

APPROVED

**MILPITAS PLANNING COMMISSION
Milpitas City Hall, Council Chambers
455 E. Calaveras Blvd., Milpitas, CA**

**MEETING MINUTES
Wednesday, January 8, 2014**

- I. PLEDGE OF ALLEGIANCE** **Chair Mandal** called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.
- II. ROLL CALL/ SEATING OF ALTERNATE** **Commissioners**
Present: Chair Sudhir Mandal, Vice Chair Larry Ciardella, Commissioners Gary Barbadillo, Rajeev Madnawat and John Luk
Absent: Commissioners Sandhu and Alternate Member Morris
Staff: Steve McHarris, Johnny Phan, Sheldon Ah Sing, Cindy Hom, Steve Chan
- III. PUBLIC FORUM** **Chair Mandal** invited members of the audience to address the Commission and there were none.
- IV. APPROVAL OF MEETING MINUTES** **Chair Mandal** called for approval of the December 11, 2013 meeting minutes of the Planning Commission.
Motion to approve Planning Commission meeting minutes, as submitted
Motion/Second: Commissioner Madnawat/Commissioner Luk
AYES: 5
NOES: 0
- V. ANNOUNCEMENTS** None
- VI. CONFLICT OF INTEREST** **Assistant City Attorney Johnny Phan** asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.
Commissioner Luk recused himself from Item IX-2
- VII. APPROVAL OF AGENDA** **Chair Mandal** asked whether staff or Commissioners had any changes to the agenda.
Motion to approve the January 8, 2014 agenda as submitted
Motion/Second: Commissioner Madnawat/Commissioner Luk
AYES: 5
NOES: 0
- VIII. CONSENT CALENDAR** No items

IX. PUBLIC HEARING

IX-1 KLA TENCOR FLOOR AREA RATIO (FAR) INCREASE – One Technology Drive – UP13-0023 – A request by KLA Tencor for a Conditional Use Permit to allow an increase in FAR from 0.426 (42.6%) up to a maximum of 0.50 (50%) for future expansion. The FAR increase would allow approximately 128,000 square feet of additional building square footage to the site. No construction is proposed at this time. A Mitigated Negative Declaration was prepared and circulated for this project pursuant to the CEQA Guidelines.

Assistant Planner Cindy Hom gave a presentation on the project. Vice Chair Ciardella mentioned the EIR and that there was nothing noted about BART and possible bus service to the McCarthy Ranch area. Assistant Planner Hom said this is a condition of approval and staff will ensure that it is provided.

Commissioner Madnawat asked about recycled water requirements and Assistant Planner Hom stated that there will be storm water control measures and a connection to a recycled water line.

Chair Mandal opened the public hearing for comments and two speakers spoke in favor of the project.

Motion to close the public hearing.

Motion/Second: Commissioner Madnawat/Vice Chair Ciardella

AYES: 5

NOES: 0

Commissioner Madnawat – ordinance 50%. Assistant Planner Hom responded FAR limitations, CUP process to allow.

Motion to adopt Resolution No. 14-002 approving Conditional Use Permit No. UP-13-0023 to allow a total Floor Area Ratio of 0.50 on the forty acre KLA Tencor Campus based on findings and subject to the conditions of approval.

Motion/Second: Vice Chair Ciardella/Commissioner Luk

AYES: 5

NOES: 0

IX-2

PACIFIC MALL & HOTEL GENERAL PLAN AMENDMENT – 11-111 Ranch Drive – GP13-0001, ZA13-0001, SD13-0001, UP13-0001, MT13-0001, VA13-0001 – A request by TMS McCarthy, Inc. for a General Plan Amendment and Zoning Amendment to create a Freeway Corridor Overlay District to allow increases in Floor Area Ratio (FAR); and a Site Development Permit, Conditional Use Permit and Variance to allow demolition of 139,710 square feet of commercial building area and construction of 284,587 square feet of commercial building area; and a 240 room hotel. An Environmental Impact Report has been prepared and circulated for the project pursuant to the CEQA Guidelines.

Commissioner Luk exited the Council Chambers before this item was heard.

Senior Planner Sheldon Ah Sing gave a presentation on the project. Commissioner Madnawat had questions regarding the process to combine two condominiums. Senior Planner Ah Sing explained that the buyer can approach the City with tenant improvement plans and if appropriate staff would approve and issue a permit.

