

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR OCTOBER 14, 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:** September 23, 2009
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR**

Consent calendar items are considered to be routine and may be approved in one motion at the discretion of the Chair. For public hearing items, prior to actual Commission consideration, the Chair may open the public hearing and ask if anyone present wishes to discuss any consent calendar items. There will be no discussion of consent calendar items unless a member of the audience or the Commission asks to have the item removed from the consent calendar. **Persons who want to speak on any item on the consent calendar should come forward now and ask to have that item removed from the consent calendar.** Any items removed will be discussed in the order arranged by the Chair.

- 1. SITE DEVELOPMENT PERMIT NO. SD09-0003, SOUTH BAY HONDA SIGN PROGRAM:** A request to consider a new sign program that includes 13 on-site signs (nine wall illuminated/non-illuminated and four freestanding non-illuminated) for the purposes of advertising the new automobile dealership. The project is located at 920 Thompson Street (APN: 085-05-026). Staff Contact: James Lindsay (408) 586-3273. PJ # 2592. *(Recommendation: Adopt Resolution No. 09-044 approving the project subject to conditions of approval.)*
- 2. SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-0013:** A request to construct a 314 square foot room addition and two attached patio covers at rear of an existing hillside home located at 2018 Wellington Drive, zoned Single Family Residential with the Hillside Combining District and Site and Architectural Overlay (R1-H-S). Applicant: Hai Nguyen. Staff Contact: Cindy Hom (408) 586-3284. *(Recommendation: Adopt Resolution No. 09-045 approving the project subject to conditions of approval.)*

IX. PUBLIC HEARING

- 1. CONDITIONAL USE PERMIT NO. UP09-0011:** A request to locate a new church facility with tutoring center and after school family oriented programs to locate within an existing 20,000 square foot Industrial Park building at 555 Los Coches Drive. (APN: 086-28-051) zoned Industrial Park with Site and Architectural Overlay (MP-S). Applicant: Hung Pham. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2585. *(Recommendation: Adopt Resolution No. 09-049 approving the project subject to conditions of approval.)*
- 2. CONDITIONAL USE PERMIT NO. UP09-0032 AND ENVIRONMENTAL ASSESSMENT NO. EA09-00011:** A request to locate a 2,406 square foot church within an existing space within the Jacklin Corner Business Park located at 966 Jacklin Road (APN: 028-05-017) zoned Commercial Office with Site and Architectural Overlay (CO-S). Applicant: Wellsprings Community Church. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2597. *(Recommendation: Adopt Resolution No. 09-046 approving the project subject to conditions of approval.)*
- 3. CONDITIONAL USE PERMIT AMENDMENT NO. UA08-0012 AND SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-0018:** A request to amend an existing conditional use permit for the Living Word Church to allow for the consolidation of the church and seminary uses into the building at 1494 California Circle (APN: 022-37-011) zoned Industrial Park with Site and Architectural Overlay. The project entails modifications to the existing church sanctuary, relocation support areas, and installation of minor site improvements. Applicant: Living Word Church. Staff Contact: Cindy Hom (408) 586-3284. PJ # 3172. *(Recommendation: Adopt Resolution No. 09-047 approving the project subject to conditions of approval.)*

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 October 28, 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 Noella Tabladillo-regular member, Cliff Williams-regular member, Aslam Ali-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. MS09-0010:** A request to locate two new chain link gates on the rear portion of the property at 1801 McCarthy Blvd. (APN: 086-03-013) zoned Light Industrial with Site and Architectural Overlay district (M1-S). Applicant: Fairchild Imaging. Staff Contact: Tiffany Brown (408) 586-3283. (*Recommendation: Approve Minor Site Development Permit No. MS09-0010 subject to the conditions of approval.*)
- b. **ADMINISTRATIVE PERMIT NO. AD09-0007:** A request to locate a pumpkin patch sponsored by the Milpitas Rotary Club starting Friday October 16, 2009 through Friday October 30, 2009 within the Milpitas Unified School District's parking lot at 1331 E. Calaveras Blvd. (APN: 29-17-022) Zoned Institutional Contact: Tiffany Brown (408) 586-3283(*Recommendation: Approve Administrative Permit No. AD09-0007 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.