



CORNER OF ABEL AND MAIN LOOKING NORTH



ALONG MAIN LOOKING NORTHWEST

## 1201 SOUTH MAIN STREET • MILPITAS

SITE DEVELOPMENT & TENTATIVE MAP (P-SD11.0011)

2ND SUBMITTAL • SEPTEMBER 15, 2011

Shea Properties.

KINGSMILL  
GROUP

## Introduction

*1201 S. Main  
Street*

*New Multi-Family  
Residential  
Community*

*2.8 Acres*

*204 Units*

Shea Properties and The Kingsmill Group are pleased to present the City of Milpitas with this development proposal for a new multi-family residential community located at the intersection of South Main Street and South Abel Street. Shea Properties will be the owner, builder and manager of the proposed multi-family residential community, which has been designed as a “Class A” apartment.

The proposed development is in conformance with the City’s General Plan and Zoning, providing needed housing within the City’s regulatory framework. The development is aligned with the development objectives of the Transit Overlay designation and other planning guidelines, and will provide a high-quality multifamily community upon an important corner of the City. The overall approach is to create a highly-amenitized apartment community with features that provide the feel of a resort environment. This perspective is the basis from which project details have been designed, including architectural styling, the corner treatment, amenities, private open space areas, and vehicular and pedestrian entries.

This narrative outlines specific details of the development proposal, and also presents important design, site, and regulatory factors that have influenced the current plan. It is intended to be used in conjunction with other submittal documents, including architecture, planning and engineering exhibits.

## Site Overview

This project is set upon a parcel of approximately 2.8 (+/-) acre at the intersection of South Main Street and South Abel Street. Despite its proximity to high-intensity land uses and transit, the site has remained vacant. Just recently, the property was leased for use as a construction staging area for the nearby Centria Phase II construction project. At the time of submittal, it is occupied by several temporary trailers and building materials.

The property is within a mile of I-880, and conveniently located within 500 feet of the Light Rail System where station access is provided at the intersection of Great Mall Parkway and Main Street. Just beyond the Light Rail System is The Great Mall of the Bay Area, one of the largest retail centers in the Bay Area.

North and northwest of the development site is a single-family residential community known as the Starlite Pines, and an existing commercial development named Liberty Plaza. East of the site are miscellaneous commercial/industrial uses, notably a storage yard and veterinary hospital. This area is zoned Residential (R4) in the Midtown Specific Plan. The north edge of the property is bounded by Penitencia Creek, an engineered open flood-control channel. Across the creek to the north is the Centria development, a high-density residential community first built in 2007/8 and currently undergoing construction of phase two.

## Background

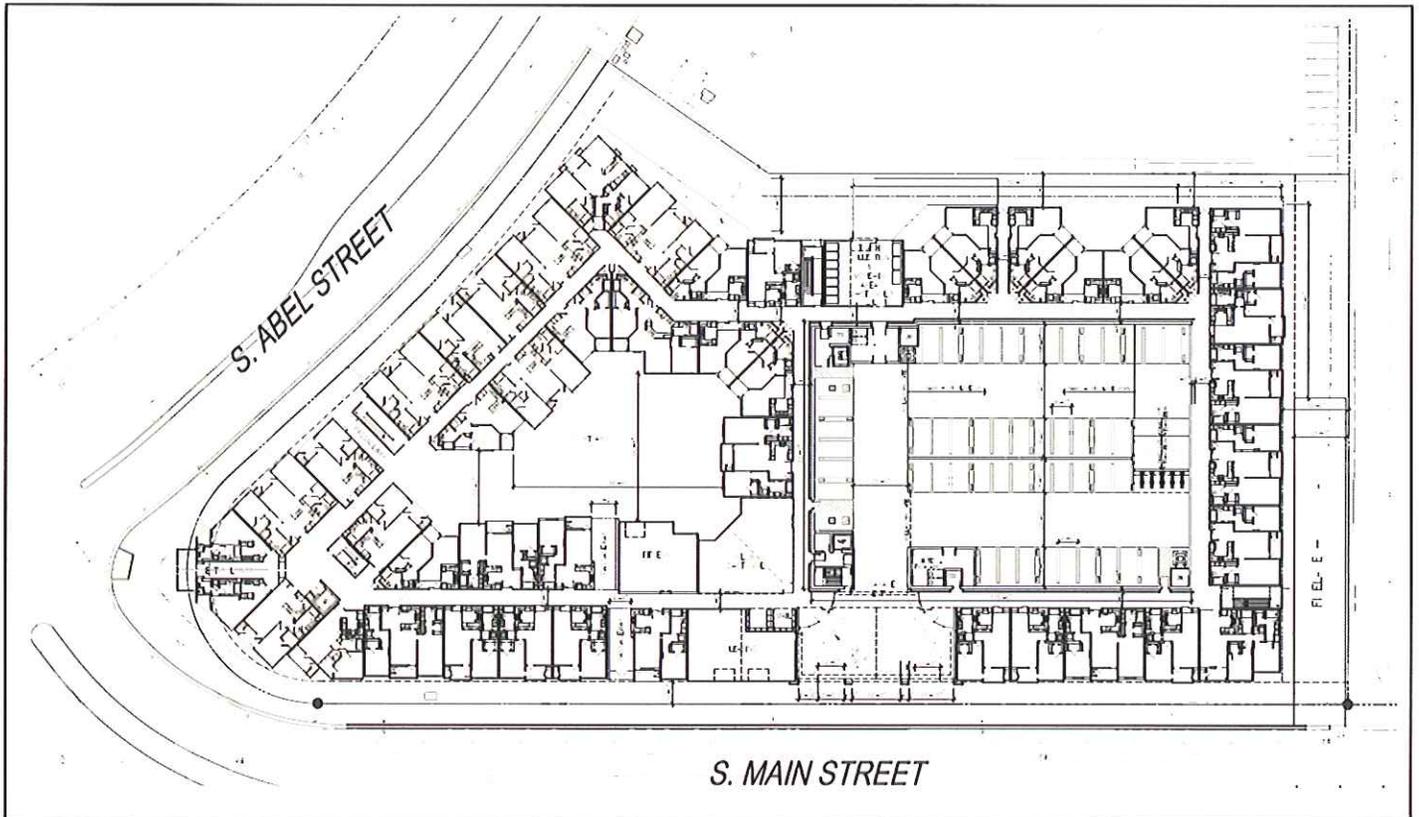
*Midtown Specific  
Plan*

*Zoned Residential  
(R4)*

*Transit Oriented  
Development  
Overlay*

In 2007, this site was granted approval for a multi-family housing development consisting of 126 condominium units and 2,800 square feet of retail space. The previous applicant obtained a variety of planning approvals such as a general plan amendment, a zoning change, site plan approval, and others. Some of these entitlements remain in effect, while others have expired. Upon receiving approval in 2007, the project made significant progress through City's permitting processes before ultimately being placed on hold due to the economic downturn. These approvals are summarized as follows:

