



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Approve and Authorize the City Manager to Execute the Improvement Agreement for a Warehouse/Manufacturing Building Development at 205 N. McCarthy Blvd.
Category:	Consent Calendar-Community Development
Meeting Date:	4/20/2021
Staff Contact:	Steve Erickson, 408-586-3301
Recommendation:	Approve and authorize the City Manager to execute the Improvement Agreement between the City of Milpitas and Bridge Point Milpitas LLC.

Background:

On March 3, 2009, the City Council approved the Tentative Map No. (MT08-0001), Conditional Use Permit No. (UP08-0045) and Site Development Permit No. (SZ07-0002) for the Campus at McCarthy Ranch Project. On October 1, 2019, the Developer Bridge Point Milpitas LLC, submitted an application for approval of a Site Development Permit Amendment and an Environmental Impact Assessment (the "Bridge Point Project") for real property located within City, a legal description of which is attached hereto as Exhibit "A" ("Property").

On December 12, 2019, the Planning Commission conditionally approved the Developer's application for a Site Development Permit Amendment (SA19-0003) and the Environmental Impact Assessment No. (EA19-0006) for the Bridge Point Project to develop the North Campus from the previously approved development of five – 85 foot high and five stories tall office buildings totaling 788,625 SF of floor area, into two – 44 foot high and two stories tall industrial buildings totaling 722,040 SF of floor area.

Analysis:

The Developer has agreed to enter into an Improvement Agreement (IA) ("Agreement") with the City for the construction of off-site public improvements for the project. The off-site public improvements will be completed with the on-site work, and the public improvements will be accepted by the City after completion. Offsite public improvements to be constructed and accepted by the City include asphalt concrete pavement, median improvements, signing and striping, curb and gutter, sidewalk, driveway approach, traffic signal update, utility mains and services, landscaping and other miscellaneous items of work identified on the improvement plans. The improvements will be completed within 2-years from the date of the Agreement, and the work is guaranteed by bonds or similar securities to be posted by the Developer in the amount of \$481,040.

The City Engineer has reviewed the public improvement plans (2-1332) and is recommending the City Council approve the Improvement Agreement to allow for the construction of public improvements.

Policy Alternatives:

Alternative 1: Deny approval of Improvement Agreement.

Pros: None

Cons: The site is currently vacant and a denial of approval of the Improvement Agreement will cause the lot to remain vacant and undeveloped.

Reason not recommended: To allow the Project to move forward, staff recommends approval of the Improvement Agreement.

Fiscal Impact:

Required public improvements will be constructed by the Developer and there will be no fiscal impact to the City.

California Environmental Quality Act:

Approval of the Improvement Agreement implements this project for which CEQA review has already been completed through the City Council's adoption of Resolution No. 7840.

Recommendation:

Approve and authorize the City Manager to execute the Improvement Agreement between the City of Milpitas and Bridge Point Milpitas LLC.

Attachments:

Attachment 1: Improvement Agreement