



**ACTION MINUTES  
REGULAR MEETING  
SARATOGA PLANNING COMMISSION  
Wednesday, March 14, 2012**

**REGULAR MEETING – 7:00 P.M. – CIVIC THEATER/COUNCIL CHAMBERS AT 13777  
FRUITVALE AVENUE**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF MINUTES**

Action Minutes from the Regular Planning Commission Meeting of February 22, 2012 (**Approved, 5:0:2(Robertson & Reis-abstain)**)

**COMMUNICATIONS FROM COMMISSION & PUBLIC**

**Oral Communications on Non-Agendized Items**

*Any member of the Public will be allowed to address the Planning Commission for up to three (3) 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 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).

**PUBLIC HEARING**

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.

1. Application PDR 11-0021; 14422 Big Basin Way (517-09-017) MBA Architects & Klear - The applicant is requesting approval of a Design Review application to construct a 3,994 square foot, 35-foot tall three story office building located at 14422 Big Basin Way behind the Mint Leaf Restaurant. The existing two story single family home will be removed. The existing driveway/alley would be remodeled into a landscape courtyard to include an outdoor dining area for the Mint Leaf Restaurant. Staff Contact: Christopher Riordan (408)868-1235  
**(Approved as amended with a change to the conditions: Section 2. Compliance with Plans. The development shall be located and constructed to include those features, and only those features, as shown on the Approved Plans dated February 27, 2012 denominated Exhibit "A" except that the faux window on the side of the building facing Saratoga-Los Gatos Road shall be made of glass and not tile. All proposed changes to the Approved Plans must be submitted in writing with plans showing the changes, including a clouded set of plans highlighting the changes. Such changes shall be subject to approval in accordance with Condition A.3, above. 6:1(Zhao))**

2. Application PDR 10-0021 & SUB 11-0003 & CUP 12-0001; 14651 Big Basin Way (503-25-015); John and Sue Kang / Tom Sloan - The applicant is requesting approval to replace an existing 2,430 square foot building with a new 11,557 square foot mixed-use building. The new building would include three residential condominium units, one apartment unit, 1,246 square feet of retail space, and a 7,090 square foot basement parking garage. Staff Contact: Cynthia McCormick (408) 868-1230.  
**(Continued to April 25, 2012 meeting, 6:01(Hlava- recuse))**
  
3. Application ZOA 11-0004; City of Saratoga - . The proposed changes to City Code Article 15-30 (Sign Ordinance) (1) eliminate direct references to content in conformance with the First Amendment of the U.S. Constitution; (2) generally keep or increase the standards for sign size, design, placement, lighting, materials, and type of sign structures; and (3) include the creation of sign districts. Staff Contact: Cynthia McCormick (408) 868-1230.  
**(Approved as amended with changes to the ordinance, 7:0)**
  - **Delete the words “and banners erected on light poles by a governmental entity” at the end of 15-30.050(e)**
  - **Change the standard for ‘Temporary On-Site Signs on Lots in any Sign District’ from 4 SF in area and 3 feet in height to “6 SF in area and 4 feet in height”**
  - **Change the beginning of 15-30.160 from “Describe how” to “Description of how”**
  - **Change the requirement to bring a ‘legal non-conforming sign’ in conformity by deleting ‘or other land use entitlement’ and amending the language as follows: “A conditional use permit for a new use, or design review pursuant to City Code Section 15-46.060, is required for the property on which the ‘legal nonconforming sign’ is located.”**
  - **Add the following language for clarification of non-conforming signs: “Temporary signs and window signs are not considered permanent legal non-conforming signs for the purposes of this Article”**
  
4. Application PDR 08-0029 & VAR08-0001; 21216 Bank Mill Road 503-55-005); Sharma / Nielsen Architects - Per City Code Section 15.45.060 (a)(1), the applicant requests Design Review approval to construct a new two-story, single-family residence with a basement. The total floor area (not including the 1,413 sq. ft. of basement not included) would be 4,178 sq. ft. Per City Code 15.12.061 (a), the applicant requests a variance to locate the building footprint underneath the dwelling unit that exceeds thirty percent slope. Eight trees are requested for removal to construct the project. Those trees have met the criteria for removal, and may be removed and replaced once Building Division permits have been issued for the project. Staff Contact: Michael Fossati (408)868-1212.  
**(Approved as amended with a change to the conditions: Staff to investigate additional screening for adjoining neighboring properties, as deemed necessary, to the satisfaction of the Community Development Department, 7:0)**

## **NEW BUSINESS**

## **DIRECTOR/COMMISSION COMMUNICATION**

### **ADJOURNMENT TO THE NEXT MEETING**

- Wednesday, March 28, 2012 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. 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).*

## **CERTIFICATE OF POSTING OF AGENDA**

*I, Abby Ayende, Office Specialist III for the City of Saratoga, declare that the foregoing agenda for the meeting of the Planning Commission was posted and available for public review on March 8, 2012 at the City of Saratoga, 13777 Fruitvale Ave., Saratoga, CA 95070 and on the City's website at [www.saratoga.ca.us](http://www.saratoga.ca.us).*

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**NOTE: To view previous Planning Commission meetings anytime, go the City Video Archives at [www.saratoga.ca.us](http://www.saratoga.ca.us)**