- GP2006-2, General Plan Amendment – In Effect
- ZC2006-2, Zone Change – In Effect
- MA2006-3, Tentative Map – Expired
- SZ2006-7, Site Plan and Architectural Approval – Expired
- EA2006-5, Environmental Impact Assessment (MND)



## Project Description

### *Requested Entitlements:*

- *Site Development Permit*
- *Tentative Tract Map*
- *Conditional Use Permit for the condominium map*
- *Regulatory agreement for affordable housing*

As the applicant, we are requesting approval of a Major Tentative Tract Map per Section XI-1-4.00 (Tentative Map) of Subdivision Ordinance; vacation of right-of-way at the intersection of South Main Street and South Abel Street, and approval for a Site Plan and Architectural ("S" Zone) per section 42 of the Zoning Ordinance for the construction of a high density residential development multi-family development. The requested approval of the development will permit the construction of 204 residential units in accordance with State and City Density Bonus regulations, and associated improvements that are summarized as follows:

- Enhanced architectural and landscape elements at the intersection of South Main Street and South Abel Street. Improvements include a tower element with material and lighting enhancements, water features, seating and enhanced landscape to provide a sense of presence and arrival.
- On-site parking accommodated within a concealed parking structure, having 5 to 6 levels and not to exceed the established building height restrictions.
- Resident amenities: business center, game room, recreational amenities such as a basketball court, outdoor pool and spa, outdoor barbeque and lounge areas, and private gardens.
- On-site leasing and property management office.
- Perimeter improvements, including fencing and landscaping along the northwest property boundary.
- SCVWD easement improvements along Penitencia Creek to accommodate limited landscape, benches, and a 6-foot concrete section to function as a multi-use path.
- Vacation of right-of-way at the intersection of South Main Street and South Main Street intersection.
- Improved public streetscape along the development frontage in conformance with the Main Line Study, and associated fee credit.
- South Main Street and South Abel Street intersection improvements in conformance with the Main Line Study, and associated fee credit.

### Density Bonus

Density Bonus law is established at the state level and applied locally. It grants an increase of residential dwelling units and related development incentives within a development project in exchange for the provision of below market rate (BMR) housing. The state Density Bonus will be sought for this project in accordance with Chapter 4.3 of Title 7 of the Government Code, Section 65915, et seq.

**Density Bonus Calculation**  
*20% Density Bonus Calculation*

Property AC <i>with Vacation of R/W</i>	2.83
Maximum Units per Zoning <i>Per TOD Overlay – Max. 60/DU per AC</i>	170
Maximum Units with Density Bonus at 20%	204
<b>Maximum Dwelling Units Proposed</b>	<b>204</b>
Market Rate Units	195
BMR (Very Low) <i>Based on 5% of Baseline Units per Zoning</i>	9

In accordance with the State Density Bonus regulations, when an applicant seeks a density bonus for a housing development within a jurisdiction, that local government shall provide the applicant with incentives or concessions for the production of affordable housing units. When 5% Very Low income units are proposed (as in the case of this submittal), the State Density Bonus regulations permit up to one incentive or concession.

Therefore, the applicant is seeking one incentive: to permit a minimum 2-foot front setback from back of sidewalk. A wider setback (larger than 2 feet) may be accommodated by the development, depending on final site development drawings. Per the Transit Oriented Development (TOD) Overlay, City Ordinance (XI-10-12.06), the required front setback is 8 to 15-feet, as measured from back of sidewalk. The modified (reduced) setback dimension will help the project accommodate the increased number of units and desired amenities.

The applicant and the City will enter into an agreement to ensure the BMR units are leased and managed in accordance with State and City Density Bonus regulations.

**Unit Size and Floor Plans**

Up to 204 residential housing units are proposed for the site, with the current site plan accommodating 203 units. The breakdown of bedrooms with the 203 unit development is made up of 4 studio units, 116 one-bedroom units and 83 two-bedroom units. The average unit size across for the entire project area is approximately 907 square feet, ranging from 498 square feet to 1,446 square feet.

The units of the project are designed as open floor plans with patios and balconies. They also feature living and dining areas and walk-in closets.

The following table shows the unit mix for the site. This table includes BMR housing units (see “Density Bonus” discussion).

**Current Plan Unit Summary<sup>1</sup>**

Unit Type	Unit Count	Range of Square Feet	Total Square Feet
Studio	4	498 to 611	2,218 SF
One Bedroom (1BA)	116	720 to 893 SF	87,307 SF
Two Bedroom (2BA)	83	1,037 to 1,446 SF	94,482 SF
<b>Development Total</b>	<b>203</b>	<b>498 to 1,446 SF</b>	<b>184,139 SF</b>

1. Unit summary is based on plan set dated September 15, 2011. Given the constraints of the development site, the final unit count, type and square feet will be established with final design drawings. Requested entitlements are for a maximum of 204 units, with the application of the Density Bonus.

### Parking

The proposed development will exceed the required parking, providing up to 340 vehicle parking spaces, 54 bicycle parking spaces, 13 motorcycle spaces and 8 handicap parking spaces. All required parking is provided on-site in a central parking garage having up to six levels. The residential units will surround and conceal the parking garage located within the interior of the site. The following table summarizes the required and provided parking.

**Parking Summary**

Unit Type	Number of Units	Stalls/Unit per Transit Area Overlay	Parking Stalls
Studio	4	0.80	4
1 BR	116	1.20	140
2 BR	83	1.60	133
3 BR	0	1.60	N/A
Total	203	1.36	277
Guest		0.15	42
<b>Total Required</b>			<b>319</b>
Residential Parking			340
<b>Total Vehicle Parking Provided</b>			<b>340</b>
Replacement Value (Bicycles & Motorcycles)			16
<b>TOTAL PARKING</b>			<b>356</b>

Allowable Standard Stall Replacement Zoning XI-10-53.13	
Replaced Standard Stalls By Bicycle Parking @ 8:1 Ratio	7
Replaced Standard Stalls By Motorcycle Parking @ 2:1 Ratio	9
<b>Total (Max Allowed = 5% of Required Parking = 16 stalls)</b>	<b>16</b>

Parking Summary  
(Continued)

Accessible Parking Stalls			Required
Dwelling Stalls	277	2%	6
Visitor parking	42	5%	2
Accessible Van Parking	1 per 8 Accessible stalls		1
<b>Total Accessible Parking Provided</b>			<b>9</b>

Bicycle Parking				
Use	Standards	Required	Provided	Notes
Residential	1/4 DU	50.75	51	
Guest	5% of Required Parking	2.54	3	Racks Accessible from Street
<b>Total Bicycle Parking Provided</b>			<b>54</b>	

### Height and Massing

The residential phase of the development is designed as a four-story building, and includes some lofts (mezzanines). The height of the building along the residential structure varies from 46-feet and 4-inches to 54-feet and 7-inches, and up to 72-feet at the corner architectural feature (tower) located at the corner of Main Street and Abel Streets.

