



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Conduct a Public Hearing and Adopt Resolution Approving an Amendment to Planned Unit Development No. 45 (Spinnaker Pointe Apartments) to amend the Conditions of Approval Allowing a Change in Roof Materials for All Building, including Carports, on 9.24 acre site at 231 Dixon Landing Road (Staff Contact: Avery Stark, 408-586-3288)
Category:	Public Hearings-Community Development
Meeting Date:	10/15/2019
Staff Contact:	Avery Stark, 408-586-3288
Recommendations:	<ol style="list-style-type: none">1. Open the public hearing and receive public comment.2. Move to close the public hearing.3. Adopt a Resolution approving an amendment (PA19-0001) to Planned Unit Development No. 45 (Spinnaker Pointe Apartments) to amend the conditions of approval allowing a change in roof materials for all buildings, including carports, on a 9.24-acre site located at 231 Dixon Landing Road.

Background:

The Milpitas City Council approved Planned Unit Development No. 45 (Spinnaker Pointe Apartments) on December 9, 1986. The PUD allowed the development of 220 units, 493 parking spaces, and related facilities including a recreation building, swimming pool, tennis court, tot lot and park area on the 9.24-acre site. The original conditions of approval for this Planned Unit Development (PUD) required that “a clay barrel tile (mixed colors) shall be used for all buildings and carports.” Currently, the property owner proposes to upgrade the property and replace the existing clay barrel tile roof materials with lighter composite shingles, in similar colors, to enhance the beauty, comfort, and safety of the development. The property owner states that: “The existing 35-year-old tile roof is beyond a useful life and is breaking and falling in areas where residents and autos are at risk. The numerous leaks cause wetness and mold inside units, and spot repairs are no longer viable...” Replacement of existing roof materials would occur in eight phases and be fully completed by July 31, 2021.

Analysis:

The proposed PUD amendment will modify the conditions of approval to allow a change in roof materials for the existing development. The proposed amendment will not change to the underlying zoning district of Multi-Family Residential (R3), but the amending the conditions of approval for the PUD requires City Council. Details of the project are provided in Attachment B (Planning Commission Staff Report 09/25/2019).

The proposed PUD amendment is consistent with the policies of the City of Milpitas General Plan policies and development standards provided in the Zoning Ordinance. On September 25, 2019, the Planning Commission unanimously approved (7-0-0) Resolution No. 19-029, recommending City Council approval of the proposed PUD Amendment (PA19-0001).

Staff recommends the City Council accept the Planning Commission’s recommendation of approval for the proposed PUD Amendment (PA 10-0001) to amend the conditions of approval. Amending the PUD will allow a change in roof materials for all building, including carports, on a 9.24-acre site located at 231 Dixon Landing Road. The applicant has indicated that additional upgrades will be made, including repairs to gutters, eaves,

and exterior fireplaces as part of the overall project. A PUD amendment is not required for these additional changes to the property.

Policy Alternatives:

No policy alternatives.

Fiscal Impact:

No fiscal impact.

Environmental Review:

Categorically Exempt from further environmental review under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15301 (Existing Facilities), and on a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Recommendations:

1. Open the public hearing and receive public comment.
2. Close the public hearing.
3. Adopt a resolution approving an amendment to Planned Unit Development No. 45 (Spinnaker Pointe Apartments) conditions of approval to allow a change in roof materials for all building, including carports, on the 9.24-acre site at 231 Dixon Landing Road.

Attachments:

- A. Resolution
- B. Planning Commission Staff Report and adopted Resolution – 09/25/2019
- C. Project Phasing Plans and Existing Conditions