

MEETING MINUTES

MILPITAS PLANNING COMMISSION Milpitas City Hall, Council Chambers 455 E. Calaveras Blvd., Milpitas, CA

Wednesday, May 28, 2014

- 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** **Commissioners**
Present: Chair Sudhir Mandal, Vice Chair Larry Ciardella, Commissioners Gurdev Sandhu, John Luk, Rajeev Madnawat, Garry Barbadillo and Alternate Member Hon Lien
Absent: Demetress Morris
Staff: Johnny Phan, Scott Ruhland, Cindy Hom
- III. PUBLIC FORUM** **Chair Mandal** invited members of the audience to address the Commission and Milpitas resident Frank DeSchmidt passed out invitations to the Chamber of Commerce International BBQ and Festival taking place on May 31 and June 1.
- IV. APPROVAL OF MEETING MINUTES** **Chair Mandal** called for approval of the May 14, 2014 meeting minutes of the Planning Commission.
Motion to approve Planning Commission meeting minutes, as submitted
Motion/Second: Vice Chair Ciardella/Commissioner Madnawat
AYES: 6
NOES: 0
ABSTAIN: 1 Sandhu
- V. ANNOUNCEMENTS** Commissioner Sandhu announced a Sikh Festival and Parade taking place on Sunday, June 1st. The parade will begin at 11:00 am at Cardoza Park, parade route along Kennedy Drive, and then return to Cardoza Park. The festival will be held at the Milpitas Sports Center sports field located at 1325 E. Calaveras Blvd.
- VI. CONFLICT OF INTEREST** **Assistant City Attorney Johnny Phan** asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

There were no reported conflicts.
- VII. APPROVAL OF AGENDA** **Chair Mandal** asked if staff or Commissioners had changes to the agenda.
Motion to approve the May 28, 2014 agenda as submitted.
Motion/Second: Commissioner Madnawat/Commissioner Sandhu
AYES: 7
NOES: 0

VIII. CONSENT CALENDAR

VIII-1

VIP MOTORS CUP – 1053 Sinclair Frontage – UP14-0004 - A request for a Conditional Use Permit to allow indoor vehicle sales in an existing industrial building located at 1053 Sinclair Frontage. This project is categorically exempt from further CEQA review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Motion to adopt Resolution No. 14-022 approving Conditional Use Permit No. UP14-0004 to allow an indoor auto broker business in an existing industrial building located at 1053 Sinclair Frontage.

Motion/Second: Commissioner Madnawat/Commissioner Luk

AYES: 7

NOES: 0

VIII-2

SPRINT BAY HILL ATHLETIC CLUB ANTENNA CUP AMENDMENT – 1000 Jacklin Road – UA14-0001: A request for a Conditional Use Permit Amendment to install three new panel antennas to an existing monopole tower and associated equipment previously approved with a Conditional Use Permit. This project is categorically exempt from further CEQA review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Motion to adopt Resolution No. 14-021 approving Conditional Use Permit Amendment No. UA14-0001 to install three new panel antennas to an existing monopole tower and associated equipment previously approved with Conditional Use Permit No. UP1339.

Motion/Second: Commissioner Madnawat/Commissioner Luk

AYES: 7

NOES: 0

IX. PUBLIC HEARING

IX-1

AMERICA'S BEST INN BUILDING ADDITION – 485 S. Main Street – UP13-0020, MS14-0001: A request for conditional use permit and minor site development permit for site and building modifications to add six new hotel rooms to an existing hotel. This project is categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities).

Assistant Planner Cindy Hom gave a short presentation and description of the project.

Vice Chair Ciardella asked about the surveillance cameras and if signs will be posted advising people about them and Cindy said that nothing in the conditions requires this disclosure.

Vice Chair Ciardella asked Daryl Sequeira, Commander of the Milpitas Police Department, if he feels that posted signs will deter criminal activity. Commander Sequeira said that at many locations where there are cameras he does not recall seeing signs but he believes the physical presence of the cameras may act as a deterrent.

Commissioner Madnawat asked how the number of activities where police were called

to the hotel compares to other hotels in the city and Assistant Planner Hom said that research was not done to compare to other hotels.

Commissioner Madnawat asked Commander Sequeira if the criminal activity at this hotel is out of range compared to other hotels in the area and he answered that the Police Department gets a large amount of crime at this location and it is one of the higher crime hotels in the area. He said the types of crimes committed here are common with lower rental hotels and include stolen vehicles, prostitution and alcohol related incidents.

Commissioner Luk has concerns with public safety and asked if the management is actively enforcing the rules or being proactive in any way other than installing cameras. Commander Sequeira said there are conditions of approval, e.g. hotel guests are required to produce identification and vehicle license plate numbers, and that the Police Department does have cooperation with the management.

Commissioner Barbadillo asked what the Police Department is doing to address the rise in crime at this hotel over the last two years. Commander Sequeira said they have increased police visibility and have created a hotel suppression team with two dedicated officers who walk the premises, perform probation and parole searches, and pay special attention to the hotel. He added that imposing special conditions aids the Police Department and may suppress the criminal activity.

Chair Mandal asked what the Police response time is for incidents and Commander Sequeira said it is under three minutes and often under two minutes, and said that it would be even less at this location as there are officers dedicated to the Great Mall that can be there within a minute.

Chair Mandal invited the applicant to address the commission. The applicant stated that although records show that 337 events occurred, this includes the number of times that officers have visited the hotel and have logged in an occurrence, so it is inaccurate to claim 337 events were determined to be crimes.

Chair Mandal asked if they are taking preventative measures to reduce crime and the applicant stated that they keep records of guest information and ask for identification and will not re-rent a hotel room to anyone who has been arrested for a crime at their hotel.

Chair Mandal opened the public hearing and no comments were heard.

Motion to close the public hearing.

Motion/Second: Commissioner Madnawat/Commissioner Luk

AYES: 7

NOES: 0

Chair Mandal said the property appears very clean and provides a service for many who cannot afford high priced hotels.

Commissioner Madnawat agreed with Chair Mandal and said that although the number of incidents is high at this hotel, it isn't the hotel causing the criminal activity, and with staff adding the special conditions and the management instituting all of them, he is comfortable with this project.

Motion to adopt Resolution No. 14-023 approving Conditional Use Permit No. UP13-0020 and Minor Site Development Permit No. MS14-0001 to add six new hotel rooms to an existing legal non-conforming hotel, permit shared parking facilities, and installation of minor site modifications.

Motion/Second: Commissioner Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

ABSTAIN: 0

X. NEW BUSINESS

NO ITEMS

XI. ADJOURNMENT

The meeting was adjourned at 7:45 PM to the next meeting of June 11, 2014.

Motion to adjourn to the next meeting.

Motion/Second: Commissioner Madnawat/Vice Chair Ciardella

AYES: 7

NOES: 0

ABSENT: 1

*Meeting Minutes submitted by
Planning Secretary Elia Escobar*