

**CITY OF MILPITAS PLANNING COMMISSION  
AGENDA FOR DECEMBER 12, 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**

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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:** November 28, 2012
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA:** December 12, 2012

**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. UP12-0022 AND MINOR SITE DEVELOPMENT PERMIT NO. MS12-0050:** A request to allow for the operations of a junior high school (grades 6th-8<sup>th</sup>) and installation of minor site modifications including restriping of the parking lot and installation of two modular classrooms at 540 S. Abel Street (APN 86-10-025). Applicant: Fani Hansen for Magnolia School. Staff Contact: Cindy Hom (408) 586-3284.

*(Recommendation: Table the item for a future meeting.)*

## IX. PUBLIC HEARING

**IX-1 MAJOR TENTATIVE MAP NO. MT12-0003, ENVIRONMENTAL IMPACT ASSESSMENT NO. EA12-0004, SITE DEVELOPMENT PERMIT NO. SD12-0005, AND CONDITIONAL USE PERMIT NO. UP12-0020:** A request to allow the demolition of existing buildings and structures and the construction of 80 single-family dwellings, associated streets, sidewalks, and trail improvements. The project site consists of two separate parcels of land: Lot one is a 7.4 acres (APN: 086-28-041); and Lot two, identified as APN: 086-38-003, is approximately 3.9 acres. The project site is located just south of Calaveras Blvd and to the west of S. Milpitas Blvd. zoned Town Center with Site and Architectural Overlay (TC-S) Applicant: Braddock and Logan, Andy Byde, 455 Blackhawk Plaza Circle, Danville, CA 94506. Staff Contact: Tiffany Brown, 408-586-3283 PJ#2812

*(Recommendation: Adopt Resolution No.12-045 recommending approval to the City Council.)*

**IX-2 CONDITIONAL USE PERMIT NO. UP12-0021, SITE DEVELOPMENT PERMIT AMENDMENT NO. SA12-0008, AND ENVIRONMENTAL ASSESSMENT NO. EA12-0003,** A request to operate a 30,784 square foot cultural center that includes 5,445 square foot multi-purpose auditorium, approximately 5,232 of conference and meeting room space, 1,820 square feet of office space, a 1,128 square foot art exhibit hall, and a 2,128 square foot library room within an existing vacant industrial building. The project includes various exterior and site modifications such as replacement of an existing trash enclosure, rehabilitation of landscaping, parking lot resurfacing and restriping. The cultural center would operate seven days a week between the hours of 9:00AM to 10:00PM. Applicant: Sy-Cheng Tsai. Staff Contact: Cindy Hom, 408-586-3284. PJ 2861.

*(Recommendation: Adopt Resolution No. 12-043 approving the project subject to the conditions of approval.)*

**IX-3 GENERAL PLAN AMENDMENT:** A request to amend the Land Use and Circulation Elements. Proposed text amendments to the Land Use Element include additional guiding principles, and implementing policies regarding economic development, fiscal beneficial land use and infrastructure needs. Proposed text amendments to the Circulation Element include revised guiding principles, and implementing policies to be consistent with the State of California Complete Streets Act of 2008. The Planning Commission will make a recommendation to the City Council. Staff Contact: Sheldon S. Ah Sing (408) 586.3278

*(Recommendation: Adopt Resolution No. 12-044 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 January 9, 2013***

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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.

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**MILPITAS PLANNING COMMISSION SUBCOMMITTEE**

The Planning Commission Subcommittee consists of three members (currently Gurdev Sandhu and Rajeev Madnawat - regular member and John Luk - 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.**

None

**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.*