



# SARATOGA PLANNING COMMISSION REGULAR MEETING ACTION MINUTES

FEBRUARY 14, 2018

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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 Tina Walia, Vice Chair Wendy Chang, Commissioners Kookie Fitzsimmons, Sunil Ahuja, Joyce Hlava, Len Almalech, Razi Mohiuddin

ABSENT: None

ALSO PRESENT: Debbie Pedro, Community Development Director  
Christopher Riordan, Senior Planner

### APPROVAL OF MINUTES

*Action Minutes from the Regular Planning Commission Meeting of January 10, 2018.*

#### **Recommended Action:**

Approve Minutes of January 10, 2018 meeting.

ALMALECH/AHUJA MOVED TO **APPROVE THE MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF JANUARY 10, 2018.** MOTION PASSED.  
AYES: WALIA, HLAVA, ALMALECH, AHUJA, CHANG, MOHIUDDIN. NOES: NONE.  
ABSENT: NONE. ABSTAIN: FITZSIMMONS.

### 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 FER17-0003; 14345 Maclay Court (397-03-033); Gaines**

The applicant is requesting a Fence Exception for an 11'-6" tall wall, referred to as a solid fence in the City Code, built in association with a recently constructed new single-family residence. The wall, which is a horizontal extension of the front elevation of the structure, projects into the left side setback area by 9'-10". The City Code limits solid fences, or walls to a height not exceeding six feet. No trees are proposed for removal. The net lot area is 40,040 square feet and the site is zoned R-1-40,000. Staff Contact: Christopher Riordan (408) 868-1235 or [criordan@saratoga.ca.us](mailto:criordan@saratoga.ca.us).

**Recommended Action:**

Adopt Resolution No. 18-001 denying the request for additional height as staff is unable to make all the findings to grant a fence exception.

AHUJA/HLAVA MOVED TO **NOT ADOPT THE PROPOSED RESOLUTION TO DENY THE FENCE EXCEPTION AND APPROVE THE FENCE EXCEPTION WITH A MODIFIED RESOLUTION.** MOTION PASSED. AYES: HLAVA, AHUJA, CHANG, ALMALECH. NOES: WALIA, FITZSIMMONS, MOHIUDDIN. ABSENT: NONE. ABSTAIN: NONE.

**DIRECTOR ITEMS**

Community Development Director Pedro mentioned the City Council Retreat will be held at the Foothill Club this Friday from 9am to 3pm. The item that may be of interest to the Planning Commission is a report on the 2017 Housing Legislation presented by City Attorney Richard Taylor. Ms. Pedro also reminded the Planning Commission about the dates of the General Plan Study Sessions coming up in February and March.

**COMMISSION ITEMS**

Chair Walia invites the public to attend the General Plan Update Study Sessions. She added that the 2/28/18 Regular Planning Commission Meeting has been cancelled. Chair Walia announced that there are 2 Planning Commission vacancies, and applications are due on 2/26/18, and interviews with the Council are scheduled for 3/7/18.

**ADJOURNMENT**

Meeting adjourned at 8:32 PM.

Minutes respectfully submitted:  
Janet Costa, Administrative Assistant  
City of Saratoga