

# **APPROVED**

## **PLANNING COMMISSION MINUTES**

**January 25, 2012**

- 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: Garry Barbadillo, Larry Ciardella, John Luk, Rajeev Madnawat, Sudhir Mandal, Zeya Mohsin, Gurdev Sandhu, and Steve Tao
- Absent: None
- Staff: Ah Sing, Barnhart, Casagrande, Hom, 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**  
January 11, 2012
- Chair Mandal called for approval of the minutes of the Planning Commission meeting of January 11, 2012.
- There were no changes to the minutes.
- Motion** to approve the minutes of January 11, 2012 as submitted.
- M/S: Mohsin, Tao
- AYES: 7
- NOES: 0
- ABSENT: 0
- ABSTAIN: 0
- V. ANNOUNCEMENTS** Diana Barnhart, Planning Director, distributed a flyer on a free workshop for Planning Commissioners, Basic Planning 101 Workshop Series. She also announced the Planners Institute and Mini Expo which will be held on Tuesday, March 20, 2012 through Thursday, March 22, 2012 at the Fairmont Hotel in San Jose.
- 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.
- There were no changes to the agenda.
- Motion** to approve the agenda as submitted.
- M/S: Ciardella, Mohsin
- AYES: 7
- NOES: 0
- ABSENT: 0

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: Tao, Mohsin

AYES: 7

NOES: 0

ABSENT: 0

ABSTAIN: 0

**1. CONDITIONAL USE PERMIT AMENDMENT NO. UA11-0011:** A request to add sales of beer and wine for an existing restaurant located at 510 Barber Lane, zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Feng Wang. Staff Contact: Janice Spuller (408) 586-3291. PJ # 2786. *(Recommendation: Adopt Resolution No. 12-002 approving the project subject to conditions of approval.)*

**IX. PUBLIC HEARING**

**1. CONDITIONAL USE  
PERMIT AMENDMENT  
NO. UA12-0001**

Cindy Hom, Assistant Planner, presented a request to modify hours of operation from 2:00 a.m. to 3:00 a.m. for an existing karaoke establishment located at 788 Barber Lane. Ms. Hom recommended adopting Resolution No. 12-005 approving the project subject to conditions of approval.

Commissioner Tao asked about police calls and frequency. Ms. Hom stated there was an incident on the property and the police checked the premises including the karaoke establishment. The incident did not result in any arrest.

Commissioner Mohsin asked what the seating capacity is. Ms. Hom stated the maximum occupancy capacity is (49) forty-nine for the business. Commissioner Mohsin asked if there is security at this site. Ms. Hom stated they have an emergency contact list and use mall security that patrols the site.

Commissioner Luk stated he supports this project.

Chair Mandal asked what other establishments at this mall open late at night. Ms. Hom stated there are four other establishments that open until 3 a.m. Chair Mandal asked about evacuation procedures. Ms. Hom stated the establishment does not include evacuation procedures.

Commissioner Madnawat asked if this project subject to a 12 month review. Ms. Hom stated yes.

**Joe Zheng, 788 Barber Lane, Milpitas, and Karen Kam, 668 Barber Lane, Milpitas,** stated they were available for questions from the Commission.

Commissioner Tao asked if his business open on a daily basis. Mr. Zheng stated it is open on a daily basis until 3:00 a.m. unless there are no customers then they close at 1:00 a.m. Commissioner Tao asked how many employees he has. Mr. Zheng stated they have two employees.

Chair Mandal opened the public hearing.

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There were no speakers from the audience.

**Motion** to close the public hearing.

M/S: Sandhu, Mohsin

AYES: 7

NOES: 0

ABSENT: 0

ABSTAIN: 0

**Motion** to adopt Resolution No. 12-005 approving the project subject to conditions of approval.

M/S: Madnawat, Sandhu

AYES: 6

NOES: 0

ABSENT: 0

ABSTAIN: 1 (Steve Tao)

**X.  
ADJOURNMENT**

The meeting was adjourned at 7:37 p.m. to the next meeting of February 8, 2012.

Respectfully Submitted,

Sheldon S. Ah Sing  
Senior Planner

Yvonne Andrade  
Recording Secretary

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