

**CITY OF MILPITAS
APPROVED**

PLANNING COMMISSION SUBCOMMITTEE MINUTES

January 10, 2007

**I.
ROLL CALL**

Present: Williams and Ciardella
Absent: Mandal
Staff: Bejines, Ishijima, Lowe, and Reliford

**1. "S" ZONE
APPROVAL
AMENDMENT
NO.
SA2006-69**

Momo Ishijima, Associate Planner, presented a request for the installation of temporary flag signs at the Centria development sales trailer at 1102 South Abel Street and recommended approval with conditions.

Motion to approve "S" Zone Amendment No. SA2006-69.

M/S: Williams/Ciardella

AYES: 2

NOES: 0

**2. ADMINISTRATIVE
PERMIT NO. AD2006-34**

Kristine Lowe, Associate Planner, presented a request to have four outdoor events for Linear Technology throughout the 2007 calendar year. The events will occur Friday January 19th, Friday April 20th, Friday July 27th and Friday October 19th from 3:00 p.m. to 6:00 p.m. All events will be held in the parking lot located at 790 Sycamore Drive and recommended approval with conditions.

Commissioner Ciardella asked if the Fire Dept. inspects the tent and Mrs. Lowe said yes.

Commissioner Ciardella noted that the tent was near shrubs and asked if the sprinklers are shut off to prevent the tent from getting wet. Mrs. Lowe wasn't sure.

Commissioner Ciardella recommended the following special condition be added:

- *If a sprinkler system exists, deactivate the sprinkler system along the landscaped area adjacent to the event site between the setup and removal dates.*

Motion to approve Administrative Permit No. AD2006-34.

M/S: Ciardella/Williams

AYES: 2

NOES: 0

**3. ADMINISTRATIVE
PERMIT NO. AD2006-35**

Kristine Lowe, Associate Planner, presented a request to have one outdoor event for Solectron occurring Thursday January 18, 2007 from 8:00 a.m. to 11:00 a.m. The event will be held in the parking lot between Buildings 4 and 5 located at 777 Gibraltar Drive and recommended approval with conditions.

Commissioner Ciardella recommended the following special condition be added:

- *If a sprinkler system exists, deactivate the sprinkler system along the landscaped area adjacent to the event site between the setup and removal dates.*

Motion to approve Administrative Permit No. AD2006-35.

M/S: Ciardella/Williams

AYES: 2

NOES: 0

II. ADJOURNMENT

The meeting was adjourned at 6:55 p.m.

UNAPPROVED

PLANNING COMMISSION MINUTES

January 10, 2007

**I.
PLEDGE OF
ALLEGIANCE**

Chair Williams called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.
OATH OF OFFICE FOR
NEW COMMISSIONER**

Mary Lavelle, City Clerk, swore in Gurdev Sandhu as a member of the Planning Commission. Commissioner Sandhu then took his place along the Commissioners to become part of the voting body for the agenda items.

Gurdev Sandhu

**III.
ROLL CALL**

Present: Azevedo, Ali-Santosa, Ciardella, Mandal, Sandhu, Tabladillo and Williams

Absent: None

Staff: Bejines, Carrington, Hom, Lowe, Pio Roda, Reliford and Williams

**IV.
PUBLIC FORUM**

Chair Williams invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendize the matter for a future meeting.

Bhargava, 130 Parc Place, Milpitas, returned from the last meeting to complain about his concerns that Parc Place built 285 units and there is only one disabled parking space and felt there should be more. He is also concerned that there are 65 guest parking spaces when the city code requires 85 parking spaces. He also said that the sales office is closed and is supposed to be converted to a clubhouse and asked if they could arrange that to be open. He said he spoke to Felix Reliford about the housing act and said it does not apply to the project.

Felix Reliford, Principal Housing Planner, said that he received two e-mails from two men in regards to the design that was approved by the City pertaining to the Parc Place development. Part of the issues had to deal with only one disabled parking space being provided for the site. He ran the request over with the Chief Building official who said that when the development was approved at that time, there was not a requirement for a disabled space. Subsequently, the clubhouse was approved at a later point, and the triggering point of the clubhouse required one disabled parking space that was provided on the site. The two men were also concerned about the overall design, and Mr. Reliford is working with the fire dept and building to look at those issues and will meet with the men later during the week. He also passed on their comments to Dean Mills from DR Horton.

Chair Williams said the Planning Commission will not be discussing this but will recognize that staff is working with the speaker and will allow both to be able to address the concern and will see how that will come about.

