



**ACTION MINUTES
REGULAR MEETING
SARATOGA PLANNING COMMISSION
Wednesday, January 23, 2013**

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

PLEDGE OF ALLEGIANCE

ROLL CALL

ABSENT

Commissioners Grover and Reis

APPROVAL OF MINUTES

Action Minutes from the Regular Planning Commission Meeting of January 9, 2013(5:0:0)

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.

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. Application ENV12-0004, PDR12-0019, CUP12-0006; 15240 Madrone Hill Rd (517-22-060); David and Colette Kress / Allen Nikitin - The applicant is requesting Design Review and Conditional Use Permit approval to replace an existing two-story residence, caretaker’s house, garage and greenhouse with a new 33 ft. tall, 7,793 sq. ft. two-story residence. The proposed project includes a 3,200 sq. ft. basement and a secondary dwelling unit within the main residence. CUP approval is required because the applicant is requesting a building height exception to adhere to a specific architectural style. Staff Contact: Michael Fossati (408) 868-1212.

Recommended action:

Adopted Resolution No. 13-0001 approving the project subject to conditions of approval, as amended. (4:1(Walia):0)

New conditions include allowing the roof ridge to be no taller than 30 feet, allowing the main entry and spire stairwell element to be no taller than 32 feet, to include future arborist report requirements as

conditions of approval, and not requiring the applicant to repair Madrone Hill Road if the road is damaged by natural causes.

2. Application GPA13-0001 (CITY WIDE): Update to the General Plan Safety Element that includes minor grammatical edits, an update of changes in regulatory requirements or processes, and an update of corresponding maps. A Negative Declaration (ND) was prepared for the update and made available for public review beginning December 19, 2012. Staff Contact: Crystal Bothelio (408)886-1269

Recommended action:

Adopted Resolution No. 13-002 thereby recommending the City Council adopt the Negative Declaration and updated Safety Element. (5:0:0)

DIRECTOR/COMMISSION COMMUNICATION

ADJOURNMENT

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 January 17, 2013 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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