

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 10, 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 27, 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. PR11-0002: A twelve-month review of the operations of Seasons Marketplace Shopping Center located at 1535 Landess Avenue (APN: 088-35-017) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Dinna Bayangos. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2545. (*Recommendation: Note, receipt, and file.*)

VIII-2 PERMIT REVIEW NO. PR11-0004: A permit 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) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Joe Zheng. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2465. (*Recommendation: Note, receipt, and file; direct staff to conduct a three month review.*)

VIII-3 CONDITIONAL USE PERMIT NO. UP11-0015: A request to operate a 1,525 square foot martial art studio within an existing commercial strip building located at 76 So. Park Victoria Drive. (APN: 088-04-078) zoned Neighborhood Commercial with Site and Architectural Review Overlay (C1-S). Applicant: Tony Tran. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2724. (*Recommendation: Adopt Resolution No. 11-037 approving the project subject to conditions of approval.*)

VIII-4 CONDITIONAL USE PERMIT NO. UP11-0018: A request to operate a 20'x 8' mobile recycling unit located on the rear half of the property within the parking lot of an existing commercial building located at 81 Dixon Road. (APN: 026-05-021) zoned Neighborhood Commercial with Site and Architectural Review Overlay (C1-S). Applicant: Juan J. Ortega. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2730. (*Recommendation: Adopt Resolution No. 11-036 approving the project subject to conditions of approval.*)

VIII-5 CONDITIONAL USE PERMIT NO. UP11-0025: A request to operate an approximate 600 square foot dental lab located at 1351 Jacklin Rd., (APN: 029-05-040) zoned Neighborhood Commercial with Site and Architectural Overlay (C1-S). Applicant: Francisca Narlock. Staff Contact: Cindy Hom (408) 586-3284. (*Recommendation: Adopt Resolution No. 11-034 approving the project subject to conditions of approval.*)

IX. PUBLIC HEARING

IX-1 SITE DEVELOPMENT PERMIT NO. SD11-0006 AND CONDITIONAL USE PERMIT NO. UP11-0020: A request for an exemption to the General Development Policy for Gasoline Service Stations and Automotive Services Centers along with the demolition and remodel of an existing Gas Station located at 190 W Calaveras Blvd. (APN: 022-24-030) zoned General Commercial with Site and Architectural Overlaying District, Office Overlaying District and is within the Midtown Specific Plan. Applicant: MI Architects Inc. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2555. (*Recommendation: Adopt Resolution No. 11-035 subject to conditions of approval.*)

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.

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS August 24, 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. MS11-0029:** A request to operate a 2 day festival with amplified sound located at Cardoza Park Track Site at 1325 E. Calaveras Blvd. (APNs: 029-17-005, 006, 007, 008, 009, 010, 011, and 012) zoned Parks and Open Space with Site and Architectural Review Overlay District (POS-S). Applicant: Joey Camins. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2750. (*Recommendation: Approve Minor Site Development Permit No. MS11-0029 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.