



# CITY OF MILPITAS

## Planning Commission

### MEETING MINUTES

7:00 PM

Wednesday, February 22, 2023  
CITY COUNCIL CHAMBERS  
455 E CALAVERAS BLVD, MILPITAS, CA  
and  
via TELECONFERENCE (Zoom Webinar)

#### CALL TO ORDER

Chair Chuan called the meeting to order at 7:01 PM.

#### PLEDGE OF ALLEGIANCE

Commissioner Mohsin led the pledge of allegiance.

#### ROLL CALL

Recording Secretary Jessica Thiragirayuta called the roll.

**PRESENT:** Chair Chuan, Vice Chair Ciardella, Commissioners Albana, Galang, Medina-Ashby, and Mohsin

**ABSENT:** Awasthi

**STAFF:** Ned Thomas, Michael Mutalipassi, Avery Stark, Kristina Phung, Alex Andrade, Bill Tott, Robert Mussalum Arthur Belton, Steve Chan, Jessica Thiragirayuta

#### CONFLICT OF INTEREST DECLARATION

City Attorney Michael Mutalipassi 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 for February 22, 2023.

Motion/Second Galang/Medina-Ashby

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

#### ANNOUNCEMENTS

No announcements from Commissioners or Planning Director Ned Thomas.

#### PUBLIC FORUM

Chair Chuan invited members of the public to address the commission and there was one speaker: Albert Lustre

#### PUBLIC HEARING

**VIII-1 NEW CONCRETE TILT-UP INDUSTRIAL BUILDING – 475 – 525 SYCAMORE DR – SITE DEVELOPMENT PERMIT NO. SD22-0002 & SD22-0016, CONDITIONAL USE PERMIT NO. UP22-008, TREE REMOVAL PERMIT NO. TE22-0009, AND ENVIRONMENTAL ASSESSMENT NO EA22-0004:** A request for a Site Development Permit, Master Sign Program, Conditional Use Permit, Tree Removal Permit, and Environment Assessment to demolish three existing commercial buildings and develop an approximately 293,422-square foot tilt-up concrete industrial building and associated site improvements on an approximately 14-acre site located in the MP Industrial Park Zoning District at 475-525 Sycamore Drive. Proposed site improvements include new internal roadways, landscaping, utility upgrades and a new surface parking lot with 228

vehicle parking spaces distributed on all sides of the building, 52 oversized parking stalls for tractor-trailers, and 40 loading dock doors. The proposed building would be up to 50 feet in height and designed to accommodate multiple tenants. The proposed project also includes a request for approval of a Master Sign Program for the entire building and a Tree Removal Permit to allow the removal and replacement of 111 trees, including 70 ordinance-sized trees, on the site. In accordance with the California Environmental Quality Act (CEQA), the City has prepared an Initial Study/Mitigated Negative Declaration for the proposed project pursuant to CEQA Guidelines Sections 15064, 15071, and 15370. Project Planner: Avery Stark, (408) 586-3288, [astark@milpitas.gov](mailto:astark@milpitas.gov)

Project Planner Avery Stark and Janet Gomez, Prologis (applicant) addressed commissioners' clarifying questions regarding the type of business operations to occupy the property site, if multiple businesses can use building, the location of the trees that will be removed, status of existing buildings, if there is a designated committee to oversee that hazardous materials are demolished/disposed from the project site properly, if there will be the appropriate amount of parking spaces for the type of building/business, location of loading docks, and noise concerns of large commercial trucks.

Chair Chuan invited members of the public to address the commission and there was (3) speakers: Edgar Alvarez, Dominic Toriano, and Frank Austin.

Motion to close the Public Forum.

Motion/Second Mohsin/Albana

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

*Recommendation:* Staff recommends that the Planning Commission conduct a public hearing and adopt Resolution No. 23-003, approving Site Development Permit No. SD22-0002 (new building), Site Development Permit No. SD22-0016 (master sign program), Conditional Use Permit No. UP22-0008, Tree Removal Permit No. TE22-0009, and Environmental Assessment No. EA22-0004, to develop an approximately 293,422-square foot tilt-up concrete industrial building (warehouse and distribution) and associated site improvements, and adopt an Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the proposed project in accordance with CEQA Guidelines Sections 15064, 15071, and 15370.

