

**APPROVED MINUTES
PLANNING COMMISSION MEETING
February 23, 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
Marion Oster
Kristi Waldron
Jim Dobbie**

EXCUSED: **Rose Hau**

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

2. APPROVAL OF MINUTES

MOTION approval of the December 8, 2004 special meeting minutes as amended.

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

3. PUBLIC COMMENTS

None.

4. COMMISSIONER'S REPORTS

Waldron requested the City host a "Size Matters – Sustainable Building" meeting for Planning Commissioners, City Council members, Staff and local builders.

5. GENERAL PLAN COMMITTEE REPORTS

Oster reported that at the last meeting, the committee discussed changes to the special events ordinance. A special meeting has been scheduled for February 9, 2005..

6. STAFF REPORTS

Staff reported on the following City Council action: first reading of Hetch Hetchy setback changes, approved the accessory structure setback changes and approved the final parcel map for 85 Isabella.

7. NEW BUSINESS

None.

PUBLIC HEARINGS

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

This item has been continued to the March 23, 2005 meeting.

9. **Excessive Height Permit – 19 Sargent Lane** – Excessive Height Permit for a new residence. Atherton Municipal Code section 17.20.040(A)(1)(b).

Lisa Costa Sanders presented the staff report and noted the reasons outlined in the staff report to support the Excessive Height Permit request.

Brian Cairney, property owner, indicated that he had the home designed to fit in with the neighborhood and that the building site is at a lower elevation from the street.

MOTION to approve the Excessive Height Permit at 19 Sargent Lane to allow a new residence at a height of 31'-6", based on the following findings and subject to the conditions contained in the Conditional Use Permit:

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

Findings:

1. The proposed height exception/residence at the proposed location will not be detrimental or injurious to persons, 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 height exception/residence would be appropriate under the Atherton General Plan of the Town.

10. **Heritage Tree Removal Permit – 50 Ashfield Road** – 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 heritage tree removal permit to allow the removal of one tree located in the center of the building area.

Brian Kelly, applicant, indicated that they tried to design a home on the lot and preserve the tree but was unable to do so. They will not be requesting heritage tree removal on the other lots.

MOTION to approve the Heritage Tree Removal Permit at 50 Ashfield Road based on the following finding and subject to the conditions contained in the Heritage Tree Removal Permit:

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

Finding:

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

11. Heritage Tree Removal Permit – 98 Ridge View – 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 heritage tree removal permit to allow the removal of two trees located in the rear yard with the environmental benefit of the new solar panels.

Prabhakar Goel, property owner, stated that they looked at multiple locations on the property and the proposed location is not visible from the main residence and other neighbors. It is also optimally located for solar access. In response to a question, he indicated that the panels will be approximately four feet above ground and that the area will be cleared of other vegetation.

MOTION to approve the Heritage Tree Removal Permit at 98 Ridge View 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/Andrews 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.

12. Heritage Tree Removal Permit – 363 Greenoaks – 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 heritage tree removal permit to allow the removal of two trees, with staff recommending the preservation of the Oak tree currently located in the brick planter.

MOTION to approve the Heritage Tree Removal Permit at 363 Greenoaks 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 Oster/Andrews 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 Condition:

Amend condition #3 to read as follows: "Replacement planting shall be a minimum of four-36" box size trees to the satisfaction of the Town Arborist and the Building Official."

13 ADJOURN

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Lisa Costa Sanders, Deputy Town Planner