

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 12, 2009
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 fewer than three minutes. As a 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:** July 22, 2009 and August 2, 2009
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

The consent calendar items are considered to be routine and will be considered with one public hearing and adopted by one motion. There will be no separate discussion of these items unless a member of the Planning Commission, member of the audience, or staff requests the Planning Commission to have an item removed from or added to the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order in which it appears on the agenda.

IX. PUBLIC HEARING

- 1. SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-0012:** A request to change roofing material from previously approved concrete tiles to dimensional asphalt composition shingles and to allow minor building modifications for the Christ Community Church building located at 1000 S. Park Victoria Drive (APN: 088-37-076) zoned Multi-Family Residential High Density with Site and Architectural Overlay (R3-S). Applicant: BCA Architects. Staff Contact: Cindy Hom (408) 586-3284. *(Recommendation: Adopt Resolution No. 09-037 approving the project subject to conditions of approval.)*
- * 2. CONDITIONAL USE PERMIT AMENDMENT NO. UA09-0006:** A request to add live entertainment and sale of all types of alcohol in conjunction with an existing restaurant located at 174 W. Calaveras Boulevard (APN: 022-24-036) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Zahir Quddus. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2598. *(Recommendation: Adopt Resolution No. 09-038 approving the project subject to conditions of approval.)*

- * **3. CONDITIONAL USE PERMIT NO. UP09-0029:** A request to locate a 50-foot tall receive only satellite dish on an existing industrial site located at 1 Hanson Court (APN: 022-31-020) zoned Heavy Industrial with Site and Architectural Overlay (M2-S). The antenna is used to test tracking technology for deep space satellites for a period of 12 months. Applicant: General Dynamics. Staff Contact: Cindy Hom (408) 586-3284. PJ # 3229. *(Recommendation: Adopt Resolution No. 09-034 approving the project subject to conditions of approval.)*
- * **4. SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-0010:** A request for a home addition to enclose an existing balcony/patio, located at 461 Vista Ridge Drive (APN: 042-30-007) zoned Single Family Residential with Hillside Combining and Site and Architectural Overlay Districts (R1-H-S). Applicant: Javier Mercado. Staff Contact: Tiffany Brown (408) 586-3283. *(Recommendation: Open the public hearing and continue to the August 26, 2009 Planning Commission meeting.)*

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 August 26, 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 Alex Galang-regular member, Noella Tabladillo-regular member, Cliff Williams-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. There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.**

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.