

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JULY 27, 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:** July 13, 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. UP11-0016 and MINOR SITE DEVELOPMENT PERMIT NO. MS11-0019: A request to re-establish a discontinued research and development facility and for the construction of a new roof penthouse on a legal, non-conforming building located at 775 Montague Expressway (APN: 086-32-030) zoned Mixed Use, Very High Density with Site and Architectural Overlay (MXD3-S). Applicant: David Perng. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2725. *(Recommendation: Adopt Resolution No. 11-030 subject to conditions of approval.)*

VIII-2 CONDITIONAL USE PERMIT NO. UP11-0019: A request to establish an Auto Sales Office located at 1313 No. Milpitas Blvd, # 105 (APN: 022-02-042) zoned Highway Services with Site and Architectural Overlay (HS-S). Applicant: Lakhbir Singh Pooni. Staff Contact: Janice Spuller (408) 586-3291. PJ # 2731. *(Recommendation: Adopt Resolution No. 11-029 subject to conditions of approval.)*

VIII-3 SITE DEVELOPMENT PERMIT AMENDMENT NO. SA11-0002: A request for 234 square foot addition and exterior modifications to an existing hillside residence located at 673 Quince Lane (APN: 029-59-014) zoned Single Family Residential with Hillside Combining District and Site and Architectural Overlay (R1-H-S). Applicant: Twelve Star Consulting Group. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2711. (*Recommendation: Adopt Resolution No. 11-031 recommending approval to the City Council.*)

VIII-4 CONDITIONAL USE PERMIT AMENDMENT NO. UA11-0002: A request to expand an existing religious facility by approximately 10,500 square feet within an existing building located at 380 Montague Expressway (APN: 086-36-044) zoned Mixed Use Very High Density with Site and Architectural Overlay (MXD3-S) and within the Transit Area Specific Plan. Applicant: John Wang. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2712. (*Recommendation: Adopt Resolution No. 11-032 subject to conditions of approval.*)

IX. PUBLIC HEARING

IX-1 CONDITIONAL USE PERMIT AMENDMENT NO. UA11-0005: A request to amend a special condition of approval for a private elementary school to be located at 130 Piedmont Road. (APN: 092-37-051) zoned Single Family Residential within the Hillside Combining District. Applicant: Monarch Christian School. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2708. (*Recommendation: Consider applicant's request.*)

X. NEW BUSINESS

X-1 DISCUSSION OF 2011 WALKING TOUR

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 August 10, 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. MINOR SITE DEVELOPMENT PERMIT NO. MS11-0024:** Taco Bell® exterior remodel to building. 774 South Main. Staff Contact: Cindy Hom (408) 586-3284. (*Recommendation: Approve Minor Site Development Permit No. MS11-0024 subject to conditions of approval.*)
- b. MINOR SITE DEVELOPMENT PERMIT AMENDMENT NO. MS11-0003:** McDonald's® exterior remodel to drive through and parking lot. 1795 Landess. Staff Contact: Cindy Hom (408) 586-3284.

(Recommendation: Approve Minor Site Development Permit Amendment No. MS11-0003 subject to conditions of approval.)

- c. MINOR SITE DEVELOPMENT PERMIT NO. MS11-0026, FORD FOCUS CONSIDER FOCUS/GIMME THE GIG TOUR EVENT:** A request for a three day outdoor event located at the Great Mall of the Bay Area at 1100 So. Main Street (APN: 086-24-060). Staff Contract: Janice Spuller (408) 586-3291. *(Recommendation: Approve Minor Site Development Permit No. MS11-0026 subject to 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.