

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

- I. PLEDGE OF ALLEGIANCE**
- II. OATH OF OFFICE TO NEWLY APPOINTED MEMBER**
- III. ROLL CALL**
- IV. 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.

- V. APPROVAL OF MINUTES:** November 9, 2016
- VI. ANNOUNCEMENTS**
- VII. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VIII. APPROVAL OF THE AGENDA:** December 14, 2016
- IX. PUBLIC HEARING**

- IX-1 AL HILAAL MOSQUE & COMMUNITY CENTER – 372-374 Turquoise Street - P-EA16-0001; P-GP16-0002; P-ZA15-0003; P-UP15-0008:** A request for recommendation to the City Council for approval of a religious facility within a portion of an existing 14,000-square-foot building. The General Plan and the Zoning Code would be amended to allow places of assembly within industrial zones as a conditional use, and a conditional use permit would be issued. An Initial Study/Mitigated Negative Declaration has been prepared for the proposed request.

Recommendation: Staff recommends that the Planning Commission conduct a public hearing and consider the proposed General Plan Amendment, Zoning Ordinance Text Amendment, Conditional Use Permit, and Initial Study/Mitigated Negative Declaration and deny the General Plan Amendment, Zoning Code Text Amendments, and Conditional Use Permit.

- IX-2 MXD GENERAL PLAN AND ZONING TEXT AMENDMENT – 455 E. Calaveras Blvd – P-ZA16-0001:** The City is requesting a General Plan Amendment and Zoning Text Amendment to 1) allow a reduction of the number of multi-family residential units for parcels less than twenty-thousand (20,000) square feet within MXD properties. This project is exempt from CEQA review pursuant to Section 15061 (B) (3) in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question

may have a significant effect on the environment, the activity is not subject to CEQA. Project Planner: Michael Fossati, 408-586-3274, mfossati@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission conduct a public hearing and consider the proposed modifications and adopt Resolution No. 16-039 recommending that the City Council adopt the General Plan Amendment and Zoning Code Text Amendments.

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

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.
