

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JULY 22, 2009
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, 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.

- IV. APPROVAL OF MINUTES:** July 8, 2009
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

The consent calendar items are considered to be routine and will be considered with one public hearing and adopted by one motion. There will be no separate discussion of these items unless a member of the Planning Commission, member of the audience, or staff requests the Planning Commission to have an 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.

IX. PUBLIC HEARING

- 1. ADMINISTRATIVE PERMIT NO. AD08-0014, SITE DEVELOPMENT PERMIT NO. SD08-0010 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA09-0005:** A request to amend the General Development Policy for Gasoline Service Stations and Automotive Services Centers along with the demolition and remodel of an existing Gas Station located at 190 W Calaveras Blvd. (APN: 022-24-030) zoned General Commercial with Site and Architectural Overlaying District, Office Overlaying District and is within the Midtown Specific Plan. Applicant: MI Architects. Staff Contact: Tiffany Brown (408) 586-3283. (*Recommendation: Adopt Resolution No. 09-036, recommending approval to the City Council subject to the attached Resolution and Conditions of Approval.*)
- 2. SOUTH MAIN STREET SENIOR HOUSING PROJECT DDA:** A request for a Disposition and Development Agreement between the Milpitas Redevelopment Agency and South Main Senior Lifestyle LLC involving the purchase of 5.94 acres and the 387 housing units including senior and multi-family phases. Staff Contact: James Lindsay (408) 586-3273. (*Recommendation: Adopt Resolution No. 09-033 recommending authorization of execution of Disposition and Development Agreement to the City Council.*)

- * 3. **CONDITIONAL USE PERMIT NOS. UP09-0015 - UP09-0028, AND SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-0008, SEASON'S MARKETPLACE:** A request to allow for multiple restaurants, a 30-foot tall freestanding sign, and a master sign program for Season's Marketplace Shopping Center located at 1535 Landess Avenue, zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Dinna Bayangos. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2545. *(Recommendation: Adopt Resolution No. 09-035 approving the project subject to conditions of approval.)*

- * 4. **CONDITIONAL USE PERMIT NO. UP09-0029:** A request to locate a 50-foot tall receive only satellite dish on an existing industrial site located at 1 Hanson Court (APN: 022-31-020) zoned Heavy Industrial with Site and Architectural Overlay (M2-S). The antenna is used to test tracking technology for deep space satellites for a period of 12 months. Applicant: General Dynamics. Staff Contact: Cindy Hom (408) 586-3284. PJ # 3229. *(Recommendation: Open the public hearing and continue to the August 12, 2009 Planning Commission meeting.)*

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.

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS August 12, 2009

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.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Alex Galang-regular member, Noella Tabladillo-regular member, Cliff Williams-alternate member) of the Planning Commission, who have approval authority for Minor Site Development Permits and other minor project reviews not involving public hearings. **This project review will be held at 6:30 P.M. in the City of Milpitas Committee Conference Room, First Floor, 455 E. Calaveras Boulevard.**

- a. **There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.**

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
Fax (408) 586-3030

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.