



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING, ETC.

Meeting Date: June 24, 2009

APPLICATION: **TIME EXTENSION NO. TE09-0002, ALEXAN RESIDENTIAL PROJECT**

APPLICATION SUMMARY: A request for a one-time eighteen month time extension for a previously approved 387 unit project that includes studio, one and two bedroom condominiums in four story buildings. The previously approved project also includes a Density Bonus to increase density from 60 to 66 units per acre (31 more units), a Conditional Use Permit approval to encroach into front and street side setbacks, and a Vesting Tentative Map that provides for public streets and three privately owned parcels for condominium purposes.

LOCATION: 1504 -1620 S. Main Street (APN 86-22-027, 028, 033, 034, 041, and 042)

APPLICANT: Li Tang, Baystone Development LLC, 1649 S. Main St., Suite 103, Milpitas, CA 95035

OWNER: Same as above

RECOMMENDATION: **Staff recommends that the Planning Commission:**

- 1. Close the public hearing; and**
- 2. Adopt Resolution No. 09-028 approving the project subject to conditions of approval.**

PROJECT DATA:

General Plan/
Zoning Designation: Multi-family Residential, Very High Density /Multi-family Residential, Very High Density (R4)

Overlay District: Transit Oriented Development and Site and Architectural Overlays (TOD-S).

Specific Plan: Midtown Specific Plan

Site Area: 5.9 Acres

PLANNER: Cindy Hom, Assistant Planner

PJ: 3189

- ATTACHMENTS:
- A. Resolution No. 09-028
 - B. Plans
 - C. January 23, 2007 Planning Commission Staff Report
 - D. January 23, 2007 Planning Commission Meeting Minutes
 - E. Time extension letter request dated May 6, 2009

LOCATION MAP



No scale

BACKGROUND

On January 23, 2008 and February 5, 2008, the Planning Commission and the City Council approved the following permits to allow for the construction of a 387 residential condominium project on a 5.9 acre site:

- Site Development Permit No. SZ2007-18
- Conditional Use Permit No. UP2007-15
- Density Bonus No. DB08-0001
- Vesting Tentative Map No. MI2007-2

For further information and background regarding the scope of the previously approved project, please see the previous Planning Commission Staff Report and Planning Commission meeting minutes that are attached with this staff report.

On May 7, 2009, Li Tang of Baystone Development LLC submitted an application for a one-time eighteen month time extension for the above reference approvals for the Alexan Residential Project. The purpose of the time extension is to allow additional time for a developer to build the project. The project was also affected by the recent financial conditions that have impacted the real estate and construction loan market. The application is submitted pursuant to Milpitas Municipal Code (MMC) XI-10-64.06(1), Time Extensions and requires Planning Commission approval.

PROJECT DESCRIPTION

The project is a time extension request for a previously approved 387 residential condominium project that entails the redevelopment of six parcels on 5.9 acres located at 1504 -1620 S. Main Street. The project provides for three, four-story buildings at a density of 66 units per acre. Building 1 will be four stories with 192 units and an attached 6.5-story garage. Building 2 will be a four-story podium with a two-level parking garage and 107 units. Building 3 will have 88 units in four stories (parking provided by the adjacent parking garage). The project includes a density bonus to exceed the maximum of 60 units per acre and includes an affordable housing component through a partnership with Aspen Apartments that is located to south and currently under construction at 1666 South Main Street with 101 affordable apartments. The project also received approval of a Conditional Use Permit to allow exceptions to the building setback, height and parking requirements.

Surrounding Land Uses

The project is located at the northeast portion of the Main Street and Cedar Way intersection. Adjacent land uses includes multi-tenant quasi-commercial/industrial buildings with primarily auto-related service businesses to the north and south; Aspen Family Apartments to the southeast; industrial uses to the east; and single family homes to the west. An aerial photo of the project site is provided on the previous page.

PROJECT CONFORMANCE

The project conformance and detailed analysis of the previously approved project is provided in the January 23, 2007 Planning Commission staff report. No changes by the applicant are requested with this application. Staff proposes no new conditions of approval with this request.

CONCLUSION

With the approval of the time extension, it will allow the applicant an additional eighteen months to commence and exercise the entitlements. Any future modifications and/or amendments to the project will be subject to review in conformance with the Municipal Code and applicable laws and may be brought back to the Planning Commission for review and approval if required.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission adopt Resolution No. 09-028 approving Time Extension No TE09-0002, Alexan Residential Project subject to the attached Conditions of Approval.

Attachments:

- A. Resolution No. 09-028
- B. Plans
- C. January 23, 2007 Planning Commission Staff Report
- D. January 23, 2007 Planning Commission Meeting Minutes
- E. Time extension letter request dated May 6, 2009

RESOLUTION NO. 09-028**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING TIME EXTENSION NO. TE09-0002, ALEXAN RESIDENTIAL, LOCATED AT 1504-1620 SOUTH MAIN STREET.**

WHEREAS, on May 6, 2009, an application was submitted by Li Tang, Baystone Development LLC, 1649 S. Main Street STE 101 Milpitas, CA 95035, to allow for a one time eighteen month time extension for a previously approved 387 unit residential project and related site improvements for the property located at 1504 to 1620 South Main Street (APNs 086-22-027, 028, 033, 034, 041, and 042). The property is zoned Multi-Family Residential, Very High Density with a Transit Oriented Development and Site and Architectural overlay (R4-TOD-S); and

WHEREAS, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project is exempt from further environmental review pursuant to Article 19, Section 65457 (CEQA Exemption) of the State Planning and Zoning Law and Article 11, Section 15168(c) (2) (Program EIR) of the California Environmental Quality Act (CEQA) Guidelines. The project is a time extension of a previously approved project. Furthermore, the project does not propose any new changes to the project as originally approved. Therefore, the time extension is consistent with scope of the original environmental review.

WHEREAS, on June 24, 2009, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

NOW THEREFORE, the Planning Commission of the City of Milpitas hereby finds, determines and resolves as follows:

Section 1: The recitals set forth above are true and correct and incorporated herein by reference.

Section 2: The proposed project is exempt from further environmental review pursuant to Article 8, Section 65457 of the State Planning and Zoning Law and Article 11, Section 15168(c)(2) (Program EIR) of the California Environmental Quality Act (CEQA) Guidelines. The project allows for a one-time eighteen month time extension of a previously approved 387 unit residential project and installation of related site improvements. The project proposes no changes and is consistent with the scope of the original environmental review.

Section 3: The proposed project is consistent with Guiding Policies and Implementing Principles 2.a-G-2, 2.a-G-3, 2.b-I-3, 2.a-G-6 and 2.a-I-2 of the General Plan. It will help the City meet regional housing obligations by providing housing for small families and households. In

addition, the overall development is an in-fill project replacing existing substandard and nonconforming uses.

Section 4: The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.

Section 5: The Planning Commission of the City of Milpitas hereby recommends the approval of Time Extension No. TE09-0002, Alexan Residential Project, subject to the above Findings, and the Conditions of Approval attached hereto as Exhibit 1.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Milpitas on June 24, 2009.

Chair

TO WIT:

I HEREBY CERTIFY that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on June 24, 2009, and carried by the following roll call vote:

COMMISSIONER	AYES	NOES	OTHER
Cliff Williams			
Lawrence Ciardella			
Alexander Galang			
Sudhir Mandal			
Gurdev Sandhu			
Noella Tabladillo			
Aslam Ali			
Mark Tiernan			

EXHIBIT 1**RESTATED CONDITIONS OF APPROVAL
ALEXAN RESIDENTIAL PROJECT TIME EXTENSION (TE09-00002)****Time Extension Approval for**

“S” Zone (Site Development Permit) No. SZ2007-0018

Density Bonus No. DB2008-0001

Use Permit No. UP2007-0015

Vesting Map No. MI2007-0002

General Conditions

1. These conditions of approval supersede previous conditions of approval for the project and site.

“S” Zone (Site Development Permit) No. SZ2007-0018

2. **Entitlement:** This “S” Zone (Site Development Permit) No. SZ2007-0018 is for a multifamily residential development of 387 dwelling units and associated site improvements in accordance with the plans approved on February 5, 2008 by the Milpitas City Council *and its time extended on June 24, 2009 by the Planning Commission to December 24, 2010*. The approval does not include project signs. The owner or designee shall develop the approved project in conformance with the conditions of approval.(P)
3. **Modifications:** Any modification from the approved site plan, floor plans, elevations, materials, colors, landscape plan, use permit exceptions or other approved submittals shall require that, prior to the issuance of building permits, the owner or designee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the Planning Commission or Planning Commission Subcommittee, in accordance with the Zoning Ordinance. Any modification to the Site Development Permit may require review and approval by the Planning Commission. (P)
4. **Expiration of Permits:** “S” Zone (Site Development Permit) No. SZ2007-0018 shall become null and void if the project is not commenced within 18 months from the date of approval (*December 24, 2010*). Pursuant to Section 64.04-2 of the Zoning Ordinance of the City of Milpitas, since the project requires the issuance of a building permit, the project shall not be deemed to have commenced until the date of the building permit is issued and a foundation is completed. Pursuant to Section 64.04-1, the owner or designee shall have the right to request an extension if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein. (P)
5. **Pedestrian Paseo:** Public access shall be maintained, in perpetuity, in the pedestrian paseo, running north and perpendicular to Cedar Way. (P)

6. **Soil Contamination:** Prior to issuance of a building permit, documentation shall be submitted to the Planning Division that verifies all excavated soil was appropriately disposed off-site as per the recommendations of the May 25, 2007 Summary Letter from Geocon Consultants, Inc. (P)
7. **Noise:** Prior to issuance of a building permit, the architectural design recommendations of the September 27, 2007 Noise Assessment report by Environmental Consulting Services, shall be incorporated into the design of the buildings. The recommendations include:
 - a. Windows with a Standard Transmission Class (STC) rating of at least 30 for dwelling unit windows within 100 feet of South Main Street or 100 feet of the railroad tracks.
 - b. Residential doors with a STC rating of at least 30 for doors leading directly to the outside on South Main Street and railroad sides of the site, including doors on balconies.
 - c. Partial glass enclosures to a height of six feet on balconies facing South Main Street to achieve a 68 dBA level.
 - d. Eight foot high masonry wall on the entire length of the east property line.
 - e. Mechanical ventilation to allow closed window conditions for all dwelling units.
 - f. Documentation that the residential air conditioning system(s) will not increase the noise levels beyond acceptable limits for adjacent dwelling units.
8. **Parking:** Prior to certificate of occupancy issuance, the applicant shall submit a copy of a lease agreement that requires a statement for each unit rented that limits the number of parking spaces provided per unit and shall submit a copy to the City. (P)
9. **Legal compliance:** This use shall be conducted in compliance with all appropriate local, state, and federal laws and regulations, and in conformance with the approved plans. (P)
10. **Asbestos:** Prior to any demolition or removal of any structures onsite, the applicant shall:
 - a. Remove the asbestos containing materials accumulated on the site as identified in the May 25, 2007 Summary Letter from Geocon Consultants, Inc.
 - b. Submit an asbestos survey for all existing structures and have any asbestos-containing materials present abated by a certified asbestos abatement contractor in accordance with the regulations and notification requirements of the Bay Area Air Quality Management District. (P – Mitigation Measure)
11. **Lead:** Prior to building permit issuance, the applicant shall submit a lead paint survey for all existing structures and documentation of its removal with a “Notice of Completion” letter from the Department of Toxic Substance Control. (P – Mitigation Measure)
12. **Park Fee:** Prior to issuance of a building permit for each phase of the project, the applicant shall pay a park-in-lieu fee pursuant to the Milpitas Municipal Code. (P)
13. **Private Job Account:** If at the time of application for building permit and for occupancy permit, there is a past due project job account balance owed to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full. (P)

14. **Signs:** Prior to issuance of an occupancy permit, a project sign program must be approved by the Planning Commission. (P)
15. **Solid Waste:** The trash/recycling chutes, bins and enclosure areas shall be kept clean by double-bagging garbage and by frequent sweeping and disposal of any spilled solid waste. (P)
16. **Landscape Irrigation:** Prior to building permit issuance, the applicant shall submit an irrigation plan for all landscape areas. The irrigation plan shall show that all landscape areas, including planter areas and containerized planters, will have an automatic, self-watering system installed that is serviced by a sprinkler head or drip system equipped with a moisture sensor. (P)
17. **Landscaping:** Prior to issuance of an occupancy permit, the required landscaping shall be planted and in place. (P, C.3 Standard Condition No. 4)
18. **Landscaping:** All required landscaping shall be replaced and continuously maintained as necessary to provide a permanent, attractive and effective appearance. Proper maintenance of landscaping requires minimal pesticide use and shall be the responsibility of property owner in perpetuity. The pest-reducing landscape maintenance techniques listed in the “Fact Sheet on Landscape Maintenance Techniques for Pest Reduction” in the City of Milpitas *Stormwater C.3 Guidebook*, are incorporated by reference into this condition. (P, C.3 Standard Condition No. 7)
19. **Landscaping:** City Planning staff shall have approval authority for the installation of comparable substitute pest-resistant plant materials to satisfy the requirements of the approved landscape plan when the approved plants and materials are unavailable for installation, or when other unforeseen conditions prevent the exact implementation of the landscape plan. (P, C.3 Standard Condition No.6)
20. **Screening:** On-site utility transformers, boxes, etc. shall be placed underground (subsurface vaults) or be located at the rear of the property and screened from public view in a manner to the approval of the Planning Division. (P)
21. **Stormwater:** Prior to building permit issuance, permit plans shall incorporate the following Best Management Practices (BMP) for post-construction storm water impacts: (P)
 - a. Labeling and maintenance (annual inspections) of storm drain facilities;
 - b. Storm drain inlet cleaning on an annual basis;
 - c. Street sweeping.
22. **Vector Control:** Prior to any demolition, construction or grading of the site, a vector control plan shall be submitted to and approved by the City Planning Division. (P)
23. **Air Quality:** Prior to building permit issuance, permit plans shall implement the following Best Management Practices (BMP's) at all project construction sites: (P, MM AQ-1)
 - a. Water all active construction areas;
 - b. Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least two feet of freeboard;
 - c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking and staging areas;
 - d. Sweep daily;
 - e. Hydro seed or apply non-toxic soil stabilizers to inactive construction areas;

- f. Enclose, water or apply non-toxic soil binders to exposed stockpiles;
 - g. Limit traffic speeds on unpaved roads to 15 miles per hour;
 - h. Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
 - i. Suspend excavation and grading activity whenever the wind is so high that it results in visible dust plumes despite control efforts. (P)
24. **Air Quality:** Prior to any permit issuance, incorporate into building plans appropriate Bay Area Air Quality Management District (BAAMQD) Best Management Practices (BMP's) to reduce vehicle trips as identified in the Summary of Impacts and Mitigation Measures (Section 1.2 of the DEIR and FEIR, Subsection "Air Quality", MM "Regional Development Impacts" for commercial development). Possible measures are (P, MM AQ-2):
- a. Provide physical improvements such as sidewalks, landscaping and bicycle parking that will act as incentives for pedestrian and bicycle modes of travel;
 - b. Connect the site with regional bikeway and pedestrian trail systems;
 - c. Provide a transit information kiosk;
 - d. Provide showers and lockers for employees bicycling or walking to work;
 - e. Provide secure and conveniently located bicycle parking and storage for workers and patrons;
 - f. Provide electric vehicle charging facilities;
 - g. Provide preferential parking for Low Emission Vehicles;
 - h. Use specialty equipment (utility carts, forklifts, etc.) that are electrically, CNG or propane powered;
 - i. Use reflective (or high albedo) and emissive roofs and light colored construction materials to increase the reflectivity of roads, driveways, and other paved surfaces, and include shade trees near buildings to directly shield them from the sun's rays and reduce local air temperature and cooling energy demand. (P)
25. **Biology and Hydrology:** The applicant shall modify the existing Stormwater Pollution Protection Plan (SWPPP). This plan shall include provisions to minimize on-site and off-site impacts to biological resources and water quality resulting from project related runoff. Measures shall include the following: (P)
- a. The use of silt fencing, fiber rolls, sediment basins, and other measures to reduce the movement of construction-related sediments into Penitencia Creek and other sensitive habitats.
 - b. Installation of grit and oil trap systems, which shall be maintained in perpetuity.
 - c. Implementation of BMP's to prevent the discharge of construction debris and soils into Penitencia Creek during site clearing, grading and construction.
 - d. As required, dewatering the section of creek channel surrounding the work areas associated with outfall and bridge construction. The dewatering structure shall be to the approval of the City.
 - e. The applicant shall retain a construction manager familiar with NPDES permit requirements to monitor construction activities. (P)
26. **Stormwater:** During all construction activities, the project applicant/developer shall adhere to the following Best Management Practices as suggested by BAAQMD: (P)

- a. Watering all active construction areas twice daily and more often during windy periods. Active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives;
- b. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least a 2 feet freeboard level within their truck beds;
- c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- e. Sweep streets daily with water sweeper if visible soil material is carried onto adjacent public streets;
- f. Hydro seed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more);
- g. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- h. Limit traffic speeds on unpaved areas to 15 mph;
- i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- j. Plant vegetation in disturbed areas as quickly as possible; and
- k. Suspend excavation and grading (all earthmoving or other dust-producing activities) or equipment during periods of high winds when watering cannot eliminate visible dust plumes. (P)

27. **Density Bonus Contingency:** If the Aspen Apartment project is not constructed and completed for occupancy, the applicant or subsequent owner shall enter into a Regulatory Agreement with the City of Milpitas to provide the required number of affordable housing units on-site within their project. A total of 15% of the total number of 356-units shall be provided to moderate-income households in exchange for a 10% density bonus for the Alexan project. The Regulatory Agreement shall be executed prior to occupancy of the Alexan Project. The following special conditions of approval shall apply to the Alexan Project, if the Aspen Apartment Project is not constructed or completed for occupancy:

- a. The City shall implement Section 41.03 A (2) (Density Bonus) with respect to affordable housing incentives which shall include a bonus of 31 dwelling units above the 356-units allowed in “R-4-TOD-S” district and/or financial other incentives to be determined by the City Council equivalent to the financial value. The total number of 387 units shall be provided in the residential development.
- b. Prior to occupancy, the applicant shall execute a Regulatory Agreement to the approval of the City Attorney that the following 53 affordable housing units will be available at a housing cost affordable to moderate-income households:

Income Category	Number of Units	Type of Units
Moderate-Income	53	Studios, One and Two Bedrooms

- c. As part of the identified public benefit for this project, prior to occupancy, the following conditions shall be met:
 - i. The applicant shall make at least 15% of the 356 units (excluding the density bonus allowed in “R-4-TOD-S” district) affordable to households agreed upon by the applicant and the City and noted in the above matrix.
 - ii. Prior to occupancy, the applicant shall provide to the City of Milpitas City Council for review and approval, a disbursement plan exhibit illustrating the location of the affordable housing units within the development. The affordable housing units shall be dispersed equally throughout the development and shall contain the same architectural features, design and amenities as the fair market rate units in the development. (H)
28. **Affordability:** Income eligibility for the required number of affordable units shall be determined pursuant to the California Health and Safety Code Sections 50079.5, 50093 and 50105, which provide that the moderate-income limits established by the U.S. Department of Housing and Urban Development (HUD) are the state limits for that income category. (H)
29. **Affordability:** The applicant and the City of Milpitas shall enter into Restriction Agreements that outline the provisions for maintaining the long-term affordability of the required affordable for-sale units. The Restriction Agreements shall be approved to form by the Milpitas City Attorney’s Office, executed by the City Manager and recorded with the County of Santa Clara. (H)
30. **Affordability:** The Restriction Agreements shall require that the long-term affordability of the for-sale housing units shall remain in effect for 55 years. Any change to this requirement is subject to review and approval by the Milpitas City Council. Any amendment to the approved density bonus shall require approval of the Milpitas Planning Commission and City Council. (H)
31. **Affordability:** The applicant shall work with the Housing Division staff in establishing and determining the waiting list of eligible residents that are qualified for the project. (H)
32. **Affordability:** The established affordable price for the for-sale units shall be pursuant to income eligibility provided by the California Health and Safety Code Sections 50079.5, 50093 and 50105, which provide the "moderate-income" limits established by the U.S. Department of Housing and Urban Development (HUD) are the state limits for those income categories and State of California Redevelopment Agency Law. The final affordable for-sale price established for the ownership units shall not exceed the maximum allowable for-sale for “moderate-income” households as defined in the above code sections. Said sales price shall be approved for consistency with the definitions by the Housing Division staff. (H)
33. **Water:** Multistory buildings as proposed require water supply pressures above that which the city can normally supply. Additional evaluations by the applicant are required to assure proper water supply (potable or fire services). The Applicant shall submit an engineering report detailing how adequate water supply pressures will be maintained. Contact the Utility Engineer at 586-3345 for further information. (E)

34. **Traffic:** To eliminate parking spaces on Diaz Street to accommodate the turn-around for the garbage/fire truck, an appropriate signage to restrict parking is required; R26F “NO PARKING FIRE LANE” or/and red curb with stencils. (E)
35. **Solid Waste:** Provide staging areas & enclosures for Trash Rooms 5 & 6. An encroachment permit agreement will be required if the staging areas are located within the public right of way.
- Enlarge Enclosure 2 to accommodate bins from Trash Room 3.
 - Provide details for proposed enclosures and staging areas. *The staging areas/enclosures should be maintained within the private property and bins should not be visible from the public roadway. Allied Waste does not provide any manual “push and return” services for compacted waste; enclosures/staging areas shall be designed for “drive at” services.*
 - Be advised that a "train-able cart" will be necessary to move compacted garbage bins from Trash Rooms to staging areas & enclosures.
 - Be advised that "Mini-MAC" schematic shows use of 2cyd compaction containers. This will increase collection frequency and number of bins required at each Trash Room. All calculations are based on 3cyd compaction containers. (E)
36. **Utilities:** The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval.(E)
37. **Utilities:** Prior to issuance of any building permits, the developer shall obtain approval from the City Engineer of the water, sewer, and storm drain studies for this development. These studies shall identify the development's effect on the City's present Master Plans and the impact of this development on the trunk lines. If the results of the study indicate that this development contributes to the over-capacity of the trunk line, it is anticipated that the developer will be required to mitigate the overflow or shortage by construction of a parallel line or pay a mitigation charge, if acceptable to the City Engineer. (E)
38. **Drainage:** At the time of grading permit issuance by the Building Department, the developer shall submit a grading plan and a drainage study prepared by a registered Civil Engineer. The drainage study shall analyze the existing and ultimate conditions, and facilities. The study shall be reviewed and approved by the City Engineer and the developer shall satisfy the conclusions and recommendations of the approved drainage study prior to final map approval of the first phase of development. (E)
39. **Public Improvements:** Prior to any Building permit issuance, the developer shall obtain design approval and bond for all necessary public improvements along South Main Street, including but not limited to curb and gutter, pavement, sidewalk, signage and striping, bus stops and bus pads, signal modification at South Main Street and Cedar Drive, median

installation along Main Street, street lights, street furniture installation, fire hydrants, storm drain, sewer and water services. Plans for all public improvements shall be prepared on Mylar (24"x36" sheets) with City Standard Title Block and submit a digital format of the Record Drawings (AutoCAD format is preferred) upon completion of improvements. The developer shall also execute a secured public improvement agreement. The agreement shall be secured for an amount of 100% of the engineer's estimate of the construction cost for faithful performance and 100% of the engineer's estimate of the construction cost for labor & materials. The locations of public facilities such as water meters, RP backflow preventers, sewer clean outs, etc. shall be placed so access is maintained and kept clear of traffic. All improvements must be in accordance with the Milpitas Midtown Specific Plan and Main Street Plan Line Study, and all public improvements shall be constructed and accepted by the City prior to building occupancy permit issuance of the first production unit. (E)

40. **Parking:** The proposed underground parking structures shall be designed for the additional surcharge due to traffic loading from proposed and future public streets. (E)
41. **CFD:** Prior to any building permit issuance, the developer shall submit an executed petition to annex the subject property into the CFD 2005-1, with respect to the property, the special taxes levied by Community Facility District (CFD 2005-1) for the purpose of maintaining the public services. The petition to annex into the CFD shall be finalized concurrently with the final map recordation or prior to any building permit issuance, whichever occurs first. The developer shall comply with all rules, regulations, policies and practices established by the State Law and/or by the City with respect to the CFD including, without limitation, requirements for notice and disclosure to future owners and/or residents. (E)
42. **Traffic Impact Fee:** Prior to building permit issuance the developer shall contribute its "fair share" of traffic impact fee in the amount of **\$73,021** (based on a Midtown impact fee of \$113 per peak hour trip and Montague Expressway impact fee of \$903 per peak hour trip). (E)
43. **Improvement Fee:** Developer's fair share contribution toward South Main and Abel Street Plan Line study is **\$441,620** as of January 1, 2008 and based on a South Main Street Median Island contribution fee of \$284.00 per peak hour trip. In lieu of contribution toward South Main Street and Abel Street Plan Line Study, the developer is required to construct the required improvements along South Main Street frontage. Proposed median and all improvements along Main street frontage must be in accordance with the 2007 South Main Street and South Abel Street Plan Line Study, and shall be constructed and accepted by the City prior to building occupancy permit issuance. (E)
44. **Fees & Forms:** The developer shall submit the following items with the building permit application and pay the related fees prior to final inspection (occupancy) by the Building Division:
 - a. Storm water connection fee of **\$99,654** based on 5.942 acres @ \$16,771 per acre. The water, sewer and treatment plant fee will be calculated at the time building plan check submittal.
 - b. Water Service Agreement(s) for water meter(s) and detector check(s).

- c. Sewer Needs Questionnaire and/or Industrial Waste Questionnaire.
Contact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain the form(s). (E)
45. **Fees:** Prior to building permit issuance, the developer must pay all applicable development fees, including but not limited to, connection fees (water, sewer and storm), treatment plant fee, plan check and inspection deposit, and 2.5% building permit automation fee. (E)
46. **Private Wall:** Prior to building permit issuance, the developer shall record a 5-foot wide Private Wall Maintenance Easement (PWME), and enter into an encroachment permit agreement with the city for the maintenance of subject wall within the public right of way. The proposed wall plan needs to be included with the building site plan for review and approval. Prior to any building final inspection/occupancy permit issuance, the developer shall construct the proposed wall to the satisfaction of the Building Chief Official and Planning Department requirements. (E)
47. **Utilities:** Prior to building occupancy permit issuance, the developer shall underground all existing wires and remove the related poles within the proposed development, with the exception of transmission lines supported by metal poles carrying voltages of 37.5KV or more. All proposed utilities within the proposed development must also be undergrounded. Show all existing utilities within and bordering the proposed development, and clearly identify the existing PG&E wire towers and state the wire voltage.(E)
48. **Sight Distance:** The developer shall not obstruct the noted sight distance areas as indicated on the City standard drawing #405. Overall cumulative height of the grading, landscaping & signs as determined by sight distance shall not exceed two (2) feet when measured from street elevation. (E)
49. **Easements:** Prior to any building permit issuance, the developer shall dedicate necessary easements for public street right of way, public service utilities, water, and sanitary sewer purposes. (E)
50. **Utilities:** All existing public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrubs are permitted within City utility easements, where the easement is located within landscape areas. (E)
51. **Water:** Multi-story buildings as proposed require water supply pressures above that which the city can normally supply. Additional evaluations by the applicant are required to assure proper water supply (potable or fire services). The developer shall submit an engineering report detailing how adequate water supply pressures will be maintained. Contact the Utility Engineer at 586-3345 for further information. (E)
52. **Wastewater:** If necessary, developer shall obtain required industrial wastewater discharge approvals from San Jose/Santa Clara Water Pollution Control Plant (WPCP) by calling WPCP Industrial Source Control Inspector at (408) 945-5300. (E)

53. **Solid Waste:** Prior to occupancy permit issuance the developer shall:
- a. Construct, solid waste enclosures to house the necessary solid waste and recycling bins, and staging areas for trash collection. The enclosure shall be designed per the Development Guidelines for Solid Waste Services, and enclosure drains must discharge to sanitary sewer line. City review & approval of the enclosures are required prior to construction of the trash enclosures.
 - b. The developer shall enter into an encroachment permit agreement for the use of the staging area within the public right of way. All solid waste and recycling bins must be kept within the trash enclosures at all time except on the trash collection days. The HOA is responsible for placing the bins in the staging area on the collection days and moved them back to the enclosures not more than two hours after pickup completions. The encroachment permit agreement shall be referenced on the CC&R. (E)
54. **Solid Waste:** Per Chapter 200, Title V of Milpitas Municipal Code (Ord. No. 48.7) solid waste enclosures shall be designed to limit the accidental discharge of any material to the storm drain system. The storm drain inlets shall be located away from the trash enclosures (a minimum of 25 feet). This is intended to prevent the discharge of pollutants from entering the storm drain system, and help with compliance with the City's existing National Pollution Discharge Elimination System (NPDES) Municipal permit. (E)
55. **Solid Waste:** Per Chapter 200, Solid Waste Management, V-200-3.10, *General Requirement*, applicant / property owner or HOA shall not keep or accumulate, or permit to be kept or accumulated, any solid waste of any kind and is responsible for proper keeping, accumulating and delivery of solid waste. In addition, according to V-200-3.20 *Owner Responsible for Solid Waste, Recyclables, and Yard Waste*, applicant / property owner shall subscribe to and pay for solid waste services rendered. Prior to occupancy permit issuance (start of operation), the developer shall submit evidence to the City that a minimum level of refuse service has been secured using a Service Agreement with Allied Waste Services (formally BFI) for commercial services to maintain an adequate level of service for trash and recycling collection. After the applicant has started its business, the developer shall contact Allied Waste Services commercial representative to review the adequacy of the solid waste level of services. If services are determined to be inadequate, the developer shall increase the service to the level determined by the evaluation. For general information, contact BFI at (408) 432-1234.(E)
56. **Stormwater:** The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Construction activities, which disturb 1 acre or greater, are viewed as a source of pollution, and the RWQCB requires a Notice of Intent (NOI) be filed, along with obtaining an NPDES Construction Permit prior to the start of construction. A Storm Water Pollution Prevention Plan (SWPPP) and a site monitoring plan must also be developed by the developer, and approved by the City prior to permit issuance for site clearance or grading. Contact the

RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329. (E)

57. **Stormwater:** The developer shall comply with Regional Water Quality Control Board's C.3 requirements and implement the following:
- a. At the time of building permit plan check submittal, the developer shall submit a "final" Stormwater Control Plan and Report. Site grading, drainage, landscaping and building plans shall be consistent with the approved Stormwater Control Plan. The Plan and Report shall be prepared by a licensed Civil Engineer and certified that measures specified in the report meet the C.3 requirements of the Regional Water Quality Control Board (RWQCB) Order, and shall be implemented as part of the site improvements.
 - b. Prior to building permit issuance, the developer shall submit an Operation and Maintenance (O&M) Plan for the long-term operation and maintenance of C-3 treatment facilities.
 - c. Prior to Final occupancy, the developer shall execute and record an O&M Agreement with the City for the operation, maintenance and annual inspection of the C.3 treatment facilities. (E)
58. **Stormwater:** Prior to building, site improvement or landscape permit issuance, the building permit applications shall be consistent with the developer's approved Stormwater Control Plan and approved special conditions, and shall include drawings and specifications necessary to implement all measures described in the approved Plan. As may be required by the City's Building, Planning or Engineering Divisions, drawings submitted with the permit application (including structural, mechanical, architectural, grading, drainage, site, landscape and other drawings) shall show the details and methods of construction for site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control stormwater flow and potential stormwater pollutants. Any changes to the approved Stormwater Control Plan shall require Site & Architectural ("S" Zone) Amendment application review. (E)
59. **Stormwater:** Prior to issuance of Certificate of Occupancy, the developer shall submit a Stormwater Control Operation and Maintenance (O&M) Plan, acceptable to the City, describing operation and maintenance procedures needed to insure that treatment BMPs and other stormwater control measures continue to work as intended and do not create a nuisance (including vector control). The treatment BMPs shall be maintained for the life of the project. The stormwater control operation and maintenance plan shall include the applicant's signed statement accepting responsibility for maintenance until the responsibility is legally transferred. (E)
60. **Demolition:** All utilities shall be properly disconnected before the existing building can be demolished. Show/state how the water service(s), sewer service(s) and storm service(s) will be disconnected. The water service shall be locked off in the meter box and disconnected or capped immediately behind the water meter for future use, if it is not to be used during the construction. If the existing water services will not be used for the proposed development, the service laterals shall be removed and capped at the main water line. The sanitary sewer

shall be capped off at the clean out near the property line or approved location if it is not to be used. The storm drain shall be capped off at a manhole or inlet structure or approved location if it is not to be used. (E)

61. **Landscaping:** In accordance with Chapter 5, Title VIII (Ord. 238) of Milpitas Municipal Code, for new and/or rehabilitated landscaping 2,500 square feet or larger the developer shall:
 - a. Provide separate water meters for domestic water service & irrigation service.
 - b. Comply with all requirements of the City of Milpitas Water Efficient Ordinance (Ord No 238). Two sets of landscape documentation package shall be submitted by the developer or the landscape architect to the Building Division with the building permit plan check package. Approval from the Land Development Section of the Engineering Division is required prior to building permit issuance, and submittal of the Certificate of Substantial Completion is required prior to final occupancy inspection. Contact the Land Development Section of the Engineering Division at (408) 586-3329 for information on the submittal requirements and approval process. (E)
62. **Landscaping:** Per Chapter 6, Title VIII of Milpitas Municipal Code (Ord. No. 240), the landscape irrigation system must be designed to meet the City's recycled water guidelines and connect to recycled water system *when available*. The developer is encouraged to design the entire landscaped area for recycled water connection. If the site is not properly designed for recycled water at this time, the entire site will be required to retrofit when recycled water becomes available. Contact the Land Development Section of the Engineering Division at (408) 586-3329 for design standards to be employed. (E)
63. **Encroachment Permit:** Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from City of Milpitas Engineering Division. (E)
64. **Other Permits:** It is the responsibility of the developer to obtain any necessary permits or approvals from affected agencies and private parties, including but not limited to, Pacific Gas and Electric, AT&T, Comcast, Union Pacific Railroad, Southern Pacific Railroad, Santa Clara Valley Transportation Agency, and City of Milpitas Engineering Division. Copies of any approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
65. **Tree Removal:** Prior to issuance of any permits for demolition or grading, per Milpitas Municipal Code Chapter 2, Title X (Ord. No. 201), the developer is required to obtain a permit for removal of any Protected tree(s). Contact the Street Landscaping Section at (408) 586-2601 to obtain the requirements and forms. (E)
66. **Construction:** Prior to start of any construction, the developer shall submit a construction schedule and monitoring plan for City Engineer review and approval. The construction schedule and monitoring plan shall include, but not be limited to, construction staging area, parking area for the construction workers, personal parking, temporary construction fencing, construction information signage and establish a neighborhood hotline to record and respond to neighborhood construction related concerns. The developer shall coordinate their

construction activities with other construction activities in the vicinity of this project. The developer's contractor is also required to submit updated monthly construction schedules to the City Engineer for the purpose of monitoring construction activities and work progress. (E)

67. **Schools:** The developer shall submit plans to Milpitas Unified School District (MUSD) for review and comments, and obtain information from the MUSD regarding providing services. (E)
68. **Postal:** The developer shall obtain information from the US Postal Services regarding required mailboxes. Structures to protect mailboxes may require Building, Engineering and Planning Divisions review. (E)
69. **Parking Garage:** The proposed underground parking structures shall be designed for the additional surcharge due to traffic loading from proposed and future public streets. (E)

Density Bonus No. DB2008-0001

1. **Entitlement:** This Density Bonus No. DB2008-0001 increases the maximum density for this project from 60 units to 65 dwelling units per acre, as approved on February 5, 2008 by the Milpitas City Council *and its time extended on June 24, 2009 by the Planning Commission to December 24, 2010*. The approval permits an additional 31 units, for a total of 387 total dwelling units. In exchange for the density bonus, the City agrees to allow the project to exceed the maximum number of building stories of five, by a six-and-a-half-story (6.5) parking garage with Building One. (P)
2. **Modifications:** Prior to issuance of a Building Permit, any modification to the approved density bonus terms must be approved by the City Council. (P)
3. **Affordability:** Prior to issuance of a building permit,
 - a. A letter from the developer of the Aspen project shall be submitted to the City indicating that the applicant, Trammell Crow Residential, has fulfilled the terms of their agreement for transfer of affordability rights.
 - b. Either the Aspen project has received an occupancy permit or the Regulatory Agreement with the City shall be approved by the City Council.
4. **Affordability Contingency:** If the Aspen Apartment project is not constructed and completed for occupancy, the applicant (Trammell Crow Residential) shall enter into a Regulatory Agreement with the City of Milpitas to provide the required number of affordable housing units on-site within their project. A total of 15% of the total number of 356-units shall be provided to moderate-income households in exchange for a 10% density bonus for the project. The Regulatory Agreement shall be executed prior to occupancy of the Alexan Project. The following special conditions of approval shall apply to the Alexan Project, if the Aspen Apartment Project is not constructed or completed for occupancy:
 - a. The City shall implement Section 41.03 A (2) (Density Bonus) with respect to affordable housing incentives which shall include a bonus of 31 dwelling units above the 356-units allowed in "R-4-TOD-S" district and/or financial other incentives to be determined by

the City Council equivalent to the financial value. The total number of 387 units shall be provided in the residential development.

- b. Prior to occupancy, the applicant shall execute a Regulatory Agreement to the approval of the City Attorney that the following 53 affordable housing units will be available at a housing cost affordable to moderate-income households:

Income Category	Number of Units	Type of Units
Moderate-Income	53	Studios, One and Two Bedrooms

- c. As part of the identified public benefit for this project, prior to occupancy, the following conditions shall be met:
 - i. The applicant shall make at least 15% of the 356 units (excluding the density bonus allowed in “R-4-TOD-S” district) affordable to households agreed upon by the applicant and the City and noted in the above matrix.
 - ii. Prior to occupancy, the applicant shall provide to the City of Milpitas City Council for review and approval, a disbursement plan exhibit illustrating the location of the affordable housing units within the development. The affordable housing units shall be dispersed equally throughout the development and shall contain the same architectural features, design and amenities as the fair market rate units in the development. (H)
- 5. **Affordability:** Income eligibility for the required number of affordable units shall be determined pursuant to the California Health and Safety Code Sections 50079.5, 50093 and 50105, which provide that the moderate-income limits established by the U.S. Department of Housing and Urban Development (HUD) are the state limits for that income category. (H)
- 6. **Affordability:** The applicant and the City of Milpitas shall enter into Restriction Agreements that outline the provisions for maintaining the long-term affordability of the required affordable for-sale units. The Restriction Agreements shall be approved to form by the Milpitas City Attorney’s Office, executed by the City Manager and recorded with the County of Santa Clara. (H)
- 7. **Affordability:** The Restriction Agreements shall require that the long-term affordability of the for-sale housing units shall remain in effect for 55 years. Any change to this requirement is subject to review and approval by the Milpitas City Council. Any amendment to the approved density bonus shall require approval of the Milpitas Planning Commission and City Council. (H)
- 8. **Affordability:** The applicant shall work with the Housing Division staff in establishing and determining the waiting list of eligible residents that are qualified for the project. (H)
- 9. **Affordability:** The established affordable price for the for-sale units shall be pursuant to income eligibility provided by the California Health and Safety Code Sections 50079.5, 50093 and 50105, which provide the "moderate-income" limits established by the U.S.

Department of Housing and Urban Development (HUD) are the state limits for those income categories and State of California Redevelopment Agency Law. The final affordable for-sale price established for the ownership units shall not exceed the maximum allowable for-sale for “moderate-income” households as defined in the above code sections. Said sales price shall be approved for consistency with the definitions by the Housing Division staff. (H)

Conditional Use Permit No. UP2007-0015

1. **Entitlement:** This Conditional Use Permit No. UP2007-15 is to encroach into building front and street-side setbacks as approved on February 5, 2008 by the Milpitas City Council *and its time extended on June 24, 2009 by the Planning Commission to December 24, 2010*. The applicant shall develop the approved project in conformance with this Conditional Use Permit and conditions of approval.(P)
2. **Modifications:** Any modification to the Use Permit exceptions, or related project planning entitlements (“S” Zone Application No. SZ2007-0018, Density Bonus No. DB2008-0001 and Vesting Tentative Map No. MI2007-0002) that materially affects the Conditional Use Permit exceptions, shall require approval of the Planning Commission, Planning Commission Subcommittee or Planning Director, in accordance with the procedures required by the zoning ordinance. (P)

Vesting Tentative Map No. MI2007-0002

1. **Entitlement:** This Vesting Tentative Map No. MI2007-0002 is for condominium purposes and provides three lots and street dedications as approved on February 5, 2008 by the Milpitas City Council *and its time extended on June 24, 2009 by the Planning Commission until February 5, 2013*. The applicant shall develop the approved project in conformance with this Use Permit and conditions of approval.(P)
2. **Modifications:** Any modification to the Tentative Map, or related project planning entitlements (“S” Zone Application No. SZ2007-0018, Density Bonus No. DB2008-0001 and Use Permit No. UP2007-15) that materially affect the Tentative Map shall require approval of the City Council. (P)
3. **Final Map:**
 - a. The developer shall dedicate on the final map necessary public service utility easements, street easements and easements for water and sanitary sewer purposes.
 - b. The final map shall designate all common lots and easements as lettered lots or lettered easements.
4. **Final Map:** Prior to recordation of any final map, the developer shall submit to the City a digital format of the final map (AutoCAD format). All final maps shall be tied to the North America Datum of 1983 (NAD 83), California Coordinate of 1983, zone 3. (E)
5. **Final Map:** The final map shall be recorded prior to issuance of any building permit.

6. **HOA:** Prior to final map approval, the developer shall establish a Home Owners Association (HOA). The HOA shall be responsible for the maintenance of the landscaping, walls, private streetlights, common areas and shall have assessment power. This information shall be clearly included in the Conditions, Covenants, and Restrictions (CC&R) and recorded documents. CC&R document shall also provide vesting right to all units for the use of parking area and the common facilities. The CC&R document shall be submitted for review and approval of the City Engineer. (E)

7. **Tentative Map:** Make changes as noted on Engineering Services Exhibit "T"(1/15/2008) and resubmit a revised Tentative map for review and approval. (E)

(E) Engineering Division

(P) Planning Division

VICINITY MAP



PROJECT SUMMARY

THREE TOTAL RESIDENTIAL BUILDINGS
 TYPE V-A (1 HR.) CONSTRUCTION SPRINKLERED (RESIDENTIAL)
 TYPE I CONSTRUCTION (RESIDENTIAL/STORAGE/PARKING)
 2007 CALIFORNIA BUILDING CODES

CURRENT ZONING: R4-TOD-S (MULTI-FAMILY VERY HIGH DENSITY OVERLAIN WITH TRANSIT ORIENTED DISTRICT AND ARCHITECTURAL COMBINING DISTRICT)

ASSESSOR'S PARCEL #: 086 - 220 - (027, 028, 033, 034, 041, 042)

SITE AREA: 258,845 GROSS SQ. FT. (5.942 ACRE)

DENSITY: 66.8 UNITS PER ACRE (397 UNITS/ 5.94 ACRE)

CURRENT USE: MOBILE HOME PARK

PROPOSED USE: HIGH DENSITY MULTI-FAMILY RESIDENTIAL

SURROUNDING USES: RESIDENTIAL, COMMERCIAL

BUILDING HEIGHT: 75' MAX.

PROJECT TEAM:

DEVELOPER: TRAMMELL CROW RESIDENTIAL
 1810 GATEWAY DRIVE, SUITE 240
 SAN MATEO, CALIFORNIA 94404
 CONTACT: PETER SOKLAR
 TEL: 650-353-3561

ARCHITECT/PLANNER: KTG GROUP, INC.
 17992 MITCHELL SOUTH
 IRVINE, CALIFORNIA 92614
 CONTACT: CHRIS WEIMHOLT
 TEL: 949-551-2133

CIVIL ENGINEER: NOLTE
 1731 NORTH FIRST STREET, SUITE A
 SAN JOSE, CALIFORNIA 95131
 CONTACT: TRIPAT MANGAT
 TEL: 408-392-7278

LANDSCAPE ARCHITECT: SMITH & SMITH
 1501 NORTH POINT
 SAN FRANCISCO, CALIFORNIA 94123
 CONTACT: ANDREW MILAM
 TEL: 415-543-0332

ELECTRICAL ENGINEER: DGM & ASSOCIATES
 123 E BAKER STREET, SUITE # 150
 COSTA MESA, CALIFORNIA 92626
 CONTACT: DALE MADLER
 TEL: 714-546-2251

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RESIDENTIAL SUMMARY

Unit number	Bed/ Bath	Cond / Uncond	G.S.F.	Bldg 1	Bldg 2	Bldg 3	Total	Mix
S1	STUDIO/ 1 BA		375 / 55	0	0	4	4	1.00%
S2	STUDIO/ 1 BA		613 / 55	8	0	0	8	2.05%
S3	STUDIO/ 1 BA		636 / 51	12	0	0	12	3.10%
Total				20	0	4	24	6.2%
A1	1 BED/ 1 BA		627 / 74	12	8	4	24	6.20%
A2	1 BED/ 1 BA		675 / 65	12	0	8	20	5.17%
A3	1 BED/ 1 BA		895 / 75	18	10	30	84	23.71%
A3M	1 BED/ 1 BA		645 / 75	3	2	10	15	3.89%
A4	1 BED/ 1 BA		794 / 45	0	2	0	2	0.52%
A5	1 BED/ 1 BA		801 / 60	16	0	0	16	4.20%
A6	1 BED/ 1 BA		828 / 49	16	0	0	16	4.13%
Total				77	28	60	185	47.8%
C1	2 BED/ 2 BA		982 / 85	70	62	4	136	35.14%
C1M	2 BED/ 2 BA		982 / 85	17	1	0	18	4.69%
C2	2 BED/ 2 BA		1055 / 81	8	14	0	22	5.68%
C3	2 BED/ 2 BA		1121 / 29	0	2	0	2	0.52%
Total				95	79	4	178	46.0%
Total Units				192	107	88	387	100%

PARKING SUMMARY

Unit Type	No. of Units	Parking Ratio	Total
Studio	24	1	24
1 BR	185	1.5	277.5
2 BR	178	2	356
Total			657.5
Guest parking			
total spaces		parking ratio	
	657.50	0.15	98.63
total			756.13
TDD Reduction total spaces		parking reduction	
	756.13	0.20	151.23
Total Req'd Parking			605

Building Type	No. of Stalls
Building 1 (66 stalls @ 5 stories & 38 stalls half level down)	434
Building 2 (two level garage)	152
Building 3	0
Surface parking	22
Total	618

Stall Type	No. of Stalls	Ratio	Total
Resident Stalls	526	0.02	10.52
Visitor Stalls	79	0.05	3.95
Total			14.47

BICYCLE PARKING REQ'D	% OF REQ'D PARKING
15 X 6' @ 20%	
31 BICYCLE SPACES REQUIRED	
42 BICYCLE SPACES ARE PROVIDED	



Alexan South Main
 MILPITAS, CALIFORNIA

#	REVISIONS	DATE
1	LIST SUBMITTALS	8/24/07
2	REV SUBMITTALS	11/27/07

ARCHITECT:
KTGY GROUP P.L.L.C. INC.
 ARCHITECTS AND ENGINEERS
 17277 MITCHELL SOUTH
 IRVINE, CALIFORNIA 92614
 TEL: 949-551-2133 FAX: 949-551-2134
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GENERAL INFORMATION

G-1

RECEIVED

MAY 07 2009

CITY OF MILPITAS
 PLANNING DIVISION



MILPITAS FIRE DEPARTMENT

FIRE PREVENTION DIVISION
455 E. Calaveras Blvd., Milpitas, CA 95035 (408) 566-3344, FAX (408) 566-3378

MEMORANDUM

DATE: September 21, 2007
TO: Cindy Maxwell
FROM: Jaime Garcia
SUBJECT: F-SA2007-50 (PJ NO. 3189)
TRAMMELL CROW 697 UNITS MULTI-FAMILY
1556 S MAIN ST

The Plans for the aforementioned project (Planning Commission Agenda, cover slip dated August 27, 2007) have been returned to the Planning Division. The Fire Department has the following comments:

NOTES TO APPLICANT

- The submitted drawings are not reviewed nor approved for fire permit and construction. These notes are provided to assist with the Fire Department permit process. Comments are based on the current 2001 edition of the California Building Code, starting January 2002, a new code edition will be applicable.
- A Community Warning System may be required for this project and equipment access easements may be required to be present to the City of Milpitas. Please contact the Milpitas Fire Prevention Bureau.
- In-Building Public Safety Communications: The City of Milpitas Fire Department may require one or more of the following be performed at the developer's expense to insure adequate communication between emergency responders inside buildings and the public safety dispatch facility: (1) pre-construction design review by a professional engineering firm specializing in radio frequency systems, (2) pre-construction radio coverage testing by a technician employed by the City, and (3) installation of equipment to mitigate in-building radio coverage problems and its maintenance, and periodic re-testing.
- The owner or operator of any privately owned high-rise structure, any office building two stories or more in height, or any hotel or motel shall comply with the Emergency Planning and Information regulations found in Section 5.09 of Title 19, CCR (California Code of Regulations).
- The protection, including fire apparatus access roads and water supplies for fire protection (hydrants) shall be installed and made accessible prior to and during the time of construction. California Fire Code (CFC) Section 901.3.
- Fire safety during construction, alteration or demolition of the building shall meet the requirements of Article 87, CFC, and the Standards for Construction Site Fire Safety (as amended) by "wildfire" organization (<http://www.landmark.org>). A Construction Site Fire Safety plan shall be submitted to the Milpitas Fire Prevention Division for review and approval prior to the start of any construction.
- Adjacent Access: No source of access from lands adjoining a property to be developed shall be considered unless there is obtained the irrevocable and unobstructed right to use same. CFC Section 902.3.1.2 as amended by Milpitas Municipal Code V-300-2.51.

