



ADMINISTRATIVE HEARING

ACTION SUMMARY
Wednesday, April 16, 2008

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:

2008-0237 – Application for a Use Permit to replace an existing 7' tall fence along the reducible front yard (Lakebird Drive) with an 8' tall fence. The property is located at **1198 Valelake Court** (at Lakebird Dr.) in an R-0 (Low Density Residential) Zoning District. (APN: 110-23-024) RZ

ACTION: Approved with modifications to the Conditions of Approval regarding the height of the fence.

APPEAL OPTIONS: May be appealed to the Planning Commission by Thursday, May 1, 2008.

2008-0265 - Coolicious Creamery [Applicant] **Cheng & Niemen Assoc. LP** [Owner]: Application for a Use Permit to allow a new ice cream shop in a 728 square foot tenant space in an existing retail complex. The property is located at **520 Lawrence Expressway** (at Titan Way) in an M-S/POA (Industrial & Service/Place if Assembly) Zoning District. (APN: 216-44-119) RZ

ACTION: Approved

APPEAL OPTIONS: May be appealed to the Planning Commission by Thursday, May 1, 2008.

2007-1063 - Moffett Towers Lot 3 LLC [Applicant/Owner] Application for a Tentative Map to subdivide one existing lot into four individual lots (building footprints) and two common lots. The property is located at **1080 H Street** (near 5th Ave.) in an MP-TOD (Moffett Park Specific Plan - Transit Oriented Development) Zoning District. (APN: 110-01-031) MH

ACTION: Taken under advisement until Friday, April 18, 2008 to consult with the City Attorney on the Condition of Approval (COA) language. On that day the Administrative Hearing officer took action to approve the application with minor modifications to the language of COA 3.C.6. based on comments by the City Attorney.

APPEAL OPTIONS: May be appealed to the Planning Commission by Monday, May 5, 2008.

2007-1092 - MT SPE, LLC [Applicant/Owner]: Application for a Parcel map to subdivide one existing lot into three individual lots (building footprints) and one common lot. The property is located at **990 H Street** (at 11th Ave.) in an MP-TOD (Moffett Park Transit Oriented Development) Zoning District. (APN: 110-01-031) MH

ACTION: Taken under advisement until Friday, April 18, 2008 to consult with the City Attorney on the Condition of Approval (COA) language. On that day the Administrative Hearing officer took action to approve the application with minor modifications to the language of COA 3.C.6. based on comments by the City Attorney.

APPEAL OPTIONS: May be appealed to the Planning Commission by Monday, May 5, 2008.

2008-0121: Application for a Variance from Sunnyvale Municipal Code section 19.34.066 to allow an addition to the 40-foot corner vision triangle. The property is located at **305 East Arques Avenue** (at N. Bayview Ave.) in an R-0 (Low Density Residential) Zoning District. (APN: 204-40-049) SL

ACTION: Denied due to the inability to make the findings.

APPEAL OPTIONS: May be appealed to the Planning Commission by Thursday, May 1, 2008.