

**CITY OF MILPITAS PLANNING COMMISSION  
FINAL AGENDA FOR AUGUST 27, 2008  
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 under 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:** August 13, 2008
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk \*)**

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At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order in which it appears on the agenda.

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**IX. PRESENTATION**

- 1. MODIFICATION TO PLANNED ROADWAY SYSTEM IN MIDTOWN SPECIFIC PLAN:** A presentation of the proposed project which consists of changes to the existing and planned roadway system within the Milpitas Midtown Area, which were described in the Specific Plan EIR as either the existing condition or as proposed mitigation for impacts created by the Specific Plan. These changes include the following: 1) Converting the eastbound Carlo Street onramp at Calaveras Boulevard to an eastbound off ramp. 2) Reducing the number of lanes on Main Street from Abel Street to Great Mall Parkway from five lanes (two lanes in each direction with a center turn lane) to three lanes (one lane in each direction with a center turn lane) and other ancillary changes. Applicant: City of Milpitas. Staff Contact: Janice Spuller (408) 586-3291. *(Recommendation: Note receipt and file)*

**X. PUBLIC HEARING**

- \* 2. GENERAL PLAN AMENDMENT NO. GP08-0004 AND ZONING AMENDMENT NO. ZA08-0008:** A request to amend the General Plan land use and Zoning designation for the parcel located at 1425 McCandless Drive (APN: 086-33-093) from High Density Transit Oriented Residential to High Density Retail-Residential Mixed Use. The purpose of the amendment is to correct an inconsistency with the recently adopted Transit Area Specific Plan. Applicant: City of Milpitas. Staff Contact: Cindy Hom (408) 586-3284. *(Recommendation: Adopt Resolution No. 08-046 recommending approval to the City Council.)*
- 3. SITE DEVELOPMENT PERMIT AMENDMENT NO. SA08-0004:** A request for site and

building modifications to allow the conversion of an existing 199 square feet of an existing covered porch into living space, a 1,175 square feet new basement addition, and renovation of an existing rear yard deck located at 1628 Pebble Beach Court (APN: 029-55-020), Zoned R1-H. Applicant Tom Hui. Staff Contact: Cindy Hom (408) 586-3284. (*Recommendation: Adopt Resolution No. 08-042 approving the project subject to conditions of approval.*)

4. **GENERAL PLAN AMENDMENT NO. GP2007-6, ZONE CHANGE NO. ZC2007-3, ENVIRONMENTAL ASSESSMENT NO. EA2007-1, MAJOR TENTATIVE MAP NO. MT08-0003, SITE DEVELOPMENT PERMIT NO. SZ2007-2:** A request to change the land use and zoning designations of the approximately three-acre project site located at 600 Barber Lane (formerly Billings Chevrolet). The proposed project also involves the redevelopment of the site with an 18-story mixed-use building with an attached 8-level parking garage. The mixed-use building and parking garage is proposed to be approximately 277 and 115 feet in height, respectively. The mixed use building includes 148,805 gross square feet of retail (floors 1-3), 48,960 gross square feet of office (floor 4) and 375 residential condominium units (floors 5-18). The proposed project includes amendments to the City of Milpitas General Plan and Zoning Map. An Environmental Impact Report has been prepared for this project and includes over-riding considerations to adopt. (APN: 086-01-034), zoned General Commercial with a Site and Architectural Overlay (C2-S). Applicant: TP Pham LLC. Staff Contact: Judie Gilli, (408) 586-3280. PJ# 3214 (*Recommendation: Open the public hearing and continue to the September 10, 2008 meeting.*)

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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 September 10, 2008***

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The Planning Division will provide a recorded agenda or minutes on standard cassette 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 two members (currently Sudhir Mandal-regular member, Gunawan Ali-Santosa-regular member, Larry Ciardella-alternate member) of the Planning Commission, who have approval authority for Minor Site Development Permits and other minor project reviews not involving public hearings.

- a. **MINOR SITE DEVELOPMENT PERMIT NO. MS08-0013:** A request for a one day outdoor event proposed on September 18, 2008 between the hours of 4:00PM to 8:00PM in the Avnet company parking lot located at 1820-1840 McCarthy Boulevard (APN: 086-03-084), zoned Industrial Park (MP). Applicant Willie Hernandez. Staff Contact: Cindy Hom (408)-586-3284. (*Recommendation: Approve Minor Site Development Permit No. MS08-0013 subject to the conditions of approval.*)
- b. **MINOR SITE DEVELOPMENT PERMIT NO. MS08-0004:** A request to construct a 334 square foot attached patio enclosure over an existing concrete deck. The project site is located at 1506 Augusta Court (APN: 29-54-013), zoned Single Family Residential with the Hillside Combining District (R1-H). Applicant: Jay Swartz. Staff Contact: Cindy Hom (408) 586-3284. (*Recommendation: Approve Minor Site Development Permit No. MS08-0013 subject to the conditions of approval.*)

**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 at Milpitas City Hall, 455 East Calaveras Boulevard, Milpitas, CA 95035 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 OPEN GOVERNMENT SUBCOMMITTEE**  
at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.

E-mail: [mogaz@ci.milpitas.ca.gov](mailto:mogaz@ci.milpitas.ca.gov)

Fax: (408) 586-3030

Phone : (408) 586-3040

A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) Select Open Government Ordinance under News Features