



**ACTION MINUTES  
REGULAR MEETING  
SARATOGA PLANNING COMMISSION  
Wednesday, September 24, 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

**COMMUNICATIONS FROM COMMISSION & PUBLIC**

Chair Bernald spoke about supporting Santa Clara Valley Water District (SCVWD) with water conservation.

**APPROVAL OF MINUTES**

Approve Action Minutes from the Regular Planning Commission Meeting of September 10, 2014.

**Action:**

**GROVER/ALMALECH MOVED TO APPROVE THE SEPTEMBER 10, 2014 MINUTES.**  
MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

**NEW BUSINESS**

1. Application ELN14-0010; 13715 Quito Road / 389-25-051; Shuly Dagon / Jessica Aviles. The applicant is proposing a 499 square foot addition to a legal non-conforming structure. The applicant is not proposing any modifications to the non-conforming side of the home and the addition will conform to City Code. Staff Contact: Cindy McCormick (408) 868-1230.

**Action:**

**FITZSIMMONS/WALIA MOVED TO ADOPT RESOLUTION NO. 14-042 APPROVING THE PROJECT SUBJECT TO CONDITIONS OF APPROVAL.** MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

**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 PDR14-0012; 18844 Dundee Avenue / 389-17-041; Deepak Sharma and Ana Stefan / Michelle Miner Design. The applicant requests Design Review approval to construct a new 2-story home, approximately 22 feet—six inches in height. The 3,185 square foot home would include 2,400 square feet on the first story and 785 square feet on the second story. The 1,975 square foot basement does not count towards the maximum allowable floor area. Staff Contact: Cindy McCormick (408) 868-1230.

**Action:**

**ALMALECH/SMULLEN MOVED TO CONTINUE THE ITEM TO A DATE UNCERTAIN** MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES:NONE. ABSENT: NONE. ABSTAIN: NONE.

2. Application PDR14-0019; 15335 Via Colina / 397-10-001; Gregory Howell. The applicant is proposing a new 22 foot tall, 6,078 square foot single-story home on a 44,439 square foot lot. The project meets all required setbacks, height, floor area, and lot coverage restrictions. The existing home, accessory structures and pool will be demolished. Staff Contact: Cindy McCormick (408) 868-1230.

**Action:**

**ALMALECH/WALIA MOVED TO ADOPT RESOLUTION NO. 14-043 APPROVING THE PROJECT SUBJECT TO CONDITIONS OF APPROVAL.** MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

3. Applications PDR13-0026, GRE14-0001, ARB13-0069; 22700 Mount Eden (503-10-006); Goetting - The project applicant is requesting Design Review approval to construct a new 6,942 square foot two story single-family home with a 2,202 square foot basement and a 600 square foot one story detached secondary dwelling unit. The project also includes a grading exception for 8,468 cubic yards of grading which includes 1,330 cubic yards to construct the basement. The net size area is 3.83 acres or 166,835 square feet and is zoned HR (Hillside Residential). Staff Contact: Christopher Riordan (408)868-1235

**Action:**

**ALMALECH/SMULLEN MOVED TO ADOPT RESOLUTION NO. 14-025 APPROVING THE PROJECT WITH CHANGES TO THE CONDITIONS.**

Additional Conditions:

**9. Mount Eden Road.** To verify the condition of the Mount Eden Road surface prior to commencement of construction, the applicant shall photograph 50 feet of the Mount Eden Road surface to the west and the east of the projects driveway intersection with Mount Eden Road. The applicant shall submit a copy of the photographs to the Community Development Department prior to issuance of a building permit. The Community Development Department shall refer to the photographs to determine the extent of any construction damage to Mount Eden Road as a result of construction activity and shall require the applicant to work with the Public Works Department to make any road repairs prior to building permit final.

**10. Arborist Report and Recommendations.** Owner/applicant shall comply with all recommendations and conditions stated in the arborist report dated March 26, 2014 which incorporated by reference. A monetary bond, in the amount stated in the arborist report (\$59,800), shall be posted and be on file with the Community Development Director prior to issuance of City permits. Proof of installation of tree fencing shall be provided by the applicant and shall be inspected by the arborist prior to issuance of City permits.

**11. City Geologist.** Owner/applicant shall comply with all Geotechnical Clearance Conditions for the project dated March 21, 2014 which are incorporated by reference.

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

4. Application PDR14-0003 and CUP14-0001; 14521 & 14523 Big Basin Way (503-24-020/027); Cutler – The applicant is requesting approval for an Initial Study / Negative Declaration, Design Review, Conditional Use Permit, and Lot Line Adjustment for two commercial lots located at 14521 and 14523 Big Basin Way. The project includes the remodel of an existing structure (14521 Big Basin Way) and restaurant (14523 Big Basin Way). 14521 Big Basin will be rehabilitated and remodeled for a wine bar / restaurant use. One residential apartment will be attached and constructed at the rear of the building. 14523 Big Basin will be remodeled to include an office space, restaurant, and two apartment units. An additional story will be constructed on top of 14523 Big Basin in order to accommodate one of the apartment units. Staff Contact: Michael Fossati (408) 868-1212.

**Action:**

**SMULLEN/CHANG MOVED TO ADOPT RESOLUTION NO. 14-045 APPROVING THE PROJECT WITH A CHANGE TO THE CONDITIONS.**

Additional Condition:

E. The outdoor stairwell between 14521 & 14523 Big Basin Way remain free and clear, without obstruction, for pedestrian access between Big Basin Way and the City Parking Lot within Parking District #1.

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

5. Application PDR11-0003 & VAR11-0001; 21794 Heber Way (503-31-067) – The project is a Design Review and Variance to construct a new two-story residence with a three-car garage on a hillside lot. The height will be no taller than 26 feet from average grade. The variance is required because the applicant is proposing a 97 foot front setback (when 131 foot setback is required) and a 20 foot and 30 foot side setback (when a 45 foot side setback is required). Staff Contact: Michael Fossati (408) 868-1212.

**Action:**

**ALMALECH/WALIA MOVED TO CONTINUE THE ITEM TO OCTOBER 22, 2014 MEETING.** MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

## **DIRECTOR/COMMISSION COMMUNICATION**

### **ADJOURNMENT**

**ALMALECH/CHANG MOVED TO ADJOURN AT 10:07 PM.** MOTION PASSED. AYES: ALMALECH, BERNALD, CHANG, FITZSIMMONS, GROVER, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.