



**MILPITAS PLANNING COMMISSION  
STAFF REPORT**

February 11, 2026

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**APPLICATION:** **CELIA’S EVENT CENTER– 60 DEMPSEY ROAD – USE PERMIT AMENDMENT (P-UA25-0007):** A Use Permit Amendment Request to allow for expanded hours of operation for an existing entertainment use (Celia’s Event Center) within a 15,198-square foot building on a 1.2-acre parcel in the Neighborhood Commercial Mixed Use (NCMU3) Zoning District located at 60 Dempsey Road. 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 on a separate and independent basis, Section 15183 (Projects consistent with a Community Plan, General Plan, or Zoning).

**RECOMMENDATION:** Staff recommends that the Planning Commission open and close the public hearing, consider the exemptions in accordance with CEQA and adopt Resolution 26-001, approving Conditional Use Permit Amendment UA25-0007, subject to the findings and attached Conditions of Approval

**LOCATION:**  
Address/ APN: 60 Dempsey Road (APN: 088-04-056)  
Area of the City: Located in central Milpitas, south of East Calaveras Boulevard and southeast of Highway 680.

**PEOPLE:**  
Project Applicant: Celia Madriz  
Business Owner: (same as above)  
  
Property Owner: Barakat II LLC  
Project Planner: Sean Manalo, Associate Planner

**LAND USE:**  
General Plan Designation: Neighborhood Commercial Mixed Use (NCMU)  
Zoning District: Neighborhood Commercial Mixed Use 3 (NCMU3)  
Specific Plan: N/A  
Overlay Zone: Freeway Corridor (FC)  
Site Area: 1.2 acres

**ENVIRONMENTAL:** Categorically Exempt from further environmental review under the California Environmental Quality Act (CEQA) pursuant to 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).

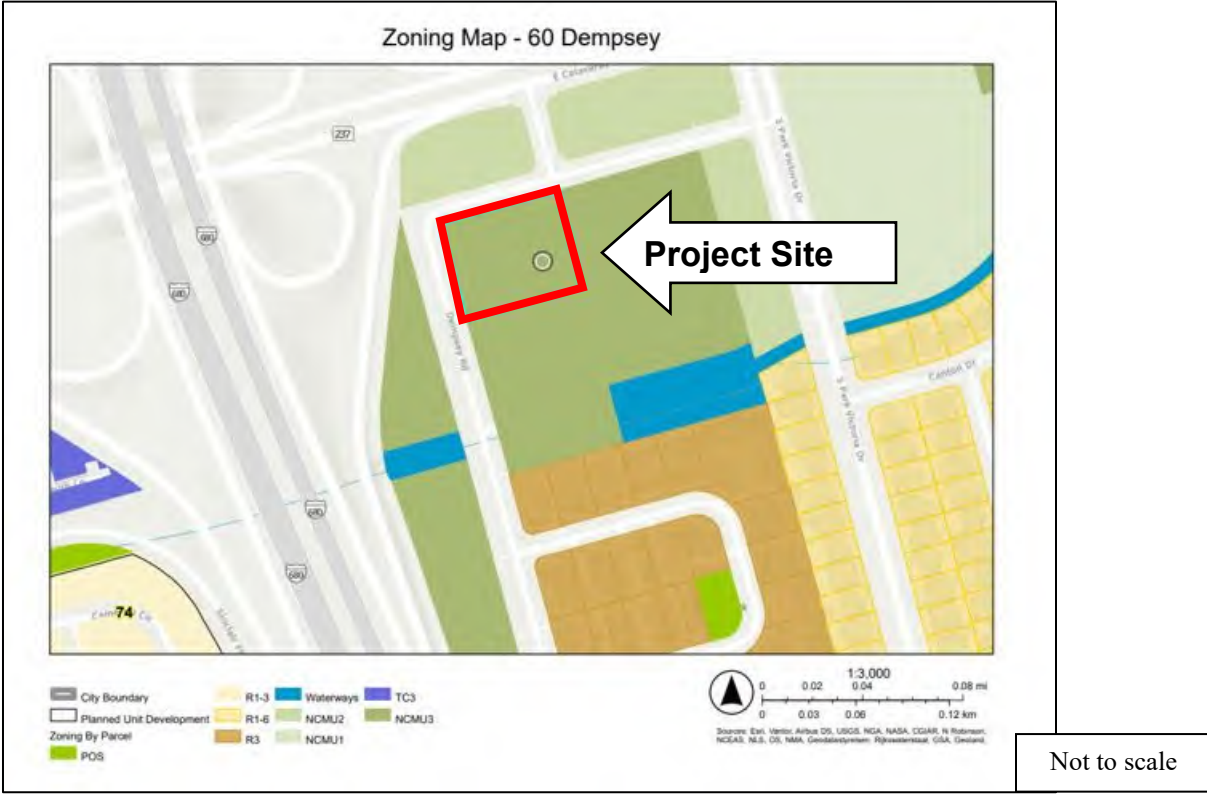
**EXECUTIVE SUMMARY**

Celia Madriz (“Applicant”), owner of Celia’s Event Center, is requesting a Conditional Use Permit Amendment to allow for expanded hours of operation. No exterior modifications are proposed as part of this application. Map 1 demonstrates the location of the existing major community assembly use (event center) and Map 2 demonstrates the subject site and neighboring zoning designation.

**Map 1**  
**Project Location**



**Map 2**  
**Project Zoning Map**



**PROJECT DESCRIPTION**

***Location and Context***

The project site is an existing building on a 1.2-acre parcel located at 60 Dempsey Drive in central Milpitas, southeast of the Interstate 680 Calaveras Blvd interchange. The building is adjacent to a commercial strip center under separate ownership (Fiesta Plaza) and across from the Executive Inn on Dempsey Road. The adjacent center features a variety of shops and services, including several restaurants, a food market, a barbershop, and a mosque. The property is zoned Neighborhood Commercial Mixed Use 3 (NCMU3) and abutting properties are zoned with similar Neighborhood Commercial Mixed Use (NCMU2 and NCMU3) designations as described in Table 1 below:

**Table 1: Zoning and Land Use Summary**

	<b>General Plan</b>	<b>Zone</b>	<b>Uses</b>
Subject Site	Neighborhood Commercial Mixed Use (NCMU)	Neighborhood Commercial Mixed Use (NCMU3)	Celia’s Event Center (Existing)
North	Neighborhood Commercial Mixed Use (NCMU)	Neighborhood Commercial Mixed Use (NCMU2)	Executive Inn
South	Neighborhood Commercial Mixed Use (NCMU)	Neighborhood Commercial Mixed Use (NCMU3)	Commercial strip mall various shops and services
East	Neighborhood Commercial Mixed Use (NCMU)	Neighborhood Commercial Mixed Use (NCMU3)	Vacant parcel of land
West	Neighborhood Commercial Mixed Use (NCMU)	Neighborhood Commercial Mixed Use (NCMU3)	City of Milpitas maintenance station

**BACKGROUND**

The subject site formerly operated as a thrift store (Savers) that closed permanently in 2018. On February 26, 2020, the Planning Commission approved Conditional Use Permit No. UP 19-008 under Resolution 20-005 (See Attachment B) to allow specific hours of operation for an entertainment use as an event center/banquet hall (Celia’s Event Center). On December 22, 2025 the applicant submitted an application for a Conditional Use Permit Amendment (UA) to allow for expanded hours of operation from the previously approved hours of operation.

Per Section XIII.D.02.040.M of the Milpitas Municipal Code (MMC), major revisions to approved permits shall be decided by the same review authority as the original approval, and a public hearing shall be required if a public hearing was required for the original approval. If the UA is approved, the applicant will be able to operate their existing business at the expanded hours of operation as proposed, subject to conditions of approval by the Planning Commission. The applicant will still be required to apply for standard planning and building permits to carry out future site improvements and various interior tenant improvements.

**Floor Plan and Operations**

Celia’s Event Center currently hosts a variety of events such as weddings, quinceañeras, baby showers, and fundraisers. The existing building is two stories in height, with a ground-floor level and partial upper mezzanine level (See Attachment C). The mezzanine level serves as storage and maintains a back-office space while the ground floor is primarily accommodated for event space including a 3,633-square foot dining area, a dance floor, an elevated stage, dressing rooms, bathroom facilities, an equipment room, and several storage areas. Since most events make use of amplified sound, the floor plan also maintains two entrance lobbies lined with 8-foot acoustic walls

to prevent the transfer of sound as people enter and exit the facility. There are no on-site kitchen facilities, and all food and drink are delivered by outside caterers.

The proposed expansion of hours by the Applicant is intended to accommodate an increased request in event business from guests and visitors. Events take place primarily on Thursday and Friday evenings, Saturdays, and Sundays. Table 2 details the existing and proposed hours of operation for this application:

**Table 2:**  
**Hours of Operation (Existing / Proposed)**

	<b>Sun.</b>	<b>Mon.</b>	<b>Tues.</b>	<b>Wed.</b>	<b>Thurs.</b>	<b>Fri.</b>	<b>Sat.</b>
<b>Existing (Current) Hours</b>	3:00pm–12:00am	12:00pm–11:00pm	12:00pm–11:00pm	12:00pm–11:00pm	12:00pm–11:00pm	12:00pm–11:00pm	3:00pm–12:00am
<b>Proposed (Future) Hours</b>	3:00pm–2:00am	12:00pm–11:00pm	12:00pm–11:00pm	12:00pm–11:00pm	3:00pm – 2:00am	3:00pm – 2:00am	3:00pm–2:00am
<b>Status</b>	Change Proposed	<i>No Change</i>	<i>No Change</i>	<i>No Change</i>	Change Proposed	Change Proposed	Change Proposed

The Applicant has included a Narrative Memo describing their request for expanded hours (See Attachment D). Within their request, the Applicant reiterates that alcohol is not sold on-site, and clients are prompted to obtain their own one-day alcohol beverage license for events. The letter also describes that professional security staff are available as a service to protect adjacent businesses and event guests consistent with the UA20-0005 Conditions of Approval from February 2020.

**Noise/Security**

Title V, Chapter 213 of the Milpitas Municipal Code (Noise Abatement) enumerates the City’s noise restrictions and provides a process to address noise complaints. The Police Department has recommended maintaining a specific condition of approval for the project that would require the posting of noise ordinance signage and no loitering signage in conspicuous areas throughout the project site. Consistent with the original Use Permit Conditions of Approval from February 2020, security personnel must be on site at a ratio of one guard for every 100 guests.

Since receiving a Conditional Use Permit to operate in 2020, Celia’s Event Center has received two (2) noise complaints in which the City’s Code Enforcement division issued formal notice to abate letters to the property and business owners. In both instances, a voluntary abatement occurred, and the cases were successfully closed. Should a pattern of noise complaints or other

issues arise in association with the proposed event center that rise to the level of a public nuisance, the Planning Commission may initiate a review of the Conditional Use Permit and revision of the project Conditions of Approval at any time after written notice is provided to the property owner.

**Interior and Exterior Modifications**

The applicant proposes no interior or exterior modifications as part of this application.

**PROJECT ANALYSIS**

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***General Plan & Zoning Conformance***

**General Plan**

The General Plan designation for the subject property is Neighborhood Commercial (NC), is intended to encourage a compatible mix of residential, retail, entertainment, and commercial uses. The project conforms with the intent of the Neighborhood Commercial General Plan Land Use designation in that it is a commercial use located in a commercial shopping center. The project also complies with General Plan Policies set forth in the Table 3:

**Table 3:**  
**General Plan Consistency**

General Plan Policy	Consistency Finding
<i>LU 6-5: Promote reinvestment in strip commercial and shopping centers and maintain, revitalize, and redevelop aging and underperforming centers.</i>	<b>Consistent.</b> The project will continue to offer economic vitality to the existing building and help spur activity at neighboring underutilized commercial shopping areas.
<i>CD 6-4 Maintain viable neighborhood-serving commercial uses throughout the City in order to serve surrounding neighborhoods and minimize vehicle miles traveled. Encourage a diverse mix of commercial uses, including retail, service, office, entertainment, and assembly uses.</i>	<b>Consistent.</b> The entertainment use will provide residents and visitors to Milpitas expanded access to a local event facility alternative for which currently, there is more demand than there is supply.

**Zoning Ordinance**

Celia’s Event Center was approved under Use Permit No. UP19-0008 in 2020 for operation as a banquet hall and entertainment use in accordance with the Milpitas Municipal Code. Following the adoption of the City’s 2025 Housing Opportunity Districts and the 2025 Comprehensive Zoning Ordinance Update, the subject property was rezoned to the Neighborhood Commercial Mixed-Use (NCMU-3) district. Under current zoning, meeting or banquet facilities over 2,000 square feet or with seating for more than 200 persons are classified as major community assembly uses, which require a use permit under Table B.8.020-A of the Municipal Code. The proposed

change in operating hours was determined by staff to constitute a significant modification, requiring an amendment to the originally approved Use Permit No. UP19-0008.

The existing major community assembly use which occupies an existing 14,192-square foot building, proposes no exterior modifications or site upgrades, and therefore complies with the development standards of the newly designated Neighborhood Commercial Mixed Use 3 (NCMU3) zoning district, as shown in Table 4 below.

**Table 4: Neighborhood Commercial (NCMU3) Development Standards,**

<b>Standard, Per MMC XIII-Table B.8.030-B</b>	<b>NCMU3</b>	<b>Existing/Proposed</b>	<b>Complies?</b>
Lot Area, minimum	None	42,477 sf. (no change)	Yes, no change
Lot Width, minimum	N/A	210 ft. (no change)	Yes, no change
Front Yard Setback, minimum	0 ft	140 ft. (no change)	Yes, no change
Side Yard Setback (interior), minimum	None Required	0 ft. (no change)	Yes, no change
Street Side Yard Setback, minimum	0 ft.	72 ft. (no change)	Yes, no change
Rear Yard Setback, minimum	None Required	5 ft. (no change)	Yes, no change
Building Height, maximum	60 ft, or 5 stories	21 ft. (no change)	Yes, no change
Floor Area Ratio (FAR)	No min. for commercial only projects	0.33 (no change)	Yes, no change

**Parking**

Site improvements in 2020 resulted in a reconfigured and restriped parking lot to provide the minimum number of 103 spaces as seen in Table 5 below. The City’s 2025 adopted Comprehensive Zoning Ordinance Update amends the required parking ratio for proposed community assembly uses to be 1 space for 100 square feet of assembly seating area. The project proposes no exterior changes, or site improvements such as parking related upgrades, and the site will maintain the existing 103 off-street parking spaces.

**Table 5: Parking Summary**

<b>Applicable Code Year</b>	<b>Category</b>	<b>Parking ratio</b>	<b>Provided</b>	<b>Required parking</b>	<b>Complies</b>
2020	<i>Banquet Facility</i>	1 space/39 sf. of dining area	3,633 sf (dining (area) + 385 sf (stage) = 4,007 sf	<b>103</b>	<b>Yes, no change</b>
2025 <i>Comprehensive Zoning Ordinance Update (Title XIII. C.6.050)</i>	<i>Community Assembly</i>	1 per 100 sf of assembly seating area	103	<b>40</b>	<b>Yes, no change</b>
	Total Number of Parking Spaces Available			<b>103</b>	

**FINDINGS**

A finding is a statement of fact relating to the information that the Planning Commission has considered in making a decision. Findings shall identify the rationale behind the decision to take a certain action.

***Conditional Use Permit (Section XIII-D.4.030 (F)):***

- a) *The proposed use is consistent with the goals and policies of the General Plan.*  
The proposed Project for expanded hours for a conditionally permitted indoor entertainment facility is consistent with the policies of the General Plan, as demonstrated in Table 3. The Project lies within an existing commercial center that has historically experienced prolonged vacancies. The project will continue to contribute to the economic vitality of the commercial center and provide residents and visitors to Milpitas with increased access to an events facility alternative for which currently, there is more demand than supply.
  
- b) *The proposed use is consistent with the goals and policies of any Specific Plan if applicable;*  
The Project is not located within a City of Milpitas Specific Plan Area, and therefore this finding is not applicable.
  
- c) *The proposed use is appropriate for the zone in which it is located, is compatible with uses allowed in the zone, and complies with all other applicable provisions of this Title;*

With approval of a Conditional Use Permit Amendment, the proposed expansion of operating hours will conform with Title XIII (Zoning) of the Milpitas Municipal Code and the development standards and requirements of the Neighborhood Commercial Mixed Use (NCMU3) Zoning District, per MMC Section XIII.B.8.030-B and as shown in Table 4. Additionally, as the primary use for the site will be maintained and no other physical modifications are proposed, the Project's off-street parking requirement remains unchanged and is therefore in conformance pursuant to MMC Section XIII.C.6.050.

- d) *The proposed use will not be materially detrimental to the health, safety, and welfare of the public or the property and residents in the vicinity;*

The Project will provide the residents and visitors of Milpitas with expanded access to an indoor entertainment facility. Furthermore, the Project will not have detrimental or injurious impacts on the property or to improvements in the vicinity of the property, as the applicant has demonstrated a commitment to being a good neighbor and will work closely with the Milpitas Police Department to ensure a safe and orderly premises. To that effect, the resolution includes several Project specific Conditions of Approval to further address safety and security. Events hosted at the event center will take place indoors where security is available for-hire, thereby minimizing the potential for crime at the subject property. Additionally, the event center is located north of the Fiesta Plaza shopping center, and approximately 350-ft away from the nearest residential properties situated to the south, behind the shopping center. Other businesses operating within the Fiesta Plaza shopping center (including several restaurants, market, convenience store, mosque, and personal service businesses) will largely be closed during the extended hour period requested by the Applicant. The Executive Inn located to the north of the subject property is located approximately 165-ft from the event center. As all events will take place exclusively indoors and outdoor use of the business will continue to be prohibited these surrounding businesses/uses are therefore expected to be minimally impacted by sound and traffic generated from the event center's request for extended hours.

- e) *The subject site is physically suitable for the use being proposed, including access and utilities;*

The Project involves the expansion of operating hours for an existing banquet hall/ major community assembly use. No physical improvements are proposed as part of this Project. Furthermore, the Project meets or exceeds the development standards of the NCMU3 (Neighborhood Mixed Use Commercial 3) zoning district, including parking requirements for major community assembly uses. . As all events will occur entirely indoors and outdoor use of the premises will remain prohibited, and since the extended hours will occur during evening periods when most surrounding businesses are closed, no conflicts in operating hours are anticipated. Consequently, surrounding businesses and uses are expected to experience minimal impacts from noise or traffic associated with the event center's proposed extension of operating hours. *The design, location, size, and operating characteristics of the proposed use are compatible with existing and reasonably foreseeable future land use and circulation in the vicinity;*

No physical improvements to the site are proposed and therefore will not have any impact on circulation. Consistent with the Conditions of Approval issued by the Planning Commission for UP19-0008 issued on February 26, 2020, the business's operations are

subject to the City’s noise and safety standards. The project site is located within an existing commercial center (strip mall) that is zoned Neighborhood Commercial Mixed-Use (NCMU-3) and is designed to accommodate a variety of commercial and service-oriented uses. The site provides adequate parking and access to surrounding streets, supporting efficient circulation and minimizing potential conflicts with nearby uses. Given its location, zoning, and indoor operation, the proposed use is compatible with existing and reasonably foreseeable future commercial development in the vicinity.

f) *The proposed project is in compliance with the provisions of California Environmental Quality Act (CEQA).*

The Project meets this finding as no physical improvements are proposed as part of this Project and is therefore considered a negligible expansion of the existing use under CEQA Guidelines Section 15301 (Existing Facilities). The Project is also consistent with the Milpitas General Plan, Zoning Ordinance, and there are no circumstances present that would require a subsequent Environmental Impact Report (EIR) or Negative Declaration pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

## **ENVIRONMENTAL REVIEW**

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This 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). As proposed, the Project includes a request for expanded hours of operations. The Project is also consistent with the Milpitas General Plan, Zoning Ordinance, and there are no circumstances present that would require a subsequent Environmental Impact Report (EIR) or Negative Declaration.

## **PUBLIC COMMENT/OUTREACH**

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Staff provided public notice of the application in accordance with City and State public noticing requirements. A notice was published in the Milpitas Post on January 30, 2026. In addition, 473 notices were sent to owners and occupants within 1,000 feet of the Project site. A public notice was also provided on the Project site, on the City's Website, [www.milpitas.gov](http://www.milpitas.gov) and posted at City Hall. At the time of publishing this report, staff has received 0 public comments.

## **RECOMMENDATION**

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STAFF RECOMMENDS THAT the Planning Commission:

1. Open and close the public hearing;
2. Consider the exemption in accordance with CEQA; and
3. Adopt Resolution No. 26-001 approving Conditional Use Permit Amendment No. UA25-0007, subject to the findings and attached Conditions of Approval

## **ATTACHMENTS**

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A: Resolution 26-002 with Exhibit 1: Amended Conditions of Approval

B: Resolution, 20-005, *Previously Approved on February 26, 2020*

C: Plan Set, *Previously Approved on February 26, 2020*

D: Applicant Narrative Memo

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**RESOLUTION NO. 26-001**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS  
APPROVING CONDITIONAL USE PERMIT AMENDMENT NO. UA25-0007 TO  
ALLOW EXPANDED HOURS OF OPERATION FOR AN EXISTING  
ENTERTAINMENT USE (CELIA’S EVENT CENTER) IN THE NCMU3  
NEIGHBORHOOD COMMERCIAL ZONE AT 60 DEMPSEY ROAD, MILPITAS, CA  
95035 (APN 088-04-056)**

**WHEREAS**, on December 22, 2025 an application was submitted by Celia Madriz (“Applicant”), Owner and Operator of Celia’s Event Center, to allow expanded hours of operations for an existing major community assembly use (collectively, the “Project”). The property is located within the Neighborhood Commercial Mixed Use (NCMU3) Zoning District (APN: 088-04-056); and

**WHEREAS**, on February 26, 2020, the Planning Commission approved Conditional Use Permit No. UP 19-008 under Resolution 20-005 to allow the operation of the event center/banquet hall at issue and conditioned that approval, among other things, upon its hours of operation being Monday-Friday: 12:00pm-11:00pm and Saturday 3:00pm-12:00am and Sunday 3:00pm-11:00pm; and

**WHEREAS**, the Planning Department completed an environmental assessment for the Project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and, on separate and independent bases, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning); and

**WHEREAS**, on February 11, 2026 the Planning Commission held a duly noticed public hearing on the subject application, at which all those in attendance were given the opportunity to speak on Project; and

**WHEREAS**, the Planning Commission has considered all of the written and oral testimony presented at the public hearing in making its decision; and

**NOW THEREFORE**, the Planning Commission of the City of Milpitas hereby finds, determines and resolves as follows:

**SECTION 1: Recitals.** The Planning Commission has considered the full record before it, which may include, but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and incorporated herein by reference.

**SECTION 2: CEQA.** 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, on separate and independent bases, CEQA Guidelines

Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). As proposed, the project will conditionally permit an entertainment use within an existing facility in an urbanized area. With the exception of interior improvements and reconfiguration of the parking area, the project will not alter the existing facility. The project is also consistent with the Milpitas General Plan, and Zoning Ordinance.

**SECTION 3: *Conditional Use Permit (Section XIII-D.4.030(F)) - The Planning Commission makes the following findings based on the evidence in the public record in approving Conditional Use Permit No. UA25-0007:***

- a) *The proposed use is consistent with the goals and policies of the General Plan.*  
This finding can be met. The proposed Project for expanded hours for a conditionally permitted indoor entertainment facility is consistent with the policies of the General Plan, as demonstrated in Table 3. The Project lies within an existing commercial center that has historically experienced prolonged vacancies. The project will continue to contribute to the economic vitality of the commercial center and provide residents and visitors to Milpitas with increased access to an events facility alternative for which currently, there is more demand than supply.  
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which currently, there is more demand than supply.
- b) *The proposed use is consistent with the goals and policies of any Specific Plan if applicable;*  
The Project is not located within a City of Milpitas Specific Plan Area, and therefore this finding is not applicable.
- c) *The proposed use is appropriate for the zone in which it is located, is compatible with uses allowed in the zone, and complies with all other applicable provisions of this Title;*  
This finding can be met. With approval of a Conditional Use Permit Amendment, the proposed expansion of operating hours will conform with Title XIII (Zoning) of the Milpitas Municipal Code and the development standards and requirements of the Neighborhood Commercial Mixed Use (NCMU3) Zoning District, per MMC Section XIII.B.8.030-B and as shown in Table 1. Additionally, as the primary use for the site will be maintained and no other physical modifications are proposed, the Project's off-street parking requirement remains unchanged and is therefore in conformance pursuant to MMC Section XIII.C.6.050.  
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**Table 1:**  
**General Plan Consistency**

General Plan Policy	Consistency Finding
<i>LU 6-5: Promote reinvestment in strip commercial and shopping centers and maintain, revitalize, and redevelop aging and underperforming centers.</i>	<b>Consistent.</b> The project will continue to offer economic vitality to the existing building and help spur activity at neighboring underutilized commercial shopping areas.
<i>CD 6-4 Maintain viable neighborhood-serving commercial uses throughout the City in order to serve surrounding neighborhoods and minimize vehicle miles traveled. Encourage a diverse mix of commercial uses, including retail, service, office, entertainment, and assembly uses.</i>	<b>Consistent.</b> The entertainment use will provide residents and visitors to Milpitas expanded access to a local event facility alternative for which currently, there is more demand than there is supply.

*d) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or the property and residents in the vicinity;*

The Project will provide the residents and visitors of Milpitas with expanded access to an indoor entertainment facility. Furthermore, the Project will not have detrimental or injurious impacts on the property or to improvements in the vicinity of the property, as the applicant has demonstrated a commitment to being a good neighbor and will work closely with the Milpitas Police Department to ensure a safe and orderly premises. To that effect, the resolution includes several Project specific Conditions of Approval to further address safety and security. Events hosted at the event center will take place indoors where security is available for-hire, thereby minimizing the potential for crime at the subject property. Additionally, the event center is located north of the Fiesta Plaza shopping center, and approximately 350-ft away from the nearest residential properties situated to the south, behind the shopping center. Other businesses operating within the Fiesta Plaza shopping center (including several restaurants, market, convenience store, mosque, and personal service businesses) will largely be closed during the extended hour period requested by the Applicant. The Executive Inn located to the north of the subject property is located approximately 165-ft from the event center. As all events will take place exclusively indoors and outdoor use of the business will continue to be prohibited, these surrounding businesses/uses are therefore expected to be minimally impacted by sound and traffic generated from the event center’s request for extended hours.

*e) The subject site is physically suitable for the use being proposed, including access and utilities;*

The Project involves the expansion of operating hours for an existing banquet hall/ indoor entertainment major community assembly use. No physical improvements are proposed as part of this Project. Furthermore, the Project meets or exceeds the development standards of the NCMU3 (Neighborhood Mixed Use Commercial 3) zoning district, including parking requirements for major community assembly uses. commercial recreation and

entertainment uses. As all events will occur entirely indoors and outdoor use of the premises will remain prohibited, and since the extended hours will occur during evening periods when most surrounding businesses are closed, no conflicts in operating hours are anticipated. Consequently, surrounding businesses and uses are expected to experience minimal impacts from noise or traffic associated with the event center's proposed extension of operating hours.

*f) The design, location, size, and operating characteristics of the proposed use are compatible with existing and reasonably foreseeable future land use and circulation in the vicinity;*

No physical improvements to the site are proposed and therefore will not have any impact on circulation. Consistent with the Conditions of Approval issued by the Planning Commission for UP19-0008 issued on February 26, 2020, the business's operations are subject to the City's noise and safety standards. The project site is located within an existing commercial center (strip mall) that is zoned Neighborhood Commercial Mixed-Use (NCMU-3) and is designed to accommodate a variety of commercial and service-oriented uses. The site provides adequate parking and access to surrounding streets, supporting efficient circulation and minimizing potential conflicts with nearby uses. Given its location, zoning, and indoor operation, the proposed use is compatible with existing and reasonably foreseeable future commercial development in the vicinity.

*g) The proposed project is in compliance with the provisions of California Environmental Quality Act (CEQA).*

This finding can be met. The Project meets this finding as no physical improvements are proposed as part of this Project and is therefore considered a negligible expansion of the existing use under CEQA Guidelines Section 15301 (Existing Facilities). The Project is also consistent with the Milpitas General Plan, Zoning Ordinance, and there are no circumstances present that would require a subsequent Environmental Impact Report (EIR) or Negative Declaration pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

**SECTION 4:** The Planning Commission of the City of Milpitas hereby adopts Resolution No. 26-001 approving Conditional Use Permit Amendment No. UA25-0007 based on the above Findings and subject to the Conditions of Approval attached hereto as Exhibit 1 and incorporated herein. These Conditions of Approval shall replace and modify the conditions of approval attached to Conditional Use Permit No. 19-0008, attached hereto as Exhibit 2.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Milpitas on February 11, 2026.

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Chair

**TO WIT:**

**I HEREBY CERTIFY** that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on February 11, 2026 and carried by the following roll call vote:

<b>COMMISSIONER</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Praveen Gupta, Chair				
Michael Caulkins, V. Chair				
Alexander Galang				
Dipak Awasthi				
Chia Ling Kong				
Dawn Brown				
Olania Castillo				

**EXHIBIT 1**

**CONDITIONS OF APPROVAL  
CONDITIONAL USE PERMIT NO.19-0008  
AS AMENDED BY CONDITIONAL USE PERMIT AMENDMENT NO. UA25-0007  
CELIA'S EVENT CENTER  
60 DEMPSEY ROAD, MILPITAS, CA 95035( APN 088-04-056)**

On February 11, 2026, the City of Milpitas Planning Commission approved Conditional Use Amendment No. UP25-0007 to Use Permit No. UP19-0008 in accordance with Section XIII-D.4.030(F) of the Milpitas Municipal Code (MMC) . Subject to all applicable State and local laws and regulations and the conditions of approval outlined below, this Permit will allow the expansion of hours to an existing Major Community Assembly Use (Celia's Event Center) at an existing 24,430-square foot, two-story commercial within a 15,198-square foot building on a 1.2-acre parcel in the Neighborhood Commercial Mixed Use (NCMU3) Zoning District located at 60 Dempsey Road in Milpitas, CA. (APN 088-04-056).

**APPROVED SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:**

**General Conditions**

1. General Compliance. The applicant and owner, including all successors in interest (collectively "Permittee") shall comply with each and every condition set forth in this Permit. Conditional Use Permit No. 19-008, as amended by Conditional Use Permit Amendment No. UA25-0007 ("Permit") shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed. **(ALL)**
2. Modifications to project. Any deviation from the approved site plan, floor plans, or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the Permittee shall be required to apply for review and obtain approval of the Planning Commission, in accordance with the Zoning Ordinance. **(P)**
3. Effective Date. Unless there is a timely appeal filed in accordance with the Milpitas Zoning Code, the date of approval of this Permit is the date on which the decision-making body approved this Permit.
4. Acceptance of Permit. Should Permittee fail to file a timely appeal within twelve (12) calendar days of the date of approval of this Permit, inaction by Permittee shall be deemed to constitute each of the following:
  - a. Acceptance of this Permit by Permittee; and

- b. Agreement by the Permittee to be bound by, comply with, and to do all things required of or by Permittee pursuant to all of the terms, obligations, and conditions of this Permit.
5. Permit Expiration. Pursuant to Subsection D.2.040.K of the Milpitas Zoning Code, this Permit shall become null and void if the activity permitted by this Permit is not commenced within two (2) years from the date of approval, or for a project submitted with a tentative map, within the time limits of the approved tentative map. Pursuant to Subsection D.2.030-K.3.d of the Milpitas Zoning Code, an activity permitted by this Permit shall be deemed to have commenced when the project:
  - a. Completes a foundation associated with the project; or
  - b. Dedicates any land or easement as required from the zoning action; or
  - c. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.
6. Time Extension. Pursuant to Subsection D.2.040.L of the Milpitas Zoning Code, unless otherwise provided by State law, Permittee shall have the right to request a one-time extension of the Permit if the request is made in writing to the Planning Division prior to the expiration date of the approval. **(P/E)**
7. Project Job Account. If Permittee's project job account is at any time delinquent or below the required deposit amount, City will not continue to review or process the application until Permittee's private job account is paid in full and the required deposit has been made. Additionally, prior to the issuance of any building permit or occupancy permit, as applicable, Permittee shall pay in full the project account balance and establish a remaining balance of at least twenty-five percent (25%) of the required initial deposit.
8. Notice. Pursuant to California Government Code Section 66020, any protest filed in court relating to the imposition of fees, dedication, reservations, or other exactions to be imposed on the development project shall be filed within ninety (90) days after the date of the adoption of this Resolution. This provision serves as notice from the local agency to the Permittee that the ninety (90) day period in which the applicant may file a protest has begun under California Government Code Section 66020(d)(1).
9. Cost and Approval. Permittee shall fully complete and satisfy each and every condition set forth in this Resolution and any other condition applicable to the project to the sole satisfaction of the City. Additionally, Permittee shall be solely responsible and liable for the cost to satisfy each and every condition. Permittee shall pay all required fees and charges to City at the rate in effect at time of building permit issuance, or, the rate in effect when the fees and charges are due and paid in full to City. There is no vesting of any fees or charges with the adoption of this Resolution. **(ALL)**
10. Conditions. Each and every condition set forth in this Exhibit shall apply to the project and continue to apply to the project so long as the Permittee is operating the project under the permits and approvals in this Resolution. **(ALL)**
11. Compliance with Laws. The construction, use, and all related activity authorized under this Permit shall comply with all applicable local, state, and federal laws, rules, regulations, guidelines, requirements, and policies. Permittee shall procure and maintain any and all licenses, permits, and/or other authorizations, including licensure through the State of

California Department of Alcoholic Beverage Control (“ABC”), that may be required by law to operate the use contemplated herein. **(CA/P/E/B)**

12. Previous Approvals. Permittee shall abide by and continue to comply with all previous City approvals, permits, or requirements under Use Permit 19-008 and Resolution 20-0005 relating to the subject property, unless explicitly superseded or revised by this Permit.
13. Indemnification. To the fullest extent permitted by law, Permittee shall indemnify, defend with counsel of the City’s choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to (i) City's approval of the project, including but not limited to, the approval of the discretionary permits, maps under the Subdivision Map Act, and/or the City's related determinations or actions under the California Environmental Quality Act, and (ii) Permittee’s construction, operation, use, or related activity under this Permit. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. Permittee shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. Permittee shall pay to the City upon demand or, as applicable, to counsel of City’s choosing, any amount owed pursuant to the indemnification requirements prescribed in this condition.
14. Revocation, Suspension, Modification. This Permit may be suspended, revoked, or modified in accordance with Subsection D.18.70-B of the Milpitas Zoning Code.
15. Severability. If any term, provision, or condition of this Permit is held to be illegal or unenforceable by the Court, such term, provision, or condition shall be severed and shall be inoperative, and the remainder of this Permit shall remain operative, binding, and fully enforceable.
16. Permittee shall develop the approved project in conformance with the approved plans approved by the Planning Commission on February 11, 2026, in accordance with these Conditions of Approval.

Any deviation from the approved site plan, elevations, materials, colors, landscape plan, or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, Permittee shall be required to apply for review and obtain approval of the Planning Commission or City Council, as applicable, in accordance with the Milpitas Zoning Code. **(P)**
17. Response to Conditions of Approval. Permittee shall provide a written response to comments upon submittal for building permit application. The responses should clearly indicate how each condition of approval has been addressed in the plans and shall note the appropriate plan sheet. **(P)**

**Project Specific Conditions**

18. Hours of operation. Hours of operation shall be:

- Monday-Wednesday: 12:00pm-11:00pm, Thursday-Sunday: 3:00pm-2:00am. **(P)**

19. Event Center Staff. There must be a minimum of one staff member from Celia's Event Center on site at all times during a given event. **(P)**

20. Exterior Sound. Speakers shall not be installed on the exterior of the building, and all amplified music and sounds shall be contained within the interior of the building. **(P)**

21. Indoor Operations Only. All events and activities associated with the approved use shall occur entirely within the enclosed interior of the event center. Outdoor events, gatherings, or any related activities are strictly prohibited at all times.

