

**CITY OF MILPITAS
APPROVED**

PLANNING COMMISSION SUBCOMMITTEE MINUTES

June 27, 2007

**I.
ROLL CALL**

Present: Ciardella and Sandhu
Absent: None
Staff: Bejines, Carroll, Gilli, Hom, Kunsman and Reliford

**1. "S"
APPROVAL
AMENDMENT
SA2007-25**

**ZONE
NO.**

Judie Gilli, Project Planner, presented a request for a freestanding, non-illuminated sign and a monument sign located at 600 Valley Way #B. Ms. Gilli recommended approve with conditions.

Commissioner Sandhu asked if this is a new sign and Ms. Gilli said this is a different sign than what was there before.

Commissioner Sandhu asked if the sign will be located within a nonprofit area and Ms. Gilli said yes.

Commissioner Ciardella asked what is the size of the sign and Ms. Gilli said it is 5'11" by 20' wide.

Motion to approve "S" Zone Approval Amendment No. SA2007-25.

M/S: Sandhu/Ciardella

AYES: 2

NOES: 0

**2. "S"
APPROVAL
AMENDMENT
SA2007-23**

**ZONE
NO.**

Bridgette Carroll, Project Planner, presented a request to install a 5ft. x 10 in. freestanding sign on the Northeast portion of the site at 1545 Barber Lane. Ms. Carroll recommended approval.

Commissioner Ciardella noted that the dimensions of the sign were transposed in the agenda and should read 5'10" sign and Ms. Carroll agreed.

Motion to approve "S" Zone Approval Amendment No. SA2007-23.

M/S: Ciardella/Sandhu

AYES: 2

NOES: 0

**3. ADMINISTRATIVE
PERMIT NO. AD2007-13**

Tiffany Kunsman, Project Planner, presented a request to have two outdoor events for Sandisk. The first event will be a Decati Launch and will be held from Tuesday, July 17th through Wednesday, July 18th, 2007. The second event will be an International Festival and will be held from Thursday, August 16th through Sunday, August 19th, 2007. Sumac Drive will be sectioned off and the events will be held within Sumac Drive and in the parking lot located at located at 601 McCarthy Blvd. Ms. Kunsman recommended approval with conditions.

Commissioner Sandhu asked if Sumac Drive will be closed and Ms. Kunsman said it will be closed just for Sandisk however others businesses will have access to Sumac.

Commissioner Sandhu asked if this event is open to the public and the applicant said no. It is only open to VIP, employees and the press.

Commissioner Ciardella asked if the sprinkler system is controlled so as not to turn on during the event and the applicant said it is controlled.

Motion to approve Administrative Permit No. AD2007-13.

M/S: Ciardella/Sandhu

AYES: 2

NOES: 0

**4. ADMINISTRATIVE
PERMIT NO. AD2007-11**

Cindy Hom, Project Planner, presented a request for a one-day outdoor event for a Professional Skateboard demonstration consisting of a 240-foot x 150-foot exhibition area that includes a skate course, 24-foot x 20-foot stage and 10-foot x 10-foot tents to be held on June 30, 2007 between the hours of 1:00 p.m. to 6:00 p.m. within the Great Mall parking lot area near Falcon Drive and Great Mall Drive. Ms. Hom recommended approve with conditions.

Commissioner Ciardella asked if there will be police officers patrolling the event and Ms. Hom said two policemen would be on duty.

Commissioner Sandhu asked Ms. Hom to explain the set up time. Ms. Hom noted that the applicant would set up between 12 a.m. and 1 p.m.

Commissioner Sandhu asked what is the purpose of the event. Ms. Hom said they are professional skaters and are exhibiting their clothes, style and magazine.

Commissioner Ciardella asked if there is a sign that states no skateboarding on the sidewalk. Ms. Hom said staff could recommend a condition of approval that states no skateboarding allowed except in the exhibition area and should be confined to the area.

