

MEETING MINUTES

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

Wednesday, October 28, 2015

- I. PLEDGE OF ALLEGIANCE** **Commissioner Sandhu** called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.
- II. ROLL CALL/ SEATING OF ALTERNATE**
- Commissioners**
Present: Commissioners Gurdev Sandhu, Demetress Morris, Hon Lien, Ray Maglalang, Zeya Mohsin
Absent: Sudhir Mandal, Rajeev Madnawat, Larry Ciardella
Staff: Bill Ekern, Katy Wisinski, Cindy Hom
- III. PUBLIC FORUM** **Commissioner Sandhu** invited members of the audience to address the Commission and there were no speakers.
- IV. APPROVAL OF MEETING MINUTES**
- Commissioner Sandhu** called for approval of the October 14, 2015 meeting minutes of the Planning Commission.
- Motion** to approve Planning Commission meeting minutes.
Motion/Second: Commissioner Maglalang/Commissioner Lien
AYES: 5
NOES: 0
ABSTAIN: 0
- V. ANNOUNCEMENTS** Interim Planning Director Bill Ekern announced that the regular Planning Commission meetings of November will not be held due to holidays, and a special meeting is scheduled for November 18.
- VI. CONFLICT OF INTEREST** **Attorney Katy Wisinski** 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

Commissioner Sandhu asked if staff or Commissioners had changes to the agenda and there were none.

Motion to approve the October 28, 2015 agenda as submitted.

Motion/Second: Commissioner Maglalang/Commissioner Mohsin

AYES: 5

NOES: 0

VIII. CONSENT CALENDAR

NO ITEMS

IX. PUBLIC HEARING

IX-1 T-Mobile – 990 AMES AVE – UP15-0011: A request for a Conditional Use Permit to add three new wall mounted panel antennas and associated equipment to an existing wireless telecommunication facility located in the Heavy Industrial Zone.

Project Planner Cindy Hom showed a brief presentation reviewing the request.

Commissioner Sandhu opened the public hearing and there were no speakers.

Motion to close the public hearing.

Motion/Second: Commissioner Morris/Commissioner Lien

AYES: 5

NOES: 0

Motion to Adopt Resolution No. 15-033 approving Conditional Use Permit No. UP15-0011 to add three new wall mounted panel antennas and associated equipment to an existing wireless telecommunication facility subject to the conditions of approval.

Motion/Second: Commissioner Morris/Commissioner Maglalang

AYES: 5

NOES: 0

IX-2 1 HANSON LLC SELF STORAGE – 1 HANSON CT – UP14-0020, SD14-0019, EA15-0004: A request for a Site Development Permit, Conditional Use Permit and Environmental Assessment to allow demolition of existing industrial site and development of a 98,390 square feet self-storage facility with a 2,360 square feet manager's unit and installation of associated site improvements including fencing, landscaping and signage. The project also proposes a future 35,500 square feet second story addition that will be constructed at a later date.

Project Planner Cindy Hom provided a PowerPoint presentation reviewing the project. She said three comment letters were received regarding the project, one in support, one in opposition, and a letter from VTA regarding project coordination on the development.

Commissioner Maglalang had questions related to the Floor Area Ration (FAR). Applicant Ed Borsma of Cubix Construction said the project site is an old hazardous materials site for which there are not many suitable uses but this one fits well. In regards to the FAR, he asserted that most storage facilities in Milpitas are over the FAR and it is not an unusual exception they are asking for.

Commissioner Sandhu opened the public hearing and there were two speakers.

Milpitas resident Robert Marini said he was not clear on the number of housing units being built and Mr. Ekern clarified that there will be one unit on site which the caretaker will live in.

A resident of the Harmony complex said there are not many options for grocery shopping and asked that the developer consider building a grocery store. Mr. Ekern informed him that a project under construction near the Great Mall includes a grocery store.

Motion to close the public hearing.

