



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

**SEPTEMBER 5, 2024 10:00 AM
PLANNING CONFERENCE ROOM
455 E CALAVERAS BLVD, MILPITAS, CA**

The Zoning Administrator Hearing is held in the Planning Conference Room, 455 E. Calaveras Blvd., Milpitas and via teleconference/Zoom webinar.

PUBLIC COMMENT INSTRUCTIONS

Oral public comments may only be provided live during the Zoning Administrator hearing in person. 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, 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, join by clicking on link below:

<https://ci-milpitas-ca-gov.zoom.us/j/82541048524>

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

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 Zoning Administrator'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 Zoning Administrator may instruct the staff to place the item on a future meeting agenda.

III. PUBLIC HEARING

- 1. BEER AND WINE SALES – 50 DIXON RD – MC24-0003:** Minor Conditional Use Permit to allow ancillary on-premise beer and wine sales with no separate bar for on-site consumption (ABC Type 41 License) within an existing 1,630-square foot restaurant (Project), located in the General Commercial (C2) Zoning District at 50 Dixon Road. This Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

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

Recommendation: Staff recommends that the Zoning Administrator open and close the public hearing, and adopt Resolution 24-028, approving Minor Conditional Use Permit No. MC24-0003, subject to the 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 a 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.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.
