



**COMMUNITY DEVELOPMENT DEPARTMENT  
OFFICE MEMORANDUM**

DATE: **May 19, 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 May 9, 2011 and the Zoning Administrator Hearing of May 11, 2011.**

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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 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  
May 9, 2011  
456 West Olive Avenue, Sunnyvale, CA 94086**

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

- 1. 2011-7119 and 2011-7170 – Jay Paul Company [Applicant] Moffett Park Drive Llc [Owner]:** Major Moffett Park Design Review application for a new building (5th) at the Ariba Campus (80% FAR) located at **807 Eleventh Avenue**, including modification to the Development Agreement. SL (45 minutes)
- 2. Public Comment on Study Session Agenda Items** (5 minutes)
- 3. Comments** from the Chair (5 minutes)

**SPECIAL LOCATION**

**8:00 PM - Public Hearing – West Conference Room**

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 Bo Chang; Commissioner Maria Dohadwala; Commissioner Charles Hungerford; Commissioner Gustav Larsson; and Commissioner Brandon Sulser.

Members Absent: Chair Nick Travis (excused absence)

Staff Present: Trudi Ryan, Planning Officer; Kathryn Berry, Senior Assistant City Attorney; and Steve Lynch, Senior Planner.

**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 April 25, 2011

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

## PUBLIC HEARINGS/GENERAL BUSINESS

2. **2011-7171 - The Rock Church** [Applicant] **The Dorricott Family Partnership** [Owner] - Use Permit to allow a new community-serving place of assembly within an existing industrial building located at **929 Weddell Court**. (Negative Declaration) NC (*Applicant requests continuance to May 23, 2011.*)

**ACTION: Comm. Chang made a motion on 2011-7171 to continue this item to the Planning Commission meeting of May 23, 2011. Comm. Hungerford seconded. Motion carried 6-0, with Chair Travis absent.**

**APPEAL OPTIONS: This action serves as legal notification of the continuation of this item to the May 23, 2011 Planning Commission meeting.**

### 3. Standing Item: Potential Study Issues

## NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS

**Vice Chair Hendricks** complimented staff on the preparation of minutes. He also noted that at the May 10, 2011 City Council meeting the Council would be discussing whether Sunnyvale should directly elect the Mayor.

- STAFF ORAL COMMENTS

### **City Council Meeting Report**

**Trudi Ryan**, Planning Officer, discussed Planning related items considered by City Council at the Council meeting on April 26th, 2011, and items to be considered at the upcoming meeting on May 10, 2011.

Commissioners had questions about a study of park fees for commercial development.

### **Other Staff Oral Report**

**INFORMATION ONLY ITEMS**

**ADJOURNMENT**

With no further business, the Commission meeting adjourned at 8:17 p.m.

Respectfully submitted,

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Trudi Ryan  
Planning Officer



## ZONING ADMINISTRATOR HEARING

**ACTION SUMMARY**  
**Wednesday, May 11, 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:

**FILE #:** 2011-7010  
**Location:** 595 Lawrence Expwy. (APN: 205-23-017)  
**Proposed Project:** Special Development Permit to allow the expansion of an existing institution of higher learning within an existing industrial building.  
**Applicant / Owner:** LRS Associates / Ying Qiu Wang and Su Fang Tong et al  
**Environmental Review:** Categorically Exempt Class 1  
**Staff Contact:** Noren Caliva, 408-730-7637, or ncaliva@ci.sunnyvale.ca.us

**ACTION: Approved subject to the findings and conditions of approval located in the staff report with an added condition regarding landscaping.**

**APPEAL OPTIONS: May be appealed to the Planning Commission by Thursday, May 26, 2011.**

**FILE #:** 2011-7156  
**Location:** 808 Duff Ct. (APN: 211-11-026)  
**Proposed Project:** Use Permit to allow an accessory structure of approximately 500 square feet.  
**Environmental Review:** Categorically Exempt Class 1  
**Staff Contact:** Shaunn Mendrin, 408-730-7429, smendrin@ci.sunnyvale.ca.us

**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, May 26, 2011.**

**FILE #:** 2011-7196  
**Location:** 853 Gary Ave. (APN: 211-11-001)  
**Proposed Project:** Use Permit to allow a commercial daycare use in a single family home.  
**Applicant / Owner:** Liat and Greg Duerr / Nina And Thomas Carine Trustee  
**Environmental Review:** Categorically Exempt Class 1  
**Staff Contact:** Ryan Kuchenig, 408-730-7431, rkuchenig@ci.sunnyvale.ca.us

**ACTION: Approved subject to the findings and conditions of approval located in the staff report with an added condition regarding parking.**

**APPEAL OPTIONS: May be appealed to the Planning Commission by Thursday, May 26, 2011.**