



**AGENDA**  
**SUNNYVALE PLANNING COMMISSION**  
**November 10, 2008**  
**456 W. Olive Avenue, Sunnyvale, CA 94086**

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

1. **Update of the Water Resource Sub-element JC** *(25 minutes)*
2. **2008-1056:** Application for related proposals located at **615 Dunholme Way** (near Floyd Ave.) in an R-0 (Low Density Residential) Zoning District. (APN: 309-16-007) NC *(20 minutes)*;
  - **Parcel Map** to subdivide one lot into two lots;
  - **Rezone** from R-0 (Low Density Residential) to R-0/PD (Low Density Residential/Planned Development) Zoning District;
  - **Special Development Permit** to construct an additional single-family home.
3. **Public Comment on Study Session Agenda Items** *(5 minutes)*
4. Comments from the Chair *(5 minutes)*

**8:00 PM - Public Hearing – Council Chambers**

**CALL TO ORDER/SALUTE TO THE FLAG**

**ROLL CALL**

**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.

**1.A. APPROVAL OF MINUTES of October 27, 2008**

*Any agenda related writings or documents distributed to members of the Planning Commission regarding any open session item on this agenda will be made available for public inspection in the Planning Division office located at 456 W. Olive Ave., Sunnyvale CA 94086 during normal business hours, and in the Council Chambers on the evening of the Planning Commission meeting pursuant to Government Code §54957.5.*

**PUBLIC HEARINGS/GENERAL BUSINESS**

1. **2008-0741** – Appeal of a decision by the Director of Community Development denying a Tree Removal Permit for an Oak tree located in the rear yard of a single-family residence. The property is located at **1384 La Bella Ave.** (near Cascade Dr.) in an R-1 (Low Density Residential) Zoning District. (APN: 323-08-019) EH (***Continued from October 27, 2008***)
  
2. **2008-0761** – **Arbor Terrace Apartments** [Applicant] **EQR-Connor LLC** [Owner]: Application for a Special Development Permit to allow the conversion of an existing laundry room to a new studio apartment. The property is located at **555 East El Camino Real** (S. Fair Oaks Ave.) in an R-4/ECR (High Density Residential/Precise Plan for El Camino Real) Zoning District. (APN: 211-01-041) SB (***Continued from October 13, 2008***)
  
3. **2008-0482 - Determine the Enforceability of CC&Rs (conditions, covenants & restrictions) for Violations to City Code and Project Approvals** – Study Issue to determine the various issues associated with residential common interest developments (i.e., townhomes, condominiums, or detached single-family homes with common areas); how these issues can be better addressed; and the level of involvement the City could undertake in the enforcement of CC&Rs. RZ (***Continued from October 13, 2008***)

**NON-AGENDA ITEMS AND COMMENTS**

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS
  - City Council Meeting Report
  - Other Staff Oral Report

**INFORMATION ONLY ITEMS**

**ADJOURNMENT**

**Notice to the Public:**

*Agenda information is available by calling (408) 730-7440. Agendas and associated reports are also available on the City's web site at <http://www.sunnyvale.ca.gov>, or at the Sunnyvale Public Library, 665 W. Olive Ave., Sunnyvale, 72 hours before the meeting. Please contact Community Development Department, Planning Division office at 408/730-7440 for specific questions regarding the agenda.*

*PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the City at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.*

*Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Planning Division at (408) 730-7440. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CRF 35.104 ADA Title II)*

**VISUAL PRESENTATION**

To assist you in utilizing the technology available in the Council Chambers, the publication “How to Make Your Presentation More Effective” may be helpful.

Ask the Project Planner for a copy. Copies are also available on the table located at the back of the Council Chambers prior to scheduled Planning Commission and City Council meetings. You may also pick up a copy at the One Stop Permit Center or the City Clerk’s Office during normal business hours, or visit the City’s website at: <http://www.sunnyvale.ca.gov>.

**PLANNING COMMISSION SCHEDULED PUBLIC HEARING DATES FOR 2008:**

January 14	May - <i>Cancelled</i>	October 13
January 28	June 9	October 27
February 11	June 23	November 10
February 25	July 14	November 24
March 10	July 28	December 8
March 24	August 11	December - <i>Cancelled</i>
April 14	August 25	January 12, 2009
April 28	September 8	January 26, 2009
May 12	September 22	February 9, 2008

- \* Joint Study Session with City Council
- \*\* City Council Study Issue Workshop
- \*\*\* Special Planning Commission Meeting

Planning Commission typically meets the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month. Study Sessions are held at 7:00 p.m. in the West Conference Room. Public Hearings are held at 8:00 p.m. in the Council Chambers. Public Hearings are broadcast on KSUN.

Channel 15 – KSUN

Monday, November 10, 2008	Planning Commission Meeting – (Live) 8:00 p.m.
Thursday, November 13, 2008	Planning Commission Meeting (Replay of November 10, 2008) 8:00 p.m.
Saturday, November 15, 2008	Panning Commission Meeting (Replay of November 10, 2008) 11:00 a.m.
Sunday, November 16, 2008	Planning Commission Meeting (Replay of November 10, 2008) 11:00 a.m.

## **GUIDELINES FOR ADDRESSING THE PLANNING COMMISSION**

### **Public Announcements – Beginning of Meeting**

- 3 minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of Planning Commission interest that occur in the City annually. (Only announce one time for the year).

### **Public Hearings – Order of Hearing as Follows:**

- Opening remarks by the applicant (if applicable).
- Speakers are requested to give their name (address is optional).
- Anyone interested in addressing the Planning Commission (may only speak one time).
- Closing remarks by the applicant (if applicable).
- Time limit of 3 minutes per person (to be extended at discretion of Chair). Please make comments brief and be prepared to provide new input.

### **Citizens to be Heard**

- Any item relevant to the Planning Commission.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a Speaker Card to the Recording Secretary.
- Items not on the agenda.
- Items that do not fall within the scope of the Public Announcement section.
- Time limit of 3 minutes, 15 minutes total for this category (to be extended or continued to end of Planning Commission business, at the discretion of the Chair). Limit to one appearance during this section.

If you wish to provide the Planning Commission with copies of any handout materials you are presenting, please provide sufficient copies for each Planning Commission member, the Recording Secretary and other staff present.