The parking garage is centrally located within the interior of the site, as the residential buildings “wrap” around the garage, concealing it from view. The garage contains up to six levels of parking above grade, and feature:

- 1) At typical roof level: 54-feet and 7-inches
- 2) At mezzanine level: 59-feet
- 3) At top of parking structure: 61-feet

The development site is located within the Transit Oriented Development Overlay (XI-10-12.06), which permits a building height up to 6 stories and 75-feet. Therefore, the project meets the height limits specified by the planning code.

## Architecture

The architectural style is contemporary Italianate. The architectural style of the building was developed to offer classic styling, as well as provide a transition from the single family residential community to the south to the higher density to the north.

The contemporary Italianate style is achieved with the use of traditional hip and gable roof forms, combined with simple parapet roofs. This combination of architectural roof elements create an articulated and varied roof line that breaks up the building's mass.

Units on the fourth floor feature lofts (mezzanines), which contribute further to a varied roof line and assist to conceal the parking structure from the street view.

Additional design elements include concrete tile roofing, pre-fabricated cornice molding and trims, canopies, wrought iron railings and accents, and roof top trellises. The facade of the residential building will consist of stucco, with brick and stone accents at the base of the tower and the project's main entry.

Additional discussion of the corner architecture can be found in the "Site Design Factors" section of this narrative.

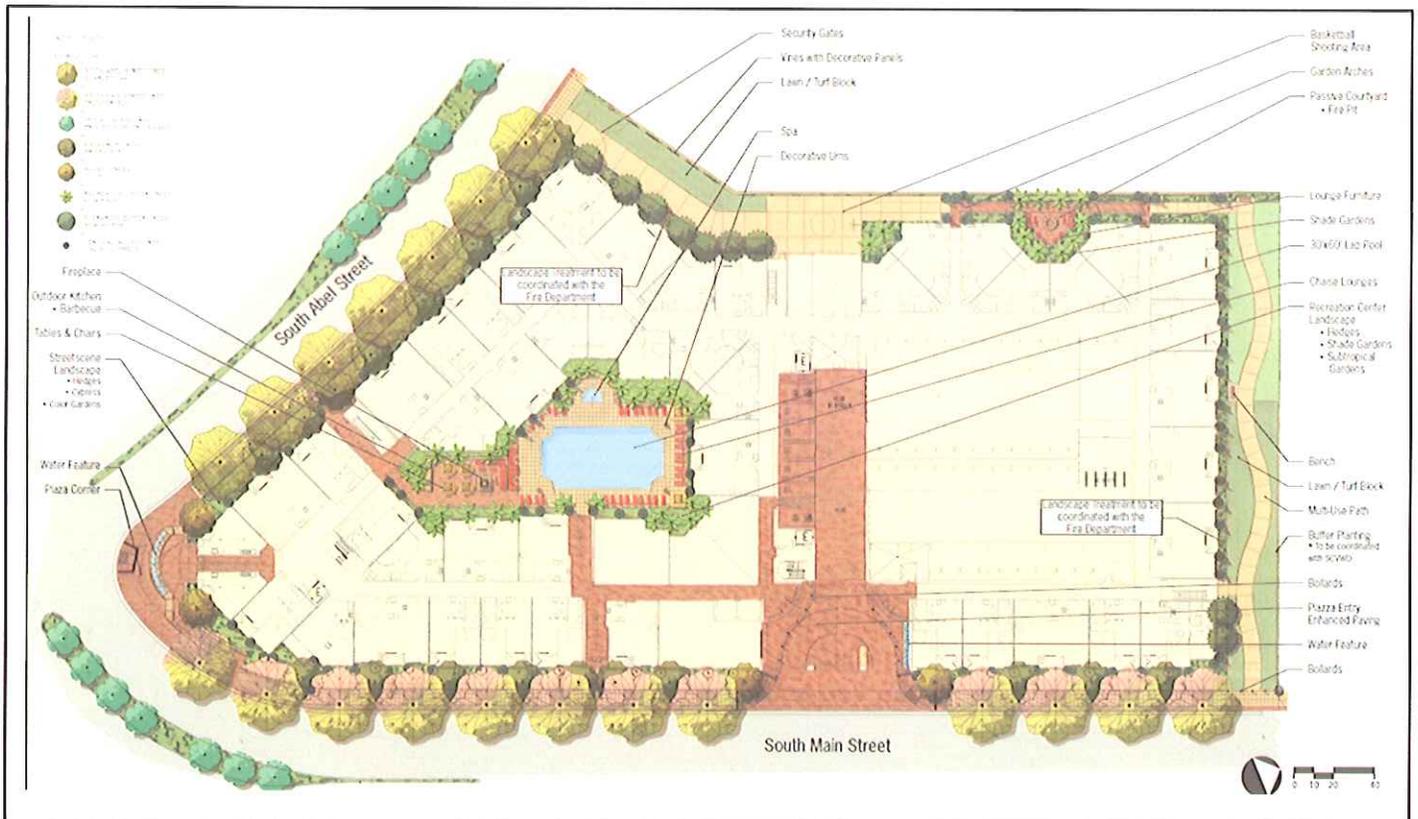


## Landscape Architecture

The Landscape follows the Italianate architectural style with the use of formal city street trees, large-specimen olive trees at the entries and corner landscape, Italian cypress along the building perimeter of Main Street and Abel Street, border hedges, colorful accent plantings and hedge backdrop planting forms to soften the base of the buildings. This combination of landscape elements creates a vertical element to break up the building's mass and creates a pedestrian-friendly, colorful streetscape along its edges. The residence entry is accentuated with large-specimen olive trees, enhanced paving, accent lighting and landscape that soften the architecture to enhance the arrival experience.

The central recreation amenities are located in the center of the building, and serve as the heart of the project. These are the spaces where residents gather and relax in a comfortable urban environment. Amenities include a recreational lap pool, spa, cabana structures, lounge seating, fire places and a dining terrace with BBQ to offer a luxurious outdoor living experience similar to that of a resort.

Landscape treatment along Penetencia Creek will be coordinated with SCVWD and Milpitas Fire Department prior to the issuance of building permits. Similarly, the landscape and amenities provided within the service area off-of Abel Street will be coordinated with Milpitas Fire Department. In both areas, the objective is to provide enhanced landscape treatment that is both functional for service use, and an amenity for the apartment community residents.



