



**APPROVED MINUTES
SUNNYVALE PLANNING COMMISSION
February 8, 2010
456 West Olive Avenue, Sunnyvale, CA 94086**

7:00 PM - Study Session – West Conference Room

1. **Healthy Cities and the General Plan GC** (15 minutes)
2. **Planning Commission Report Reformatting SM** (30 minutes)
3. **Public Comment on Study Session Agenda Items** (5 minutes)
4. **Comments from the Chair** (5 minutes)

8:00 PM – Public Hearing – Council Chambers

The Planning Commission met in regular session with Chair Chang presiding.

CALL TO ORDER/SALUTE TO THE FLAG

ROLL CALL

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

Staff Present: Trudi Ryan, Planning Officer; Kathryn Berry, Senior Assistant City Attorney; Shaunn Mendrin, Senior 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.

APPROVAL OF MINUTES of January 25, 2010

Comm. Klein moved to approve the minutes of January 25, 2010 with modifications. Comm. Rowe seconded. Motion carried, 7-0.

PUBLIC HEARINGS/GENERAL BUSINESS

1. **2009-0756:** Appeal of a decision of the Administrative Hearing Officer denying a Use Permit to allow a child care center up to 24 children for a site located at **260 S. Mary Avenue** (APN: 165-09-014) RK

This item was considered as the second public hearing item on the agenda instead of the first.

Vice Chair Travis recused himself from this item and left the Council Chambers as he lives a short distance from the proposed site.

ACTION: Comm. Rowe made a motion on 2009-0756 to deny the appeal and uphold the denial of the Use Permit. Comm. McKenna seconded. Motion failed, 3-3, with Chair Chang, Comm. Hungerford and Comm. Sulser dissenting, and Vice Chair Travis recusing himself.

APPEAL OPTIONS: With a 3-3 vote, the Planning Commission did not grant the appeal and therefore the decision of the Administrative Hearing Officer stands. This action is final unless appealed to City Council no later than February 23, 2010.

2. **2009-0874:** Design Review to allow a 1,469 square foot addition to an existing 2,018 square foot home totaling 3,487 square feet with 56% Floor Area Ratio for a site located at **1560 Grackle Way** (APN: 309-33-009) SM

This item was considered as the first public hearing item on the agenda instead of the second.

ACTION: Comm. Rowe made a motion on 2009-0874 to continue this item to the February 22, 2010 Planning Commission to allow time for the applicant to provide more information on the location of the neighbor's kitchen window and the potential shadowing resulting from the addition; and for staff to work with the architect to possibly reduce the height of the peak of the second floor. Comm. Klein requested clarification on the proposed side windows on the second floor regarding privacy impacts and what windows are opaque to be included in the additional information provided for February 22, 2010. Comm. Hungerford seconded. Motion carried, 7-0.

APPEAL OPTIONS: This action serves a legal notification of the continuance of this item to the February 22, 2010 Planning Commission meeting.

3. 2009-0077 - Coordinating Zoning for Projects Located Near City Borders (Study Issue) SB

ACTION: Comm. Klein made a motion on 2009-0077 to recommend to City Council to direct the City Manager to work with adjacent cities to agree upon and administratively implement a list of best practices for planning and development review coordination (similar to Attachment G). Comm. Klein moved for modifications to the report prior to sending the report to Council: to add a table showing the differences and comparable rules between the communities regarding noticing; to add language that projects in surrounding communities be added to the Sunnyvale City website and point the community to the information regarding the projects; and to add as a part of the general best practices the requirement for regular meetings (frequency to be determined) to facilitate the communication between the communities. Comm. Rowe seconded. Motion carried, 7-0.

APPEAL OPTIONS: This recommendation will be forwarded to City Council and is scheduled for consideration at the February 23, 2010 Council meeting.

4. Planning Commission – 2010 Work Plan

ACTION: Comm. Sulser made a motion to approve the 2010 Work Plan for the Planning Commission. Vice Chair Travis seconded. Motion carried, 7-0.

APPEAL OPTIONS: Not applicable.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS

Comm. Klein commented that Donald Shoup, the author of the book, *The High Price of Free Parking*, would be speaking in San Jose on February 24, 2010 from 6:30 p.m. to 9:00 p.m. at the San Jose City Hall. He said that Mr. Shoup is a very dynamic speaker and encouraged the Planning Commissioners and the community to attend. He said more information about Mr. Shoup and his work with parking can be found on line.

- STAFF ORAL COMMENTS

City Council Meeting Report

Trudi Ryan, Planning Officer, reported on the City Council meeting of the January 26, 2010 and said that Vice Mayor Moylan and Councilmember

Griffith were selected to serve on the General Plan Consolidation Advisory Committee, with Councilmember Whittum selected as the alternate. She reminded the Planning Commissioners involved in this Committee that the first meeting is scheduled for Tuesday, February 16, 2010 in the West Conference Room at 7 p.m. She encouraged alternates on the Committee to attend and said the meetings are open to the public.

Ms. Ryan said the City Council had their annual Study Issue Workshop on January 29, 2010 and the results are included in the Information Only items on tonight's agenda.

Other Staff Oral Report

INFORMATION ONLY ITEMS

Update on the Results of 2010 City Council Study Issue Workshop

ADJOURNMENT

With no further business, the Commission meeting was adjourned at 10:49 p.m.

Respectfully submitted,

Trudi Ryan
Planning Officer