

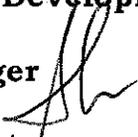


**COMMUNITY DEVELOPMENT DEPARTMENT
OFFICE MEMORANDUM**

DATE: **February 3, 2011**

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 January 24, 2011. (The January 26, 2011 Zoning Administrator Hearing was canceled as there were no items scheduled.)**

Attached is the "Appeal Report" which is presented in the form of Draft Minutes from the Planning Commission Hearing. The Planning Commission draft minutes 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.

Attachment: Planning Commission Draft Minutes



**DRAFT MINUTES
SUNNYVALE PLANNING COMMISSION
January 24, 2011
456 West Olive Avenue, Sunnyvale, CA 94086**

7:00 PM - Study Session – West Conference Room

1. **Training: Various Zoning Topics** (*45 minutes*)
 - a. **Solar Access**
 - b. **Industrial-to-Residential**
 - c. **Other**
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 Hendricks presiding.

CALL TO ORDER/SALUTE TO THE FLAG

ROLL CALL

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

Members Absent: Chair Nick Travis (excused); Commissioner Bo Chang (excused).

Staff Present: Trudi Ryan, Planning Officer; Kathryn Berry, Senior Assistant City Attorney; Andrew Miner, Principal Planner; Steve Sukke, City Arborist; and Debbie Gorman, Recording Secretary.

PUBLIC ANNOUNCEMENTS/PUBLIC COMMENTS

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 or you may orally make a request to speak. 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.

CONSENT CALENDAR

1.A. APPROVAL OF MINUTES of January 10, 2011

- 1.B. 2010-7797:** Design Review to allow a 475 square foot single-story addition to an existing single-story home at **1325 Los Arboles Avenue** resulting in approximately 3,763 square feet where over 3,600 square feet requires Planning Commission review. – MH

Comm. Sulser moved to approve the consent calendar. Comm. Larsson seconded. Motion carried, 5-0, with Chair Travis and Comm. Chang absent.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2. 2010-7515: United Rentals, Inc. [Applicant] Lisa J. Sims [Owner] -** Appeal by the applicant of the conditions imposed by the Zoning Administrator in approving a Use Permit to allow an existing unpermitted 10-foot tall electrified security fence along the front and side property lines at **940 W. Evelyn Avenue**. - MH (*Continued from December 13, 2010.*)

This item was considered and tabled at 8:16 p.m. to allow time for the appellant to arrive. The item was further considered at 10:03 p.m., following Agenda Item 5 and resulted in the following motion:

ACTION: Comm. Sulser made a motion on 2010-7515 to continue this item to the February 14, 2011 Planning Commission meeting and that the intention is that the Commission would make a decision at the next meeting even if the applicant is not present. Comm. Dohadwala seconded. Motion carried 5-0, with Chair Travis and Comm. Chang absent.

APPEAL OPTIONS: This action serves as legal notification of the continuance of this item to the February 14, 2011 Planning Commission meeting.

3. **2010-7843:** Appeal of a decision by the Director of Community Development denying a Tree Removal Permit for 8 of 9 trees at Remington Grove Apartments at 575 E. Remington Avenue. (APN: 211-20-041, 211-20-062) – RK

ACTION: Comm. Hungerford made a motion on 2010-7843 to deny the appeal for tree #1, #4, #5, #6, and #9 and grant the appeal for tree #3, #7, and #8, as they are very close to the existing buildings. Comm. Sulser seconded. Motion carried 3-2, with Comm. Larsson and Comm. Dohadwala dissenting, and Chair Travis and Comm. Chang absent.

APPEAL OPTIONS: This action is final.

4. **2010-7844:** Appeal of a decision by the Director of Community Development denying a Tree Removal Permit for 1 of 12 trees at Remington Grove Apartments at 575 E. Remington Avenue. (APN: 211-20-060) - RK

ACTION: Comm. Sulser made a motion on 2010-7844 to deny the appeal and uphold the decision of the Director of Community Development to deny a portion of the Tree Removal Permit. Comm. Hungerford seconded. Motion carried 5-0, with Chair Travis and Comm. Chang absent.

APPEAL OPTIONS: This action is final.

5. **2010-7127: Secondary Signs** (Study Issue) - AM (*Continued from January 10, 2011.*)

Motion one.

ACTION: Comm. Larsson made a motion on 2010-7127 to recommend to City Council Alternative 1, and 6.a.; to amend the Code to increase allowable sign area, incorporate secondary signs into total sign area allowance, and allow wall signs on more than one face of the building; and that the changes are based on location in the City applying changes only to property in the C-4 and M-S zoning districts along the south side of West Evelyn Avenue between Bernardo Avenue and Pastoria Avenue, and on Commercial Street between Arques Avenue and Kifer Road. Comm. Sulser seconded. Motion carried 5-0, with Chair Travis and Comm. Chang absent.

APPEAL OPTIONS: This item is scheduled to be considered by City Council on February 15, 2011.

Motion two.

ACTION: Vice Chair Hendricks made a motion on 2010-7127 to recommend the Council consider a high ranking for the potential study issue on signs (that includes a comprehensive sign code revision). Comm. Hungerford seconded. Motion carried 3-2, with Comm. Sulser and Comm. Dohadwala dissenting, and Chair Travis and Comm. Chang absent.

APPEAL OPTIONS: This recommendation will be provided to the City Council for the Study Issue Workshop scheduled for January 28, 2011.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

City Council Meeting Report

Trudi Ryan, Planning Officer, said there were no Planning related items considered by City Council since the last Planning Commission meeting. She said the City Council and Department Directors had their First Annual Strategic Planning Workshop on January 11, 2011. Ms. Ryan discussed Planning items to be considered at the January 25, 2011 City Council meeting.

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.

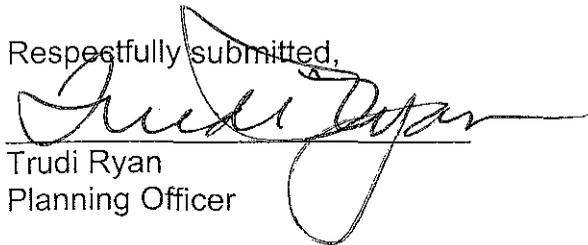
Other Staff Oral Report

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting adjourned at 10:17 p.m.

Respectfully submitted,



Trudi Ryan
Planning Officer