



# MILPITAS PLANNING COMMISSION AGENDA REPORT

**PUBLIC HEARING**

Meeting Date: July 22, 2009

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**APPLICATION:** **SITE DEVELOPMENT PERMIT NO. SD08-0010,  
ENVIRONMENTAL IMPACT ASSESSMENT NO. EA09-0005,  
CONDITIONAL USE PERMIT NO. UP09-0031,  
ADMINISTRATIVE PERMIT NO. AD08-0014, and Amendment of  
General Development Policy for Gasoline Service Stations and  
Automotive Service Centers**

**APPLICATION  
SUMMARY:**

A request to amend the General Development Policy for Gasoline Service Stations and Automotive Service Centers; the demolition and reconstruction of a gasoline service station and to vary from required setbacks of an existing gas station.

**LOCATION:  
APPLICANT:**

190 West Calaveras Blvd. (APN: 022-24-030)  
MI Architects, Mr. Muthana Ibrahim, 2960 Camino Diablo, Suite 100,  
Walnut Creek, CA 94597

**OWNER:**

Mohammed N. Ahmadi, 190 W Calaveras Blvd, Milpitas, CA 95035

**RECOMMENDATION:**

**Staff recommends that the Planning Commission:**  
**1. Close the public hearing; and**  
**2. Adopt Resolution No. 09-036, recommending approval to the City Council subject to the attached Conditions of Approval.**

**PROJECT DATA:**

General Plan/  
Zoning Designation:  
Overlays:  
Specific Plan Area:

General Commercial / General Commercial (C2)  
Site and Architectural and Gateway Office Overlays (S-OO)  
Midtown Specific Plan

**CEQA Determination:**

Mitigated Negative Declaration pursuant to section 15074 of the California Environmental Quality Act, "Consideration and Adoption of a Mitigated Negative Declaration.

**PLANNER:**

Tiffany Brown

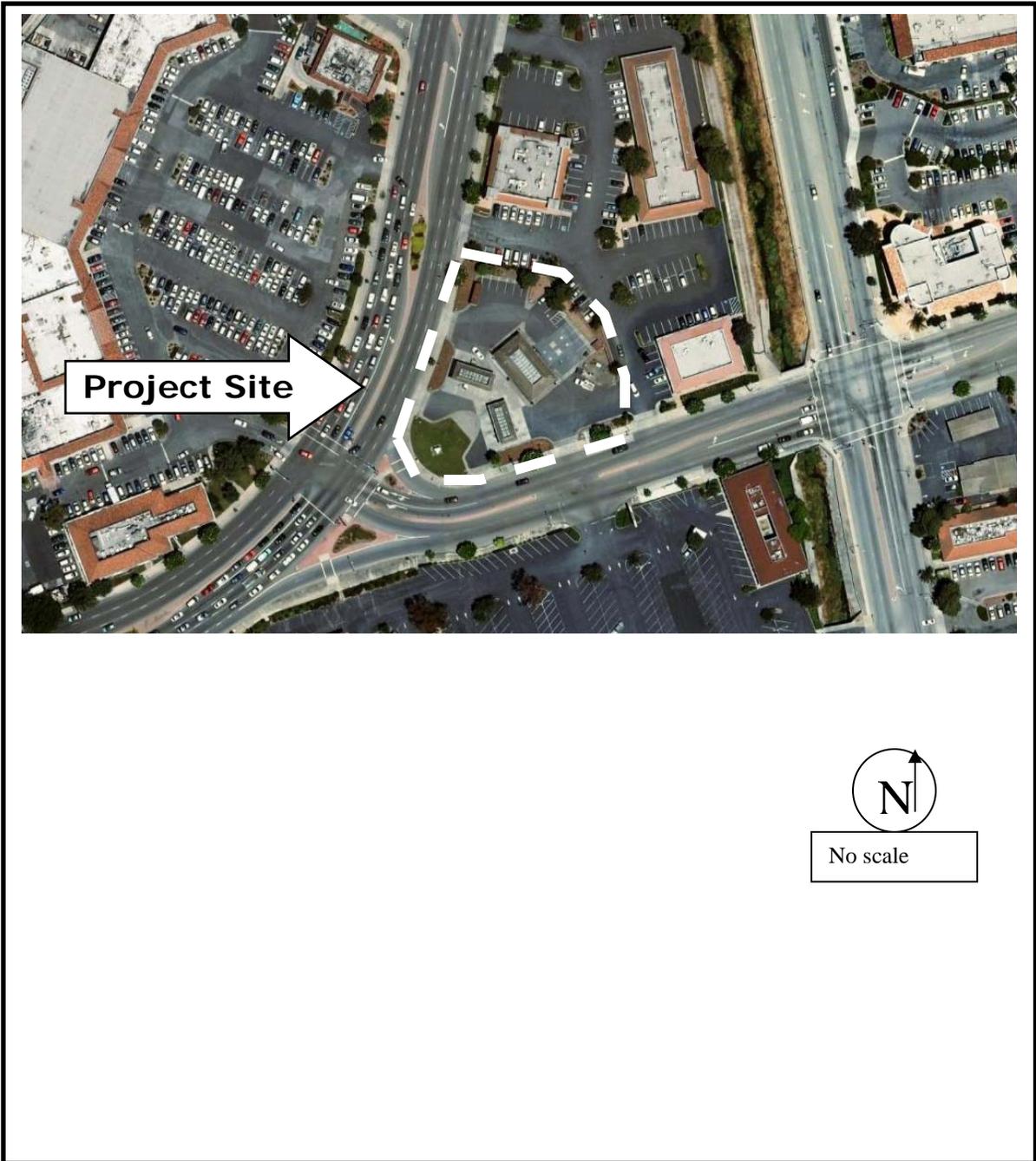
**PJ:**

**ATTACHMENTS:**

A. Resolution No. 09-036  
B. Site Plans and Colored elevations  
C. Environmental Impact Assessment No. EA09-0005 and Mitigation Monitoring Program

- D. Site Specific Health and Safety Plan
- E. Hazardous Materials Business Plan
- F. Milpitas General Development Policy: Gasoline Service Stations and Automotive Service Centers

# LOCATION MAP



**BACKGROUND**

In November 1970, the City Council adopted a General Development Policy for Gasoline Service Stations and Automotive Service Centers (“Service Station Policy”). The stated purpose and intent of the policy is to provide design, site development and product mix standards that encourage safe, orderly, unique and attractive service stations in a manner that best serve the interests of City residents, customers, and station operators.. In pertinent part, the Service Station Policy prohibited the sale of general grocery and dairy products, garden supply, or alcoholic beverage items in combination with the sale of gasoline or automotive services.

In 1985, the State adopted a statute prohibiting cities and counties from banning the concurrent retailing of beer and wine for off-premises consumption with motor vehicle fuel where the sale of each is otherwise allowed in a given zoning district. However, the State statute explicitly gave “grandfathering” rights to cities and counties that had passed prohibitions before August 1, 1985 that banned the sale of beer and wine with motor vehicle fuel as part of a “broader class of products or uses which includes alcoholic beverages or beer and wine as a named or unnamed part of the larger class.” Business & Professions Code § 23790.5(b)(4).

In December 1995, the City Council reviewed and clarified its Service Station Policy. Specifically, the scope of categories such as general “grocery” and “dairy products” was essentially clarified to allow the sale of pre-packaged, single-serving “snack items” and sundry goods (e.g., individual soft drink beverages, candy bars, and the like). The City Council also set a 250 square foot floor area limitation for the display of such snack items. The alcohol sale prohibition was not modified from its November 1970 form.

On September 17, 2008, Muthana Ibrahim submitted an application requesting an amendment of the Service Station Policy to allow for a new gas station facility with car wash and Snack Shop that varies from the allowable square footage for a snack shop under the current Service Station Policy; a Site Development Permit for the architectural review of the new structures, a Conditional Use Permit to vary from the maximum allowed setbacks within the Gateway Office Overlay district (OO), and to allow two freestanding signs over six feet in height, and an Environmental Impact Assessment to analyze any potential environmental impacts that would result from the proposed demolition of the existing site and construction of the new gas station. Mr. Ahmadi submitted this application pursuant to Section 57, Applications, of the Zoning Ordinance, with the intent to update/remodel the 76 Gas Station at 190 W Calaveras Boulevard, located next to the Serra Center and Calaveras Plaza, and to secure an amendment of or an exception from the Service Station Policy’s restrictions on snack shop floor area size. Amendments or exceptions to the Service Station Policy require approval of the City Council; therefore the applications are being processed concurrently and will be considered by the City Council upon recommendation by the Planning Commission in accordance with Section 64.03, Consideration of Concurrent Applications, of the Zoning Ordinance. No modification of the ban on concurrent beer and wine sales with motor vehicle fuel sales is being requested.

**PROJECT DESCRIPTION**

The project site is located at the corner intersection of Serra Way and Calaveras Boulevard. The property is zoned General Commercial with ‘S’ Zone and Gateway Office Overlay districts and is part of the Midtown Specific Plan. The Gas Station is located within the Calaveras Center with the

Calaveras Plaza to the north and Serra Center to the South. Surrounding zoning is General Commercial with Gateway Office Overlay, 'S' Zone Overlay, and designated Midtown Specific Plan area.

The project site is approximately 0.91 acres on a wedge-shaped parcel (bounded by two streets) with one building structure that is divided into a convenience store, a storage area, restrooms, and a smog service bay. The site also includes two canopies that together cover six fuel dispensers. The applicant is proposing to demolish the existing site and construct a new 2,737 Snack shop or convenience store, a 1,520 square foot car wash with patio area and one 4,294 square foot eight dispenser canopy. The project also includes two freestanding signs, exceeding six feet in height. (*See Attachment B.*)

### ***Zoning Ordinance and Midtown Specific Plan Development Standards***

**Table 1**  
**Development Standards**

	<b>Zoning Ordinance</b>	<b>Proposed</b>
<u>Setbacks</u> :		
Front and Street Side (Maximum)	10'	Front ( <i>Street intersection to Canopy</i> ) 85' to Canopy  Serra Way Side: Canopy = 10' Snack Shop = 80'  Calaveras Boulevard Side: Canopy = 10' Snack Shop = 65'
Rear (Minimum)	0'	2.5'
<u>Lot Coverage</u> (Maximum)	None	56.9%
<u>Floor Area Ratio</u> (Maximum)	150%	21.6%
<u>Building Height</u> (Maximum)	6 stories and 85' in height	21.5'

Per Section 10-12.02 (F) for Exception to Standards within the Gateway Office Overlay District, an exception to the setback maximum may be approved by the Planning Commission through a Conditional Use Permit. Because of the odd shaped parcel and the use of the parcel as a gas station; the applicant's design layout would not work effectively with the main building at the street intersection and the gas pumps with car wash located at the rear as prescribed by the required setbacks. The intent of the Gateway Office Overlay District is to use the 10' maximum front yard setback as a way to create a pedestrian friendly streetscape. An automobile related use is inconsistent with that intent, however, to compensate, the applicant proposes a stone tiered planter that faces the street front intersection (where

Calaveras and Serra meet) and is located 10' from the front property line to ensure there is an architectural feature that bridges the gap between the streets and the building.

The Midtown Specific Plan area also allows for deviations from the development standards if the proposed project conforms to the intent and the specific requirements of the Midtown Specific Plan. This exception is applied to the 10' maximum requirement for the front yard setback and may be approved by the Planning Commission upon review of a conditional use permit, in accordance with the requirements of the zoning code (*see Zoning Ordinance section on page 10*) and the following two findings listed under the *Midtown Specific Plan* section on page 11 of this report.

### ***General Development Policy for Gasoline Service Stations Development Standards***

In addition to the standards for development within the Midtown area and the General Commercial District, the site is subject to the Milpitas Service Station Policy because of the proposed Gas Station. The Service Station Policy sets forth a number of building design, landscaping, set back, product mix, automobile storage, and other standards for gasoline service stations. The proposed project meets all development standards, except for the 250 square foot floor area restriction on the size of snack shop product displays within a service station.

The applicant requests the amendment of the Service Station Policy solely by removing the snack shop floor area restriction—no other changes to the policy are requested. Alternatively, if the City were to deny this request, the Planning Commission might consider a site-specific exception from the floor area restriction, contingent upon the existence of adequate findings meriting relief from this development standard.

- a. Proposal Compliance With Service Station Policy (Excluding Floor Area Snack Shop Display Restriction)

The table below summarizes the proposed project's compliance with the Service Station Policy standards unrelated to snack shop display floor area.

**Table 2**  
**Development Standards**

	<b>Policy</b>	<b>Proposed</b>
<u>Street Frontage</u>	120'	492.57'
<u>Lot Area (Minimum)</u>	22,500 sq. ft.	39,498 sq. ft.
<u>Landscaping (Minimum)</u>	20% of site	21.5% of site
<u>Planter areas (Minimum Width)</u>	10'	5' and greater
<u>Planter areas (Minimum curb height)</u>	6"	6"
<u>Trees (Minimum)</u>	24" box or field grown	24" box
<u>Shrubs (Minimum)</u>	5 gallon size or larger	5 gallon; and 1 gallon accent

	Policy	Proposed
		plants

The policy for Planter Areas reads as follows:

*“Along and abutting all street right-of-ways, except in those areas encompassed within the driveway exists and entrances, there shall be provided landscaped areas a minimum of ten or more feet in width.”*

The site plan shows two planter areas having a small portion of the entire planter area near the entrances and exits that narrows to five foot width. This area is considered as apart of the driveway egress and therefore is exempt from the 10-foot minimum requirement. All other planter areas maintain a minimum of 10 feet, which is consistent with the intent of the General Policy Development Standards.

**Table 3**  
**Other Site Standards**

<b><i>Policy</i></b>	<b><i>Consistency Finding</i></b>
<b><i>Site Standards:</i></b> - <i>Service stations should be designed so that they will not unduly interfere with the vehicular and pedestrian circulation system of the commercial area.</i>	Consistent.
- <i>A service station should not be the first use in a given development proposal to be build.</i>	Consistent.
<b><i>Building Design:</i></b> - <i>The service station should be designed for the specific site and be architecturally compatible with the other structures in the center or area.</i>	Consistent.
- <i>The use of independent licensed architects, as opposed to using the oil company’s engineers or architects, is encouraged in designing all structures upon the site.</i>	Consistent
- <i>The entrance to the service bays shall not be open to the street but shall be so designed to face the rear or interior side property line.</i>	Consistent
- <i>Whenever side access to service bays is permitted, landscaping or screening devises shall be used to substantially preclude the view into the service bays work areas.</i>	N/A No service bays proposed
- <i>The following materials are encouraged to be included as part of the main building site:</i> 1. <i>Tinted glass (gray or bronze)</i> 2. <i>Mission tile, concrete shake or similar roofing material.</i> 3. <i>Introducing additional materials complimentary to the basic building material for the purpose of architectural accent (mosaic tile, stained redwood, etc.)</i>	Consistent
- <i>Outside storage and display cabinets or enclosures may be permitted</i>	N/A

<b>Policy</b>	<b>Consistency Finding</b>
<i>if such cabinets are constructed and finished in harmony with the color, material and design to that of the main building.</i>	No outdoor storage is proposed
- <i>All pump islands shall have canopies</i>	Consistent
- <i>All supporting columns within the main building and the canopies shall be covered with the basic building materials for the purpose of architectural accent.</i>	Consistent
<b>Landscaping:</b>	Consistent
- <i>Any area that is required for unobstructed intersection visibility shall be developed and maintained as a low shrubbery and ground cover area.</i>	
- <i>Large paved areas shall be allowed only when adequate landscaping is provided according to the prescribed minimum.</i>	Consistent
- <i>All planter areas shall be serviced by an irrigation system.</i>	Consistent
<b>Miscellaneous Standards:</b>	Consistent
- <i>All interior property lines are to be fenced with a solid wall of similar material to that used in the main building or the surrounding development. In the case of service stations located within Shopping Center Developments, landscaped areas may be utilized in lieu of fencing subject to Planning Commission review and approval.</i>	
- <i>Retail sales of items which are not identified as permissible in the snack shop definition shall be prohibited. (see below for definition of a Snack Shop)</i>	Consistent
- <i>No outside open storage or display of merchandise shall be allowed, except for lubricating oil cabinets or containers located on or adjacent to each pump island.</i>	N/A
- <i>All outdoor storage space for rubbish shall be screened by a solid wall of similar material to that used in the main building.</i>	Consistent (Trash Enclosure)
- <i>No delivery tank shall fill the on-site gasoline storage tanks from the public street right-of-way.</i>	Consistent

b. Request for a Proposed Amendment of Square Footage Design Limitations in the Service Stations Policy or a Site-Specific Exception From the Such Limitations.

In order to perform the proposed remodel of the service station, the applicant also requests that the square footage limitations on snack shop displays be removed. This could be accomplished via an amendment Service Station Policy as follows, with deletions shown in strikethrough text:

*“Snack Shop: An area within a gasoline service station or automotive service center ~~no greater than 250 square feet of floor area~~ for the display and sale of prepackaged, single-serving snacks, dairy products, soft drinks and sundry items. ~~Restrooms and cashier areas are excluded from the floor area calculations.~~”*

The applicant asserts that this amendment is necessary in order to address changes in the automotive service industry. Specifically, the applicants claims that the current industry trend has been to replace

the service (i.e., auto repair) component of service stations with a retail component that typically caters to both vehicular customers and pedestrians from nearby residences and businesses by providing various convenience items. Furthermore, allowing a larger snack shop would not affect the primary purpose of the Service Station Policy in that the architectural and landscaping guidelines would still encourage the construction of safe, orderly, unique and attractive service stations, while providing the flexibility forgoes station operator to remain competitive with other retail ventures. As stated previously, the current Service Station Policy, with respect to its alcohol sale prohibitions, is a grandfathered local regulation under State law.

In the event the Planning Commission were to choose to recommend denial of the request to amend the Service Station Policy, the Planning Commission might also consider a recommendation to grant an exception to the Service Station Policy's application to this project, contingent upon the making of adequate findings meriting its issuance.

### Architecture

The existing gas station building and canopies were built in 1974. The applicant proposes to remodel the gas station and upgrade the look of the station. The building materials include walls with plaster finish and a two and a half foot tall stone veneer that wraps around the base of the new structure. To add to the architectural detailing, the façade includes a 12" X 12" tile in oasis red. The roof material is a rust reddish concrete tile. The entryway of the carwash is a wood trellis that is painted to match the main building. The building colors include oasis red, vanilla, deep russet, and apricot. (*See Attachment B.*) The colors and materials are both consistent with the Midtown Specific Plan and the General Development Policy for Gasoline Service Stations and the architecture of the building is compatible with the surrounding shopping centers.

### *Signs*

The project proposes three wall mounted signs, one for the Food Mart and two for the Car Wash, three logos on the fuel dispenser canopy, and two monument signs. All signs have been reviewed for conformity to the criteria listed in the design guidelines of the Sign Ordinance and are in compliance with the standards.

Signs proposed:

- One wall mounted, internally illuminated, single channel "Food Mart" sign. The sign is 7.6 square feet with white faces and matching returns.
- Two wall mounted, internally illuminated, single channel "Car Wash" signs. One is located on the main building where the cars exit the car wash station. The other sign is located on the trellis at the entrance of the car wash station. Both signs are 11.4 square feet with white faces and returns.
- Three fuel brand logos (76 logo) each 7.6 square feet. Each logo is internally illuminated and located on corners of the fuel dispenser canopies.
- Two monument signs; one located along Calaveras Boulevard and the other facing Serra Way. The monument sign along Calaveras stands 20'6" in height and 6'1" in width. The sign includes the fuel brand logo, Food Mart, Car Wash, and pricing of gasoline. The logo face is internally illuminated with a white background and the sign faces are internally illuminated with

white fonts on colored backgrounds. The base of the sign is stone veneer with an accent band to match the main building and decorative planter located at the front of the property.

**Table 4**  
**Sign Development standards**

	<b>Policy</b>	<b>Proposed</b>
<u>Sign Area</u> (Maximum) Not to exceed 2 square feet of sign for each 1 lineal foot (lf) of public street frontage	492.57 lf X 2 = 985.2 square feet allowed	175.7 square feet
<u>Freestanding Sign Height</u> (Maximum)	25'	20'6" and 17'
Area Identification Signs: <u>Each Sign Surface</u> (Maximum)	60 square feet	42 square feet is largest sign surface proposed
<u>Materials Utilized</u>	Shall not require extensive maintenance or upkeep.	Consistent

The General Development Policy for Gasoline Service Stations includes the following standards for signage:

**Table 5**  
**Gasoline Service Station Signs**

<b><i>Policy</i></b>	<b><i>Consistency Finding</i></b>
<i>All signs must conform to the Milpitas Sign Ordinance</i>	Consistent.
<i>Freestanding pole or monument style signs shall include a decorative type based or pole coverings.</i>	Consistent.
<i>No freestanding sign shall revolve, rotate, move or create the illusion of movement, rotation or revolvment, or have any visible moving, revolving or rotating surfaces or parts.</i>	Consistent.
<i>No freestanding sign shall be located within the front counter planter area, except a low architecturally designed identification sign, and in conformance with the adopted sing ordinance. The location of said sign shall not create a traffic obstruction.</i>	Consistent.
<i>Price signs are encouraged to be integrated with the freestanding pole identifications sign, and shall be architecturally designed to be compatible with the station.</i>	Consistent.

The proposed signage is within the allowable square feet of signage for this gas station and is compatible with the proposed architecture for the new building. (See Attachment B.) Per Sign Ordinance Section 30-3.01; all freestanding signs exceeding six feet in height may be approved by the Planning Commission through a conditional use permit. The proposed height of both freestanding monument signs exceeds the stated six feet in height and therefore requires Planning Commissions approval. However, the monument freestanding signs meet the development standards within the sign ordinance including being in compliance with the allowed maximum height for free standing signs (See Table 4 on previous page).

### ***Parking***

Per Section 53.09-1 of the Zoning Ordinance, the proposed project will require 18 parking spaces and is supplying 22 parking spaces.

**Table 6**  
**Required Parking Ratios**

	<b>Zoning Ordinance requirement</b>	<b>Proposed</b>
General Retail and Convenience Store	1 space per every 200 sq. ft. $2,737 / 200 = 13$	$2,737 / 200 = 13$
Drive-thru in conjunction with any other use (car wash)	5 vehicle spaces	9
<b>Total</b>	<b>18</b>	<b>22</b>

Table 5 above shows that the project exceeds the parking requirement by providing four more parking spaces than required.

### **ADOPTED PLANS AND ORDINANCES CONSISTENCY**

#### ***General Plan***

The table below outlines the project's consistency with applicable General Plan Guiding Principles and Implementing Policies:

**Table 7**  
**General Plan Consistency**

<b><i>Policy</i></b>	<b><i>Consistency Finding</i></b>
<i>2.a-1-23: Require development in the Midtown area to conform to the adopted design guidelines/requirements contained in the Midtown Specific Plan.</i>	Consistent.
<i>2.a-1-3: Encourage economic pursuits which will strengthen and promote development through stability and balance.</i>	Consistent.

The project proposal is to demolish and remodel an existing gas station and is consistent with the General Plan in that the upgrades to the site are in compliance with the Midtown Specific Plan Standards and the complete site remodel updates the property and encourages economic pursuits to locate near the new and improved gas station.

### ***Zoning Ordinance***

#### **Conditional Use Permit**

Per Table 10-5.02-1(10.), service stations and car washes are a conditionally permitted use within the General Commercial Zoning District with Planning Commission approval. Per Section 10-57.04, for Conditional Use Permits, the project must meet the required findings listed below:

- 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;
- 2) The proposed use is consistent with the Milpitas General Plan; and
- 3) The proposed use is consistent with the Milpitas Zoning Ordinance; and
- 4) The proposed use is consistent with the (Midtown) Specific Plan.

The project will not be detrimental or injurious to the property or improvements in the vicinity nor to the public health, safety, and general welfare and is consistent with the General Plan, Zoning Ordinance, and the Midtown Specific Plan.

#### **Site Development Permit**

Because the project proposal includes the demolition of the existing structures onsite and the construction of new structures, the project also requires a Site Development Permit per Section 57.03. Approval may be granted by the Planning Commission or the City council if all of the following findings are made:

- 1) The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.
- 2) The proposed use is consistent with the Milpitas General Plan; and
- 3) The proposed use is consistent with the Milpitas Zoning Ordinance; and
- 4) The proposed use is consistent with the Specific Plan.

The site layout and design of the project proposal are compatible and aesthetically harmonious with adjacent and surrounding development and is consistent with other adopted Plans and Ordinances as stated previously.