## Resident Amenities

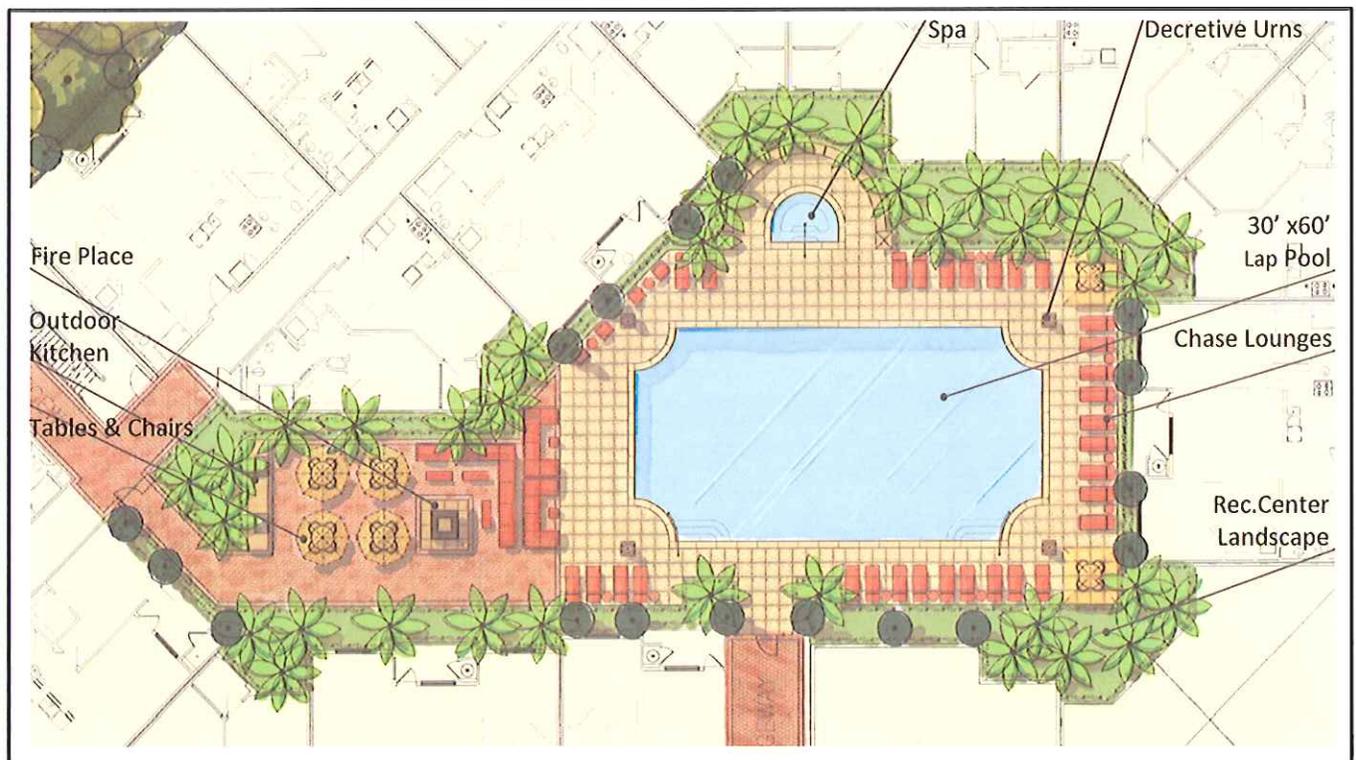
Project amenities will ensure the project serves its residents and creates a desirable community within Milpitas. Specific details are in planning stages, but this project will be constructed to a high level of finishes and a high level of amenities. Shea Properties has an established history of building and operating multi-family properties that are highly amenitized. At this time, the project intends to feature the following:

### Outdoor Amenities

Courtyard – The courtyard is designed to offer both an active space with the 30-foot by 60-foot lap pool, and the passive space with lounge furniture and cabana rooms. This area is approximately 8,200 square feet, inclusive of the spa. This area will have a resort feel with enhanced landscaping treatment, using palms, ferns and shrubs that fit the architectural style.

Dining and Barbeque Terrace – The outdoor dining and barbeque terrace will provide an opportunity for residents and their guests to entertain, prepare food and/or eat in an outdoor setting. This area is approximately 3,500 square feet and will be amenitized with an outdoor kitchen, tables and chairs, fireplace and enhanced landscape treatment.

Courtyard Illustrative

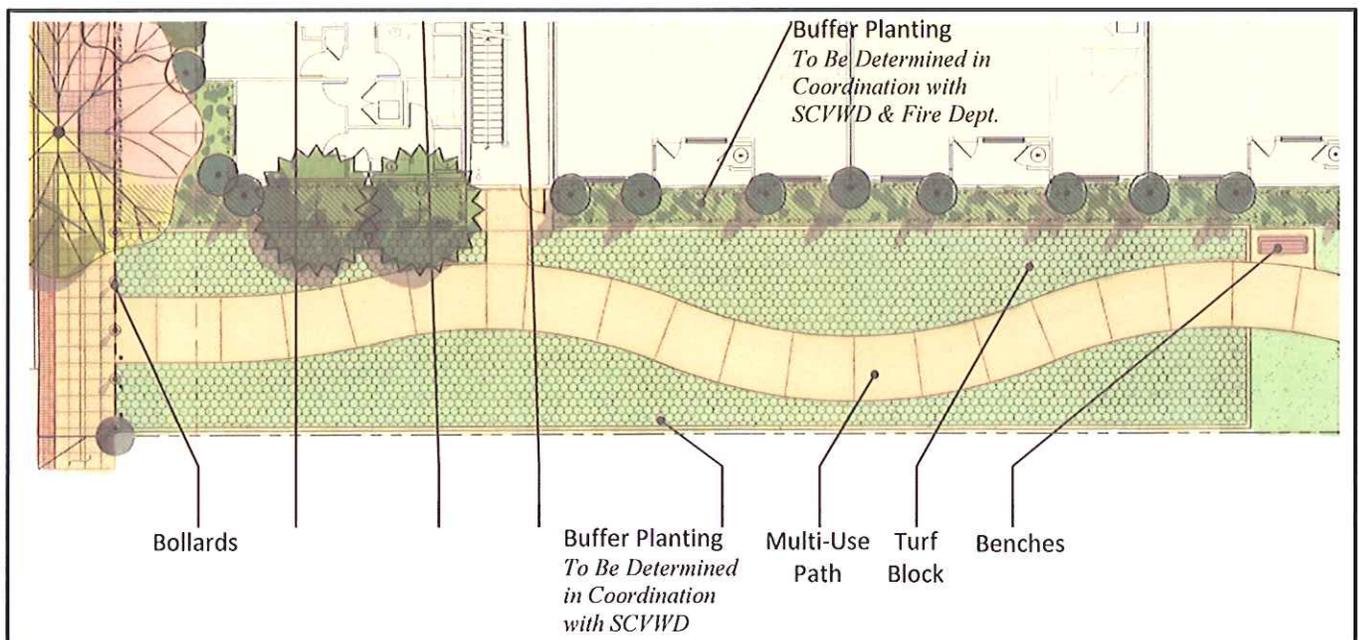


Garden Courtyard – Along the west edge of the development, a garden courtyard is planned to buffer the adjacent development and enhance the resident’s experience. The garden courtyard will feature lush, garden-style landscaping, and will provide an opportunity for residents to escape to a quiet place where they can sit, read or work on their lap-top. This area is approximately 6,000 square feet and will be improved with a courtyard that includes chairs and lounges.

