

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MARCH 25, 2009
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. OATH OF OFFICE FOR NEW ALTERNATE COMMISSIONER: Mark Tiernan**
- III. ROLL CALL**
- IV. 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.

- V. APPROVAL OF MINUTES: March 11, 2009**
- VI. ANNOUNCEMENTS**
- VII. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VIII. APPROVAL OF THE AGENDA**
- IX. PRESENTATION**

- 1. DISCRETIONARY ENTITLEMENTS:** A discussion on Conditional Use Permits, findings, conditions of approval and other issues for consideration by a decision-maker.

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.

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS April 8, 2009

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 Gurdev Sandhu-regular member, Larry Ciardella-regular member, Alex Galang - alternate member) of the Planning Commission, who have approval authority for Minor Site Development Permits and other minor 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. MINOR SITE DEVELOPMENT PERMIT NO. MS09-0004:** A request for exterior modification that includes modified front entry, removal and replacement of existing wood shake

roof material with new metal shingles, and replacement of building signs for a proposed IHOP Restaurant, located at 765 E. Calaveras Blvd. (APN: 028-01-001), zoned Town Center with Site and Architectural (TC-S). Applicant: Mark Marvelli. Staff Contact: Cindy Hom (408) 586-3284. *(Recommendation: Approve MS09-0004 subject to the conditions of approval.)*

- b. MINOR SITE DEVELOPMENT PERMIT NO. MS09-0005:** A request to allow for the installation of a 1,598 square foot equipment enclosure to accommodate a clean dry air equipment upgrade located at 1210 California Circle (APN: 022-37-017), zoned Industrial Park with Site and Architectural Overlay (MP-S). Applicant: Fred Ziaripour. Staff Contact: Cindy Hom (408) 586-3284. *(Recommendation: Approve MS09-0005 subject to the 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.

Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035

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

Phone (408) 586-3040

Fax (408) 586-3030

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.