- Provide KNOX box (quantity and location to be determined by the Fire Dept.) for Fire Department access to all exterior down and gases. CFC Section 901.4
- Utility plans: Fire protection system and devices installed on the plans are not reviewed nor approved by the Fire Department. Final determination of systems, and locations will be done during construction permit process. Final systems locations may impact on street parking.
- Fire Department Sprinkler Connection: The connection through which the Fire Department can pump water to the sprinkler system shall not be attached to the building and shall be located as near as practicable to a public fire hydrant. The point of connection shall be at the discretion of the Fire Department. CFC Section 100.1.1.2, amended by Milpitas Municipal Code Section V-300-2.61.
- The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on site both as required and approved by the Fire Department. See Appendix 10-B, CFC Section 905.4.2. Existing fire hydrants on public streets are allowed to be considered as available. Existing hydrants on adjacent properties shall not be considered available unless fire apparatus access roads exist between properties and easements are established to prevent obstruction of such roads. CFC Appendix 10-B, Section 4.
- No parking is permitted in front of fire hydrants or other fire appliances. Hydrants and fire service shall have an unobstructed clearance of not less than 30 feet per Vehicle Code 22511.
- Additional hydrants and standpipes shall be provided at the garage floor levels. Quantity and location of additional appliances shall be determined by the Fire Department. CFC Section 1001.9, 1001.10.
- LANDFILL TRUCK TURNING REQUIREMENTS
All fire alarm roads shall meet or exceed the requirements of the California Fire Code, Milpitas Municipal Code and Ordinances for Fire Access by the Milpitas Fire Department. The minimum requirements for the fire apparatus (STYPIEN SP45 AERIAL) turning radii are: 48'-0" outside and 23'-0" inside. Place the turning movements into and out of Drive Street.
- Fireable fire extinguishers shall be installed in occupancies and locations as set forth in the code, California Code of Regulations Title 19, Division 1, and Chapters 1 and 2 as required by the Milpitas Fire Chief. CFC Section 1002.1.
- Provide standpipe systems as per Table 1004-A as amended by the Milpitas Municipal Code V-300-2.01.
a. Standpipes are required at each main entrance. A standpipe is required in each floor level.
b. Standpipes on roof are required. Location and quantity shall be at the discretion of the Fire Department. CFC Section 1004.3.
- An automatic fire extinguishing (sprinkler) system shall be installed throughout this building per the CFC Section 1003 and Section 1003.2.2, as amended by the Milpitas Municipal Code V-300-2.01. In all buildings hereafter constructed three or more stories or 35 feet in height, or 10,000 square feet or more in area or having a Fire Flow of greater than 2,000 gallons per minute, Appendix 10-A shall be used as the basis for determining Fire Flow.
- The automatic fire sprinkler system shall be electrically monitored. Alarm and trouble signals shall be directly returned and shall be automatically transmitted to an approved central station, remote station or proprietary monitoring station. CFC Section 1003.2.1. An approved audible sprinkler flow alarm shall be provided. CFC Section 1003.2.2.
- Provide an approved manual and automatic Fire Alarm System. Design, installation and maintenance shall be in accordance with the CFC and other nationally recognized standards. Submittals shall include, but not be limited to, a floor plan, location of all alarm initiating and alarm signaling devices, alarm control and trouble signaling equipment, interconnections, power connections including backup battery sub-system, wiring type and size, manufacturer cut sheets and California State Fire Marshal listing number for all equipment, point to point wiring diagram, and sequence of operations. CFC Section 1006.2.1.1.

- Smoke detectors shall be provided in all common areas and interior corridors of Group R, Division 1 Occupancies. CFC Section 1006.2.9.1.2.
- Heat detectors shall be provided in all assembly areas with recreational areas, assembly rooms, lounge rooms, and similar areas. CFC Section 1006.2.9.1.4.
- Rooms for persons with hearing impairments shall be provided with visible and audible alarm-indicating appliances, notified by both the fire alarm detector and the building fire alarm system. CFC Section 1006.2.9.1.3.
- Approved single station smoke alarms or multiple station smoke alarms shall be installed in dwelling units, emergency residences and hotels and lodging house guest rooms. Single-station smoke alarms or multiple station smoke alarms shall not be connected to a fire alarm system (Section 1006.2.9.1.5). CFC Section 1006.2.9.1.6.
- Provide stairways to roof, in buildings four or more stories in height, one or more stairways shall extend to the roof surface (see roof access at each level) (see roof area), unless the roof has a slope steeper than 4 units vertical in 12 units horizontal. California Building Code (CBC) Section 1003.3.1.1.
- Roof hatches: All required interior stairways that extend to the top floor in any building four or more stories in height shall have, at the highest point of the stair shaft, an approved hatch. CFC Section 1003.3.3.12.
- Natural ventilation for the open parking garage shall conform to the requirements of Section 311.9.2.2, California Building Code (CBC).
- Parking garages not meeting the requirements of "open parking garage" per the CBC Section 311.9.2.2, shall be provided with smoke removal system in addition to the ventilation requirements of the CBC Section 1202.2.7. CFC Section 1001.9 and 1001.10.
- ENCLOSED COURTS: Fire access shall be provided to enclosed courts for fire fighting and rescue operations.
a. Each court shall be designed to provide readily accessible method of being a fire department ground ladder (10' long) into the court yard. Please anticipate and accommodate personnel carrying ladders.
b. Interior courts shall be designed with means of "cold discharge."
- BEDROOM WINDOWS: Bedroom windows shall not open into corridors. Please review code for requirements.
- Additional approved low-level exit signs that are internally or externally illuminated, photoluminescent or self-luminous, shall be provided in all interior corridors serving Group R, Division 1 Occupancies. CFC Section 1007.6.2.1.1.
- Buildings over four stories: Special Provisions for Group R Office Buildings And Group R, Division 1 Occupancies: All Group R office buildings and Group R, Division 1 Occupancies, each having floor used for human occupancy located more than 60 feet above the lowest level of Fire Department vehicle access, or more than 4 stories shall comply with the following requirements:
a. A system capable of supplying air (to all levels of the structure) for the purpose of filling air bottles shall be provided. It shall be designed to meet Fire department needs and demands; be tested annually and maintained at the expense of the owner, it shall be for Fire department use only.
b. Equipment rooms or areas, as required by the Chief, designed to store equipment for Fire department use shall be provided. They shall be located every four (4) floors, be sized to meet Fire department needs (a minimum of 42 inches wide, 30 inches in depth and full height), and be locked and labeled for Fire department use only. The following list of equipment shall be supplied by the developer or owner for each equipment room and fire control room:
(1) each air bottle, meeting Fire department specifications, and supplied for Fire department use only;
(2) each, Metal Hose rack with 100 feet of 1-1/2 inch fire hose and a 1-1/2 inch variable flow nozzle, both having National Standard threads. Hose shall be of poly-fiber weight construction. One 2-1/2 inch x 1-1/2 inch reducer coupling also provided;
(3) each, Pick Head size 10 pound 3/8" nozzle;
(4) each, Working Noz., 3 feet in length;

- (1) each, Hood/pipe tool, 11 pound;
(2) each, door wedge;
(3) each, space sprinkler head, for each type used. (These are in addition to those required in the fire room);
(4) each, Sprinkler head wrench (at one for each type of head);
(5) each, 14 feet x 24 feet salvage cover with grommets every 16 inches;
(6) each, folding aluminum ladder, 17 feet in length, Carbia E-Z ladder, Model 170.
c. Anchor devices meeting Fire department requirements shall be placed on the roof and used by the Fire department for hoisting purposes.
- Elevators shall comply with Chapter 10 of the California Building Code.
- When the elevator vertical travel is 25 feet or more, each associated elevator lobby or entrance area and associated machine rooms shall be provided with an approved, listed smoke detector for elevator recall purposes only. Section 3003.3, California Building Code (CBC).
- The elevator shall be provided with emergency devices for summoning assistance in performance with Section 3003.4.18 through 3003.4.18.4. CBC.
- All buildings and structures with one or more passenger service elevators shall be provided with not less than one medical emergency service to all buildings meeting the provision of sections 3003.2a through 3003.6.2a, CBC. All residential floor levels and all garage floor levels shall be provided with medical emergency service elevator.
- Elevators equipped with photoelectric tube devices, which cause the closing of automatic doors, shall comply with section 3003.8 through 3003.8.5. CBC.
- The operation of elevators under fire or other emergency condition shall comply with sections 3003.9 through 3003.16 and 3003.5.10. CBC.
- Combustible rubbish bins or accumulated debris or adjacent to a building shall be stored in approved containers or in rooms or vaults constructed of noncombustible materials. Section 1001.3, California Fire Code (CFC).
- Dampers and closers of rubbish with an individual capacity of 1.1 cubic yards (49.1 cubic feet) or more shall not be stored or placed within 5 feet of combustible walls, openings or combustibles not covered unless protected by an approved sprinkler system. Section 1003.2.2, CFC.
- Complete plans and specifications for all aspects of Fire-Prevention systems shall be submitted in the Fire Department for review and approval prior to system installation. Section 1001.2, CFC.

1	REVISION	DATE
1	1ST SUBMITTAL	8/21/07
2	2ND SUBMITTAL	9/19/07

PROJECT:
KTGY GROUP INC. INCL.
 ARCHITECTURE PLANNING
 17777 STIVELL AVENUE
 SUITE 100, MILPITAS, CA 95035
 TEL: 408-561-9700 FAX: 408-561-9700
 WWW.KTGY.COM
 KTGY NO. 2007066

FIRE DEPT. NOTES

G-2



DIG ALERT
 DIAL TOLL FREE
 1-800-227-2600
 AT LEAST TWO DAYS
 BEFORE YOU DIG
 UNDERGROUND SERVICE ALERT OF SOUTHWEST CALIFORNIA

0 30' 60' 90'
 GRAPHIC SCALE 1" = 30'

N

DEMOLITION LEGEND

- AC TO BE REMOVED
- BUILDING TO BE REMOVED
- PCC TO BE REMOVED
- LANDSCAPE TO BE REMOVED

- 1 ASPHALT CONCRETE
- 2 PORTLAND CEMENT CONCRETE
- 3 WOOD FENCE
- 4 BUILDING
- 5 LANDSCAPE
- 6 CHAIN LINK FENCE
- 7 BOLLARD
- 8 GAS LINE
- 9 STORM DRAIN PIPE
- 10 STORM DRAIN INLET
- 11 SANITARY SEWER MANHOLE
- 12 SANITARY SEWER PIPE
- 13 BLOCKWALL
- 14 CHAIN LINK FENCE WITH SLATS
- 15 MONUMENT SIGN
- 16 CONCRETE BENCH
- 17 PYLON SIGN
- 18 SHED
- 19 WATER PIPE
- 20 DRIVEWAY

- A TO BE REMOVED
- B TO REMAIN AND PROTECTED

GENERAL NOTES

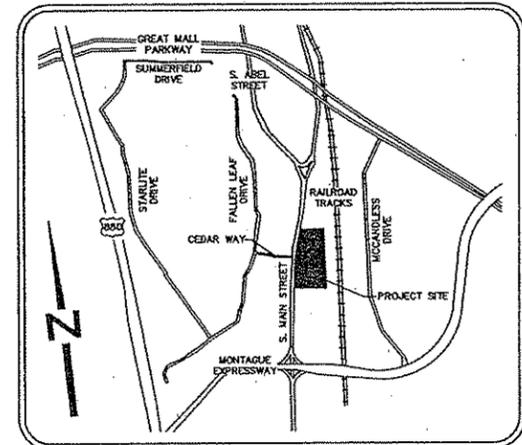
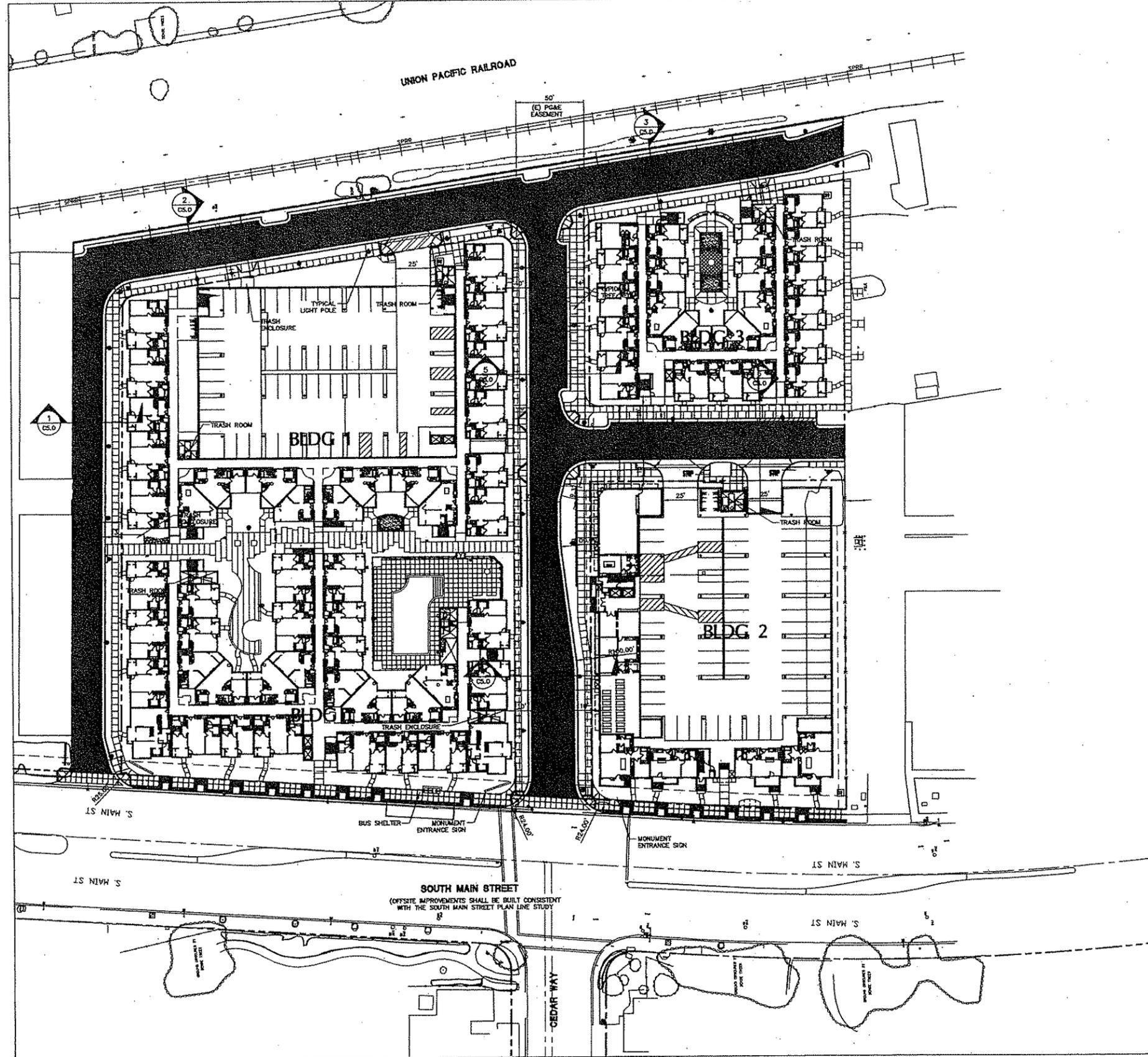
- A. CONTRACTOR SHALL OBTAIN AND PAY ALL NECESSARY PERMITS FOR DEMOLITION PRIOR TO GROUND BREAKING.
- B. CONTRACTOR SHALL NOTIFY ALL REQUIRED AGENCIES PRIOR TO DEMOLITION.
- C. IF HAZARDOUS MATERIALS ARE ENCOUNTERED AT TIME OF DEMOLITION, THE OWNER AND ENGINEER SHALL BE CONTACTED. THE REMOVAL OF HAZARDOUS MATERIALS SHALL BE PERFORMED BY OTHERS UNDER SEPARATE PERMIT PER APPLICABLE NATIONAL, STATE AND LOCAL ORDINANCES.
- D. A FULL TIME SUPERINTENDENT SHALL BE ON-SITE DURING DEMOLITION TO OVERSEE THE ENTIRE OPERATION AND OBSERVE SAFETY PRACTICES. CONDUCT DEMOLITION TO AVOID DAMAGE TO EXISTING STRUCTURES TO REMAIN.
- E. IF EXISTING WORK TO REMAIN IS CUT, DAMAGED, OR ALTERED DURING DEMOLITION, REPAIR OR REPLACE-IN-KIND TO A CONDITION AS GOOD AS EXISTED BEFORE CONSTRUCTION WAS STARTED AT NO COST TO OWNER.
- F. DISPOSE OF DEMOLISHED MATERIAL (NOT TO BE REUSED) FROM SITE AS WORK PROGRESS IN ACCORDANCE WITH CITY OF MILPITAS REQUIREMENTS. DO NOT PERMIT DEBRIS TO ACCUMULATE ON-SITE.
- G. NOTIFY THE ENGINEER AND THE OWNER A MINIMUM OF 72 HOURS PRIOR TO THE INTERRUPTION OF ANY SERVICES, UTILITIES, OR ACCESS.
- H. PROVIDE NOISE AND DUST ABATEMENT AS REQUIRED TO PREVENT CONTAMINATION OF ADJACENT AREAS. A FULL-TIME HIGH PRESSURE WATER TRUCK SHALL BE FURNISHED TO CONTROL ALL DUST.
- I. WHERE SPECIFIED, PRESERVE IN OPERATING CONDITION ALL ACTIVE UTILITIES AND SERVICES TRANSVERSING OR WITHIN THE PROJECT SITE.
- J. CONTRACTOR SHALL OBTAIN AND COORDINATE WITH THE CITY OF MILPITAS FOR ALL REQUIRED PERMITS FOR WORK IN SOUTH MAIN STREET RIGHT-OF-WAY.
- K. DEMOLITION FENCING SHALL BE PROVIDED AT BACK OF SIDEWALK/CURB ADJACENT TO STREETS TO PERMIT UNIMPED PEDESTRIAN TRAFFIC.
- L. EXISTING BUILDING FOOTINGS AND OTHER STRUCTURES SHALL BE DEMOLISHED IN THEIR ENTIRETY.
- M. ALL BUILDINGS AND STRUCTURES BEING DEMOLISHED SHALL BE LEFT IN A SAFE AND STABLE CONDITION AT THE END OF EACH DAY.
- N. A POSE REPRESENTATIVE SHALL BE ON-SITE WHEN DEMOLITION OCCURS WITHIN THE EXISTING PG&E EASEMENT.
- O. CONTRACTOR SHALL REMOVE EXISTING TREES AND PLANT MATERIALS WITHIN THE PROJECT PROPERTY LINE.

Alexan South Main
 MILPITAS, CALIFORNIA

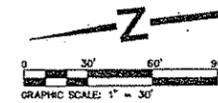
CIVIL ENGINEER
NOTE
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF CALIFORNIA
 LICENSE NO. 45127

DEMOLITION PLAN

DEMOLITION PLAN



VICINITY MAP
N.T.S.



LEGEND

- PROPERTY LINE, R.O.W. LINE
- PROPOSED ASPHALT CONCRETE
- ▨ PROPOSED CONCRETE SIDEWALK/PLAZA AREA
- ▤ DECORATIVE CROSSWALK
- ⊙ PROPOSED PARKING COUNT

NOTES

1. SEE C7.1, WASTE MANAGEMENT PLAN, FOR TRASH ACCESS
2. SEE C4.0, UTILITY PLAN, FOR ADDITIONAL UTILITY INFORMATION
3. SEE C1.0, DEMOLITION PLAN, FOR LOCATIONS OF ALL EASEMENTS
4. SEE TENTATIVE MAP SUBMITTAL PACKAGE FOR PROPERTY LINE DATA

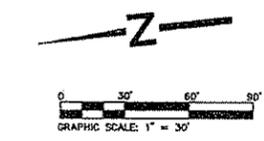
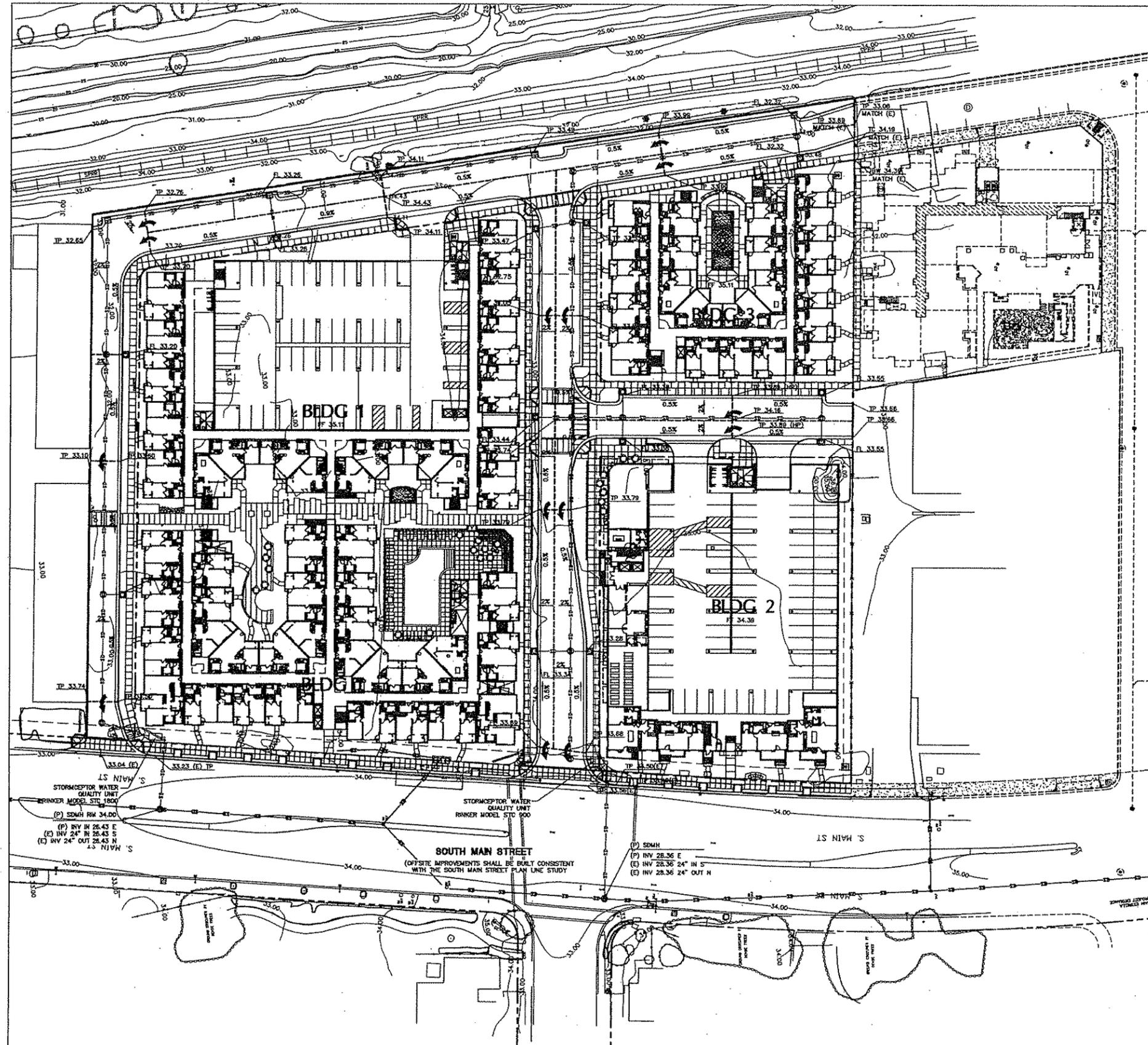
Alexan South Main
MILPITAS, CALIFORNIA

NO. 1	REVISION	DATE
NO. 2	NO. 1	11/27/21

CIVIL ENGINEER
NOLTE
REGISTERED PROFESSIONAL ENGINEER
No. 50896 - State of California
Exp. 12/31/24

SITE PLAN

SITE PLAN C2.0



- LEGEND**
- GRADE BREAK, HIGH POINT
 - STORM DRAIN LINE WITH "X" DIAMETER
 - ☐ CURB INLET
 - ☐ GRATE INLET
 - ☐ STORMCEPTOR
 - ⊙ STORM DRAIN MANHOLE
 - ↘ DIRECTION OF SLOPE @ 3%
 - OVERLAND RELEASE PATH

- ABBREVIATIONS**
- BW ---BACK OF SIDEWALK
 - (E) ---EXISTING
 - FF ---FINISHED FLOOR
 - FL ---FLOWLINE
 - HWY ---HIGHWAY
 - (P) ---PROPOSED
 - SDMH ---STORM DRAIN MANHOLE
 - TD ---TOP OF CURB
 - TP ---TOP OF PAVEMENT

LAND USE DISTRIBUTION

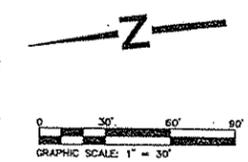
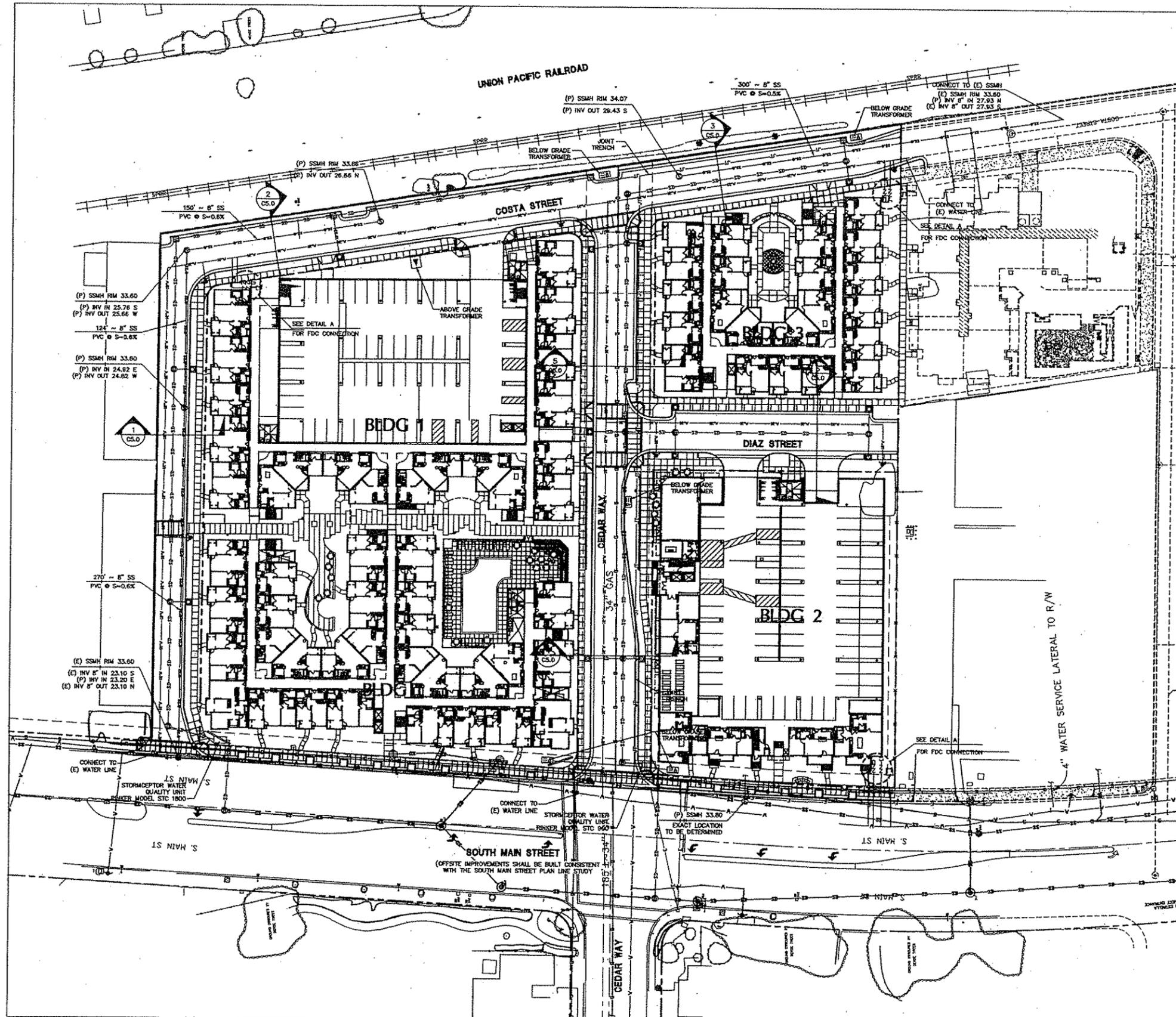
TYPE	SF	%
CONCRETE	60,698.18	23.45
PAVEMENT	40,988.24	15.83
ROOF	100,213.78	38.71
LANDSCAPE	56,946.90	22.01
TOTAL	258,851.10	100.00

Alexan South Main
MILPITAS, CALIFORNIA

NO.	DESCRIPTION	DATE
1	1ST SUBMITTAL	12/22/07
2	2ND SUBMITTAL	11/07/07



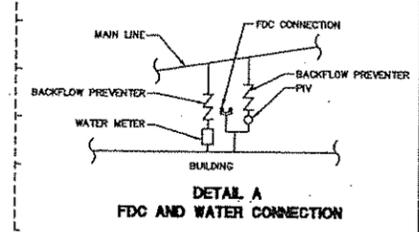
GRADING AND DRAINAGE PLAN C3.0



- LEGEND**
- WATER LINE WITH "C" DIAMETER
 - SANITARY SEWER LINE WITH "C" DIAMETER
 - ⊙ SANITARY SEWER MANHOLE
 - ⊙ FIRE HYDRANT
 - JOINT TRENCH

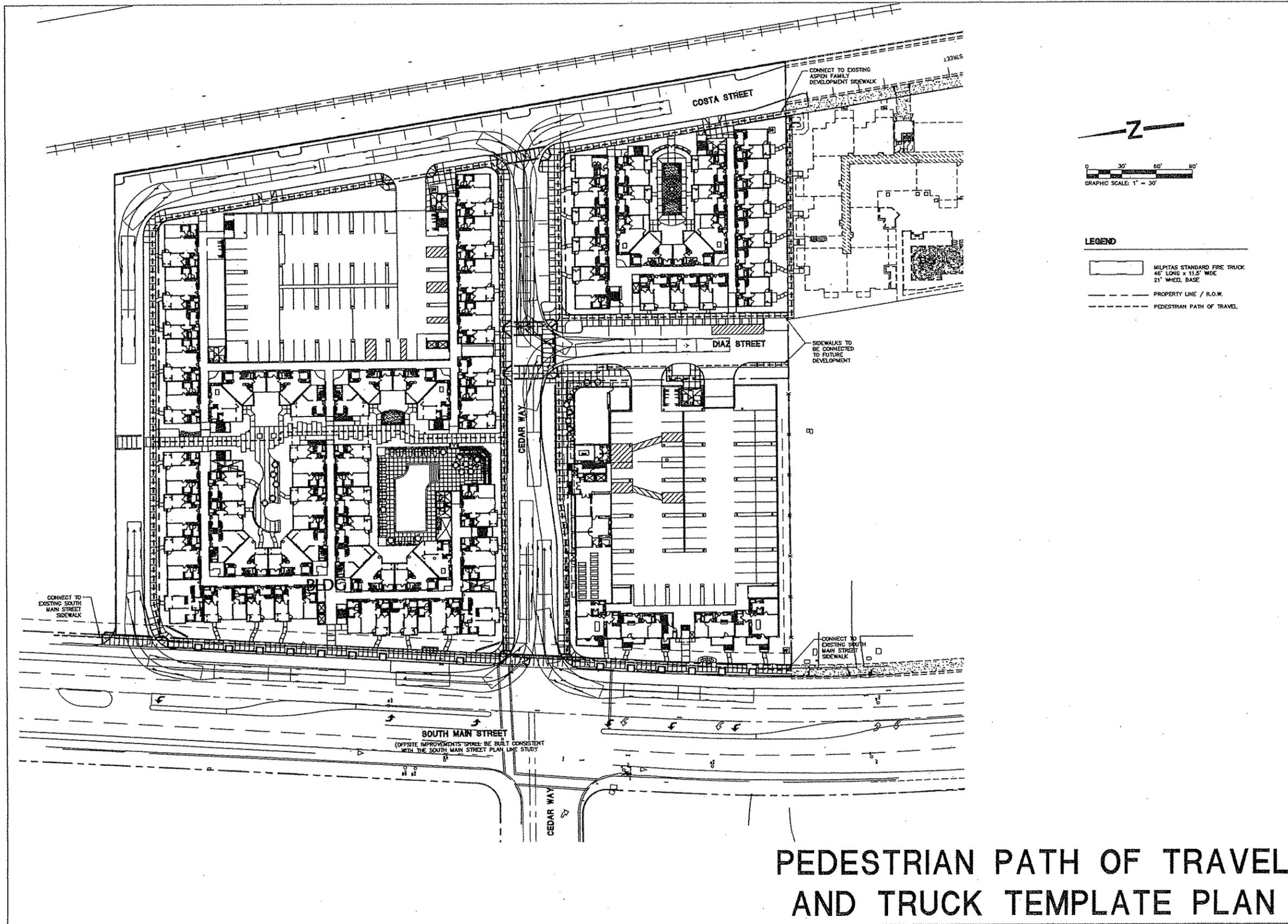
- ABBREVIATIONS**
- SSMH = SANITARY SEWER MANHOLE
 - E = EXISTING
 - P = PROPOSED
 - INV = INVERT

- NOTES:**
1. SEE DEMOLITION PLAN FOR EXISTING UTILITY LOCATIONS.
 2. SEE GRADING AND DRAINAGE PLAN FOR STORM DRAIN INFORMATION.



Alexan South Main
MILPITAS, CALIFORNIA

DESIGNED BY	DATE
CHECKED BY	DATE
IN CHARGE	DATE
CIVIL ENGINEER	
NOTE	
STANDARD ENGINEERING	
UTILITY PLAN	



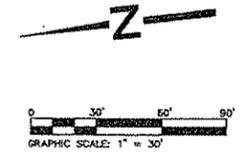
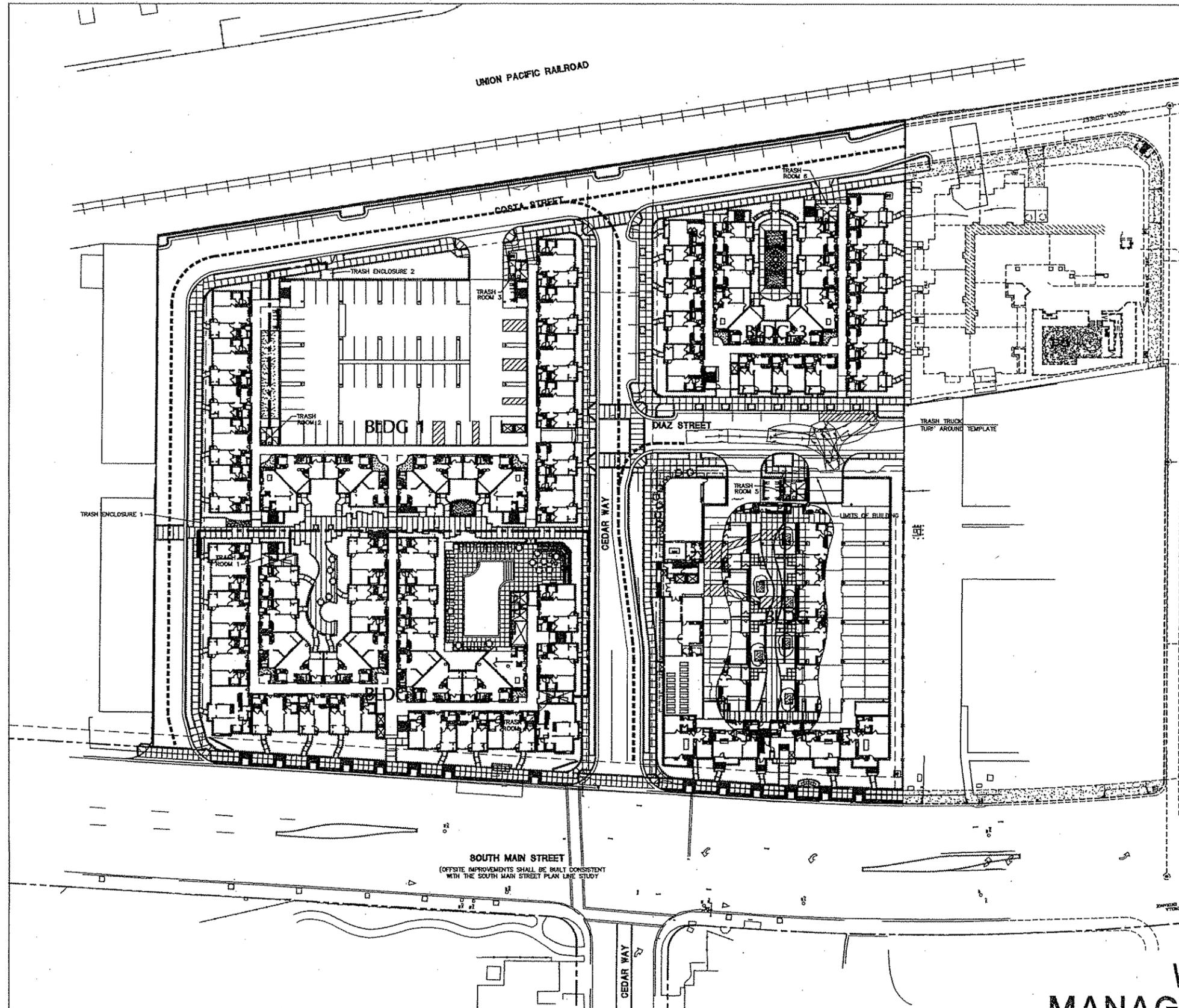
Alexan South Main
MILPITAS, CALIFORNIA

REVISION	DATE
1. 100 SUBMITTAL	12/10/2011
2. 200 SUBMITTAL	11/27/2012



PEDESTRIAN PATH OF TRAVEL & TRUCK TEMPLATE PLAN

C6.0



LEGEND

----- TRASH TRUCK ROUTE
 - - - - - TRASH BIN STAGING ROUTE

NOTES:

TRASH ROOM 1	HAUL TO TRASH ENCLOSURE 1 (7'x16')
TRASH ROOM 2	HAUL TO TRASH ENCLOSURE 2 (7'x9')
TRASH ROOM 3	PICK UP FROM TRASH ROOM 3
TRASH ROOM 4	HAUL TO TRASH ENCLOSURE 1 (7'x16')
TRASH ROOM 5	PICK UP FROM TRASH ROOM 5
TRASH ROOM 6	PICK UP FROM TRASH ROOM 6

ALL TRASH SHALL BE COLLECTED THROUGH A CHUTE CONNECTED TO A COMPACTION UNIT. EACH TRASH ROOM IS SIZED TO CARRY ONE (1) 3 YARD GARBAGE BIN ABOVE AND BEYOND THE REQUIRED NUMBER OF BINS. TRASH PICKUP SHALL OCCUR 4 TIMES A WEEK. FULL GARBAGE BINS SHALL BE MOVED TO A TRASH ENCLOSURE, NOT LOCATED ALONG CEDAR WAY OR SOUTH MAIN STREET, IF THE TRASH ROOM IS NOT ACCESSIBLE FOR GARBAGE TRUCKS. ALL TRASH ROOMS WHICH ARE ACCESSIBLE TO GARBAGE TRUCKS HAVE BEEN DESIGNED TO ALLOW FOR THE MOVEMENT, RELOCATION AND STORAGE OF FULL AND EMPTY BINS. SEE MBE-MAC COMPACTOR EXHIBIT ON SHEET C7.2 FOR ADDITIONAL DETAILS.

ALL RECYCLING SHALL BE CONTAINED WITHIN ONE BIN INSIDE THE TRASH ROOMS. RECYCLING PICKUP SHALL OCCUR EVERY 4 DAYS. WHERE THE TRASH ROOMS ARE UNACCESSIBLE FOR RECYCLING TRUCKS, THE BINS SHALL BE MOVED TO THE APPROPRIATE TRASH ENCLOSURES AT THE TIME OF PICKUP.

SOUTH MAIN STREET
 (OFFSITE IMPROVEMENTS SHALL BE BUILT CONSISTENT WITH THE SOUTH MAIN STREET PLAN LINE STUDY)

Alexan South Main
MILPITAS, CALIFORNIA

WASTE MANAGEMENT PLAN

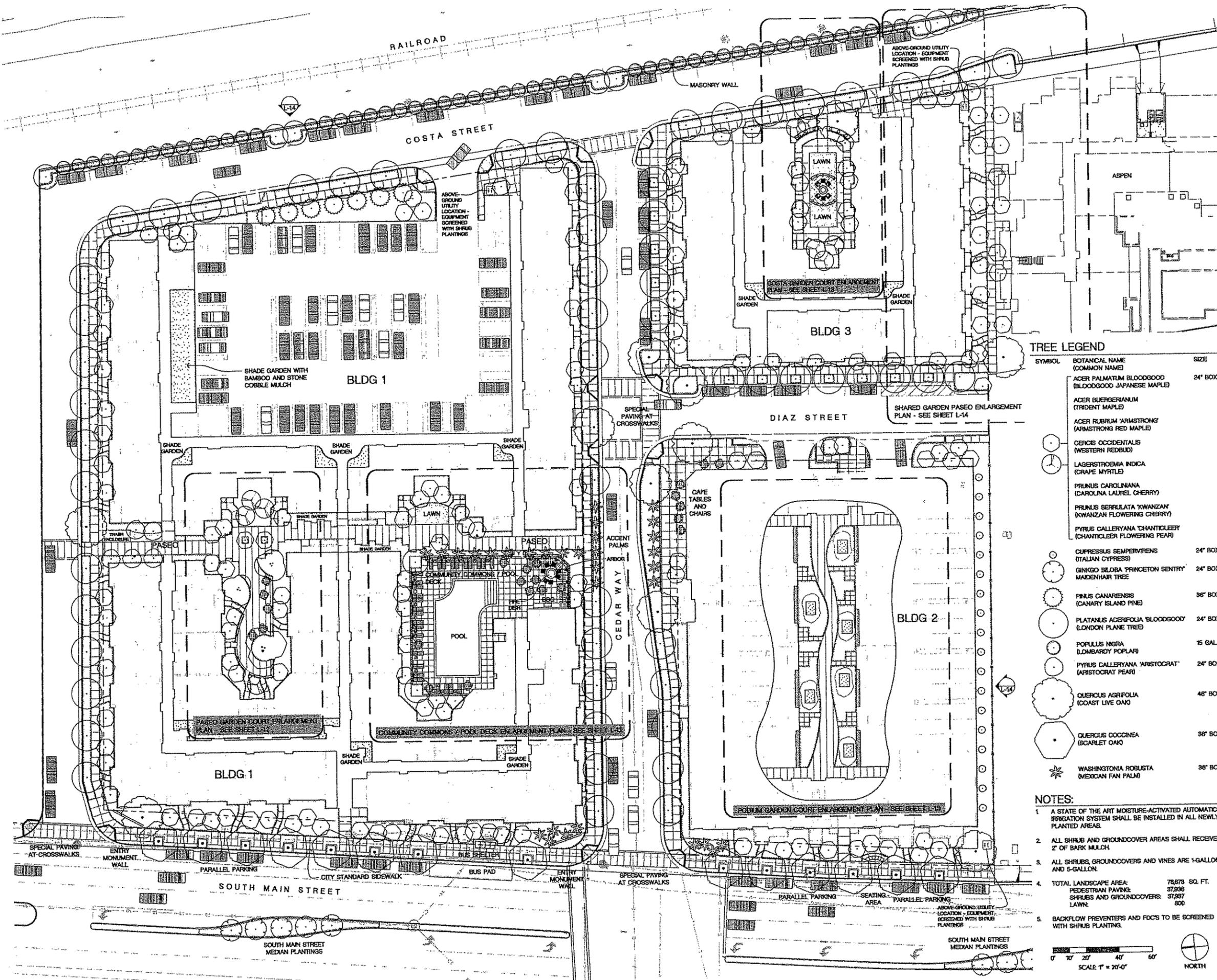
PROVISIONS	DATE
1. THE SUBMITTAL	11/15/20
2. THE SUBMITTAL	11/15/20

CIVIL ENGINEER

NOLTE
 ENGINEERS & ARCHITECTS

WASTE MANAGEMENT PLAN

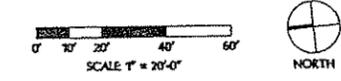
C71



TREE LEGEND

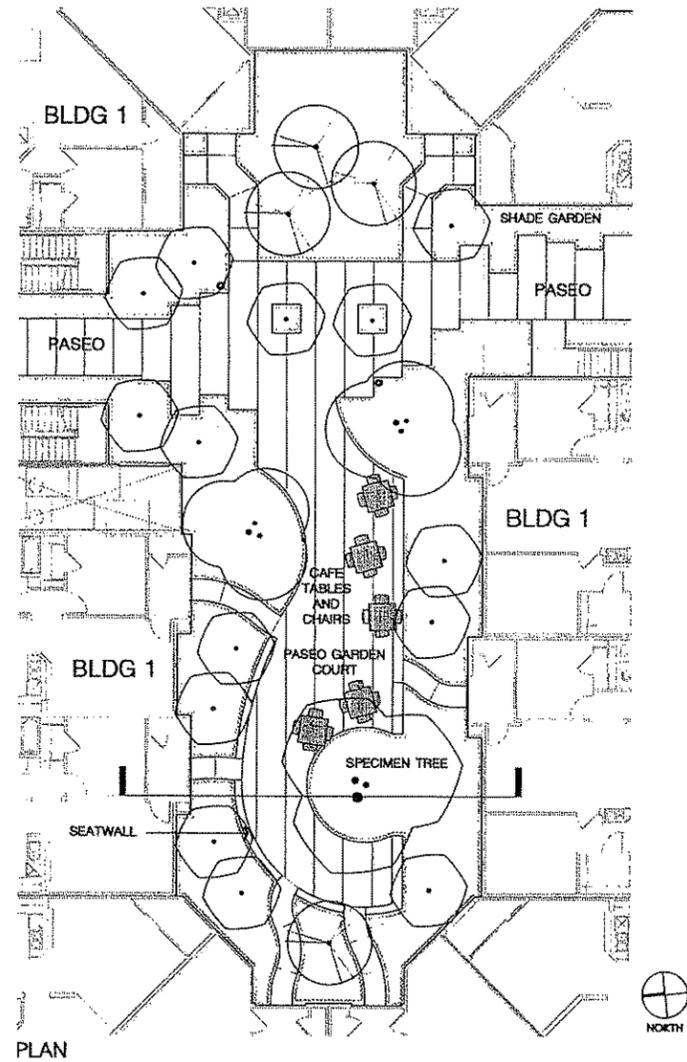
SYMBOL	BOTANICAL NAME (COMMON NAME)	SIZE
(Small circle)	ACER PALMATUM BLOODGOOD (BLOODGOOD JAPANESE MAPLE)	24" BOX
(Small circle)	ACER BIERGERIANUM (TRIDENT MAPLE)	
(Small circle)	ACER RUBRUM 'ARMSTRONG' (ARMSTRONG RED MAPLE)	
(Small circle)	CERCIS OCCIDENTALIS (WESTERN REDBUD)	
(Small circle)	LAGERSTROEMIA INDICA (GRAPE MYRTLE)	
(Small circle)	PRUNUS CAROLINIANA (CAROLINA LAUREL CHERRY)	
(Small circle)	PRUNUS BERRULATA 'KWANZAN' (KWANZAN FLOWERING CHERRY)	
(Small circle)	PYRUS CALLERYANA 'CHANTICLEER' (CHANTICLEER FLOWERING PEAR)	
(Medium circle)	CUPRESSUS SEMPERVIRENS (ITALIAN CYPRESS)	24" BOX
(Medium circle)	GINKGO BILOBA 'PRINCETON SENTRY' (MAIDENHAIR TREE)	24" BOX
(Large circle)	FINUS CANARIENSIS (CANARY ISLAND PINE)	36" BOX
(Large circle)	PLATANUS ACERIFOLIA 'BLOODGOOD' (LONDON PLANE TREE)	24" BOX
(Large circle)	POPULUS NIGRA (LOMBARDY POPLAR)	15 GAL.
(Large circle)	PYRUS CALLERYANA 'ARISTOCRAT' (ARISTOCRAT PEAR)	24" BOX
(Large circle)	QUERCUS AGRIFOLIA (COAST LIVE OAK)	48" BOX
(Large circle)	QUERCUS COCCINEA (SCARLET OAK)	36" BOX
(Star symbol)	WASHINGTONIA ROBUSTA (MEXICAN FAN PALM)	36" BOX

- NOTES:**
- A STATE OF THE ART MOISTURE-ACTIVATED AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED IN ALL NEWLY PLANTED AREAS.
 - ALL SHRUB AND GROUNDCOVER AREAS SHALL RECEIVE 2" OF BARK MULCH.
 - ALL SHRUBS, GROUNDCOVERS AND VINES ARE 1-GALLON AND 5-GALLON.
 - TOTAL LANDSCAPE AREA: 78,678 SQ. FT.
PEDESTRIAN PAVING: 37,936
SHRUBS AND GROUNDCOVERS: 37,937
LAWN: 800
 - BACKFLOW PREVENTERS AND FDCS TO BE SCREENED WITH SHRUB PLANTINGS.