### ***Midtown Specific Plan***

The project proposal is consistent with the development standards and general provisions except the Front Yard Maximum Setback as shown in Table 1 for the Zoning Ordinance and Midtown Specific Plan Development Standards located on page 3 of this report. The Midtown Specific Plan allows for deviations from the development standards if the proposed project conforms to the intent and the

specific requirements of the Midtown Specific Plan and is consistent with the two findings listed below:

**Table 8**  
**Midtown Exception Required Findings**

<b>Finding</b>	<b>Consistency Finding</b>
<i>Page 8-4: The deviation from the Midtown Specific Plan Standard meets the design intent identified within the Specific Plan and does not detract from the overall architectural, landscaping and site planning integrity of the proposed development.</i>	<b>Consistent:</b> in that in lieu of having the main building located at the front of the property, the applicant intergraded an architecturally pleasing tiered stone venner planter that meets the 10' front yard set back.
<i>Page 8-4: The deviation from the Midtown Specific Plan Standard allows for a public benefit no otherwise obtainable through the strict application of the Design Standard.</i>	<b>Consistent:</b> in that the applicant demonstrated traffic circulation issues if the main building was located within 10' from the front portion of the site.

#### **ENVIRONMENTAL REVIEW**

An Initial Study and Draft Mitigated Negative Declaration were prepared for the project. The commenting period began on June 15, 2009 and closed on July 5, 2009. The project proposal includes the demolition of the existing gas station, which includes the removal of the underground gasoline storage tanks. Gasoline is considered a hazardous material; therefore, potential environmental impacts from the project include potential exposure to hazardous materials during the construction phase. The applicant prepared a Site Specific Health and Safety Plan that explains specific directions for the workers to follow during construction of the project. Also, the applicant provided a Hazardous Materials Business Plan that explains how the workers that transport the gasoline to and from the gas station are trained and have a safety plan to follow if there were ever a spill or an accident. This is discussed in detail in the Environmental Impact Assessment No. EA09-0005 (See Attachment C.). With the Site Specific Health and Safety Plan and Hazardous Materials Business Plan proposed as mitigation measures for the project, it is expected that this will reduce the potential hazardous impacts to a less than significant level.

#### **PUBLIC COMMENT/OUTREACH**

Staff publicly noticed the application in accordance with City and State law. As of the time of writing this report, there have been no inquiries from the public.

#### **CONCLUSION**

The project will update and enhance the prominent corner of the city with a new gasoline station, convenience store and car wash facility. The proposal is consistent with the General Plan, Zoning Ordinance, Sign Ordinance, and Midtown Specific Plan.

**RECOMMENDATION**

**STAFF RECOMMENDS THAT** the Planning Commission recommend approval to the City Council of **SD08-0010, EA09-0005, UP09-0031 and AD08-0014**, subject to the attached Resolution and Conditions of Approval.

*Attachments:*

- A. Resolution No. 09-036
- B. Site Plans and Colored elevations
- C. Environmental Impact Assessment No. EA09-0005 and Mitigation Monitoring Program
- D. Site Specific Health and Safety Plan
- E. Hazardous Materials Business Plan

**RESOLUTION NO. 09-036**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF SITE DEVELOPMENT PERMIT NO. SD08-0010, ENVIRONMENTAL IMPACT ASSESSMENT NO. EA09-0005, CONDITIONAL USE PERMIT NO. UP09-0031 and ADMINISTRATIVE PERMIT NO. AD08-0014, 76 GAS STATION, ALLOWING FOR THE DEMOLITION AND RECONSTRUCTION OF AN EXISTING GAS STATION LOCATED AT 190 WEST CALAVERAS BOULEVARD AND THE AMENDMENT OF THE GENERAL DEVELOPMENT POLICY FOR GASOLINE SERVICE STATIONS AND AUTOMOTIVE SERVICE CENTERS**

**WHEREAS**, on September 17, 2008, an application was submitted by Muthana Ibrahime with MI Architects, 2960 Camino Diablo, Suite 100, Walnut Creek, CA 94597, to allow for an amendment to the General Development Policy for Gasoline Service Stations and Automotive Service Centers and the demolition and reconstruction of an existing gas station. The property is located within the General Commercial Zoning District with Gateway Office and Site and Architectural Overlays and is a part of the Midtown Specific Plan (APN 022-24-030); and

**WHEREAS**, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and prepared a Mitigated Negative Declaration. The Mitigated Negative Declaration was circulated between June 15, 2009 through July 5, 2009; and

**WHEREAS**, on July 22, 2009, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

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

**Section 1:** The recitals set forth above are true and correct and incorporated herein by reference.

**Section 2:** The project includes a Mitigated Negative Declaration prepared pursuant to Section 15074 of the California Environmental Quality Act ("CEQA") and, as mitigated, will not result in any significant adverse environmental impacts. An Initial Study was prepared pursuant to CEQA and has been considered as a result of this project and although the project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures to reduce all impacts to a level of insignificance or to avoid such impacts have been identified and agreed to by the applicant.

**Section 3:** With respect to the Conditional Use Permit and Site Development Permit:

a. The project is consistent with the Milpitas General Plan Policies 2.a-I-23 and 2.a.I-3 in that the project remodel of an existing gas station with upgrades to the site are in compliance with the

Midtown Specific Plan Standards and the complete site remodel updates the property design and encourages economic pursuits to locate near the new and improved gas station; and

b. The project is consistent with the Milpitas Zoning Ordinance in that pursuant to Section 10-5.02-1(10.), service stations and car washes are a conditionally permitted use within the General Commercial Zoning District with Planning Commission approval; and

c. The project is consistent with the Midtown Specific Plan, except where deviations are proposed in that the front yard setback minimum for is 10' and the project proposal is 85' set back from the front property line.

**Section 4:** With respect to the Conditional Use Permit and the proposed deviation from the standard set back requirements for developments within the Midtown Specific Plan area and the Gateway Office Overlay District:

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

b. The proposed signs, at the proposed location will not be detrimental or injurious to the property or improvements in the vicinity nor to the public health, safety, and general welfare in that the signage compliments the project and is within the development standards of the sign program.

c. The deviation from the Midtown Specific Plan Standard (front setback) meets the design intent identified within the Specific Plan and does not detract from the overall architectural, landscaping and site planning integrity of the proposed development in that in lieu of having the main building located at the front of the property with the minimum setback of 10 feet, the applicant integrated an architecturally pleasing tiered stone veneer planter that meets the 10-foot front yard set back and provides the street frontage character.

d. The deviation from the Midtown Specific Plan Standard (front setback) allows for a public benefit not otherwise obtainable through the strict application of the Design Standard in that the applicant demonstrated traffic circulation issues if the main building was located within 10 feet from the front portion of the site.

**Section 5:** With respect to the Site Development Permit, the site layout and design of the project proposal are compatible and aesthetically harmonious with adjacent and surrounding development and is consistent with other adopted Plans and Ordinances.

**Section 6:** With respect to the Conditional Use Permit regarding the freestanding signs over six feet in height:

a. The height and size of the signs, including the structure, and illumination are as follows:

i. Two monument sign include one located along Calaveras Boulevard and the other facing Serra Way. The monument sign along Calaveras stands 20'6" in height and 6'1" in width.

The sign includes the fuel brand logo, “Food Mart”, “Car Wash”, and pricing of gasoline. The logo face is internally illuminated with a white background and the sign faces are internally illuminated with white fonts on colored backgrounds. The base of the sign is stone veneer with an accent band to match the main building and decorative planter located at the front of the property.

b. The signs’ proximity to residential districts is 1,590 feet to the northwest and 2,400 feet to the south. No residential is to the east of the project site.

c. The relationship of height and size of the signs to that of the parcel and the density and impacts of other signs in the vicinity are consistent in that the proposed freestanding monument signage is no taller than the main structure or accessory structures on site, the materials from the main structure are integrated into the sign design, and the neighboring zones allow for structures to be built up to six stories tall or 85’ in height and conditionally permitted to go up to eight stories tall or 115 feet in height.

**Section 7:** The Planning Commission of the City of Milpitas hereby recommends approval to the City Council for Site Development Permit No. SD08-0010, Environmental Impact Assessment No. EA09-0005, Conditional Use Permit No. UP09-0031 and Administrative Permit No. AD08-0014, subject to the above Findings, and Conditions of Approval attached hereto as Exhibit 1, and adoption of the Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program.

**Section 8:** The Planning Commission of the City of Milpitas hereby further recommends to the City Council modification of the third paragraph of page one of the Milpitas General Development Policy for Gasoline Service Stations and Automotive Service Centers (adopted November 1970, amended December 19, 1995) as follows, with proposed deletions in strikethrough text:

*“Snack Shop: An area within a gasoline service station or automotive service center ~~no greater than 250 square feet of floor area~~ for the display and sale of prepackaged, single-serving snacks, dairy products, soft drinks and sundry items. ~~Restrooms and cashier areas are excluded from the floor area calculations.~~”*

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Milpitas on July 22, 2009.

---

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 July 22, 2009, and carried by the following roll call vote:

<b>COMMISSIONER</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Cliff Williams				
Aslam Ali				
Lawrence Ciardella				
Alexander Galang				
Sudhir Mandal				
Gurdev Sandhu				
Noella Tabladillo				
Mark Tiernan				

**EXHIBIT 1**

**CONDITIONS OF APPROVAL**  
**SITE DEVELOPMENT PERMIT NO. SD08-0010, ENVIRONMENTAL IMPACT**  
**ASSESSMENT NO. EA09-0005, and CONDITIONAL USE PERMIT NO. UP09-0031**  
190 W. Calaveras Boulevard (APN: 022-24-030)

**General Conditions**

1. The owner or designee shall develop the approved project in conformance with the approved plans and color and materials sample boards approved by the Planning Commission on July 22, 2009, in accordance with these Conditions of Approval.

Any deviation from the approved site plan, floor plans, elevations, materials, colors, landscape plan, or other approved submittal shall require that, prior to the issuance of building permits, the owner or designee 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 owner or designee shall be required to apply for review and obtain approval of the Planning Commission, in accordance with the Zoning Ordinance. (P)

2. SITE DEVELOPMENT PERMIT NO. SD08-0010, and CONDITIONAL USE PERMIT NO. UP09-0031 shall become null and void if the project is not commenced within 18 months from the date of approval. Pursuant to Section 64.06(2) of the Zoning Ordinance of the City of Milpitas. If the project requires the issuance of a building permit, the project shall be deemed to have commenced when the date of the building permit is issued and/or a foundation is completed, if a foundation is a part of the project. If the project does not require the issuance of a building permit, the project shall be deemed to have commenced when dedication of any land or easement is required or complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.

Pursuant to Section 64.06(1), the owner or designee shall have the right to request an extension of SD08-0010 and UP09-031 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein. (P)

**Site Development Permit**

3. As required by County ordinance, this project has incorporated the following guidelines. - Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached

as to the disposition of the remains pursuant to this State law, then the land owner shall re-enter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. (P)

4. The project proposal includes grading and trenching to remove and relocate underground tanks for the gas station. The tanks are used to store the gasoline for the gas pumps at the station. Because the proposal includes digging up and replacing tanks that contain a hazardous material (gasoline), the applicant shall follow the GSM Site Specific Health and Safety Plan procedures throughout the construction phase. (P)
5. The proposal includes digging up and replacing tanks that contain a hazardous material (gasoline); the applicant hired GSM to prepare a Site Specific Health and Safety Plan that shall be used and followed throughout construction Phase. (P)
6. The 76 gas station has prepared a California Fuel Supply Hazardous Materials Business Plan for their location at 190 West Calaveras. The business plan states that all personnel are trained; they have chemical handlers, and an Emergency Response Team to ensure the safety of the employees, consumers, and surrounding properties. These procedures shall be followed by all employees at the 76 Gas Station. (P)
7. The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval. (E)
8. Prior to issuance of any building permits, the developer shall obtain approval from the City Engineer of the water, sewer, and storm drain studies for this development. These studies shall identify the development's effect on the City's present Master Plans and the impact of this development on the trunk lines. If the results of the study indicate that this development contributes to the over-capacity of the trunk line, it is anticipated that the developer will be required to mitigate the overflow or shortage by construction of a parallel line or pay a mitigation charge, if acceptable to the City Engineer. (E)
9. At the time of building permit submittal, developer shall submit a grading plan and a drainage study prepared by a registered Civil Engineer. The drainage study shall analyze the existing and ultimate conditions and facilities. The study shall be reviewed and approved by the City Engineer and the developer shall satisfy the conclusions and recommendations of the approved drainage study prior to building permit issuance. (E)
10. Prior to building permit issuance, the developer shall obtain design approval and bond for all necessary public improvements along Serra Way and Calaveras Boulevard, including but not limited to, removal and replacement of the damaged curb, gutter and sidewalk along project frontage, tree well and street tree installation along Calaveras Boulevard frontage, and slurry seal and restriping of the Serra Way frontage. Plans for all public improvements shall be

prepared on Mylar (24"x36" sheets) with City Standard Title Block and submit a digital format of the Record Drawings (AutoCAD format is preferred) upon completion of improvements. All improvements must be in accordance with the City of Milpitas standard and specification, and all public improvements shall be constructed to the city Engineer's satisfaction and accepted by the City prior to building occupancy permit. (E)

11. Prior to building permit issuance, developer shall contribute **\$82,650** toward its "fair share" costs of undergrounding and **\$61,250** towards its "fair share" of Serra Way streetscape improvements. At the City's option developer may be required to construct the subject improvements in lieu of fee contribution. (E)
12. The developer shall submit the following items with the building permit application and pay the related fees prior to building permit issuance:
  - A. Storm water connection fee of **\$19,621** based on .91 acres @ \$21,562 per acre.
  - B. Sewer Needs Questionnaire and/or Industrial Waste Questionnaire.Contact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain the form(s). (E)
13. Prior to building permit issuance, the developer must pay all applicable development fees, including but not limited to, connection fees (water, sewer and storm), treatment plant fee, plan check and inspection deposit, and 2.5% permit automation fee. (E)
14. The developer shall dedicate 10-foot of public service utility easements along projects frontage on Serra Way and Calaveras Boulevard. (E)
15. Prior to occupancy permit issuance, applicant/property owner shall construct a new trash enclosure or expand the existing enclosure to accommodate the required number of bins needed to serve this shopping center. The proposed enclosure shall be designed per the Development Guidelines for Solid Waste Services and enclosure drains must discharge to sanitary sewer line. City review/approval is required prior to construction of the enclosure. (E)
16. Prior to any Building permit issuance, the developer shall submit plan to CALTRANS and PG&E for review and approval, and obtain necessary permits for the proposed work. (E)
17. Prior to start of any construction, the developer shall submit a construction schedule and monitoring plan for City Engineer review and approval. The construction schedule and monitoring plan shall include, but not be limited to, construction staging area, parking area for the construction workers, personnel parking, temporary construction fencing, construction information signage and establish a neighborhood hotline to record and respond to neighborhood construction related concerns. The developer shall coordinate their construction activities with other construction activities in the vicinity of this project. The developer's contractor is also required to submit updated monthly construction schedules to the City Engineer for the purpose of monitoring construction activities and work progress. (E)

18. All utilities shall be properly disconnected before the building can be demolished. Show (state) how the water service(s), sewer service(s) and storm service(s) will be disconnected. The water service shall be locked off in the meter box and disconnected or capped immediately behind the water meter if it is not to be used. The sanitary sewer shall be capped off at the clean out near the property line or approved location if it is not to be used. The storm drain shall be capped off at a manhole or inlet structure or approved location if it is not to be used. (E)
12. Prior to demolition permit issuance, the Applicant, or Contracted Designee, shall submit Part I of a Recycling Report on business letterhead to the Building Division, for forwarding to the Engineering Section. This initial report shall be approved by the City's Utility Engineering/Solid Waste Section prior to demolition permit issuance. The report shall describe these resource recovery activities:
- A. What materials will be salvaged.
  - B. How materials will be processed during demolition.
  - C. Intended locations or businesses for reuse or recycling.
  - D. Quantity estimates in tons (both recyclable and for landfill disposal). Estimates for recycling and disposal tonnage amounts by material type shall be included as separate items in all reports to the Building Division before demolition begins.
- Applicant/Contractor shall make every effort to salvage materials for reuse and recycling. (E)
13. Prior to building permit issuance, applicant shall submit Part II of the Recycling Report to the Building Division, for forwarding to the City's Utility Engineering/Solid Waste Section that confirms items 1 – 4 of the Recycling Report, especially materials generated and actual quantities of recycled materials. Part II of the Recycling Report shall be supported by copies of weight tags and/or receipts of "end dumps." Actual reuse, recycling and disposal tonnage amounts (and estimates for "end dumps") shall be submitted to the Building Division for approval by the Utility Engineering/Solid Waste Section prior to inspection by the Building Division. (E)
14. All demolished materials including, but not limited to broken concrete and paving materials, pipe, vegetation, and other unsuitable materials, excess earth, building debris, etc., shall be removed from the job site for recycling and/or disposal by the Applicant/Contractor, all to the satisfaction of the City Engineer or designee. The Applicant/Contractor shall, to the maximum extent possible, reuse any useful construction materials generated during the demolition and construction project. The Applicant/Contractor shall recycle all building and paving materials including, but not limited to roofing materials, wood, drywall, metals, and miscellaneous and composite materials, aggregate base material, asphalt, and concrete. The Applicant/Contractor shall perform all recycling and/or disposal by removal from the job site. (E)

### **Conditional Use Permit**

15. No exterior storage of cargo containers or trailers is permitted overnight on the premises. (P)

- (P) = Planning
- (B) = Building
- (E) = Engineering
- (F) = Fire Prevention



**M I Architects, Inc.**  
 ARCHITECTURE  
 PLANNING  
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 2460 CAMINO DIABLO  
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 WALNUT CREEK, CA  
 94597  
 925-287-1174 Tel  
 925-443-1501 Fax  
 925-878-4875 Cell  
 mvthana@michitect.com

**GAS STATION, CONVENIENCE STORE & CAR WASH**  
**190 W. CALAVERAS BOULEVARD**  
**MILPITAS, CA 95035**

ISSUED FOR CONSTRUCTION  
 ISSUED FOR PLAN CHECK  
 12-29-08 ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION
△	8-24-08	REVISED FOR PLANNING COMMENTS
△	12-09-08	REVISED FOR PLANNING COMMENTS
△	03-11-09	REVISED FOR PLANNING COMMENTS
△		

SITE PLAN

PROJECT # 07-408  
 DRAWING BY CHECKED BY  
 SCALE AS NOTED DATE: 12-01-07

**SD1**

**DRAWING INDEX**

SD1	SITE PLAN	
SD1-L	SITE LIGHTING PHOTOMETRIC	
SD2	SITE DETAILS	
1 of 1	TOPOGRAPHIC SURVEY	
C11	GRADING & DRAINAGE PLAN	
C21	UNDERGROUND PIPING PLAN	
L-1	CONCEPTUAL LANDSCAPE PLAN	
A11	FLOOR PLAN	
A12	ROOF PLAN & BUILDING SECTION	
A21	BUILDING ELEVATIONS	
A22	BUILDING ELEVATIONS	
A23	TRUSS PLAN & ELEVATIONS	
A24	CANOPY PLAN & ELEVATIONS	

**PROJECT SUMMARY TABLE**

APN#	022-24-030
JURISDICTION	CITY OF MILPITAS
ZONING	C2 (GENERAL COMMERCIAL W/ OFFICE OVERLAY)
EXISTING USE	6AS STATION, AUTO SERVICE & SNACK SHOP
PROPOSED USE	6AS STATION, CONVENIENCE STORE & CAR WASH
SETBACKS:	
ADJACENT TO STREETS:	0 FEET
REAR:	0 FEET
SIDE:	0 FEET
PARKING REQUIREMENTS:	
RETAIL:	
1 SPACE PER 200 S.F.	2,787 S.F. / 200 = 13
PARKING REQUIRED:	13 SPACES
PARKING PROVIDED:	16 SPACES
STANDARD PARKING STALLS:	13
VAN ACCESSIBLE PARKING STALL:	1
PARALLEL PARKING STALLS:	2
SITE COVERAGES:	
SITE:	34,498 S.F., .81 ACRES (100%)
EXISTING BUILDINGS:	5571 S.F. (16.2%)
AUTO SERVICE / SNACK SHOP:	1654 S.F.
FUEL CANOPIES:	1917 S.F.
EXISTING LANDSCAPING:	6,766 S.F. (22.2%)
EXISTING IMPERVIOUS AREA:	27,594 S.F. (80.0%)
NEW BUILDINGS:	8,551 S.F. FAR- (24.8%)
CONVENIENCE STORE:	2,787 S.F.
CAR WASH:	1520 S.F.
FUELING CANOPY:	4,244 S.F.
NEW LANDSCAPING:	8,480 S.F. (24.6%)
NEW IMPERVIOUS AREA:	22,467 S.F. (65.2%)

**SITE PLAN LEGEND**

- NEW LANDSCAPING, SEE SHT. L-1
- NEW BIO-SWALE, SEE SHT. C11 & L-1
- NEW CONCRETE PAVING
- 4 FT. WIDE (MIN) ACCESSIBLE ROUTE OF TRAVEL. SHALL NOT EXCEED 5% SLOPE IN THE DIRECTION OF TRAVEL AND 2% CROSS SLOPE
- EXISTING TO REMAIN
- EXISTING CURB TO REMAIN
- NEW CONCRETE CURB

**PROJECT TEAM**

<b>ARCHITECT</b> M I ARCHITECTS 2460 CAMINO DIABLO, SUITE 100 WALNUT CREEK, CA 94597 TEL: (925) 878-4875 FAX: (925) 443-1501 CELL: (925) 878-4875 MR. MITHANA IBRAHIM, ARCHITECT	<b>CIVIL ENGINEER</b> SINGE 1420 HOLLY AVENUE LOS ALTOS, CA 94024 TEL: (650) 464-4214 FAX: (650) 464-4221 MR. STEVAN H. NAKASHIMA
---	---

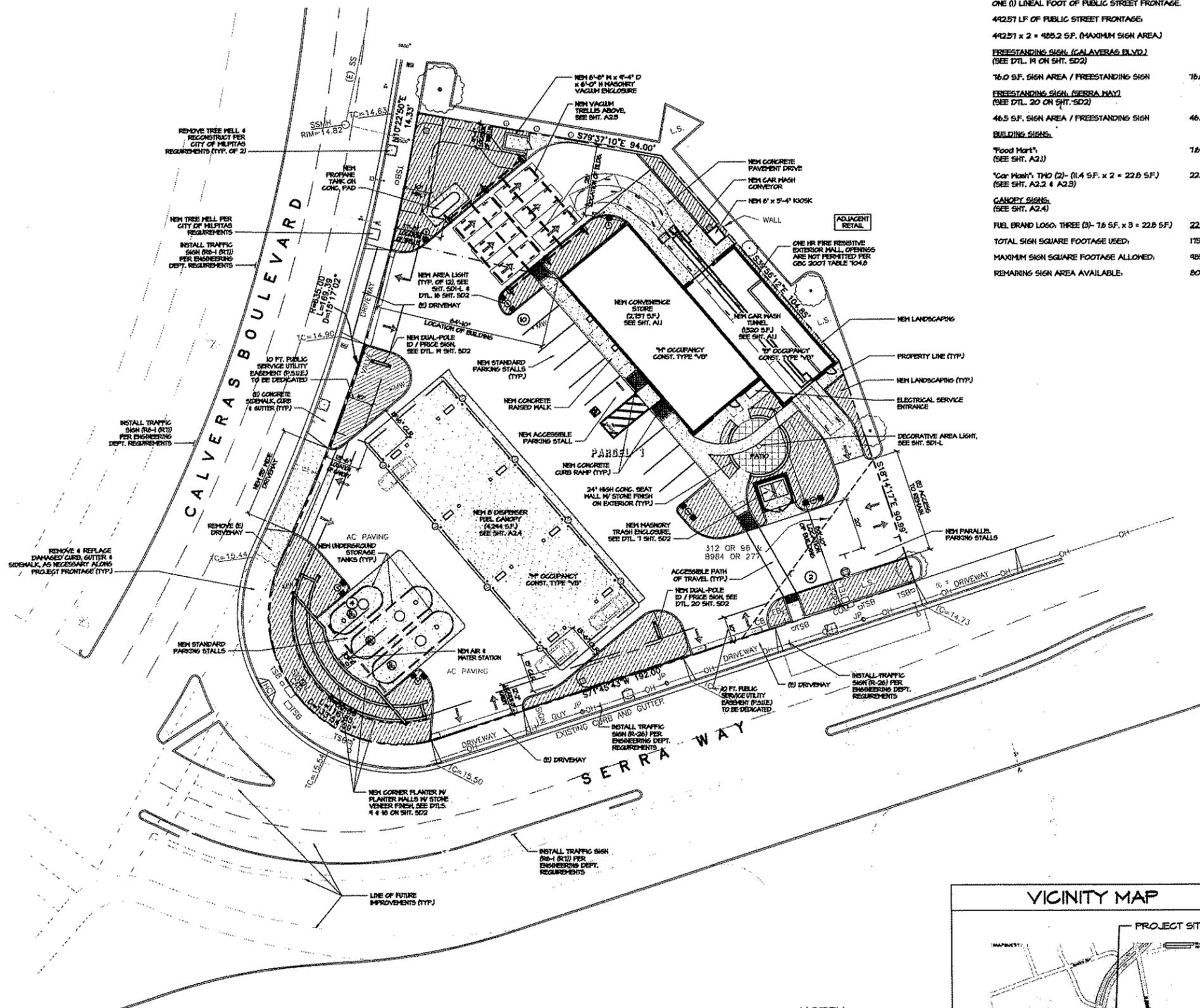
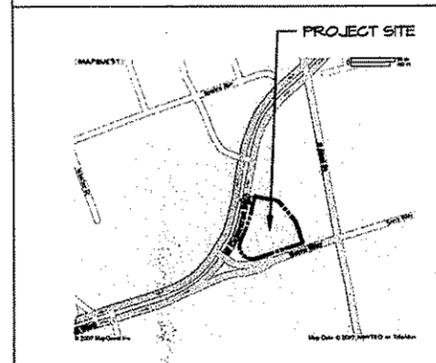
**LANDSCAPE ARCHITECT**  
 BORRERO / KILIAN & ASSOCIATES, INC.  
 1241 PINE STREET  
 MARTINEZ, CA 94553  
 TEL: (925) 572-5506  
 FAX: (925) 572-5306  
 MR. BRIAN KILIAN

**DEVELOPER**  
 GAMCO ENTERPRISES, INC.  
 567 YGNACIO VALLEY RD.  
 WALNUT CREEK, CA 94596  
 TEL: (925) 474-0560  
 FAX: (925) 474-0467  
 MR. MIKE AHMADI

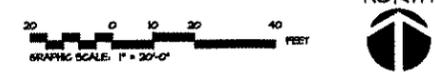
**SIGNAGE CALCULATIONS**

NOT TO EXCEED TWO (2) SQUARE FEET OF SIGN FOR EACH ONE (1) LINEAL FOOT OF PUBLIC STREET FRONTAGE.  
 412.57 LF OF PUBLIC STREET FRONTAGE:  
 412.57 x 2 = 825.2 S.F. (MAXIMUM SIGN AREA)  
**FREESTANDING SIGN (CALAVERAS BLVD.)**  
 (SEE DTL. H ON SHT. SD2)  
 16.0 S.F. SIGN AREA / FREESTANDING SIGN 16.0 S.F.  
**FREESTANDING SIGN (SERRA WAY)**  
 (SEE DTL. H ON SHT. SD2)  
 46.5 S.F. SIGN AREA / FREESTANDING SIGN 46.5 S.F.  
**BUILDING SIGNS:**  
 "Food Mart"  
 (SEE SHT. A2.1) 16.0 S.F.  
 "Car Wash" THO (2) - (1.4 S.F. x 2 = 22.8 S.F.)  
 (SEE SHT. A2.2 & A2.3) 22.8 S.F.  
**CANOPY SIGNS:**  
 (SEE SHT. A2.4)  
 FUEL BRAND LOGO: THREE (3) - 16 S.F. x 3 = 22.8 S.F.) 22.8 S.F.  
 TOTAL SIGN SQUARE FOOTAGE USED: 175.7 S.F.  
 MAXIMUM SIGN SQUARE FOOTAGE ALLOWED: 825.2 S.F.  
 REMAINING SIGN AREA AVAILABLE: 649.5 S.F.