Motion to approve Administrative Permit No. AD2007-11 with the added special condition.

M/S: Ciardella/Sandhu

AYES: 2

NOES: 0

II. ADJOURNMENT

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

**CITY OF MILPITAS
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PLANNING COMMISSION MINUTES

June 27, 2007

**I.
PLEDGE OF
ALLEGIANCE**

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

**II.
ROLL CALL**

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

Absent: Azevedo and Mandal

Staff: Bejines, Kunsman, Reliford and Spoerl

**III.
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 agendaize the matter for a future meeting.

Syed Mohsin, 644 N. Hillview Drive, on behalf of the Community Advisory Commission, invites the public to celebrate National Night Out on Thursday, August 9th at 7:30 p.m. There will be several block parties around the City. The purpose of National Night Out is to strengthen neighborhood spirit and meet neighbors, generate support and participate for anti-crime programs, and fight for a safer community. Last year over 34 million people participated nationwide and there were 24 block parties in the City of Milpitas. Mr. Mohsin passed out fliers to the commissioners and encouraged them to participate.

**IV.
APPROVAL OF MINUTES
June 13, 2007**

Chair Williams called for approval of the minutes of the Planning Commission meeting of June 13, 2007.

There were no changes to the minutes.

Motion to approve the minutes of June 13, 2007.

M/S: Sandhu/Tabladillo

AYES: 5

NOES: 0

**V.
ANNOUNCEMENTS**

Felix Reliford, Interim Planning Director, noted that every July, staff elects the Chair and Vice Chair of the Planning Commission and will do so at the next meeting. He also pointed out that so far, there are no public hearing items scheduled for the July 25th meeting and at the July 11th meeting; staff will be requesting to cancel the meeting.

Commissioner Tabladillo asked about the new children's park along Hetch Hetchy trail on Main Street. Mr. Reliford said he would have to look up the information and report back to the Commission.

APPROVED
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**VI.
CONFLICT
OF INTEREST**

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

There were no Commissioners who identified a conflict of interest.

**VII.
APPROVAL OF
AGENDA**

Chair Williams called for approval of the agenda.

Staff had no changes to the agenda.

Motion to approve the agenda as submitted.

M/S: Tabladillo/Ali-Santosa

AYES: 5

NOES: 0

**VIII.
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.

Mr. Reliford requested that Item No. 2 (Use Permit No. UP2007-8 and "S" Zone Approval Amendment No. SA2007-9) be added to the consent calendar.

Motion to add Item No. 2 to the consent calendar.

M/S: Tabladillo/Ali-Santosa

AYES: 5

NOES: 0

Chair Williams opened the public hearing on Item No. 2.

Dan Manassan, 49 Sedbury, lives about 300 feet from the corner of Milpitas Blvd. and Abel, said he has lived there for 30 years and it is the only corner in Milpitas that has ugly realtor signs.

Assistant City Attorney Peter Spoerl recommended that the Commission take this item off of the consent calendar and have a public hearing.

**IX.
PUBLIC HEARING**

**1. ADMINISTRATIVE
PERMIT NO. AD2007-8**

Felix Reliford, Interim Planning Director, presented a request to consider the revocation or modification of Use Permit No. UP2004-15 to the City Council for non-compliance with special condition of approval no 3 that states: "This use shall not use more than seven (7) parking spaces at any time". The operation of the car rental office exceeds the number of parking spaces allocated per the use permit for Avis Rental Car located at 148 West Calaveras Blvd. Mr. Reliford recommended that the Commission open the public hearing and continue to August 22, 2007.

The Commission had no clarifying questions.

Chair Williams opened the public hearing.

David Souza, 101 Serra Way and Lynn Pham, Elegant Tailoring and Bridal, said they are against Avis being in the shopping center because it doesn't seem to be a fit for the location. Avis has never been in compliance and they use more than seven parking spaces at a time. Mr. Souza said there are usually 25 cars in the parking lot at any given time. Ms. Pham said that when the holiday weekend comes up, the parking lot is filled with cars and Avis cleans the cars in the parking lot. They have nothing against Avis however they feel it is not a good fit for the center.