22. Lighting. There shall be lighting of sufficient wattage to provide adequate illumination and to make clearly visible the presence of any person in or about the outside premises during hours of darkness. All lighting shall be shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel, and shall be directed downward and away from adjoining properties and public rights-of-way **(PD)**

23. Signage. All entrances to the facility shall be posted with appropriate signage such as "No Trespassing/ Loitering" and applicable towing advisement such as 22658(a) CVC to assist in the removal of unauthorized person and vehicles on the private premises. **(PD)**

- a. Appropriate signage shall be posted, in conspicuous areas, forbidding the consumption of alcohol outside the permitted premises.

24. Video/security. Cameras shall be implemented for the enclosed building and the exterior perimeter. The exterior video/security cameras shall record in high definition and cover the entire exterior which includes the parking lots, parking lot entrances/exits, and building entrances/exits. The interior video/security cameras shall record in high definition and cover every floor's corridors/hallways, main lobby area, front-desk, and building entrances/exits. The video/security system shall have the capacity to save/store footage and have the capability to be downloaded. **(PD)**

25. Security Personnel. A minimum of one licensed security guard per 100 guests must be on site during the entire duration of the event and until the last guests have departed the venue.

26. Landscaping. Landscaping shall be of the type to maximize natural surveillance while providing the desired degree of aesthetics for the outside premise. Planting and selection of landscape material shall be that sight lines remain open and clear, and places of concealment are not fostered. Security type planting materials are encouraged under vulnerable windows. Shrubbery shall be no more than three feet high for clear visibility in vulnerable areas. **(PD)**

27. Noise. When residential and commercial areas are within close-proximity to each other, there may be an increase in noise complaints from residents which may result in an increase in calls for service. Noise may possibly be generated from the consumer. Signage explaining the requirements of the City's Noise Ordinance, which must be approved by the City's Police Department, shall be posted in conspicuous areas. **(PD)**

28. Building Design. There shall be a building design that encourages visibility of potential crime locations and natural surveillance. **(PD)**

- a. Any other line of sight obstructions shall be avoided on building exterior walls.
29. Floor plan. An up-to-date floor plan of the interior of the building shall be provided to the Police Department. The map shall minimally identify the locations of each entry/exit points, storage areas, maintenance areas, etc. **(PD)**
30. Emergency notification. Property Manager shall file an emergency notification form with the Police Department so law enforcement can contact the property manager/event coordinator in the event of any major accident, emergency, or unforeseen circumstance. **(PD)**
31. Fire Code. The project/development shall comply with the requirements of the Fire Department and the California Fire Code, as demonstrated in Fire Department's Memorandum, dated December 22, 2025 and may be amended by the City of Milpitas. Changes to the site plan and/or internal circulation shall be reviewed and approved by the Fire Department. **(F)**
32. Building Code. Compliance with California Code of Regulations. The Project shall comply with the requirements of the Office of Building Safety and the California Code of Regulations Title 24 and the Milpitas Municipal Code as adopted by the City. Building permits shall be submitted to and approved by the Office of Building Safety prior to start of construction. All California Code of Regulations Title 24 and Milpitas Municipal Code requirements applicable at the time of building permit application must be met in advance of any building permit approvals or related construction. Changes to the site plan and/or building plan require review and approval by the Office of Building Safety. **(B)**

**P = Planning**

**E = Engineering Department**

**CA = City Attorney**

**PD = Police Department**

**B = Building Department**

**F = Fire Department**

**ALL = All Reviewing Departments**

### **NOTICE OF RIGHT TO PROTEST**

The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), began on date of adoption of this resolution. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

### **AGREEMENT**

*Permittee/Property Owner*

The undersigned agrees to each and every condition of approval and acknowledges the NOTICE OF RIGHT TO PROTEST and hereby agrees to use the Project property on the terms and conditions set forth in this resolution.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Permittee

**RESOLUTION NO. 20-005**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS  
APPROVING CONDITIONAL USE PERMIT NO. UP19-0008 TO ALLOW AN  
ENTERTAINMENT USE (CELIA'S EVENT CENTER) IN THE C1 NEIGHBORHOOD  
COMMERCIAL ZONE AT 60 DEMPSEY ROAD, MILPITAS, CA 95035 (APN 088-04-  
056)**

**WHEREAS**, on June 21, 2019, an application was submitted by Ramiro Torres (“Applicant”), to allow for an entertainment use (collectively, the “Project”). The property is located within the Neighborhood Commercial (C1) Zoning District (APN: 088-04-056); and

**WHEREAS**, the Planning Department completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and, on separate and independent bases, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning); and

**WHEREAS**, on February 26, 2020, the Planning Commission held a duly noticed public hearing on the subject application, at which all those in attendance were given the opportunity to speak on Project; and

**WHEREAS**, the Planning Commission has considered all of the written and oral testimony presented at the public hearing in making its decision; and

**NOW THEREFORE**, the Planning Commission of the City of Milpitas hereby finds, determines and resolves as follows:

**SECTION 1: Recitals**. The Planning Commission has considered the full record before it, which may include, but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and incorporated herein by reference.

**SECTION 2: Record**. The Planning Commission has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the Planning Commission.

**SECTION 3: CEQA**. 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, on separate and independent bases, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). As proposed, the project will conditionally permit an entertainment use within an existing facility in an urbanized area. With the exception of interior improvements and reconfiguration of the parking area, the project will not alter the existing facility. The project is also consistent with the Milpitas General Plan, and Zoning Ordinance.

**SECTION 4: Conditional Use Permit (Section XI-10-57.04(F)) - The Planning Commission makes the following findings based on the evidence in the public record in approving Conditional Use Permit No. UP19-0008:**

1. *The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare.*

The proposed entertainment use at the project site will serve to augment the commercial activity in an existing commercial shopping area that has seen a reduction in visitors since the closing of the former Saver’s site. The use will also provide the City of Milpitas with a new entertainment facility for which there is currently more demand than supply, according to the City’s Economic Development Department. Further, the project will not have detrimental or injurious impacts on the property or to improvements in the vicinity of the property, as the applicant has demonstrated a commitment to being a good neighbor and will work closely with the Milpitas Police Department to ensure a safe and orderly premises. To that effect, the resolution includes several project specific Conditions of Approval to further address safety and security.

2. *The proposed use is consistent with the Milpitas General Plan.*

The project is consistent with this finding as discussed in the staff report for the Conditional Use Permit and demonstrated in the table below:

**Table 1: General Plan Consistency**

<b>Guiding Principles and Implementing Policies</b>	<b>Consistency Finding</b>
<i>2.a-I-3: Encourage economic pursuits which will strengthen and promote development through stability and balance.</i>	<b>Consistent.</b> The project will introduce a new use and refurbishments to an existing, under-utilized commercial area and help bring stability and new visitors to a commercial center that has experienced prolonged vacancies and a drop in foot traffic.
<i>2.a-I-7: Provide opportunities to expand employment, participate in partnerships with local business to facilitate communication, and promote business retention.</i>	<b>Consistent.</b> The project will provide economic vitality and commercial diversity to a vacant building and help spur activity at neighboring commercial shopping areas. The entertainment use will also provide residents and visitors to Milpitas with a new, local event facility alternative for which currently, there is more demand than there is supply

3. *The proposed use is consistent with the Milpitas Zoning Ordinance.*

The proposed entertainment use conforms to the Milpitas Zoning Ordinance in that the use is conditionally permitted in the Neighborhood Commercial C1 zoning district, per

Milpitas Municipal Code Table XI-10-5.02-1. The proposed site changes meet all minimum development standards and parking for the site has been determined to be sufficient as shown in the parking summary.

**SECTION 5:** The Planning Commission of the City of Milpitas hereby adopts Adopt Resolution No. 20-005 approving Conditional Use Permit No. UP19-0008 based on the above Findings and subject to the Conditions of Approval attached hereto as Exhibit 1 and incorporated herein.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Milpitas on February 26, 2020.

---

Chair

**TO WIT:**

**I HEREBY CERTIFY** that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on February 26, 2020, and carried by the following roll call vote:

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Ricky Ablaza				
Tim Alcorn				
Evelyn Chua				
Bill Chuan				
Sudhir Mandal				
Steve Belong				
Steve Tao				

**EXHIBIT 1**

**CONDITIONS OF APPROVAL**  
**Celia's Event Center**  
**60 Dempsey Road**  
**Conditional Use Permit No. UP19-0008**

**General Conditions**

1. General Compliance. The applicant and owner, including all successors in interest (collectively "Permittee") shall comply with each and every condition set forth in this Permit. Conditional Use Permit No. UP19-0008 ("Permit") shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed. **(ALL)**
2. Modifications to project. Any deviation from the approved site plan, floor plans, or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the Permittee shall be required to apply for review and obtain approval of the Planning Commission, in accordance with the Zoning Ordinance. **(P)**
3. Effective Date. Unless there is a timely appeal filed in accordance with the Milpitas Zoning Code, the date of approval of this Permit is the date on which the decision-making body approved this Permit.
4. Acceptance of Permit. Should Permittee fail to file a timely appeal within twelve (12) calendar days of the date of approval of this Permit, inaction by Permittee shall be deemed to constitute each of the following:
  - a. Acceptance of this Permit by Permittee; and
  - b. Agreement by the Permittee to be bound by, comply with, and to do all things required of or by Permittee pursuant to all of the terms, obligations, and conditions of this Permit.
5. Permit Expiration. Pursuant to Section XI-10-64.06 of the Milpitas Zoning Code, this Permit shall become null and void if the activity permitted by this Permit is not commenced within two (2) years from the date of approval, or for a project submitted with a tentative map, within the time limits of the approved tentative map. Pursuant to Section XI-10-64.06(B) of the Milpitas Zoning Code, an activity permitted by this Permit shall be deemed to have commenced when the project:
  - a. Completes a foundation associated with the project; or
  - b. Dedicates any land or easement as required from the zoning action; or
  - c. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.
6. Time Extension. Pursuant to Section XI-10-64.07 of the Milpitas Zoning Code, unless otherwise provided by State law, Permittee shall have the right to request a one-time extension of the Permit if the request is made in writing to the Planning Division prior to the expiration date of the approval. **(P/E)**

7. Project Job Account. If Permittee's project job account is at any time delinquent or below the required deposit amount, City will not continue to review or process the application until Permittee's private job account is paid in full and the required deposit has been made. Additionally, prior to the issuance of any building permit or occupancy permit, as applicable, Permittee shall pay in full the project account balance and establish a remaining balance of at least twenty-five percent (25%) of the required initial deposit.
8. Notice. Pursuant to California Government Code Section 66020, any protest filed in court relating to the imposition of fees, dedication, reservations, or other exactions to be imposed on the development project shall be filed within ninety (90) days after the date of the adoption of this Resolution. This provision serves as notice from the local agency to the Permittee that the ninety (90) day period in which the applicant may file a protest has begun under California Government Code Section 66020(d)(1).
9. Cost and Approval. Permittee shall fully complete and satisfy each and every condition set forth in this Resolution and any other condition applicable to the project to the sole satisfaction of the City. Additionally, Permittee shall be solely responsible and liable for the cost to satisfy each and every condition. Permittee shall pay all required fees and charges to City at the rate in effect at time of building permit issuance, or, the rate in effect when the fees and charges are due and paid in full to City. There is no vesting of any fees or charges with the adoption of this Resolution. **(ALL)**
10. Conditions. Each and every condition set forth in this Exhibit shall apply to the project and continue to apply to the project so long as the Permittee is operating the project under the permits and approvals in this Resolution. **(ALL)**
11. Compliance with Laws. The construction, use, and all related activity authorized under this Permit shall comply with all applicable local, state, and federal laws, rules, regulations, guidelines, requirements, and policies. Permittee shall procure and maintain any and all licenses, permits, and/or other authorizations, including licensure through the State of California Department of Alcoholic Beverage Control ("ABC"), that may be required by law to operate the use contemplated herein. **(CA/P/E/B)**
12. Previous Approvals. Permittee shall abide by and continue to comply with all previous City approvals, permits, or requirements relating to the subject property, unless explicitly superseded or revised by this Permit.
13. Indemnification. To the fullest extent permitted by law, Permittee shall indemnify, defend with counsel of the City's choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to (i) City's approval of the project, including but not limited to, the approval of the discretionary permits, maps under the Subdivision Map Act, and/or the City's related determinations or actions under the California Environmental Quality Act, and (ii) Permittee's construction, operation, use, or related activity under this Permit. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City,

and/or the parties initiating or bringing such proceeding. Permittee shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. Permittee shall pay to the City upon demand or, as applicable, to counsel of City's choosing, any amount owed pursuant to the indemnification requirements prescribed in this condition.

14. Revocation, Suspension, Modification. This Permit may be suspended, revoked, or modified in accordance with Section XI-10-63.06 of the Milpitas Zoning Code.
15. Severability. If any term, provision, or condition of this Permit is held to be illegal or unenforceable by the Court, such term, provision, or condition shall be severed and shall be inoperative, and the remainder of this Permit shall remain operative, binding, and fully enforceable.
16. Permittee shall develop the approved project in conformance with the approved plans approved by the Planning Commission on February 26, 2020, in accordance with these Conditions of Approval.  
  
Any deviation from the approved site plan, elevations, materials, colors, landscape plan, or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, Permittee shall be required to apply for review and obtain approval of the Planning Commission or City Council, as applicable, in accordance with the Milpitas Zoning Code. **(P)**
17. Response to Conditions of Approval. Permittee shall provide a written response to comments upon submittal for building permit application. The responses should clearly indicate how each condition of approval has been addressed in the plans and shall note the appropriate plan sheet. **(P)**

### **Project Specific Conditions**

18. Hours of operation. Hours of operation shall be Monday-Friday: 12:00pm-11:00pm and Saturday 3:00pm-12:00am and Sunday 3:00pm-11:00pm. **(P)**
19. Event Center Staff. There must be a minimum of one staff member from Celia's Event Center on site at all times during a given event. **(P)**
20. Exterior Sound. Speakers shall not be installed on the exterior of the building, and all amplified music and sounds shall be contained within the interior of the building. **(P)**
21. Lighting. There shall be lighting of sufficient wattage to provide adequate illumination and to make clearly visible the presence of any person in or about the outside premises during hours of darkness. All lighting shall be shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel, and shall be directed downward and away from adjoining properties and public rights-of-way **(PD)**
22. Signage. All entrances to the facility shall be posted with appropriate signage such as "No Trespassing/ Loitering" and applicable towing advisement such as 22658(a) CVC to assist in the removal of unauthorized person and vehicles on the private premises. **(PD)**

- a. Appropriate signage shall be posted, in conspicuous areas, forbidding the consumption of alcohol outside the permitted premises.
23. Video/security. Cameras shall be implemented for the enclosed building and the exterior perimeter. The exterior video/security cameras shall record in high definition and cover the entire exterior which includes the parking lots, parking lot entrances/exits, and building entrances/exits. The interior video/security cameras shall record in high definition and cover every floor's corridors/hallways, main lobby area, front-desk, and building entrances/exits. The video/security system shall have the capacity to save/store footage and have the capability to be downloaded. **(PD)**
24. Security Personnel. A minimum of one licensed security guard per 100 guests must be on site during the entire duration of the event and until the last guests have departed the venue.
25. Landscaping. Landscaping shall be of the type to maximize natural surveillance while providing the desired degree of aesthetics for the outside premise. Planting and selection of landscape material shall be that sight lines remain open and clear, and places of concealment are not fostered. Security type planting materials are encouraged under vulnerable windows. Shrubbery shall be no more than three feet high for clear visibility in vulnerable areas. **(PD)**
26. Noise. When residential and commercial areas are within close-proximity to each other, there may be an increase in noise complaints from residents which may result in an increase in calls for service. Noise may possibly be generated from the consumer. Signage explaining the requirements of the City's Noise Ordinance, which must be approved by the City's Police Department, shall be posted in conspicuous areas. **(PD)**
27. Building Design. There shall be a building design that encourages visibility of potential crime locations and natural surveillance. **(PD)**
  - a. Any other line of sight obstructions shall be avoided on building exterior walls.
28. Floor plan. An up-to-date floor plan of the interior of the building shall be provided to the Police Department. The map shall minimally identify the locations of each entry/exit points, storage areas, maintenance areas, etc. **(PD)**
29. Emergency notification. Property Manager shall file an emergency notification form with the Police Department so law enforcement can contact the property manager/event coordinator in the event of any major accident, emergency, or unforeseen circumstance. **(PD)**
30. Fire Code. The project/development shall comply with the requirements of the Fire Department and the California Fire Code, as demonstrated in Fire Department's Memorandum, dated January 29, 2020, and may be amended by the City of Milpitas. Changes to the site plan and/or internal circulation shall be reviewed and approved by the Fire Department. **(F)**
31. Building Code. The Project shall comply with the requirements of the 2016 CBC, CMC, CEC, CPC, Green Building Standards Code, California Energy Code and the Milpitas Municipal Code, as demonstrated in Building and Safety Department's Memorandum, dated January 23, 2020. **(B)**

- P = Planning**
- E = Engineering Department**
- CA = City Attorney**
- PD = Police Department**
- B = Building Department**
- F = Fire Department**
- ALL = All Reviewing Departments**

**NOTICE OF RIGHT TO PROTEST**

The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), began on date of adoption of this resolution. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

**AGREEMENT**

*Permittee/Property Owner*

The undersigned agrees to each and every condition of approval and acknowledges the NOTICE OF RIGHT TO PROTEST and hereby agrees to use the Project property on the terms and conditions set forth in this resolution.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Permittee

# DIRECTORY

## CLIENT

NAME : CELIA MAADRIZ  
 ADDRESS:  
 60 DEMPSEY RD, MILPITAS CA 95035  
 PH

## ARCHITECTURE

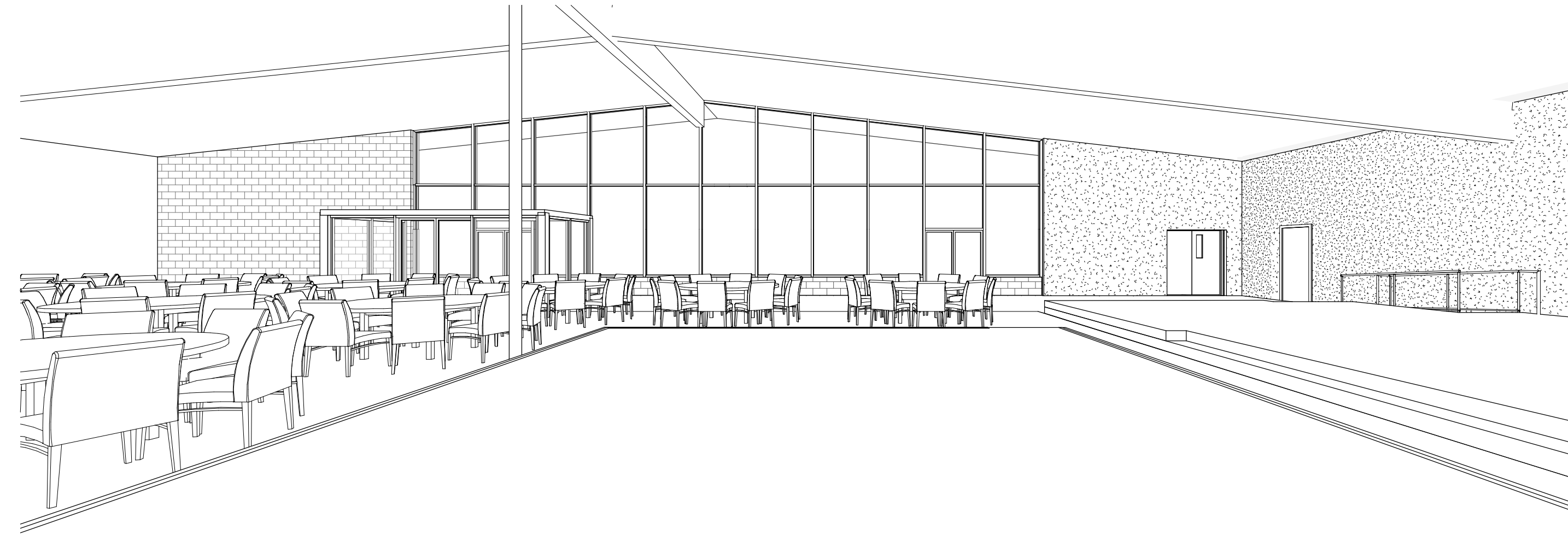
TOPA ARCHITECTURE  
 1150 NORTH 1st ST #140  
 SAN JOSE, CA 95112  
 PH: (408)320-0248

## M.E.P.

ACEIS ENGINEERING  
 ADDRESS: 3371 OLCOTT ST,  
 SANTA CLARA, CA 95054  
 PH: (408) 522-5255

# TENANT IMPROVEMENT CELIA'S EVENT CENTER

60 DEMPSEY RD MILPITAS CA

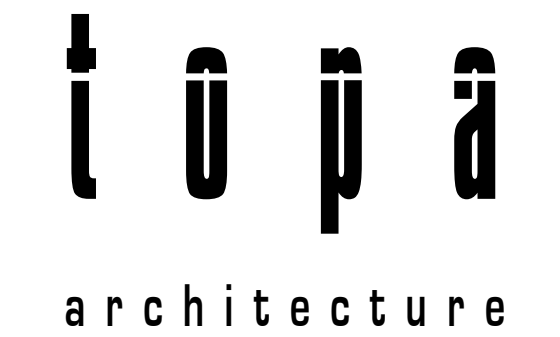


\* NOTE : THIS IMAGE IS FOR CHARACTER PURPOSES ONLY. USE THIS COMPLETE SET FOR COMPLETE CONSTRUCTION INFORMATION \*

# SHEET LIST

## ARCHITECTURE

- A0.1 COVERSHEET
- A1.0 PROPERTY PLAN
- A1.1 EXISTING SITE PLAN
- A1.2 PROPOSED SITE PLAN
- A1.3 SITE PLAN DETAILS
- A1.4 EXISTING/DEMO PLAN
- A1.5 EXISTING MEZZANINE FLOOR
- A2.1 PROPOSED FLOOR PLAN
- A2.1A PROPOSED FLOOR PLAN AREAS
- A3.1 EXTERIOR ELEVATIONS
- A3.2 EXTERIOR ELEVATIONS
- A4.0 INTERIOR PERSPECTIVES



1150 North First St #140  
 San Jose CA, 95112  
 Tel (408) 320 0248

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PROJECT:  
**CELIA'S EVENT CENTER**

60 DEMPSEY RD , MILPITAS CA 95035

CONTRACTOR

SHEET TITLE:  
 COVERSHEET

No.	Description	Unit

INITIALS  
 J: RT - JC  
 JE: 00-00-0000  
 SCALE: AS NOTED  
 JOB No.: #  
 SHEET No.:

A0.1

# SYMBOLS

- SECTION CALLOUT (SECTION #/SHEET #)
- DETAIL CALLOUT (DETAIL #/SHEET #)
- LEVEL MARKER (LEVEL NAME/ELEVATION IN FEET)
- SURFACE FINISH TAG
- WALL TYPE TAG
- DOOR TAG (DOOR #)
- WINDOW TAG (WINDOW TYPE #)
- ROOM TAG (ROOM NAME/ROOM #/ROOM AREA)
- GRID NUMBER
- CEILING HEIGHT TAG
- ELEVATION MARK (ELEVATION #/DETAIL #/ SHEET #)

# PARKING ANALYSIS

PARKING REQUIRMENT BASED ON SQFT		
DINING AREA	4071 SQFT	(/39) = 104
STAGE	1298 SQFT	(/39) = 33
TOTAL PARKING SPACE REQUIRED		137
EXISTING PARKING SPACES		63 -3 = 60
NEW PARKING SPACES REQUIRED		137-60=77
NEW PARKING SPACES PROVIDED		7

# OCCUPANCY LOAD CALCS

NO# OF SEATS = 240  
 STAGE AREA = 885/15= 59  
 MAXIMUM OCCUPANCY = 299 OCUPTANTS

# VICINITY MAP



# PROJECT DESCRIPTION

- PROPOSE EVENT CENTER AT THE EXISTING 14,203 SQ.FT
- NEW PLUMBING
- NEW RESTROOM AND DRINKING WATER FOUNTAIN FACILITY
- NEW MOP SINK AND WATER HEATER
- EXISTING HVAC TO REMAIN
- EXISTING LIGHTING TO REMAIN

# PROJECT ANALYSIS

APN	088-04-056
CONST. TYPE	V-B
OCCUPANCY	A2
OCCUPANTS	44
ZONING	
SPRINKLED	YES
AREA	
STORIES	#1

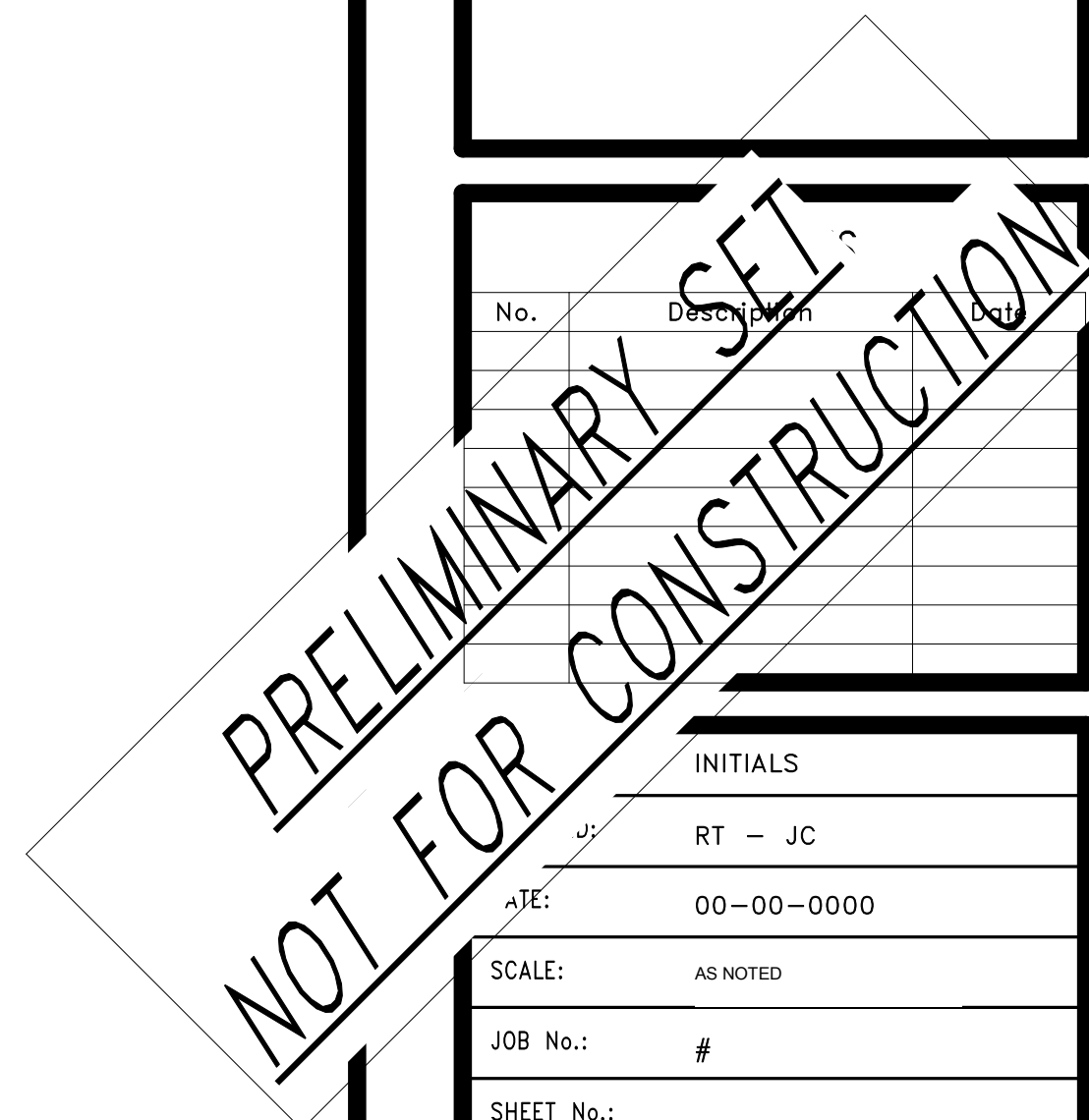
## DEFERRED SUBMITTALS

- 1 - FIRE ALARM
- 2 - AUTOMATIC SPRINKLER SYSTEM

NOTE:  
 DESIGN BUILD CONTRACTOR TO PROVIDE DRAWINGS AND SPECIFICATIONS AND OBTAIN SEPARATE PERMITS.

# APPLIED CODES

- 2016 CALIFORNIA GREEN BUILDING STANDARDS
- 2016 CALIFORNIA FIRE CODE
- 2016 CALIFORNIA BUILDING CODE
- 2016 CALIFORNIA MECHANICAL CODE
- 2016 CALIFORNIA ELECTRICAL CODE
- ALONG WITH ANY OTHER APPLICABLE LOCAL AND STATE LAWS AND REGULATIONS



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PROJECT:

CELIA'S EVENT CENTER

60 DEMPSEY RD., MILPITAS CA 95035

CONTRACTOR

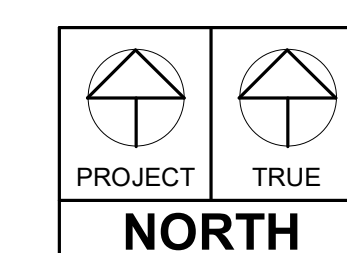
SHEET TITLE:

PROPERTY PLAN

No.	Description	Date

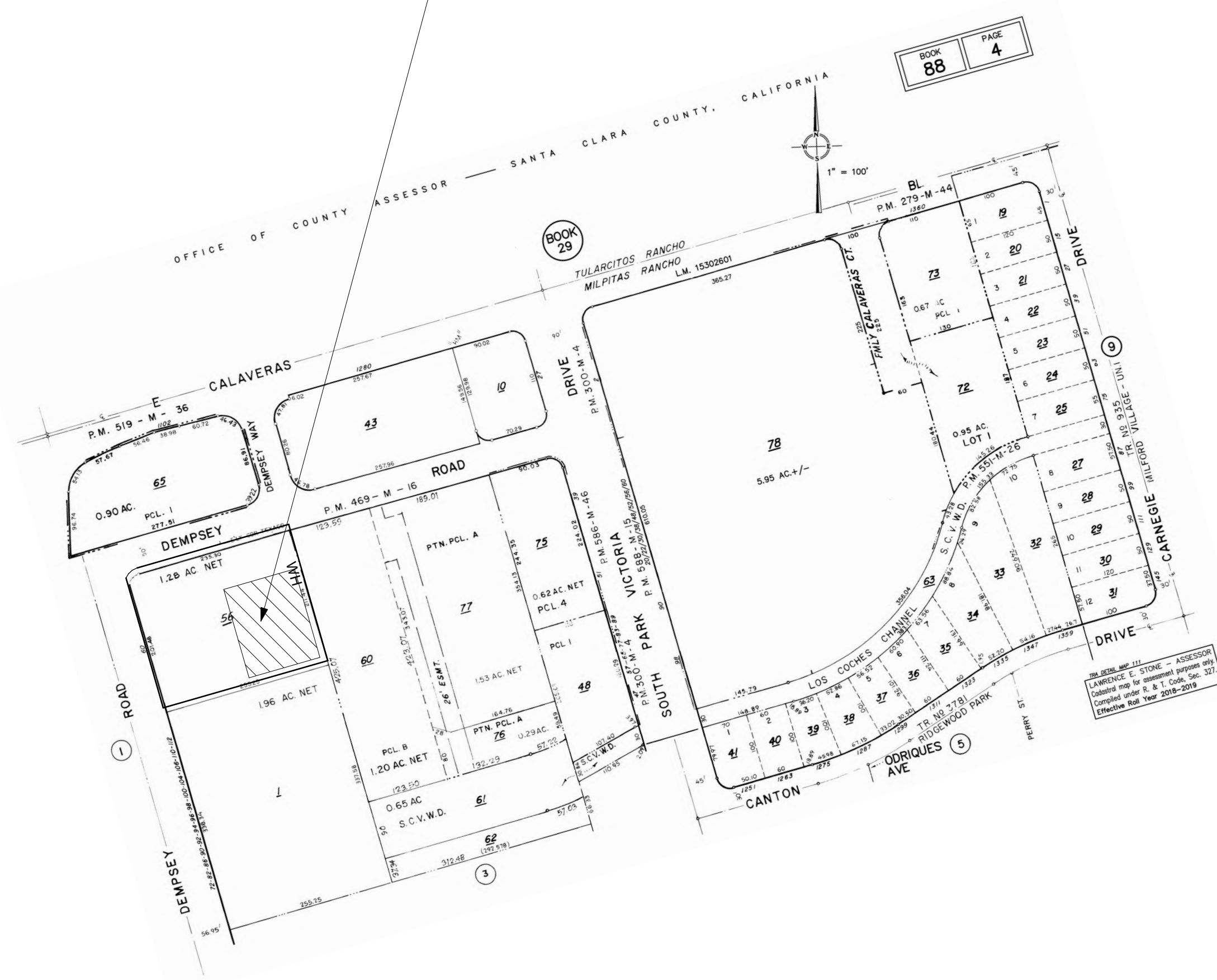
PROJECT	HM
CHECKER	Checker
DATE	00-00-0000
SCALE	As indicated
JOB No.	#
SHEET No.	

