

MINUTES
CITY COUNCIL/PLANNING COMMISSION
JOINT STUDY SESSION
AUGUST 25, 2008

Mayor Waltonsmith called the Joint Study Session meeting to order at 6:30PM.

ROLL CALL

PRESENT: Councilmembers:
Jill Hunter, Aileen Kao, Kathleen King, Vice Mayor Chuck
Page, Mayor Ann Waltonsmith

ABSENT: None

ALSO Dave Anderson, City Manager

PRESENT: Richard Taylor, City Attorney
Ann Sullivan, Acting City Clerk
John Livingstone, Community Development Director
Shweta Bhatt, Associate Planner
Kate Bear, City Arborist

REPORT OF CITY CLERK ON POSTING OF AGENDA FOR AUGUST 25, 2008

Ann Sullivan, Acting City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of August 25, 2008, was properly posted on August 20, 2008.

COMMUNICATIONS FROM COMMISSIONS & PUBLIC

The following people requested to speak at tonight's meeting:

Priscilla Ho – addressed the Council regarding city meetings pertaining to the Hillside District Fence Ordinance and whether or not the public had received adequate notification pertaining to this issue.

ORAL COMMUNICATION and COUNCIL DIRECTION TO STAFF

Council presented questions to staff regarding appropriate notification to the public regarding notification of the Fence Ordinance issue.

Community Development Director John Livingstone noted staff did provide proper notification to the community by placing numerous meeting and hearing notices in the Saratoga news papers regarding the Hillside District fence meetings, including messages on the City of Saratoga Website. In addition, the Planning Commission has held 8 public meetings on this topic. The Saratoga news and Mercury News has also covered the topic.

JOINT MEETING AGENDA ITEM:

1. Appeal APCC08-0002 – Appeal of a Design Review Approval by the Planning Commission (Design Review Application PDR07-0016) to Construct a New Two-story Single-family Residence at 20731 Saint Charles Street.

Associate Planner Shweta Bhatt presented the staff report noting the City Council heard this item at their Regular meeting on July 16, 2008 and voted to continue the public hearing to allow the applicant, appellants, and staff the opportunity to meet and reach a compromise in order to approve and adopt the Resolution of the City Council of the City of Saratoga affirming the Planning Commission's approval of Design Review Application PDR07-0016.

Associate Planner Shweta Bhatt noted that on July 30, 2008, all three parties met and the appellants provided a list of preferred changes and discussed exterior modifications, such as siding, windows, and shingles. During a second meeting on August 1, 2008, the applicant provided attendees with sketches showing some of the recommended changes from the previous meeting. Further modifications were also discussed and agreed to by all parties; which was confirmed by Appellant Paul Ginouves. Modifications included:

- Lowering the foundation pad and finished floor of the home by 1-foot
- Lowering the plate height in the living room from 13-feet to 11-feet
- Changing the roof plan of the structure to reduce mass
- Changing the exterior material from stucco to siding
- Adding thicker trim to the top and sides of windows with simulated divided lites
- Reducing the height of the highest roof peak

The applicant redrew the plans, including a landscaping plan showing the location of proposed screening. The City Arborist re-visited the site and recommended bushes for landscape screening. In addition, the applicant provided a letter describing the changes to the project since the previous hearing. City staff concluded the project was consistent with the design review findings.

Mayor Waltonsmith invited public comments.

Seeing none, Mayor Waltonsmith closed the public comment.

Council discussion began and after some dialog regarding landscaping issues, Councilmember Jill Hunter raised the topic of a letter staff had received on August 19, 2008, pertaining to the St. Charles Street Project, where the author of the unsigned letter requested that the letter be placed in the City Council Agenda packet for this Study Session; the letter was included in the agenda packet. The letter referenced the historical significance of the original existing house on the property of discussion and if this home had gone through the standard Historical Report procedures.

Community Development Director John Livingstone stated this particular home did go to the Heritage Preservation Commission for review and it was the Commission's consensus that this specific property did not meet historic preservation status.