**VICINITY MAP**



**1 SITE PLAN**  
 1" = 20'-0"



S:\Projects\07-408 Pl. Conversion\Milpitas\Drawings\Planning\07-408-SD1.dwg modified by miedra@mi on Jul 08, 2009 - 10:28am

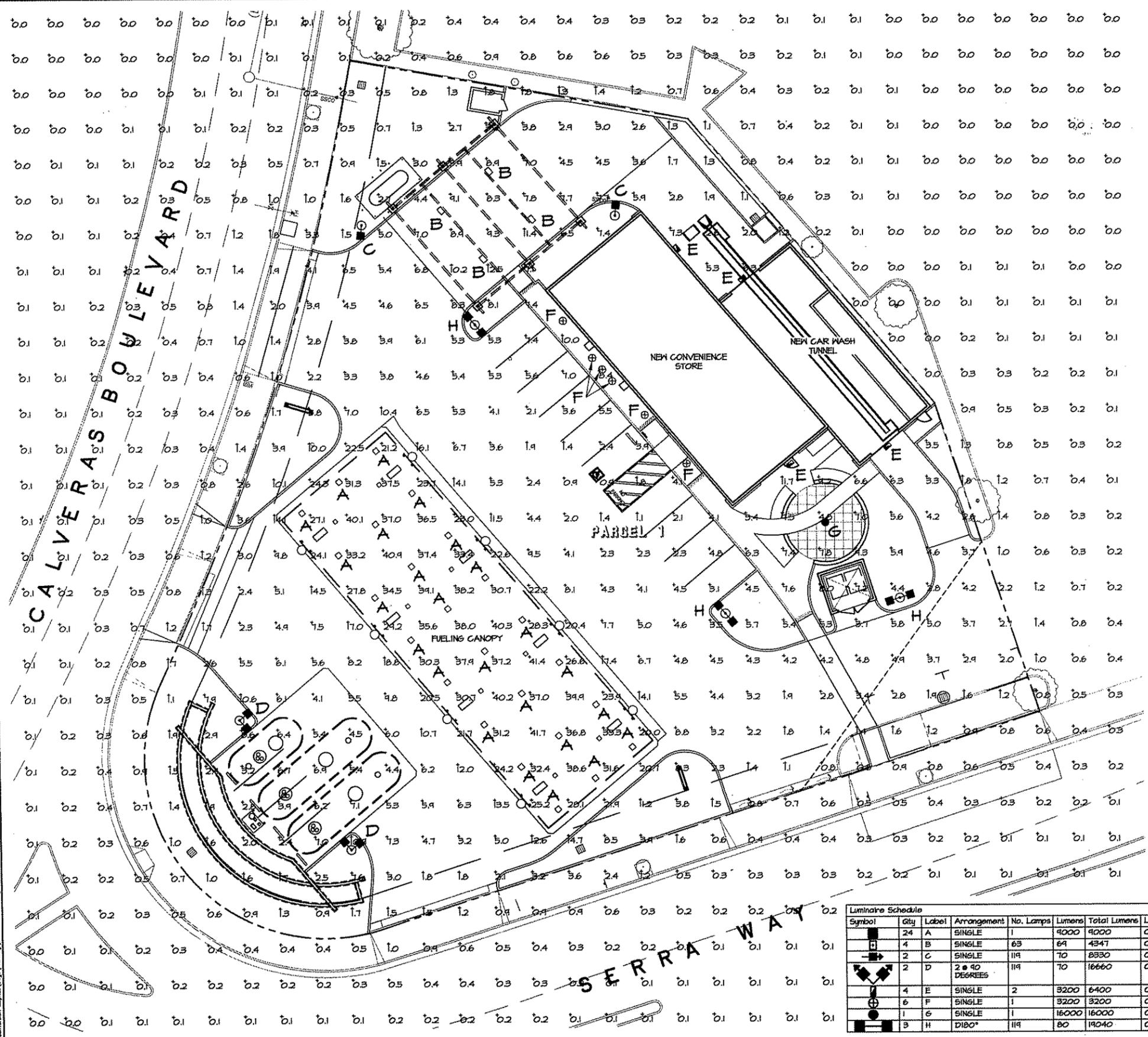


**M Architects**

M | Architects, Inc.  
ARCHITECTURE  
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mthano@marchitect.com

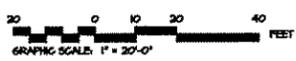
GAS STATION, CONVENIENCE STORE & CAR WASH  
190 W. CALAVERAS BOULEVARD  
MILPITAS, CA 95035

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Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine applicability of the layout to existing or future field conditions.  
The lighting pattern represents illumination levels calculated from laboratory data taken under controlled conditions utilizing current industry standard lamp ratings in accordance with Illuminating Engineering Society approved methods. Actual performance of any manufacturer's luminaire may vary due to variation in electrical voltage, tolerance in lamps and other variable field conditions.

**1 SITE LIGHTING PHOTOMETRIC**  
1" = 20'-0"



Symbol	Qty	Label	Arrangement	No. Lamps	Lumens	Total Lumens	LLF	Description	Total Watts
□	24	A	SINGLE	1	4000	4000	0.950	CRO2-5-LED-100-CN-VE	115
□	4	B	SINGLE	63	64	4347	0.950	XAS-3-LED-63-CN-VE WALL MOUNTED	70
□	2	C	SINGLE	119	70	8330	0.950	XAM-3-LED-119-CN-VE SINGLE ON 20' POLE	135
□	2	D	2 @ 40 DEGREES	119	70	16660	0.950	XAM-3-LED-119-CN-VE D40 ON 20' POLE	270
□	4	E	SINGLE	2	3200	6400	0.100	CHWS FTM 42 CFL2 F 120-2TV	84
□	6	F	SINGLE	1	3200	3200	0.120	206HCL-CFL-1-42T	42
□	1	G	SINGLE	1	16000	16000	0.100	LXS-PT 175-P8MH-S-F ON 10' POLE	208
□	3	H	DIBO*	119	80	19040	0.950	XAM-5-LED-119-CN-VE DIBO ON 20' POLE	270

Calculation Summary	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Label	ILLUMINANCE	Fc	3.59	41.7	0.0	N.A.	N.A.
LOT	ILLUMINANCE	Fc	32.18	41.7	20.0	1.61	2.09
CANOPY SUMMARY	ILLUMINANCE	Fc	5.67	24.3	0.9	6.30	27.00

**CRR-S-100**  
LED Crossover Ambient (Double Deck)

**TYPE "A"**

**XAS**  
LED Crossover Wall Light

**TYPE "B"**

**XAM**  
LED Crossover Area Light

**TYPE "C", "D" & "H"**

**CHALLENGER**  
WALL SCONCE  
IESNA FULL CUTOFF

**TYPE "E"**

**LEXINGTON**  
IESNA FULL CUTOFF

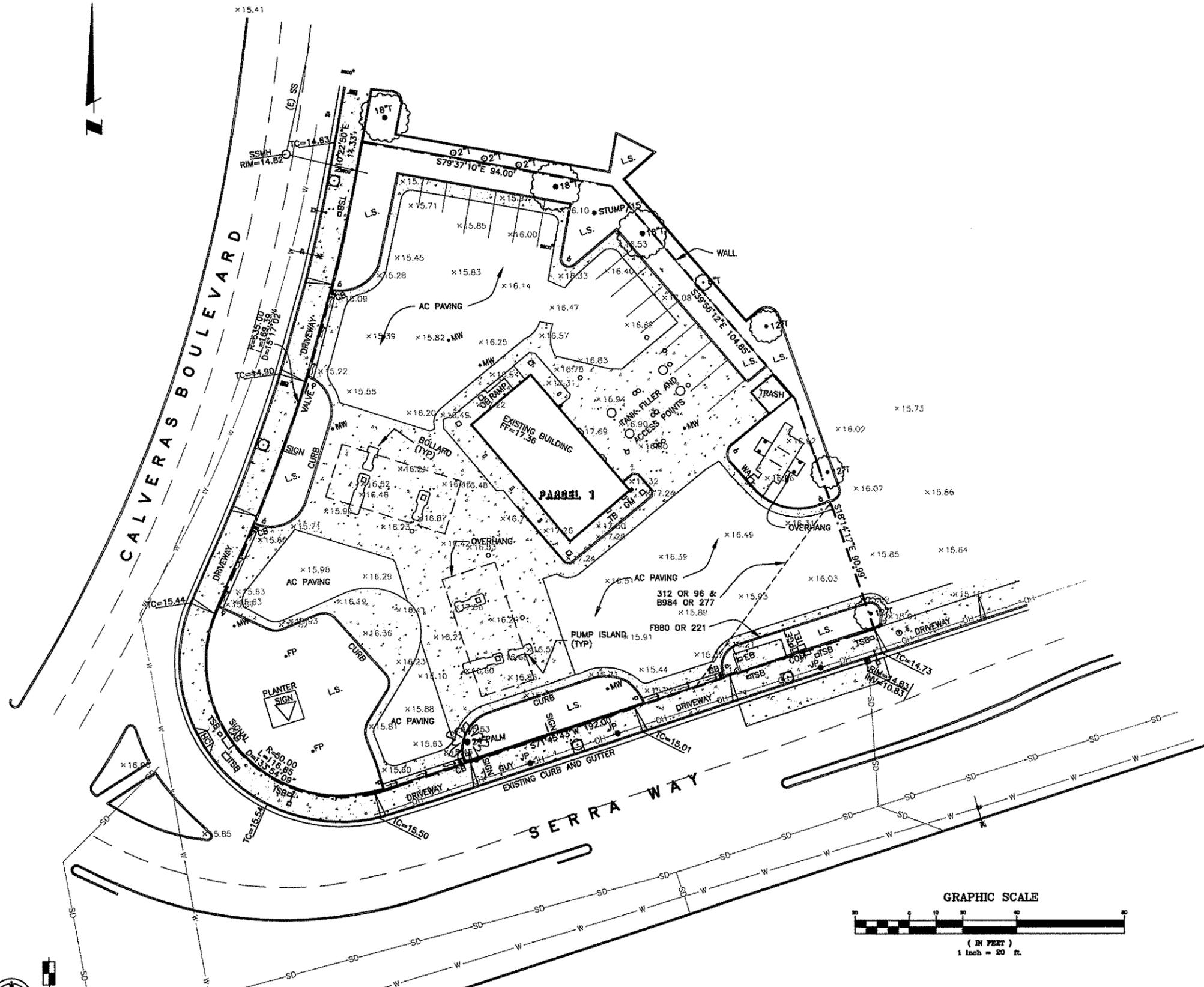
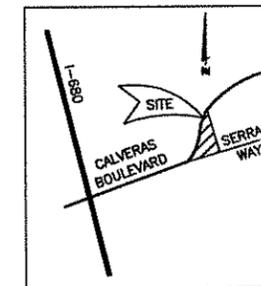
**TYPE "G"**

**INDUSTRIES**  
LIGHTING PROPOSAL FOR  
G-STREET  
SERRA MAY  
MILPITAS, CA  
SCALE: 1/2" = 1'-0"  
DATE: 3/21/04  
BY: LLS

PROJECT # 07-408  
DRAWN: JM CHECKED: MH  
SCALE AS NOTED DATE: 12-01-07  
**SD1-L**  
SHEET 07



VICINITY MAP

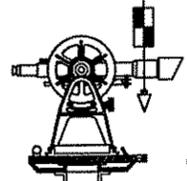
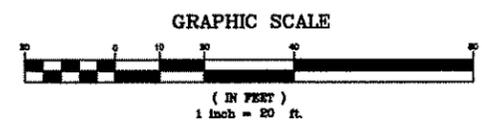


LEGEND

- SSCO SANITARY SEWER CLEAN OUT
- JP JOINT UTILITY POLE
- GUY GUY WIRE
- MW MONITORING WELL
- TSB TRAFFIC SIGNAL BOX
- FP FLAG POLE
- COM COMMUNICATION BOX
- PGE PG&E BOX
- TEL TELEPHONE BOX
- WA WATER AND AIR FILL STATION
- WM WATER METER
- EB ELECTRIC BOX
- TB TELEPHONE BOOTH
- GM GAS METER
- UB UTILITY BOX
- L.S. LANDSCAPE AREA
- CB CATCH BASIN
- ▲ AREA LIGHT
- SIGN
- TREEWELL WITH TREE
- SWALE IN VALLEY GUTTER
- STREET LIGHT
- 312 OR 96 A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS
- B984 OR 277 A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS
- F880 OR 221 BUS STOP AND SHELTER WITH PROVISION FOR PASSENGER AND PEDESTRIAN TRAFFIC.

NOTE:

EASEMENTS MAY AFFECT THIS PROPERTY. NO TITLE REPORT WAS AVAILABLE AT THE TIME OF SURVEY.  
 UTILITIES SHOWN HEREON ARE APPROXIMATE AND BASED IN PART UPON RECORD.



CUNHA ENGINEERING INC. ■■■

DESIGNED BY:	V.H.C.	DATE:	
DRAWN BY:	S.M.C.	DATE:	
CHECKED BY:	V.H.C.	DATE:	
SCALE:	1" = 20'	DATE:	
APPROVED BY:		DATE:	
CUNHA ENGINEERING INC. 701 BELMONT WAY, STE. A PINOLE, CALIFORNIA 94564 (510) 741-8290			
TOPOGRAPHIC SURVEY 190 W. CALVERAS BOULEVARD CALIFORNIA			
SHEET NUMBER 1 OF 1 SHEETS DRAWING NO. 207111			



**M**  
*Architects*

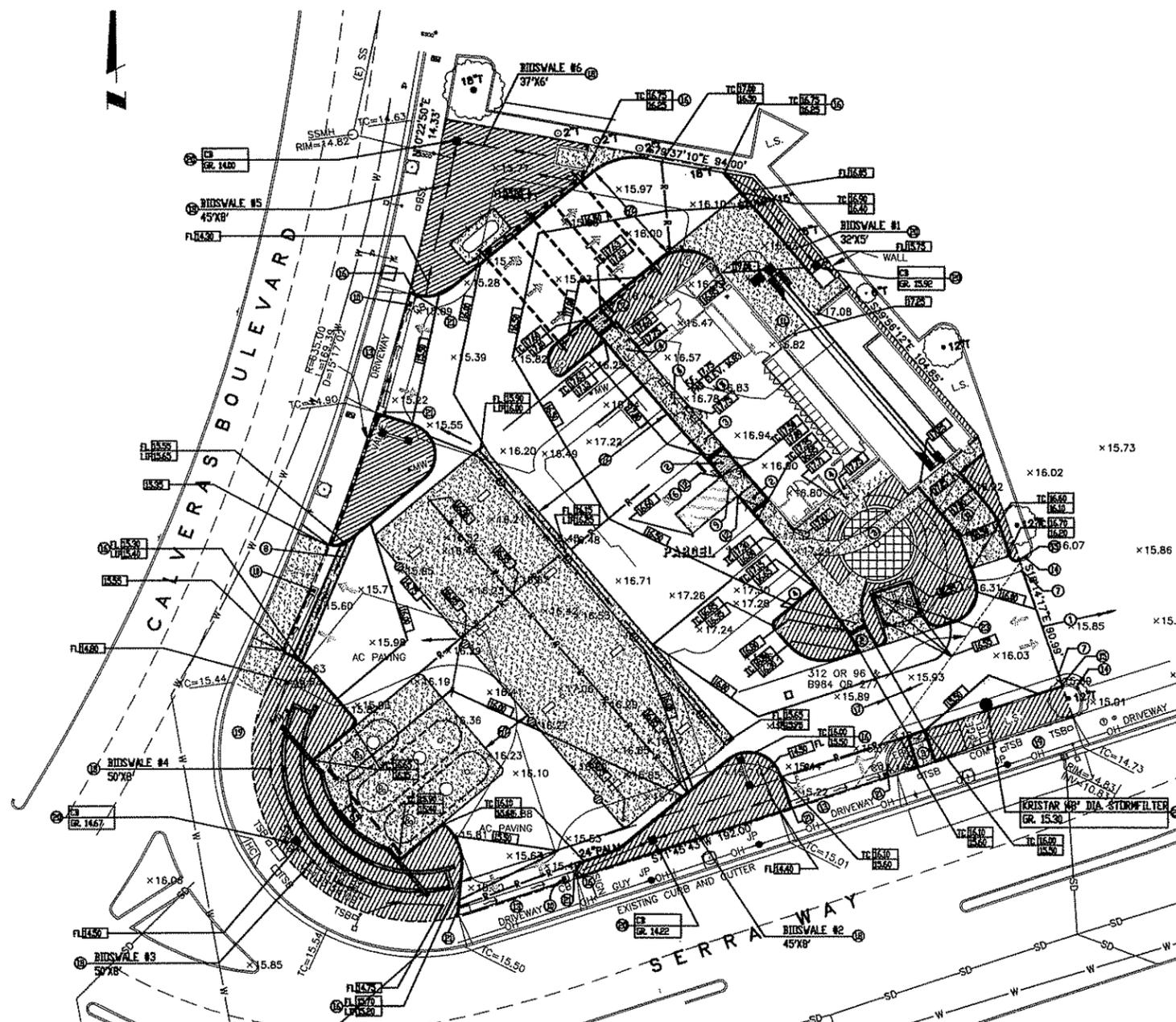
ARCHITECTURE  
PLANNING  
MANAGEMENT  
DESIGN

2160 CAMINO DIABLO  
SUITE 100  
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94597

925-287-1174 Tel  
925-448-1501 Fax  
925-878-4875 Cell  
mthano@mkarchitect.com

**GAS STATION, CONVENIENCE STORE & CAR WASH**  
**190 W. CALAVERAS BOULEVARD**  
**MILPITAS, CA 95035**

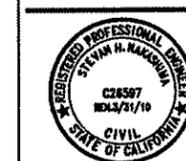
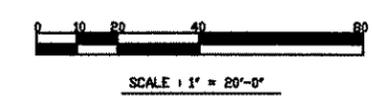
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PROPOSED	EXISTING	
— 1.50' —	— +15.97 —	PROPERTY LINE
— 1.60' —	— 16.0' —	SPOT ELEVATION
TC	TC (E)	SURFACE CONTOUR
EP	EP (E)	TOP OF CURB
FL	FL (E)	EDGE OF PAVEMENT
— R —	— R —	FLOW LINE
— R —	— R —	SURFACE VALLEY
— R —	— R —	SURFACE RIDGE
— R —	— R —	MATCH EXISTING GRADE
— R —	— R —	AC. PAVING
— R —	— R —	CONCRETE
— R —	— R —	CURB
— R —	— R —	STORM DRAIN
— R —	— R —	SANITARY SEWER
— R —	— R —	WATER
— R —	— R —	CATCH BASIN
— R —	— R —	CLEANOUT TO GRADE
— R —	— R —	STORM MANHOLE
— R —	— R —	SANITARY MANHOLE
— R —	— R —	GAS
— R —	— R —	TELEPHONE
— R —	— R —	ELECTRICAL
— R —	— R —	CLEANOUT TO FLOOR
— R —	— R —	TOP OF WALL

- LEGEND**  
SCALE: NONE
- KEY NOTES FOR WORK ON - SITE**
- AC PAVING TO REMAIN.
  - PROVIDE CONCRETE CURB RAMP WITH MAXIMUM 1/2 SLOPE AND WITH SLOPE GREATER THAN 1/4%.
  - PROVIDE NEW CONCRETE WALK WITH MAXIMUM 2% CROSS - SLOPE AND SLOPE IN THE DIRECTION OF TRAVEL OF LESS THAN 1/4%.
  - PROVIDE CONCRETE WALK/LANDING WITH MAXIMUM 2% SLOPE IN ANY DIRECTION.
  - 5" CONCRETE SLAB - SEE STRUCTURAL DRAWINGS FOR REINFORCEMENT - OVER 2" SAND-OVER 15 MIL MEMBRANE, OVER 4" DRAIN ROCK.
  - PROVIDE NEW AC PAVING WITH MAXIMUM SLOPE IN ALL DIRECTIONS OF 2% AT ALL ACCESSIBLE PARKING SPACES AND ACCESS AISLES. VERIFY LOCATION WITH ARCHITECTURAL DRAWINGS.
  - MATCH (E) PAVEMENT GRADE, V.I.F.
  - PROVIDE 3" WIDE CONCRETE GUTTER.
  - PROVIDE FLUSH CURB.
  - REMOVE (E) CB.
  - PROVIDE 6" CONCRETE SLAB W/6X6XW29XV29VWF DR #3 #18" DCEV OVER 6" CL2 AGGREGATE BASE.
  - END VERTICAL CURB. BEGIN FLUSH CURB.
  - EXISTING CONCRETE DRIVE APRON TO REMAIN.
  - EXISTING CONCRETE CURB TO REMAIN.
  - TOP OF (E) CONCRETE CURB TO MATCH TOP OF (E) CONCRETE CURB.
  - PROVIDE 6" WIDE CURB CUT, PROVIDE 2" DROP FROM AC PAVING TO LANDSCAPE GRADE.
  - PROVIDE NEW ACCESSIBLE PATH WITH MAXIMUM 2% CROSS - SLOPE AND SLOPE IN THE DIRECTION OF TRAVEL OF LESS THAN 1/4%.
  - (E) BIDSVALE - SEE LANDSCAPE PLANS FOR DETAILS.
  - (E) SIDEWALK TO REMAIN. SEE GENERAL NOTE.
  - PROVIDE CATCH BASIN 2" ABOVE FLOW LINE OF BIDSVALE.
  - MATCH (E) LIP OF CONCRETE GUTTER GRADE.
  - NEW AC PAVING. SEE PAVING TABLE.
  - PROVIDE FLODR DRAIN WITH TRAP. CONNECT TO SANITARY SEWER.
  - (E) KRISTAR UP-FLD FILTER 48" DIA. MANHOLE WITH 1 MODULE.