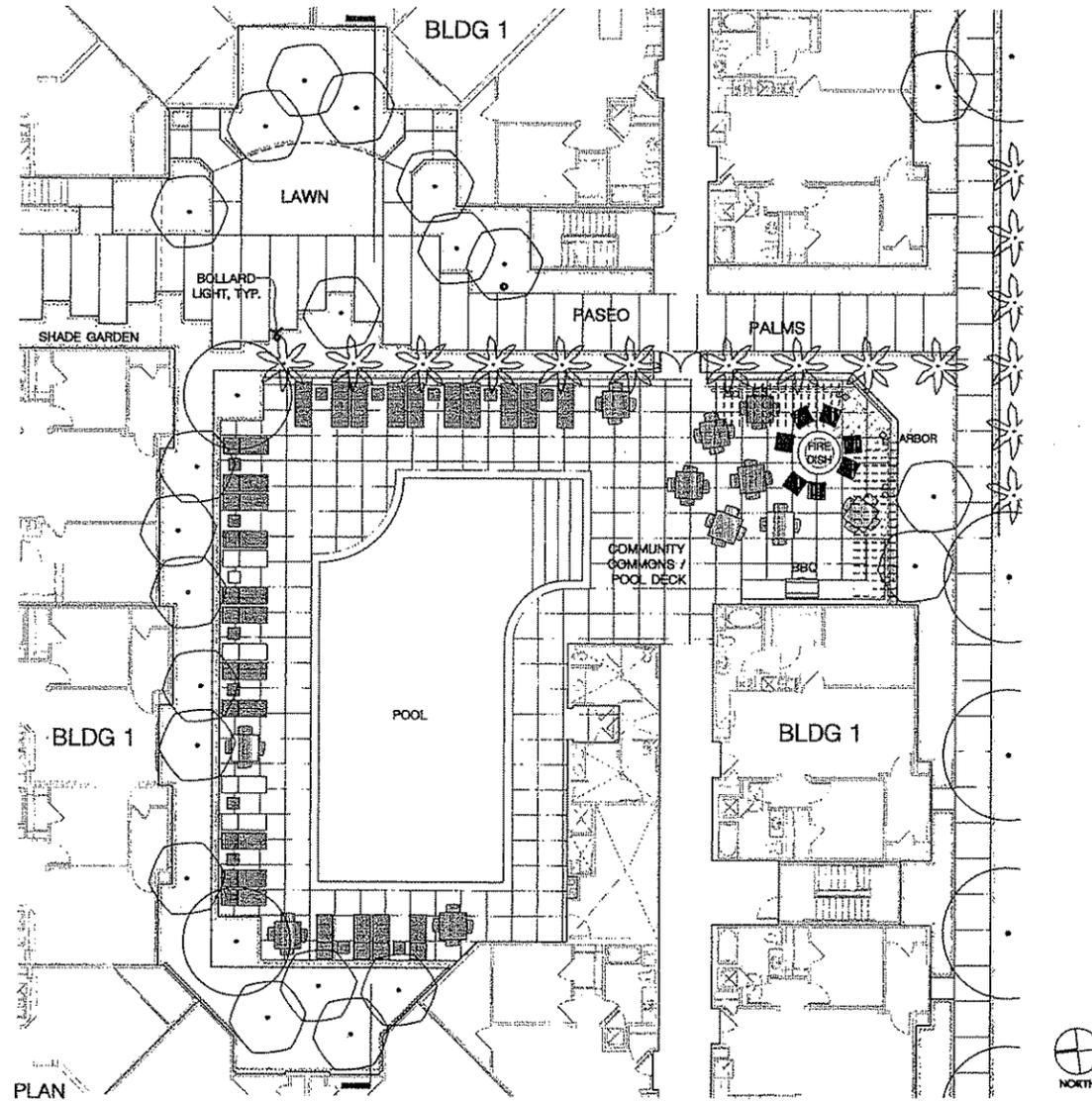


Alexan South Main
MILPITAS, CALIFORNIA

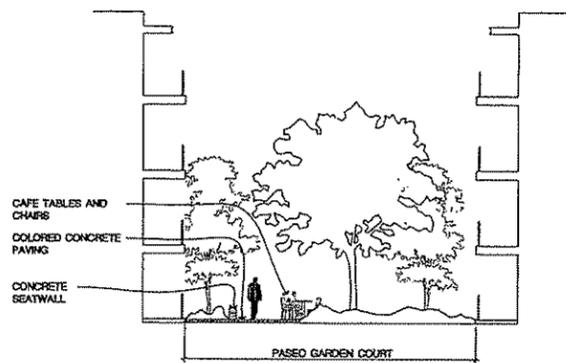
SMITH & SMITH
LANDSCAPE PLAN
L-1.1



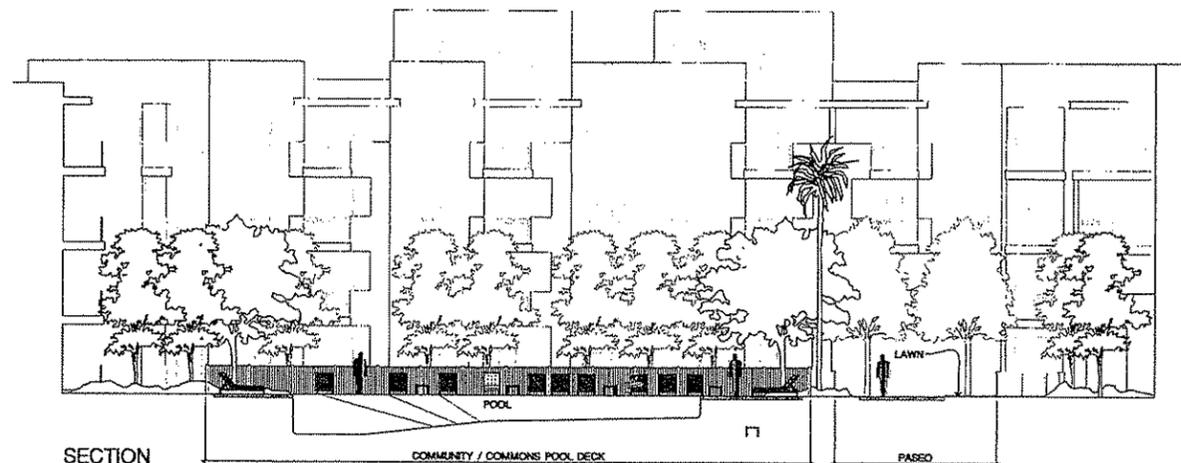
PLAN



PLAN



SECTION



SECTION

TCR
Trummell Crow Residential

SMITH & SMITH
Landscape Architects
Environmental Planners
1501 North Peck
San Francisco, CA 94123
T: 415-285-0332
F: 415-245-9740
www.smith2.com

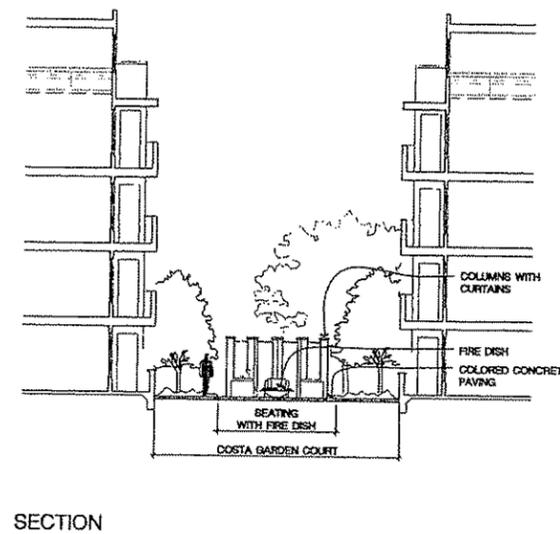
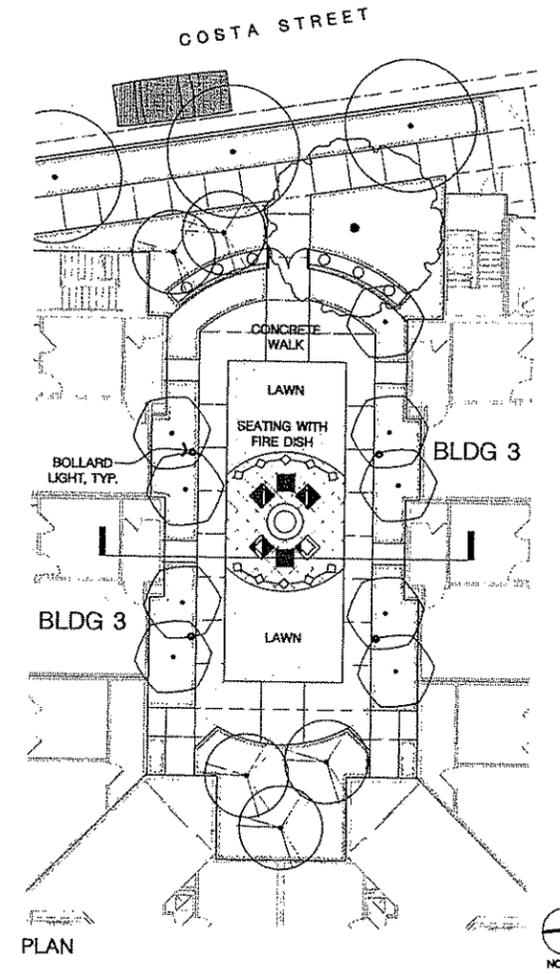
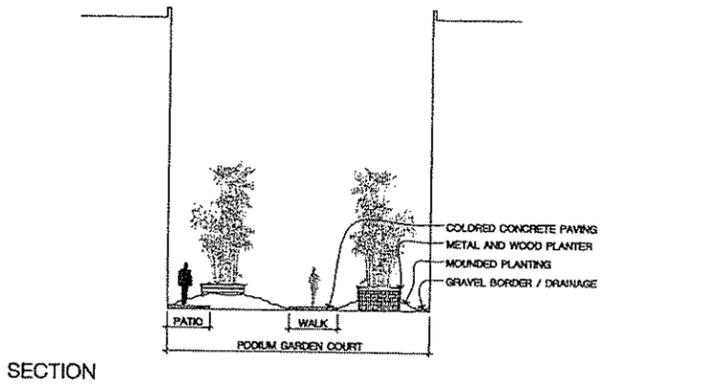
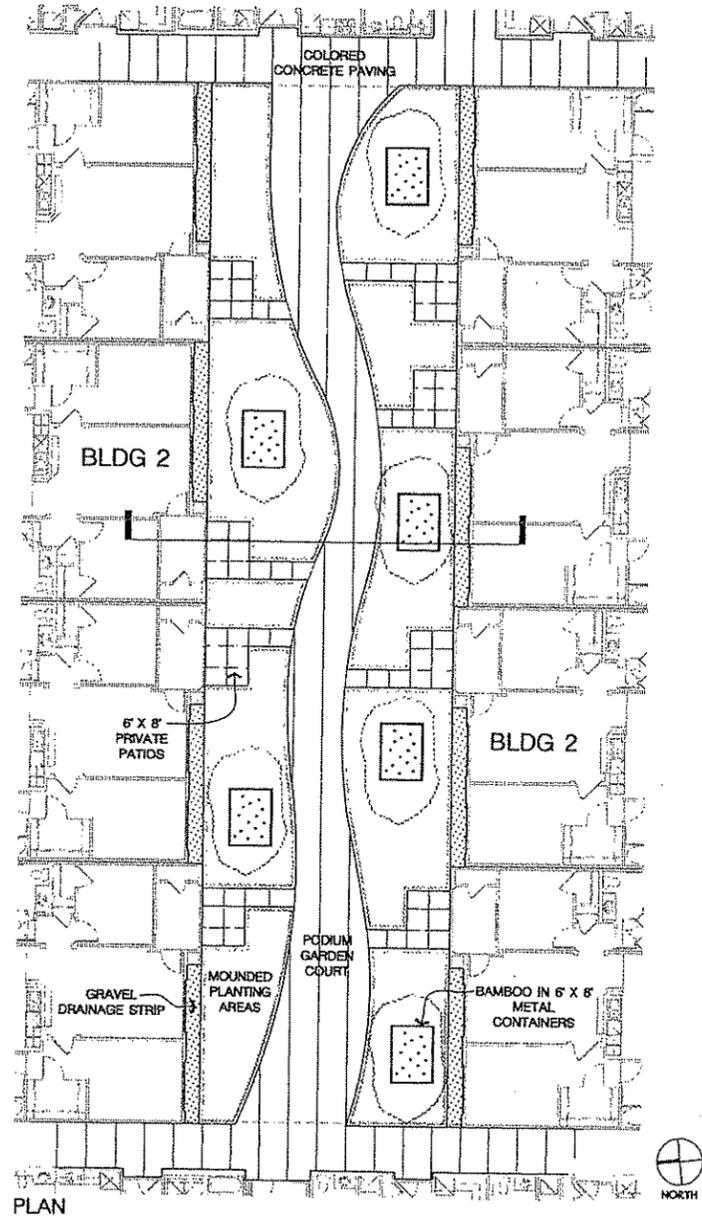
Alexan South Main
MILPITAS, CALIFORNIA

DATE	BY
11/11/2014	SMITH & SMITH
11/11/2014	SMITH & SMITH
11/11/2014	SMITH & SMITH

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1501 North Peck
San Francisco, CA 94123
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www.smith2.com

ENLARGEMENT
PLANS, SECTIONS
AND ELEVATIONS

L-1.2



TCR
Trombello Crow Residential

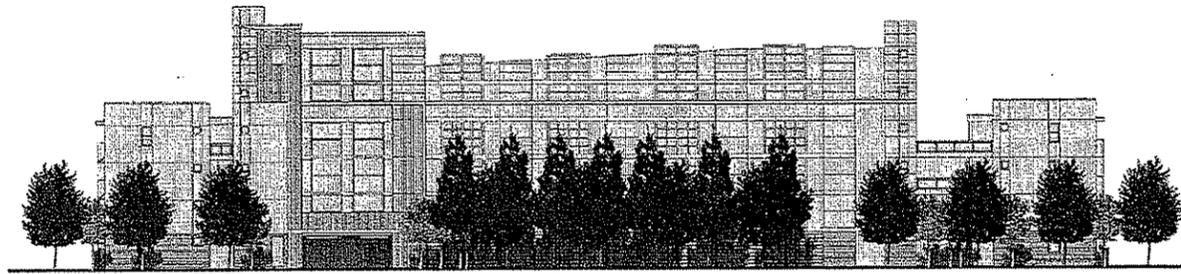
SMITH & SMITH
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Alexan South Main
MILPITAS, CALIFORNIA

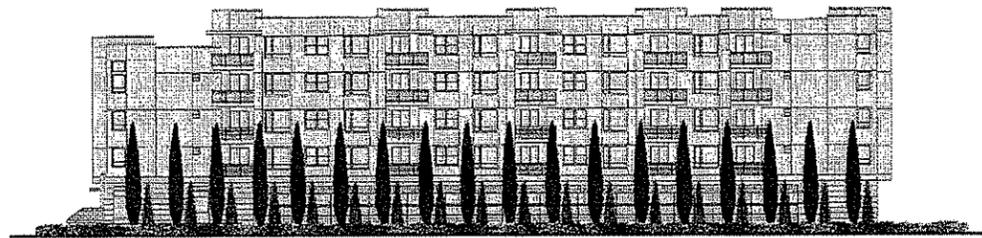
1. PRELIMINARY	DATE
2. PRELIMINARY	DATE
3. PRELIMINARY	DATE

SMITH & SMITH
Landscape Architects
Environmental Planners
1501 North Point
San Francisco, CA, 94123
Tel: 415-241-0332
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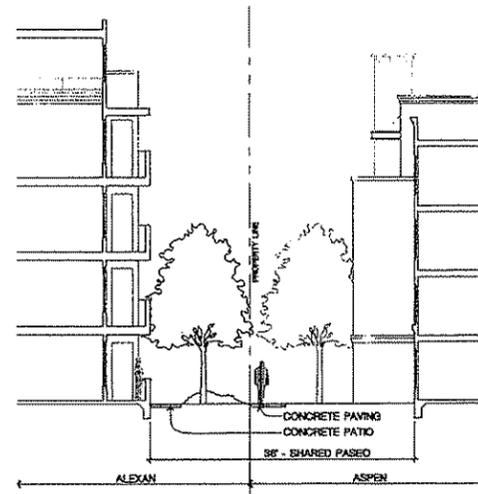
ENLARGEMENT
PLANS, SECTIONS
AND ELEVATIONS



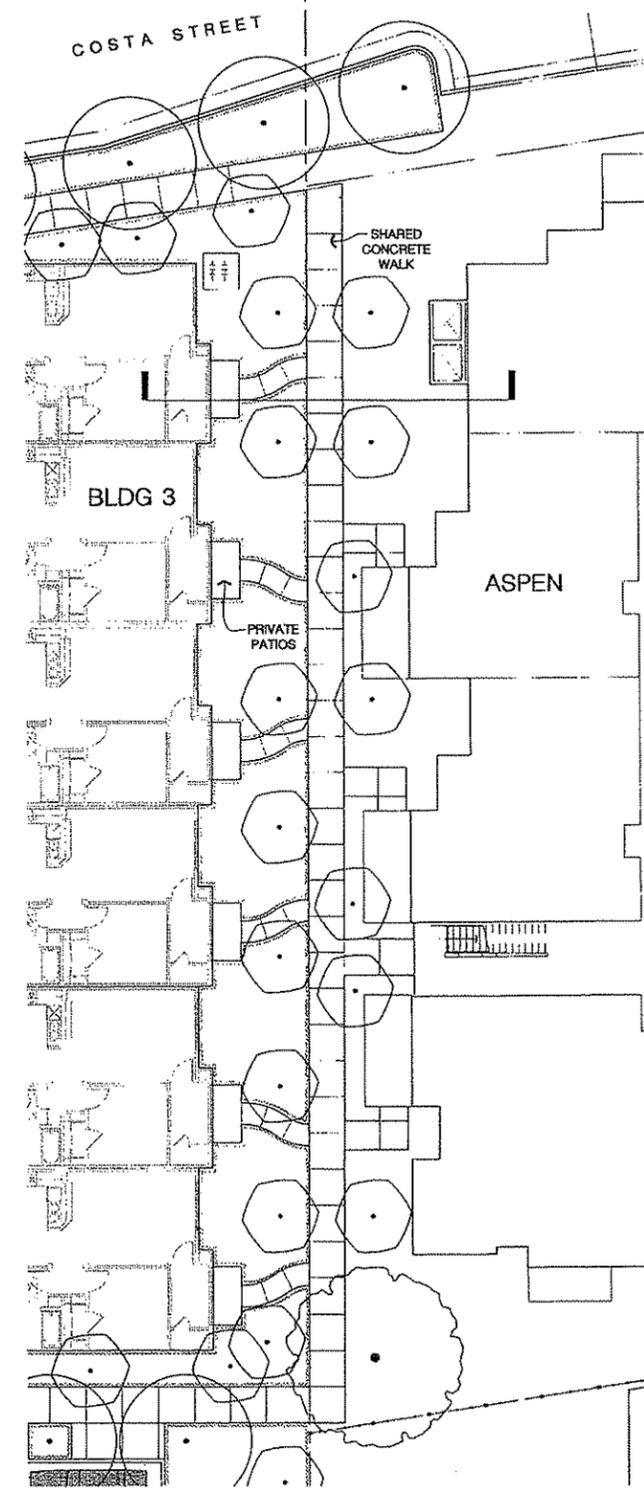
BUILDING 1 - EAST ELEVATION



BUILDING 2 - SOUTH ELEVATION



SECTION



PLAN

TCR
Trammell Crow Residential

SMITH & SMITH
Landscape Architects
Environmental Planners
101 North Park
Fresno, CA 94128
761.954.0332
761.954.9340
www.ssm2.com

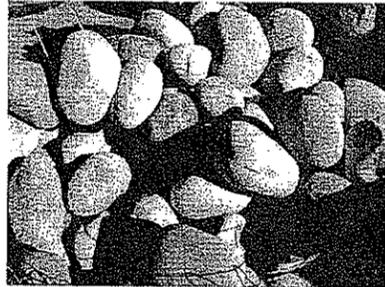
Alexan South Main
MILPITAS, CALIFORNIA

NO.	DATE	DESCRIPTION
1	10/1/14	ISSUED FOR PERMIT
2	10/1/14	ISSUED FOR PERMIT
3	10/1/14	ISSUED FOR PERMIT
4	10/1/14	ISSUED FOR PERMIT
5	10/1/14	ISSUED FOR PERMIT
6	10/1/14	ISSUED FOR PERMIT
7	10/1/14	ISSUED FOR PERMIT
8	10/1/14	ISSUED FOR PERMIT
9	10/1/14	ISSUED FOR PERMIT
10	10/1/14	ISSUED FOR PERMIT

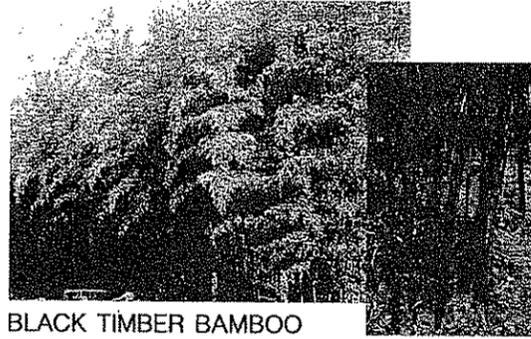
SMITH & SMITH
Landscape Architects
Environmental Planners
101 North Park
Fresno, CA 94128
761.954.0332
761.954.9340
www.ssm2.com

ENLARGEMENT
PLANS, SECTIONS
AND ELEVATIONS

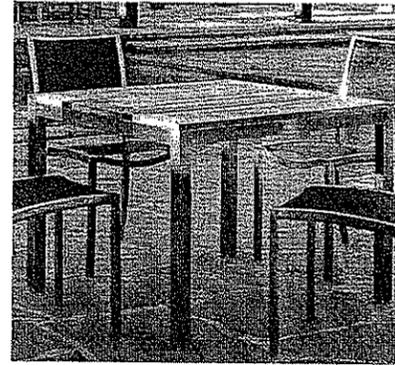
L-1.4



STONE COBBLE



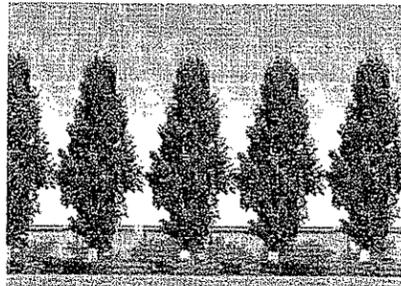
BLACK TIMBER BAMBOO



KINGSLEY-BATE (TIBURON DINING SET)
CAFE TABLES AND CHAIRS



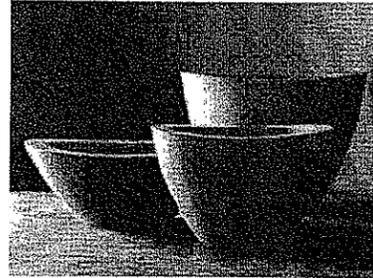
AMERISTAR FENCES (AEGIS PLUS- GENESIS)
FENCE



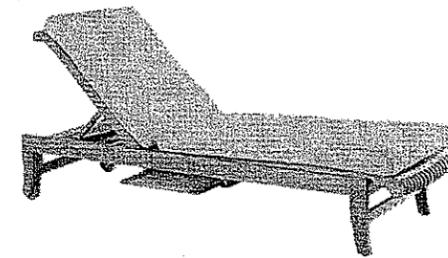
MASONRY PERIMETER WALL
TO MATCH ARCHITECTURE



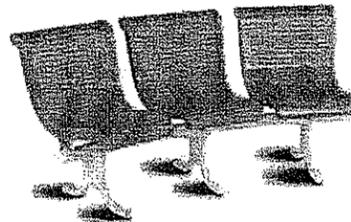
SHADE GARDEN



PLANTER POTS



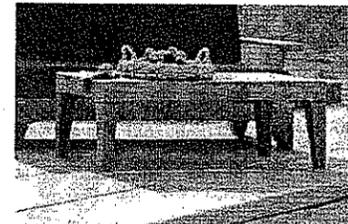
SMITH AND HAWKEN (AVIGNON)
CHAISE LOUNGE



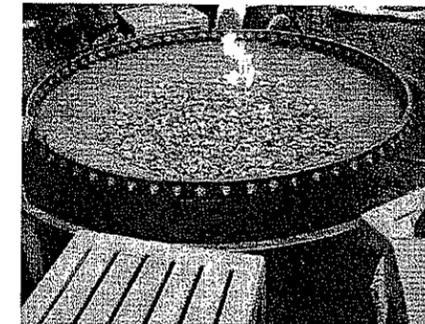
WABASH VALLEY (CL40SP)
BENCH AT SEATING AREA



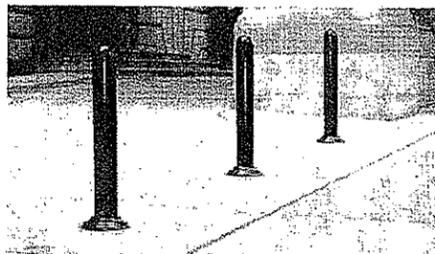
DAYTECH LIMITED (ACCO - HERITAGE)
BUS SHELTER



SMITH AND HAWKEN (SARANAC)
COFFEE TABLE



FIRE DISH



DAYTECH LIMITED (ACCO - HERITAGE)
BOLLARDS



WABASH VALLEY (FR400W-FLARE TOP)
TRASH CAN



COLORS CONCRETE PAVING

TCR
Tremell Crow Residential

SMITH & SMITH
Landscape Architects
Environmental Planners

1501 North Point
San Francisco, CA 94129
Tel: 415.448.9012
Fax: 415.398.9740
www.ssmo2.com

Alexan South Main
MILPITAS, CALIFORNIA

DATE	11/11/11
SCALE	AS SHOWN



LANDSCAPE
FURNISHINGS AND
FEATURES

11-5

TREES



ACER PALMATUM 'BLOODGOOD'
(Bloodgood Japanese Maple)



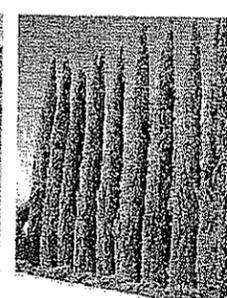
ACER BUERGERIANUM
(Trident Maple)



ACER RUBRUM 'ARMSTRONG'
(Armstrong Red Maple)



CERCIS OCCIDENTALIS
(Western Redbud)



CUPRESSUS SEMPERVIRENS
(Italian Cypress)



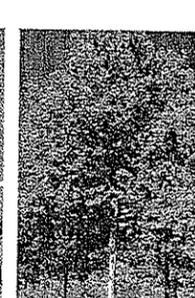
GINKGO BILOBA 'PRINCETON SENTRY'
(Maidenhair Tree)



LAGERSTROEMIA INDICA
(Crape Myrtle)



PINUS CANARIENSIS
(Canary Island Pine)



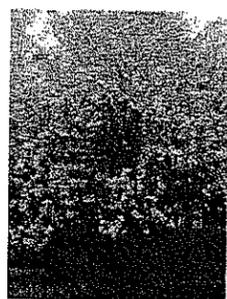
PLATANUS ACERIFOLIA
'BLOODGOOD'
(London Plane Tree)



POPULUS NIGRA
(Lombardy Poplar)



PRUNUS CAROLINIA
(Carolina Laurel Cherry)



PRUNUS SERRULATA 'KWAZAN'
(Kwazan Flowering Cherry)



PYRUS CALLERYANA 'ARISTOCRAT'
(Aristocrat Pear)



PYRUS CALLERYANA 'CHANTICLEER'
(Chanticleer Flowering Pear)



QUERCUS AGRIFOLIA
(Coast Live Oak)



QUERCUS COCCINEA
(Scarlet Oak)



WASHINGTONIA ROBUSTA
(Mexican Fan Palm)



PLANTED TREE WELL



GREENSCREEN
COLUMN

PLANT LIST

Trees

- ACER PALMATUM BLOODGOOD
(Bloodgood Japanese Maple)
- ACER BUERGERIANUM
(Trident Maple)
- ACER RUBRUM 'ARMSTRONG'
(Armstrong Red Maple)
- CERCIS OCCIDENTALIS
(Western Redbud)
- CUPRESSUS SEMPERVIRENS
(Italian Cypress)
- GINKGO BILOBA 'PRINCETON SENTRY'
(Maidenhair Tree)
- LAGERSTROEMIA INDICA
(Crape Myrtle)
- PINUS CANARIENSIS
(Canary Island Pine)
- PLATANUS ACERIFOLIA 'BLOODGOOD'
(London Plane Tree)
- POPULUS NIGRA
(Lombardy Poplar)
- PRUNUS CAROLINIANA
(Carolina Laurel Cherry)
- PRUNUS SERRULATA 'KWAZAN'
(Kwazan Flowering Cherry)
- PYRUS CALLERYANA
(Aristocrat Pear)
- PYRUS CALLERYANA 'CHANTICLEER'
(Chanticleer Flowering Pear)
- QUERCUS AGRIFOLIA
(Coast Live Oak)
- QUERCUS COCCINEA
(Scarlet Oak)
- WASHINGTONIA ROBUSTA
(Mexican Fan Palm)

Shrubs, Groundcovers & Vines

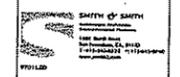
- AGAPANTHUS ORIENTALIS
(Lily-of-the-Nile)
- ARCTOSTAPHYLOS 'HOWARD McMINN'
(Marzanna)
- ASPIDISTRA ELATOR
(Cast Iron Plant)
- COPROSMA KIRKII
(Coprosma)
- BUXUS M. JAPONICA 'GREEN BEAUTY'
(Japanese Boxwood)
- CELANOTHUS HORIZONTALIS 'SANTA ANA'
(Santa Ana Ceanothus)
- CISTUS HYBRIDUS
(White Rockrose)
- COTONEASTER LACTEUS
(Milkflower Cotoneaster)
- DIETES VEGETA
(Fountain Lily)
- DISTICTIS BUCCINATORIA
(Scarlet Trumpet Vine)
- ESCALLONIA RUBRA 'COMPACTA'
(Escallonia)
- FATSIA JAPONICA
(Japanese Aralia)
- HETEROMOLES ARBUTIFOLIA
(Toyon)
- LANTANA MONTEVIDENSIS 'CARNIVAL'
(Carnival Lantana)
- LIGUSTRUM JAPONICUM
(Japanese Privet)
- PHORMIUM TENAX
(New Zealand Flax)
- PHOTINEA SERRULATA
(Chinese Photinia)
- PHYLLISTACHYS NIGRA
(Giant Black Timber Bamboo)
- PITTDOSPORUM TOBIRA
(Japanese Pittosporum)
- POLYSTICHUM ACROSTICHOIDES
(Christmas Fern)
- RAPHIOLEPS INDICA 'BALLERINA'
(Ballerina Indian Hawthorn)
- SALVIA LEUCANTHA
(Mexican Sage)
- STRELTZIA REGINA
(Bird of Paradise)
- TRACHELOSPERMUM JASMINOIDES
(Star Jasmine)
- DISTICTIS BUCCINATORIA
(Red Trumpet Vine)
- TURF (SOD)
(Dwarf tall fescue)

TCR
Trammell Crow Residential

SMITH & SMITH
Landscape Architects
Environmental Planners
3507 North Point
San Francisco, CA 94123
T: 415-545-0932
F: 415-545-0940
www.smiths2.com

Alexan South Main
MILPITAS, CALIFORNIA

NO. REVISIONS	DATE
1	11/11/10
2	
3	



PLANT MATERIALS
AND PLANT LIST

SITE

5.942 ACRES	
66.8 DU/AC	
GROSS BUILDING AREA	507,723 SF
GROSS PARKING AREA	215,450 SF

UNIT SUMMARY

STUDIOS	24
1 BEDROOMS	185
2 BEDROOMS	178
TOTAL UNITS	387

(FOR MORE SPECIFIC UNIT INFORMATION SEE SHEET G.1)

PARKING SUMMARY

RESIDENT PARKING			
STUDIOS	24	X 1	= 24
1 BEDROOMS	185	X 1.5	= 277.5
2 BEDROOMS	178	X 2	= 356
TOTAL			657.5

GUEST PARKING

657.5	X .15	= 98.625
TOTAL		756.125

T.O.D. REDUCTION FACTOR
756.125 X 20% LESS = 605

TOTAL REQUIRED PARKING = 605 SPACES

TOTAL PROVIDED = 618 SPACES
(FOR MORE SPECIFIC PARKING INFORMATION SEE SHEET G.1)

BICYCLE PARKING REQUIRED
615 X 5% = 30.75 STALLS REQ'D
48 BICYCLE STALLS PROVIDED

- * For location of all existing public improvements, please see the civil plans for existing conditions
- * For location of all trees, fencing, retaining walls, light standards, and existing trees, please refer to sheet L-1.1, Conceptual Landscape Plan
- * This drawing is for conceptual planning purposes only. Refer to engineering plans for exact dimensions and locations (including ROWs, Easements, PL, etc.)

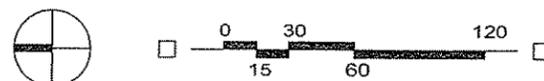
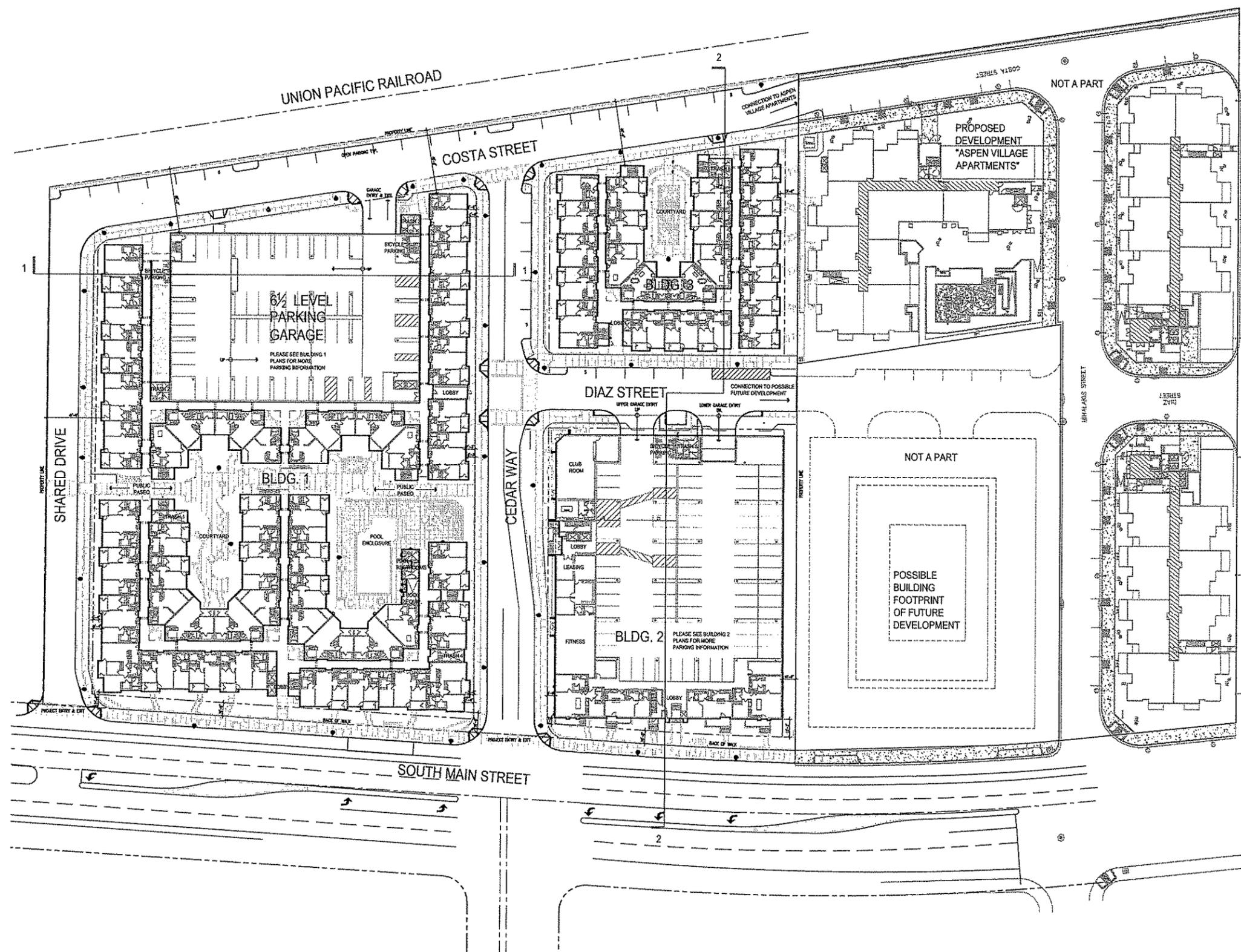
Alexan South Main
MILPITAS, CALIFORNIA

1	PROVISIONS	DATE
1	LIST SUBMITTALS	6/24/21
1	FOR SUBMITTALS	11/27/21

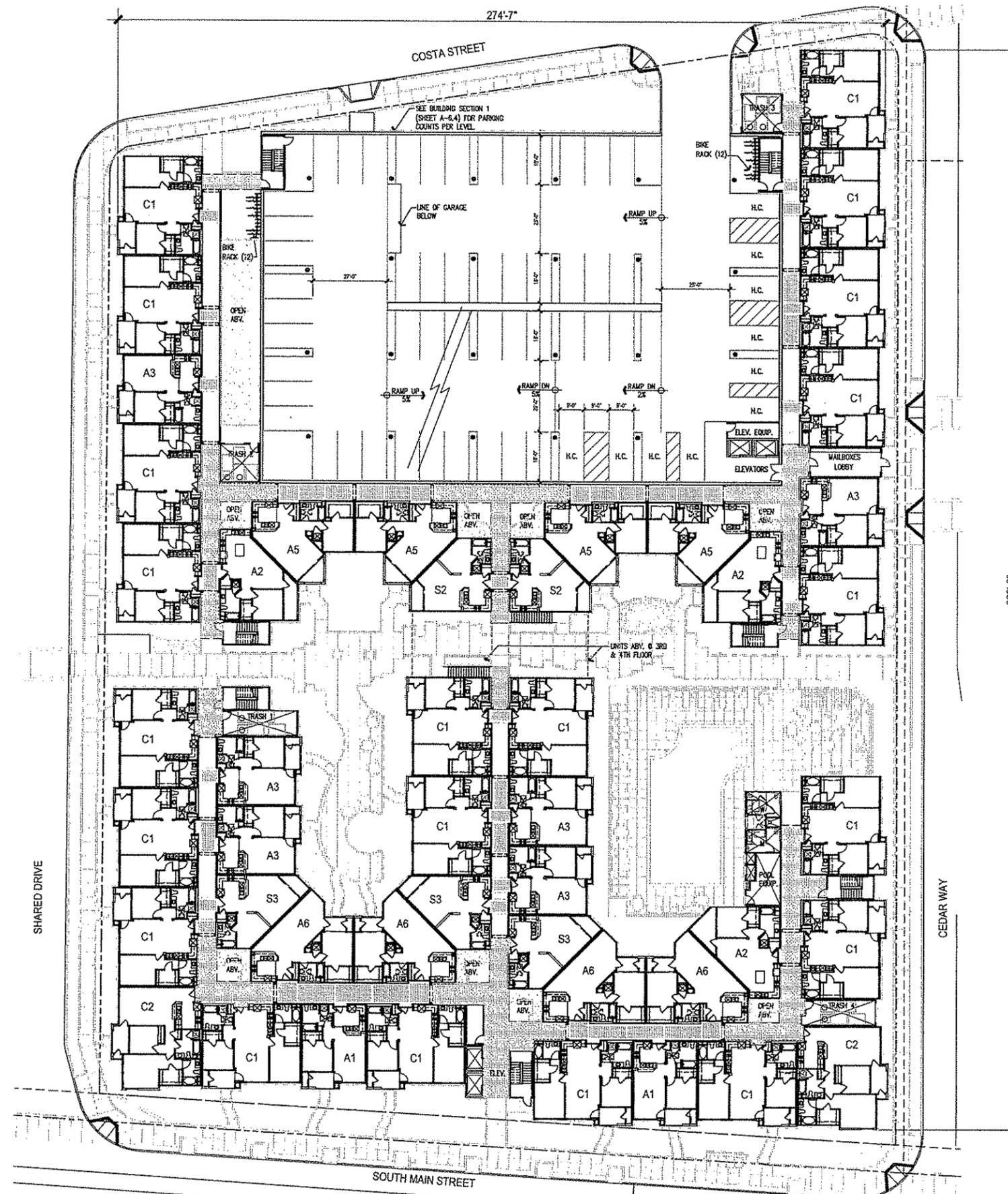
ARCHITECT: **KTGY GROUP** INC.
7140 AVENUE 714
MILPITAS, CALIFORNIA 95035
(408) 941-1100 FAX (408) 941-1100
ALL RIGHTS RESERVED
KTGY INC. 20210666

ARCHITECTURAL SITE PLAN

SP-1

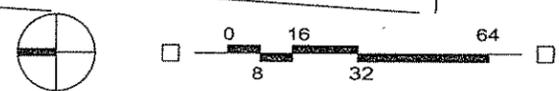


ARCHITECTURAL SITE PLAN



FLOORING LEGEND

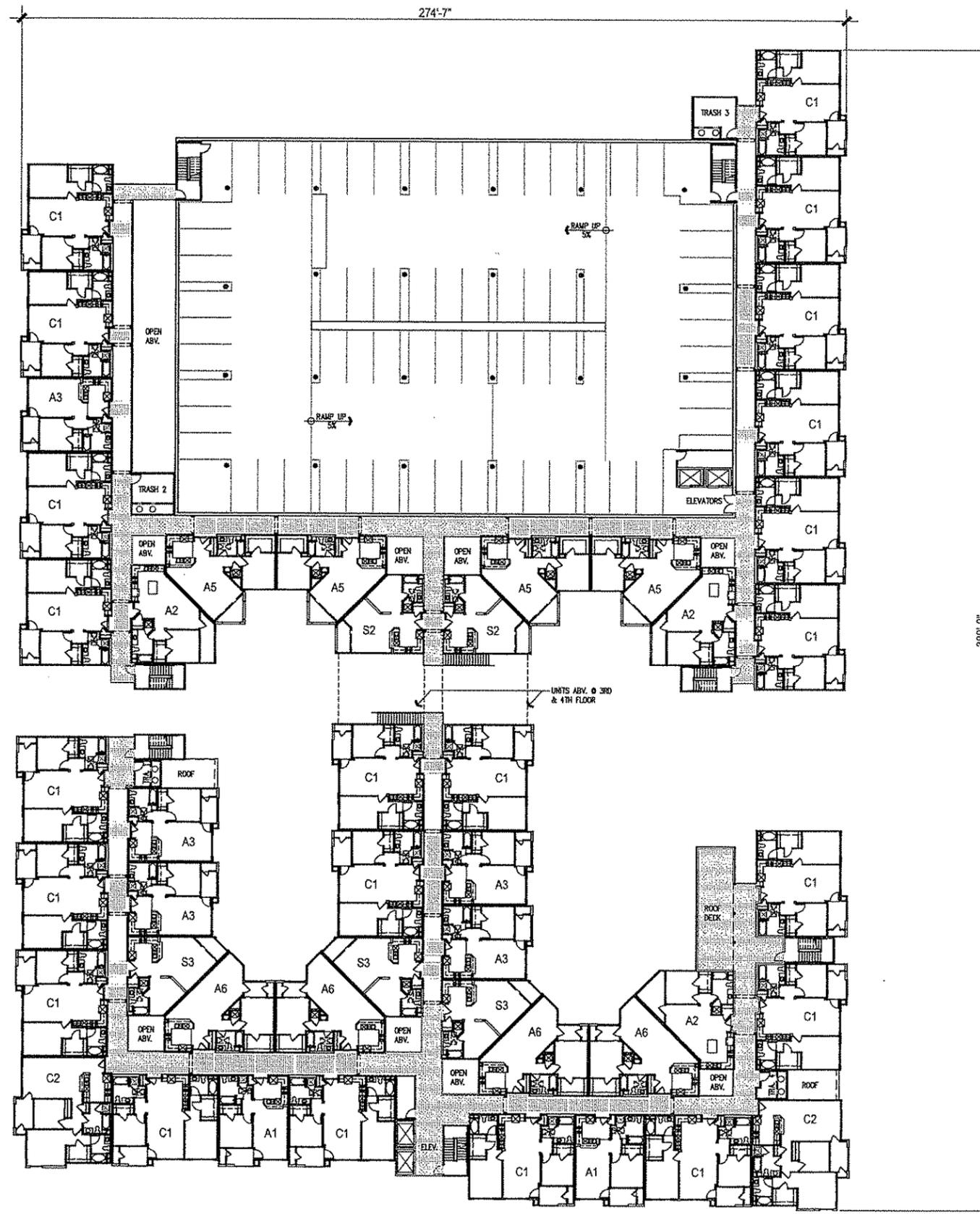
	CARPET
	HARD SURFACE OR CONCRETE



BLDG. 1 FLOOR PLAN - LEVEL 1

Alexan South Main
MILPITAS, CALIFORNIA

1.1 REVISIONS	DATE
1.1.1 SELF SUBMITTAL	8/10/21
1.1.2 2nd SUBMITTAL	11/20/21
PROJECT:	
KTGY GROUP	
ARCHITECTURE & INTERIOR DESIGN	
12770 - 12775 BAYVIEW AVENUE, SUITE 200	
SAN JOSE, CALIFORNIA 95131	
TEL: (408) 944-1000 FAX: (408) 944-1001	
WWW.KTGY.COM	
KTGY NO. 20210664	
BLDG. 1 FLOOR PLAN LEVEL 1	
A-1.1	



FLOORING LEGEND

	CARPET
	HARD SURFACE OR CONCRETE



BLDG. 1 FLOOR PLAN - LEVEL 2

Alexan South Main
MILPITAS, CALIFORNIA

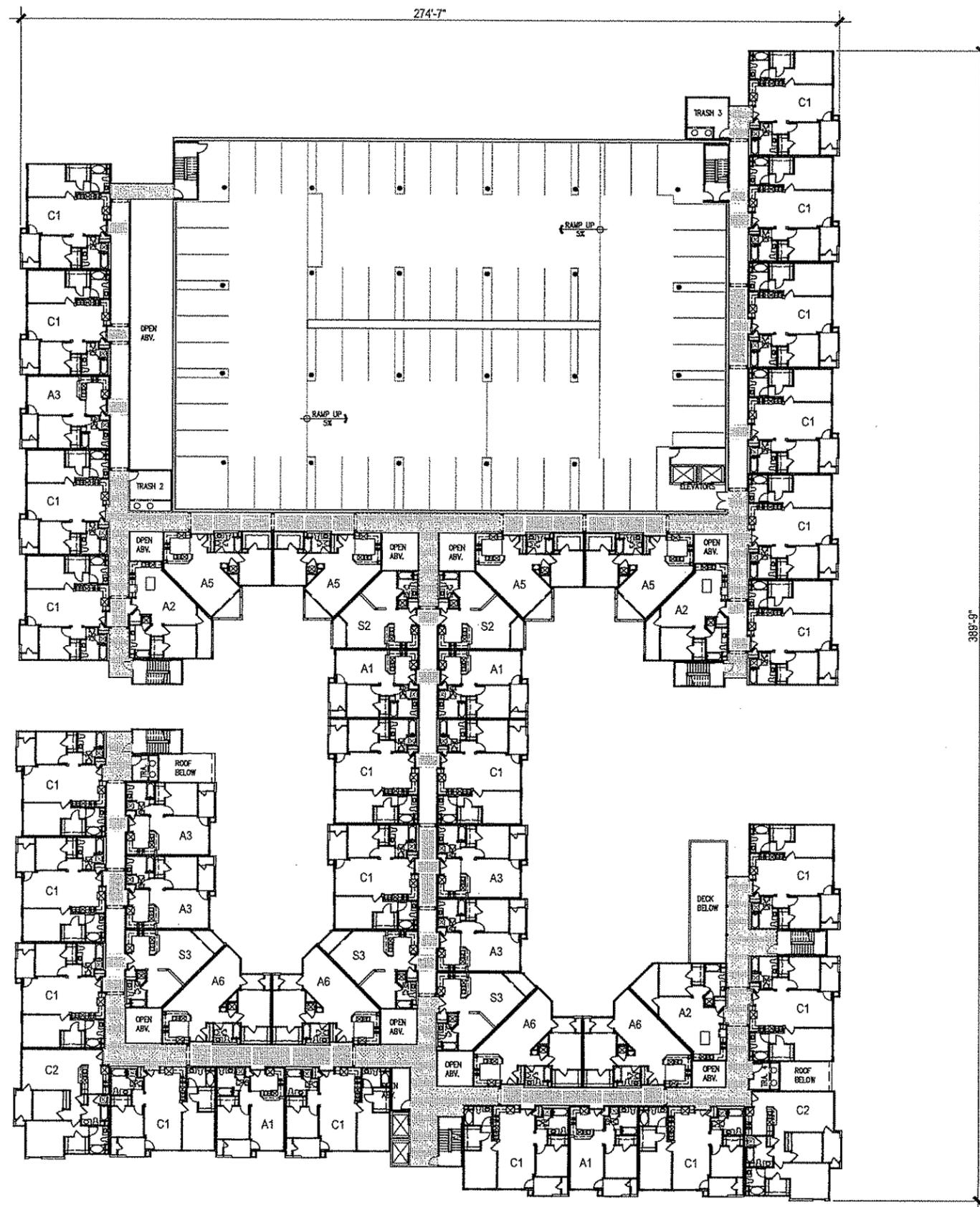
NO.	REVISIONS	DATE
1	REV. SUBMITTAL	02/27/21
2	REV. SUBMITTAL	11/27/21

ARCHITECT:
KTGY GROUP INC.
ARCHITECTS & PLANNERS
1000 BLOSSOM HILL AVENUE
SUITE 200
MILPITAS, CA 95035
TEL: (408) 261-3333 FAX: (408) 261-3334
WWW.KTGY.COM
KTGY NO. 20070068

BLDG. 1 FLOOR PLAN
LEVEL 2

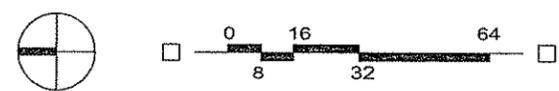
A-1.2

Alexan South Main
MILPITAS, CALIFORNIA



FLOORING LEGEND

	CARPET
	HARD SURFACE OR CONCRETE



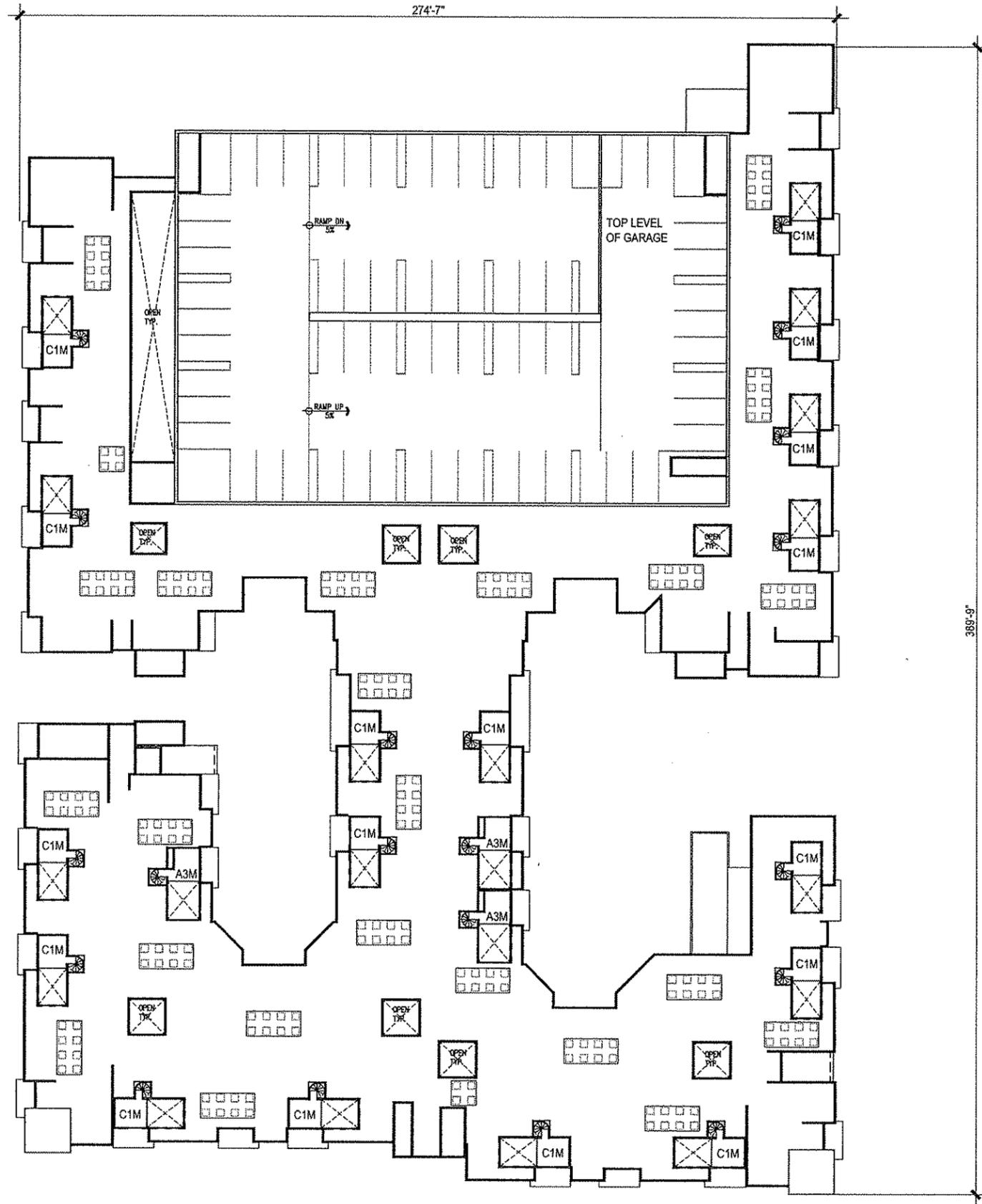
BLDG. 1 FLOOR PLAN - LEVEL 3

1. APPROVAL	DATE
1.1.1. SUBMITTAL	11/27/21
1.1.2. SUBMITTAL	11/27/21
2.	

ARCHITECTS:
KTGY GROUP
ARCHITECTURE, PLANNING & INTERIOR DESIGN
1775 N. CALIFORNIA AVENUE
SUITE 200
MILPITAS, CALIFORNIA 95035
KTGY HAS 20210668