Councilmember Hunter requested that the Historical Home Preservation process be agendized on a future Council meeting for further discussion.

Mayor Waltonsmith noted the Council was scheduled to meet with the Heritage Preservation Commission in a Joint Meeting on Wednesday, September 3, 2008, and this would be a topic of discussion.

Mayor Waltonsmith opened the public hearing.

Appellant Linda Ringsrud addressed the Council and thanked Councilmember Hunter for bringing up the topic of “historical home preservation”. Mrs. Ringsrud noted her concerns regarding the decision to demolish the original home. In addition, she thanked the Council for the opportunity to meet with the Applicant in scheduled Study Sessions to discuss the project and reach an agreement that was acceptable to both parties.

Appellant Paul Ginouves also thanked the Council for the opportunity to meet in scheduled meetings in order to reach an acceptable agreement regarding the proposed home design; however, he stated he felt there were unresolved issues regarding vegetation landscape screening near the retaining wall.

Applicant Mohammad Estahbanaty thanked the Council and the neighbors for the opportunity to meet in scheduled meetings to discuss the proposed home design in order to reach an agreement acceptable by all parties. In addition, he voiced concerns regarding drainage issues near the retaining wall if he was required to plant trees versus shrubs/bushes. He stated he had done everything the neighbors had asked him to do regarding the proposed two-story design and felt an agreement could be made regarding the landscape screening concerns.

Mayor Waltonsmith invited public comment.

Bill Brown addressed the Council by thanking the Council, Community Development Director Livingstone and Associate Planner Bhatt for their efforts in helping the applicant and the neighbors to work together to reach an acceptable design review agreement. In addition, he felt wood siding on the exterior would blend into the neighborhood better than stucco.

Mayor Waltonsmith closed the public hearing.

Council, applicant and appellants discussed various landscape screening options and asked City Arborist Kate Bear what her recommendations were regarding landscape screening near the retaining wall.

City Arborist Kate Bear recommended planting screening shrubs instead of trees because of tree root concerns near a retaining wall and the potential damage to the retaining wall caused by tree roots. City Arborist Bear recommended the applicant plant Photinia fraseri and Buddlera davidii shrubs.

Discussion continued regarding the type of shrubs that would be acceptable to both Applicant and Appellants and both parties agreed that they would accept the recommendations provided by City Arborist Kate Bear to plant the recommended shrubs.

Council unanimously agreed to accept the landscape recommendations by City Arborist Kate Bear with modifications to Item 18 on the Resolution of Approval of Design

Review Application PDR07-0016 to plant Photinia fraseri and Buddlera davidii as screening shrubs along the property lines near the retaining wall in lieu of planting trees.

RESOLUTION NO. 08-053

PAGE/KAO MOVED **TO DENY THE APPEAL, THUS APPROVING THE PROPOSED NEW TWO-STORY RESIDENCE WITH THE PROPOSED EXTERIOR MODIFICATIONS AGREED UPON BY ALL PARTIES AND WITH MODIFICATIONS TO CONDITION NO. 18 ON THE RESOLUTION THAT ALL RECOMMENDATIONS CONTAINED IN THE CITY ARBORIST'S REPORTS DATED FEBRUARY 21, 2008 AND AUGUST 19, 2008 SHALL BE FOLLOWED, PROVIDED THAT THE SHRUBS USED SHALL BE THOSE RECOMMENDED BY THE ARBORIST AND APPROVED BY CITY COUNCIL AT THE PUBLIC HEARING ON AUGUST 25, 2008. THESE SHRUBS ARE PHOTINIA FRASERI AND BUDDLERA DAVIDII.** MOTION PASSED 5-0-0.

PAGE/KAO MOVED TO **ADJOURN THE STUDY SESSION MEETING AT 7:30PM.** MOTION PASSED 5-0-0.

Respectfully submitted,

Ann Sullivan
Acting City Clerk