



CITY OF MILPITAS

Planning Commission

MEETING MINUTES

7:00pm

Wednesday, November 13, 2024
CITY COUNCIL CHAMBERS,
455 E CALAVERAS BLVD, MILPITAS, CA
and
via TELECONFERENCE (Zoom Webinar)

CALL TO ORDER

Chair Albana called the meeting to order at 7:00pm.

PLEDGE OF ALLEGIANCE

Vice Chair Medina-Ashby led the pledge of allegiance.

ROLL CALL

Recording Secretary Medina called the roll.

PRESENT: Chair Albana, Vice Chair Medina-Ashby, Galang, Awasthi, Gupta, Caulkins, and Kong.

ABSENT: none

STAFF: Jay Lee, Christopher Creech, Randy Baez, Alex Andrade, and Elizabeth Medina

CONFLICT OF INTEREST/CAMPAIGN CONTRIBUTION DECLARATION

Assistant City Attorney Christopher Creech asked if any member of the commission had any personal or financial conflict of interest related to any of the items on the agenda, and there were none.

APPROVAL OF THE MEETING AGENDA

By motion, approve the meeting agenda for November 13, 2024.

Motion/Second Awasthi/Caulkins

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

APPROVAL OF THE MEETING MINUTES

By motion, approve the meeting minutes for October 9, 2024.

**Deferred to next regular meeting.*

ANNOUNCEMENTS

Assistant City Attorney Creech reminded the commissioners whose terms will expire at the end of December, that should they still be interested in serving, the application is available online and can be submitted to the City Clerk. He also mentioned that Form 700 reporting will now be filed electronically and information about the new system will be sent out shortly. Lastly, Assistant City Attorney Creech reminded commissioners that certificates for AB1234 should be submitted to his office as soon as possible.

Planning Director Lee shared that the regular schedule meeting on November 27th is cancelled due to the holiday, next regular meeting is scheduled for December 11th. Also, the meeting on December 25th will be cancelled.

PUBLIC FORUM

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

PUBLIC HEARING

IX-1 NEW BANQUET FACILITY AND FOOD TRUCK PARK – 200 SERRA WAY – UP23-0006, MC23-0007, and Minor Site Development Permit No. MS23-0143:

A Conditional Use Permit to allow a banquet facility within an existing 2,670 square-foot tenant space of a 9,570 square-foot multi-tenant commercial building, located at 200 Serra Way on a 0.5-acre lot within the C2 General Commercial zoning district. The Project also includes a Minor Conditional Use Permit to allow for a food truck park within the parking lot to the south of the Project site and a Minor Site Development Permit to allow for a change in exterior paint colors. The Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15301 (Existing Facilities), and as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

(23:33) Project Planner Randy Baez and applicant team members, Mohana Suggula [*applicant*] and Bob Livengood [*representative*] addressed the following clarifying questions from commissioners:

- **Hygiene Facilities:** Managed by a third-party vendor for port-a-potties and handwashing stations.
- **Current Operations:** Status of food truck business operations outside the theater.
- **Motivation for Food Trucks:** Reason for establishing a food truck business outside the theater.
- **Prior Food Truck Operations:** Status of previous operations in front of Big Lots.
- **Noise and Insulation:** Concerns about potential noise impacting nearby residential areas.
- **Restroom Access:** Use of port-a-potties vs. banquet hall restrooms (difficulty tracking food truck customers).
- **Ownership Structure:** Banquet hall and food truck park owned by the same entity but operate as separate businesses.
- **Food Truck Offerings:** Types of cuisines offered by the six food trucks.
- **Operational Logistics:** Food truck operating hours and whether they stay onsite or are move to the commissary.
- **Garbage Management:** Plans for waste disposal and cleanliness.
- **Banquet Capacity:** Maximum occupancy of the banquet facility.
- **Competition Concerns:** Addressing objections from neighboring restaurants and vendors (possible inclusion in food truck park).
- **Nightclub Inclusion:** Confirmation that the project does not include a nightclub.
- **Banquet Hall Catering:** Whether food will be catered or sourced from food trucks.
- **Structural Upgrades:** Limitations due to lessee status.
- **Exterior Paint:** Plans for building aesthetics.
- **Hours of Operation:** Comparing food truck park and banquet hall schedules.
- **Hall Layout:** Configurations for different uses.
- **Alcohol Licensing:** For banquet events.

- **Parking Requirements:** Allocation for theater, banquet facility, and food truck park.
- **Noise Mitigation Measures:** Installation of soundproofing doors to reduce noise impact on surrounding areas and implementation of a closed-door policy during events to further minimize noise disturbances after 10pm. Food truck park portion of the project will need to adhere to the noise ordinance and mobile food vending ordinance.
- **Music at food park:** Should comply with local noise ordinances and emphasized the importance of being considerate of nearby residential homes.

Chair Albana invited members of the public to address the commission and there were (8) community members who spoke:

- Vienna Dumlao (Local Resident): Supports the project but raised concerns about noise, dumping, and homelessness.
- Kiran Bondali (Hub61 Restaurant): Opposed due to competition and noise concerns.
- Stanley Horyza (Local Resident): Concerned with operating hours, noise, and food truck parking lot access.
- Santosh Giri (Kathmandu Cuisine): Opposed due to competition, potential job loss, and lack of alignment with restaurant guidelines.
- Hong Vo (Landowner): Supports the project and offered their lot as an alternative location further from residential areas.
- Vinod Guduri (Restaurant Owner): Opposed due to hygiene concerns, competition, and lack of beautification.
- Bap Das (Business Owner): Raised concerns about competition and increased traffic.
- Ramesh (Resident and Business Owner): Opposed due to competition and current struggles to maintain profitability.

Applicant's son, Akshay Suggula, and Bob Livengood provided a presentation on the project and surrounding area. Akshay shared his family's journey to becoming business owners, outlined the project's vision, and addressed community concerns.

Motion to close the Public Forum.

Motion/Second Caulkins/Gupta

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

Recommendation: Staff recommends that the Planning Commission open and close the public hearing, consider the exemption in accordance with CEQA, and adopt Resolution No. 24-033, approving Conditional Use Permit No. UP23-0006 and Minor Conditional Use Permit No. MC23-0007, subject to the findings and attached Conditions of Approval. **Additional Conditions of Approval to include 1) All rear exterior doors to the property must be soundproofed to the fullest extent allowed by the Building Code through general commercially available means; 2) In addition to the video/security cameras required for the site, coverage shall be extended to the exterior, covering the operations of the food truck park; and, 3) Exterior amenities of the food truck park, including the portable restrooms and outdoor seating, shall be locked overnight and stored securely after operations.*

Motion/Second Gupta/Albana
Motion carried by a vote of AYES: 6 NOES: 1 (Caulkins)

NEW BUSINESS

NO ITEMS

ADJOURNMENT

Chair Albana adjourned the meeting at 10:00 pm
Motion/Second Galang/Kong
Motion carried by a vote of AYES: 7 NOES: 0

Meeting Minutes submitted by
Planning Commission Secretary Elizabeth Medina