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

CALL TO ORDER/SALUTE TO THE FLAG

ROLL CALL

Members Present: Chair Glenn Hendricks; Vice Chair Gustav Larsson; Commissioner Bo Chang; Commissioner Arcadi Kolchak; and Commissioner Brandon Sulser; and Commissioner Nick Travis.

Members Absent: Commissioner Maria Dohadwala (excused)

Staff Present: Trudi Ryan, Planning Officer; and Recording Secretary, Debbie Gorman.

SCHEDULED PRESENTATION - None

PUBLIC ANNOUNCEMENTS/PUBLIC COMMENTS

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 or you may orally make a request to speak. 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 28, 2011


PUBLIC HEARINGS/GENERAL BUSINESS

Location: 495 E. Java Drive, 1240 Crossman Drive, 549 Baltic Way
(APNs: 110-32-020 through 110-32-029, 110-36-007, 008 and 020, 110-36-014 and 015)

Proposed Project: Three Major Moffett Park Design Review and Tentative Parcel Map applications for the expansion of the NetApp campus that include modifications to the approved master site that results in a 76.4% Floor Area Ratio (FAR) and the redevelopment of two additional multi-parcel sites that result in a 75.8% FAR and 60% FAR respectively. The project results in approximately 735,859 s.f. of additional building area for a total of 2,505,354 s.f. for the entire campus and utilizes LEED (Leadership in Energy and Environmental Design) Gold design.

Applicant/ Owner: NetApp
Environmental Review: Mitigated Negative Declaration
Staff Contact: Ryan Kuchenig, (408) 730-7431
rkuchenig@ci.sunnyvale.ca.us

Trudi Ryan, Planning Officer, said this agenda item is three separate applications for Major Moffett Park Design Reviews. She said staff is recommending a continuation of project 2011-7758 to the meeting on January 23, 2012. She said the applicant is requesting an indefinite continuance of projects 2011-7759 and 2011-7760, which would need to be re-advertised before they could be considered in a public hearing.


ACTION: Comm. Chang made a motion on 2011-7758 (495 E. Java Drive) to continue the project to January 23, 2012; and on 2011-7759 (1240 Crossman Drive) and 2011-7760 (549 Baltic Way) to continue the projects indefinitely. Vice Chair Larsson seconded. Motion carried 6-0, with Comm. Dohadwala, absent.

APPEAL OPTIONS: This action serves as legal notification of the continuance of project 2011-7758. Projects 2011-7759 and 2011-7760 need to be re-advertised before they can be considered.
3. **FILE #:** 2011-7723  
**Location:** 384 Santa Trinita Ave (APN: 205-24-001)  
**Proposed Project:** Use Permit to consider a modification to an approved Use Permit (#2008-0407) consisting of a 99,317 square-foot Research & Development office building.  
**Applicant / Owner:** Devcon Construction / Santa Trinita Office LLC  
**Environmental Review:** Categorically Exempt Class 1  
**Staff Contact:** Ryan Kuchenig, 408-730-7431  
[rkuchenig@ci.sunnyvale.ca.us](mailto:rkuchenig@ci.sunnyvale.ca.us)  
**Notes:** *Continued from November 28, 2011. Applicant requests indefinite continuance.*

Trudi Ryan, Planning Officer, said the applicant has requested an indefinite continuance to allow more time to work with staff on the building design. She said it depends on the final design whether the project is to be considered by the Planning Commission and the item would need to be re-advertised before it could be considered in a public hearing.

Vice Chair Larsson moved for an indefinite continuance of 2011-7723. Comm. Kolchak seconded the motion.

**ACTION:** Vice Chair Larsson made a motion on 2011-7723 to continue this item indefinitely. Comm. Kolchak seconded. Motion carried 6-0, with Comm. Dohadwala, absent.

**APPEAL OPTIONS:** This action is final and project 2011-7723 needs to be re-advertised before being considered.
4. **Subject:** Annual Review of Code of Ethics

**Trudi Ryan,** Planning Officer, said the Boards and Commissions are asked to annually review the Code of Ethics and provide comment to the Council.

**Comm. Chang** commented that the Code of Ethics is an important document that holds appointed City officials to a higher standard and that it is important for City officials to work with cooperation and civility to get the job done for the public.

**Chair Hendricks** commented that one of the important ideas that stuck out for him as he reviewed the Code of Ethics is that the City Council and the City’s boards and commissions members should be self-policing. He said it is up to the members to look after each other and hold each other accountable and that each member should feel empowered to speak up and comment if needed.

**Comm. Chang** moved for approval and submission of the Code of Ethics to the City Council. **Vice Chair Larsson** seconded the motion.

**Comm. Chang** said that he agrees with Chair Hendricks’ comments.

**Vice Chair Larsson** said he agrees with the comments from Comm. Chang and Chair Hendricks.

**ACTION:** Comm. Chang made a motion to approve and submit the Code of Ethics to City Council. Vice Chair Larsson seconded. Motion carried 6-0, with Comm. Dohadwala, absent.

**APPEAL OPTIONS:** This recommendation will be forwarded to City Council for their annual consideration in early 2012.

5. **Standing Item:** Potential Study Issues

No potential Study Issues for 2013 were proposed.

**NON-AGENDA ITEMS AND COMMENTS**

- COMMISSIONERS ORAL COMMENTS

- STAFF ORAL COMMENTS

**City Council Meeting Report**

**Trudi Ryan,** Planning Officer, discussed planning related items considered by City Council at the November 29, 2011 and December 6, 2011 meetings, and discussed items to be considered at their December 13, 2011 meeting.

**Other Staff Oral Report**
INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting adjourned at 8:19 p.m.

Respectfully submitted,

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Trudi Ryan
Planning Officer