

**PLANNING COMMISSION
APPROVED MINUTES**

**TOWN OF ATHERTON
June 24, 2009
6:00 P.M.
TOWN COUNCIL CHAMBERS
91 ASHFIELD ROAD**

REGULAR MEETING

1. ROLL CALL:

**PRESENT: Kristi Waldron
Herman Christensen Jr.
Philip Lively
William Grindley
Paul Quinlan**

City Attorney Wynne Furth, Deputy Town Planner Lisa Costa Sanders and Building Official Mike Wasmann were also present.

2. APPROVAL OF MINUTES

**MOTION to approve the May 27, 2009 meeting as amended.
M/S Lively/ Grindley Ayes: 5 Noes: 0**

3. PUBLIC COMMENTS- none

4. COMMISSIONERS REPORTS

None.

5. GENERAL PLAN COMMITTEE REPORTS

Commissioner Christensen reported that the General Plan will be meeting on July 1, 2009 to discuss green building regulations.

6. STAFF REPORTS

Deputy Town Planner, Lisa Costa Sanders indicated that the City Council held a study regarding the survey for the parcel tax. She also indicated that staff will be taking the Planning Commission's recommendation on the Housing Element to the City Council for policy direction.

Commissioner Christensen asked who would be reporting to the City Council on behalf of the Planning Commission.

MOTION to select Vice Chair Christensen as the Planning Commission representative to speak on the Housing Element at the City Council meeting.

M/S Lively/Grindley Ayes: 4 Noes: 1 (Christensen)

PUBLIC HEARINGS

- 7. Exception Review- 29 Southgate**– Exception review to allow a second story addition to an existing main residence. Atherton Municipal Code Sections 17.24.030(F) and 17.52.

Deputy Town Planner, Lisa Costa Sanders presented the staff report and indicated staff support for the exception review as requested.

Commissioner Lively noted that in reviewing the plans he noticed a deck off the new second story addition. Ms. Costa Sanders confirmed that a balcony is proposed off the second story.

OPEN PUBLIC HEARING

Elizabeth Neal, representing the property owners of 29 Southgate was present to respond to any questions.

CLOSE PUBLIE HEARING

Commissioner Lively indicated he visited the site and would express support for the application.

Commissioner Quinlan also indicated he visited the site and would support the application.

Commissioner Christensen stated he visited the front of the site and would support the application.

Commissioner Grindley concurred with his fellow commissioners.

Chair Waldron indicated she also visited the site and noted that it is a small addition and will not be out of character with the other additions in the area.

MOTION to approve the Exception Review to allow a second story addition to an existing main residence at 29 Southgate based on the following findings and for the reasons incorporated in the staff report.

M/S Grindley/ Christensen Ayes: 5 Noes: 0

Findings:

1. The exception requested is compatible with the surrounding neighborhood visual character.
2. The landscaping and exception sought will not substantially decrease the privacy of neighbors.

3. The exception requested is consistent with the general plan, the purposes of that plan and the zoning code.

Chair Waldron advised of the 10 day appeal period.

8. Ordinance Amendment- Comprehensive Zoning Code Update replacing Title 17

Deputy Town Planner, Lisa Costa Sanders presented the staff report.

Chair Waldron recommended that the Commission review the draft section by section and discuss any substantive changes they found.

OPEN PUBLIC HEARING

Donna Hopkins, Atherton resident, questioned the Commissioners on their decision to remove the exception review process. Deputy Town Planner, Lisa Costa Sanders explained that the current exception review process is for non-conforming properties.

City Attorney, Wynne Furth indicated that specific to Ms. Hopkins property, a civil engineer would establish the grade the property needs to be at to address the flooding issues. She reviewed the section 17.42.030.A 4 and noted that as a property owner they have a right to raise the grade and the height of the home would be measured from the new grade and would not have to come before the Planning Commission.

Ms. Hopkins questioned if there would still be exception review.

Commissioner Quinlan explained that if there is a specific issue- something that makes the property unique, the Commission would review and could grant a variance if agreed upon by the Commission.

CLOSE PUBLIC HEARING

Commissioners continued to review each section and noted their substantive changes.

MOTION to keep the process of a home occupation review at Staff level review.

M/S Christensen/ Gindley Ayes: 4 Noes: 1 (Lively)

Commissioner Quinlan and Commissioner Grindley excused themselves from the room as they both own properties that are non-conforming.

MOTION to accept changes to Chapter 17.26 relating to non-conforming structures as discussed.

M/S Christensen/ Lively Ayes: 3 Noes: 0

MOTION to direct Staff to increase the maximum size of a second dwelling unit to 1200 square feet.

M/S Grindley/ Lively Ayes: 5 Noes: 0

MOTION to continue the public hearing for the Comprehensive Zoning Ordinance Amendment Update to the July 22, 2009 meeting.

M/S Lively/ Quinlan Ayes: 5 Noes: 0

15. ADOURN

Staff will schedule a Special Planning Commission meeting on June 18, 2009 at 7:00 p.m. to review the draft Housing Element.

MOTION to adjourn the Planning Commission meeting at 8:15 p.m.

M/S Christensen/ Lively Ayes: 5 Noes: 0

Respectfully submitted,

Lisa Costa Sanders, Deputy Town Planner