

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 22, 2012
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 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:** July 25, 2012
- 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.

- IX. PUBLIC HEARING**

- IX-1 CONDITIONAL USE PERMIT NO. UP12-0009:** A request to operate a new childcare center with exterior playground at 1362 S Main Street. (APN:86-23-004, 016) Zoned Multi-Family Residential, Very High Density with Site and Architectural Review Overlay, Transit Oriented Development Overlay (R4-S), and within the Midtown Specific Plan. Applicant: Murari Kumar Staff Contact: Tiffany Brown, (408) 586-3283, PJ#2826 (*Recommendation: Adopt Resolution No.12-034 approving the project subject to conditions of approval*)

- IX-II SITE DEVELOPMENT PERMIT AMENDMENT NO. SA12-0002:** A request for landscape modifications that includes installation of a new 346 square foot gazebo and 196 square foot storage shed at 867 Calaveras Ridge (APN 29-06-023), zoned Single Family Residential with Hillside Combining District and Site and Architectural Overlay (R1-H-S). Applicant: Pek Chu. Staff Contact: Cindy Hom (408) 586-3284, PJ 2806 (*Recommendation: Adopt Resolution No.12-035 Recommending approval to the City Council of the project subject to conditions of approval*)

X. NEW BUSINESS

- X-1 SIGN ORDINANCE REVIEW:** Discussion of potential work plan and creation of review body. Staff Contact: Sheldon S. Ah Sing (408) 586-3278.

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 12, 2012

The Planning Division will provide a recorded agenda or minutes on standard disc 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, Gurdev Sandhu - regular member, Rajeev Madnawat - 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, 455 E. Calaveras Boulevard.**

I. CONSENT CALENDAR ITEMS:

The following items are considered routine and may be approved in one motion unless pulled from the consent calendar by the subcommittee, staff or member of the public.

- I-1 Minor Site Development Permit No. MS12-0031:** A request for special event permit for a three (3) day outdoor event for the St. James Church Festival that will be held between the hours of 6:30PM to 10:00PM on September 21, 2012, 11:00AM to 10:00PM on September 22, 2012, and 12:00PM to 8:00PM on September 23, 2012 in the church parking lot located at 195 N. Main Street (APN 22-08-043), zoned Mixed Use with Site and Architectural Overlay (MXD-S). Applicant: Joseph Hanna. Staff Contact: Cindy Hom, (408) 586-3284. (*Recommendation: Approval subject to conditions*)
- I-2 Minor Site Development Permit No. MS12-0036:** A request to have a three (3) day festival with simulation rides, food booths, live entertainment, and amplified sound located at 279 S Main Street. (APN: 086-08-037) Zoned Mixed Use Development with Site and Architectural Overlay (MXD-S). Applicant: St. John the Baptist Catholic Parish. Staff Contact: Tiffany Brown, (408) 586-3283. (*Recommendation: Approval subject to conditions*)

II. DISCUSSION ITEMS:

- II-1 Minor Site Development Permit No. MS12-0023:** A request to have a one (1) day outdoor event with amplified sound at the football field of the Milpitas Sports Center located at 1331 E Calaveras Blvd. (APN: 29-17-002) Zoned Institutional with Site and Architectural Overlay (I-S). Applicant: Christ Community Church of Milpitas. Staff Contact: Tiffany Brown, (408) 586-3283. (*Recommendation: Approval subject to conditions*)

II-2 Minor Site Development Permit No. MS12-0038: A request for a special event permit for a four (4) day outdoor Circus event at the Great Mall Parking lot located at 447 Great Mall Drive (APN 86-24-060), zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Mark Landon with Circus Vargas. Staff Contact: Cindy Hom (408) 586-3284. (*Recommendation: Approval subject to conditions*)

II-3 Minor Site Development Permit No. MS12-0025: A request for various site and landscaping modifications that includes the removal and replacement of on-site trees to allow for enhanced entry court for the SanDisk Headquarter campus located at 500 McCarthy Blvd zoned Industrial Park with Site and Architectural Overlay (MP-S). (APN 86-01-036). Applicant: Devcon Construction. Staff Contact: Cindy Hom, (408) 586-3284. (*Recommendation: Approval subject to conditions*)

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.