



CITY OF MILPITAS  
ECONOMIC DEVELOPMENT COMMISSION  
MILPITAS CITY HALL COMMITTEE MEETING ROOM  
APPROVED MINUTES  
March 8, 2010

- I. Pledge of Allegiance** Vice Chair Mendizabal called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.
- II. Roll Call** Present were Vice Chair Mendizabal, Commissioners Ablaza, Bhambhra, McEvoy, Mulder, C. Nguyen, M. Nguyen, Peoples, Tsao (arrived at 6:15 p.m.), and Yu; City staff Diana Barnhart and Veronica Bejines
- Absent: Chair Brahmhatt and Commissioner Serpa.
- III. Seating of Alternates** Alternates seated: Commissioner Bhambhra.
- IV. Announcements** Ms. Barnhart announced that on March 2<sup>nd</sup> the City Council picked Group 4 for the architects for the proposed conference center. Staff will negotiate a contract with Group 4 that will be voted on by the City Council. Deliverables of the contract will be presented to the Commission and the City Council Economic Development Subcommittee. She also advised that on Friday, March 5<sup>th</sup>, 10,000 notices were mailed to property owners, businesses and residential tenants within the redevelopment projects boundaries announcing the joint public hearing on Tuesday April 6<sup>th</sup> to expand the redevelopment project. If anybody has questions, they are welcome to attend a community meeting on March 25<sup>th</sup> at the public library.
- Vice Chair Mendizabal announced that the City Council and School Board will be holding a joint meeting on Tuesday, March 30<sup>th</sup> at 7:00 p.m. in the City Hall Council Chambers.
- V. Mayor's Report** There was no report from the Mayor.
- VI. Public Forum** There were no speakers from the audience.
- VII. Approval of Agenda** Vice Chair Mendizabal called for approval of the agenda. There were no changes to the agenda.



MOTION to approve the Agenda.

M/S: Peoples/C. Nguyen

Ayes: 10 Noes: 0

### **VIII. Approval of Minutes**

Vice Chair Mendizabal called for approval of the minutes of February 8, 2010.

There were no changes to the minutes.

MOTION to approve the minutes of February 8, 2010 as submitted.

M/S: C. Nguyen/McEvoy

Ayes: 9 Abstentions: 1  
(Mendizabal), Noes: 0

### **IX. Old Business**

**1. Subcommittee Reports and Recommendations - Business Retention and Attraction (Bhambhra, Yu, Peoples and M. Nguyen) – Venture Capital Seminar**

Ms. Barnhart announced that there is not a rescheduled date yet for the Venture Capital Seminar.

**2. Subcommittee Reports and Recommendations – Employability of Milpitas Residents (Brahmbhatt, Mohsin, McEvoy, Mendizabal and C. Nguyen and Tsao) – Chinese Business Development Seminar**

Commissioner Tsao announced that 50 people attended the Chinese Business Development seminar in Cupertino and there seems to be a greater demand to design more small business assistance curriculums. There will be a Cantonese seminar on October 13<sup>th</sup> in the City Hall Committee Conference Room where most of the people attending will be coming from Milpitas and the East Bay. Commissioner Tsao also noted that she will report on a quarterly basis.

### **X. New Business**



## 1. Form 700 Completion

Mary Lavelle, City Clerk, announced that per state law, Commissioners are required to fill out Form 700. It is a public document record and is available for anyone that wants to look at it. She also explained how to fill out the form. Form 700's are due April 1<sup>st</sup> and there is a ten dollar a day late penalty fee.

Commissioner C. Nguyen asked if there is a soft copy online and Ms. Lavelle said yes.

Commissioner M. Nguyen asked if they could fax in the form and Ms. Lavelle said no because an original signature is needed.

## 2. Permit Streamlining Update

James Lindsay, Planning and Neighborhood Services Director, updated the Commission on the Permit Streamlining process.

Commissioner Mulder asked if there is a starting point on the City's website for someone who wants to open up a business in Milpitas. Mr. Lindsay said he does not think so however felt that it was a good idea. Ms. Barnhart added that the Building and Safety department has a starting point on the website with building permits however Planning is not tied in yet.

