



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

**February 10, 2022 11:00 AM
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 Zoning Administrator meeting by first registering for the Zoom meeting and providing your name and an email address (not disclosed).

Register for the February 10 Hearing here:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_k26sf8m5T2WhldRoZvhwlw

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. PUBLIC HEARING

III-1 J SPA MASSAGE – 770 E CAPITOL AVE – P-MC21-0007: Minor Conditional Use Permit to allow a massage establishment within an existing multi-tenant commercial building located in the C2-TOD General Commercial Zoning District with a Transit-Oriented Development Overlay at 770 East Capitol Ave. This project is also located within the Transit Area Specific Plan (Milpitas Metro) planning area. 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, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

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

Recommendation: Staff recommends that the Zoning Administrator adopt Resolution 21-029, approving Minor Conditional Use Permit No. MC21-0007, to allow a massage establishment located at 770 E Capitol Avenue, 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.

IV. 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.
