



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

February 28, 2024 7:00 PM
CITY COUNCIL CHAMBERS,
455 E CALAVERAS BLVD, MILPITAS, CA

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

Oral public comments may only be provided live during the Planning Commission meeting in person. 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, and one comment for non-agenda items. Members of the public may submit written comments by email to PlanningDepartment@milpitas.gov

The meeting will be streamed via Zoom for viewing purposes only. To watch via Zoom, please register at: https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_L4BwdoYdSj2VS7cnJ6zecA

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE (Commissioner Albana)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. ELECTION OF CHAIR AND VICE CHAIR FOR 2024 (City Attorney's Office - Christopher Creech)

The Planning Commission voted to move this item to a certain date being February 14, 2024.

VI. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for February 28, 2024.

VII. APPROVAL OF THE MEETING MINUTES

By motion, approve the meeting minutes for January 10 and January 24, 2024.

VIII. ANNOUNCEMENTS

1. Planning Commissioners
2. Planning Director

IX. PUBLIC FORUM

Members of the public are invited to speak on any item that does not appear on today's agenda. Comments will be limited to three minutes or less at the Chair's discretion. When called to speak, you are encouraged to state your name for the record. As an item not listed on the agenda, no action can be taken, however the Planning Commission may instruct the staff to place the item on a future meeting agenda.

X. PUBLIC HEARING

X-1 NEW HILLSIDE RESIDENCE – 500 VISTA SPRING CT. – SD23-0005: A Site Development Permit to develop a 5,963-square foot, two-story single-family residence with two-car garage and a 183-square foot detached pool house on a 2.3-acre lot in the R1-H Single-family Residential Hillside Combining District located at 500 Vista Springs Ct. The maximum height of the new residence will be 27 feet and 5.5 inches above grade level. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures), 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: Randy Baez, (408) 586-3287, rbaez@milpitas.gov.

Recommendation: Staff recommends that the Planning Commission open and close the public hearing, consider the exemptions in accordance with CEQA, and adopt Resolution 24-008, recommending that the City Council approve Site Development Permit No. SD23-0005, subject to the findings and attached Conditions of Approval.

X-2 76 GAS STATION REMODEL AND BEER AND WINE SALES REQUEST – 27 S. PARK VICTORIA DR. – UP23-0014 and SD22-0010: A Site Development Permit and Conditional Use Permit to allow the redevelopment of an existing 1,138-square foot gas station with a new 2,460-square foot convenience store, sale of alcoholic beverages Type-20 (Beer and Wine) for off-site consumption, and associated site improvements on a 0.4-acre parcel located at 27 S. Park Victoria Dr. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15302 (Replacement or Reconstruction), and as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Project Planner: Randy Baez, (408) 586-3287, rbaez@milpitas.gov.

Recommendation: Staff recommends that the Planning Commission open and close the public hearing and adopt Resolution 24-009, approving Site Development Permit No. SD22-0010 and Conditional Use Permit No. UP23-0014, subject to the findings and attached Conditions of Approval.

X-3 THE ESCAPE GAME – 123 GREAT MALL DR. - UP23-0012: A Conditional Use Permit to operate a 4,513-square foot entertainment facility (The Escape Room) within an existing commercial space in the General Commercial (C2) zone, located at 123 Great Mall Drive. The project is also located within the Milpitas Metro Specific Plan Area. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15301 (Existing Facilities), and as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

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

Recommendation: Staff recommends that the Planning Commission open and close the public hearing, consider the exemptions in accordance with CEQA, and adopt Resolution No. 24-010, approving Conditional Use Permit No. UP23-0012 subject to the findings and attached Conditions of Approval.

XI. NEW BUSINESS

1. Planning Commission Metrics discussion – Planning Director Jay Lee.

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 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 / 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.milpitas.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.
