

MEETING MINUTES

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

Wednesday, February 24, 2016

- 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 Rajeev Madnawat
 Commissioners Sandhu, Ciardella, Morris, Lien, Maglalang,
 Mohsin

Absent:

Staff: Sarah Fleming, Katy Wisinski, Bhavani Potharaju, Richard Patenaude
- 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 February 10, 2016 meeting minutes of the Planning Commission.

Motion to approve Planning Commission meeting minutes.
Motion/Second: Commissioner Sandhu/Commissioner Ciardella
AYES: 7
NOES: 0
ABSTAIN: 0
- V. ANNOUNCEMENTS** Senior Planner Sarah Fleming announced that the Milpitas Athletic Club Expansion item was deferred to March 9, 2016.
- 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** **Chair Mandal** asked if staff or Commissioners had changes to the agenda and there were none.

Motion to approve the February 24, 2016 agenda as submitted.
Motion/Second: Vice Chair Madnawat/Commissioner Maglalang

AYES: 7

NOES: 0

VIII. CONSENT CALENDAR

NO ITEMS

IX. PUBLIC HEARING

IX-1 MAIN ST. MONTESSORI CUP AMENDMENT - 630 South Main Street - P-UA15-0009: A request for a Conditional Use Permit Amendment to allow for a 2,946 square foot expansion to an existing child care facility.

Project Planner Bhavani Potharaju showed a presentation describing the project and proposed changes.

Commissioner Ciardella asked how children access the play area as he did not see a walkway in the plans, and Ms. Potharaju showed the location of a corridor with a gate that opens directly to the play area.

Vice Chair Madnawat noted that the area of refuge is being converted into parking spaces and relocated and questioned if it would interfere with the playground. Ms. Potharaju said the area is necessary in the state of an emergency, when the children need to be moved from inside the building and need an open space to gather.

Mark Stoklosa, the architect on the project, was available for questions.

Chair Mandal had questions regarding lighting in the play area and the use of a CCTV security camera for monitoring the children.

Applicant Colleen Noll said that during the school year they have two different playground schedules and those times are changed with Daylight Savings time. The children usually do not go outside in the winter after 4:30 PM and stay outside in the summer until 5:30 or 6:00 PM.

Ms. Noll said she was not sure what a CCTV camera is, but that the children need to have adult supervision at all times so she does not see a need for it, and does not believe it is a state requirement.

Chair Mandal opened the public hearing and there were no speakers.

Motion to close the public hearing.

Motion/Second: Commissioner Sandhu/Commissioner Morris

AYES: 7

NOES: 0

Motion to Adopt Resolution No. 16-006 approving Conditional Use Permit Amendment No. UA15-0009, subject to the attached Conditions of Approval.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

IX-2

MILPITAS LANDMARK TOWERS – 600 Barber Lane – SD15-0001, EA15-0002, MT15-0003 & UP15-0007: A request to modify a previously-approved mixed-use project, at 277 feet in height (18 stories). The current project proposes a 279.5-foot-high project (22 stories), containing 50,000 square feet of commercial retail and office space and 450 residential units over a four level parking garage on a 3-acre parcel in a Very High Density Mixed Use (MXD3) Zoning District.

Project Planner Richard Patenaude showed a presentation describing the project.

Ms. Fleming said there was an update to the packets and Ms. Wisinski explained that there were slightly revised resolutions which include edits to the conditions of approval and inclusion of a few conditions that were inadvertently left out.

Mr. Patenaude said the applicant has no issues with the changes to the conditions.

Commissioner Maglalang questioned how fire personnel will access the building in the event of an emergency. Deputy Fire Chief Albert Zamora discussed Fire Department access and said there are some limitations but good access. He said the tiller ladder truck will be an important piece of equipment and if necessary can be extended over the building.

There was concern regarding the access of fire trucks and whether discussions had taken place between the developers of the project and the MUSD.

Vice Chair Madnawat asked about the provision for a shuttle service and who would provide the service, and Mr. Patenaude said it will likely be operated by the Home Owners Association.

Applicant Bob Rittner of BDK Capital, the developers of the project, said the company purchased the site over one year ago. He said the project will generate 3,400 trips a day less than the currently entitled project. He discussed the building height and said they eliminated most of the retail space allowing them to add additional levels without raising the building height, as the retail space had a higher floor to floor height.

Mr. Rittner discussed site access and said the project complies with all safety, clearance and setback requirements and they are not asking for any variances not allowed under the California fire code.

Architect Matt MacLaren answered questions regarding access and showed an animation on the project and the parking system.

Chair Mandal opened the public hearing and there was one speaker. Bob Nunez of the MUSD said there will likely be an impact on the schools and he appreciates the commissions concern for that impact. He said their school will not be finished if the project is completed on time and he would like to have a conversation with the developer.

Motion to close the public hearing.

Motion/Second: Commissioner Sandhu/Commissioner Morris

AYES: 7

NOES: 0

Commissioner Morris and Commissioner Sandhu expressed concern for safety access and that there may not have been discussions with the school district.

Vice Chair Madnawat asked about park in lieu fees and Ms. Fleming said there has been no analysis at this point but options include providing park land or fees in lieu, or receiving credit for private recreation space on the site.

Commissioner Morris suggested a condition requiring the developer to have further dialogue with the MUSD regarding the impact of the project on the schools.

Motion to Adopt Resolution No. 16-005 recommending the City Council approve the Milpitas Landmark Towers Addendum to Certified Final Environmental Impact Report SCH # 2007062074 for the Milpitas Landmark Towers Project.

Motion/Second: Vice Chair Madnawat/Commissioner Ciardella

AYES: 6

NOES: 1 Sandhu

Motion to Adopt Resolution No. 16-007 recommending the City Council approve MT15-0003, UP15-0007, SD15-0001, and EA15-0002.

Motion/Second: Vice Chair Madnawat/Commissioner Ciardella

AYES: 6

NOES: 1 Sandhu

X. NEW BUSINESS

NO ITEMS

XI. ADJOURNMENT

The meeting was adjourned at 9:15 PM to the next meeting scheduled on Wednesday, March 9, 2016.

Motion to adjourn to the next meeting.

Motion/Second: Vice Chair Madnawat/Commissioner Lien

AYES: 7

NOES: 0

*Meeting Minutes submitted by
Planning Secretary Elia Escobar*