

APPROVED

PLANNING COMMISSION SUBCOMMITTEE MINUTES

September 22, 2010

I. ROLL CALL

Present: Larry Ciardella
Staff: Andrade, Brown, Hom, and Lindsay

1. MINOR SITE DEVELOPMENT PERMIT NO. MS10-0021

Cindy Hom, Assistant Planner, presented a request for a four day outdoor carnival event held on October 21, 2010 to October 24, 2010 between the hours of 4:00 p.m. to 10:00 p.m. in the Walmart south parking lot area located at 301 Ranch Drive. Ms. Hom recommended approving Minor Site Development Permit No. MS10-0021 subject to the conditions of approval.

Motion to approve Minor Site Development Permit No. MS10-0021 subject to the conditions of approval.

M/S: Ciardella

AYES: 1

NOES: 0

2. MINOR SITE DEVELOPMENT PERMIT NO. MS10-0025

Tiffany Brown, Junior Planner, presented a request to have a one day outdoor "Walk n' Wag" fundraising event for the Humane Society located at 901 Ames Ave. Ms. Brown recommended approving Minor Site Development Permit No. MS10-0025 subject to the conditions of approval.

Motion to approve Minor Site Development Permit No. MS10-0025 subject to the conditions of approval.

M/S: Ciardella

AYES: 1

NOES: 0

3. MINOR SITE DEVELOPMENT PERMIT NO. MS10- 0024

Tiffany Brown, Junior Planner, presented a request to have a three day outdoor Autumn Festival with carnival rides, games, cultural food, and more located at 279 So. Main Street. Ms. Brown recommended approving Minor Site Development Permit No. MS10-0024 subject to the conditions of approval.

Motion to approve Minor Site Development Permit No. MS10-0024 subject to the conditions of approval.

M/S: Ciardella

AYES: 1

NOES: 0

II. ADJOURNMENT

This meeting was adjourned at 6:47 p.m.

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- I. ROLL CALL/SEATING OF ALTERNATE**
Present: Larry Ciardella, Gurdev Sandhu, Noella Tabladillo, Steve Tao, and Cliff Williams
Absent: John Luk, Sudhir Mandal, and Mark Tiernan
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**
September 8, 2010
Chair Williams called for approval of the minutes of the Planning Commission meeting of September 8, 2010.
There were no changes to the minutes.
Motion to approve the minutes of September 8, 2010 as submitted.
M/S: Ciardella, Tabladillo
AYES: 4
NOES: 0
ABSENT: 2 (Sudhir Mandal and Mark Tiernan)
ABSTAIN: 1 (Gurdev Sandhu)
- V. ANNOUNCEMENTS**
James Lindsay, Planner Director, announced that the latest information on the PG&E gas pipelines at risk has been posted on the City's website. At the October 5, 2010 City Council meeting, the Council will speak on the PG&E gas pipelines at risk.
- 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. Commissioner Tabladillo stated her children attend the school for Item IX-1. There were no other 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.
Motion to approve the agenda as submitted.
M/S: Ciardella, Tabladillo

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AYES: 5
NOES: 0
ABSENT: 2 (Sudhir Mandal and Mark Tiernan)
ABSTAIN: 0

VIII. CONSENT CALENDAR

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

There were no changes to the Consent Calendar.

Motion to open the public hearing on Item No. VIII-1 and continue the item to the October 27, 2010 Planning Commission Meeting.

M/S: Ciardella, Sandhu

AYES: 5
NOES: 0
ABSENT: 2 (Sudhir Mandal and Mark Tiernan)
ABSTAIN: 0

- 1. GENERAL PLAN AMENDMENT NO. GP10-0003 AND SPECIFIC PLAN AMENDMENT NO. ST10-0001:** A request to consider proposed text amendments to the General Plan and Midtown Specific Plan. Proposed text amendments consist of changes to integrate the City's Park and Recreation Master Plan and Milpitas Bikeway Master Plan as well as other updates to exhibits, tables, and figures, which includes land use designation changes to several creek channels and public right-of-ways. Applicant: City of Milpitas. Staff Contact: Cindy Hom (408) 586-3284. (*Recommendation: Continue the item to the October 27, 2010 Planning Commission meeting*)

IX. PUBLIC HEARING

Commissioner Tabladillo excused herself from this item.

1. SITE DEVELOPMENT PERMIT NO. SD10-0008

Cindy Hom, Assistant Planner, presented a request to install a 1,440 square foot accessory building located at 1500 Yosemite Drive. Ms. Hom recommended adopting Resolution No. 10-040 approving the project subject to conditions of approval.

