



City of Sunnyvale

Meeting Minutes - Final Planning Commission

Monday, October 12, 2015

7:00 PM

Council Chambers and West Conference
Room, City Hall, 456 W. Olive Ave.,
Sunnyvale, CA 94086

7:00 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM

- 1 [15-0784](#) **File #:** 2015-7459
Location: 1235 Bordeaux Drive (APN: 110-25-044)
Zoning: MP-TOD
Proposed Project:
 MAJOR MOFFETT PARK SPECIAL DEVELOPMENT
 PERMIT: To allow the demolition of an existing 41,832 sq. ft.
 one-story industrial building and construct two new hotels on
 the same site - 8-story, 200-room hotel and 8-story, 150-room
 hotel with a detached three-level, above grade parking
 structure.
Applicant / Owner: T2 Development (applicant) / Supertex, Inc.
 (owner)
Environmental Review: Mitigated Negative Declaration
Project Planner: George Schroeder, (408) 730-7443,
 gschroeder@sunnyvale.ca.gov

2 Public Comment on Study Session Agenda Items

3 Comments from the Chair

4 Adjourn Study Session

8:00 P.M. PLANNING COMMISSION - PUBLIC HEARING - COUNCIL CHAMBERS

CALL TO ORDER

Chair Melton called the meeting to order at 8:00 p.m.

SALUTE TO THE FLAG

Chair Melton led the salute to the flag.

ROLL CALL

Present: 6 - Chair Russell Melton
Vice Chair Sue Harrison
Commissioner Ken Olevson
Commissioner Larry Klein
Commissioner Ken Rheaume
Commissioner David Simons

ORAL COMMUNICATIONS

Comm. Rheaume announced the upcoming deadline for Boards and Commissions applications.

Martin Landzaat, a Sunnyvale resident, recommended the Planning Commission sponsor a study issue to figure out how to get more family and youth friendly commercial businesses and entertainment within the city. Trudi Ryan, Planning Officer, noted that the Planning Commission can no longer sponsor a potential study issue for 2016, but can rank one if the City Council sponsors it.

CONSENT CALENDAR

1.A [15-0899](#) Approval of the Draft Minutes of the Planning Commission meeting of September 28, 2015

Comm. Simons pulled the draft minutes from the Consent Calendar and clarified that the friendly amendment he offered for item 2 on the September 28 agenda was to require in 15 years 25 percent of the total lot be covered with a tree canopy.

MOTION: Comm. Simons moved to approve the draft minutes as amended.

Comm. Rheaume seconded. The motion carried by the following vote:

Yes: 6 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume
Commissioner Simons

No: 0

PUBLIC HEARINGS/GENERAL BUSINESS

2 [15-0940](#)**File #:** 2015-7411**Location:** 1464 Ramon Drive (APN: 313-14-005)**Zoning:** R-1**Proposed Project:**

Appeal of a staff-level decision to deny an application for a Design Review to allow for modifications to a single-family home, including construction of tandem parking, a 963 square-foot addition (including 815 square-foot garage), and a 400 square-foot detached accessory structure.

Applicant / Owner: Tamir Reshef (applicant/owner)**Environmental Review:** A Class 1 Categorical Exemption (modification to existing structures) relieves this project from California Environmental Quality Act provisions and City Guidelines.**Project Planner:** Gerri Caruso, (408) 730-7591,
gcaruso@sunnyvale.ca.gov**Note:** *This item was continued from the September 14, 2015 Planning Commission meeting.*

Gerri Caruso, Principal Planner, presented the staff report.

Comm. Olevson confirmed with Ms. Caruso that the Planning Commission is reviewing this application because staff did not have all of the information available to approve it at staff level.

Chair Melton opened the public hearing.

Tamir Reshef, the project applicant, gave a presentation on the proposed project.

Chair Melton closed the public hearing.

Comm. Klein moved Alternative 1 to grant the appeal and approve the project with tandem parking, subject to recommended conditions in Attachment 4.

Comm. Rheume seconded.

