



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Receive a follow up report from staff on the affordable housing requirements for a 40-unit residential condominium building located at 2001 Tarob Court
Category:	Consent Calendar-Community Development
Meeting Date:	11/19/2019
Staff Contact:	Ned Thomas, Planning Director, 408-586-3273
Recommendation:	Receive a follow up report from staff on the affordable housing requirements for a 40-unit residential condominium building located at 2001 Tarob Court

Background:

Section XII-3.00 of the Milpitas Municipal Code (MMC) requires all new residential development projects of ten units or more designed and intended for permanent occupancy to designate 15% of the total number of dwelling units within the development as affordable units.

On August 20, 2019, the City Council held a public hearing on a 40-unit residential condominium building located at 2001 Tarob Court. The City Council voted 4-0 (with Mayor Tran absent) to adopt the resolution to tentatively approve the proposed project subject to Council review and approval of the required findings, to be provided in writing by the City Attorney, for an exception to the requirements of the Affordable Housing Ordinance to allow payment of fees in lieu of reserving six affordable units within the project. The City Council directed the City Attorney and staff to prepare findings to support the in-lieu fee exception to the Affordable Housing Ordinance and to place the final resolution on the consent agenda for Council review at their next meeting to approve the findings of exception.

On October 15, 2019, the City Council requested that the findings for the exception be rescheduled for future City Council public hearing.

Analysis:

On November 8, 2019, after further discussion with staff, the applicant submitted a letter to the City withdrawing their request for an exception to the requirements of the Affordable Housing Ordinance. The applicant will provide six affordable units on the project site, and therefore, findings in support of the affordable housing in-lieu fee exception are no longer required. Attachment A is a copy of the applicant's letter requesting withdrawal of the exception. Attachment B is a copy of the previously approved City Council Resolution for the project, which includes the requirement to comply with the Affordable Housing Ordinance (Condition #25) and removes any findings needed to grant an exception to the requirements of the Affordable Housing Ordinance as they are no longer applicable based on the applicant's withdrawal of the exception request.

A final copy of the adopted resolution with the findings removed is included in the agenda packet.

Fiscal Impact:

None

California Environmental Quality Act:

Not a project, thus not applicable.

Recommendation:

Receive a follow-up report from staff on the affordable housing requirements for a 40-unit residential condominium building located at 2001 Tarob Court.

Attachments:

A: Applicant Letter Withdrawing Request for In-Lieu Fee Exception dated November 8, 2019

B: Adopted Resolution No. 8899 Approving Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment (Affordable Housing exception findings removed)