

# CITY OF SARATOGA PLANNING COMMISSION ACTION MINUTES

DATE: Wednesday, August 26, 2009 - 7:00 p.m.  
PLACE: Council Chambers/Civic Theater, 13777 Fruitvale Avenue, Saratoga, CA  
TYPE: Regular Meeting

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## **ROLL CALL**

Commissioners Vice-Chair Mary-Lynne Bernald, Manny Cappello, Joyce Hlava, David Reis, Douglas Robertson, Linda Rodgers, and Chair Yan Zhao

## **PLEDGE OF ALLEGIANCE**

## **MINUTES**

Minutes from the Regular Planning Commission Meeting of August 12, 2009 (**Approved, 7:0**)

## **ORAL COMMUNICATION**

*Any member of the Public will be allowed to address the Planning Commission for up to three minutes on matters not on this agenda. The law generally prohibits the Planning Commission from discussing or taking action on such items. However, the Planning Commission may instruct staff accordingly regarding Oral Communications under Planning Commission direction to Staff.*

## **ORAL COMMUNICATIONS- PLANNING COMMISSION DIRECTION TO STAFF**

## **REPORT OF POSTING AGENDA**

Pursuant to Government Code 54954.2, the agenda for this meeting was properly posted on August 20, 2009

## **REPORT OF APPEAL RIGHTS**

If you wish to appeal any decision on this Agenda, you may file an "Appeal Application" with the City Clerk within fifteen (15) calendar days of the date of the decision, pursuant to Municipal Code 15-90.050 (b).

**All interested persons may appear and be heard at the above time and place. Applicants/Appellants and their representatives have a total of ten minutes maximum for opening statements. Members of the Public may comment on any item for up to three minutes. Applicant/Appellants and their representatives have a total of five minutes maximum for closing statements.**

## **PUBLIC HEARING**

1. **APPLICATION PSP08-0002 (386-57-022) AA Signs / Chase Bank, 12220 Saratoga-Sunnyvale Road**  
- The applicant is requesting a Sign Permit to construct and display two new building identification signs. The project includes one 20.7 square foot illuminated sign which would replace an existing illuminated sign and one 16.3 square foot non-illuminated sign. The total sign area is approximately 37 square feet. The signs will replace two existing signs. (Cynthia McCormick) (**Approved, 7:0**)
2. **APPLICATION ZOA09-0008 (City-Wide)** - The Planning Commission will consider a draft ordinance that will regulate tobacco retailers in the City of Saratoga. The draft ordinance proposes to: (1) allow new Tobacco Retailers (defined as any person who sells tobacco products) to operate only in commercial zoning districts and only after obtaining a Conditional Use Permit, with alternate provisions for existing Tobacco Retailers; and (2) limit the density of new Tobacco Retailers. The draft ordinance is based on a Model Land Use Ordinance Regulating the Location and Operations of Tobacco Retailers drafted by the Public Health Institute ([www.phi.org](http://www.phi.org)) and its Technical Assistance Legal Center. The Model Ordinance suggests numerous regulatory options, some of which are included in the draft ordinance, and others of which may be discussed at the public hearing. After the Public Hearing, the Planning Commission will make a

recommendation to the City Council regarding the contents of the draft ordinance. (John Livingstone)  
(Approved with changes, 7:0)

**DIRECTORS ITEM**

**COMMISSION ITEMS**

**COMMUNICATIONS**

**ADJOURNMENT TO NEXT MEETING – ADJOURNED 9:00 PM**

- Wednesday, September 9, 2009 at 7:00 p.m. in the Council Chambers/Civic Theater  
13777 Fruitvale Avenue, Saratoga, CA

*In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the City Clerk at (408) 868-1269 or [ctclerk@saratoga.ca.us](mailto:ctclerk@saratoga.ca.us). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).*

**POSTING**

*Certificate of Posting of Agenda: I, Abby Ayende, Office Specialist for the City of Saratoga, declare that the foregoing agenda for the meeting of the Planning Commission of the City of Saratoga was posted on August 20, 2009, at the office of the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, CA 95070 and was available for public review at that location. The agenda is also available on the City's website at [www.saratoga.ca.us](http://www.saratoga.ca.us)*

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