

APPROVED

PLANNING COMMISSION MINUTES

August 26, 2009

- I. PLEDGE OF ALLEGIANCE** Vice-Chair Mandal called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.
- II. ROLL CALL/SEATING OF ALTERNATE** Present: Aslam Ali, Larry Ciardella, Alex Galang, Sudhir Mandal, Gurdev Sandhu, Noella Tabladillo, and Mark Tiernan
Absent: Cliff Williams
Staff: Ah Sing, Andrade, Brown, and Otake
Alternate Commissioner Mark Tiernan was seated as a member of the voting body.
- III. PUBLIC FORUM** Vice-Chair Mandal 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.
There were no speakers from the audience.
- IV. APPROVAL OF MINUTES**
August 12, 2009 Vice-Chair Mandal called for approval of the minutes of the Planning Commission meeting of August 12, 2009.
There were no changes to the minutes.
Motion to approve the minutes of August 12, 2009 as submitted.
M/S: Ciardella, Galang
AYES: 5
NOES: 0
ABSENT: 1 (Cliff Williams)
ABSTAIN: 2 (Aslam Ali and Noella Tabladillo)
- V. ANNOUNCEMENTS** There were no announcements from staff or the Commission.
- VI. CONFLICT OF INTEREST** Assistant City Attorney Bryan Otake asked if any member of the Commission has any personal or financial conflict of interest related to any of the items on tonight's agenda. There were no Commissioners who identified a conflict of interest.
- VII. APPROVAL OF AGENDA** Vice-Chair Mandal asked whether staff or the Commission have any changes to the agenda.
There were no changes to the agenda.
Motion to approve the agenda as submitted.
M/S: Sandhu, Tabladillo
AYES: 7
NOES: 0
ABSENT: 1 (Cliff Williams)
ABSTAIN: 0

**VIII. CONSENT
CALENDAR**

Vice-Chair Mandal asked whether staff, the Commission, or anyone in the audience wish to remove or add any items to the consent calendar.

Discussion ensued regarding the Consent Calendar procedure. The Commission directed staff to agendize the discussion for their next meeting.

There were no changes to the Consent Calendar.

Motion to approve the Consent Calendar as submitted.

M/S: Tabladillo, Sandhu

AYES: 7

NOES: 0

ABSENT: 1 (Cliff Williams)

ABSTAIN: 0

Vice-Chair Mandal opened the public hearing on Item No. 1.

There were no speakers from the audience.

Motion to close the public hearing.

M/S: Sandhu, Tiernan

AYES: 7

NOES: 0

ABSENT: 1 (Cliff Williams)

ABSTAIN: 0

Motion to adopt Resolution No. 09-039 recommending approval to the City Council.

M/S: Ciardella, Ali

AYES: 7

NOES: 0

ABSENT: 1 (Cliff Williams)

ABSTAIN: 0

***1 SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-0010:** A request to allow a home addition to enclose an existing patio, located at 461 Vista Ridge Drive (APN: 042-30-007) zoned Single Family Residential with Hillside Combining and Site and Architectural Overlay Districts (R1-H-S). Applicant: Javier Mercado. Staff Contact: Tiffany Brown (408) 586-3283. *(Recommendation: Adopt Resolution No. 09-039 recommending approval to the City Council.)*

Vice-Chair Mandal opened the public hearing on Item No. 2.

There were no speakers from the audience.

Motion to open the public hearing and continue to the September 9, 2009 Planning Commission meeting.

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M/S: Tabladillo, Sandhu

AYES: 7

NOES: 0

ABSENT: 1 (Cliff Williams)

ABSTAIN: 0

***2 CONDITIONAL USE PERMIT NO. UP09-0002:** A request to establish an automobile wash service within the Great Mall's parking structure located at 1100 S. Main Street (APN: 086-24-060) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Pronto Wash. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2571. (*Recommendation: Open the public hearing and continue to the September 9, 2009 Planning Commission meeting.*)

X. NEW BUSINESS

3. DISCUSSION OF FURTHER PERMIT STREAMLINING EFFORTS

Sheldon Ah Sing, Senior Planner, presented a request to initiate a zoning text amendment for the purposes of further streamlining the development review process. Mr. Ah Sing stated the Council adopted several ordinances affecting the City's Zoning Ordinance, including parking, reformatting the code and streamlining the development review process over the last two. These amendments have shortened and clarified the review process for development projects and business proposals. Mr. Ah Sing recommended that the Planning Commission receive staff's report and initiate a zoning text amendment for the purposes of further streamlining the development review process.

Commissioner Tabladillo asked if massage establishments need to go through the Planning Commission or will the plan review be done over the counter. Mr. Ah Sing stated the code was changed to allow massage establishments with a Conditional Use Permit in commercial districts. Commissioner Tabladillo also asked if this includes tobacco shops and liquor stores. Mr. Ah Sing stated this does require a Conditional Use Permit at this time but if the Commission wishes to bring that process down a level, it can be done.

Commissioner Ciardella asked what the cost saving would be. Mr. Ah Sing said if the project doesn't have to go through a public hearing process, there would be cost and time savings.

Commissioner Tabladillo asked if staff is looking for direction from the Commission in regards to looking at alternatives in streamlining the process. Mr. Ah Sing stated that is correct, however, an important aspect is bringing projects from Conditional Use Permit down to staff level or introduce a new process which is the Minor Conditional Use Permit process that the Planning Commission Subcommittee would handle.

Commissioner Tiernan stated in terms of providing direction or suggestions, he said we would be looking for a framework or outline that speaks to several things; 1) proposals made by the department and what impact they would have in terms of cost savings or cost avoidance to the City; 2) how those changes would impact our customers, businesses and residents in Milpitas; and 3) this is an important effort but yet not an unique effort. He feels there is some literature about benchmarking and how various Planning Departments and Building Departments develop matrix on how they impact their customers and their cities.

Vice-Chair Mandal stated the City wants it to be easy for people to do business in Milpitas. He wants the public to have the opportunity to give feedback.

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Vice-Chair Mandal asked why it takes so long to process a project. Mr. Ah Sing stated under State law the City is limited providing comments to the applicant within 30 days in order to give feedback and review the project to make sure it is complete. This process may continue another 30 days after the re-submittal from the applicant. Also, it takes time to generate notices that go out 10 days in advance of the Planning Commission meeting and generate a staff report that is reviewed by the Senior Planner and Assistant City Attorney.

Motion to have staff take into account the guidance that was given at today's meeting from the various Commissioners and for staff to comeback within 4 – 6 weeks with suggestions and recommendations.

M/S: Tiernan, Mandal

AYES: 7

NOES: 0

ABSENT: 1 (Cliff Williams)

ABSTAIN: 0

**XI.
ADJOURNMENT**

The meeting was adjourned at 7:52 p.m. to the next meeting of September 9, 2009.

Respectfully Submitted,

James Lindsay
Planning & Neighborhood
Services Director

Yvonne Andrade
Recording Secretary

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