



# SARATOGA PLANNING COMMISSION REGULAR MEETING

MAY 13, 2020

---

## 7:00 P.M. - PLANNING COMMISSION REGULAR MEETING

---

### Teleconference/Public Participation Information to Mitigate the Spread of COVID-19

This meeting will be entirely by teleconference. All Commission members and staff will only participate via the Zoom platform using the process described below. The meeting is being conducted in compliance with the Governor's Executive Order N-29-20 suspending certain teleconference rules required by the Ralph M. Brown Act. The purpose of this order was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

Members of the public view and participate in the meeting by:

1. Using the Zoom website <https://us04web.zoom.us/j/77354719936> or App (Webinar ID 733-5471-9936) and using the tool to raise their hand in the Zoom platform when directed by the Chair to speak on an agenda item; **OR**
2. Calling 1.669.900.6833 or 1.408.638.0968 and pressing \*9 to raise their hand to speak on an agenda item when directed by the Chair; **OR**
3. Viewing the meeting on Saratoga Community Access Television Channel 15 (Comcast Channel 15, AT&T UVerse Channel 99) and calling 1.669.900.6833 or 1.408.638.0968 and pressing \*9 to raise their hand to speak on an agenda item when directed by the Chair; **OR**
4. Viewing online at [http://saratoga.granicus.com/MediaPlayer.php?publish\\_id=2](http://saratoga.granicus.com/MediaPlayer.php?publish_id=2) and calling 1.669.900.6833 or 1.408.638.0968 and pressing \*9 to raise their hand to speak on an agenda item when directed by the Chair.

The public will not be able to participate in the meeting in person.

As always, members of the public can send written comments to the Commission prior to the meeting by commenting online at [www.saratoga.ca.us/pc](http://www.saratoga.ca.us/pc) prior to the start of the meeting. These emails will be provided to the members of the Commission and will become part of the official record of the meeting.

During the meeting the Chair will explain the process for members of the public to be recognized to offer public comment.

In accordance with the Americans with Disabilities Act and the Governor's Executive Order, if you need assistance to participate in this meeting due to a disability, please contact the City Clerk at [debbieb@saratoga.ca.us](mailto:debbieb@saratoga.ca.us) or calling 408.868.1216 as soon as possible before the meeting. The City will use its best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety.

## ROLL CALL

### APPROVAL OF MINUTES

Action Minutes from the Regular Planning Commission Meeting of February 12, 2020 and the Special Planning Commission Meeting of April 7, 2020.

#### **Recommended Action:**

Approve Minutes of February 12, 2020 and the Special Planning Commission Meeting of April 7, 2020.

[021220 Minutes Draft](#)

[040720 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

### 1.1 General Plan Conformity FY 2020-2021 Capital Improvement Program

#### **Recommended Action:**

Adopt Resolution No. 20-005 finding the Capital Improvement Program (CIP) projects proposed for Fiscal Year 20-21 conform to the Saratoga General Plan.

[Staff Report](#)

[Attachment 1 - Resolution 20-005](#)

[Attachment 2 - Project Summaries](#)

## 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 PDR19-0008/GEO19-0011/ARB19-0030/GRE19-0002; 20078 Goetting Road (503-10-074); Etcheverry Lance T Trustee & ET AL.** Applicant requests Design Review approval to construct a new 7,222 square foot two story residence with a 3,004 square foot basement (maximum height 26') and a 556 square foot detached accessory dwelling unit. In addition, a grading exception is requested of combined cut and fill in excess of 1,000 cubic yards. Six (6) protected trees are proposed for removal. The site is zoned Hillside Residential (HR) with a General Plan Designation of OS-H (Hillside Open Space). Staff Contact: Nicole Johnson (408) 868-1209 or [njohnson@saratoga.ca.us](mailto:njohnson@saratoga.ca.us)

#### **Recommended Action:**

Adopt Resolution No. 20-003 approving the proposed residence, detached ADU, and Grading Exception subject to conditions of approval included in Attachment 1.

[Staff Report](#)

[Attachment 1 - Resolution 20-003](#)

[Attachment 2- Arborist Report](#)

- [Attachment 3 - Neighbor Comments](#)
- [Attachment 4 - Material Board](#)
- [Attachment 5 - Story Pole Certification](#)
- [Attachment 6 - Project Plans](#)

**2.2 Application PDR19-0010/ARB19-0033; Saratoga-Sunnyvale Road (503-82-044); Anthem Reality Ventures, LLC.** Applicant requests Design Review approval to construct a new 4,210 square foot two story residence, including an attached accessory dwelling unit, with a 1,197 square foot basement (maximum height 25'). Five (5) protected trees are proposed for removal. The site is zoned R-1-12,500 with a General Plan Designation of M-12.5 (Medium Density Residential). Staff Contact: Nicole Johnson (408) 868-1209 or [njohnson@saratoga.ca.us](mailto:njohnson@saratoga.ca.us).

**Recommended Action:**

Adopt Resolution No. 20-002 approving the proposed residence subject to conditions of approval included in Attachment 1.

- [Staff Report](#)
- [Attachment 1-Resolution 20-002](#)
- [Attachment 2- Arborist Report](#)
- [Attachment 3- Neighbor Comments](#)
- [Attachment 4-Materials Board](#)
- [Attachment 5- Story Pole Certification](#)
- [Attachment 6- Project Plans](#)

**2.3 Application ZOA20-0004; Amendment to Tree Regulations** - Amendments to Section 15-50.080(a), Tree Regulations (Zoning) of the Saratoga City Code to allow the removal of trees that would contribute to the increased risk and spread of wildfire. Staff contact: Kate Bear, City Arborist (408) 868-1276 or [kbear@saratoga.ca.us](mailto:kbear@saratoga.ca.us).

**Recommended Action:**

Adopt Resolution No. 20-004 recommending that the City Council approve the proposed change to Section 15-50.080, Tree Regulations (Zoning) of the Saratoga City Code to allow the removal of trees that would contribute to the increased risk and spread of wildfire.

- [Staff Report](#)
- [Attachment 1 - Resolution No. 20-004](#)
- [Attachment 2 - Wildfire Public Safety Task Force Meeting Minutes dated February 3, 2020](#)
- [Attachment 3 - Cal Fire Guidelines for Defensible Space](#)

**DIRECTOR ITEMS**

**COMMISSION ITEMS**

**ADJOURNMENT**

**CERTIFICATE OF POSTING OF THE AGENDA, DISTRIBUTION OF THE AGENDA PACKET, COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT**

*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 review on May 8, 2020 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at [www.saratoga.ca.us](http://www.saratoga.ca.us).*

*Signed this 8th day of May 2020 at Saratoga, California.  
Frances Reed, Administrative Assistant*

*In accordance with the Ralph M. Brown Act, copies of the staff reports and other materials provided to the Planning Commission by City staff in connection with this agenda, copies of materials distributed to the Planning Commission concurrently with the posting of the agenda, and materials distributed to the*

*Planning Commission by staff after the posting of the agenda are available on the City Website at [www.saratoga.ca.us](http://www.saratoga.ca.us). Following removal of State and local shelter in place orders these materials will be available for review in the office of the City Clerk at 13777 Fruitvale Avenue, Saratoga, California.*

*In Compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk at [debbieb@saratoga.ca.us](mailto:debbieb@saratoga.ca.us) or calling 408.868.1216 as soon as possible before the meeting. The City will use its best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety.*

*[28 CFR 35.102-35.104 ADA title II]*