

APPROVED

PLANNING COMMISSION SUBCOMMITTEE MINUTES

August 11, 2010

I. ROLL CALL

Present: Larry Ciardella and Sudhir Mandal
Staff: Andrade and Hom

1. MINOR SITE DEVELOPMENT PERMIT NO. MS10-0016

Cindy Hom, Assistant Planner, presented a request to install an enclosure for existing equipment and trash compactor located at 660 Vista Way. Ms. Hom recommended approving Minor Site Development Permit No. MS10-0016 subject to the conditions of approval.

Motion to approve Minor Site Development Permit No. MS10-0016 subject to the conditions of approval.

M/S: Mandal, Ciardella

AYES: 2

NOES: 0

2. MINOR SITE DEVELOPMENT PERMIT NO. MS10-0017

Cindy Hom, Assistant Planner, presented a request for a four day carnival event from August 19, 2010 to August 22, 2010 at the Great Mall parking lot near Falcon Drive. Ms. Hom recommended approving Minor Site Development Permit No. MS10-0017 subject to the conditions of approval.

Motion to approve Minor Site Development Permit No. MS10-0017 subject to the conditions of approval.

M/S: Mandal, Ciardella

AYES: 2

NOES: 0

II. ADJOURNMENT

This meeting was adjourned at 6:45 p.m.

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- I. ROLL CALL/SEATING OF ALTERNATE** Present: Larry Ciardella, Sudhir Mandal, Gurdev Sandhu, Noella Tabladillo, Steve Tao, Mark Tiernan, and Cliff Williams
Absent: None
Staff: Andrade, Hom, Lindsay, and Otake
- II. PLEDGE OF ALLEGIANCE** Chair Williams called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.
- 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 agendize the matter for a future meeting.
There were no speakers from the audience.
- IV. APPROVAL OF MINUTES** July 28, 2010
Chair Williams called for approval of the minutes of the Planning Commission meeting of July 28, 2010.
There were no changes to the minutes.
Motion to approve the minutes of July 28, 2010 as submitted.
M/S: Mandal, Tiernan
AYES: 6
NOES: 0
ABSENT: 0
ABSTAIN: 1 (Noella Tabladillo)
- V. ANNOUNCEMENTS** James Lindsay, Planning Director, announced City For All Ages: Land Use Planning and Our Aging Population; Thursday, August 19, 2010 at 6:30 p.m. at the new Milpitas Senior Center. Commissioner Ciardella requested a report on the happenings in the City once a month from staff. Vice-Chair Mandal asked about the Walking Tour. Mr. Lindsay stated the Walking Tour is scheduled for August 29th at 9:00 a.m. Commissioner Tabladillo requested staff provide the Commission with a matrix of projects.
- 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** Chair Williams asked whether staff or the Commission have any changes to the agenda. There were no changes to the agenda.

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Motion to approve the agenda as submitted.

M/S: Mandal, Sandhu

AYES: 7

NOES: 0

ABSENT: 0

ABSTAIN: 0

**VIII. CONSENT
CALENDAR**

There were no Consent Calendar items.

IX. PUBLIC HEARING

**1. CONDITIONAL USE
PERMIT NO. UP10-0011**

Cindy Hom, Assistant Planner, presented a request to operate a 1,750 square foot restaurant and commercial bakery within an existing 27,450 square foot space located at 556 S. Milpitas Blvd. Ms. Hom recommended adopting Resolution No. 10-033 approving the project subject to conditions of approval.

Chair Williams asked if this site was similar to Specialty Bakery. Ms. Hom stated Specialty Bakery functions more like a restaurant. The site in question is more commercialized.

Vice-Chair Mandal asked what was on the prior space. Ms. Hom stated the space was vacant.

Commissioner Tao asked if the parking is connected in the back side. Ms. Hom stated the parking does not connect. Commissioner Tao also asked if alcohol will be served at this site. Ms. Hom said no. Commissioner Tao asked about lighting in the parking lot. Ms. Hom stated if it is the desire of the Commission they can place a condition that would look at the lighting during plan check.

Commissioner Tiernan asked about outside seating. Ms. Hom said currently the applicant is not allowed to have outside seating due to parking spaces.

Commissioner Ciardella asked if the bakery could be opened 24 hours a day. Ms. Hom said based on the hours described in the project letter the hours of operation are limited to those hours.

Commissioner Tao asked about curb details. Ms. Hom stated the curb details would be verified during plan check.

Pavan Nichenametla, 40923 Durillo Drive, Fremont, CA, stated he had no comments.

Vice-Chair Mandal asked about the lighting situation. Mr. Nichenametla stated there will be flood lighting on the top of the building.

Commissioner Ciardella asked about the baking hours. Mr. Nichenametla stated the volume they have is very minimal so the hours are sufficient.

Commissioner Tao asked if the side lighting enough to cover the whole parking area. Mr. Nichenametla stated he only leases the north side of the building and it would be enough lighting.

Commissioner Tabladillo asked if they would be holding banquets at this site. Mr. Nichenametla stated no.

Commissioner Tabladillo also asked about the hours. Mr. Nichenametla said they are open 7 days a week. Most of the clientele would be Monday through Friday during the

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lunch hour.

Chair Williams asked about the delivery of the product. Mr. Nichenametla stated they have one truck that would be delivering the product.

Commissioner Sandhu asked if the applicant has any other locations. Mr. Nichenametla stated this site is the only location he has.

Chair Williams opened the public hearing.

There were no speakers from the audience.

Motion to close the public hearing.

M/S: Sandhu, Tiernan

AYES: 7

NOES: 0

ABSENT: 0

ABSTAIN: 0

Chair Williams supports this application. He proposes a 6 month review due to traffic flow. Commissioner Tiernan also supports this application.

Vice-Chair Mandal welcome the applicant to Milpitas and supports this application. Commissioner Tao also supports and welcomes this application.

Motion to adopt Resolution No. 10-033 approving the project subject to conditions of approval with the condition of a 6 month review.

M/S: Williams, Mandal

AYES: 7

NOES: 0

ABSENT: 0

ABSTAIN: 0

**X.
ADJOURNMENT**

The meeting was adjourned at 7:33 p.m. to the next meeting of August 25, 2010.

Respectfully Submitted,

James Lindsay
Planning & Neighborhood
Services Director

Yvonne Andrade
Recording Secretary

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