



**COMMUNITY DEVELOPMENT DEPARTMENT
OFFICE MEMORANDUM**

DATE: **August 18, 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 August 8, 2011 and the Zoning Administrator Hearing of August 10, 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
August 8, 2011
456 West Olive Avenue, Sunnyvale, CA 94086**

7:00 PM - Study Session – West Conference Room

1. **FILE #:** 2011-7543
Title: Update to the Greenbuilding Program
Staff Contact: Andrew Miner, 408-730-7707
aminer@ci.sunnyvale.ca.us
Notes: (40 minutes)
2. **Public Comment on** (5 minutes)
Study Session Agenda
Items
3. **Comments** from the Chair (5 minutes)

8:00 PM - Public Hearing – Council Chambers

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

CALL TO ORDER/SALUTE TO THE FLAG

ROLL CALL

Members Present: Vice Chair Gustav Larsson; Commissioner Bo Chang; Commissioner Maria Dohadwala; Commissioner Arcadi Kolchak; Commissioner Brandon Sulser; and Commissioner Nick Travis.

Members Absent: Chair Glenn Hendricks (excused).

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

SCHEDULED PRESENTATION - None

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 July 25, 2011

Comm. Travis moved to approve the minutes of July 25, 2011 as amended. Comm. Chang seconded. Motion carried 6-0, with Chair Hendricks absent.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2. FILE #:** 2011-7420
Location: 1085 Tasman Dr. (APN: 110-15-071)
Proposed Project: Use Permit for a large family daycare (LFDC) facility within 300 feet of an existing LFDC facility.
Applicant / Owner: Fanny Kung / Casa De Amigos Investments Ltd.
Environmental Review: Categorically Exempt Class 1
Staff Contact: Steve Lynch, 408-730-2723
slynch@ci.sunnyvale.ca.us
Notes: *Application withdrawn, no action required.*

Trudi Ryan, Planning Officer, said the application was withdrawn and there is no action required from the Planning Commission.

- 3. FILE #:** 2011-7377
Location: 628 E. Taylor Avenue (APN: 205-30-019)
Proposed Project: Special Development Permit to allow 10 townhome-style condominiums and Vesting Tentative Map to allow 10 condominium units and one common lot.
Applicant/Owner: City Ventures / Steven Hussey Trustee & Et Al
Environmental Review: Mitigated Negative Declaration
Staff Contact: Noren Caliva, 408-730-7637
ncaliva@ci.sunnyvale.ca.us

ACTION: Comm. Sulser made a motion on 2011-7377 to adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with attached conditions. Comm. Travis seconded. Motion carried 6-0, with Chair Hendricks absent.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than August 23, 2011.

4. Standing Item: Potential Study Issues

Ms. Ryan discussed the upcoming Study Issues process with the Commission. No new study issue items were discussed.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

City Council Meeting Report

Ms. Ryan discussed Planning related items considered by City Council at the July 26, 2011 meeting including that the City Council adopted the newly consolidated General Plan.

Ms. Ryan reminded the Planning Commissioners that they are tentatively scheduled to participate in a Joint Study Session with the City Council on November 29, 2011 with more details to follow.

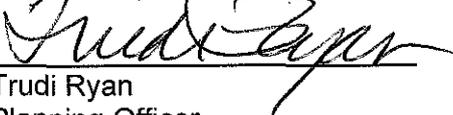
Other Staff Oral Report

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting adjourned at 8:22 p.m.

Respectfully submitted,



Trudi Ryan
Planning Officer



ZONING ADMINISTRATOR HEARING

ACTION SUMMARY
Wednesday, August 10, 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 #:** 2011-7421
Location: **408 & 420 Flora Vista & 421 S. Bayview Ave.** (APN: 209-24-014, 209-24-015 & 209-24-016)
Proposed Project: Special Development Permit for two new two-story single family homes (facing Flora Vista Ave.) totaling approximately 2,254 and 2,129 square feet (39% & 40% F.A.R.). The project also includes improvements to an existing duplex at 408 Flora Vista Ave. (Phase II of the approved Special Development Permit and Rezone Permit 2007-0463.)
Applicant / Owner: Peninsula Communities / Karen Streets et al
Environmental Review: Categorically Exempt Class 3
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 that the applicant work with staff to address the master bedroom window.

APPEAL OPTIONS: May be appealed to the Planning Commission by Thursday, August 25, 2011.

- FILE #:** 2011-7431
Location: **100 Mathilda Pl.** (APN: 209-07-024)
Proposed Project: Special Development Permit to allow a third wireless installation (Broadcom) including four panel antennas screened behind an existing roof parapet with associated equipment on top of a six story office building
Applicant / Owner: Broadcom / SPF Mathilda LLC
Environmental Review: Categorically Exempt Class 1
Staff Contact: Noren Caliva, 408-730-7637, ncaliva@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, August 25, 2011.