PRELIMINARY SET  
NOT FOR CONSTRUCTION



② SITE PLAN LOCATION  
1 1/2" = 1'-0"

AREA OF WORK  
APN #088-04-056



① PROPERTY PLAN  
1" = 160'-0"

**SITE KEYNOTES**

- 1 (E) PROPERTY LINE
- 2 (E) ACCESSIBLE PARKING SIGNAGE
- 3 (E) PARKING SPACE TO BE REMOVED FOR THE CLEARANCE IN FRONT OF MAIN DOOR FOR EMERGENCY VEHICLES
- 4 (E) FIRE HYDRANT LOCATION
- 5 (E) RAMP
- 6 (E) EXTERIOR DOORS TO REMAIN
- 7 (E) SIDEWALK
- 8 (E) PARKING SPACES TO REMAIN
- 9 (E) DRIVEWAY TO BE REMOVED

**LEGEND**

→→→→→  
**ACCESSIBLE PATH OF TRAVEL, NOTES:**  
- MUST BE CONTINUOUSLY ACCESSIBLE  
- HAVE A MAXIMUM 1/2" CHANGE IN ELEVATION  
- IS MINIMUM OF 48" IN WIDTH  
  
- WHERE NECESSARY TO CHANGE ELEVATION AT A SLOPE EXCEEDING 5%, SHALL HAVE PEDESTRIAN RAMPS COMPLYING WITH CBC 1227B.8.5

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PROJECT:

**CELIA'S EVENT CENTER**

60 DEMPSEY RD , MILPITAS CA 95035

CONTRACTOR

SHEET TITLE:

EXISTING SITE PLAN

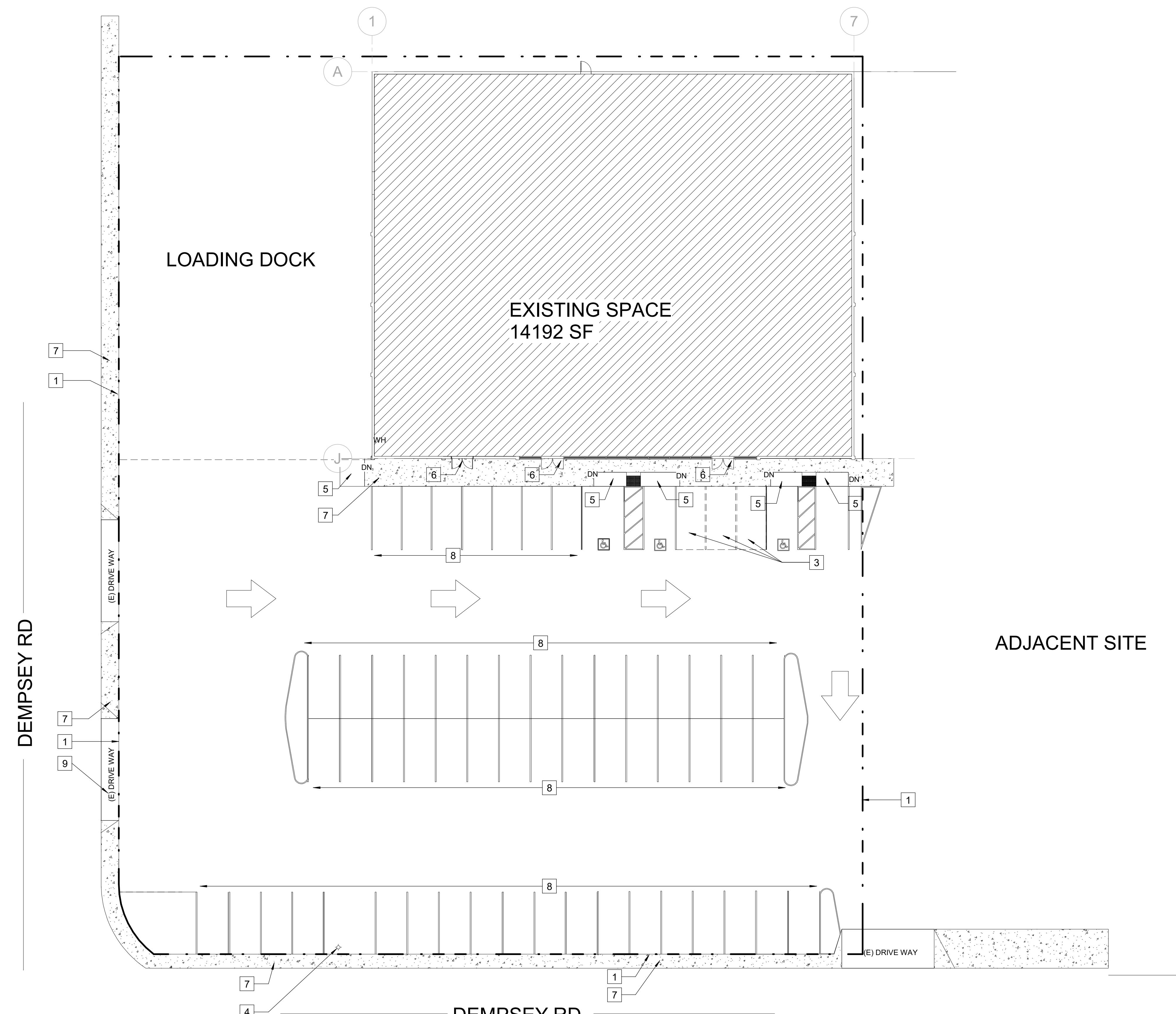
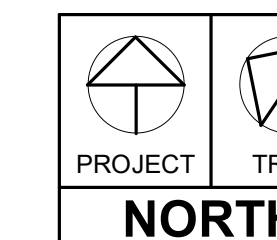
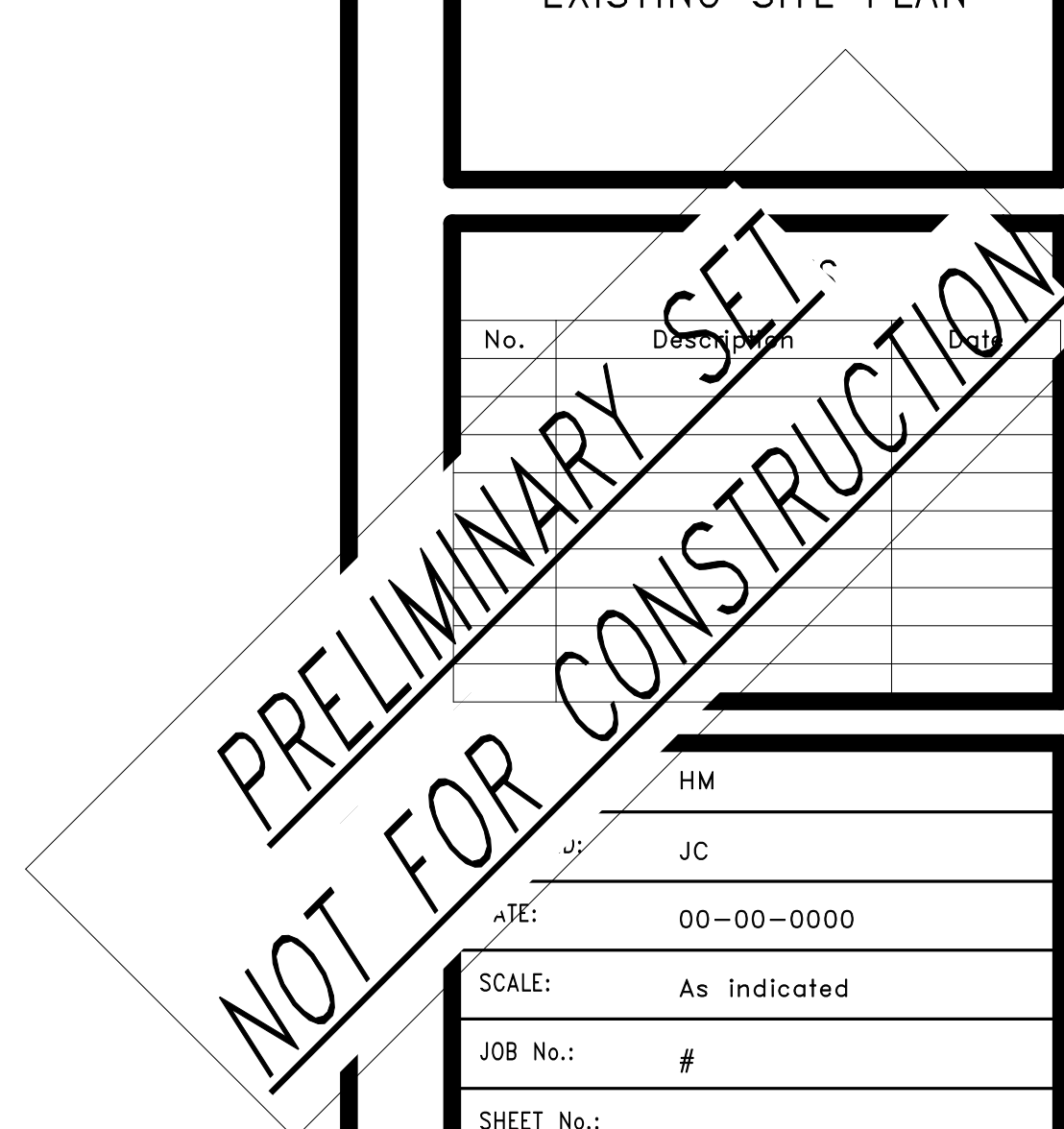
No.	Description	Date

HM  
JC  
00-00-0000

SCALE: As indicated

JOB No.: #

SHEET No.:



1 EXISTING SITE PLAN  
1/16" = 1'-0"





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PROJECT:

CELIA'S EVENT CENTER

60 DEMPSEY RD, MILPITAS CA 95035

CONTRACTOR

SHEET TITLE:

EXISTING/DEMO PLAN

No.	Description	Date

JC

J:

00-00-0000

SCALE: 1/8" = 1'-0"

JOB No.: #

SHEET No.:

A1.4

**DEMO WALL LEGEND**

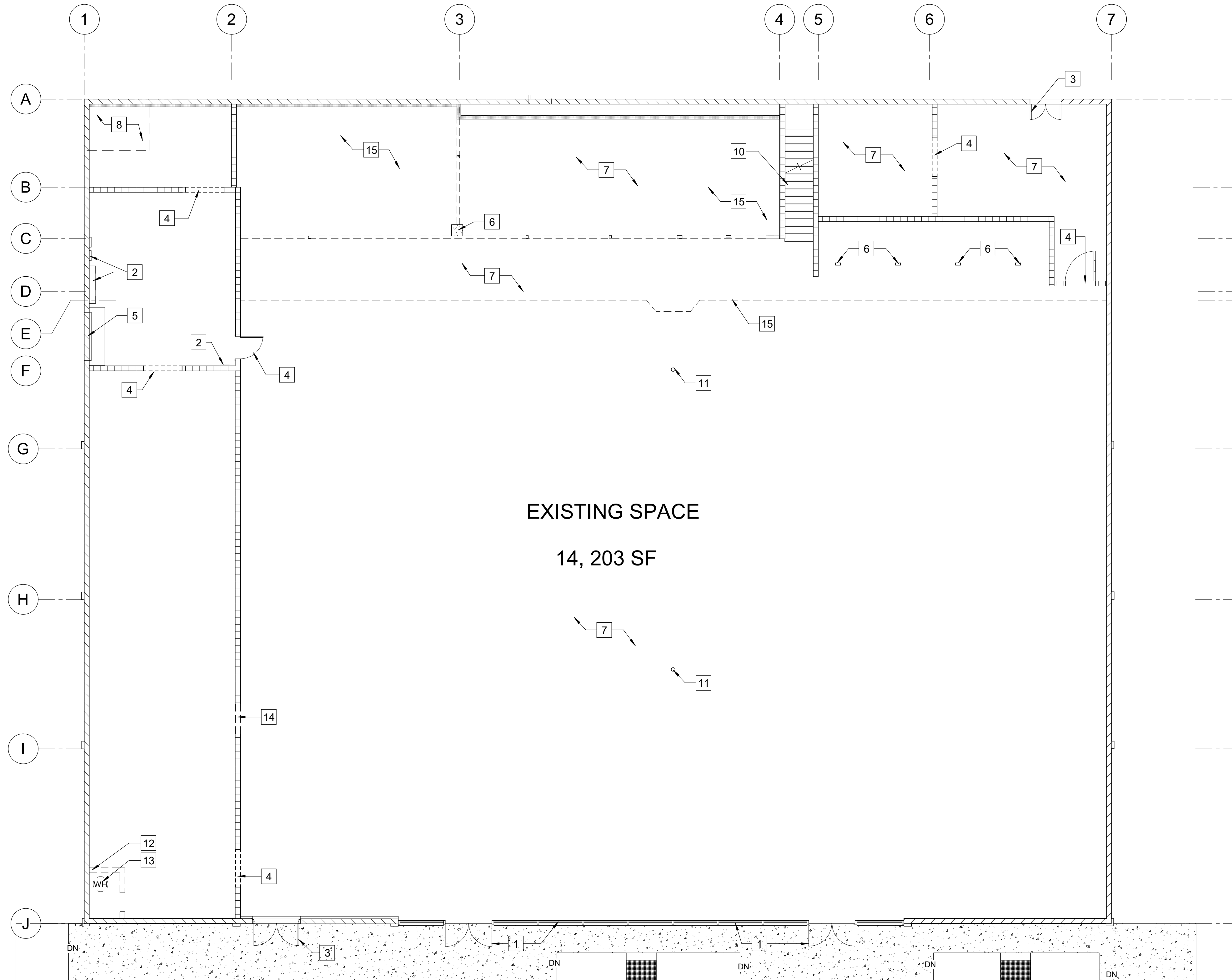
	- EXISTING 2X INTERIOR WALLS TO BE REMOVED
	- EXISTING 2X DEMISING WALLS TO REMAIN
	- EXISTING 8" BLOCK WALLS TO REMAIN EXPOSED FACE TO BE PLASTERED AND PAINTED
	- EXISTING FURRING WALL TO REMAIN

**EXISTING/DEMO NOTES**

1	(E) STOREFRONT AND STOREFRONT DOOR TO REMAIN
2	(E) ELECTRICAL PANEL AND SUB PANEL TO REMAIN
3	(E) EXTERIOR DOORS TO REMAIN
4	(E) DOORS AND OPENINGS TO REMAIN
5	(E) OVERHEAD ROLL UP DOOR
6	(E) COLUMNS TO REMAIN
7	(E) FLOOR TO REMAIN
8	(E) CONCRETE SLAB TO BE SAW CUT AS NEEDED FOR NEW PLUMBING OR ELECTRICAL. PATCH AND SEAL AS NEEDED SEE PROPOSED
9	(E) BEAMS TO REMAIN
10	(E) STAIRS TO REMAIN
11	(E) POSTS TO REMAIN
12	(E) WALLS TO BE REMOVED
13	(E) WATER HEATER TO BE REPLACED WITH NEW, SEE PROPOSED PLANS
14	(E) OPENING TO BE REMOVED
15	(E) OVERHEAD CEILING TO REMAIN

**GENERAL NOTES**

1	GC TO LOCATE EXISTING FOUNDATIONS AND UTILITIES
2	PROVIDE SLEEVE AND CORE DRILL FOR NEW PLUMBING AS REQUIRED



2 DEMO FLOOR PLAN  
 1/8" = 1'-0"

PRELIMINARY SET  
 NOT FOR CONSTRUCTION





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PROJECT:

CELIA'S EVENT CENTER

60 DEMPSEY RD., MILPITAS CA 95035

CONTRACTOR

SHEET TITLE:

PROPOSED FLOOR PLAN AREAS

No.	Description	Qty

Author

Checker

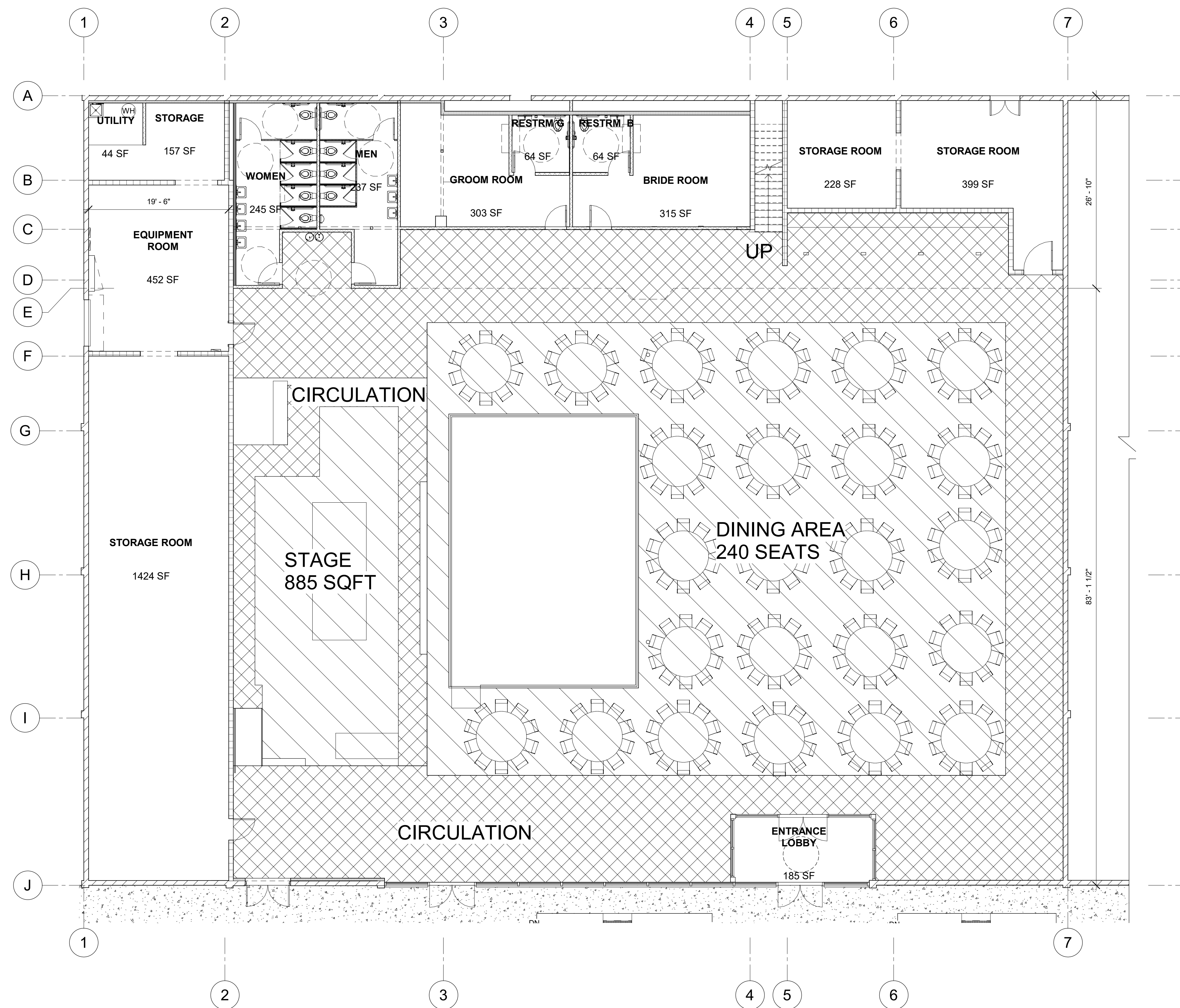
00-00-0000

SCALE: 1/8" = 1'-0"

JOB No.: #

SHEET No.:

A2.1A



1 F. PLAN PROPOSED AREAS  
 1/8" = 1'-0"

PRELIMINARY SET  
 NOT FOR CONSTRUCTION



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PROJECT:  
**CELIA'S EVENT CENTER**  
60 DEMPSEY RD , MILPITAS CA 95035

CONTRACTOR

SHEET TITLE:  
**EXTERIOR ELEVATIONS**

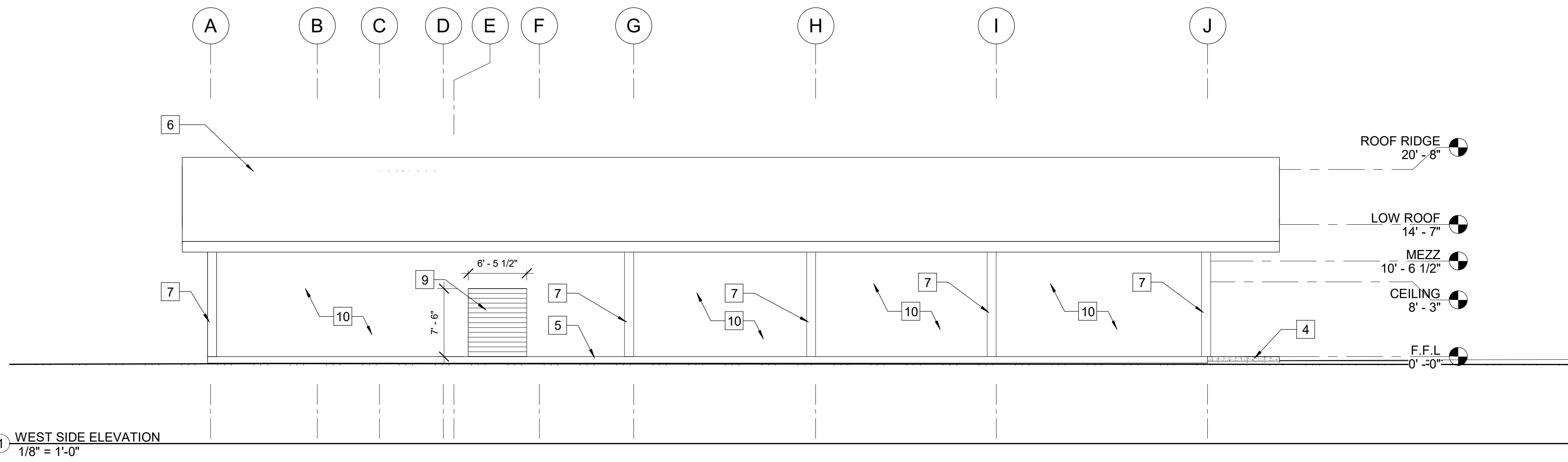
No.	Description	Date

Author  
J. Checker  
DATE: 00-00-0000  
SCALE: 1/8" = 1'-0"  
JOB No.: #  
SHEET No.:

A3.2

**ELEVATION KEYNOTES**

1	(E) STOREFRONT CURTAIN WALL TO REMAIN
2	(E) EXTERIOR STOREFRONT DOOR SIZE 72"x84" TO REMAIN
3	(E) EXTERIOR DOOR TO REMAIN
4	(E) EXTERIOR RAMPS TO REMAIN
5	(E) CURB TO REMAIN
6	(E) ROOF TO REMAIN
7	(E) EXTERIOR COLUMNS TO REMAIN
8	(E) ACCESSIBLE SIGNAGE WALL MOUNTED TO REMAIN
9	(E) ROLL UP DOOR TO REMAIN
10	(N) PAINT O/ (E) EXTERIOR WALLS
11	(N) ACCESSIBLE ENTRANCE SIGNAGE



1 WEST SIDE ELEVATION  
1/8" = 1'-0"

PRELIMINARY SET  
NOT FOR CONSTRUCTION



**Celia's Event Center  
60 Dempsey Road,  
Milpitas, CA 95035  
Phone No. 408-509-4567  
Email: acelia620@yahoo.com  
Date: 01/06/2026**

**City of Milpitas  
Milpitas Police Department  
Permits Unit: Consent for Extended Hours**

**To Whom It May Concern,**

**Subject: Statement of Consent for Extended Hours**

**My name is Celia Madriz, the owner of the business, Celia's Event Center Located at 60 Dempsey Road, Milpitas, CA 95035. I am hereby requesting permission for extended hours past midnight for the business to remain open and service Alcohol if required by the clients. Normally, customers arrange for the Alcohol themselves and we purchase the one day liquor license for them but they are not permitted to sell Alcohol. I transfer my ABC Liquor License from my other business location in cases where I am required to provide Alcohol. I need the extended hours past midnight, mostly Thursday thru Sundays as specifically required for the Vietnamese Concerts, Vietnamese Weddings, Company Events, etc. as per customer request. This will help me bring more business to Milpitas. We have a professional Security Staff with numerous years of experience to protect our business and customers. Please feel free to be in touch with me @ 408-509-4567 with any additional questions or concerns that you may have.**

**Sincerely,**

**Celia Madriz  
Phone: 408-509-4567**



## MILPITAS PLANNING COMMISSION STAFF REPORT

February 11, 2026

---

**APPLICATION:** **NEW LIFE COMMUNITY CHURCH - 1000 Jacklin Rd – USE PERMIT (P-UP25-0004) and MINOR SITE DEVELOPMENT PERMIT (P-MS25-0289):** A request to operate a Major Community Assembly Use (New Life Community Church) and allow for landscape improvements at an existing 25,160 -square foot, two-story commercial building (former indoor sports facility) on a 1.14-acre parcel in the Highway Services (HS) Zoning District located at 1000 Jacklin Rd. 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 on a separate and independent basis, Section 15183 (Projects consistent with a Community Plan, General Plan, or Zoning).

**RECOMMENDATION:** Staff recommends that the Planning Commission open and close the public hearing, consider the exemptions in accordance with CEQA and adopt Resolution 26-002, approving Conditional Use Permit No. UP25-0004 and Minor Site Development Permit No. 25-0289, subject to the findings and attached Conditions of Approval.

**LOCATION:**  
Address/APN: 1000 Jacklin Road (APN: 028-05-015)  
Area of City: South of Jacklin Road / West of Interstate 680

**PEOPLE:**  
Project Applicant: Gordon Wong (GKW Architects)  
Property/Business Owner: Amos Yang (New Life Community Church)  
Project Planner: Sean Manalo, Associate Planner

**LAND USE:**  
General Plan Designation: Neighborhood Commercial (NC)  
Zoning District: Highway Services (HS)

**ENVIRONMENTAL:** 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).

---

### BACKGROUND

On October 6, 1977, the Planning Commission approved Site and Architectural Overlay "S" Zone plans for an approximately 25,000-square-foot, two-story indoor sports facility and associated site improvements on the 1.14-acre subject site.

On May 8, 1996, the Planning Commission approved Conditional Use Permit No. UP 1339 to allow a 60-foot monopole for a wireless telecommunication facility and the construction of a 173-square-foot equipment shelter on the north side of the building. The Planning Commission also approved the following amendments to the wireless telecommunications facility:

- On July 24, 1996, the Planning Commission approved UP1352, to allow the co-location of two other carriers and the construction of a second equipment enclosure on the east side of the building.
- On November 18, 1998, the Planning Commission approved Conditional Use Permit Amendment No. UP1339 to allow an antenna replacement.
- On June 28, 2000, the Planning Commission approved an "S" Zone Amendment to install wireless telecommunication antennas and an equipment enclosure.
- On May 28, 2003, the Planning Commission approved the "S" Zone Amendment for a new 62-foot-10-inch tall clock tower located on the west side of the building. The clock tower was designed and constructed to conceal twelve wireless telecommunication antennas.
- On September 12, 2012, the Planning Commission approved Conditional Use Permit No. UP12-0017 and Minor Site Development Permit No. MS12-0034 for the removal of three existing panel antennas with three new panel antennas, installation of six new remote radio units, and replacement of existing equipment cabinets on an existing wireless telecommunication monopole.
- On May 28, 2014, the Planning Commission approved Conditional Use Permit Amendment No. UA14-0001 to install three new panel antennas to the existing monopole tower and associated equipment.

Additionally, on April 21, 2020, the Milpitas City Council denied an appeal and upheld the Planning Commissions' decision to deny Site Development Permit No. SD18-0012 and Conditional Use Permit No. 18-0012 to allow the development of a proposed La Quinta hotel.

On June 3, 2025, Gordon Wong of GWK Architects, on behalf of the property owner, submitted a Conditional Use Permit (UP25-0004) application to allow for tenant improvements to convert the existing use from a gymnasium to a new major community assembly use (place of worship) operated by New Life Community Church. The proposed church would be in the existing two-story building that was formerly Fitness 19, Unlimited MMA (Mixed Martial Arts), and Smash Gym (recently closed in 2025). The proposed church would operate Wednesdays 6:30 pm – 8:30pm, with major worship services scheduled on Sundays 8:00am – 8:00pm. Per Title XIII, Chapter B.6, Table B.6.020-A of the Milpitas Municipal Code (MMC), Major Community Assembly uses (over 2,000 square feet and with capacity for more than 200 seats) within the Highway Services (HS) Zone require a Conditional Use Permit.

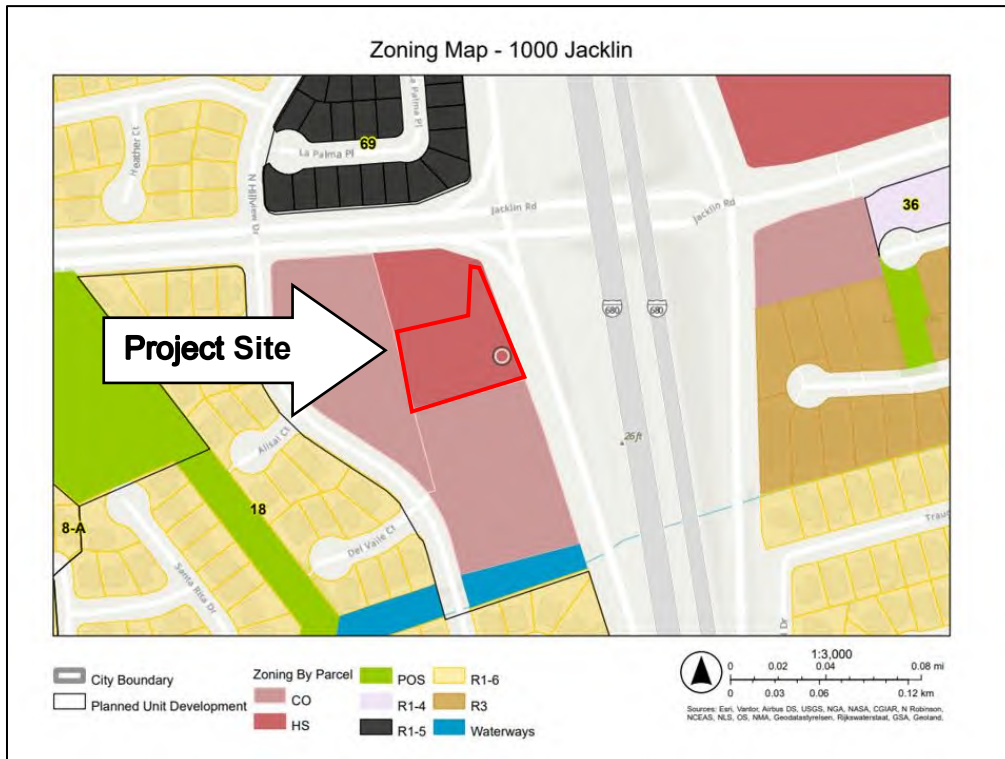
The applicant also requests a Minor Site Development Permit (MS25-0289) to allow for minor exterior improvements for ingress and egress, as well as landscaping improvements, parking lot restriping, and accessible pedestrian route upgrades. Consistent with Subsection D.2.040(B)(3) of the Zoning Code, projects involving multiple applications may be consolidated for final action and heard by the highest Review Authority required for any of the applications. Here, that review authority is the Planning Commission.

The Project is consistent with the Milpitas General Plan and Zoning Ordinance. Staff recommends that the Planning Commission approve the Project subject to the Findings and Conditions of Approval.

## Map 1: Project Location



## Map 2: Project Zoning Map



## **PROJECT DESCRIPTION**

---

### ***Overview***

The applicant proposes interior renovation of an existing 25,160-square-foot commercial building (former indoor sports facility) as a new large religious assembly facility (New Life Community Church). The proposed religious assembly facility (church) will reuse the existing space and perform tenant improvements for a worship space, fellowship hall, classroom, children’s play area, reconfigured bathrooms, and vocational space (coworking / flexible space) to serve the approximately 180 parishioners (adults and children) of the church. There will be minor modifications to the existing building façade, including the replacement of first level single doors to double doors.

### ***Location and Context***

The project site is located in the southwest quadrant of I-680 and Jacklin Road and zoned Highway Services. The site is currently improved with a vacant 25,160 square-foot indoor sports facility, a monopole with 15 antennas, a stealth clock tower with 12 antennas, and various other wireless telecommunication equipment and enclosure. The subject parcel is situated behind the Shell gasoline station, near the I-680 southbound on-ramp. It is accessible by driveways on Hillview Drive and Jacklin Road by passthroughs next to adjacent businesses. Table 1 below summarizes the project site's land use designation and surrounding uses:

**Table 1:**  
**Surrounding Zoning and Land Uses**

	<b>General Plan</b>	<b>Zoning</b>	<b>Existing Uses</b>	<b>Proposed Use</b>
<b>Subject Site</b>	Neighborhood Commercial (NC)	Highway Services (HS)	Vacant, Indoor Sports Facility	Major Community Assembly
<b>North</b>	Neighborhood Commercial (NC)	Highway Services (HS)	Shell gasoline station	N/A
<b>South</b>	Neighborhood Commercial (NC)	Administrative and Professional Office (CO)	Hillview Office Center	N/A
<b>East</b>	N/A	N/A	Interstate 680	N/A
<b>West</b>	Neighborhood Commercial (NC)	Administrative and Professional Office (CO)	Jacklin Commons KinderCare	N/A

### **Site Improvements**

The applicant proposes resurfacing and restriping the existing surface parking lot to accommodate 63 vehicle spaces, which will be discussed in the Access, Circulation, and Parking section of this report. The applicant also proposes minor exterior modifications to the building for improved first-floor ingress/egress as well as the installation of an improved 5-ft sidewalk, curb ramp, and truncated domes to improve

pedestrian access to the site from Hillview Drive. The project would utilize an existing trash enclosure at the southwest corner of the site to house bins for garbage, recycling, and food scraps (See Attachment B).

New signage will require approval of a sign permit under a separate application. Any future modifications to the existing building will require the approval of planning and building permits under a separate application.

### **Floor Plan and Operations**

The proposed floor plan envisions converting the existing multipurpose rooms, offices, and bathroom/locker room space of the former indoor recreational area into a worship hall with a stage, a children's play area, a classroom, restrooms/lounges, a vocational room, and storage rooms (for furniture, community outreach items, stroller parking, and files). A new entry area is also proposed to provide direct access to the existing building from the main parking lot. (See Attachment B, Sheet A100 – A101)

The applicant provided an operations description for their proposed use (See Attachment C). New Life Community Church proposes to offer worship services, bible studies, vocational program/activities and worship gatherings for their parishioners. On days the church hosts such events during the standard work week, approximately one (1) employee will staff the facility. The church estimates that four (4) employees will staff the church during Saturdays and Sundays from 8:00am – 9:00pm. Weekends are projected to be the busiest day of the week for the proposed use between preparation and hosting of weekly Sunday worship services. Sundays will also feature a children's ministry (school) from 10:30am – 12:00pm that is available only to the children of parishioners attending services and is not open to the public. The church will not provide any alcohol service and food will be catered or prepared by potluck on a regular basis.

The Applicant also describes in their operations description that a small enclosed playground will be installed on site in the future, however plans for this proposed playground were not included with this application. The applicant will be required to obtain a separate permit for this structure in compliance with the Zoning Code and applicable provisions of the California Building Code.

### **Sign Plans**

No signage is included in this development application. The applicant will be required to obtain separate permits for signs identifying the church in compliance with the Zoning Code.

## **PROJECT ANALYSIS**

---

### ***General Plan & Zoning Conformance***

#### **General Plan**

The General Plan designation for the subject property is Neighborhood Commercial (NC), which encourages the location of commercial uses in specific residential areas. This is intended to accommodate small commercial and office uses that are compatible with surrounding neighborhoods and are accessible by automobile, bicycle, transit and foot. Table 2 below demonstrates project consistency with the City of Milpitas General Plan.

**Table 2:**  
**General Plan Consistency**

General Plan Policy	Consistency Finding
<p><i>LU -1: Accommodate a well-balanced mix of land uses that meets the diverse needs of Milpitas residents, businesses, and visitors with places to live, work, shop, be entertained and culturally enriched.</i></p>	<p><b>Consistent:</b> The proposed use will serve as a community space that attends to the spiritual and cultural needs of its parishioners. Through their ministries, the church will also serve the public good, invite inclusion, cultural exchange, and reinforce a shared neighborhood identity within the City.</p>
<p><i>LU 6-5: Promote reinvestment in strip commercial and shopping centers and maintain, revitalize, and redevelop aging and underperforming centers.</i></p>	<p><b>Consistent.</b> The subject site has not been maintained since the tenant space was made vacant in August 2025. Interior and exterior upkeep of the building is not consistent with the surrounding buildings within the commercial center. The proposed repurposing of the site will therefore revitalize a vacant underutilized commercial building.</p>
<p><i>CD 6-4 Maintain viable neighborhood-serving commercial uses throughout the City in order to serve surrounding neighborhoods and minimize vehicle miles traveled. Encourage a diverse mix of commercial uses, including retail, service, office, entertainment, and assembly uses.</i></p>	<p><b>Consistent.</b> The proposed use complements the existing retail and services available in the immediate area, and is not projected to generate additional traffic and parking needs that conflict with traditional peak-commercial hours. The project also contributes to a balanced mix of neighborhood-serving uses and supports the City’s vision for inclusive community-serving development.</p>

**Zoning Ordinance**

The proposed Project conforms to the development standards required in the Highway Services zone (HS) as there will be no change to the existing conditions of the main building. Pursuant to Section C.18.050 of the Zoning Code, in the absence of enlargements or additions to a building, or other triggering circumstances not relevant here, a building lawfully constructed under previous standards may continue to be maintained pursuant to those standards. Notwithstanding this fact, the current building appears compliant with current zoning for this location, as demonstrated in Table 3 below:

**Table 3:**  
**Zoning Conformance**

	<b>Zoning Ordinance Standard Per MMC XIII-Table B.6.030-A</b>	<b>Proposed</b>	<b>Complies?</b>
<u>Setbacks</u> (Minimum)			
Front (North)	Major Street: 50' All other streets: 0'	86' 9-5/8"	Yes, no change
Side Yard (West)	0'	52' 9-5/8"	Yes, no change
Side Yard (East)	15' when abutting R District	5' 7-1/4"	Yes, no change
Rear (South)	0' 15' when abutting R District	6'9-5/8"	Yes, no change
<u>Floor Area Ratio</u> (Maximum)	0.50	0.50	Yes, no change
<u>Building Height</u> (Maximum)	None	24'	Yes, no change
<u>Landscaping</u>	25% of front yard setback	0' required front yard setback, so no landscaping is required	Yes

***Access, Circulation, and Parking***

Pursuant to Subsection C.18.060(A)(2), changes in use can require properties be brought up to current parking requirements. Table 4 demonstrates the Project's compliance with the Zoning Ordinance parking standard per MMC *Title XIII Section C.6.050*. Table 4 below demonstrate project consistency with the City's minimum parking requirements.

