

## MEETING MINUTES

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

Wednesday, April 13, 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 Mandal, Vice Chair Madnawat, Commissioners Sandhu, Ciardella, Lien, Maglalang, Mohsin  
**Absent:**      Morris  
**Staff:**      Sarah Fleming, Katy Wisinski, Bhavani Potharaju, Lisa Costa-Sanders
- 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 23, 2016 and March 28, 2016 special meeting minutes of the Planning Commission.  
**Motion** to approve Planning Commission meeting minutes of March 23, 2016.  
Motion/Second:      Commissioner Sandhu/Commissioner Ciardella  
AYES:      7  
NOES:      0  
ABSTAIN:      0  
**Motion** to approve Planning Commission meeting minutes of March 28, 2016 special meeting.  
Motion/Second:      Commissioner Sandhu/Commissioner Ciardella  
AYES:      5  
NOES:      0  
ABSTAIN:      2      Madnawat, Mohsin
- V. ANNOUNCEMENTS**      No announcements
- 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.  
  
Vice Chair Madnawat has a conflict of interest with item IX-3 and will recuse himself from that discussion, and he knows the Principal of item

IX-2 but does not believe there is a conflict of interest.

Chair Mandal said he knows the project owner of item IX-2 but it does not create a conflict of interest, and Commissioner Mohsin also said she knows the project owner of IX-2 but there is no conflict of interest.

## VII. APPROVAL OF AGENDA

**Chair Mandal** asked if staff or Commissioners had changes to the agenda and there were none.

**Motion** to approve the April 13, 2016 agenda as submitted.

Motion/Second: Vice Chair Madnawat/Commissioner Ciardella

AYES: 7

NOES: 0

## VIII. CONSENT CALENDAR

**NO ITEMS**

## IX. PUBLIC HEARING

**IX-1 BRANAGH SELF STORAGE – 985 Montague Expressway – P-SD15-0004; P-UP15-0009:** A request for a Site Development Permit and Conditional Use Permit to allow for the construction of a new self-storage facility use in a Heavy Industrial zone (M2) and to allow for an increase in the FAR from 0.40 to 0.87.

Project Planner Bhavani Potharaju showed a presentation describing the project.

Vice Chair Madnawat said this is a former chemical company site and asked what will happen to groundwater wells that are still on the site. Ms. Bhavani said JCI, the chemical company previously located there, along with the Santa Clara Valley Water District, are cleaning up the site and preparing to remove the wells.

Commissioner Maglalang asked if the area is a burrowing owl nesting ground and Ms. Potharaju said she was not aware of it being so, but as part of the environmental mitigation measures the applicant is expected to retain a qualified biologist and conduct a suitability assessment for the burrowing owl, which will determine whether or not the property is affected.

Applicant Mike Branagh and project architect Jim Goodman were present for questions.

Commissioner Mohsin asked if RV and boat parking will be allowed at the facility and Mr. Goodman said it will not be allowed.

Commissioner Maglalang asked if the applicant would consider adding Jacaranda as an accent tree at the site and the applicant said he would. Commissioner Maglalang requested this be added to the conditions of approval.

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

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Commissioner Maglalang

AYES: 7

NOES: 0

**Motion** to Adopt Resolution No. 16-014, adopting the Mitigated Negative Declaration, approving the Mitigation Monitoring and Reporting Program, and approving the Site Development Permit No. SD15-0004, Conditional Use Permit No. UP15-0009, and Environmental Impact Assessment EA15-0003, subject to the attached Conditions of Approval, with an added condition requiring the planting of Jacaranda as an accent tree at the site.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

**IX-2**

**MONTAGUE MIXED-USE PROJECT – 720 Montague Expressway – P-SD15-0010; UP15-0015; MT15-0010:** A request for approval of a Site Development Permit, Conditional Use Permit and Tentative Map to develop approximately 2.5 acres within TASP with 216 residential units, 353 parking spaces in a subterranean garage, and 9,590 square feet of retail, leasing and amenity space.

Project Planner Lisa Costa-Sanders noted a revised resolution and Conditions of Approval with edits to correct formatting errors and showed a presentation describing the project.

Chair Mandal asked what is planned for the retail space and Ms. Costa-Sanders said the applicant can expand on their goals and the type of tenant they have in mind but they want it to be pedestrian friendly and take advantage of BART pedestrian traffic.

Commissioner Maglalang asked if the applicant would allow Jacaranda trees as an accent tree along Montague and South Milpitas and applicant Richard Tso said he will if it is in the best interest of the project.

Chair Mandal asked the applicant about their plans for the retail space and property owner Badru Valani said he would like to include a café that provides breakfast, lunch and dinner, or something similar that can be available all day.

Chair Mandal asked if the project includes low income housing and Mr. Tso said they are leaving it as rental property right now and there is no affordable housing program included at this point.

Chair Mandal opened the public hearing and there was one speaker.

Bob Nunez of the Milpitas Unified School District said he reached out to the developer and spoke with the superintendent and the school district supports staff's recommendation for approval of this project. He is supportive of this project and also the next item on the agenda, the Summerhill project.

