



SARATOGA PLANNING COMMISSION REGULAR MEETING ACTION MINUTES

May 25, 2016

7:00 PM REGULAR MEETING

Civic Theater | 13777 Fruitvale Avenue, Saratoga CA 95070

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Chair Dede Smullen, Vice Chair Tina Walia, Commissioners Joyce Hlava, Sunil Ahuja, Kookie Fitzsimmons, Wendy Chang
ABSENT: Leonard Almalech, excused
ALSO PRESENT: Erwin Ordoñez, Community Development Director
Nicole Johnson, Planner II
Rick Smeaton, Sr. Planner

APPROVAL OF MINUTES

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

FITZSIMMONS/HLAVA MOVED TO **APPROVE THE MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF APRIL 13, 2016.** MOTION PASSED. AYES: SMULLEN, WALIA, HLAVA, AHUJA, FITZSIMMONS, CHANG. NOES: NONE. ABSENT: ALMALECH. 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. 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.

HLAVA/WALIA MOVED **APPROVAL TO INCLUDE GENERAL PLAN CIRCULATION ELEMENT POLICIES CI2.2 AND C12.1 TO APPLICABLE PROJECT NOTED IN ATTACHMENT 4 – CAPITAL IMPROVEMENT PROJECT LIST SPREADSHEET.** MOTION PASSED. AYES:, SMULLEN, WALIA, HLAVA, AHUJA, FITZSIMMONS, CHANG. NOES: NONE. ABSENT: ALMALECH. ABSTAIN: NONE.

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.

HLAVA/FITZSIMMONS MOVED TO **ADOPT RESOLUTION NO. 16-010 APPROVING THE PROJECT SUBJECT TO CONDITIONS OF APPROVAL INCLUDED IN ATTACHMENT 1.** MOTION PASSED. AYES:, SMULLEN, WALIA, HLAVA, AHUJA, FITZSIMMONS, CHANG. NOES: NONE. ABSENT: ALMALECH. ABSTAIN: NONE.

- 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.

HLAVA/FITZSIMMONS MOVED TO **APPROVE TWO SEPARATE ACTIONS:**

Action 1: Directed staff to refer to the Traffic Safety Commission the existing traffic safety issues raised by neighbors of Immanuel Lutheran regarding this block of Seagrave and Saratoga Avenue (ingress/egress, overall night time visibility, reflectors at driveways, street lighting, striping or other safety improvements). MOTION PASSED. AYES: SMULLEN, WALIA, HLAVA, AHUJA, FITZSIMMONS, CHANG. NOES: NONE. ABSENT: ALMALECH. ABSTAIN: NONE.

Action 2: Approval of project with additional conditions:

- Staff to review CUP use operation and traffic safety in 18 months and to provide update if there are issues requiring Commission action or review.
- Prior to the issuance of permits, the Church shall trim foliage at driveway intersection of Seagrave to improve traffic visibility to the satisfaction of staff.

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

- 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.

WALIA/HLAVA MOVED **APPROVAL OF PROJECT WITH DELETION OF CONDITIONS OF APPROVAL #7 AND #11.** MOTION PASSED. AYES: SMULLEN, WALIA, HLAVA, AHUJA, FITZSIMMONS, CHANG. NOES: NONE. ABSENT: ALMALECH. ABSTAIN: NONE.

- 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.

HLAVA/FITZSIMMONS MOVED **APPROVAL OF PROJECT WITH ADDITIONAL CONDITIONS OF APPROVAL:**

- Prior to issuance of Building Permits, the applicant shall submit for staff approval, a Lighting Plan for the home's exterior and landscaped areas.
- Prior to the issuance of Building Permits and Final Inspection/Occupancy, the applicant shall videotape the surface of the roadway that provides access to the site at Sullivan Way. MOTION PASSED. AYES:, SMULLEN, WALIA, HLAVA, AHUJA, FITZSIMMONS. NOES: CHANG. ABSENT: ALMALECH. ABSTAIN: NONE.

DIRECTOR ITEMS

Noted upcoming June 7, 2016 Study Session.

COMMISSION ITEMS

None

ADJOURNMENT

The Planning Commission, at the request of Commissioner Hlava, adjourned in honor of Robert (Bob) Paul Weiss, a 45-year resident of Saratoga who recently passed away, and was known as "Mr. Regan Lane" or the "mayor" of "lower" Pierce Road and the Argonaut neighborhood.

Minutes respectfully submitted:

Janet Costa, Office Specialist III
City of Saratoga