**Table 4:**  
**Parking Summary**

<b>Space Function</b>	<b>Square footage</b>	<b>Zoning Ordinance Requirement Per MMC Title XIII- Table C.6.050-A</b>	<b>Total Required</b>	<b>Total Provided</b>	
<i>Religious Institution (Worship Hall)</i>	2,803	One per classroom or one per 500 sq. ft., whichever is greater.	33	↓	
<i>Entry Hall</i>	772	one per 400 sq. ft.	2		
<i>Classroom 1</i>	2,460	one per 400 sq. ft.	6		
<i>Children's Play Area</i>	1,109	one per 400 sq. ft.	3		
<i>Office</i>	2,295	one per 300 sq. ft.	8		
<i>Storage</i>	6,535	1 per 2000 sq. ft.	4		
<i>Vocational</i>	1,617	1 per 400 sq. ft.	4		
<b>Parking Spaces (Total)</b>			<b>60</b>		<b>63</b>
		<b>Zoning Ordinance Requirement Per MMC Title XIII- Section C.6.040</b>	<b>Total Required</b>	<b>Total Provided</b>	
Standard Parking Spaces		<i>See Table C.6.050-A</i>	<b>36</b>	<b>38</b>	
Compact Parking Spaces		Maximum 40% of Stalls	<b>24</b>	<b>25</b>	
<b>Total Parking Spaces</b>				<b>63</b>	

***Traffic***

A traffic operations analysis report (Attachment D) was conducted for the Project. The report reviewed trip generation, vehicle miles traveled, driveway access and sight distance, and on-site vehicular and truck circulation. In conclusion, the proposed Project is consistent with the land uses permitted per the City of Milpitas General Plan and is projected to add approximately 25 daily trips on Wednesdays, and approximately 120 total visitors attending worship services on Sundays. The number of daily trips (including a.m. and p.m. peak hour trips) will be local serving, and is not expected to significantly impact the level of service (LOS) in the immediate vicinity and will therefore result in a less than significant impact to VMT.

### ***Access & Circulation***

The project site is near Interstate 680 and Jacklin Road. The Project utilizes four existing shared driveways: two on Jacklin Road and two on North Hillview Drive, which provide multiple routes for parishioners/guests to access the facility. Onsite circulation and drive aisles have been reviewed by staff to ensure ample access and spacing requirements for fire truck access and solid waste management.

Pedestrian access to the project building would be provided via a new pedestrian access path from existing sidewalks on North Hillview Drive. However, no access paths are provided from Jacklin Road due to the location of the project site being surrounded by other adjacent buildings. Meanwhile, the onsite volume and speed of vehicular traffic would be low enough such that shared use of the drive aisles between pedestrians, bicycles, and vehicles would be feasible.

### **FINDINGS FOR APPROVAL**

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A finding is a statement of fact relating to the information that the Planning Commission has considered in making a decision. Findings shall identify the rationale behind the decision to take a certain action.

#### ***Conditional Use Permit (Section XIII-D.4.030 (F)):***

*a) The proposed use is consistent with the goals and policies of the General Plan*

As described in Table 2, the Project is consistent with the Milpitas General Plan, particularly Policies LU 6-1, LU 6-5 and CD 6-4, which encourage the establishment of assembly uses for the City's residents for cultural enrichment, while supporting the revitalization of commercial shopping centers. The Project is a new large community assembly place that contributes to a balanced mix of neighborhood-serving uses and supports the City's vision for inclusive community-serving development for residents and families.

*b) The proposed use is consistent with the goals and policies of any Specific Plan, if applicable*

The proposed project is not located within a Specific Plan Area, and therefore this finding is not applicable.

*c) The proposed use is appropriate for the zone in which it is located, is compatible with uses allowed in the zone, and complies with all other applicable provisions of this Title*

The proposed large community assembly use is a conditionally permitted use in the Highway Services (HS) Zoning District per Milpitas Municipal Code Section XIII.B.6.020-A and complies with the applicable development standards associated with the HS Zoning District as demonstrated in Table 3 set forth in Milpitas Municipal Code Section XIII.B.6.030-A.

*d) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or the property and residents in the vicinity*

The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety and general welfare because the applicant has demonstrated compliance with the generally applicable development standards in the HS zone. The building is located within the existing Jacklin Commons commercial center and is adjacent to a

gas station, childcare facility, and other offices/personal service uses. With the nearest residences located to the west adjacent to the existing childcare facility and major operations and activities for the proposed use largely taking place indoors on weekends, the proposed use will not generate noise and traffic that will be aversive to surrounding businesses or nearby residences. As per the Conditions of Approval, applicable life and safety codes shall be applied and implemented through the future building permit process with review by all relevant City departments.

*e) The subject site is physically suitable for the use being proposed, including access and utilities*

The Project proposes interior tenant improvements to an existing building and minor site alterations, landscaping, and parking lot restriping and reconfiguration that will improve pedestrian and vehicular access to accommodate a new large community assembly use. Table 4 demonstrates the Project's conformance with the Zoning Ordinance parking standard per MMC Section XIII.B.6.040-A, Number of Parking Spaces Required. Onsite circulation and drive aisles have been reviewed by staff to ensure ample access and spacing requirements for fire truck access and solid waste management. The applicant has provided a transportation analysis by Civio Consulting to support that the subject site is physically suitable for the proposed use (See Attachment D).

*f) The design, location, size and operating characteristics of the proposed use are compatible with the existing and reasonably foreseeable future land use and circulation in the vicinity; and,*

The proposed use is small in-scale and locally serving, and is anticipated to serve visitors from the immediate community in and around Milpitas. Worship services on Sunday are projected to be the busiest day of the week for the proposed use. Sundays will also feature a children's ministry (school) that is available only to the children of parishioners and is not open to the public. While a new church would result in less than significant impact to traffic during peak-periods, an expansion in membership that facilitates a modification of the existing tenant space or expansion of the main building will require future review by the appropriate review authority.

*g) The proposed project is in compliance with the provisions of the California Environmental Quality Act.*

As proposed, the Project includes a conditionally permitted large community assembly use within an existing facility in an urbanized area, a Minor Site Development Permit to allow minor site alterations, landscaping, and parking lot restriping and reconfiguration. The Project is also consistent with the Milpitas General Plan, Zoning Ordinance, and there are no circumstances present that would require a subsequent Environmental Impact Report (EIR) or Negative Declaration. This 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).

***Minor Site Development Permit (Section XIII-D.4.020 (F)):***

a) *The proposed project is consistent with this Title.*

As described under Conditional Use Permit Finding (c), seen above, the project is consistent with the Milpitas Zoning Code.

b) *The proposed use and project are consistent with the goals and policies of the General Plan.*

As described under Conditional Use Permit Finding (a), seen above, the project is consistent with the goals and policies of the Milpitas General Plan.

c) *The project will not be detrimental to public health, safety, and general welfare; and,*

As described under Conditional Use Permit Finding (d), seen above, the project as conditioned and proposed will not be detrimental to *public health, safety, and general welfare.*

d) *The proposed project is in compliance with the provisions of the California Environmental Quality Act.*

As described under Conditional Use Permit Finding (g), seen above, the project complies with CEQA.

**ENVIRONMENTAL REVIEW**

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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). As proposed, the Project includes a conditionally permitted large community assembly use within an existing facility in an urbanized area, a Minor Site Development Permit to allow minor site alterations, landscaping, and parking lot restriping and reconfiguration. The Project is also consistent with the Milpitas General Plan, Zoning Ordinance, and there are no circumstances present that would require a subsequent Environmental Impact Report (EIR) or Negative Declaration.

**PUBLIC COMMENT/OUTREACH**

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Staff provided public notice of the application in accordance with City and State public noticing requirements. A notice was published in the Milpitas Post on January 30, 2025 . In addition, 473 notices were sent to owners and occupants within 1,000 feet of the project site. A public notice was also provided on the project site, on the City's Website, [www.milpitas.gov](http://www.milpitas.gov), and posted at City Hall. At the time of publishing this report, staff has received 0 public comments.

**RECOMMENDATION**

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STAFF RECOMMENDS THAT the Planning Commission:

1. Open and close the public hearing;
2. Consider the exemption in accordance with CEQA; and
3. Adopt Resolution No. 26-002 approving Conditional Use Permit No. UP25-0004, Minor Site Development Permit No. MS25-0289 subject to the findings and attached Conditions of Approval

## **ATTACHMENTS**

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- A: Resolution 26-002 with Exhibit 1: Conditions of Approval
- B: Project Plans
- C: Operational and Business Plan
- D: Supplemental Traffic Memo

**RESOLUTION NO. 26-0002**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS  
APPROVING CONDITIONAL USE PERMIT NO. UP25-0004 and MINOR SITE  
DEVELOPMENT PERMIT NO. MS25-0289 TO OPERATE A MAJOR COMMUNITY  
ASSEMBLY USE (NEW LIFE COMMUNITY CHURCH) and TO ALLOW FOR LANDSCAPE  
IMPROVEMENTS IN HIGHWAY SERVICES ZONE AT 1000 JACKLIN MILPITAS, CA  
95035 (APN 028-05-015)**

**WHEREAS**, on June 3, 2025 an application was submitted by Gordon Wong (“Applicant”), to allow for tenant improvements to convert the existing use from a gym to a new major community assembly use operated by New Life Community Church (collectively, the “Project”). The property is located within the Highway Services (HS) Zoning District (APN: 028-05-015); and

**WHEREAS**, the Planning Department completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and, on separate and independent bases, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning); and

**WHEREAS**, on February 11, 2026 the Planning Commission held a duly noticed public hearing on the subject application, at which all those in attendance were given the opportunity to speak on Project; and

**WHEREAS**, the Planning Commission has considered all of the written and oral testimony presented at the public hearing in making its decision; and

**NOW THEREFORE**, the Planning Commission of the City of Milpitas hereby finds, determines and resolves as follows:

**SECTION 1: Recitals**. The Planning Commission has considered the full record before it, which may include, but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and incorporated herein by reference.

**SECTION 2 CEQA**. The project is Categorical Exempt from further environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities), and, on separate and independent bases, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). As proposed, the project will conditionally permit an entertainment use within an existing facility in an urbanized area. With the exception of interior improvements and reconfiguration of the parking area, the project will not alter the existing facility. The project is also consistent with the Milpitas General Plan, and Zoning Ordinance.

**SECTION 3: *Conditional Use Permit (Section XIII-D.4.030(F)) - The Planning Commission makes the following findings based on the evidence in the public record in approving Conditional Use Permit No. UA25-0004:***

a) *The proposed use is consistent with the goals and policies of the General Plan*

As described in Table 1, the Project is consistent with the Milpitas General Plan, particularly Policies LU 6-1, LU 6-5 and CD 6-4, which encourage the establishment of assembly uses for the City's residents for cultural enrichment, while supporting the revitalization of commercial shopping centers. The Project is a new large community assembly place that contributes to a balanced mix of neighborhood-serving uses and supports the City's vision for inclusive community-serving development for residents and families.

**Table 1:**  
**General Plan Consistency**

General Plan Policy	Consistency Finding
<i>LU -1: Accommodate a well-balanced mix of land uses that meets the diverse needs of Milpitas residents, businesses, and visitors with places to live, work, shop, be entertained and culturally enriched.</i>	<b>Consistent:</b> The proposed use will serve as a community space that attends to the spiritual and cultural needs of its parishioners. Through their ministries, the church will also serve the public good, invite inclusion, cultural exchange, and reinforce a shared neighborhood identity within the City.
<i>LU 6-5: Promote reinvestment in strip commercial and shopping centers and maintain, revitalize, and redevelop aging and underperforming centers.</i>	<b>Consistent.</b> The subject site has not been maintained since the tenant space was made vacant in August 2025. Interior and exterior upkeep of the building is not consistent with the surrounding buildings within the commercial center. The proposed repurposing of the site will therefore revitalize a vacant underutilized commercial building.
<i>CD 6-4 Maintain viable neighborhood-serving commercial uses throughout the City in order to serve surrounding neighborhoods and minimize vehicle miles traveled. Encourage a diverse mix of commercial uses, including retail, service, office, entertainment, and assembly uses.</i>	<b>Consistent.</b> The proposed use complements the existing retail and services available in the immediate area, and is not projected to generate additional traffic and parking needs that conflict with traditional peak-commercial hours. The project also contributes to a balanced mix of neighborhood-serving uses and supports the City's vision for inclusive community-serving development.

b) *The proposed use is consistent with the goals and policies of any Specific Plan, if applicable*

The proposed project is not located within a Specific Plan Area, and therefore this finding is not applicable.

c) *The proposed use is appropriate for the zone in which it is located, is compatible with uses allowed in the zone, and complies with all other applicable provisions of this Title*

The proposed large community assembly use is a conditionally permitted use in the Highway Services (HS) Zoning District per Milpitas Municipal Code Section XIII.B.6.020-A and complies with the applicable development standards associated with the HS Zoning District as demonstrated in Table 3 set forth in Milpitas Municipal Code Section XIII.B.6.030-A.

- d) *The proposed use will not be materially detrimental to the health, safety, and welfare of the public or the property and residents in the vicinity*

The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety and general welfare because the applicant has demonstrated compliance with the generally applicable development standards in the HS zone. The building is located within the existing Jacklin Commons commercial center and is adjacent to a gas station, childcare facility, and other offices/personal service uses. With the nearest residences located to the west adjacent to the existing childcare facility and major operations and activities for the proposed use largely taking place indoors on weekends, the proposed use will not generate noise and traffic that will be aversive to surrounding businesses or nearby residences. As per the Conditions of Approval, applicable life and safety codes shall be applied and implemented through the future building permit process with review by all relevant City departments.

- e) *The subject site is physically suitable for the use being proposed, including access and utilities*

The Project proposes interior tenant improvements to an existing building and minor site alterations, landscaping, and parking lot restriping and reconfiguration that will improve pedestrian and vehicular access to accommodate a new large community assembly use. Table 4 demonstrates the Project's conformance with the Zoning Ordinance parking standard per MMC Section XIII.B.6.040-A, Number of Parking Spaces Required. Onsite circulation and drive aisles have been reviewed by staff to ensure ample access and spacing requirements for fire truck access and solid waste management. The applicant has provided a transportation analysis by Civio Consulting to support that the subject site is physically suitable for the proposed use (See Attachment D).

- f) *The design, location, size and operating characteristics of the proposed use are compatible with the existing and reasonably foreseeable future land use and circulation in the vicinity; and,*

The proposed use is small in-scale and locally serving, and is anticipated to serve visitors from the immediate community in and around Milpitas. Worship services on Sunday are projected to be the busiest day of the week for the proposed use. Sundays will also feature a children's ministry (school) that is available only to the children of parishioners and is not open to the public. While a new church would result in less than significant impact to traffic during peak-periods, an expansion in membership that facilitates a modification of the existing tenant space or expansion of the main building will require future review by the appropriate review authority.

- g) *The proposed project is in compliance with the provisions of the California Environmental Quality Act.*

As proposed, the Project includes a conditionally permitted large community assembly use within an existing facility in an urbanized area, a Minor Site Development Permit to allow minor site alterations, landscaping, and parking lot restriping and reconfiguration. The Project is also consistent with the Milpitas General Plan, Zoning Ordinance, and there are no circumstances present that would require a subsequent Environmental Impact Report (EIR) or Negative Declaration. This 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).

***Minor Site Development Permit (Section XIII-D.4.020 (F)): The Planning Commission further makes the following findings based on the evidence in the public record in approving Minor Site Development Permit No. MS25-0289***

- a) *The proposed project is consistent with this Title.*  
This finding can be made, as described under Conditional Use Permit Finding (c), seen above
- b) *The proposed use and project are consistent with the goals and policies of the General Plan.*  
This finding can be made as described under Conditional Use Permit Finding (a), seen above.
- c) *The project will not be detrimental to public health, safety, and general welfare; and,*  
This finding can be made as described under Conditional Use Permit Finding (d), seen above.
- d) *The proposed project is in compliance with the provisions of the California Environmental Quality Act.*  
This finding can be made as described under Conditional Use Permit Finding (g), seen above.

**SECTION 4:** The Planning Commission of the City of Milpitas hereby adopts Adopt Resolution No. 26-002 approving Conditional Use Permit No. UP25-0004 and Minor Site Development Permit No. MS25-0289 based on the above Findings and subject to the Conditions of Approval contained in Exhibit 1, which is attached hereto and incorporated herein.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Milpitas on February 11, 2026.

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Chair

**TO WIT:**

**I HEREBY CERTIFY** that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on February 11, 2026, and carried by the following roll call vote:

<b>COMMISSIONER</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Praveen Gupta, Chair				
Michael Caulkins, V. Chair				
Alexander Galang				
Dipak Awasthi				
Chia Ling Kong				
Dawn Brown				
Olania Castillo				

**CONDITIONS OF APPROVAL  
CONDITIONAL USE PERMIT NO. UP25-0004  
AND MINOR SIDE DEVELOPMENT PERMIT NO. MS25-0289  
NEW LIFE COMMUNITY CHURCH  
1000 JACKLIN ROAD, MILPITAS, CA (APN 028-05-015)**

On February 11, 2026, the City of Milpitas Planning Commission approved Conditional Use Permit No. UP25-0004 in accordance with Section XIII-D.4.030(F) of the Milpitas Municipal Code (MMC) and Minor Site Development Permit No. MS25-0289 in accordance with Section XIII-D.4.020 (F) of the MMC. Subject to all applicable State and local laws and regulations and the conditions of approval outlined below, this Permit will allow the operation of a Major Community Assembly Use (New Life Community Church) and to allow for landscape improvements at an existing 25,160-square foot, two-story commercial building (former indoor sports facility) on a 1.14-acre parcel in the Highway Services (HS) Zoning District located at 1000 Jacklin Rd in Milpitas, CA. (APN 028-05-015).

**APPROVED SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:**

**General Conditions**

1. General Compliance. The applicant, including all successors in interest (collectively “Permittee”), shall comply with each and every condition set forth in this Permit. Conditional Use Permit No. UP25-0004, and Minor Site Development Permit No. MS25-0289 (“Permit”) shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed and this Resolution has been recorded by the Permittee with the Santa Clara County’s Recorder Office and a copy shall be provided to the Planning Department. (P)
2. The Permittee shall develop the approved project in conformance with the approved plans (February 11, 2026), sample color, and materials board approved by the Planning Commission, in accordance with these Conditions of Approval. (P)
3. Modifications to project. Any deviation from the approved site plan, floor plans, or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the Permittee shall be required to apply for review and obtain approval of the Planning Commission, in accordance with the Zoning Ordinance. (P)
4. Effective Date. Unless there is a timely appeal filed in accordance with the Milpitas Zoning Code, the date of approval of this Permit is the date on which the decision-making body approved this Permit. (P)
5. Conditions of Approval. As part of the issuance of building permits, the Permittee shall include within the first four pages of the working drawings for a plan check, a list of all conditions of approval imposed by the final approval of the project. (P)

6. Written Response to Conditions. The Permittee shall provide a written response to the Conditions of Approval indicating how each condition has been addressed with the building permit application submittal. (ALL)

7. Permit Expiration. Pursuant to Section XIII.D.2.040-K the Milpitas Municipal Code, this Permit shall become null and void if the activity permitted by this Permit is not commenced within two (2) years from the date of approval, or for a project submitted with a tentative map, within the time limits of the approved tentative map. Pursuant to Section XIII.D.2.040-K-3.D(i) the of the Milpitas Municipal Code, an activity permitted by this Permit shall be deemed to have commenced when the project:

- a. Completes a foundation associated with the project; or
- b. Dedicates any land or easement as required from the zoning action; or
- c. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.

8. Time Extension. Pursuant to Section XIII.D.2.040-L of the Milpitas Municipal Code, unless otherwise provided by State law, Permittee shall have the right to request a one-time extension of the Permit if the request is made in writing to the Planning Division prior to the expiration date of the approval. (P)

9. Project Job Account. If at the time of application for a building permit there is a project job account balance due to the City for recovery of review fees, the review of permits will not be initiated until the balance is paid in full. (E)

10. Compliance with Laws. The construction, use, and all related activity authorized under this Permit shall comply with all applicable local, state, and federal laws, rules, regulations, guidelines, requirements, and policies. (CA/P)

11. Acceptance of Permit. Should Permittee fail to file a timely appeal within twelve (12) calendar days of the date of approval of this Permit, inaction by Permittee shall be deemed to constitute each of the following:

- a. Acceptance of this Permit by Permittee; and
- b. Agreement by the Permittee to be bound by, comply with, and to do all things required of or by Permittee pursuant to all of the terms, obligations, and conditions of this Permit.

12. Indemnification. To the fullest extent permitted by law, Permittee shall indemnify, defend with counsel of the City's choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents (the "Indemnified Parties") from and against any and all third party claim, action, or proceeding against City and/or the Indemnified Parties to attack, review, set aside, void or annul the City's approval Conditional Use Permit NO. UP25-0004, Minor Site Development Permit NO. MS25-0289; including any environmental determination made therefore. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, reasonable attorneys' fees, and other reasonable expenses incurred in connection with such claim, action, causes of action, suit or proceeding. The Permittee shall pay to the City upon demand or, as applicable, on a monthly basis to counsel of City's reasonable choosing, amounts owed pursuant to the indemnification requirements prescribed in this condition, provided each such demand or monthly payment request includes reasonably detailed back-up documentation, including invoices and/or receipts, as applicable, for all amounts to be paid. Notwithstanding the foregoing, City shall have the

right to redact invoices and/or receipts as necessary to preserve attorney-client privilege. City shall promptly notify the Permittee of any claim, action, or proceeding and shall engage in reasonable efforts to cooperate in the defense. If City fails to so promptly notify the Permittee, or if City fails to engage in reasonable efforts to cooperate in the defense, then the Permittee's indemnification obligations as set forth in this condition of approval shall thereafter terminate. The Permittee shall not be required to pay or perform any settlement unless the settlement is approved by the Permittee. The above indemnification is intended to be as broad as permitted by applicable law. To the extent the above indemnification is limited by Government Code Section 66474.9, any limitations shall only apply to Conditional Use Permit NO. UP25-0004, Minor Site Development Permit NO. MS25-0289 and the balance of the Permit shall be unaffected by said Government Code section. (CA)

13. Revocation, Suspension, Modification. This Permit may be suspended, revoked, or modified in accordance with Section XIII.D.18.070-B of the Milpitas Municipal Code. (P)

14. Severability. If any term, provision, or condition of this Permit is held to be illegal or unenforceable by the Court, such term, provision, or condition shall be severed and shall be inoperative, and the remainder of this Permit shall remain operative, binding, and fully enforceable.

15. Previous Approvals. Permittee shall abide by and continue to comply with all previous City approvals, permits, or requirements relating to the subject property, unless explicitly superseded or revised by this Permit.

16. Compliance with Fire Department and California Fire Code. The Project shall comply with the requirements of the Milpitas Fire Department and the California Fire Code as adopted by the City. Changes to the site plan and/or building(s) require review and approval by the Fire Department. (F)

17. Compliance with Building Department. The project shall comply with the requirements of the California Code of Regulations. The Project shall comply with the requirements of the Building Safety and Housing Department and the California Code of Regulations Title 24 and the Milpitas Municipal Code as adopted by the City. Building permits shall be submitted to and approved by the Building Safety and Housing Department prior to start of construction. All California Code of Regulations Title 24 and Milpitas Municipal Code requirements applicable at the time of building permit application must be met in advance of any building permit approvals or related construction. Changes to the site plan and/or building plan require review and approval by the Building Safety and Housing Department.(B)

18. Disclosure of Acknowledgement: Permittee shall sign a disclosure of acknowledgment that Permittee agrees to operate within an existing industrial area and may be subject to noise levels that exceed the City of Milpitas's Noise Compatibility Standards for noise-sensitive uses. (P)

19. Noise: Permittee shall not install or otherwise use exterior public address systems or other noise generating equipment that exceeds the 70 dBA noise standard. (P)

## **PROJECT SPECIFIC CONDITIONS**

### **Police Department Conditions**

20. Video Surveillance. Video/security cameras shall be implemented for the enclosed building and the exterior perimeter. The exterior video/security cameras shall record in high definition and cover the entire exterior which includes the parking lots, parking lot entrances/exits, and building entrances/exits. The interior video/security cameras shall record in high definition and cover every floor's corridors/hallways, main lobby area, front-desk, and building entrances/exits. The video/security system shall have the capacity to save/store footage and have the capability to be downloaded. (PD)

21. Lighting. There shall be lighting of sufficient wattage to provide adequate illumination and to make clearly visible the presence of any person in or about the outside premises during hours of darkness. (PD)

22. Signage. All entrances to the facility shall be posted with appropriate signage such as "No Trespassing/ Loitering" and applicable towing advisement such as 22658(a) CVC to assist in the removal of unauthorized person and vehicles on the private premises. (PD)

23. All windows and doors of the proposed classrooms shall have an audible tone, such as a chime, to alert whenever a window or door is opened. (PD)

24. All visitors/parents shall be monitored by a staff member upon entering the facility and shall produce identification upon request. (PD)

25. Emergency Notification. The Property Manager shall file an emergency notification form with the Police Department so law enforcement can contact the property manager in the event of any major accident, emergency, or unforeseen circumstance. (PD)

### **Building Department Conditions**

26. Compliance with California Code of Regulations. The Project shall comply with the requirements of the Office of Building Safety and the California Code of Regulations Title 24 and the Milpitas Municipal Code as adopted by the City. Building permits shall be submitted to and approved by the Office of Building Safety prior to start of construction. All California Code of Regulations Title 24 and Milpitas Municipal Code requirements applicable at the time of building permit application must be met in advance of any building permit approvals or related construction. Changes to the site plan and/or building plan require review and approval by the Office of Building Safety.

### **Fire Prevention Conditions**

- a. 27. Please do not consider this review as an approval for construction from the Fire Department. The plans submitted are not reviewed nor approved for conformance to the California Building Code (CBC), California Fire Code (CFC) and the Milpitas Municipal Code (MMC). These notes are a general list of the applicable code requirements (2022 Edition), but not limited to, and are provided to assist with the construction permit process. To determine the acceptability of technologies, processes, products, facilities, materials, and uses attending the design, operation or use of a building or premises subject to inspection by the Fire Code Official, the Fire Code Official is authorized to require the owner or agent to provide, without charge to the jurisdiction,

a technical opinion(s), plan review(s) and/or report(s). CFC Section 104.7.2

28. Fire Department access. Fire Department apparatus and staff access shall be provided to all buildings and site. Detailed review will be done during construction permit process. CFC Section 503
- a. A Minimum of two independent and approved (approved by the Fire Code Official) means of fire apparatus access shall be provided for the site. Buildings or facilities exceeding 30 feet (9144 mm), or three stories in height, or 50,000 square feet (5760m<sup>2</sup>) shall be provided with at least two means of fire apparatus access for each structure. 2022 CFC, Section D104.1, adopted and amended by MMC V-300-2.186
  - b. Fire apparatus access roads shall meet the Milpitas Fire Department turning radii guidelines and shall provide continuous apparatus travel. Turning radii for fire apparatus access roads shall be a minimum net clearance of 48 feet 6 inches for the outside radius and 28 feet 0 inches for the inside radius. The layout for the outside and the inside radius shall be from the same reference point (center). CFC Section 503
  - c. Fire apparatus access roads shall provide a minimum clear width of 26 feet. This requirement is for the use and function of a fire ladder apparatus. CFC, Appendix D, Sections D103.1 and D105.2, adopted and amended by Milpitas Municipal Code. MMC V-300-2.185 and 2.188
  - d. Fire apparatus access shall extend to within 150 feet of all portions of exterior walls of the building/structure per the California Fire Code Section 503.1. When there is a dead-end condition, means for fire apparatus turn-around shall be provided.
  - e. Adjacent Access. No source of access from lands adjoining a property to be developed shall be considered unless there is obtained the irrevocable and unobstructed right to use same. CFC Section 503.7, added by MMC V-300-2.56
  - f. Fire access roads shall be paved (concrete and/or asphalt cement, or other concrete type pavement approved by the Fire Dept.). Fire apparatus access roads/lanes and emergency vehicle roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather capabilities. Design criteria shall be based on the City of Milpitas fire apparatus Sutphen S95 Aerial Platform unit. Please contact the Fire Prevention Division if specifications are needed. CFC Section 503.2.3
  - g. Ground structures (including landscape) and building projections shall not encroach or impede the fire apparatus access requirements. CFC Section 503.4
  - h. Emergency Vehicle Access (EVA) roads, when required, shall meet the fire department site access requirements specified herein this document. CFC Section 503

- i. No parking in fire access roads. The required access road shall be designated and clearly marked as a fire lane. The designated fire lane shall be identified as set forth in Section 22500.1 of the Vehicle Code. The designation shall be indicated (1) by a sign posted immediately adjacent to, and visible from, the designated place clearly stating in letters not less than one inch in height that the place is a fire lane, (2) by outlining or painting the place in red and, in contrasting color, marking the place with the words "FIRE LANE", which are clearly visible from a vehicle, or (3) by a red curb or red paint on the edge of the roadway upon which is clearly marked the words "FIRE LANE". CFC Section 503.3

Minimum marking shall be pole signage and red curb with "FIRE LANE – CVC 22500.1" stencil. Signage and red curbs shall be done throughout and as needed to clearly identify the no parking zones.

- j. Fire Protection. When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. Combustible construction shall not begin until water mains and hydrants are operational and fire apparatus access roads are installed (paved). CFC Section 501.4
- k. The Fire Department reserves the right to request site design changes as needed to meet the requirements of the CFC, and/or make the request for additional fire protection measures in conformance with the CFC Section 102.9.

29. Fire Protection Water Supply (hydrants, on-site and public).

- a. An approved water supply (hydrants on-site and public) capable of supplying the required fire flow for fire protection shall be provided upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Water supply shall meet the Fire Code and the City of Milpitas Engineering Division water supply guidelines and the CFC Section 507, Appendix B and Appendix C. Fire flow reduction as noted in the Appendix B of the Fire Code is not permitted, CFC Section B103.2.
- b. Water System Calculations Requirements. Private fire service mains and appurtenances shall be designed and installed in accordance with the City of Milpitas Engineering design guideline requirements and the NFPA 24. Design calculations and all the necessary design information for the water system to meet the domestic and fire flow requirements as per the City of Milpitas Engineer Division water design requirements shall be provided as part of the construction permit process. CFC Section 507

The minimum water flow at the worst-case hydrant outlet within the private system shall be not less than 1,875gpm.

- c. The location and quantity of hydrants will be evaluated during the construction permit process. This applies to the on-site private streets as well as to the public streets. CFC Section 507.5
- d. Hydrant for automatic fire sprinkler and or standpipe systems. Buildings equipped with an automatic fire sprinkler system and or a standpipe system installed in accordance with Sections 903 and or 905 shall have a fire hydrant within 50 feet of the fire department connections.

CFC Section 507.1.1, amended by MMC Section V-300-2.61

- e. Private hydrants shall have the bottom 6 inches of the hydrant painted, with a weather resistive paint, white in color. CFC Section 507.5.7, added by MMC V-300-2.62
- f. No parking is permitted in front of fire hydrants. Hydrants located on streets (Public or Private Street) shall have an unobstructed clearance of not less than 30 feet per CA Vehicle Code 22514. Provide stripping per CA Vehicle Code 22500.1. CFC Section 507.5.4

30. Fire service water laterals for building sprinkler systems.

- a. Each building shall have a fire service water laterals for the automatic fire sprinkler system and shall meet the California Fire Code requirements of Chapter 9 and the NFPA 13 and other applicable Standards. Note, the utilities drawings provided are not reviewed nor approved for construction. CFC Section 912.1  
Sheet TM5.1. The water line connections for 6"W and 8"SS shall be evaluated during the construction.
- b. The location of the FDC's/PIV's (fire department connection/post indicator valve) shall be at a readily visible and accessible location off the fire access road and approved by the Fire Code Official. FDC's/PIV's shall not be located behind parking stalls nor behind any other obstruction. Final review for location for the FDC's/PIV's will be conducted during the construction permit process. CFC Section 912.2
- c. FDC/PIV Signage. A metal sign with raised letters at least 1 inch in size shall be mounted on all fire department connections. Signage shall be reflective, weather resistive and approved by the Fire Code Official. CFC Section 912.5
- d. Backflow Protection. Potable water supply to the automatic sprinkler and/or the standpipe systems shall be protected against backflow as required by the Health and Safety Code section 13114.7 and the City of Milpitas Utilities Engineering Division. CFC Section 912.6
- e. Automatic fire sprinkler riser location. The fire sprinkler system riser shall not be located within electrical rooms or storage closets and shall be provided with clear access and working clearance. California Fire Code Section 903.3.5.5, added by MMC Section V-300-2.66

31. Access Control Devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the Fire Code Official. All access control devices shall be provided with an approved means for deactivation or unlocking by the fire department. Access control devices shall also comply with Chapter 10 Egress. CFC Section 504.6, added by MMC Section V-300-2.59

32. Premises Identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters and shall be consistent with Milpitas standardized addressing guidelines. CFC Section 505

The Fire Dept. may require the installation of address numbers at multiple building locations. CFC Section 102.9

33. All required addresses shall be illuminated. CFC Section 505.3, added by MMC V-300-2.60

34. Fire Dept. emergency Key Box (Knox Box, Knox locks, Knox electric switches, etc.). The Fire Code Official is authorized to require a key box(es) to be installed in an approved location(s) if necessary for lifesaving or firefighting purpose. Quantify and location shall be as directed by the Fire Code Official. CFC Section 506

Locked mechanical closets, electrical closets, fire alarm closets, sprinkler riser closets, etc. will need a Fire Dept. approved lock or "Knox" key box.

35. Building/Structure Requirements.

- a. The buildings shall be provided with an automatic fire sprinkler system in conformance with the NFPA 13 Standards. System type will depend on building/structure construction type and area analysis. California Fire Code Section 903.3
- b. All valves controlling the water supply for the automatic sprinkler system shall be electrically supervised by a listed fire alarm control unit. CFC 903.4
- c. Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station. CFC Section 903.4.1
- d. Portable fire extinguishers shall be selected, installed, and maintained in accordance with CFC Section 906.
- e. All new installations of sprinkler systems shall preclude sprinkler test and system drain water from discharging into the storm drain; provisions to direct water to the sanitary sewer or landscape or other approved means shall be provided. Sprinkler system design shall include the proposed method for drainage of sprinkler system discharge. Storm Water Pollution Regulations
- f. Fire alarm system(s) shall be zoned as per the requirements of the CFC Sections 907.6.3 and 907.6.4.
- g. Fire alarm panel (or fire alarm annunciator panel) shall be located in a readily accessible location and shall be provided with the necessary access and working clearance as required by the CA Electrical Code. CFC Section 907.6.4.1.1

- h. Fire alarm monitoring (Approved supervising station - UL, or FM approved). Fire alarm systems required by the Fire Code or by the California Building Code shall be monitored by an approved supervising station in accordance with the NFPA 72. CFC Section 907.6.6

36. Complete plans and specifications for all aspects of fire protection systems shall submitted to the Fire Department for review and approval prior to system installation. CFC Section 901.2

### **Engineering Department Conditions**

37. Solid Waste and Recycling Facility Design: Permittee shall comply with all applicable City design guidelines/details associated with haul route, turning radius, vertical and horizontal clearance, trash enclosure, staging area, storage area, etc. Development guidelines and requirements can be found on the link provided:

<https://www.milpitas.gov/DocumentCenter/View/948/Development-Guidelines-for-Solid-Waste-Services-PDF>

38. Domestic Water and Fire Service Calculations: Permittee shall submit potable water and fire service calculations to confirm adequacy of lateral size, pressure and flow, to be reviewed and approved by the Engineering Department and Fire Department. Hydraulic modeling analysis by the City and paid by the Permittee may be required as needed. Permittee shall be responsible to implement any necessary improvements if there is any identified deficiency to the existing main as a result of the project.

39. Sanitary Sewer Calculations: Permittee shall submit a completed “Sewer Needs Questionnaire” form and sanitary sewer calculations to justify lateral size design, allocation of discharge for each of the lateral, and impact to the existing main. Permittee shall be responsible to implement any necessary improvements if there is any identified deficiency to the existing main as a result of the project.

40. Installation of reduced pressure backflow assembly devices on fire suppression system and domestic water service. The existing fire suppression backflow device is underground and will need to be replaced to an above grade backflow.

41. The existing fire hydrant may potentially be connected to the building fire service. If so, this hydrant shall have a separate connection directly to the water main and be separate from the building fire service.

