



SARATOGA PLANNING COMMISSION REGULAR MEETING

SEPTEMBER 9, 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.

The public will not be able to participate in the meeting in person. Members of the public view and participate in the meeting by:

Using the Zoom website <https://us02web.zoom.us/j/83461281292> App (Webinar ID 834 6128 1292) and using the tool to raise their hand in the Zoom platform when directed by the Chair to speak on an agenda item; **OR**

1. 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**
2. 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**
3. Viewing online at 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.

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

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 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.

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 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 Planning Commission Meeting of August 12, 2020.

Recommended Action:

Approve Minutes of August 12, 2020 Planning Commission Meeting.

[081220 Draft Minutes](#)

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 CUP15-0002/PDR15-0019/ARB15-0053/ENV16-0001; Saratoga Creek Drive (389-06-0020 & 389-06-021); Golden Age Prop Saratoga LLC/Palm Villas Saratoga–The applicant is proposing a Conditional Use Permit and Design Review approval for a Residential Care Facility for the Elderly (RCFE). The RCFE would consist of two buildings on two adjacent lots that have been designed to function as a single complex. One building would be for individuals with mild stage Alzheimer’s/Dementia and the second for individuals with advanced stage Alzheimer’s/Dementia. Five protected trees are requested for removal. The site is zoned Professional and Administrative Office District (PA) with a General Plan Designation of PA (Professional Administrative). An Environmental Impact Report has been prepared. Staff contact: Nicole Johnson: (408) 868-1209 or njohnson@saratoga.ca.us.

Recommended Action:

1. Adopt Resolution No. 20-013 certifying the EIR and adopting the Mitigation Monitoring and Reporting Program included in Attachment 1; and
2. Adopt Resolution No. 20-014 approving the proposed RCFE subject to conditions of approval included in Attachment 2.

[Staff Report](#)
[Attachment 1 - Resolution 20-013](#)
[Attachment 2 - Resolution 20-014](#)
[Attachment 3 - Errata to the FEIR](#)
[Attachment 4 - Final Environmental Impact Report \(FEIR\)](#)
[Attachment 5 - July 7, 2020 Staff Report \(including supplemental attachments\) w/o Attachment 1](#)
[Attachment 6 - Applicants' letter dated August 24, 2020](#)
[Attachment 7 - Letter from Price, Postel & Parma LLP addressed to City Council and Planning Commission dated July 30, 2020](#)
[Attachment 8 - Fehr & Peers response to Higgins Report](#)
[Attachment 9 - Public Comments](#)
[Attachment 10 - Arborist Report](#)
[Attachment 11 - Story Pole Certification](#)
[Attachment 12 - Color and Materials Board](#)
[Attachment 13 - Project Plans](#)
[Supplemental Memo #1 - Public Comment](#)

2.2 Application ZOA20-0002 – City Code Amendments (City Wide): Amendments to Saratoga City Code Article 15-56 (Accessory Dwelling units) pursuant to State Legislation. These amendments include reducing onsite parking requirements for accessory dwelling units; allowing detached accessory dwelling units to be located within side and rear setback areas of parcels located in residential zoning districts subject to height and floor area limitations; the elimination of minimum parcel size requirements; allowing both a Junior Accessory Dwelling Unit and a Detached Accessory Dwelling Unit to be located on a single-family zoned parcel; allowing a lot with a multifamily dwelling to have two detached accessory dwelling units subject to setback, height, and floor area limitations; the conversion of existing non-livable space within a multifamily dwelling to accessory dwelling units; restricting the use of accessory dwelling units as short-term rentals; removing the owner-occupancy restrictions on parcels which contain an accessory dwelling unit; and reducing the time period that the City must act on an accessory dwelling unit application from 120 days to 60 days. Staff contact: Christopher Riordan: (408) 868-1235 or criordan@saratoga.ca.us.

Recommended Action:

Adopt Resolution No. 20-015 recommending the City Council adopt an ordinance amending Article 15-56 of the Saratoga City Code (Accessory Dwelling Units).

[Staff Report](#)

[Attachment 1 - Resolution 20-015](#)

[Attachment 2 - Planning Commission Staff Report 07082020](#)

[Attachment 3 - Letter from Californians for Homeownership](#)

3. DIRECTOR ITEMS

3.1 Next Steps on General Plan Update - Informational Item

[General Plan Update Next Steps Memo](#)

3.2 November Planning Commission Meeting Date

4. COMMISSION ITEMS

5. 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 September 3, 2020 at the City of Saratoga, 13777 Fruitvale Avenue, Saratoga, California and on the City's website at www.saratoga.ca.us. Signed this 3rd day of September 2020 at Saratoga, California. Frances Reed, Administrative Technician.

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. 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.

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