



**AGENDA**  
**REGULAR MEETING**  
**SARATOGA PLANNING COMMISSION**  
**Wednesday, May 09, 2012**  
**Action Minutes**

**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 April 25, 2012 (**Approved as amended, 6:0:1(Almalech)**)

**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).

**OLD BUSINESS**

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

**Recommended action:**

Adopt Resolution No. 12-010 approving modifications to the existing conditional use permit for the Saratoga Woods Community Association. (**Approved as amended, 4:3(Hlava, Reis & Walia). Indoor hours modified Fridays and Saturdays to 11:00 pm**)

**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 SUB11-0002; 14584 Horseshoe Drive (397-20-029); Kevin Huesby - The applicant is requesting approval of a Tentative Parcel Map subdividing an approximately 1.02-acre (44,284 square feet) parcel located at 14584 Horseshoe Drive into two lots. Staff Contact: Christopher Riordan (408)868-1235.

**Recommended action:**

Adopt Resolution 12-016 approving the Tentative Parcel Map subject to conditions of approval.

**(Approved, 6:1(Bernald))**

2. Application PDR11-0027; 20770 Montalvo Lane (517-18-011); Ken and Debbie Follmar - The applicant requests Design Review approval (PDR11-00027) to replace an existing 5,466 square foot residence with a proposed 6,039 square foot, two story single-family dwelling with a 1995 square foot basement that is not included in the calculation of total floor area. Staff Contact: Christopher Riordan (408)868-1235.

**Recommended action:**

Staff recommends the Planning Commission adopt Resolution No. 12-015 approving Design Review subject to conditions of approval. **(Approved, 7:0)**

3. Application PDR12-0001; 14280 Lutheria Way (379-24-020); John & Elvie Scott - The applicant requests Design Review approval (PDR12-0001) to replace a 2,200 square foot two-story home and an 800 square foot accessory structure with an approximate 4,438 square foot, two-story single-family dwelling and related site landscaping. Staff Contact: Christopher Riordan (408)868-1235.

**Recommended action:**

Staff recommends the Planning Commission adopt Resolution No. 12-014 approving the project subject to conditions of approval. **(Approved, 7:0)**

4. Application PDR 11-0030; 14760 Live Oak Lane (397-18-069); Rivers / Kellond Architects - The applicant is requesting Design Review approval to replace an existing 3,515 sq. ft. single-story, single-family residence with a new 5,805 sq. ft. two-story, single-family residence. Staff Contact: Michael Fossati (408) 868-1212

**Recommended action:**

Adopt Resolution No. 12-017 approving the project subject to conditions of approval. **(Approved, 7:0)**

5. The proposed zoning ordinance amendment would update the definition of impervious surface and provide a consistent review process for considering site coverage exemptions for driveways and related emergency vehicle turnarounds. Staff Contact: Cynthia McCormick (408)868-1230.

**Recommended action:**

Adopt Resolution No. 12-011 recommending the City Council adopt the Ordinance amending City Code.

**(Approved as amended pursuant to the staff memo dated May 9, 2012, 7:0)**

6. Application ZOA12-0005; City of Saratoga - The proposed zoning amendment would add a definition for "Tasting Room" and allow Tasting Rooms, under certain conditions, as a principally permitted use in the Commercial Zoning Districts. Staff Contact: Michael Fossati (408) 868-1212.

**Recommended action:**

Adopt Resolution No. 12-022 approving the recommendation that the proposed zoning amendment be adopted by City Council. **(Approved as amended, 7:0. PC recommended that Tasting Rooms**

**only be a principally permitted use within the CH-zoning districts. Planning Commission instructed Staff to provide an update on the amendment (if adopted by City Council) in 24 months to review its effectiveness.**

## **NEW BUSINESS**

## **DIRECTOR/COMMISSION COMMUNICATION**

## **ADJOURNMENT TO THE NEXT MEETING**

- Wednesday, May 23, 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](http://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](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).*

#### **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 May 3, 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)**