BLDG. 1 FLOOR PLAN
LEVEL 3

A-1.3



Alexan South Main

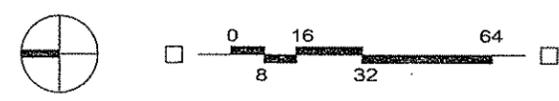
MILPITAS, CALIFORNIA

01 REVISIONS	02/07
02 1ST SUBMITTAL	02/07
03 2ND SUBMITTAL	11/07/07

ARCHITECTS:
KTGY GROUP INC.
 ARCHITECTS
 17774 S. GAYLOR RD. #200
 MILPITAS, CALIFORNIA 95035
 (408) 937-3333 FAX (408) 937-3333
 WWW.KTGY.COM
 KTGY NO. 20070406

BLDG. 1 FLOOR PLAN
LEVEL 5

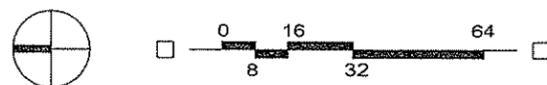
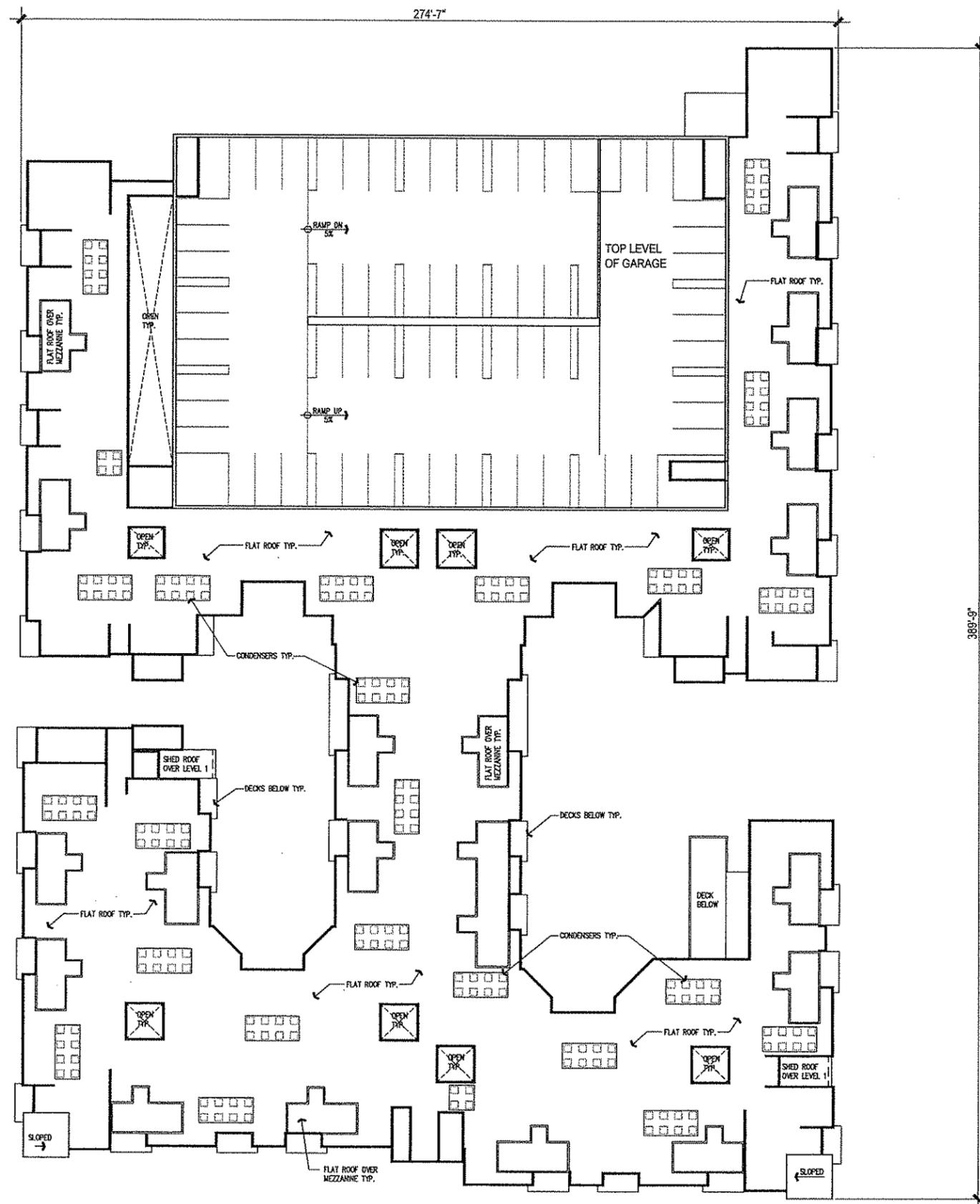
A-1.5



BLDG. 1 FLOOR PLAN - LEVEL 5

TCR
Trammell Crow Residential

Alexan South Main
MILPITAS, CALIFORNIA



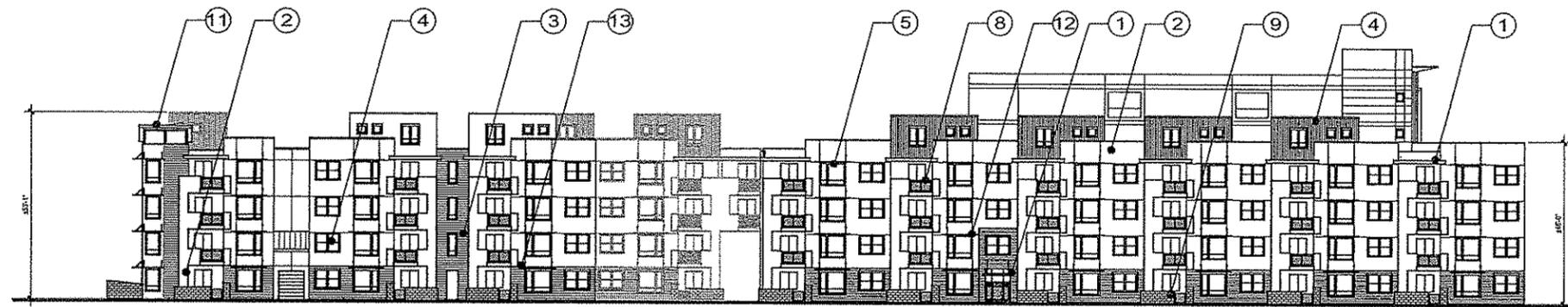
BLDG. 1 ROOF PLAN

REVISION	DATE
1. REV. SUBMITTAL	03/07
2. REV. SUBMITTAL	01/27/07

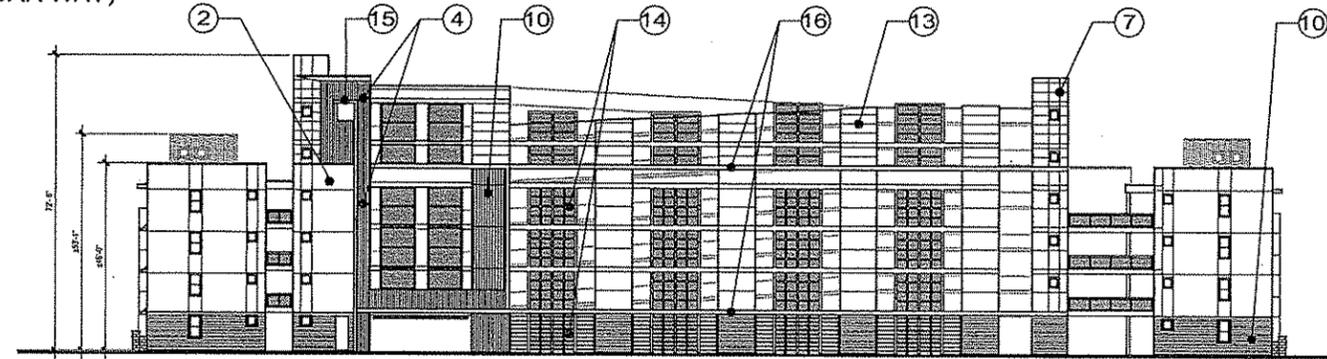
ARCHITECTS:
KTGY GROUP INC.
ARCHITECTURE, PLANNING & INTERIORS
11775 S. STANFORD BOULEVARD
SUITE 200
MILPITAS, CALIFORNIA 95035
TEL: (408) 261-8888
WWW.KTGY.COM
KTGY NO. 20070564

BLDG. 1 ROOF PLAN

A-1.6



1. SOUTH ELEVATION (CEDAR WAY)



2. EAST ELEVATION (COSTA STREET)



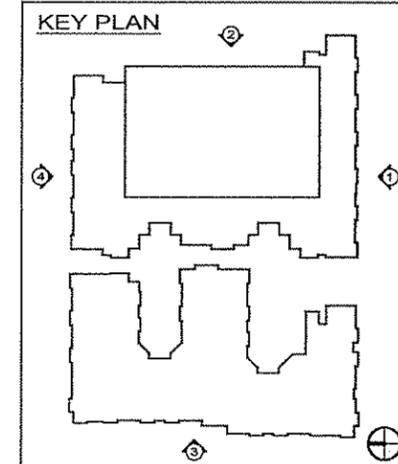
3. WEST ELEVATION (SOUTH MAIN STREET)



4. NORTH ELEVATION (SHARED DRIVE)

MATERIAL LEGEND

1. METAL AWNING
2. EXTERIOR PLASTER
3. HORIZONTAL SIDING
4. METAL WALL PANEL
5. RECESSED VINYL WINDOWS TYP.
6. STOREFRONT WINDOWS
7. PLASTER JOINT TYP.
8. METAL RAILING w/ PERFORATED METAL SCREEN (PAINTED)
9. SPLIT FACE BLOCK
10. SCORED CONCRETE
11. METAL STANDING SEAM ROOF
12. METAL HORIZONTAL SUN SHADE
13. GALVANIZED METAL REVEAL
14. METAL SCREEN WITH MESH
15. METAL BAND
16. CONCRETE HORIZONTAL BAND



BUILDING 1 ELEVATIONS

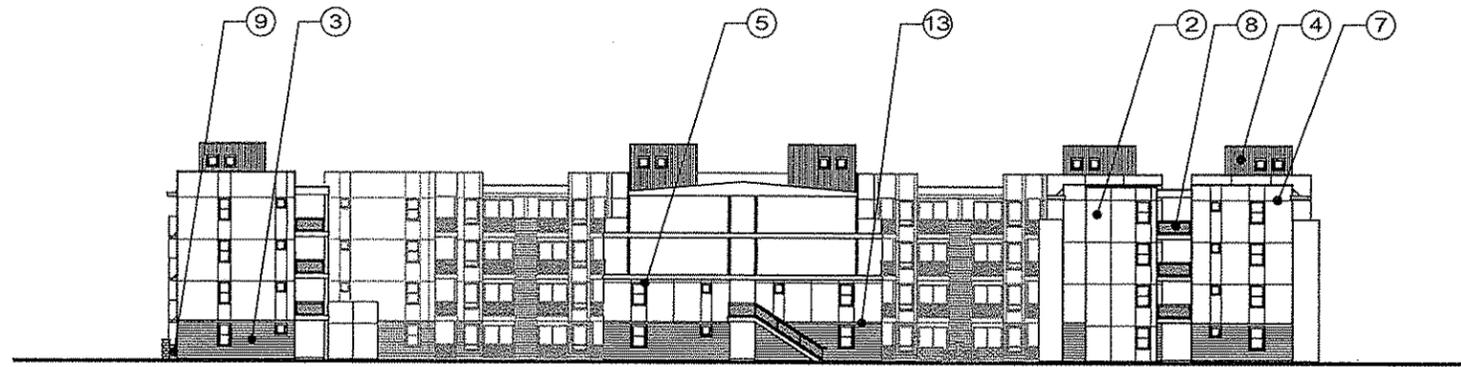
Alexan South Main
MILPITAS, CALIFORNIA

REVISIONS	DATE
1. 10% SUBMITTAL	03/07/07
2. 2ND SUBMITTAL	11/07/07

ARCHITECTS:
KTGY GROUP
ARCHITECTURE & INTERIOR DESIGN
17775 CRYSTAL DRIVE
MILPITAS, CALIFORNIA 95128
(408) 981-3122 FAX (408) 981-3122
www.ktgy.com
KTGY NO. 20070644

BUILDING 1 ELEVATIONS

A-1.7



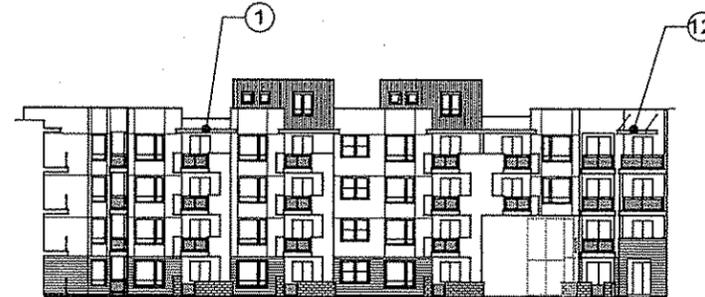
5. EAST ELEVATION

MATERIAL LEGEND

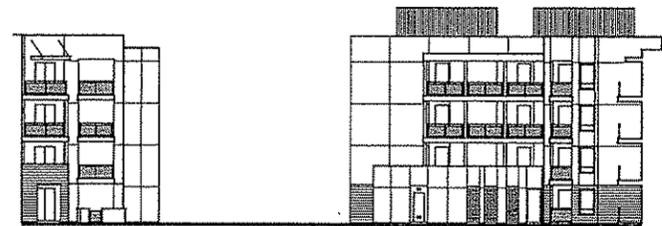
- 1. METAL AWNING
- 2. EXTERIOR PLASTER
- 3. HORIZONTAL SIDING
- 4. METAL WALL PANEL
- 5. RECESSED VINYL WINDOWS TYP.
- 6. STOREFRONT WINDOWS
- 7. PLASTER JOINT TYP.
- 8. METAL RAILING w/ PERFERATED METAL SCREEN (PAINTED)
- 9. SPLIT FACE BLOCK
- 10. SCORED CONCRETE
- 11. METAL STANDING SEAM ROOF
- 12. METAL HORIZONTAL SUN SHADE
- 13. GALVANIZED METAL REVEAL



6. NORTH ELEVATION



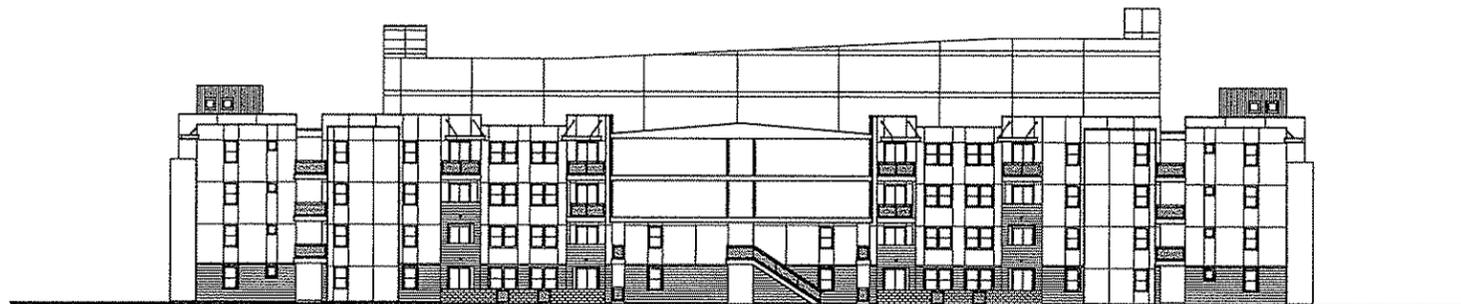
7. SOUTH ELEVATION



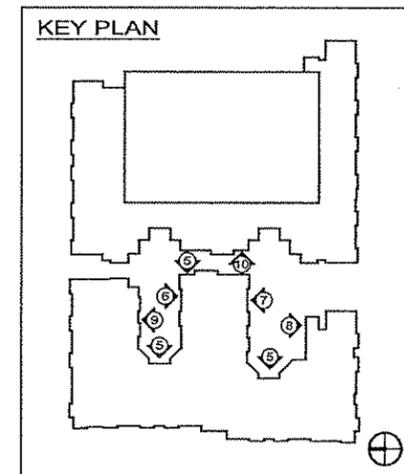
8. NORTH ELEVATION



9. SOUTH ELEVATION



10. WEST ELEVATION



**BUILDING 1 -
COURTYARD ELEVATIONS**

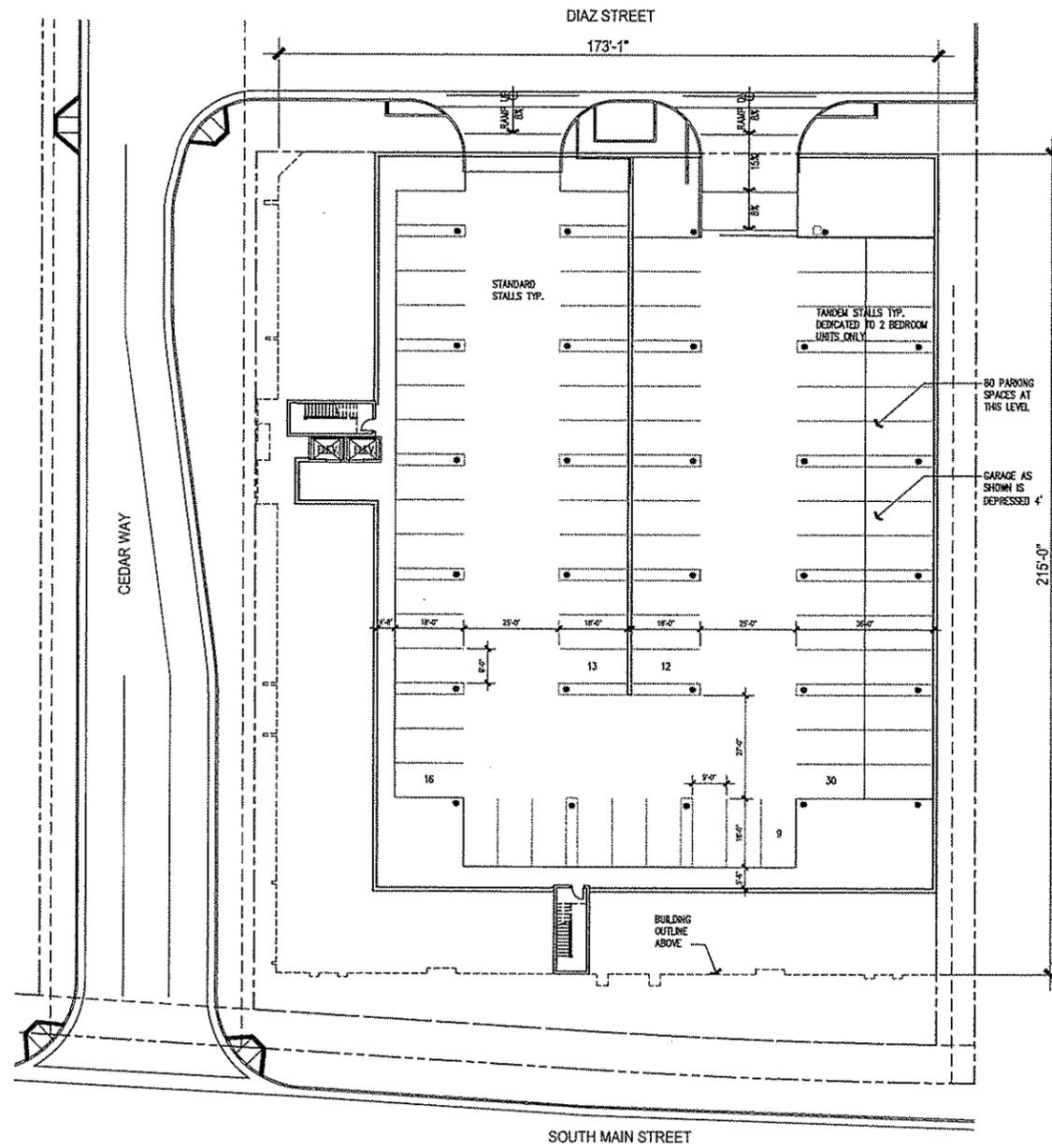
Alexan South Main
MILPITAS, CALIFORNIA

01 REVISIONS	DATE
01 1ST SUBMITTAL	03.16.22
02 2ND SUBMITTAL	11.07.22

ARCHITECTS:
KTGY GROUP
ARCHITECTS INC.
17771A SUTTERVILLE AVENUE
SUTTERVILLE, CALIFORNIA 94588
(925) 870-5123 FAX (925) 870-5125
www.ktgy.com
KTGY NO. 20070566

BUILDING 1
COURTYARD ELEVATIONS

A-1.8



Alexan South Main
MILPITAS, CALIFORNIA

1.1 PROPOSAL	06/17
1.2 1ST SUBMITTAL	08/20/17
1.3 2ND SUBMITTAL	11/07/17

ARCHITECTS:
KTGY GROUP INC.
ARCHITECTS
1727 W. CALIFORNIA STREET
MILPITAS, CALIFORNIA 95035
TEL: 408.352.8200
WWW.KTGY.COM

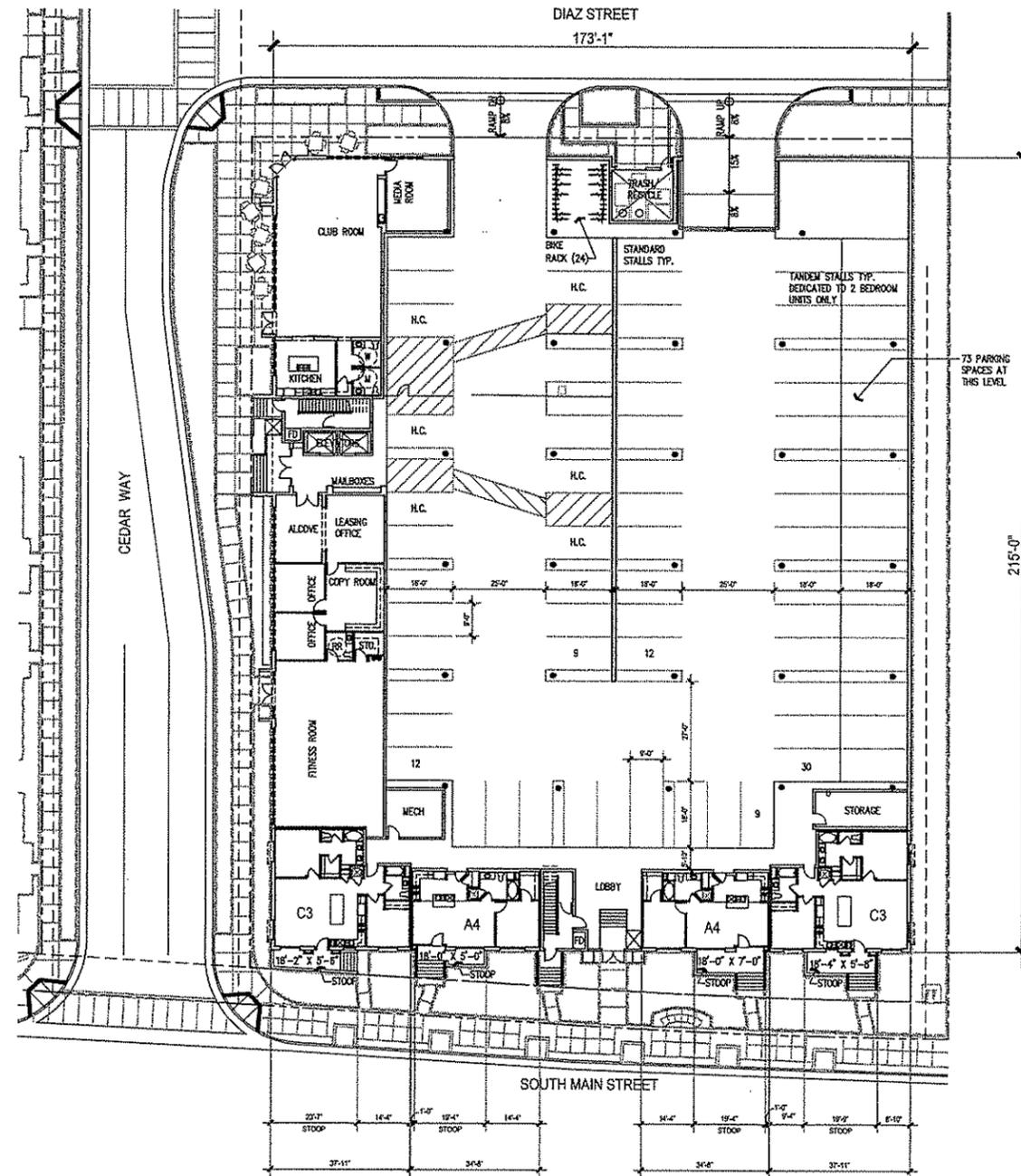
BLDG. 2 FLOOR PLAN
LOWER LEVEL GARAGE

A-2.1



BLDG. 2 FLOOR PLAN - LOWER LEVEL GARAGE

Alexan South Main
MILPITAS, CALIFORNIA



75 PARKING SPACES AT THIS LEVEL

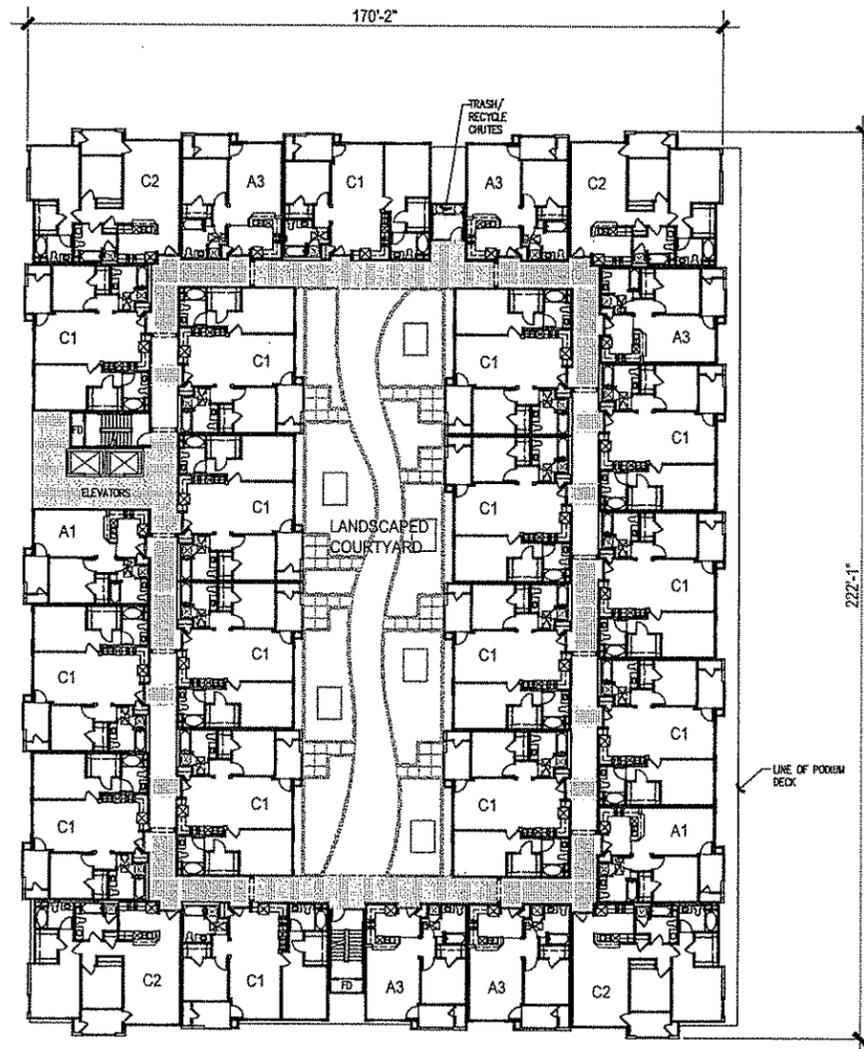


BLDG. 2 FLOOR PLAN - LEVEL 1

REVISIONS	DATE
1. 10% SUBMITTAL	10/20/21
2. 20% SUBMITTAL	11/01/21

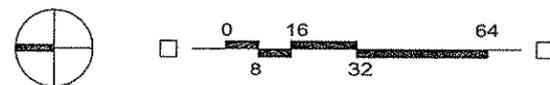
ARCHITECTS:
KTGY GROUP
REGISTERED ARCHITECTS
1000 CALIFORNIA STREET
SUITE 1000
SAN FRANCISCO, CA 94108
TEL: 415.774.8800
WWW.KTGY.COM
KTGY NO. 20210666

BLDG. 2 FLOOR PLAN
UPPER LEVEL GARAGE &
1ST LEVEL RESIDENTIAL



Alexan South Main
MILPITAS, CALIFORNIA

FLOORING LEGEND	
	CARPET
	HARD SURFACE OR CONCRETE



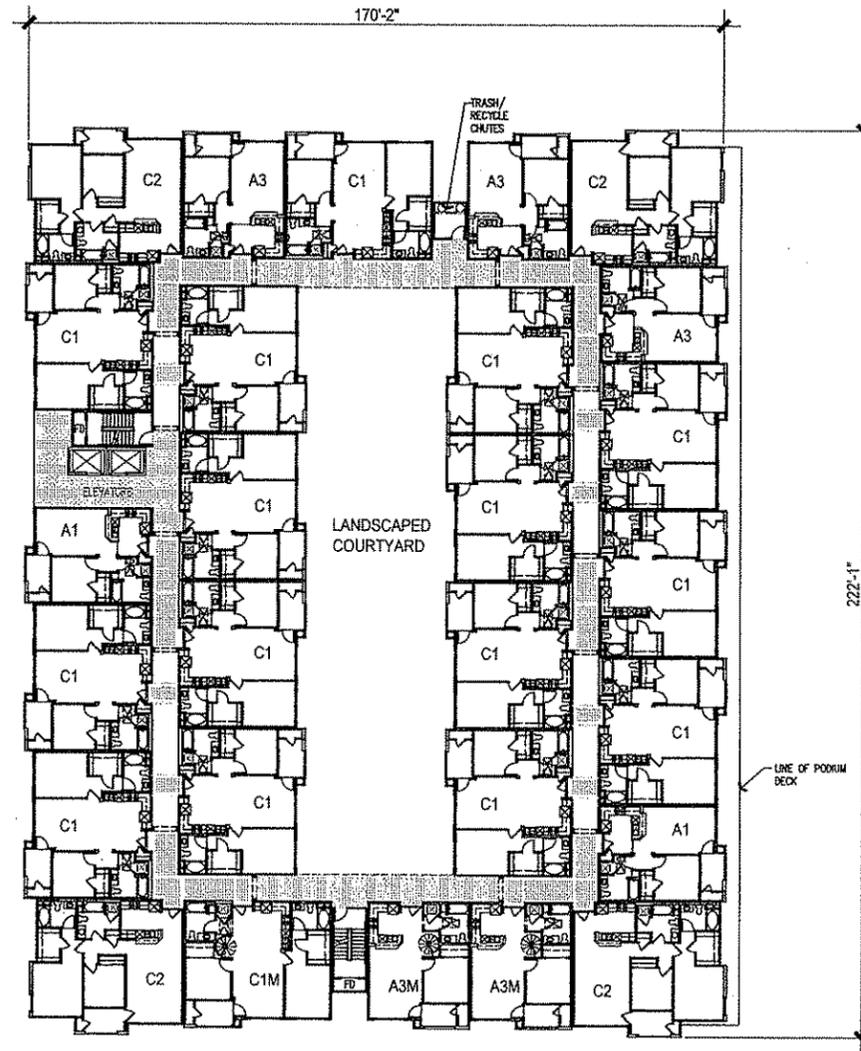
BLDG. 2 FLOOR PLAN - LEVELS 2-3

REV	DESCRIPTION	DATE
1	ISSUE	11/27/21
2	ISSUE	11/27/21

ARCHITECTS:
KTGY GROUP
12000 S. GARDEN AVENUE, SUITE 100
MILPITAS, CALIFORNIA 95026
TEL: (408) 261-1000 FAX: (408) 261-1001
WWW.KTGY.COM
KTGY NO. 20019566

BLDG. 2 FLOOR PLANS
LEVELS 2-3

A-2.3



FLOORING LEGEND

	CARPET
	HARD SURFACE OR CONCRETE

Alexan South Main
MILPITAS, CALIFORNIA

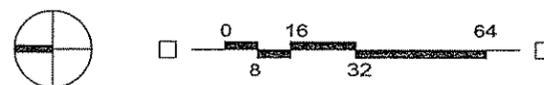
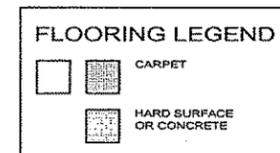
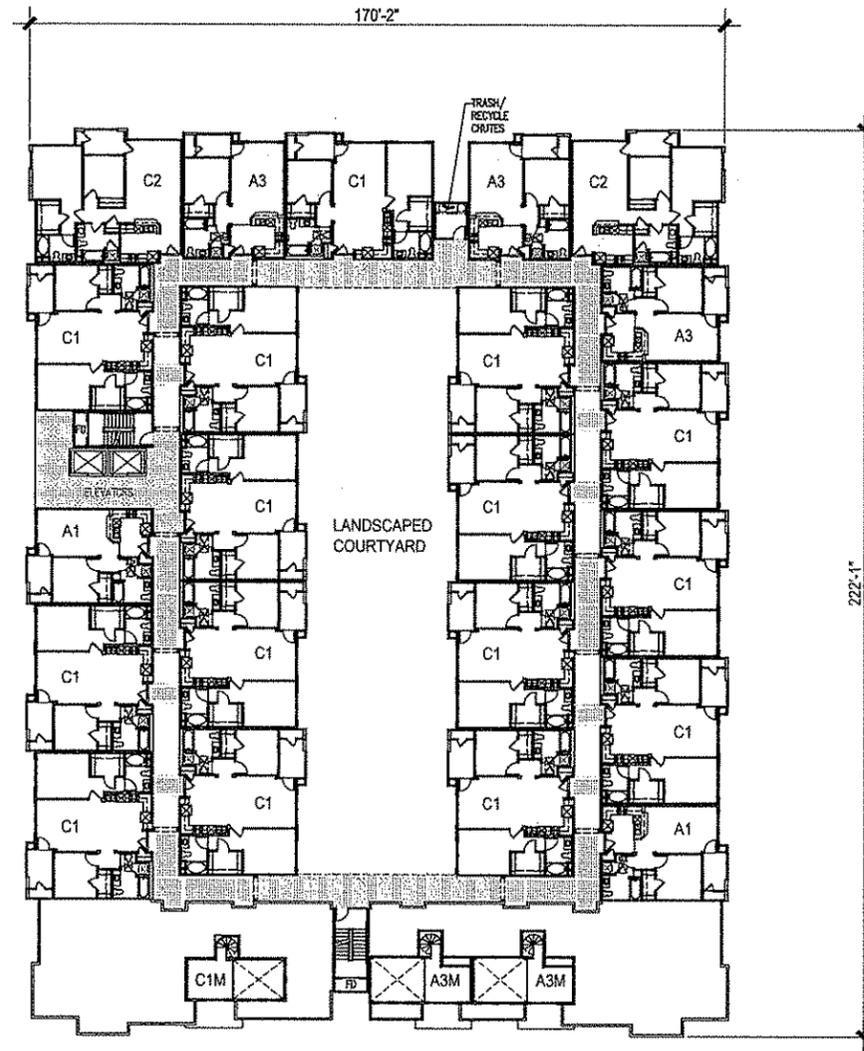
NO.	REVISIONS	DATE
1	REV SUBMITTAL	03/01/21
2	REV SUBMITTAL	11/07/21

ARCHITECT:
KTGY GROUP, INC.
REGISTERED ARCHITECTS
17774 BAYVIEW BLVD, SUITE 200
IRVINE, CALIFORNIA 92614
TEL: 949.261.1000 FAX: 949.261.1004
WWW.KTGY.COM
KTGY NO. 20070066

BLDG. 2 FLOOR PLANS
LEVEL 4

BLDG. 2 FLOOR PLAN - LEVEL 4

A-2.4



BLDG. 2 FLOOR PLAN - LEVEL 5

Alexan South Main
MILPITAS, CALIFORNIA

NO.	DESCRIPTION	DATE
1	PRELIMINARY	02/20/21
2	1ST SUBMITTAL	03/23/21
3	2ND SUBMITTAL	11/27/21

ARCHITECT:
KTGY GROUP
ARCHITECTS
11775 BAYVIEW BLVD, SUITE 200
SAN DIEGO, CALIFORNIA 92126
(619) 591-3300 FAX (619) 591-3304
www.ktgy.com

BLDG. 2 FLOOR PLANS
LEVEL 5

A-2.5



Alexan South Main
MILPITAS, CALIFORNIA

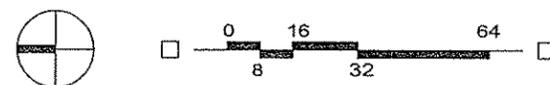
NO.	REVISIONS	DATE
1	10/13/2016	10/13/2016
2	11/01/2016	11/01/2016
3		

ARCHITECTS:
KTGY GROUP, INC.
REGISTERED ARCHITECTS
12224 UNIVERSITY AVENUE
SUITE 200, MILPITAS, CALIFORNIA 95035
(408) 261-1000 FAX (408) 261-1001
www.ktgy.com

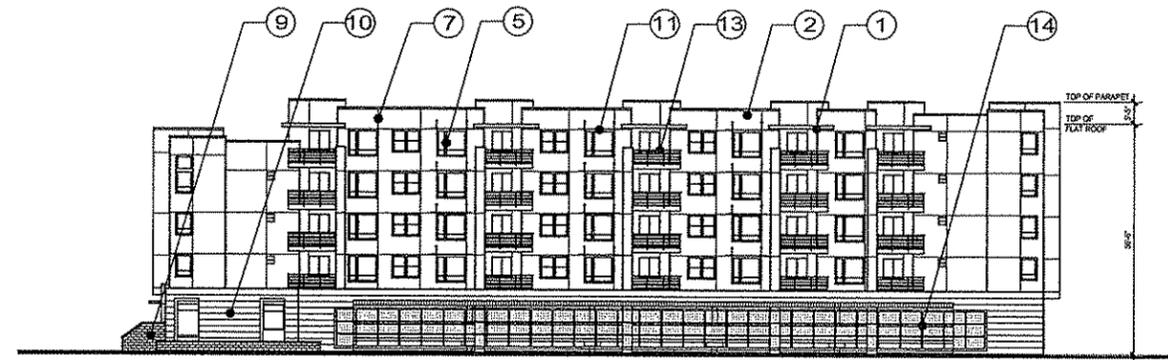
KTGY NO. 200766A

BLDG. 2 ROOF PLAN

A-2.6



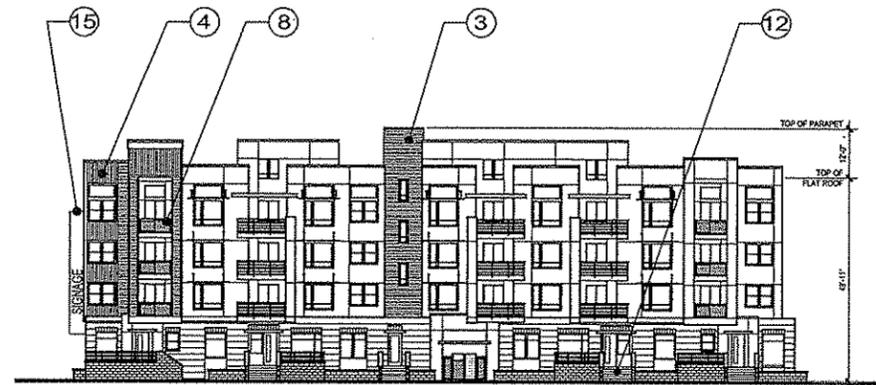
BLDG. 2 ROOF PLAN



1. SOUTH ELEVATION

MATERIAL LEGEND

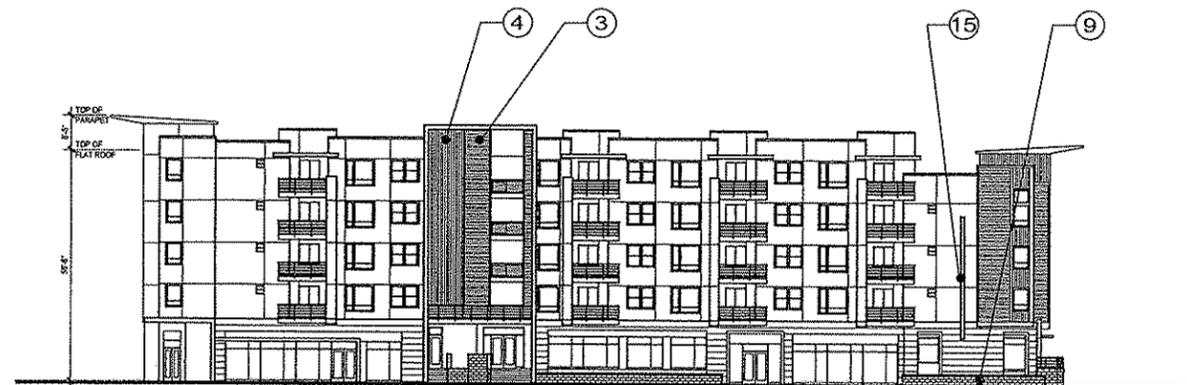
- 1. METAL AWNING
- 2. EXTERIOR PLASTER
- 3. HORIZONTAL SIDING
- 4. METAL WALL PANEL
- 5. RECESSED VINYL WINDOWS TYP.
- 6. STOREFRONT WINDOWS
- 7. PLASTER JOINT TYP.
- 8. METAL RAILING w/ PERFERATED METAL SCREEN (PAINTED)
- 9. SPLIT FACE BLOCK
- 10. SCORED CONCRETE
- 11. METAL HORIZONTAL SUN SHADE
- 12. STOOP
- 13. METAL RAILING (PAINTED)
- 14. METAL SCREEN w/ MESH
- 15. BLADE SIGN



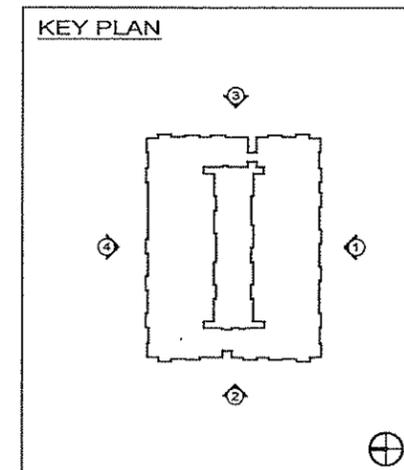
2. WEST ELEVATION (SOUTH MAIN STREET)



3. EAST ELEVATION (DIAZ STREET)



4. NORTH ELEVATION (CEDAR WAY)



BUILDING 2 ELEVATIONS

Alexan South Main
MILPITAS, CALIFORNIA

1. 1ST SUBMITTAL	08/18/2017
2. 2ND SUBMITTAL	09/20/17
3. 3RD SUBMITTAL	11/07/17

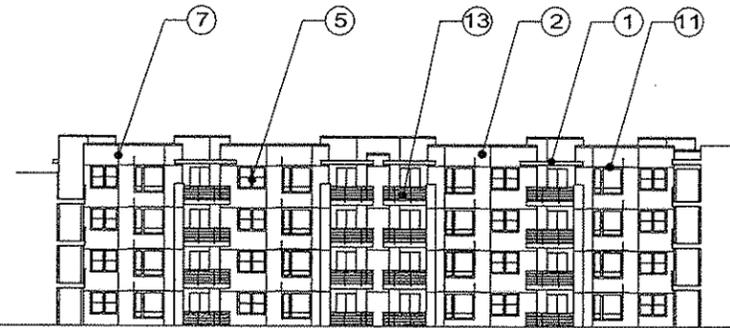
ARCHITECTS:
KTGY GROUP INC.
17272L STYVENS BLVD
MILPITAS, CALIFORNIA 95035
TEL: 408-515-1100 FAX: 408-515-1100
WWW.KTGY.COM
KTGY NO. 20070666

BUILDING 2 ELEVATIONS

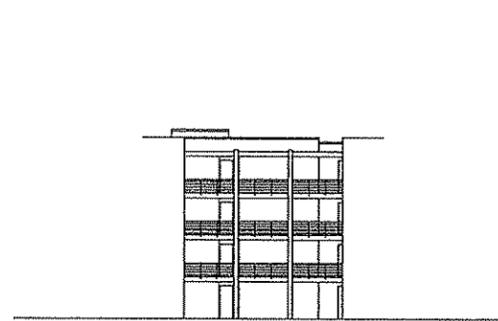
A-2.7

MATERIAL LEGEND

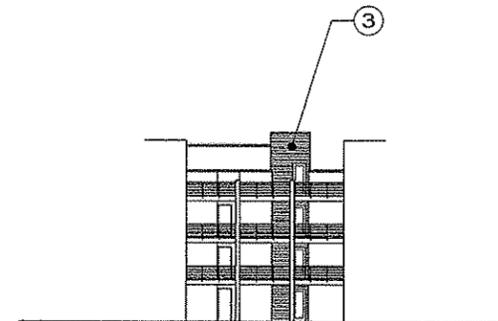
- 1. METAL AWNING
- 2. EXTERIOR PLASTER
- 3. HORIZONTAL SIDING
- 4. METAL WALL PANEL
- 5. RECESSED VINYL WINDOWS TYP.
- 6. STOREFRONT WINDOWS
- 7. PLASTER JOINT TYP.
- 8. METAL RAILING w/ PERFERATED METAL SCREEN (PAINTED)
- 9. SPLIT FACE BLOCK
- 10. SCORED CONCRETE
- 11. METAL HORIZONTAL SUN SHADE
- 12. STOOP
- 13. METAL RAILING (PAINTED)



5. SOUTH ELEVATION



6. WEST ELEVATION

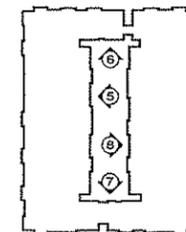


7. EAST ELEVATION



8. NORTH ELEVATION

KEY PLAN



**BUILDING 2 -
COURTYARD ELEVATIONS**

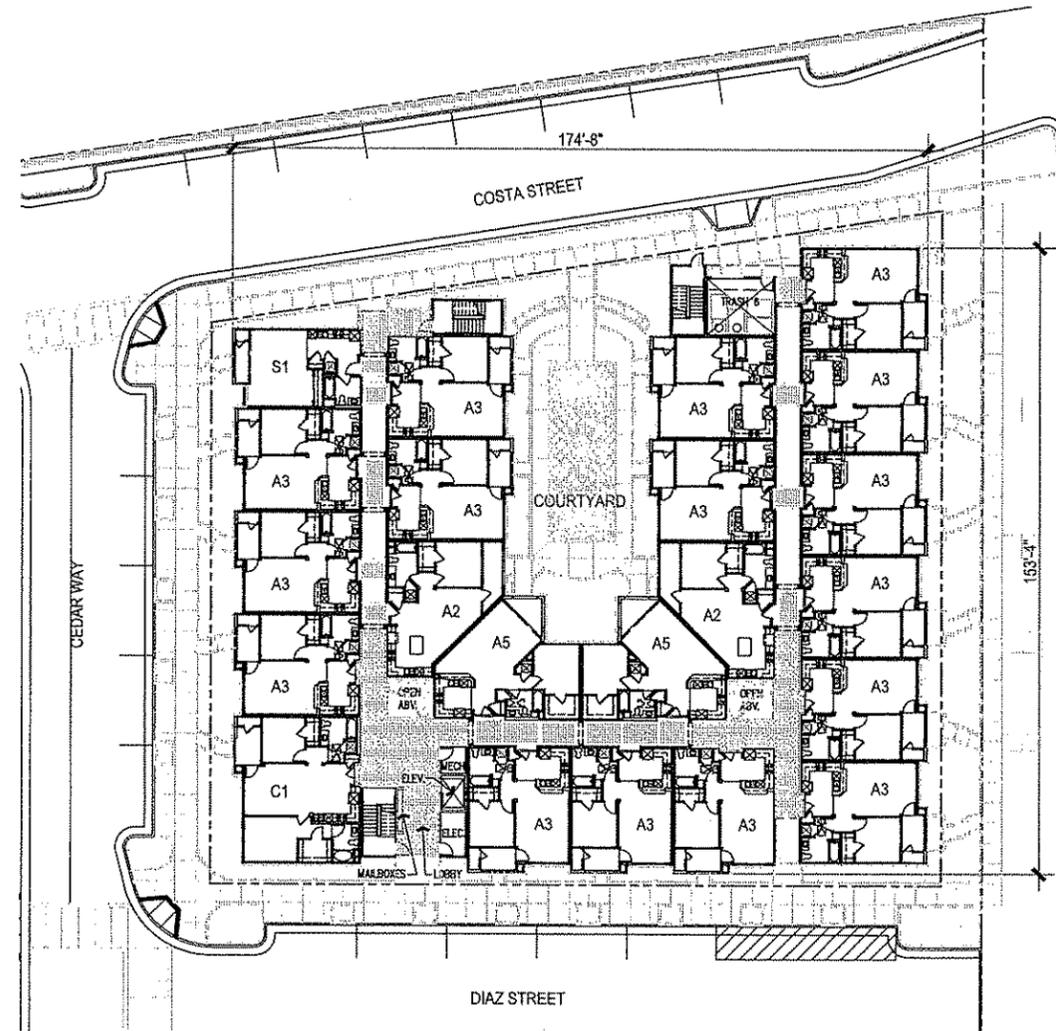
Alexan South Main
MILPITAS, CALIFORNIA

NO.	REVISIONS	DATE
1	1st SUBMITTAL	03/23/16
2	2nd SUBMITTAL	11/07/17
3		

ARCHITECT:
KTGY GROUP, INC.
20775 BAYVIEW BLVD., SUITE 100
MILPITAS, CALIFORNIA 95035
(408) 951-3133 FAX (408) 951-3134
© 2016
KTGY NO. 2016066

BUILDING 2
COURTYARD ELEVATIONS

A-2.8



Alexan South Main
MILPITAS, CALIFORNIA

FLOORING LEGEND	
	CARPET
	HARD SURFACE OR CONCRETE

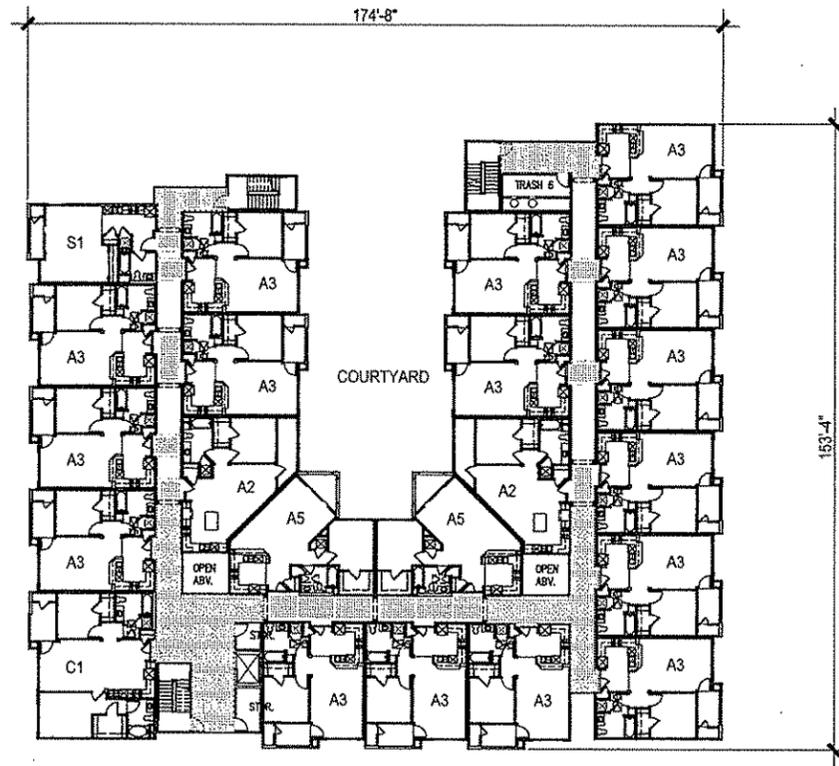
NO.	REVISIONS	DATE
1	1ST SUBMITTAL	8/20/07
2	2ND SUBMITTAL	11/27/07
3		

ARCHITECT:
KTGY GROUP
ARCHITECTS
10000 STEVENS BLVD
MILPITAS, CALIFORNIA 95035
TEL: 408.352.8800 FAX: 408.352.8801
WWW.KTGY.COM
KTGY NO. 2007066

BLDG. 3 FLOOR PLAN
LEVEL 1

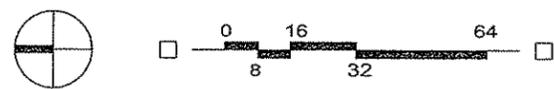
A-3.1

BLDG. 3 FLOOR PLAN - LEVEL 1



Alexan South Main
MILPITAS, CALIFORNIA

FLOORING LEGEND	
	CARPET
	HARD SURFACE OR CONCRETE



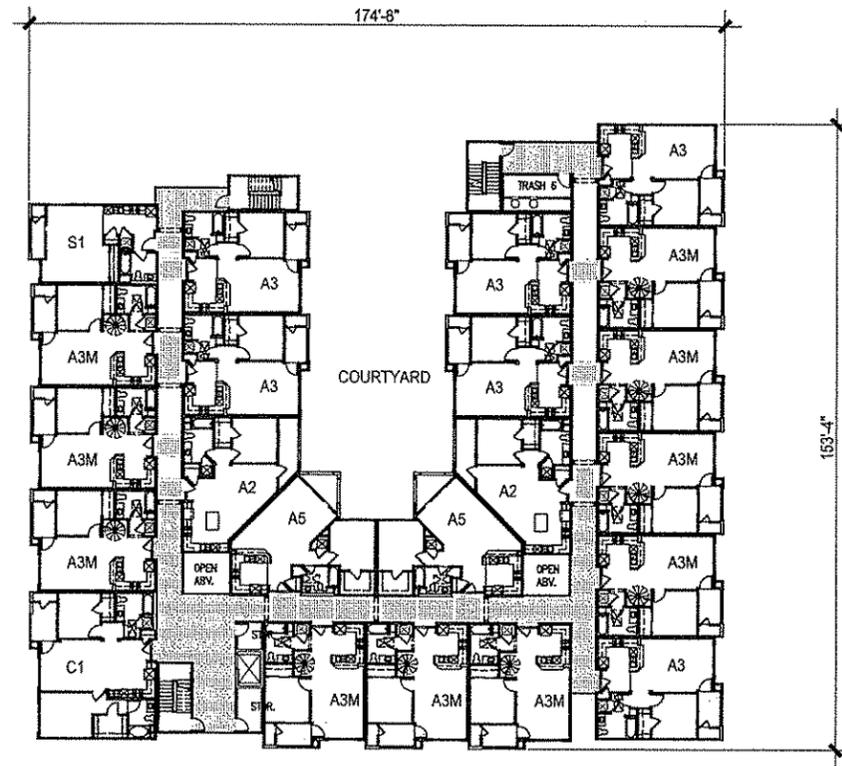
BLDG. 3 FLOOR PLAN - LEVELS 2-3 TYP.

