



## **CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA**

**June 14, 2023 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>

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### **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 14 meeting here:

[https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN\\_C2cJgR5xQ\\_CKAKJ4G4VQDQ#/registration](https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_C2cJgR5xQ_CKAKJ4G4VQDQ#/registration)

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 (Commissioner Galang)**

#### **III. ROLL CALL**

#### **IV. CONFLICT OF INTEREST DECLARATION**

#### **V. APPROVAL OF THE AGENDA**

By motion, approve the meeting agenda for June 14, 2023.

#### **VI. APPROVAL MEETING MINUTES**

By motion, approve the meeting minutes for May 10, 2023.

## 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 ALCOHOL SALES – 500 BARBER LANE - UP23-0001:** A Conditional Use Permit to allow the sale of beer, wine, and distilled spirits for on-site consumption (ABC Type 47 License) within a new restaurant (Xian Steam Seafood and Stone Grill) located in the General Commercial (C2) Zoning District with a Recreation and Entertainment (-RE) Overlay at 500 Barber Lane. The Project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities).

Project Planner: Michael Fossati, Senior Planner, [mfossati@milpitas.gov](mailto:mfossati@milpitas.gov)

**Recommendation:** Staff recommends the Planning Commission adopt Resolution No. 23-011, approving Conditional Use Permit No. UP23-0001, subject to the attached Conditions of Approval.

**IX-2 ALCOHOL SALES – 1741 N MILPITAS BLVD - UP23-0002:** A Conditional Use Permit to allow the sale of beer, wine, and distilled spirits for on-site consumption (ABC Type 47 Liquor License) within a new restaurant (Gao's Kabob and Crab) located within the Neighborhood Commercial (C1) Zoning District at 1741 N Milpitas Blvd. The Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities).

Project Planner: Michael Fossati, Senior Planner, [mfossati@milpitas.gov](mailto:mfossati@milpitas.gov)

**Recommendation:** Staff recommends the Planning Commission adopt Resolution No. 23-012, approving Conditional Use Permit No. UP23-0002, subject to the attached Conditions of Approval.

## X. NEW BUSINESS

NO ITEMS

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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.

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## **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

e-mail: [mmutalipassi@milpitas.gov](mailto:mmutalipassi@milpitas.gov) / Phone: 408-586-3040

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](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*

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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.

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