

APPROVED

PLANNING COMMISSION SUBCOMMITTEE MINUTES

November 9, 2011

I. ROLL CALL

Present: Mandal and Mohsin
Staff: Ah Sing and Andrade

1. MINOR SITE DEVELOPMENT PERMIT NO. MS11-0034

Sheldon Ah Sing, Senior Planner, presented a request to modify the façade to the approved Centria West project located at 1102 So. Abel Street. Mr. Ah Sing recommended continuing this item to November 16, 2011.

Motion to continue this item to November 16, 2011 at 6:00 p.m.

M/S: Mandal, Mohsin

AYES: 2

NOES: 0

II. ADJOURNMENT

This meeting was adjourned at 6:33 p.m.

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- 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: Larry Ciardella, John Luk, Sudhir Mandal, Zeya Mohsin, Gurdev Sandhu, Noella Tabladillo, and Steve Tao
Absent: Mark Tiernan
Staff: Ah Sing, Andrade, Barnhart, Bravo, Otake, Spuller
Alternate Commissioner John Luk was seated as a member of the voting body.
- 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**
October 26, 2011 Chair Mandal called for approval of the minutes of the Planning Commission meeting of October 26, 2011.
There were no changes to the minutes.
Motion to approve the minutes of October 26, 2011 as submitted.
M/S: Mohsin, Ciardella
AYES: 7
NOES: 0
ABSENT: 1 (Mark Tiernan)
ABSTAIN: 0
- V. ANNOUNCEMENTS** Chair Mandal announced he would not be at the December 14, 2011 PC meeting. Commissioner Mohsin requested staff give a presentation on the minimum and maximum standards for new projects coming in.
- 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 Mandal asked whether staff or the Commission have any changes to the agenda. Diana Barnhart, Planning Director, requested Consent Calendar Item No. VIII-1 be removed from the agenda.
Motion to approve the agenda with the removal of Consent Calendar Item No. VIII-1.

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M/S: Tabladillo, Mohsin
AYES: 7
NOES: 0
ABSENT: 1 (Mark Tiernan)
ABSTAIN: 0

**VIII. CONSENT
CALENDAR**

This item was removed from the agenda.

IX. PUBLIC HEARING

**1. CONDITIONAL USE
PERMIT NO. UP11-0034**

Janice Spuller, Assistant Transportation Planner, presented a request to host a weekly food truck event at the Serra Center Shopping Center located at 200 Serra Way. Ms. Spuller recommended adopting Resolution No. 11-054 subject to conditions of approval.

Vice-Chair Tabladillo asked what determined this location and not closer to Yo Pho restaurant. Ms. Spuller stated they chose to be closer to the driveway for easier access for the patrons to come in and out. Vice-Chair Tabladillo asked if the surrounding businesses notified. Ms. Spuller stated the entire center has been notified and agreed.

Commissioner Ciardella asked who would be in charge of the tables and chairs. Ms. Spuller stated the vendor or Chamber of Commerce would provide these items.

Vice-Chair Tabladillo asked about the barricades. Ms. Spuller stated there is a pedestrian barricade. It would be a mesh gating.

Commissioner Mohsin asked if the Fire Brigade will be in attendance. Ms. Spuller stated staff will monitor for the first two events. Fire Prevention reviewed and did not see a reason for attendance. Commissioner Mohsin asked if the food trucks registered through the City or Chamber of Commerce. Ms. Spuller stated each food truck is required to have a business license.

Vice-Chair Tabladillo asked if the food trucks assigned to a specified area. Ms. Spuller stated these trucks are limited to 10 trucks in this area.

Chair Mandal stated this is a great idea. Chair Mandal asked when the start date is. Ms. Spuller stated it is up to the Chamber of Commerce; there is a 12 day appeal period. Chair Mandal asked if there is adequate lighting in the parking lot. Ms. Spuller stated the lighting is from the Serra Center. Chair Mandal asked if it is possible for each vendor to bring a potted plant. Ms. Spuller stated that is up to the vendors.

Commissioner Ciardella asked how many vendors come in for a business license. Ms. Spuller stated there have been quite a few that have applied for a business license. Commissioner Ciardella asked if they are required to display a business license. Ms. Spuller stated the vendor has to have a business license on hand.

Commissioner Sandhu asked how many trucks will there be. Ms. Spuller stated a maximum of 10 trucks. Commissioner Sandhu asked the operating hours. Ms. Spuller stated Wednesdays 5:00 p.m. to 8:00 p.m. Commissioner Sandhu asked about odor control. Ms. Spuller stated the vendors would have to follow the public safety for Santa Clara County.