Commissioner Ciardella asked if the accessory buildings will be used as actual class rooms. Ms. Hom stated yes. Commissioner Ciardella also asked how many windows are there in each class room. Ms. Hom stated there is only one window for each class room.

Commissioner Tao asked about the chain link fence. Ms. Hom stated the chain link fence will continue to be used to secure the building.

Kevin Mattos, Architect, 111 W. Saint John St., Ste. 950, San Jose, stated he was available to answer any questions the Commission might have.

Commissioner Ciardella asked about the windows. Mr. Mattos stated the building has the state approved condition for these types of pre-manufactured classrooms. It is consistent with the existing portables that are there now.

Commissioner Tao asked if the chain link fence will be enclosed within the secured areas. Mr. Mattos stated the new building will be within the playground behind the fence.

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Chair Williams is concerned with traffic flow. Ms. Hom stated staff has not received any comments regarding traffic from the public. Mr. Lindsay stated it did not warrant a specific traffic impact study for this project.

Commissioner Tao asked what the operating hours for this project are.

Ms. Tan, School Principal, 1500 Yosemite Dr., Milpitas, stated the hours are 6:30 a.m. to 6 p.m. Normally school starts at 8:00 a.m. for 4th grade to 8th grade, for kindergarten to 2nd grade school starts at 8:30 a.m., and 3rd grade starts at 8:15 a.m.

Commissioner Tao asked about lighting. Ms. Tan stated there is adequate lighting. During the time change, they have the children stay in the multi-purpose room until their parents pick them up. The new portable will be used for the middle school students.

Chair Williams opened the public hearing.

Paul Peterson, 1466 Glacier Dr., Milpitas, stated he is concerned with traffic. Parents block his driveway. There are too many cars parked in the street.

Motion to close the public hearing.

M/S: Sandhu, Ciardella

AYES: 4

NOES: 0

ABSENT: 2 (Sudhir Mandal and Mark Tiernan)

ABSTAIN: 1 (Noella Tabladillo)

Chair Williams stated he is concerned with traffic congestion. Mr. Lindsay stated staff was not aware of any unusual traffic congestion at this school. Mr. Lindsay stated the Commission could add a condition that the school implements a traffic control plan. Chair Williams asked if the Traffic Engineering Department have any current data to reflect what the current situation in the area is. Mr. Lindsay stated this project did not cause any concern with traffic congestion. Chair Williams proposes that there would be a three and six month Traffic Engineering review especially on street sweeping and waste management pick up days.

Commissioner Tao asked the applicant when they expect to start operation. Ms. Tan stated that they will begin at the end of October or the beginning of November. Ms. Tan stated the congestion occurs in the morning between 8:10 a.m. to 8:45 a.m. and in the afternoon between 2:30 p.m. to 3:00 p.m. During the day there is no traffic problem visible. Commissioner Tao asked if the parking lot is completely used from 8:00 a.m. to 3:00 p.m. Ms. Tan stated there are empty spaces after the parents leave.

Commissioner Ciardella asked staff if the street sweeper can begin sweeping later in the morning. Mr. Lindsay stated the street sweepers have set parameters of times for street sweeping. Commissioner Ciardella asked could the Police Department address the double parking on the streets. Mr. Lindsay stated one of the conditions is that there will be assessments from the Traffic Engineering Department and the Police Department.

Commissioner Sandhu asked staff if un-utilized land could be used for parking. Mr. Lindsay stated staff will work with Merryhill to implement a traffic control plan.

Chair Williams asked if it is possible that this is the same situation occurring across the city where there may be multiple vehicles per residents. Mr. Lindsay stated more parents are driving their children to school now than before.

Mr. Lindsay read the additional conditions of approval which are: 1) traffic control plan

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for both schools and 2) a three and six month review.

Commissioner Ciardella asked staff if three months is sufficient for the study. Mr. Lindsay stated yes.

Motion to adopt Resolution No. 10-040 approving the project subject to conditions of approval with the additional conditions.

M/S: Williams, Ciardella

AYES: 4

NOES: 0

ABSENT: 2 (Sudhir Mandal and Mark Tiernan)

ABSTAIN: 1 (Noella Tabladillo)

**X.
ADJOURNMENT**

The meeting was adjourned at 8:01 p.m. to the next meeting of October 13, 2010.

Respectfully Submitted,

James Lindsay
Planning & Neighborhood
Services Director

Yvonne Andrade
Recording Secretary

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