

APPROVED

PLANNING COMMISSION MINUTES

September 28, 2011

- I. PLEDGE OF ALLEGIANCE** 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: John Luk, Sudhir Mandal, Zeya Mohsin, Gurdev Sandhu, Noella Tabladillo, and Steve Tao
- Absent: Larry Ciardella and Mark Tiernan
- Staff: Ah Sing, Andrade, Barnhart, Bravo, Lindsay, and Otake
- III. PUBLIC FORUM** 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 agendize the matter for a future meeting.
- There were no speakers from the audience.
- IV. APPROVAL OF MINUTES**
September 14, 2011
- Chair Mandal called for approval of the minutes of the Planning Commission meeting of September 14, 2011.
- There were no changes to the minutes.
- Motion** to approve the minutes of September 14, 2011 as submitted.
- M/S: Tabladillo, Tao
- AYES: 6
- NOES: 0
- ABSENT: 2 (Larry Ciardella and Mark Tiernan)
- ABSTAIN: 0
- V. ANNOUNCEMENTS** Vice-Chair Tabladillo stated she will not be at the October 12, 2011 meeting.
- 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. Chair Mandal stated he had an interest in Item VIII-2. There were no other Commissioners who identified a conflict of interest.
- VII. APPROVAL OF AGENDA** 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: Tabladillo, Tao
- AYES: 6
- NOES: 0
- ABSENT: 2 (Larry Ciardella and Mark Tiernan)
- ABSTAIN: 0

**VIII. CONSENT
CALENDAR**

Chair Mandal 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 approve the Consent Calendar as submitted.

M/S: Sandhu, Mohsin

AYES: 5

NOES: 0

ABSENT: 2 (Larry Ciardella and Mark Tiernan)

ABSTAIN: 1 (Sudhir Mandal)

1. **CONDITIONAL USE PERMIT NO. UP11-0021:** A request to locate a wireless telecommunication facility consisting of a new monopole and associated equipment structure located at 1751 So. McCarthy Blvd (APN: 086-03-012) zoned Industrial Park with Site and Architectural Overlay (MP-S). Applicant: Misako Hill, AT&T Mobility. Staff Contact: Janice Spuller (408) 586-3291. PJ # 2737. (*Recommendation: Adopt Resolution No. 11-049 subject to conditions of approval.*)
2. **CONDITIONAL USE PERMIT NO. UP11-0030:** A request to re-establish a discontinued wholesale use in accordance with the City's zoning nonconforming standards. Located at 720 Montague Expressway, Suite A (aka 1507 Gladding Ct.) (APN: 092-08-077) zoned Mixed Use Very High Density with Transit Oriented Development and Site and Architectural Overlays (MXD3-TOD-S). Applicant: Surinder Saini. Staff Contact: Sheldon S. Ah Sing (408) 586-3278. PJ # 2764. (*Recommendation: Adopt Resolution No. 11-042 subject to conditions of approval.*)

IX. PUBLIC HEARING

Staff requested this item be continued to the October 26, 2011 PC meeting.

1. **GENERAL PLAN
AMENDMENT NO.
GP11-0001, ZONING
AMENDMENT NO.
ZA11-0001, SPECIFIC
PLAN AMENDMENT
NO. ST11-0001,
ENVIRONMENTAL
IMPACT ASSESSMENT
NO. EA11-0001, MAJOR
TENTATIVE MAP NO.
MT11-0001, SITE
DEVELOPMENT
PERMIT NO. SD11-0007,
and CONDITIONAL
USE PERMIT NO. UP11-
0031**

Motion to continue this item to the October 26, 2011 PC meeting.

M/S: Tao, Sandhu

AYES: 6

NOES: 0

ABSENT: 2 (Larry Ciardella and Mark Tiernan)

ABSTAIN: 0

2. **SITE DEVELOPMENT
PERMIT AMENDMENT**

Sheldon Ah Sing, Senior Planner, presented a request to amend the previously approved project to allow a fifth story and to replace a "wrap" condominium unit building with

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**NO. SA11-0005, MAJOR
TENTATIVE MAP
AMENDMENT NO.
TM11-0001 and
CONDITIONAL USE
PERMIT AMENDMENT
NO. UA11-0008,
CITATION
RESIDENTIAL
PROJECT**

townhomes. The project site would accommodate up to 732 dwelling units with density averaging. The proposal includes a vesting tentative map for condominium purposes. This proposal includes development plans and architectural review for the project. The project is located at 1200 Piper Drive. Mr. Ah Sing recommended adopting Resolution No. 11-048 recommending approval to the City Council.

Commissioner Tao had questions regarding the additional packet the Commission received. Mr. Ah Sing stated this is an amendment to the original 2009 project.

Michael Sullivan, 404 Saratoga Ave, Santa Clara, stated they are working closely with City staff and others in order to accommodate the new BART station and planned project. He gave a presentation on this project.

Commissioner Tao asked about the density modification. Mr. Sullivan stated there is no net increase or no impact to the school district because they are not increasing density beyond what was anticipated in the Transit Area Specific Plan or sub-district. Commissioner Tao asked if the existing cul-de-sac at the end of Piper will remain regarding landscaping with the new layout. Mr. Sullivan stated the existing curve will not remain. Commissioner Tao asked the size of the units. Mr. Sullivan stated Plan #1 is 1,645 sq ft, Plan #2 is 1,800 sq ft, and Plan #3 is a little larger than Plan #2. Commissioner Tao asked about the lighting. Mr. Sullivan stated they are working with staff on lighting and privacy.

Commissioner Tabladillo asked if the play area covered with a canopy. Mr. Sullivan stated the tot lot and water play areas have a canopy for shading. Vice-Chair Tabladillo asked if the trees were going to cover the exterior of the park. Mr. Sullivan stated the plan is still a concept and that they will work with staff to ensure safety.

Chair Mandal asked if this project going to be energy efficient. Mr. Sullivan stated they are thinking about creating shading with solar panels on the roof tops. Chair Mandal asked about the strength of glass at higher places because of the adjacency with the railways. Mr. Sullivan stated they are incorporating sound walls to reduce noise.

Commissioner Tao is concerned with parking. Commissioner Tao asked the signage type they will use. Mr. Sullivan stated the primary entrance is on Milpitas Blvd. They will have monument signs also. The signs will be engraved and lit.

Chair Mandal opened the public hearing.

Scott Littlehale, Carpenters Union Representative, stated they stand for quality jobs. He said the union believes this project is located on a site with a history of past toxic contamination in the ground.

Motion to continue the public hearing to October 12, 2011 so that staff can take a look at the documents provided by the Carpenters Union and provide an adequate analysis.

M/S: Tabladillo, Sandhu

AYES: 6

NOES: 0

ABSENT: 2 (Larry Ciardella and Mark Tiernan)

ABSTAIN: 0

**X.
ADJOURNMENT**

The meeting was adjourned at 8:10 p.m. to the next meeting of October 12, 2011.

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Respectfully Submitted,

James Lindsay
Planning & Neighborhood
Services Director

Yvonne Andrade
Recording Secretary

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