

**CITY OF MILPITAS PLANNING COMMISSION  
AGENDA FOR JANUARY 26 2011  
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:** January 12, 2011
- 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 PERMIT REVIEW NO. PR10-0003:** A six month review of Conditional Use Permit No. UP08-0015 which allows for the operations of an approximate 40,000 square foot religious facility located at 1221 California Circle (APN: 022-52-017) zoned Industrial Park with Site and Architectural Overlay (MP-S). Applicant: Shirdi Sai Parivaar. Staff Contact: Cindy Hom (408) 586-3284. (*Recommendation: Note receipt and file.*)

- IX. PUBLIC HEARING**

- IX-1 CONDITIONAL USE PERMIT NO. UP09-0047 and SITE DEVELOPMENT PERMIT AMENDMENT NO. SD09-005:** A request to construct an approximate 14,000 square foot religious facility located at 91 Montague Expressway (APN: 086-34-023) zoned Multi-Family Residential with Site and Architectural Overlay (R4-S). Applicant: Amin Qazi for Al-Hilaal Islamic Charitable Foundation. Staff Contact: Janice Spuller (408) 586-3291. PJ # 2618. (*Recommendation: Adopt Resolution No. 11-004 approving the project subject to conditions of approval.*)

**IX-2 CONDITIONAL USE PERMIT NO. UP10-0025:** A request to operate a 1,821 square foot massage facility within the Victorian Square Shopping Center at 1215 E Calaveras Blvd. (APN: 029-13-041) zoned General Commercial with Site and Architectural Overlay District (C2-S). Applicant: Wayne Renshaw. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2691. (*Recommendation: Adopt Resolution No. 11-005 approving the project subject to the conditions of approval.*)

## **X. PRESENTATION ON THE OPEN GOVERNMENT ORDINANCE**

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 February 9, 2011***

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, Steve Tao - regular member, Noella Tabladillo - 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. MS11-0002:** A request to construct two new equipment enclosures for mechanical equipment at the rear of building located at 1565 Barber Lane (APN: 086-03-094) zoned Industrial Park with Site and Architectural Overlay (MP-S). Applicant: Nuvosun. Staff Contact: Cindy Hom (408) 586-3284.

### **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](mailto: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](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*