



CITY OF MILPITAS

Planning Commission

MEETING MINUTES

7:00 PM

Wednesday, January 12, 2022
via Teleconference (Virtual Meeting)

CALL TO ORDER	Vice Chair Chuan called the meeting to order at 7:01 PM.
PLEDGE OF ALLEGIANCE	Vice Chair Chuan led the pledge of allegiance.
SWEARING IN OF NEW PLANNING COMMISSIONERS	City Clerk Wendy Wood swore in new Commissioners Dipak Awasthi and Sonia Medina-Ashby.
ELECTION OF CHAIR AND VICE CHAIR FOR 2022	City Attorney Martin de los Angeles facilitated the election of Chair and Vice Chair for 2022. Commissioner Ciardella elected Vice Chair Chuan as Chair. Motion/Second Ciardella/Galang Motion carried by a vote of AYES: 6 NOES: 0 Vice Chair Chuan elected Commissioner Ciardella as Vice Chair. Motion/Second Chuan/Galang Motion carried by a vote of AYES: 6 NOES: 0 For 2022, Bill Chuan will serve as Chair and Larry Ciardella will serve as Vice Chair.
ROLL CALL	Recording Secretary Elizabeth Medina called the roll. PRESENT: Chair Chuan, Vice Chair Ciardella, Commissioner Albana, Galang, Awasthi, and Medina-Ashby ABSENT: None. STAFF: Ned Thomas, James Atkins, Lillian VanHua, Martin de los Angeles, Albert Zamora, Steve Chan, Frank Morales, Elizabeth Medina
CONFLICT OF INTEREST DECLARATION	City Attorney Martin de los Angeles 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 as amended for January 12, 2021, moving New Business item before Public Forum, and the swearing in of Commissioner Medina-Ashby. Motion/Second Ciardella/Albana Motion carried by a vote of AYES: 6 NOES: 0

APPROVAL OF MEETING MINUTES

By motion, approve the meeting minutes as amended for December 8, 2021, correcting the votes for the meeting; all Ayes should be a count of (5) with Commissioner Alcorn absent. For New Business Item 1; Commissioner Alcorn was not present, motion was carried by roll call.

Motion/Second Albana/Galang

Motion carried by a vote of AYES: 4 NOES: 0 ABSTAIN: 2

ANNOUNCEMENTS

Planning Director Thomas noted that we still have one vacancy to fill and is hoping an individual will be appointed by the Council before the next meeting; next Planning Commission meeting will be on January 26th; a project similar to this evening's item will be coming to the commission soon, Primrose Child Care located at 1000 Jacklin Road; Online Public Forum for Primrose Child Care can be accessed on the Planning website; City staff hosted an ADU community meeting on December 16th and the recording for that meeting is also available online. Planning Director also shared that the annual 3-day Planning Commissioner Academy will be held in San Ramon in March, those interested should email Liz.

PUBLIC FORUM

Chair Chuan invited members of the public to address the commission and there was one community member who spoke, Urvishkumar Mehta.

PUBLIC HEARING

RAINBOW CHILD CARE FACILITY – 150 - 158 S MAIN STREET – P-UP21-0002 and PMS21-0237: Conditional Use Permit and Minor Site Development Permit to allow the operation of a Child Care Center for up to 80 children, ages two years through six years, within an existing multi-tenant commercial building located at 150–158 South Main Street (APN: 8307016) in the Mixed-Use Zoning District and the Midtown Specific Plan planning area. The project is categorically exempt from further environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and; as a separate and independent basis, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Project Planner: James Atkins, (408) 586-3287, jatkins@ci.milpitas.ca.gov

Project Planner James Atkins, City staff [*Albert Zamora/Deputy Fire Chief, Steve Chan/Transportation and Traffic Manager, and Frank Morales/Police Captain*] and applicant's team [*Helen Qui, Owner and Tsai Chang/Architect*] addressed commissioners' clarifying questions in regard to fence lines surrounding the property, type of material to be used as a shade cloth for playground area, size of toilets for the children's facilities, security cameras, process for pick up and drop off of students, parking study, plans to avoid loitering in the area of the strip mall, when fire sprinkler ordinance was adopted, child care staff certification, fire safety, and external lighting surrounding the building.

Chair Chuan invited members of the public to address the commission and one community member spoke:

- Urvishkumar Mehta

Motion to close the Public Forum.

Motion/Second Albana/Awasthi

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

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 21-028, approving Conditional Use Permit No. UP21-0002 and Minor Site Development Permit No. MS21-0237 to allow for the operation of a child care facility subject to the attached findings and Conditions of Approval. **Adding a condition that “Prior to issuance of a building permit, the Permittee/Owner shall submit an exhibit for review and approval of the Planning Director that demonstrates adequate screening of the outdoor play area.”*

Motion/Second Albana/Ciardella

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

NEW BUSINESS

Motion to Reconfirm Findings and Determinations Under Resolution No. 21-023 and Assembly Bill 361 for the Continuation of Virtual Meetings.

Staff: Martin de los Angeles, Asst. City Attorney – (408) 586-3040

Recommendation: Staff recommends that the Planning Commission approve a motion to reconfirm findings and determinations made under Resolution No. 21-023, pursuant to Assembly Bill 361, for the continuation of virtual meetings.

Motion/Second Ciardella/Awasthi

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

ADJOURNMENT

Chair Chuan adjourned the meeting at 8:30 pm

Motion/Second Ciardella/Galang

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

Meeting Minutes submitted by
Planning Commission Secretary Elizabeth Medina