Comm. Klein said this decision is simple in that staff has worked closely with the Building Division to make sure that the application requesting a tandem parking spot does meet one of the two criteria in recent code changes, and that the original application would have been approved at staff level. He said he was able to make the findings, and that one issue with the project is the siting of how the home was built on this lot at an odd angle. He noted that the addition of tandem parking spaces brings it into code so there are two covered parking spots, and that while he approves of the project as the applicant envisions it and in accordance with the

staff recommendation, he hopes staff can find ways to encourage the placement of garages at the rear of the lot as we keep redeveloping homes in Sunnyvale. He said that as homes are redeveloped we find that garage doors become the most prominent feature far too often, and that while he understands we are currently approving the parking structure at the front of the lot, in the future, he hopes staff finds a way to move those garages to the back of the lot with options for using permeable pavers for the driveway which could improve the look. He said the driveway does not have to be full asphalt, and encouraging hiding the garage behind the house is a positive overall for neighborhoods. Comm. Klein applauded the applicant for doing his homework and taking the recommendations of the Planning Commission and working closely with staff to come up with many alternative plans and going through in detail what the different solutions and plans could be. He said he looks forward to the project moving forward and that granting the appeal is the appropriate thing to do.

Comm. Rheume thanked staff for clarifying the different plans and thanked the applicant for doing his homework. He said he concurs with Comm. Klein about putting the garage in the back, and that because staff talked to the structural engineer and determined that there would be structural changes to the home, he can support the motion and make the findings to approve the project.

Vice Chair Harrison said she can make the finding that having to raise the dirt in the back of the lot 14 inches would be a significant structural change. She said if it were on a level lot, she knows the structural impact of just removing the garage and building a new one in the back would not be significant, but she can make the findings to approve the project.

Comm. Olevson said he can make the findings, and noted that in this neighborhood and Sunnyvale in general we have several homes that do not fit the rectilinear shape of the lot. He said at a canted angle to the existing lot and street, this home provides its own challenges to making any modifications, and that while it is nice that it is a large lot, the unknowns that might be underground and making substantial changes to the roof line clearly favor the original finding that this house meets all requirements of the current law as Council has established it so he will be supporting the motion.

Comm. Simons said he is not supporting the motion, and that this is a modification to a lot that is 9,200 square feet and is likely one of the larger lot sizes in Sunnyvale. He said not being able to modify the present plan to fit a two-car garage in a standard configuration does not make a lot of sense, and he agrees that having the garage in the front is the standard, undesirable thing. He noted that his

recommendation was not to take out the bedroom, but was to have the garage on the right side of the house so there would be no level difference or structural change to the house and would have been a much less expensive project. He said that no matter what is done, when adding square footage you open Pandora's box to potential subsystem modifications regardless of having tandem parking or earlier versions of the side-by-side garage on the front left side of the lot. He said there will be plumbing, electrical and structural issues if the applicant opens the house on the left side, and that foundation changes will be much different in terms of cost. He said he hopes that in the future staff will encourage parking in a rear garage configuration, and that he does not think tandem parking is appropriate on large lots in Sunnyvale at this time.

Chair Melton said he can make the findings and will be supporting the motion.

MOTION: Comm. Klein moved Alternative 1 to grant the appeal and approve the project with tandem parking, subject to recommended conditions in Attachment 4.

Comm. Rheaume seconded. The motion carried by the following vote:

Yes: 5 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume

No: 1 - Commissioner Simons

3 [15-0869](#)**File #:** 2014-7633**Location:** 861 E. El Camino Real (APN: 211-16-021)**Zoning:** C-2/ECR (Highway Business/Precise Plan for El Camino Real)**Proposed Project:** Consideration of an application on a 1.59-acre site:

SPECIAL DEVELOPMENT PERMIT to redevelop a vacant nursery with a 3,000 square foot building into a 162-room, five-story hotel with underground parking.

VARIANCE to allow solar shading to exceed the maximum 10% on an adjacent commercial building and a **DESIGN REVIEW PERMIT** to allow new construction.

Applicant / Owner: Phillip Stewart /Sunnyvale Hospitality LLC**Environmental Review:** Mitigated Negative Declaration**Project Planner:** Margaret Netto, (408) 730-7628, mnetto@sunnyvale.ca.gov

Gerri Caruso, Principal Planner, presented the staff report.

Trudi Ryan, Planning Officer, noted that in attendance to answer questions are Carol Shariat, Principal Transportation Engineer with the City's Traffic and Transportation Division, and Gary Black, President of Hexagon Transportation Consultants, who conducted the Transportation Impact Analysis (TIA).

