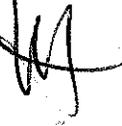




**COMMUNITY DEVELOPMENT DEPARTMENT  
OFFICE MEMORANDUM**

DATE: **September 24, 2009**

TO: **Mayor and Members of the City Council**

FROM: **Hanson Hom, Community Development Director** 

THROUGH: **Gary Luebbers, City Manager** 

RE: **Opportunity for Council to appeal decisions of the Planning Commission of September 14, 2009 and the Administrative Hearing of September 16, 2009.**

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Attached is the "Appeal Report" which is presented in the form of Draft Minutes from the Planning Commission Hearing and an Action Summary from the Administrative Hearing. The Planning Commission Draft Minutes and Action Summary from the Administrative Hearing note items that may be appealed and the final appeal date. **Staff reports and the Planning Commission meeting videos are available on the City's web site. One set of reports and draft minutes will be placed in a binder in the Council Office.**

Council should specify the reason for an appeal and indicate any appealed items on which it wishes to have expanded notification.

Attachments: A. Planning Commission Action Summary  
B. Administrative Hearing Action Summary



**DRAFT MINUTES  
SUNNYVALE PLANNING COMMISSION  
September 14, 2009  
456 West Olive Avenue, Sunnyvale, CA 94086**

**7:00 PM – Study Session – West Conference Room**

- 1. Overview of Proposed Zoning Code Amendments:** Code 'Clean Up'; Accessory Structures; Streamlining; Single Family Development Standards. *(45 minutes)*
- 2. Public Comment on Study Session Agenda Items** *(5 minutes)*
- 3. Comments from the Chair** *(5 minutes)*

**8:00 PM – Public Hearing – Council Chambers**

The Planning Commission met in regular session with Vice Chair Nick Travis presiding.

**CALL TO ORDER/SALUTE TO THE FLAG**

**ROLL CALL**

Members Present: Vice Chair Nick Travis; Commissioner Charles Hungerford; Commissioner Larry Klein; Commissioner Dianne McKenna; Commissioner Harriet Rowe; and Commissioner Brandon Sulser.

Members Absent: Chair Bo Chang (excused)

Staff Present: Trudi Ryan, Planning Officer; Kathryn Berry, Senior Assistant City Attorney; and Debbie Gorman, Recording Secretary.

**SCHEDULED PRESENTATION** - None

**PUBLIC ANNOUNCEMENTS/CITIZENS TO BE HEARD**

Speakers are limited to three (3) minutes. If you wish to address the Planning Commission, please complete a speaker's card and give it to the Recording Secretary. If your subject is not on the agenda, you will be recognized at this time; but the Brown Act (Open Meeting Law) does not allow action by Planning Commission Members. If you wish to speak to a subject listed on the agenda, you will be recognized at the time the item is being considered by the Planning Commission.

**APPROVAL OF MINUTES of August 24, 2009**

**Comm. McKenna moved to approve the minutes of August 24, 2009. Comm. Klein seconded. Motion carried 6-0, with Chair Chang absent.**

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 1. 2008-0341: La Ronda Night Club [Applicant] Maple Leaf Investments II LLC [Owner]:** Appeal of a decision of the Administrative Hearing Officer of an application for a Special Development Permit to allow the expansion of an existing restaurant (La Ronda Night Club) with live entertainment into an existing restaurant space for an additional 534 square feet. The property is located at **927 E. Duane Avenue** (in Fair Oaks Plaza Shopping Center) in a C-1/PD (Neighborhood Business/Planned Development) Zoning District. (APN: 205-12-001) SL (***Applicant requests continuance to October 12, 2009.***)

**Trudi Ryan**, Planning Officer said that the applicant has requested a continuance to the Planning Commission meeting of October 12, 2009 to allow time to meet with the neighbors and the appellant to better understand the concerns regarding the application.

**ACTION: Comm. Rowe made a motion on 2008-0341 to continue the item to October 12, 2009. Comm. Sulser seconded. Motion carried 6-0, with Chair Chang absent.**

**APPEAL OPTIONS: This action serves as legal notification of the continuance of this item.**

**NON-AGENDA ITEMS AND COMMENTS**

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

City Council Meeting Report

**Ms. Ryan** commented about planning related items considered by City Council at their September 1, 2009 meeting.

Other Staff Oral Report - None

**INFORMATION ONLY ITEMS**

**ADJOURN TO STUDY SESSION IN THE WEST CONFERENCE ROOM**

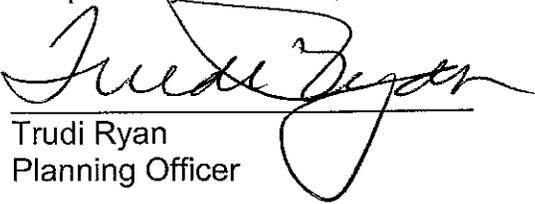
- Completion of Study Session items from 7 p.m. (Overview of Proposed Zoning Code Changes) if needed.

The Commission meeting was adjourned to the West Conference Room at 8:09 p.m.

**ADJOURNMENT**

With no further business, the Commission meeting was adjourned at 9:20 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Trudi Ryan  
Planning Officer



## ADMINISTRATIVE HEARING

### ACTION SUMMARY

Wednesday, September 16, 2009

A public hearing was held by the Administrative Hearing Officer at 2:00 p.m. in the West Conference Room, City Hall, 456 W. Olive Avenue, Sunnyvale, CA for the purpose of considering the following applications:

<b>location</b>	<b>468 Southwood Avenue</b> (APN: 209-22-046)
<b>file number/ proposed project</b>	<b>2009-0567:</b> Application for related proposals: <ul style="list-style-type: none"><li>• <b>Variance</b> from Sunnyvale Municipal Code section 19.34.040 to allow an encroachment into the required front yard setback;</li><li>• <b>Design Review</b> to allow an approximate 40 square foot one story addition to the front and an approximate 455 square foot 1 story addition in the rear of the existing home.</li></ul>
<b>environmental review</b>	A Class 1, Existing Facilities, Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines
<b>staff contact</b>	<b>Shaunn Mendrin, 408-730-7429, smendrin@ci.sunnyvale.ca.us.</b>

**ACTION:** Approved subject to the findings and conditions of approval located in the staff report with corrections made to the standard requirements.

**APPEAL OPTIONS:** May be appealed to the Planning Commission by Thursday, October 1, 2009.