**GRADING AND DRAINAGE PLAN**



ISSUED FOR CONSTRUCTION
ISSUED FOR PLAN CHECK
10-23-08 ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION

**GRADING & DRAINAGE PLAN**

PROJECT # 07-408/0857  
DRAWN: FN CHECKED: SN

SCALE: AS SHOWN DATE: 01-16-09

**SEVAN NAKASHIMA**  
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**C11**

SA1 - Project 07-408 - PM - Conversion (Mapa) (Plan) (DWG) (01-27-09) (08/27/11) (Jing) modified by mthano at Jul 05, 2009 - 14:44:44 (mthano) CONSULTING CIVIL ENGINEER  
 10/23/08 11:12 AM  
 08/27/11



**M**  
*Architects*

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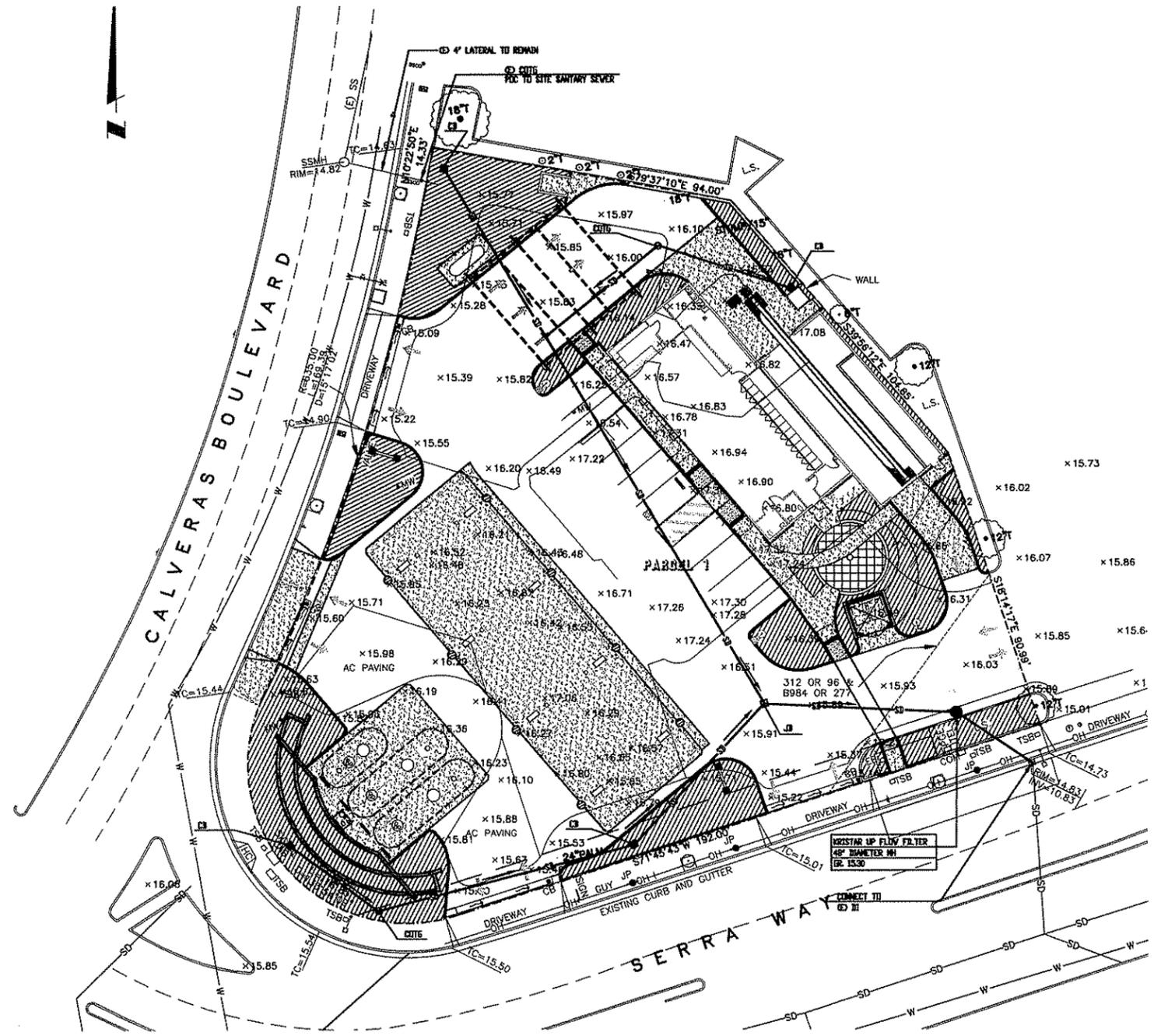
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PROPOSED	EXISTING	
15.97	+15.97	PROPERTY LINE
16.00	16.00	SPOT ELEVATION
TC	TC (E)	SURFACE CONTOUR
EP	EP (E)	TOP OF CURB
FL	FL (E)	EDGE OF PAVEMENT
R	R	FLOW LINE
E	E	SURFACE VALLEY
		SURFACE RIDGE
		MATCH EXISTING GRADE
		A.C. PAVING
		CONCRETE
		CURB
SD	SD	STORM DRAIN
SS	SS	SANITARY SEWER
W	W	WATER
		CATCH BASIN
COTG	COTG	CLEANOUT TO GRADE
SDMH	SDMH	STORM MANHOLE
SSMH	SSMH	SANITARY MANHOLE
	G	GAS
	T	TELEPHONE
	E	ELECTRICAL
COTF		CLEANOUT TO FLOOR
TW		TOP OF WALL

**LEGEND**  
SCALE: NONE

1



**UNDERGROUND PIPING PLAN**



SCALE: 1" = 20'-0"



NO.	DATE	DESCRIPTION
		ISSUED FOR CONSTRUCTION
		ISSUED FOR PLAN CHECK
10-29-06		ISSUED FOR PLANNING

**UNDERGROUND PIPING PLAN**  
PROJECT # 07-408/0957  
DRAWN: FN CHECKED: SN  
SCALE: AS SHOWN DATE: 01-16-09

**NICE**  
**STEVAN NAKASHIMA**  
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**C2.1**

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S:\Projects\07-408 FN Conversion Milpitas\Drawings\Plan\07-408-0957\07-408-0957\07-408-0957.dwg, modified by nlscholar on Jul 06, 2009 - MillmanWatkins Consulting Civil Engineer







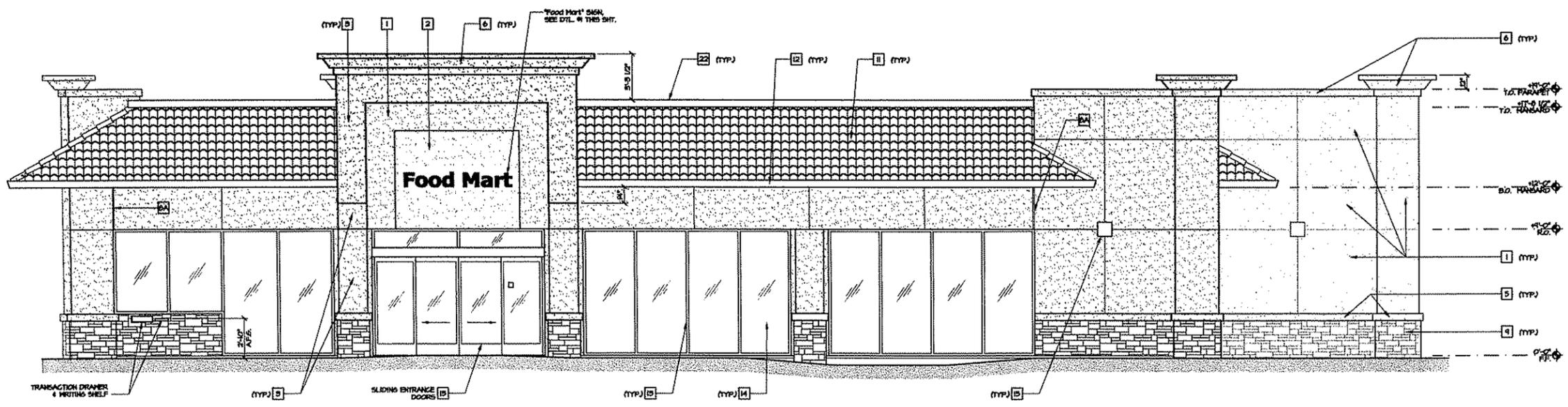


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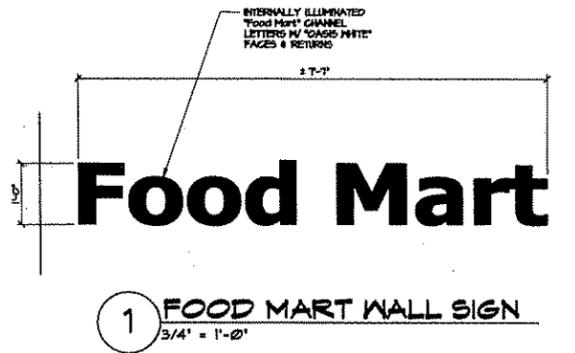
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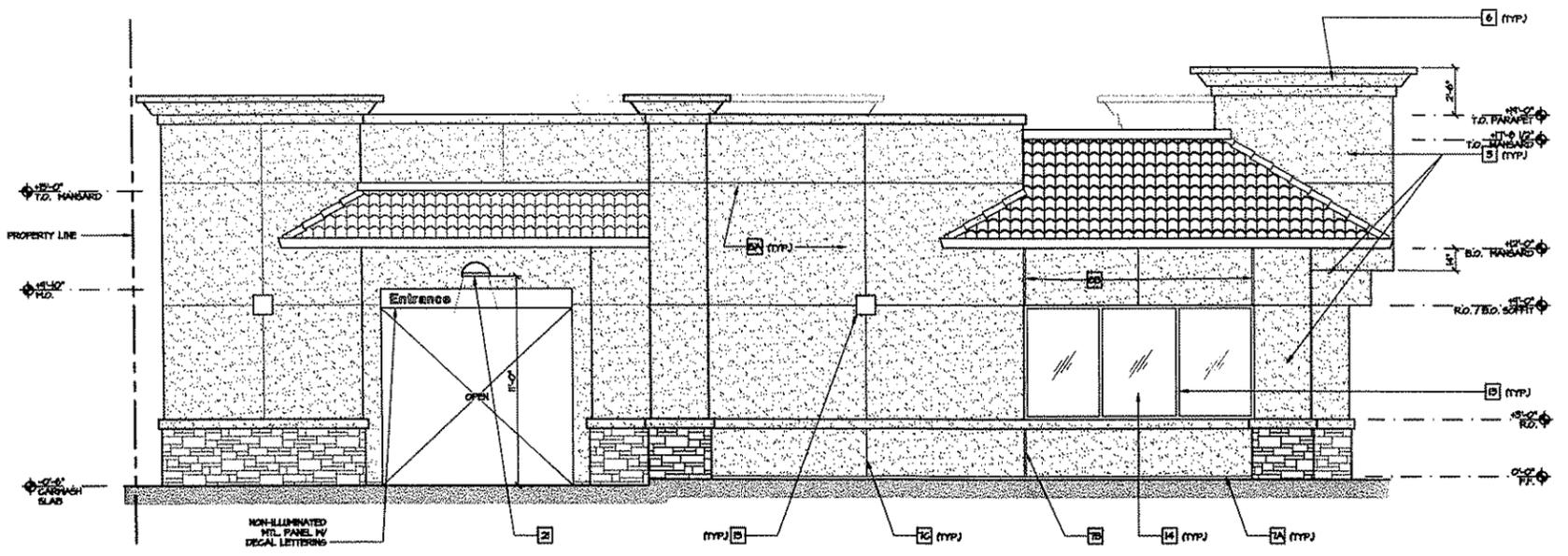
**A** SOUTHWEST BUILDING ELEVATION  
 1/4" = 1'-0"



**1** FOOD MART WALL SIGN  
 3/4" = 1'-0"

**ELEVATION KEY NOTES**

MARK	MATERIAL	MANUFACTURER & COLOR
1	EXTERIOR MALL IV CEMENT PLASTER FINISH (PAINTED)	KI RAGNO COLOR: 'VANILLA'
2	EXTERIOR MALL IV CEMENT PLASTER FINISH (PAINTED)	KI RAGNO COLOR: 'DEEP RUSSET'
3	EXTERIOR MALL IV CEMENT PLASTER FINISH (PAINTED)	KI RAGNO COLOR: 'DAPPER TAN'
4	EXTERIOR MALL IV CEMENT PLASTER FINISH (PAINTED)	KI RAGNO COLOR: 'APRICOT'
5	AGGENT BAND IV CEMENT PLASTER FINISH (PAINTED)	JONES - BLAIR, #8001 COLOR: 'DARK WHITE'
6	CORNGE IV CEMENT PLASTER FINISH (PAINTED)	JONES - BLAIR, #8001 COLOR: 'DARK WHITE'
7A	WEEP SCURED (PAINTED)	KI RAGNO COLOR: 'DEEP RUSSET'
7B	1" ALUM. REVEAL (PAINTED)	KI RAGNO COLOR: 'DEEP RUSSET'
7C	CEMENT PLASTER CONTROL JOINT (PAINTED)	KI RAGNO COLOR: 'DEEP RUSSET'
7D	1" ALUM. REVEAL (PAINTED)	KI RAGNO COLOR: 'VANILLA'
8A	CEMENT PLASTER CONTROL JOINT (PAINTED)	KI RAGNO COLOR: 'VANILLA'
8	STONE VENEER	ELDORADO STONE, WESTERN PROFILES, HEATHER EDGE, COLOR: 'WESTERN RESCOURT'
10	PRE-CAST STONE CAP	ELDORADO STONE, HANSGOT BELL
11	CONCRETE ROOF TILE	EMBLE ROOFING PRODUCTS, CAPSTRAND, RINGC404, COLOR: 'TAN SLAM'
12	ASH BUTTER (PAINTED)	JONES - BLAIR, #8001 COLOR: 'DARK WHITE'
13	ALUMINUM STOREFRONT	COLOR: 'DARK BRONZE'
14	STOREFRONT GLASS	PPG, SOLARBAN 60, LOW-E GLASS IV BRONZE TINT
15	12" x 12" TILE AGGENT	TO MATCH COLOR: 'DARK RED'
16	NHL DOOR & FRAME (PAINTED)	TO MATCH ADJACENT MALL
17	24" SULL-LAM TRELLIS BEAM (PAINTED)	KI RAGNO COLOR: 'VANILLA'
18	4" x 8" TRELLIS BEAM (PAINTED)	KI RAGNO COLOR: 'VANILLA'
19	12" x 12" TRELLIS BEAM (PAINTED)	KI RAGNO COLOR: 'VANILLA'
20	6" x 6" TRELLIS COLUMN (PAINTED)	KI RAGNO COLOR: 'VANILLA'
21	EXTERIOR MALL SCORGE	-
22	2x TRIM (PAINTED)	JONES - BLAIR, #8001 COLOR: 'DARK WHITE'



**B** NORTHWEST BUILDING ELEVATION  
 1/4" = 1'-0"

SA1-Projects\07-405 FM Convenience- Milpitas\Drawings\07-405-02.1 & A2.2.dwg modified by muthana on Jul 05, 2009 - 11:08am

---	ISSUED FOR CONSTRUCTION	
---	ISSUED FOR PLAN CHECK	
---	ISSUED FOR PLANNING	
NO.	DATE	DESCRIPTION
Δ	12-05-08	REVISED PER PLANNING COMMENTS
Δ	08-01-04	REVISED PER PLANNING COMMENTS

**BUILDING ELEVATIONS**  
 PROJECT # 07-405  
 DRAWING JM CHECKED: MS  
 SCALE: AS NOTED DATE: 12-01-07

**A2.1**  
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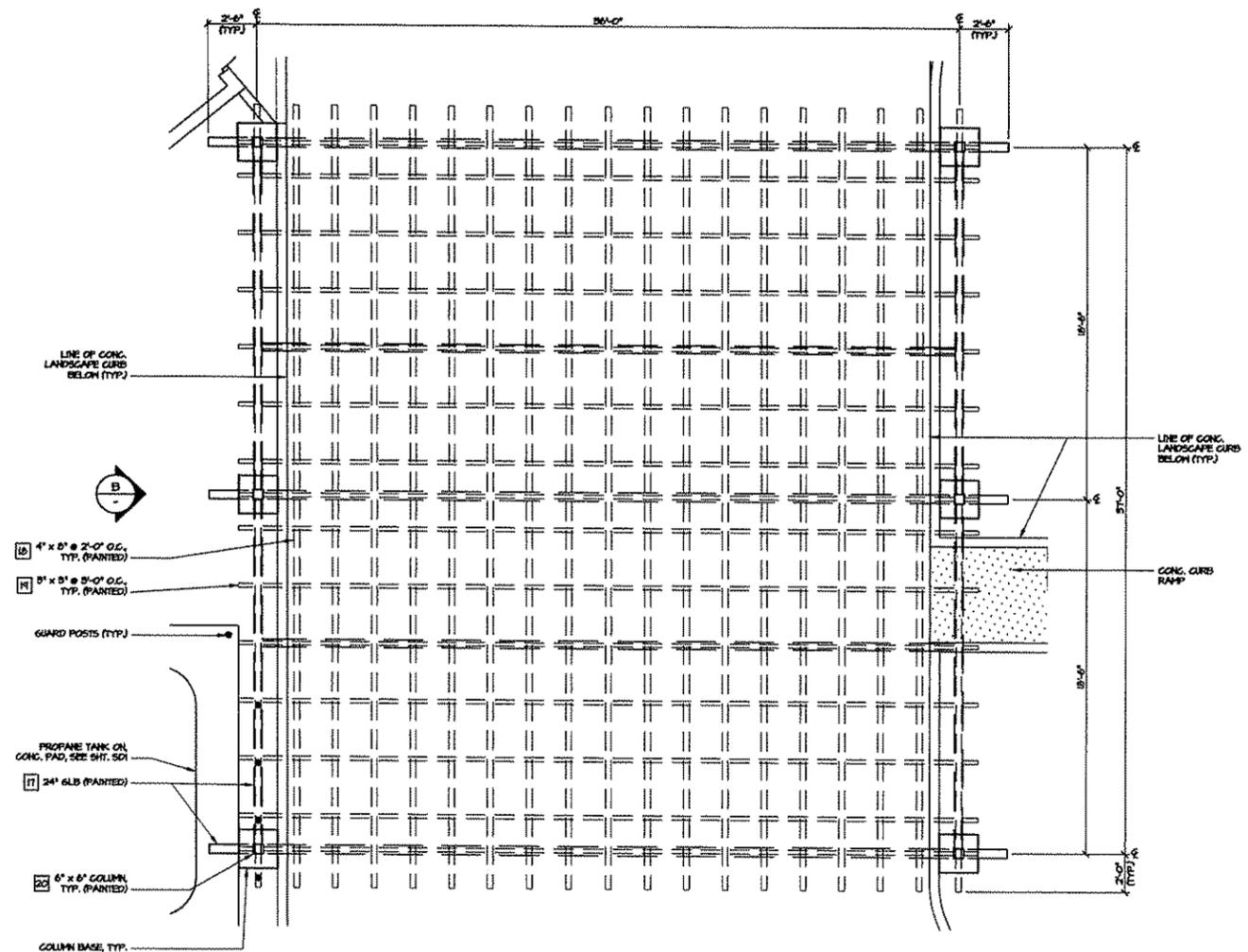




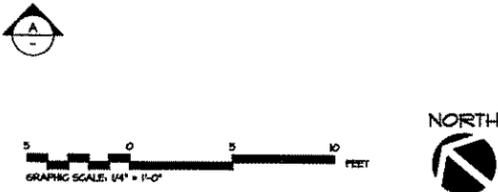
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 MANAGEMENT  
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 mthana@miarchitect.com

**GAS STATION, CONVENIENCE STORE & CAR WASH**  
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 MILPITAS, CA 95035

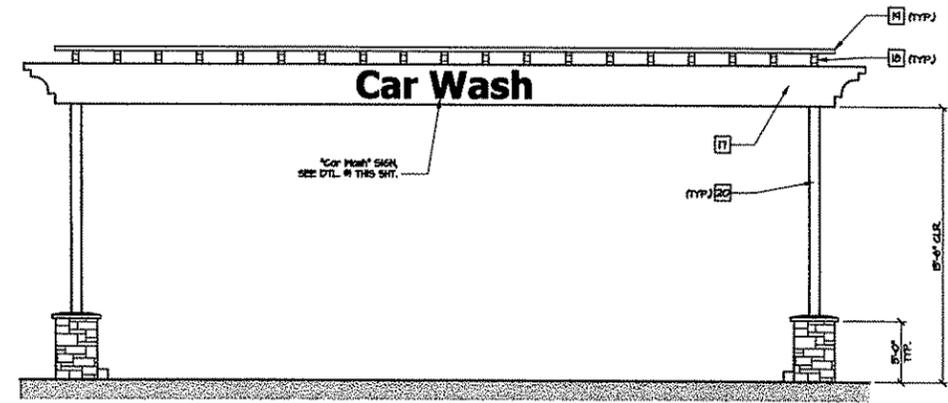
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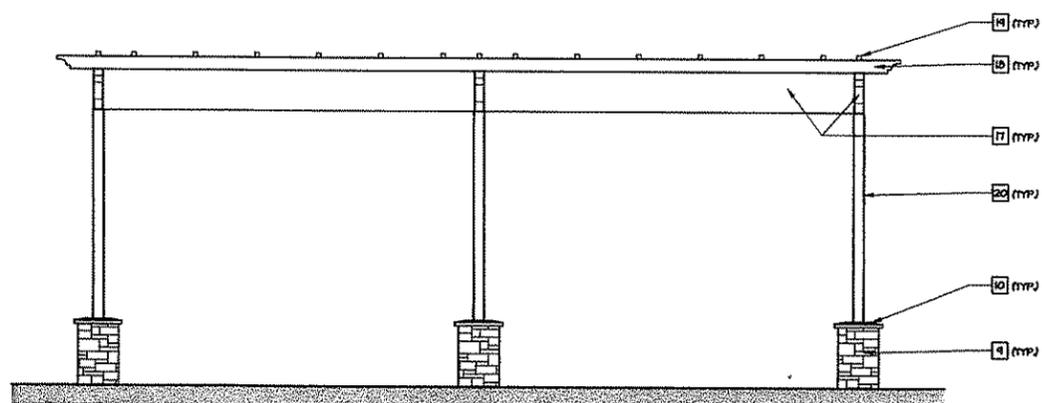
**1 TRELLIS PLAN**  
 1/4" = 1'-0"



**1 CAR WASH WALL SIGN**  
 3/4" = 1'-0"



**A SOUTHWEST TRELLIS ELEVATION**  
 1/4" = 1'-0"



**B NORTHWEST TRELLIS ELEVATION**  
 1/4" = 1'-0"

**ELEVATION KEY NOTES**

MARK	MATERIAL	MANUFACTURER & COLOR
1	EXTERIOR HALL IV GEMENT PLASTER FINISH (PAINTED)	KI RA0801 COLOR: "VANILLA"
2	EXTERIOR HALL IV GEMENT PLASTER FINISH (PAINTED)	KI RA0801 COLOR: "DEEP ROSETT"
3	EXTERIOR HALL IV GEMENT PLASTER FINISH (PAINTED)	KI RA0801 COLOR: "DAPPER TAN"
4	EXTERIOR HALL IV GEMENT PLASTER FINISH (PAINTED)	KI RA0801 COLOR: "AFRICOT"
5	ACCENT BAND IV GEMENT PLASTER FINISH (PAINTED)	JONES - BLAIR, #8201 COLOR: "OASIS WHITE"
6	CORNICHE IV GEMENT PLASTER FINISH (PAINTED)	JONES - BLAIR, #8201 COLOR: "OASIS WHITE"
7A	DEEP BORDED (PAINTED)	KI RA0801 COLOR: "DEEP ROSETT"
7B	F ALUM. REVEAL (PAINTED)	KI RA0801 COLOR: "DEEP ROSETT"
7C	GEMENT PLASTER CONTROL JOINT (PAINTED)	KI RA0801 COLOR: "DEEP ROSETT"
8A	F ALUM. REVEAL (PAINTED)	KI RA0801 COLOR: "VANILLA"
8B	GEMENT PLASTER CONTROL JOINT (PAINTED)	KI RA0801 COLOR: "VANILLA"
9	STONE VENEER	ELDORADO STONE, WESTERN PROFILES, HEATHER EDGE, COLOR: "WESTERN RESCOUR"
10	PRE-CAST STONE CAP	ELDORADO STONE, MANICOT GILL
11	CONCRETE ROOF TILE	EMBLE ROOFING PRODUCTS, CAPESTRANO, RENEGADA, COLOR: "DAN JUAN"
12	60# BUTTER (PAINTED)	JONES - BLAIR, #8201 COLOR: "OASIS WHITE"
13	ALUMINUM STOREFRONT	COLOR: "DARK BRONZE"
14	STOREFRONT GLASS	PPG, SOLARBAN 80, LOW-E GLASS IV BRONZE TINT
15	12" x 12" TILE ACCENT	TO MATCH COLOR: "OASIS RED"
16	1/4" DOOR & FRAME (PAINTED)	TO MATCH ADJACENT HALL
17	3/4" ALL-LAM TRELLIS BEAM (PAINTED)	KI RA0801 COLOR: "VANILLA"
18	4" x 6" TRELLIS BEAM (PAINTED)	KI RA0801 COLOR: "VANILLA"
19	5" x 8" TRELLIS BEAM (PAINTED)	KI RA0801 COLOR: "VANILLA"
20	6" x 6" TRELLIS COLUMN (PAINTED)	KI RA0801 COLOR: "VANILLA"
21	EXTERIOR HALL SCIENCE	-
22	3x TRIM (PAINTED)	JONES - BLAIR, #8201 COLOR: "OASIS WHITE"

