



**APPROVED MINUTES
SUNNYVALE PLANNING COMMISSION
December 8, 2008
456 West Olive Avenue, Sunnyvale, CA 94086**

**7:15 PM – Special Start Time
Study Session – West Conference Room**

Meeting called to order.

- 1. 2007-0306 – Craig and Grant Architects [Applicant] Tikvica Family Trust [Owner]** Application for a Special Development Permit for a 14,673 square foot pharmacy with a drive-thru (Rite Aid) on a 70,324 square foot lot located at **1010 Sunnyvale-Saratoga Avenue** (at Remington Drive) (APN:211-21-017) RK (25 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 Bo Chang presiding.

CALL TO ORDER/SALUTE TO THE FLAG

ROLL CALL

Members Present: Vice Chair Bo Chang; Commissioner Charles Hungerford; Commissioner Larry Klein; Commissioner Dianne McKenna; Commissioner Brandon Sulser; and Commissioner Nick Travis.

Members Absent: Chair Harriet Rowe (Approved absence.)

Staff Present: Trudi Ryan, Planning Officer; Kathryn Berry, Senior Assistant City Attorney; Gerri Caruso, Principal Planner; and Debbie Gorman, Recording Secretary.

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.

CONSENT CALENDAR

1.A. APPROVAL OF MINUTES of November 24, 2008

1.B. 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; ***(Applicant requests continuance to January 12, 2009)***

- **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.

Comm. McKenna moved to approve the minutes of November 24, 2008 and continue project number 2008-1056 to the January 12, 2009 Planning Commission meeting. Comm. Klein seconded. Motion carried, 6-0, with Chair Rowe absent.

APPEAL OPTIONS: This action serves as legal notification of the continuance of project 2008-1056 to January 12, 2009.

PUBLIC HEARINGS/GENERAL BUSINESS

2. 2008-0881: Appeal by a neighbor of a Special Development Permit to allow the sale of beer and wine at an existing gas station and convenience store. **Valero** [Applicant] **Mohan S and Hardev K Dhanota** [Owner]: Application for a property located at **698 N Fair Oaks Avenue** (at Caliente Dr) in a C-1/PD (Neighborhood Business/Planned Development) Zoning District. (APN: 205-01-010) LG

ACTION: Comm. Hungerford made a motion on 2008-0881 to grant the appeal and deny the Special Development Permit. Comm. McKenna seconded. Motion carried, 6-0, with Chair Rowe absent.

APPEAL OPTIONS: This action is final unless appealed to City Council no later than December 23, 2008.

3. **2008-0953:** Application for a Use Permit to allow a large family day care facility within 300 feet of another large family day care facility. The property is located at **790 South Wolfe Road** (near Iris Ave.) in an R-0 (Low Density Residential) Zoning District. (APN: 213-20-016) EH

ACTION: Comm. Klein made a motion on 2008-0953 to approve the Use Permit with the attached conditions. Comm. Travis seconded. Motion carried, 6-0, with Chair Rowe absent.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than December 23, 2008.

4. **2008-1015 – AT&T [Applicant] Aircoa Equity Interests, Inc [Owner]:** Application for a Special Development Permit to allow continued use of a temporary telecommunications site. The property is located at **1250 Lakeside Drive** (near Oakmead Pkwy.) in the LSP (Lakeside Specific Plan) Zoning District. (APN: 216-43-035) EH

ACTION: Comm. Klein made a motion on 2008-1015 to approve the Special Development Permit with the recommended Conditions of Approval. Comm. Travis seconded. Motion carried, 6-0, with Chair Rowe absent.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than December 23, 2008.

5. **Explore Development of a Human Rights/Relations Board or Commission Advisory to Council (Study Issue) PL**

ACTION: Comm. McKenna made a motion to recommend to City Council to direct the City Manager to clarify the roles of the Housing and Human Services Commission and Parks and Recreation Commission relative to human rights and relations when revising all board and commission bylaws for Council consideration later this fiscal year; and do not develop or further explore creation of a human rights/relations board or commission at this time. Comm. Sulser seconded. Motion carried, 6-0, with Chair Rowe absent.

APPEAL OPTIONS: This recommendation will be forwarded to City Council for consideration at the January 13, 2009 meeting.

6. Annual Review of the Code of Ethics and Conduct

ACTION: Comm. McKenna made a motion to recommend to City Council to approve the revisions to the Code of Ethics and Conduct as depicted by Attachment A of the report. Comm. Travis seconded. Motion carried, 6-0, with Chair Rowe absent.

APPEAL OPTIONS: This recommendation will be forwarded to City Council for consideration at the February 3, 2009 meeting.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS

Vice Chair Chang commented that Chair Rowe is on vacation and wished her a safe and happy return.

- STAFF ORAL COMMENTS

Trudi Ryan, Planning Officer, announced that Sunnyvale has a new City Manager, Gary Luebbers, who started work with the City on December 2, 2008. She also announced that Mariya Hodge was promoted from Assistant Planner to Associate Planner. She announced that a new Senior Planner has been hired and will start working with the Planning Division in January 2009.

City Council Meeting Report

Ms. Ryan said the Council meeting of November 25, 2008 was the final City Council meeting for Amy Chan, retiring City Manager, and opportunity was given for the public to comment about her accomplishments. Ms. Ryan said that tomorrow evening, December 9, 2008, the City Council would be considering the Study Issue, Parking Requirements for Medical Office Buildings.

Other Staff Oral Report

Ms. Ryan said that this is the final Planning Commission meeting for 2008 and wished the Planning Commissioners a happy remainder of this year and a Happy New Year.

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Trudi Ryan
Planning Officer