If you have any questions, please contact Glenn Wong at (408) 586-3311 or at [gwong@milpitas.gov](mailto:gwong@milpitas.gov).

Key:

(P) = Planning

(B) = Building

(E) = Engineering

(F) = Fire Prevention

(CA) = City Attorney

**ACCEPTANCE**

*Permittee/Property Owner*

The undersigned agrees to each and every condition of approval and acknowledges the NOTICE OF RIGHT TO PROTEST and hereby agrees to use the project property on the terms and conditions set forth in this resolution.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

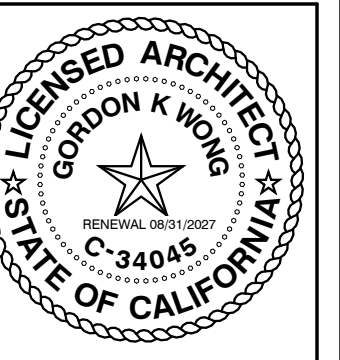
**NOTICE OF RIGHT TO PROTEST**

The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), began on date of adoption of this resolution. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exaction.

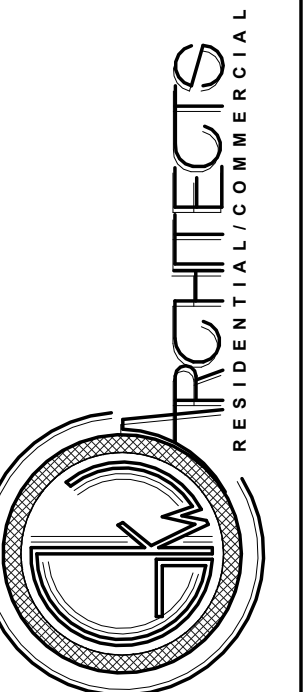


# NEW LIFE COMMUNITY CHURCH

MILPITAS — CALIFORNIA



GORDON K WONG, ARCHITECT  
716 JACKLIN LANE, SUITE 109  
CAMPBELL, CA 95008 | (408) 312-1225  
GORDONKWONG@GKWARCHITECTS.COM



**Tenant Improvement**  
1000 Jacklin Rd  
MILPITAS, CA 95035

General, Info & Site Plan, Proposed

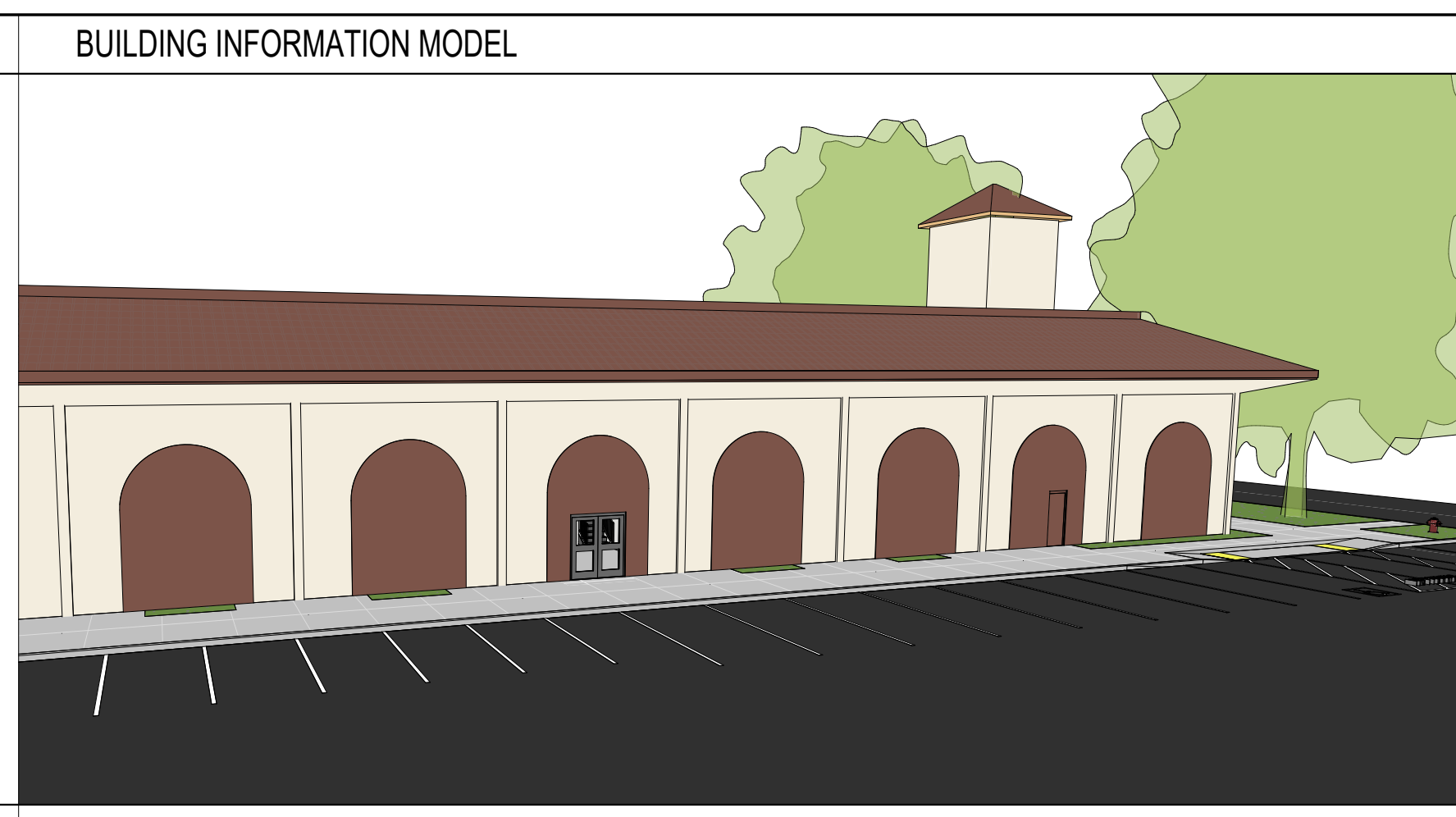
Revision Schedule	
1	2025-08-01 Planning
2	2025-09-09 Planning
3	2025-09-09 Planning
4	2025-11-17 Planning

General, Info & Site Plan, Proposed

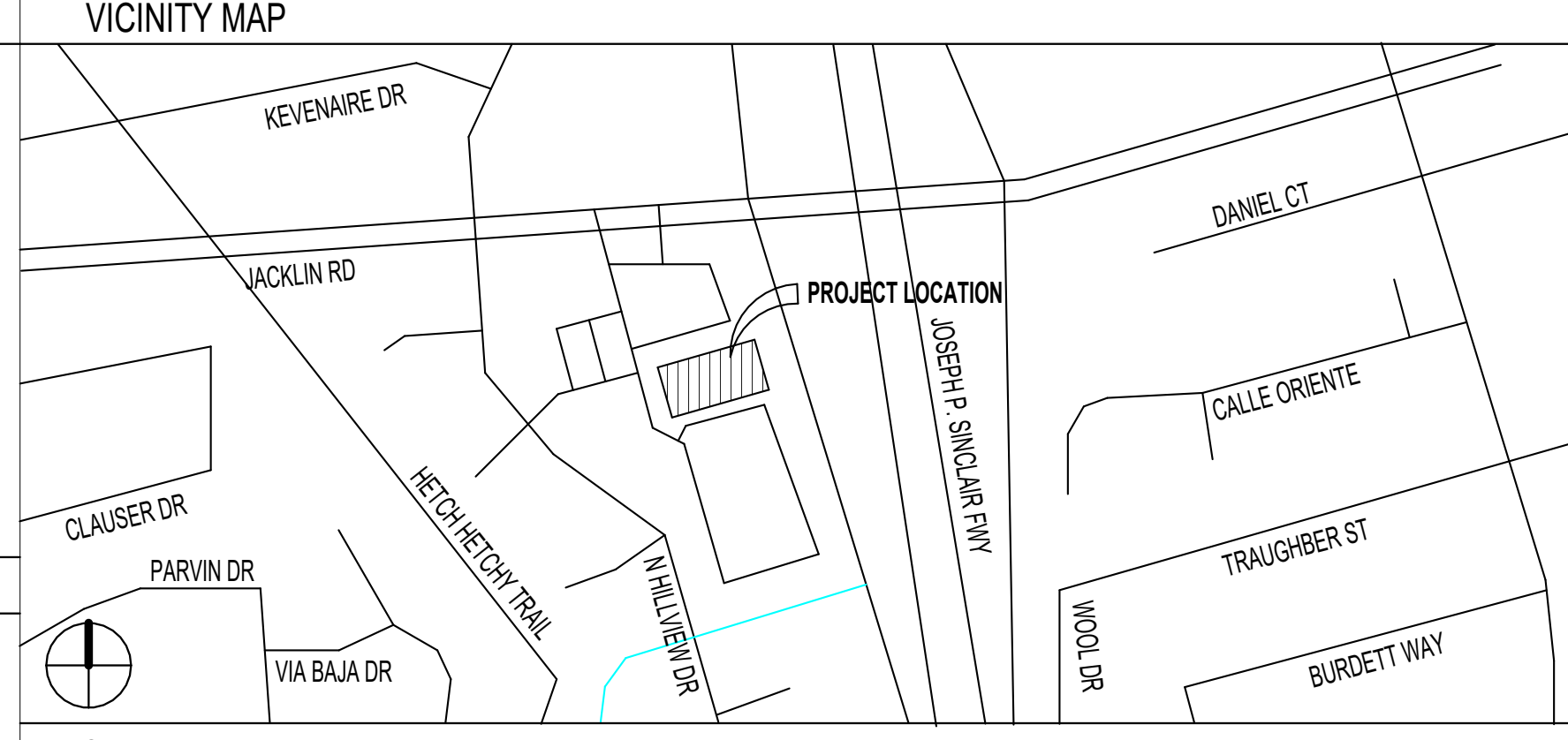
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SCOPE OF WORK
<b>TENANT IMPROVEMENT, CONDITIONAL USE PERMIT, 25,160 SF</b> <ul style="list-style-type: none"> <li>CHANGE USE FROM GYM TO CHURCH</li> <li>INTERIOR MODIFICATIONS, CONVERTING GYM ROOMS TO THE FOLLOWING:                             <ul style="list-style-type: none"> <li>(P) WORSHIP SPACE</li> <li>(P) FELLOWSHIP HALL</li> <li>(P) CLASSROOMS</li> <li>(P) CHILDRENS PLAY AREA</li> <li>(P) MALE &amp; FEMALE BATHROOMS</li> <li>(P) NURSING LOUNGE &amp; BABY CHANGING STATION</li> <li>(P) VOCATIONAL SPACE</li> <li>MECHANICAL, ELECTRICAL AND PLUMBING UPGRADE</li> <li>EXTERIOR MODIFICATIONS                                     <ul style="list-style-type: none"> <li>REPLACE 1ST LEVEL (2) SINGLE DOORS TO (2) DOUBLE DOORS</li> </ul> </li> </ul> </li> </ul>
<b>ACCESSIBLE UPGRADES</b> <ul style="list-style-type: none"> <li>ACCESSIBLE PARKING AND ACCESS AISLE</li> <li>CURB RAMP AND TRUNCATED DOMES</li> <li>NEW PAINT STRIPED ACCESS PATH IN THE EXISTING ACCESS EASEMENT</li> </ul>

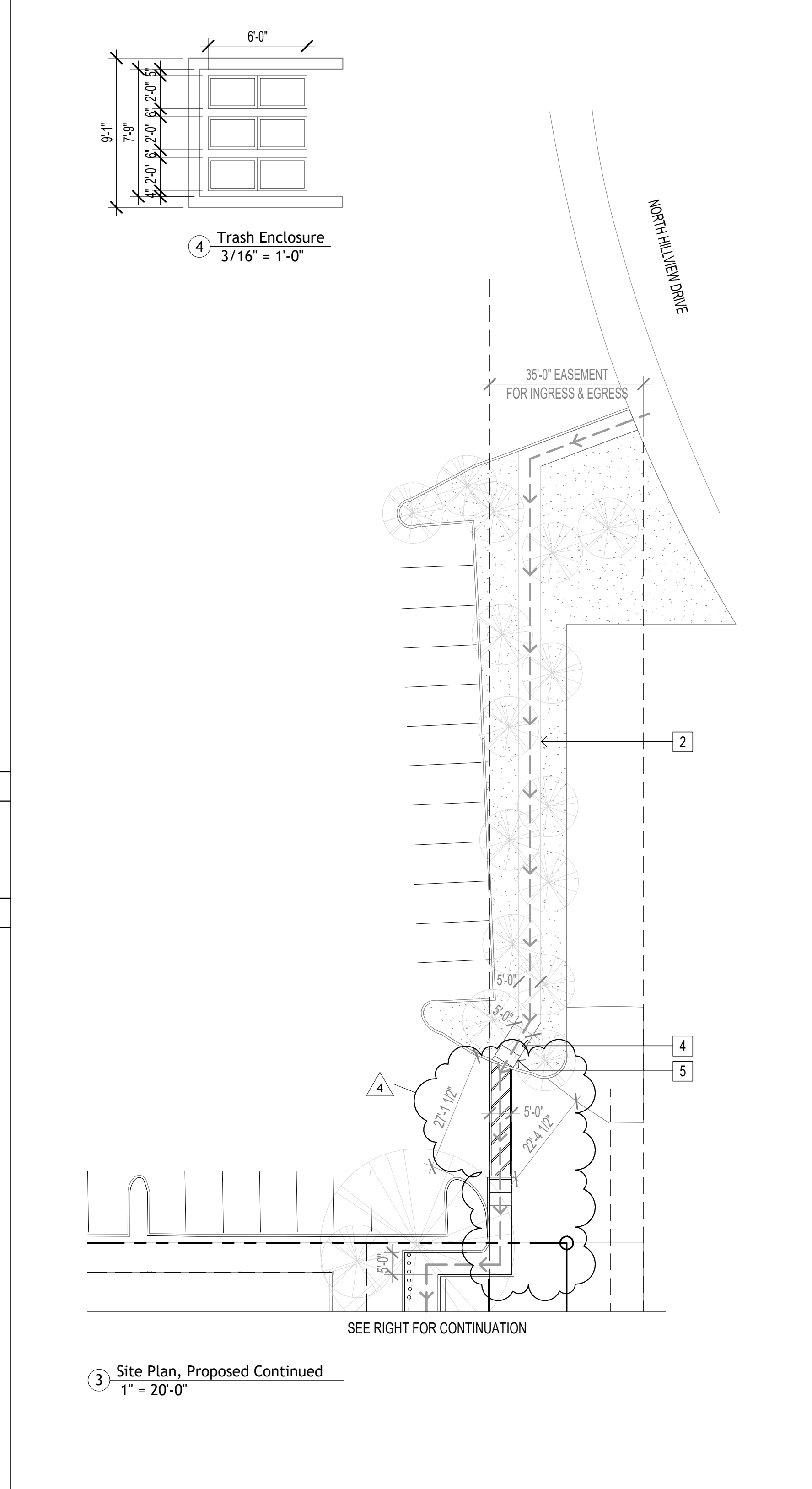


PROJECT DIRECTORY
<b>OWNER:</b> AMOS YANG, NEW LIFE COMMUNITY CHURCH, LEAD PASTOR, ORGANIZATION 1000 JACKLIN RD, MILPITAS, CA 95035 (626) 272-7120   AMOSYANGMD@GMAIL.COM
<b>ARCHITECT:</b> GKW ARCHITECTS INC. 710 E. MCGILVERY LN, STE 109, CAMPBELL CA 95008 (408) 315-2125   GORDONKWONG@GKWARCHITECTS.COM
<b>MECHANICAL ELECTRICAL PLUMBING:</b> M + R ENGINEERING CONSULTANTS 42840 CHRISTY ST, STE. 217 FREMONT CA 94538 510.509.2362   RAMIL@MRENGCON.COM/ CHENXING@MRENGCON.COM



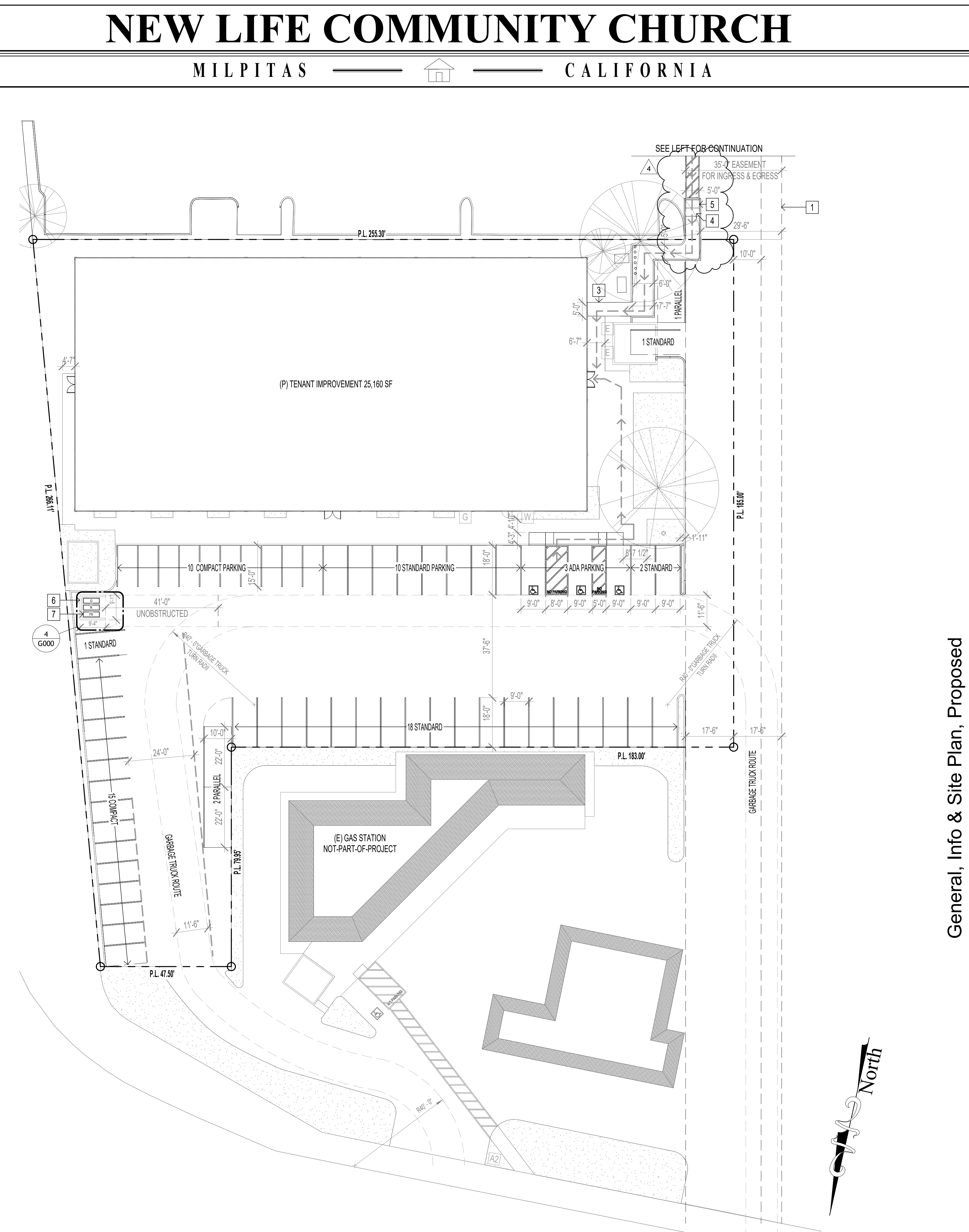
PROJECT INFORMATION			
<b>PROJECT LOCATION:</b>	1000 JACKLIN RD, MILPITAS, CA 95035		
<b>APN:</b>	028-05-015		
<b>ZONING:</b>	HS - HIGHWAY SERVICE		
<b>GENERAL PLAN:</b>	NC - NEIGHBORHOOD COMMERCIAL		
<b>LOT SIZE:</b>	49,753 SF / 1.14 ACRE		
<b>(E) OCCUPANCY TYPE:</b>	A-3, GYMNASIUM		
<b>(P) OCCUPANCY TYPE:</b>	A-3, PLACE OF RELIGIOUS WORSHIP		
<b>(E) CONSTRUCTION TYPE:</b>	V-B, NON-SPRINKLERED		
<b>(P) CONSTRUCTION TYPE:</b>	III-B, SPRINKLERED		
<b>MINIMUM LOT AREA:</b>	20,000 FEET		
<b>MINIMUM LOT WIDTH:</b>	125 FEET		
<b>MINIMUM SETBACKS</b>			
<b>FRONT:</b>	0 FEET		
<b>SIDE:</b>	0 FEET		
<b>REAR:</b>	0 FEET		
<b>MAXIMUM HEIGHT:</b>	35'-0" / 3 STORIES		
<b>(E) HEIGHT:</b>	24'-10.5"		
<b>FLOOR AREA RATIO:</b>	50%		
<b>(E) FLOOR AREA RATIO:</b>	50% = 25,160 SF / 49,753 SF		
<b>LANDSCAPING:</b>	25% OF FRONT YARD SETBACK		
<b>PARKING BREAKDOWN, PER SECTION C.6.050</b>			
RELIGIOUS INSTITUTION	1 PER 5 PERMANENT SEATS AND/OR 1 PER 100 SF OF ASSEMBLY SEATING AREA		
CLASSROOM	1 PER 400 SF		
VOCATIONAL	1 PER 400 SF		
OFFICE	1 PER 300 SF		
CHILDRENS PLAY AREA	1 PER 400 SF		
<b>FUNCTION</b>	<b>AREA</b>	<b>STANDARD</b>	<b>REQUIRED</b>
CLASSROOM 1	2460 SF	1 PER 400 SF=	6
CHILDRENS PLAY AREA	1109 SF	1 PER 400 SF=	3
ENTRY	772 SF	1 PER 400 SF=	2
WORSHIP HALL	2803 SF	1 PER 100 SF=	33
OFFICE 1	2295 SF	1 PER 300 SF=	8
STORAGE	6635 SF	1 PER 2000 SF=	4
VOCATIONAL	1817 SF	1 PER 400 SF=	4
<b>REQUIRED PARKING</b>			<b>60 PARKING SPACES</b>
<b>PROPOSED PARKING</b>			<b>63 PARKING SPACES</b>

SHEET INDEX	
Sheet Number	Sheet Name
General	
G000	General, Info & Site Plan, Proposed
G001	General, Notes, Symbols & Site Plan, Existing
G002	General, Egress & Occupant Load Diagram
Architectural	
A100	Architectural, 1st & 2nd Floor Plan, Existing
A101	Architectural, 1st & 2nd Floor Plan, Proposed



SEPARATE PERMIT	
MANUAL FIRE ALARM SYSTEM IS A SEPARATE AND DEFERRED SUBMITTAL	
FIRE SPRINKLERS	

- PUBLIC WORKS AND SITE PLAN NOTES**
- CONTRACTOR IS RESPONSIBLE FOR DUST CONTROL AND INSURING AREA ADJACENT TO WORK IS LEFT IN A CLEAN CONDITION.
  - UTILIZE BEST MANAGEMENT PRACTICES (BMP'S), AS REQUIRED BY THE STATE WATER RESOURCES BOARD, FOR ANY ACTIVITY, WHICH DISTURBS SOIL.
  - CONTRACTOR SHALL SCRAPE ALL SMOKE OR FIRE DAMAGED MEMBERS CLEAN. ANY FRAMING MEMBERS THAT LOSE MORE THAN 1/16" OF MATERIAL PER SURFACE MUST BE REPLACED OR REPAIRED. SMOKE DAMAGED MEMBERS MUST BE CLEANED AND SEALED.
  - CONTRACTOR IS RESPONSIBLE FOR ALL TEST, INSPECTIONS AND PROCEDURAL REQUIREMENTS PER CITY OF MILPITAS OPERABLE SMOKE DETECTORS MUST BE IN PLACE PRIOR TO RE-OCCUPY DWELLINGS PER C.M.C. SECTION 17.20.540
  - PLUMBING & ELECTRICAL SURVEY REQUIRED FOR METER RELEASE.
  - ADDITIONS, ALTERATIONS OR REPAIRS SHALL CONFORM TO ANY BUILDING OR STRUCTURE WITHOUT REQUIRING THE EXISTING BUILDING OR STRUCTURE TO COMPLY WITH ALL THE REQUIREMENTS OF THE UBC, PROVIDED THE ADDITION ALTERATION OR REPAIR CONFORMS TO THAT REQUIRED FOR NEW BUILDING OR STRUCTURE PER CBC SECTION 3403.2.
  - CONTRACTOR TO VERIFY SIZE & LOCATION OF ALL UTILITY CONNECTIONS. CONTRACTOR TO PROVIDE ALL NEW UTILITY CONNECTIONS AND/OR UPGRADE EXISTING AS REQUIRED. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS AS REQUIRED BY GOVERNING AGENCIES.
  - CONTRACTOR SHALL OBTAIN ALL NECESSARY DEMOLITION PERMITS AND APPROVALS INCLUDING ASBESTOS ABATEMENT AS PART OF THE BASE BID
  - PER CGSBC 301.1.1 - RESIDENTIAL BUILDINGS UNDERGOING PERMITTED ALTERATIONS, ADDITIONS OR IMPROVEMENTS SHALL REPLACE NONCOMPLIANT PLUMBING FIXTURES WITH WATER-CONSERVING PLUMBING FIXTURES. PLUMBING FIXTURES REPLACEMENT IS REQUIRED PRIOR TO ISSUANCE OF A CERTIFICATE OF FINAL COMPLETION. CERTIFICATE OF OCCUPANCY OR FINAL PERMIT APPROVAL BY THE LOCAL BUILDING DEPARTMENT.
  - PER CGSBC 301.1.1 - WHERE ADDITION OR ALTERATION INCREASED THE BUILDING'S CONDITIONED AREA, VOLUME, OR SIZE, THE REQUIREMENTS OF CALGreen CHAPTER 4 SHALL APPLY ONLY TO AND WITHIN THE SPECIFIC AREA OF THE ADDITION OR ALTERATION.
  - PER CFC §505.1, BUILDING NUMBERS SHALL BE PROVIDED. NUMBERS SHALL BE A MINIMUM OF SIX (6) INCHES IN HEIGHT ON A CONTRASTING BACKGROUND AND VISIBLE FROM THE STREET WHERE NUMBERS ARE NOT VISIBLE FROM THE STREET, ADDITIONAL NUMBERS SHALL BE INSTALLED ON A DIRECTIONAL SIGN AT THE PROPERTY DRIVEWAY AND THE STREET.
  - PER CFC §102.2.2, A MINIMUM OF 48 HOURS NOTICE TO THE FIRE DEPARTMENT IS REQUIRED PRIOR TO INSPECTION.
  - PER CFC §102.5, THE JOB COPIES OF THE BUILDING AND FIRE SYSTEMS PLANS AND PERMITS MUST BE ON-SITE DURING INSPECTIONS.
  - THIS PROJECT WILL REQUIRE A LIGHT ACCEPTANCE TEST FROM AN INDEPENDENT ENERGY CONSULTANT AT THE FINAL INSPECTION. FORMS NRCC4-THE INDOOR LIGHTING.
  - THIS PROJECT WILL REQUIRE AN AIR BALANCING TEST FROM INDEPENDENT ENERGY CONSULTANT AT THE FINAL INSPECTION. FORMS NRCC4-THE MECHANICAL SYSTEMS.



**1 Site Plan, Proposed**  
1" = 20'-0"

**SITE PLAN, PROPOSED, KEYNOTES**

1 (E) EASEMENT FOR INGRESS EGRESS, PUBLIC UTILITIES, STORM DRAINAGE & SANITARY SEWER PURPOSES AND EASEMENT FOR EMERGENCY VEHICLE ACCESS PURPOSES TO THE CITY OF MILPITAS.	T (E) TRASH ENCLOSURE
2 (E) 17.5' INGRESS, EGRESS, P.U.I.E., S.D.E. & S.S.E. PREVIOUSLY VACATED. GRANTEE RETAINS RIGHT TO INSTALL 5' SIDEWALK TO N. HILLVIEW ROAD.	G (E) GAS METER
3 (P) SIDEWALK FOR ACCESS TO PUBLIC RIGHT-OF-WAY, 5' WIDE, MIN 4" RAISE ABOVE DRIVEWAY	W (E) WATER METER
4 (P) CURB RAMP 1:12 SLOPE	E (E) ELECTRICAL BOX
5 (P) TRUNCATED DOMES	V (VAN ACCESSIBLE SIGN, SEE 2 / G002
6 (E) TRASH ENCLOSURE TO REMAIN	A2 (UNAUTHORIZED PARKING SIGN, SEE 2 / G002
7 (P) 1 YARD TRASH BINS (GARAGE, RECYCLE, FOOD SCRAPS)	A3 (ACCESSIBLE PARKING SIGN, SEE 2 / G002
	A4 (ACCESSIBLE ROUTE SIGN, SEE 2 / G002

**SITE PLAN LEGEND**

—	PROPERTY LINE
---	BUILDING FOOTPRINT
- - - -	SETBACK
- - - -	CENTERLINE
→	ACCESSIBLE PATH OF TRAVEL

**SITE PLAN NOTES**

- CONTRACTOR SHALL FIELD VERIFY LOCATIONS OF UTILITIES, SITE CONDITIONS, DIMENSIONS, STRUCTURES PRIOR TO START OF WORK. IN EVENT OF ANY DISCREPANCIES OR POTENTIAL CONFLICTS, NOTIFY THE ARCHITECT IN WRITING PRIOR TO STARTING EACH PORTION OF THE WORK.

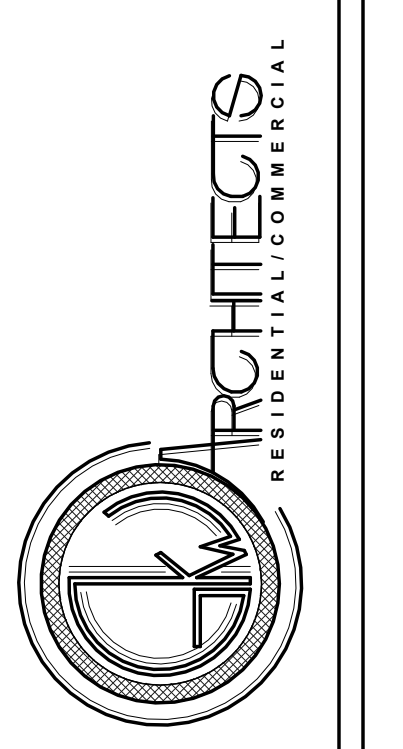
# NEW LIFE COMMUNITY CHURCH

MILPITAS CALIFORNIA



GORDON K WONG, ARCHITECT  
 710 E. MCGILVERY LANE, STE. 109  
 CAMPBELL, CA 95008  
 (408) 312-1125  
 GORDONWONG@GKWARCHITECTS.COM

JERRY WONG, ARCHITECT  
 710 E. MCGILVERY LANE, STE. 109  
 CAMPBELL, CA 95008  
 (408) 796-1846



**Tenant Improvement**  
**1000 Jacklin Rd**  
 MILPITAS, CA 95035

Revision Schedule	
#	2025.11.17 Planning

General, Notes, Symbols & Site Plan, Existing

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ABBREVIATIONS	
<b>A</b>	ABOVE
<b>ABV</b>	ASPHALT CONCRETE
<b>AC</b>	AREA DRAIN
<b>AD</b>	ADDITIONAL
<b>ADDL</b>	ABOVE FINISH FLOOR
<b>AF</b>	ASPHALT
<b>ASPH</b>	
<b>B</b>	
<b>BITUM</b>	BITUMINOUS
<b>BKG</b>	BACKING
<b>BLDG</b>	BUILDING
<b>BM</b>	BEAM
<b>BR</b>	BACKER ROD
<b>BUR</b>	BUILT-UP-ROOF
<b>BDR</b>	BEDROOM
<b>BW</b>	BOTTOM OF WALL
<b>C</b>	
<b>CAB</b>	CABINET
<b>CB</b>	CATCH BASIN
<b>CEM</b>	CEMENT
<b>CF</b>	CUBIC FEET
<b>CJ</b>	CONTROL JOINT
<b>CL</b>	CLOSET
<b>CTL</b>	CENTERLINE
<b>CLG</b>	CEILING
<b>CONC</b>	CONCRETE
<b>CPT</b>	CARPET
<b>D</b>	
<b>D</b>	DECK
<b>DR</b>	DRAIN
<b>E</b>	
<b>(E)</b>	EXISTING
<b>E</b>	EAST
<b>ELEC</b>	ELECTRICAL PANEL
<b>EP</b>	ELECTRICAL PANEL
<b>EXT</b>	EXTERIOR
<b>F</b>	
<b>FDN</b>	FOUNDATION
<b>FH</b>	FIRE HYDRANT
<b>FN</b>	FINISH
<b>FF</b>	FINISH FLOOR
<b>FL</b>	FLOW LINE
<b>FLUOR</b>	FLUORESCENT
<b>FOC</b>	FACE OF CONCRETE
<b>FOF</b>	FACE OF FINISH
<b>FOS</b>	FACE OF STUD
<b>FR</b>	FIRE RATED
<b>FS</b>	FLOOR SINK
<b>FSL</b>	FIRE SPRINKLER
<b>FTG</b>	FOOTING
<b>FURR</b>	FURRING
<b>G</b>	
<b>GALV</b>	GALVANIZED
<b>GC</b>	GENERAL CONTRACTOR
<b>GL</b>	GLASS
<b>GND</b>	GROUND
<b>GWB</b>	GYPSUM WALL BOARD
<b>GYP</b>	GYSUM
<b>H</b>	
<b>HBDB</b>	HARDBOARD
<b>HDR</b>	HEADER
<b>HWDR</b>	HARDWARE
<b>HWWD</b>	HARDWOOD
<b>HTR</b>	HEATER
<b>HVAC</b>	HEATING, VENT. & A.C.
<b>I</b>	
<b>INCAND</b>	INCANDESCENT
<b>INSUL</b>	INSULATION
<b>INT</b>	INTERIOR
<b>INV</b>	INVERT
<b>J</b>	
<b>JST</b>	JOIST
<b>JT</b>	JOINT
<b>K</b>	
<b>K</b>	KIPS
<b>KIT</b>	KITCHEN
<b>KP</b>	KICK PLATE
<b>L</b>	
<b>LOC</b>	LOCATION
<b>LT</b>	LIGHT
<b>M</b>	
<b>MB</b>	MACHINE BOLT
<b>MDF</b>	MEDIUM DENSITY FIBERBOARD
<b>MECH</b>	MECHANICAL
<b>MEMB</b>	MEMBRANE
<b>MET</b>	METAL
<b>MH</b>	MANHOLE
<b>MSC</b>	MISCELLANEOUS
<b>MTD</b>	MOUNTED
<b>MTL</b>	METAL
<b>N</b>	
<b>(N)</b>	NEW
<b>N</b>	NORTH
<b>NIC</b>	NOT IN CONTRACT
<b>NOM</b>	NOMINAL
<b>NP</b>	NO PARKING
<b>NSTR</b>	NONRATED
<b>NTS</b>	NOT TO SCALE
<b>O</b>	
<b>OA</b>	OVERALL
<b>OC</b>	ON CENTER
<b>ODI</b>	OUTSIDE DIAMETER / DIMENSION
<b>OF</b>	OWNER FURNISHED CONTRACTOR
<b>OCI</b>	INSTALLED
<b>OFOI</b>	OWNER FURNISHED OWNER INSTALL
<b>P</b>	
<b>PENN</b>	PENETRATION
<b>PERF</b>	PERFORATED
<b>PERP</b>	PERPENDICULAR
<b>PL</b>	PLATE
<b>PL</b>	PROPERTY LINE
<b>PLAS</b>	PLASTER
<b>PLBG</b>	PLUMBING
<b>PLWD</b>	PLYWOOD
<b>PNL</b>	PANEL
<b>POC</b>	POINT OF CONNECTION
<b>PP</b>	PERMEABLE PAVERS
<b>PREFAB</b>	PREFABRICATED
<b>PSF</b>	POUNDS PER SQUARE FOOT
<b>PSI</b>	POUNDS PER SQUARE INCH
<b>PTD</b>	PAINTED
<b>PTR</b>	PRESSURE TREATED
<b>PTRWDD</b>	PRESSURE TREATED WOOD
<b>Q</b>	
<b>QTY</b>	QUANTITY
<b>R</b>	
<b>RAD</b>	REVEAL OR RISER
<b>RCP</b>	REINFORCED CONCRETE PIPE
<b>RD</b>	ROOF DRAIN
<b>REF</b>	REFERENCE
<b>REFL</b>	REFLECTED
<b>REFR</b>	REFRIGERATOR
<b>RET</b>	RETAINING OR RETARDANT
<b>REG</b>	REGISTRY
<b>RO</b>	ROUGH OPENING
<b>S</b>	
<b>SCD</b>	SEE CIVIL DRAWINGS
<b>SCHD</b>	SCHEDULE
<b>SD</b>	STORM DRAIN
<b>SECT</b>	SECTION
<b>SED</b>	SEE ELECTRICAL DRAWINGS
<b>SF</b>	SQUARE FOOT OR FEET
<b>SHR</b>	SHOWER
<b>SHT</b>	SHEET
<b>SHTG</b>	SHEATHING
<b>SH</b>	SIMILAR
<b>SJ</b>	SEISMIC JOINT
<b>SL</b>	SEALANT
<b>SLD</b>	SEE LANDSCAPE DRAWINGS
<b>SM</b>	SHEET METAL
<b>SMD</b>	SEE MECHANICAL DRAWINGS
<b>SO</b>	SOFFIT
<b>SOG</b>	SLAB ON GRADE
<b>SPD</b>	SEE PLUMBING DRAWINGS
<b>SPEC</b>	SPECIFICATION
<b>SQ</b>	SQUARE
<b>SS</b>	SANITARY SEWER
<b>SSD</b>	SEE STRUCTURAL DRAWINGS
<b>STC</b>	SOUND TRANSMISSION COEFFICIENT
<b>STD</b>	STANDARD
<b>STL</b>	STEEL
<b>STOR</b>	STORAGE
<b>STR</b>	STRUCTURAL
<b>SY</b>	SQUARE YARD
<b>T</b>	
<b>T&amp;B</b>	TOP AND BOTTOM
<b>T&amp;G</b>	TONGUE AND GROOVE
<b>TC</b>	TOP OF CURB
<b>TOC</b>	TOP OF CONCRETE
<b>TOP</b>	TOP OF PAVING
<b>TOS</b>	TOP OF STEEL
<b>TRD</b>	TREAD
<b>TW</b>	TOP OF WALL
<b>U</b>	
<b>UL</b>	UNDERWRITERS LABORATORIES
<b>UTIL</b>	UTILITIES
<b>V</b>	
<b>VCP</b>	VITREOUS CLAY PIPE
<b>VERT</b>	VERTICAL
<b>VTR</b>	VENT THROUGH ROOF
<b>W</b>	
<b>WC</b>	WEST OR WIDTH
<b>WC</b>	WATER CLOSET
<b>WD</b>	WOOD
<b>WDW</b>	WINDOW
<b>WO</b>	WITHOUT
<b>WP</b>	WATER PROOF
<b>WPT</b>	WORKING POINT
<b>WR</b>	WATER RESISTANT