Chair Williams pointed out for clarification that this item is being continued to August 22nd.

Kevin Monte, Attorney for Avis, said Avis is taking the matter very seriously and are making arrangements with the Hilton hotel and Days Inn to accommodate extra cars. Avis is baffled because nobody else seems to think there is a concern except Mr. Souza and Ms. Pham. Avis would like to sit down with Mr. Souza and the City and try to address his concerns. Avis is also hoping to issue a written request to the landlord where the seven spaces are in addition to the other things they have to do to comply.

Mr. Reliford said staff is talking to Avis about meeting with the Economic Development Manager to try and find them a bigger space. The City wants to retain businesses here and try and assist Avis. Staff is also thinking about having Avis work out an agreement with the Serra center because there is excess parking there and sincerely hopes that Avis will take this into consideration. Staff and Avis have until the August 22nd Planning Commission meeting to work together.

Chair Williams asked if code enforcement will do research on the weekends. Gloria Anaya, Senior Housing and Neighborhood Preservation Specialist said that staff could include weekend monitoring of the site.

Motion to continue Administrative Permit No. AD2007-8 to August 22nd, 2007.

M/S: Sandhu/Ali-Santosa

AYES: 5

NOES: 0

2. USE PERMIT NO. UP2007-8 AND "S" ZONE APPROVAL AMENDMENT NO. SA2007-9

Tiffany Kunsman, Project Planner, presented a request to install two (2) 4' X 8' off-site tract signs for the Paragon development. One sign is proposed at the northeastern corner of Curtis and Main St. The second sign is located on a vacant parcel, near the intersection on the northwest corner of Milpitas Blvd. and Abel St. Ms. Kunsman recommended approve with conditions.

Chair Williams asked what is the difference in size of the existing sign and the proposed sign. **Bruce Fowler, Applicant**, said the signs are the same signs that have been up for Parc Place and are 4' by 8' signs. The only thing that is changing is the information on the sign.

Chair Williams opened the public hearing.

Dan Manassan, 49 Sedbury, lives about 300 feet from the corner of Milpitas Blvd. and Abel, said he is tired of looking at the signs. He said there has been a sign there for 30 years and he has to drive by it every day. He felt that the corner is now used as a place for billboards and advertising and there is no other corner in Milpitas that has these cheap signs in Milpitas. He asked why couldn't these signs be put in another neighborhood.

Commissioner Sandhu asked if the City or someone else owns the sign. Ms. Kunsman said the property owners are Ken Woo and Marion McDonald and they have both given permission to put the signs there.

Commissioner Sandhu asked if the property owners are getting compensation for the signs being located there and Ms. Kunsman said that is between the applicant and the property owners.

Motion to close the public hearing.

M/S: Sandhu/Tabladillo

AYES: 5

NOES: 0

Mr. Reliford said the reason why the signs are put at the corner is because it a prominent corner in Milpitas and a lot of people can see the signs. He does however understand Mr. Manassan's concerns.

Chair Williams said the proposed sign is in compliance with the City's rules however he asked staff to look separately at the other issue of the sign that has been there for thirty years and asked staff to follow up.

Commissioner Tabladillo asked how long will the sign be up and Ms. Kunsman said the standard is two years.

Motion to approve Use Permit No. UP2007-8 and "S" Zone Approval Amendment No. SA2007-9.

M/S: Sandhu/Ciardella

AYES: 5

NOES: 0

The meeting was adjourned at 7:41 p.m. to the next regular meeting of July 11, 2007.

**X.
ADJOURNMENT**

Respectfully Submitted,

Felix Reliford
Principal Planner

Veronica Bejines
Recording Secretary