V.
APPROVAL OF MINUTES
December 13, 2006

Chair Williams called for approval of the minutes of the Planning Commission meeting of December 13, 2006.

Staff had no changes.

Motion to approve the minutes of December 13, 2006.

M/S: Azevedo/Ciardella

AYES: 5

NOES: 0

ABSTENTION: 2 (Mandal and Sandhu)

VI.
ANNOUNCEMENTS

Tom Williams, City Manager, thanked the Commission for their hard work during the time he served as Planning Director and announced that he was recently appointed as City Manager. He has asked Felix Reliford to step in for an interim period of time and will be responsible for the planning dept. As the City goes through the next budget cycle for FY 07/08, will have to best utilize current staff and he will have to make a decision to either hire a Planning Manager or Planning Director. He told the Commission he is still available and to please call him directly for any questions. He is also looking forward to working with the Commission in the future and thanked the Commission for their time and commitment.

Chair Williams thanked Mr. Williams for his support and said that knowing Mr. Williams qualifications, the City is in a better situation by hiring him as City Manager and he looks forward to working with him.

Commissioner Mandal congratulated Commissioner Sandhu, Tom Williams and Felix Reliford.

Commissioner Ciardella and Commissioner Azevedo congratulated Mr. Williams and the Commission gave Mr. Williams a round of applause.

Commissioner Sandhu thanked City Council for reappointing him to the Planning Commission and giving him the opportunity to making the City of Milpitas more beautiful and improving the quality of life for all residents. He also wanted to thank his family and close friends who have helped him find new courage after a tragic death in his family. He also congratulated all of the Sikh community of the world.

Mr. Reliford noted that the new Planning Commission Subcommittee members from January through March are Commissioner Ciardella and Commissioner Mandal and Commissioner Sandhu is the alternate.

VII.
CONFLICT
OF INTEREST

Assistant City Attorney Pio Roda asked if the Commission has any personal or financial conflict of interest on tonight's agenda.

There were no Commissioners that identified a conflict of interest.

**VIII.
APPROVAL OF
AGENDA**

Chair Williams called for approval of the agenda.

Staff has no changes to the agenda.

Motion to approve the agenda.

M/S: Sandhu/Azevedo

AYES: 7

NOES: 0

**IX.
ELECTION
OFFICERS**

OF

Chair Williams turned the gavel over to Assistant City Attorney Pio Roda who opened the nominations for Planning Commission Vice Chair.

Commissioner Sandhu nominated Commissioner Mandal for Vice Chair.

Commissioner Mandal accepted the nomination.

There were no other nominations for Vice Chair.

Assistant City Attorney Pio Roda took a vote for each nominee and Commissioner Mandal was elected as Planning Commission Vice Chair with 7 votes.

**X.
CONSENT CALENDAR**

Chair Williams asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

Commissioner Azevedo requested Item No. 1 ("S" Zone Amendment No. SA2006-1 and Use Permit NO. UP2006-12) be added to the consent calendar.

Chair Williams opened the public hearing on Consent Item No. 1.

There were no speakers from the audience.

Motion to keep the public hearing open on Item No. 1 and continue it to January 24, 2007.

M/S: Azevedo/Mandal

AYES: 7

NOES: 0

Motion to approve the consent calendar for Item No. 1.

M/S: Azevedo/Mandal

AYES: 7

NOES: 0

***1 "S" ZONE AMENDMENT NO. SA2006-1 AND USE PERMIT NO. UP2006-12:** A request to amend special condition No. 50 to reflect a storm water connection fee for the ten acre Piercey Toyota project rather than the entire sixteen acres owned by Santa Clara County. The project is located at 950 Thompson Street. *(Recommendation: Continue to January 24, 2007)*

**XI.
PUBLIC HEARING**

**1. MINOR TENTATIVE
PARCEL MAP NO.
MI2006-4**

Kristine Lowe, Associate Planner, presented a request to subdivide an existing 283,140 square foot lot into four parcels. The project consists of three buildings, each treated as a separate parcel with the fourth parcel being a common area. The proposal includes converting the three buildings into thirteen (13) condominium ownership units. The property is located at 1221 California Circle. Mrs. Lowe recommended approval with conditions based on the findings in the staff report.

Chair Williams invited the applicant to speak.

Jim Wood, Stonewood Properties, 3636 Birchwood, Newport Beach, CA, said he is available for questions.

