



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA AMENDED

**MARCH 13, 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_V_kfvmbTTn-eGQkr9SZ5wA

* *Items marked with an asterisk denote changes to the previously published Agenda for this meeting.*

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE (Vice Chair Medina-Ashby)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for March 13, 2024.

VI. APPROVAL OF THE MEETING MINUTES

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

VII. ANNOUNCEMENTS

1. Planning Commissioners
2. Planning Director

VIII. 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.

IX. PUBLIC HEARING

IX-1 HEAD/SMOKE/TOBACCO SHOP – 1225 JACKLIN ROAD – P-UP23-0013: An application for a Conditional Use Permit to allow for the retail sales of tobacco products within an existing 870-square foot tenant space of a 9,960-square foot multi-tenant commercial building, located on a 0.9-acre lot within the C1 Neighborhood Commercial zoning district at 1225 Jacklin Road. The 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, 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 24-0013, approving Conditional Use Permit No. UP23-0013, subject to the findings and attached Conditions of Approval.

* ~~**IX-2 NEW MULTI-FAMILY HOUSING – 1905 TAROB COURT – P-SD23-0011, P-UP23-0007, P-MT23-0001, P-DB23-0002, P-TR23-0015, AND P-EA23-0002:**~~ A Site Development Permit, Conditional Use Permit, Vesting Tentative Map, Density Bonus Permit, Tree Removal Permit, and Environmental Assessment to remove and replace 21 ordinance-sized trees and develop a multi-family residential project with 43 townhomes and 13 accessory dwelling units. The residential development will consist of eight multi-family residential buildings up to 39 feet in height (three stories), with 104 vehicle parking spaces and associated site improvements on a 2.3-acre site located in the High-Density Residential Zoning District with a Transit Oriented Development Overlay (R3-TOD) at 1905 Tarob Court. The Project is located within the Milpitas Metro Specific Plan (MMSP) area and submitted under California Senate Bill 330 (Housing Crisis Act of 2019).

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

~~*Recommendation:* Staff recommends that this item be moved to a date uncertain.~~

~~*Item withdrawn.*~~

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
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.