Rooftop Terrace – The rooftop terrace provides residents with an opportunity to seek out yet another experience, enjoying the views of the mountains and city lights in a passive lounge type environment. This area is approximately 5,000 square feet and will be enhanced with comfortable seating areas both covered and uncovered. Landscape elements will be incorporated to soften the area and accentuate the rooftop trellis seen from the street level.

Penitencia Creek Walk – Along the north edge of the development is Penitencia creek. A 25-foot easement is required to be maintained in favor of SCVWD. Similar to the configuration found on nearby properties, this area is anticipated to be enhanced with a 6-foot walk, benches and landscape treatment. This area will be accessible to the public, and available to the residents to walk and enjoy an open space feel along the creek. This trail and improvements is consistent with the City of Milpitas Trails Master Plan and Midtown Specific Plan.

**Penitencia Creek Multi-Use Path Illustrative**



West Service Area – Along the west edge of the property off of Abel Street is a service area for solid waste pick-up and move-in logistics. While this area is typically considered “back-of-house,” the proposed plan realizes that in compact developments such as this one, this area can provide amenities as well. A half-court basketball court takes advantage of the concrete trash service area, in addition to benches and fitness stations. These amenities provide for yet another opportunity for residents to get outside and be active as they desire. This area also lends itself well for use by residents with dogs wanting to play fetch or the like in a gated area.

#### **Indoor Amenities**

Club Room – The club room is designed as a two story facility offering indoor partial kitchen, game room(s), televisions, reading and lounging areas. This area is approximately 1,250 square feet.

Fitness Center – The fitness center will be designed to accommodate fitness equipment and areas for small group sessions, such as yoga or pilates. The fitness center is approximately 1,500 square feet.

On-site Leasing, Management and Business Center – These on-site facilities are critical to operation of the apartment community, and its long-term success. The leasing office will be at the ground floor of the South Main Street access. Potential residents will drive through the postiche and into the parking structure, where visitor parking will be clearly delineated and enhanced for an inviting experience. The leasing office is approximately 1,680 square feet and will also include the management and business center, providing a centralized mail service, computers and printers for resident use.

## Site Design Factors

In order to obtain the density required for the economic feasibility of this infill project, the site has been designed to maximize the number of units, and has also been designed to enhance livability for residents within the building and the surrounding community. Utilizing the entire parcel has required solutions to critical design problems, which have been thoughtfully addressed by the project's architects and engineers.

### Main and Abel Corner Treatment

With the intersection of South Main Street and South Abel Street, a corner condition is provided that will serve as a gateway to the City's transit and regional shopping district. Therefore, the corner feature is a key design opportunity for the project that will provide a sense of place and arrival in proportion to the existing and future surroundings.

The proposed plan incorporates a tower element at the corner of Main Street and Abel Street, which will activate the area at multiple levels – from the street to the upper floors. At the street level, a unique water fountain will be used to form a plaza at the corner. The water feature is a curved water wall that feeds into a corresponding curvilinear receiving pool. It is envisioned that this fountain will incorporate lighting and signage. Informal seating may also be provided nearby as appropriate. This plaza design provides movement, light and white sound to enhance the pedestrian and vehicle experience.



Framing the tower and water feature will be several large, multi-trunk olive trees. These trees reflect the Italianate architecture, and provide the appropriate massing for this type of corner design. In the evening, these trees will be lighted to enhance their appearance and position as a feature element to the corner plaza.

The second, third, and fourth floors of the tower will incorporate residential units. These units have been oriented to align with southern views along Abel Street. For pedestrians and vehicles passing by, the occupation of the tower suggests high-density dwelling units that are suitable for an urban and transit-oriented setting.

As the eye travels upward to the higher elevations of the tower, it finds a roof deck incorporated into the tower. This sky deck will be a combination of covered and open spaces designed for passive uses, enhanced by architecture, landscape and lighting. While this roof deck is a passive amenity for the apartment community, it also enhances the corner treatment by opening the architecture at the roof line and introducing plant material and accent lighting characteristic of a commercial property.

### **Penitencia Creek**

The northern property line of the site is adjacent to Penitencia Creek, and has received special attention with respect to site planning. A 25-foot easement in favor of SCVWD runs along the top of bank, for purpose of maintenance and service of this drainage facility. This easement is also intended to provide emergency access.

Based on discussions with the City and SCVWD, the following dimensions were reviewed and determined acceptable given site constraints.

At a July 28, 2011 meeting with City staff, including representatives from the Fire Department, the applicants reviewed the SCVWD easement improvements which are described as follows:

30-ft landscape area between Penitencia Creek top of slope and Building.

- 25-ft Easement (SCVWD) - Includes 24-foot multi-use path/access road and 1-foot buffer. Within the 24-foot multi-use path, there would be a 6-foot concrete paving with 14-foot grasscrete, and 2-foot concrete band on each side.
- 5-ft Landscape area adjacent to building

Access provided off of Main Street, and will be restricted by bollards, following the same treatment as the adjacent property (Centria East).

### **Public Service Utility Easement & Vacation of Right-of-Way**

A Public Services Utilities Easement (PSUE) is currently in place along the entire frontage of Main Street and Abel Streets. This 10-foot easement follows the inside edge of the property line (at the edge of the sidewalk), and is intended for use by various utility and service providers. This easement already has utilities in place along Abel Street and at the corner. The easement along Main Street has not been used to this point in time, but will be utilized through construction of this project.

The proposed building design, in combination with proposed improvements to the intersection, will require modification of the PSUE at the corner of South Main Street and South Abel Street. The site plan shows an extension of the corner in conformance with the Main Line Study to improve this intersection. As part of this development, we are requesting the vacation of right-of-way in favor of enhanced corner treatment.

Subsequent to the requested entitlements, the applicant will seek the approval to reduce the width (or elimination) of the PSUE along South Abel Street and South Main Street. The request will be for a reduction from 10 feet PSUE, while maintaining a minimum 2-foot setback from back of sidewalk. A wider setback may be accommodated, depending on final site development drawings.

