MEETING MINUTES

MILPITAS PLANNING COMMISSION
September 25, 2019 7:00 PM

CITY HALL COMMITTEE ROOM
455 E. CALAVERAS BLVD., MILPITAS, CA 95035

I. CALL MEETING TO ORDER	**Chair Mandal** called the meeting to order at 7:02 P.M.
II. PLEDGE OF ALLEGIANCE	**Commissioner Ablaza** led the Pledge of Allegiance.
III. ROLL CALL	**Present:** Chair Mandal, Vice Chair Morris, Commissioner Chua, Alcorn, Chuan, Tao, Ablaza **Absent:** **Staff:** Ned Thomas, Jessica Garner, Heather Lee, Avery Stark, Elizabeth Medina
IV. CONFLICT OF INTEREST DECLARATION	**City Attorney Heather Lee** asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.
V. APPROVAL OF AGENDA	**Chair Mandal** asked if staff or Commissioners had changes to the agenda and there were none. **Motion** to approve the September 25, 2019 agenda as presented. Motion/Second: Commissioner Chuan/Commissioner Tao AYES: 7 NOES: 0 ABSTAIN: 0
VI. ANNOUNCEMENTS	**Commissioner Chua** shared that on Friday, October 25th at 5:30pm there will be a Filipino Flag raising at Cesar Chavez Plaza at City Hall. **Chair Mandal** disclosed that he will miss a couple meetings in the month of October. **Planning Director Ned Thomas** provided departmental updates to the commission regarding: • Ground breaking event for Legoland Discovery Center will be tomorrow, 9/26 at 10:30am at Great Mall.

- Cancellation of 11/27 and 12/25 Planning Commission meetings due to the holidays.

VII. PUBLIC FORUM

Chair Mandal invited members of the audience to address the commission and there were none**.**

Motion to close Public Forum.

Motion/Second: Commissioner Alcorn/Commissioner Tao

AYES: 7

NOES: 0

ABSTAIN: 0

VIII. APPROVAL OF MEETING MINUTES

Chair Mandal called for approval of the September 11, 2019 meeting minutes of the Planning Commission.

Commissioner Tao noted that his vote for Item IX-2 – 701 Pennetencia is incorrect. Should be "NOE" not "ABSTAIN" as recorded.

Motion to approve Planning Commission meeting minutes as corrected.

Motion/Second: Commissioner Ablaza/Commissioner Tao

AYES: 7

NOES: 0

ABSTAIN: 0

IX. PUBLIC HEARING

X-1 PLANNED UNIT DEVELOPMENT No. 45 AMENDMENT - 231 DIXON LANDING ROAD – P-PA19-0001: A request for a Planned Unit Development Amendment to revise the conditions of approval to allow a re-roof of all buildings, including carports, to be architecturally compatible and use the same roof materials. This project is categorically exempt from further environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities). As a separate and independent basis, the project is exempt from further environmental review pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Project Planner: Avery Stark, (408) 586-3288, astark@ci.milpitas.ca.gov

Project Planner Avery Stark showed a presentation and discussed the project.

Chair Mandal invited applicant and owner of the property, David Litty from Enclave Enterprises to share information in regards to their application.

Commissioner Chuan asked clarification questions in regards to the phases planned for reroofing buildings and carports. Referencing the Phasing Plan slide, Mr. Litty addressed Mr. Chuan's inquiries regarding safety zone around the buildings during construction.

Commissioner Tao asked about the materials being used to on both roof and carports. Mr. Stark verified that the roof materials for roof and carports will be the same and that the material will be changed from tile to composite shingles. Mr. Tao raised questions about adding notation regarding the renaming of Dixon Landing Road to Barack Obama Blvd. Mr. Thomas interjected that it would not be appropriate to reference a name change, that there was a misunderstanding in the media about that item being approved by Council; Council approved for Staff to analyze the street name change. Mr. Tao asked if units were individually owned condo units or apartment units under the PUD. Mr. Stark said that it is a residential building, not condominimum units. Mr. Tao asked if there will there be a staging area during construction and how will parking be accommodated. Mr. Litty stated that the goal is not to displace any residents or any vehicles during the Phases and that only two building will be under construction at one time; when material is removed from building it will be immediately transported off the property, construction trucks will be in the designated areas in the slides in the staff report. Mr. Tao asked if the logistics described is worked through the Fire Department. Mr. Stark said it is through their building permit issuance phase, reviewed by Fire and Planning. Referencing the gutter and down spouts mentioned in the Staff report, Mr, Tao asked that the sheet metal work be consistant with City requirements and pleasing to the eye.

Commissioner Chua shared she appreciates the well thought out strategy during the construction. Ms. Chua also asked that for future minor changes within PUDs, that it not have to come thru the Planning Commission or Council.

Chair Mandal invited members of the audience to address the commission and there were none.

Motion to close the public hearing.

Motion/Second: Vice Chair Morris/Commissioner Alcorn

AYES: 7

NOES: 0

Chair Mandal asked if chimney will be replaced from firewood to gas. Mr. Litty shared that not all of the units have fireplaces, their goal is to improve the units and all remove fire burning fireplaces. Mr. Chair said that is great to hear as it is good for the environment.

Commissioner Alcorn shared that he appreciates them improving their building and the initiative to remove the wood burning chimneys.

Commissioner Chua asked that a condition to be added that for future minor changes within PUDs, that it not have to come thru the Planning Commission or Council.

Commissioner Tao asked for clarification about Minor Site Develment permits being approved at Staff level and a public hearing process. Mr. Thomas said that is correct. Mr. Tao asked if this situation will be handled this way in the future. Mr. Thomas explained that because this a Planned Unit Development, it triggered this item to come to Planning Commission as well as Council.

Motion to adopt Resolution No. 19-029, thereby recommending the City Council approve the Planned Unit Development Amendment No. 45 PA19-0001 subject to findings and Conditions of Approval.

Motion/Second: Commissioner Ablaza/Commission Chua

AYES: 7

NOES: 0

ABSTAIN: 0

X. NEW BUSINESS

Chair Mandal and Commissioners thanked City Attorney, Heather Lee for her services and wished her best of luck in her future endeavors.

XI. ADJOURNMENT

The meeting was adjourned at 7:35pm.

Motion to adjourn to the next meeting.

Motion/Second: Vice Chair Morris/Commissioner Chuan

AYES: 7

NOES: 0

Meeting Minutes submitted by
Planning Commission Secretary Elizabeth Medina