Commissioner Peoples felt that conditional use permits are one of the biggest economic development issues because it prohibits or hinders a person moving to a space and asked if there is a way for the City to expedite the process. He gave Bounce-A-Rama as an example and asked why they were required to have a use permit when moving to the Great Mall. Mr. Lindsay agreed that the conditional use permit process can take time however as far as Bounce-A-Rama is concerned, it was classified as a commercial recreational use which required a use permit. Staff is looking at the zoning ordinance to update today's entertainment and business uses and noted that the zoning ordinance was prepared in the late 1950's.

Mayor Livengood said there is an economic issue related to the Great Mall. The City Council has been sensitive over the years from taking commercial spaces and having them leased out for uses that do not generate revenue. An example would be 24 Hour Fitness wanting to



lease the old Mervyn's site or leasing out a space at the Great Mall which would be a conditional use. The reason it would be a conditional use is because the City Council has to evaluate whether they would give up 30,000 sq. ft. of revenue generating space and put it into a space generating almost no sales tax. So the City Council pays attention to conditional uses at the Great Mall, especially to the economics of the business because they want revenue generating businesses at the Great Mall.

Commissioner Peoples mentioned his frustration with the zoning ordinance and felt that a lot of the definitions are not clear. For example, if a consulting business wanted to move into his building on Main Street, it would require a conditional use permit because it is more than 10,000 sq. ft. Another example is Roadrunner Glass wanting to move to Main Street and most of their business is retail and they do not manufacture glass, however if it is classified as a carpenter shop and is on the restricted list. He reiterated the need for staff to simplify the Use Permit process.

Mr. Lindsay said that it is important for him to go through the zoning ordinance and look through conditional use permits and over time, staff will be making recommendations to the Planning Commission and, if approved, be forwarded to the Council for action. He said that there are a few areas in the transit area and midtown area where the City has a long term vision for the areas and there is a short term need being realized for the tenants. The Midtown area is envisioned for mixed use downtown and is a constant challenge being looked at. An idea that is being thought over is reaching an agreement with the business owner for five years, allowing the building owner to get a tenant in for awhile.

Commissioner C. Nguyen asked if there are fees associated with a permitted use. Mr. Lindsay said there are no planning fees for a permitted use.

Commissioner Yu asked if the City has considered looking at the way other cities update their zoning codes so as not to reinvent the wheel. Mr. Lindsay said that each zoning update staff has worked on includes researching other cities, as well as the American Planning Association's model ordinance.

Commissioner Yu asked how cities accomplish their goals with reference to the General Plan. Mr. Lindsay explained that each city



General Plan is different and unique to each city and is reflected in their policies.

Commissioner Yu asked how often the City of Milpitas General Plan is updated. Mr. Lindsay explained that the General Plan gets updated through specific plans such as the Midtown Plan and Transit Area Plan.

Mr. Lindsay pointed out that to update the whole General Plan would cost the City up to \$1 million dollars including environmental over a two year period.

Commissioner Yu felt that the General Plan is very important and if the direction is clear, it would really help business owners. Mr. Lindsay added that the zoning ordinance provides predictability. He also added that he will provide each Commissioner a copy of the General Plan. The Midtown and Transit Area Plan are on the City's website however if the Commission is interested in receiving a copy, please e-mail him directly.

Commissioner Ablaza asked if the City has a Zoning Map and Mr. Lindsay said yes and that he would provide the Commission with a General Plan Map and Zoning Map.

### **3. Small Business Report**

Commissioner Mulder noted that the venture capitalist project being built on Rock Avenue in North San Jose is still working on their green roof and they are expecting to hire about 150 to 200 people.

Ms. Barnhart added that staff did business outreach to Solyndra on California Circle who had noise issues with residents and they responded immediately. Solyndra has so much demand for their product that they are building a 500,000 sq. ft. manufacturer space in Fremont. They did say that they invested \$50 million dollars in Milpitas and do not plan on leaving. There is so much demand with their solar panels they cannot keep up right now.

## **XI. Adjournment**

Vice Chair Mendizabal adjourned the meeting at 7:19 p.m. to the next meeting of April 12, 2010.

Respectfully submitted,



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Veronica Bejines, Recording Secretary