

**CITY OF MILPITAS PLANNING COMMISSION  
AGENDA FOR MARCH 26, 2014  
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 and limit their remarks to fewer than three minutes. As an 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:** March 12, 2014

**V. ANNOUNCEMENTS**

**VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**

**VII. APPROVAL OF THE AGENDA:** March 26, 2014

**VIII. CONSENT CALENDAR**

No items

**IX. PUBLIC HEARING**

- IX-1 STARBUCKS USE PERMIT– 1333 S. Park Victoria** – A request for a Conditional Use Permit and Minor Site Development Permit to convert a former Wienerschnitzel restaurant into a Starbucks with drive-through and outdoor patio. This project is exempt from further CEQA review pursuant to Section 15301 (Existing Facilities). Project Planner: Marge Sung (408) 586-3277 [msung@ci.milpitas.ca.gov](mailto:msung@ci.milpitas.ca.gov)

*Recommendation: Adopt Resolution No. 14-014 approving Conditional Use Permit No. UPI4-0001 and Minor Site Development Permit No. MS14-0002 for a restaurant conversion into a Starbucks with drive-through, outdoor patio based on findings and subject to the conditions of approval.*

- IX-2 TRANSIT AREA SPECIFIC PLAN AMENDMENT – ST14-0001** – A City-initiated request to consider a specific plan amendment to modify language within the Transit Area Specific Plan for “density averaging”. This project is exempt from further CEQA review pursuant to Section 15061(b)(3) in that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Project Planner: Sheldon Ah Sing (408) 586-3278 [sahsing@ci.milpitas.ca.gov](mailto:sahsing@ci.milpitas.ca.gov)

*Recommendation: Adopt Resolution No. 14-012 recommending the City Council adopt an amendment to the Transit Area Specific Plan to remove Density Averaging Policy 3.8 and related text (Specific Plan Amendment No. ST14-0001).*

## **X. NEW BUSINESS**

- X-1 CAPITAL IMPROVEMENT PROGRAM (CIP) CONFORMITY FINDING:** A City-initiated request to consider a General Plan conformity finding for the proposed 2014-19 CIP Annual Report. This project is exempt from further CEQA review pursuant to Section 15061(b)(3) in that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Project Planner: Scott Ruhland (408) 586-3274 [sruhland@ci.milpitas.ca.gov](mailto:sruhland@ci.milpitas.ca.gov)

***Recommendation: Adopt Resolution No. 14-013 recommending the City Council find the 2014-2019 Capital Improvement Program in conformance with the General Plan.***

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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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## **XI. ADJOURNMENT – The next Planning Commission Meeting is scheduled for April 9, 2014**

### **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

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The Planning Division will provide a recorded agenda or minutes 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.

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