APPLICABLE CODES	
•	2022 CALIFORNIA BUILDING CODE
•	2022 CALIFORNIA RESIDENTIAL CODE
•	2022 CALIFORNIA MECHANICAL CODE
•	2022 CALIFORNIA PLUMBING CODE
•	2022 CALIFORNIA ELECTRICAL CODE
•	2022 CALIFORNIA ENERGY CODE
•	2022 CALIFORNIA FIRE CODE
•	2022 CALIFORNIA GREEN BUILDING STANDARDS CODE
•	CITY OF MILPITAS MUNICIPAL CODE
•	ALL OTHER STATE AND LOCAL LAWS, ORDINANCES AND REGULATIONS

GRAPHIC SYMBOLS	
	BUILDING SECTION
	KEY NOTE
	DETAIL REFERENCE
	DATUM REFERENCE
	WALL TYPE
	REVISION

- ### GENERAL NOTES
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND SUBCONTRACTORS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS INDICATED ON THESE DRAWINGS AND MAKE KNOWN ANY DISCREPANCIES PRIOR TO COMMENCING THEIR WORK.
  - ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS INCLUDING BUT NOT LIMITED TO NATIONAL, CITY, STATE, LOCAL CODES AND ORDINANCES WHICH MAY BE IN EFFECT. ALL MATERIALS, INSTALLATION PROCEDURES AND PLANS SHALL BE APPROVED BY ALL APPLICABLE CODE ENFORCEMENT AUTHORITIES HAVING JURISDICTION OVER THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN AND PAY FOR ALL NECESSARY PERMITS AND APPROVALS FOR THE WORK.
  - THESE DRAWINGS ARE INTENDED FOR USE IN A NEGOTIATED CONSTRUCTION CONTRACT AND THEREFORE, MAY NOT SPECIFICALLY DETAIL OR SPECIFY MATERIAL AND / OR MANUFACTURERS. THE CONTRACTOR SHALL PROVIDE ALL SAMPLES AND OR CUTS AS REQUIRED TO ASSIST OWNER OR HIS AGENT IN MAKING MATERIAL SELECTIONS. FOR THE PURPOSE OF ESTIMATING, THE CONTRACTORS SHALL USE THE MATERIALS SELECTED BY THE OWNER, OR IN ABSENCE OF SAME, SHALL PROVIDE AN ALLOWANCE AMOUNT AND SO CONDITION ANY COST ESTIMATE. ALL MATERIALS SPECIFIED IN THESE DRAWINGS SHALL BE INCLUDED IN SUCH ESTIMATE.
  - NO GUARANTEE OF QUALITY OF CONSTRUCTION IS IMPLIED OR INTENDED BY THE ARCHITECTURAL DOCUMENTS, AND THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY OR ALL CONSTRUCTION DEFICIENCIES. THE GENERAL CONTRACTOR SHALL HOLD HARMLESS, INDEMNIFY AND DEFEND THE ARCHITECT FROM ANY ACTION INITIATED BY THE OWNER OR ANY SUBSEQUENT OWNERS FOR CONSTRUCTION DEFICIENCIES, MODIFICATIONS OR SUCH CONDITIONS WHICH MAY BE BEYOND THE CONTROL OF THE ARCHITECT.
  - ALL WORK SHALL COMPLY WITH AND RECORD THE CONDITIONS OF ALL EXISTING SITE IMPROVEMENTS INCLUDING PAVED AREAS. THE GENERAL CONTRACTOR SHALL MAKE KNOWN ALL EXISTING DAMAGED OR DISREPAIR ITEMS AND CONDITIONS THAT MAY WORSEN DUE TO THE CONSTRUCTION. ALL ITEMS IN GOOD CONDITION SHALL BE MAINTAIN IN THEIR PRESENT CONDITION AND ANY REPAIR OR DAMAGE WHICH OCCURS DURING CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
  - CONTRACTOR SHALL THOROUGHLY EXAMINE THE SITE AND SATISFY HIM OR HERSELF AS OF THE CONDITIONS UNDER WHICH THE WORK IS TO BE PERFORMED. THE CONTRACTOR SHALL VERIFY AT THE SITE ALL MEASUREMENTS AFFECTING HIS OR HER WORK AND SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF SAME. NO EXTRA COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR FOR THE EXPENSES DUE TO HIS OR HER NEGLIGENCE TO EXAMINE OR FAILURE TO DISCOVER CONDITIONS WHICH MAY AFFECT HIS OR HER WORK.
  - ALL WORK SHALL BE COORDINATED WITH THE STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, ARCHITECTURAL, FIRE PROTECTION AND LIGHTING DRAWINGS APPLYING TO THIS PROJECT PRIOR TO SUBMITTING SHOP DRAWINGS FOR FABRICATION APPROVAL.
  - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH ALL INVOLVED PARTIES AND PREPARE SHOP DRAWINGS.
  - ALL NEW INTERIOR PAINT COLOR, FLOOR, WALLS AND CEILING FINISHES SHALL BE SELECTED BY OWNER AT THE TIME WHEN IT IS NECESSARY FOR THE COMPLETION OF THE PROJECT.
  - THE CONTRACTOR SHALL PERFORM ALL CUTTING AND PATCHING REQUIRED TO COMPLETE THE WORK OR TO MAKE ITS PARTS FIT TOGETHER PROPERLY WITHOUT COMPROMISING THE QUALITY OF THE WORK.
  - THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADEQUATE BRACING, SHORING, AND PROTECTING ALL WORK DURING CONSTRUCTION, AGAINST DAMAGE, BREAKAGE, COLLAPSE, DISTORTIONS, AND OFF ALIGNMENTS ACCORDING TO CODES AND STANDARDS OF GOOD PRACTICE.
  - ALL PUBLIC IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE LATEST ADOPTED CITY STANDARDS. THE STORING OF GOOD AND MATERIALS ON SIDEWALK AND OR STREET SHALL NOT BE ALLOWED UNLESS THE CONTRACTOR HAS APPLIED AND SECURED A SPECIAL PERMIT WHICH ALLOW SUCH STORAGE TO BE PLACED. OWNERSHIP OF DRAWINGS: THESE DRAWINGS ARE THE PROPERTY OF GK ARCHITECTS - GORDON WONG, ARCHITECT. THE DRAWINGS SHALL NOT BE USED FOR ANY OTHER PURPOSE EXCEPT AS APPROVED BY THE ARCHITECT.
  - LIMITATION OF THE WORK: THE LIMITS OF THE WORK ARE ESTABLISHED BY THE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING TRADESMEN WITH THESE LIMITS.
  - ANY EXISTING TO REMAIN SHALL BE IN GOOD CONDITION PRIOR TO THE PLANNING FINAL INSPECTION.
  - NEW LANDSCAPING SHALL COMPLY WITH STATE WATER EFFICIENCY STANDARDS.

### NOISE DURING CONSTRUCTION

THE FOLLOWING MEASURES SHALL BE INCORPORATED TO REDUCE NOISE DURING CONSTRUCTION AND DEMOLITION ACTIVITY:

- THE PROJECT APPLICANT AND CONTRACTORS SHALL PREPARE AND SUBMIT A CONSTRUCTION NOISE CONTROL PLAN TO THE CITY'S PLANNING DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF THE FIRST PERMIT. THE CONSTRUCTION NOISE PLAN SHALL DEMONSTRATE COMPLIANCE WITH DAYTIME AND NIGHTTIME DECIBEL LIMITS PURSUANT TO CHAPTER 10.48 (COMMUNITY NOISE CONTROL) OF CUPERTINO MUNICIPAL CODE. THE DETAILS OF THE CONSTRUCTION NOISE CONTROL PLAN SHALL BE INCLUDED IN THE APPLICABLE CONSTRUCTION DOCUMENTS AND IMPLEMENTED BY THE ON-SITE CONSTRUCTION MANAGER. NOISE REDUCTION MEASURES SELECTED AND IMPLEMENTED SHALL BE BASED ON THE TYPE OF CONSTRUCTION EQUIPMENT USED ON THE SITE, DISTANCE OF CONSTRUCTION ACTIVITIES FROM SENSITIVE RECEPTOR(S), SITE TERRAIN, AND OTHER FEATURES ON AND SURROUNDING THE SITE (E.G., TREES, BUILT ENVIRONMENT) AND MAY INCLUDE, BUT NOT BE LIMITED TO, TEMPORARY CONSTRUCTION NOISE ATTENUATION WALLS, HIGH QUALITY MUFFLERS, DURING THE ENTIRE ACTIVE CONSTRUCTION PERIOD, THE CONSTRUCTION NOISE CONTROL PLAN SHALL DEMONSTRATE THAT COMPLIANCE WITH THE SPECIFIED NOISE CONTROL REQUIREMENTS FOR CONSTRUCTION EQUIPMENT AND TOOLS WILL REDUCE CONSTRUCTION NOISE IN COMPLIANCE WITH THE CITY'S DAYTIME AND NIGHTTIME DECIBEL LIMITS.
- SELECT HAUL ROUTES THAT AVOID THE GREATEST AMOUNT OF SENSITIVE USE AREAS AND SUBMIT TO THE CITY OF CUPERTINO PUBLIC WORKS DEPARTMENT FOR APPROVAL PRIOR TO THE START OF THE CONSTRUCTION PHASE.
- SIGNS WILL BE POSTED AT THE JOB SITE ENTRANCE(S), WITHIN THE ON-SITE CONSTRUCTION ZONES, AND ALONG QUEUING LANES (IF ANY) TO REINFORCE THE PROHIBITION OF UNNECESSARY ENGINE IDLING. ALL OTHER EQUIPMENT WILL BE TURNED OFF IF NOT IN USE FOR MORE THAN 15 MINUTES.
- DURING THE ENTIRE ACTIVE CONSTRUCTION PERIOD AND TO THE EXTENT FEASIBLE, THE USE OF NOISE PRODUCING SIGNALS, INCLUDING HORNS, WHISTLES, ALARMS, AND BELLS WILL BE FOR SAFETY WARNING PURPOSES ONLY. THE CONSTRUCTION MANAGER WILL USE SMART BACK-UP ALARMS, WHICH AUTOMATICALLY ADJUST THE ALARM LEVEL BASED ON THE BACKGROUND NOISE LEVEL OR SWITCH OFF BACK-UP ALARMS AND REPLACE WITH HUMAN SPOTTERS IN COMPLIANCE WITH ALL SAFETY REQUIREMENTS AND LAW.

GKw Architects, Inc., AIA, Architect, LEED GA, CSLB  
 710 E. McGilvery Lane, Ste. 109, Campbell, CA 95008  
 408-786-1845 | GordonWong@Gkwarchitects.com  
 www.gkwarchitects.com

November 13<sup>th</sup>, 2025

City of Milpitas Planning Department  
 455 E. Calaveras Blvd., Milpitas, CA 95035  
 www.milpitas.gov | planningdepartment@milpitas.gov

RE: P-UP25-0004 - 1000 Jacklin Rd. - APN 2805015- Construction Type Verifications

Dear Planning,

This letter is to confirm and re-classify the construction type of the building to be III-B. I, Gordon K Wong, am the Architect of Record for this project, and I am licensed Architect in the State of California. Based on the professional services, including the preparation of the design and construction documents, specifications, and subsequent site observations, I certify the following:

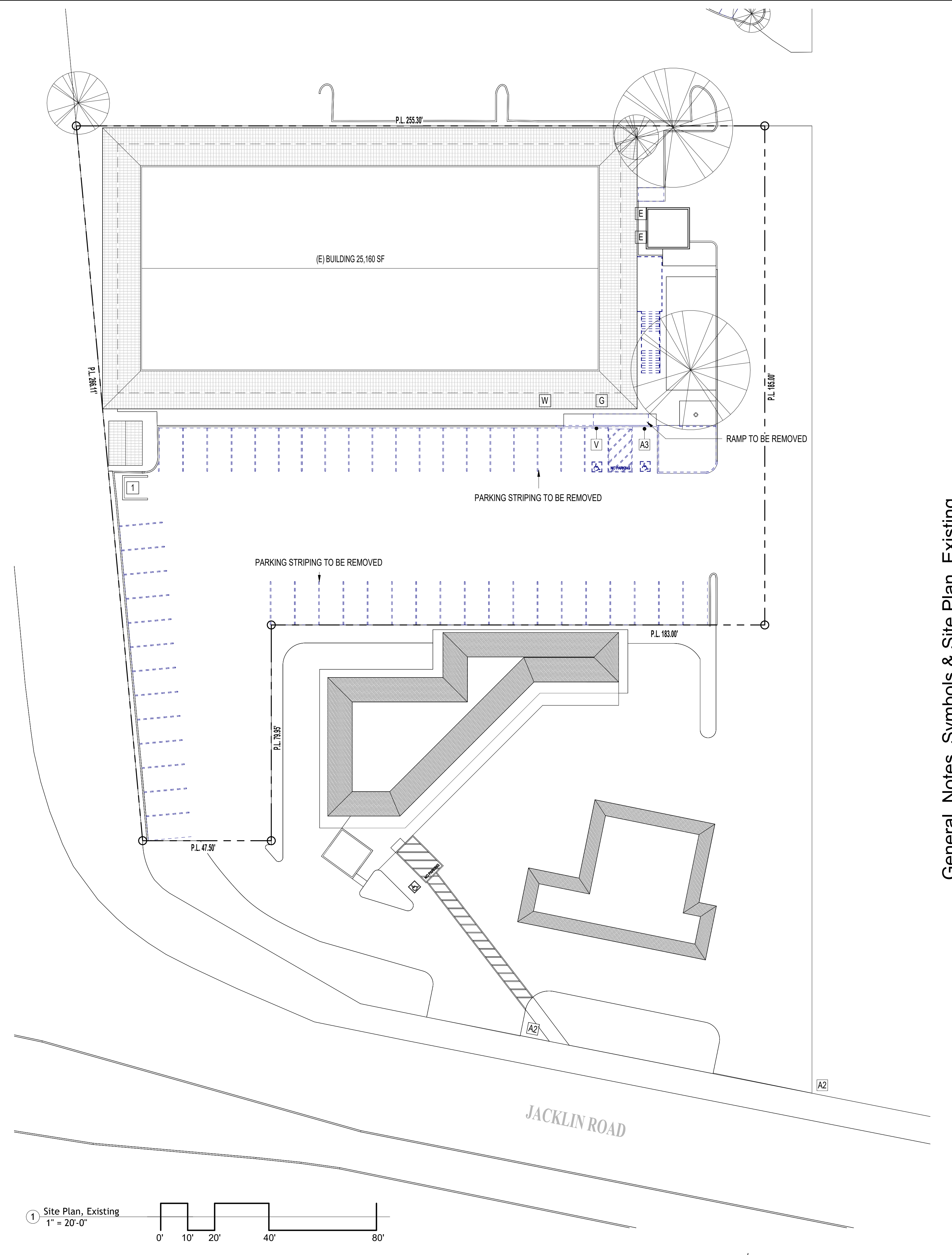
- The building was designed with III-B construction type
- The construction materials and methods used for the building elements are the following:

Building Element	Fire Rating (Hours)
Primary Structural Frame	0 (Wood frame)
Bearing Walls	
Exterior	2 (Concrete tilt-up)
Interior	0 (Wood frame)
Nonbearing walls partitions Exterior	0 (N/A)
Nonbearing walls partitions Interior	0 (Wood frame)
Floor construction	0 (Wood frame)
Roof Construction	0 (Wood frame)

To the best of my professional knowledge, information, and belief, the project was constructed in substantial conformance with the approved documents and complies with all applicable zoning, building, and fire codes. Please note that this certification is based on my professional judgment and review of the project documents and field verification. (If there are any combustible opening walls on the exterior wall, it will be assessed by the AOR at discovery). It does not constitute a warranty of the construction materials or workmanship, as that remains the responsibility of the contractor.

Let us know if you have any questions or need additional information.

Sincerely,  
 Gordon Wong, Architect, C-34045  
 GKw Architects, Inc.



1 Site Plan, Existing  
1" = 20'-0"

#### SITE PLAN, EXISTING, KEYNOTES

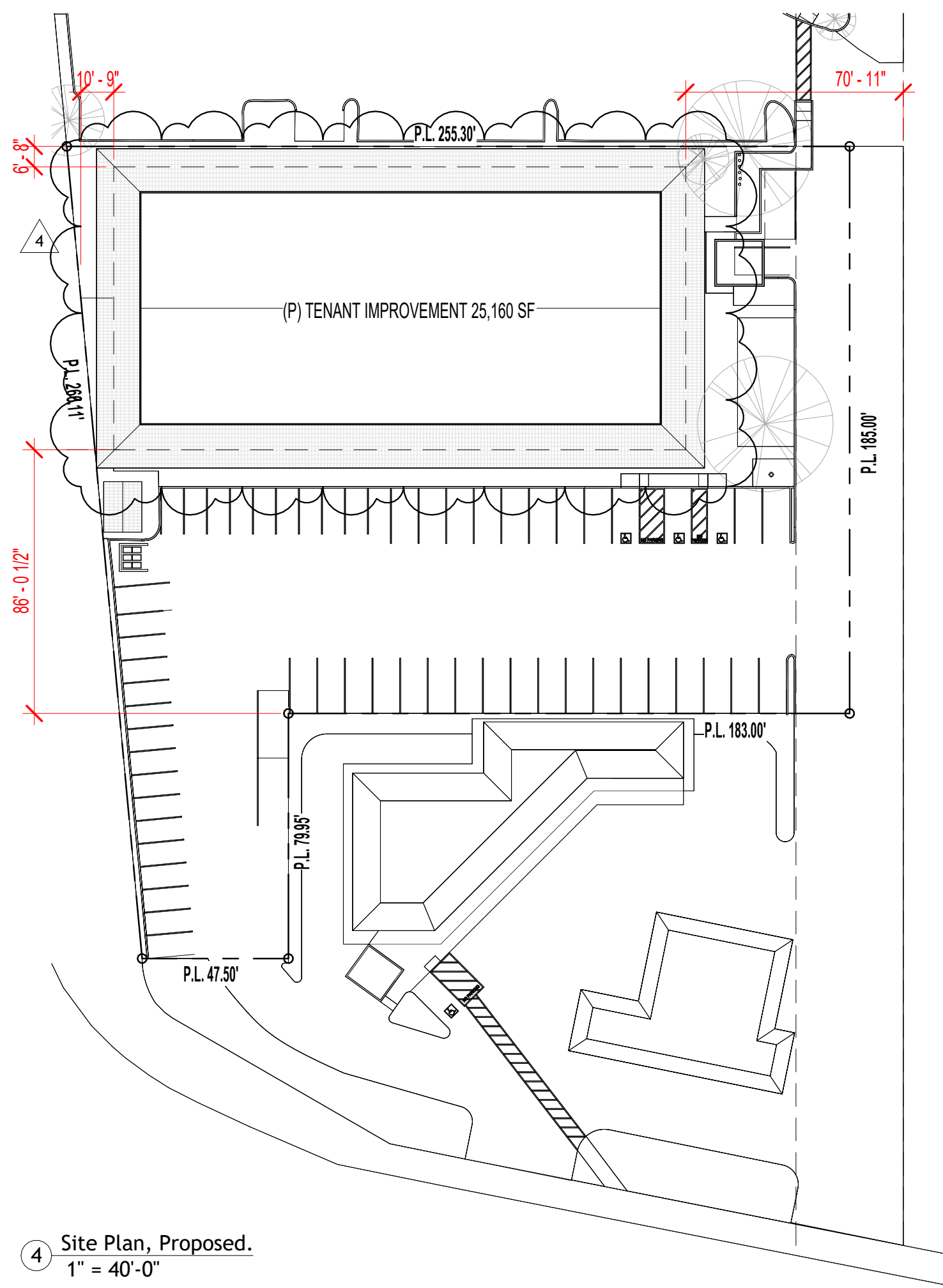
[1]	(E) TRASH ENCLOSURE
[G]	(E) GAS METER
[W]	(E) WATER METER
[E]	(E) ELECTRICAL BOX
[V]	VAN ACCESSIBLE SIGN, TO BE RELOCATED
[A2]	UNAUTHORIZED PARKING SIGN, SEE 2 / G002
[A3]	ACCESSIBLE PARKING SIGN, TO BE RELOCATED

#### SITE PLAN, EXISTING, LEGEND

—	PROPERTY LINE
---	BUILDING FOOTPRINT
- - -	SETBACK
- - - -	CENTERLINE

#### NOTE

- CONTRACTOR SHALL FIELD VERIFY LOCATIONS OF UTILITIES, SITE CONDITIONS, DIMENSIONS, STRUCTURES PRIOR TO START OF WORK. IN EVENT OF ANY DISCREPANCIES OR POTENTIAL CONFLICTS, NOTIFY THE ARCHITECT IN WRITING PRIOR TO STARTING EACH PORTION OF THE WORK.



**ALLOWABLE AREA CALCULATIONS, PER CBC 506**

OCCUPANCY TYPE A-3  
 CONSTRUCTION TYPE III-B, SPRINKLERED

OCCUPANCY SPRINKLER ALLOWABLE AREA / CONSTRUCTION TYPE III-B  
 A-3 SM 28,500 SF

28,500 SF ALLOWED > 25,160 SF BUILDING FLOOR AREA, EXISTING

**FLOOR AREA BREAKDOWN**

1ST LVL	17,215 SF
2ND LVL	7,945 SF
TOTAL	25,160 SF

**FIRE PROTECTION RATINGS (HRS) FOR BUILDING ELEMENTS (PER TABLE 601)**

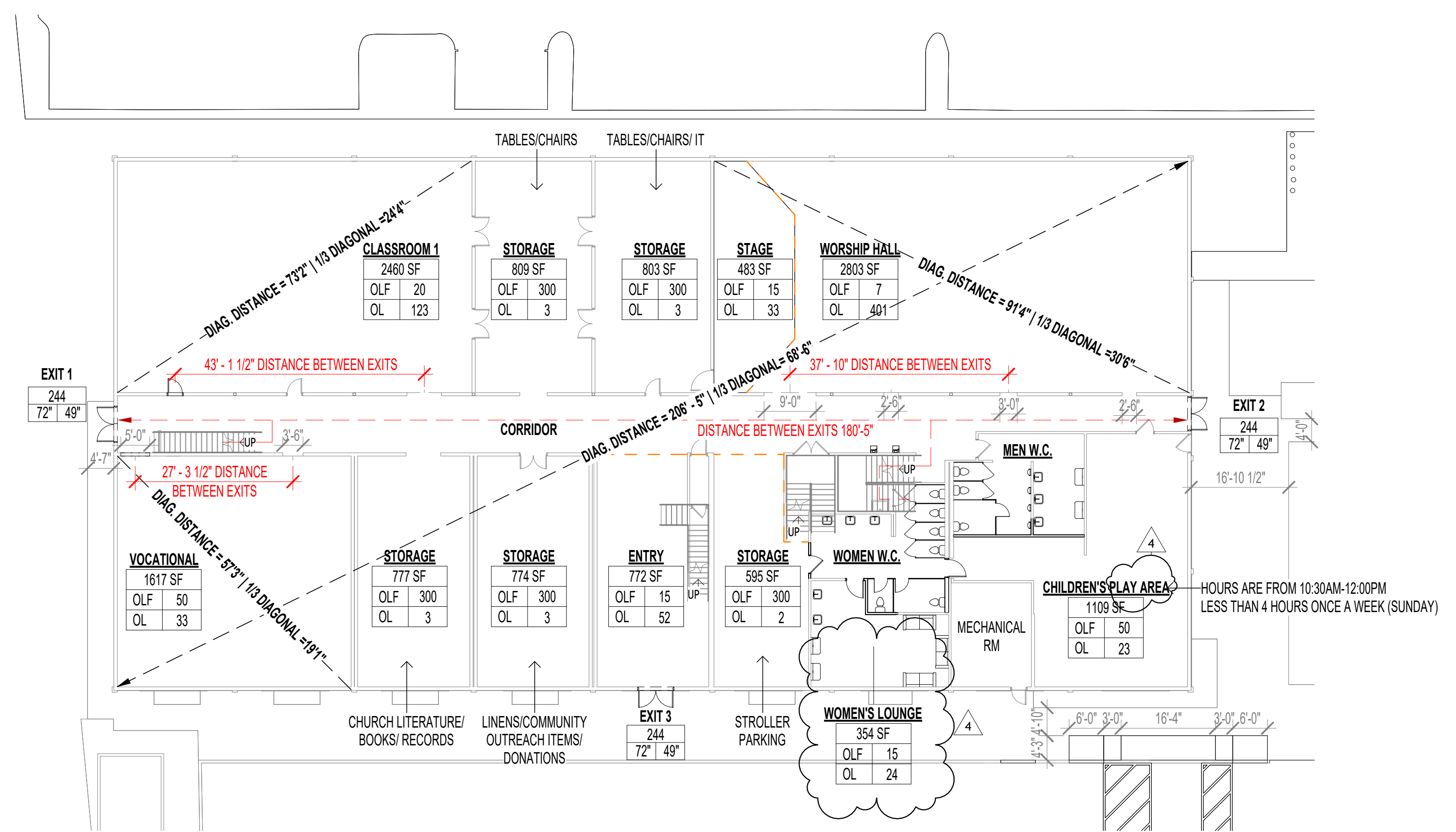
BUILDING ELEMENT	TYPE III-B, HOURS
PRIMARY STRUCTURAL FRAME	0
BEARING WALLS - EXTERIOR	2
BEARING WALLS - INTERIOR	0
NON-BEARING WALLS - EXTERIOR	NOT LESS THAN TABLE 705.5
NON-BEARING WALLS - INTERIOR	0
FLOOR AND SECONDARY MEMBERS	0
ROOF AND SECONDARY MEMBERS	0

**IBC TABLE 705.5 FIRE RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE**

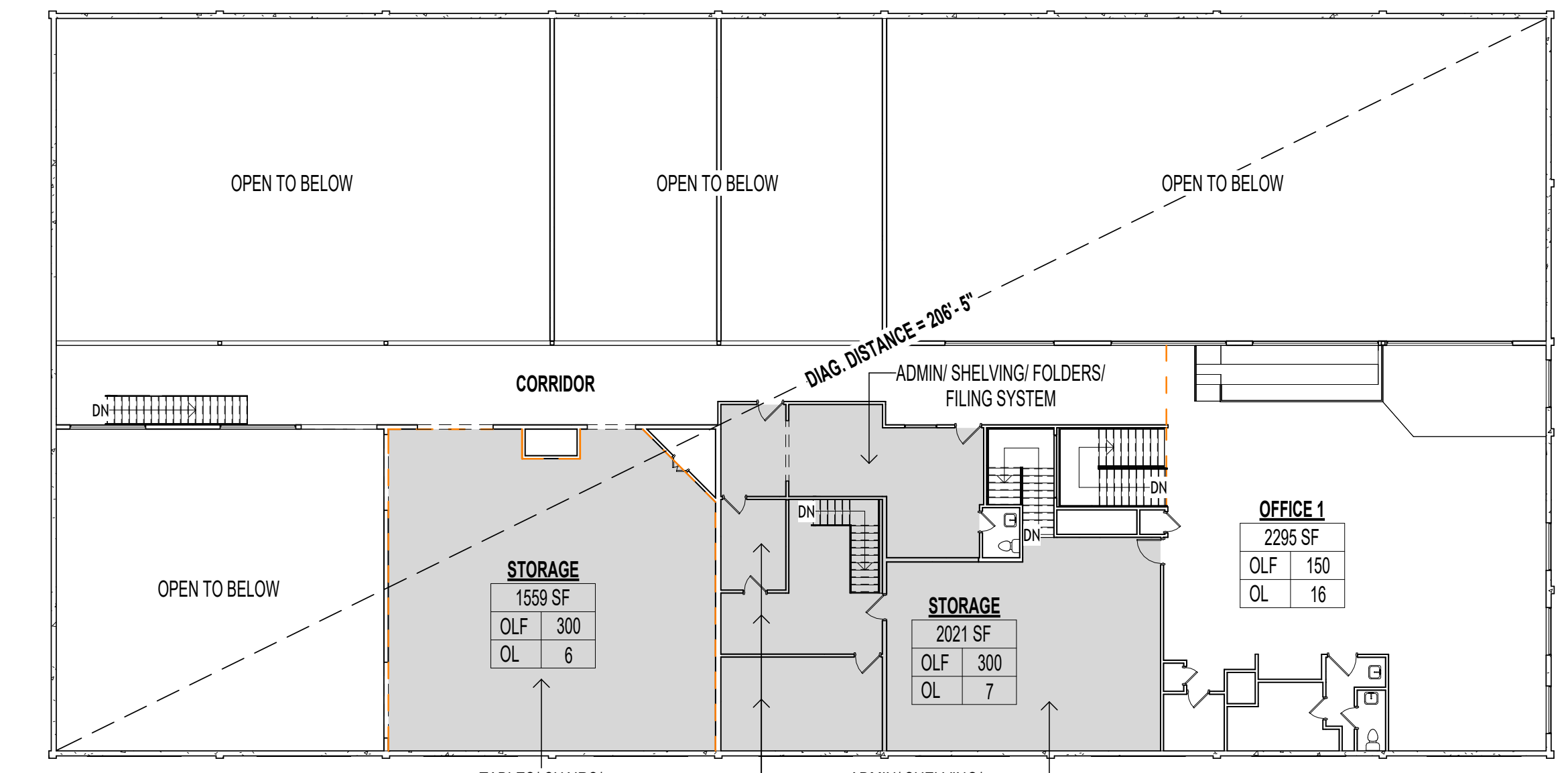
FSD = X (FEET)	TYPE V-B, GROUP A
X < 5	1
5 ≤ X < 10	1
10 ≤ X < 30	0
X ≥ 30	0

FSD-FIRE SEPARATION DISTANCE

4 Site Plan, Proposed.  
1" = 40'-0"



1 1st Floor Plan, Egress Diagram  
1/16" = 1'-0"



2 2nd Floor Plan, Egress Diagram  
1/16" = 1'-0"

FUNCTION	AREA	USE	OLF	OCCUPANTS	OCCUPANT LOAD
CHILDREN'S PLAY AREA	1109 SF	Vocational	50	22.18	23
CLASSROOM	2460 SF	Classroom Area	20	122.99	123
ENTRY	772 SF	Assembly Unconcentrated (Tables and Chairs)	15	51.47	52
OFFICE 1	2295 SF	Business	150	15.30	16
STAGE	483 SF	Stages and Platforms	15	32.21	33
STORAGE	1559 SF	Storage	300	5.20	6
STORAGE	2021 SF	Storage	300	6.74	7
STORAGE	809 SF	Storage	300	2.70	3
STORAGE	803 SF	Storage	300	2.68	3
STORAGE	777 SF	Storage	300	2.59	3
STORAGE	774 SF	Storage	300	2.58	3
STORAGE	595 SF	Storage	300	1.98	2
VOCATIONAL	1617 SF	Vocational	50	32.35	33
WOMEN'S LOUNGE	354 SF	Assembly Unconcentrated (Tables and Chairs)	15	23.60	24
WORSHIP HALL	2803 SF	Assembly Concentrated (Chairs only-not fixed)	7	400.40	401
TOTAL	15				732

PER CBC SECTION 1005.3.2 MEAN OF EGRESS OTHER THAN STAIRWAYS:

EXIT # 1, 2, 3  
 EXIT WIDTH REQUIRED = 732 / 3 = 244 OCCUPANTS X 0.2 = 49" MIN  
 EXIT PROVIDED = 72" (OK)

IBC 1004 OCCUPANT LOAD

FUNCTION OF SPACE	OCCUPANT LOAD FACTOR
ASSEMBLY, CONCENTRATED, CHAIRS NOT FIXED	7 NET
ASSEMBLY, UNCONCENTRATED	15 NET
BUSINESS AREAS	150 GROSS
CLASSROOM	20 NET
VOCATIONAL	50 NET
STORAGE	300 GROSS