Comm. Rheume discussed with Ms. Caruso the number of floors that the building would need to be reduced by so as to not require a Variance, and he confirmed with Ms. Caruso the location of building entrances and that the applicant has addressed the architectural concerns staff had. Comm. Rheume discussed with Ms. Shariat whether the traffic at the Wolfe Road and El Camino Real intersection is operating at an acceptable level. Mr. Black explained the intersection grading system of the TIA, and Comm. Rheume confirmed with Mr. Black that the study took into consideration all projects that were approved at the time of the study and that the Apple Campus building in Cupertino was considered in the cumulative analysis. Comm. Rheume confirmed with Mr. Black that the General Plan considers an E rating acceptable for this intersection.

Comm. Klein discussed with Mr. Black whether it is feasible to have exiting vehicles from the subject property make right and left turns across north and south bound Wolfe where traffic often backs up, and noted that the number of Class I and Class II bicycle parking spots was omitted in the Conditions of Approval (COA). Ms. Caruso said staff would fill that information in.

Vice Chair Harrison confirmed with Ms. Ryan the height limits of the C-2 zoning

district and the Precise Plan for El Camino Real and how long they have been applicable to this and similar properties on El Camino. Vice Chair Harrison confirmed with Ms. Caruso the percentage of shading the building would create during the March and September equinoxes.

Comm. Olevson discussed with Ms. Caruso why staff recommended approval of the solar Variance to shade 100 percent of the adjacent building. He confirmed with Ms. Shariat the length of time it is expected to take to get through traffic signals operating at levels of service (LOS) E and F, and that the project will generate less than 100 net new trips and would receive trip credits for the former nursery site.

Comm. Simons noted that hotels and motels have the lowest traffic impact of any use, and confirmed with Ms. Ryan that the Building Code requires the provision of wiring for electric car charging stations but that they do not have to be installed. He confirmed with Ms. Caruso that the Planning Commission could provide specific direction on the color of building ornamentation and the landscaping. Comm. Simons verified with Ms. Caruso that asphalt would be used for the driving area, and that the signs for the building would be approved with a separate permit.

Chair Melton reiterated the potential difficulty of exiting the proposed project via a left turn onto north bound Wolfe, and stated that he appreciates the additional solar renderings provided by the applicant. He noted that he went to Golfland to understand how the height of the proposed building would impact the adjacent building, and discussed with Ms. Caruso the comparative heights of the proposed hotel versus nearby buildings.

Ms. Caruso clarified that the applicant is estimated to pay \$950,000 in Transient Occupancy Taxes (TOT) annually, rather than the \$95,000 outlined in the report.

Chair Melton opened the public hearing.

Philip Stewart, the project applicant's representative, gave a presentation on the proposed project and addressed several of the Commissioners' questions.

Comm. Simons confirmed with Mr. Stewart that he is amenable to adjusting the landscape plan and that the bicycle racks would be the color indicated in the plans. He also confirmed with Mr. Stewart that he is amenable to using a thicker stone veneer, and verified the number of charging stations that will be provided. Comm. Simons and Mr. Stewart discussed the signage on the tower facing the neighborhood, and confirmed that it would be a challenge to use pervious asphalt for the parking lot because it sits over the parking garage.

Vice Chair Harrison discussed with Mr. Stewart options that were considered for placement of the hotel building on the lot that would shade less of the Golfland arcade building, and discussed the option of having the hotel building stepped down on one side and built up on the other.

Comm. Rheaume commented on the applicant potentially attempting to squeeze a building in that will not fit on the lot, and discussed with Mr. Stewart whether purchase of the property to the south was pursued. He also confirmed with Mr. Stewart the location of vehicle and pedestrian entrances, and Comm. Rheaume stated that the pedestrian entrance looks like a side entrance. He and Mr. Stewart discussed the challenges of building on a small site.

Comm. Klein verified with Mr. Stewart that the hotel building would shade 25 percent of the adjacent building at 3:00 p.m. on the autumnal and vernal equinoxes, and that there will be eight bicycle parking spots. In response to Comm. Klein's request, Mr. Stewart displayed the shadow study diagrams showing the estimated building shading during the equinoxes and solstices. Comm. Klein discussed with Dave Gates, Landscape Architect, the types of trees shown in the diagram and proposed for the site.

Chair Melton verified with Kelly Heil, the subject property owner, that purchase of the properties to the north and south was attempted but unsuccessful.

Carol Eyring, a member of public, recommended that the Commission deny the Variance for solar shading.

Robert Kenney, owner of Golfland, provided a history of Golfland and said he planned on putting solar panels on the roof of Golfland, but that a Variance for solar shading for the adjacent property would take that opportunity away.

