



CITY OF MILPITAS

Planning Commission

SPECIAL MEETING MINUTES

6:00 PM

Monday, November 29, 2021

via Teleconference (Virtual Meeting)

CALL TO ORDER

Chair Tao called the meeting to order at 6:00 PM. Recording Secretary Elizabeth Medina called the roll.

PLEDGE OF ALLEGIANCE

Vice Chair Chuan led the pledge of allegiance.

ROLL CALL

PRESENT: Chair Tao, Vice Chair Chuan, Commissioner Albana, Alcorn (tardy), Ciardella, Galang

ABSENT: None.

STAFF: Ned Thomas, Jay Lee, Martin de los Angeles, Albert Zamora, Jaime Garcia, Elizabeth Medina

CONFLICT OF INTEREST DECLARATION

City Attorney Martin de los Angeles asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda and there were none.

APPROVAL OF THE MEETING AGENDA

By motion, approve the meeting agenda as amended for November 29, 2021.

Motion/Second Chuan/Albana

Motion carried by a vote of AYES: 6 NOES: 0

ANNOUNCEMENTS

Planning Director Thomas shared information about the upcoming winter festivities on Main Street, Holiday Magic on Main Street from December 4th – December 19th. Holiday Magic on Main Street will feature special themed activities for each day.

PUBLIC FORUM

Chair Tao invited members of the public to address the commission and there was one community member who spoke, Urvishkumar Mehta.

PUBLIC HEARING

TEXT AMENDMENTS TO THE SUBDIVISION ORDINANCE AND ZONING ORDINANCE – URBAN LOT SPLITS AND TWO-UNIT PROJECTS - CITYWIDE – P-ZA21-0004: Consideration of a Planning Commission recommendation to the City Council regarding a City-initiated Zoning Ordinance Text Amendment amending Sections of Chapter 1 “Subdivisions” and Sections of Chapter 10 “Zoning” of the Milpitas Municipal Code relating to urban lot splits and two-unit projects to comply with Government Code Sections 66411.7 and 65852.21. The proposed amendments would establish a ministerial process to: (1) allow eligible single-family lots to be split, roughly into halves, with resulting lots as small as 1,200 square feet; (2) allow up to two single-family dwellings on each single-family residential lot, and: (3) impose additional objective standards to address local concerns. The proposed amendment is exempt from environmental review under the California Environmental Quality Act (CEQA) per Government Code

Sections 65852.21(j) and 66411.7(n). Planning Director: Ned Thomas, (408) 586-3273, nthomas@ci.milpitas.ca.gov

Planning Director Ned Thomas, Principal Planner Jay Lee, and City Attorney Martin de los Angeles addressed commissioners' clarifying questions in regard to:

- which agency definition (City, State, or Federal) will be used to identify conservation areas, flood zones, wildfire hazard zones, earthquake fault zones, etc.
- the definition of individual property owner; does not apply to corporation owned properties
- maximum height limits
- if 800 square footage includes garage
- parking requirements for primary units
- would HOA rules override the ordinance
- would hillside overlay qualify as a conservation area/wildfire hazard zone
- parcel/APN recordation with County
- reimbursement of costs, payment before building permit issued
- notarized sworn statement of not being a rental property
- easements and as-built plans

Chair Tao invited members of the public to address the commission and several community members spoke:

- Urvishkumar Mehta
- John Doll
- William Korbe
- Frank Bush
- Rehka Pardeshi

Motion to close the Public Forum.

Motion/Second Alcorn/Galang

Motion carried by a vote of AYES: 6 NOES: 0

Recommendation: Staff recommends that the Planning Commission open and close the public hearing, consider the consistency memoranda to a previously approved Addendum to the Transit Area Specific Plan EIR and the exemptions in accordance to CEQA. Staff further recommends that the Planning Commission adopt Resolution 21-022, recommending that the City Council approve Site Development Permit No. SD21-0004, Conditional Use Permit No. UP21-0005, Vesting Tentative Map MT21-0001, and Environmental Assessment No. EA19-0007 to allow development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet (three to four stories) in height, with tandem garages accessed from a central drive aisle, and associated site improvements, subject to the Conditions of Approval.

Motion/Second Alcorn/Ciardella

Motion carried by a vote of AYES: 5 NOES: 1 (Tao)

NEW BUSINESS

No items.

ADJOURNMENT

Vice Chair Chuan adjourned the meeting at 7:55 pm

Motion/Second Galang/Alcorn

Motion carried by a vote of AYES: 6 NOES: 0

Meeting Minutes submitted by
Planning Commission Secretary Elizabeth Medina