

## MEETING MINUTES

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

Wednesday, June 11, 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, Rajeev Madnawat, Garry Barbadillo, Demetress Morris, and Alternate Member Hon Lien  
**Absent:** John Luk  
**Staff:** Steven McHarris, Johnny Phan, Scott Ruhland, Jocelyn Puga
- III. PUBLIC FORUM**      **Chair Mandal** invited members of the audience to address the Commission and there were no speakers.
- IV. APPROVAL OF MEETING MINUTES**      **Chair Mandal** called for approval of the May 28, 2014 meeting minutes of the Planning Commission.  
**Motion** to approve Planning Commission meeting minutes, as submitted.  
Motion/Second: Commissioner Sandhu/Vice Chair Ciardella  
AYES: 7  
NOES: 0  
ABSTAIN: 0
- V. ANNOUNCEMENTS**      Planning and Neighborhood Services director Steven McHarris announced the cancelation of the July 9, 2014 Planning Commission meeting due to lack of agenda items.  
Commissioner Morris announced the Juneteenth celebration occurring this weekend, June 14 and 15, in downtown San Jose.
- 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 June 11, 2014 agenda as submitted.  
Motion/Second: Commissioner Madnawat/Commissioner Sandhu  
AYES: 7  
NOES: 0

**VIII. CONSENT  
CALENDAR**

**VIII-1**

**DEVCON MONUMENT SIGN – 690 Gibraltar Drive—SD14-0009:** A request for a Site Development Permit for a new free standing sign over 6 feet in height located at 690 Gibraltar Drive. This project is exempt from further CEQA review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines.

**Motion** to adopt Resolution No. 14-026 approving Site Development Permit No. SD14-0009 for a new freestanding sign over 6 feet in height.

Motion/Second: Commissioner Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

**IX. PUBLIC HEARING**

**IX-1**

**GOODWILL ZONING AMENDMENT - 311 W Calaveras Blvd – ZA14-0002, SD14-0008, UP14-0010:** A request for a Zoning Text Amendment to conditionally permit thrift store uses in C-1 Neighborhood Commercial, a Site Development Permit and Conditional Use Permit for a new Goodwill retail store and associated site improvements located in an existing shopping center. This project is categorically exempt from further CEQA review pursuant to Section 15301 (Existing Facilities).

Vice Chair Ciardella disclosed that he had spoken with the owner of Mil's Diner.

Steven McHarris referenced a staff memo and updated site plan due to changes to the parking spaces and landscape plan, and introduced Planning Intern Jocelyn Puga who gave a short presentation and description of the project.

Vice Chair Ciardella asked about large trucks dropping off merchandise and Ms. Puga replied that Goodwill does not plan to have large trucks but instead smaller trucks making intermittent deliveries.

Commissioner Barbadillo expressed concern with the zoning amendment and questioned why the store does not relocate to a location where it is already an allowable use. Senior Planner Scott Ruhland said the proposed code amendment with new performance standards and necessary conditions of approval is at the request of the applicant working with staff.

Chair Mandal expressed concerned for the aesthetics and upkeep of the area and asked what Goodwill plans to do at this particular location to keep the area presentable.

Chris Baker, the applicant representing Goodwill, said that Goodwill has invested over \$5 million and has partnered with the Gap to create a new modern look for the store. He said they are relocating as their current location is too small and is in a very old building, and they want a new building that represents their new look. He said their store will have donation greeters and their goal is to greet donors within 10 seconds.

Chair Mandal opened the public hearing and a gentleman from Mil's Diner expressed concern about parking. He said there is already a parking problem and he has signs

posted in front of his restaurant but they do not deter cars from parking there, and he believes the lack of parking is affecting his restaurant.

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Commissioner Madnawat

AYES: 7

NOES: 0

Commissioner Madnawat said that he has frequented the shopping center for many years and has always been able to find parking but believes that people want to park up front and proper signage is necessary.

Commissioner Morris is concerned that rezoning of the area to accommodate thrift stores sets a poor precedence.

Commissioner Barbadillo referenced the General Plan and Midtown Specific Plan and the vision set for the city and does not believe the commission should deter from the plan.

Vice Chair Ciardella has concerns with parking and would like to see a parking agreement between the two shopping centers.

Chair Mandal repeated his concerns related to appearance and cleanliness and how the store is presented to the community and said he would feel more comfortable with a six month review.

Commissioner Madnawat believes the applicant should continue working with staff on a detailed parking plan and consider studying peak hours related to the parking situation.

**Motion** to continue the item to a future meeting.

Motion/Second: Commissioner Madnawat/Vice Chair Ciardella

AYES: 7

NOES: 0

ABSTAIN: 0

**IX-2**

**PARKING ORDINANCE AMENDMENT II - 455 E. Calaveras Boulevard – ZA14-0006:** A City-initiated request to consider a Zoning Amendment to Title XI, Chapter 10, Section 53, Off-Street Parking Regulations, of the Milpitas Municipal Code to clarify development standards for parking garages/structures; and, to clarify that on-street parking on public streets is not counted towards a residential projects' parking requirement. This project is exempt from further CEQA review pursuant to Section 15061(b)(3) in that CEQA only applies to projects that have the potential for causing a significant effect on the environment.

Senior Planner Scott Ruhland gave a short presentation and description of the project.

Commissioner Madnawat said the ordinance is unclear in regards to the parking requirement distance for residential units, and where the 300 feet is measured from, and said it should be clarified. Assistant City Attorney Johnny Phan said the criteria states

that the parking spaces have to be on the development site, within 300 feet from the residential unit, and not on a city street. He agreed that the existing language may be unclear and said it can be updated to state “from the residential unit it serves.” He added that there has been some misinterpretation in the past and the intent is to make it clear in this ordinance.

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

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Vice Chair Ciardella

AYES: 7

NOES: 0

**Motion** to adopt Resolution No. 14-025 recommending the City Council adopts an amendment to the Zoning Code to provide flexibility with development standards for parking structures; and, to clarify that residential uses shall not be able to meet their parking requirements with on-street parking on public streets.

Motion/Second: Commissioner Madnawat/Commissioner Barbadillo

AYES: 7

NOES: 0

ABSTAIN: 0

## **X. NEW BUSINESS**

### **NO ITEMS**

**XI. ADJOURNMENT** The meeting was adjourned at 8:40 PM to the next meeting of June 25, 2014.

**Motion** to adjourn to the next meeting.

Motion/Second: Commissioner Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

ABSENT: 1

*Meeting Minutes submitted by  
Planning Secretary Elia Escobar*