

MEETING MINUTES

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

Wednesday, May 11, 2016

- I. PLEDGE OF ALLEGIANCE** **Chair Mandal** called the meeting to order at 7:03 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

Alternate Member Mohsin was seated as a voting Commissioner due to the absence of Ms. Morris.

Staff: Bill Ekern, Katy Wisinski, Mike Moore, Cecilia Jaroslowski, 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 April 13, 2016 meeting minutes of the Planning Commission.

Motion to approve Planning Commission meeting minutes of April 13, 2016.

Motion/Second: Commissioner Mohsin / Commissioner Maglalang
AYES: 6
NOES: 0
ABSTAIN: 1 (Madnawat)
- V. ANNOUNCEMENTS** Planning Director Bill Ekern reported from staff on the request for an update on TASP levels of development, and this could come back at the second meeting in June for that update, including a description of park land and open space.
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST** **City 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 May 11, 2016 agenda as submitted.

Motion/Second: Vice Chair Madnawat / Commissioner Sandhu

AYES: 7

NOES: 0

**VIII. CONSENT
CALENDAR**

None

IX. PUBLIC HEARINGS

IX-1 ANTON DEVELOPMENT – 730-750 E. Capitol Ave. - SD15-0014, ES16-0002: A request for approval of a Site Development Permit for the construction of two multi-story mixed use apartment buildings containing a total of 582 units, 5,000 square feet of ground floor commercial space and related site improvements on 9.38 acres.

Project Planner Mike Moore from MIG Inc. spoke on behalf of the City, and showed a presentation describing the multi-story mixed use 582-unit apartment project in the TASP area. A swimming pool was requested for each of the buildings on site that would require approval from the City Council. Currently the location, an industrial site, was abandoned at 750 E Capitol Ave. The project would include an integrated parking structure.

Vice Chair Madnawat asked staff how many stories tall the building would be and staff replied, five with a maximum height of 75 feet. Mr. Madnawat asked about the parking layout, with the integrated garage surrounded by rental units. Planning Director Ekern described regulations on the required number of parking spaces in the municipal code.

Commissioner Maglalang sought additional pages in the plans that displayed parking. He was trying to figure out the public park areas in the site plans. The Planning Director provided explanation, describing that the TASP provides calculation on the acres needed for parkland (not per CEQA). Upon adding up all open space in the project (both public and private) meeting the requirement for this project, the applicant has exceeded the total.

Chair Mandal pointed out that the swimming pools, as was a prior one, were restricted to be filled with water after only after restrictions were lifted statewide.

Commissioner Maglalang inquired about design of the overcrossing bridge, and where to find it on design plans. Staff explained that was not required at this point. An approach to a bridge would need to be ready for that crossing point.

Mr. Ekern responded that the design of Milpitas Blvd. alignment and bridge crossing were related to the 450 Montague Lennar project (not this one).

Commissioner Ciardella inquired about the 5,000 sq. ft. retail space. The planner described the amount of retail space in each of the two building locations.

Next, applicants Andrew Baker and Rachel Green from Anton Development were

present with their architects and engineers for the project. Anton was a local firm headquartered in Foster City. A PG&E easement cut across the project site and E. Capitol, so the project was designed around that and still included a two-acre park, with an easement for public use. The Milpitas Blvd. extension will be dedicated to the City. It was fully compliant with TASP, paying over \$17 million in fees ultimately. The project architect from Architect Orange detailed project design layout and specifics of the project across from the BART.

Commissioner Maglalang asked questions about power lines and undergrounding of utilities at this project.

Vice Chair Madnawat asked what type of retail would go into the spaces. The developer responded, personal services or food. He asked about trash compactors, and parking spaces and layout.

Commissioner Ciardella asked if around the pool, there would be a 6-ft wall, glass or otherwise. The developer replied yes.

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

Motion to close the public hearing.

Motion/Second: Commissioner Sandhu / Commissioner Lien

AYES: 7

NOES: 0

Commissioner Maglalang did not completely support this project as is, due to parking. He wanted the Community Advisory Commission to review this plan for the entry point design, next to 750 E Capitol, on all entry ways. He believed the parkland was inadequate, but the Planning Director clarified how the project more than met what was required.

Mr. Ekern reviewed the parkland acreage which exceeded the amount required, with 3.5 acres per 1,000 required. Over six acres of parkland would be dedicated on site.

Motion to adopt Resolution No. 16-018 recommending City Council approval of Environmental Assessment, Site Development Permit No. SD-15-0014 subject to the Conditions of Approval, and recommend an exemption to the swimming pool regulations in the Milpitas Municipal Code.

