

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR DECEMBER 14, 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:** November 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 PERMIT REVIEW NO. PR11-0006:** A permit review of a Conditional Use Permit (UA08-0004) 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). For more information, contact the project planner, Cindy Hom (408) 586-3284. (*Recommendation: Note, receipt, and file.*)
- VIII-2 CONDITIONAL USE PERMIT NO. UP11-0039:** A request to add sales of beer and wine for an existing restaurant located at 660 Barber Lane (APN: 086-01-035) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Milpitas Dianxun Wang. Staff Contact: Janice Spuller (408) 586-3291. PJ # 2781. (*Recommendation: Adopt Resolution No. 11-055 approving the project subject to conditions of approval.*)
- VIII-3 CONDITIONAL USE PERMIT AMENDMENT NO. UA11-0010:** A request to increase seating in an existing restaurant with a shared parking agreement located at 1466 North Milpitas Blvd. (APN: 026-13-056) zoned Neighborhood Commercial with Site and Architectural Overlay District (C1-S). Applicant: Ricky and Pam Tejada. Staff Contact: Diana Barnhart (408) 586-3059. (*Recommendation: Table the item.*)

VIII-4 CONDITIONAL USE PERMIT NO. UP11-0040: A request to locate a new gym with a shared parking agreement located at 631 South Milpitas Blvd. (APN: 086-42-029) zoned Heavy Industrial with Site and Architectural Review Overlay District (M2-S). Applicant: Eastern Capital Corporation. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2783. (*Recommendation: Adopt Resolution No. 11-056 approving the project subject to conditions of approval.*)

IX. PUBLIC HEARING

IX-1 SITE DEVELOPMENT PERMIT NO. SD11-0014: A request to modify the façade to the approved Centria West project located at 1102 South Abel Street. (APN: 086-12-021) zoned Multi Family very High Density (R4). Applicant: LYON Communities. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2583. (*Recommendation: Adopt Resolution No. 11-057 approving the project subject to conditions of approval.*)

X. NEW BUSINESS

X-1 OPEN GOVERNMENT ORDINANCE: The semi-annual refresher presentation of transparent government laws and requirements, including planning commissioner calendars. Staff Contact: Bryan Otake (408) 586-3042 and Diana Barnhart (408) 586-3059. (*Recommendation: Note, receipt, and file.*)

X-2 PC ACCOMPLISHMENTS FOR 2011: A report on the major accomplishments by the Planning Commission for 2011. Staff Contact: Sheldon S. Ah Sing (408) 586-3278 (*Recommendation: Consider the list of accomplishments and direct staff which ones to post on the Commission's web page.*)

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 January 11, 2012

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, Mark Tiernan - regular member, Sudhir Mandal - 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 1 Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.