



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

**April 28, 2021 7:00 PM
via TELECONFERENCE (Zoom Webinar)**

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 April 28 Meeting here:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_UDse6sRIRwmML0Se2hPBVQ

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 April 28, 2021.

VI. APPROVAL OF MINUTES

By motion, approve the regular meeting minutes of April 14.

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 NEW PRESCHOOL AND DAYCARE FACILITY – 164 N ABEL ST – P-UP20-0008 and P-MS20-0175: A request to allow the operation of a preschool and daycare facility (Montessori School) for up to 200 children, ages 18 months through six years, and to allow exterior modifications to an existing 12,196-square foot commercial building, including minor façade, parking lot, landscape improvements, and a new outdoor playground, on a 1.398-acre site located in the MXD Mixed Use Zoning District at 164 North Abel Street. This site is also located within the Midtown Specific Plan area. This Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and; as a separate and independent basis, the Project is exempt from further environmental review pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Project Planner: Avery Stark, (408)-586-3288, astark@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 21-011 approving Conditional Use Permit (UP20-0008) and Minor Site Development Permit (MS20-0175), 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 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.