NO.	DATE	DESCRIPTION
-	-	ISSUED FOR CONSTRUCTION
-	-	ISSUED FOR PLAN CHECK
10-23-06	10-23-06	ISSUED FOR PLANNING
11-01-07	11-01-07	REVISED FOR PLANNING COMMENTS
12-01-07	12-01-07	REVISED FOR PLANNING COMMENTS

**TRELLIS PLAN & ELEVATIONS**  
 PROJECT #: 07-408  
 DRAWN BY: [ ] CHECKED BY: [ ]  
 SCALE: AS NOTED DATE: 12-01-07

S:\1-Projects\07-408 PM Convenience Station\Design\Planning\07-408-02.dwg modified by mthana on Jul 05, 2009 - 11:58am



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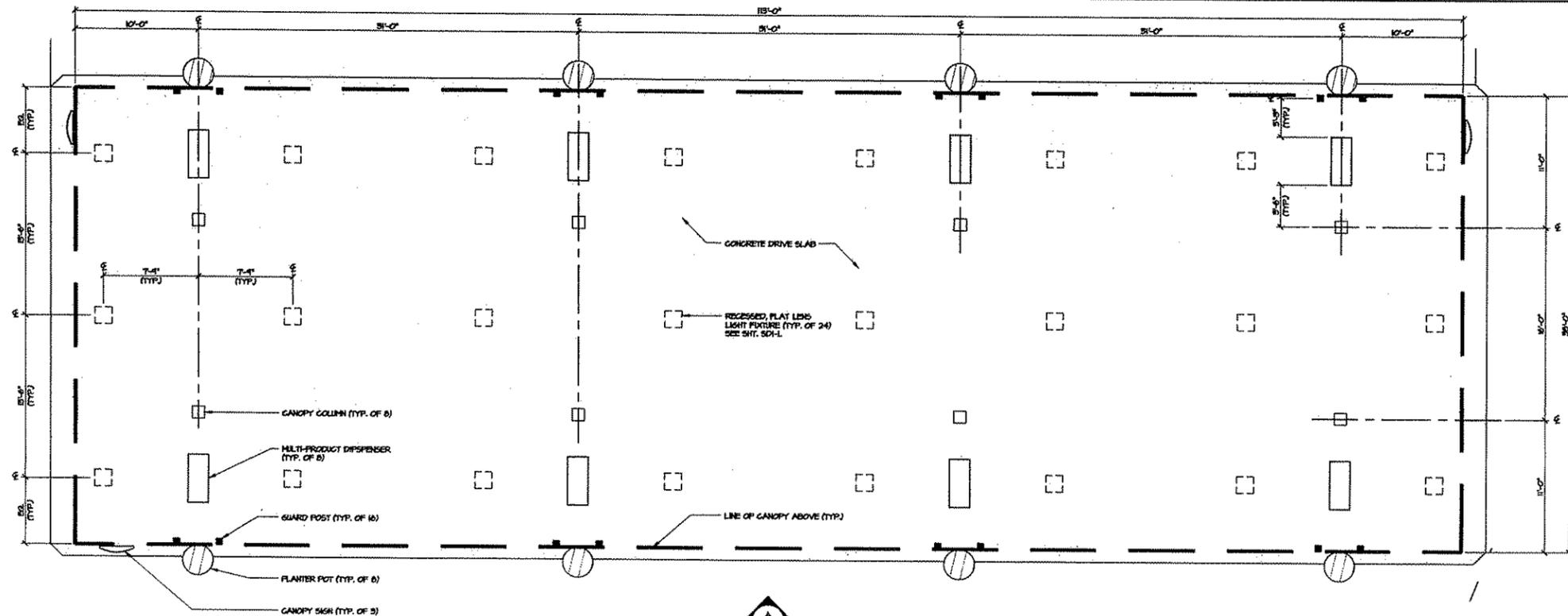
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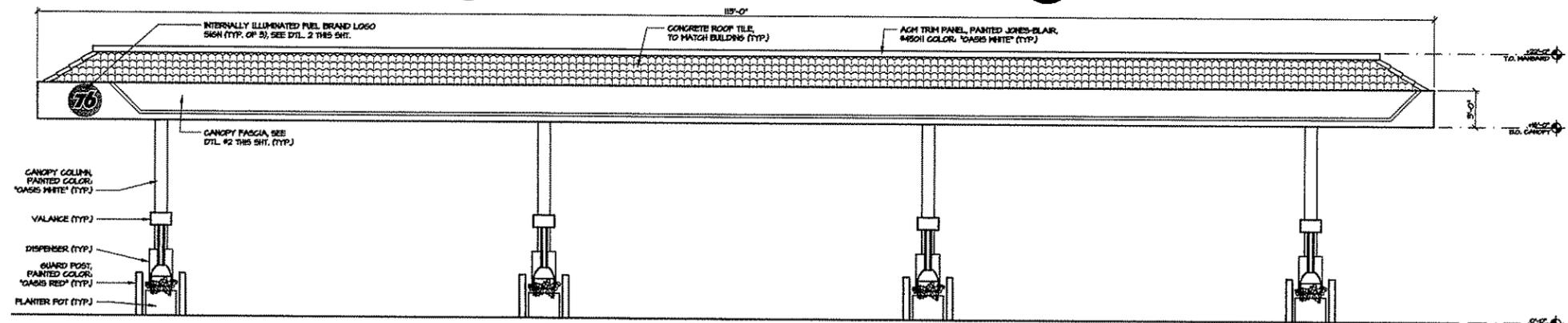
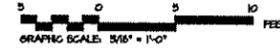
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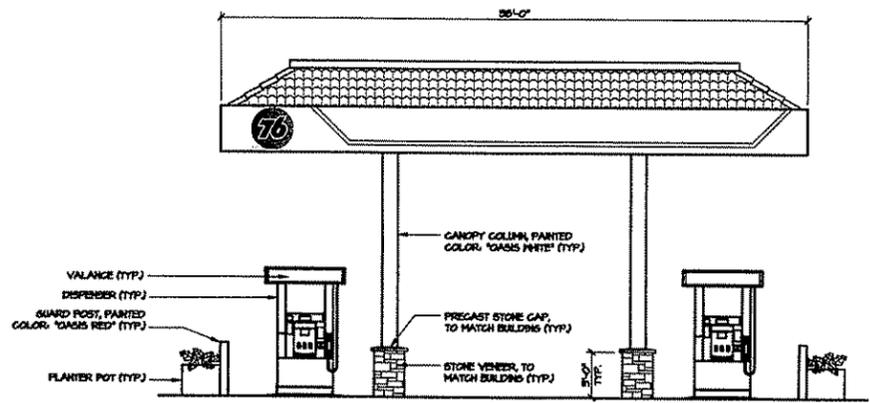
SERRA WAY



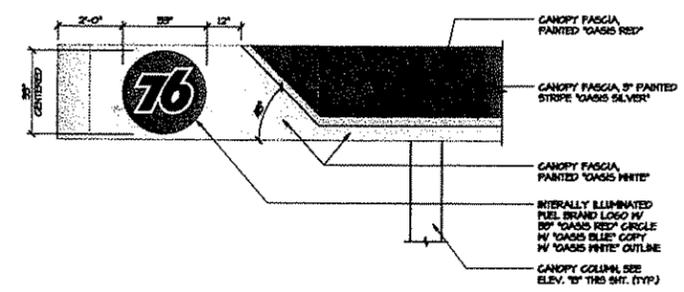
**1 CANOPY PLAN**  
3/16" = 1'-0"



**A SOUTHWEST CANOPY ELEVATION**  
3/16" = 1'-0"



**B NORTHWEST CANOPY ELEVATION**  
3/16" = 1'-0"



**2 CANOPY SIGN ELEVATION**  
3/8" = 1'-0"

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ISSUED FOR PLAN CHECK
12-20-09 ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION
1	8-24-09	REVISED FOR PLANNING COMMENTS
2		
3		
4		

**CANOPY PLAN & ELEVATIONS**  
PROJECT # 07-40B  
DRAWN: JM CHECKED: MI  
SCALE: AS NOTED DATE: 12-01-07

**A2.4**

SHEET OF

S:\1-Projects\07-40B\_P4\_Convenience\_Store\Drawings\07-40B-02-A.dwg modified by mihana on 12/01/07



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GAS STATION, CONVENIENCE STORE & CAR WASH

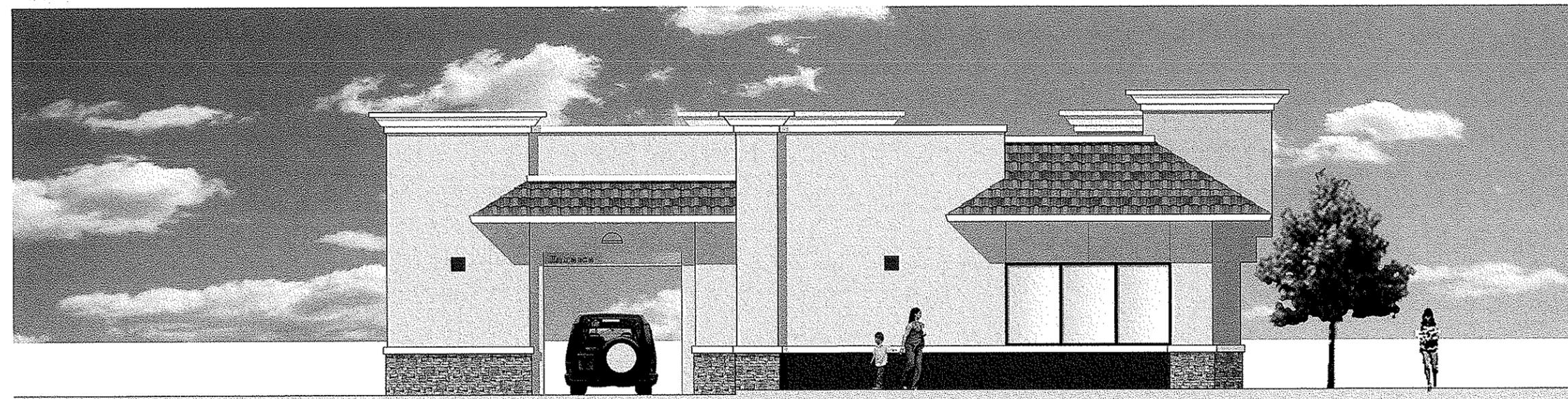
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**A** SOUTHWEST BUILDING ELEVATION  
1/4" = 1'-0"



**B** NORTHWEST BUILDING ELEVATION  
1/4" = 1'-0"

S:\Projects\07-408 EV Conversion\07-408-02.1 & A2.2\_rendering.mxd modified by m1han at Dec 12, 2008 - 11:49am

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ISSUED FOR PLAN CHECK  
10-23-08 ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION
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2		
3		
4		

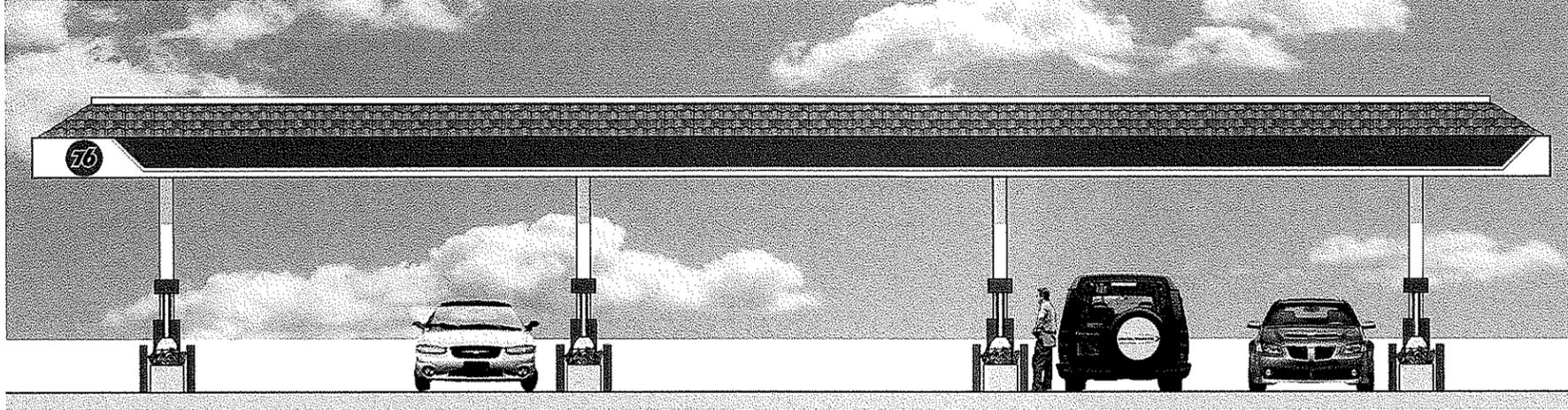
BUILDING ELEVATIONS

PROJECT # 07-408  
DRAWN: JH CHECKED: MI  
SCALE: AS NOTED DATE: 12-01-07

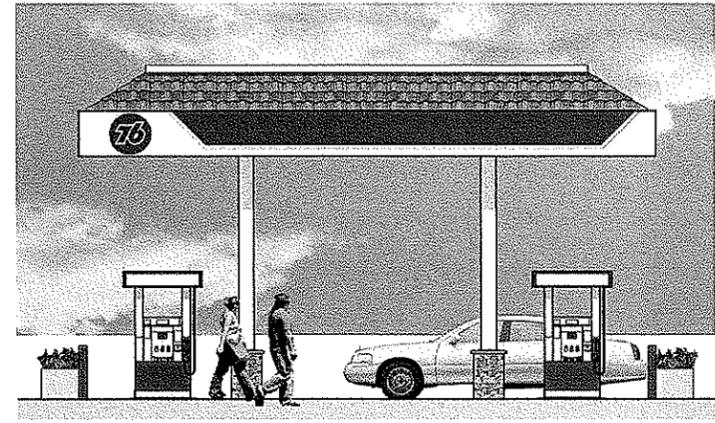
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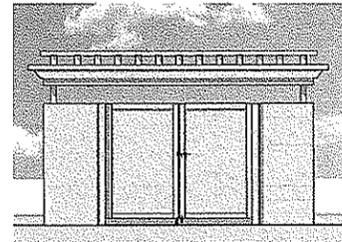
**SOUTHWEST CANOPY ELEVATION**



**NORTHWEST CANOPY ELEVATION**



**DUAL-POLE SIGN ELEVATION**



**SOUTHEAST TRASH ENCLOSURE ELEVATION**



**SOUTHWEST TRELLIS ELEVATION**

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- ISSUED FOR CONSTRUCTION
- ISSUED FOR PLAN CHECK
- 07-16-08 ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION

SITE DETAILS  
PROJECT #: 07-403  
DRAWN: JM CHECKED: MII  
SCALE: AS NOTED DATE: 12-01-07



# ENVIRONMENTAL IMPACT ASSESSMENT NO:EA09-0005

Planning Division

455 E. Calaveras Blvd., Milpitas, CA 95035

(408) 586-3279

Prepared by: Tiffany Brown

6/12/09

date

Title: Junior Planner

1. Project title: Gas Station with Convenience Store and Car wash
2. Lead Agency Name and Address: City of Milpitas, 455 E. Calaveras Blvd., Milpitas CA 95035
3. Contact person and phone number: Tiffany Brown, 408-586-3283
4. Project location: 190 West Calaveras Boulevard, Milpitas, CA 95035, (APN: 022-24-030)
5. Project sponsor's name and address:  
MI Architects, INC., Muthana Ibrahim, 2960 Camino Diablo, Suite 100, Walnut Creek, CA 94597  
\_\_\_\_\_  
\_\_\_\_\_
6. General plan designation: General Commercial
7. Zoning: General Commercial with Site and Architectural Overlaying District, Office Overlaying District and is within the Midtown Specific Plan (C2-S-OO)
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)  
ADMINISTRATIVE PERMIT NO. AD08-0014, SITE DEVELOPMENT PERMIT NO. SD08-0010 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA09-0005: A request to amend the General Development Policy for Gasoline Service Stations and Automotive Services Centers along with the demolition of an existing gas station (six fuel pumps) and smog service bays and the construction of a new gas station (eight fuel pumps), a larger food store (2,737 square feet) with drive-through car wash located at 190 W Calaveras Blvd.  
\_\_\_\_\_
9. Surrounding land uses and setting: Briefly describe the project's surroundings:  
The adjacent properties are zoned General Commercial with Site and Architectural Overlaying District, Office Overlaying District and are located within the Midtown Specific Plan. The project site is located near the west Calaveras and Serra intersection on the south corner of Calaveras Plaza shopping center.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)  
A permit from Caltrans may be required.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics                               | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality              |
| <input type="checkbox"/> Biological Resources                     | <input checked="" type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Geology / Soils          |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use / Planning      |
| <input type="checkbox"/> Mineral Resources                        | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing     |
| <input type="checkbox"/> Public Services                          | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems              | <input type="checkbox"/> Mandatory Findings of Significance |   |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Date: \_\_\_\_\_ Project Planner: \_\_\_\_\_  
Signature Printed Name

A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project level, indirect as well as direct, and construction as well as operational impacts.



WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
<b>I. AESTHETICS:</b>						
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11,17, 18
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11,17, 18
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11,17, 18
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11,17, 18
<b>II. AGRICULTURE RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 13, 18
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 13, 18
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 13, 18

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	

<b>III. AIR QUALITY:</b> (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations). Would the project:						
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18
<b>IV. BIOLOGICAL RESOURCES:</b> Would the project:						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
<b>V. CULTURAL RESOURCES:</b> Would the project:						
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 18
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 18
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 18
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2, 11, 18
<b>VI. GEOLOGY AND SOILS:</b> Would the project:						
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	11, 18, 27
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 18, 27
<b>VII. HAZARDS AND HAZARDOUS MATERIALS:</b>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	30
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	30

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
mile of an existing or proposed school?						
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18
<b>VIII. HYDROLOGY AND WATER QUALITY:</b>						
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 18
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 18
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or situation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 18

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 18, 30
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff as it relates to C3 regulations for development?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 18, 30
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 30
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 20
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 13, 18
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 13, 18
<b>IX. LAND USE AND PLANNING:</b>						
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 13, 18

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	11, 31
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11, 13, 18
<b>X. MINERAL RESOURCES:</b>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
<b>XI. NOISE:</b>						
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18, 29
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18, 29
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18, 29
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18, 29

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18
<b>XII. POPULATION AND HOUSING:</b>						
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 18
<b>XIII. PUBLIC SERVICES:</b>						
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:						
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13
<b>XIV. RECREATION:</b>						
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13
<b>XV. TRANSPORTATION/TRAFFIC:</b> Would the project:						
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
<b>XVI. UTILITIES AND SERVICE SYSTEMS:</b> Would the project:						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11

WOULD THE PROJECT:	IMPACT					Source
	Cumulative	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	

<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE:</b>						
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 17, 18
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 17, 18, 27, 28, 30
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 13, 17, 18, 27, 28, 29

**ENVIRONMENTAL IMPACT ASSESSMENT**  
**SOURCE KEY**

1. Environmental Information Form submitted by applicant
2. Project plans
3. Site Specific Geologic Report submitted by applicant
4. Traffic Impact Analysis submitted by applicant
5. Acoustical Report submitted by applicant
6. Archaeological Reconnaissance Report submitted by applicant
7. Other EIA or EIR (appropriate excerpts attached)
8. Alquist-Priolo Special Studies Zones Maps
9. BAAQMD Guidelines for Assessing Impacts of Projects and Plans
10. Santa Clara Valley Water District
11. Milpitas General Plan Map and Text
12. Milpitas Midtown Specific Plan Map and Text
13. Zoning Ordinance and Map
14. Aerial Photos
15. Register of Cultural Resources in Milpitas
16. Inventory of Potential Cultural Resources in Milpitas
17. Field Inspection
18. Planner's Knowledge of Area
19. Experience with other project of this size and nature
20. Flood Insurance Rate Map, September 1998
21. June 1994 Water Master Plan
22. June 1994 Sewer Master Plan
23. July 2001, Storm Master Plan
24. Bikeway Master Plan
25. Trails Master Plan
26. Light Study
27. Phase I Environmental Impact Assessment by GMC

28. County of Santa Clara Department of Environmental Health; Hazardous Materials Compliance Division (three documents)
29. Site Specific Health & Safety Plan
30. GAWFCO Enterprises, Inc, CA Fuel Supply, Hazardous Materials Business Plan
31. Storm Water Control Plan
32. General Development Policy; Gasoline Service Stations, and Automotive service Centers

## ENVIRONMENTAL CHECKLIST RESPONSES AND ANALYSIS

The following discussion includes explanations of answers to the above questions regarding potential environmental impacts, as indicated on the preceding checklist. Each subsection is annotated with the number corresponding to the checklist form.

### EXISTING SETTING:

*The project site is located at 190 W Calaveras Blvd. within the Calaveras Plaza shopping center. The General Plan and Zoning Ordinance designate this site and General Commercial with an Office Overlaying District. Adjacent uses are also General Commercial. The existing use is a gas station with two fuel canopies covering six fuel pumps and a small food mart that is connected to the smog service bay. The food mart building is approximately 1,740 square feet and is located at the center of the site, generally oriented north-south.*

### PROJECT DESCRIPTION:

*The project proposal consists of a Site Development Permit for the architectural review of new structures and an Administrative Permit to amend the existing General Development Policy for Gasoline Service Stations and Automotive Service Centers. The scope of work includes demolishing the existing structure and canopies and constructing a new 2,737 square foot convenience store with an attached car wash and one fuel canopy covering eight fuel pumps.*

**Project Number** PJ: 2555

**Permit Numbers** SD08-0010, AD08-0014 and EA09-0005

### Discussion of Checklist/Legend

PS: Potentially Significant Impact  
LS/M: Less Than Significant with Mitigation Incorporation  
LS: Less Than Significant Impact  
NI: No Impact

## I. AESTHETICS

### Environmental Impacts

*Discuss environmental impacts of the project.*

a) Would the project have a substantial adverse effect on a scenic vista? NI.

*The Milpitas General Plan Figure 4.6 shows the Scenic Resources and Routes Map. The map shows that the project site is located within a Scenic Corridor area. The existing development is a Gas Station that was built in 1974. The owner wishes to update the gas station and add a car wash with outdoor seating area. The new development will enhance the look and feel of the gas station by updating the architecture and adding architectural elements that are compatible with the surrounding development. The project proposal will not have any impacts on the scenic vista due to the new structures being proposed are still one story structures and*

*are designed to be aesthetically compatible with its surroundings and in compliance with the Midtown design guidelines.*

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? NI.

*The project site includes an existing gas station and does not have a historical building or rock outcroppings on it. The proposed project includes planting new trees and landscaping throughout the site.*

c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings? NI.

*The existing site includes a gas station with a small food store and smog test station and the project proposal is to replace the gas station with a new gas station, a car wash and larger food store. Because the project proposal is the same use with ancillary services as the existing use, the visual character and quality of the site remains the same.*

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? NI.

