



# SARATOGA PLANNING COMMISSION REGULAR MEETING

MAY 25, 2016

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## 7:00 PM PLANNING COMMISSION REGULAR MEETING

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Civic Theater | 13777 Fruitvale Avenue, Saratoga CA 95070

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### APPROVAL OF MINUTES

*Action Minutes from the Regular Planning Commission Meeting of April 13, 2016.*

[Action Minutes, April 13, 2016](#)

### 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. This 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.*

### REPORT ON 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.*

## 1. NEW BUSINESS

### 1.1. Finding of General Plan Consistency - CIP

#### **Recommended Action:**

Staff recommends the Commission adopt the attached Resolution finding the proposed CIP projects conform to the general plan.

[Staff Report](#)

[Attachment 1 -Memo from Public Works Director, John Cherbone](#)

[Attachment 2 - Resolution](#)

[Attachment 3 - Project Summaries](#)

[Attachment 4 - Capital Improvement Project List Spreadsheet \(Exhibit A\)](#)

## 2. PUBLIC HEARING

*Applicants and/or their representatives have a total of ten (10) minutes maximum for opening statements. All interested persons may appear and be heard during this meeting regarding the items on this agenda. If items on this agenda are challenged in court, members of the public may be limited to raising only issues raised at the Public Hearing or in written correspondence delivered to the Planning Commission at, or prior to the close of the Public Hearing. Members of the public may comment on any item for up to three (3)*

*minutes. Applicants and/or their representatives have a total of five (5) minutes maximum for closing statements.*

- 2.1. Application MOD 16-0004/12850 Saratoga Avenue (386-14-016);  
Bougachouch/Westhope Presbyterian Church  
The applicant is requesting to modify an existing approved Conditional Use Permit to increase the maximum enrollment of children from 15 to 30 in the preschool facility on the premises of Westhope Presbyterian Church.  
Staff Contact: Nicole Johnson, Planner II (408) 868-1209

**Recommended Action:**

Adopt Resolution No. 16-010 approving the project subject to conditions of approval included in Attachment 1.

[Staff Report](#)

[Attachment 1-Resolution of approval](#)

[Attachment 2-Letter from applicant and property owner dated March 12, 2016](#)

[Attachment 3-Floor plan](#)

- 2.2. Application MOD 16-0001/14103 Saratoga Ave. (397-25-095); Azarchehr/Immanuel Lutheran Church  
The applicant is requesting to modify an existing approved Conditional Use Permit to increase the approved number of children from 15 to 30 and to modify the hours of operation from 7:30AM to 7:30 PM. This use would take place within the existing church building. Planning Commission review is required because the applicant seeks to modify a previously approved Conditional Use.  
Staff Contact: Richard Smeaton, AICP, Senior Planner (408) 868-1225

**Recommended Action:**

Adopt Resolution No. 16-12 approving the project subject to conditions of approval included in Attachment 1.

[Staff Report](#)

[Attachment 1 - Resolution of Approval](#)

[Attachment 2 - Butterflies Academy Cover Sheet, received March 21, 2016](#)

[Attachment 3 - Floor Plan, Site Plan, received April 23, 2016](#)

- 2.3. Application ABR-15-0048 & PDR-15-0038/18802 Dundee Avenue (389-17-004);  
Hartman/Kumar  
The applicant is requesting to demolish the existing house and construct a new 3,197 sq. ft. house. The height of the new house would be 20.75 feet. Two protected trees are proposed for removal. Planning Commission design review is required because the construction proposed contains a new basement and the proposed building is over 18 feet in height.  
Staff Contact: Richard Smeaton, AICP, Senior Planner (408) 868-1225

**Recommended Action:**

Adopt Resolution No. 16-011 approving the project subject to recommended conditions of approval.

[Staff Report](#)

[Attachment 1 - Resolution of Approval](#)

- [Attachment 2 - Arborist Report](#)
- [Attachment 3 - Neighbor Notification Forms](#)
- [Attachment 4 - Story Pole Certification Letter – 18802 Dundee Ave](#)
- [Attachment 5 - Color Rendering](#)
- [Attachment 6 - Development Plans \(Exhibit "A"\)](#)

- 2.4. Application PDR15-0030 Sullivan Way (503-28-138); Leu/Niederman  
The applicant is requesting approval to construct a new two-story residence on a vacant lot located on Sullivan Way. Planning Commission design review approval is required because the new structure exceeds 18 feet in height and is two-stories.  
Staff Contact: Erwin Ordoñez, AICP, Community Development Director, (408) 868-1231

**Recommended Action:**

Adopt Resolution No. 16-014 approving Design Review PDR15-0030 and ARB15-0068 subject to conditions of approval.

[Staff Report - Sullivan Way](#)

[Attachment 1 - Resolution of Approval](#)

[Attachment 2 - Brian Berkeley notes from 3/22/2016 PC Study Session](#)

[Attachment 3 - Site Analysis Presentation from 3/22/2016 PC Study Session](#)

[Attachment 4 - Arborist Report dated 2/18/2016](#)

[Attachment 5 - Letter of Justification dated 3/4/2016](#)

[Attachment 6 - Reduced Development Plans dated 4/21/2016](#)

[Attachment 7 - Schaefer letter dated 5-19-16](#)

[Attachment 8 - Bahl-Niederman e-mail thread 5/13/2016](#)

[Attachment 9 - Bahl-Niederman Illustrations 5/2/2016](#)

[Attachment 10 - Addendum Letter of Justification dated 5/16/2016](#)

[Attachment 11 - Supplemental Development Plans dated 5/16/2016](#)

**DIRECTOR ITEMS**

**COMMISSION ITEMS**

**ADJOURNMENT**

**CERTIFICATE OF POSTING OF THE AGENDA**

*I, Janet Costa, 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 May 19, 2016 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, CA 95070 and on the City's website at [www.saratoga.ca.us](http://www.saratoga.ca.us).*

*Signed this 19th day of May 2016 at Saratoga, California.*

*Janet Costa, Office Specialist III*

*In Compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk at 408/868-1269. Notification 24 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]*

*You can also sign up to receive email notifications when Commission agendas and minutes have been added to the City at website [http://www.saratoga.ca.us/contact/email\\_subscriptions.asp](http://www.saratoga.ca.us/contact/email_subscriptions.asp).*

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