

# **UNAPPROVED**

## **PLANNING COMMISSION SUBCOMMITTEE MINUTES**

**April 25, 2012**

### **I. ROLL CALL**

Present: Ciardella and Sandhu  
Staff: Ah Sing, Andrade, and Hom

#### **1. MINOR SITE DEVELOPMENT PERMIT NO. MS12-0011**

Cindy Hom, Assistant Planner, presented a request to hold a one day special event Thursday, May 3, 2012 between the hours of 7:00 p.m. – 9:00 p.m. at the Milpitas Sports Center Stadium located at 1325 E. Calaveras Blvd. The anticipated number of attendants is between 400 – 500 people over the course of the event. The event will also include amplified music, which includes a choir and musical instruments. Ms. Hom recommended approving Minor Site Development Permit No. MS12-0011 subject to conditions of approval.

**Motion** to approve Minor Site Development Permit No. MS12-0011 subject to conditions of approval.

M/S: Ciardella, Sandhu

AYES: 2

NOES: 0

### **II. ADJOURNMENT**

This meeting was adjourned at 6:38 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: Garry Barbadillo (7:04 p.m.), Larry Ciardella, Rajeev Madnawat, Sudhir Mandal, Gurdev Sandhu, and Steve Tao  
Absent: John Luk and Zeya Mohsin  
Staff: Ah Sing, Andrade, Hom, Otake, and Spuller  
Alternate Commissioner Garry Barbadillo 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.  
**Lou Horiza, Knights of Columbus**, made a presentation on The Citizen Of The Year Award. Nomination awards were given to Chair Mandal and Commissioner Ciardella.
- IV. APPROVAL OF MINUTES**  
April 11, 2012  
Chair Mandal called for approval of the minutes of the Planning Commission meeting of April 11, 2012.  
There were no changes to the minutes.  
**Motion** to approve the minutes of April 11, 2012 as submitted.  
M/S: Sandhu, Tao  
AYES: 5  
NOES: 0  
ABSENT: 2 (John Luk and Zeya Mohsin)  
ABSTAIN: 1 (Larry Ciardella)
- V. ANNOUNCEMENTS** There were no announcements from staff or the Commission.
- 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 Tao stated he represents the applicant in Item No. IX-2 Robson Homes. 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: Ciardella, Sandhu

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AYES: 6  
NOES: 0  
ABSENT: 2 (John Luk and Zeya Mohsin)  
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: Madnawat, Sandhu

AYES: 6

NOES: 0

ABSENT: 2 (John Luk and Zeya Mohsin)

ABSTAIN: 0

**1. CONDITIONAL USE PERMIT NO. UP12-0006:** A request to operate a 1,200 square foot beauty and massage spa located at 22 Hillview Drive (APN: 086-29-079) zoned Town Center with Site and Architectural Overlay (TC-S). Applicant: Gui Min Li. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2813.  
*(Recommendation: Adopt Resolution No. 12-021 subject to conditions of approval.)*

**IX. PUBLIC HEARING**

**1. CONDITIONAL USE  
PERMIT NO. UP09-  
0048 and SITE  
DEVELOPMENT  
PERMIT NO. SD09-  
0006**

Janice Spuller, Assistant Transportation Planner, presented a request for exterior improvement and expansion of building area at an existing religious facility located at 200 No. Abbott Avenue. Ms. Spuller recommended adopting Resolution No. 12-020 approving the project subject to conditions of approval.

Commissioner Tao asked if the church has an agreement with the school district for the parking lot. Ms. Spuller stated there is no parking agreement.

Vice-Chair Ciardella asked could the church get an agreement with the school district to park at Spangler. Ms. Spuller stated staff could add a condition of approval to require that request.

Chair Mandal asked if there was a traffic analysis done. Ms. Spuller stated that the amount of new trips generated did not warrant a traffic analysis. Chair Mandal asked if a site check was done. Ms. Spuller stated there was one site check.

**John Joseph, 200 No. Abbott Avenue,** stated he is the coordinator of this project. He gave a presentation of the project.

