

**CITY OF MILPITAS PLANNING COMMISSION  
AGENDA FOR OCTOBER 26, 2011  
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 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:** September 28, 2011 and October 12, 2011
- 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 CONDITIONAL USE PERMIT NO. UP11-0036:** A request to allow an auto broker office located at 1525 McCarthy Boulevard, Suite 1001, zoned Light Industrial with Site and Architectural and Recreation and Entertainment Overlays (M1-S-RE): APN: 086-03-079. Applicant: Hung T. Nguyen. Staff Contact: Sheldon S. Ah Sing (408) 586-3278. PJ # 2772. *(Recommendation: Adopt Resolution No. 11-052 approving the project subject to conditions of approval.)*

- IX. PUBLIC HEARING**

**IX-1 GENERAL PLAN AMENDMENT NO. GP11-0001, ZONING AMENDMENT NO. ZA11-0001, SPECIFIC PLAN AMENDMENT NO. ST11-0001, ENVIRONMENTAL IMPACT ASSESSMENT NO. EA11-0001, MAJOR TENTATIVE MAP NO. MT11-0001, SITE DEVELOPMENT PERMIT NO. SD11-0007, and CONDITIONAL USE PERMIT NO. UP11-0031:** A request for a General Plan Amendment, Zoning Amendment, Specific Plan Amendment for approximately 24 acres located along Montague Expressway and Trade Zone Blvd. And a Major Tentative Map and Site Development Permit to construct 276 Single Family attached townhomes and condos on 12.3 acres at the northwest corner of Montague Expressway and McCandless Drive known as the Harmony project. General Plan, Zoning, and Specific Plan Amendments (APNs: 086-41-022, 086-41-016, 017) Major Tentative Map and Site Development Permits for Harmony project located at 1765 McCandless Drive (APNs: 086-41-019, 020, 021, and 022). Applicant: D.R. Horton. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2709. (*Recommendation: Adopt Resolution No. 11-047 recommending approval to the City Council.*)

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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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## **X. ADJOURNMENT**

***THE NEXT PLANNING COMMISSION MEETING IS November 9, 2011***

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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 Zeya Mohsin - regular member, Mark Tiernan - regular member, Sudhir Mandal - 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. MS11-0036:** Shopping center façade renovation located at 1770 N. Milpitas Blvd. Staff Contact: Sheldon S. Ah Sing (408) 586-3278. (*Recommendation: Approve Minor Site Development Permit No. MS11-0036 subject to conditions of approval.*)
- b. MINOR SITE DEVELOPMENT PERMIT NO. MS11-0039, Xbox Kinect Mobile Tour:** A request for a ten day outdoor event located at the Great Mall of the Bay Area, 1100 Great Mall Drive (APN: 086-24-060) zoned General Commercial with Site and Architectural Overlay. Applicant: GMR Marketing for Xbox Kinect. Staff Contact: Janice Spuller (408) 586-3291. (*Recommendation: Approve Minor Site Development No. MS11-0039 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.*