DATE: January 20, 2011

TO: Mayor and Members of the City Council

FROM: Hanson Hom, Community Development Director

THROUGH: Gary Luebbers, City Manager


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 Zoning Administrator Hearing. The Planning Commission draft minutes and the Zoning Administrator Hearing Action Summary 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 Draft Minutes  
B. Zoning Administrator Hearing Action Summary
DRAFT MINUTES
SUNNYVALE PLANNING COMMISSION
January 10, 2011
456 West Olive Avenue, Sunnyvale, CA 94086

<table>
<thead>
<tr>
<th>7:00 PM - Study Session – West Conference Room</th>
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<tbody>
<tr>
<td>1. Training: Affordable Housing - TR (45 minutes)</td>
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<tr>
<td>2. Public Comment on Study Session Agenda Items (5 minutes)</td>
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<tr>
<td>3. Comments from the Chair (5 minutes)</td>
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<tr>
<th>8:00 PM – Public Hearing – Council Chambers</th>
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<tr>
<td>The Planning Commission met in regular session with Chair Travis presiding.</td>
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**CALL TO ORDER/SALUTE TO THE FLAG**

**ROLL CALL**

Members Present: Chair Nick Travis; Vice Chair Glenn Hendricks; Commissioner Bo Chang; Commissioner Maria Dohadwala; Commissioner Charles Hungerford; Commissioner Gustav Larsson; and Commissioner Brandon Sulser.

Staff Present: Trudi Ryan, Planning Officer; Kathryn Berry, Senior Assistant City Attorney; Shaunn Mendrin, Senior Planner; 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 December 13, 2010.**

PUBLIC HEARINGS/GENERAL BUSINESS

1. 2010-7127: Secondary Signage - A study of the Zoning Code requirements for secondary wall signs in non-residential zoning districts. (Study Issue) – AM (Staff recommends continuance to January 24, 2011.)

ACTION: Vice Chair Hendricks made a motion on 2010-7127 to continue this item to the Planning Commission meeting of January 24, 2011. Comm. Sulser seconded. Motion carried 7-0.

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

2. 2010-7806 - New Hope International Church [Applicant/Owner]: Use Permit to allow the continuation of a religious facility for permanent use at 539 E. Weddell Drive. – RK

ACTION: Vice Chair Hendricks made a motion on 2010-7806 to approve the Use Permit with attached conditions. Comm. Sulser seconded. Motion carried 7-0.

APPEAL OPTIONS: This action is final unless appealed to City Council no later than January 25, 2011.

3. 2010-7807 - New Hope International Church [Applicant/Owner]: Use Permit to allow the continuation of a religious facility for permanent use at 521 E. Weddell Drive. - RK

ACTION: Vice Chair Hendricks made a motion on 2010-7807 to approve the Use Permit with modification: to modify the language in GC-5.B to read, “Hours of operation are limited to 8:00 a.m. to 10 p.m. Monday through Sunday.” Comm. Sulser seconded. Motion carried 7-0.

APPEAL OPTIONS: This action is final unless appeal to City Council no later than January 25, 2011.
4. 2010-7777 - International Technological University [Applicant] Bel Arbor Inv Co LP [Owner]: Special Development Permit to allow an institution of higher learning in an existing industrial building at 352 E. Java Drive. - SM

ACTION: Comm. Sulser made a motion on 2010-7777 to adopt the Mitigated Negative Declaration and approve the Moffett Park Minor Special Development Permit with modified conditions: to modify condition GC-4 (regarding sidewalks) to be completed no later than July 1, 2015 and to add a new condition requiring the construction of a connecting walkway between the bus shelter and the existing onsite sidewalk to be installed prior to occupancy. Comm. Hungerford seconded. Motion carried 7-0.

APPEAL OPTIONS: This action is final unless appealed to City Council no later than January 25, 2011.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

City Council Meeting Report

Trudi Ryan, Planning Officer, discussed Planning related items considered at the December 14, 2010 and January 4, 2011 City Council meetings.

Ms. Ryan said that the annual Study Issue Workshop would be held on Friday, January 28, 2011 in the Council Chambers, beginning at 8:30 a.m.

Other Staff Oral Report

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting adjourned at 9:13 p.m.

Respectfully submitted,

[Signature]

Trudi Ryan
Planning Officer
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:

<table>
<thead>
<tr>
<th>location</th>
<th>1079 Syracuse Dr. (APN: 202-35-015)</th>
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<tbody>
<tr>
<td>file number/proposed project</td>
<td>2010-7848: Use Permit to install a fence with a height up to 8 feet tall in the front yard of single-family property.</td>
</tr>
<tr>
<td>environmental review</td>
<td>A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines</td>
</tr>
<tr>
<td>project planner</td>
<td>Mariya Hodge, 408-730-7659, <a href="mailto:mhodge@ci.sunnyvale.ca.us">mhodge@ci.sunnyvale.ca.us</a>.</td>
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**ACTION:** Approved subject to the findings and conditions of approval located in the staff report

**APPEAL OPTIONS:** May be appealed to the Planning Commission by Thursday, January 27, 2011.