

**CITY OF MILPITAS PLANNING COMMISSION  
AGENDA FOR October 24, 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**

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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.

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- IV. APPROVAL OF MINUTES: Full Commission Minutes:** September 12, 2012  
**Subcommittee Minutes only:** September 26 & October 10, 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 AMENDMENT NO. UA12-0011 & MINOR SITE DEVELOPMENT PERMIT NO. MS12-0022:** A request to operate a new 6,085 square foot preschool with outdoor play area at 200 Serra Way. (APN: 086-07-025) Zoned General Commercial with Site and Architectural & Office Overlays (C2-S-O). Applicant: Mark Stoklosa. Staff Contact: Tiffany Brown, (408) 586-3283. PJ#2829

*(Recommendation: Table the item. The item will be re-noticed.)*

- VIII-2**      **CONDITIONAL USE PERMIT NO. UP12-0022 & MINOR SITE DEVELOPMENT PERMIT NO. MS12-0050:** A request to allow the operation of a primary school located at 540 Abel (APN: 086-10-025) zoned Institutional with Site and Architectural Overlay (I-S). Staff Contact: Cindy Hom, (408) 586.3284. PJ#2869

*(Recommendation: Continue the item to the December 12, 2012 Planning Commission meeting.)*

**IX. PUBLIC HEARING**

**IX-1      CONDITIONAL USE PERMIT AMENDMENT NO. UA12-0009 AND MINOR SITE DEVELOPMENT PERMIT NO. MS12-0039:** A request to install four (4) new microwave dish antennas and replacement of associated equipment for an existing 90-foot tall telecommunication wireless lattice tower located at 66 Ranch Drive (APN 22-54-020) zoned Light Industrial with Site and Architectural Overlay (M1-S). Applicant: Karen Lienert for Metro PCS. Cindy Hom, (408) 586-3284. PJ 2848.

*(Recommendation: Adopt Resolution No.12-038 approving the project subject to conditions of approval)*

**IX-2      VARIANCE NO. VA12-0002:** A request for a variance to allow an additional freestanding sign for King Egg Roll restaurant located at 422 W Calaveras Blvd. (APN: 086-07-034) Zoned General Commercial with Site and Architectural and Office Overlay (C2-S-O). Applicant: Khanh Bui Staff Contact: Tiffany Brown, (408) 586-3283. PJ#2859

*(Recommendation: Adopt Resolution No. 12-040 denying the project)*

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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.

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**X. ADJOURNMENT**

***THE NEXT PLANNING COMMISSION MEETING IS November 14, 2012***

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The Planning Division will provide a recorded agenda or minutes on standard disc 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.

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**MILPITAS PLANNING COMMISSION SUBCOMMITTEE**

The Planning Commission Subcommittee consists of three members (currently Gurdev Sandhu and Rajeev Madnawat - regular member and John Luk - 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, 455 E. Calaveras Boulevard.**

**None.**

**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](mailto: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](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*