

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR DECEMBER 9, 2009
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE

BREAK TO ACKNOWLEDGE COMMISSIONERS

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 fewer than three minutes. As a 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: November 18, 2009

V. ANNOUNCEMENTS

VI. ANNOUNCEMENT OF CONFLICT OF INTEREST

VII. APPROVAL OF THE AGENDA

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. TIME EXTENSION NO. TE09-0003, SINCLAIR RENAISSANCE: A request for a one time 18-month time extension for entitlements and 24-month extension of the Tentative Map associated with a previously approved 80 unit subdivision (Sinclair Renaissance) project located at 245-373 Sinclair Frontage Road (APN: 086-29-061) zoned Single Family Residential with Site and Architectural Overlay (R1-3-S). Applicant: Mission Peak Homes. Staff Contact: Cindy Hom (408) 586-3284. PJ # 3211. *(Recommendation: Adopt Resolution No. 09-053 approving the project subject to conditions of approval.)*

VIII-2. PERMIT REVIEW NO. PR09-0004, SIKH TEMPLE REVIEW: A six month permit review of the operations of a religious facility located at 1180 Cadillac Court (APN: 022-57-034) zoned Industrial Park. Applicant: Sikh Foundation of Milpitas. Staff Contact: Cindy Hom (408) 586-3284. *(Recommendation: Open the public hearing and continue to the January 13, 2010 Planning Commission meeting.)*

VIII-3 RESOLUTION OF THE PLANNING COMMISSION CONCERNING THE PROPOSED AMENDMENTS TO THE CITY'S REDEVELOPMENT PLANS: A resolution of the Planning Commission making its report and recommendation concerning the proposed thirteenth amendment to the redevelopment plan for Milpitas Redevelopment Project Area No. 1 and the Proposed Sixth Amendment to the Redevelopment Plan for the Great Mall Redevelopment Project. *(Recommendation: Approve Resolution No. 09-056 and report its findings to the City Council.)*

IX. PUBLIC HEARING

IX-1. CONDITIONAL USE PERMIT NO. UP08-0038, AUTO RENTAL AND SALES: A request to expand the scope of an existing auto repair shop to include auto rental and sales located at 328 Sango Court (APN: 086-36-037) zoned Multi-Family Residential, Very High Density with Site and Architectural and Transit Oriented Development Overlays (R4-S-TOD). Applicant: Moe Safa. Staff Contact: Cindy Hom (408) 586-3284. PJ # 2554. *(Recommendation: Adopt Resolution No. 09-054 approving the project subject to conditions of approval.)*

X. NEW BUSINESS

X-1. DEVELOPMENT REVIEW STREAMLINING REPORT: A report on the progress of the draft zoning amendment to streamline the development review process. Staff Contact: Sheldon Ah Sing (408) 586-3278. *(Recommendation: Receive staff's report and provide direction and comments regarding the project.)*

X-2 PLANNING COMMISSION ACCOMPLISHMENTS FOR 2009: A report on the major accomplishments by the Planning Commission for 2009. *(Recommendation: Consider the list of accomplishments and direct staff which ones to post on the Commission's web page.)*

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.

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS January 13, 2010

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 Noella Tabladillo-regular member, Cliff Williams-regular member, Aslam Ali-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. MINOR SITE DEVELOPMENT PERMIT NO. MS09-0015: A request to modify the landscaping

within the parking lot of the McCarthy Ranch Marketplace. Applicant: McCarthy Ranch Marketplace. Staff Contact: Sheldon S. Ah Sing (408) 586-3278. (*Recommendation: Approve Minor Site Development Permit No. MS09-0015 subject to 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 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.