NO.	REVISION	DATE
1	REV. SUBMITTAL	03/20/12
2	2ND SUBMITTAL	11/27/12
3		

ARCHITECT:
KTGY GROUP
ARCHITECTURE INC.
17770 S. VALDELLA BOULEVARD
IRVINE, CALIFORNIA 92614
(949) 851-3333 FAX (949) 851-3344
© 2012
STUDY NO. 20075666

BLDG. 3 FLOOR PLAN
LEVELS 2 & 3

A-3.2



Alexan South Main
MILPITAS, CALIFORNIA

FLOORING LEGEND

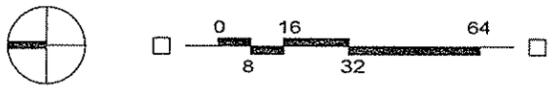
	CARPET
	HARD SURFACE OR CONCRETE

11/17 SUBMITTAL	11/17/22
12/20 SUBMITTAL	11/02/22

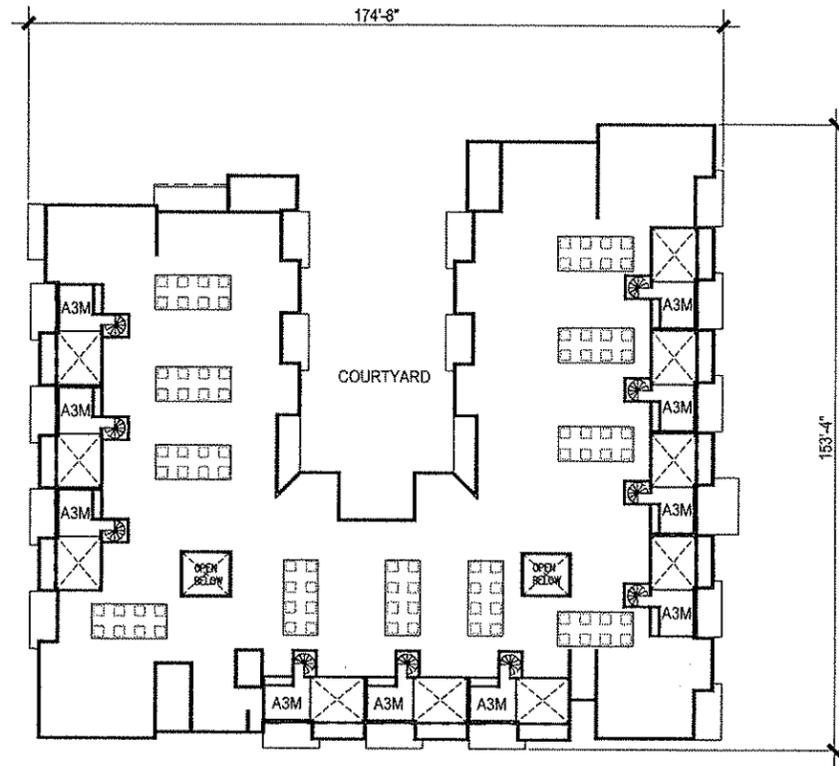
ARCHITECTS:
KTGY GROUP INC.
1700 W. CALIFORNIA STREET
MILPITAS, CALIFORNIA 95035
TEL: 408.352.1000 FAX: 408.352.1001
WWW.KTGY.COM

BLDG. 3 FLOOR PLAN
LEVELS 4

A-3.3



BLDG. 3 FLOOR PLAN - LEVEL 4



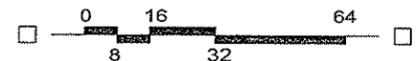
Alexan South Main
MILPITAS, CALIFORNIA

NO.	REVISIONS	DATE
1	REV. SUBMITTAL	03.20.07
2	REV. SUBMITTAL	11.07.07
3		

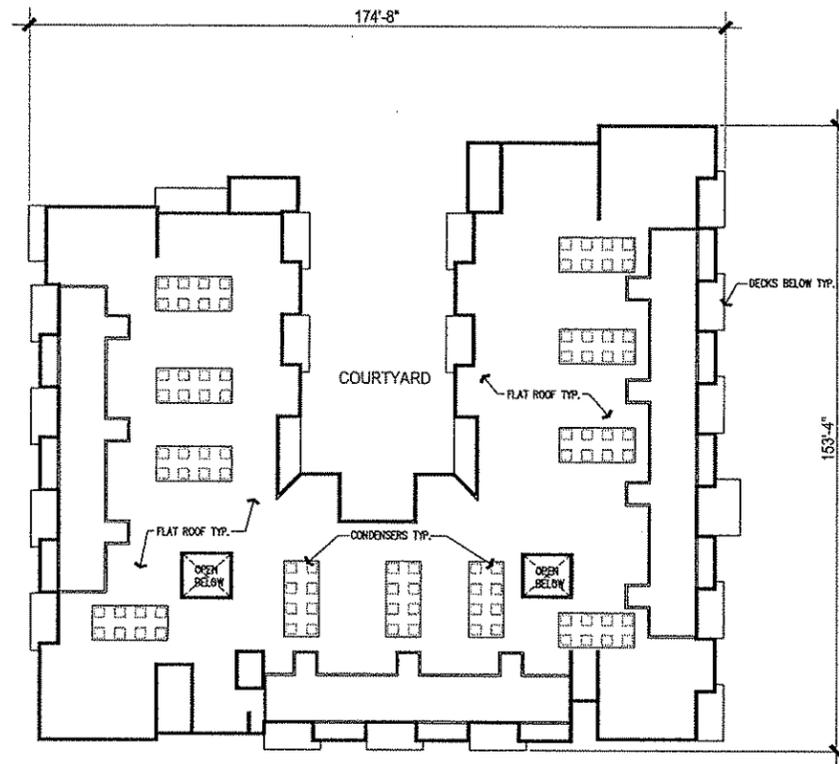
ARCHITECTS:
KTGY GROUP
ARCHITECTS INC. 2 INCL.
17772 BAYSHORE DRIVE
MILPITAS, CALIFORNIA 95035
(408) 891-3333 FAX (408) 891-8168
© 2007
KTGY NO. 20070506

BLDG. 3 FLOOR PLAN
LEVEL 5

A-3.4



BLDG. 3 FLOOR PLAN - LEVEL 5



Alexan South Main
MILPITAS, CALIFORNIA

1	REVISIONS	DATE
1	1ST SUBMITTAL	6/20/09
2	2ND SUBMITTAL	11/23/09
3		

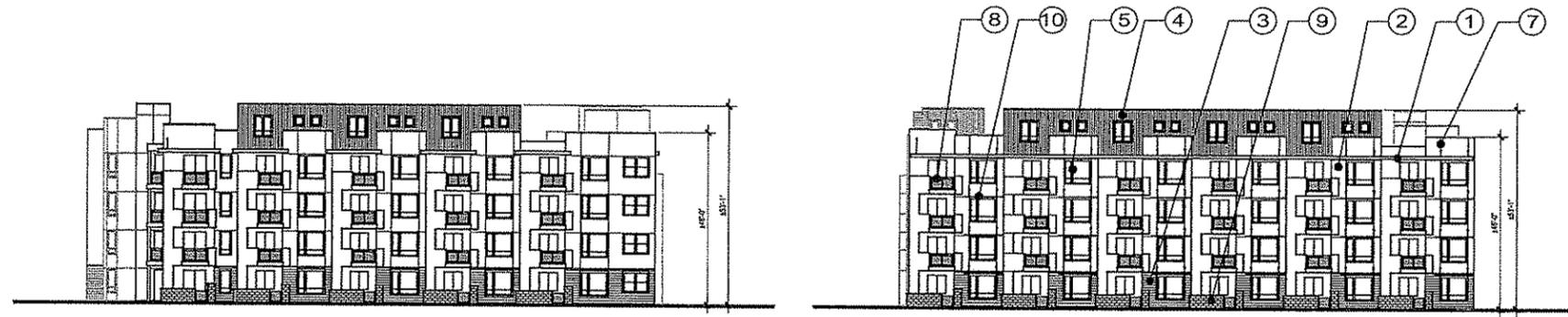
ARCHITECTS:
KTGY GROUP, INC.
ARCHITECTS - CALIFORNIA
17775 - BIVOLLELLI DRIVE
MILPITAS, CALIFORNIA 95035
(408) 944-1234 FAX (408) 944-1235
ALL RIGHTS RESERVED
© 2009

KTGY HQ: 2007046

BLDG. 3 ROOF PLAN

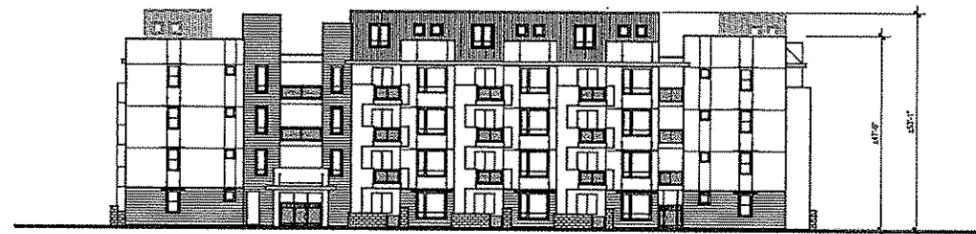
A-3.5

BLDG. 3 ROOF PLAN

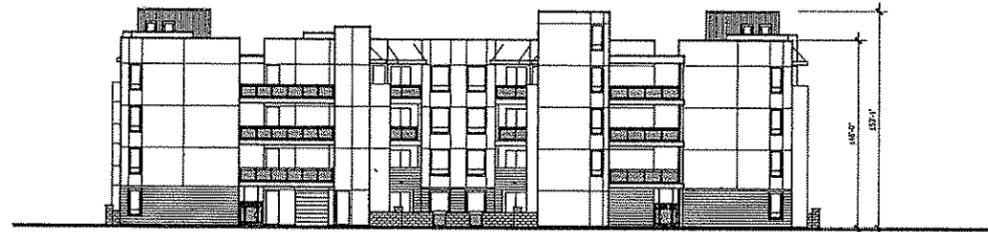


1. NORTH ELEVATION (CEDAR WAY)

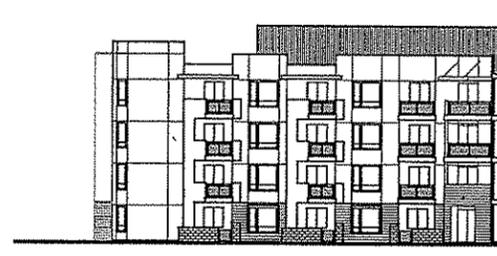
2. SOUTH ELEVATION



3. WEST ELEVATION (DIAZ STREET)



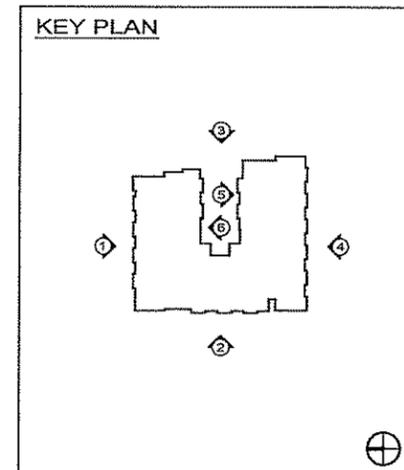
4. EAST ELEVATION (COSTA STREET)



5. NORTH ELEVATION



6. SOUTH ELEVATION



BUILDING 3 ELEVATIONS

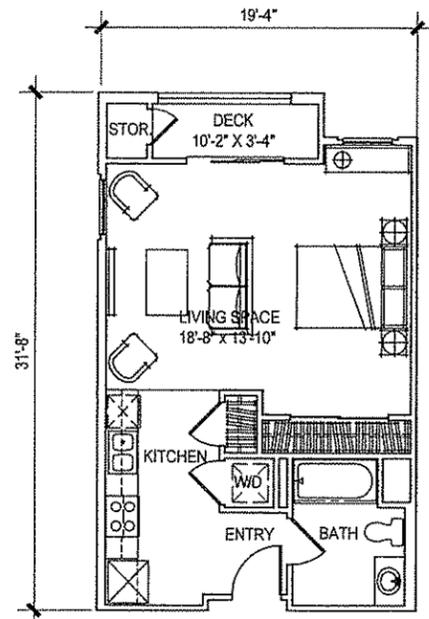
Alexan South Main
MILPITAS, CALIFORNIA

REVISION	DATE
1. 10% SUBMITTAL	03.07.21
2. 20% SUBMITTAL	11.22.21
3.	

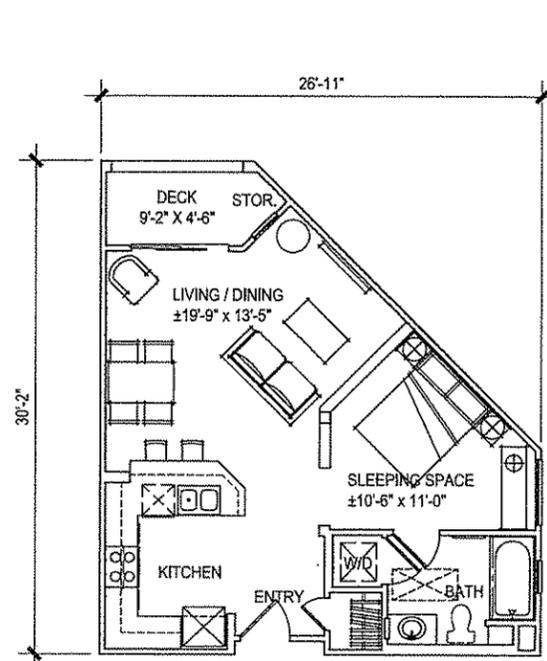
ARCHITECT:
KTGY GROUP INC.
ARCHITECTURE PLANNING
INTERIORS
11711 E. SERRANO AVE., SUITE 200
DANFORTH, CALIFORNIA 94526
(925) 461-1100
www.ktgy.com
KTGY NO. 20210566

BUILDING 3 ELEVATIONS

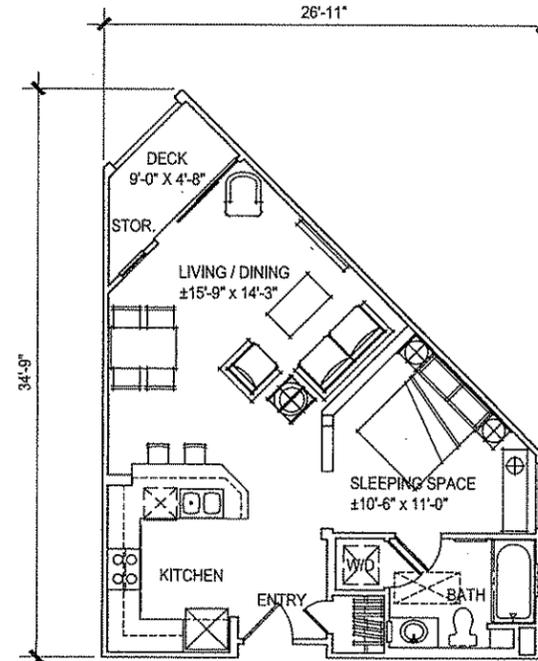
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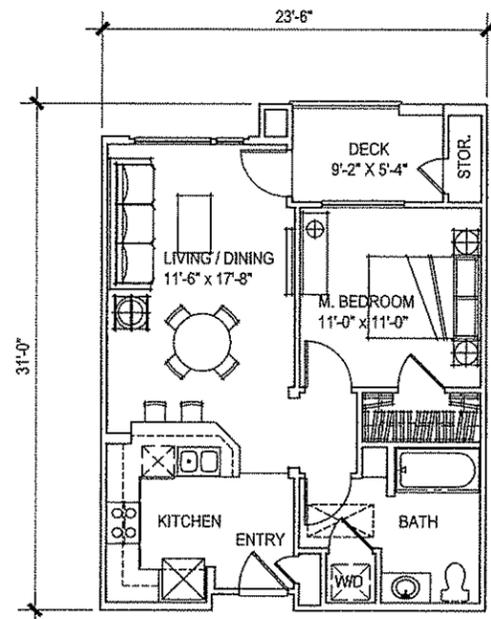
UNIT S1 - Studio/1 Bath
Conditioned - 576 G.S.F.
Unconditioned - 55 G.S.F.



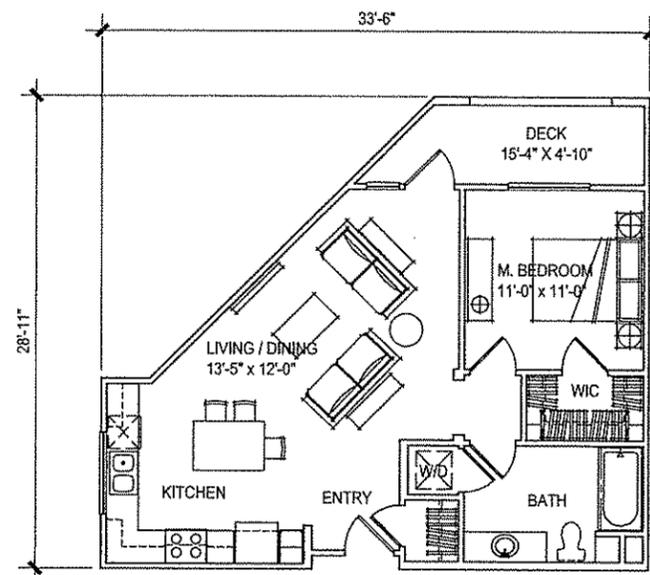
UNIT S2 - Studio/1 Bath
Conditioned - 613 G.S.F.
Unconditioned - 55 G.S.F.



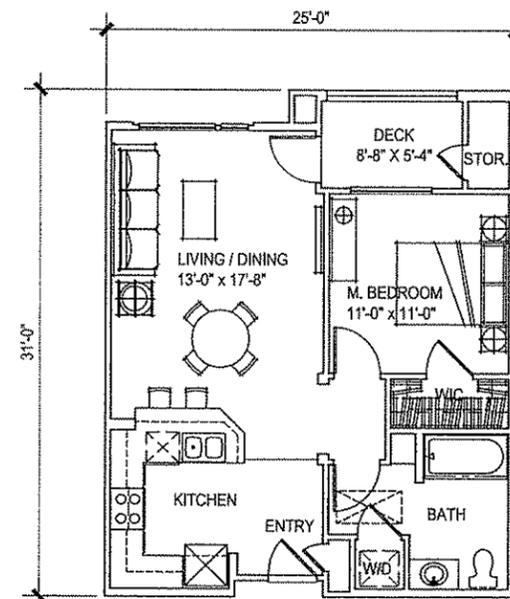
UNIT S3 - Studio/1 Bath
Conditioned - 638 G.S.F.
Unconditioned - 51 G.S.F.



UNIT A1 - 1 Bed/1 Bath
Conditioned - 657 G.S.F.
Unconditioned - 74 G.S.F.



UNIT A2 - 1 Bed/1 Bath
Conditioned - 675 G.S.F.
Unconditioned - 85 G.S.F.



UNIT A3 - 1 Bed/1 Bath
Conditioned - 695 G.S.F.
Unconditioned - 75 G.S.F.



TYPICAL UNIT PLANS

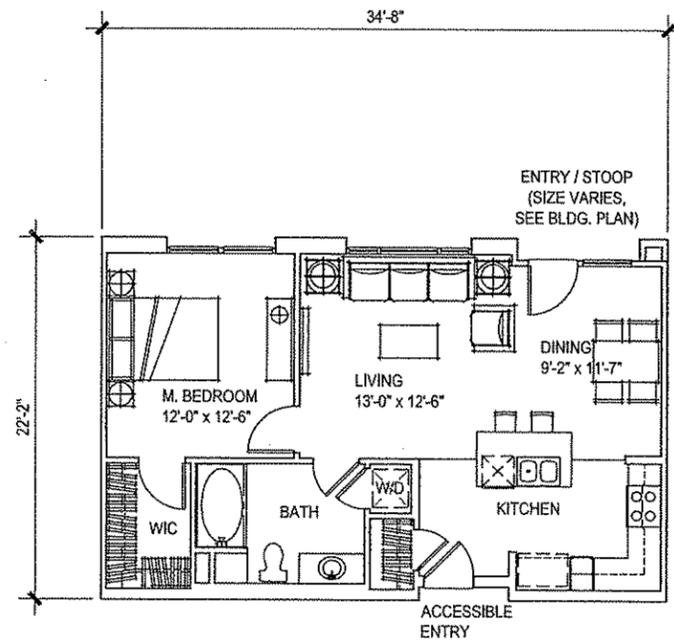
Alexan South Main
MILPITAS, CALIFORNIA

1. REVISIONS	DATE
1. 1ST SUBMITTAL	8/29/21
2. 2ND SUBMITTAL	11/22/21

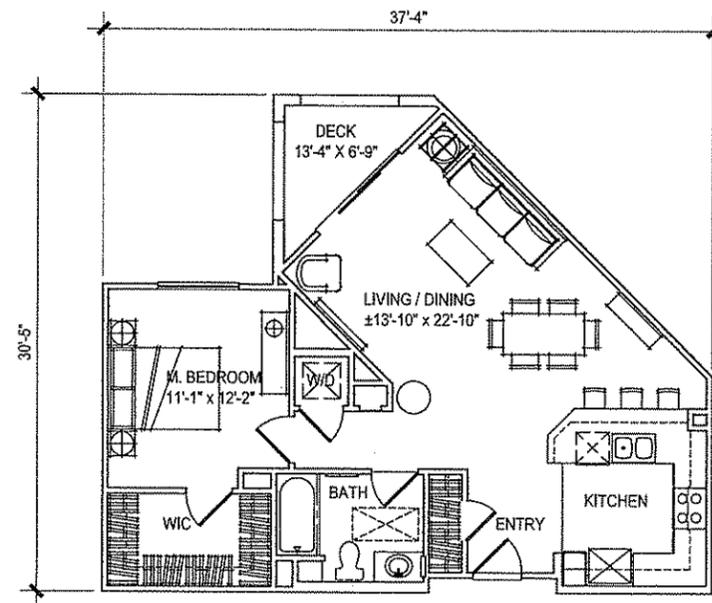
ARCHITECTS
KTGY GROUP INC.
ARCHITECTS
12774 SILVERDALE AVENUE
SUITE 100
MILPITAS, CALIFORNIA 95035
TEL: 408-352-3100
WWW.KTGY.COM
KTGY NO. 20070608

TYPICAL
UNIT PLANS

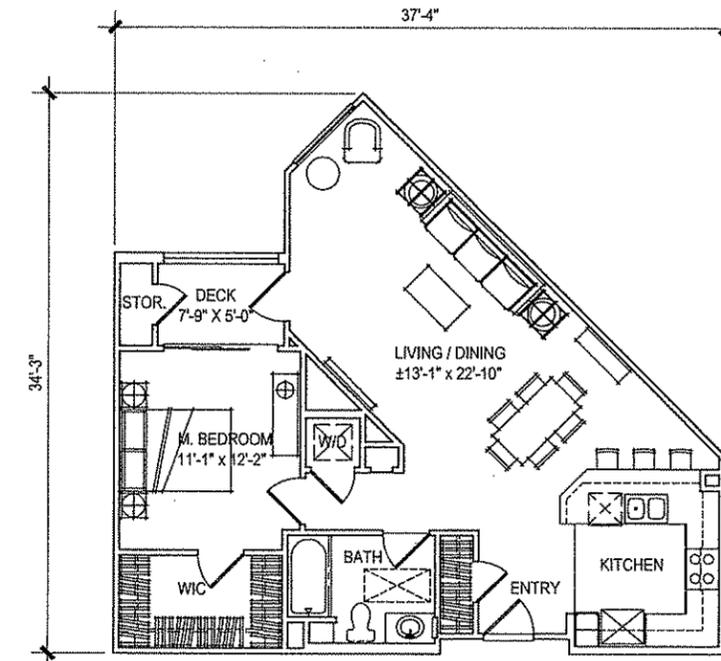
A-4.1



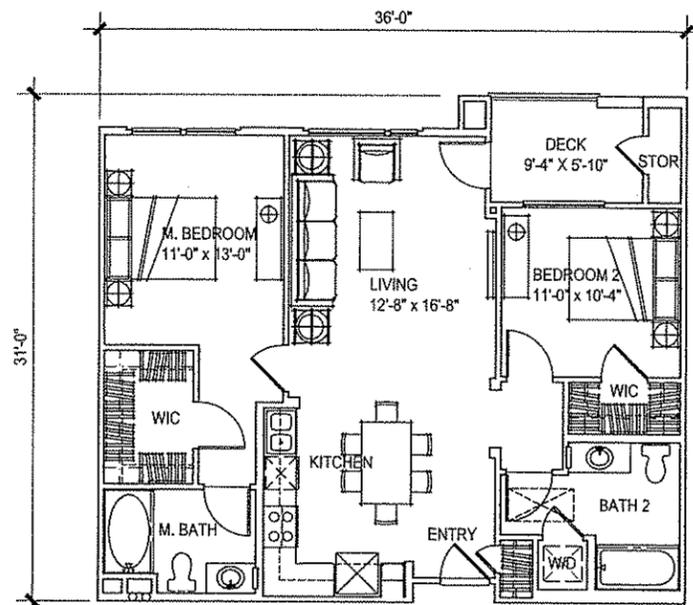
UNIT A4 - 1 Bed/1 Bath
Conditioned - 794 G.S.F.
Unconditioned - 37 G.S.F.



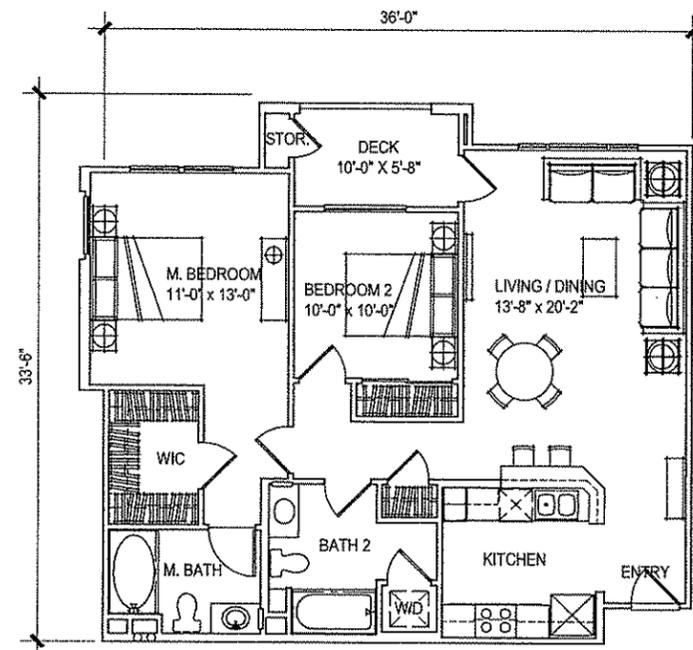
UNIT A5 - 1 Bed/1 Bath
Conditioned - 801 G.S.F.
Unconditioned - 60 G.S.F.



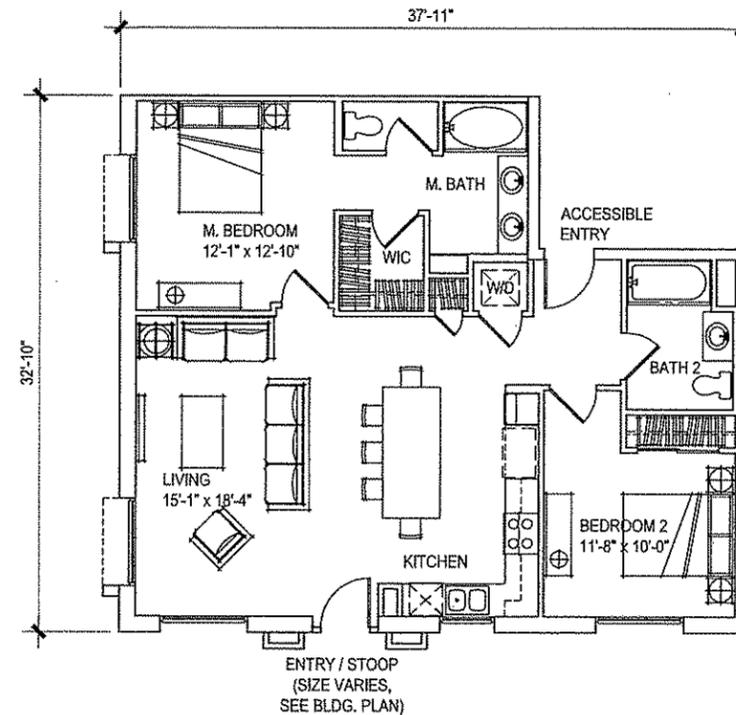
UNIT A6 - 1 Bed/1 Bath
Conditioned - 808 G.S.F.
Unconditioned - 49 G.S.F.



UNIT C1 - 2 Bed/2 Bath
Conditioned - 982 G.S.F.
Unconditioned - 85 G.S.F.



UNIT C2 - 2 Bed/2 Bath
Conditioned - 1035 G.S.F.
Unconditioned - 81 G.S.F.



UNIT C3 - 2 Bed/2 Bath
Conditioned - 1121 G.S.F.
Unconditioned - 29 G.S.F.



TYPICAL UNIT PLANS

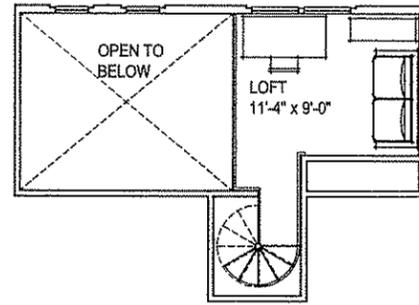
Alexan South Main
MILPITAS, CALIFORNIA

1	REVISIONS	DATE
2	EST. SUBMITTAL	11/24/07
3	REV. SUBMITTAL	11/27/07

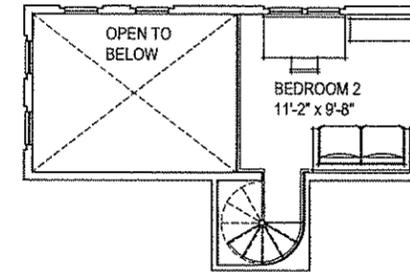
ARCHITECTURAL
KTGY GROUP, INC.
PROJECT ARCHITECT
17774 BLOSSOM ST., SUITE 100
IRVINE, CALIFORNIA 92614
(949) 261-7000 FAX (949) 261-7001
ALL RIGHTS RESERVED
10/07/06

TYPICAL
UNIT PLANS

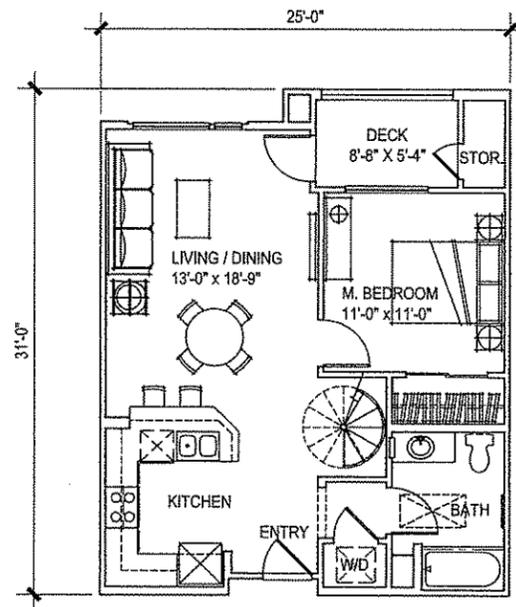
A-4.2



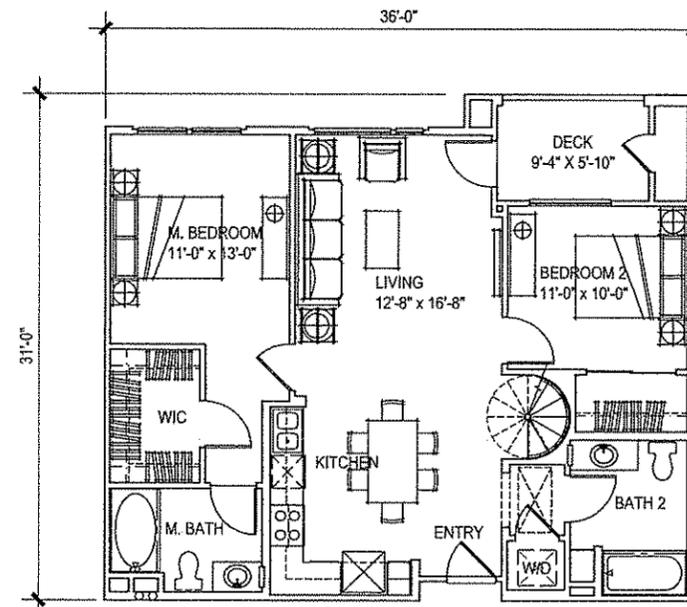
MEZZANINE LEVEL



MEZZANINE LEVEL



UNIT A3M - 1 Bed/1 Bath & Loft
Conditioned - 807 G.S.F.
Unconditioned - 75 G.S.F.



UNIT C1M - 2 Bed/2 Bath & Loft
Conditioned - 1090 G.S.F.
Unconditioned - 85 G.S.F.



TYPICAL UNIT PLANS

Alexan South Main
MILPITAS, CALIFORNIA

1	REVISIONS	DATE
1	1st SUBMITTAL	8/24/07
2	2nd SUBMITTAL	11/07/07

ARCHITECTS:
KTGY GROUP, INC.
ARCHITECTS PLANS
17271A STYVENSON AVENUE
MILPITAS, CALIFORNIA 95128
TEL: 408-951-5123 FAX: 408-951-5124
WWW.KTGY.COM
KTGY NO. 20070606

TYPICAL
UNIT PLANS

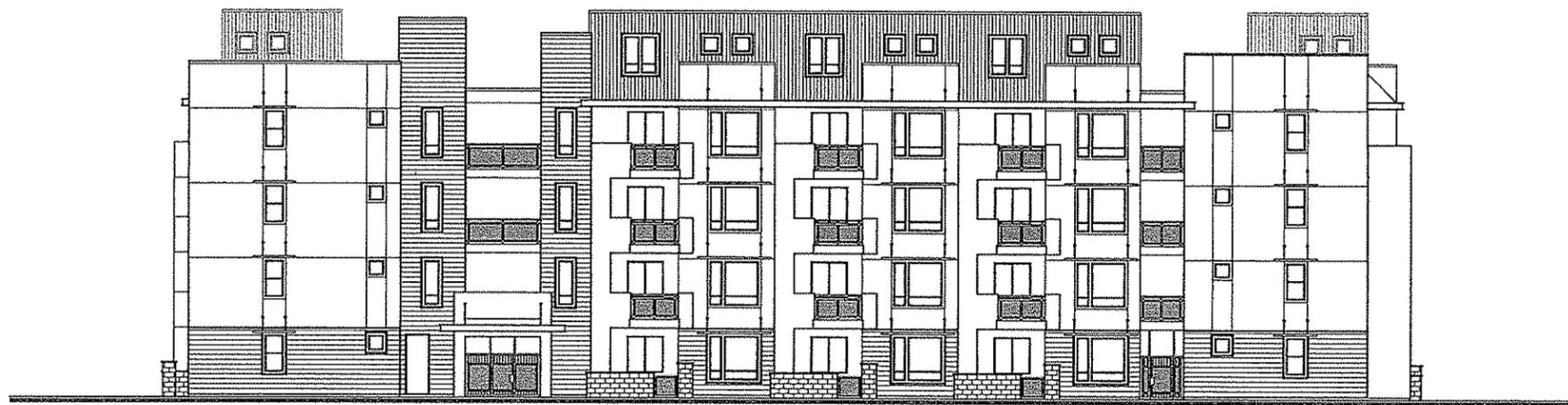
A-4.3



BUILDING 1 WEST ELEVATION



BUILDING 2 WEST ELEVATION



BUILDING 3 WEST ELEVATION



BUILDINGS 1, 2, & 3 COLORED WEST ELEVATIONS

Alexan South Main
MILPITAS, CALIFORNIA

NO.	REVISIONS	DATE
1	15% SUBMITTAL	02.20.17
2	30% SUBMITTAL	11.02.17

ARCHITECTS:
KTGY GROUP INC.
 17774 ELYSBELL AVENUE
 SUITE 200
 MILPITAS, CALIFORNIA 95035
 (408) 951-3700 FAX (408) 951-3705
 ALL RIGHTS RESERVED
 KTGY NO. 20160566

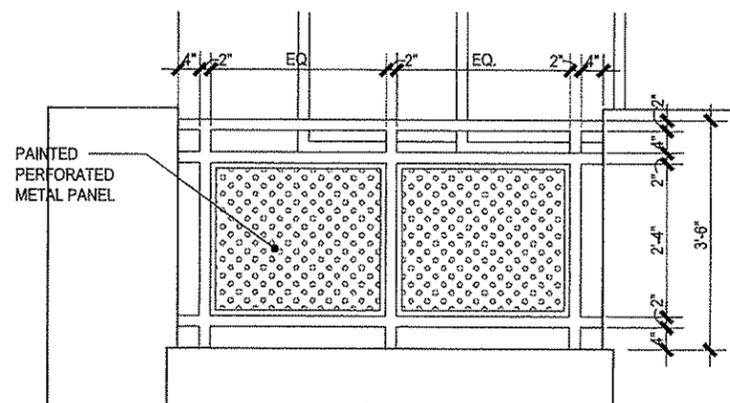
COLORED ELEVATIONS

A-5.4

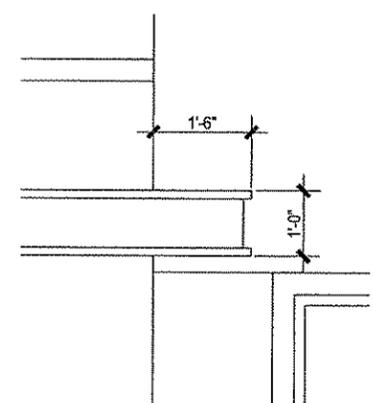


BLDG. 1 WEST ELEVATION

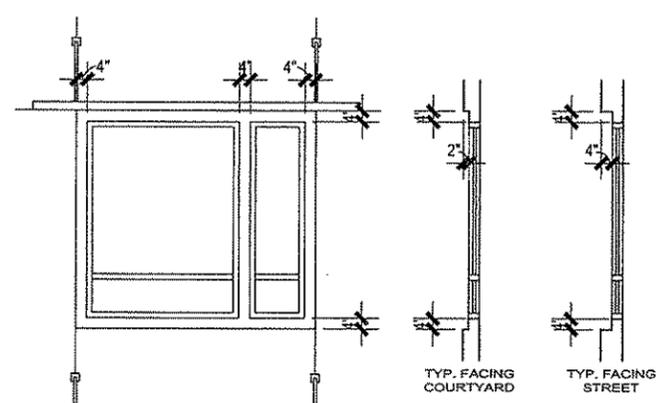
Alexan South Main
MILPITAS, CALIFORNIA



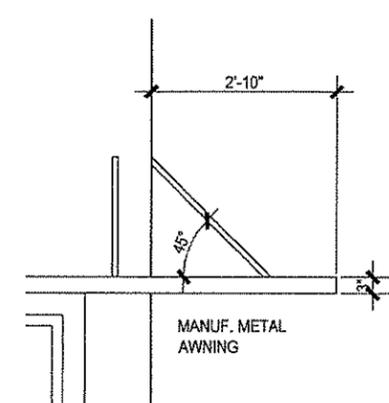
1. TYPICAL RAILING DETAIL



2. C-CHANNEL AWNING



3. TYPICAL WINDOW RECESS



3. TYPICAL SHADING DEVICE @ SOUTH & WEST FACING WINDOWS

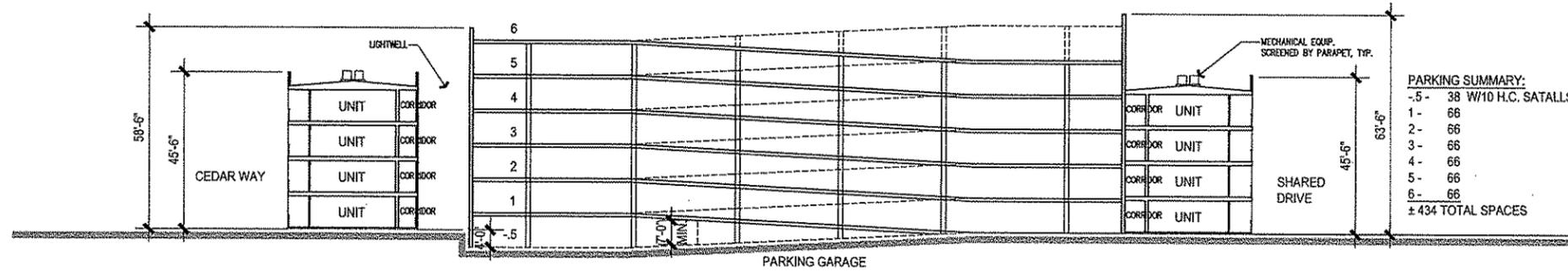
TYP. ARCHITECTURAL DETAILS

NO.	REVISIONS	DATE
1	1ST SUBMITTAL	03/20/21
2	2ND SUBMITTAL	11/07/21

ARCHITECTS
KTGY GROUP INC.
ARCHITECTS
17700 BIVERTON BLVD.
MILPITAS, CALIFORNIA 95035
TEL: 408-353-8800 FAX: 408-353-8800
© 2021 KTGY INC. 20070666

ARCHITECTURAL DETAILS

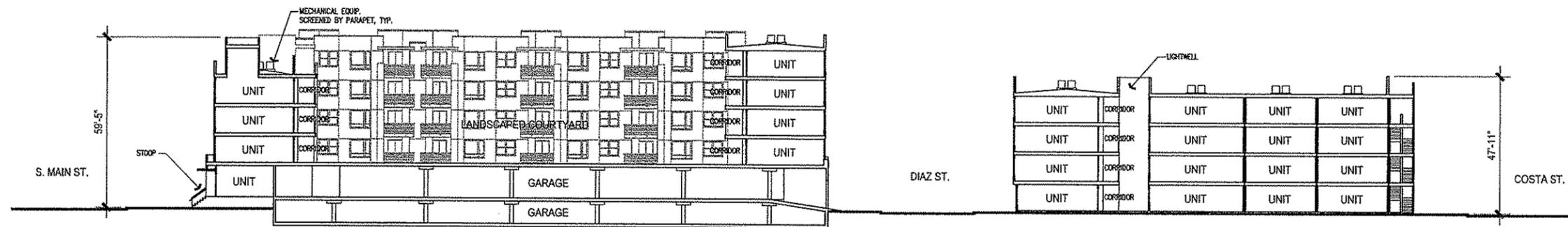
A-5.5



PARKING SUMMARY:

