

APPROVED

PLANNING COMMISSION MINUTES October 24, 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: Sudhir Mandal, Larry Ciardella, John Luk, Rajeev Madnawat, Zeya Mohsin, Steve Tao and Garry Barbadillo
Absent: Gurdev Sandhu
Staff: AhSing, Otake, Brown, Hom, DeHerrera
Commissioner Barbadillo was seated as regular 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.
- IV. APPROVAL OF MINUTES** **Chair Mandal** called for approval of the minutes of the Planning Commission meeting of September 12, 2012; Subcommittee: September 26, 2012 & October 10, 2012
There were no changes to the minutes.
Motion to approve the Planning Commission minutes of September 12, 2012 as submitted.
M/S: Madnawat/Luk
AYES: 4
NOES: 0
ABSENT: 1 (Sandhu)
ABSTAIN: 2 (Mohsin, Tao)

Motion to approve the Planning Commission Subcommittee minutes of September 26, 2012 and October 10, 2012 as submitted.
M/S: Madnawat/Tao
AYES: 5
NOES: 0
ABSENT: 1 (Sandhu)
ABSTAIN: 1 (Mohsin)
- V. ANNOUNCEMENTS** Tom Williams, City Manager, introduced the City's new Planning & Neighborhood Services Director, Mr. Steven McHarris, and also thanked staff for their hard working during the interim period. Mr. McHarris expressed that he was glad to be here and he is looking forward to working at the City of Milpitas.

VI. CONFLICT OF INTEREST

None

VII. APPROVAL OF AGENDA

Chair Mandal asked whether staff or the Commission have any changes to the 10/24/12 agenda.

There were no changes to the agenda.

Motion to approve the agenda as submitted.

M/S: Tao / Mohsin

AYES: 7

NOES: 0

ABSENT: 1 (Sandhu)

ABSTAIN: 0

VIII. CONSENT CALENDAR

1. CONDITIONAL USE PERMIT AMENDMENT NO. UA12-0011 & MINOR SITE DEVELOPMENT PERMIT NO. MS12-0022

Tiffany Brown, Assistant Planner. A request to operate a new 6,085 sq. ft. preschool with outdoor play area at 200 Serra Way, zoned General Commercial with Site and Architectural & Office Overlays.

(Recommendation: Table the item. The item will be re-noticed.)

2. CONDITIONAL USE PERMIT NO. UP12-0022 & MINOR SITE DEVELOPMENT PERMIT NO. MS12-0050

Cindy Hom, Assistant Planner – A request to allow the operation of a primary school located at 540 Abel, zoned Institutional with Site and Architectural Overlay.

(Recommendation: Continue the item to the December 12, 2012 Planning Commission Meeting)

Motion: Accept staff's recommendations on both consent items as submitted.

M/S: Madnawat / Tao

AYES: 7

NOES: 0

ABSENT: 1 (Sandhu)

ABSTAIN: 0

IX. PUBLIC HEARING

Cindy Hom, Assistant Planner – Presented to the Commission a request to install

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1. CONDITIONAL USE PERMIT AMENDMENT NO. UA12-0009 & MINOR SITE DEVELOPMENT PERMIT NO. MS 12-0039

four (4) new microwave dish antennas and replacement of associated equipment for an existing 90-foot tall telecommunication wireless lattice tower located at 66 Ranch Drive (APN 22-54-020) zoned Light Industrial with Site and Architectural Overlay (M1-S). Applicant: Karen Lienert for Metro PCS. Cindy Hom, (408) 586-3284. PJ 2848. *(Recommendation: Adopt Resolution No.12-038 approving the project subject to conditions of approval)*

Karen Lienert, Metro PCS representative: Stated in response to a question regarding planting of trees next to the communications tower, that there could be interference due to the trees if they were planted too close to the towers.

No public comments

Motion to close the public hearing.

M/S: Ciardella / Madnawat
AYES: 7
NOES: 0
ABSENT: 1 (Sandhu)
ABSTAIN: 0

Motion to adopt Resolution No. 12-038 approving the project subject to conditions of approval below.

M/S: Tao / Madnawat
AYES: 7
NOES: 0
ABSENT: 1 (Sandhu)
ABSTAIN: 0

2. CONDITIONAL USE PERMIT AMENDMENT NO. UA12-0009 & MINOR SITE DEVELOPMENT PERMIT NO. MS 12-0039

Tiffany Brown, Assistant Planner – Informed the Commission that the applicant just decided to postpone presenting this request for a variance to allow an additional freestanding sign for King Egg Roll Restaurant located at 422 W Calaveras Blvd, Applicant: Khanh Bui. **(Recommendation: At this time staff is changing their recommendation from denial and request to table the item and re-advertise.)**

Motion: Table the item and re-advertise as recommended.

M/S: Mohsin / Tao
AYES: 7
NOES: 0
ABSENT: 1 (Sandhu)
ABSTAIN: 0

X. NEW BUSINESS

None

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XI. ADJOURNMENT

The meeting was adjourned at 9:10 pm to the next meeting of November 14, 2012.

Respectfully Submitted,

Motion to adjourn
M/S: Tao / Mohsin

Steven McHarris
Planning & Neighborhood Services Director

Joann DeHerrera
Recording Secretary