

**APPROVED MINUTES
WEDNESDAY SEPTEMBER 8, 2021
SARATOGA PLANNING COMMISSION REGULAR MEETING**

Chair Kausar called the virtual Regular Meeting to order at 7:00 p.m. via teleconferencing through Zoom. Prior to Roll Call, the Chair and Community Development Director explained that the Planning Commission meeting was conducted pursuant to provisions of the Brown Act and a recent Executive Order issued by the Governor to facilitate teleconferencing to reduce the risk of COVID-19 transmission at public meetings. Ordinarily the Brown Act sets strict rules for teleconferencing. The Governor's Executive Order has suspended those rules. The Executive Order does require that public agencies continue to notice meetings in advance and provide members of the public an opportunity to observe the meeting and offer public comment. The Planning Commission met all the applicable notice requirements and the public is welcome to participate in this meeting. Information on how the public can observe the meeting and provide public comment was also shared. Additionally, the Chair explained that votes would be taken through roll call.

ROLL CALL

PRESENT: Chair Anjali Kausar, Vice Chair Herman Zheng, Commissioners Sunil Ahuja, Clinton Brownley, Jojo Choi, Cheriell Jensen and Razi Mohiuddin

ABSENT: None

ALSO Debbie Pedro, Community Development Director

PRESENT: Christopher Riordan, Senior Planner
Nicole Johnson, Senior Planner
William Parkin, Assistant City Attorney

APPROVAL OF MINUTES

Action Minutes from the Regular Planning Commission Meeting of July 14, 2021.

Recommended Action:

Approve Minutes of Regular Planning Commission Meeting of July 14, 2021.

JENSEN/MOHIUDDIN MOVED TO APPROVE THE MINUTES OF THE JULY 14, 2021 MEETING WITH AMENDMENT. MOTION PASSED. AYES: AHUJA, BROWNLEY, CHOI, JENSEN, KAUSAR, MOHIUDDIN, ZHENG. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS: NONE

REPORT ON APPEAL RIGHTS

1. NEW BUSINESS - NONE

2. PUBLIC HEARING

2.1 Application SUB19-0002/ENV19-0004/GEO19-00014/ARB19-0042/ZOA19-0005/WIL19-0001; 18500 & 18520 Marshall Lane (397-02-110 and 397-02-111) John Bellicitti Trustee & ET AL (Owner)/18500 Marshall Ln LLC (Applicant) - The applicant is proposing to subdivide two parcels totaling 9.8 acres (net) located at 18500 & 18520 Marshall Lane into

nine lots ranging in size from 40,098 square feet to 51,248 square feet. The project would also create a new private road accessed off of Marshall Lane, which would serve all the parcels within the subdivision. The applicant is requesting a re-zoning from Agriculture to Residential, R-1-40,000, the cancellation of a Williamson Act Contract, and the relocation to the City's Heritage Orchard an existing historic barn that was constructed c. 1870. 18500 Marshall Lane is zoned Agricultural (A) and 18520 Marshall Lane is zoned R-1-40,000. Both lots have a General Plan Designation of Residential Very Low Density. Forty-two (42) trees protected by City Code are requested for removal for the subdivision improvements. The City of Saratoga, as the Lead Agency, has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed subdivision and no significant environmental impacts were found with mitigation. Staff Contact: Nicole Johnson (408) 868-1209 or njohnson@saratoga.ca.us.

Recommended Action:

1. Adopt Resolution No. 21-017, recommending cancellation of the Williamson Act Contract
2. Adopt Resolution No. 21-018, recommending a zoning ordinance amendment
3. Adopt Resolution No. 21-019, recommending approval of the nine-lot subdivision
4. Adopt Resolution No. 21-020 recommending adoption of the MND

JENSEN/CHOI MOVED TO **APPROVE RESOLUTIONS 21-017 through 21-019** WITH THE CONDITION THAT THERE BE ADEQUATE SPACE ON QUITO ROAD RIGHT OF WAY FOR A BIKE PATH.

