

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JULY 23, 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**

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.

IV. APPROVAL OF MINUTES: June 25, 2014

V. ANNOUNCEMENTS

VI. ANNOUNCEMENT OF CONFLICT OF INTEREST

VII. APPROVAL OF THE AGENDA: July 23, 2014

VIII. CONSENT CALENDAR

VIII-1 SUNSET PROVISION ZONING AMENDMENT – 1504-1666 Centre Pointe Drive - ZA14-0008 – A request for a Zoning Text Amendment to Section XI-10-56.03 Nonconforming Uses of Buildings and Structures (B.2) to amend the sunset provision in the specific plan areas that allow non-conforming uses to apply for a CUP from June 16, 2014 to June 16, 2016. 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

Recommendation: Staff recommends that the Planning Commission Adopt Resolution No. 14-030 recommending the City Council approve Zoning Text Amendment No. ZA14-0008 to extend the sunset date from June 16, 2014 to June 16, 2016 for the re-establishment of discontinued non-conforming uses within the Midtown and Transit Area Specific Plan areas.

IX. PUBLIC HEARING

IX-1 GOODWILL ZONING AMENDMENT - 311 W Calaveras Blvd – ZA14-0002, SD14-0008, UP14-0010: A request for a Zoning Text Amendment to conditionally permit thrift store uses in C-1 Neighborhood Commercial, a Site Development Permit and Conditional Use Permit for a new Goodwill retail store and associated site improvements located in an existing shopping center. This project is categorically exempt from further CEQA review pursuant to Section 15301 (Existing Facilities). Project Planner: Jocelyn Puga, 408-586-3275, jpuga@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission Adopt Resolution No. 14-024 recommending the City Council adopt Zoning Text Amendment No. ZA14-0002 to conditionally permit thrift stores uses in the Neighborhood Commercial (C1) Zoning District with performance standards; and approve Site Development Permit No. SD14-0008, and Conditional Use Permit No. UP14-0010, to permit the operation of a Goodwill retail store and associated site improvements at this location without a proposed fence along the property line.

IX-2 PARKING ORDINANCE AMENDMENT III - 455 E. Calaveras Boulevard – ZA14-0009: A City-initiated request to consider a Zoning Text Amendment to Section XI-10-53.13 Off-Street Parking Regulations, Location of Parking (A.1) to clarify when on-street parking can be allocated to a retail/commercial project’s parking requirement. 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: Tracy Tam, (408) 586-3276, ttam@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission Adopt Resolution No. 14-029 recommending the City Council adopt an amendment to the Zoning Code to clarify when on-street parking can be allocated to a retail/commercial project’s parking requirement in the Midtown and Transit Area Specific Plan Areas.

X. NEW BUSINESS

NO ITEMS

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 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 scheduled for August 13, 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 Phone (408) 586-3040

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.