The minimum 2-foot setback is a variance from development standards defined by the Midtown Specific Plan, where a setback of 10 feet is normally required. The request for a variance is made in accordance with State Density Bonus regulations. When an applicant seeks a density bonus for a housing development within a jurisdiction, the local government shall provide the applicant with incentives or concessions for the production of affordable housing units as specified in the code. For additional reference to this matter, please refer to the discussion of density bonus within the "Project Description."

### **Traffic and Circulation**

A traffic study was prepared by Hexagon Transportation Consultants for the proposed development. The proposed project generates 1,235 daily trips (95 AM / 115 PM). With the proposed development, there are no near-term (existing plus project) impacts on traffic within the project study area. Under year 2030 conditions, the proposed development does not result in any new significant impacts to roadway segments & intersections, other than what was previously identified with the prior project. Project mitigation will include payment of the Montague Expressway Impact Fee and the Midtown Impact Fee.

Vehicular access to the project is provided off-of South Main Street. The ingress/egress will lead vehicles directly to and from the interior garage. Residential parking will be gated, but within the interior of the parking garage so as to not impede the flow of traffic. Visitor parking is also located within the parking garage to improve the

circulation of the porte-cochere. There will be a call box for visitors of the residents within the entry; approximately 30 feet back of the street curb.

This main vehicle entry will be designed and finished to provide a resort-like feel to residents, visitors, and prospective tenants. While it is not an amenity in the traditional sense, it will be an attractive and inviting space that will provide aesthetic value to the area.

Service vehicles will access the property via a separate driveway from the west, on South Abel Street. This access will lead to a service area designed to accommodate trash trucks, move-in vehicles, emergency and fire access. The driveways will be designed to accommodate the appropriate turn radius using a flared dish-pan drive in accordance with City engineering standards. Access to the service area will be secured from the general public by way of a gate.

Along the north edge of the property, the project will provide a multi-use path that runs parallel to Penitencia Creek. The path is located within the 25-foot easement in favor of SCVWD. This area is designed to accommodate SCVWD maintenance vehicles, as well as emergency and fire access. The drive will be designed to accommodate the appropriate turn radius, using a standard dishpan drive detail in accordance with City engineering standards. Access to the path area will be secured from the general public by way of bollards, such as those used for the adjacent property (Centria East).

### **Solid Waste Plan**

Residents will dispose of trash and recycling via separate chutes for refuse and recycling (1 each) which are provided in a dedicated trash room at two separate locations upon each residential floor. The chutes drop to bins located in rooms on the lower garage level. Vertical Trash Compactors are provided within these same rooms to directly compact refuse and recyclable material. On a regular basis, property management personnel will transfer compacted bins out of the receiving/compaction rooms. A scout truck will transport (internally) compacted bins to the collection area. Internal transport from receiving /compaction areas to the trash collection area will remain the responsibility of property management throughout the lifecycle of this development. Upon designated trash pick-up days, the bins will be moved from the trash collection area to the trash loading area upon the arrival of the trash truck.

For collection by Allied Waste Management, the truck will enter the property at the S. Abel fire/service access drive and proceed to the bin loading area. Bins will be pulled out and arranged by Property Management to this loading area and returned to the holding area once complete.

The trash collection area is designed to accommodate turn maneuvers for the collection truck, so that the truck can enter and exit the property “nose first”. The holding area opening is 18-feet wide and provides 15-foot height clearance. Per City of Milpitas Development Guidelines for Solid Waste Service, 3 cubic yard bin size is 42-inches by 72-inches.

Compatibility of bins used for scout truck will be confirmed for use with Allied Waste Management trucks. Coloring for bins will distinguish solid waste (blue suggested) from recycling (white suggested) as used by Allied. Please refer to the "Solid Waste Plan" of the architectural plan set, Sheet A3, for more detail on location and type of facilities.

## Project Benefits

This project presents an opportunity to provide the City with immediate and long-term benefits. For the immediate area, it is an opportunity to bring vitality and activity to a prominent corner that has been identified as underutilized for many years. The unique corner location will serve as an important gateway to a shopping and transit district, which may encourage further development in the area.

The project also assists the City and the Redevelopment Agency with further implementation of the general plan and Midtown Specific Plan.

Economic benefits will be realized by the City of Milpitas through a variety of sources, including:

- Luxury apartment development with high end amenities.
- Required parking provided on-site.
- Assists the City's affordable housing goals.
- Development fees of over \$4-million paid to the City and County for community benefits.
  - Includes approximately \$1.5 million for public park improvements.
  - Includes approximately \$500,000 paid to the school district.
  - Includes payment toward Midtown Traffic Impact Fees.
- South Main Street and South Abel Street parkway improvements.
- Permanent jobs created with an operating project.
- Increase property tax revenues.

Regional benefits will be realized through the provision of high-density housing adjacent to transit. A percentage of new residents will increase transit ridership and provide needed support to existing and future transit networks.

## Neighborhood Compatibility

Despite the high-intensity land uses of adjacent parcels, the single-family community of Starlite Pines is also nearby. Therefore, this project has been designed to consider the concerns that may be expressed by residents of this community. One of the more significant potential impacts is building height. This project has been designed to respect its neighbors by keeping the residential height at four stories (up to five are permitted). Maintaining the height at this level will reduce visual impacts upon Starlite Pines, and also reflects height limits approved for the adjacent projects. The parking facility will exceed the height of the residential buildings slightly, but is located within the interior of the project, and screened on all sides by residential buildings. Where the parking garage is exposed, architectural enhancements will improve the aesthetic appearance, as determined appropriate.

A community meeting was hosted by the applicants on September 8, 2011 at Pearl Zanker Elementary School, where the project was introduced to the community, and where interested residents were provided with an opportunity to comment on the project. Notices were sent out 10-days prior to the meeting, including a leaflet by mail for residents within 1,000-foot radius of the project property.

## Planning Consistency

### General Plan

The General Plan designation for the site is Multi-Family Residential, Very High Density, with an additional Transit Oriented District (TOD) overlay. This land use designation is consistent with the proposed plan and adjacent development, including the nearby Centria project. Within the General Plan, the TOD is intended to create residential districts near BART and light rail stations. This designation requires housing to be built at an average density of at least 41 units per gross acre, up to a maximum of 60 units per gross acre. This proposal is consistent with the general plan principles and policies as shown below:

*2.a-G-2: Maintain a relatively compact urban form*

The project density of 73.5 dwelling units per acre (obtained through use of the State Density Bonus) is consistent with high-density residential development standards.