MOHIUDDIN/BROWNLEY MOVED TO **APPROVE RESOLUTIONS 21-017 through 21-019**. MOTION PASSED. AYES: AHUJA, BROWNLEY, KAUSAR, MOHIUDDIN. NOES: CHOI, JENSEN, ZHENG. ABSENT: NONE. ABSTAIN: NONE.

First motion was not considered following vote on second motion, which was held first according to parliamentary rules.

2.2 Application PDR20-0013/FER21-0001; 14391 Springer Avenue (503-27-077); Michelle Miner (Applicant) - The applicant is requesting Design Review approval for an addition to an existing 1,944 square foot one-story single-family residence which will include a 1,008 square foot first floor addition and a 773 square feet second story addition. The second story addition will include a secondary dwelling unit. The project also includes a request for a fence exception for an existing approximately six feet tall redwood fence located within an exterior side setback area where fence heights are limited to a height of no more than three feet. No trees are proposed for removal. The site is zoned Hillside Residential R-1-10,000 with a General Plan Designation of Medium Density Residential (M-10). Staff Contact: Christopher Riordan (408) 868-1235 or criordan@saratoga.ca.us.

Recommended Action:

Adopt Resolution No. 21-016 approving the project subject to conditions of approval included in Attachment 1.

JENSEN/CHOI MOVED TO **CONTINUE THIS ITEM TO A DATE UNCERTAIN AND REQUEST APPLICANT TO FURTHER MITIGATE NEIGHBOR'S CONCERNS**. MOTION PASSED. AYES: AHUJA, BROWNLEY, CHOI, JENSEN, KAUSAR, MOHIUDDIN, ZHENG. NOES: ABSENT: NONE. ABSTAIN: NONE.

2.3 Application ZOA21-0003 – Zoning Code Amendments (City Wide)- Application by the City of Saratoga to amend the City Code. The changes include modifying Article 15-50 (Tree Regulations) to eliminate the application fee to remove a tree(s) to create defensible space within 100 feet of a structure located within the Wildland Urban Interface Area; modifying Article 15-85 (Amendments to Zoning Maps and Zoning Regulations) to require the mailing of a public notice to all property owners within 500 feet of a property subject to a zoning designation amendment; and an amendment to Article 15-90 (Appeals) to remove the process where two members of the City Council can initiate an appeal of a decision by the Planning Commission. Staff contact: Christopher Riordan: (408) 868-1235 criordan@saratoga.ca.us.

Recommended Action:

Adopt Resolution No. 21-015 recommending the City Council adopt an ordinance which includes amendments to Chapter 15 (Zoning Regulations) of the Saratoga City Code.

CHOI/MOHIUDDIN MOVED TO **ADOPT RESOLUTION NO. 21-015**. MOTION PASSED. AYES: AHUJA, BROWNLEY, CHOI, JENSEN, KAUSAR, MOHIUDDIN, ZHENG. NOES: ABSENT: NONE. ABSTAIN: NONE.

2.4 Application ZOA21-0002; Amendments to Article 15-45 (Design Review for Single-Family Dwellings) of the Saratoga City Code to require a five-foot wide nonflammable landscape buffer around the perimeter of all new structures that are located within the City's Wildland Urban Interface Area. Staff Contact: Christopher Riordan (408) 868-1235 or criordan@saratoga.ca.us.

Recommended Action:

Adopt Resolution No. 21-013 recommending the City Council approve the proposed changes to Article 15-45, Single Family Dwelling Design Review (Zoning) of the Saratoga City Code.

JENSEN/MOHIUDDIN MOVED TO **ADOPT RESOLUTION NO. 21-013**. MOTION PASSED. AYES: AHUJA, BROWNLEY, CHOI, JENSEN, KAUSAR, MOHIUDDIN, ZHENG. NOES: ABSENT: NONE. ABSTAIN: NONE.

3. DIRECTOR ITEMS

3.1 Housing Element Community Meetings Schedule.

Commissioners affirmed the dates for public meetings as proposed in staff memo.

4. COMMISSION ITEMS

Commissioner Choi reminded Commission about the Commission Recognition Dinner.

5. ADJOURNMENT

KAUSAR/CHOI Moved to adjourn the meeting at 10:07 PM

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