



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

APPROVAL OF MINUTES

Action Minutes from the Regular Planning Commission Meeting of May 27, 2015 and June 10, 2015

WALIA/SMULLEN MOVED TO MOVED TO APPROVE THE MAY 27, 2015 MINUTES. MOTION PASSED. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

WALIA/HLAVA MOVED TO MOVED TO APPROVE THE JUNE 10, 2015 MINUTES. MOTION PASSED. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

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.

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. Applications CUP14-0009/PDR15-0003; 12600 Saratoga Avenue (386-14-003); Abe Kaabipour / Black & Veatch – The applicant previously submitted an application requesting a modification of the existing Conditional Use Permit and approval of a Design Review application to install a hydrogen fuel cell and dispenser at the service station. The additional dispenser and related equipment will be located behind the existing sales office building in a screened structure and adjacent to the northeast property line. The net site area is 22,500 square feet and the property is zone RM-5,000. Staff Contact: Christopher Riordan (408) 868-1235.

Action:

HLAVA/FITZSIMMONS MOVED TO ADOPT RESOLUTION NO 15-009 WITH CHANGES TO THE CONDITIONS TO REFLECT AMENDED CONDITION #25:

- Approval of design alternative #2 (retaining original board and batten design with upgrades to reflect residential scale, uncovering original materials, and additional building perimeter landscaping)
- Approval of the revised landscaping plan provided by the applicant
- Approval of Circulation Alternative #1 with additional directional signs identified by the Commission and enhanced/extended striping for the proposed hydrogen fueling lane. The applicant shall provide a minimum 5-foot wide colored stripe for the proposed hydrogen fueling lane with identification/directional markings from the back of sidewalk/driveway apron along the Saratoga Avenue frontage, around the existing building, to the proposed fueling dispenser. Signs shall include directional signs along the Bucknall Road entrances noting hydrogen vehicle fueling entrance on Saratoga Road and additional signs on the front of the building directing hydrogen vehicles along fuel lane.

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

2. Application ZOA15-0006, Citywide - Amendment of City Code 15-50.070 of the Tree Regulations - The City Council has requested an amendment to permit the expedited removal of dead trees through an over the counter process.

Action:

HLAVA/SMULLEN MOVED TO ADOPT RESOLUTION NO. 15-024 AND RECOMMENDED CITY COUNCIL APPROVAL. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA, SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

3. Application PDR14-0024/ARB13-0071; 14538 Horseshoe Dr. (397-20-032); Oscar Bakhtiari - The applicant is requesting approval for a new 25'-11" tall, 5,996 square foot one-story home with a 451 square foot second unit and a basement. Planning Commission design review is required because the project consists of a new one-story home residence over 18 feet in height. Twenty-five protected trees are being proposed for removal and three are proposed to be transplanted to different locations on the lot. Staff Contact: Justin Shiu, (408)868-1230.

Action:

SMULLEN/WALIA MOVED TO ADOPT RESOLUTION NO 15-030 WITH CHANGES TO THE CONDITIONS TO INCLUDE: THE APPLICANT SHALL BE REQUIRED TO INCORPORATE A ROOF DESIGN THAT DOES NOT CREATE ANY FLAT PORTION. COMMISSION PROVIDED DIRECTION TO STAFF TO NOT ACCEPT A FLAT ROOF, BUT RATHER A ROOF THAT REMAINS AT OR BELOW 26 FEET, THAT SIMPLIFIES THE ROOF DESIGN, AND PROVIDES THE SAME QUALITY AND LEVEL OF ARCHITECTURE OF THE PROPOSED RESIDENCE.

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

4. Application PDR10-0009/VAR15-0002; 15397 Peach Hill Road; 517-22-100; Amini - The applicant requests Design Review and Variance approval to construct a 357 square foot addition to an existing 5,238 square feet, three-story, single-family residence. In addition, the project includes extensive remodeling of the exterior of the residence resulting in a completely different architectural style. The maximum height of the project is 26 feet. The parcel size is approximately 1.2 acres and is located within the R-1-40,000 zoning district. Staff Contact: Chris Riordan (408)868-1235

Action:

HLAVA/CHANG MOVED TO ADOPT RESOLUTION NO. 15-029 SUBJECT TO CONDITIONS OF APPROVAL. MOTION PASSED. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: SMULLEN.

5. Application ZOA15-0007/ENV15-0004; City Wide; Kevin Tsai – The applicant is request a City Code Amendment to modify Article 16-65 (Ground Movement Regulations) of the City Code as they pertain to limiting construction in the Pmw, Pd, and Pdf geotechnical zones as depicted on the City's Ground Movement Potential Map. The modifications would allow residential remodels and additions to existing single-family homes to a maximum remodel of 50% of the existing building footprint and additions of whichever is greater 500 square feet or 25% of the square footage of the existing structure when geotechnical remediation has been shown to be technically or financially infeasible. Staff Contact: Christopher Riordan (408) 868-1235.

Action:

HLAVA/AHUJA MOVED TO ADOPT THE NEGATIVE DECLARATION, ORDINANCE AND RECOMMENDED CITY COUNCIL APPROVAL. MOTION PASSED. AYES: AHUJA, ALMALECH, FITZSIMMONS, HLAVA. NOES: CHANG, SMULLEN, WALIA. ABSENT: NONE. ABSTAIN: NONE.

ADJOURNMENT

WALIA MOVED TO ADJOURN AT 11:51 PM. AYES: AHUJA, ALMALECH, CHANG, FITZSIMMONS, HLAVA SMULLEN, WALIA. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.