

APPROVED

PLANNING COMMISSION MINUTES

December 12, 2012

- I. PLEDGE OF ALLEGIANCE** **Vice-Chair Ciardella** 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, Rajeev Madnawat, Zeya Mohsin, and Garry Barbadillo
Absent: Sudhir Mandal, Gurdev Sandhu, and Steve Tao
Staff: Brown, DeHerrera, Hom, McHarris, and Ogaz
Alternate Commissioner Garry Barbadillo was seated as a member of the voting body.
- III. PUBLIC FORUM** **Vice-Chair Ciardella** 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** **Vice-Chair Ciardella** called for approval of the minutes of the Planning Commission meeting of November 28, 2012.
There were no changes to the minutes.
Motion to approve the Planning Commission minutes as submitted.
M/S: Madnawat/Mohsin
AYES: 5
NOES: 0
ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)
ABSTAIN: 0
- V. ANNOUNCEMENTS** There were no announcements from staff or the Commission.
- VI. CONFLICT OF INTEREST** **City Attorney, Mike Ogaz**, 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** **Vice-Chair Ciardella** asked whether staff or the Commission have any changes to the agenda.
Consent item was withdrawn from the agenda. Public Hearing Item IX-2 to be heard first on the agenda.
Motion to approve the agenda as amended.
M/S: Luk/Mohsin
AYES: 5

NOES: 0

ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

ABSTAIN: 0

VIII. CONSENT CALENDAR

There were no items on the Consent Calendar.

IX. PUBLIC HEARING

1. MAJOR TENTATIVE MAP NO. MT12-0003, ENVIRONMENTAL IMPACT ASSESSMENT NO. EA12-0004, SITE DEVELOPMENT PERMIT NO. SD12-0005, AND CONDITIONAL USE PERMIT NO UP12-0020

Tiffany Brown, Assistant Planner, presented a request to allow the demolition of existing buildings and structures and the construction of 80 single-family dwellings associated streets, sidewalks, and trail improvements. Ms. Brown recommended adopting Resolution No. 12-045 recommending approval to the City Council.

Commissioner Madnawat asked if there was any public comment from the school district. Ms. Brown stated no there was not.

Andy Bye, Braddock and Logan, 455 Blackhawk Plaza Circle, Danville, CA, gave an overview of the project.

Commissioner Mohsin had a question regarding the playground. **Mr. Bye** stated the playground is made of bark material. The ground cover is replaced once a year. Commissioner Mohsin asked if there is any shading in the playground area. Mr. Bye stated they did not anticipate on using shading but are willing to do so if need be.

Commissioner Madnawat inquired about the zoning. **Ms. Brown** stated that area was in the Town Center which was previously rezoned. Commissioner Madnawat stated his concern regarding placement of a new residential neighborhood in this particular location and impacts to existing industrial property.

Commissioner Barbadillo inquired about the sewer usage. **Mr. Bye** stated the sewer capacity and water distribution will be adequate for this project. **Commissioner Barbadillo** also inquired about introducing single-family residential into this commercial/industrial area and the impact to schools. **Ms. Brown** stated notices were sent to the school district.

Motion to open the Public Hearing

M/S: Madnawat/Mohsin

Rob Means, 1421 Yellowstone, Milpitas, is concerned about the lack of energy efficiency used in this project.

Motion to close the Public Hearing

M/S: Madnawat/Luk

AYES: 5

NOES: 0

ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

ABSTAIN: 0

Commissioner Madnawat is concerned with the houses being built now a days not being energy efficient. He is also concerned with not having enough schools in

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Milpitas for all these new housing developments and with the overflow of traffic.

Motion to adopt Resolution No. 12-045 recommending approval to the City Council.