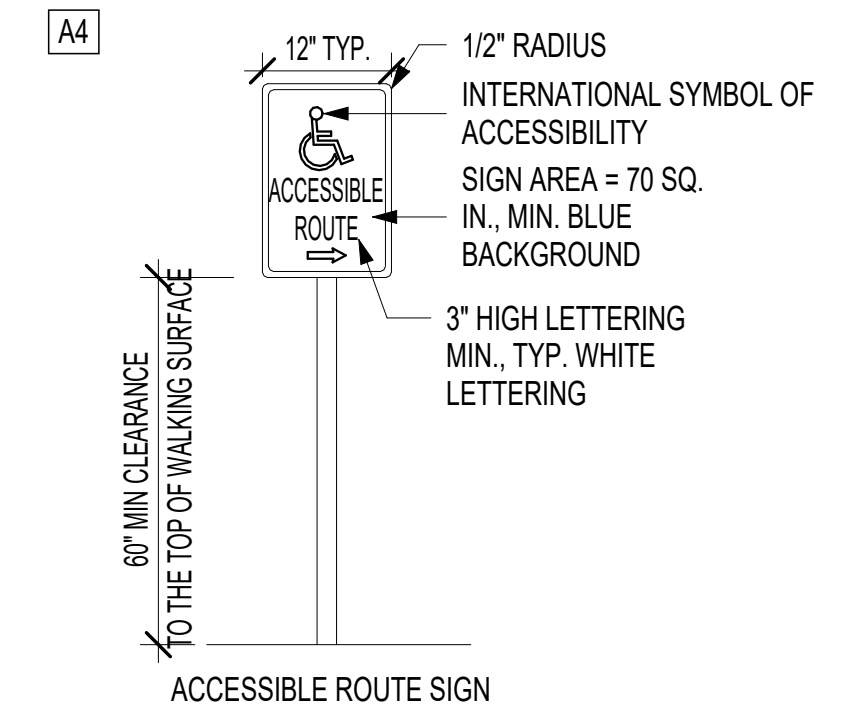
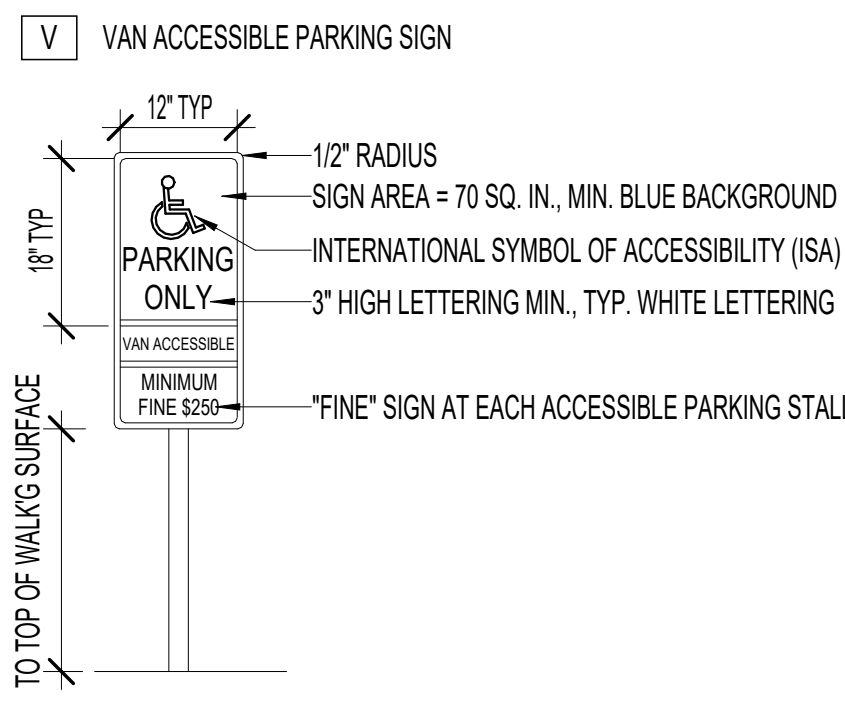
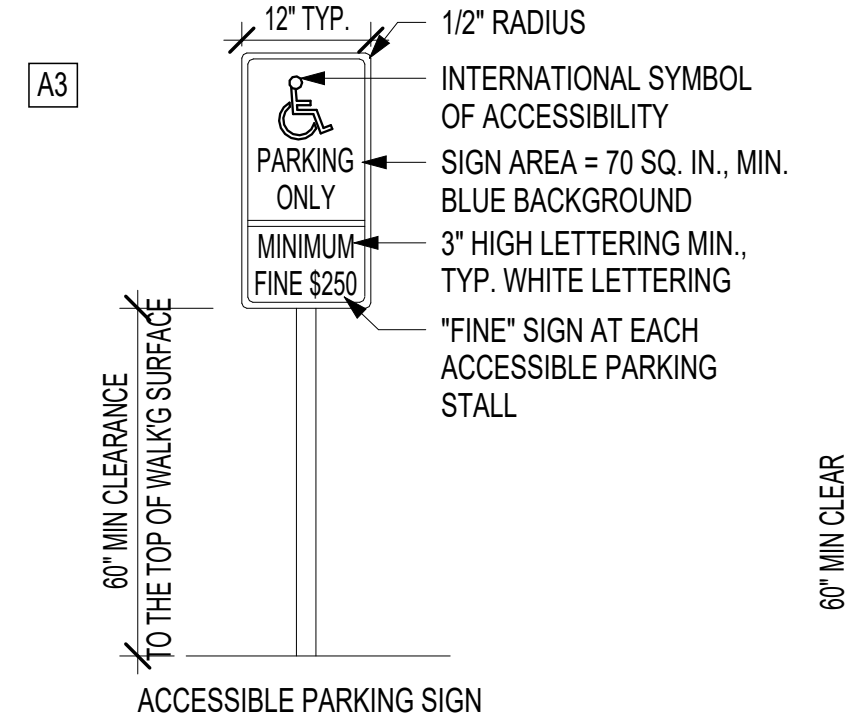
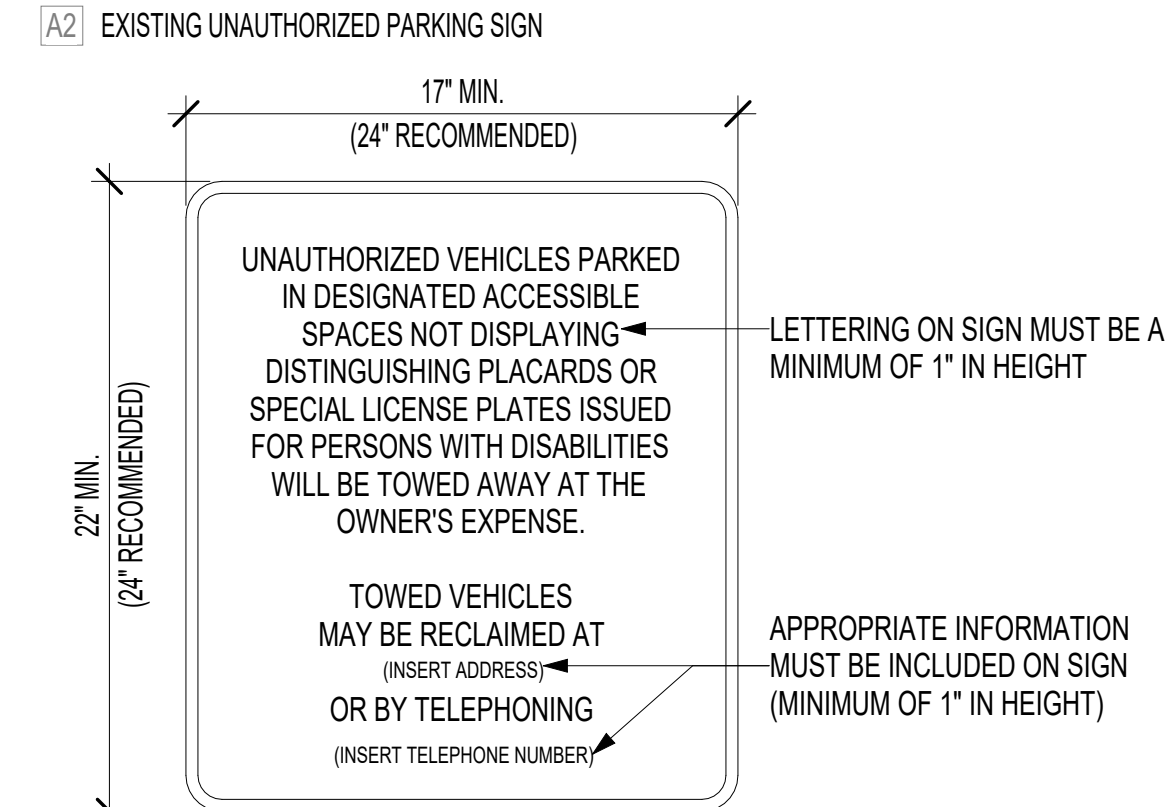
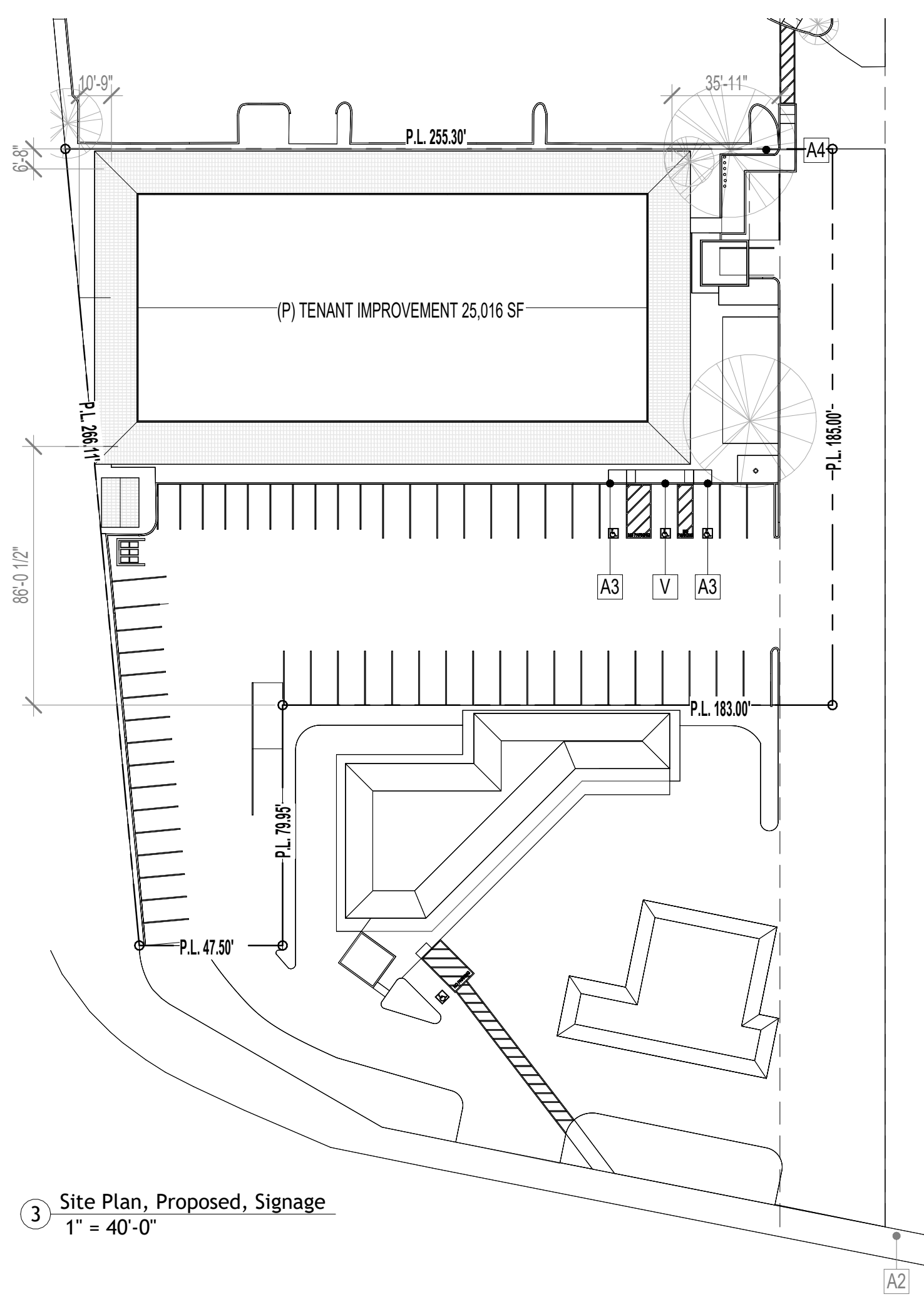
LEGEND, EGRESS

### ← # OF OCCUPANTS  
 # ← REQUIRED EXIT DOOR WIDTH [ (# OF OCCUPANTS) X 0.2 ]  
 # ← PROVIDED EXIT DOOR WIDTH

COMMON PATH OF EGRESS TRAVEL DISTANCE — # — # — # —

### ← AREA NAME  
 ### ← OCCUPANCY GROUP  
 ### ← FLOOR AREA  
 OLF # ← OCCUPANCY LOAD FACTOR  
 OL # ← # OF OCCUPANTS

PER CBC 305.1.1  
 RELIGIOUS EDUCATIONAL ROOMS AND RELIGIOUS AUDITORIUMS, WHICH ARE ACCESSORY TO PLACES OF RELIGIOUS WORSHIP IN ACCORDANCE WITH SECTION 303.1.4 AND HAVE OCCUPANT LOADS OF LESS THAN 100 PER ROOM OR SPACE, SHALL BE CLASSIFIED AS GROUP A-3 OCCUPANCIES



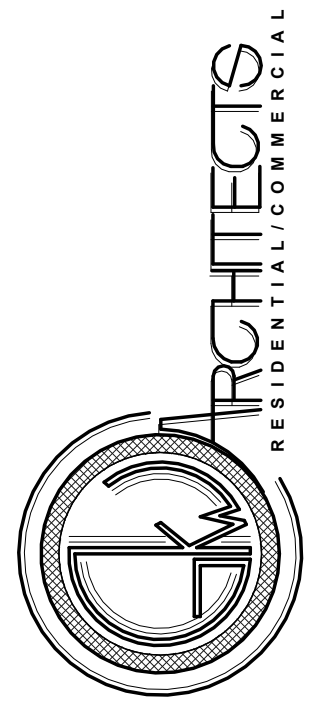
**SIGNAGE NOTE**

PER CBC 11B-502.6.3 LOCATION: SIGNS MAY ALSO BE PERMANENTLY POSTED ON A WALL AT THE INTERIOR END OF THE PARKING SPACE. SIGN SHALL BE 80" MIN. ABOVE THE FINISH FLOOR OR GROUND SURFACE MEASURED TO THE BOTTOM OF THE SIGN PER 11B-502.6  
 EXCEPTION: SIGNS LOCATED WITHIN A CIRCULATION PATH SHALL BE A MIN. 80" ABOVE THE FINISH FLOOR OR GROUND SURFACE MEASURED TO THE BOTTOM OF THE SIGN.

3 Site Plan, Proposed, Signage  
1" = 40'-0"



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 GORDON K. WONG, ARCHITECT, LIC# 34045  
 7 THE ANCLUNCY LANE SUITE 109  
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 GORDONWONG@GORDONWONGARCHITECTS.COM



General, Egress & Occupant Load Diagram

Tenant Improvement  
 1000 Jacklin Rd  
 MILPITAS, CA 95035

Revision Schedule

1	2025-08-01	Planning
2	2025-09-09	Planning
3	2025-09-09	Planning
4	2025-11-17	Planning

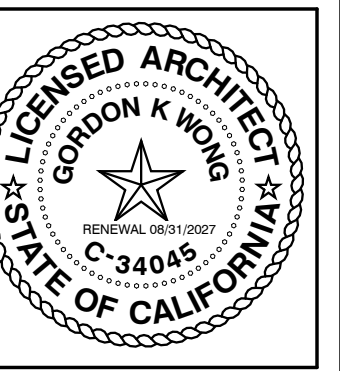
General, Egress & Occupant Load Diagram

G002

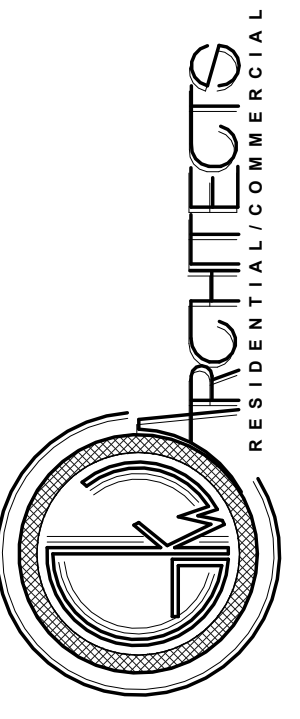
SCALE: AS INDICATED

2/6/2026 5:29:14 PM



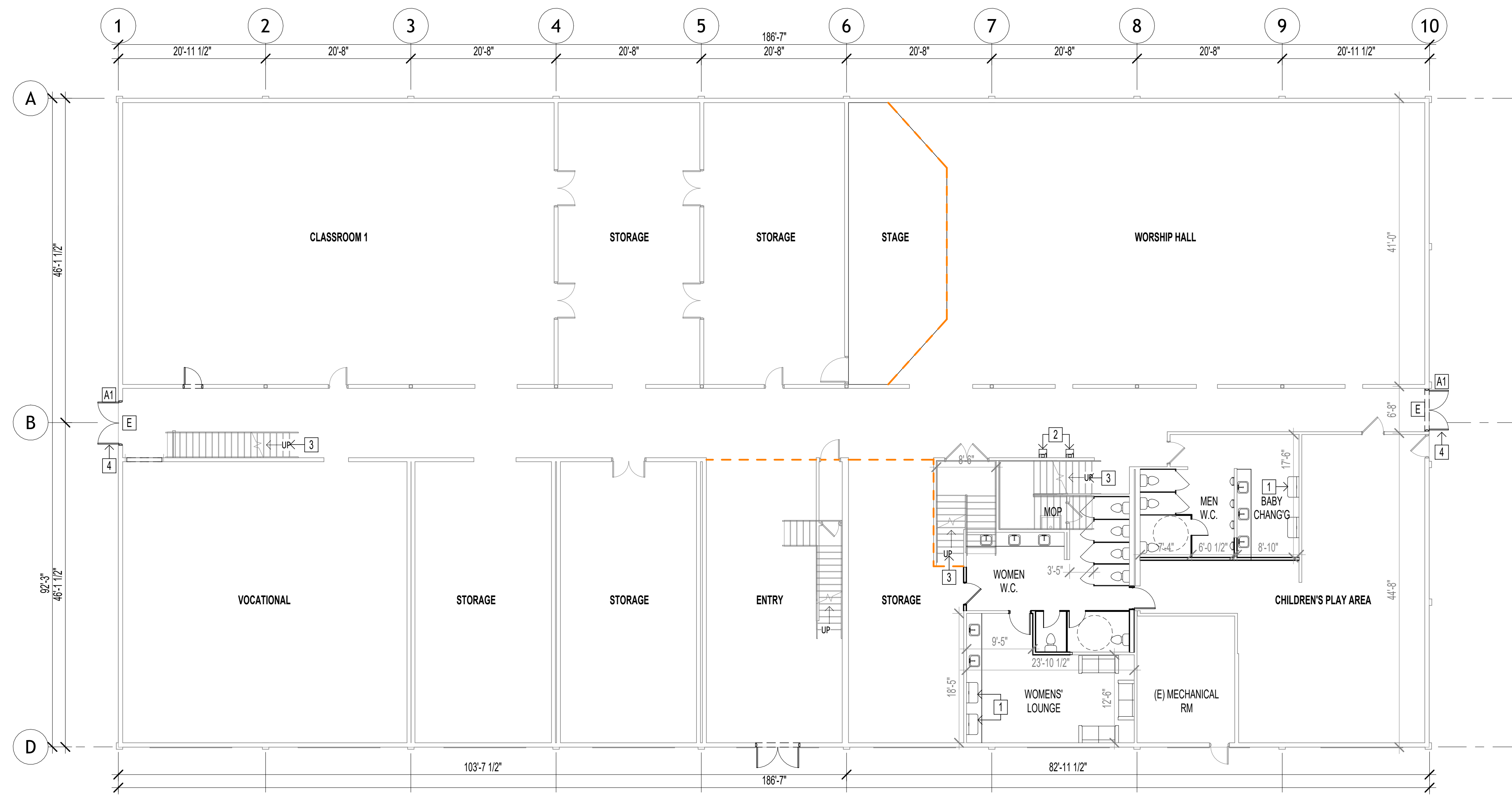


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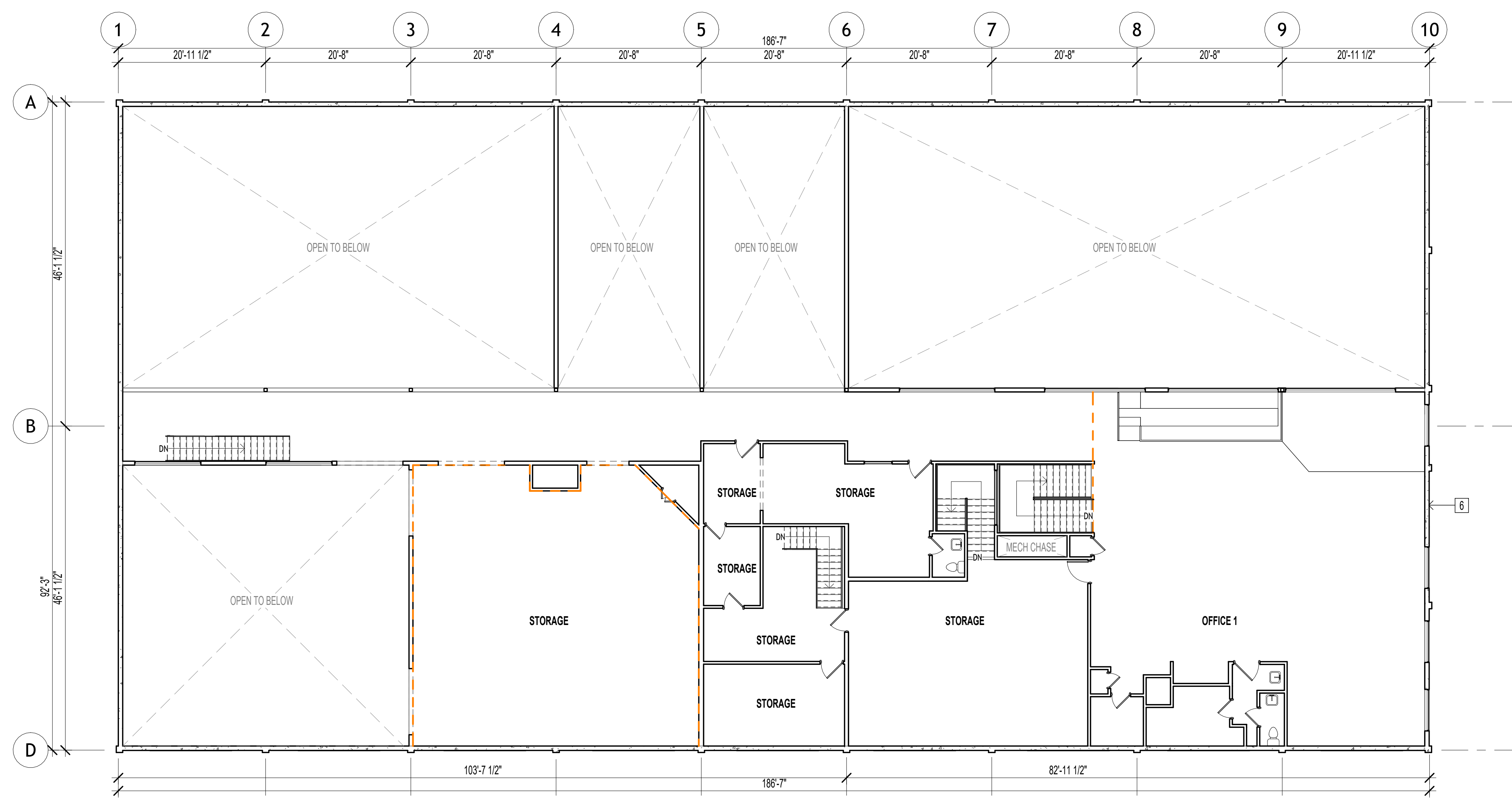


Architectural, 1st & 2nd Floor Plan, Proposed

Tenant Improvement  
 1000 Jacklin Rd  
 MILPITAS, CA 95035



1 1st Floor Plan, Proposed  
 1" = 10'-0"



2 2nd Floor Plan, Proposed  
 1" = 10'-0"

**1ST FLOOR PLAN, PROPOSED, KEYNOTES:**

- 1 BABY CHANGING STATION
- 2 DRINKING FOUNTAIN
- 3 NOT IN SCOPE
- 4 (N) 72" DOUBLE DOOR, EGRESS
- 5 EXISTING DOOR TO BE DEMOLISHED, WALL TO BE FILLED IN

**NOTES:**

- 1. CONTRACTOR TO VERIFY CONDITIONS, DIMENSIONS, DESIGN, STRUCTURES ON SITE
- 2. ALL ELEMENTS IN GRAY ARE EXISTING TO REMAIN, ALL ELEMENTS IN BLACK ARE PROPOSED.

**PLUMBING FIXTURE CALCULATION, A-3, PER CPC TABLE 422.1**

ASSEMBLY

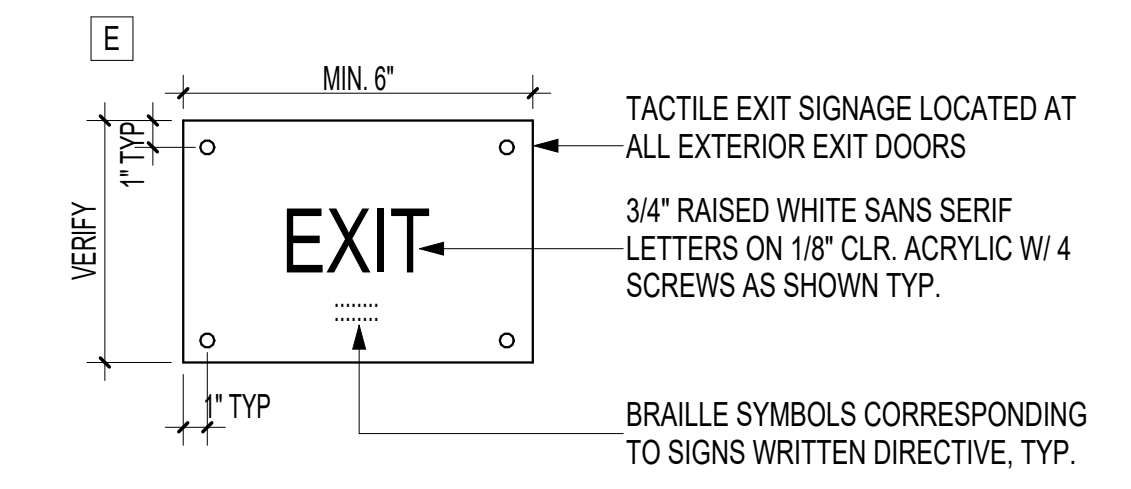
CONFERENCE(PORTABLE SEATING)	1 PER 30 SF
BUSINESS	1 PER 15 SF
CLASSROOM(THROUGH 12TH GRADE)	1 PER 30 SF

FELLOWSHIP = 3266 SF / 30 SF = 110 OCC  
 VOCATIONAL = 1817 SF / 30 SF = 54 OCC  
 CLASS = 2460 SF / 30 = 82 OCC  
 CHILDREN'S PLAY AREA = 1099 / 30 SF = 37 OCC  
 OFFICE = 2107 / 15 SF = 140 OCC

**TOTAL OCCUPANTS = 423 OCC**

MALE = 575 / 2 = 212 OCC  
 FEMALE = 575 / 2 = 212 OCC

	WATER CLOSETS		URINALS		LAVATORIES		DRINKING FOUNTAIN	OTHER
	MALE	FEMALE	MALE	MALE	FEMALE			1 SERVICE SINK/ LAUNDRY TRAY
REQUIRED	3: 201-400	6: 201-300	3: 201-400	2: 201-400	4: 201-300		3: 501-750	
PROPOSED	3	6	3	2	4		3	1

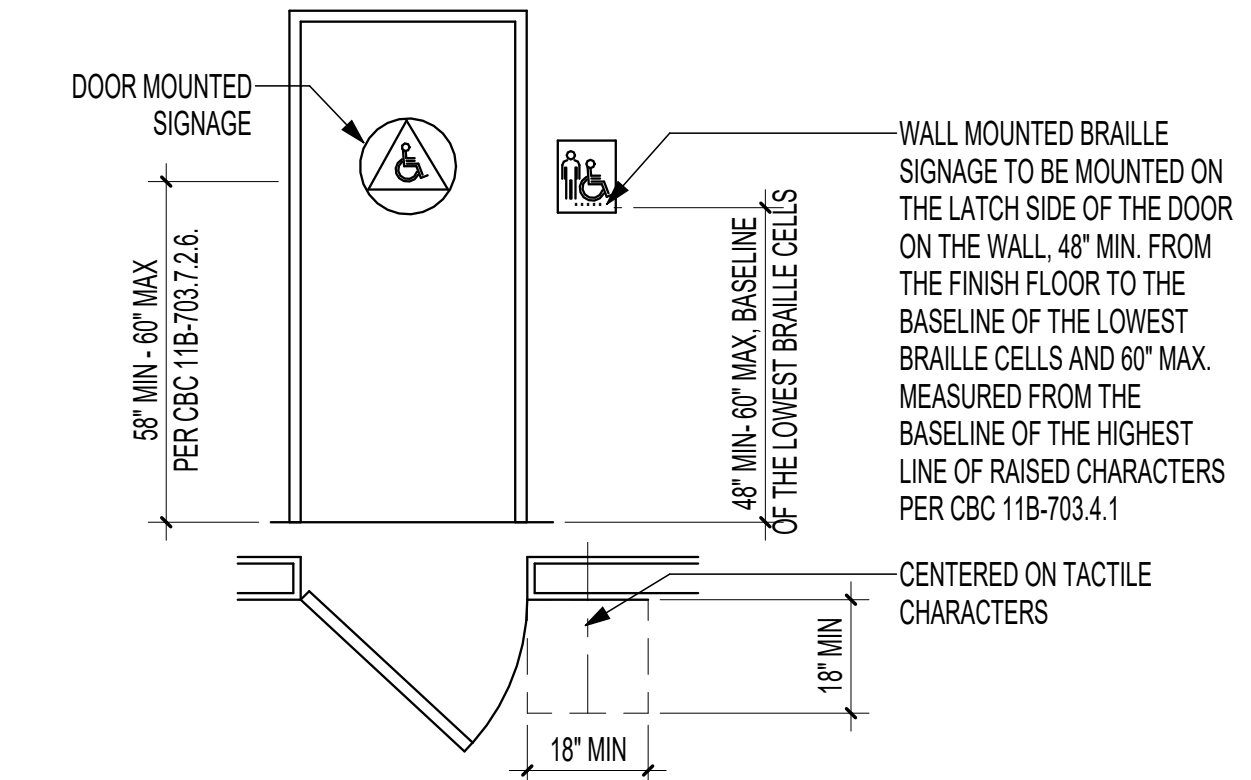


**NOTES**

- 1. SIGN SHALL BE PLACED ON DOORS LEADING TO PUBLIC FACILITIES. THE SIGN SHALL BE 14 INCH THICK AND 12 INCHES IN DIAMETER.
- 2. SIGN BACKGROUND SHALL BE A DISTINCTLY DIFFERENT CONTRASTING COLOR FROM THE DOOR.
- 3. CORRESPONDING BRAILLE FOR ALL DOOR SIGNS. VISUAL CHARACTERS SHALL COMPLY WITH SECTION 11B-703.5 (CBC SEC. 11B-703.5).
- 4. VISUAL CHARACTERS SHALL BE 40 INCHES (1016 MM) MINIMUM ABOVE THE FINISH FLOOR OR GROUND (CBC SEC. 11B-703.6).
- 5. DOOR SIGNS SHALL BE CENTERED ON THE DOORS AND MOUNTED AT A HEIGHT OF 58 - 60 INCHES ABOVE FINISH FLOOR TO THE CENTERLINE OF THE SYMBOL (CBC SEC. 11B-703.7.2.6).
- 6. THE SYMBOL SHALL CONSIST OF WHITE FIGURE ON A BLUE BACKGROUND. THE COLOR BLUE SHALL APPROXIMATE FS 15990 IN FEDERAL STANDARD 595C (CBC SEC. 11B-703.7.2.1).
- 7. BRAILLE SIGNS ARE REQUIRED ON THE WALL OUTSIDE OF THE TOILET FACILITY.



**DOOR SIGNAGE FOR SANITARY FACILITIES**



3 Symbols & Signage  
 12" = 1'-0"

Revision Schedule	
1.1	2025.08.01 Planning

Architectural, 1st & 2nd Floor Plan, Proposed

A101  
 SCALE AS INDICATED

12/15/2025 5:14:19 PM

## **New Life Community Church**

1000 Jacklin Ave.

Milpitas, CA

### Operation plan for business:

- Religious institution
- Christian church
- Worship services on Sundays
- Bible studies and other worship gatherings throughout week

### Days of operation:

- Weekdays: Monday through Friday
- Weekends: Saturday and Sunday

### Hours of operation:

- Weekdays: Monday through Friday, 9 AM – 9 PM
- Weekends: Saturday and Sunday, 8 AM – 9 PM
  - Children's ministry, Sundays, 10:30 AM – 12:00 PM

### Number of employees/staff present:

- Weekdays: Monday through Friday, 9 AM – 9 PM: 1
- Weekends: Saturday and Sunday, 8 AM – 9 PM: 4

### Number of individuals present:

- Weekdays: Monday through Friday
  - 9 AM – 6:30 PM, up to 20 adults
  - 6:30 PM – 9 PM:
    - Children: 20 (under the age of 13)
    - Adults: 30
- Saturday
  - Children: 30 (under the age of 13)
  - Adults: 60
- Sunday:
  - Children: 85 (under the age of 13)
  - Adult: 94

### Other:

- Number and type of security personnel and devices: N/A
- Alcohol service: N/A
- Merchandise or food service: Food will be catered or potluck style
- Deliveries: N/A
- Drop-off and pick-up: N/A
- Parking operations or layout: 63 onsite parking spaces
  - ◆ If capacity requires more than 63 onsite parking spaces / groups will be divided with a schedule to limit the occupancy.
- Outdoor uses: Small enclosed playground for children
- Noise: N/A



256 E. Hamilton Avenue, Suite G  
Campbell, California 95008  
Office: 408-785-8938

July 10, 2025

To: Amos Yang, New Life Community Church

From: Nguyen Cam

Subject: Transportation Analysis (TA) for the Proposed Tenant Improvement for New Life Community Church at 1000 Jacklin Road (P-UP25-0004)

Civio Consulting has completed a Transportation Analysis including the Vehicle Miles Traveled (VMT) Analysis and site plan review for New Life Community Church at 1000 Jacklin Road in Milpitas, California.

**Project Description**

The project proposes to reuse an existing 34,430 square-foot fitness center and perform tenant improvements and parking reconfiguration for a new church consisting of a 120-seat assembly hall, K-4 Sunday School classrooms, and small office space.

**Vehicle Miles Traveled (VMT) Study**

As part of the VMT study, trip generation estimates were prepared using the rates published in the *Institute of Transportation Engineers (ITE) Trip Generation, 11<sup>th</sup> Edition* for Church (Land Use Code 560). ITE defines that church uses may also contain classrooms, office space, and event facilities. The surveyed churches typically hold services on Sundays with occasional events or services during the weekdays. The proposed New Life Community Church will have similar uses for the site as defined by ITE. The following table shows the trip generation estimates for the project.

**Table 1 – Trip Generation Estimates**

Land Use	Size (Square Feet)	Daily Rate	Daily Trips
(1) Church	34,430	7.6	261
(2) Equivalent Retail	4,793	54.45	261
<b>Notes:</b>			
<i>Institute of Transportation Engineers, Trip Generation, 11th Edition</i>			
(1) Land Use Code (560): Church			
(2) Land use Code (822): Strip Retail Plaza (<40k)			



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On May 18, 2021, the City of Milpitas adopted a new Vehicle Miles Traveled Transportation Policy as the methodology for evaluating transportation impacts for new developments consistent with the California Environmental Quality Act (CEQA). Religious uses are determined on a case-by-case basis by the City of Milpitas. Religious uses that are small in scale and that are shown to serve primarily the immediate community can be considered as local serving uses, and therefore screened out from VMT analysis. New Life Community Church is currently operational at sites in Fremont and San Jose. The new church site in Milpitas will redirect VMT from the existing sites in Fremont and San Jose to Milpitas, therefore not increasing VMT. Any new visitors are anticipated to attend from the immediate community in Milpitas.

Furthermore, the proposed church can be considered equivalent to retail development because of similar trip making characteristics of local serving retail. This is because both small scale churches and local serving retail serve the immediate community resulting in short trips. City of Milpitas' transportation policy establishes exemption criteria for projects if they meet the screening criteria of retail projects that are local servicing defined as 100,000 square-foot or less. As shown Table 1 above, the project would generate roughly 261 daily trips, which is the same number of daily trips generated by a 4,793 square-foot retail strip plaza. Therefore, the proposed church would be considered local-serving, and the VMT impact would be less than significant.