*2.a-G-3 Provide for a variety of housing types and densities that meet the needs of individuals and families.*

This project will provide a combination of 1 and 2 bedroom units with a several studio units, which are suitable for individuals, partners, and small families. Housing will be available for rent, which differs from the previous projects constructed over the past decade; expanding the variety of housing within the City.

*2.a-G-5 A park-like setting will be created by a series of local parks, school sites, trails, and a greenway system laced throughout all living areas.*

*4.a-G-2 Develop a diversified trail system along streamsides and other public rights of way to provide recreational opportunities and link facilities.*

The property is situated along Penitencia Creek, which has been identified within the General Plan as a future or existing trail. This proposed site plan identifies the linear space along the creek as a public access easement, which will feature a portion of the regional trail facilities and landscaping.

*2.a-G-6: Implement the Midtown Specific Plan goals, policies and development standards and guidelines to create a mixed-use community that includes high-density, transit-oriented housing and a central community 'gathering place, while maintaining needed industrial, service and commercial uses.*

This project is located within the Midtown Specific Plan district, and is a good example of high-density, transit-oriented housing development, featuring a density of approximately 73.5 dwelling units per acre. It is located within several hundred feet of the existing Great Mall Transit Center, as well as the Great Mall shopping center.

*2.a-1-1: New developments should not exceed the building intensity limits established in the General Plan.*

The project density is achieved only through use of the State Density Bonus law. The baseline maximum density remains in conformance with the underlying zoning and general plan density limits of 60 dwelling units per acre.

*2.a-1-2: Promote development within the incorporated limits which acts to fill-in the urban fabric rather than providing costly expansion of urban services into outlying areas.*

The project is consistent with this general plan principle because it is located within the City limits and is surrounded by urbanized areas on all sides. The surrounding development and proposed development is more efficient, and at a higher density than areas of the City that have previously developed.

*2.a-1-22 Develop the Midtown area, as shown on the Midtown Specific Plan, as an attractive and economically vital district that accommodates a mixture of housing, shopping, employment, entertainment, cultural and recreational activities organized within a system of landscaped boulevards, streets and pedestrian/bicycle linkages.*

This project is consistent with Midtown Specific Plan land use and development standards, and provides a noteworthy gateway design element to identify the MSP area. It shall also comply with the South Main Street Plan Line Study, providing attractive landscaped boulevards and a portion of the pedestrian and bicycle pathway network.

## **Midtown Specific Plan**

This project is located within the Midtown Specific Plan (MSP), which was adopted in 2002 and subsequently amended. The project site is designated as Multi-Family Residential, Very High Density. The MSP is described within its Summary and Introduction as follows: “The overall strategy in the Midtown Area is to create a mixed-use community that includes high-density, transit-oriented housing and a central community “gathering place,” while maintaining needed industrial, service, and commercial uses.” The MSP also identifies this parcel as an “Opportunity Site”, with the expectation that it be developed in a higher or more intense use.

This proposal is highly consistent with the Midtown Specific Plan goals and policies, as shown below:

*Goal 2: Provide for a significant component of new housing within the area in order to: improve the vitality of the midtown area; address local and regional housing needs, and reinforce the use of transit.*

The proposed development is efficient, and provides a high number of residents in close proximity to transit, which will encourage transit ridership in to perpetuity.

*Goal 3: Promote an intensity of development in the midtown area that is appropriate to its central location.*

The proposed development will provide a level of intensity (and density) suitable for a central district. Minimum density standards have been achieved through the application of the State Density Bonus law.

*Policy 3.2: Provide for higher density residential development within the TOD overlay zone around the Great Mall Parkway.*

The TOD overlay area within the Midtown Specific Plan calls for the highest residential densities within the plan area, and the proposed project complies with those increased densities.

*Policy 3.4: Establish a minimum density of 21 units per gross acre in the Mixed Use District, 31 units per gross acre in the Multi-family Very High Density area, and a minimum of 41 units per gross acres around the transit stations.*

The proposed density of approximately 73.5 dwelling units per acre (through use of the State Density Bonus) achieves this density standard.

*Policy 3.6: Affordable housing units should be provided with new housing developments. Determine affordable unit requirements on a project-by-project basis, considering the size of the project, the location of the site, and the mix of affordable units in the Midtown Area.*

This project has proposed 9 below market rate housing units, all of which are designated for residents within the “very low” income category. These housing units have been provided through application of State Density Bonus guidelines.

*Policy 3.7: Integrate affordable units with market rate developments. Ensure that affordable units are architecturally integrated and indistinguishable from market rate units.*

BMR housing units will be supplied in a manner that is consistent with the overall project mix, including size, layout, and location within the building. These units will be identified through the affordable housing regulatory agreement (AHRA) which will be drafted and approved as part of the entitlement process.

*Policy 3.24: Require new residential development to provide public parks at a ratio of 3.5 acres per 1,000 persons, of which up to 1.5 acres per 1,000 persons can be developed as private common open space.*

The project is providing a combination of private open space, private common space in accordance with the City’s definitions. A portion of the public open space requirement is met through the improvement of the Penitencia Creek multi-use path. The balance

of open space requirements will be met through the fees payable to the City for public open space.

*Policy 3.26: Encourage new or expanding office and public/quasi-public uses to provide publicly accessible outdoor open space (plazas, gardens, arcades) as a part of new development. Ensure that the open spaces are linked to sidewalks or pedestrian paths.*

The proposed development will provide multiple quasi-public spaces for passive recreation and aesthetic improvement, including the plaza at the corner of South Main Street and South Abel Street, and Penitencia Creek multi-use path.

*Policy 4.2: Provide pedestrian connections between the transit stations and commercial, employment and residential stations that are direct, attractive, and interconnected with the larger city sidewalk and pedestrian path system.*

*Policy 4.13: Establish an interconnected system of sidewalks and pedestrian paths that provide safe and convenient pedestrian access between the transit stations and other destinations within the midtown area.*

The project is located along a public ROW, and will install sidewalks and other improvements as prescribed by the South Main Street Plan Line Study, providing a direct connection to the Great Mall Transit Center.

*Policy 4.9: Continue to require site-specific traffic studies for each proposed new development that would generate more than 100 trips, in conformance with existing congestion management procedures.*

This project has provided the required traffic study to comply with this policy, and to assist in determining the project's impact under CEQA.

*Policy 4.14: Require a public access easement through new development when necessary to ensure that public parks and the City's rail network are accessible to the general public.*

Public access will be maintained through public sidewalks and pathways. The open space/multi-use path has been designed so as to remain accessible to the public, SCVWD, fire and emergency services.

*Policy 4.15: Implement improvements, such as bulb-outs, raised crosswalks, and other appropriated mechanisms to calm traffic and make Main Street safer for pedestrians.*

Intersection improvements at South Main and South Abel Streets will calm traffic and provide a safer sidewalk for pedestrians.

