

MEETING MINUTES

**MILPITAS PLANNING COMMISSION
Milpitas City Hall
Committee Conference Room, 1st floor
455 E. Calaveras Blvd., Milpitas, CA**

Wednesday, April 9, 2014

- I. PLEDGE OF ALLEGIANCE** **Chair Mandal** called the meeting to order at 7:00 P.M. and led all in the Pledge of Allegiance.
- II. ROLL CALL/ SEATING OF ALTERNATE** **Commissioners**
Present: Chair Sudhir Mandal, Vice Chair Larry Ciardella, Commissioners Rajeev Madnawat and Alternate Member Hon Lien
Absent: Commissioners Garry Barbadillo, John Luk and Gurdev Sandhu
Commissioner Demetress Morris was absent at roll call and arrived at 7:05 PM.
Staff: Steven McHarris, Johnny Phan, Scott Ruhland, Mary Lavelle
- III. PUBLIC FORUM** **Chair Mandal** invited members of the audience to address the Commission and there were no speakers.
- IV. APPROVAL OF MEETING MINUTES** **Chair Mandal** called for approval of the March 26, 2014 meeting minutes of the Planning Commission.
Motion to approve Planning Commission meeting minutes, as submitted
Motion/Second: Commissioner Madnawat/Vice Chair Ciardella
AYES: 4
NOES: 0
- V. ANNOUNCEMENTS** Planning Director Steven McHarris announced that Senior Planner Sheldon Ah Sing was leaving Milpitas after seven years to join a private sector planning firm. Also, he met recently with several developers on density averaging, with most developer discussion centered around the TASP fee structure and the meetings were going well.
- 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.

There were no reported conflicts.
- VII. APPROVAL OF AGENDA** **Chair Mandal** asked if staff or Commissioners had changes to the agenda.
Motion to approve the April 9, 2014 agenda as submitted.
Motion/Second: Vice Chair Ciardella/Commissioner Madnawat

AYES: 5

NOES: 0

VIII. CONSENT CALENDAR

No Items

IX. PUBLIC HEARING

No Items

X. NEW BUSINESS

STUDY SESSION - Overview of the Transit Area Specific Plan including Zoning Regulations, Design Guidelines, Streetscape Improvements, and Implementation; and, Conducting Development Design Review for Proposed Projects within the Transit Area.

1) **Overview:** Planning Director Steven McHarris introduced this item as an overview of transit oriented planning in the TASP area similar in format to the two study sessions in the past year for the benefit of the new planning commissioners as well as a review for the longer term commissioners. He referred to PLAN Bay Area, a recently approved document by Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC) as a regional plan for the nine county Bay Area. He displayed Priority Development Area as the Transit Area Specific Plan in Milpitas, including the BART stations coming in to Fremont and Milpitas. Santa Clara Valley Transportation Authority (VTA) renderings of the new station in Milpitas and surrounding area were shown.

Vice Chair Ciardella asked where was ABAG, VTA and other agencies when planning was done on the route 237 lane for commuters (and then built) where Milpitas drivers got left out. He also asked if the nine Bay Area counties were the 7th, 9th or other level highest economy in the world. Mr. McHarris responded on job growth and housing, certainly near the top in the nation. Vice Chair Ciardella inquired if there was any plan for BART or light rail to go to the San Jose airport.

Mr. McHarris continued, discussing the Milpitas Transit Area Specific Plan, with a review of General Plan Land Use Diagram on display. This plan identifies 7,109 housing units in the plan area with four unique ranges of residential densities. 19,094 was the projected new population number for those 7,109 units.

Commissioner Madnawat asked about high, tall buildings and the possibility during planning for that type in the Transit Area. He asked if there was an issue of water table or location on the land in Milpitas. Mr. McHarris responded there many factors that influenced building size, a few of which he explained.

2) **Financing:** Two major pieces were the Development Impact Fee (yielding \$243 million) and the new Community Facilities District (CFD) (for public maintenance and services). \$32,781 per unit was the current Development Impact Fee while \$573.56 per unit annually was the amount paid into the CFD.

Vice Chair Ciardella asked if the CFD funds would hire additional firefighters and police officers and Mr. McHarris replied yes, incrementally with population growth.

Chair Mandal asked if there was a way for a developer to pay extra fees to propose a different density in his plans other than what was in the TASP. Staff responded there would not be enough residents paying into the CFD and this would impact the CFD fund leading to insufficient maintenance funding for the TASP infrastructure and police, fire and public works services. TASP Impact Fees are adjusted annually, based on the CPI and the City's Finance Director implements them.

3) **Land Use and Community Design**: Staff reviewed the land uses within the TASP, including the Guiding Principles for transit-oriented development.

Chair Mandal inquired whether there could be an overview book or CD to hand to developers about this plan. Staff responded maybe an animated video like the ones that CalPoly students showed the Commission could be produced, or perhaps even a video program along the caliber of the 60th Anniversary of the City video.

Further reviewed was the Zoning Text with development standards, including land use classifications and development regulations, per the table displayed. Staff showed denser zones centered within the TASP, which also included 36 acres of parkland in six named subdistricts, or neighborhoods, within the plan.

4) **Trends, Challenges, Observations**: Mr. McHarris identified eight entitled projects underway. Three of them were proposing to downsize, with concern that this trend could lead to significantly lower residential unit count than programmed in the TASP and TASP infrastructure finance and maintenance programs. If too many projects limit development, the low end of the range of densities permitted and the total unit counts would not be achieved. Community Design Goals were reviewed, with guidelines reviewed. Local pedestrian street design was discussed with differing designs in various subdistricts. Finally, the Planning Director identified and explained some field observations and construction corrections.

Chair Mandal expressed that this session was very helpful for Commissioners and he thanked staff. Chair Mandal thanked Mr. McHarris for all his input and comments.

Vice Chair Ciardella wanted to close the meeting in honor of Sheldon Ah Sing and to thank him for his valuable work for the City of Milpitas.

Commissioner Madnawat requested another agenda item. Regarding small events, when Commissioners approve minor event permits each year, perhaps the groups could be allowed to receive multi-year permits, so they do not have to return to the City year after year.

Commissioner Madnawat also asked if Planning Commissioners could visit some of the approved, built projects and staff replied they could organize a field trip. Chair Mandal supported this idea, as had been done in the past on a Saturday in the summer.

Audience members were then invited to speak on the study session item.

Mr. Hans Van Ligten, attorney for Integral, remarked on the noticing for this meeting. He and the firm he represents were surprised that it was not broadcast from the Council Chambers. He rejected the notion that things were not done right in the past and felt that density averaging as proposed for some projects was

consistent with the City's General Plan.

XI. ADJOURNMENT

The meeting was adjourned at 8:40 PM to the next meeting on April 23, 2014.

Motion to adjourn to the next meeting.

Motion/Second: Commissioner Madnawat/Vice Chair Ciardella

AYES: 5

NOES: 0

City Clerk Mary Lavelle

Meeting Minutes submitted by