-5	38	W/10 H.C. SATALLS
1	66	
2	66	
3	66	
4	66	
5	66	
6	66	
		± 434 TOTAL SPACES

SECTION 1



SECTION 2



BUILDING SECTIONS

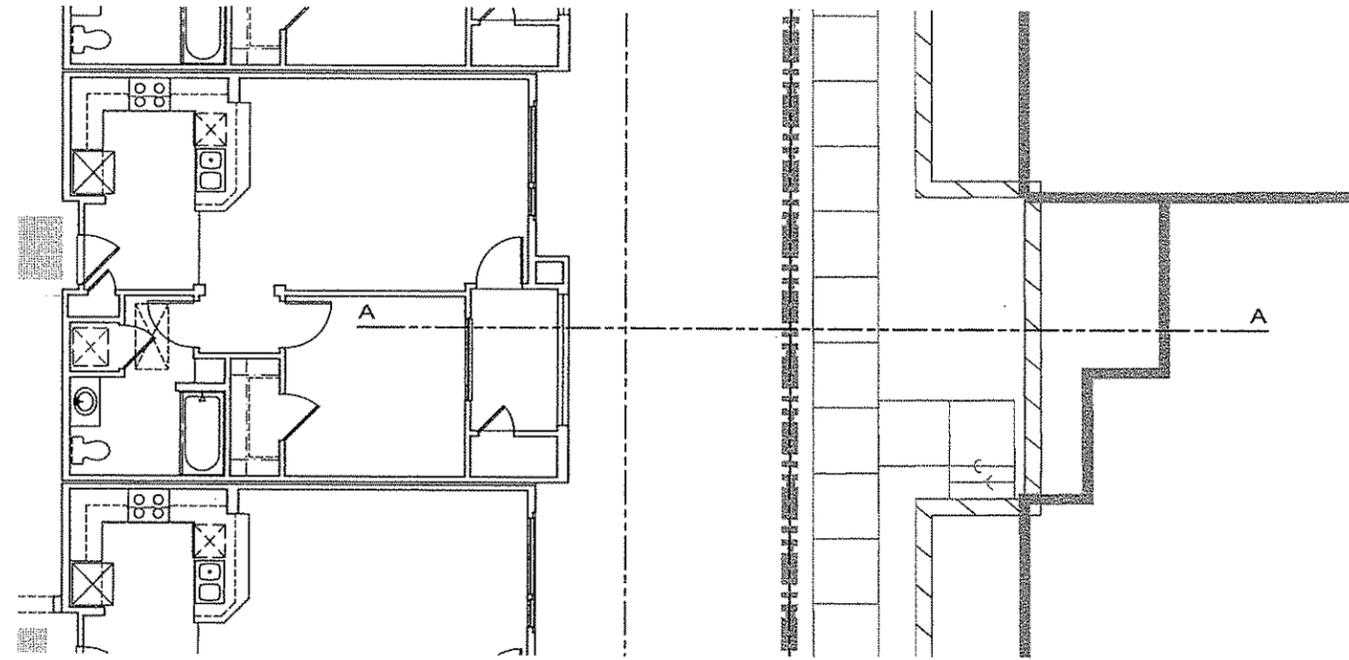
Alexan South Main
MILPITAS, CALIFORNIA

1	PROPOSAL	02.07.12
2	1ST SUBMITTAL	04.03.12
3	2ND SUBMITTAL	11.07.12

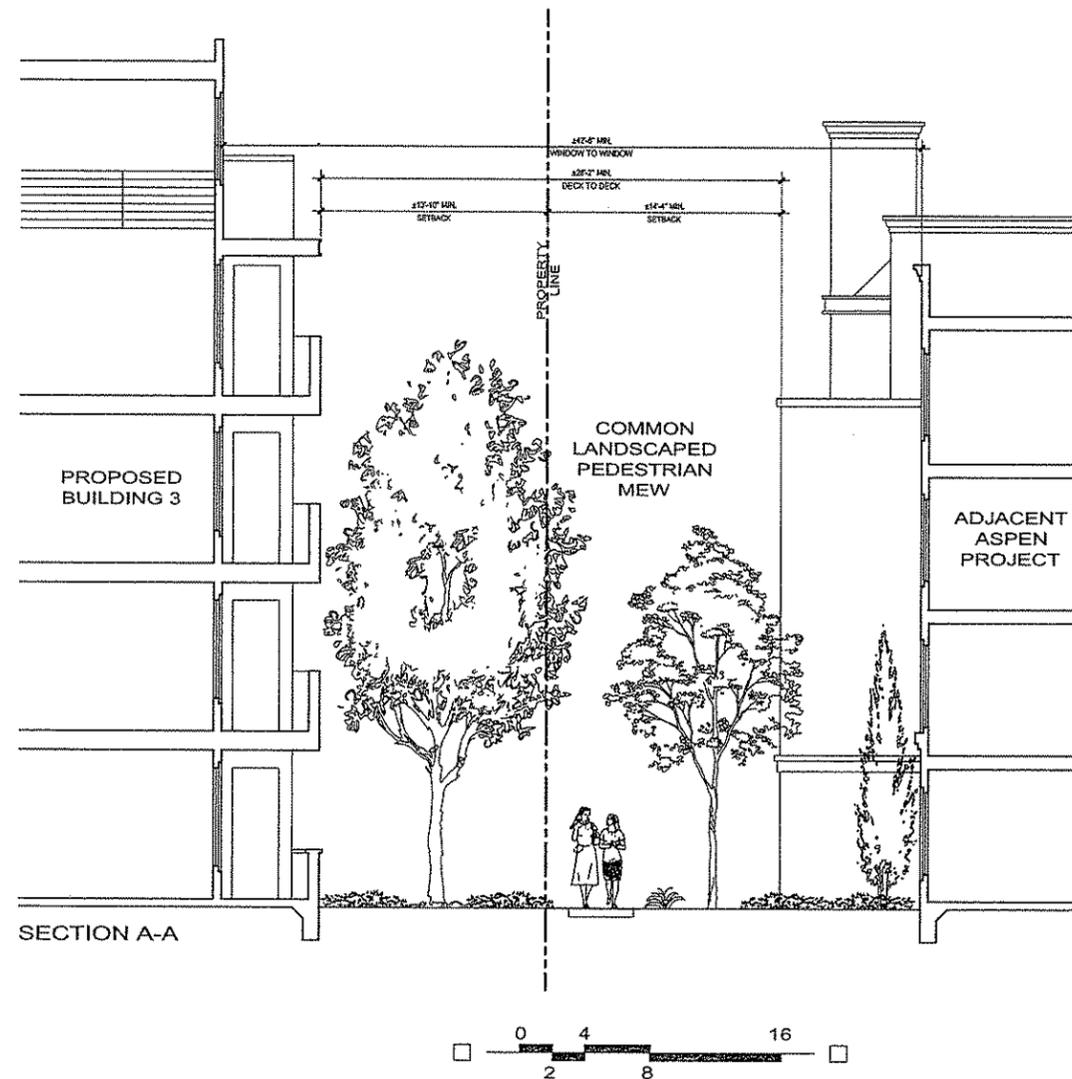
ARCHITECT:
KTGY GROUP
ARCHITECTS, INC.
17221 STAVENHILL AVENUE
FREMONT, CALIFORNIA 94538
(925) 461-9000 FAX (925) 461-9001
www.ktgy.com

BLDG. SECTIONS

A-5.6



ENLARGED SITE PLAN



SECTION A-A

BUILDING SECTIONS

Alexan South Main
MILPITAS, CALIFORNIA

1	REVISIONS	DATE
2	1ST SUBMITTAL	8/26/22
3	2ND SUBMITTAL	11/27/22

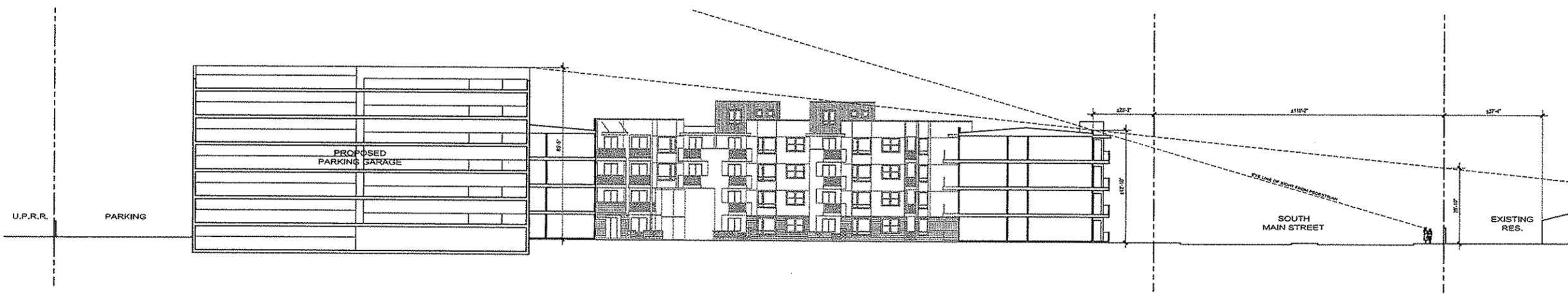
ARCHITECT:
KTGY GROUP INC.
ARCHITECTS
17714 BAYVIEW BLVD
SUITE 200
MILPITAS, CALIFORNIA 95035
TEL: (408) 351-1100 FAX: (408) 351-1100
© 2022
KTGY NO. 20220044

BUILDING SECTIONS -
BUILDING 3 AND
NEIGHBORING PROPERTY

A-5.7



SITE PLAN



SECTION A-A



PARKING GARAGE
LINE OF SIGHT DIAGRAM

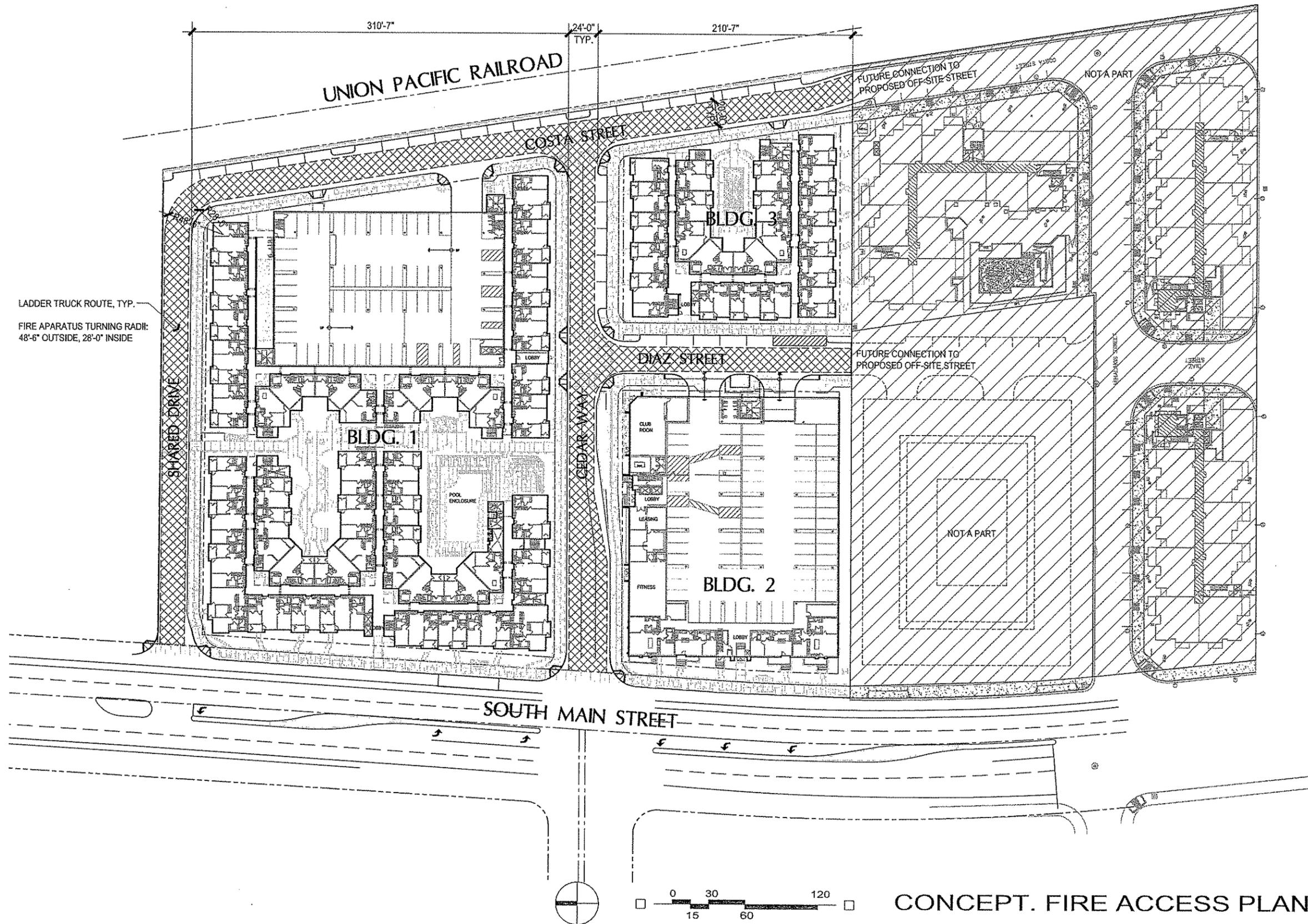
Alexan South Main
MILPITAS, CALIFORNIA

NO.	DESCRIPTION	DATE
1	1st SUBMITTAL	11/07/07
2	2nd SUBMITTAL	11/07/07

ARCHITECTS:
KTGY GROUP INC.
ARCHITECTS
1777 F STREET, SUITE 200
MILPITAS, CALIFORNIA 95035
(408) 967-3100 FAX (408) 967-3104
© 2007
KTGY NO. 20070666

PARKING GARAGE
LINE OF SIGHT DIAGRAM

A-5.8



Alexan South Main

MILPITAS, CALIFORNIA

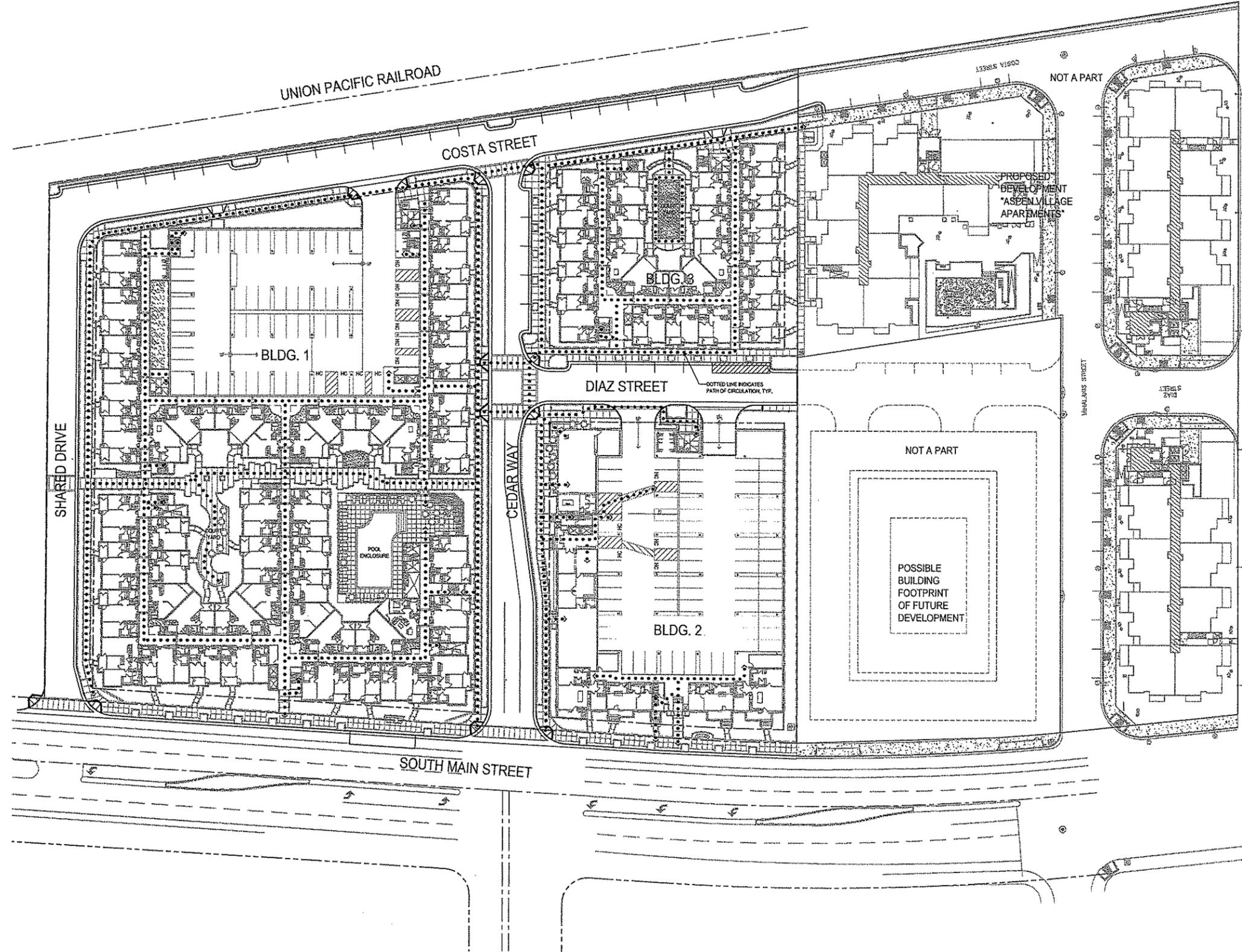
1	REVISIONS	DATE
1	1ST SUBMITTAL	03/20/21
2	2ND SUBMITTAL	11/07/21
3		

ARCHITECTS:
KTGY GROUP
 ARCHITECTS INC.
 12770 CALIFORNIA BLVD
 SUITE 200
 MILPITAS, CA 95035
 TEL: (408) 352-8888
 FAX: (408) 352-8888
 WWW.KTGY.COM

CONCEPTUAL FIRE ACCESS PLAN

A-6.1

CONCEPT. FIRE ACCESS PLAN



Alexan South Main

MILLPITAS, CALIFORNIA

NO.	REVISIONS	DATE
1	1ST SUBMITTAL	8/24/07
2	2ND SUBMITTAL	11/27/07

ARCHITECTS
KTGY GROUP, INC.
 ARCHITECTURE PLANNING
 1777 STAVDELL AVENUE
 MILPITAS, CALIFORNIA 95035
 TEL: 408-351-3000 FAX: 408-351-3001
 ALL RIGHTS RESERVED

PEDESTRIAN CIRCULATION PLAN

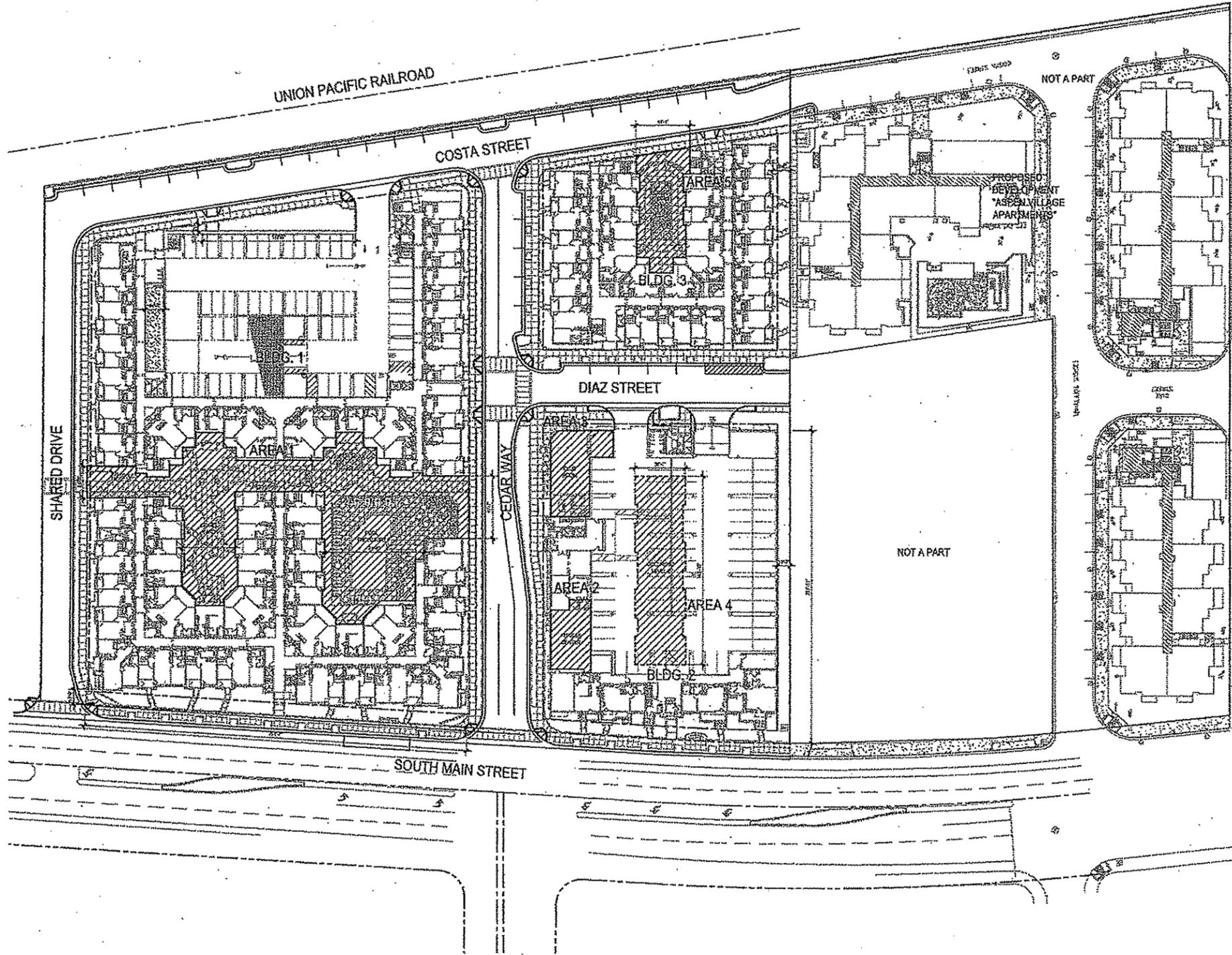
A-6.3



PEDESTRIAN CIRCULATION PLAN

TCR

Trammell Crow Residential



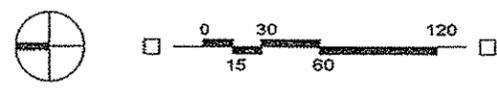
OPEN SPACE CALCS

GROSS SITE AREA = 5.942 ACRES (258,845 sq. ft.)
 NET SITE AREA = 4.226 ACRES (187,135 sq. ft.)
(PROJECT AREA, 100% PUBLIC USE, 1.80000000)

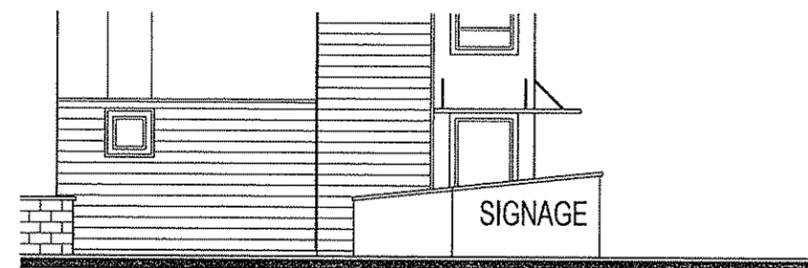
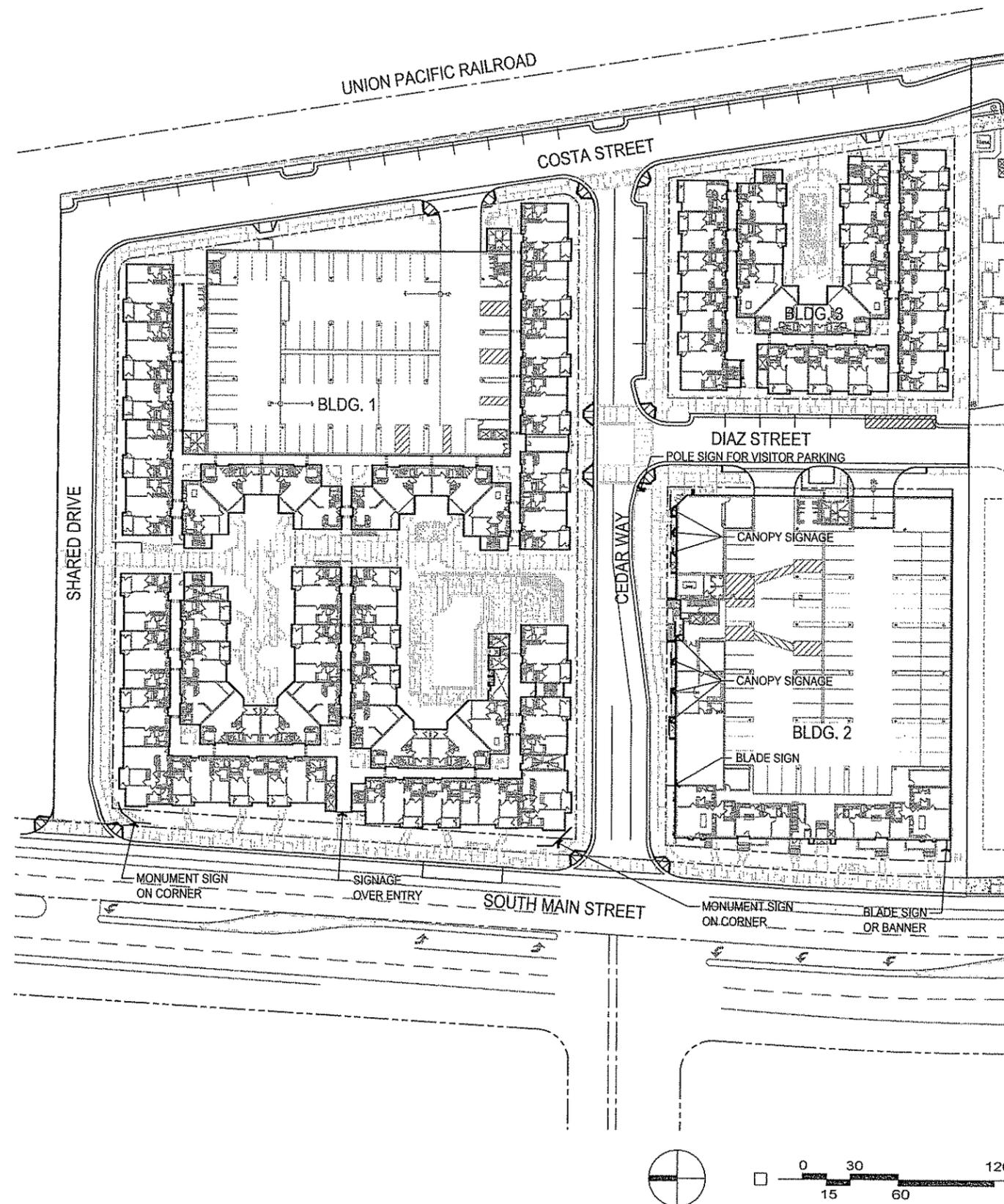
OPEN SPACE	
PUBLIC	
AREA 1	= 18,647 sq. ft.
AREA 2	= 1,535 sq. ft.
AREA 3	= 2,297 sq. ft.
AREA 4	= 5,325 sq. ft.
AREA 5	= 3,175 sq. ft.
	= 30,980 sq. ft.
PRIVATE	
	= 28,987 sq. ft.
TOTAL	
	= 59,967 sq. ft.
	(32 % Total)
	(Not Site)

Alexan South Main
 MILPITAS, CALIFORNIA

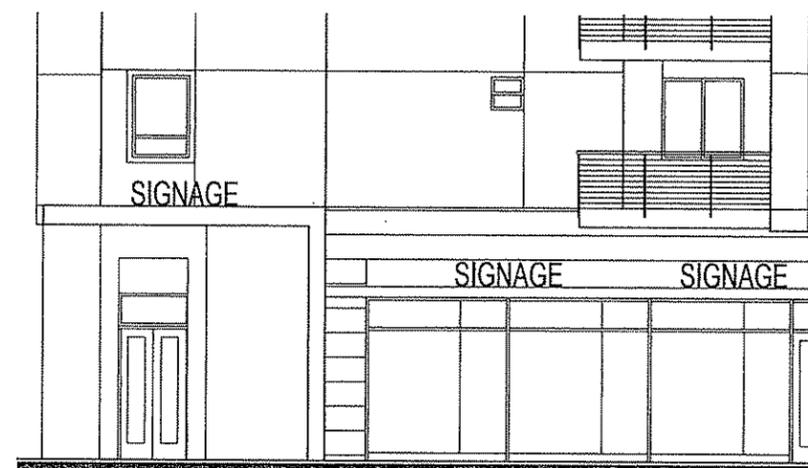
DATE	SCALE
BY	PROJECT
CHECKED	NO.
ARCHITECT KITBY GROUP 1000 AVENUE 86 MILPITAS, CALIFORNIA 95032 TEL: (408) 938-8800 FAX: (408) 938-8801 WWW.KITBYGROUP.COM	
OPEN SPACE DIAGRAM A-6.4	



OPEN SPACE DIAGRAM



TYPICAL MOUNUMENT SIGN ELEVATION - 1/4" = 1'-0"



TYPICAL CANOPY SIGNAGE ELEVATION - 1/4" = 1'-0"



TYPICAL BLADE SIGN ELEVATION - 1/4" = 1'-0"

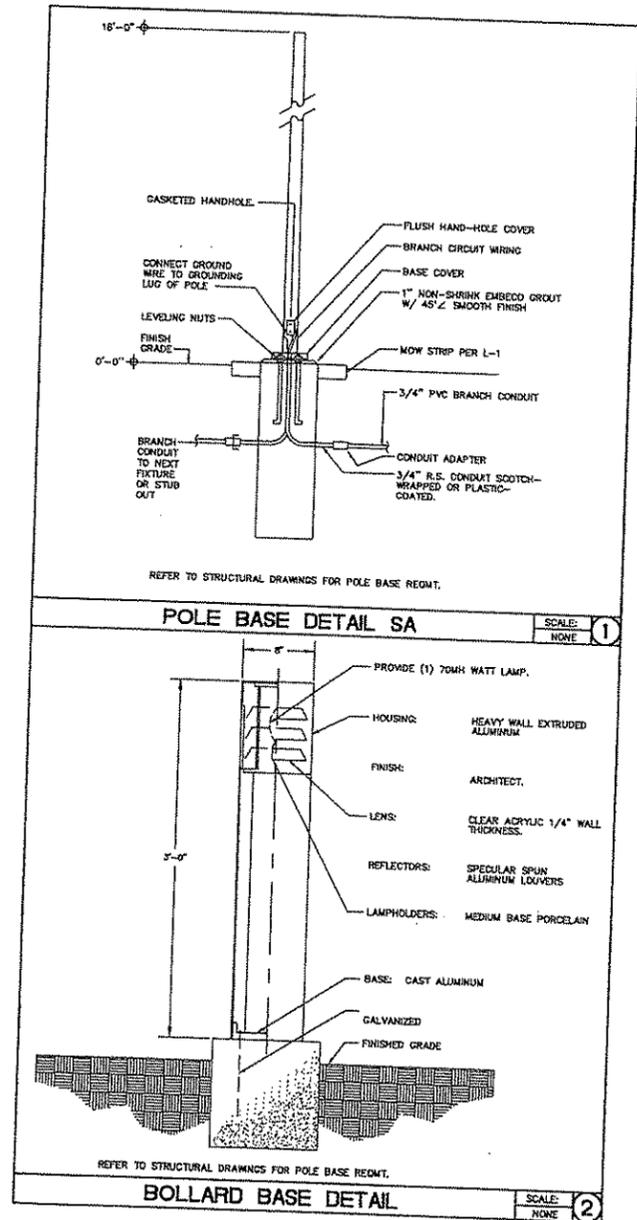
SIGNAGE PLAN

Alexan South Main
MILPITAS, CALIFORNIA

NO.	REVISIONS	DATE
1	1ST SUBMITTAL	11.01.17
2	2ND SUBMITTAL	11.07.17

ARCHITECTS:
KTGY GROUP INC.
ARCHITECTS
12770 E. UNIVERSITY AVENUE
SUITE 100
DENVER, COLORADO 80231
(303) 751-7000 FAX (303) 751-7001
www.ktgy.com

OPEN SPACE DIAGRAM



SITE LIGHTING FIXTURE SCHEDULE						
SYMBOL	DESCRIPTION	WATT.	LAMPS			MOUNTING
			NO.	WATTAGE	TYPE	
⊕	ACCORD 1ST FLOOR LIGHT WITH FULL CUT OFF	100	1	100	100 MH	POLE 18'-0"
⊕	LUMINO #1270-150MH-250W-ACCE 071A/070					
⊕	BOLLARD	80	1	70	70MH	MOUNT HEIGHT 3'-0"
⊕	LUMINO #00391-70MH					
⊕	RECESSED ASLE LIGHTS WITH FULL CUT OFF	72	1	50	50MH	MOUNT HEIGHT 2'-0"
⊕	CARDCO # 846-50MH-120V WALL PACK MOUNT WITH FULL CUT OFF	80	1	70	70MH	MOUNT HEIGHT 2'-0"
⊕	LUMINO # 857-70MH-120V					

SHEET INDEX		
Project:	ALAN SOUTH MAIN	
Job No.:	2006	
Sheet:	DESCRIPTION	
1	SYMBOL LIST, FIXTURE SCHEDULE, DETAILS AND SHEET INDEX	
2	INTERFERENCES OF FIXTURES	
3	SITE LIGHTING PLAN	
4	SITE PHOTOGRAPHIC PLAN	

- GENERAL NOTES**
1. SITE LIGHT FIXTURE TYPES AND HEIGHTS SHALL BE APPROVED BY THE PLANNING DEPARTMENT.
 2. STREET LIGHTS WITHIN THE NEW STREETS SHALL BE PER CITY OF MILPITAS HISTORY PLAN AND THE STREETLIGHTS ON PROJECT FRONTAGE AT S. MAIN STREET PER CITY OF MILPITAS PLAN LINE STUDY.

TCR
Trazumel Crow Residential

Alexan South Main
MILPITAS, CALIFORNIA

1	SYMBOL LIST	1/20/06
2	FIXTURE SCHEDULE	1/20/06
3	DETAILS	1/20/06
4	PHOTOGRAPHIC PLAN	1/20/06

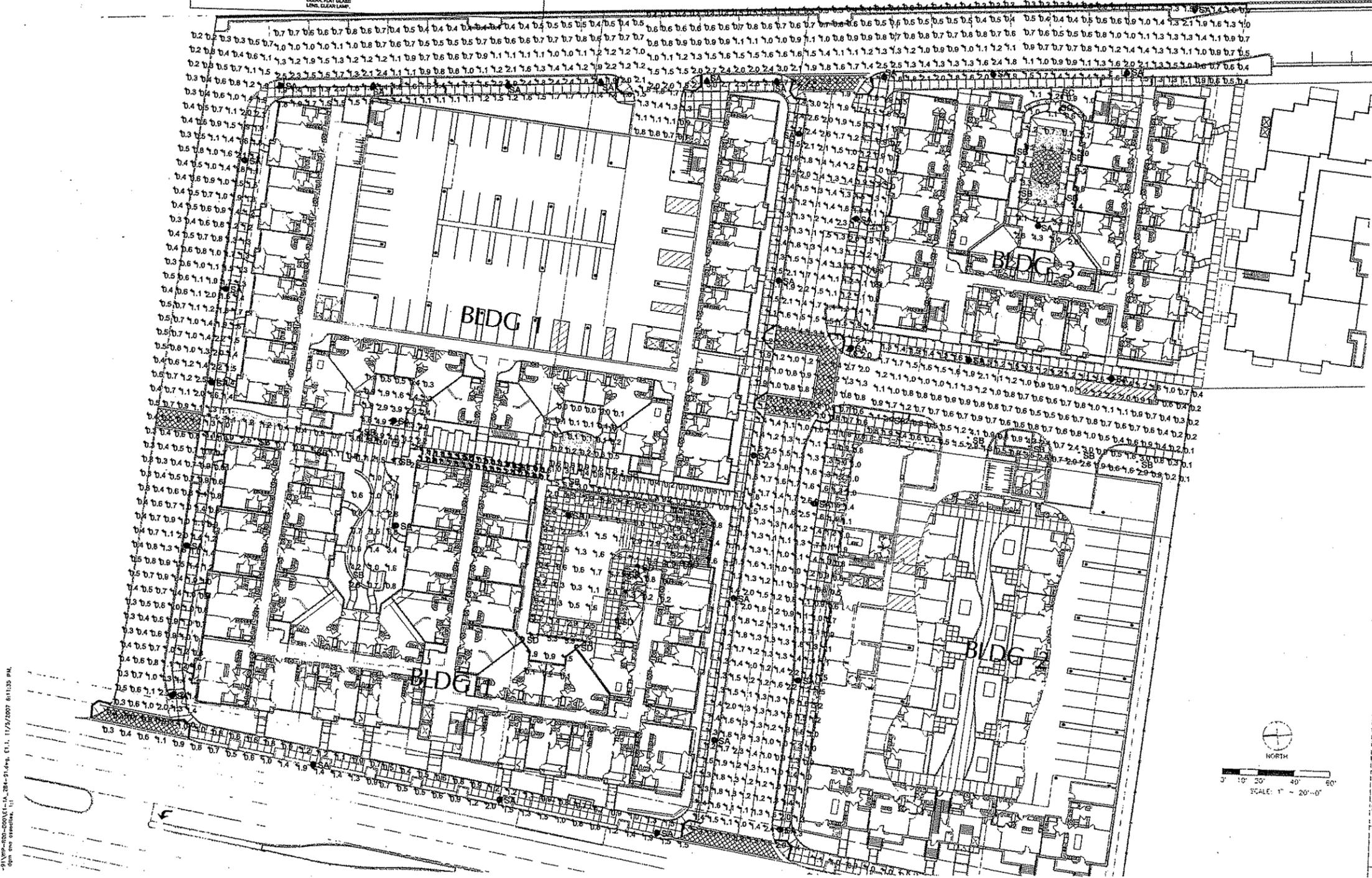
PROJECT: ALAN SOUTH MAIN
 JOB NO.: 2006
 SHEET: 1 OF 4
 DATE: 1/20/06
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

KTGY GROUP
 ARCHITECTS AND ENGINEERS
 1000 BAYVIEW BLVD, SUITE 100
 MILPITAS, CA 95035
 TEL: 408.371.1111 FAX: 408.371.1112
 WWW.KTGY.COM

SYMBOL LIST,
 FIXTURE SCHEDULE,
 DETAIL AND SHEET INDEX

4-31749-000-000A10-1_204-31.dwg, EP-2, 11/20/2007 01:43:55 PM, n. dgm and associates, llc

Symbol	Label	Qty	Control Number	Description	Lamp	File	Lumens	LLF	Watt
●	BA	28	1500A-1110-01	Architectural - Decorative Foot Top	(1) 150W Metal Halide Mighty CREE	6013300.ACS	12000	0.81	168
□	BO	2	6400MM-1110-01	STREETLIGHT	CLEAR 150W RATED 3400 LUMENS	6400010.ACS	3400	0.81	72
○	DO	1	DO001	BOLLARD	ARCHITECTURAL-POSITION ED17	DO00010.ACS	3000	0.81	70
⊞	SD	1	WST1001	ARCHITECTURAL-SCENE WITH FORWARD THROW DISTRIBUTION WITH CLEAR PLAT GLASS LENS, CLEAR LAMP	ONE FORWARD CLEAR EA. 11 METAL HULDE, HORIZONTAL POSITION	LTL1101.ACS	3200	0.81	95



911109-000-000V1-1A-284-21.04x, E1.1, 11/22/2007 8:11:35 PM
 dgn and schedule, 1:1

TCR
Trammel Crow Residential

Alexan South Main
 MILPITAS, CALIFORNIA

ARCHITECT:
KTGY GROUP, INC.
 11220 CANTON AVENUE, SUITE 200
 SAN FRANCISCO, CA 94134
 TEL: (415) 774-8888
 FAX: (415) 774-8889
 WWW.KTGY.COM

SITE
**PHOTOMETRIC
 PLAN**

ALEXAN SOUTH MAIN VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES

1504-1620 SOUTH MAIN STREET
MILPITAS, CA 95035

SUBDIVIDER:
TRAMMELL CROW RESIDENTIAL
PETER SOLAR
1810 GATEWAY DRIVE
SUITE 240
SAN MATEO, CA 94404

CIVIL ENGINEER:
NOLTE ASSOCIATES, INC.
NON-CHEONG LEE, P.E.
1731 NORTH FIRST STREET,
SUITE A
SAN JOSE, CA 95112

OWNER:
LI TANG
1649 SOUTH MAIN STREET,
#103
MILPITAS, CA 95035

EXISTING LOTS:

APH NUMBER	AREA (SF)	AREA (AC)	USE
086-22-028	±89,453.17	±2.05	RESIDENTIAL
086-22-027	±51,128.45	±1.17	COMMERCIAL
086-22-042	±42,790.65	±0.98	VACANT
086-22-041	±36,064.02	±0.83	VACANT
086-22-034	±22,775.94	±0.52	VACANT
086-22-033	±16,538.66	±0.38	COMMERCIAL
TOTAL	±258,851.10	±5.94	

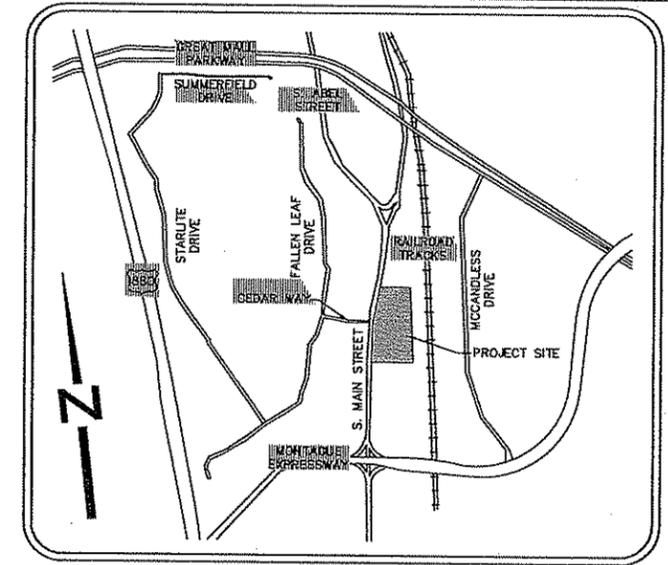
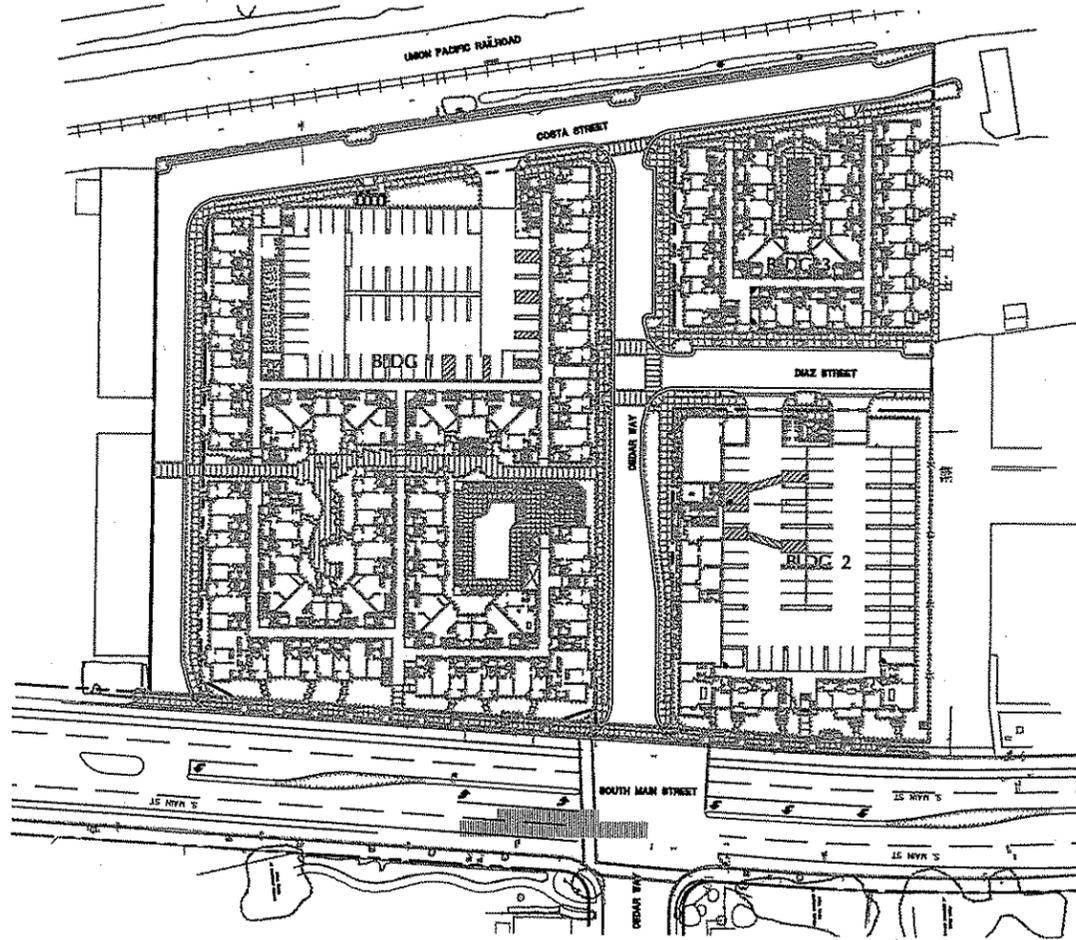
PROPOSED LOTS:

LOT NUMBER	AREA (SF)	AREA (AC)	USE
1	±111,114.75	±2.55	R4-MULTI FAMILY, TOD, HIGH DENSITY
2	±45,298.66	±1.04	R4-MULTI FAMILY, TOD, HIGH DENSITY
3	±28,748.91	±0.66	R4-MULTI FAMILY, TOD, HIGH DENSITY
A	±73,688.78	±1.69	PUBLIC RIGHT OF WAY
TOTAL	±258,851.10	±5.94	

NOTES:

THE 5.94 ACRES OF LAND ARE TO BE DEVELOPED TO THE REVISED ZONING OVERLAY OF R4, MULTI-FAMILY, AND TOD ZONES. THREE APARTMENT TOWERS WITH ONSITE PARKING GARAGES AND TENANT AMENITIES WILL REPLACE THE CURRENT RESIDENTIAL, COMMERCIAL AND VACANT LAND USE. AN INFRASTRUCTURE OF NEW STORM DRAIN LINES, SANITARY SEWER LINES AND WATER LINES WILL BE INSTALLED TO SUPPORT THE DEVELOPMENT. STORMWATER INFILTRATION WILL BE MITIGATED THROUGH THE USE OF STORMWATER PLANTERS AND CONTINUOUS DEFLECTIVE SEPERATION UNITS.

STREETSCAPE WILL BE DESIGNED IN CORRESPONDENCE TO THE MILPITAS MAIN STREET PLAN LINE STUDY, CP4230



VICINITY MAP
N.T.S.

**TABLE OF CONTENTS
TENTATIVE MAP PLANS**

SHEET NO.:	DRAWING TITLE:
1	COVER SHEET
2	EXISTING MAP CONDITIONS
3	TENTATIVE MAP
4	GRADING AND DRAINAGE PLAN
5	UTILITY PLAN
6	CROSS SECTIONS
7	CONDITIONS OF APPROVAL

GENERAL NOTES:

- A. RECORD OWNER & SUBDIVIDER: NORTHERN CALIFORNIA I 2005, L.P. A TEXAS LIMITED PARTNERSHIP
- B. GROSS AREA: 5.94 AC
 - LOT #1: ±111,114.75 SF (±2.55 AC)
NUMBER OF UNITS = 192
 - LOT #2: ±45,298.66 SF (±1.04 AC)
NUMBER OF UNITS = 107
 - LOT #3: ±28,748.91 SF (±0.66 AC)
NUMBER OF UNITS = 88
 - LOT #A: ±73,688.78 SF (±1.69 AC)
PUBLIC RIGHT OF WAY.
- C. MINIMUM LOT SIZE: 0.66 AC
- D. EXISTING LAND USE: R4-TOD
- E. PROPOSED LAND USE: R4-TOD
- F. WATER: CITY OF MILPITAS
- G. SEWER: CITY OF MILPITAS
- H. GAS & ELECTRIC: PG&E
- I. TELEPHONE: AT&T
- J. CABLE TV: AT&T BROADBAND
- K. STREET TREES: CITY OF MILPITAS
- L. STREETS: ALL STREETS WITHIN THE SUBDIVISION WILL BE PUBLIC STREET AND MAINTAINED BY THE CITY OF MILPITAS.
- M. PROPOSED WATER, SANITARY SEWER AND STORM DRAIN FACILITIES WILL BE CONSTRUCTED AS PER CITY STANDARDS AND DEDICATED TO THE CITY.
- N. DATUM: CITY OF MILPITAS DATUM.
- O. EXISTING WELL ON SITE.
- P. STREET LIGHTS: STREET LIGHTS WILL BE INSTALLED PER CITY OF MILPITAS STANDARDS AND MAINTAINED BY CITY OF MILPITAS.
- Q. SOUNDWALLS AND MASONARY WALLS: ALL WALLS WILL BE PRIVATE FACILITIES MAINTAINED BY THE HOMEOWNERS.

