

**CITY OF MILPITAS PLANNING COMMISSION
MEETING AGENDA
SEPTEMBER 14, 2016 7:00 PM
CITY HALL COUNCIL CHAMBERS
455 E. CALAVERAS BLVD., MILPITAS, CA 95035**

- 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:** August 24, 2016
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA:** September 14, 2016

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 1504-1620 S. MAIN ST. – Senior Lifestyles Phase I Time Extension – P-TE16-0002:** A request for a Time Extension for a Site Development Permit and Vesting Minor Tentative Map and Density Bonus for the construction of Phase I of a senior congregate care and assisted living facility including a new five-story residential building with 199 rental units and associated site improvements. A CEQA finding is proposed that this project is within the program of the Midtown Specific Plan EIR and no further action is required. Project Planner: Michael Fossati, 408-586-3274, mfossati@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission Adopt Resolution No. 16-032 extending permits SD14-0006, TP14-0001, and DB14-0001, 18 months, until May 18, 2018.

IX. PUBLIC HEARING

ITEM DEFERRED - DATE TO BE DETERMINED

260 S MAIN STREET – P-SD16-0001; P-TP16-0001; P-EA16-0006: A request for recommendation to City Council for approval of a Site Development Permit, Minor Vesting Tentative Map, and Environmental Assessment for 25 for-sale residential units and approximately 2,000 square foot commercial space located on a 1.19 acre site within the Midtown Specific Plan Area.

IX-1 91 S. ABBOTT AVENUE – P-UP16-0008: A request for a Conditional Use Permit to operate a pre-school in an existing building for 45 children at 91 South Abbott Avenue. This project is categorically exempt from further CEQA review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines. Project Planner: Bhavani Potharaju, 408-586-3284, bpotharaju@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission Adopt Resolution No. 16-033 approving Conditional Use Permit No. UP16-0008 subject to the attached Conditions of Approval.

IX-2 749 E. CALAVERAS BLVD. – Milpitas Town Center Shared Parking – P-UP16-0015: A request for approval to allow shared parking for a 24 hour fitness center to occupy an existing building, located at 749 E. Calaveras Blvd. Project is considered Categorically Exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA). Project Planner: Michael Fossati, 408-586-3274, mfossati@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission Adopt Resolution No. 16-036 approving Conditional Use Permit No. P-UP16-0015 subject to the attached Conditions of Approval.

X. NEW BUSINESS

X-1 INFORMATIVE REPORT ON GENERAL PLAN UPDATE PROJECT

Staff will give a brief report to the Planning Commission on the status of the multi-year General Plan Update Project, formation of the General Plan Advisory Committee (GPAC) and the Planning Commission's role in the project. Staff Contact: Sarah Fleming, Senior Planner, 408-586-3278, sfleming@ci.milpitas.ca.gov

Recommendation: Receive Informative Report on General Plan Update Project

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

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 Phone 408-586-3040

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.

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.