

**PLANNING COMMISSION
APPROVED MINUTES**

**TOWN OF ATHERTON
July 22, 2009
6:00 P.M.
TOWN COUNCIL CHAMBERS
94 ASHFIELD ROAD**

1. ROLL CALL:

**PRESENT: Philip Lively
Herman Christensen Jr.
Paul Quinlan**

**EXCUSED Kristi Waldron
William Grindley**

Assistant City Attorney Ben Winig, Deputy Town Planner Lisa Costa Sanders and Building Official Mike Wasmann were also present.

2. APPROVAL OF MINUTES

MOTION to continue the approval of the minutes from June 18, 2009 and June 24, 2009 meetings to the next regular Planning Commission meeting.

M/S Quinlan/ Lively Ayes: 3 Noes: 0

3. PUBLIC COMMENTS- none

4. COMMISSIONERS REPORTS

Commissioner Lively reported that he and Neal Martin have a meeting scheduled with Sandy Dubinsky of Sacred Heart School on July 24, 2009 to discuss affordable housing. He also suggested staff schedule a Special Planning Commission meeting in August to discuss second dwelling unit options for the Housing Element.

Commissioner Christensen reported that he represented the Planning Commission at the City Council meeting in their discussion as to whether accessory buildings should be allowed for year round occupancy to meet the Housing Element goals. He noted that the Council discussed potential incentives for construction of second dwelling units within the main building area and referred the item back to the Planning Commission for further review. Commissioner Christensen further noted that the Council also requested information from other Communities; Woodside, Hillsborough, Portola Valley, Los Altos Hills and Monte Sereno.

Deputy Town Planner, Lisa Costa Sanders further explained some of the incentives that were discussed to encourage second dwelling unit construction.

5. GENERAL PLAN COMMITTEE REPORTS

Commissioner Christensen indicated that the next General Plan Committee is scheduled for September 2, 2009 to discuss the green building options.

6. STAFF REPORTS- none

PUBLIC HEARINGS

7. Conditional Use Permit- 185 Selby Lane – Conditional Use Permit to allow a basement under accessory building. Atherton Municipal Code Sections 17.36.190 and 17.52.

Deputy Town Planner, Lisa Costa Sanders presented the staff report and indicated staff support.

OPEN PUBLIC HEARING

CLOSE PUBLIC HEARING

Commissioner Quinlan indicated he visited the site and spoke with Mr. Brown. He noted that there is significant screening everywhere and therefore would support the Conditional Use Permit.

Commissioner Lively indicated he visited the site and noted that this is a well planned addition to an accessory building.

Commissioner Christensen also indicated that he also visited the site and felt that there was more than adequate landscape screening and therefore would support the request.

MOTION to approve the Conditional Use Permit to allow a basement under an accessory building at 185 Selby Lane based on the following findings and for the reasons incorporated in the staff report and as discussed by the Planning Commission.

M/S Lively/ Quinlan

Ayes: 3

Noes: 0

Findings:

1. The proposed basement under the accessory structure will not impact heritage trees, provides sufficient room for landscape screening and light wells are located towards the interior side of the yard.
2. The proposed use at the proposed location will not be detrimental or injurious to person, property or improvements in the vicinity, and will not be detrimental to the public health, peace, safety, comfort, general welfare or convenience.
3. The proposed use will be located and conducted in a manner in accord with the general plan and the purposes of that plan and the zoning title.