Comm. Simons discussed with Mr. Kenney whether he would be open to having solar panels for his property's use placed on an adjacent building of equivalent square footage.

Vice Chair Harrison and Mr. Kenney discussed potentially putting solar panels over the Golfland parking lot. Mr. Kenney added that he cannot get out of the parking lot onto Wolfe Road during peak evening hours.

Ratnendra Pandey, a Sunnyvale resident, discussed his concerns with increased traffic in this area.

Jason Kenney, son of the owner of Golfland, said the hotel would shade Golfland and recommended the Commission deny the Variance.

Zachary Kaufman, a member of the public, said there is no justification to grant a Variance.

Stan Hendryx, a Sunnyvale resident, recommended the Commission deny the Variance and keep the shading to 10 percent or less.

Michael Graff, a Sunnyvale resident, discussed his opposition to the Variance and his concerns with development in Sunnyvale.

Catherine Burt, a Sunnyvale resident, discussed her opposition to the proposed hotel and development in Sunnyvale, and her concerns with increased traffic.

Michael Zuccato, a Sunnyvale resident and business owner, discussed his opposition to development in Sunnyvale, and his concern with increased traffic.

Martin Landzaat, a Sunnyvale resident, said the initial study underestimates the impact of the hotel on Golfland, that ongoing construction next door would reduce its patronage and that there is not enough information to grant a Variance.

Todd Eyring, a member of the public, said the solar analysis is not accurate, that Golfland needs solar ability and recommended denial of the Variance.

Eric Angel, a Sunnyvale resident, said he is not against the development but believes it needs to be done responsibly. He added he would not go to Golfland if it is shaded.

Kim, a member of the public, discussed her concerns with the project and said regarding the traffic study an LOS rating of E is an F.

Judi Richards, a Sunnyvale resident, discussed her concern with traffic on Wolfe and El Camino and her opposition to the proposed project.

Brent Dickson, a Sunnyvale resident, discussed his concerns with traffic on Wolfe and El Camino and said we do not need a hotel in this location. Chair Melton commented on there having been a symbiotic harmony between Golfland and the former nursery, and asked if Mr. Dickson could recommend a better use of the land than a hotel, to which Mr. Dickson responded that he had no good answer.

Michael Long, a Mountain View resident, discussed his concerns with traffic at Wolfe and El Camino and said a hotel will not fit on this site.

Roger Burney, a Sunnyvale resident, said the hotel may be a good use, but he would not want it to impact Golfland, and discussed his concerns with the architecture of the proposed building.

Larry Alba, a Sunnyvale resident, discussed his opposition to the proposed project and said the hotel is too big.

Pauline Lewis, a Sunnyvale resident, discussed her opposition to development in the City and to the shading of Golfland.

Mr. Stewart addressed the neighbors' concerns, confirmed that there will be 149 parking spaces and said the community will benefit from the hotel.

Comm. Simons and Mr. Stewart discussed a similar situation he had experienced in the past with solar access, and confirmed that he has not had to place solar panels over covered parking to provide an adjacent property with solar access.

Vice Chair Harrison discussed with Mr. Stewart a solution to HVAC intake being affected by the restaurants to the south of the subject site, and confirmed that the windows used will have a high rating class to mitigate noise. Vice Chair Harrison verified with Mr. Stewart the number of days per year and length of time per day that the adjacent building would be shaded more than ten percent.

Chair Melton closed the public hearing.

Comm. Rheume confirmed with Ms. Shariat that the TIA took into consideration the Apple project at the corner of Wolfe and Homestead Road in the future conditions section, and that the intersection at Wolfe and El Camino is currently operating at LOS D and is projected to operate at LOS E in the future conditions section.

Vice Chair Harrison and Ms. Ryan discussed whether there have been other projects where a Variance was granted to shade more than ten percent of an adjacent building.

Comm. Simons and Ms. Ryan discussed whether there have been other projects with requirements to build another structure for solar access on site, and the

challenges of requiring an applicant to offer to build a structure for solar access for an adjacent property.

Chair Melton clarified with Ms. Caruso the objectives of granting a Variance, and verified that Golfland is in the same zoning district and vicinity as the subject site. Chair Melton commented on a finding regarding the project being injurious to property improvement or uses and confirmed with Ms. Caruso that the Planning Commission has the discretion to consider the entire lot rather than just the adjacent building with regard to this finding.

Comm. Klein commented on never previously seeing protection of a future development as reasoning for granting a Variance, and Ms. Caruso responded that a future use does not have to be protected, and that if Golfland was redeveloped in the future it likely would not be a one or two-story building.