*The applicant provided a photometric plan that shows the foot candles of the lighting and the effect the lighting would emit on the surrounding areas. The lighting is standard for a gas station and because the existing use is already a gas station with lighting, the impact remains unchanged therefore there is no impact.*

## **II. AGRICULTURE RESOURCES**

### **Environmental Impacts**

*The project site is located at 190 W Calaveras Blvd. within the Calaveras Plaza shopping center. The General Plan and Zoning Ordinance designate this site and General Commercial with an Office Overlay District. Adjacent uses are also General Commercial. The existing use is a gas station and the project proposal consists of demolition of the existing structures and constructing a new 2,737 square foot convenience store with a car wash and an eight fuel dispensers under one canopy. The project proposal does not include a General Plan or Zoning Amendment and is not adjacent to Agriculture uses and therefore will have no impact of agriculture resources.*

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? NI.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? NI

c) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? NI

### **III. AIR QUALITY**

#### **Environmental Impacts**

*The existing use of the site is a gas station with food mart, auto repair, and six service bays; the proposed use is a gas station with car wash, convenience store, and eight service bays. All service bays and tanks will comply with State and Local standards regarding air quality emissions. Because the proposed use is very similar to existing use with the addition of two service bays, and the proposed tanks and service bays use will comply with the new technology for HEALY or CAS, the project proposal is not expected to have a significant impact on air quality.*

- a) Would the project conflict with or obstruct implementation of the applicable air quality plan? NI
- b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation? NI
- c) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)? NI
- d) Would the project expose sensitive receptors to substantial pollutant concentrations? NI
- e) Would the project create objectionable odors affecting a substantial number of people? NI

### **IV. BIOLOGICAL RESOURCES**

#### **Environmental Impacts**

*As mentioned previously, the project site is zoned for General Commercial. The existing site is developed as a gas station and the project proposal includes the demolition and reconstruction of a gas station. According to the General Plan, the project site is located within the radius for "potential location of Special Plant or Animals Species." The Special Species found within this radius is the Alkali Milk-Vetch. This species is found in valley and foothill grassland, and vernal pools. Because the existing site is developed and currently does not have grassland or vernal pools, it is unlikely that there are Alkali Milk-Vetch or its habitat on this site. According to the Phase I Environmental Impact Assessment provided by GSM; the U.S. Department of the Interior, National Wetlands Inventory Map, data coverage for Milpitas is not available. The U.S. Fish & Wildlife Service, Wetlands Online Mapper shows a pond identified as Palustrine Unconsolidated Shore Seasonally Flooded Wetland (PUSC), but the pond is located 0.86 Miles northeast of the site. The project proposal will not conflict with any local, state, or regional policies or conservation plans that protect Biological Resources.*

- a) Would the project have substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? NI

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? NI
- c) Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal, pool coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement or any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? NI
- e) Conflict with any local policies or ordinances protection biological resources, such as a tree preservation policy or ordinance? NI
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? NI

## **V. CULTURAL RESOURCES**

### **Environmental Impacts**

*In reference to the “Historical and Cultural Resources” section within the General plan, Milpitas’ land was the territory of the Tamyen Tribelet of Costanoan (Ohlone) Indians. The Tamyen maintained a few year-round village sites but also visited various temporary camps at different seasons for the year to hunt and gather food as it became available. Two of the notable Costanoan village sites lay within the City Limits. One, a huge shellmound near the present- day Elmwood Rehabilitation Center, and the other of the Alviso Adobe near the corner of Calveras and Piedmont. The closest site to the project proposal is approximately 7.4 miles away. Since the proposed project does include grading and other construction activities and we know the tribes did camp around Milpitas; although it is unlikely that buried cultural materials would be encountered, standard conditions for excavation activities would be applied to the project.*

- a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? NI
- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? NI
- c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? NI
- d) Would the project disturb any human remains, including those interred outside of formal cemeteries? LS/M

**Mitigation Measure 1:** *As required by County ordinance, this project has incorporated the following guidelines. - Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of*

*human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.*

## **VI. GEOLOGY AND SOILS**

### **Environmental Impacts**

*According to the Seismic and Geologic Hazards within the City General Plan, the map shows soils for this site to be expansive with north facing slopes. Referring to the Phase I Environmental Impact Assessment, the site lies in an area of low topographic relief near the edge of San Francisco Bay, at approximately 17 feet above mean sea level. The site is underlain by approximately 15 to 25 feet of silt and clay with scattered lenses of sand. The site is approximately 7.3 miles away from the Alquist-Priolo Special Study Zone and therefore should not have potential adverse effects on people or structures due to ground shaking or ground failure.*

- a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. NI
  - ii) Strong seismic ground shaking? NI
  - iii) Seismic-related ground failure, including liquefaction? NI
  - iv) Landslides? NI
- b) Would the project result in substantial soil erosion or the loss of topsoil? NI
- c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? NI
- d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? LS

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? NI

## **VII. HAZARDS AND HAZARDOUS MATERIALS**

### **Environmental Impacts**

*As previously stated, the existing use of the site is a gasoline station and the proposed new development includes the demolition of the existing buildings, grading and removing existing gas tanks, relocating new underground gas tanks, and construction of a new building with carwash and canopy for the fuel dispensers. Gasoline is considered a hazardous material due to its high flammability.*

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? LS

*The proposed use will routinely receive gasoline for the gas station. The project site is an existing gas station and has received gasoline for since 1975 and no accidents or other incidents involving restocking the fuel have been recorded. The 76 gas station has prepared a California Fuel Supply Hazardous Materials Business Plan for their location at 190 West Calaveras. The business plan states that all personnel are trained, they have chemical handlers, and an Emergency Response Team to ensure the safety of the employees, consumers, and surrounding properties.*

b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? LS/M

*The County of Santa Clara Department of Environmental Health; Hazardous Materials Compliance Division shows a history of this site to have three fuel leak cases that have been resolved and closed. (See attachments) The project proposal includes grading and trenching to remove and relocate underground tanks for the gas station. The tanks are used to store the gasoline for the gas pumps at the station. Because the proposal includes digging up and replacing tanks that contain a hazardous material (gasoline), the applicant hired GSM to prepare a Site Specific Health and Safety Plan that will be used and followed throughout construction Phase. (See attachments)*

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? LS

*The St. John Baptist Catholic School campus is situated approximately 0.24 miles southeast of the Site on the west side of S. Main Street, and Anthony Spangel Middle and Elementary Schools are situated approximately 0.27 miles northwest of the Site on the east side of N. Abbott Ave. The 76 gas station has prepared a California Fuel Supply Hazardous Materials Business Plan for this specific location. The business plan states that all personnel are trained, they have chemical handlers, and an Emergency Response Team to insure the safety of the employees, consumers, and surrounding properties. (See attachments)*

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? NI

*The project Site is not on the list of hazardous materials sites that are compiled pursuant to Government Code Section 65962.5.*

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project site? NI

*The project site is not located within an airport land use plan or within two miles of a public airport or public use airport.*

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project site? NI

*The project site is not located within the vicinity of a private airstrip.*

g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? NI

*The proposed use is similar as the existing use and therefore the project will not impair or physically interfere with any adopted emergency response or evacuation plans.*

h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? NI

*The project site is not located adjacent to any wildland areas.*

## **VIII. HYDROLOGY AND WATER QUALITY**

### **Environmental Impacts**

*The project proposal is in compliance with the City General Development Policy: Gasoline Service Stations, and Automotive Service Centers, the proposed gas stations required to have a minimum of 20% of the property to be maintained and landscaped. Also, any unpaved area of the site shall be landscaped. Per the Storm Water Control C3 Regulations, the applicant provided a Storm Water Control Plan to help prevent polluted water from the gas station and car wash travel into the main storm drains. The proposed gas station with car wash and convenience store is in compliance with all water quality standards and will not alter the course of stream or rivers. The project proposal does not include housing and will not place flood hazard area structures within the 100 year flood zone. The project location should not expose people or structures to a significant risk of loss do to seiche, tsunami, mudflow or the failure of a dam or levee.*

a) Would the project violate any water quality standards or waste discharge requirements? NI

b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of

the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? NI

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? NI

d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? NI

e) Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? NI

f) Would the project otherwise substantially degrade water quality? NI

g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? The project site contains areas that lie within Zone A which is subject to a 100 year flood hazard and Zone X which is subject to a 500 year flood hazard. NI

h) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows? NI

i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? NI

j) Would the project expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow? NI

## **IX. LAND USE AND PLANNING**

### **Environmental Impacts**

*The project site is located at 190 W. Calaveras Boulevard and encompasses an area of approximately 0.91 acres. The site is a wedge-shaped site located on the corner of the Calaveras Plaza shopping center. The site is at the intersection of W. Calaveras Boulevard, and Serra Way. The site is currently a gas station and the proposed use is a gas station.*

a) Would the project physically divide an established community? NI  
*The project proposes to redevelop the site with a similar use, therefore no impact is anticipated.*

b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? LS

*The City's General Development Policy: Gasoline Service Stations, and Automotive Service Centers, adopted in 1970 and amended in 1995, has a site standard limits the size of any sales area associated with gas stations that displays and sales prepackages, single-serving snacks, dairy products, soft drinks, and sundry items to 250 square feet. The project proposes an amendment to this policy to allow for larger convenience stores such as the 2,737 square foot convenience store proposed for this project. A change to the policy requires consideration by the City Council.*

c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan? NI

*The project proposal will not conflict with any applicable habitat conservation plan or natural community conservation plan.*

## **X. MINERAL RESOURCES**

### **Environmental Impacts**

*According to the Milpitas General plan, the project site is not located within a Mineral Resource Zone or aggregate products zone and therefore will have no impact on mineral resources.*

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? NI

b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? NI

## **XI. NOISE**

### **Environmental Impacts**

*According to the Milpitas General Plan, the existing and projected future noise level for the project site is 70 dbL's. The Land Use Compatibility chart shown on page 6-4 of the General Plan shows that it is acceptable for office buildings, businesses and commercial and professional uses to operate within a noise level ranging from just below 70 dbL's to about 75 dbL's. The project proposal for a gas station should not create much more noise in this area than the existing gas station. During construction, the noise levels may increase, however this noise is temporary and the Site Specific Health & Safety Plan prepared by GSM provides "Safe Work Practices & Level of Personal Protection" for the construction workers on site. It is a condition of approval that the applicant follows the Site Specific Health & Safety Plan throughout the construction phase of this site.*

a) Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? NI

b) Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? NI

c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? NI

d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? NI

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project site to excessive noise levels? NI

*This project site is not within an airport land use plan or within two miles of a public airport or public use airport.*

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project site to excessive noise levels? NI

*This project site is not within the vicinity of a private airstrip.*

## **XII. POPULATION AND HOUSING**

### **Environmental Impacts**

*The project proposal does not include housing or the displacement of housing. The proposed use is the similar as the existing use and will not induce substantial population growth within the area.*

a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? NI

b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? NI

c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? NI

## **XIII. PUBLIC SERVICES**

The project site is served by the following service providers:

- Fire Protection. Fire protection is provided by the City of Milpitas Fire Department which provides structural fire suppression, rescue, hazardous materials control and public education services.

- Police Protection. Police protection is provided by the City of Milpitas Police Department.

- Schools. Educational facilities are provided by the Milpitas Unified School District that operates kindergarten through high school services within the community. Schools that

would serve the project include Milpitas High School (grades 9-12), middle schools (grades 6-8) and elementary schools (grades K-5).

- Maintenance. The City of Milpitas provides public facility maintenance, including roads, parks, street trees and other public facilities. Milpitas' Civic Center is located at 455 E. Calaveras Boulevard.
- Other governmental services. Other governmental services are provided by the City of Milpitas including community development and building services and related governmental services. Library service is provided by the Santa Clara County Library.

Environmental Impacts

*The project site is located at 190 W Calaveras Blvd. within the Calaveras Plaza shopping center. The existing use is a gas station with two fuel canopies covering six fuel pumps and a small food mart that is connected to the smog service bay. The food mart building is approximately 1,740 square feet and is located at the center of the site, generally oriented north-south. The project proposal consists of demolishing the existing structure and canopies and constructing a new 2,737 square foot convenience store with an attached car wash and one fuel canopy covering eight fuel pumps. This project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities and therefore has no impact.*

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire Protection? NI

Police Protection? NI

Schools? NI

Parks? NI

Other Public Facilities? NI

**XIV. RECREATION**

Environmental Impacts

*As mentioned before, the project proposal is to demolish an existing gas station and construct a new gas station with car wash and convenience store. The project proposal will not affect the use of recreation facilities and therefore has no impact.*

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? NI

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? NI

## **XV. TRANSPORTATION/TRAFFIC**

Major roadways serving the site include: *The project site is located at 190 W. Calaveras Boulevard. The property is wedge-shaped and is located in a commercial area at the intersection (south side) of W. Calaveras Boulevard (Highway 237) and (north side) of Serra Way. The site is 0.4 miles east of Interstate 880, and 1.25 miles west of Interstate 680.*

### **Environmental Impacts**

*The existing and proposed use of the project site is a gas station. The existing gas station has a small food mart, a Smog Check station, and six gas pumps. The new gas station will include a car wash, convenience store, and eight gas pumps. Because the existing and proposed use is the same use (a gas station), it is not likely that the new station will add a significant amount of traffic related trips to this site or generate more traffic volume in and around the project site. The proposed site plan meets the required amount of parking for this use and will not conflict with any adopted policies, plans, or programs supporting alternative transportation.*

Would the project:

a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? NI

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? NI

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? NI

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections). NI

e) Result in inadequate emergency access? NI

f) Result in inadequate parking capacity? NI

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? NI

## **XVI. UTILITIES AND SERVICE SYSTEMS --**

The project site is served by the following service providers:

- Electrical and natural gas power: Pacific Gas and Electric Company
- Communications: AT&T
- Water supply: Provided by the City of Milpitas with the wholesale providers being either the San Francisco Water Department or the Santa Clara Valley Water District
- Recycled water: South Bay Water Recycling Program
- Sewage treatment: Provided by the City of Milpitas and treated at the San Jose/Santa Clara Water Pollution Plant in San Jose.
- Storm drainage: City of Milpitas
- Solid waste disposal: Disposal is at the Newby Island Landfill, operated by BFI
- Cable Television: Comcast

### Environmental Impacts

*As mentioned previously in the Hydrology and Water Quality Section of this Environmental Impact Assessment, The City's Storm Water Control C3 Regulations require this project to provide a Storm Water Control Plan to help prevent polluted water and run-off from traveling into the main storm drains. The plan is consistent with regional water quality control requirements and will not create any significant environmental effects. The project will comply with federal, state, and local statutes and regulations related to solid waste.*

Would the project:

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? NI
- Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? NI
- Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? NI
- Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? NI
- Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? NI
- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? NI

g) Comply with federal, state, and local statutes and regulations related to solid waste? NI

## **XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

*Based on the evidence in its entirety, it is not anticipated that the project will have the potential to degrade the quality of the environment or have any cumulatively considerable impacts. The project includes a negligible expansion to an existing gas station. The operation of the station will not significantly change and it is not expected that the expanded food store will cause additional impacts to the environment. Construction impacts will be temporary and the restocking of fuel would be performed under appropriate regulations and standards in accordance with local and federal laws.*

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? NI

b) Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? NI

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? NI

**Mitigation Monitoring and Reporting Program (190 W Calaveras Gas Station)**

**PREFACE**

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the Mitigation Monitoring and Reporting Program is to ensure compliance with the mitigation measures during project implementation.

On April 21, 2009, a Phase I Environmental Site Assessment was reviewed for the new gasoline station at 190 W. Calaveras Blvd., Milpitas CA 95305. The Environmental Site Assessment concluded that the implementation of the project could result in significant effects on the environment; therefore, mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and Reporting Program outlines these measures and how, when, and by whom they shall be implemented.

<b>Mitigation Monitoring Program</b>				
<b>Impacts</b>	<b>Mitigation Measures</b>	<b>Timeframe and responsibility</b>	<b>Method of Compliance</b>	<b>Oversight of Implementation</b>
<b>Cultural Resources</b>				
The proposed project does include disturbance of native soils for trenching, site grading and other construction activities. Although it is unlikely that buried cultural materials would be encountered, standard conditions for excavation activities would be applied to the	CUL-1: As required by County ordinance, this project has incorporated the following guidelines. - Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the	During construction, demolition, the developer shall ensure this measure mitigation is implemented	This measure shall be printed on all construction documents, contracts, and project plans.	Director of Planning and Neighborhood Services

**Mitigation Monitoring Program**

Impacts	Mitigation Measures	Timeframe and responsibility	Method of Compliance	Oversight of Implementation
project	<p>remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.</p>			

**Hazards and Hazardous Materials**

<p>The County of Santa Clara Department of Environmental Health; Hazardous Materials Compliance Division shows a history of this site having three fuel leak cases that have been resolved and closed. The project proposal includes trenching</p>	<p>HAZ-1: The project proposal includes grading and trenching to remove and relocate underground tanks for the gas station. The tanks are used to store the gasoline for the gas pumps at the station. Because the proposal includes digging up and replacing tanks that contain a hazardous material (gasoline), the applicant shall follow the GSM Site Specific Health and Safety Plan procedures throughout the construction phase.</p>	<p>During construction, demolition, the developer shall ensure this measure mitigation is implemented</p>	<p>This measure shall be printed on all construction documents, contracts, and project plans.</p>	<p>Director of Planning and Neighborhood Services</p>
--	---	---	---	---

**Mitigation Monitoring Program**

<b>Impacts</b>	<b>Mitigation Measures</b>	<b>Timeframe and responsibility</b>	<b>Method of Compliance</b>	<b>Oversight of Implementation</b>
into the ground to remove the underground tanks that store the gasoline. Although the fuel leak cases have been taken care of and closed, gasses may be released when digging around and removing the existing underground tanks and percussions are necessary.				

**SOURCE:** City of Milpitas, New Gasoline Station, June 2009.



April 13, 2009

Quest GSM # 03162009-01

Mr. Mike Ahmadi  
GAWFCO Enterprises, Inc.  
587 Ygnacio Valley Road  
Walnut Creek, CA 94596

**RECEIVED**

APR 21 2009

CITY OF MILPITAS  
PLANNING DIVISION

**SITE: MILPITAS UNION 76**  
**190 W. CALAVERAS BOULEVARD**  
**MILPITAS, CALIFORNIA**

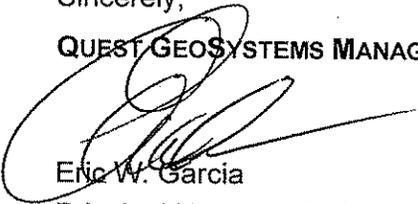
**RE: SITE SPECIFIC HEALTH & SAFETY PLAN**

Dear Mr. Ahmadi;

Quest GeoSystems Management (Quest) has prepared the enclosed Site-Specific Health and Safety Plan (HASP) for the subject Site located in Milpitas, California. This HASP was prepared in response to requirements of the City of Milpitas Planning Department dated March 2, 2009. The HASP is required for the protection of site workers and the general public during grading and excavation activities that will be conducted at the Site as part of the facility remodel. If you have any questions regarding this workplan, please contact us at (925) 756-1210.

Sincerely,

**QUEST GEOSYSTEMS MANAGEMENT**



Eric W. Garcia

Principal Hydrogeologist, CHG# 765 / CEG# 2230

Enclosed: Site Specific Health & Safety Plan

cc: File

**SITE SPECIFIC  
HEALTH AND SAFETY PLAN  
MILPITAS UNION 76  
190 W. CALAVERAS BOULEVARD  
MILPITAS, CALIFORNIA**

Prepared for:  
Mr. Mike Ahmadi  
GAWFCO Enterprises, Inc.  
587 Ygnacio Valley Road  
Walnut Creek, CA 94596

Prepared by:  
Quest GeoSystems Management  
504 Limewood Drive  
Antioch, California 94509

April 13, 2009

QUEST GSM #03162009-01

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### **APPENDICES**

## **1 INTRODUCTION**

This Site Specific Health and Safety Plan (HASP) describe the health and safety procedures for the work activities planned at the Milpitas Union 76 facility located at 190 W. Calaveras Boulevard, in Milpitas, California. Contractor personnel will abide by this HASP. It is intended that all project work will comply with applicable codes and regulations of the California and the United States Occupational Safety and Health Administration (CalOSHA/OSHA). Each field team member working on this project will have the general responsibility to identify and correct any health and safety hazards and strive to keep the work place safe.

### **1.1 PROJECT DESCRIPTION**

The proposed work to be performed on behalf of GAWFCO Enterprises, Inc. (GAWFCO) will involve the grading and excavation of soils at the Site as part of redevelopment activities.

### **1.2 KEY PERSONNEL AND RESPONSIBILITIES**

The following personnel who will have the overall responsibility for the safe operation of grading and excavation activities are:

- Project Director: Eric W. Garcia
- Project Safety Officer: Eric W. Garcia
- Task Safety Leader: Eric W. Garcia

It is the responsibility of the above-designated personnel to:

- Implement the site safety training program for project field team members as described in this document;
- Assure that field personnel have read, understand and acknowledge in writing this HASP;
- Establish effective traffic and pedestrian control around the drill or excavation site;
- Insure the adequate grading or excavation site security is maintained;
- Perform workplace surveillance for flammable/explosive conditions and insure that there is a portable fire extinguisher located on-site;
- Provide nitrogen gas for the down-hole flushing of vapors if conditions are deemed to be appropriate;
- Observe activities to insure the proper use of personal protective equipment such as hard hats, protective eye-wear, coveralls (Tyvek, etc.), respirators, gloves, and steel-toe boots, etc.;
- Inspect safety equipment for use by all field personnel to insure that it has been maintained and is in a usable condition;

- 
- Shut down or modify field work activity based on the criteria presented in Section 8.0 and 11.0;
  - Initiate outside emergency phone calls when an emergency or accident requires medical attention; and
  - Insure that all field personnel meet or exceed the minimum requirements for health and safety training, medical monitoring, and respiratory fit testing as required by OSHA 29 CFR 910.120.

All field personnel will have a responsibility to:

- Read, understand, and follow this plan;
- Perform work safely;
- Report any unsafe conditions to the immediate supervisor;
- Be aware and alert for signs and symptoms of potential exposure to site contaminants and health concerns;
- Attend the site safety training program meeting;
- Insure grading equipment and other machines are properly inspected and maintained and in compliance with applicable sections of the CalOSHA/OSHA Health and Safety Codes; and
- Maintain safety related equipment such as hard hats, Tyvek coveralls (or equivalent), gloves, safety eye-ware, respirators, etc., as specified in this plan.

## 2 HAZARD EVALUATION

This HASP addresses specific on-site work activities related to the grading, excavation and the collection of samples and data from the project site. While the basic Work Plans and HASP's are by now very familiar to field crews, work on certain sites, particularly in Category A, B, and C protective equipment, involve exposure potentials to various contaminants and possibly to contaminants at unpredictable levels.

Based on the historical and technical data available, this HASP covers anticipated activities and hazards, and makes provision for modification or amendment as health-related data is obtained during this investigation. This HASP will be amended with site-specific hazard(s) identified as posing potential health hazards for workers. For select sites, the Project Safety Officer will conduct a preliminary survey involving air and bulk soil sample analysis, and amend the HASP as needed.

As analytical data become available, the Health and Safety Task Leader will evaluate the information. The Project Safety Officer or the Task Safety Leader will initiate appropriate action in the form of Work/Health and Safety Plan Modifications.

The anticipated activities to be conducted during the facility remodel will include:

- Grading and excavation of soils.

The general categories of hazards associated with this investigation are:

- Physical hazards: cuts, contusions, slips, trips, falls, being struck by moving objects, being caught by rotating objects; also muscular injury potentially caused by overexertion or improper movement (e.g. back injury due to improper lifting), etc.;
- Electrical hazards: possible excavation of buried cables, exposure to overhead power lines, wet electrical cords, removal of power equipment, etc.;
- Chemical hazards: exposure to chemicals/contaminants listed in Section 4.0 of this HASP and exposure to extraction solvents, etc.;
- Fire hazards: possible excavation of buried utilities, flammable petroleum hydrocarbons, equipment fires, etc.;
- Thermal (heat stress) hazards: exposure to outside temperature extremes, and/or increased body temperatures while wearing protective clothing/equipment, etc.; and
- Acoustical hazards: exposure to excessive noise created by grading/excavation operations and/or related to the site-specific operations, etc.

Job hazard analyses associated with most major work activities are presented in the following sections.

## 2.1 GRADING AND EXCAVATION OPERATIONS

Grading and excavation activities will potentially expose field personnel to the following hazards.

### 2.1.1 Chemical hazards

Potential exposures to chemical hazards associated with hollow-stem augering include the following:

- Exposure to various chemical substances, including, but not limited to, petroleum hydrocarbon liquids and vapors, caustic and acidic mists, and petroleum contaminated soils, sledges, or liquids. Certain precautions may be necessary to properly control the potential fire/explosion/health hazards associated with these chemicals.

### 2.1.2 Physical hazards

Potential exposures to physical hazards associated with grading and excavation operations include the following:

- Snapping cables;
- Brush, equipment, gas-main, or hydrocarbon fires;
- Being hit by equipment;
- Becoming entwined in rotating tools;
- Falling objects;
- Exposure to excessive noise;
- Exposure to outside temperature extremes;
- Exposure to the potential for heat exhaustion due to protective clothing;
- Slip, trips, and falls;
- Buried cables and underground utilities;
- Overhead utility hazards; and
- Not using the proper tool for the job.

