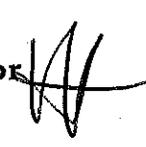




**COMMUNITY DEVELOPMENT DEPARTMENT
OFFICE MEMORANDUM**

DATE: **February 24, 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 February 14, 2011 and the Zoning Administrator Hearing of February 16, 2011.**

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**

February 14, 2011

456 West Olive Avenue, Sunnyvale, CA 94086

7:00 PM - Study Session – West Conference Room

1. **2010-7456 and 2010-7738: Taylor Morrison CA LLC [Applicant/owner] Application for related proposals on a 7.3-acre site at 1044 E. Duane Avenue:**
 - **General Plan Amendment** from ITRHI (Industrial to Residential High Density) to ITRMED (Industrial to Residential Medium Density);
 - **Rezone** from M-S/ITR/R-4/PD (Industrial and Service/Industrial to Residential/High Density Residential/Planned Development) to M-S/ITR/R-3/PD (Industrial and Service/Industrial to Residential/Medium Density Residential/Planned Development);
 - **Special Development Permit** to allow 132 townhome-style condominium units;
 - **Vesting Tentative Map** to allow 132 condominiums and 32 common lots.
MH (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 Hendricks presiding.

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; Ryan Kuchenig, Associate Planner; 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 24, 2011

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

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 January 24, 2011.*)

ACTION: Vice Chair Hendricks made a motion on 2010-7515 to grant the appeal and approve the Use Permit with modified conditions: to modify condition 4.a allowing the electrified fence to be a maximum height of 10 feet; to modify condition 4.b adding language requiring the "removal of the barbed wire and the razor wire on the perimeter fence"; and that the applicant be required to submit a certified copy of the guidelines on the electrified fences. Comm. Sulser seconded. Motion carried 7-0.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than March 1, 2011.

3. **2011-7015: Des Nolan & Liam Balfe** [Applicant] **Cheswycke LLC** [Owner] - Special Development Permit to allow a new bar & nightclub at **182 S. Murphy Avenue.** - RK

ACTION: Comm. Chang made a motion on 2011-7015 to approve the Special Development Permit with modified conditions: to modify condition AT-1 and AT-3 clarifying that no one under the age of 21 is allowed in the bar. Comm. Sulser seconded. Motion carried 7-0.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than March 1, 2011.

4. 2011 Planning Commission Master Work Plan

ACTION: Comm. Sulser made a motion to approve the Planning Commission Master Work Plan for 2011. Comm. Chang seconded. Motion carried 7-0.

APPEAL OPTIONS: The Planning Commission Work Plan will be forwarded to the City Council for their information.

5. Standing Item: Potential Study Issues

Ms. Ryan explained that this agenda item would be a standing item on agendas to provide opportunity for the Commission to discuss and vote on potential study issues for consideration for 2012. There were no potential issues proposed at this meeting.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

City Council Meeting Report

Trudi Ryan, Planning Officer, discussed Planning related items considered by City Council at the Study Issue Workshop on January 28th, the Council meeting on February 8th, and items to be considered at the Council meeting of February 15, 2011.

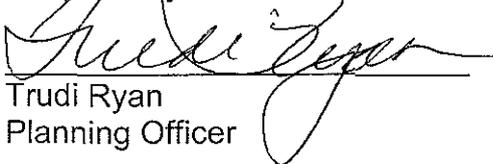
Other Staff Oral Report

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting adjourned at 9:40 p.m.

Respectfully submitted,


Trudi Ryan
Planning Officer



ZONING ADMINISTRATOR HEARING

ACTION SUMMARY
Wednesday, February 16, 2011

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:

location	704 Daffodil Ct. (APN: 211-07-002)
file number/ proposed project	2010-7918: Use Permit to allow modifications to an existing telecommunications facility (AT&T) at Braly Park including the installation of three new panel antennas and associated equipment on a PG&E tower. An additional cabinet is to be placed within the existing enclosure at the base of the tower.
applicant/ owner	AT&T / City of Sunnyvale
environmental review	A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines
project planner	Ryan Kuchenig, 408-730-7431, or rkuchenig@ci.sunnyvale.ca.us

ACTION: This item has been continued to the Wednesday, March 2, 2011 Zoning Administrator Hearing.

APPEAL OPTIONS: None

location	1111 W. El Camino Real (APN: 161-23-001)
file number/ proposed project	2010-7757: Special Development Permit to allow three additional rooftop wireless telecommunications antennas (AT&T) on an existing shopping center building.
applicant/ owner	Trillium Consulting / Marie And Vincent Cala Et Al
environmental review	A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines
project planner	Noren Caliva, 408-730-7637, ncaliva@ci.sunnyvale.ca.us.

ACTION: This item has been continued to the Wednesday, March 2, 2011 Zoning Administrator Hearing.

APPEAL OPTIONS: None