Comm. Rheume moved Alternative 3 to adopt the Mitigated Negative Declaration and deny the Special Development Permit and Variance.

Vice Chair Harrison seconded.

Comm. Rheume thanked the applicant and staff for working hard on this project, and said this has been an emotional review. He also thanked the members of the public for coming out and showing their support of Golfland. He said he cannot make the findings for granting the Variance and how it will be impacting Golfland and the immediate vicinity, nor can he make the findings for the Variance for solar going from 10 to 100 percent. He said when we are trying too hard to figure out how many days or hours the shading may occur it is time to go back to the drawing board to come up with a better plan. He said we are all in agreement that traffic is an issue, and that we may be trying to shoehorn too big of a project into this space. He said ideally the property owner could buy the property to the south and put a desirable, landmark piece of property there, which likely will not happen. He said he hopes the Commission can step back and look at what we may be approving, and that he cannot make the findings for a huge solar Variance or that this project meets the objectives of the Precise Plan for El Camino Real.

Vice Chair Harrison said Golfland is an institution for her family as well, but that she does not have a concern regarding this project being proposed at five stories. She said the building meets the rules with regard to El Camino which have been in place for more than 26 years, and that while she cannot address the various concerns stated about the character of the City and the issue of more hotel buildings in general as all of those things are allowed uses and encouraged by the

existing General Plan. She said there are established rules of counting traffic, that it has been found this project will not negatively impact traffic and that hotels may be the least traffic generating uses that could be built there, so she does not object to the project based on that. She said this is a very specialized location with a narrow lot and she could not find shading the adjacent building three hours a day for 50 days a year is really onerous, and noted that for 300 days a year there is no shading. She said the applicant has been extremely responsive to all of the Planning Commission requests about architecture and public access from El Camino Real which will benefit Golfland and the City. Vice Chair Harrison said she is concerned that this project does not meet the letter of the law regarding a maximum of 10 percent shading on the building roof during the winter solstice and may be setting precedence for allowing that. She said she cannot make that finding about the Variance, but supports adopting the Negative Declaration. She said she hopes the applicant can redesign the property so that it meets their needs and the rules of the City and does not produce more than 10 percent shading of Golfland's arcade building during the winter solstice.

Comm. Klein said he is supporting the motion and thanked everyone for coming out and for sending the numerous emails he received demonstrating their passionate interest about this property. He said this project comes down to the request for the Variance, and that this property is in an odd corner and oddly spread out. He said combining it with the property to the south would be better, but that the traffic impact of a larger project there might be even greater with a larger mixed use property. He said this is an important transportation node, and that ultimately this project comes down to the Variance, which is a request far above what we have seen for solar shading. He said Golfland has been there for many years and he does not know if or when it will be redeveloped, and that he applauds the fact that it is a family owned and centric business. He said what the Planning Commission needs to focus on are the current rules and buildings on that property, and requesting a Variance for something outside of the rules of the City is impossible in his mind. He said traffic is worsening around the City and will continue to do so once the Apple and Central and Wolfe projects are constructed, and that this hotel would not add significantly to that traffic. He said he still has questions regarding the left turn lane going north, and that having a right turn only out of the property onto Wolfe seems a more viable solution. He said a hotel is a reasonable project there, that the biggest issues are the height of the building, the shading of and affects on the property to the north, therefore he cannot support granting the Variance.

Comm. Simons said this is an interesting project because it is on an odd lot and because of the placement of it in the Precise Plan. He said he will be voting against

the motion because he does not like Variances in general, but that the solar requirement is relatively new. He said in thinking about what is possible in terms of mitigation and what may be a benefit to the property owner next to this hotel would be having a structure for solar of equivalent size to their building placed wherever they would like in the parking lot. He said there have been times he visited Golfland in the summer when he had a great time except for getting into the toaster at the end of the day, so shading the parking lot would be beneficial. He said the other issues of this project could be changed and mitigated, and that an offer to the applicant of not doing the construction on the parking lot next to the hotel would require coming back with a plan of ten percent or less shading on the adjacent building.

