

**CITY OF MILPITAS PLANNING COMMISSION
FINAL AGENDA FOR OCTOBER 24, 2007
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** October 10, 2007
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PRESENTATION

- 1. LIBRARY PUBLIC ART PRESENTATION:** A representative of the Public Art Committee will provide an overview of the Library Public Art selection process and invite Commissioners to make comments during the public comment period. A recommendation on the Library Art selection will be made to the City Council at its December 11th meeting. Staff Contact: Diana Whitecar, (408) 586-3059. *(Recommendation: No Action Required)*

X. PUBLIC HEARING

- 2. MAIN STREET MOBILE HOME AND RV PARK CONVERSION IMPACT REPORT:** Pursuant to State Law and City of Milpitas Municipal Code, the Mobile Home Park Conversion Impact Report is required to be reviewed and approved by the City of Milpitas, Planning Commission and City Council prior to the closing of the Main Street Mobile Home and RV Park located at 1504 S. Main Street. (APN: 086-22-028). Staff Contact: Felix Reliford, (408) 586-3071. *(Recommendation: Approve the Mobile Home and RV Park Conversion Impact Report and Recommend Approval to City Council)*

3. **CONDITIONAL USE PERMIT (UP2007-20):** A request to consider a new freestanding sign, 81 square feet in area and 24 feet high at a new Toyota automobile dealership located at 950 Thompson Street (APN: 086-05-024), zoned General Commercial (C2). Applicant: Samantha Hollinger of Northwest Signs. Staff Contact: Sheldon S. Ah Sing, (408) 586-3278. (PJ# 2497) *(Recommendation: Approval Subject to Findings and Conditions of Approval)*
4. **CONDITIONAL USE PERMIT (UP2007-24) & “S” ZONE AMENDMENT (SA2007-54):** A request to renovate and add exterior modifications to an existing 8,941 square foot suite (unit # J-1) to allow for the change of use from retail to a restaurant and bar serving a full range of alcoholic beverages indoors, located within the Great Mall (APN: 086-24-060), zoned General Commercial (C2). Applicant: Elephant Bar. Staff Contact: Tiffany Kunsman, (408) 586-3283. (PJ# 2500) *(Recommendation: Approval Subject to Findings and Conditions of Approval)*
5. **TIME EXTENSION (TE2007-22) TO CONDITIONAL USE PERMIT (UP2005-26) AND “S” ZONE AMENDMENT (SA2005-85):** A request for a one time 18 month Time Extension for the previously approved Conditional Use Permit (UP2005-26) and "S" Zone Amendment (SA2005-85), allowing the location of cellular telephone antennae in a cylindrical radome near the top of an existing 95-foot tall stadium light standard at the northeast corner of the Milpitas High School Athletic field located at 1285 Escuela Parkway (APN: 026-18-003) zoned Institutional (I). Applicant : T-Mobile. Staff Contact: Tiffany Kunsman, (408) 586-3283. (PJ# 2444) *(Recommendation: Approval Subject to Findings and Conditions of Approval)*
6. **CONDITIONAL USE PERMIT (UP2007-17):** A request by the Santa Clara Vietnamese Alliance Church to utilize a conference room for public assembly on Sundays from 10:00 a.m. to 3:00 p.m. at Renaissance Business Center on 1851 McCarthy Blvd. (APN: 086-03-014), zoned Highway Services (HS). Applicant: Dien Nguyen, Santa Clara Vietnamese Alliance Church. Staff Contact: Bridgette Carroll, (408) 586-3275. (PJ# 2494) *(Recommendation: Approval Subject to Findings and Conditions of Approval)*
7. **PERMIT REVIEW (PR2007-3):** A nine-month review of Conditional Use Permit (UP2006-18) that allows for a 2,400 square foot KTV Musicland karaoke establishment without food or alcohol service located at 788 Barber Lane (APN: 086-01-035), zoned General Commercial (C2). Applicant: Joe Zheng. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 2465) *(Recommendation: Continue to the November 14, 2007 meeting)*

XI. NEW BUSINESS

- * **8. "S" ZONE AMENDMENT (SZ2005-6):** A request for exterior color modifications to the DeVries Place Senior Housing Project located at 163 North Main Street (APN: 022-08-041), zoned Multi-Family Very High Density (R3). Applicant: Mid-Peninsula Housing Coalition. Staff Contact: Felix Reliford, (408) 586-3071. *(Recommendation: Approval)*

- * **9. PC INTERPRETATION (UD2007-3):** A request that the Planning Commission make an interpretation of the Zoning Ordinance that a Tanning Spa/Salon use is similar to a Beauty Salon use within the Town Center zoning district. Applicant: Planet Beach. Staff Contact: Cindy Hom, (408) 586-3284. Staff Contact: Cindy Hom, (408) 586-3284. *(Recommendation: Determine that Tanning Spas/Salons are similar to Beauty Salons and are permitted uses within the Town Center Zoning District)*

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within twelve (12) calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

XII. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS November 14, 2007

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Noella Tabladillo-regular member, Norman Azevedo-regular member, Cliff Williams-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. **This project review will be held at 6:30 P.M. in the City of Milpitas Committee Conference Room, First Floor, 455 E. Calaveras Boulevard.**

- a. **ADMINISTRATIVE PERMIT (AD2007-19):** A request to locate a pumpkin patch sponsored by the Milpitas Rotary Club starting Friday October 19, 2007 through Tuesday October 30, 2007 within the Milpitas Unified School District's parking lot at 1331 E Calaveras Blvd. (APN: 029-17-002) zoned Institutional (I). Applicant: Milpitas Rotary Club. Staff Contact: Tiffany Kunsman, (408) 586-3283. *(Recommendation: Approval Subject to Findings and Conditions of Approval)*

- b. **"S" ZONE AMENDMENT (SA2007-31):** A request for exterior modifications to an existing shopping center that includes the removal and replacement of the sign canopy, roof addition, additional storefront glazing, trash enclosure gate upgrade and parking restriping at 89 South Park Victoria Drive. (APN: 088-04-048), zoned Neighborhood Commercial (C1-S). Applicant: Peter Ko, Ko Architects. Staff Contact: Momo Ishijima, (408) 586-3274. *(Recommendation: Approval Subject to Findings and Conditions of Approval)*

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT SUBCOMMITTEE**

at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.

E-mail: mogaz@ci.milpitas.ca.gov

Fax: (408) 586-3030

Phone : (408) 586-3000

A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website www.ci.milpitas.ca.gov Select Open Government Ordinance under News Features