*Policy 4.16: Provide secure and weather-protected bicycle parking facilities at the transit stations and within new residential, retail, and employment destinations.*

The project will include enclosed and secured bicycle storage facilities to its residents.

*Policy 4.17: Ensure that new development complies with Milpitas zoning ordinance requirements for off-street parking. Consider reductions on a case-by-case basis.*

Parking for the project will be provided on-site, and at a ratio that complies with (and exceeds) City of Milpitas standards. Approximately 340 vehicle parking spaces will be provided in the central garage.

*Policy 5.1: Establish a development pattern along Main Street and around the transit stations that is oriented to pedestrians and consistent with the design standards and guidelines. More specifically, buildings should address streets, pedestrian paths, parks and open spaces, and transit stations with entries, windows, bays, balconies, and other articulated features. Parking lots should not dominate the experience along any prominent street or pedestrian route.*

The project's high density and close proximity to transit and shopping facilities will encourage pedestrian activity. Architecture for the ground story will utilize appropriate massing, articulation, and penetrations (window and drive entries) in a manner that engages both pedestrian and vehicular traffic. The parking garage is located at the interior of the site, reducing the underutilized areas that would otherwise be provided if a parking garage fronted upon the street.

*Policy 5.4: Implement a program of streetscape improvements (sidewalks, landscaping, bike lanes, benches, and lighting) along Main and Abel Streets and Great Mall Parkway.*

*Policy 5.5: Place street tree landscaping at the curb edges of sidewalks to improve the environment for pedestrians.*

Public improvements associated with this development proposal, including street trees, will comply with the South Main Street Plan Line Study.

*Policy 5.10: Integrate public art, including sculpture, mosaics, murals, and decorative water features in to new office, civic, public institutional and public spaces in the Midtown Area.*

An important component of the project design is the architectural treatment at the corner of South Main Street and South Abel Street. This corner will engage pedestrians at the street level, and the upper floors will serve as a visual marker for drivers as they enter the transit and regional shopping district. A water feature and plaza have been proposed at the street level.

*Policy 6.2: Reduce water consumption through a program of water conservation measures, such as use of recycled water, water saving fixtures, and drought-tolerant landscaping.*

*Policy 6.4: Continue to require new residential, commercial, and industrial development south of Hetch Hetchy right-of-way to install recycled water lines with other utilities*

*servicing the site. Require conversion of landscape irrigation to recycled water as soon as available. Use recycled water to irrigate landscaping associated with street landscaping and the creek rail system as feasible.*

This project will comply with the most current green building code guidelines to reduce water consumption for the life of the project, including low-flow plumbing fixtures and drought-tolerant landscaping. A recycled water system will be installed and ready to use upon the City's completion of the system.

*Policy 6.7: Provide storm drain infrastructure to adequately serve new development and meet City standards.*

*Policy 6.8: Encourage creativity in design of new development in order to reduce storm water runoff, increase percolation, and improve water quality.*

This project will provide on-site treatment facilities which are engineered to current guidelines.

*Policy 6.10: Require project developers to coordinate with the appropriate service provider to provide electrical, gas, and telecommunication services to new development.*

*Policy 6.11: Require the undergrounding of new utilities; and Policy 6.16: Install vacant conduit for telecommunications within new developments. Install underground facilities as part of trench utilities as part of project construction, to the extent feasible.*

The project will construct and use underground utilities for all services, as appropriate and in accordance with the utility provider's policy.

*Policy 6.11: Incorporate energy saving devices in to new development in order to promote energy conservation.*

This project will comply with the most current green building code guidelines to reduce energy consumption for the life of the project.

## South Main Street Plan Line Study

In 2007, the City of Milpitas adopted the Main Street Plan Line Study. The goal of this study has been to identify and design important median and streetscape components within the Main Street corridor as it experiences significant growth. The project will comply fully with design elements identified within the study in the following ways:

### *Median Configuration*

Median islands will be constructed along South Main Street and South Abel Street per the plan, and additional medians will be constructed as part of the intersection directly adjacent to the project site. The City intends to evaluate the use of signage and banners within the median to provide an added urban feel to the South Main Street and South Abel Street intersection.

### *Streetscape Planting*

Plantings will be placed within the medians as prescribed by the plan, and along street frontages, including Scarlet Oak and Ginkgo Biloba species. Additional details shall be provided in the landscaping plans for the project.

### *Pedestrian Connectivity*

The project will construct sidewalks along each street frontage per the plan's engineering standards. These sidewalks will be used for pedestrian access to and from Zanker Elementary as shown in the plan.

### Development Standards

Zoning Code		Proposed	Notes
Density	41 to 60 DU/AC	72.1 DU/AC	20% Density Bonus Request
Building Height	5 Stories 75-ft maximum	4 Stories for residential. Proposed height varies, but in all case is below 75-ft maximum	<i>See Note Below</i>
<b>Parking, Multi-family</b>			
Total Required	319 stalls	340 stalls	
Studio	1.0 spaces/DU	4 stalls	4 Studio units
1 bedroom	1.5 spaces/DU	174 stalls	116 1-bdrm units
2 bedroom	2.0 spaces/DU	166 stalls	83 2-bdrm units
Subtotal		344 stalls	Prior to TOD reduction
TOD Reduction	20% reduction	276 stalls	
Guest	15% additional	319 stalls	
Spaces Provided		340 stalls	
<b>Setbacks</b>			
Front	8-15 feet	15-feet	Varies due to building design and articulation. Requesting Variance.
Street Side	8-15 feet	15-feet	
Side	10 feet	10-feet	
Rear	10 feet	30-feet	Includes 25-ft SCVWD easement
<b>Park &amp; Open Space</b>			
Required	3.5 ac/1,000 pop	714 population	Based on 3.5/DU
Private	0.80 AC	0.91 AC	Payment of "in-lieu" fee required for balance of public open space, or comparable payment as agreed with City staff.
Public	1.06 AC	0.21 AC	

*Note:* Residential buildings are anticipated to be 4 stories in height, designed to Type IV Construction. Parking provided on-site through a central 6-level parking garage, built on-grade.

Open Space Requirement

203.00	Number of Dwelling Units	
527.80	Total Population	2.6 <i>Multi-Family, 5+ DU/Building</i>

Open Space Required			
1.85	Total Open Space AC	0.0035	acres per person
1.06	Public Open Space	0.002	acres per person
0.79	Private Open Space	0.0015	acres per person

Open Space Provided	
1.21	Total Open Space AC
0.21	Public Open Space
1.00	Private Open Space

In-Lieu Fee Calculation	
0.84	Public Open Space Not Achieved On-site
\$2,047,320	Average value of 1 acre of land (3/10)
<b>\$1,728,093</b>	<b>Park In-Lieu Fee</b>