### 2.1.3 Heat Stress/Stroke and Noise

During day-to-day fieldwork, the on-site engineer/geologist and/or Project Safety Officer will be alert for the signs and symptoms of heat stress. Potentially hazardous situations exist when individuals are required to work in warm or hot temperatures while wearing protective clothing. When the ambient air temperature exceeds 85°F, heat stress may become a problem. For an un-acclimated person, this temperature may be less. If these conditions are encountered, the following precautions will be taken:

- The on-site engineer/geologist or safety officer will regularly monitor the ambient air temperature; and
- Field team members will be observed for the following signs and symptoms of heat stress:
  - Profuse sweating;
  - Skin color change;

- ❑ Increased heart rate;
- ❑ Vision problems; and
- ❑ Body temperatures in excess of 100°F as measured by fever detectors (forehead strips may also be used).

Any team member who exhibits any of these signs or symptoms will be removed immediately from field work and be requested to remove impervious clothing, and consume electrolyte fluid or cool water while resting in a shaded area. The individual will be instructed to rest until the symptoms are no longer recognizable. If the symptoms appear critical, persist, or get worse, immediate medical attention will be sought.

While working around grading equipment, the potential exists for exposure to excessive noise. If noise levels are known/believed to exceed 85 dBA-8 hours per day, all individuals will be instructed to use adequate hearing protectors (ear plugs). All field team members will be given background and annual evaluations. All field team members have been/will be trained in noise hazards and how to wear protective equipment.

### 3 SAFE WORK PRACTICES & LEVEL OF PERSONAL PROTECTION

The following sections present procedures on how to adequately address the primary potential hazards encountered in the different tasks of this project. The standard level of personal protection is also defined.

Based on the work to be performed and the type of chemical hazards that may be encountered, EPA Level D personal protection has been determined to be adequately protective and suitable for most of the tasks in this project. Certain tasks may require a higher level of protection, such as air-purifying or air-supplied respirators. These determinations will be made by the Project Safety Officer or Task Safety Leader and will be specified as amendments to this section of the HASP.

#### 3.1 POTENTIAL FIRE/EXPLOSION HAZARD

Due to the flammable nature of the hydrocarbons, the Quest task leader will carefully monitor explosive vapor conditions. The lower explosive limit (LEL) for gasoline hydrocarbons is approximately 1.4% in air. Using a 10-fold safety factor, a working criterion of 1,400 parts per million (ppm) (10% LEL) as measured by a photoionization detector (PID) is established for explosion hazards. This criterion is based on the LEL of gasoline. Should total hydrocarbon levels of 1,400 ppm or above be detected near the perimeter of the excavation, work will be stopped until hydrocarbon concentrations diminish below the set criteria. Additionally, if measurements obtained near the boreholes reveal this concentration, nitrogen gas will be injected into the well to reduce the possibility of explosion. Additionally, the field crew will be instructed to stay upwind until these conditions diminish. Gasoline range hydrocarbons may also be present in soil encountered during this investigation.

#### 3.2 POTENTIAL HEALTH HAZARDS

Depending on the conditions encountered, the Task Safety Leader in coordination with the Project Safety Officer may increase or decrease the level of personal protection required for all field team members. Such decisions will be made based on the initial and periodic measurement of the breathing zone concentrations of petroleum constituents by PID and on other data collected as work is conducted at the site.

Generally speaking, EPA Level D Personal Protection will be in accordance with the following guidelines:

- Hard hat;
- Safety glasses;
- Ear plugs (as required); and
- Steel-toe boots.

Some guidelines representing EPA Level C personal protection that may be used are:

- Tyvek coveralls (or equivalent), neoprene boots and rubber gloves (to be worn by any personnel who handle contaminated grading equipment;
- Individuals at grading or excavation sites not directly exposed to contaminated soils or liquids may not need to wear Tyvek coveralls due to the increased hazards of heat stress when wearing this type of clothing;
- Latex or PVC disposable gloves should be worn under butyl rubber or nitrile gloves to provide an extra measure of hand protection when handling heavily contaminated soils and water samples;
- Chemical splash goggles will be worn when increased splash hazards exist, such as steam cleaning activities, or during the handling of contaminated liquid samples; and
- Respiratory protection will be worn during grading and excavation activities that expose workers to hazardous levels of airborne contaminants. Direct reading personal breathing zone monitoring will be performed. The criteria established for the use of respiratory protection are discussed in Section 4.0.

### **3.3 POTENTIAL HEAT STRESS HAZARDS**

During conditions when the temperature, humidity, and/or radiant heat are high and air movement is low, the following procedures will be followed to prevent heat stress hazards for workers wearing protective clothing/equipment:

- Work activity will be limited to reduce the amount of heat naturally produced by the body. Alternating work and rest periods will be used in high potential conditions. For example, in moderate conditions, 5-minute rest breaks in the shade with 60-minute work periods in the sun may be desirable. Under severe conditions, the duration of rest periods will be increased as necessary;
- Heavy work will be performed during the cooler periods of the day when feasible;
- Under heat stress conditions, special attention will be given toward assuring workers replace lost body fluids. Each company will provide adequate supplies of cool drinking water or electrolyte solution for their own employee's use. Workers will be instructed in the need to replace fluids throughout the working day; and
- Special care and attention will be paid to field crewmembers that may not be acclimated to the area.

### **3.4 POTENTIAL NOISE HAZARDS**

Issuance and use of hearing protection as instructed by the Task Safety Leader or Project Safety Officer will control exposure to excessive noise.

#### 4 HYDROCARBON VAPOR HAZARD CRITERIA

Exposure to elevated levels of hydrocarbon vapors present potential health risks that must be addressed. Work practices and methods will be used to limit exposures. Where elevated exposures persist, respiratory protection will be used to protect personnel from inhalation of hydrocarbon vapors. The hydrocarbon vapors expected to be encountered during the field portion of the work plan are composed of a variety of volatile refined petroleum constituents. Most of these chemicals have limited toxicity thus requiring minimal controls at the concentrations that are anticipated to be encountered. There are certain components, such as benzene vapors, that present significant toxicological hazard and must be properly controlled. Water, soil, and vapor samples collected near the point of release commonly contain benzene at 1% of the total hydrocarbon constituents. Criteria for the use of respiratory protection are based on limiting potential exposure to benzene.

A limit of 100-ppm total hydrocarbon is proposed as the maximum acceptable level of exposure without respiratory protection. A PID will be used to measure real-time breathing zone concentrations for comparison with the 100-ppm limit. When a persistent level of 100 ppm is noted to exist, field team members will don an appropriate respirator. In a typical situation, 1% of the hydrocarbon vapor being benzene, a 100-ppm concentration of total hydrocarbon would result in a breathing zone level of less than 1-ppm benzene. This level is one tenth of the Permissible Exposure Limit (PEL) for an 8-hour occupational exposure to benzene.

To assure benzene exposures are below a 1-ppm limit, Sensidyne (or equivalent) benzene detector tubes will be used if PID measurements indicate persistent hydrocarbon levels above 30 ppm. These detector tubes are not compound specific and may respond to other less petroleum hydrocarbons such as toluene, xylene, and ethylbenzene. In the event that benzene detector tube measurements indicate that benzene levels exceed 1 ppm, respirators will be required.

If benzene concentrations exceed 10 ppm, work will cease. The field crew will be instructed to stay upwind of the borehole/excavation until the concentrations subside. This is considered a conservative approach since the Sensidyne detector tubes may respond to several hydrocarbons other than benzene.

Tables 4.1 summarize the various hydrocarbon vapor concentrations and appropriate responses to prevent exposure to these potential vapor hazards.

**TABLE 4.1 - HYDROCARBON VAPOR CRITERIA AND RESPONSES**

HYDROCARBON CONCENTRATIONS	RESPONSE
<30 PPM TVH General Work Areas	<input type="checkbox"/> Limited hazard, no special action.
30 - 100 ppm TVH General Work Areas	<input type="checkbox"/> Benzene detector tube measurements taken every 30 minutes.
100 - 1,400 ppm TVH General Work Areas	<input type="checkbox"/> Half-mask organic vapor respirators worn by all in work area. <input type="checkbox"/> Benzene detector tube measurements taken every 30 minutes.
>600 ppm TVH Well Head Emissions	<input type="checkbox"/> Flush down hole with nitrogen gas.
>1,400 ppm TVH General Work Areas	<input type="checkbox"/> Half-mask organic vapor respirators worn by all in work area. <input type="checkbox"/> Benzene detector tube measurements taken every 15 minutes until levels are well below 1 ppm.
>10 ppm Benzene in General Work Areas	<input type="checkbox"/> Work stops; procedures taken to subdue excessive vapor levels. <input type="checkbox"/> Benzene detector tube measurements taken every 15 minutes until levels are well below 1 ppm.

Notes:

- TVH = Total Volatile Hydrocarbons
- ppm = Parts per million

## 5 PERSONAL PROTECTIVE CLOTHING/EQUIPMENT REQUIREMENTS

This section specifies personal protective clothing/equipment required for the various tasks to be performed during this investigation. Table 5.1 summarizes these requirements.

### 5.1 GRADING AND EXCAVATION OPERATIONS

- Respiratory Protection: All field personnel will be required to have available for use a properly fit tested half-mask air purifying respirator with organic vapor cartridges and particulate pre-filters. These will be required to be worn based on the criteria listed in Section 4.0;
- Protective Clothing: All field personnel who handle contaminated soils, liquid, or equipment will wear semi-permeable (white) Tyvek coveralls (or equivalent). Company issued safety helmets will be worn by all personnel during the field work;
- Hand Protection: All personnel handling auger flights and contaminated soils will wear Butyl rubber or nitrile gloves. Wearing disposable latex or PVC gloves under the butyl gloves will provide added protection and aid in a more effective decontamination process;
- Ear Protection: Based on anticipated on-site noise measurements, field personnel may be required by the Task Safety Leader or Project Safety Officer to wear hearing protection devices (ear plugs) during grading operations;
- Eye Protection: Each field team member will wear a minimum of impact-resistant safety glasses with attached side shield. Where splashes of potential hazardous liquid or flying particles are likely, chemical safety goggles will be required in place of safety glasses; and
- Foot Protection: Field personnel will wear neoprene rubber boots with steel toes and shanks. Under non-liquid exposure conditions, leather boots with steel toes and shanks are permissible. The boots will be taped to the leg of Tyvek suits. Rubber gloves, Tyvek coveralls, and neoprene boots may not be required if soil or water is not obviously contaminated, or if PID measurements of the soil samples collected during the investigation are below 500 ppm.

**TABLE 5.1 - PERSONAL PROTECTIVE EQUIPMENT REQUIREMENTS**

MANDATORY ITEMS	AVAILABLE ITEMS
<b>5.1.1.1.1 Grading and Excavation Operations</b>	
<i>GRADING/EXCAVATION CREW</i>	
Tyvek Coveralls*	Respirator
Chemically Resistant Gloves*	Splash Goggles
Neoprene Safety Boots*	Ear Plugs
Safety Helmet	Safety Glasses
<i>Geologists/Engineers</i>	
Neoprene Safety Boots*	Respirator
Safety Helmet	Splash Goggles
Safety Glasses	Ear Plugs
	Tyvek Coveralls
	Chemically Resistant Gloves
<i>Surveyors/Safety Personnel</i>	
Neoprene Safety Boots*	Respirator
Safety Helmet	Splash Goggles
Safety Glasses	Ear Plugs
	Tyvek Coveralls
	Chemically Resistant Gloves
<b>Packaging and Shipping Samples</b>	
<i>Sample Controller</i>	
Safety Glasses	Respirator
	Chemically Resistant Gloves
<b>Packaging and Shipping Samples</b>	
<i>Analyst</i>	
Safety Glasses	Respirator
	Chemically Resistant Gloves

Notes:

- \* = Not required if soil or water not visibly contaminated, or if PID measurements of the soil samples are below 500 ppm

## **6 WORK ZONE ACCESS**

During grading or excavation operations, a work zone shall be established and roped off. This zone should include all grading/excavation equipment and/or other necessary equipment and its immediate vicinity. Only authorized personnel will be permitted to enter this work zone. Authorized personnel will include those who have duties requiring their presence in the work zone; have received appropriate health and safety training, and whose background medical records may be obtained to verify that the health of that individual is not at extreme risk by his/her presence.

## 7 DECONTAMINATION PROCEDURES

The Work Plan specifies initial grading, excavation, and sampling at areas where petroleum hydrocarbon contaminated soils, sludge, liquids, and/or vapors are anticipated. Due to the volatile nature of the petroleum hydrocarbons that may be encountered during the initial grading, excavation, and sampling operations, decontamination of equipment and vehicles will be of minimal importance since the volatile hydrocarbons will rapidly vaporize. However, contaminated sampling equipment and any obvious contaminant accumulations will not leave the project site. Field team members will also abide by the following guidelines to insure that contaminants will not remain in contact with their body:

- All personnel involved in the field portion of the work plan will be instructed to wash their hands, face, neck, and arms at the end of the workday. Quest will assure the presence of soap, water, and towels at the grading site for this purpose. All crews will be instructed to shower at their home or lodging at the end of the workday;
- No eating, drinking, smoking, or chewing of gum or tobacco will be permitted in the work zone; and
- During the fieldwork, the nature of materials handled and the extent of contamination may require formal decontamination procedure and delineated work/clean zones. At the discretion of the Task Safety Leader, the work zones, described below, and decontamination procedures will be used to minimize the transfer of hazardous substances from the site so as to protect the environment and public health.

### 7.1 WORK ZONES

The field team shall prevent the uncontrolled movement of waste materials or hazardous substances from the grading/excavation site. The team will prevent migration of site contaminants by using the following work zones and equipment/personnel decontamination procedures:

- **Exclusion Zone:** A 30-foot circle around any given excavation will be defined before grading or excavation starts. In most cases, the zone will be "roped off" with an applicable barricade tape. This designated area will constitute the "Exclusion Zone." This zone is where potentially hazardous surface contaminants as a result of the fieldwork and physical hazards to the workers will be contained. Personal protection equipment will be required in this area according to the discretion of the Task Safety Leader and/or in accordance with the guidelines contained in this HASP. The size of the Exclusion Zone may be changed to accommodate site conditions and to ensure contaminant containment at the discretion of the Project Manager, Project Safety Officer, or Task Safety Leader. No personnel will be permitted into the Contamination Reduction Zone or the Exclusion Zone unless they are in full compliance with the existing HASP. All personnel must maintain the buddy system while in this zone. Intrinsically safe communications will be maintained with all personnel in this area;

- Contamination Reduction Zone: An area surrounding the Exclusion Zone will be defined. All personal decontamination activities will occur in this area. A waste container may be placed in this area so that contaminated disposal equipment can be placed inside and covered. Surface/soil contamination in this area may be controlled by use of some form of plastic sheeting; and
- Support Zone: A Support Zone must be defined for each field activity. Support personnel and/or equipment is located in this uncontaminated (clean) area. Normal Quest field uniforms are appropriate within this zone. The location of this zone depends on factors such as accessibility, wind direction, nearby roads, utilities, traffic patterns, shelter, etc.

## 7.2 DECONTAMINATION PROTOCOL

Decontamination of personnel and equipment will be important to ensure that contamination does not spread to others. Personal decontamination mainly involves the removal of some outerwear and good personal hygiene habits. Contamination should never be in contact with skin. All field team members must follow this plan to ensure that contamination does not remain on equipment, sample containers, or their body.

All field team members should remove their personal protective clothing in a certain sequence to avoid contaminating their inner clothing or themselves. When removing personal protective equipment, the following steps should be observed:

1. Remove all equipment, sample containers, and notes and non-essential items while in the Contamination Reduction Zone. Decontamination solutions and/or a steam cleaner will be used to decontaminate all tools and sampling equipment;
2. Remove outer gloves and boot covers and place them inside a garbage bag or drum;
3. Remove tape from boots and gloves and remove the Tyvek Coverall (if used). Tyvek coverall removal should be accomplished by rolling the outside of the coverall inside itself so that only the inside of it is exposed. Boots, inner gloves, and respirator should still be worn; and
4. Remove the inner gloves and respirator when in the Support Zone.

### **7.3 PERSONAL HYGIENE REQUIREMENTS**

The following procedures should always be observed in the Support Zone:

- All personnel must wash their hands, face, neck, and forearms before consuming any foods or liquids, smoking, or using the restroom; and
- All personnel must take a shower at the end of each workday. Particular attention should be given to areas of the body that are typically overlooked.

## **8 MONITORING PROGRAM**

Personal exposure to ambient levels of airborne hazards and noise should be monitored or observed to insure that personnel exposures do not exceed acceptable limits and for the selection of protective equipment. Airborne contamination and excavation hydrocarbon vapor concentrations will be measured primarily by the use of a direct reading instrument such as a PID. If measured concentrations approach established levels, Sensidyne detector tubes will be used to determine the presence and concentration of benzene. Site visits/inspections may be conducted by the Project Safety Officer to insure compliance with this HASP.

### **8.1 PHOTO-IONIZATION DETECTOR (PID)**

During the site activities, the ambient air, grading, excavation, excavated soils, and soil samples will be screened with a calibrated portable PID. The PID is a direct reading real-time analyzer that is capable of detecting most of the volatile hydrocarbon constituents present in a vapor phase. The PID to be used for this investigation will use a 10.2 electron volt lamp and will be calibrated using an isobutylene calibration gas. Isobutylene is a relatively safe calibration gas similar to the ionization potential of benzene (the carcinogen of primary concern present in petroleum products).

### **8.2 FLAME IONIZATION DETECTOR (FID)**

During the site activities, the ambient air, grading, excavation, excavated soils, and soil samples will be screened with a calibrated portable FID. The FID is a direct reading real-time analyzer that is capable of detecting most of the volatile hydrocarbon constituents present in a vapor phase. The FID to be used for this investigation will be calibrated using an isobutylene calibration gas. Isobutylene is a relatively safe calibration gas similar to the ionization potential of benzene (the carcinogen of primary concern present in petroleum products).

### **8.3 SENSIDYNE DETECTOR TUBES (OR EQUIVALENT)**

Sensidyne detector tubes will be used to determine airborne concentrations of benzene in the breathing zone during the site activities. A member of the field team will take detector tube readings if high PID measurements warrant.

Readings will be taken in the area where the field team members are working. Sensidyne #121 benzene detector tubes will be used (measurement range 5-60 ppm). The detector tube pump will be inspected for proper operation prior to field operations.

## 9 SAFETY AND HEALTH TRAINING

All field personnel will be trained in methods of safely conducting field activities. This HASP is intended to provide additional site-specific information to accomplish this goal. It will be the responsibility of the Project Directors, Project Safety Officer, and Task Safety Leader to ensure the field team has access to, read, and understands this plan. It will be the individuals' responsibility to bring to the attention of the Project Director or Project Safety Officer any portion of this plan and related training they do not fully understand. Prior to the commencement of the field portion of this investigation, the field team will meet to discuss the contents of this plan and make sure all members understand it.

At the site meeting, all field team members will be instructed regarding the health and safety hazards. Especially:

- Physical safety hazards;
- Emergency procedures;
- The hazardous materials that may be encountered and their potential routes of exposure;
- Personal hygiene practices;
- The types, proper use, inspection, limitations, maintenance, and storage of protective clothing and equipment (as applicable); and
- In the event that the ambient air temperature exceeds 85°F, a review of heat stress symptom recognition/corrective procedures will be conducted. For an un-acclimatized person, this value may be less. Special emphasis will concern the use and limitations of respiratory protection. Half-mask respirators (or equivalent) equipped with air purifying organic cartridges will be used. Full-face respirators will be used if eye irritation or skin contact exposure potential exists.

Medical/physical fitness requirements to wear respiratory protection will be established by a physician; and individuals will be trained in the use, limitations, and maintenance of half-mask and full-face respirators including qualitative fit testing, routine inspection, replacement of parts, cleaning, disaffection, and storage requirements.

Copies of this entire HASP will be provided for each field team member at the project site, or prior to arrival.

## **10 MEDICAL MONITORING PROGRAM**

The field activities at this site are expected to involve active physical work and potential exposure to petroleum hydrocarbons, and possibly other related hazardous substances. Exposure to heat stress, noise, and physical safety hazards may also be encountered. The work will require people of good health with normal vision and hearing. An industrial physician is periodically asked to provide documentation of employee medical fitness to perform the required work in the form of a signed document. This documentation should also indicate the employee's ability to perform the required work while wearing a respirator.

## **11 EMERGENCY RESPONSE PLAN**

The emergency procedures described in this HASP are designed to give the field team guidance in handling medical emergencies, fires, explosions, and excessive emissions. These emergency procedures will be carefully explained to the field team during the on-site health and safety meeting.

### **11.1 INJURIES**

Medical problems must be quickly dealt with; a road map to the nearest emergency medical facilities (Figure 11.1) is kept in an envelope on the dash of each Quest field vehicle. The local emergency contact numbers are listed in Table 11.1.

The field team is to seek immediate professional medical attention for all serious injuries. A first aid kit will be present at the work site for use in case of minor injuries. If any field team member receives a splash or particle in the eye, the eye is to be flushed for 15 minutes. Clean water or portable eyewash will be available for this purpose. Instruction will also be provided to wash any skin areas with soap and water if direct contact with contaminants has occurred.

During normal field activities, work clothes may become wet. If field team member's clothing becomes saturated with an obviously contaminated liquid/sludge, the possibility for dermal exposure to contaminants may exist. Under these circumstances, the field team member will change out of the contaminated clothing into clean clothing of the proper level of protection.

### **11.2 FIRE AND EXPLOSION HAZARDS**

Fires will be of particular concern during this investigation due to the possibility of encountering flammable petroleum hydrocarbon liquids or vapors. An adequate multi-purpose (A, B, C) fire extinguisher will be located on-site at all times.

The local fire department will be notified by a Quest representative of the location and anticipated activities in order to provide a more timely response in the event of an emergency. In the remote chance that a fire does occur, the local fire department will be notified immediately. Additional calls to the main office of Quest will be made. The Project Director would then notify the client.

### **11.3 OPERATIONS SHUTDOWN**

Under certain extremely hazardous situations, the Project Director, Project Safety Officer, or Task Safety Officer may request that field operations be temporarily suspended while the underlying hazard is corrected or controlled.

During any sampling, grading, or excavation activity, breathing zone PID measurements for petroleum hydrocarbons will be performed. If these levels exceed 30 ppm, detector tubes will be used to further quantify the benzene vapors present. If the level of benzene is detected above 1ppmv or PID measurements are consistently in excess of 100 ppm, respirators will be required. If benzene is detected above 10 ppm in breathing zone detector tube samples, all activity will

---

cease until these concentrations diminish. If PID measurements above 1,400 ppm occur, a potential fire hazard may exist. Under these circumstances, activities will be stopped until these levels are brought down. This may be accomplished by containerizing contaminated soils or liquids, covering contaminated soil with foam, visclean, or with clean soil to isolate the source.

#### **11.4 COMMUNITY PROTECTION**

To assure the community is not affected by the site work, upwind and downwind monitoring with the PID will be performed if the level of petroleum hydrocarbons in the general work area exceeds 100 ppm. If site downwind monitoring indicates persistent levels above 300 ppm at the perimeter of the work area, work will be shut down until PID readings drop below 30 ppm. Alternatively, the exclusion zone may be extended to provide additional community protection.

**TABLE 11.1 - EMERGENCY CONTACTS**

EMERGENCY FACILITY	TELEPHONE NUMBER
Police:	911
Fire:	911
Paramedics:	911
Hospital #1: <b>O'Connor Hospital Emergency Services</b> 2105 Forest Ave San Jose, CA 95128	(408) 947-2666
Hospital #2 (alternate): <b>El Camino Hospital</b> 2500 Grant Road Mountain View, CA 94040	(650) 940-7000
<b>Milpitas Fire Department</b> 455 E. Calaveras Blvd. Milpitas, CA 95035	Tel: (408) 586-3365 Fax (408) 586-3378
<b>Santa Clara County HMCDC</b> 1555 Berger Drive, Suite 300 San Jose, CA 95112-2716	Phone: (408) 918-3400 Fax: (408) 280-6479
<b>Regional Water Control Board</b> San Francisco Bay Region 1515 Clay Street, Suite 1400 Oakland, CA 94612	Phone: (510) 622-2300 Fax: (510) 622-2460
Department of Toxic Substances Control (DTSC) 700 Heinz Avenue, Suite 201 Berkeley, CA 94710 (Public and Business Liaison Hotline)	(510) 540-2122 (800) 72TOXIC [(800) 728-6942]

## **12 RECORD KEEPING REQUIREMENT**

The following record keeping requirements will be maintained in the health and safety or program file indefinitely:

- Copy of this Health and Safety Plan;
- Health and Safety training certification forms;
- Respirator training certification;
- Any accident/illness report forms; and
- Documentation of the employees' medical ability to perform work and wear respirators.