Motion/Second: Commissioner Morris/Commissioner Maglalang

AYES: 5

NOES: 0

Motion to Adopt Resolution No. 15-034 approving Site Development Permit SD14-0019, Use Permit UP14-0020, and Environmental Impact Assessment EA15-0004 to allow the demolition of an existing industrial site and to construct a 98,390 square foot self-storage facility with a 2,360 square foot office and manager's unit, associated site improvements, a future Phase II 35,500 square foot expansion, and FAR increase subject to the findings and conditions of approval.

Motion/Second: Commissioner Morris/Commissioner Lien

AYES: 5

NOES: 0

IX-3

THE DISTRICT, CENTRE POINTE AND HOURET – McCandless, Centre Pointe and Houret Drive – GP15-0002; ST15-0001; ZA15-0005; EA15-0005; SD15-0006; MT15-006; -007; -008; -009; UP15-0010: A request to amend the previously approved Site Development Permit for the District 1 Lots 2 and 4, changing the proposed mixed use buildings on Lots 2 and 4 to 391 residential units (218 lot 2; 173 lot 4), 3,480 sq. ft. of retail on Lot 2, 13,941 sq. ft. of retail on Lot 4, and associated site improvements. The project includes a request to amend the City of Milpitas' General Plan and Transportation Area Specific Plan by changing the land use designation on 3.287 acres from Residential-Retail High Density Mixed (RRMU) to High Density Transit Oriented Residential (HDTOR), and a Rezone of same area from High Density Mixed-Use (MXD2) to Multi-Family High Density Residential (R3).

The project would amend Lot 3 of District by proposing 83,842 sq. ft. of retail uses, including a hotel with 175 rooms and a 423 residential unit building. The remainder of the Centre Pointe project includes 105 dwelling units on Centre Pointe Site B, and 136 units on Centre Pointe Lot C. The Houret component proposes 114 residential condominium units along Houret Drive and Court and associated site improvements.

Mr. Ekern noted that redlined versions of the resolutions were provided to the commissioners that show last minute changes. He said eight emails were received from the public all concerned with the implication of an increase in residential density within this project area. A General Plan and Zoning amendment is necessary in order to move this project forward but Mr. Ekern wanted to make it clear that the number of residential units has not increased from what has already been approved and no additional traffic will be triggered from what was previously analyzed.

Mr. Ekern explained that residential units were swapped between zoning districts and staff worked with the developer to transfer the amount of retail to a different lot, putting it where it is most effective.

Mr. Ekern showed a short PowerPoint presentation describing the zoning change.

Commissioner Maglalang asked about the open space in the project area and if there is a designated park and Mr. Ekern said that public space is located throughout the project and the developer is also paying a parkland in lieu fee.

Commissioner Maglalang asked if the trees along McCandless will be consistent with the Street Tree Master Plan and Mr. Ekern said there are no plans at this point to plant trees in the islands as they are not big enough to accommodate them. He said that most medians in that area will be painted, not raised, in order to have a residential feel.

Commissioner Mohsin asked about public art requirements and Mr. Ekern said the art has not yet been designed but will be proposed to the city's Arts Commission.

Applicant Peter Zak of Lyon Communities discussed the project and showed conceptual plans for the lots. He said they are currently under construction on District Lot 1 which includes a grocery store and are in negotiations with a very high quality grocery retailer. He reviewed the public benefits of the project, which includes open space, two acres of rooftop decks, and multi-use trails, and said their parkland in lieu fees will generate over \$15 million for the city to use for parks. He added that they are building close to 500 units less than what is allowed in the TASP.

Architect Christopher Coe showed an animated video of the project.

Commissioner Maglalang asked for parking information. Mr. Zak said the parking is in a wrap design with a self-contained parking structure with units that wrap around it, and the rooftop decks sit above the parking structure. He said it is not visible and allows residents to park on the same level where they live. The hotel will offer valet parking and many will be served by that service and the parking structure has over 1,100 spaces, which exceeds parking requirements for the hotel.

