



ADMINISTRATIVE HEARING

ACTION SUMMARY

Wednesday, December 16, 2009

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:

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| location | 100 Mathilda Place (APN: 209-07-024) |
| file number/ proposed project | 2009-0681: Application for a Special Development Permit to allow a second wireless telecommunications carrier including three panel antennas and three microwave dishes inside a new tower feature on top of a six story office building with associated ground equipment. |
| applicant/owner | Clearwire LLC / SPF Mathilda LLC |
| environmental review | A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines |
| project planner | Noren Caliva, 408-730-7637, ncaliva@ci.sunnyvale.ca.us. |

ACTION: This item was continued indefinitely at the request of the applicant and will be re-noticed.

APPEAL OPTIONS: No appeal options at this time.

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| location | 157 S. Murphy Avenue (APN: 209-06-009) |
| file number/ proposed project | 2009-0881: Use Permit to allow a new night club with full liquor and live entertainment. |
| applicant/owner | Nicholas Gera / Sueanne And Nicholas Gera Et Al |
| environmental review | A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines |
| project planner | Steve Lynch, 408-730-2723, slynch@ci.sunnyvale.ca.us. |

ACTION: Approved

APPEAL OPTIONS: May be appealed to the Planning Commission by Monday, January 4, 2010.

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| location | 260 S. Mary Avenue (APN: 165-09-014) |
| file number/ proposed project | 2009-0756: Use Permit to allow a child care center up to 24 children |
| applicant/owner | Harmesh K. Saini / Harmesh and Rashmi Saini |
| environmental review | A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines |
| project planner | Ryan Kuchenig, 408-730-7431, rkuchenig@ci.sunnyvale.ca.us. |

ACTION: Taken Under Advisement until Friday, December 18, 2009 to consider possible operational conditions of approval that could be incorporated into the project that would make it acceptable. On December 18, 2009, the Administrative Hearing Officer denied the project since she felt that no new conditions could be added that could be monitored consistently over the lifetime of the permit.

APPEAL OPTIONS: May be appealed to the Planning Commission by Monday, January 4, 2010.