

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR APRIL 14, 2010
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. ROLL CALL**
- II. PLEDGE OF ALLEGIANCE**
- 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:** None
- 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.

- VIII-1. CONDITIONAL USE PERMIT NO. UP09-0040 and MINOR SITE DEVELOPMENT PERMIT NO. MS09-0011:** A request to construct two new antennae with enclosures at 461 S. Milpitas Blvd. (APN: 086-42-016) zoned Heavy Industrial with Site and Architectural Review Overlay District (M2-S). Applicant: Global Star. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2609. *(Recommendation: Adopt Resolution No. 10-004 approving the project subject to conditions of approval.)*
- VIII-2. CONDITIONAL USE PERMIT AMENDMENT NO. UA10-0001:** A request to add beer and wine sales for off-site consumption at an existing Walgreens Store located at 342 West Calaveras Blvd (APN: 086-07-042) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Walgreens Company. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2627. *(Recommendation: Adopt Resolution No. 10-019 approving the project subject to conditions of approval.)*
- VIII-3. CONDITIONAL USE PERMIT AMENDMENT NO. UA10-0002:** A request to add beer and wine sales for off-site consumption at an existing Walgreens Store located at 1833 N. Milpitas Blvd (APN: 022-02-050) zoned Neighborhood Commercial with Site and Architectural Overlay (C1-S). Applicant: Walgreens Company. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2628. *(Recommendation: Adopt Resolution No. 10-020 approving the project subject to conditions of approval.)*

VIII-4. CONDITIONAL USE PERMIT UP09-0046, SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-0021 SOUTH BAY HONDA FREEWAY-ORIENTED SIGN: A request to allow an amendment to the sign program to accommodate a 23-foot freestanding sign along Interstate 880 to advertise South Bay Honda located at 920 Thompson Street (APN: 086-05-026) zoned General Commercial with Site and Architectural overlay (C2-S). Applicant: Chris Merrell. Staff Contact: Sheldon S. Ah Sing (408) 586-3278. PJ # 2592. *(Recommendation: Adopt Resolution No. 10-018 approving the project subject to conditions of approval.)*

IX. PUBLIC HEARING

IX-1. CONDITIONAL USE PERMIT NO. UP10-0004: A request to operate a large family childcare home at 255 Balboa Drive (APN: 022-43-042) zoned Multi-Family Residential, High Density with Site and Architectural Overlay (R3-S). Applicant: Sukhjit Singh. Staff Contact: Janice Spuller (408) 586-3291. *(Recommendation: Adopt Resolution No. 10-021 approving the project subject to conditions of approval.)*

X. PRESENTATION

X-1. PRESENTATION REGARDING LICENSING AND ZONING REGULATIONS FOR ALCOHOLIC BEVERAGE SALES: Staff Contact: Sheldon Ah Sing (408) 586-3278.

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.

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS April 28, 2010

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 Mark Tiernan - regular member, Sudhir Mandal - regular member, Larry Ciardella - 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.