

**APPROVED MINUTES  
WEDNESDAY, SEPTEMBER 9, 2020  
SARATOGA PLANNING COMMISSION REGULAR MEETING**

Chair Mohiuddin 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 Razi Mohiuddin, Vice Chair Anjali Kausar, Commissioners Sunil Ahuja, Clinton Brownley, Kookie Fitzsimmons, Tina Walia and Herman Zheng

**ABSENT:** None

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

**APPROVAL OF MINUTES**

Action Minutes from the Regular Planning Commission Meeting of August 12, 2020.

Recommended Action:

Approve Minutes of Regular Planning Commission Meeting of August 12, 2020.

WALIA/KAUSAR MOVED TO APPROVE THE MINUTES OF THE AUGUST 12, 2020 MEETING. MOTION PASSED. AYES: AHUJA, BROWNLEY, FITZSIMMONS, KAUSAR, MOHIUDDIN, WALIA, ZHENG. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

**ORAL COMMUNICATIONS ON NON-AGENDIZED ITEMS**

**REPORT ON APPEAL RIGHTS**

**NEW BUSINESS**

**PUBLIC HEARING**

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](mailto: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.

Planning Commission received Public Comment.

Manny Cappello spoke about the proposed project.

Daryl Abrams spoke about the proposed project.

Cheriel Jensen spoke about the proposed project.

Tyler Taylor spoke about the proposed project.

Rick Waltonsmith spoke about the proposed project.

Todd Amspoker spoke about the proposed project.

Emily Lo spoke about the proposed project.

Andrey Tovchigrechko spoke about the proposed project.

Bruce Friesen spoke about the proposed project.

Ketan Jashapara spoke about the proposed project.

Phil Young spoke about the proposed project.

Lisa Oakley spoke about the proposed project.

Bob Shepard spoke about the proposed project.

Tamara Abrams spoke about the proposed project.

Justin Lue spoke about the proposed project.

Doug Robertson spoke about the proposed project.

Coleen spoke about the proposed project.

Markus Breitbach spoke about the proposed project.

Patti Workman spoke about the proposed project.

Chuck Page spoke about the proposed project.

Brent Fairbanks spoke about the proposed project.

Glenn Bray spoke about the proposed project.

Ken Czworniak spoke about the proposed project.

Renee Paquier spoke about the proposed project.

Katherine Tseng spoke about the proposed project.

Peter Marra spoke about the proposed project.

WALIA/AHUJA MOVED TO **APPROVE RESOLUTION 20-013 CERTIFYING THE EIR AND ADOPTING THE MMRP.** MOTION PASSED. AYES: AHUJA, BROWNLEY, FITZSIMMONS, KAUSAR, MOHIUDDIN, WALIA, ZHENG. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

WALIA/FITZSIMMONS MOVED TO **APPROVE RESOLUTION 20-014, APPROVING ALTERNATIVE NO. 3 IDENTIFIED IN THE FINAL EIR FOR CUP15-0002/PDR15-0019/ARB15-0053.** MOTION PASSED. AYES: AHUJA, BROWNLEY, FITZSIMMONS, KAUSAR, MOHIUDDIN, WALIA, ZHENG. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

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).

WALIA/KAUSAR MOVED TO **APPROVE RESOLUTION 20-015 RECOMMENDING CITY COUNCIL ADOPTION OF AMENDMENTS TO CITY CODE ARTICLE 15-56.** MOTION PASSED. AYES: AHUJA, BROWNLEY, FITZSIMMONS, KAUSAR, MOHIUDDIN, WALIA, ZHENG. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

**DIRECTOR ITEMS**

3.1 Next Steps on General Plan Update

3.2 November Planning Commission Meeting Date

Planning Commission decided to hold November meetings on November 9<sup>th</sup> (site visits) and November 10<sup>th</sup> (regular meeting).

**COMMISSION ITEMS - NONE**

**ADJOURNMENT - Meeting was adjourned at 10:18 PM**

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