Comm. Olevson said he is reminded by Comm. Klein that Variances are for extraordinary circumstances, and that the Planning Commission is required to implement policies set by City Council, who has provided direction in the Precise Plan for El Camino Real, the General Plan, zoning and in criteria for any Variance to hard and fast rules. He said he likes the building of this project, but he is surprised the solar shading issue did not come up in any previous discussion. He said although the solar shading requirement is new to the City and State it is a very real requirement, and that any mitigation that may impact the neighboring property but that says approving a project on one property that the adjacent property owner would have to accept is not in the our realm of authority. He said the comment heard late in the session about how many days or hours of shading there will be is not a hard and fast fact that is meant to be used to proceed. He said because there are no extraordinary circumstances he does not see a need to approve a project that negatively impacts the neighbors and does not meet the criteria for adopting a Variance, so he will be voting with the motion against approving the Variance.

Chair Melton said he is supporting the motion, and thanked the applicant for working hard with staff to come forth with a good project. He also thanked the members of the public for coming out to share their thoughts with the Planning Commission. He noted that study sessions are for looking informally at a project prior to the public hearing to provide the applicant with feedback and that after two study sessions for this project, the applicant has done a good job responding to our comments. He said even though he is voting with the motion, there are a lot of positive things this proposed use can bring to the City, including the TOT. He said the City does need hotels and a goal would be achieved on that, that the architecture is okay and that traffic could be mitigated or that users of this site would learn how to deal with the traffic on Wolfe by using the El Camino Real exit and going to Maria to make a loop around to bypass the need to take Wolfe. He said other uses are more intense than a hotel, and that an ideal situation he does

not see transpiring is having the three lots of this area parcelized into one and the City ending up with something nice and similar to the Cherry Orchard property. He said there may be a lot of opposition to that concept because Golfland is so beloved in the community, but that for those members of the public who oppose this project, their victory may be short-lived because the applicant has been listening and understands that the trip wire for this project is the solar Variance. He said the applicant may redesign the project to make sure there is zero solar impact on the existing adjacent building, they may raise the height of the building somewhere else or move the building around because it is their land and they have the right to do something within the laws of the City. He said they will not turn it back into a nursery, and he is fearful that the public may not like the new version which may have taller areas or more solar impact on the nearby greenery to avoid the impact on the building.

MOTION: Comm. Rheaume moved Alternative 3 to adopt the Mitigated Negative Declaration and deny the Special Development Permit and Variance.

Vice Chair Harrison seconded. The motion carried by the following vote:

Yes: 5 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume

No: 1 - Commissioner Simons

- 4 [15-0510](#) Introduce an Ordinance to Repeal Section 19.42.080 of Title 19 (Zoning) Regarding Private Security Cameras, and Find that the Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15061(b)(3)(Planning File: 2015-7148; Study Issue CDD 15-08)

Trudi Ryan, Planning Officer, presented the staff report.

Comm. Rheaume discussed with Rebecca Moon, Senior Assistant City Attorney, expectations of privacy for a tenant living in an accessory unit of a property.

Vice Chair Harrison and staff discussed whether there are or will be any City guidelines for property owners wanting to install private security cameras.

Chair Melton opened the public hearing and, upon seeing no speakers for this item, closed the public hearing.

Comm. Simons moved to recommend to City Council Alternatives:

- 1) Introduce an ordinance to repeal Sunnyvale Municipal Code Section 19.42.080 regarding the installation and location of private surveillance cameras; and
- 2) Find that the project is exempt from CEQA pursuant to CEQA Guideline 15061(b)(3).

Comm. Olevson seconded.

Comm. Simons said here is another new law that had to be reconsidered after being in place for a while, and said he had to say that after the previous solar discussion.

Comm. Olevson said he is pleased that the Commission is recommending to City Council a change to an Ordinance that will make a third of Sunnyvale's citizens not outlaws anymore.

MOTION: Comm. Simons moved to recommend to City Council Alternatives:

- 1) Introduce an ordinance to repeal Sunnyvale Municipal Code Section 19.42.080 regarding the installation and location of private surveillance cameras; and
- 2) Find that the project is exempt from CEQA pursuant to CEQA Guideline 15061(b)(3).

Comm. Olevson seconded. Motion carried by the following vote:

Yes: 6 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume
Commissioner Simons

No: 0

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

None.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

None.

-Staff Comments

Ms. Ryan provided an update on the request to eliminate the pedestrian connection between the Las Palmas townhome development and the adjacent commercial property discussed at the previous Planning Commission meeting, and discussed other Planning-related City Council items.

INFORMATION ONLY ITEMS

None.

ADJOURNMENT

With no further business Chair Melton adjourned the Planning Commission meeting at 11:53 p.m.