

**PLANNING COMMISSION
APPROVED MINUTES**

TOWN OF ATHERTON

May 27, 2020

6:00pm

This meeting was held virtually.

1. ROLL CALL

**PRESENT: Eric Lane
Randy Lamb
Nancy Lerner
Perry Narancic
Paul Tonelli**

Town Planner Lisa Costa Sanders, Principal Planner Stephanie B. Davis, Assistant Planner Jake Garcia, Town Arborist Sally Bentz Dalton and Deputy Town Attorney Andreas Booher were present.

2. PUBLIC COMMENTS

No public comment made.

3. APPROVAL OF MINUTES

MOTION to approve the minutes of the April 22, 2020 Planning Commission Meeting.

M/S Tonelli/ Narancic Ayes: 4 Noes: 0 Abstain: 0

4. PUBLIC HEARING

- a. **Special Structures Permit- 147 Laurel Street (APN 061-370-090)-** Request for a Special Structures permit to allow a habitable basement under an accessory building pursuant to Atherton Municipal Code Sections 17.15, 17.32, and 17.40.

Motion to continue Item 4a to a future date uncertain.

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

- b. **Conditional Use Permit, Density bonus, and Tree Protection Zone (TPZ) Exception – 1000 El Camino Real/Menlo College (APN 070-360-100) -** Request for a Conditional Use Permit and Density Bonus to allow for a new 3-story, 147 unit dormitory housing building and Tree Protection Zone (TPZ) exception associated with one heritage tree to remain pursuant to Atherton Municipal Code Sections 8.10, 17.12, 17.36 and 17.58.

Town Planner Costa Sanders presented the staff report to the Planning Commission.

Commissioner Narancic asked if the low-income housing units proposed were the minimum required.

Town Planner Costa Sanders clarified the Town does not have affordable housing requirements for this project, but this is the minimum required low-income units necessary to achieve the State Density Bonus.

Vice Chair Lamb asked for clarification and background regarding the Density Bonus state law requirements.

Town Planner Costa Sanders explained the Density Bonus state laws and entitlements. She further clarified that if the Menlo College meets the qualifications then the Town is obligated to approve the Density Bonus by right.

Deputy Town Attorney Booher highlighted that the project does meet the qualifications for the by right density bonus and exemptions and concessions.

Vice Chair Lamb highlighted that the applicants request is to be granted “by-right” and asked for further explanation of by right.

Deputy Town Attorney Booher iterated how the projects proposed low income housing and meets the requirements of the Density bonus and therefore is allowed by right, the Density Bonus to allow for more housing to be approved along with an exemption for development standards.

Commissioner Lamb thanked staff for the detailed explanation.

Chair Lane highlighted that the project is to be approved by right and that the affordable housing units to not count toward the Town’s affordable housing goals because the units do not have independent bathroom and kitchen requirements.

Open public hearing.

Project applicant and Menlo College President, Steven Weiner presented an overview of the project to the Planning Commission.

Menlo College President Weiner described impacts of COVID-19 with respect to the university’s goals and everyday functions.

Menlo College President Weiner indicated that the proposed project location is amongst other residence halls and is intended to meet university housing demand.

Menlo College President Weiner shared practices that has reduced transportation demands including on campus occupancy parking, parking restrictions for college freshman and the rise of ride shares companies. He also highlighted that they anticipate the proposed project will further contribute to traffic reduction and as a contingency the university has alternative strategies to further reduce traffic and parking demand such as increasing parking restrictions.

Menlo College President Weiner indicated that students who receive Cal Grant A and B will qualify for the low-income housing.

Menlo College President Weiner shared how the campus works to engage the community by allowing residents to use campus and working to create a more culturally rich campus with new statues, music, lectures and events.

Menlo College President Weiner shared that that the tree protection zone exceptions being requested were requested after weighing all other viable options.

Commissioner Tonelli complemented the progress and benefits that Menlo College has achieved in the past two years.

Commissioner Tonelli asked if there are so few local students that the university can house its entire student body to live on campus.

Menlo College President Weiner expressed that most of the students are from the larger bay area, country and international. The immediate zip codes do not commonly attract students and highlighted that this may shift given the pandemic.

Menlo College President Weiner further explained that the school recommends on campus living for it attributes to a more positive college experience.

Commissioner Tonelli asked how the applicant has tried to accommodate tree 58 in the planning process.

