

**CITY OF MILPITAS PLANNING COMMISSION  
AGENDA FOR JULY 14, 2010  
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**
- 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 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.

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- IV. APPROVAL OF MINUTES:** June 23, 2010
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**

**VIII ELECTION OF PLANNING COMMISSION OFFICERS**

**ELECTION OF OFFICERS:** Election of Planning Commission Officers (Chair and Vice Chair) to serve one-year terms for 2010-2011. Staff Contact: Mike Ogaz (408) 586-3041. *(Recommendation: Nominate and elect Planning Commission Officers to serve one-year terms.)*

**IX 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.

- IX-1 CONDITIONAL USE PERMIT NO. UP09-0040 AND MINOR SITE DEVELOPMENT NO. MS09-0011:** A request to construct two new 24' tall antennae with enclosures on the property located at 461 S. Milpitas Blvd. (APN: 086-42-016) zoned Heavy Industrial with Site and Architectural Overlay (M2-S). Applicant: Globalstar Inc. Staff Contact: Cindy Hom (480) 586-3284. PJ # 2609. *(Continue to the September 8, 2010 Planning Commission meeting.)*

**X. PUBLIC HEARING**

**X-1 OWNER PARTICIPATION AGREEMENT AND MITIGATED NEGATIVE DECLARATION NO. EA08-0005 FOR MCCANDLESS MIXED USE PROJECT:**

An Owner Participation Agreement establishing development milestones and financial reimbursements for certain costs to develop a 23 acre site with 92,000 square feet of retail space (including a new grocery store space), 1,328 new residential units, and approximately 3 acres of new public open space. The site is located at 1315 McCandless Drive (APNs: 086-33-092 through -095, 086-33-098 through -099 and 086-33-101) and is zoned Retail High Density Mixed Use (MXD2) and High Density Transit Oriented Residential (R3) with Site and Architectural and Transit Oriented Development overlays (-S and -TOD) and is also located within the Transit Area Specific Plan. Applicant: Integral Communities, LLC. Staff Contact: Sheldon Ah Sing (408) 586-3278 & James Lindsay (408) 586-3273. PJ # 3222 (*Adopt Resolution No. 10-025 recommending approval of the Agreement and Mitigated Negative Declaration to the City Council*)

**X.I NEW BUSINESS**

**X-1 DISCUSSION OF 2010 WALKING TOUR**

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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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**XII. ADJOURNMENT**

***THE NEXT PLANNING COMMISSION MEETING IS July 28, 2010***

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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 Larry Ciardella - regular member, Sudhir Mandal - regular member, Gurdev Sandhu - 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. MS10-0013.** A request for a three-day outdoor event held on October 1-3, 2010. The event is a Middle Eastern & Greek Food Festival located in the parking lot of St. James Orthodox Church at 195 North Main Street. (APN 22-08-043) zoned Mixed Use District (MXD). Applicant: Joseph Hanna. Staff Contact: Janice Spuller, (408) 586-3291 (*Recommendation: Approval subject to the condition of approval*)

**b. MINOR SITE DEVELOPMENT PERMIT NO. MS10-0015:** A request for a one day special event for Humane Society's Summer Music and Wine Festival held on August 1, 2010 between the hours of 1:00PM to 6:00PM in the Humane Society central parking lot area at 901 Ames Avenue (APN 86-31-006), zoned Heavy Industrial with Site and Architectural Overlay. Applicant: Kelly Grant. Staff Contact: Cindy Hom, (408) 586-3284. (*Recommendation: Approval 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](mailto: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](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*