



# SARATOGA PLANNING COMMISSION REGULAR MEETING ACTION MINUTES

NOVEMBER 9, 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

PRESENT: Chair Dede Smullen, Vice Chair Tina Walia, Commissioners Sunil Ahuja, Kookie Fitzsimmons, Wendy Chang, Joyce Hlava, Len Almalech

ABSENT: None

ALSO PRESENT: Erwin Ordoñez, Community Development Director  
Sung Kwon, Senior Planner  
Sandy Baily, Special Project Planner

### APPROVAL OF MINUTES

*Action Minutes from the Regular Planning Commission Meeting of October 12, 2016.*

WALIA/HLAVA MOVED TO **APPROVE THE MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF OCTOBER 12, 2016.** MOTION PASSED.

AYES: SMULLEN, WALIA, HLAVA, CHANG, AHUJA, FITZSIMMONS, ALMALECH.  
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. 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

### 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.

Procedural vote to hear Item 2.8 (Draft 2<sup>nd</sup> Dwelling Unit Ordinance Amendment) out of order.

WALIA/HLAVA MOVED TO **HEAR ITEM 2.8 (DRAFT 2<sup>ND</sup> DWELLING UNIT ORDINANCE AMENDMENT) OUT OF ORDER.** MOTION PASSED. AYES: SMULLEN, WALIA, HLAVA, CHANG, AHUJA, FITZSIMMONS, ALMALECH. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE

2.8. Application: Zoning Ordinance Amendment (ZOA 16-0002)- Amendments to conform Second (Accessory) Dwelling Unit regulations with changes primarily to California Government Code section 65852.2, as amended by SB 1069 (Wieckowski) and AB 2299 (Bloom) enacted on September 27, 2016.

**Recommended Action:**

Recommend the Planning Commission adopt the attached resolution recommending that the City Council:

Adopt an ordinance which includes various changes to the City Code to conform the City's existing Second (Accessory) Dwelling Unit regulations with changes primarily to California Government Code section 65852.2, as amended by SB 1069 (Wieckowski) and AB 2299 (Bloom), enacted on September 27, 2016.

WALIA/HLAVA MOVED TO **ADOPT RESOLUTION NO. 16-037 RECOMMENDING APPROVAL TO CITY COUNCIL.** MOTION PASSED. AYES: SMULLEN, WALIA, HLAVA, AHUJA, FITZSIMMONS, CHANG, ALMALECH. NOES: NONE. ABSENT: NONE, ABSTAIN: NONE

2.1. Application: PDR15-0025 & ARB 16-0045  
Location / APN: Paramount Court (Lot 1) / 503-82-006

**Recommended Action:**

Adopt Resolution No. 16-029 approving the project subject to recommended conditions of approval.

ALMALECH/HLAVA MOVED TO **ADOPT RESOLUTION NO. 16-029 APPROVING THE PROJECT WITH ADDITIONAL CONDITION OF APPROVAL; REQUIRING APPLICANT TO WORK WITH NEIGHBORS TO CONSTRUCT A MAXIMUM HEIGHT SCREENING FENCE ALONG SHARED PROPERTY LINE WITH ADDITIONAL PRIVACY SCREENING LANDSCAPING**

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

2.2. Application: PDR15-0020 & ARB16-0047  
Location / APN: Paramount Court (Lot 2) / 503-82-006

**Recommended Action:**

Adopt Resolution No. 16-032 approving the project subject to recommended conditions of approval.

**HLAVA/ALMALECH MOVED TO ADOPT RESOLUTION NO. 16-032 APPROVING THE PROJECT WITH ADDITIONAL CONDITION OF APPROVAL; REQUIRING APPLICANT TO WORK WITH NEIGHBORS TO CONSTRUCT A MAXIMUM HEIGHT SCREENING FENCE ALONG SHARED PROPERTY LINE WITH ADDITIONAL PRIVACY SCREENING LANDSCAPING**

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

- 2.3. Application: PDR15-0021 & ARB16-0048

Location / APN: Paramount Court (Lot 3) / 503-82-006

**Recommended Action:**

Adopt Resolution No. 16-034 approving the project subject to recommended conditions of approval.

**ALMALECH/CHANG MOVED TO ADOPT RESOLUTION NO. 16-034 APPROVING THE PROJECT SUBJECT TO CONDITIONS OF APPROVAL.**

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

Agenda Items 2.4 to 2.7 Continued to Date Certain: November 15, 2016.

**HLAVA/WALIA MOVED TO CONTINUE THESE ITEMS TO NOVEMBER 15, 2016.** MOTION PASSED. AYES: SMULLEN, WALIA, HLAVA, AHUJA, ALMALECH, FITZSIMMONS, CHANG. NOES: NONE. ABSENT: NONE ABSTAIN: NONE.

- 2.4. Application: PDR15-0022 and ARB16-0049

Location / APN: Terminus of Paramount Court – Lot 4 / 503-82-006

**Recommended Action:**

Adopt Resolution No. 16-030 approving the project subject to recommended conditions of approval.

- 2.5. Application: PDR15-0026 & ARB 16-0050

Location / APN: Paramount Drive (Lot 5) / 503-82-006

**Recommended Action:**

Adopt Resolution No. 16-035 approving the project subject to recommended conditions of approval.

- 2.6. Application: PDR15-0027 & ARB 16-0051

Location / APN: Paramount Drive Lot 6 / 503-82-006

**Recommended Action:**

Adopt Resolution No. 16-036 approving the project subject to recommended conditions of approval.

- 2.7. Application: PDR15-0028 and ARB16-0052

Location / APN: Terminus of Paramount Court – Lot 7 / 503-82-006

**Recommended Action:**

Adopt Resolution No. 16-031 approving the project subject to recommended conditions of approval.

**DIRECTOR ITEMS**

Director gave overview of Commission work plan retreat on 11/10/16.

**COMMISSION ITEMS**

Chair Smullen made Turkey Trot Announcement.

**ADJOURNMENT**

Meeting was adjourned at 11:05 PM.

Minutes respectfully submitted:

Janet Costa, Office Specialist III  
City of Saratoga