

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JULY 13, 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:** June 22, 2011
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. ELECTION OF OFFICERS:** Election of Planning Commission Officers (Chair and Vice Chair) to serve one-year terms.
- IX. 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.

- IX-1 CONDITIONAL USE PERMIT NO. UP11-0011:** A request to operate a 5,000 square foot auto dealership with office and showroom within an existing industrial building located at 1840 Houret Court (APN: 086-41-011) zoned Mixed Use, Very High Density with Site and Architect Overlay (MXD3-S). Applicant: James Cusack. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2720. *(Recommendation: Adopt Resolution No. 11-027 approving the project subject to conditions of approval.)*
- IX-2 CONDITIONAL USE PERMIT NO. UP11-0013:** A request to operate a 1,792 square foot tutoring center within an existing commercial office building located at 1231 S. Park Victoria Drive (APN: 088-36-043) zoned Commercial Office. Applicant: Shu-Chin Winnie Weng. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2722. *(Recommendation: Adopt Resolution No. 11-026 approving the project subject to conditions of approval.)*

IX-3 CONDITIONAL USE PERMIT NO. UP11-0017: A request to re-establish a discontinued plant and facility use (research and development, manufacturing, assembly and associated offices) in accordance with the City's Zoning nonconforming standards, located at 1980 Tarob Court (APN: 086-36-040) zoned R3-S-TOD, Multi-family residential, high density with Site and Architectural and Transit Oriented Development Overlays. Applicant: Cliff Miller. Staff Contact: Sheldon Ah Sing (408) 586-3278. PJ # 2726. *(Recommendation: Adopt Resolution No. 11-025 approving the project subject to conditions of approval.)*

X. PUBLIC HEARING

X-1 CONDITIONAL USE PERMIT NO. UP11-0014: A request to operate a 1,015 square foot alcohol beverage sales outlet of beer and wine for off-site consumption at 148 W. Calaveras Blvd. (APN: 022-24-037) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Laxmi Bhardwaj. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2723. *(Recommendation: Adopt Resolution No. 11-028 approving the project subject to conditions of approval.)*

XI. NEW BUSINESS

XI-1 CONDITIONAL USE PERMIT STREAMLINING SUBCOMMITTEE: Establishment of a new Planning Commission Subcommittee to examine further streamlining opportunities within the conditional use permit process. Staff Contact: James Lindsay (408) 586-3273. *(Recommendation: Establish the Subcommittee and appoint members recommended by the Chair.)*

XII. PRESENTATION

XII-1 MOBILE FOOD VENDORS: A report to the Planning Commission on vendor permits for mobile food trucks. Staff Contact: Cindy Hom (408) 586-3284. *(Recommendation: Note, receipt, and file.)*

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.

XIII. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS July 27, 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 Zeya Mohsin - regular member, Noella Tabladillo - regular member, Mark Tiernan - 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 has been cancelled.**

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.