Planning Commission Date: June 13, 2007 Item No. 2.

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearing Report prepared by: Cindy Maxwell

Public Hearing: Yes: __X__ No: _____

Notices Mailed On: 3/2/07 Published On: 3/1/07 Posted On: 3/2/07

TITLE:	**USE PERMIT AMENDMENT NO. UA2007-3**
Proposal:	Add seats to an existing 52-seat restaurant.
Location:	1741 N. Milpitas Blvd. (APN: 22-20-049)
RECOMMENDATION:	**Close the public hearing. Continue UA2007-3 indefinitely.**
Applicant:	Khanhly Luong, 1741 N. Milpitas Blvd., Milpitas, CA 95035
Property Owners:	GS Management, 1285 Oakmead Parkway, Sunnyvale, CA 94085, Attn: Cathy Conner, Operations Manager
Previous Action(s):	Use Permit and 'S' Zone Approvals
Environmental Info:	Exempt pursuant to Section 15301, Class 1
General Plan Designation:	Neighborhood Commercial
Present Zoning:	Neighborhood Commercial (C1) with 'S' Zone combining district
Existing Land Use:	Multi-tenant shopping center "Crescent Square"
Attachment:	None
Agenda Sent To:	Applicant & owner

PJ#2481

BACKGROUND

Application and Project Description

- Use Permit Amendment No. UA2007-3
- Increase seating at an existing 2,640 square foot restaurant (Pho Hoang Long Restaurant, 1741 N. Milpitas Blvd., northwest quadrant of N. Milpitas Blvd. and Dixon Landing Road)
- Located in Crescent Square shopping center.

REASON FOR CONTINUANCE

- Applicant is unable to meet state building code occupancy requirements.

RECOMMENDATION

Close the public hearing. Continue Use Permit Amendment No. UA2007-3 indefinitely and readvertise if applicant is able to develop a plan that meets code requirements.