



**APPROVED MINUTES
SUNNYVALE PLANNING COMMISSION
October 25, 2010
456 West Olive Avenue, Sunnyvale, CA 94086**

7:00 PM - Study Session – West Conference Room

1. Training – Brown Act and Ex Parte Communications – TR and KB (*45 minutes*)
1. Public Comment on Study Session Agenda Items (*5 minutes*)
2. Comments from the Chair (*5 minutes*)

8:00 PM – Public Hearing – Council Chambers

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

CALL TO ORDER/SALUTE TO THE FLAG

ROLL CALL

Members Present: Chair Nick Travis; Vice Chair Glenn Hendricks; Commissioner Bo Chang; Commissioner Maria Dohadwala; Commissioner Charles Hungerford; Commissioner Gustav Larsson; and Commissioner Brandon Sulser.

Staff Present: Kathryn Berry, Senior Assistant City Attorney; Andrew Miner, Principal Planner; Rosemarie Zulueta, Assistant 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 September 27, 2010

Comm. Hungerford moved to approve the minutes of September 27, 2010. Comm. Chang seconded. Motion carried 7-0.

PUBLIC HEARINGS/GENERAL BUSINESS

1. **2010-7625:** Use Permit to allow a large family day care (LFDC) within 300 feet of another LFDC for a site located at **790 Mahogany Lane** (APN: 213-19-022) NC

ACTION: Vice Chair Hendricks made a motion on 2010-7625 to approve the Use Permit with a modified condition, changing the hours of operation in condition AT-1.a to read, "7 a.m. to 7 p.m." Comm. Chang seconded. Motion carried 7-0.

APPEAL OPTIONS: This action is final unless appealed to City Council no later than November 9, 2010.

2. **2010-7126:** Increasing Minimum Dimensions for Usable Open Space (Study Issue)
– RZ

ACTION: Comm. Chang made a motion on 2010-7126 to recommend to City Council to make no changes to the Zoning Code. Comm. Larsson seconded. Motion carried 7-0.

APPEAL OPTIONS: This item is scheduled to be considered by City Council at the November 16, 2010 meeting.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

City Council Meeting Report

Andrew Miner, Principal Planner, commented regarding Planning related items considered at the September 28, 2010, October 5, 2010, and the October 19, 2010 City Council meetings and items to be considered at the October 26, 2010 Council meeting.

Mr. Miner reminded the Commissioners about their Joint Study Session with City Council and the Bicycle and Pedestrian Advisory Commission, scheduled for October 26, 2010 at 5:45 p.m. in the City Library regarding the Land Use and Transportation Element and the Climate Action Plan.

Other Staff Oral Report

Kathryn Berry, Senior Assistant City Attorney, reported that a decision had been made at a hearing regarding the Palo Alto Medical Foundation (PAMF) lawsuit. She said the lawsuit involved the Environmental Impact Report (EIR), the demolition and reconstruction of certain buildings, and the construction of a parking structure for PAMF, formerly the Camino Medical Group. She said that the PAMF attorneys had done most of the briefing, as this is a private project, with some assistance from the City of Sunnyvale. She said the judge ruled in favor of PAMF and the EIR. Ms. Berry said it would be up to the petitioners who filed the lawsuit, whether or not the case would be taken up on appeal to the Sixth District. Ms. Berry said that currently the EIR is holding.

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting was adjourned at 8:46 p.m.

Respectfully submitted,

Andrew Miner
Principal Planner