



**ACTION MINUTES  
REGULAR MEETING  
SARATOGA PLANNING COMMISSION  
Wednesday, September 10, 2014**

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

**ROLL CALL**

PRESENT	Commissioners Leonard Almalech, Wendy Chang, Kookie Fitzsimmons, Pragati Grover, Dede Smullen, Tina Walia, Chair Mary-Lynne Bernald
ABSENT	None
ALSO PRESENT	Christopher Riordan, Senior Planner Michael Fossati, Planner Cynthia McCormick, Planner Bill Parkin, Assistant City Attorney

**COMMUNICATIONS FROM COMMISSION & PUBLIC**

**APPROVAL OF MINUTES**

Approve Action Minutes from the Regular Planning Commission Meeting of August 13, 2014.

**Action:**

**ALMALECH/GROVER MOVED TO APPROVE THE AUGUST 13, 2014 MINUTES.** MOTION PASSED.  
AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE.  
ABSENT: NONE. ABSTAIN: NONE.

**PUBLIC HEARINGS**

1. Application APPC14-0001; 21818 Via Regina (503-69-012); Downs and Hsiao – The appellants are appealing ADR12-0032, which is an addition of 2,262 sq. ft. to the 1st and 2nd story of a two-story residence that includes additions to both floors and a wood deck along the eastern side of the residence as well as various landscaping and drainage improvements along the southern portion of the residence located at 21818 Via Regina. Staff Contact: Michael Fossati (408) 868-1212.

**Action:**

**GROVER/FITZSIMMONS MOVED TO ADOPT RESOLUTION NO. 14-040 SUBJECT TO CONDITIONS OF APPROVAL.** MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

2. Application PDR14-0011, ARB14-0002, 12666 Paseo Flores (386-12-037), George Kuen-Yuan Chiou and Andrew Mo - The applicant requests Design Review approval to construct an approximately 3,539 square foot, 22 feet tall, one-story single-family dwelling located at 12666 Paseo Flores. The project would also include the removal of two trees including a 35” walnut tree and a 41” pepper tree. The net site area is 11,840 square feet and is zoned R-1-00,000. Staff Contact: Christopher Riordan (408)868-1235

**Action:**

**ALMALECH/FITZSIMMONS MOVED TO ADOPT RESOLUTION NO 14-037 SUBJECT TO CONDITIONS OF APPROVAL.** MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

3. Application PDR14-0018; Brookwood Lane (vacant) / 503-23-028; Anisha Gupta / Seema Mittal - The applicant is proposing a new home on an 18,290 square foot vacant lot. The new two-story home will be 4,779 square feet in area and 25 feet-six inches in height. The application includes a secondary dwelling unit enclosed within the primary dwelling unit. The project qualifies for the city's 10% floor area bonus and waiver of an enclosed garage space because the second dwelling unit will be deed restricted so that it may only be rented to below market rate households. Six protected trees meet the criteria for removal. Staff Contact: Cynthia McCormick (408) 868-1230.

**Action:**

**GROVER/ALMALECH MOVED TO ADOPT RESOLUTION NO 14-038 APPROVING THE PROJECT SUBJECT TO CONDITIONS OF APPROVAL MINUTES.** MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, GROVER, SMULLEN. NOES: FITZSIMMONS, WALIA. ABSENT: NONE. ABSTAIN: NONE.

4. Application ZOA14-0002; Citywide Zoning Amendment (Article 15-47) Water Efficient Landscaping; City of Saratoga; The City has drafted a new Water Efficient Landscaping Ordinance (Article 15-47) that would replace the State Model Water Efficient Landscape Ordinance (MWELo) adopted by the City in 2010. The purpose of the Ordinance is to reduce water waste in landscaping by promoting the use of region-appropriate plants that require minimal supplemental irrigation, and by establishing standards for irrigation efficiency. The Ordinance will allow property owners to choose a simplified plant restriction in lieu of the more cumbersome MWELo water allowance calculations. Staff Contact: Cynthia McCormick (408) 868-1230.

**Action:**

**SMULLEN/ALMALECH MOVED TO ADOPT RESOLUTION NO 14-036 APPROVING THE PROJECT AND RECOMMENDED CITY COUNCIL ADOPT THE REVISED ORDINANCE (ARTICLE 15-47).** MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

5. Application ZOA14-0003, City of Saratoga - Annual Code Update. Staff Contact: Christopher Riordan (408) 868-1235

**Action:**

**WALIA/ALMALECH MOVED TO ADOPT RESOLUTION NO 14-041 WITH CHANGES TO THE CONDITION AND RECOMMENDED CITY COUNCIL ADOPT AN ORDINANCE WHICH INCLUDES VARIOUS AMENDMENTS TO CHAPTER 15 (ZONING) OF THE SARATOGA CODE:**

Replace the word "in" with the word "is" in the staff report description table of the proposed changes for 'flag' definitions

Replace the word "first" with the word "later" in the staff report description table of the proposed changes for 'arborist reports'

Remove the proposed new definition for 'site width' and leave city code section 15-06.620(d) unchanged

Remove the proposed revised regulation for the height of fences without street frontage and leave city code section 15-29.010(4) unchanged

Revise proposed city code section 15-45.065(6) to include the word "Any" at the beginning of the sentence

MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

## **NEW BUSINESS**

1. Application ELN14-0004; 20595 Debbie Lane (503-54-028); Oh – The applicant is requesting the addition of approximately 743 sq. ft. to an existing legal non-conforming structure. Staff Contact: Michael Fossati (408)868-1212.

**Action:**

**WALIA/CHANG MOVED TO ADOPT RESOLUTION NO. 14-039 APPROVING THE MAJOR ALTERATION SUBJECT TO CONDITIONS OF APPROVAL.** MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

## **DIRECTOR/COMMISSION COMMUNICATION**

## **ADJOURNMENT**