



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

September 23, 2020 7:00 PM
via TELECONFERENCE (Virtual Meeting)

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>

If you wish to provide input during the meeting, please visit <http://www.ci.milpitas.ca.gov/planningcomment> to submit your written comments via email. All comments received during the meeting will be read aloud to the public and the Planning Commission.

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE (Commissioner Chua)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for September 23, 2020.

VI. ANNOUNCEMENTS

1. Planning Commissioners
2. Planning Director

VII. PUBLIC FORUM

Those interested may address the Planning Commission in writing on any subject not on tonight's agenda. Commenters may type their name and city of residence for the record, and remarks read aloud will be limited to three minutes, or less. Comments submitted via online form will be read aloud by the Secretary. 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 staff to place the item on a future meeting agenda.

Virtual public comments may be submitted on a form from the City website:
<http://www.ci.milpitas.ca.gov/planningcomment>

VIII. APPROVAL OF MINUTES

By motion, approve the regular meeting minutes of August 12 and August 26.

IX. 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

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.

2. **SUNNYHILLS APARTMENTS – 1724 SUNNYHILLS DRIVE - P-SD18-0004, P-PA19-0002, P-TR19-0028, P-EA20-0005:** A request for a Site Development Permit, Planned Unit Development Amendment, Tree Removal Permit, and Environmental Assessment to develop an additional 44 residential units within an existing 171-unit multi-family dwelling complex, demolition and reconstruction of a leasing/community building, provision of 87 additional parking spaces, and completion of associated site improvements, including a new driveway to connect an existing drive aisle to a new fire access road, on a 12.66 acre site. The site is located in an existing Planned Unit Development (No. 10 “Sunnyhills Apartments”) in the R3 (Multi-Family High Density Residential) Zoning District. The Planned Unit Development Amendment requests to provide parking stalls at a dimension of 9 feet by 18 feet where dimensions of 10 feet by 20 feet are required; to provide 200 square feet of private open space to 9 of the 44 units; to provide less than the required minimum of twenty-five (25) percent of the total lot area in landscaping or recreational open space; and the removal of an existing common space area to accommodate 44 units. The project also requests removal of 31 protected trees from the site and the installation of 62 replacement trees. The City has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to CEQA Guidelines Sections 15002(k)(2) and 15070. Project Planner: Rozalynne Thompson, (408) 586-3278, rthompson@ci.milpitas.ca.gov.

Recommendation: Staff recommends that the Planning Commission conduct a public hearing, consider the Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to CEQA Guidelines Section 15002(k)(2) and 15070 and adopt Resolution No. 20-019, recommending to the City Council approval of Site Development Permit P-SD18-0004, Planned Unit Development Amendment P-PA19-0002, Tree Removal Permit P-TR19-0028, and Environmental Assessment P-EA20-0005, subject to findings and Conditions of Approval.

X. NEW BUSINESS

NO ITEMS

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.

XI. 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, 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 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.
