



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

July 31, 2019 7:00 PM

**CITY HALL COUNCIL CHAMBERS
455 E. CALAVERAS BLVD., MILPITAS, CA 95035**

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE (Commissioner Alcorn)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for July 31, 2019

VI. ANNOUNCEMENTS

VI-1 Planning Commissioners

VI-2 Planning Director

VII. ELECTION OF OFFICERS

Election of Planning Commission Chair and Vice Chair to serve until December 2019.

VIII. PUBLIC FORUM

Members of the audience may address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium and state their name and address for the record. Please limit remarks to no more than three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

IX. APPROVAL OF MINUTES

By motion, approve the regular meeting minutes of June 26.

X. PUBLIC HEARING

- X-1 CITY-INITIATED ZONING ORDINANCE TEXT AMENDMENTS RELATED TO USE REGULATIONS IN INDUSTRIAL ZONING DISTRICTS – P-ZA19-0005:** City-initiated zoning ordinance text amendments to: 1) restrict non-industrial uses in the Heavy Industrial (M2) zoning district; and 2) add specific regulations for mobile fueling services within the City of Milpitas. The proposed amendments would prohibit assembly, entertainment, and other similar non-industrial uses in the M2 zone. The proposed amendments would also add a definition in the zoning ordinance for “Mobile Fueling Services” and would allow this use in the Light Industrial (M1), Heavy Industrial (M2), and Industrial Park (MP) zones subject to approval of a conditional use permit. This project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption). Project Planner: Rozalynne Thompson, (408) 586-3278, rthompson@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission consider the exemptions in accordance with CEQA; and adopt Resolution No. 19-021 recommending that the City Council adopt a City-initiated zoning ordinance text amendment (ZA19-0005) to restrict non-industrial uses in the Heavy Industrial (M2) Zoning District and to add specific regulations for mobile fueling services within the City of Milpitas.

**Continued from the Planning Commission Meeting held on June 26, 2019.*

X-2 MULTI-FAMILY RESIDENTIAL – 2001 TAROB COURT – P-SD18-0014, P-UP19-0009, P-TM18-0004, P-EA19-0002: Site Development Permit, Conditional Use Permit, Tentative Map, and Environmental Assessment to allow development of a forty-unit residential condominium building (True Life Condos), up to 49 feet in height (four stories), with parking for up to 74 vehicles, on a 1.22-gross acre site located in the Multi-family High Density Residential (R3) Zoning District. This project is located at 2001 Tarob Court within the Transit Area Specific Plan area. 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 Sections 15168, 15182, and 15183. Project Planner: Lillian Hua, (408) 586-3073, lhua@ci.milpitas.ca.gov.

Recommendation: Staff recommends that the Planning Commission open and close the public hearing, consider the Addendum to the Transit Area Specific Plan Environmental Impact Report (TASP-EIR) (SCH #2006032091) and various CEQA exemptions, as applicable, and adopt Resolution 19-022, recommending approval of the above applications to the Milpitas City Council, subject to the Conditions of Approval.

X-3 BEER GARDEN AT THE DISTRICT – LOT 1 – P-UA19-0007: Conditional Use Permit Amendment to allow development a beer dispensary within a 66-square foot amenity space on the rooftop deck of an existing mixed-use building (“The District – Lot 1”). This project is exempt from environmental review under the California Environmental Quality Act in accordance with CEQA Guidelines Section 15301 (Existing Facilities). Project Planner: Michael Fossati, (408) 586-3274, mfossati@ci.milpitas.ca.gov.

Recommendation: Staff recommends that the Planning Commission continue the item to a date certain, being 8/28/19.

XI. NEW BUSINESS

XI-1 PLANNING COMMISSIONER TRAINING: Discuss Planning Commissioner Training Topics and Schedule with Barbara Nelson, Planning Consultant from FCS

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, 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.
