

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR April 10, 2013
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:** March 27, 2013
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA:** April 10, 2013
- VIII. CONSENT CALENDAR**

There are no consent items on the calendar

- IX. PUBLIC HEARING**

- IX-1 ZONING TEXT AMENDMENT NO. ZA13-0002:** A request to amend the text within the Zoning Ordinance to incorporate Live-Work units as a conditionally permitted use within the Town Center Zoning District, introduce Live-work specifications under Section 13 for special uses, and further define Live-work units in Section 2 for definitions. Applicant: Doyle Heaton, DRG Builders Inc. Staff Contact: Tiffany Brown

(Recommendation – Adopt the Resolution No. 13-015 recommending approval to the City Council.)

- IX-2 GENERAL PLAN AMENDMENT NO. GP13-0002: CLIMATE ACTION PLAN.** The Milpitas Climate Action Plan and Qualified Greenhouse Gas Reduction Strategy [known here foreword as the Milpitas Climate Action Plan (CAP) establishes strategies for reducing municipal and community-wide greenhouse gas (GHG) emissions. The CAP is a proactive strategy document that enables the City to maintain local control of implementing State direction (AB 32 – the California Global Warming Solutions Act) to reduce GHG emissions to 1990 levels by 2020. The CAP proposes a 16.2 percent reduction in GHG emissions below the 2005 established baseline by 2020. Proposed GHG reduction strategies align with existing General Plan policies. The project included a Negative Declaration. Staff Contact: Sheldon Ah Sing

(Recommendation – Adopt Resolution No. 13-014 recommending approval of the project to the City Council)

IX-3 GENERAL PLAN AMENDMENT NO. GP12-0002, SPECIFIC PLAN AMENDMENT NO. ST12-0002, ZONING AMENDMENT NO. ZA12-0003, PLANNED UNIT DEVELOPMENT NO. PD12-0002, MAJOR TENTATIVE MAP NO. MT12-0002, SITE DEVELOPMENT PERMIT NO. SD12-0001 & CONDITIONAL USE PERMIT NO. UP12-0010: PRESTON PROPERTIES RESIDENTIAL PROJECT. A request to change the General Plan, Specific Plan and Zoning land use designation from Heavy Industrial (M2) to High Density Multi-family Residential (R3) with Planned Unit Development. The project proposes 213 dwelling units with on- and off-site improvements. A Draft Environmental Impact Report has been circulated for the project located at 133, 225, 227-261 Bothelo Lane (APN: 086-26-029, 086-26-030, 086-27-002, 086-27-003, 086-27-008, 028-23-018, 086-26-032). Applicant: KB Home. Staff Contact: Sheldon Ah Sing
(Recommendation – Adopt Resolution No. 13-013 recommending denial of the project to the City Council)

X. NEW BUSINESS

X-1 PRESENTATION OF THE PROPOSED 2013-18 CAPITAL IMPROVEMENT PROGRAM (CIP): Presentation of the CIP program, providing an overview of the Proposed 2013-18 CIP Annual Report. Staff Contact: Kathleen Phalen, (408) 586-3345.

(Recommendation: Find the Proposed 2013-18 in conformance with the General Plan and Recommend the Proposed Capital Improvement Program to City Council).

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 - April 24, 2013

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 three members (currently John Luk and Garry Barbadillo - regular members; and Zeya Mohsin - 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.**

a. MINOR SITE DEVELOPMENT PERMIT NO. MS13-0009: A request to hold a one day special event in celebration of the National Day of Prayer on May 2, 2013, between the hours of 7:00 - 9:00 pm at the Milpitas Sports Center Football Stadium at 1325 E Calaveras blvd. Applicant: Daniel J. Griffiths. Staff Contact: Tiffany Brown

(Staff Recommendation: Approved permit number MS13-0009 subject to the attached 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; Phone (408) 586-3040; Fax (408) 586-3030

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title 1 Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.