



# 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)

#### CALL TO ORDER

Chair Gupta called the meeting to order at 5:30 pm.

#### PLEDGE OF ALLEGIANCE

Commissioner Awasthi led the pledge of allegiance.

#### ROLL CALL

Recording Secretary Medina called the roll.

**PRESENT:** Chair Gupta, Vice Chair Caulkins, Albana, Medina-Ashby, Awasthi and Kong.

**ABSENT:** Galang

**STAFF:** Jay Lee, Christopher Creech, Randy Baez, and Elizabeth Medina.

#### CONFLICT OF INTEREST/CAMPAIGN CONTRIBUTION DECLARATION

Assistant City Attorney Christopher Creech asked if any member of the commission had any personal or financial conflict of interest related to any of the items on the agenda, and there were none.

#### APPROVAL OF THE MEETING AGENDA

By motion, approve the meeting agenda for November 19, 2025.

Motion/Second Awasthi/Kong

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

#### APPROVAL OF THE MEETING MINUTES

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)

#### ANNOUNCEMENTS

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 **December 10 at 7:00 p.m.**, 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.

#### PUBLIC FORUM

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.

*The Commission considered a motion to approve the project as recommended by staff with two additional conditions limiting alcohol sales to certain container sizes and restricting display area to 50 square feet. After clarification and discussion, the motion (Gupta) was seconded (Kong) but failed to pass (Noes: 4). A subsequent motion to approve the project without additional conditions also failed on a split vote (Motion/Second Medina-Ashby/Albana Ayes: 3 Noes: 3) A third motion was then made (Caulkins) and seconded (Medina-Ashby) to approve the resolution with the standard conditions and a single added condition limiting alcohol display area to 50 square feet. This motion passed by majority 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 Caulkins/Medina-Ashby

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

## 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