

**PLANNING COMMISSION
APPROVED MINUTES**

**TOWN OF ATHERTON
September 24, 2014
6:00pm
COUNCIL CHAMBERS
94 ASHFIELD ROAD**

1. ROLL CALL

**PRESENT: Philip Lively
Mary Beth Widmer
Eric Lane (arrived at 6:07)
Paul Tonelli
William Grindley**

Assistant City Attorney Jennifer Larson, Deputy Town Planner Lisa Costa Sanders, Town Arborist Kevin Kielty, and Associate Planner Andrea Mardesich were present.

2. PUBLIC COMMENTS

3. APPROVAL OF MINUTES

**MOTION to approve, with changes, the minutes of the August 27, 2014 meeting.
M/S Grindley/Widmer Ayes: 4 Noes: 0 Excused: 1 (Lane)**

PUBLIC HEARING

4. Special Structures Permit – 2 Lupin Lane (APN: 061-083-150) – Special Structures Permit to allow a pool located 90’ from the front property line. Atherton Municipal Code Chapters 17.15 and 17.40

Town Planner, Lisa Costa Sanders presented the item.

OPEN PUBLIC COMMENT

The daughter of the applicant, Anna Zappattini spoke on behalf of the project.

Chair Lively asked if any of the existing landscaping will be disturbed. Ms. Zappattini answered that the hedges will be replanted and the grass will be redone.

CLOSE PUBLIC COMMENT

MOTION that the Planning Commission approve the Special Structures Permit at 2 Lupin Lane based on the findings and for the reasons enumerated in the staff report.

M/S Grindley/Lane Ayes: 4 Noes: 0 Abstain: 1 (Lane)

Findings:

- 1. The proposed building or structure will not negatively impact neighboring properties with respect to privacy and view;*

2. *The proposed building or structure complies with other development standards, restrictions, or limitations for the proposed building or structure, such as height and landscaping screening; and*
3. *The granting of the special structure permit is consistent with the objectives of the general plan and this title.*

Chair Lively advised of the 10-day appeal period.

5. Variance – 395 Atherton Avenue (APN: 073-202-660) – Variance to reduce setbacks for the main residence for the property. Atherton Municipal Code Chapter 17.16, 17.32 and 17.38.

Associate Planner, Andrea Mardesich presented the item.

Commissioner Grindley asked about the nature of the concern expressed by the neighbor. Andrea Mardesich noted that it was the visual impact, the creek backup and the lack of existing landscaping.

OPEN PUBLIC HEARING

Nancy Feinholz, project architect, spoke on behalf of the project. She noted that the subject property has a filtered view of the neighboring property and the landscaping could be densely filled in.

The Commission and Ms. Feinholz discussed the three options being presented to the Planning Commission.

Assistant City Attorney explained that for another option to be considered, the meeting would need to be re-noticed for the item to be properly agendized.

CLOSE PUBLIC HEARING

MOTION that the Planning Commission continue the item until a firm proposal is submitted by the applicant.

M/S Grindley/Tonelli Ayes: 4 Noes: 1 (Lane)

MOTION to rescind the prior motion.

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

MOTION that the Planning Commission approve the Variance at 395 Atherton Avenue based on the findings and for the reasons enumerated in the Staff Report, subject to the conditions listed in the draft Variance to allow 45' front, side and rear setbacks for the main residence.

M/S Lane/Tonelli Ayes: 5 Noes: 0

Findings:

1. *There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, where the strict application of the Zoning Title deprives such property of privileges enjoyed by other property owners in the vicinity and under identical land used zoning district classification.*
2. *Granting the Variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.*
3. *Granting the Variance will not adversely affect the interest of the public or the interest of the residents and property owners in the vicinity of the premise in question.*

4. *The granting of the Variance is consistent with the objectives of the General Plan and the Zoning Code.*

Chair Lively advised of the 10-day appeal period.

6. Conditional Use Permit – 50 Valparaiso Avenue (APN: 070-360-070) – Conditional Use Permit to allow the construction of an addition to Stent Hall and an addition to the Creative Arts & Design Center. Atherton Municipal Code Sections 17.36.030 and 17.12.

Town Planner, Lisa Costa Sanders introduced the item. She also introduced the Town’s CEQA consultant, Katrina Hart Hollick who prepared the addendum to the existing Mitigated Negative Declaration.

OPEN PUBLIC COMMENT

Than Healy, Head of School of Menlo School, spoke on behalf of the project. He explained the need for expansion. He noted that there will be no increase in staff or student enrollment and reminded the Commission that the School is separate from the College.

Commissioner Lane and Chair Lively expressed interest in hearing more information on upcoming projects when the School brings its five year plan before the Commission. The Commission would like more transparency. Mr. Healy expressed concern with the Commission’s perception of the School. Chair Lively clarified that he would like to see the Master Plan look forward and not back.

Jeff Barry, resident and member of the Menlo Construction committee, spoke on behalf of the project.

David McAdoo, Director of Operations and Construction for Menlo School gave an overview of the project. He noted that the addition will act as a “plug” for noise and activity to the central hub of the school. He gave information on landscape screening and also noted that the vibration driving during construction will not be used.

Chair Lively asked about the timeline of the project. Mr. McAdoo answered that Stent Hall is expected to complete in mid-March of 2015.

Discussion ensued on the details about the project. Mr. McAdoo explained the School’s interaction with the surrounding neighbors.

Than Healy addressed the Commission and suggested that the School withdraw and continue the application for the Creative Arts and Design Center.

CLOSE PUBLIC COMMENT

MOTION to adopt the Addendum Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for the Program for the Project and declare that the Commission has considered the Addendum IS/MND and MMRP prior to making a decision on the project.

M/S Lane/Widmer Ayes: 5 Noes: 0

MOTION to approve the draft Conditional Use Permit Certificate for the Head of School Suite Addition to Stent Hall.

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

MOTION to continue the public hearing on the draft Conditional Use Permit Certificate for the Technology and Business Office Addition to the Planning Commission meeting of October 22, 2014.

M/S Lane/Tonelli Ayes: 5 Noes: 0

Chair Lively noted the 10-day appeal period.

7. COMMISSIONERS REPORTS

Commissioner Widmer expressed concern with an item going before City Council regarding a grant application for a Complete Streets plan on El Camino Real between 5th Avenue and Selby Lane. Commissioner Widmer is concerned that there are parts of the Complete Streets plan that will conflict with the Town's General Plan.

Chair Lively gave an update on the CCAC project, including the review for a Request for Qualifications for architects for the project. Commissioner Widmer asked about the fundraising plan.

8. STAFF REPORTS

Town Planner Lisa Costa Sanders announced the kickoff for the Civic Center EIR process. She reported that the Town is currently recruiting for a full-time Arborist as well as a full-time Code Enforcement officer. Both positions will be city employees.

9. ADJOURN - The meeting adjourned at 8:00pm.

Respectfully Submitted:

Lisa Costa Sanders, Town Planner