

**APPROVED MINUTES
WEDNESDAY, JANUARY 22, 2020
SARATOGA PLANNING COMMISSION SPECIAL MEETING**

Chair Ahuja called the Planning Commission Regular Meeting to order in the Civic Theater, Council Chambers at 13777 Fruitvale Avenue in Saratoga at 7:00 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Chair Sunil Ahuja, Commissioners Leonard Almalech, Kookie Fitzsimmons, Anjali Kausar, Lucas Pastuszka, Tina Walia.
ABSENT: Razi Mohiuddin (excused)
ALSO PRESENT: Debbie Pedro, Community Development Director
Victoria Hernandez, Planner I

APPROVAL OF MINUTES

Action Minutes from the Special Planning Commission Meeting of November 13, 2019.

Recommended Action:

Approve Minutes of November 13, 2019 meeting.

WALIA/ FITZSIMMONS MOVED TO **APPROVE THE MINUTES OF THE NOVEMBER 13, 2019 MEETING.** MOTION PASSED. AYES: AHUJA, ALMALECH, FITZSIMMONS, KAUSAR, PASTUSZKA, WALIA. NOES: NONE. ABSENT: MOHIUDDIN. ABSTAIN: NONE.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS

1. **NEW BUSINESS:** None

2. **PUBLIC HEARING**

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.

Recommended Action:

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

WALIA/FITZSIMMONS MOVED TO **DENY APPLICATION FER19-0001.** MOTION PASSED. AYES: AHUJA, ALMALECH, FITZSIMMONS, PASTUSZKA, WALIA. NOES: KAUSAR. ABSENT: MOHIUDDIN. ABSTAIN: NONE.

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.

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.

WALIA/PASTUSZKA MOVED TO CONTINUE THE ITEM TO FEBRUARY 12, 2020 REGULAR PLANNING COMMISSION MEETING AND DIRECTED STAFF TO RE-NOTICE HEARING WITH A 2500' RADIUS AND HOLD A SITE VISIT ON FEBRUARY 11, 2020. MOTION PASSED. AYES: ALMALECH, FITZSIMMONS, KAUSAR, PASTUSZKA, WALIA. NOES: AHUJA. ABSENT: MOHIUDDIN. ABSTAIN: NONE.

DIRECTOR ITEMS: Director Pedro reminded the Commission that the City Council has a joint Council-Planning Commission Study Session scheduled for March 9, 2020 and in preparation the Planning Commission's Work Plan discussion will be held on February 11, 2020.

COMMISSION ITEMS: None.

ADJOURNMENT

CHAIR AHUJA ADJOURNED THE MEETING AT 10:01 PM.

Minutes respectfully submitted:
Frances Reed, Administrative Assistant
City of Saratoga