Commissioner Maglalang asked what type of retail was planned for the space and if it will compete with stores in the Great Mall. Mr. Zak said they do not see themselves in direct competition with the Great Mall as they will offer boutique shops and high end restaurants. He introduced Josh Amoroso who is assisting with the retail component of the project and he discussed plans for the space.

Commissioner Maglalang asked what guarantee there is that the developer will build the hotel. Mr. Zak said he has no way of guaranteeing it other than their track record here in the city and the amount of money they have spent on the design, and that they already have meetings scheduled to discuss the detailed working drawings for Lot 2. Mr. Zak said their business model is to build and hold long term, it is very unique for them to sell

parcels, and they have the financing available and intentions of completing the project.

Mr. Ekern said staff relies on the history of the developer to keep their commitment. He said is impossible to guarantee what the building cycle will be and staff cannot say they have to build a hotel at a time that it will not be profitable.

Commissioner Maglalang asked if Jacaranda trees will be planted and Mr. Ekern said that Jacaranda trees are not part of the planting palette within the TASP.

Commissioner Sandhu opened the public hearing.

Milpitas resident Robert Marini discussed the City's increase of water rates and said these buildings will hold more residents adding more demand for water and more fees which is a penalty the residents pay.

Bob Nunez, a Milpitas resident and Milpitas Unified School District (MUSD) board member, referenced a letter signed by the MUSD Superintendent stating that they are not opposed to the changes because there is no increase in the number of housing units. As a resident and Milpitas business owner, Mr. Nunez supports the project and feels it will draw revenue into the city and keep residents from spending their money elsewhere.

One resident voiced concern about congestion on McCandless and speeding drivers and resident safety, and another commented that homeless people live on nearby vacant lots and the City should enforce the 72 hour parking rule on streets.

Milpitas resident James Chen said he lives in the Harmony community and is very excited by the project design. He feels that more commercial and retail spaces are needed in the area and the City should give the developer permission to start construction as soon as possible.

A Harmony resident spoke in support of the project and recommended having a police substation at that location. Mr. Ekern said that to create a police substation would be a serious point of consideration by the city council.

Motion to close the public hearing.

Motion/Second: Commissioner Mohsin/Commissioner Maglalang

AYES: 5

NOES: 0

Motion to Adopt Resolution No. 15-035 as redlined recommending the City Council approve an Addendum to the Certified Environmental Impact Report Prepared for the Transit Area Specific Plan (State Clearinghouse No. 2006032091) in support of the Centre Pointe and Houret Court Project located at 1310-1360, 1400-1460 and 1415-1475 McCandless Drive, 1463, 1501, 1507, 1515, 1536-1567, and 1577-1601 Centre Point Drive, and 231, 247-269, 274 and 1147 Houret Court.

Motion/Second: Commissioner Morris/Commissioner Lien

AYES: 5

NOES: 0

Motion to Adopt Resolution No. 15-036 as redlined recommending the City Council

approve General Plan Amendment GP15-0002, Specific Plan Amendment ST15-0001, Rezone RZ15-0005, Site Development Permit SD15-0006, Use Permit UP15-0010, Major Tentative Maps MT15-0006, MT15-0007, MT15-0008 and MT15-0009 for the Centre Pointe and Houret Court Project located at 1310-1360, 1400-1460 and 1415-1475 McCandless Drive, 1463, 1501, 1507, 1515, 1536-1567, and 1577-1601 Centre Point Drive, and 231, 247-269, 274 and 1147 Houret Court.

Motion/Second: Commissioner Morris/Commissioner Lien

AYES: 5

NOES: 0

Motion to recommend that the City Council consider a police substation in the area of the District.

Motion/Second: Commissioner Morris/Commissioner Lien

AYES: 5

NOES: 0

X. NEW BUSINESS

NO ITEMS

XI. ADJOURNMENT The meeting was adjourned at 9:20 PM.

Motion to adjourn to the next meeting.

Motion/Second: Commissioner Mohsin/Commissioner Lien

AYES: 5

NOES: 0

*Meeting Minutes submitted by
Planning Secretary Elia Escobar*