



# SARATOGA PLANNING COMMISSION SPECIAL MEETING

JANUARY 22, 2020

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## 7:00 P.M. - PLANNING COMMISSION SPECIAL 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 November 13, 2019.

#### **Recommended Action:**

Approve Minutes of November 13, 2019 meeting.

[111319 Minutes Draft](#)

### 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.*

2.1 **Application FER19-0001; 12452 Miller Avenue (386-29-030); Daphanie Lin** – The applicant requests approval of a Fence Exception to install a 6 foot tall solid wood fence to be constructed within a 25 foot exterior side setback area where the maximum fence height is limited to 3 feet. The fence would be setback between 3 feet and 6 ½ feet from the exterior

side property line and would replace the previously constructed non-conforming solid wood fence in approximately the same location. No trees are proposed for removal. Staff Contact: Victoria Banfield (408) 868-1212 or [ybanfield@saratoga.ca.us](mailto:ybanfield@saratoga.ca.us).

**Recommended Action:**

Adopt Resolution No. 20-001 approving the proposed Fence Exception subject to conditions of approval included in Attachment 1.

[Staff Report](#)

[Attachment 1 - Resolution 20-001](#)

[Attachment 2 - Applicant's Written Project Description](#)

[Attachment 3 - Project Plans](#)

[Attachment 4 - Streetview Photographs](#)

**2.2 Application ANX20-0001, ENV19-0003, ZOA20-0001, GPA20-001; 14831 Pierce Road (503-46-006 and 530-46-007); Chateau Masson, LLC** - The proposed Mountain Winery Annexation Project consists of applying to the Local Agency Formation Commission for adjustments to the City of Saratoga's Urban Service Area (USA) and Sphere of Influence (SOI) boundaries to include APN's 503-46-006 and 503-46-007 and subsequent annexation of those parcels by the City. The Project also includes General Plan and zoning ordinance amendments to establish a new General Plan land use designation of Regional Commercial (RC) and a new zoning district of Regional Commercial (RC) for APN 503-46-006 and adoption of a Precise Plan and development agreement. The Precise Plan would allow uses permitted under the Mountain Winery's existing County Use Permit to continue while also allowing for new uses including lodging of up to 300 rooms, a second water tank, and future connections to the Cupertino Sanitary District infrastructure to support the new uses. The development agreement would give the owner a vested right for a defined term to use and develop the property in accordance with the proposed general plan amendment, rezoning, and Precise Plan and the City's other rules, regulations and official policies in place when the development agreement is approved. An Environmental Impact Report has been prepared for the Project. The Planning Commission will consider and make recommendations to the City Council on the matters described above. Staff Contact: Debbie Pedro (408) 868-1231 or [dpedro@saratoga.ca.us](mailto:dpedro@saratoga.ca.us).

**Recommended Action:**

Adopt Resolution No. 20-002 recommending that the City Council approve the General Plan and City Code amendments, the Precise Plan, and Development Agreement relating to the Mountain Winery and further recommending certification of the EIR selecting EIR Alternative #3 for the Mountain Winery Annexation project and adoption of the Mitigation Monitoring Reporting Plan.

[Staff Report](#)

[Attachment 1 - Resolution 20-002](#)

[Attachment 2 - Mt. Winery Operations Letter](#)

[Attachment 3 - General Plan Amendment](#)

[Attachment 4 - Zoning Amendment](#)

[Attachment 5 - Mountain Winery Precise Plan](#)

[Attachment 6 - Development Agreement Terms](#)

[Attachment 7 - Public Comments](#)

[Attachment 8 - 6-11-19 City Council Study Session Staff Report and Minutes](#)

[Attachment 9a - Mountain Winery FEIR](#)

[Attachment 9b - Mountain Winery DEIR](#)

[Attachment 9c Appendices combined](#)

[Supplemental Memo No. 1](#)  
[Supplemental Memo No. 2](#)  
[Supplemental Memo No. 3](#)

## **DIRECTOR ITEMS**

## **COMMISSION ITEMS**

## **ADJOURNMENT**

### **CERTIFICATE OF POSTING OF THE AGENDA**

*I, Frances Reed, Administrative Assistant 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 January 17, 2020 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 17th day of January 2020 at Saratoga, California.  
Frances Reed, Administrative Assistant*

*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).*

*NOTE: To view previous Planning Commission meetings anytime, go the City Video Archives at [www.saratoga.ca.us](http://www.saratoga.ca.us)*