Motion/Second Albana/Mohsin

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

**VIII-2 TRUE LIFE TOWNHOMES – 612 S MAIN ST – SITE DEVELOPMENT PERMIT NO. SD22-0007, CONDITIONAL USE PERMIT NO. UP22-0003, VESTING TENTATIVE MAP NO. TM22-0003, TREE REMOVAL PERMIT NO. TR22-0014, ENVIRONMENTAL ASSESSMENT NO. EA22-0005, AND DENSITY BONUS PERMIT NO. DB22-0002:** A request for a Site Development Permit, Conditional Use Permit, Vesting Tentative Map, Tree Removal Permit, Environmental Assessment, and Density Bonus Permit to allow demolition of an existing multi-tenant office building, removal and replacement of 13 ordinance-size trees, and development of a multi-family residential project with 57 townhomes. The residential development will consist of nine multi-family residential buildings, up to 37 feet in height (three stories), surface parking for up to 123 vehicles, and associated site improvements on a 2.35-acre site located in the Mixed Use (MXD) Zoning District at 612 South Main Street. The Project is

located within the Midtown Specific Plan Area and submitted under California Senate Bill 330 (Housing Crisis Act of 2019). The Project is exempt from environmental review under the California Environmental Quality Act pursuant to Sections 15332 (Infill Development) and 15168 (Program EIR) of the CEQA Guidelines. The proposed project is covered under the scope of activities previously analyzed in the Midtown Specific Plan Environmental Impact Report (SCH #200092027) certified by the Milpitas City Council in March 2002. Project Planner: Kristina Phung, (408) 586-3278, [kphung@milpitas.gov](mailto:kphung@milpitas.gov)

Project Planner Kristina Phung and applicant, The True Life Companies' team [*Leah Beniston, Senior Vice President of Entitlements* | *Scott Menard, Executive Vice President* | *Aiden Barry, Executive Vice President*] addressed commissioners' questions regarding the windows type for the units adjacent to the railroad tracks (concern of noise), any planned modification of the fence/wall adjacent to the railroad tracks, a suggested increase in the setback for those units along the railroad tracks, the buffer between project site and railroad track (storage units plus drive aisle), width of the windows being able to withstand a strong earthquake, density bonus/BMR qualifications, number of guest parking stalls, number of EV charging station for guest parking, confirmation of no street parking, concern with tree removal, the acceptable decibel level of noise when trains pass property site, parking alternative/solutions if project gets approved (transit options), park area being available to public, traffic assessment of project area, state requirements for public noticing of developments going to Planning Commission, how can the City lawfully safeguard landmarks/religious entities/places of worship and their surrounding areas from construction, scheduling a neighborhood meeting with Jain Center of Northern California to address concerns. Appreciation was shared on development layout, garden area, playground area, window design, and more needed housing and businesses in the Milpitas Midtown area. Other concerns shared were that the Jain Center of Northern California may be growing to where its organization's property site cannot accommodate their congregations' events and parking needs. Hopes of a compromise where homes can be built; as well as respectfully accommodating the Jain Center of Northern California needs for their religious establishment.

Chair Chuan invited members of the public to address the commission and there were (12) speakers from Jain Center of Northern California (JCNC): Nita Itchhaporia, Nikunj Mehta, Nitin Shah, Rakesh Shah, Mittal Kothari, Yogesh Bapna, Rahul Parekh, Kirit Bavishi, Soli Metham, Sharad Shah, Chandni Shah, and Akshay Jai.

Motion to close the Public Forum.

Motion/Second Mohsin/Medina-Ashby

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

*Recommendation:* Staff recommends that the Planning Commission conduct a public hearing, consider and determine the project exempt in accordance with CEQA, and adopt Resolution No. 23-004, recommending that the City Council approve Site Development Permit No. SD22-0007, Conditional Use Permit No. UP22-0003, Vesting Tentative Map MT22- 0003, Density Bonus Permit No. DB22-0002, Tree Removal Permit No. TR22-0014 and Environmental Assessment No. EA22-0005, subject to the Conditions of Approval. \*\*\**Adding that a neighborhood meeting be scheduled with community Jain Center of Northern California to address concerns before the April 4<sup>th</sup> City Council meeting*

*and independently recommend that the City Council take action to have a study parking done on Main Street.*

Motion/Second Medina-Ashby/Albana

Motion carried by a vote of AYES: 4 NOES: 2 (Mohsin, Ciardella)

## **NEW BUSINESS**

NO ITEMS

## **ADJOURNMENT**

Chair Chuan adjourned the meeting at 10:03 pm

Motion/Second Mohsin/Galang

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

Meeting Minutes submitted by  
Planning Commission Secretary Elizabeth Medina