Motion/Second: Vice Chair Madnawat / Commissioner Maglalang

Mr. Madnawat asked to include one condition of approval: the swimming pool would not be filled until the Governor's state drought restriction order was lifted.

Mr. Maglalang wanted to add a requirement for more open space, closer to four acres. Mr. Ekern responded that staff would confirm the calculations for the total number of acres of open space in the project and reply to Commissioners.

City Attorney Katy Wisinski noted with regard to the swimming pools, COA No. 63 did address the restriction requirement as request.

The motion was approved:

AYES: 7

NOES: 0

IX-2

McCARTHY CREEKSIDE – 625 N. McCarthy Blvd. - SD15-0013, UP15-0018, MT15-0012: A Site Development Permit, Conditional Use Permit and Tentative Subdivision Map to allow the demolition of existing structures, and construction of five industrial buildings totaling 804,476 square feet and one restaurant building of 6,026 square feet on a 44.17 acre site.

Contract Planner Cecilia Jaroslowski presented the McCarthy Creekside project for industrial buildings on six parcels, for industrial, office and restaurant uses. One error she corrected was the FAR was 42% (not the number as provided in the staff report). Removal of trees would be involved, and shared parking was planned.

Vice Chair Madnawat asked about the structure's height, and how high inside the top of the building would be (50 ft).

Commissioner Maglalang asked about removal of trees on the site. Staff replied that it was part of the site development plan. He asked if there would be a plan submitted for the trees. He sought more information specifically about the trees and asked for jacaranda trees to be planted as accent trees.

Vice Chair Madnawat asked about having more trees with questions about rules governing removal and replacement. Mr. Ekern responded about the City's process.

Commissioner Mohsin asked why information would come piecemeal to the Commission, and why trees information was separate from the rest. Mr. Ekern replied that staff could always provide arborists' report for each project, if the Commission wanted that for a project. Mrs. Mohsin replied, that yes, more information about trees would be helpful on each new project. Mr. Ekern replied that staff can write another paragraph in the staff reports to the Commission.

Commissioner Mohsin asked if there would be any EV plug-in stations at this project. Staff replied no, while she felt that should be included.

The applicant came to the podium, and showed a video display of the anticipated layout and design of this project. The company could add another row of trees to augment existing trees, and many more trees would be added than removed in total.

Commissioner Lien asked about the industrial building with 18 overhead doors. She wanted to know what tenant would go into this building. It could be leased to one tenant or subdivided up into four, so walls can be divided with those breaks. The developer stated that which company or what size goes in the building would be market-driven.

Commissioner Mohsin asked about EV car charging stations. The developer explained those were not required to be installed, but infrastructure would be put in (conduits, etc.) so that tenants could install and set those up, if desired.

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

Motion to close the public hearing.

Motion/Second: Commissioner Mohsin /Commissioner Sandhu

AYES: 7

NOES: 0

Vice Chair Madnawat wanted to add a condition to require Electric Vehicle (EV) charging stations, in a small number. Mr. Ekern responded that it was tough to make that a mandatory requirement, while the developer understood market demand and the desire on the part of Planning Commissioners. The developer provided more information and estimated cost for installing one station.

Chair Mandal liked the flexibility of the planning for the EV spots in an industrial site like this one.

Vice Chair Madnawat was satisfied with the rationale provided by the developer. He understood that the applicant did not know exactly how the tenants and buildings would ultimately lay out until it was leased to one or two or three or four tenants.

Motion to adopt Resolution No. 16-017, recommending City Council approval of a Site Development Permit P-SD15-0013, Conditional Use Permit P-UP15-0018, Tentative Subdivision Map P-MT15-0012 and Environmental Assessment P-EA16-0004, subject to the Conditions of Approval.

Motion/Second: Vice Chair Madnawat/Commissioner Ciardella

Commissioner Maglalang asked to require the planting of jacaranda trees, as accent trees at the project site. The maker of the motion, Mr. Madnawat, agreed to that one additional condition of approval for the project.

AYES: 7

NOES: 0

X. NEW BUSINESS – NO ITEMS

XI. ADJOURNMENT The meeting was adjourned at 8:52 PM.

Motion to adjourn to the next meeting on May 25, 2016.

Motion/Second: Vice Chair Madnawat / Commissioner Lien

AYES: 7

NOES: 0

*Meeting Minutes submitted by
City Clerk Mary Lavelle*