



CITY OF MILPITAS

Planning Commission

MEETING MINUTES

7:00pm

Wednesday, August 28, 2024

BARBARA LEE SENIOR CENTER

40 N. MILPITAS BLVD., ROOM 140/141, MILPITAS, CA

and

via TELECONFERENCE (Zoom Webinar)

CALL TO ORDER

Chair Albana called the meeting to order at 7:00pm.

PLEDGE OF ALLEGIANCE

Commissioner Caulkins led the pledge of allegiance.

ROLL CALL

Recording Secretary Medina called the roll.

PRESENT: Chair Albana, Vice Chair Medina-Ashby, Galang, Awasthi (7:03pm), Gupta, Caulkins, and Kong.

ABSENT: none

STAFF: Lillian VanHua, Christopher Creech, Kristina Phung, 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 14, 2024.

Motion/Second Awasthi/Medina-Ashby

Motion carried by a vote of AYES: 7 NOES: 0

ANNOUNCEMENTS

Commissioner Awasthi shared event information for India Independence Day hosted by the City; it will be held on August 15th at Cesar Chavez Plaza at 6 p.m. Chair Albana encouraged community members to join the conversation of maintaining Milpitas' quality of life; participation can be done via www.milpitas.gov/jointheconversation. Principal Planner Lillian VanHua reminded commissioners to schedule their Comprehensive Zoning Update Phase 2 briefings with staff; and, shared that there will be a HODs Community Meeting on August 26 at 6 p.m. in the Senior Center. City Attorney Creech shared a reminder that AB1234 training certificates need to be forwarded to City Attorney's Office.

PUBLIC FORUM

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

PUBLIC HEARING

IX-1 TIME EXTENSION FOR A CHILD CARE CENTER (PRESCHOOL) – 1000 JACKLIN ROAD – P-TE24-0001: An 18-month Time Extension for Conditional

Use Permit No. UP21-0003, Minor Site Development Permit No. MS21-0129 and Tree Removal Permit No. TR21-0031 to operate a preschool (Primrose School) for up to 266 children, ages 12 months through five years, within an existing 24,269-square foot, two-story commercial building, and to allow exterior façade modifications, new outdoor playgrounds, landscape improvements, and removal and replacement of two ordinance-protected trees on a 1.14-acre site located at 1000 Jacklin Road. This Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and; as a separate and independent basis, the Project is exempt from further environmental review pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

[\(13.36\)](#) Project Planner Kristina Phung and applicant team members, Amar Chokhawala [*applicant*], Anthony Ho [*architect*], and Eric Tse [*transportation consultant*] addressed commissioners' clarifying questions inquiring if this is an extension with no changes to what was originally approved in August 2022, existing building having no windows, stairs and entrance locations proposed, outdoor and indoor playgrounds, light tower modifications, (4) COAs added after project submitted for time extension, reasons for time extension, consequence if project is not completed by February 2026, architect used for Cupertino location, will current permit application account for additional adjustments to design for licensing requirement, traffic flow on Jacklin Road and Hillview Drive, and daycares in the surrounding area.

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

Motion to close the Public Forum.

Motion/Second Galang/Medina-Ashby

Motion carried by a vote of AYES: 7 NOES: 0

Recommendation: Staff recommends that the Planning Commission: Adopt Resolution No. 24-027, extending Conditional Use Permit No. UP21-0003, Minor Site Development Permit No. MS21-0129 and Tree Removal Permit No. TR21-0031 for 18 months until February 14, 2026, subject to the findings and Conditions of Approval.

Motion/Second Galang/Kong

Motion carried by a vote of AYES: 7 NOES: 0

IX-2 THE LITTLE GYM GROUP INSTRUCTION USE – 139 RANCH DRIVE – P-UP24-0005. A Conditional Use Permit to operate a group instruction use for children's gymnastic classes (The Little Gym) within an existing 2,900-square foot commercial space in the General Commercial (C2) Zoning District with a Recreation & Entertainment (-RE) Overlay at 139 Ranch Drive. The Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

[\(51:40\)](#) Project Planner Kristina Phung applicant team members, Joshua Monzon & Hillary Dang [*owners/applicants*], Dan Rhoads [*architect*], and Kira Niccum-Pritzl [*consultant*] addressed commissioners' clarifying questions related

to location selection (residential vs. commercial zones), maximum capacity, enrollment numbers, age appropriate class sizes, if program affects preschool attendance/activities, how medical emergencies are addressed, safety checks for gymnastic equipment, The Little Gym franchise performs inspection pre-opening, CPR certified staff, class curriculum, membership fees, use of franchise preferred business insurance provider, gym equipment/height of ceiling being able to support the older students (12 year olds), food and beverage not provided for the longer programs (3+hours) or parties; however, students are welcome bring snacks, feedback provided as to why other Milpitas location closed, drop-in program for residents or is membership required to use facility for a party, and days of operation.

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

Motion to close the Public Forum.

Motion/Second Awasthi/Gupta

Motion carried by a vote of AYES: 7 NOES: 0

Recommendation: Staff recommends that the Planning Commission open and close the public hearing, consider the exemptions in accordance with CEQA, and adopt Resolution No. 24-026, approving Conditional Use Permit No. UP24-0005 subject to the findings and attached Conditions of Approval.

Motion/Second Albana/Awasthi

Motion carried by a vote of AYES: 7 NOES: 0

NEW BUSINESS

Appoint a New Alternate Member to Zoning Advisory Group to Replace Bill Chuan.

Commissioner Aswasthi nominated Commissioner Gupta; Gupta accepted nomination. Commissioner Galang closes nomination.

No public comments received.

Motion/Second Caulkins/Medina-Ashby

Motion carried by a vote of AYES: 7 NOES: 0

ADJOURNMENT

Chair Albana adjourned the meeting at 8:36 pm

Motion/Second Awasthi/Caulkis

Motion carried by a vote of AYES: 7 NOES: 0

Meeting Minutes submitted by
Planning Commission Secretary Elizabeth Medina