



CITY OF MILPITAS

Planning Commission

SPECIAL MEETING MINUTES

6:00 PM

Wednesday, October 14, 2020
via Teleconference (Virtual Meeting)

CALL TO ORDER

Chair Tao called the meeting to order at 6:00 PM. Recording Secretary Elizabeth Medina called the roll.

ROLL CALL

PRESENT: Chair Tao, Vice Chair Alcorn, Albana, Chua, Chuan, Belong

ABSENT: Commissioner Ablaza

STAFF: Ned Thomas, Jessica Garner, Martin de los Angeles, Lillian VanHua, Avery Stark, Elizabeth Medina

CONFLICT OF INTEREST DECLARATION

City Attorney Martin de los Angeles asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

Commissioner Chua disclosed that she received a contribution from applicant; however, City Attorney de los Angeles said that because it is within the limit it should not be a problem.

Chair Tao disclosed he will recuse himself from both public hearing items as applicants have been a source of income in the past.

APPROVAL OF THE SPECIAL MEETING AGENDA

By motion, approve the special meeting agenda for October 14, 2020.

Motion/Second Commissioner Chuan/Commissioner Belong
Motion carried by a vote of AYES: 6 NOES: 0

Before the presentation of public hearing items Vice Chair Alcorn, Commissioner Chuan, Commissioner Albana and Commissioner Chua shared that they had brief Zoom meetings with the applicant of Item #2 **NEW QUASI-PUBLIC PARKING LOT – 1207 N McCarthy Blvd. – P-SD20-0002.**

PUBLIC HEARING

1 - CHEVRON EXTRA MILE CONVENIENCE STORE ALCOHOL SALES – 1625 N McCARTHY BLVD – UA20-0006: A request for a Conditional Use Permit Amendment to allow the sale of beer and wine for off-premises consumption (ABC Type 20 License) at an existing convenience store (Chevron Extra-mile) located in the C2 General Commercial Zoning District at 1625 North McCarthy Blvd. The Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15301 (Existing Facilities), and as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Project Planner: Lillian VanHua, (408) 586-3073, lvanhua@ci.milpitas.ca.gov

Both Project Planner VanHua and addressed commissioners' questions regarding the alcohol sales cut off time.

Vice Chair Alcorn invited members of the public to address the commission. The following resident(s) commented: Urvish Mehta.

Motion to close the Public Forum.

Motion/Second Commissioner Chuan/Commissioner Albana

Motion carried by a vote of AYES: 5 NOES: 0 **Tao recused; Ablaza not present*

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 20- 017, approving Conditional Use Permit Amendment No. UA20-0006 to allow the sale of beer and wine for off-premises consumption (ABC Type 20 License) at an existing convenience store located in the C2 General Commercial Zoning District at 1625 N. McCarthy Boulevard, subject to the findings and Conditions of Approval.

Motion/Second Commissioner Albana/Commissioner Belong

Motion carried by a vote of AYES: 5 NOES: 0 **Tao recused; Ablaza not present*

2 - NEW QUASI-PUBLIC PARKING LOT – 1207 N McCarthy Blvd. – P-SD20-0002: A request for a Site Development Permit to develop a new quasi-public surface parking lot with up to 247 private parking spaces on an approximately five-acre portion of the project site and up to 11 public parking spaces on a separate 0.22-acre portion of the site, with lighting, landscaping and other associated site improvements. Development of the 11 public parking spaces would include new landscaping and on-site improvement to enhance access to the adjacent Coyote Creek Trailhead. Additional off-site improvements would include extending a six-foot-wide concrete sidewalk approximately 1,241 lineal feet southward along the west side of McCarthy Blvd. to connect with the existing sidewalk. The City has prepared an Addendum to the 2009 McCarthy Ranch Environmental Impact Report (SCH# 2008092082) in accordance with California Environmental Quality Act (CEQA) Guidelines Sections 15164 (Addendum to an EIR or Negative Declaration). As a separate and independent basis, the Project is exempt from further environmental review pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Project Planner: Avery Stark, (408) 586-3288, astark@ci.milpitas.ca.gov

Project Planner Stark and applicant Joe McCarthy addressed commissioners' questions regarding the parking lot's hours of use, what will be deterrent of overnight use and connection to Coyote Creek trail. Hours of operation have not been determined as there is no tenant at this time; as for deterring unwanted guests/visitors, the site includes significant lighting will later include parking regulation signs and, there will be a five foot wide concrete walkway to run between the private and public portion for direct access to trail head.

Vice Chair Alcorn invited members of the public to address the commission and there were none.

Motion to close the Public Forum.

Motion/Second Commissioner Chua/Commissioner Belong

Motion carried by a vote of AYES: 5 NOES: 0 **Tao recused; Ablaza not present*

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 20- 017, approving Conditional Use Permit Amendment No. UA20-0006 to allow the sale of beer and wine for off-premises consumption (ABC Type 20 License) at an existing convenience store located in the C2 General Commercial Zoning District at 1625 N. McCarthy Boulevard, subject to the findings and Conditions of Approval.

Motion/Second Commissioner Chuan/Commissioner Albana

Motion carried by a vote of AYES: 5 NOES: 0 **Tao recused; Ablaza not present*

ADJOURNMENT

Chair Tao adjourned the meeting at 6:48 pm

Motion/Second Commissioner Albana/Commissioner Belong

Motion carried by a vote of AYES: 6 NOES: 0

Meeting Minutes submitted by
Planning Commission Secretary Elizabeth Medina