DATE	TIME	NO.	BY	DATE	REVISIONS
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SERVICES	SERVICES				
PATH:					
DRAWING NAME:	01 COVER.DWG				
PLOTTING VIEW:	NONE				
DESIGNER:	NONE PROJ MGR: NONE				



1731 NORTH FIRST STREET, SUITE A, SAN JOSE, CA 95112
408.592.7200 TEL 408.592.0191 FAX WWW.NOLTE.COM

**ALEXAN SOUTH MAIN
TENTATIVE MAP COVER SHEET
MILPITAS, CA**

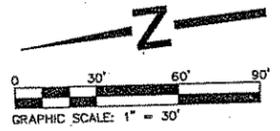
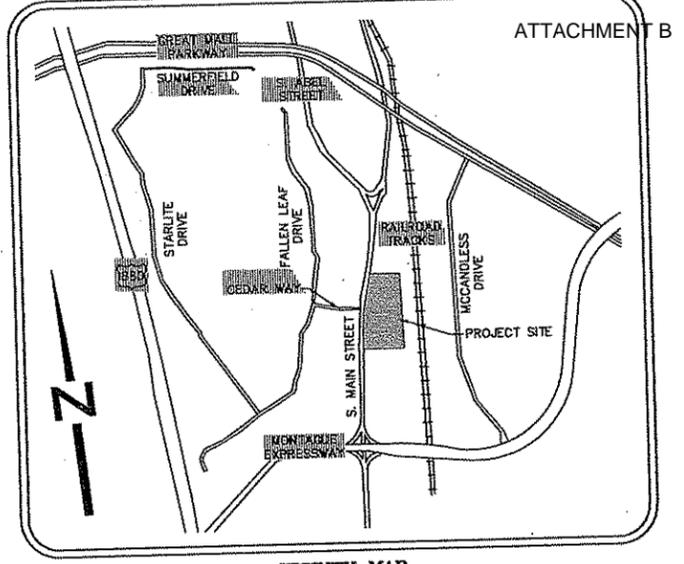
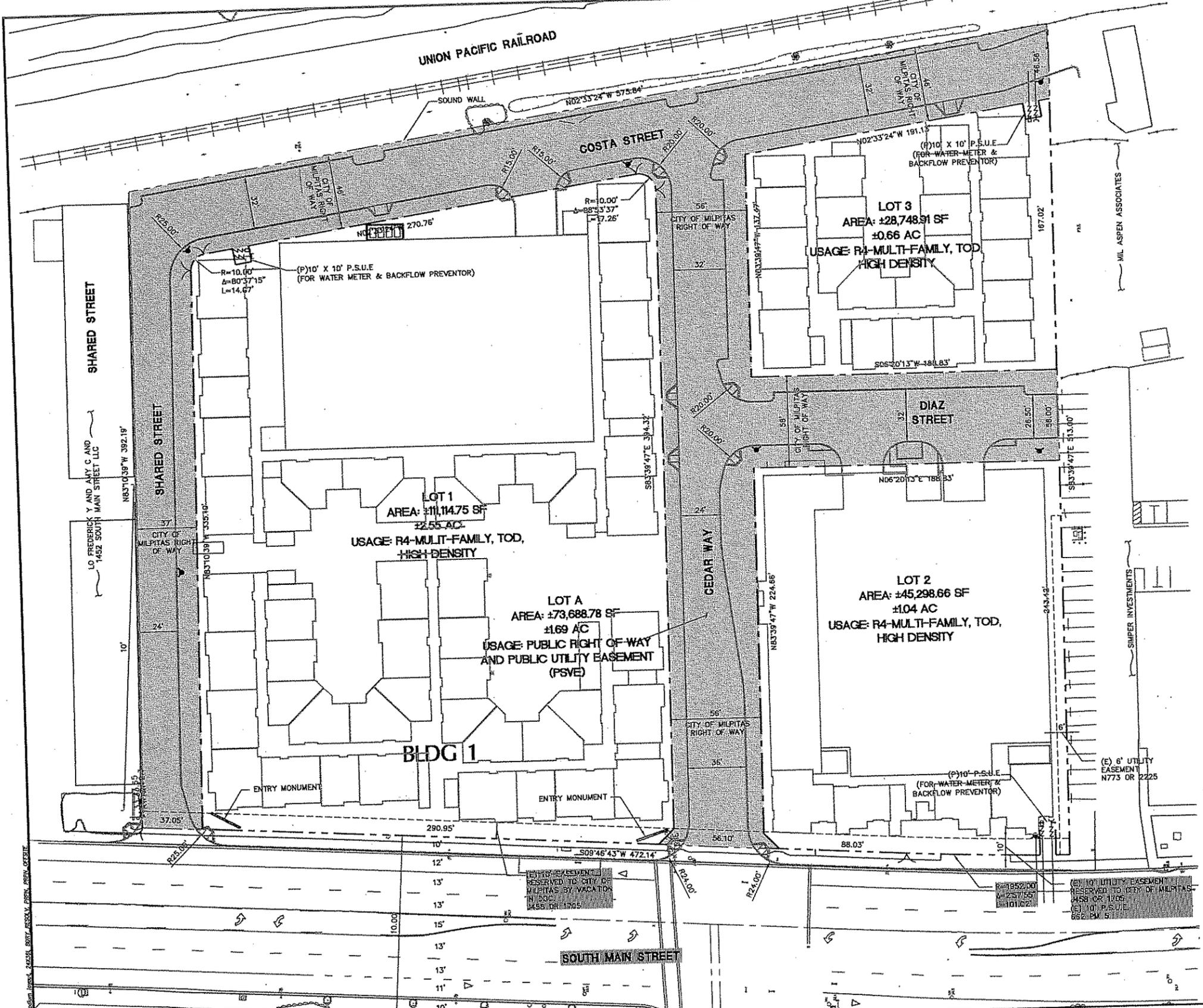
DRAWING NUMBER	SHEET NUMBER
TM	1
	OF 7 SHEETS
SCALE	JOB NUMBER
VERTICAL: 1"=10' HORIZONTAL: 1"=10'	SJB017801

PREPARED FOR: TRAMMELL CROW RESIDENTIAL

DATE SUBMITTED: 01/09/2008

CAUTION: The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.

N:\5-8017900\CADD\CIVIL_01\TENTATIVE MAP



LEGEND

- LOT LINE, R.O.W. LINE
- - - EXISTING BOUNDARY LINE
- EXISTING EASEMENTS

ABBREVIATIONS:

- (E) EXISTING
- (P) PROPOSED
- L LENGTH
- R RADIUS

NOTE:

1. EXISTING 50' PG&E GAS LINE EASEMENT AND INGRESS AND EGRESS TO BE ABSORBED INTO LOT 4, CITY OF MILPITAS RIGHT OF WAY
2. THE TWO RAMPS ON THE COSTA STREET ARE TO PROVIDE ACCESS TO THE TRASH STAGING AREA. (FOR THE FRONT LOADING TRASH TRUCK)
3. THE NEW SOUND WALL ALONG THE EAST SIDE OF THE PROPERTY IS TO BE MAINTAINED BY THE OWNER

DATE	TIME	NO.	BY	DATE	REVISIONS
1/24/08	7:30:00 AM				
SERVER: SISO SERVICE: NONE					
PATH:					
DRAWING NAME: TENTATIVE MAP.DWG					
PLOTTING VIEW: NONE					
DESIGNER: NONE PROJ. MGR: NONE					

CAUTION: The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.

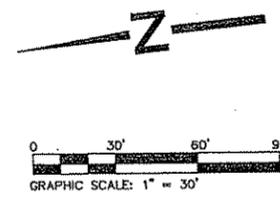
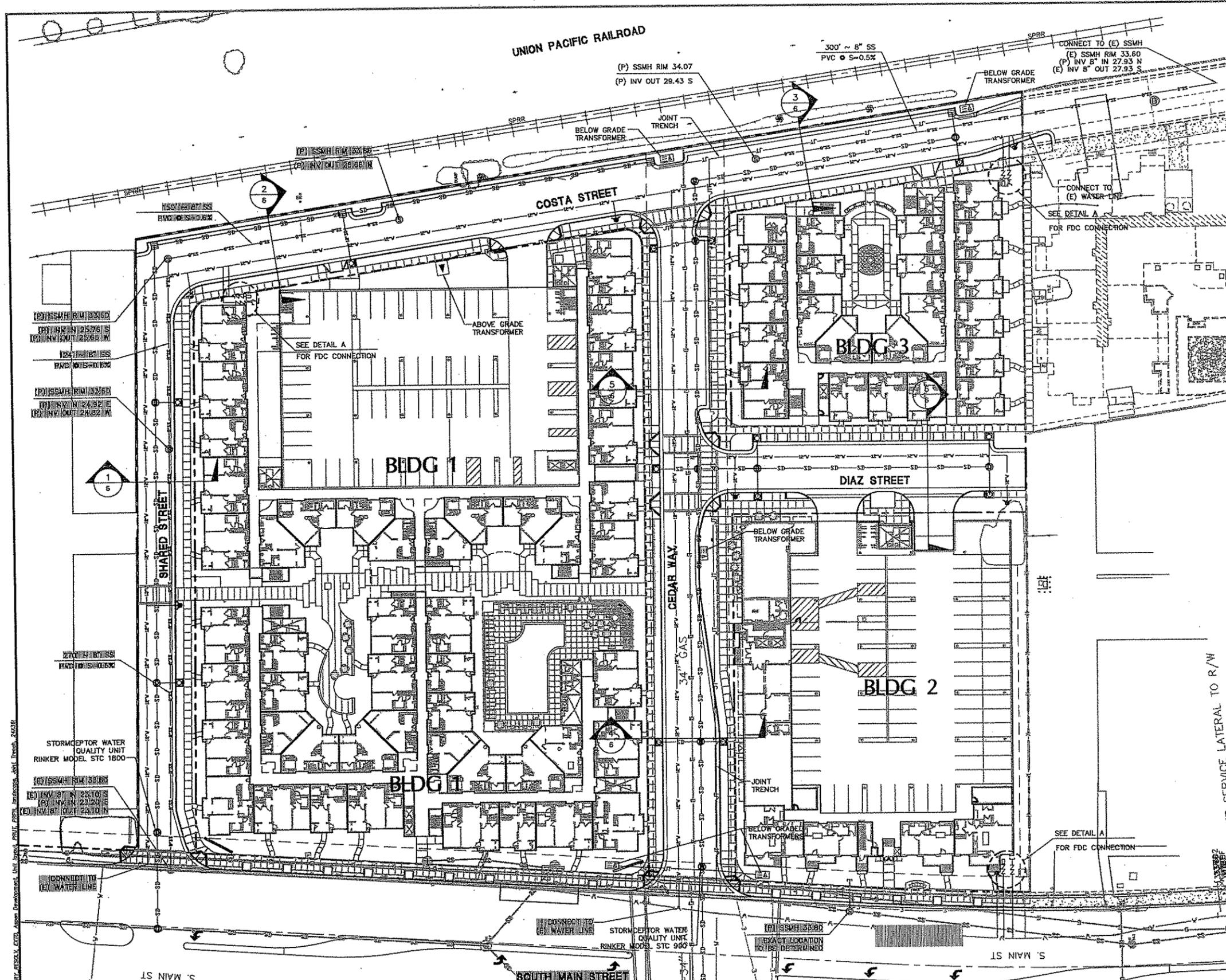
NOLTE
BEYOND ENGINEERING

1731 NORTH FIRST STREET, SUITE A, SAN JOSE, CA 95131
408.392.7200 TEL. 408.392.0101 FAX WWW.NOLTE.COM

ALEXAN SOUTH MAIN
TENTATIVE MAP
1504-1620 SOUTH MAIN STREET

DRAWING NUMBER	SHEET NUMBER
TM	3
OF	7 SHEETS
SCALE	
VERTICAL: 1" = 10'	
HORIZONTAL: 1" = 30'	
DATE SUBMITTED: 01/09/2008	JOB NUMBER: 8JB017801

PREPARED FOR: TRAMMELL CROW RESIDENTIAL

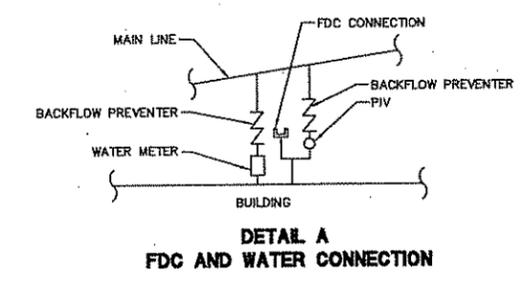


- LEGEND**
- WATER LINE WITH "X" DIAMETER
 - SANITARY SEWER LINE WITH "X" DIAMETER
 - SANITARY SEWER MANHOLE
 - FIRE HYDRANT
 - JOINT TRENCH

- ABBREVIATIONS**
- SSMH = SANITARY SEWER MANHOLE
 - E = EXISTING
 - P = PROPOSED
 - INV = INVERT

- NOTES:**
1. SEE DEMOLITION PLAN FOR EXISTING UTILITY LOCATIONS.
 2. SEE GRADING AND DRAINAGE PLAN FOR STORM DRAIN INFORMATION.

- RESPONSE TO REDLINES:**
1. ALL THE MISS MATCH WAS DUE TO GRAPHICAL ERROR. UTILITIES, BUILDING OVERHANG AND PROPERTY LINE ARE IN RIGHT LOCATION NOW.
 2. 10' WIDE P.S.U.E IS PROVIDED FOR THE THREE BACKFLOWPREVENTOR AND METER LOCATIONS.



DATE: 1/11/08	TIME: 10:45:48 AM	NO.	BY	DATE	REVISIONS:
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PATH: N:\S\8017900\CADD\LEVEL_01					
DRAWING NAME: CAD UTILITY PLANING					
PLOTTING VIEW: NONE					
DESIGNER: NONE	PROJ. MGR: NONE				

CAUTION: The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.

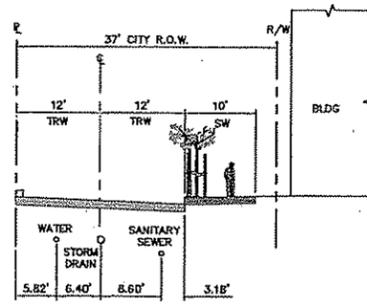
NOLTE
BEYOND ENGINEERING

1731 NORTH FIRST STREET, SUITE A, SAN JOSE, CA 95112
408.392.7200 TEL. 408.392.0101 FAX WWW.NOLTE.COM

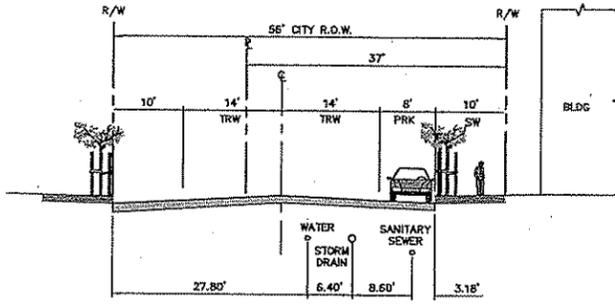
ALEXAN SOUTH MAIN
UTILITY PLAN
1504-1620 SOUTH MAIN STREET

DRAWING NUMBER	SHEET NUMBER
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	OF 7 SHEETS
	SCALE
	VERTICAL: 1"=10'
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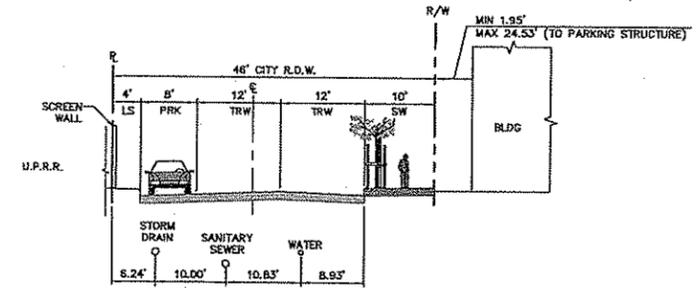
PREPARED FOR: TRAMMELL CROW RESIDENTIAL DATE SUBMITTED: 01/09/2008



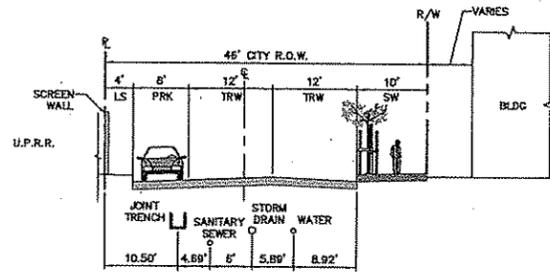
1 SHARED DRIVE ALONG NORTH PROPERTY LINE
N.T.S.



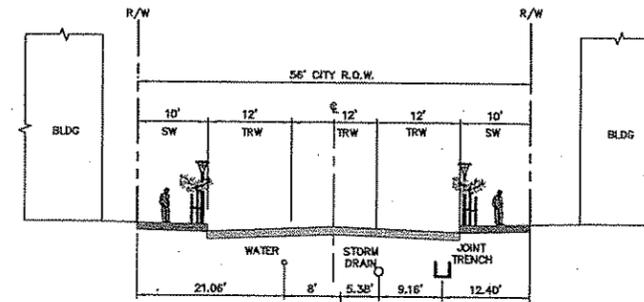
2 FUTURE WIDENING OF SHARED DRIVE
N.T.S.



3 COSTA STREET NORTH OF CEDAR WAY
N.T.S.

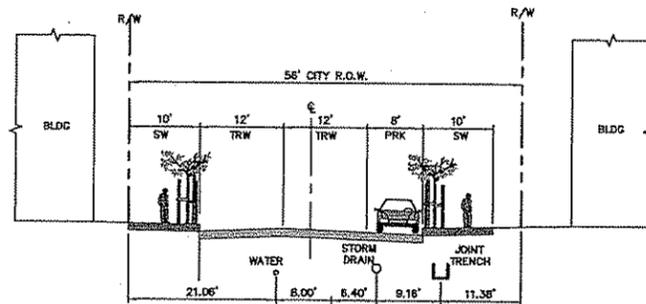


4 COSTA STREET SOUTH OF CEDAR WAY
N.T.S.



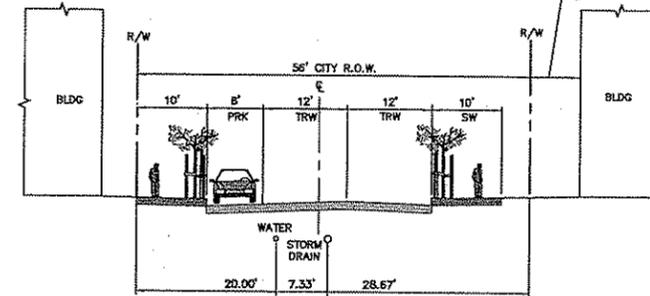
5 CEDAR WAY WEST OF DIAZ STREET
N.T.S.

6 CEDAR WAY WEST OF DIAZ STREET
N.T.S.



7 CEDAR WAY EAST OF DIAZ STREET
N.T.S.

8 CEDAR WAY EAST OF DIAZ STREET
N.T.S.



9 DIAZ STREET
N.T.S.

DATE: 1/11/08	TIME: 10:42:07 AM	NO.	BY	DATE	REVISIONS
SERVICE: S.S.D.	SERVICE: NONE				
PATH: H:\S\017800\CAUD\CAD\DWG					
DRAWING NAME: CS.C.X-SECTIONS.DWG					
PLOTTING VIEW: NONE					
DESIGNER: NONE	PRJL MGR: NONE				

CAUTION: The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.

NOLTE
BEYOND ENGINEERING

1731 NORTH FIRST STREET, SUITE A, SAN JOSE, CA 95128
408.592.7200 TEL. 408.592.0101 FAX WWW.NOLTE.COM

ALEXAN SOUTH MAIN
CROSS SECTIONS
1504-1620 SOUTH MAIN STREET

PREPARED FOR: TRAMMELL CROW RESIDENTIAL

DATE SUBMITTED: 01/09/2008

DRAWING NUMBER	SHEET NUMBER
TM	6
	7 SHEETS
SCALE	JOB NUMBER
VERTICAL: 1"=10' HORIZONTAL: 1"=10'	SJB017801



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: January 23, 2008

APPLICATION:	“S” Zone Application No. SZ2007-0018, Density Bonus No. DB2008-0001, Use Permit No. UP2007-0015 and Vesting Tentative Map No. MI2007-0002, Alexan South Main
APPLICATION SUMMARY:	A request for a 387-unit apartment project. The development would provide studio, one and two-bedroom condominiums in four-story buildings. The Density Bonus application requests an increase in density from 60 to 66 units per acre (31 more units). The Use Permit application requests to encroach into building front and street side setbacks. The Vesting Tentative Map provides for public streets and three privately owned parcels for condominium purposes.
LOCATION:	1504 -1620 South Main Street (APN: 086-22-027, 028, 033, 034, 041, and 042)
APPLICANT:	Trammell Crow Residential, 1810 Gateway Dr., Suite 240, San Mateo, CA 94404-4062
OWNER:	Bay Stone Developments, 1649 S. Main St., Suite 103, Milpitas, CA 95035
RECOMMENDATION:	Staff recommends that the Planning Commission: <ol style="list-style-type: none"> 1. Close the public hearing; and 2. Approve Resolution No. 08-004, recommending approval to the City Council with findings and special conditions of approval.
PROJECT DATA:	
General Plan Designation:	Multi-Family Very High Density with Transit Oriented Development
Zoning:	Multi-Family Very High Density with Transit Oriented Development (TOD) overlay district and Site and Architectural Approval combining district (R4-TOD-S)
Specific Plan:	Midtown Specific Plan
Site Area:	5.9 acres
CEQA Determination:	Exempt. Midtown Specific Plan Program EIR.
PLANNER:	Cindy Maxwell, Principal Administrative Analyst
PJ:	3189

ATTACHMENTS:

- A. Resolution/Findings with Exhibit 1, Conditions of Approval
- B. Plans
- C. Vesting Tentative Map
- D. Project description
- E. Open Space Diagram (Private Open Space Counted For Park Dedication)
- F. Density bonus ordinance – MMC XI-10-54.20
- G. 1/9/08 letter from Luce Forward re: affordability/density bonus
- H. 12/18/07 letter from Global Premier re: affordability/financial partnership
- I. Hazardous Materials Contamination Report
- J. Traffic Report
- K. Noise report
- L. Arborist report
- M. Public comments:
 - 1. 11/28/07 email from Len Labar
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 - 3. 1/4/08 letter from T.K. Hayes
- N. Outside agency comments:
 - 1. 10/3/07 letter from MUSD
 - 2. 10/19/07 letter from VTA

Figure 1
LOCATION MAP



BACKGROUND

The project site is within the boundaries of the Midtown Specific Plan, which was approved by the city in 2002. The approval of the Midtown Specific Plan included an Environmental Impact Report (EIR) with associated General Plan amendment and rezoning to residential on the site. On October 24 and November 27, 2007, the Planning Commission and the City Council approved, respectively, a Mobile Home Conversion report for an existing mobile home park on the site.

On November 7, 2007, Trammell Crow Residential, LLC, submitted this application to construct 387 condominiums on the east side of South Main Street at Cedar Way. The application is made in accordance with the following review requirements of the Municipal Code:

- Site and architectural review required by Planning Commission – XI-10-42
- Exceptions to development standards require a Use Permit (UP) approved by Planning Commission – XI-10-8.11 and XI-10-43.09.
- Density bonus requires recommendation by Planning Commission and approval by City Council – XI-10-54.20.
- Vesting tentative map for condominium purposes requires recommendation by Planning Commission and approval by City Council– XI-1-4.01 and XI-1-30.

PROJECT DESCRIPTION

The project involves the redevelopment of six parcels on 5.9 acres located at 1556 S. Main St., on the east side of the intersection of S. Main and Cedar Way. The project will relocate existing residents and demolish structures in the mobile home park, a motel and auto repair. Besides the associated structures for these uses, the site contains a variety of concrete pads, fences, signs, and trees that are in various stages of disrepair.

Alexan South Main is a 387-unit condominium project to be constructed as three buildings with a density of 66 units per acre. Building 1 will be four stories with 192 units and an attached 6.5-story garage. Building 2 will be a four-story podium with a two-level parking garage and 107 units. Building 3 will have 88 units in four stories. The project includes a density bonus to exceed the maximum of 60 units per acre. The project will have an affordable housing component through a partnership with Aspen Apartments, the adjacent project to the south and currently under construction at 1666 South Main Street with 101 affordable apartments. The project also requests approval of a Use Permit to allow exception to the building setback, height and parking requirements.

Surrounding Land Uses

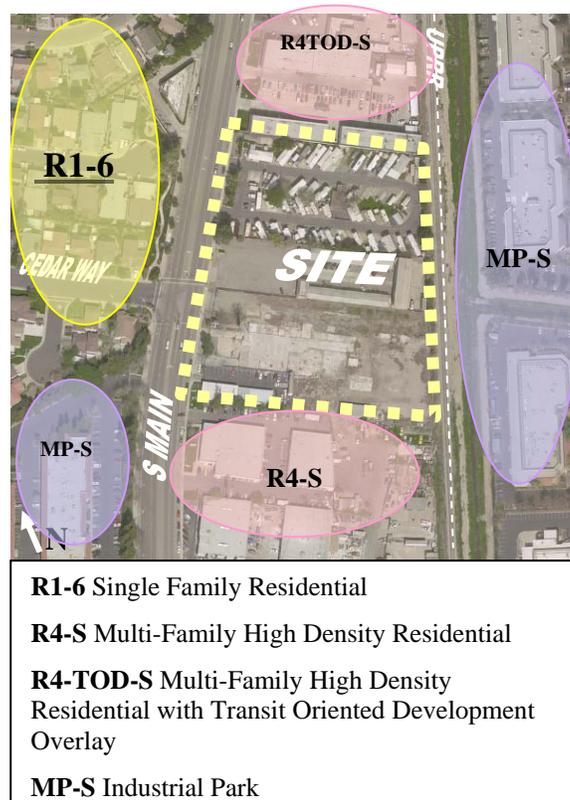
North and south of the site, existing land uses are multi-tenant quasi-commercial/industrial buildings with primarily auto-related service businesses. Also, adjacent to the southeast corner of the site is Aspen Family, a 101-unit apartment building currently under construction.

On the east side of the site is a single railroad track and an industrial park. To the west is S. Main Street and primarily single-family homes. Just northwest of the site is a single liquor store. At the southwest corner of the site is another industrial park complex.

The site is located in an area of transitional land uses. Figure 2 illustrates that the zoning north and south of the site is high density residential. In fact, a portion of the land south of the site is already under construction with an apartment project.

Additionally, east of the site and the railroad is an existing industrial park that lies within the boundaries of the draft Transit Area Specific Plan (TASP). The TASP proposes to change the land use to a very high-density residential use similar, but of a more intense nature, to the site itself.

Figure 2 - Current Zoning



Relationship to Neighboring Residential Project

The developers of the adjacent residential project under construction, Aspen Family Apartments by Global Premier Development, has partnered with the applicant for affordable housing credit and construction of street improvements. The recommended special conditions and the City’s legal agreements with both developers have incorporated this partnership and insure that if one project is not constructed the appropriate obligations for affordable housing and street improvements are still met.

Architecture

The proposed project offers three residential buildings in a contemporary design with wood-frame construction and a variety of exterior finish materials: plaster, siding, scored concrete, metal paneling and split-face blocks. The exterior walls are well articulated by changes in roof heights and vertical planes, recessed windows, balconies, and five-foot deep sunshades. The body building color is various shades of beige with white, gold and brown accent colors.

The project’s design underwent design review by the City’s architectural consultant of the Cannon Design Group. The review acknowledged that the project was well designed and made some suggestions regarding parking design, interior circulation, building scale, entrances and relationship to the Aspen project, adjacent to the south. The applicant in their final submittal package satisfactorily addressed all of the recommendations by the Cannon Design Group.

Circulation

The new public streets are a continuation of the street grid system developed for the east side of South Main Street. The streets are designed to connect with those approved for the Aspen project on the south side of the site. A pedestrian paseo encourages walking by providing car-free but attractive and open access through Building One. The new streets will comply with the Midtown streetscape design guidelines for street trees, ten-foot sidewalks and decorative lighting.

Parking

As Table 1 indicates, the Alexan project is required by ordinance to provide 605 parking spaces. This includes a 20% reduction in spaces for the TOD overlay zoning district. However, a density bonus has been requested for this project. The density bonus ordinance requires 565 parking spaces because guest parking is inclusive of the total required and not in addition to. The project is providing 586 parking spaces, 21 spaces more than required by the density bonus ordinance.

Table 1 – Parking Requirements

Unit Type	Number of Units	Parking Spaces Required	Density Bonus
Studios	24	24	24
1 Bdrm.	185	278	185
2 Bdrm	178	356	356
Guest	-	98	0
Sub-Total	387	755	565
TOD Reduction	-	(151)	-
Total	-	605	565

The majority of project residents will park in the 6.5 story garage on the east side of Building 1. Building 3 residents will use the parking garages available in the other two buildings.

Table 2- Parking Location

A limited number of tandem spaces are in the Building 2 garage and reserved for the two bedroom units.

Bicycle parking for 48 is also provided.

Location	Parking Spaces
Building 1	434
Building 2	152
Building 3	0
Total	586

Landscaping and Recreation

Building 1 provides two courtyards and a pedestrian paseo that will be available for the general public to use. The larger of the two courtyards will feature a pool, barbecue area and patio with trellises and fire dish. The smaller courtyard will have a passive garden area with seating. The paseo will provide a large pathway with special paving, seating areas and shade gardens. Building 2 will host a fitness center for project residents, an Internet café, outdoor seating, media room, and demonstration kitchen. There would also be an upper floor courtyard with passive open space featuring planters with bamboo. Building 3 will have an open courtyard at grade with aesthetically shielded seating around a fire dish. Other unique landscape features of the project include small shade gardens within hallway intersections and a shaded garden paseo shared between Building 3 and the Aspen project to the south.

Landscape materials include trees that are primarily 24-inch box size and larger, accent palm trees, shrubs, grass and a variety of groundcovers. Hard surfaces in paseo and garden areas will be a colored concrete; special paving will accent pedestrian street crossings.

Each dwelling unit in the development will have some variation of private open space. Ground floor units will have patios or stoops with direct access to the adjacent street or paseo and upper floor units will have balconies. Balcony sizes range from 33 to 88 square feet. Stoops range in size from 30 to 90 square feet.

Park Dedication

Based on the requirements of the subdivision ordinance and the Midtown area, the project is required to dedicate 3.4 park acres for public parks.¹ Though the project is not dedicating any public parkland to meet this requirement, it is providing 0.71 acre of private open space, or 21% of the 3.4-acre park dedication requirement. Table 3 details the private open spaces areas that were counted. Attachment E also illustrates the location of the private open spaces.

A portion of the public park dedication requirement may be satisfied with credit for private open space; the remaining 2.69 acres requirement can be satisfied by the payment of in-lieu fees currently estimated to be \$6,483,117.

Table 3 – Private Open Space

Area No.	Size (Sq. Ft.)	Description
1	18,647	Bldg. 1 – Paseo, pool, courtyards
2	1,536	Bldg. 2 - Fitness center
3	2,297	Bldg. 2 - Club room
4	5,325	Bldg. 2 - Passive courtyard
5	3,175	Bldg. 3 – Courtyard, barbecue
Total	30,980	

¹ Milpitas Municipal Code XI-I-9 and XI-10-43.

Vesting Tentative Map

The applicant proposes to reconfigure six lots into three parcels with street dedications to create condominiums.

All streets in the project will be public. The street constructed on the north property line will be shared with the adjacent property. The Alexan project will install the street to provide two-way traffic flow with no on-street parking. When the adjacent property is developed, the remainder of the shared street will be constructed and parking will be available on one side of the street.

Table 4 – Tentative Map

Lot No.	Acres	No. DU's
1	2.55	192
2	1.04	107
3	0.66	88
A	1.69	Not applicable
Total	5.94	387

The pedestrian paseo will be privately owned but available for public access. The masonry wall on the east property line of the site will be maintained by the homeowner’s association. An infrastructure of new storm drain lines, sanitary sewer lines and water lines will be installed to support the development. Stormwater infiltration will be addressed through planters and mechanically equipped storm drains.

Affordability / Density Bonus

The applicant proposes to meet affordability goals and obtain a density bonus by exchanging credit for 18 very low-income units being built in the adjacent Aspen Apartments project by providing \$1 million in financial assistance to the Aspen project. Once complete, Aspen Apartments will provide 101 very-low income rental units and has stated a need for the financial assistance from Trammell Crow in their letter dated December 18, 2007. These 18 units represent 5% of the 356 units allowed on the site with the R4-TOD-S zoning district. Providing 5% very low-income units qualifies a project for a 10% density bonus and one (1) development concession pursuant to MMC XI-10-54.20-3(B)(2). The applicant is requesting approval of a 9% density bonus for 31 additional units and, as the city’s required incentive, permitting Building One to exceed the maximum number of five stories with a 6.5 story parking garage.

The Housing Element of the General Plan, the Midtown Specific Plan, and the Zoning Ordinance contain goals encouraging projects to provide 20% of the units as affordable. State redevelopment law requires the Redevelopment Agency to ensure that 15% of the housing units constructed in the Project Area are affordable with 6% of those units being affordable to very low-income households. The combination of the Aspen Apartments 101 units and the 387 units proposed in the Trammell Crow project would result in 488 units, 101 or 21% of which would be affordable to very-low income households.

ADOPTED PLANS AND ORDINANCES CONSISTENCY

General Plan

The table below outlines the project’s consistency with applicable General Plan Guiding Principles and Implementing Policies:

Table 5 - General Plan Consistency

Policy	Consistency Finding
<i>2.a-G-2 encourages a relatively compact form, through the use of compact development and higher densities.</i>	The proposed project is consistent with Guiding Policies and Implementing Principles 2.a-G-2, 2.a-G-3, 2.b-I-3, 2.a-G-6 and 2.1-I-2

<p>2.a-G-3 provides for a variety of housing types and densities to meet the demands of families.</p>	<p>of the General Plan. The proposed overall density is consistent with the Multi-Family Very High Residential with Transit Oriented Development General Plan designation and meets the intent of the Midtown Specific Plan of densities over 60 dwelling units per acre. It will help the City meet regional housing obligations by providing housing for small families and households, with studio and one and two bedroom units. In addition, the overall development is an in-fill project replacing existing substandard and nonconforming uses and aggregating six privately owned parcels into one cohesive project.</p>
<p>2.b-I-3 provides housing opportunities in Milpitas by meeting the City’s regional fair-share housing obligations.</p>	
<p>2.a-G-6 implements the Midtown Specific plan goals, policies, and development standards and creates high-density housing.</p>	
<p>2.a-I-2 promotes in-fill development in the incorporated city limits.</p>	

Zoning Ordinance

The project’s conformity with the land use and development standards of the “R4-TOD-S” Multi-Family Very High Density with Transit Oriented Development district is outlined in the following table:

Table 6 – Zoning Ordinance Conformity

Standard	Required	Proposed	Complies?
Density	60 dwelling units per acre	66.8	No Density bonus requested
Building Height	5 stories 75 feet	4 – 6.5 stories 72.6 ft.	No Density bonus incentive
Front & Street Side Setbacks	8 to 15 ft. from back of sidewalk	Front: 10 – 22 feet Street Side: 1 – 22 feet	No Use Permit requested
Interior & Rear Setbacks	≥ 10 ft.	10 – 14 feet	Yes
Parking	565 with Density Bonus standards	586	Yes
Measures to Encourage Transit, Pedestrians & Bicycles	Required	<ul style="list-style-type: none"> ▪ Bus stop construction, Eco-Pass consideration ▪ Pedestrian paseo, special paving on streets ▪ Extra bicycle parking 	Yes
Park	3.4 acres	\$6.5 million in-lieu payment and 0.71 acres private open space credit	Yes, with payment of in-lieu fee

Use Permit Exception

The applicant requests to modify required building setbacks from public streets, as indicated in the previous Table, to meet Fire Department access needs and large public street dedication requirements.

A second exception, to the development standards in Table 6, is for building height. Under state density bonus law, the City is required to provide a development incentive or concession that is requested by the density bonus applicant. According to the Zoning Ordinance:

“When an applicant seeks a density bonus for a housing development...the city shall provide the applicant incentives or concessions for the production of housing units and childcare facilities as prescribed in this section.” MMC XI-10-54.20-3

*“Any project that meets the minimum criteria...for a density bonus is entitled to concessions...”
MMC XI-10-54.20-4*

The applicant for the Alexan project requests an incentive that allows them to exceed the maximum building height of five stories in the R4-TOD-S district, with a 6.5 story parking garage in Building One.

Midtown Specific Plan

The project is consistent with the intent and specific requirements of the Midtown Specific Plan. With the exception of building setbacks, height and parking as indicated in Table 3, the project complies with the development standards of the “R4-TOD-S” zoning district. The project conforms to the Midtown Specific Plan’s Land Use Goals 2 and 3, and Residential Policies 3.1 and 3.4 through 3.6 in that it provides a significant amount of new high-density housing that addresses needs for multifamily housing and affordability. In addition, the proposed project is consistent with Park and Open Space Policy 3.24, Circulation Goals 1 and 2, Circulation Policies 4.5 and 4.9, Parking Policy 4.19 and Community Design Goal 4 in that the in-lieu park fee will be used to improve public parks and the new streets and streetscape improves the pedestrian orientation and character of the streets.

ENVIRONMENTAL REVIEW

The proposed project is exempt from further environmental review pursuant to Article 8, Section 65457 (CEQA Exemption) of the State Planning and Zoning Law and Article 11, Section 15168(c)(2) (Program EIR) of the California Environmental Quality Act (CEQA) Guidelines. The proposed project is consistent with the Midtown Specific Plan Program EIR and no new effects or new mitigation measures are required.

Mitigation measures for hazardous materials, traffic, noise and trees from the Midtown Program EIR apply to the project and are carried over in the form of conditions of approval, as discussed below.

Hazardous Materials Contamination

The parcels within the project site have limited contamination of soil and water due to previous land uses. Phase I and II Environmental Assessments were performed.²

- No contamination concerns exist at the two northernmost parcels (1504 and 1556 South Main Street with the existing mobile home park and motel).
- Elevated levels of metals were found in near-surface soil at the remaining vacant parcels on the site (1600 and 1630 South Main Street). Diesel and motor oil were also detected. Mitigation measures require excavation, additional testing and removal from the site prior to construction.

² May 25, 2007, Limited Site Investigation Letter, Geocon Consultants, Inc.

- Discarded asbestos containing building materials were identified at 1600 and 1630 South Main Street. Mitigation requires abatement prior to any site demolition.
- No elevated petroleum hydrocarbons were bound in soil or groundwater at 1620 South Main Street (Worldwide Auto site).
- All existing structures require further testing for asbestos and lead prior to demolition.

Traffic

The proposed project will generate new trips throughout the area. As identified in the Midtown specific Plan EIR, most traffic impacts cannot be mitigated over the long term. The City adopted overriding considerations for these impacts. A Traffic Impact Analysis specific to the project was prepared.³

With credit for existing residential and commercial uses on the site, the project will generate 1,555 daily trips, 124 AM and 133 PM peak hour trips. The project's impacts on fourteen intersections were analyzed. Thirteen of the intersections will operate at acceptable levels of service. However, a significant impact from the project is projected at the Montague/South Main intersection, which already operates at a Level of Service (LOS) F. During the AM peak hour the impact is mitigated to less-than-significant levels by the addition of a fourth through lane in each direction on Montague and a second southbound left turn lane on Main Street. The applicant will be required to make a "fair share" contribution to fund the improvements already identified in the Valley Transportation Plan 2030. Additional mitigation measures include payment of the Midtown Specific Plan Traffic Impact Fee and constructing street improvements, including street median, per the South Main Street Plan Line Project.

Vibration and Noise

The City's noise criteria are contained in the Milpitas General Plan.⁴ The project site was analyzed for noise impacts from traffic on South Main Street and for noise and vibration from the Union Pacific railroad tracks.⁵

No mitigation measures are required for vibration impacts. With mitigation, noise impacts for the residential units from traffic on South Main Street and the railroad tracks will not exceed the City's noise criteria. Noise mitigation measures are:

- Units within 100 feet of South Main Street and the railroad tracks will have windows and doors with a Standard Transmission Classification (STC) of at least 30.
- Balconies facing South Main Street and the railroad will be protected by a partial glass enclosure up to six feet high.
- An eight-foot high sound wall will be provided on the east property line.
- Ventilation or air conditioning system required providing closed window conditions.

Trees

The City's requirements for Heritage Trees are outlined in the Municipal Code.⁶ An arborist report was prepared to assess the existing trees on site.⁷ The report evaluated 58 existing trees; 33 are classified as "Protected" trees. The report concluded, and City Public Works staff concurs, that "most of the trees...are volunteers, have poor form and growth patterns and have not been cared for properly...No trees on the

³ November 13, 2007, Alexan South Main Apartments TIA, Fehr & Peers.

⁴ Milpitas General Plan, Table 6-1, p. 6-4.

⁵ September 27, 2007, Noise Assessment and Design Recommendations, Environmental Consulting Services.

⁶ Milpitas Municipal Code, Title X, Chapter 2.

⁷ October 4, 2007, Mayne Tree Expert Company, Inc.

property are in good enough condition to warrant saving.”⁸ Mitigation measures provide a similar tree canopy within ten years with the planting of new nursery stock and the issuance of a tree removal permits for all trees larger than 12 inches in diameter.

PUBLIC COMMENT/OUTREACH

Staff publicly noticed the application in accordance with City and State law. A neighborhood meeting regarding the project was held in November 2007 to provide information about the proposed project, gather neighborhood comments and create a dialogue with the existing community. The applicant also met with the executive board of the Pines homeowners association to answer questions regarding the project. One written comment was received and is included as an attachment to this report.

CONCLUSIONS

Staff recommends approval of the Alexan South Main project. Located in the TOD overlay zone, this is the type of high-density residential development that is envisioned by the Midtown Specific Plan. Because of its proximity to transit facilities and its design, the project will help reinforce the use of transit and alternative modes of transport. The project meets and exceeds density requirements with 31 additional units under the density bonus request. In addition, the overall development is an in-fill project replacing existing substandard and nonconforming uses and aggregating six privately owned parcels into one cohesive project.

The site, landscaping and building design is compatible and aesthetically harmonious with adjacent and surrounding development. The recommendations of the City’s architectural consultant were incorporated into the design of the development. The Alexan project is consistent with the Zoning Ordinance and Midtown Specific Plan, with approval of the use permit for building setback standards.

The Alexan project will help the City meet Regional Fair Sharing Housing goals, required by the Association of Bay Area Governments (ABAG), by providing housing for small families and households, with studio and one and two bedroom units. The applicants’ proposal to transfer affordability rights from the neighboring Aspen project will exceed the affordable housing requirements of the Redevelopment Agency and the Midtown Specific Plan. Between the two projects, the redevelopment affordability requirements of 63 units will be exceeded with a total of 101 units for very low-income households. Both projects combined will increase opportunities for renters and homeownership for Milpitas residents. Also, through the agreement between the two developments, the Alexan project will be able to provide financial assistance to assure the Aspen project’s successful completion. In addition, a contingency plan has been developed in the event that the Aspen project is not completed. The plan requires that the Alexan project provide 15% of units for moderate-income households in exchange for a 10% density bonus.

The applicant has held meetings to answer questions and respond to concerns from both the Pines homeowners’ association and the Pines neighborhood residents. Lastly, the developers have met the requirements of the mobile home conversion ordinance, obtained approval from the Planning Commission and City Council for the conversion plan, and are in the process of implementing the plan to provide for the fair and expedient conversion of the park.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Close the public hearing; and

⁸ Ibid., p. 2.

2. Approve Resolution No. 08-004, recommending approval to the City Council with findings and special conditions of approval.

Attachments:

- A. Resolution/Findings with Exhibit 1, Conditions of Approval
- B. Plans
- C. Vesting Tentative Map
- D. Project description
- E. Open Space Diagram (Private Open Space Counted For Park Dedication)
- F. Density bonus ordinance – MMC XI-10-54.20
- G. 1/9/08 letter from Luce Forward re: affordability/density bonus
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- N. Outside agency comments:
 - 1. 10/3/07 letter from MUSD
 - 2. 10/19/07 letter from VTA

RESOLUTION NO. 08-004

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE “S” ZONE APPLICATION NO. SZ2007-0018, DENSITY BONUS NO. DB2008-0001, USE PERMIT NO. UP2007-0015 AND VESTING TENTATIVE MAP NO. MI2007-0002, ALEXAN SOUTH MAIN, LOCATED AT 1504-1620 SOUTH MAIN STREET.

WHEREAS, on November 7, 2007, an application was submitted by Trammell Crow Residential, 1810 Gateway Drive, Suite 240, San Mateo, California 94404-4062, to allow a 387-unit apartment project in three four-story buildings at 1504 to 1620 South Main Street. The property is located within the “R4-TOD-S” Multi-Family Very High Density with Transit Oriented Development overlay district and Site and Architectural Approval combining district (APN’s 086-22-027, 028, 033, 034, 041, and 042); and

WHEREAS, on November 8, 2007, the City’s Development Review Committee reviewed the application for compliance with the General Plan, Zoning Ordinance, and other applicable requirements; and

WHEREAS, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project is exempt from further environmental review pursuant to Article 8, Section 65457 (CEQA Exemption) of the State Planning and Zoning Law and Article 11, Section 15168(c)(2) (Program EIR) of the California Environmental Quality Act (CEQA) Guidelines.

WHEREAS, on January 23, 2008, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

NOW THEREFORE, the Planning Commission of the City of Milpitas hereby finds, determines and resolves as follows:

Section 1: The recitals set forth above are true and correct and incorporated herein by reference.

Section 2: The proposed project is exempt from further environmental review pursuant to Article 8, Section 65457 of the State Planning and Zoning Law and Article 11, Section 15168(c)(2) (Program EIR) of the California Environmental Quality Act (CEQA) Guidelines.

Section 3: The proposed project is consistent with Guiding Policies and Implementing Principles 2.a-G-2, 2.a-G-3, 2.b-I-3, 2.a-G-6 and 2.a-I-2 of the General Plan. It will help the City meet regional housing obligations by providing housing for small families and households. In addition, the overall development is an in-fill project replacing existing substandard and nonconforming uses.

Section 4: The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.

Section 5: With approval of the Density Bonus and Use Permit applications, the project will be consistent with the Milpitas Zoning Ordinance and the Milpitas Midtown Specific Plan.

Section 6: Density Bonus Findings

- A.** The City has complied with the requirements of Subsection 54.20-3 of the Zoning Ordinance by granting the following incentive for the production of 31 additional housing units in this project: exceed the maximum number of building stories, five, with a six-and-a-half-story parking garage.

- B.** The applicant will comply with, and the City shall insure that the requirements of Subsection 54.20-12 of the Zoning Ordinance are met by agreeing to insure continued affordability of designated very low-income affordable units for thirty (30) years or longer.

Section 7: Use Permit Findings

- A.** The exception meets the design intent identified within the Midtown Specific Plan and does not detract from the overall architectural, landscaping and site planning integrity of the proposed development.

- B.** The exception from the Midtown Specific Plan allows for a public benefit not otherwise obtainable through the strict application of the specified standards.

- C.** The exception in the proposed project, will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare.

- D.** The proposed exception will be consistent with the intent of the Milpitas General Plan and the Milpitas Zoning Ordinance.

Section 8: Vesting Tentative Map Finding:

- 1. Special conditions are imposed on the Vesting Tentative Map to meet the requirements of the Milpitas Municipal Code and State or Federal law.

Section 9: The Planning Commission of the City of Milpitas hereby recommends the City Council approve “S” Zone Application No. SZ2007-0018, Density Bonus No. DB2008-0001, Use Permit No. UP2007-0015 and Vesting Tentative Map No. MI2007-0002, for Alexan South Main, subject to the above Findings, and the Conditions of Approval attached hereto as Exhibit 1.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Milpitas on January 23, 2008.