There was discussion regarding traffic impacts in the area and possible backups at the 237 intersection. Traffic Engineer Steve Chan answered that the Traffic Impact Analysis (TIA) was prepared using VTA guidelines and said that staff can attempt to make the intersection more efficient.

Commissioner Madnawat asked about locations for directional signage. Senior Planner Ah Sing said that he has not looked into this, but there may be some opportunities to consider. Planning Director Steven McHarris said that his department can assure that something happen on site, possibly directional signs as cars exit the site.

Chair Mandal invited the Applicant to speak. Phillip Duchen of TMS McCarthy, Inc. introduced several developers in the audience. He stated that they will be requesting relief of fees for storm drain connection and traffic impact fees and will be taking the issue to the City Council. He believes that this development will bring community benefits and tourism to the city and his sincere desire it to have the hotel built as part of the project.

Mr. Duchen then introduced Ernie Yamane of Steinberg Architects who gave a powerpoint presentation on the project.

Commissioner Madnawat asked about the plans for the hotel and Mr. Yamane stated that they are asking for approval for the hotel and their intent is to complete the whole project. Commissioner Madnawat also stated that he would like to see signs that designate the city of Milpitas as the location of this project.

Chair Mandal mentioned the need for more parking spaces and asked about plans to accommodate additional vehicles. Mr. Yamane stated that there are no specific plans and he does not know when that will happen. Chair Mandal also asked if businesses were lined up for the project and Mr. Duchen answered that in the recent project in Calgary, the campaign was very successful and that 80% of available units were sold.

Commissioner Madnawat questioned their involvement in the project once it was complete, and Mr. Duchen answered that they intend to maintain a significant portion of the mall.

Commissioner Barbadillo asked how long the construction is estimated to last and was told 2 – 2 ½ years. Vice Chair Mandal asked if there were flood concerns and was told that the preliminary geotechnical work shows that the project is above the water table.

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Chair Mandal questioned landscaping and maintenance a couple of years down the road and Mr. Duchen answered that this is not a typical mall environment due to close relationships with the owners and they all have an interest in the maintenance being kept up. He also mentioned reserve and operating funds and CC&R's to maintain it appropriately.

Chair Mandal opened the public hearing for comments and multiple speakers spoke in favor of the project.

Motion to close the public hearing.

Motion/Second: Commissioner Madnawat/Vice Chair Ciardella

AYES: 4

NOES: 0

Commissioner Madnawat commented that he believes this project will provide many benefits to the community, including additional jobs. He would like to see staff establish guidelines for easy processing to make it convenient for owners who wish to combine shops and believes this will be more attractive to buyers. Planning Director Steven McHarris agreed that staff has the ability to standardize the process for tenant improvements for business owners.

Motion to adopt Resolution No. 14-001, recommending approval of the General Plan Amendment and Zoning Amendment to create a Freeway Corridor Overlay District to allow increases in Floor Area Ratio (FAR); and a Site Development Permit, Conditional Use Permit and Variance to allow demolition of 139,710 square feet of commercial building area and construction of 284,587 square feet of commercial building area; and a 240 room hotel and certification of the Final Environmental Impact Report to the City Council.

Motion/Second: Vice Chair Ciardella/Commissioner Madnawat

AYES: 4

NOES: 0

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X. NEW BUSINESS

PRESENTATION BY DR. SHAWN SPANO – Dr. Spano gave a presentation to the commission to elicit input that will be used to develop a Vision, Mission, and Values for the City.

Commissioners provided comments on some of the things that they like most about the City of Milpitas, what kind of city and community they want Milpitas to be, and how the City of Milpitas of the future is different from the way it is today.

Vice Chair Ciardella asked how Dr. Spano planned to get the word out to families, and he replied that there will be group/organization referrals, he will be speaking with groups, and there will also be an online component for people to provide input.

Commissioner Madnawat asked about the timeline of the process and Dr. Spano replied that he expects to be done with Phase 2, the development of a Vision, Mission and Values, in April or May.

X1. ADJOURNMENT

Commissioner Madnawat moved and Vice Chair Ciardella seconded a motion to adjourn the meeting at 9:50 pm to the next regular meeting date of January 22, 2014. Motion was approved unanimously.

*Meeting Minutes drafted and submitted by
Planning Secretary Elia Escobar*