

**PLANNING COMMISSION
APPROVED MINUTES**

TOWN OF ATHERTON

January 27, 2021

6:00 pm

This meeting was held virtually.

1. ROLL CALL

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

Principal Planner Stephanie B. Davis, Associate Planner Jake Garcia, and Town Arborist Sally Bentz Dalton were present.

2. PUBLIC COMMENTS

No public comment made.

3. APPROVAL OF MINUTES

MOTION to approve the minutes of the December 2, 2020 Planning Commission Meeting.

M/S Tonelli/ Lane Ayes: 5 Noes: 0 Abstain: 1

4. PUBLIC HEARING

a. Tree Protection Zone (TPZ) Exception– 1 Elm Place, Atherton (APN 061-193-060) – Request for a TPZ Exception to allow for consideration of a reduced tree protection zone distances for three (3) heritage redwood trees. Atherton Municipal Code Chapter 8.10.

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

Commissioner Narancic asked if the Planning Commission made amendments to the Tree Protection Zone Exception findings.

Principal Planner Davis confirmed that the Planning Commission did make amendments to the Heritage Tree Ordinance, Tree Preservation Guidelines Standards and Specifications document, and that such changes were adopted by the City Council earlier in the month. Ms. Davis further iterated the findings in which were applicable to the TPZ exception request.

Commissioner Narancic asked if the findings were confirmed by the Town Arborist.

Principal Planner Davis confirmed that it was the Arborist Professional opinion that the Tree Protection Zone exception findings have been met.

Open public hearing.

Homeowners Mikey and Noah Kindler thanked staff and highlighted that their property only had room to expand at the front.

Close public hearing.

Commissioner Tonelli stated that the Planning Commission takes these applications very seriously and appreciates the professional opinion and direction of the Town Arborist.

Commissioner Lamb expressed his support of the project.

Commissioner Lerner agreed with Commissioner Tonelli and expressed her support of the project.

Commissioner Narancic asked the Town Arborist if she is responsible for following up to ensure the Conditions of Approval.

Town Arborist Bentz confirmed that she will receive a monthly report of the status of the project from the applicant confirming that the conditions are being met.

Motion to approve the to the Tree Protection Zone (TPZ) Exception for three heritage Redwood trees; Tree #5 to three and one-half (3.5x) the trees diameter, Tree #6 to seven times (7x) the tree's diameter, and Tree #9 to five and one-half times (5.5x) the trees diameter for the property at 1 Elm Place would not be contrary to the purpose and intent of the General Plan, for the reasons outlined in the Staff Report, and that the Commission approve the TPZ exception at 1 Elm Place subject to the conditions as listed in the draft TPZ Exception Certificate.

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

b. Special Structures Permit– 95 Tallwood Court, Atherton (APN 074-130-480) – Request for a Special Structures Permit (SSP) to allow for a detached accessory building (garage) to have the same front yard setback as the main dwelling. Atherton Municipal Code Chapters 17.15, 17.32, and 17.40.

Associate Planner Garcia presented the staff report.

Open Public Hearing.

Project Architect Robert Swatt presented on behalf of the project detailing the existing conditions of the site. Mr. Swatt explained that the challenges of the site with respect to Heritage Trees and topography which led to the proposed design. He also showed alternative designs considered that

would have resulted in additional heritage trees to be removed. Mr. Swatt showed site features that contribute to mitigate project impacts of any off-site visibility of the proposed structures.

Homeowner Jai Das, expressed satisfaction with the project.

Chair Lane read a public comment of support into the record from Atherton resident Thea Hamilton.

Closed public hearing.

Commissioner Tonelli expressed his support for the project and further conveyed that he was impressed with all facets of the project.

Commissioner Lane agreed with Commissioner Tonelli and complimented the design of the project.

Commissioner Narancic and Lerner agreed with the comments from the other Commissioners.

Chair Lane thanked the applicant for the thoughtful project and presentation.

Motion to approve the Special Structures Permit at 95 Tallwood Court based on the findings and subject to the conditions listed in the draft Special Structures Permit to allow the location of a detached accessory building (3-car garage) to have the same front yard setback as the main dwelling.

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

c. Variance– 196 Patricia Drive, Atherton (APN 059-282-130) – Request for a Variance to allow for consideration of a reduced front yard setback for the main residence. Atherton Municipal Code Chapters 17.16 and 17.32.

Principal Planner Davis presented the staff report.

Chair Lane asked if there was a diagram of the existing footprint versus the proposed footprint.

Staff showed the existing and proposed conditions of the project.

Open public hearing.

The property owner Paul Nikcevic walked the Planning Commission through the proposal and the considerations in creating an alternative that would allow the lot to be developed in a more typical manner.

Chair Lane asked the applicant if he was changing the location of the garage.

The applicant confirmed that the proposed garage would be in the different location that was less hazardous than what was existing.

Project architect Mark Godby reiterated the decision-making process for the proposed Variance. He further stressed that the location of the front setback has less impact than a typical property in Atherton.

Chair Lane asked it was a one- or two-story building.

The applicant confirmed it would be two-story building.

Close Public Hearing.

Chair Lane expressed his concerns that the two story may add impacts. He also expressed concerns of safety given the circulation pattern of the streets at the front of the residence.

Principal Planner Davis specified that the site would be subject to second story floor area limitations as are all sites in the same zoning district.

Motion to approve the Variance at 196 Patricia Drive based on the findings and subject to the conditions listed in the draft Variance Certificate to allow the front setback for the main residence to be 45-feet, for the reasons enumerated in the Staff Report and with the conditions stated in the Variance Certificate with the recommendations to amend attachment one with the edits as presented to the Planning Commission.

M/S Narancic / Lamb Ayes: 5 Noes: 0 Absent: 0

5. STAFF REPORTS

Staff updated the Planning Commission that they have been given direction to start to prepare a study session to look at methods to address landscape screening on hillside lots.

Staff presented an update to the Planning Commission regarding Council direction on the Leaf Blower Ordinance.

Staff updated the Planning Commission that the Conditional Use Permits for Sacred Heart and Menlo Schools from the December Planning Commission have been approved by the City Council and no appeal was filed.

6. COMMISSIONERS' REPORTS

None.

7. ADJOURN

The meeting was adjourned 7:20 PM

Respectfully Submitted:

Planning Commission Meeting Approved Minutes, January 27, 2021

/s/Stephanie B.-Davis

Stephanie B. Davis, Principal Planner