



**ACTION MINUTES  
REGULAR MEETING  
SARATOGA PLANNING COMMISSION  
Wednesday, June 27, 2012**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**ABSENT**

Commissioner Reis

**APPROVAL OF MINUTES**

Action Minutes from the Regular Planning Commission Meeting of June 13, 2012 (**Approved, 6:0:1**)

**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 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. Ordinance Amendment ZOA12-0008 (City-Wide) - City initiated amendments to Articles 7-30 (Noise Control) and 15-19 (Commercial Regulations) to the City Code establishing new regulations for outdoor music. Staff Contact: Christopher Riordan (408) 868-1235.

**Recommended action:**

Adopt a resolution recommending the City Council adopt an ordinance modifying Articles 7-30 (Noise Control) and 15-19 (Commercial Regulations) establishing new regulations for outdoor music. (**Continued to July 10, 2012 study session and July 25, 2012 hearing, 6:0:1**)

2. Application PDR12-0008; 19227 San Marcos Road (397-13-004); Gregory Howell; The applicant requests approval to replace a 1,428 square foot home with a new 5,721 square foot two-story home. Staff Contact: Cynthia McCormick (408) 868-1230.

**Recommended action:**

Adopt Resolution No. 12-028 approving the project subject to conditions of approval. (**Approved as amended 6:0:1, Landscape Screening. The owner/applicant shall install landscaping to screen**)

**the home from the property to the east to the satisfaction of the Community Development Department.**

3. Application PDR 12-0009; 14875 Baranga Lane (397-18-039); Gregory Howell; The applicant requests approval to replace a 3,261 square foot home with a new 5,957 square foot single-story home. Staff Contact: Cynthia McCormick (408) 868-1230.

**Recommended action:**

Adopt Resolution No. 12-029 approving the project subject to conditions of approval. **(Approved as amended, 6:0:1, 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" with the removal of the etching on the entryway. 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 City Code.)**

4. Applications ANX10-0002, ZOA09-0009, CUP10-0005; 22600 Mount Eden Road; (503-12-001; 503-10-044,065,067; 503-11-008,009; 503-74-001,002,003,004); Garrod Trust - The applicant is requesting the City annex approximately 68 acres with an accompanying Development Agreement, Zoning Amendment to apply the Agricultural Preserve/Open Space Overlay Zoning, a Combined Williamson Act, and a Use Permit for the 119 acre Garrod Trust properties to be inside City boundaries. Staff Contact: Christopher Riordan (408) 868-1235.

**Recommended action:**

1. Adopt Resolution #12-031 recommending that the City Council approve a Development Agreement, a Combined Williamson Act Contract, and an Ordinance adding Agricultural Preserve/Open Space overlay zoning to all the Garrod Trust properties to be annexed to the City.

2. Adopt Resolution #11-010 approving a Use Permit governing the use of the 119 acre Garrod Trust properties to be inside City boundaries (to become effective upon Final Approval of Annexation).

**(Approved as amended, 6:0:1, revised text to Conditional Use Permit Condition #15. Commercial stable means a commercial stable providing shelter for horses owned and used by someone other than the occupant or owner of the residence and including but not limited to boarding stables, riding schools, related shows, lessons, clinics and similar activities.**

5. Application GRE10-0001; 15269 Bohlman Road (517-14-003); James Campagna - The Applicant is requesting a Grading Exception for 11,100 cubic yards of grading to repair existing landslides and soil erosion on a site located at 15269 Bohlman Road. Staff Contact: Christopher Riordan (408) 868-1235.

**Recommended action:**

Adopt Resolution No. 12-030 approving the project subject to conditions of approval. **(Approved as amended, 6:0:1, with a condition to be added to the resolution that states that upon issuance of a grading permit the current project will extinguish the existing variance entitlement for retaining wall height within the area of the grading project.**

6. Application ZOA12-0007; City Wide; 13777 Fruitvale Avenue; City of Saratoga - Zoning Amendment for Wireless Telecommunications Facilities. Staff Contact: Christopher Riordan (408)868-1235

**Recommended action:**

Adopt a resolution recommending that the City Council adopt an ordinance which would add Article 15-44 (Wireless Telecommunications Facilities) establishing design review findings for wireless telecommunications facilities to the City Code. **(Approved as amended 6:0:1, Finding #b. Add the word "existing" so that the finding reads "compatible height with the existing surrounding environment."**

## **NEW BUSINESS**

### **DIRECTOR/COMMISSION COMMUNICATION**

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

- Wednesday, July 11, 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 June 21, 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)**