

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR FEBRUARY 23, 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:** February 9, 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 CONDITIONAL USE PERMIT NO. UP11-0001:** A request to operate a 1,172 square foot massage establishment at the Seasons Marketplace Shopping Center located at 1535 Landess Avenue, Suite 100 (APN: 088-35-017) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Rene Ganzon and Marilou Dore. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2695. *(Recommendation: Adopt Resolution No. 11-006 subject to conditions of approval.)*
- VIII-2 CONDITIONAL USE PERMIT NO. UP10-0013:** A request to locate 12 new antennas and equipment cabinets located at 666 South Milpitas Blvd. (APN: 086-38-002) zoned Heavy Industrial with Site and Architectural Overlay District (M2-S). Applicant: Jacqueline Smart. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2658. *(Recommendation: Adopt Resolution No. 11-011, subject to conditions of approval.)*
- VIII-3 CONDITIONAL USE PERMIT NO. UP10-0026:** A request to operate a 1,102 square foot massage establishment at the Milpitas Square Shopping Center located at 448 Barber Lane (APN: 086-01-043) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Wen Jing Bai. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2692. *(Recommendation: Adopt Resolution No. 11-010 subject to the conditions of approval.)*

- IX. PUBLIC HEARING**

IX-1 SITE DEVELOPMENT PERMIT NO. SD10-0009, TENTATIVE MAP NO. MT10-0001 and CONDITIONAL USE PERMIT NO. UP10-0021: A request to construct a new residential subdivision with 83 single family detached homes, private streets and associated common area improvements on 4.98 acres located at 905 and 980 Los Coches Street (APNs: 086-29-050 and 086-29-049) zoned Town Center with Site and Architectural Overlay (TC-S). Applicant: Robson Homes (408) 345-1767. Staff Contact: Sheldon S. Ah Sing (408) 586-3278. PJ # 2653. (*Recommendation: Adopt Resolution No. 11-009 recommending approval of the project to the City Council, subject to conditions of approval.*)

X. NEW BUSINESS

X-1 PERMIT REVIEW NO. PR10-0002: A three month review of the operation of Conditional Use Permit No. UA08-0004 which allows for a 2,400 square foot karaoke establishment located at 788 Barber Lane (APN: 086-01-035) General Commercial with Site and Architectural Overlay (C2-S). Applicant: Joe Zheng. Staff Contact: Cindy Hom (408) 586-3284. (*Recommendation: Note receipt and file; and direct staff to conduct a six month review.*)

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 March 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. 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.