Project civil engineer, Nate Dickinson explained considerations that went into the placement of the building to include fire lane/ access requirements, minimum setbacks from other buildings, and a change in plans to prevent the removal of other on-site heritage trees. The project civil engineer further explained how the applicant team worked with project arborist to minimize impacts with respect to utilities and stormwater impacts.

Commissioner Tonelli asked whether the TPZ could be increased to at least 6 times the tree diameter.

Project civil engineer Dickinson indicated that it could not without causing impacts to other on-site heritage trees.

Chair lane asked if the campus has any other affordable housing programs in place.

Menlo College President Weiner informed the commission that there is no affordable housing program currently, but there are low income students that live on campus. He also identified that there are some scholarships that assist extremely low-income students with housing costs.

Chair Lane asked how the rooms are filled.

Menlo College President Weiner indicated that students sign on to year contracts.

Chair Lane asked how the low-income units are considered affordable.

Menlo College President Weiner indicated that all of the on-campus housing is affordable compared to the bay area and that the affordable housing agreement will ensure that these remain low income and that the university will be able to continue to admit students of all income levels.

Town Planner Costa Sanders clarified that the affordable housing prices will be referenced in the affordable housing agreement and will comply with county defined housing costs for that unit type.

Chair Lane asked what percentage of students have cars on campus now.

Menlo College President Weiner indicated about 40 percent of the sophomore, junior and senior class students.

Chair Lane asked how that is expected to change into future years.

Menlo College President Weiner explained that it is uncertain how parking demand will change into future years because of recent on campus parking policies that have not been modeled.

Chair Lane expressed that the parking and transportation plan does not adequately address the proposed project and thinks that these concerns should be reflected in the future.

Menlo College President Weiner highlighted that should parking and transportation demand increase the university has other strategies to deploy such as expanding the freshman parking ban to include a sophomore parking ban.

Commissioner Lane asked what the projected enrollment was for next year.

Menlo College President Weiner responded it is uncertain given COVID 19 pandemic impacts, prior to pandemic it was projected for 900 but subject to change.

Chair Lane asked if an alternative design was considered to accomplish project while minimizing heritage tree impacts.

Project civil engineer Dickinson explained that the fire safety standards would not allow for alternative designs.

Chair Lane asked if a fourth floor was considered.

Menlo College President Weiner indicated that a fourth floor was not pursued in order to minimize the requested building height exemption and costs.

Close public hearing.

Commissioner Tonelli asked if there was any way to include a TDM requirement into the Conditional Use Permit.

Deputy City Attorney confirmed that the Town could not impose TDM requirements on the proposed project.

Chair Lane expressed concerns that the planning of this project is not ideal in many aspects including, heritage tree impacts, potential impacts to gas utilities, likely transportation impacts, and architecture but accepts that the project is to be approved by right.

Commissioner Tonelli expressed agreeance with Chair Lane's concerns and further iterated that there were aspects of the project that he would prefer otherwise.

Vice Chair Lamb expressed that given the dense nature of the project, it would be challenging to agree upon. Vice Chair Lamb indicated support for the affordable housing aspect for students and that also finds that the school has come a long way. Vice Chair Lamb further indicated that potential transportation impacts could have positive outcomes like reducing street crossing on El Camino and having less need for students to drive to get to school.

Vice Chair Lamb also expressed that Menlo College has improved their approach through outreach and community engagement, that they went above in beyond and that the approach could have been much worse.

Chair Lane communicated that he agreed that the past few years have been a major improvement in university's community outreach and engagement.

MOTION to recommend that the City Council approve the Conditional Use Permit, Density Bonus and Tree Protection Zone Exception Certificate based on the findings listed in the staff report and subject to the conditions contained within the Conditional Use Permit and Tree Protection Zone Exception Certificate.

M/S Narancic/ Lamb Ayes: 4 Noes: 1

5. NEW BUSINESS

a. General Plan Consistency Determination for the Capital Improvement Program Fiscal Years 2020/2021 – 2024/2025.

Principal Planner Bertollo-Davis presented the staff report to the Planning Commission.

Open Public Hearing.

No public comment.

Close Public Hearing.

Motion that the Planning Commission finds the Capital Improvement Program for fiscal years 2020/2021- 2024/2025 consistent with the General Plan for the reasons noted in the staff report.

6. COMMISSIONERS' REPORTS

7. STAFF REPORTS

The next regularly scheduled meeting is set for June 24, 2020.

8. ADJOURN

The meeting was adjourned 7:33 PM

Respectfully Submitted:

/s/Stephanie B.-Davis

Stephanie B. Davis, Principal Planner