

Planning Commission Date: March 28, 2007

Item No.

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MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearing

Report Prepared by: Cindy Hom

Public Hearing: Yes: X No:

Notices Mailed On: 03/16/07

Published On: 03/15/07

Posted On: 03/16/07

TITLE: USE PERMIT AMENDMENT NO. UA2007-4

Proposal: A request to add five additional seats to a previously approved 1,332 square foot coffee house with ten existing indoor seats that is located within a newly constructed 11,000 sq. ft. office building and 5,000 sq. ft. restaurant building.

Location: 752 E. Calaveras Boulevard

APN : 086-29-079

RECOMMENDATION: **Withdrawl**

Applicant: Calvin Nguyen, 1340 Onondaga Ct., Fremont, CA 94539

Property Owner: Sam and Judy Jung, 756 Anacapa Court, Milpitas, CA 95035

Previous Action(s): S-Zone Approval, Variance, Use Permit,

Environmental Info: Categorically exempt from CEQA pursuant to Section 15301(Existing Facilities)

General Plan Designation: Industrial Park

Present Zoning: Industrial Park (MP-S), with an S-Zone overlay

Existing Land Use: Multi-tenant commercial building

Agenda Sent To: Applicant and Owner as noted above

Attachments:
- Email
- Applicant's letter

PJ# 2466

Application Request

The applicant is requesting to withdraw the application. The condition for an additional bathroom cannot be met due to the constraints of the tenant space. After further review of the Building Code, the alternative method could not be used in this situation.

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Cindy Hom

From: Calvin_Nguyen@amat.com
Sent: Friday, March 23, 2007 2:41 PM
To: Cindy Hom
Subject: RE: Questions

Hi Cindy,

I like to withdraw the seating change propose of 15 and keep the seating of 10 the City of Milpitas approved.

Thanks,
Calvin

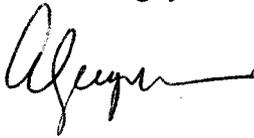
The content of this message is Applied Materials Confidential. If you are not the intended recipient and have received this message in error, any use or distribution is prohibited. Please notify me immediately by reply e-mail and delete this message from your computer system. Thank you.

2/7/2007

To Whom It May Concern:

My name is Calvin Nguyen, an owner for It's A Grind Coffee House at the address of 752 East Calaveras Blvd. This letter is to propose an additional of five seats. I am applying using the Application and Conditions of Approval for Alternate Materials Design and Methods. Under the authority of International Plumbing Code 2006. Plumbing Facilities Section 403.2, separate facilities shall be provided for each sex. Exceptions; separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers of 15 or less.

Sincerely,
Calvin Nguyen

A handwritten signature in black ink, appearing to read 'Calvin Nguyen', with a horizontal line extending to the right.