



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

**October 27, 2021 7:00 PM
via TELECONFERENCE (Zoom Webinar)**

Meeting shall be livestreamed - Go to:

Facebook: <https://www.facebook.com/CityofMilpitas/>

YouTube: <https://www.ci.milpitas.ca.gov/youtube>

Web Streaming: <https://www.ci.milpitas.ca.gov/webstreaming>

PUBLIC COMMENT INSTRUCTIONS

Verbal public comments may be provided live during the Planning Commission meeting by first registering for the Zoom meeting and providing your name and an email address (not disclosed).

Register for this October 27 Meeting here:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_BXhEIZPaSh2MV1RFY861Ng

After registering online, you will receive a confirmation email with information about joining the webinar.

A Zoom link will be sent to you to join the Planning Commission meeting and make verbal comments. All registered meeting attendees who wish to speak must click on the "Raise Hand" icon when the Chair calls for public comments. If participating by phone, dial *9 to use the "Raise Hand" feature, and when you are called upon, dial *6 to unmute your phone. Your phone number will be displayed in the live meeting. Staff will call upon speakers by name when it is their turn to begin. Please listen for your name to be called.

All comments provided shall be limited to three minutes or less as determined by the Chair. All members of the public will be limited to one comment per agenda item. The online written comment form previously used is no longer available for public comment.

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE (Chair Tao)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for October 27, 2021.

VI. APPROVAL OF MINUTES

By motion, approve the meeting minutes of September 8, 2021.

VII. ANNOUNCEMENTS

1. Planning Commissioners
2. Planning Director

VIII. PUBLIC FORUM

Those interested are invited to address Planning Commission on any subject not on tonight's agenda, orally via Zoom webinar (instructions above). Speakers may provide their name and city of residence for the Recording Secretary's record, and comments may be limited to three minutes or less. As an item not listed on the agenda, no response is required from City staff or the Planning Commission and no action can be taken. Planning Commission may instruct the staff to place the item on a future meeting agenda.

IX. CONSENT CALENDAR

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a Planning Commissioner, member of the audience or staff requests the Planning Commission to remove an item from (or be added to) the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar.

IX-1 Adopt a Resolution Making Findings and Determinations Under Assembly Bill 361 for the Continuation of Virtual Meetings.

Staff: Martin de los Angeles, City Attorney, (408) 586-3040

Recommendation: Adopt Resolution 21-023 making findings and determinations under Assembly Bill 361 for the continuation of virtual meetings.

X. PUBLIC HEARING

X-1 32 TOWNHOME DEVELOPMENT – 2001 TAROB COURT – SD21-0004, UP21-0005, MT21-0001, P-EA21-0002: Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment to allow development of a 32-unit townhome condominium subdivision comprised of multi-family residential buildings up to 50 feet in height (three to four stories), with tandem resident garages accessed from a central drive aisle, and associated site improvements on a 1.22-gross acre site located in the R3 Multi-Family High Density Residential Zoning District at 2001 Tarob Court. The project is located within the Transit Area Specific Plan (TASP) area and submitted in accordance with California Senate Bill 300 (Housing Crisis Act of 2019). The project is consistent with the scope of activities approved under the Transit Area Specific Plan Environmental Impact Report (SCH#2006032091) and exempt from further environmental review pursuant to CEQA Guidelines Section 15168 (Program EIR), Section 15182 (Residential Projects Pursuant to a Specific Plan), and Section 15183 (Projects Consistent with a Community Plan, General Plan or Zoning).

Project Planner: Lillian VanHua, (408) 586-3073, lvanhua@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission open and close the public hearing, consider the consistency memoranda to a previously approved Addendum to the Transit Area Specific Plan EIR and the exemptions in accordance to CEQA. Staff further recommends that the Planning Commission adopt Resolution 21-022, recommending that the City Council approve Site Development Permit No. SD21-0004, Conditional Use Permit No. UP21-0005, Vesting Tentative Map MT21-0001, and Environmental Assessment No. EA19-0007 to allow development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet (three to four stories) in height, with tandem garages accessed from a central drive aisle, and associated site improvements, subject to the Conditions of Approval.

XI. NEW BUSINESS

XI-1 Planning Commission FY2021-22 Work Plan – The City Council reviews and approves an annual Work Plan for each City Commission. Staff recommends that the Planning Commission receive the Planning Commission Work Plan for FY2021-22.

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 12 calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

XII. ADJOURNMENT

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 and other City agencies exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and City operations are open to the people's review.

For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035 Phone: 408-586-3040

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.

The Planning Division will provide a recorded agenda or minutes 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.
