



CITY OF MILPITAS

Planning Commission

MEETING MINUTES

7:00pm

Wednesday, October 11, 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 7:04pm.

PLEDGE OF ALLEGIANCE

Chair Chuan led the pledge of allegiance.

ROLL CALL

Recording Secretary Elizabeth Medina called the roll.

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

ABSENT: None

STAFF: Jay Lee, Christopher Creech, Michael Fossati, Ned Thomas, and Elizabeth Medina

CONFLICT OF INTEREST/CAMPAIGN CONTRIBUTION DECLARATION

Assistant City Attorney Christopher Creech 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 August 23, 2023.

Motion/Second Medina-Ashby/Ciardella

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

APPROVAL OF THE MEETING MINUTES

By motion, approve the meeting minutes for August 30, 2023.

Motion/Second Awasthi/Medina-Ashby

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

By motion, approve the meeting minutes for September 27, 2023.

Motion/Second Albana/Ciardella

Motion carried by a vote of AYES: 4 NOES: 0 ABSTAIN: 2 (Chuan, Galang)

By motion, approve the meeting minutes for August 23, 2023.

Motion/Second Galang/Ciardella

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

ANNOUNCEMENTS

Chair Chuan followed up with an email sent to all commissioners from the City Attorney's Office that regarded Ethics Training. Chair Chuan also shared the

City's announcement that the City will temporarily discontinue Zoom public comments; public comments will be received in-person or via email. Tonight's meeting will be an exception since the agenda was posted prior to this announcement.

Vice Chair Ciadella congratulated Ned Thomas on being appointed City Manager.

Assistant City Attorney Christopher Creech clarified that the Ethics Training is required by the State law and is a regular/annual training that the City helps ensure compliance with.

PUBLIC FORUM

Chair Chuan invited members of the public to address the commission and there were none.

PUBLIC HEARING

PULTE HOMES RESIDENTIAL TOWNHOMES AND APARTMENTS – 1355 CALIFORNIA CIR – P-GP22-0001, P-ZA22-0001, P-SD22-0003, P-UP22-0001, P-MT22-0001, P-DB23-0003, P-PD22-0001, P-TR23-0021, P-EA22-0002: A General Plan Text Amendment, Zoning Map Amendment, Site Development Permit, Conditional Use Permit, Vesting Tentative Map, Density Bonus Permit, Planned Unit Development Permit, Tree Removal Permit, and Environmental Assessment to allow demolition of one industrial building, removal and replacement of 27 ordinance-sized trees, and the development of a multi-family residential project consisting of 13 residential buildings, up to 51 feet in height, and one residential apartment building, up to 78-feet in height, for a total of 206 residential units. The project will also include 323 vehicle parking spaces, a 0.32-acre internal park, and associated site improvements on a 6.7-acre site at 1355 California Circle. As Lead Agency, the City has prepared an Environmental Impact Report (SCH #2022110251) in accordance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Sections 21080(d) and 21082.2(d) and CEQA Guidelines Section 15064.

Project Planner Lillian VanHua, the applicant team member, Jim Sullivan, and CEQA consultant, John Anderson, addressed commissioners' clarifying questions related to price point of the units that will be sold, possible consideration of a dog park, if this is the first project proposed in Milpitas that includes townhomes/condominiums/apartments, project parking, street parking, traffic congestion, public transportation in the area, description of a stack-flat type condo, covered/garage/guest parking, who will manage the apartment complex, rent control/affordability for apartments, possibly consider to raise the amount of affordable units (low-income, moderate income), alternate off-site parking for guests, affordable units allocated for MUSD employees, number of public comment received prior to meeting, height/density waiver, how this proposed project will impact our RHNA numbers, clarification of development fees that will be received, and concerns of fire prevention and access.

Chair Chuan invited members of the public to address the commission and there were none.

Motion to close the Public Forum.

Motion/Second Ciardella/Awasthi

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

Recommendation: Staff recommends that the Planning Commission open and close the public hearing, consider Environmental Impact Report pursuant to Public Resources Code Sections 21080(d) and 2108.2(d) and CEQA Guidelines Section 15064, adopt Resolution No. 23-017, recommending that the City Council approve General Plan Text Amendment No. GP22-0001, Zoning Map Amendment No. ZA22-0001, Site Development Permit No. SD22-0003, Conditional Use Permit No. UP22-0001, Vesting Tentative Map MT22-0001, Density Bonus Permit No. DB23-0003, Tree Removal Permit No. TR23-0021, and Environmental Assessment No. EA22-0002, subject to the findings and Conditions of Approval, and Resolution No. 23-018 certifying an Environmental Impact Report pursuant to Public Resources Code Section 21080(d) and 21082.2(d) and CEQA Guidelines Section 15064.

**The commission received public comment and voted to approve the proposed project with the following changes: that the findings and conditions of approval be amended throughout Resolution No. 23-017 such that the 31 lower-income rental units and the 44 moderate-income rental units be made minimums and that the 44 moderate-income rental units can also be reserved for lower income households, and separately, recommend to the City Council that the dog park be incorporated into the proposed parkland, that the townhomes be made with affordable units, and that the project applicant work with MUSD to form an agreement to provide housing for its employees.*

Motion/Second Albana/Ciardella

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

NEW BUSINESS

NO ITEMS

ADJOURNMENT

Chair Chuan adjourned the meeting at 9:25 pm

Motion/Second Mohsin/Awasthi

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

Meeting Minutes submitted by
Planning Commission Secretary Elizabeth Medina