



CITY OF MILPITAS

Planning Commission

MEETING MINUTES

7:00 PM

Wednesday, March 10, 2021
via Teleconference (Virtual Meeting)

CALL TO ORDER

Chair Tao called the meeting to order at 7:00 PM. Recording Secretary Elizabeth Medina called the roll.

PLEDGE OF ALLEGIANCE

Commissioner Belong led the pledge of allegiance.

ROLL CALL

PRESENT: Chair Tao, Vice Chair Chuan, Commissioner Albana, Alcorn, Belong, Ciardella, Galang

ABSENT: None.

STAFF: Ned Thomas, Jessica Garner, Martin de los Angeles, Rozalynne Thompson, Steve Erickson, Michael Silveira, Steve Chan, Albert Zamora, Elizabeth Medina

CONFLICT OF INTEREST DECLARATION

City Attorney Martin de los Angeles asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

Chair Tao disclosed that he represents a property owner within noticing distance for Public Hearing Item #IX-1 – AUTOMATIC CARWASH – 554 SOUTH MAIN STREET. After consulting with staff and City Attorney, City Attorney Martin de los Angeles declared there is no conflict of interest and Chair Tao was cleared to participate.

APPROVAL OF THE MEETING AGENDA

Director Ned Thomas recommended switching the order of Public Hearing Items, IX-2 - CAPITAL IMPROVEMENT PROGRAM (CIP) GENERAL PLAN CONFORMITY FINDING be heard first since the Public Hearing Item #IX-1 AUTOMATIC CARWASH may take more time for presentation, review, questions and decision making.

By motion, approve the meeting agenda for March 10, 2021 with staff's request to change order of Public Hearing items.

Motion/Second Vice Chair Chuan/Commissioner Belong
Motion carried by a vote of AYES: 7 NOES: 0

APPROVAL OF MINUTES

By motion, approve the regular meeting minutes of February 10, with corrections of minor grammatical errors noted by Chair Tao.

Motion/Second Commissioner Belong/Commissioner Galang
Motion carried by a vote of AYES: 7 NOES: 0

By motion, approve the regular meeting minutes of February 24.

Motion/Second Commissioner Ciardella/Commissioner Alcorn

Motion carried by a vote of AYES: 7 NOES: 0

ANNOUNCEMENTS

Planning Director Ned Thomas was pleased to share that the Council adopted the 2040 Milpitas General Plan in a special meeting on March 16th. Planning Director also followed up with Planning Commissioners to see if there was interest in attending the annual League of California Cities Planning Commissioner Academy that will held on March 25th, March 26th, March 31st, and April 1st as a virtual conference.

PUBLIC FORUM

Chair Tao invited members of the public to address the commission and there were none.

PUBLIC HEARING

IX-2 CAPITAL IMPROVEMENT PROGRAM (CIP) GENERAL PLAN CONFORMITY FINDING: A City-initiated request to consider a General Plan conformity finding for the proposed 2022-2026 CIP Annual Report in accordance to California Government Code Section 65401. 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. Director of Engineering, Steve Erickson, 408-586-3301, serickson@ci.milpitas.ca.gov.

Director of Engineering, Steve Erickson and CIP Manager, Michael Silveira addressed commissioners' clarifying questions in regards timeframe of easement rights, funding availability, grant fund applications, infrastructure improvements, plan line study definition, current back-up for sewer/water systems, use of TASP fees collected, fiscal year funding timelines, funding calculation for street funds, grant funds vs. fee funds, and City emergency funds for natural disasters.

Chair Tao invited members of the public to address the commission and there were none.

Motion to close the Public Forum.

Motion/Second Commissioner Galang/Commissioner Alcorn

Motion carried by a vote of AYES: 7 NOES: 0

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 21- 005 finding that the 2020-2026 Capital Improvement Program is in conformance with the City of Milpitas General Plan.

Motion/Second Vice Chair Chuan/Commissioner Alcorn

Motion carried by a vote of AYES: 7 NOES: 0

IX-1 AUTOMATIC CARWASH – 554 SOUTH MAIN STREET – P-SD18-0010 and P-UA18- 0020: A Site Development Permit and Conditional Use Permit Amendment to allow demolition of an existing manual car wash and development of a new 3,189-square foot fully automatic car wash with an adjacent 2,301-square foot canopy area on a .46-acre site in the Mixed-Use (MXD) Zoning District and a Conditional Use Permit Amendment to allow an exception to the maximum front setback of 15 feet from back of sidewalk pursuant to the Midtown Specific Plan. The exception would allow a front setback of 37 feet and seven inches. The Project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section

15303(c) (New Construction of Small Structures) and, as separate and independent basis, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Project Planner: Rozalynne Thompson, (408) 586-3278, rthompson@ci.milpitas.ca.gov

**Continued from March 11, 2020 Planning Commission meeting.*

Project Planner, Rozalynne Thompson, the applicant's team [Ramesh Sood, Jag Kahlon, Gurbir Maroke/Owner-Applicants, Joel Chapin/Architect-Noor Associates, Inc, Dean Hanson/Consultant-Share Cash Systems] and City staff [Albert Zamora/Chief Fire Marshall, Steve Chan/Transportation and Traffic Manager] addressed commissioners' clarifying questions in regard to traffic impacts, recycled water, onsite staffing plans, hours of operation, alarm systems, new technology, environmentally safe chemicals, reason applicant desires a change, set-back request, automatic pay station/app, noise from air dry blowers, traffic study results, exiting of proposed site, current volume of customers/carwashes a day, making Main Street area pedestrian friendly, Midtown Specific Plan, and business plans if project is denied.

Chair Tao invited members of the public to address the commission and there were none.

Motion to close the Public Forum.

Motion/Second Commissioner Galang/Commissioner Alcorn
Motion carried by a vote of AYES: 7 NOES: 0

Recommendation: Staff recommends that the Planning Commission conduct a public hearing and adopt Resolution No. 19-034 denying Site Development Permit P-SD18-0010 and Conditional Use Permit Amendment No. P-UA18-0020.

Motion/Second Vice Chair Chuan/Commissioner Alcorn
Motion carried by a vote of
AYES: 4 NOES: 2 (Albana, Belong) ABSTAIN: 1 (Tao)

NEW BUSINESS

No items.

ADJOURNMENT

Chair Tao adjourned the meeting at 10:04 pm

Motion/Second Commissioner Belong/Commissioner Alcorn
Motion carried by a vote of AYES: 7 NOES: 0

Meeting Minutes submitted by
Planning Commission Secretary Elizabeth Medina