Chair

TO WIT:

I HEREBY CERTIFY that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on January 23, 2008, and carried by the following roll call vote:

AYES: COMMISSIONERS: .
NOES: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
ABSENT: COMMISSIONERS:

Secretary of the Planning Commission

EXHIBIT 1

CONDITIONS OF APPROVAL

ALEXAN SOUTH MAIN

“S” Zone Application No. SZ2007-0018

Density Bonus No. DB2008-0001

Use Permit No. UP2007-0015

Vesting Map No. MI2007-0002

“S” Zone Application No. SZ2007-0018

1. **Entitlement:** This “S” Zone Approval No. SZ2007-0018 is for a multifamily residential development of 387 dwelling units and associated site improvements in accordance with the plans approved on February 5, 2008 by the Milpitas City Council and as amended by the conditions below. The approval does not include project signs. The owner or designee shall develop the approved project in conformance with “S” Zone Approval and conditions of approval.(P)
2. **Modifications:** Any modification from the approved site plan, floor plans, elevations, materials, colors, landscape plan, use permit exceptions or other approved submittals shall require that, prior to the issuance of building permits, the owner or designee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the Planning Commission or Planning Commission Subcommittee, in accordance with the Zoning Ordinance. Any modification to the Use Permit exception will also require approval of a Use Permit Amendment by the Planning Commission. (P)
3. **Expiration of Permits:** “S” Zone Application No. SZ2007-0018 shall become null and void if the project is not commenced within 18 months from the date of approval. Pursuant to Section 64.04-2 of the Zoning Ordinance of the City of Milpitas, since the project requires the issuance of a building permit, the project shall not be deemed to have commenced until the date of the building permit is issued and a foundation is completed. Pursuant to Section 64.04-1, the owner or designee shall have the right to request an extension if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein. (P)
4. **Pedestrian Paseo:** Public access shall be maintained, in perpetuity, in the pedestrian paseo, running north and perpendicular to Cedar Way. (P)
5. **Soil Contamination:** Prior to issuance of a building permit, documentation shall be submitted to the Planning Division that verifies all excavated soil was appropriately disposed off-site as per the recommendations of the May 25, 2007 Summary Letter from Geocon Consultants, Inc. (P)

6. **Noise:** Prior to issuance of a building permit, the architectural design recommendations of the September 27, 2007 Noise Assessment report by Environmental Consulting Services, shall be incorporated into the design of the buildings. The recommendations include:
 - a. Windows with a Standard Transmission Class (STC) rating of at least 30 for dwelling unit windows within 100 feet of South Main Street or 100 feet of the railroad tracks.
 - b. Residential doors with a STC rating of at least 30 for doors leading directly to the outside on South Main Street and railroad sides of the site, including doors on balconies.
 - c. Partial glass enclosures to a height of six feet on balconies facing South Main Street to achieve a 68 dBA level.
 - d. Eight foot high masonry wall on the entire length of the east property line.
 - e. Mechanical ventilation to allow closed window conditions for all dwelling units.
 - f. Documentation that the residential air conditioning system(s) will not increase the noise levels beyond acceptable limits for adjacent dwelling units.
7. **Parking:** Prior to certificate of occupancy issuance, the applicant shall submit a copy of a lease agreement that requires a statement for each unit rented that limits the number of parking spaces provided per unit and shall submit a copy to the City. (P)
8. **Legal compliance:** This use shall be conducted in compliance with all appropriate local, state, and federal laws and regulations, and in conformance with the approved plans. (P)
9. **Asbestos:** Prior to any demolition or removal of any structures onsite, the applicant shall:
 - a. Remove the asbestos containing materials accumulated on the site as identified in the May 25, 2007 Summary Letter from Geocon Consultants, Inc.
 - b. Submit an asbestos survey for all existing structures and have any asbestos-containing materials present abated by a certified asbestos abatement contractor in accordance with the regulations and notification requirements of the Bay Area Air Quality Management District. (P – Mitigation Measure)
10. **Lead:** Prior to building permit issuance, the applicant shall submit a lead paint survey for all existing structures and documentation of its removal with a “Notice of Completion” letter from the Department of Toxic Substance Control. (P – Mitigation Measure)
11. **Park Fee:** Prior to issuance of a building permit for each phase of the project, the applicant shall pay a park-in-lieu fee pursuant to Milpitas Municipal Code XI-10-8.07-1. (P)
12. **Private Job Account:** If at the time of application for building permit and for occupancy permit, there is a past due project job account balance owed to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full. (P)
13. **Signs:** Prior to issuance of an occupancy permit, a project sign program must be approved by the Planning Commission. (P)

14. **Solid Waste:** The trash/recycling chutes, bins and enclosure areas shall be kept clean by double-bagging garbage and by frequent sweeping and disposal of any spilled solid waste. (P)
15. **Landscape Irrigation:** Prior to building permit issuance, the applicant shall submit an irrigation plan for all landscape areas. The irrigation plan shall show that all landscape areas, including planter areas and containerized planters, will have an automatic, self-watering system installed that is serviced by a sprinkler head or drip system equipped with a moisture sensor. (P)
16. **Landscaping:** Prior to issuance of an occupancy permit, the required landscaping shall be planted and in place. (P, C.3 Standard Condition No. 4)
17. **Landscaping:** All required landscaping shall be replaced and continuously maintained as necessary to provide a permanent, attractive and effective appearance. Proper maintenance of landscaping requires minimal pesticide use and shall be the responsibility of property owner in perpetuity. The pest-reducing landscape maintenance techniques listed in the “Fact Sheet on Landscape Maintenance Techniques for Pest Reduction” in the City of Milpitas *Stormwater C.3 Guidebook*, are incorporated by reference into this condition. (P, C.3 Standard Condition No. 7)
18. **Landscaping:** City Planning staff shall have approval authority for the installation of comparable substitute pest-resistant plant materials to satisfy the requirements of the approved landscape plan when the approved plants and materials are unavailable for installation, or when other unforeseen conditions prevent the exact implementation of the landscape plan. (P, C.3 Standard Condition No.6)
19. **Screening:** On-site utility transformers, boxes, etc. shall be placed underground (subsurface vaults) or be located at the rear of the property and screened from public view in a manner to the approval of the Planning Division. (P)
20. **Stormwater:** Prior to building permit issuance, permit plans shall incorporate the following Best Management Practices (BMP) for post-construction storm water impacts: (P)
 - a. Labeling and maintenance (annual inspections) of storm drain facilities;
 - b. Storm drain inlet cleaning on an annual basis;
 - c. Street sweeping.
21. **Vector Control:** Prior to any demolition, construction or grading of the site, a vector control plan shall be submitted to and approved by the City Planning Division. (P)
22. **Air Quality:** Prior to building permit issuance, permit plans shall implement the following Best Management Practices (BMP's) at all project construction sites: (P, MM AQ-1)
 - a. Water all active construction areas;
 - b. Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least two feet of freeboard;
 - c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking and staging areas;
 - d. Sweep daily;
 - e. Hydro seed or apply non-toxic soil stabilizers to inactive construction areas;
 - f. Enclose, water or apply non-toxic soil binders to exposed stockpiles;
 - g. Limit traffic speeds on unpaved roads to 15 miles per hour;

- h. Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
 - i. Suspend excavation and grading activity whenever the wind is so high that it results in visible dust plumes despite control efforts. (P)
23. **Air Quality:** Prior to any permit issuance, incorporate into building plans appropriate Bay Area Air Quality Management District (BAAQMD) Best Management Practices (BMP's) to reduce vehicle trips as identified in the Summary of Impacts and Mitigation Measures (Section 1.2 of the DEIR and FEIR, Subsection "Air Quality", MM "Regional Development Impacts" for commercial development). Possible measures are (P, MM AQ-2):
- a. Provide physical improvements such as sidewalks, landscaping and bicycle parking that will act as incentives for pedestrian and bicycle modes of travel;
 - b. Connect the site with regional bikeway and pedestrian trail systems;
 - c. Provide a transit information kiosk;
 - d. Provide showers and lockers for employees bicycling or walking to work;
 - e. Provide secure and conveniently located bicycle parking and storage for workers and patrons;
 - f. Provide electric vehicle charging facilities;
 - g. Provide preferential parking for Low Emission Vehicles;
 - h. Use specialty equipment (utility carts, forklifts, etc.) that are electrically, CNG or propane powered;
 - i. Use reflective (or high albedo) and emissive roofs and light colored construction materials to increase the reflectivity of roads, driveways, and other paved surfaces, and include shade trees near buildings to directly shield them from the sun's rays and reduce local air temperature and cooling energy demand. (P)
24. **Biology and Hydrology:** The applicant shall modify the existing Stormwater Pollution Protection Plan (SWPPP). This plan shall include provisions to minimize on-site and off-site impacts to biological resources and water quality resulting from project related runoff. Measures shall include the following: (P)
- a. The use of silt fencing, fiber rolls, sediment basins, and other measures to reduce the movement of construction-related sediments into Penitencia Creek and other sensitive habitats.
 - b. Installation of grit and oil trap systems, which shall be maintained in perpetuity.
 - c. Implementation of BMP's to prevent the discharge of construction debris and soils into Penitencia Creek during site clearing, grading and construction.
 - d. As required, dewatering the section of creek channel surrounding the work areas associated with outfall and bridge construction. The dewatering structure shall be to the approval of the City.
 - e. The applicant shall retain a construction manager familiar with NPDES permit requirements to monitor construction activities. (P)
25. **Stormwater:** During all construction activities, the project applicant/developer shall adhere to the following Best Management Practices as suggested by BAAQMD: (P)
- a. Watering all active construction areas twice daily and more often during windy periods. Active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives;

- b. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least a 2 feet freeboard level within their truck beds;
- c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- e. Sweep streets daily with water sweeper if visible soil material is carried onto adjacent public streets;
- f. Hydro seed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more);
- g. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- h. Limit traffic speeds on unpaved areas to 15 mph;
- i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- j. Plant vegetation in disturbed areas as quickly as possible; and
- k. Suspend excavation and grading (all earthmoving or other dust-producing activities) or equipment during periods of high winds when watering cannot eliminate visible dust plumes. (P)

26. **Density Bonus Contingency:** If the Aspen Apartment project is not constructed and completed for occupancy, the applicant (Trammell Crow Residential) shall enter into a Regulatory Agreement with the City of Milpitas to provide the required number of affordable housing units on-site within their project. A total of 15% of the total number of 356-units shall be provided to moderate-income households in exchange for a 10% density bonus for the Alexan project. The Regulatory Agreement shall be executed prior to occupancy of the Alexan Project. The following special conditions of approval shall apply to the Alexan Project, if the Aspen Apartment Project is not constructed or completed for occupancy:

- a. The City shall implement Section 41.03 A (2) (Density Bonus) with respect to affordable housing incentives which shall include a bonus of 31 dwelling units above the 356-units allowed in “R-4-TOD-S” district and/or financial other incentives to be determined by the City Council equivalent to the financial value. The total number of 387 units shall be provided in the residential development.
- b. Prior to occupancy, the applicant shall execute a Regulatory Agreement to the approval of the City Attorney that the following 53 affordable housing units will be available at a housing cost affordable to moderate-income households:

Income Category	Number of Units	Type of Units
Moderate-Income	53	Studios, One and Two Bedrooms

- c. As part of the identified public benefit for this project, prior to occupancy, the following conditions shall be met:

- i. The applicant shall make at least 15% of the 356 units (excluding the density bonus allowed in “R-4-TOD-S” district) affordable to households agreed upon by the applicant and the City and noted in the above matrix.
 - ii. Prior to occupancy, the applicant shall provide to the City of Milpitas City Council for review and approval, a disbursement plan exhibit illustrating the location of the affordable housing units within the development. The affordable housing units shall be dispersed equally throughout the development and shall contain the same architectural features, design and amenities as the fair market rate units in the development. (H)
27. **Affordability:** Income eligibility for the required number of affordable units shall be determined pursuant to the California Health and Safety Code Sections 50079.5, 50093 and 50105, which provide that the moderate-income limits established by the U.S. Department of Housing and Urban Development (HUD) are the state limits for that income category. (H)
28. **Affordability:** The applicant and the City of Milpitas shall enter into Restriction Agreements that outline the provisions for maintaining the long-term affordability of the required affordable for-sale units. The Restriction Agreements shall be approved to form by the Milpitas City Attorney’s Office, executed by the City Manager and recorded with the County of Santa Clara. (H)
29. **Affordability:** The Restriction Agreements shall require that the long-term affordability of the for-sale housing units shall remain in effect for 55 years. Any change to this requirement is subject to review and approval by the Milpitas City Council. Any amendment to the approved density bonus shall require approval of the Milpitas Planning Commission and City Council. (H)
30. **Affordability:** The applicant shall work with the Housing Division staff in establishing and determining the waiting list of eligible residents that are qualified for the project. (H)
31. **Affordability:** The established affordable price for the for-sale units shall be pursuant to income eligibility provided by the California Health and Safety Code Sections 50079.5, 50093 and 50105, which provide the "moderate-income" limits established by the U.S. Department of Housing and Urban Development (HUD) are the state limits for those income categories and State of California Redevelopment Agency Law. The final affordable for-sale price established for the ownership units shall not exceed the maximum allowable for-sale price established for the ownership units shall not exceed the maximum allowable for-sale price established for “moderate-income” households as defined in the above code sections. Said sales price shall be approved for consistency with the definitions by the Housing Division staff. (H)
32. **Water:** Multistory buildings as proposed require water supply pressures above that which the city can normally supply. Additional evaluations by the applicant are required to assure proper water supply (potable or fire services). The Applicant shall submit an engineering report detailing how adequate water supply pressures will be maintained. Contact the Utility Engineer at 586-3345 for further information. (E)

33. **Traffic:** To eliminate parking spaces on Diaz Street to accommodate the turn-around for the garbage/fire truck, an appropriate signage to restrict parking is required; R26F “NO PARKING FIRE LANE” or/and red curb with stencils. (E)
34. **Solid Waste:** Provide staging areas & enclosures for Trash Rooms 5 & 6. An encroachment permit agreement will be required if the staging areas are located within the public right of way.
- Enlarge Enclosure 2 to accommodate bins from Trash Room 3.
 - Provide details for proposed enclosures and staging areas. *The staging areas/enclosures should be maintained within the private property and bins should not be visible from the public roadway. Allied Waste does not provide any manual “push and return” services for compacted waste; enclosures/staging areas shall be designed for “drive at” services.*
 - Be advised that a "train-able cart" will be necessary to move compacted garbage bins from Trash Rooms to staging areas & enclosures.
 - Be advised that "Mini-MAC" schematic shows use of 2cyd compaction containers. This will increase collection frequency and number of bins required at each Trash Room. All calculations are based on 3cyd compaction containers. (E)
35. **Utilities:** The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval.(E)
36. **Utilities:** Prior to issuance of any building permits, the developer shall obtain approval from the City Engineer of the water, sewer, and storm drain studies for this development. These studies shall identify the development's effect on the City's present Master Plans and the impact of this development on the trunk lines. If the results of the study indicate that this development contributes to the over-capacity of the trunk line, it is anticipated that the developer will be required to mitigate the overflow or shortage by construction of a parallel line or pay a mitigation charge, if acceptable to the City Engineer. (E)
37. **Drainage:** At the time of grading permit issuance by the Building Department, the developer shall submit a grading plan and a drainage study prepared by a registered Civil Engineer. The drainage study shall analyze the existing and ultimate conditions, and facilities. The study shall be reviewed and approved by the City Engineer and the developer shall satisfy the conclusions and recommendations of the approved drainage study prior to final map approval of the first phase of development. (E)
38. **Public Improvements:** Prior to any Building permit issuance, the developer shall obtain design approval and bond for all necessary public improvements along South Main Street, including but not limited to curb and gutter, pavement, sidewalk, signage and striping, bus stops and bus pads, signal modification at South Main Street and Cedar Drive, median installation along Main Street, street lights, street furniture installation, fire hydrants, storm

drain, sewer and water services. Plans for all public improvements shall be prepared on Mylar (24"x36" sheets) with City Standard Title Block and submit a digital format of the Record Drawings (AutoCAD format is preferred) upon completion of improvements. The developer shall also execute a secured public improvement agreement. The agreement shall be secured for an amount of 100% of the engineer's estimate of the construction cost for faithful performance and 100% of the engineer's estimate of the construction cost for labor & materials. The locations of public facilities such as water meters, RP backflow preventers, sewer clean outs, etc. shall be placed so access is maintained and kept clear of traffic. All improvements must be in accordance with the Milpitas Midtown Specific Plan and Main Street Plan Line Study, and all public improvements shall be constructed and accepted by the City prior to building occupancy permit issuance of the first production unit. (E)

39. **Parking:** The proposed underground parking structures shall be designed for the additional surcharge due to traffic loading from proposed and future public streets. (E)
40. **CFD:** Prior to any building permit issuance, the developer shall submit an executed petition to annex the subject property into the CFD 2005-1, with respect to the property, the special taxes levied by Community Facility District (CFD 2005-1) for the purpose of maintaining the public services. The petition to annex into the CFD shall be finalized concurrently with the final map recordation or prior to any building permit issuance, whichever occurs first. The developer shall comply with all rules, regulations, policies and practices established by the State Law and/or by the City with respect to the CFD including, without limitation, requirements for notice and disclosure to future owners and/or residents. (E)
41. **Traffic Impact Fee:** Prior to building permit issuance the developer shall contribute its "fair share" of traffic impact fee in the amount of **\$73,021** (based on a Midtown impact fee of \$113 per peak hour trip and Montague Expressway impact fee of \$903 per peak hour trip). (E)
42. **Improvement Fee:** Developer's fair share contribution toward South Main and Abel Street Plan Line study is **\$441,620** as of January 1, 2008 and based on a South Main Street Median Island contribution fee of \$284.00 per peak hour trip. In lieu of contribution toward South Main Street and Abel Street Plan Line Study, the developer is required to construct the required improvements along South Main Street frontage. Proposed median and all improvements along Main street frontage must be in accordance with the 2007 South Main Street and South Abel Street Plan Line Study, and shall be constructed and accepted by the City prior to building occupancy permit issuance. (E)
43. **Fees & Forms:** The developer shall submit the following items with the building permit application and pay the related fees prior to final inspection (occupancy) by the Building Division:
 - a. Storm water connection fee of **\$99,654** based on 5.942 acres @ \$16,771 per acre. The water, sewer and treatment plant fee will be calculated at the time building plan check submittal.
 - b. Water Service Agreement(s) for water meter(s) and detector check(s).
 - c. Sewer Needs Questionnaire and/or Industrial Waste Questionnaire.

Contact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain the form(s). (E)

44. **Fees:** Prior to building permit issuance, the developer must pay all applicable development fees, including but not limited to, connection fees (water, sewer and storm), treatment plant fee, plan check and inspection deposit, and 2.5% building permit automation fee. (E)
45. **Private Wall:** Prior to building permit issuance, the developer shall record a 5-foot wide Private Wall Maintenance Easement (PWME), and enter into an encroachment permit agreement with the city for the maintenance of subject wall within the public right of way. The proposed wall plan needs to be included with the building site plan for review and approval. Prior to any building final inspection/occupancy permit issuance, the developer shall construct the proposed wall to the satisfaction of the Building Chief Official and Planning Department requirements. (E)
46. **Utilities:** Prior to building occupancy permit issuance, the developer shall underground all existing wires and remove the related poles within the proposed development, with the exception of transmission lines supported by metal poles carrying voltages of 37.5KV or more. All proposed utilities within the proposed development must also be undergrounded. Show all existing utilities within and bordering the proposed development, and clearly identify the existing PG&E wire towers and state the wire voltage.(E)
47. **Sight Distance:** The developer shall not obstruct the noted sight distance areas as indicated on the City standard drawing #405. Overall cumulative height of the grading, landscaping & signs as determined by sight distance shall not exceed 2 feet when measured from street elevation. (E)
48. **Easements:** Prior to any building permit issuance, the developer shall dedicate necessary easements for public street right of way, public service utilities, water, and sanitary sewer purposes. (E)
49. **Utilities:** All existing public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrubs are permitted within City utility easements, where the easement is located within landscape areas. (E)
50. **Water:** Multi-story buildings as proposed require water supply pressures above that which the city can normally supply. Additional evaluations by the applicant are required to assure proper water supply (potable or fire services). The developer shall submit an engineering report detailing how adequate water supply pressures will be maintained. Contact the Utility Engineer at 586-3345 for further information. (E)
51. **Wastewater:** If necessary, developer shall obtain required industrial wastewater discharge approvals from San Jose/Santa Clara Water Pollution Control Plant (WPCP) by calling WPCP Industrial Source Control Inspector at (408) 945-5300. (E)

52. **Solid Waste:** Prior to occupancy permit issuance the developer shall:
- Construct, solid waste enclosures to house the necessary solid waste and recycling bins, and staging areas for trash collection. The enclosure shall be designed per the Development Guidelines for Solid Waste Services, and enclosure drains must discharge to sanitary sewer line. City review & approval of the enclosures are required prior to construction of the trash enclosures.
 - The developer shall enter into an encroachment permit agreement for the use of the staging area within the public right of way. All solid waste and recycling bins must be kept within the trash enclosures at all time except on the trash collection days. The HOA is responsible for placing the bins in the staging area on the collection days and moved them back to the enclosures not more than two hours after pickup completions. The encroachment permit agreement shall be referenced on the CC&R. (E)
53. **Solid Waste:** Per Chapter 200, Title V of Milpitas Municipal Code (Ord. No. 48.7) solid waste enclosures shall be designed to limit the accidental discharge of any material to the storm drain system. The storm drain inlets shall be located away from the trash enclosures (a minimum of 25 feet). This is intended to prevent the discharge of pollutants from entering the storm drain system, and help with compliance with the City's existing National Pollution Discharge Elimination System (NPDES) Municipal permit. (E)
54. **Solid Waste:** Per Chapter 200, Solid Waste Management, V-200-3.10, *General Requirement*, applicant / property owner or HOA shall not keep or accumulate, or permit to be kept or accumulated, any solid waste of any kind and is responsible for proper keeping, accumulating and delivery of solid waste. In addition, according to V-200-3.20 *Owner Responsible for Solid Waste, Recyclables, and Yard Waste*, applicant / property owner shall subscribe to and pay for solid waste services rendered. Prior to occupancy permit issuance (start of operation), the developer shall submit evidence to the City that a minimum level of refuse service has been secured using a Service Agreement with Allied Waste Services (formally BFI) for commercial services to maintain an adequate level of service for trash and recycling collection. After the applicant has started its business, the developer shall contact Allied Waste Services commercial representative to review the adequacy of the solid waste level of services. If services are determined to be inadequate, the developer shall increase the service to the level determined by the evaluation. For general information, contact BFI at (408) 432-1234.(E)
55. **Stormwater:** The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Construction activities, which disturb 1 acre or greater, are viewed as a source of pollution, and the RWQCB requires a Notice of Intent (NOI) be filed, along with obtaining an NPDES Construction Permit prior to the start of construction. A Storm Water Pollution Prevention Plan (SWPPP) and a site monitoring plan must also be developed by the developer, and

approved by the City prior to permit issuance for site clearance or grading. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329. (E)

56. **Stormwater:** The developer shall comply with Regional Water Quality Control Board's C.3 requirements and implement the following:
- At the time of building permit plan check submittal, the developer shall submit a "final" Stormwater Control Plan and Report. Site grading, drainage, landscaping and building plans shall be consistent with the approved Stormwater Control Plan. The Plan and Report shall be prepared by a licensed Civil Engineer and certified that measures specified in the report meet the C.3 requirements of the Regional Water Quality Control Board (RWQCB) Order, and shall be implemented as part of the site improvements.
 - Prior to building permit issuance, the developer shall submit an Operation and Maintenance (O&M) Plan for the long-term operation and maintenance of C-3 treatment facilities.
 - Prior to Final occupancy, the developer shall execute and record an O&M Agreement with the City for the operation, maintenance and annual inspection of the C.3 treatment facilities. (E)
57. **Stormwater:** Prior to building, site improvement or landscape permit issuance, the building permit applications shall be consistent with the developer's approved Stormwater Control Plan and approved special conditions, and shall include drawings and specifications necessary to implement all measures described in the approved Plan. As may be required by the City's Building, Planning or Engineering Divisions, drawings submitted with the permit application (including structural, mechanical, architectural, grading, drainage, site, landscape and other drawings) shall show the details and methods of construction for site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control stormwater flow and potential stormwater pollutants. Any changes to the approved Stormwater Control Plan shall require Site & Architectural ("S" Zone) Amendment application review. (E)
58. **Stormwater:** Prior to issuance of Certificate of Occupancy, the developer shall submit a Stormwater Control Operation and Maintenance (O&M) Plan, acceptable to the City, describing operation and maintenance procedures needed to insure that treatment BMPs and other stormwater control measures continue to work as intended and do not create a nuisance (including vector control). The treatment BMPs shall be maintained for the life of the project. The stormwater control operation and maintenance plan shall include the applicant's signed statement accepting responsibility for maintenance until the responsibility is legally transferred. (E)
59. **Demolition:** All utilities shall be properly disconnected before the existing building can be demolished. Show/state how the water service(s), sewer service(s) and storm service(s) will be disconnected. The water service shall be locked off in the meter box and disconnected or capped immediately behind the water meter for future use, if it is not to be used during the construction. If the existing water services will not be used for the proposed development,

the service laterals shall be removed and capped at the main water line. The sanitary sewer shall be capped off at the clean out near the property line or approved location if it is not to be used. The storm drain shall be capped off at a manhole or inlet structure or approved location if it is not to be used. (E)

60. **Landscaping:** In accordance with Chapter 5, Title VIII (Ord. 238) of Milpitas Municipal Code, for new and/or rehabilitated landscaping 2,500 square feet or larger the developer shall:
 - a. Provide separate water meters for domestic water service & irrigation service.
 - b. Comply with all requirements of the City of Milpitas Water Efficient Ordinance (Ord No 238). Two sets of landscape documentation package shall be submitted by the developer or the landscape architect to the Building Division with the building permit plan check package. Approval from the Land Development Section of the Engineering Division is required prior to building permit issuance, and submittal of the Certificate of Substantial Completion is required prior to final occupancy inspection. Contact the Land Development Section of the Engineering Division at (408) 586-3329 for information on the submittal requirements and approval process. (E)
61. **Landscaping:** Per Chapter 6, Title VIII of Milpitas Municipal Code (Ord. No. 240), the landscape irrigation system must be designed to meet the City's recycled water guidelines and connect to recycled water system *when available*. The developer is encouraged to design the entire landscaped area for recycled water connection. If the site is not properly designed for recycled water at this time, the entire site will be required to retrofit when recycled water becomes available. Contact the Land Development Section of the Engineering Division at (408) 586-3329 for design standards to be employed. (E)
62. **Encroachment Permit:** Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from City of Milpitas Engineering Division. (E)
63. **Utility Location:** The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hours prior to construction for location of utilities. (E)
64. **Other Permits:** It is the responsibility of the developer to obtain any necessary permits or approvals from affected agencies and private parties, including but not limited to, Pacific Gas and Electric, SBC, Comcast, Union Pacific Railroad, Southern Pacific Railroad, Santa Clara Valley Transportation Agency, and City of Milpitas Engineering Division. Copies of any approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
65. **Tree Removal:** Prior to issuance of any permits for demolition or grading, per Milpitas Municipal Code Chapter 2, Title X (Ord. No. 201), the developer is required to obtain a permit for removal of any Protected tree(s). Contact the Street Landscaping Section at (408) 586-2601 to obtain the requirements and forms. (E)
66. **Construction:** Prior to start of any construction, the developer shall submit a construction schedule and monitoring plan for City Engineer review and approval. The construction

schedule and monitoring plan shall include, but not be limited to, construction staging area, parking area for the construction workers, personal parking, temporary construction fencing, construction information signage and establish a neighborhood hotline to record and respond to neighborhood construction related concerns. The developer shall coordinate their construction activities with other construction activities in the vicinity of this project. The developer's contractor is also required to submit updated monthly construction schedules to the City Engineer for the purpose of monitoring construction activities and work progress. (E)

67. **Floods:** The Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program shows this site to be in Flood Zone "X".(E)
68. **Schools:** The developer shall submit plans to Milpitas Unified School District (MUSD) for review and comments, and obtain information from the MUSD regarding providing services. (E)
69. **Postal:** The developer shall obtain information from the US Postal Services regarding required mailboxes. Structures to protect mailboxes may require Building, Engineering and Planning Divisions review. (E)
70. **Parking Garage:** The proposed underground parking structures shall be designed for the additional surcharge due to traffic loading from proposed and future public streets. (E)

Density Bonus No. DB2008-0001

1. **Entitlement:** This Density Bonus No. DB2008-0001 increases the maximum density for this project from 60 units to 65 dwelling units per acre, as approved on February 5, 2008 by the Milpitas City Council and as amended by the conditions below. The approval permits an additional 31 units, for a total of 387 total dwelling units. In exchange for the density bonus, the City agrees to allow the project to exceed the maximum number of building stories of five, by a six-and-a-half-story (6.5) parking garage with Building One. (P)
2. **Modifications:** Prior to issuance of a Building Permit, any modification to the approved density bonus terms must be approved by the City Council. (P)
3. **Affordability:** Prior to issuance of a building permit,
 - a. A letter from the developer of the Aspen project shall be submitted to the City indicating that the applicant, Trammell Crow Residential, has fulfilled the terms of their agreement for transfer of affordability rights.
 - b. Either the Aspen project has received an occupancy permit or the Regulatory Agreement with the City shall be approved by the City Council.
4. **Affordability Contingency:** If the Aspen Apartment project is not constructed and completed for occupancy, the applicant (Trammell Crow Residential) shall enter into a Regulatory Agreement with the City of Milpitas to provide the required number of affordable

housing units on-site within their project. A total of 15% of the total number of 356-units shall be provided to moderate-income households in exchange for a 10% density bonus for the project. The Regulatory Agreement shall be executed prior to occupancy of the Alexan Project. The following special conditions of approval shall apply to the Alexan Project, if the Aspen Apartment Project is not constructed or completed for occupancy:

- a. The City shall implement Section 41.03 A (2) (Density Bonus) with respect to affordable housing incentives which shall include a bonus of 31 dwelling units above the 356-units allowed in “R-4-TOD-S” district and/or financial other incentives to be determined by the City Council equivalent to the financial value. The total number of 387 units shall be provided in the residential development.
- b. Prior to occupancy, the applicant shall execute a Regulatory Agreement to the approval of the City Attorney that the following 53 affordable housing units will be available at a housing cost affordable to moderate-income households:

Income Category	Number of Units	Type of Units
Moderate-Income	53	Studios, One and Two Bedrooms

- c. As part of the identified public benefit for this project, prior to occupancy, the following conditions shall be met:
 - i. The applicant shall make at least 15% of the 356 units (excluding the density bonus allowed in “R-4-TOD-S” district) affordable to households agreed upon by the applicant and the City and noted in the above matrix.
 - ii. Prior to occupancy, the applicant shall provide to the City of Milpitas City Council for review and approval, a disbursement plan exhibit illustrating the location of the affordable housing units within the development. The affordable housing units shall be dispersed equally throughout the development and shall contain the same architectural features, design and amenities as the fair market rate units in the development. (H)
5. **Affordability:** Income eligibility for the required number of affordable units shall be determined pursuant to the California Health and Safety Code Sections 50079.5, 50093 and 50105, which provide that the moderate-income limits established by the U.S. Department of Housing and Urban Development (HUD) are the state limits for that income category. (H)
 6. **Affordability:** The applicant and the City of Milpitas shall enter into Restriction Agreements that outline the provisions for maintaining the long-term affordability of the required affordable for-sale units. The Restriction Agreements shall be approved to form by the Milpitas City Attorney’s Office, executed by the City Manager and recorded with the County of Santa Clara. (H)
 7. **Affordability:** The Restriction Agreements shall require that the long-term affordability of the for-sale housing units shall remain in effect for 55 years. Any change to this requirement is subject to review and approval by the Milpitas City Council. Any amendment to the

approved density bonus shall require approval of the Milpitas Planning Commission and City Council. (H)

8. **Affordability:** The applicant shall work with the Housing Division staff in establishing and determining the waiting list of eligible residents that are qualified for the project. (H)
9. **Affordability:** The established affordable price for the for-sale units shall be pursuant to income eligibility provided by the California Health and Safety Code Sections 50079.5, 50093 and 50105, which provide the "moderate-income" limits established by the U.S. Department of Housing and Urban Development (HUD) are the state limits for those income categories and State of California Redevelopment Agency Law. The final affordable for-sale price established for the ownership units shall not exceed the maximum allowable for-sale for "moderate-income" households as defined in the above code sections. Said sales price shall be approved for consistency with the definitions by the Housing Division staff. (H)

Use Permit No. UP2007-0015

1. **Entitlement:** This Use Permit No. UP2007-15 is to encroach into building front and street-side setbacks as approved on February 5, 2008 by the Milpitas City Council. The applicant shall develop the approved project in conformance with this Use Permit and conditions of approval.(P)
2. **Modifications:** Any modification to the Use Permit exceptions, or related project planning entitlements ("S" Zone Application No. SZ2007-0018, Density Bonus No. DB2008-0001 and Vesting Tentative Map No. MI2007-0002) that materially affects the Use Permit exceptions, shall require approval of the Planning Commission, Planning Commission Subcommittee or Planning Director, in accordance with the procedures required by the zoning ordinance. (P)

Vesting Tentative Map No. MI2007-0002

1. **Entitlement:** This Vesting Tentative Map No. MI2007-0002 is for condominium purposes and provides three lots and street dedications as approved on February 5, 2008 by the Milpitas City Council. The applicant shall develop the approved project in conformance with this Use Permit and conditions of approval.(P)
2. **Modifications:** Any modification to the Tentative Map, or related project planning entitlements ("S" Zone Application No. SZ2007-0018, Density Bonus No. DB2008-0001 and Use Permit No. UP2007-15) that materially affect the Tentative Map shall require approval of the City Council. (P)
3. **Final Map:**
 - a. The developer shall dedicate on the final map necessary public service utility easements, street easements and easements for water and sanitary sewer purposes.
 - b. The final map shall designate all common lots and easements as lettered lots or lettered easements.

4. **Final Map:** Prior to recordation of any final map, the developer shall submit to the City a digital format of the final map (AutoCAD format). All final maps shall be tied to the North America Datum of 1983 (NAD 83), California Coordinate of 1983, zone 3. (E)
5. **Final Map:** The final map shall be recorded prior to issuance of any building permit.
6. **HOA:** Prior to final map approval, the developer shall establish a Home Owners Association (HOA). The HOA shall be responsible for the maintenance of the landscaping, walls, private streetlights, common areas and shall have assessment power. This information shall be clearly included in the Conditions, Covenants, and Restrictions (CC&R) and recorded documents. CC&R document shall also provide vesting right to all units for the use of parking area and the common facilities. The CC&R document shall be submitted for review and approval of the City Engineer. (E)
7. **Tentative Map:** Make changes as noted on Engineering Services Exhibit "T"(1/15/2008) and resubmit a revised Tentative map for review and approval. (E)

APPROVED

PLANNING COMMISSION SUBCOMMITTEE MINUTES

January 23, 2008

**I.
ROLL CALL**

Present: Ali-Santosa and Tabladillo
Absent: Williams
Staff: Ah Sing, Bejines, Kunsman, Lindsay and Ogaz

**1. SITE &
ARCHITECTURAL
REVIEW NO. SA07-0006**

Tiffany Kunsman, Project Planner, presented a request to add a decorative amenity (Grotto) with a water fountain to St. John's Church. The Grotto is placed on the south west portion of the site facing the church and abutting a courtyard at located 279 South Main Street. Ms. Kunsman recommended approval subject to the findings and special conditions of approval.

Commissioner Tabladillo suggested the following conditions be added to the project:

- Before building permit issuance, the applicant must show an automatic top-off water pump for the water feature of the Grotto to prevent future overflow or motor burnout issues to low levels of water.
- St. John's church will be held responsible to maintain the condition of the Grotto, including the quick repair of any graffiti or vandalism that may occur.

Motion to approve Site & Architectural Review No. SA07-0006 based on the findings and special conditions of approval with the two added conditions noted above.

M/S: Tabladillo/Ali-Santosa

AYES: 2

NOES: 0

**II.
ADJOURNMENT**

This meeting was adjourned at 7:00 p.m.

APPROVED

PLANNING COMMISSION MINUTES

January 23, 2008

**I.
PLEDGE OF
ALLEGIANCE**

Chair Williams called the meeting to order at 5:30 P.M. and led the Pledge of Allegiance.

**II.
ROLL CALL**

Present: Ali-Santosa, Ciardella, Sandhu and Williams
Late: Mandal and Tabladillo
Staff: Ah Sing, Bejines, Hom, Kunsman, Lindsay, Maxwell, Ogaz and Reliford

**III.
PUBLIC FORUM**

Chair Williams invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendaize the matter for a future meeting.

There were no speakers from the audience.

**IV.
APPROVAL OF MINUTES
January 9, 2008**

Chair Williams called for approval of the minutes of the Planning Commission meeting of January 9, 2008.

There were no changes to the minutes

Motion to approve the minutes of January 9, 2008.

M/S: Sandhu/Ciardella

AYES: 4

NOES: 0

**V.
ANNOUNCEMENTS**

James Lindsay, Planning and Neighborhood Services Director, announced there is enough in the training budget to send all six Planning Commissioners to the Planners Institute which will be held at the Sacramento Convention Center from March 26-28. Please let Veronica Bejines know by February 1st.

Mr. Lindsay also congratulated Veronica Bejines on her nomination for the Gene Schwab award and encouraged the Commissioners to attend the luncheon which will be held on Monday, January 28th from 11:30 to 1 p.m. at the Embassy Suites hotel.

Chair Williams announced that Norman Azevedo has submitted his resignation and wished him well. He would like to recognize him at a future meeting when he is feeling better.

APPROVED

Planning Commission Minutes

January 23, 2008

**VI.
CONFLICT
OF INTEREST**

City Attorney Mike Ogaz asked if any member of the Commission has any personal or financial conflict of interest related to any of the items on tonight's agenda.

There were no commissioners who identified a conflict of interest.

Commissioner Tabladillo arrived at 5:38 p.m.

**VII.
APPROVAL OF
AGENDA**

Chair Williams called for approval of the agenda.

There were no changes to the agenda.

Motion to approve the agenda as submitted.

M/S: Sandhu/Ali-Santosa

AYES: 5

NOES: 0

**VIII.
CONSENT CALENDAR**

Chair Williams asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

There were no items on the consent calendar.

**IX.
PRESENTATION**

**1. AMERICAN
INSTITUTE OF
ARCHITECTS
PRESENTATION (AIA)**

Patrice Reid with the AIA introduced Hari Sripadanna from the AIA who provided an educational training program to the Planning Commission.

Vice Chair Mandal arrived at 5:56 p.m.

Commissioner Sandhu asked Mr. Sripadanna to elaborate on urban sprawl. Mr. Sripadanna said urban sprawl means continued expansion of houses. At some point, it is an inefficient way of communicating and he encourages subsidized housing.

Commissioner Sandhu said it is sometimes difficult for a client to understand Planning terms and asked what the best way to communicate is. Mr. Sripadanna said the best way would be to visit the AIA's website where there are literature and materials available.

Vice Chair Mandal felt that alternative energy needs to be expanded and asked how this problem could be tackled. Mr. Sripadanna suggested that awareness and education is a good place to start and also communication.

Vice Chair Mandal asked what cities have better planning policy in terms of looking ahead. Mr. Reprinanda said many of the Bay Area cities are thinking ahead and are setting good examples to the rest of the country.

Commissioner Tabladillo asked if cities are going to start using 3-D models to demonstrate what projects will look like. Mr. Sripadanna said that the software is called sketch up software and it originates from Denver. He is not sure how many cities are using the software however it is much more affordable now.

Chair Williams agreed with Commissioner Tabladillo about the 3-D concept because it is clearer to look at as far as infrastructure.

APPROVED
Planning Commission Minutes
January 23, 2008

Commissioner Ciardella asked if the AIA does this type of training throughout the Bay Area. Mr. Sripadanna said that in celebrating their one year centennial, they are offering a free one hour seminar throughout the Bay Area. In addition, they also offer more specific training.

Commissioner Ciardella suggested that the new commissioner attend one of their trainings.

Chair Williams asked how architects plan for catastrophic events. Mr. Sripadanna said architects are always coming up with ideas on disaster preparedness.

BREAK

The Planning Commissioners took a break at 6:45 p.m. for the Planning Commission Subcommittee meeting.

The meeting resumed at 7:00 p.m.

**X.
PUBLIC HEARING**

**2. "S" ZONE
APPLICATION NO.
SZ2007-18, USE PERMIT
NO. UP2007-0015,
VESTING TENTATIVE
MAP NO. MI2007-0002
AND DENSITY BONUS
NO. DB2008-0001**

Cindy Maxwell, Project Planner, and Felix Reliford, Principal Housing Planner, presented a request for a 387-unit apartment project in three buildings located on 5.9 acres at 1504 -1620 South Main Street. The project would provide studio, one and two-bedroom apartments in four-story buildings. The Use Permit application requests to reduce front and street side building setbacks. The Vesting Tentative Map is for condominium purposes and provides public streets and three privately owned parcels. The tentative map would vest the applicant with the ability to convert the apartment project to condominiums at an undetermined date in the future. Ms. Maxwell recommended the Commission open the public hearing, adopt Resolution No. 08-004 recommending approval to the City Council with findings and conditions of approval. Ms. Maxwell pointed out that the Commission received a copy of the revised resolution and a letter from the applicant.

Chair Williams asked that Ms. Maxwell go over all of the changes made to the resolution and she did.

Commissioner Sandhu asked if the Aspen apartments are not completed will Trammell Crow Residential buy the property. Mr. Reliford said that if for some unforeseen reason the Aspen apartments have not been constructed, Trammell Crow will be responsible to provide the affordability units onsite with their project.

Mr. Lindsay said the 15% affordable would allow Trammell Crow a density bonus of 10% and the obligation to provide affordable housing is on the agency to comply with state law.

Commissioner Sandhu asked who is developing the Aspen apartments. Mr. Reliford said Trammell Crow has no obligation to develop that property they are only interested in financial assistance.

Vice Chair Mandal asked if the developer is meeting the requirements for the total park area of the three buildings. Ms. Maxwell said there is a requirement for park dedication for every residential development in the City and the developer is meeting that requirement by either dedicating park land or paying an in-lieu fee.

Commissioner Ali-Santosa said the wall next to the railroad track is 8 feet tall and asked if this is standard height? Ms. Maxwell said it depends on the project. The wall is not needed to reduce noise inside the units but is used to provide a safety boundary and aesthetic boundary between the project and the railroad line.

Chair Williams asked if the applicant can answer questions related to the soil report and Ms. Maxwell said yes.

Chair Williams asked if the color scheme was presented in the packet and Ms. Maxwell said no however the applicant will provide details in their PowerPoint presentation.

Commissioner Tabladillo agreed with Chair Williams about the need for color elevation designs to see how the buildings are broken up.

Commissioner Ciardella asked if the applicant will have shared driveways. Ms. Maxwell said a new public street will be constructed at the north end of the site and it will have two lanes. When the property adjacent to the north side of the site is developed, the remainder of the street will be constructed and parking will be provided on one side.

Commissioner Tabladillo asked what other projects in this area have a six story parking garage? Ms. Maxwell said the Centria project has a wrap around parking garage that is not visible from the outside. She said the parking garage is 6 ½ stories because ½ story is underground. It does not exceed the maximum height in feet in the R4 zoning district but does exceed the five story maximum because the height of each of the stories in the parking garage is less than a dwelling unit.

Chair Williams introduced the applicant.

Tim Tosta, Luce Forward, Land Use Lawyer for Trammell Crow, 121 Spear Street, San Francisco, CA, said they did submit color drawings and not sure why they did not arrive to the Planning Commissioners, however they will focus their PowerPoint presentation on the architecture.

David Obitz, KTG Y Group Architecture and Planning, 17992 Mitchell South, Irvine, CA, presented a PowerPoint presentation on the Alexan project.

Chair Williams asked if the sidewalks are textured and Mr. Obitz said the sidewalks will be colored concrete.

Chair William asked what is the size and species of the trees? **Ned Smith, Smith and Smith Landscape Architects, San Francisco, CA**, said the trees are 24 inch box trees along the street. The trees on South Main Street are fast growing Scarlett Oak trees and the trees on the interior streets are large Sycamore trees.

Chair Williams asked what size trees will be in the median and Mr. Smith said they are 24 inch box trees.

Chair Williams said his main concern is how to soften the view of the project for the Pines residents and Mr. Smith said there is a lot of landscape on the project.

Chair Williams said various metals were found in the soil report and asked if the top soil would be removed prior to construction? **Peter Solar, Trammell Crow Residential, 1810 Gateway Drive, San Mateo, CA**, said they did a second study and identified the area near the railroad tracks. The soil will be removed and replaced with clean fill. There will be a consultant that will oversee the project.

Vice Chair Mandal asked if the public could use the pool and outdoor barbeque area and Mr. Obitz said it is for residential use only and is in a gated area.

Vice Chair Mandal asked if there are other open areas. Mr. Obitz said the courtyard in building one is not gated.

Vice Chair Mandal asked if the public could use the paseos and Mr. Obitz said it is up to the Homeowners Associations (HOA).

Vice Chair Mandal asked who is responsible for maintaining the outdoor areas and Mr. Obitz said Trammell Crow and their property management is responsible for maintaining the property and making it an attractive place to live.

Chair Williams pointed out that staff found the color board and wants to make sure it is part of the record.

Commissioner Sandhu asked if a vibration study was done on passing trains on the railroad tracks and what the findings were. Mr. Solar said the noise study indicated that the vibrations from the train would not be an issue.

Chair Williams asked if the City has received complaints in regards to noise along the railroad tracks. Mr. Reliford said it was a concern several years ago for the Terrace Gardens residents however there have been no complaints in recent years.

Commissioner Sandhu asked if building No. 2 has two levels of parking garages and Mr. Obitz said yes.

Commissioner Sandhu asked what the height is and or depth of the lower level and Mr. Obitz said it is about seven feet down in the ground and three feet above grade.

Commissioner Sandhu asked how big is the clubhouse and Mr. Obitz said it is 2,000 square feet.

Commissioner Tabladillo is concerned that there is not enough open space and felt that an urban village means having more amenities than just a plaza area. She is also concerned that there is no parking near the third building and that people will have to walk far.

Mr. Obitz said it was a very challenging site to begin with and they were following direction from City staff and have been as flexible as possible.

Commissioner Tabladillo is also concerned that there is only one exit of the parking garage? Mr. Obitz said that traffic will be distributed evenly on the shared drive.

Commissioner Tabladillo said it is a decent design and felt the stoops were a great idea, however she is looking for something with more excitement for the citizens to be proud of.

Commissioner Ciardella asked who will be the target audience. Mr. Solar said that they will target people who recently graduated from college, 25 to 35 year olds, empty nesters and newly married couples.

Commissioner Ciardella asked if there will be a tot lot for kids and Mr. Solar said no and Commissioner Ciardella suggested that a tot lot be included as part of a condition of approval.

Chair Williams asked if speed humps will be installed and Attorney Tim Tosta said that would be the City's responsibility.

Commissioner Ali-Santosa asked if there is an option to build connectors between building three and the garage. Mr. Solar said that staff had suggested that however since there is a gas line on Cedar, they wouldn't be able to build it.

Chair Williams opened the public hearing.

Guy Haas, 1277 Fallen Leaf in the Pines Neighborhood and member of Pines Home Owners Association (HOA), said that Trammell Crow was a pleasure to work with. He encouraged staff to look into constructing two right turn lanes from southbound Main onto Montague to help alleviate the traffic. He also suggested that in the future, if a school locates directly behind the Alexan project, the City build a pedestrian connector over the rail line. He also thanked Planning staff for referring to Jerry's Market as a liquor store, not a convenience store, in the staff report.

Russ Bargstadt, 1307 Stardust Way and President of Pines HOA, echoed Mr. Haas comments and said Trammell Crow was very good in communicating with the Pines. They held neighborhood meetings and met with the Board at least three times to go over plans and addressed their concerns in good faith. He is unaware of major concerns within the Pines about the project and felt that it will be much better than what is out there right now. The Pines HOA and Trammell Crow do have an agreement that upon commencement of the project and if the project gets approved, Trammell Crow will replace the sound wall from Cedar Way pass Jerry's Market to make for a better design. He does have concerns regarding traffic and would like to see more retail at the end of South Main Street.

Bob Whitecar, employee at 1452 South Main Street, said he is concerned about parking because he has to park on the City street. He is also concerned about minimum height levels in the parking garage and asked how a van would be able to park there.

Frank De Smidt, Economic Development Commission and Parking Task Force member, said he would like the developer and staff to give a description of how the tenant parking and guest parking would be laid out and how many tandem parking spaces there are because he felt the neighborhood residents could be impacted.

Motion to close the public hearing.

M/S: Sandhu/Mandal

AYES: 6

NOES: 0

Chair Williams requested that at a future meeting, the Traffic Engineer provide an update about current traffic conditions on South Main Street and Mr. Lindsay said yes.

Chair Williams asked the applicant to respond to Mr. Whitecar's concern about adequate clearance for large vehicles in the parking garage.

Mr. Obitz said smaller vans could park inside the parking garage and larger vehicles such as moving vans and delivery trucks would have to park on the street. In building 2 there is a limited amount of guest parking, however the parking garage in building 1 has an abundance of guest parking.

Commissioner Sandhu said he would be concerned that a tow truck would not fit inside the parking garage in case of an emergency. Mr. Obitz said it would allow for a truck but would not allow for a flat bed to put a car on top.

Commissioner Sandhu suggested that parking spaces be marked for residents. Mr. Obitz said that the HOA will create a parking distribution plan for the residents so every stall will be assigned to a unit and guest parking will be labeled.

Chair Williams proposed a condition of approval that staff review the parking distribution plan separately.

Chair Williams commended the applicant for working well with the residents and felt they should be a model to other developers and the other Commissioners echoed his comments.

Commissioner Tabladillo requested that at a future meeting, staff provide an overview of all the projects currently approved in the Midtown Area and Mr. Lindsay said yes.

Commissioner Tabladillo said she is very concerned that Building 3 is not close to the parking garage and is concerned about the residents walking far to their home. She suggested allocating parking for residents in building 3. She would also like to see more open space especially for kids and echoed Commissioner Ciardella's suggestion about a tot lot.

Chair Williams also suggested conditioning the project to have a tot lot, but to have the foundation set aside for the tot lot, and in the future, if Trammell Crow's demographics change, then a tot lot would be built.

Motion to approve "S" Zone Application No. SZ2007-18, Use Permit No. UP2007-0015, Vesting Tentative Map No. MI2007-0002, Density Bonus No. DB2008-0001 and Adopt revised Resolution No. 08-004 recommending approval to the City Council with findings and conditions of approval add the following two special conditions:

- Prior to Building Permit issuance, the applicant shall submit a parking plan of the garages to the Planning Division, showing the parking assignments of the units with preference given to parking spaces for Building 3.
- The location of a future tot lot shall be identified on the landscaping plans submitted for Building Permit in the event one is needed within the project.

M/S: Mandal/Sandhu

AYES: 6

NOES: 0

BREAK

The Planning Commission took a break at 9:30 p.m.

The meeting resumed at 9:40 p.m.

XI. NEW BUSINESS

3. ZONING CODE AMENDMENTS

Sheldon Ah Sing, Project Planner, presented a discussion on Entitlement, Permit Streamlining and the Public Hearing Notification process and seeks concurrence and direction from the Planning Commission.

Commissioner Tabladillo asked why does approval for a chain link fence need to go to Subcommittee and not just stay with staff. Mr. Lindsay said staff is trying to discourage chain link fences in the Midtown Area and wants to encourage higher quality material so most applicants would not want to go to Subcommittee and therefore will go with the higher quality.

City Attorney Mike Ogaz asked how does the proposal that multi-family additions greater than 200 square feet be reviewed by staff change from what is currently in the code. Mr. Ah Sing said that right now, single-family home additions in the R1 and R2 district over 200 feet have to go to Subcommittee and staff if trying to reduce the burden by having it reviewed directly by staff.

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Chair Williams asked if telecom towers will be reviewed by the Planning Commission or Subcommittee. Mr. Lindsay said currently telecom communication facility requires a Use Permit however staff will review it and come back with suggestions to streamline the process.

Mr. Lindsay suggested that staff review and approve antenna stealth designs and the Planning Commission review monopoles and freestanding structures that include stealth designs.

Vice Chair Mandal asked for clarification on freestanding signs up to 6 feet in non-residential areas. Mr. Lindsay said there are a lot of changes to freestanding signs in the business districts and staff would like to approve them instead of them going to Subcommittee to expedite the process.

Chair Williams suggested that staff revise full store supermarkets within a 1,000 feet be reviewed by the Planning Commission be revised to 2,000 feet.

Chair Williams asked about projects containing public controversy. Mr. Ah Sing said that staff can approve minor changes, the Subcommittee can approve significant changes without public controversy and controversial projects go directly to the Planning Commission.

Chair Williams asked how much improvement the City will see by staff streamlining the zoning code. Mr. Lindsay said he looked at a years worth of Subcommittee items and there is a considerable time savings overall for the time an applicant has to wait for a decision.

Commissioner Ciardella asked if a customer's project is denied by staff, could he or she appeal the project to the Planning Commission. Mr. Lindsay said that staff needs to look at the appeal process within the Municipal Code in the zoning chapter to make sure there is recourse.

Commissioner Tabladillo asked if the fees will change and Mr. Lindsay said yes. Items that go to the Subcommittee are charged \$250 and there is no charge for over the counter approvals.

Chair Williams asked staff to proceed on with the Zoning Code Amendments on behalf of the Commission.

**XII.
ADJOURNMENT**

The meeting was adjourned at 10:05 p.m. to the next regular meeting of February 13, 2008.

Respectfully Submitted,

James Lindsay
Planning & Neighborhood
Services Director

The foregoing minutes were approved by the Milpitas Planning Commission as submitted on February 13, 2008.

Veronica Bejines
Recording Secretary

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City of Milpitas Planning Division

Re: Extension of the approved Tentative Map (No. MI2007-0002), Use Permit (No. UP2007-0015), Density Bonus (No. DB2008-0001).

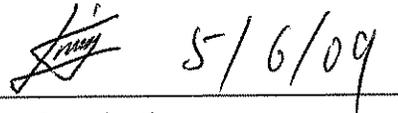
Dear City Officer,

We, Bay Stone Developments, LLC, are the owner of the land located at 1504-1620 S. Main St., Milpitas, CA 95035. A tentative map was approved to build 387 units condo on the land on February 5th, 2008. Since the financial crisis strongly damaged the real estate market and construction loan market, the previous developer, Trammell Crow Residential, was backed out from the project. The construction could not start on time. Now, we are looking for other developer to do the future development. We do get several candidate developers.

Since the permission will be due on August 5, 2009, we don't have enough time to start to apply the building permission by then. We are applying the extension of eighteen months for the permission of Tentative Map (No. MI2007-0002), Use Permit (No. UP2007-0015), Density Bonus (No. DB2008-0001). The extension will help us to win time to find new developer to accomplish this great project.

If you have any question or any request, please feel free to contact us.

Thank you very much for your positive consideration!

Handwritten signature and date: 5/6/09

Li Tang (President)
Bay Stone Developments, LLC
1649 S. Main St. #101
Milpitas, CA 95035
Phone: 408-586-8188
Fax: 408-586-8808