



**ACTION MINUTES
REGULAR MEETING
SARATOGA PLANNING COMMISSION
Wednesday, May 27, 2015**

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

ROLL CALL

PRESENT	Commissioners Sunil Ahuja, Wendy Chang, Kookie Fitzsimmons, Joyce Hlava, Dede Smullen, Tina Walia, Chair Leonard Almalech
ABSENT	None
ALSO PRESENT	Erwin Ordoñez, Community Development Director Michael Fossati, Planner Justin Shiu, Contract Planner

APPROVAL OF MINUTES

Action Minutes from the Regular Planning Commission Meeting of May 13, 2015.

Action:

WALIA/AHUJA MOVED TO APPROVE THE MAY 13, 2015 MINUTES AS AMENDED.

MOTION PASSED. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

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.

NEW BUSINESS

1. APPLICATION ELN15-0004; 18349 Vanderbilt Drive (403-28-010) Ho/Yeh – The applicant is requesting approval for a remodel and addition to a nonconforming structure. The Planning Commission may approve a major alteration of a nonconforming structure, which results in expenditure (cumulatively) of 20% to 50% of the estimated construction cost of the structure. The project will result in expenditure of approximately 45.4% of the estimated construction valuation of the existing structure. Contact: Justin Shui (408)868-1230.

Action:

FITZSIMMONS/AHUJA MOVED TO ADOPT RESOLUTION NO. 15-019 APPROVING THE PROJECT SUBJECT TO CONDITIONS OF APPROVAL. MOTION PASSED. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA, 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 PDR14-0028/ARB14-0065; 20455 Herriman Avenue (Saratoga Presbyterian Church); Verizon Wireless on behalf of The Presbytery of San Jose – The applicant is requesting Design Review and

Conditional Use Permit Approval to install a new cellular telecommunication facility on the site. The facility will be located in an enclosure that will be located atop the classroom building and would increase the height of the 31.6' tall building by 9'-8". The installation would include nine antennas, ground mounted electrical equipment, and associated cabling. The enclosure would be constructed to match the materials of the existing building. The project would include the removal of one 19 inch Liquid Amber tree. Staff Contact: Christopher Riordan (408) 868-1235.

Action:

HLAVA/SMULLEN MOVED TO CONTINUE THIS ITEM TO JUNE 10, 2015. MOTION PASSED. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

2. APPLICATION PDR11-0003 & VAR11-0001; 21794 Heber Way (503-31-067); Eric Keng / Steve Sheng – 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 99 foot front setback (when 131 foot setback is required) and a 20 foot and 35 foot side setback (when a 45 foot side setback is required). No protected trees are being proposed for removal. This meeting is continued from the October 22, 2014 Planning Commission Meeting. Staff Contact: Michael Fossati (408) 868-1212.

Action:

WALIA/AHUJA MOVED TO DENY RESOLUTION NO. 14-044. MOTION PASSED. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, SMULLEN, WALIA. NOES: HLAVA ABSENT: NONE. ABSTAIN: NONE.

3. Application PDR15-0009/ARB15-0023; 19990 Bella Vista Ave (397-20-059); Terry Martin on behalf of Paghu Pai and Sahana Pai - The applicant is requesting approval for a new 26 foot tall, 6,530 square foot two-story house with a basement. Three protected trees are in poor condition. Staff Contact: Justin Shiu, (408)868-1230

Action:

HLAVA/AHUJA MOVED TO ADOPT RESOLUTION NO. 15-020 APPROVING THE PROJECT WITH CHANGES TO THE CONDITIONS:

- 1) Provide privacy screening trees along the west property line.
- 2) Incorporate the proposed driveway design revision.

MOTION PASSED. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

4. APPLICATION PDR15-0010; South Side of Saratoga Ave. and 140' East of Douglass Lane (Right-of-Way): Verizon Wireless – The applicant is requesting approval for the replacement of an existing 29 foot, 9 inch utility pole with a new 35 foot utility pole, 2 foot pole extension, 4 foot tall wireless antenna and associated equipment located on the south side of Saratoga Avenue and 140 feet east of Douglass Lane. The installation also includes three Radio Remote Units (RRU's), one ground mounted cabinet, an electrical meter, and associated cabling. The height of the utility pole with the antenna would increase from approximately 29 feet 9 inches to 41 feet. Staff Contact: Michael Fossati (408) 868-1212.

Action:

HLAVA/SMULLEN MOVED TO ADOPT RESOLUTION NO. 15-018 APPROVING THE PROJECT SUBJECT TO CONDITIONS OF APPROVAL. MOTION PASSED. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

5. APPLICATION ZOA15-0005 (CITYWIDE) – Application by the City of Saratoga to amend portions of Chapter 15 of the City Code. Staff Contact: Erwin Ordoñez (408)868-1231

Action:

WALIA/FITZSIMMONS MOVED TO ADOPT RESOLUTION NO. 15-023 APPROVING THE ORDINANCE AND RECOMMENDED CITY COUNCIL ADOPT THE ORDINANCE. MOTION PASSED. AYES: ALMALECH, CHANG, FITZSIMMONS, WALIA. NOES: AHUJA, HLAVA, SMULLEN. ABSENT: NONE. ABSTAIN: NONE.

OTHER ITEMS

1. Fifteen new capital projects are proposed for the Fiscal Year 15-16 Capital Improvement Program (CIP). California Government Code Section 65401 states that the local planning agency should report on the conformity of the CIP with the agency's general plan. Attachment 4 contains a listing of the proposed projects and the specific general plan policy(s) the project is conforms to. Not all projects have a relationship to specific policies. Staff has reviewed the projects and found that they are not in conflict with general plan policies and a conformity finding can be supported. The environmental determination will be addressed project by project as they are funded for construction. Staff Contact: Erwin Ordonez (408) 868-1231.

Action:

HLAVA/WALIA MOVED TO ADOPT RESOLUTION NO. 15-021 APPROVING THE CIP PROJECTS. MOTION PASSED. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

ADJOURNMENT

WALIA MOVED TO ADJOURN AT 10:01 PM. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.