inferred about temporary signage regarding parking and sidewalks during construction period. Senior Planner Davis noted the presence of a traffic management plan.

Commissioner Lerner asked to solicit more neighborhood input.

Commissioner Tonelli noted the lack of “good” trees in the environmental mitigation plan.

MOTION to approve the request for adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and a Conditional Use Permit to allow for the construction of a new Academic Arts Building, other site improvements, and the installation of up to 20 additional portable classrooms.

M/S Tonelli/Lerner Ayes: 3 Noes: 0 Excused: 2

6. COMMISSIONERS’ REPORT

Commissioner Tonelli was re-appointed to the Planning Commission.

7. STAFF REPORTS

Senior Planner Davis introduced Assistant Planner Nestor Delgado.

Senior Planner Davis noted Town Arborist Sally Bentz is working on revisions to heritage tree ordinance.

Senior Planner Davis mentioned General Plan updates are coming soon.

8. **ADJOURN** – The meeting adjourned at 7:01 pm

Respectfully Submitted:

/s/Stephanie B. Davis

Stephanie B. Davis, Senior Planner