

**APPROVED MINUTES
PLANNING COMMISSION MEETING
April 27, 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
 Marion Oster
 Kristi Waldron
 Jim Dobbie

City Attorney Marc Hynes and Deputy Town Planner Lisa Costa Sanders and were also present.

2. APPROVAL OF MINUTES

MOTION approval of the March 23, 2005 meeting minutes as submitted.

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

3. PUBLIC COMMENTS

Melinda Tevis, Talwood Court, indicated her interest in the history of Atherton, specifically the Johnson estate off Walsh Road. She encouraged a policy to protect Atherton's town-wide heritage.

4. COMMISSIONER'S REPORTS

Waldron reported that C/CAG has agreed to sponsor a Sustainable Building presentation for Atherton this Fall.

5. GENERAL PLAN COMMITTEE REPORTS

Oster reported that that the last meeting of April 13, 2005, the Committee recommended the Special Events Ordinance changes to the Planning Commission.

6. STAFF REPORTS

Lisa Costa Sanders reported that the City Council at their last meeting adopted an urgency ordinance requiring a conditional use permit for the moving of any historical artifact within

the Flood Estate and requested Staff proceed with Town-wide inventory and protection measures. The Council requested this item come back to them rather than the General Plan Committee. The next meeting of the General Plan Committee will be canceled due to a lack of agenda items.

PUBLIC HEARINGS

7. **Tentative Parcel Map – 64 Moulton** – Tentative Parcel Map to allow the subdivision of one parcel into two parcels. Atherton Municipal Code Section 16.16.

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

Frank Merrill, 64 Moulton, requested the Planning Commission approve the tentative parcel map and is available to answer any questions.

Tom Croft, 76 Moulton, stated that he would like the driveway moved to the other side of the property and expressed concern with the impact to heritage trees on site.

MOTION to approve the Tentative Parcel Map at 64 Moulton based on the following findings and subject to the conditions contained in the Tentative Parcel Map Certificate:

M/S Dobbie/Oster Ayes: 5 Noes: 0

Findings:

1. The Tentative Parcel Map is in conformance with the Subdivision Map Act and the Atherton Subdivision Ordinance.
2. The size and shape of the proposed subdivision is in general conformance with Town requirements and the general pattern of the neighborhood and will not cause traffic, health or safety hazards
3. The proposed subdivision will have proper and sufficient access to a public street.
4. The proposed map and the design or improvement of the proposed subdivision is consistent with the Atherton General Plan.
5. The site is physically suitable for the proposed type of development.
6. The site is physically suitable for the proposed density of development.
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
8. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.
9. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision, or that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to those previously acquired by the public.

10. Discharge of waste from the proposed subdivision will not result in violation of existing water quality requirements prescribed by the regional water quality control board.

8. Heritage Tree Removal Permit – 84 Adams Way – Heritage Tree Removal request to allow the removal of two heritage trees. Atherton Municipal Code section 8.10

The applicant has withdrawn their request.

9. Conditional Use Permit – 171 Selby Lane – Conditional Use Permit request to occupy an accessory structure during the construction of the main residence. Atherton Municipal Code section 17.36.055(D).

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

MOTION to approve the Conditional Use Permit at 171 Selby Lane based on the following findings and subject to the conditions contained in the Conditional Use Permit with the following additional condition:

M/S Oster/Hau Ayes: 5 Noes: 0

Findings:

1. The proposed occupancy of the accessory structure would be appropriate under the General Plan of the Town as outlined in this report.
2. The proposed occupancy of the accessory structure 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.

Additional Condition:

1. This Permit shall be valid for a period of 18-months and could be extended by the Planning Commission.

10. ADJOURN

The meeting adjourned at 6:40 p.m.

Respectfully submitted,

Lisa Costa Sanders, Deputy Town Planner