



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

**June 22, 2022 7:00 PM
CITY COUNCIL CHAMBERS,
455 E CALAVERAS BLVD, MILPITAS, CA
and
via TELECONFERENCE (Zoom Webinar)**

The Planning Commission meeting is held in the City Council Chamber at City Hall, 455 E. Calaveras Blvd., Milpitas and via teleconference/Zoom webinar. You may watch the meeting without providing public comment by accessing it via links here.

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 June 22 Meeting here:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_QL9HT2z3QyeN_bpegHQiZw

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 (Vice Chair Ciardella)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for June 22, 2022.

VI. APPROVAL OF MINUTES

By motion, approve the meeting minutes of June 8, 2022.

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. PUBLIC HEARING

IX-1 ZONING TEXT AMENDMENT – OUTDOOR MUSIC – P-ZA22-0003: A City-initiated Zoning Ordinance Text Amendment to modify outdoor music regulations within the City of Milpitas. This project is exempt from environmental review under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15183 (Project Consistent with General Plan, Community Plan, or Zoning), and as a separate and independent basis, Section 15061(b)(3) (Common Sense Exemption). **Item moved from June 8th Planning Commission meeting.*

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

Recommendation: Staff recommends that the Planning Commission consider and adopt Resolution No. 22-007 amending sections of Chapter 10 – Zoning of the Milpitas Municipal Code and Chapter 213 Noise Abatement to modify and add regulations relating to outdoor music in the Commercial and Mixed Use Zoning Districts, as well as amplified sound review requirements for Special Events and Activities.

IX-2 TIME EXTENSION FOR AMAZON DISTRIBUTION CENTER – 1000 GIBRALTAR DR – P-TE22-0003: An 18-month Time Extension for Site Development Permit No. SD19-0008 and Tree Removal Permit No. TR19-0007 to remove and replace 88 ordinance-size trees and demolish existing on-site buildings, parking lots, and associated improvements and develop a 491,040 square-foot tilt-up concrete distribution center with office space, surface parking lots, 346 vehicle parking spaces, 101 truck trailer spaces, and associated site improvements on a 29.86-acre parcel located at 1000 Gibraltar Drive (also known as 1001 South Milpitas Blvd.) The City Council certified an Environmental Impact Report (SCH #2020069024) on March 24, 2021, pursuant to Public Resource Code Section 21080(d) and 21082.2(d) and California Environmental Quality Act (CEQA) Guidelines Section 15064 (Determining the Significance of the Environmental Effects caused by a Project).

Project Planner: Michael Fossati, (408) 586-3274, mfossati@milpitas.gov

Recommendation: Staff recommends that the Planning Commission consider and adopt Resolution No. 22-008 Time Extension for the Amazon Distribution Center – 1000 Gibraltar – TE22-0003 extending Site Development Permit No. SD19-0008 and Tree Removal Permit No. TR19-0007, for 18 months until March 24, 2024.

IX-3 TIME EXTENSION FOR FOOD TRUCK PARK – 25 S. ABBOTT AVE. - P-TE22-0002: An 18-month Time Extension for Site Development Permit No. SD20-0005 and Conditional Use Permit No. UP18-0009 to allow development of a mobile food service area (food truck park) on a 0.3-acre vacant parcel located at 25 South Abbott Ave. The Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Project Planner: Avery Stark, (408) 586-3288, astark@milpitas.gov

Recommendation: Staff recommends that the Planning Commission consider and adopt Resolution No. 22-009 Time Extension for the Food Truck Park – 25 S Abbott Ave – TE22-0002 extending Site Development Permit No. SD20-0005 and Conditional Use Permit No. 18-0009, for 18 months until December 22, 2023.

X. NEW BUSINESS

X-1 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 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.