Commissioner Tao asked the number of people in attendance. Ms. Spuller stated it depends on the season. Commissioner Tao asked what type of restrooms the restaurant would have. Ms. Spuller stated at least two stalls would be used. Commissioner Tao

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asked where the garbage would be disposed. Ms. Spuller stated the garbage were be dumped in the Big Lots bins. Commissioner Tao asked if there was any outreach to the brick and mortar restaurants. Ms. Spuller stated staff notified property owners within a 1,000 ft radius which included the shopping centers in the area.

Commissioner Luk asked what the property management involvement is. Ms. Spuller stated the property management is aware of the event.

Gary Wong, Architect, 620 So Main St., stated the Serra Center already had secure lighting. Vendors have lights on the trucks to illuminate the area. Big Lots, Yo Pho, and the property manager have agreed to location where the trucks will be. There is plenty of parking.

Chair Mandal asked about security. Mr. Wong stated the Chamber is responsible for security, trash, and clean up.

Commissioner Tao asked if the Chamber reached out to the brick and mortar restaurants beyond the 1,000 ft radius. Mr. Wong stated the Chamber has not done that yet but they are committed to reaching out to the brick and mortar restaurants. Commissioner Tao asked if this event going to expand. Mr. Wong stated they are trying to make this event an enjoyable and relaxing environment. Commissioner Tao asked if alcohol be sold. Mr. Wong stated no alcohol will be sold.

Vice-Chair Tabladillo stated this is a great opportunity for the City of Milpitas, although she has a concern with safety. She would like to see some kind of mesh fencing to secure the ends of the trucks so vehicles do not go through the middle of the trucks.

Phil Woodman, Food Truck Mafia, 35936 Plumera Way, Fremont, stated the food truck vendors are on a first come first serve basis. Ten percent (10%) of sales go back to the Chamber of Commerce. There will be different varieties of food each week.

Vice-Chair Tabladillo asked if there have been any problems at these events. Mr. Woodman stated there have not been any problems at all.

Commissioner Ciardella asked if the vendors provide the tables and chairs. Mr. Woodman stated usually the Chamber of Commerce provides the tables and chairs. **Carol Kassab, CEO, Chamber of Commerce,** stated the first couple of events will not have any tables or chairs. In the future they will have tables and chairs. Commissioner Ciardella asked who will do the clean up. Ms. Kassab stated the Chamber will be responsible for clean up. There will always be a couple of representatives from Food Truck Mafia to do the last clean up.

Commissioner Mohsin asked if the trucks need to have a business license from each City. Mr. Woodman stated some don't have a license from each city. Each truck must have a County Health permit for each county they are in.

Commissioner Tao asked how many people come to these events. Mr. Woodman stated to begin with it would probably be around 50 people in the winter season. In the spring you might have 500 people. In the spring/summer seasons they would have portable toilets to accommodate everyone.

Commissioner Ciardella asked if a commuter parks their vehicle in a parking stall where the event will happen how will they let people know not to park in that area. Mr. Woodman stated signs will be posted in that area letting people know they are having an event there.

Chair Mandal is concerned with safety and thought putting plants at the end of the

trucks instead of barriers would help and look much more pleasant.

Chair Mandal opened the public hearing.

There were no speakers from the audience.

Motion to close the public hearing.

M/S: Tabladillo, Ciardella

AYES: 7

NOES: 0

ABSENT: 1 (Mark Tiernan)

ABSTAIN: 0

Motion to adopt Resolution No. 11-054 with the following amendments:

1. The event operator shall work with staff to provide added protection, such as barricades, fencing or plants, to each ends of the event for ensuring a barrier between vehicles and pedestrians.
2. Prior to issuance of business license, the event operator shall provide to staff, appropriate documentation from the neighboring businesses within the Serra Center approving use of their facilities including trash and/or restrooms during the operations of the weekly event.
3. The event is subject to a six (6) and twelve (12) month review by the Planning Commission. The first review shall take place in June 2012 and shall be a public hearing to review conformance with conditions of approval.
4. Conditions Of Approval #2 modified to read event set up no earlier than 3:00 p.m., operational sale time 4:00 p.m. to 9:00 p.m., and event clean up no later than 10:00 p.m.

M/S: Tabladillo, Ciardella

AYES: 7

NOES: 0

ABSENT: 1 (Mark Tiernan)

ABSTAIN: 0

**X.
ADJOURNMENT**

The meeting was adjourned at 8:32 p.m. to the next meeting of December 14, 2011.

Respectfully Submitted,

Sheldon S. Ah Sing
Senior Planner

Yvonne Andrade
Recording Secretary

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