



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

June 24, 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 June 24, 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 May 27.

IX. PUBLIC HEARING

1. **CHICK-FIL-A RESTAURANT – 755 E. CALAVERAS BLVD. – SD19-0009 / UP19-0010:** A request for a Site Development Permit and Conditional Use Permit to allow the demolition of an existing 11,912-square foot commercial building (Big 5, Jenny Craig) and development of a new 4,962-square foot convenience food restaurant (Chick-fil-A) with drive-through service, outdoor seating, associated site improvements, and shared parking on an existing 1.17-acre parcel located in the Town Center (TC) Zoning District

at the northwest corner of North Hillview Drive and East Calaveras Blvd. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Project Planner: Michael Fossati, (408) 586-3274, mfossati@ci.milpitas.ca.gov.

Recommendation: Staff recommends that the Planning Commission consider the exemption in accordance with CEQA and adopt Resolution No. 20-006, approving Site Development Permit No. SD19-0009 and Conditional Use Permit No. UP19-0010 subject to the attached 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.