M/S: Mohsin/Luk

AYES: 3

NOES: 2 (Garry Barbadillo and Rajeev Madnawat)

ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

ABSTAIN: 0

**2. CONDITIONAL USE
PERMIT NO. UP12-
0021, SITE DEVEL-
OPMENT PERMIT
AMENDMENT NO.
SA12-0008, AND
ENVIRONMENTAL
ASSESSMENT NO.
EA12-0003**

Cindy Hom, Assistant Planner, presented a request to operate a 30,784 square foot cultural center that includes 5,445 square foot multi-purpose auditorium, approximately 5,232 of conference and meeting room space, 1,820 square feet of office space, a 1,128 square foot art exhibit hall, and a 2,128 square foot library room within an existing vacant industrial building. Ms. Hom recommended adopting Resolution No. 12-043 approving the project subject to conditions of approval.

Danny Fang, Advisor to Taiwan Culture Center, gave an overview of the project.

Commissioner Madnawat asked what areas would the center cover. Mr. Fang stated it would cover all the Bay Area.

Commissioner Luk asked about the Sunnyvale facility. **Mr. Fang** stated the current facility is 10,000 square feet.

Commissioner Mohsin had a question regarding safety. **Ms. Hom** stated the applicant would have to prepare an Emergency Action Plan that is checked annually.

Commissioner Barbadillo asked if this facility Senior friendly and ADA compliant. Mr. Fang stated the facility is Senior friendly and ADA compliant.

Motion to open the Public Hearing

M/S: Mohsin/Madnawat

Carol Kassab, Chamber of Commerce, is delighted to have the culture center in Milpitas.

J. Ho, Milpitas, stated the parking is not an issue.

Motion to close the Public Hearing

M/S: Mohsin/Luk

AYES: 5

NOES: 0

ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

ABSTAIN: 0

Motion to adopt Resolution No. 12-043 approving the project subject to conditions of approval.

M/S: Madnawat/Luk

AYES: 5

NOES: 0

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ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

ABSTAIN: 0

3. GENERAL PLAN AMENDMENT

Steve McHarris, Planning Director, presented a request to amend the Land Use and Circulation Elements. Proposed text amendments to the Land Use Element include additional guiding principles, and implementing policies regarding economic development, fiscal beneficial land use and infrastructure needs. Proposed text amendments to the Circulation Element include revised guiding principles, and implementing policies to be consistent with the State of California Complete Streets Act of 2008. **Mr. McHarris** recommended adopting Resolution No. 12-044 recommending approval to the City Council.

Commissioner Mohsin asked the community benefits in regards to bicycle routes and walking trails within the City. **Mr. McHarris** stated most of the activity is in the Specific Plan areas with extensive development density is in the Transit Specific Plan area. There are a number of improvements currently being planned.

Commissioner Mohsin is concerned with the Senior community and being able to take public transit. **Commissioner Madnawat** had the same concerns as Commissioner Mohsin.

Commissioner Barbadillo commented on the notices sent out to the public. He feels that these notices should address the concerns of the public. He hopes the City will better communicate with the school district.

Commissioner Luk suggested having someone from the school district come to a meeting and answer the questions regarding school capacity. **Vice-Chair Ciardella** feels having a meeting with VTA on the buses and the school district to answer some of these issues of not having enough schools in Milpitas for all these new housing developments.

Motion to open the Public Hearing

M/S: Mohsin/Luk

Rob Means, 1421 Yellowstone, Milpitas, stated the last few applicants are doing the bare minimum. He spoke about global warming and that something needs to be done now and not later.

Motion to close the Public Hearing

M/S: Mohsin/Luk

AYES: 5

NOES: 0

ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

ABSTAIN: 0

Motion to adopt Resolution No. 12-044 recommending approval to the City Council.

M/S: Mohsin/Luk

AYES: 5

NOES: 0

ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

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ABSTAIN: 0

X. ADJOURNMENT

The meeting was adjourned at 9:00 pm to the next meeting of January 9, 2013.

Motion to adjourn

M/S: Madnawat/Luk

Respectfully Submitted,

Steven McHarris
Planning & Neighborhood Services Director

Yvonne Andrade
Recording Secretary

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