Commissioner Madnawat asked if there have been any complaints. Mr. Joseph stated no. Commissioner Madnawat asked if the church guides the people where to park. Mr. Joseph stated yes.

Commissioner Ciardella asked if the church spoke to the school district about the parking. Mr. Joseph stated he is not sure if the school district would agree to have a parking arrangement.

Commissioner Barbadillo asked the number of seating in the church. Mr. Joseph stated 147 seats.

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Commissioner Tao asked if the church contacted the school to see if they could park at the school. Mr. Joseph stated they did not. Commissioner Tao asked if the church thought about separating the masses. Mr. Joseph stated yes.

Chair Mandal asked if there is a possibility to have a neighborhood meeting to discuss these issues. Mr. Joseph stated they had an open house twice once in 2009 and again in 2010. Chair Mandal suggested they have a neighborhood meeting and speak to the school. He also suggested having a split mass and have parking attendants to guide the people.

Commissioner Ciardella agrees with Chair Mandal.

Commissioner Sandhu asked if the church has food service. Mr. Joseph stated they have no food service at the church.

Commissioner Tao asked if there are any new trash enclosures. Mr. Spuller stated yes. Commissioner Tao asked if there will be extended church hours. Mr. Joseph stated only one hour church service.

Chair Mandal opened the public hearing.

There were no speakers from the audience.

**Motion** to close the public hearing.

M/S: Ciardella, Sandhu

AYES: 6

NOES: 0

ABSENT: 2 (John Luk and Zeya Mohsin)

ABSTAIN: 0

Commissioner Madnawat stated he has a concern with the patrons parking at the school. He suggested having a sign posted not to park at the school.

Chair Mandal stated he sympathizes with the church. He does have a concern with the neighbors' complaints. He suggests speaking to the school and have a neighborhood meeting and have parking attendants or split masses.

**Motion** to adopt Resolution No. 12-020 approving the project subject to conditions of approval with the following conditions:

1. The owner or operator shall conduct public outreach to hear neighborhood concerns.
2. The owner or operator shall provide a parking attendant or controller to minimize neighborhood parking impacts.
3. The owner or operator shall split Sunday services to minimize parking impacts.

M/S: Tao, Madnawat

AYES: 6

NOES: 0

ABSENT: 2 (John Luk and Zeya Mohsin)

ABSTAIN: 0

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**2. SITE DEVELOPMENT  
PERMIT AMENDMENT  
NO. SA12-0004**

Commissioner Tao excused himself from this item.

Sheldon Ah Sing, Senior Planner, presented a request to amend a previously approved single family development's landscape plan to allow palm trees, located at 905 and 980 Los Coches Street. Mr. Ah Sing recommended adopting Resolution No. 12-022 denying the project.

**Mark Robson, 2185 The Alameda, San Jose**, gave a presentation on this project. He stated he was available for questions from the Commission.

Commissioner Madnawat asked the reason for having palm trees. Mr. Robson stated it's aesthetic and marketing.

Commissioner Sandhu asked the number of trees. Mr. Robson stated there are eight trees.

Chair Mandal opened the public hearing.

There were no speakers from the audience.

**Motion** to close the public hearing.

M/S: Sandhu, Ciardella

AYES: 5

NOES: 0

ABSENT: 2 (John Luk and Zeya Mohsin)

ABSTAIN: 1 (Steve Tao)

**Motion** to adopt Resolution No. 12-023 approving the project subject to conditions of approval.

M/S: Madnawat, Barbadillo

AYES: 3

NOES: 2 (Larry Ciardella and Gurdev Sandhu)

ABSENT: 2 (John Luk and Zeya Mohsin)

ABSTAIN: 1 (Steve Tao)

**X.  
ADJOURNMENT**

The meeting was adjourned at 8:54 p.m. to the next meeting of May 9, 2012.

Respectfully Submitted,

Sheldon S. Ah Sing  
Senior Planner

Yvonne Andrade  
Recording Secretary

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