

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 25, 2010
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

OATH OF OFFICE FOR NEW ALTERNATE PLANNING COMMISSIONER (John Luk)

- I. ROLL CALL**
- II. PLEDGE OF ALLEGIANCE**
- 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:** August 11, 2010

- 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 MAJOR TENTATIVE MAP NO. MT08-0002 AND CONDITIONAL USE PERMIT NO. UP08-0046 FOR MCCANDLESS MIXED USE PROJECT:** A tentative subdivision map for future development of a 23 acre site with two mixed use buildings and five residential buildings, including improvements to the existing adjacent roads, the construction of a new local street, and the completion of an urban plaza and public trail along Penitencia Creek. The project entails 1,328 dwelling units and 92,000 square feet of retail/commercial space. . This application does not include any architectural review. 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 S. Ah Sing (408) 586-3278 or sahsing@ci.milpitas.ca.gov. PJ # 3222. *(Recommendation: Adopt Resolution No. 10-035 approving the project subject to conditions of approval.)*

VIII-2 GENERAL PLAN AMENDMENT NO. GP10-0003: A request to consider proposed text amendments to the General Plan to integrate changes to the City's Park and Recreation Master Plan and Milpitas Bikeway Master Plan, and to update other exhibits, tables, and figures, which includes land use designation changes to several creek channels and public right-of-ways. Applicant: City of Milpitas. Staff Contact: Cindy Hom (408) 586-3284 or chom2@ci.milpitas.ca.gov. (*Recommendation: Continue this item to the September 8th meeting.*)

IX. PUBLIC HEARING

IX-1 CONDITIONAL USE PERMIT NO. UP10-0006 AND ENVIRONMENTAL ASSESSMENT NO. EA10-0002: A request to locate a 35,930 sq ft badminton facility within an existing multi-tenant industrial building located at 746 So. Milpitas Blvd. (APN: 086-30-063) zoned Heavy Industrial with Site and Architectural Overlay (M2-S). Applicant: Bintang Academy. Staff Contact: Cindy Hom (408) 586-3284 or chom2@ci.milpitas.ca.gov. PJ # 2637. (*Recommendation: Adopt Resolution No. 10-037 approving the project subject to conditions of approval.*)

IX-2 GENERAL PLAN AMENDMENT NO. GP10-0002 AND ZONING AMENDMENT NO. ZA10-0001 FOR LOS COCHES LAND USE CHANGE PROJECT: A request to change the general plan and zoning designations for 50 acres from Highway Services and Industrial Park to Town Center. The project area is generally located south of Calaveras Boulevard to Los Coches street and bounded by Interstate 680 on the east and railroad right-of-way to the west. The zoning amendment includes text revisions to the Town Center District. Applicant: Mike Black. Staff Contact: Sheldon S. Ah Sing (408) 586-3278 or sahsing@ci.milpitas.ca.gov. PJ # 2563. (*Recommendation: Adopt Resolution No. 10-034 recommending approval to the City Council.*)

X. NEW BUSINESS

X-1 PROJECT STATUS & FORECAST OF FUTURE PROJECTS: Staff will provide a summary of development activity and forecast of future projects.

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 September 8, 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 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.**

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.