Chair Williams opened the public hearing.

There were no speakers from the audience.

Motion to close the public hearing.

M/S: Azevedo/Mandal

AYES: 7

NOES: 0

Motion to approve Minor Tentative Parcel Map No. MI2006-4 with special conditions noted in the staff report.

M/S: Azevedo/Tabladillo

AYES: 7

NOES: 0

**2. USE PERMIT NO.
UP2006-26**

Cindy Hom, Project Planner, presented a request to locate a 1,332 square foot It's a Grind coffee shop located at 752 E. Calaveras Boulevard and recommended approval with conditions.

Commissioner Azevedo is concerned that staff is recommending only five parking spaces for the use. Mr. Reliford replied that parking is based on square footage.

Commissioner Sandhu asked what are the hours of operation? Ms. Hom said they would be operating from 6 a.m. to 10 p.m. seven days a week.

Commissioner Tabladillo asked how consistent are the hours with other coffee shops in the area considering that nearby offices close at 5 p.m. Ms. Hom said that Starbucks closes at 10 p.m.

Vice Chair Mandal asked what restaurant would be going inside the building at the corner of Calaveras and Hillview. Ms. Hom said given the market, the owners have decided to divide the space into three occupancies, which so far is It's a Grind coffee shop and another restaurant.

Vice Chair Mandal said he is concerned about the parking situation because there are not that many spaces and customers cannot park on Hillview Drive and Los Coches.

Commissioner Ali-Santosa asked how many disabled parking spaces would there be? Mr. Reliford said there are four disabled parking spaces shown on the site plan.

Chair Williams said in the future, the Planning Commission will have to be conscientious about the parking problem because coffee uses generally have a lot of traffic and this is a small complex.

Chair Williams invited the applicant to speak.

Calvin Nguyen, 1340 Anacapa Court, Fremont, said he is available to answer any questions.

Commissioner Azevedo asked Mr. Nguyen if he felt there is enough parking for his business. Mr. Nguyen said yes because most of the office space is dental and real estate and their customers typically leave at 5 p.m. He also said that his business couldn't be compared to Starbucks because it is a lot smaller.

Chair Williams asked Mr. Nguyen to describe his business. Mr. Nguyen said it is similar to Starbucks except he felt it is a better concept because he will have a fireplace and the coffee is very simple. He will also provide internet access.

Chair Williams asked if customers could spend a long time there? Mr. Nguyen said the concept is to invite the customer in and they can stay as long as they want.

Chair Williams asked Mr. Nguyen if there are limit on the parking spaces. Mr. Nguyen said that two parking spaces have a maximum of 20 or 30 minute parking.

Commissioner Tabladillo said she is concerned about security because coffee houses generate a lot of students and they tend to loiter.

Ms. Hom suggested the following special condition:

- *The applicant shall display "No Loitering" signs that state patrons must vacate the premises no later than 30 minutes after the establishment closes at 10:00 PM.*

Vice Chair Mandal asked if Mr. Nguyen will be serving specialty tea and Mr. Nguyen said no.

Commissioner Sandhu agreed with the Commissioners that there is a parking concern.

Commissioner Azevedo asked Mr. Nguyen if he is aware that Peet's coffee will be locating next to Safeway and Mr. Nguyen said yes.

Commissioner Azevedo asked if Mr. Nguyen will have outside tables and he said no.

Commissioner Azevedo asked how many employees' will he have and Mr. Nguyen said three including himself.

Commissioner Azevedo asked where will the employees park and Mr. Nguyen said in the very back.

Ms. Hom added that with the required parking, it does include 10% of the employee parking as part of the requirement.

Chair Williams opened the public hearing.

There were no speakers from the audience.

Motion to close the public hearing.

M/S: Mandal/Azevedo

AYES: 7

NOES: 0

Chair Williams requested that the following special condition be added:

- *Prior to building permit issuance, the applicant shall demonstrate on the plans timed parking for two parking spaces. The applicant shall either stripe or install parking signs that indicate 30-minute patron parking for two parking stalls.*

Motion to approve Use Permit No. UP2006-26 based on the findings and special conditions noted in the staff report and the above two special added conditions.

M/S: Mandal/Sandhu

AYES: 7

NOES: 0

**XII.
ADJOURNMENT**

The meeting was adjourned at 8:00 p.m. to the next regular meeting of January 24, 2007.

Respectfully Submitted,

Felix Reliford
Principal Planner

Veronica Bejines
Recording Secretary