### **Traffic Operation Analysis**

New Life Community Church would mostly be used during weekends and occasionally during weekdays for special religious events. On Wednesdays, approximately 25 people will attend the site between the hours of 7:30 PM – 9:30 PM to prepare for services and school scheduled for Sundays. The K-4 Sunday School classrooms will be utilized by children from families attending the services. Approximately 120 visitors are anticipated to attend the church throughout the day on Sundays between the hours of 8 AM to 8 PM. The arrival and departure of visitors is staggered throughout the day.

It is not anticipated that the church would generate traffic during the AM and PM peak hours of commute traffic because of the church operations described above. Therefore, a Transportation Operational Analysis (TOA) analyzing off-site transportation operations is not required for the project.



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Office: 408-785-8938

### ***Driveway Access and Sight Distance***

Vehicular access to the project site would continue from the existing right-in and right-out only driveways along Jacklin Road.

According to ASSHTO stopping sight distance guidelines, the stopping sight distance for a 35-mph road like Jacklin Road is 305 feet (based on a design speed of 40 mph). The driver must be able to see 305 feet to the left when exiting the driveways in order to find a sufficient gap in traffic to exit the driveway. Currently there are no obstructions such as on-street parking or significant landscaping at the existing driveways that would impede visibility for vehicles exiting the project site. Therefore, adequate sight distance is currently provided at the project driveways.

### ***On-Site Vehicular and Truck Circulation***

The project will be required to provide minimum 24-foot drive aisles to the 90-degree parking stalls.

The existing trash enclosure will remain in place and trash collection will continue onsite.

### **Conclusions**

Civio Consulting completed a Vehicle Miles Traveled (VMT) analysis and site plan review for the proposed New Life Community Church. The VMT analysis indicated the new church would result in less-than significant VMT impact. Furthermore, no recommendations resulted from the review of the site plan.

Please let me know should you have any questions.

Best regards,

A handwritten signature in black ink, appearing to read "Nguyen Cam", written in a cursive style.

Nguyen Cam, P.E.  
Principal





## MILPITAS PLANNING COMMISSION STAFF REPORT

February 11, 2026

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**PROJECT:** New Business Item – Revisions to the Planning Commission’s Governing Ordinance and Bylaws

**RECOMMENDATION:** Discuss including an invocation as a standing agenda item for Planning Commission meetings and consider adopting this and other housekeeping revisions to Milpitas Municipal Code (MMC) Title I, Chapter 500, Section 1.07 and the Planning Commission Bylaws.

### BACKGROUND

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At its regularly scheduled meeting on September 24, 2025, the Planning Commission requested City staff agendize a future discussion on an amendment to the Planning Commission Bylaws to include an invocation as a standing agenda item for Planning Commission meetings, similar to the invocation the City Council has historically had at the outset of its meetings.

An invocation is a brief statement or reflection intended to offer wisdom, guidance, and a sense of community for the benefit of the hearing body and community. Invocations have long been used in America before the meetings of public bodies. The First Congress of the United States had an appointed chaplain to provide an invocation before sessions, and the House and Senate have maintained that practice virtually uninterrupted for over 230 years. The majority of state legislatures begin their meetings with an invocation or prayer, and most of those legislatures date that practice back to before the founding of the state or even the United States. The California Senate and Assembly offer an opening prayer before each session of those bodies.

Currently, the Planning Commission Bylaws do not include a bylaw addressing invocations under Section 5 (Meeting Conduct) or anywhere else. Meanwhile, the City Council agenda includes an invocation, which is currently made by councilmembers on a voluntary and rotating basis in the opening portion of meetings, following the pledge of allegiance and before presentations.

As recognized by the United States Supreme Court in *Town of Greece, N.Y. v. Galloway* (2014) 572 U.S. 565 and *Marsh v. Chambers* (1983) 463 U.S. 783, invocations prior to the meetings of public bodies are permissible and consistent with the Establishment Clause of the United States Constitution, even if they include sectarian language. As the Supreme Court explained:

The relevant constraint derives from its place at the opening of legislative sessions, where it is meant to lend gravity to the occasion and reflect values long part of the Nation's heritage. Prayer that is solemn and respectful in tone, that invites lawmakers to reflect upon shared ideals and common ends before they embark on the fractious business of governing, serves that legitimate function.

[...]

From the earliest days of the Nation, these invocations have been addressed to assemblies comprising many different creeds. These ceremonial prayers strive for the idea that people of many faiths may be united in a community of tolerance and devotion. Even those who disagree as to religious doctrine may find common

ground in the desire to show respect for the divine in all aspects of their lives and being. Our tradition assumes that adult citizens, firm in their own beliefs, can tolerate and perhaps appreciate a ceremonial prayer delivered by a person of a different faith.

[...]

To be sure, many members of the public find these prayers meaningful and wish to join them. But their purpose is largely to accommodate the spiritual needs of lawmakers and connect them to a tradition dating to the time of the Framers. For members of town boards and commissions, who often serve part-time and as volunteers, ceremonial prayer may also reflect the values they hold as private citizens. The prayer is an opportunity for them to show who and what they are without denying the right to dissent by those who disagree.

[...]

Ceremonial prayer is but a recognition that, since this Nation was founded and until the present day, many Americans deem that their own existence must be understood by precepts far beyond the authority of government to alter or define and that willing participation in civic affairs can be consistent with a brief acknowledgment of their belief in a higher power, always with due respect for those who adhere to other beliefs.

Consistent with these principles, the proposed invocation offers an opportunity to solemnize the proceedings by calling upon the plurality of beliefs, traditions, and ideas that strengthen the Milpitas community. Far from establishing any belief or religion, this practice is designed to draw from Milpitas' diversity ideas that may inspire decisionmakers and demonstrate that everyone can be stronger for having heard and considered the powerful words of different traditions and thinkers spoken from the mouths of fellow residents and colleagues.

The invocation proposed would rotate among the Commissioners and be given after the Pledge of Allegiance. Invocations do not have to be secular and can be chosen from any tradition or of original creation. Invocations should not disparage beliefs or proselytize any religion and should be non-denominational. The invocation will be voluntary, so that Commissioners may pass their turn, and no one is required to participate. This practice may be discontinued by the Commission if the body ever deems that it is no longer useful.

While reviewing the Planning Commission Bylaws and MMC Title 1, Chapter 500 (Planning Commission) to prepare for this discussion, staff has identified other potential revisions to the bylaws and Planning Commission Ordinance for greater alignment between the two, efficiencies in Commission-related business and operations, and other clerical edits. The proposed revisions are summarized below. The Bylaws were last amended in June 2019, and the majority of the Ordinance has not been updated since its adoption in 1997.

Pursuant to MMC Section I-500-1.-08 (Adoption of Rules and Regulations), the Planning Commission may adopt written rules and regulations as necessary to conduct its business including rules of procedure. Upon amendment, such rules and regulations must be submitted to the City Council for review. The City Council shall have the power to approve, disapprove, or modify said rules and regulations as necessary. If the Planning Commission decides to adopt these proposed revisions, staff will bring forth these revisions to the City Council at a future date for its consideration.

## **PROPOSED REVISIONS**

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Staff has identified the following potential revisions to the Planning Commission Bylaws and Planning Commission Ordinance.

### **Planning Commission Bylaws**

- Amend Section 2.03 to clarify that the Chair is responsible for signing all resolutions approved by the Commission.
- Add Section 5.02 to allow any member of the Commission to offer a brief invocation and establish the invocation process and guidelines.
- Amend Section 5.04 (now 5.05) with clerical edits.
- Amend Section 5.09 (now 5.10) to clarify Commissioners may vote on the approval of meeting minutes for meetings they did not attend if they have sufficient information to do so.
- Amend Section 5.13 (now 5.14) to allow the Chair to close the public hearing without an approved motion by the Commission.
- Add Section 5.16 to allow the Chair to without motion adjourn meetings temporarily or close the meeting after the conclusion of business and declare recess when necessary or expedient to do so.

**MMC Title 1, Chapter 500 (Planning Commission):** Amend Section 1.07 to 1) clarify that the Planning Commission shall elect the Chair and Vice Chair at its first regular meeting of the calendar year in January rather than the fiscal year in July and 2) remove language requiring appointment of a secretary for Commission meetings, which is currently fulfilled by the Administrative Assistant of the Planning Department as recognized by Section 2.02 of the Planning Commission Bylaws.

## **RECOMMENDATION**

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Discuss including an invocation as a standing agenda item for Planning Commission meetings and consider adopting this and other housekeeping revisions to Milpitas Municipal Code (MMC) Title I, Chapter 500, Section 1.07 and the Planning Commission Bylaws.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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The action is an organizational or administrative activity of the City government that will not result in direct or indirect physical changes in the environment and is not a project pursuant to Cal. Code of Regs., tit. 14, § 15378.

## **ATTACHMENTS**

Attachment A – Planning Commission Bylaws with Proposed Redline Revisions  
Attachment B – [Proposed] Ordinance Amending MMC I-500-1.07, With Redlines

**CITY OF MILPITAS  
PLANNING COMMISSION  
BYLAWS**



**June-March 20192026**

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### BYLAWS of the CITY OF MILPITAS PLANNING COMMISSION

The City Council of the City of Milpitas has approved the following Bylaws of the Planning Commission of the City of Milpitas (the “Planning Commission”) by adoption of Resolution 7187, as amended by Resolutions 7477 and #####. In addition to the rules and procedures set forth herein, the Brown Act, the Public Records Act, and all other applicable statutes and laws likewise govern the Planning Commission, including Milpitas Municipal Code (“MMC”) Title I, Section 500, which governs the formation and operation of the Planning Commission.

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#### Section 1 - Preface

Pursuant to MMC Section I-500-1.08, the Planning Commission shall adopt written rules and regulations as to the time, place and date of its regular meetings and shall adopt such rules and regulations as it deems necessary to conduct its business including rules of procedure. Such rules and regulations shall be consistent with the laws of the State of California or with the ordinances, resolutions or regulations of the City of Milpitas. These bylaws are prepared to serve this purpose. Any modifications to these provisions must be consistent with the underlying Code provisions, as well as all applicable laws.

The City Council of the City of Milpitas established the Planning Commission and granted to it responsibilities in the area of land use, redevelopment issues, and planning permit decisions. The intent of these bylaws is to assist and be used by the Planning Commission in performing its duties and conducting its meetings. Failure to adhere strictly to a provision of the bylaws shall not, in and of itself, invalidate any action of the Planning Commission or the City Council, nor shall it constitute a violation of law or procedure nor provide a basis for any claim or cause of action against the City. If a conflict arises between these bylaws and the MMC, the MMC shall control.

## Section 2 – Commission Officers and Duties

### 2.01 Officers

The officers of the Planning Commission shall consist of a Chair, Vice-Chair, and a Secretary.

### 2.02 Selection

At its first regular meeting held for the transaction of business during January, or as soon thereafter as may be possible, the Planning Commission shall elect a Chair and a Vice Chair for such calendar year. When a vacancy exists in the office of Chair or Vice Chair, the Planning Commission shall elect a member to serve in such capacity for the remainder of the calendar year. The City of Milpitas staff liaison to the Planning Commission shall serve as the Planning Commission Secretary. The Secretary shall preside over the election of the Planning Commission officers. Election of the officers shall be placed on the agenda after approval of the agenda.

### 2.03 Duties

The duties of the Planning Commission officers shall be as follows:

#### Chair

The Chair shall preside over all meetings of the Planning Commission and sign all resolutions approved by the Commission.

#### Vice Chair

The Vice-Chair shall assist the Chair in the execution of his or her office and act in his or her absence.

#### Secretary

It shall be the duty of the Secretary to keep records of all meetings of the Planning Commission.

## Section 3 - Meetings

### 3.01 Regular Meetings

The Planning Commission regular meetings shall generally be the 2nd and 4th Wednesdays of each month at 7:00 p.m. in City Hall. The Planning Commission shall generally hold at least one (1) meeting per month. At the last regular meeting of the calendar year, the Planning Commission shall approve a meeting schedule for the upcoming year, which calendar may be subsequently amended if necessary.

### 3.02 Special Meetings

Special meetings of the Commission are meetings called in addition to those on the approved meeting schedule. Special meetings may be called by the Chair with the consent of at least three (3) other members or called with the consent of four (4) members of the Commission. The Brown Act requires the agenda for special meetings to be posted twenty-four (24) hours prior to the meeting. It is a policy of the Planning Commission to

provide seventy-two (72) hours notice for special meetings, when possible, to allow staff to prepare appropriate support materials. However, lack of seventy-two (72) hour notice will not preclude action if the Brown Act notice requirements are met.

### **3.03 Other Meetings**

Workshops, study sessions, and retreats are meetings convened for informational purposes, Planning Commission training, and study sessions and do not require the Planning Commission to take any action. Such meetings shall be posted in the same manner as special meetings as described in Section 3.02.

### **3.04 Attendance and Punctuality**

Commissioners are expected to arrive on time and be present for the entire meeting. Commissioners are important City officials whose actions and decisions will have long-term impacts on the quality of life of city residents and visitors. Therefore, only in rare, unavoidable circumstances should Commissioners miss meetings or workshops. Three (3) or more unexcused absences from meetings and/or workshops during a calendar year shall be reported to the City Clerk, who notifies the City Council of the Commissioner's attendance record. The City Council may choose to subsequently review of the Commissioner's performance to determine any extraordinary reasons or other explanations for the Commissioner's unexcused absences.

### **3.05 Quorum**

A meeting cannot be conducted without a quorum of the Planning Commission. If enough Commissioners abstain due to a conflict of interest so as to lose a quorum, the Commission shall exercise the rule of necessity to regain a quorum, as allowed by law. Otherwise, disqualified Commissioners shall be chosen by a draw of straws until a quorum is reached. The Commissioner so chosen shall continue to participate in the meeting until that matter until is concluded.

## **Section 4 – Agendas and Minutes**

### **4.01 Agenda Preparation and Distribution**

Not less than nine (9) days prior to any regular scheduled meeting, the secretary of the Commission shall endeavor to prepare an agenda which shall list all matters to be considered by the Commission at the meeting for which the agenda is prepared. The agenda shall ideally be distributed no less than five (5) days prior to the scheduled meeting to all members of the Commission, staff, anyone requesting such agenda and to other persons as the Commission and City Council may direct. Failure to satisfy any of the deadlines herein shall not, in and of itself, invalidate any action of the Commission. Agendas shall be provided as required by the Brown Act.

### **4.02 Agenda Contents**

The agenda shall contain the place, date and time of the meeting and items to be discussed at the meeting, consistent with the Brown Act.

Items can be placed on the agenda by staff as part of their responsibility in reviewing planning applications and administering city projects.

Any Commissioner may request the placement of an item on a future Commission agenda. Staff shall advise the Commission regarding the amount of time that may be necessary to prepare background materials related to the requested item and when the next available agenda opening would be. By majority vote, the Planning Commission may place the requested item on a future available agenda, providing at least seventy-two (72) hours prior to the meeting at which such item shall be considered in order to comply with the Brown Act and allow staff to prepare appropriate support materials. Items requiring additional public noticing will be placed on the next available agenda, within the scope and jurisdiction of the Planning Commission.

#### **4.03 Minutes**

The Planning Commission shall keep a record of its resolutions, transactions, findings and determinations. The Secretary shall maintain minutes of all proceedings. The meeting agenda and minutes are a public record and shall be available for inspection.

The minutes shall reflect the maker of the motion and the second for all actions. The vote of each Commissioner shall be recorded in the minutes.

### **Section 5 – Meeting Conduct**

#### **5.01 Purpose**

The Planning Commission is a public agency with land use planning and decision-making duties. It is the policy of the Planning Commission to encourage free and open discussion of issues on a Planning Commission meeting agenda, but also to ensure that the Commission completes the agenda in a timely manner and in a process that accords courtesy and respect to all participants.

#### **5.02 Invocation**

To solemnize the proceedings, following the Pledge of Allegiance, the Planning Commission may allow one of its members to offer a brief invocation for the benefit of the Commission and the community. The invocation may be secular or non-secular and in a form of the Commissioner's choosing consistent with this section, including a moment for silence, contemplation, or gratitude. The invocation need not reflect the Commissioner's personal religion, belief, or faith, and the invocation does not reflect the views or expression of the City of Milpitas or the Planning Commission as a whole.

The invocation will be voluntarily delivered by a willing Commissioner selected by a rotating schedule in order of seniority maintained by the Planning Commission Secretary. If a Commissioner elects not to participate, or is absent when scheduled, the next Commissioner in order may offer the invocation.

No member of the Planning Commission, City employee, or other person in attendance is required to participate in or be present for any invocation that is offered. By motion and majority vote, the Commission may also choose to skip the invocation for a particular meeting or suspend the practice.

Invocations shall not proselytize, advance, or disparage any religion, belief, faith, or denomination. Invocations shall avoid being denominational, including by consistent reference to specific deities, tenets, or texts associated with a particular religion, belief, faith, or denomination. Invocations should recognize the diversity of ideas, beliefs, and traditions present in the Milpitas community and the value of appropriately calling to mind such matters to benefit thoughtful and considerate decision-making.

#### **5.0203 Rules**

Robert's Rules of Order, Revised, except where inconsistent with the express provisions of law, these bylaws, or other resolutions of the Commission, shall govern the conduct of meetings of the Commission.

#### **5.0304 Close of Public Hearing**

No evidence shall be taken after the public hearing is closed on a matter.

#### **5.0405 Addressing the Commission**

As per the Brown Act, the public may comment on any agenda item, however shall do so in the following manner:

Each person addressing the Commission is requested, but not required, to give his/her name and address in an audible tone of voice for the record and to provide the same on a speaker register used to prepare the meeting minutes. The speaker is requested to state whether he or she is appearing as a representative or in a professional capacity such as an attorney, engineer, etc., and to state the name of the individual or organization he or she is representing, if applicable. Unless ~~additional time is granted~~ determined otherwise by the Chair, all remarks shall be limited to three (3) minutes and shall be addressed to the Commission as a body and not to any individual member thereof. The Chair may limit repetitive testimony in the interest of time. Only members of the Commission or the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, except through the Chair. Any person who wishes to address the City Attorney or staff shall do so through the Chair and not pose questions or remarks to the Attorney or staff directly.

#### **5.0506 Motions**

When making a motion, the following options are available:

- (a) Deny without prejudice
- (b) Deny with prejudice
- (c) Approval
- (d) Approval with conditions
- (e) Continue (table)

**5.0607 Voting**

The Chair has the right to vote and make a motion on any issue before the Commission.

The vote of all Planning Commissioners, including the Chair, shall be recorded and no vote shall be taken in secret. All Planning Commissioners shall vote on an item when legally able to do so. Nothing herein shall preclude the Planning Commission from meeting or taking action in Closed Session in accordance with the requirements of the Brown Act.

**5.07-08 Super-Majority Vote**

Some planning actions, require a super-majority vote, i.e., the affirmative vote of not less than a majority of the total membership of the Planning Commission. The super-majority vote of the total membership of the Planning Commission requires the affirmative vote of four (4) of the seven (7) Planning Commissioners.

**5.08-09 Tie-Vote, Lack of Majority Vote**

A tie-vote occurs when there is an equal number of Commissioners who voted in favor of a motion as have voted not in favor of a motion, such as a 3-3 vote. A lack of majority vote occurs when less than half of the votes cast support the motion, such as a 3-4 vote. When either a tie-vote or lack of majority vote occurs, the motion fails, thereby resulting in no action. A majority vote is necessary to take action on an item, regardless of whether the Planning Commission has final authority or advisory authority. In all cases, the Planning Commission shall work towards formulating a majority recommendation. If this cannot be achieved, the Planning Commission shall clearly summarize their issues to provide direction to the applicant or to the City Council.

**5.0910 Abstentions**

Prior to taking action, the Commission must receive and weigh all presented evidence and testimony. In cases where a Commissioner is not present for public testimony on an item, the Commissioner should abstain from voting. This notwithstanding, in cases where an item has been continued from a meeting at which a decision-maker has been absent, the decision-maker can review the videotape of the meeting or the meeting minutes and participate in the continued hearing and vote. Similarly, Commissioners may vote on the approval of meeting minutes even for meetings they did not attend if they have sufficient information to do so, including after reviewing the recording of the meeting.

A Planning Commissioner abstaining from voting shall state a reason.

**5.1011 Passing the Gavel**

When neither the Chair nor the Vice Chair is present or able to vote due to a conflict of interest, the gavel shall be passed to the Commissioner with the longest years of service as the Chair Pro Tempore with authority to preside over the meeting and/or the agenda item.

**5.1112 Seating Arrangement**

To encourage the integration of recently appointed Commissioners, a meeting seating arrangement shall be established by the Chair.

**5.4213 Exhibits**

All exhibits filed in connection with any pending matter become part of the record of the proceedings and shall be retained subject to compliance with applicable records retention policies of the City.

**5.4314 Order of Procedure, Public Hearing Guidelines**

The following guidelines are for general agenda items. Variations on the guidelines for public hearing items are noted in parentheses.

- Staff report
- Clarifying questions to staff
- Applicant presentation
- Clarifying questions from Commissioners to Applicant
- Public comment on item (Chair opens public hearing)
- Applicant responds to questions, comments for clarification, amplification
- ~~(Close Chair closes public hearing by motion of Commission)~~
- Commissioners deliberate, discuss the item
- Commissioners vote

The Chair may vary the order otherwise provided above.

**5.4415 Reports by Staff or its Consultants**

Written reports by staff or its consultants shall be considered a part of the official record of the proceeding to which they relate. Copies of any such written report shall be made available to the public at any hearing held on the proceeding to which such report relates.

**5.16 Adjournment and Recess**

The Chair may adjourn all meetings and sessions either temporarily or terminally after the conclusion of business and declare all meetings and sessions at recess when the Chair decides it is necessary or expedient to do so. This does not limit a member from proposing adjournment or recess or the Commission duly ordering such acts by motion and majority vote.

**Section 6 – Commissioner Conduct**

**6.01 Purpose**

The Planning Commission recognizes that differences of opinion are inherent in its land use subject matter and duties, whether they are differing opinions among Commissioners, or, between Commissioners and staff, or Commissioners and the public. The Commission also recognizes that discussion and resolution of such differences are often the basis for crafting land use decisions that are most appropriate for the City and its neighborhoods. It is the policy of the Planning Commission to recognize such

differences and to provide a forum that allows them to be expressed in a respectful, courteous manner.

**6.02 Recognition from Chair to Make Remarks**

A Commissioner shall obtain recognition from the Chair and address all remarks including those to staff and the City Attorney to the Chair. Once a Commissioner has the floor, questions to the City Attorney and staff shall be directed through the chair.

**6.03 Appropriate Remarks**

A Commissioner should confine remarks to the merits of the pending question. All statements should have bearing on the adoption of the immediately pending question.

A Commissioner should refrain from offensive remarks directed towards another Commissioner or staff.

A Commissioner should not read lengthy passages from reports, books, quotations, etc., without permission of the Commission.

**6.04 When to Withdraw a Motion**

The maker of a motion who no longer supports his or her motion should ask permission to withdraw the motion. The maker of a motion may vote against the motion but cannot speak against it.

**6.05 Courtesy to Others**

A Commissioner should refrain from disrupting the Commission and give courteous attention to other speakers.

No member should speak a second time on a question if any member who has not yet spoken on the question wants to do so.

A Commissioner should be open to all concerns and listen to all participants with an open mind, even if he or she disagrees with them.

**6.06 Ex-parte Communication**

Commissioners are discouraged from suggesting any change to any project to the applicant or staff before the Commission as a whole considers the project. In addition, to ensure that all Commissioners receive the same information relative to a project that will be reviewed by the Commission, third party contacts are discouraged. Any such communications must be disclosed by the Commissioner at the Commission meeting prior to the item being considered.

**6.07 Communications with the Press**

When speaking to the press, Commissioners shall clearly state that they are speaking for themselves only and not for the Commission as a whole.

**6.08 Professionalism**

Commissioners are expected to exhibit a professional demeanor during public meetings at all times, to ensure decorum and respect to fellow Commissioners, City staff and the public.

#### **6.09 Continued Training**

Commissioners should continually strive to improve their land use knowledge and skills.

As funding is available, members of the Planning Commission are encouraged to annually attend the League of California Cities Planner's Institute and may additionally attend the League's Annual Conference. Alternatively, and subject to available funding, Planning Commissioners may choose to attend local conferences or trainings rather than the League's Conference if: (1) the conference or training is related to planning issues applicable in Milpitas, and (2) the amount of money expended by any one Commissioner does not exceed the cost of attending the two League Conferences, as budgeted for the year.

#### **6.10 Meeting Preparation**

The Milpitas General Plan provides a vision and policy framework for future development to of the city, and all Planning Commission decisions must be consistent with the adopted policies in the General Plan. The Zoning Ordinance is a tool used by City official and staff, including the Planning Commission, to implement the General Plan. These documents are Council-approved and legally binding, and each Planning Commissioner has a responsibility to read and comprehend both the General Plan and the Zoning Ordinance in order to make sound decisions on issues brought before the Commission.

The effectiveness of the Planning Commission requires the Commissioners thoroughly prepare themselves prior to a public meeting. This should include careful review of the agenda packets, additional research as needed, and calling upon Planning staff prior to the meeting for clarification and understanding of the projects and materials to be discussed.

#### **6.11 Meeting Participation**

Each Commissioner's input is important and valued. All Commissioners in attendance are expected to participate.

#### **6.12 Position Justification**

Public decisions must be accompanied with coherent reasons, as statements are incorporated into the legal record.

#### **6.13 Staff and Commissioner Roles**

##### **Staff's Role**

Planning staff's role is to provide the Commission with the information it needs to make an independent decision and to provide the Commission with a professional recommendation supported with analysis. Staff's responsibilities include public

noticing and reviewing of applications for completeness and compliance with all local and state codes, including the California Environmental Quality Act (CEQA). In addition, staff shall assist with facilitating meetings.

**Commissioner’s Role**

A Planning Commissioner’s role is to review the information provided by staff, evaluate written and oral testimony provided by the general public and the applicant, to analyze the project proposal itself, and to make an independent decision which is in the best interests of the City and in conformance with applicable laws and regulations.

**6.14 The Brown Act**

The Brown Act is the California Open Meeting Law. The Planning Commission and Commissioners are subject to its provisions. Commissioners with questions should contact the City Attorney, the Planning Commission Chair or Planning staff.

**6.15 Addressing Others**

The appropriate title should be used when acknowledging a meeting participant, such as “Mr.,” “Ms.,” “Commissioner,” “Chair,” “Vice-Chair”, etc. This shows respect, professionalism and avoids the appearance of favoritism.

**6.16 Conflicts of Interest/Code of Ethics**

The City Attorney may be able to provide advice on avoiding legal and perceived conflicts of interest. Questions on a possible conflict should be addressed to the City Attorney prior to the meeting. Any member of the Planning Commission who has a conflict of interest with an item on the agenda shall excuse him or herself prior to the introduction of the agenda item, as required by law.

If at a meeting, an unresolved issue arises as to whether a Planning Commissioner may have a conflict of interest on an agenda item, the Planning Commission may seek the advice of the City Attorney. The Planning Commission may continue the item to a future agenda for resolution of the matter, with consideration of any applicable Permit Streamlining Act provisions.

Each Commissioner should work towards maintaining the highest actual and perceived integrity level while sitting on the Commission. In addition, Planning Commissioners shall adhere to any applicable local regulations governing ethical conduct adopted by the City of Milpitas.

**REGULAR**

**NUMBER:** \_\_\_\_.

**TITLE:** **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING THE MILPITAS MUNICIPAL CODE TITLE I, CHAPTER 500, SECTION 1.07 RELATING TO THE SELECTION OF PLANNING COMMISSION OFFICERS**

**HISTORY:** This Ordinance was introduced (first reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_ and was adopted (second reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Suzanne Guzzetta, City Clerk

\_\_\_\_\_  
Carmen Montano, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher Creech, Acting City Attorney

**RECITALS AND FINDINGS:**

**WHEREAS**, on February 11, 2026, at a regular meeting, the Milpitas Planning Commission referred to the City Council proposed changes to its bylaws and governing ordinance to bring consistency between these documents and better facilitate the business of the Commission; and

**WHEREAS**, pursuant to Section I-500-1.08 of the Milpitas Municipal Code, the Planning Commission may adopt such written rules and regulations as it deems necessary to conduct its business, including rules of procedure, and the City Council has the power to approve, disapprove, or modify said rules and regulations as it deems necessary; and

**WHEREAS**, the City Council has the authority to adopt such ordinances as it deems necessary to govern City commissions, including the Milpitas Planning Commission; and

**WHEREAS**, the City Council has now reviewed and wishes to adopt the changes proposed by the Planning Commission, including by adopting this ordinance to better align the selection process for Planning Commission officers as contained in the Milpitas Planning Commission Bylaws and the Milpitas Municipal Code.

**NOW, THEREFORE**, the City Council of the City of Milpitas does ordain as follows:

**SECTION 1. RECORD AND BASIS FOR ACTION**

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

**SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE I, CHAPTER 500, SECTION 1.07**

Title I, Chapter 500, Section 1.07 of the Milpitas Municipal Code is hereby amended to read as follows:

The Planning Commission shall, at its first regular meeting held for the transaction of business during ~~July~~ January, or as soon thereafter as possible, elect a ~~chairman~~ Chair and a ~~vice-chairman~~ Vice Chair for such fiscal year. When a vacancy exists in the office of ~~chairman~~ Chair or ~~vice-chairman~~ Vice Chair, the Planning Commission shall elect a member to serve in such capacity for the remainder of the fiscal year. ~~At said meeting, the Planning Commission shall also appoint a secretary who need not be a member of the Commission.~~

**SECTION 3. SEVERABILITY**

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

**SECTION 4. EFFECTIVE DATE AND POSTING**

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.



# CITY OF MILPITAS Planning Commission

## SPECIAL MEETING MINUTES

5:30pm

NOVEMBER 19, 2025

CITY COUNCIL CHAMBERS,  
455 E CALAVERAS BLVD, MILPITAS, CA  
and  
via TELECONFERENCE (Zoom Webinar)

<b>CALL TO ORDER</b>	Chair Gupta called the meeting to order at 5:30 pm.
<b>PLEDGE OF ALLEGIANCE</b>	Commissioner Awasthi led the pledge of allegiance.
<b>ROLL CALL</b>	Recording Secretary Medina called the roll.  <b>PRESENT:</b> Chair Gupta, Vice Chair Caulkins, Albana, Medina-Ashby, Awasthi and Kong.  <b>ABSENT:</b> Galang  <b>STAFF:</b> Jay Lee, Christopher Creech, Randy Baez, and Elizabeth Medina.
<b>CONFLICT OF INTEREST/CAMPAIGN CONTRIBUTION DECLARATION</b>	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.
<b>APPROVAL OF THE MEETING AGENDA</b>	By motion, approve the meeting agenda for November 19, 2025.  Motion/Second Awasthi/Kong Motion carried by a vote of AYES: 6 NOES: 0
<b>APPROVAL OF THE MEETING MINUTES</b>	By motion, approve the meeting minutes for September 24, 2025.  Motion/Second Albana/Caulkins Motion carried by a vote of AYES: 5 NOES: 0 ABSTAIN: 1 (Kong)
<b>ANNOUNCEMENTS</b>	Planning Director Lee announced that the current meeting was a special meeting held in lieu of the regular fourth Wednesday meeting in November, which was canceled due to the Thanksgiving holiday. The next regular Planning Commission meeting is scheduled for <b>December 10 at 7:00 p.m.</b> , pending any public hearing items, and will be held at the usual location.  Planning Director Lee also reminded the public of recent significant updates to the City's zoning regulations, including the adoption of a comprehensive zoning ordinance update and the Gateway Main Street Specific Plan covering the area north of the Great Mall along Main Street and Calaveras. These changes introduce new standards and zoning requirements. Members of the public interested in redevelopment or renovation projects were encouraged to contact Planning staff for guidance.
<b>PUBLIC FORUM</b>	Chair Gupta invited members of the public to address the commission, and there were none.

**IX-1 76 GAS STATION BEER & WINE SALES – 190 W. CALAVERAS BLVD. – P-UP25-0005:** A Conditional Use Permit to allow the sale of alcoholic beverages (beer and wine) consistent with an Alcohol and Beverage Control (ABC) Type 20 License for off-site consumption, at an existing 76 Gas Station on a 0.9-acre parcel in the General Commercial (C2) Zoning District with a Gateway Office (OO) Overlay District located at 190 W. Calaveras Blvd. 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 on a separate and independent basis, Section 15183 (Projects consistent with a Community Plan, General Plan, or Zoning).

(46:01) Project Planner Randy Baez, applicant (Jemma Jorel Lester), and property owner (Gawfco Enterprises) addressed commissioners' clarifying questions on various topics.

Commissioners questioned staff regarding the distribution and concentration of existing Type 20 (off-sale beer and wine) ABC licenses in the vicinity of the proposed project, noting multiple licensed establishments within and near the same census tract and expressing concern about potential overconcentration and public convenience and necessity. Staff explained that ABC defers to local jurisdictions on these findings and confirmed that, while the area contains other licensed businesses, the proposed use is distinct as a gas station convenience store. Staff also noted that census tract boundaries may affect how concentrations are evaluated.

Commissioners discussed whether conditions of approval could be imposed to limit alcohol-related impacts. Acting City Attorney Creech confirmed that the Planning Commission has discretion to impose reasonable conditions, including limits on floor or display space for alcohol sales, if supported by findings related to public health, safety, and welfare.

The applicant explained that beer and wine sales would be supplemental, estimated at approximately 10–15% of total convenience store sales, and would not be the primary draw. The applicant emphasized a business model focused on healthier food options, strong employee training, strict ID-checking procedures, and security measures. Alcohol sales would be limited to beer and wine under a Type 20 license, with spirits not permitted. The applicant also described efforts to reduce or eliminate tobacco sales at certain locations.

Additional concerns were raised by commissioners regarding the proximity of schools, childcare centers, places of worship, and the overall saturation of alcohol licenses in the area, with some commissioners questioning whether the project meets the public convenience and necessity finding. The applicant and their representatives highlighted the company's long-standing, family-owned operations, community-oriented approach, and compliance history.

Chair Gupta invited members of the public to address the commission and there were three community members who spoke in opposition of the project; Joven Sall, Jason Singh (SBC Liquors), and Kevin Sandhu (SBC Liquors).

Three members of the public spoke in opposition to the proposed project. A recent high school graduate expressed concerns about the overconcentration of alcohol-selling businesses in the area, potential risks related to drinking and driving, and the proximity of daycares and other sensitive uses, citing personal experience with the impacts of drunk driving.

Two speakers representing nearby family-owned liquor businesses stated that approval of an additional alcohol license in close proximity would negatively impact their livelihoods and could force their businesses to close. They emphasized that alcohol sales constitute a significant portion of their primary income, noted their long-standing compliance and clean records with the City and ABC, and expressed concern about oversaturation of alcohol retailers in the area. Speakers also highlighted the

economic challenges faced by small businesses and the cumulative impacts of additional alcohol outlets near schools, childcare facilities, and existing licensed establishments.

Motion to close the Public Forum.

Motion/Second Caulkins/Medina-Ashby  
Motion carried by a vote of AYES: 5 NOES: 0

The Planning Commission deliberated on whether the proposed Conditional Use Permit satisfied the finding of public convenience and necessity, citing concerns about the concentration of existing alcohol licenses in the area and the proximity of schools, childcare facilities, and places of worship. Commissioners discussed potential public safety impacts and the cumulative effect of alcohol-serving businesses.

The Commission acknowledged that the proposal involved a Type 20 license limited to beer and wine and that alcohol sales would be ancillary to the primary business. Commissioners also considered the applicant's operational practices and the Commission's authority to impose conditions of approval, including limits on alcohol display area, to mitigate potential impacts. Following discussion, the Commission closed deliberations and proceeded to vote

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 25-015, approving Conditional Use Permit No. UP25-0005, subject to the attached Conditions of Approval. *A special condition added by the Planning Department limits the alcohol display area to a maximum of 50 square feet of gross floor area.*

Motion/Second Albana/Awasthi  
Motion carried by a vote of AYES: 5 NOES: 0

**NEW BUSINESS**

NO ITEMS.

**ADJOURNMENT**

Chair Gupta adjourned the meeting at 7:43 pm  
Motion/Second Awasthi/Kong  
Motion carried by a vote of AYES: 6 NOES: 0

Meeting Minutes submitted by  
Planning Commission Secretary Elizabeth Medina