



**CITY OF MILPITAS
PLANNING ZONING ADMINISTRATOR
HEARING AGENDA**

**NOVEMBER 17, 2022 9:00 AM
PLANNING CONFERENCE ROOM
455 E CALAVERAS BLVD, MILPITAS, CA
and
via TELECONFERENCE (Zoom Webinar)**

PUBLIC COMMENT INSTRUCTIONS

Verbal public comments may be provided live during the Zoning Administrator meeting by first registering for the Zoom meeting and providing your name and an email address (not disclosed).

Register for the November 17 Hearing here:

https://ci-milpitas-ca-gov.zoom.us/meeting/register/tZcuc-mgqz4rHNKT2ifcJ9XxS7BaVOqbBN_X

After you register online, you will receive a confirmation email with information about joining the webinar.

A Zoom link will be sent to you to join the Zoning Administrator meeting and make verbal comments. All registered meeting attendees who wish to speak must click on the "Raise Hand" icon when the Zoning Administrator calls for public comments. If participating by calling in on your 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 Zoning Administrator. 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.

The Planning Zoning Administrator is the Planning Director or his/her designee who has approval authority for Site Development Permits, Minor Site Development Permits, Minor Conditional Use Permits and other minor project reviews not involving public hearings.

I. CALL MEETING TO ORDER

II. PUBLIC FORUM

Those interested are invited to address Zoning Administrator on any subject not on today's agenda, orally via Zoom webinar (instructions above). Speakers may provide their name and city of residence for the record, and comments may be limited to three minutes, or less, at the discretion of the Zoning Administrator. As an item not listed on the agenda, no response is required from City staff or the Zoning Administrator and no action can be taken.

III. PERMIT REVIEW AND APPROVAL

III-1 BD BIOSCIENCES SITE IMPROVEMENTS – 155 N. MCCARTHY BLVD. – P-MS22-0146: A Minor Site Development Permit to replace approximately 7,600 square feet of existing landscaping and paving area with a new loading dock, trash enclosure, fire truck turnaround, two Bloom Energy fuel cell yards, and a 685-square foot enclosed storage area for hazardous materials (e.g., solvents) at an existing industrial building on a 6.2-acre site in the MP Industrial Park Zoning District located at 155 N. McCarthy Blvd. (Campus Center). 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: Michael Fossati, (408) 586-3274, mfossati@milpitas.gov

Recommendation: Staff recommends the Zoning Administrator adopt Resolution 22-014, approving Minor Site Development Permit No. MS22-0146 to replace approximately 7,600 square feet of landscaping with a loading dock, trash enclosure, fire truck turnaround, two Bloom Energy fuel cell yards, and a hazardous material storage enclosure located at 155 N. McCarthy Blvd., subject to the findings and attached Conditions of Approval.

IV. PUBLIC HEARING

IV-1 MUTHIRAKALAYIL NEW SINGLE-FAMILY RESIDENCE – 55 BUTLER ST. – P-SD22-0005: A Site Development Permit to demolish an existing one-story, single-family residence and develop an approximately 2,672-square foot, one-story single-family residence with a 236-square foot attached garage on a 0.2-acre lot located in the R-1 Single-family Residential Zoning District located at 55 Butler St. The maximum height of the new residence will be 17 feet and 10 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: Kristina Phung, (408) 586-3278, kphung@milpitas.gov

Recommendation: Staff recommends that the Zoning Administrator approve P-SD22-0005 to demolish an existing 1,125-square foot, one-story single-family residence with a 508-square foot attached garage and develop an approximately 2,672-square foot, one-story single-family residence with a 236-square foot attached garage located at 55 Butler St, subject to the findings and attached Conditions of Approval.

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.

V. 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.
