

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MARCH 14, 2012
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 22, 2012
- 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. UP12-0002, Vocational Massage School: A request to locate a vocational massage school located at 106 So. Abel Street (APN: 022-24-045) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Ninh Nguyen. Staff Contact: Janice Spuller (408) 586-3291. PJ # 2797. (*Recommendation: Adopt Resolution No. 12-013 approving the project subject to conditions of approval.*)

VIII-2 CONDITIONAL USE PERMIT NO. UP12-0004, Instructional Studio: A request to operate a 779 square foot dance and music studio located at 1535 Landess Avenue #146 (APN: 088-35-017) zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Pamela Serrano. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2800. (*Recommendation: Adopt Resolution No. 12-011 approving the project subject to conditions of approval.*)

IX. PUBLIC HEARING

IX-1 CONDITIONAL USE PERMIT NO. UP12-0003, Tutoring School: A request to operate a 1,200 square foot math tutoring center located at 12 Hillview Drive (APN: 086-29-079) zoned Town Center with Site and Architectural Overlay (TC-S). Applicant: Jane Kim. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2799. (*Recommendation: Adopt Resolution No. 12-012 approving the project subject to conditions of approval.*)

IX-2 SITE DEVELOPMENT PERMIT NO. SD11-0008: A request to allow three 11 story residential towers with 437 dwelling units story parking garage with affordable housing zoned Urban Residential with Site and Architectural Overlay (R5-S). Applicant: 750 E. Capitol LP. Staff Contact: Sheldon S. Ah Sing, (408) 586-3278. PJ # 2743. *(Recommendation: Adopt Resolution No. 12-003 approving the project subject to conditions of approval.)*

IX-3 ZONING TEXT AMENDMENT NO. ZA12-0001: Conditional Use Permit Process Streamlining. A request to amend Title IX, Chapter 10 of the City of Milpitas Municipal Code for the purposes of streamlining the Conditional Use Permit process. Staff Contact: Sheldon S. Ah Sing (408) 586-3278. *(Recommendation: Adopt Resolution No. 12-006 recommending the zoning text amendment to the City Council.)*

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 March 28, 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 Sudhir Mandal - regular member, Steve Tao - regular member, Larry Ciardella - 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. MS12-0008: A request to remove and replace six Liquidambar trees with six new 24" box Crape Myrtle trees located at 1285 So. Park Victoria Drive (APN: 088-36-032) zoned Commercial Office with Site and Architectural Overlay. Applicant: Joe Nama. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2811. *(Recommendation: Approve Minor Site Development Permit No. MS12-0008 subject to conditions of approval.)*

b. MINOR SITE DEVELOPMENT PERMIT NO. MS12-007: A request for site modifications and installation of new fencing located at 700 Montague Expressway. (APN: 092-08-083). Applicant: endvcorp. Staff Contact: Janice Spuller (408) 586-3291. PJ # 2808. *(Recommendation: Approve Minor Site Development Permit No. MS12-007 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.