**Motion** to close the public hearing.

Motion/Second: Commissioner Maglalang/Commissioner Mohsin

AYES: 7

NOES: 0

**Motion** to Adopt Resolution No. 16-016 recommending approval of Site Development Permit No. SD-15-0010, Conditional Use Permit No. UP-15-0015, and Major Tentative Map No. TM-15-0010 to the City Council, subject to the attached Conditions of Approval, with an added condition requiring the planting of Jacaranda as an accent tree at the site.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

**IX-3**

**SUMMERHILL – 1500-1646 Centre Pointe – P-SD15-0012; UP15-0016; MT15-0011:** A request for approval of a Site Development Permit, Conditional Use Permit and Tentative Map to develop approximately 9.84 acres with 694 residential units and approximately 36,500 square feet of commercial space within TASP.

Vice Chair Madnawat left the council chambers due to a conflict of interest.

Project Planner Lisa Costa-Sanders noted a revised resolution and Conditions of Approval with changes related to the shared parking analysis, and showed a presentation describing the project.

Ms. Costa-Sanders said the applicant proposes to utilize the conditional use permit process for a shared parking plan and the municipal code does allow that in mixed use developments and states that the minimum number of parking for mixed use development is based on a parking analysis. Fehr and Peers prepared a parking analysis indicating that the parking demand for the residential units, retail space and restaurant use can all be accommodated with the parking provided, and recommended that 190 spaces be marked with two-hour parking time limits between 9:00 AM – 9:00 PM.

Ms. Costa-Sanders said three new conditions were added related to requirements in the code for the shared parking plan and the recommendation of Fehr and Peers to have 190 spaces with two-hour time limits.

Ms. Costa-Sanders stated she received a letter from the Silicon Valley Leadership Group in support of the project.

Commissioner Mohsin is concerned with parking and would like a better understanding of the restaurant and retail plans.

Commissioner Maglalang asked if the parking spaces on Centre Pointe will allow all day parking and Ms. Costa-Sanders said there is a private drive and it will be up to the management association but the City will not have parking time limits on them. Commissioner Maglalang said street parking is not supposed to count toward required parking spaces and Ms. Fleming said staff does not include spaces on public streets but have included on-street parking spaces on private streets as part of the total parking requirement in the TASP.

Marshall Torre with Summerhill Homes showed a presentation reviewing the company, showed samples of their projects, and discussed the proposed development. He discussed public benefits of the project, including the creation of jobs and \$1 million worth of public art constructed and placed at the site.

Sarah Fernandez of KTG Architects continued the presentation and discussed the project's architectural style.

Morgan Burke of Gazzardo Partnership reviewed the project's landscaping plans, public gathering spaces and private courtyards.

Mr. Torre addressed parking on Centre Pointe and said he will be requesting that City Council limit parking to two hours and they will do the same with a portion of their onsite parking.

John McNallis discussed the plans for the retail space and restaurants, envisions neighborhood retail with small independent tenants, and likes the idea of a small grocery store or café.

Commissioner Ciardella asked about filling the swimming pools and Ms. Fleming said the water urgency ordinance is a City ordinance and City Council approval is required for exceptions to the ordinance.

Chair Mandal opened the public hearing and there were no speakers. Ms. Fleming requested a short recess.

**Motion** to close the public hearing.

Motion/Second: Commissioner Mohsin/Commissioner Sandhu

AYES: 6

NOES: 0

Commissioner Mohsin voiced concern for parking and asked about allowing parking on the street. Ms. Wisinski said the City generally does not allow on-street parking to satisfy an applicant's parking requirements however the TASP allows for the inclusion of on-street parking in an applicant's counts provided certain requirements are met.

Ms. Wisinski read from the municipal code stating that commercial service and retail uses may meet parking requirements with on-street parking if the project satisfies all of the following conditions: the project site is located within the Transit or Midtown Specific Plan Areas; the on-street parking space is located along the project site frontage directly serving and adjacent to the use; no more than 50 percent of the required parking spaces shall be allocated on-street unless the commercial or retail use requires ten or less parking spaces; the on-street parking space is located less than 300 feet away from the use it serves; and the on-street parking space shall be designated as limited time parking in accordance with the California Vehicle Code.

Ms. Wisinski said the last requirement regarding limited time parking can be noted in the ARS to City Council requesting their particular attention to this item.

**Motion** to Adopt Resolution No. 16-015 recommending approval of Site Planning Commission Meeting Minutes

Development Permit No. SD15-0012, Conditional Use Permit No. UP15-0016, and Major Tentative Map No. MT15-0011 to the City Council, subject to the attached Conditions of Approval, with a condition that the swimming pool shall not be filled until such time that the Governor declares an end to the emergency drought restrictions or other time period as may be dictated by City Council.

Motion/Second: Commissioner Ciardella/Commissioner Lien

AYES: 6

NOES: 0

**X. NEW BUSINESS**

**NO ITEMS**

**XI. ADJOURNMENT** The meeting was adjourned at 9:25 PM.

**Motion** to adjourn to the next meeting.

Motion/Second: Commissioner Lien/Commissioner Mohsin

AYES: 6

NOES: 0

*Meeting Minutes submitted by  
Planning Secretary Elia Escobar*