



**ACTION MINUTES
REGULAR MEETING
SARATOGA PLANNING COMMISSION
Wednesday, April 25, 2012**

**REGULAR MEETING – 6:00 P.M. – CIVIC THEATER/COUNCIL CHAMBERS AT 13777
FRUITVALE AVENUE**

PLEDGE OF ALLEGIANCE

ROLL CALL

Absent – Commissioner Almalech

ELECTION OF NEW CHAIR

Tina K Walia, Chair

Joyce Hlava, Vice Chair

APPROVAL OF MINUTES

Action Minutes from the Regular Planning Commission Meeting of March 28, 2012 (**Approved as amended,
4:0:2(Bernald & Hlava -recused)**)

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).

NEW BUSINESS

1. Capital Improvement Program/Finding of General Plan Consistency

Recommended action:

Adopt the attached resolution (**Approved, 6:0**)

PUBLIC HEARING

All interested persons may appear and be heard at the above time and place. Applicants 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. Applicants and their representatives have a total of five minutes maximum for closing statements.

1. Application PDR 12-0007; 22100 Mt. Eden Road (503-09-005); John and Tara Couch - The project is a request for design review approval of a horse stable and grooms-quarters. The proposed floor area of the two-story stable is 3,551 square feet and the proposed height is less than 23 feet. The proposed floor area of

the two-story grooms-quarters is 1,849 square feet and the proposed height is less than 22 feet. Staff Contact: Cynthia McCormick (408) 868-1230.

Recommended action:

Staff recommends that the Planning Commission adopt the Resolution approving the Design Review subject to conditions of approval and the Development Agreement dated April 4, 2012. **(Approved, 6:0)**

2. Application PDR10-0020; 13717 Fortuna Court (389-30-054); Houman Kerchani / Jeremy Leach - The applicant is requesting Design Review approval for a new single-story home, approximately 20 feet in height. The proposed floor area of the home is 4,049 square feet and the proposed lot coverage is 8,167 square feet. Staff Contact: Cynthia McCormick (408) 868-1230.

Recommended action:

Continue the item to the May 23, 2012 meeting. **(Approved, 6:0)**

3. Applications PDR12-0002 and CUP12-0002 / 14410 Big Basin Way (517-09-018) - The applicant is requesting approval of a Conditional Use Permit application to allow a financial institution at street level in the CH-1 zoning district. The applicant is also requesting Design Review approval for changes to the exterior of the building including a new elevator enclosure and building signage. Staff Contact: Michael Fossati (408)868-1212

Recommended action:

Staff recommends the Planning Commission adopt Resolution No. 12-012 approving the project subject to conditions of approval. **(Approved as amended, 6:0. Changes include “and only those features” removed from Condition #5 and condition added (Condition #11) stating “Applicant to extend existing parapet wall from adjacent tenant space (occupied by Starbucks) to proposed elevator enclosure in order to make one continuous line along the western elevation, to the satisfaction of the Community Development Department.”)**

4. 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.

Recommended action:

Staff recommends that the Planning Commission adopt Resolution No. 12-007 adopting the Negative Declaration and approving the Design Review, Conditional Use Permit, and Tentative Map subject to the conditions of approval. **(Approved as amended Ayes 3: Noes: 2 Abstain: 1) Compliance with Plans. The development shall be located and constructed to include those features, and only those features, as shown on the Approved Plans denominated Exhibit "A" and as amended by the Planning Commission on April 25th 2012, including increasing the roof overhang to 42 inches and increasing the size of the windows on the south facing wall of the apartment. 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)**

5. Application MOD11-0002; 12341 Saratoga Creek Drive (386-21-039); Saratoga Woods Community Association - The applicant is requesting modifications of conditions of approval for an existing Conditional Use Permit allowing the use of a private recreational area by the Saratoga Woods Community Association; Staff Contact: Christopher A. Riordan (408)868-1235.

Recommended action:

Staff recommends that the Planning Commission adopt the resolution modifying the conditions of approval **(The motion failed by reason of an evenly split vote (3:3) as one commissioner was absent. This application will be agendized for the May 9, 2012 meeting pursuant to City Code Section 2-12.080(b))**

ADJOURNMENT TO THE NEXT MEETING

- Wednesday, May 9, 2012 at 7:00 p.m. in the Council Chambers/Civic Theater
13777 Fruitvale Avenue, Saratoga, CA

In accordance with the Ralph M. Brown Act, copies of the staff reports and other materials provided to the Planning Commission by City Staff in connection with this agenda are available at the office of the Community Development at 13777 Fruitvale Avenue, Saratoga, CA 95070. Note that copies of materials distributed to the Planning Commission concurrently with the posting of the agenda are also available on the City website at www.saratoga.ca.us. Any materials distributed by staff after the posting of agenda are available for public review at the Community Development Department at the time they are distributed to the Planning Commission.

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 April 19, 2012 at the City of Saratoga, 13777 Fruitvale Ave., Saratoga, CA 95070 and on the City's website at www.saratoga.ca.us.

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