### 13 HEALTH AND SAFETY PLAN SUMMARY

The purpose of this summary is for quick field reference for the commonly referred to items covered in the Site Specific Health and Safety Plan (HASP). It is not the intent of this summary to replace or supersede the information referred to in the HASP.

ANTICIPATED CLOTHING/EQUIPMENT	
Hard Hat	No Respirator
Ear Plugs	Half-face Air Purifying Respirator
Gloves (Work /Nitrile )	Full-Face Air Purifying Respirator
White Tyvek Coveralls	Supplied Air Respirator
Yellow Tyvek Coveralls	Steel Toe/Shank Boots (Work/Rubber)
Safety Glasses	
Safety Goggles	

### Emergency Contacts

EMERGENCY FACILITY	TELEPHONE NUMBER
Police:	911
Fire:	911
Paramedics:	911
Hospital #1: <b>O'Connor Hospital Emergency Services</b> 2105 Forest Ave San Jose, CA 95128	(408) 947-2666
Hospital #2 (alternate): <b>El Camino Hospital</b> 2500 Grant Road Mountain View, CA 94040	(650) 940-7000
<b>Milpitas Fire Department</b> 455 E. Calaveras Blvd. Milpitas, CA 95035	Tel: (408) 586-3365 Fax (408) 586-3378
<b>Santa Clara County HMCDC</b> 1555 Berger Drive, Suite 300 San Jose, CA 95112-2716	Phone: (408) 918-3400 Fax: (408) 280-6479
<b>Regional Water Control Board</b> San Francisco Bay Region 1515 Clay Street, Suite 1400 Oakland, CA 94612	Phone: (510) 622-2300 Fax: (510) 622-2460

NOTE: For additional information regarding this project site, please refer to the Site Specific Health and Safety Plan for this fieldwork.

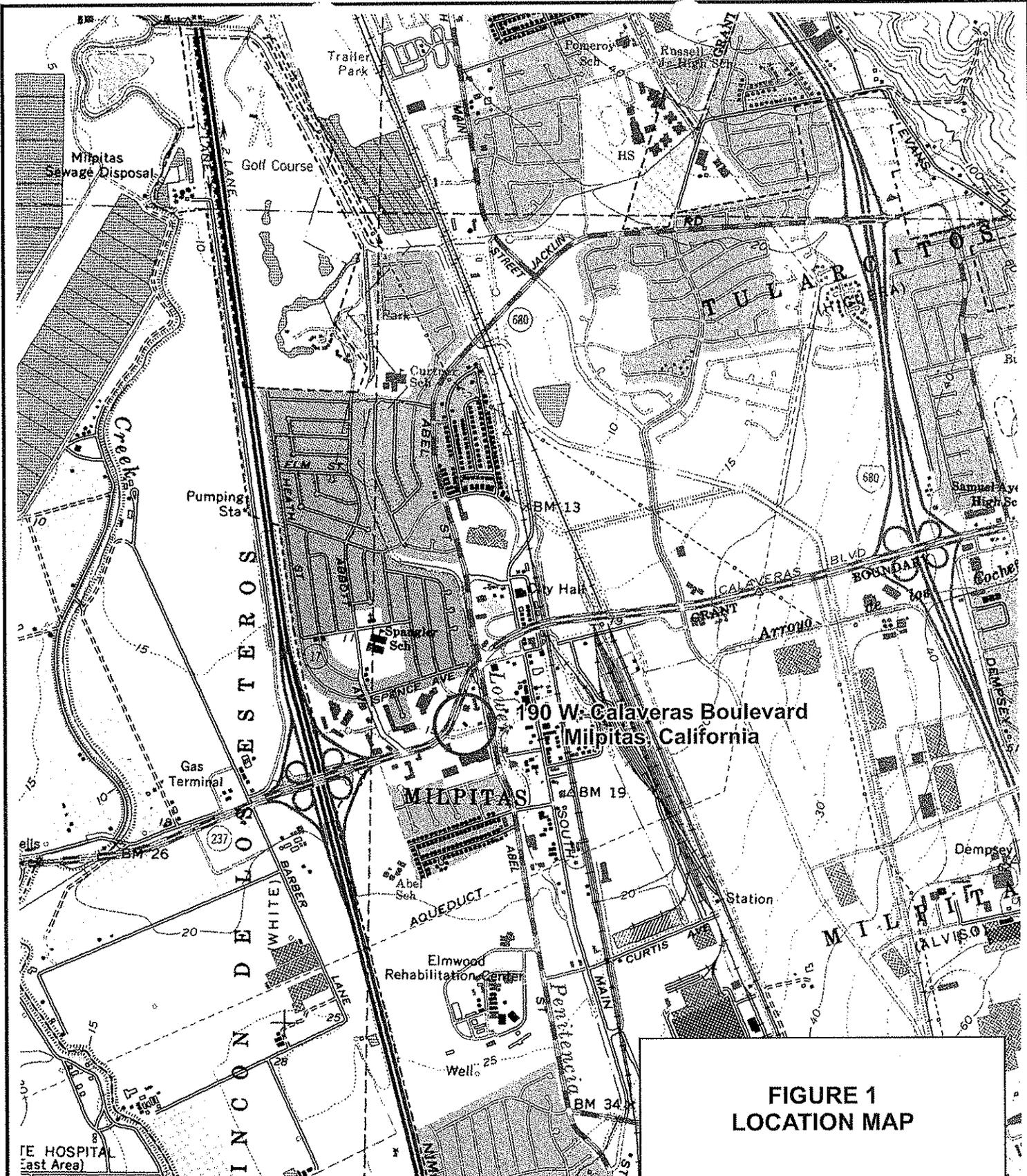
**14 HEALTH AND SAETY PLAN FIELD PERSONNEL RELEASE FORM**

I, {UNDERSIGNED}, do hereby confirm that I have read and understand the Site Specific Health and Safety Plan for the GAWFCO facility located at 190 W. Calaveras Boulevard in Milpitas, California as prepared by Quest GeoSystems Management (Project Number 03162009-01). I do agree to follow this plan and to make every effort to make the work place safe. I will report any health or safety hazard that I observe to the Safety Task Leader, Project Safety Officer, or Project Director.

I do agree to defend, indemnify, and hold harmless GAWFCO its owners, employees, representatives, clients, and the property owner for any accidents, sickness, or injuries resulting from the violation, alleged violation, or non-compliance of Site Specific Health and Safety Plan.

Name/Title	Company	Signature	Date
Name/Title	Company	Signature	Date
Name/Title	Company	Signature	Date
Name/Title	Company	Signature	Date
Name/Title	Company	Signature	Date
Name/Title	Company	Signature	Date
Name/Title	Company	Signature	Date
Name/Title	Company	Signature	Date
Name/Title	Company	Signature	Date

## **FIGURES**



**FIGURE 1  
LOCATION MAP**

MAP NOT TO SCALE

Project Name: 190 W. Calaveras Boulevard, Milpitas, California



**QUEST GEO SYSTEMS MANAGEMENT**  
 PO Box 468, Oakley, CA 94561  
 (925) 756-1210 · (925) 756-1227 Fax

Project No.:  
03162009-01

Drafter: EWG  
Review: EWG

Revision Date:  
04/12/2009

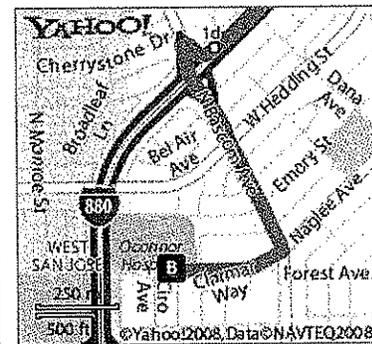
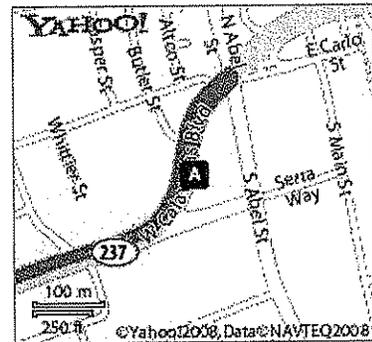
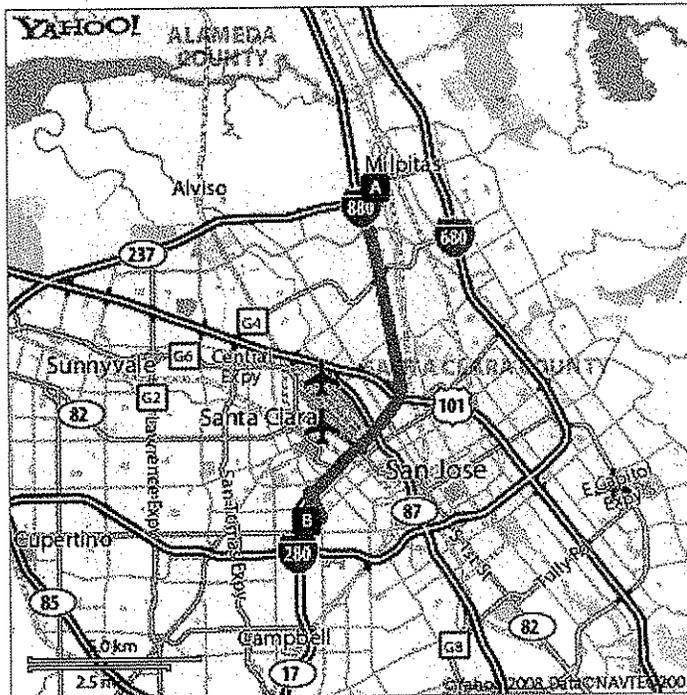
**Directions to O'Connor Hospital**  
**2105 Forest Ave, San Jose, CA 95128-1425**



Total Time: 13 mins, Total Distance: 9 mi

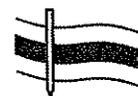
	Distance
<b>A</b> 1. Start at 190 W CALAVERAS BLVD, MILPITAS going toward BUTLER ST	go 0.14 mi
2. Make a U-Turn at S ABEL ST onto W CALAVERAS BLVD(CA-237 W)	go 0.54 mi
3. Continue to follow CA-237 W	go 358 ft
4. Take ramp onto I-880 S toward SAN JOSE	go 7.16 mi
5. Take exit #1D/BASCOM AVENUE	go 0.16 mi
6. Take <b>L</b> fork onto N BASCOM AVE	go 0.63 mi
7. Turn <b>R</b> NAGLEE AVE	go 518 ft
8. Bear <b>R</b> FOREST AVE	go 0.2 mi
<b>B</b> 9. Arrive at 2105 FOREST AVE, SAN JOSE, on the <b>R</b>	

Time: 13 mins, Distance: 9 mi



When using any driving directions or map, it's a good idea to do a reality check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. Th

**FIGURE B-11.1A**  
**PRIMARY HOSPITAL**  
**ROUTE MAPS**



**QUEST GSM**  
 QUEST GEOSYSTEMS MANAGEMENT  
 Environmental Engineering & Geological Services

PO Box 468, Oakley, CA 94561-0468  
 (925) 756-1210 - (925) 756-1227 Fax

Project No.: 03162009-01

Drafter: EWG  
 Review: EWG

Revision Date:  
 04/13/2009



**SITE COPY**

**GAWFCO Enterprises, Inc**

**CA Fuel Supply - Milpitas**

**Hazardous Materials Business Plan**

**2009**

**RECEIVED**

JUN 02 2009

CITY OF MILPITAS  
PLANNING DIVISION

190 West Calaveras Blvd.  
*(Facility Address)*

Milpitas  
*(Facility City)*

Santa Clara  
*(Facility County)*

Milpitas Fire Department  
*(Administering Agency)*

POST THIS DOCUMENT ON SITE  
SO THAT IT WILL BE AVAILABLE IN  
THE EVENT OF A GOVERNMENT AGENCY INSPECTION.

Prepared by:  
Stantec Consulting Inc.  
1137 N. McDowell Blvd.  
Petaluma, Ca 94954  
(707) 765-1660

**UNIDOCs  
FACILITY INFORMATION  
BUSINESS ACTIVITIES**

**I. FACILITY IDENTIFICATION**

FACILITY ID # <i>(Agency Use Only)</i>										EPA ID # (Hazardous Waste Only) CAL922095148	
BUSINESS NAME <i>(Same as Facility Name or DBA - Doing Business As)</i> CA Fuel Supply - Milpitas											
BUSINESS SITE ADDRESS 190 West Calaveras Blvd.											
BUSINESS SITE CITY Milpitas										CA	ZIP CODE 95035

**II. ACTIVITIES DECLARATION**

**NOTE: If you check YES to any part of this list,  
please submit the Business Owner/Operator Identification page.**

Does your facility...	If Yes, please complete these pages of the UPCF...
<b>A. HAZARDOUS MATERIALS</b> Have on site (for any purpose) at any one time, hazardous materials at or above 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gases (include liquids in ASTs and USTs); or the applicable Federal threshold quantity for an extremely hazardous substance specified in 40 CFR Part 355, Appendix A or B; or handle radiological materials in quantities for which an emergency plan is required pursuant to 10 CFR Parts 30, 40 or 70?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 4. HAZARDOUS MATERIALS INVENTORY - CHEMICAL DESCRIPTION
<b>B. REGULATED SUBSTANCES</b> Have Regulated Substances stored onsite in quantities greater than the threshold quantities established by the California Accidental Release Prevention Program (CalARP)?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 4a. Coordinate with your local agency responsible for CalARP.
<b>C. UNDERGROUND STORAGE TANKS (USTs)</b> Own or operate underground storage tanks?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 5. UST OPERATING PERMIT APPLICATION - FACILITY INFORMATION UST OPERATING PERMIT APPLICATION - TANK INFORMATION
<b>D. ABOVE GROUND PETROLEUM STORAGE</b> Own or operate ASTs above these thresholds: Store greater than 1,320 gallons of petroleum products (new or used) in aboveground tanks or containers?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 8. No form required to CUPAs
<b>E. HAZARDOUS WASTE</b> Generate hazardous waste?  Recycle more than 100 kg/month of excluded or exempted recyclable materials (per HSC §25143.2)?  Treat hazardous waste onsite?  Perform treatment subject to financial assurance requirements (for Permit by Rule and Conditional Authorization)?  Consolidate hazardous waste generated at a remote site?  Need to report the closure/removal of a tank that was classified as hazardous waste and cleaned onsite?  Generate in any single calendar month 1,000 kilograms (kg) (2,200 pounds) or more of federal RCRA hazardous waste, or generate in any single calendar month, or accumulate at any time, 1 kg (2.2 pounds) of RCRA acute hazardous waste; or generate or accumulate at any time more than 100 kg (220 pounds) of spill cleanup materials contaminated with RCRA acute hazardous waste?  Serve as a Household Hazardous Waste (HHW) Collection site?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 9. EPA ID NUMBER -- provide at top of this page <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 10. RECYCLABLE MATERIALS REPORT (one per recycler) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 11. ONSITE HAZARDOUS WASTE TREATMENT NOTIFICATION - FACILITY PAGE ONSITE HAZARDOUS WASTE TREATMENT NOTIFICATION - UNIT PAGE (one page per unit) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 12. CERTIFICATION OF FINANCIAL ASSURANCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 13. REMOTE WASTE CONSOLIDATION SITE ANNUAL NOTIFICATION <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 14. HAZARDOUS WASTE TANK CLOSURE CERTIFICATION <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 14a. Obtain federal EPA ID Number, file Biennial Report (EPA Form 8700-13A/B), and satisfy requirements for RCRA Large Quantity Generator. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 14b. See CUPA for required forms.
<b>15. LOCAL REQUIREMENTS</b> (You may also be required to provide additional information by your CUPA or local agency.)	

UNIDOCs  
FACILITY INFORMATION  
**BUSINESS OWNER/OPERATOR IDENTIFICATION PAGE**

ATTACHMENT E.

Page 2 of 10

**I. IDENTIFICATION**

FACILITY ID # <i>(Agency Use Only)</i>		BEGINNING DATE 01/01/2009	ENDING DATE 12/31/2009
BUSINESS NAME <i>(Same as Facility Name or DBA - Doing Business As)</i> <u>CA Fuel Supply - Milpitas</u>		BUSINESS PHONE 408-262-7324	
BUSINESS SITE ADDRESS 190 West Calaveras Blvd.		BUSINESS FAX 408-262-5025	
BUSINESS SITE CITY Milpitas	STATE CA	ZIP CODE 95035	COUNTY Santa Clara
DUN & BRADSTREET	PRIMARY SIC 5541	PRIMARY NAICS	
BUSINESS MAILING ADDRESS 587 Ygnacio Valley Road			
BUSINESS MAILING CITY Walnut Creek		STATE CA	ZIP CODE 94596
BUSINESS OPERATOR NAME GAWFCO Enterprises, Inc		BUSINESS OPERATOR PHONE 925-979-0560	

**II. BUSINESS OWNER**

OWNER NAME GAWFCO Enterprises, Inc	OWNER PHONE 925-979-0560
OWNER MAILING ADDRESS 587 Ygnacio Valley Road	
OWNER MAILING CITY Walnut Creek	STATE CA
	ZIP CODE 94596

**III. ENVIRONMENTAL CONTACT**

CONTACT NAME Frida Afra	CONTACT PHONE 925-979-0560
CONTACT MAILING ADDRESS 587 Ygnacio Valley Road	
CONTACT MAILING CITY Walnut Creek	
	STATE CA
	ZIP CODE 94596

**PRIMARY**

**IV. EMERGENCY CONTACTS**

**SECONDARY**

NAME Nick Ahmadi	NAME Nader Ahmadi
TITLE Co Dealer	TITLE Co Dealer
BUSINESS PHONE 925-979-0560	BUSINESS PHONE 925-979-0560
24-HOUR PHONE 925-979-1140	24-HOUR PHONE 925-626-2283
PAGER # 415-710-4520	PAGER # 415-310-1209

ADDITIONAL LOCALLY COLLECTED INFORMATION:

Billing Address: 587 Ygnacio Valley Road, Walnut Creek CA 94596

Property Owner: GAWFCO Enterprises, Inc

Phone No.: 925-979-0560

Certification: Based on my inquiry of those individuals responsible for obtaining the information, I certify under penalty of law that I have personally examined and am familiar with the information submitted and believe the information is true, accurate, and complete.

SIGNATURE OF OWNER/OPERATOR OR DESIGNATED REPRESENTATIVE 	DATE 3/8/2009	NAME OF DOCUMENT PREPARER Stantec Consulting Inc.
NAME OF SIGNER (print) <u>NICK AHMADI</u>	TITLE OF SIGNER <u>President</u>	

**UNIFIED PROGRAM CONSOLIDATED FORM  
HAZARDOUS MATERIALS  
HAZARDOUS MATERIALS INVENTORY – CHEMICAL DESCRIPTION**

(one page per material per building or area)

ADD

DELETE

REVISE

200

Page of

**I. FACILITY INFORMATION**

BUSINESS NAME (Same as FACILITY NAME or DBA – Doing Business As)

**CA Fuel Supply - Milpitas**

3

CHEMICAL LOCATION

**NORTH SIDE OF SITE**

201

CHEMICAL LOCATION CONFIDENTIAL -

EPCRA

YES  NO

202

FACILITY ID #

MAP# (optional)

203

GRID# (optional)

204

1

**H5**

**II. CHEMICAL INFORMATION**

CHEMICAL NAME

**GASOLINE**

205

TRADE SECRET

Yes  No

206

If Subject to EPCRA, refer to instructions

COMMON NAME

**REGULAR UNLEADED GASOLINE**

207

EHS\*

Yes  No

208

CASH

**8006-61-9**

209

\*If EHS is "Yes", all amounts below must be in lbs.

FIRE CODE HAZARD CLASSES (Complete if required by CUPA)

**I-B FLAMMABLE LIQUID**

210

HAZARDOUS MATERIAL

TYPE (Check one item only)

a. PURE  b. MIXTURE  c. WASTE

211

RADIOACTIVE  Yes  No

212

CURIES

213

PHYSICAL STATE

(Check one item only)

a. SOLID  b. LIQUID  c. GAS

214

LARGEST CONTAINER

**12000**

215

FED HAZARD CATEGORIES

(Check all that apply)

a. FIRE  b. REACTIVE  c. PRESSURE RELEASE  d. ACUTE HEALTH  e. CHRONIC HEALTH

216

AVERAGE DAILY AMOUNT

**5000**

217

MAXIMUM DAILY AMOUNT

**12000**

218

ANNUAL WASTE AMOUNT

219

STATE WASTE CODE

220

UNITS\*

(Check one item only)

a. GALLONS  b. CUBIC FEET  c. POUNDS  d. TONS

221

DAYS ON SITE:

**365**

222

STORAGE

02

CONTAINER

a. ABOVE GROUND TANK  e. PLASTIC/NONMETALLIC DRUM  i. FIBER DRUM  m. GLASS BOTTLE  q. RAIL CAR  
 b. UNDERGROUND TANK  f. CAN  j. BAG  n. PLASTIC BOTTLE  r. OTHER  
 c. TANK INSIDE BUILDING  g. CARBOY  k. BOX  o. TOTE BIN  
 d. STEEL DRUM  h. SILO  l. CYLINDER  p. TANK WAGON

223

STORAGE PRESSURE

a. AMBIENT  b. ABOVE AMBIENT  c. BELOW AMBIENT

224

STORAGE TEMPERATURE

a. AMBIENT  b. ABOVE AMBIENT  c. BELOW AMBIENT  d. CRYOGENIC

225

%WT	HAZARDOUS COMPONENT (For mixture or waste only)	EHS	CAS #
100	Gasoline	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8006-61-9
1-9	TOLUENE	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	108-88-3
1-14	XYLENES	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1330-20-7
1-5	1,2,4-TRIMETHYL BENZENE	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	95-63-6
1-5	Ethyl Benzene	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	100-41-4

more hazardous components are present at greater than 1% by weight if non-carcinogenic, or 0.1% by weight if carcinogenic, attach additional sheets of paper capturing the required information.

ADDITIONAL LOCALLY COLLECTED INFORMATION

DOT Hazard Class: FL

246

If EPCRA, Please Sign Here

**UNIFIED PROGRAM CONSOLIDATED FORM  
HAZARDOUS MATERIALS  
HAZARDOUS MATERIALS INVENTORY – CHEMICAL DESCRIPTION**

(one page per material per building or area)

ADD       DELETE       REVISE      200      Page of

**I. FACILITY INFORMATION**

BUSINESS NAME (Same as FACILITY NAME or DBA – Doing Business As) 3

**CA Fuel Supply - Milpitas**

CHEMICAL LOCATION 201      CHEMICAL LOCATION CONFIDENTIAL - EPCRA 202

NORTH SIDE OF SITE

YES  NO

FACILITY ID# 203      MAP# (optional) 204      GRID# (optional)

1

H4

**II. CHEMICAL INFORMATION**

CHEMICAL NAME 205      TRADE SECRET  Yes  No 206

GASOLINE

If Subject to EPCRA, refer to instructions

COMMON NAME 207      EHS\*  Yes  No 208

**PREMIUM UNLEADED GASOLINE**

CAS# 209      \*If EHS is "Yes", all amounts below must be in lbs.

8006-61-9

FIRE CODE HAZARD CLASSES (Complete if required by CUPA) 210

**I-B FLAMMABLE LIQUID**

HAZARDOUS MATERIAL TYPE (Check one item only) 211      RADIOACTIVE  Yes  No 212      CURIES 213

a. PURE  b. MIXTURE  c. WASTE

PHYSICAL STATE (Check one item only) 214      LARGEST CONTAINER 215

a. SOLID  b. LIQUID  c. GAS

12000

FED HAZARD CATEGORIES (Check all that apply) 216

a. FIRE  b. REACTIVE  c. PRESSURE RELEASE  d. ACUTE HEALTH  e. CHRONIC HEALTH

AVERAGE DAILY AMOUNT 217      MAXIMUM DAILY AMOUNT 218      ANNUAL WASTE AMOUNT 219      STATE WASTE CODE 220

4000

12000

UNITS\* (Check one item only) 221      DAYS ON SITE: 222

a. GALLONS  b. CUBIC FEET  c. POUNDS  d. TONS

365

STORAGE CONTAINER 223

a. ABOVE GROUND TANK       e. PLASTIC/NONMETALLIC DRUM       i. FIBER DRUM       m. GLASS BOTTLE       q. RAIL CAR  
 b. UNDERGROUND TANK       f. CAN       j. BAG       n. PLASTIC BOTTLE       r. OTHER  
 c. TANK INSIDE BUILDING       g. CARBOY       k. BOX       o. TOTE BIN  
 d. STEEL DRUM       h. SILO       l. CYLINDER       p. TANK WAGON

STORAGE PRESSURE 224

a. AMBIENT  b. ABOVE AMBIENT  c. BELOW AMBIENT

STORAGE TEMPERATURE 225

a. AMBIENT  b. ABOVE AMBIENT  c. BELOW AMBIENT  d. CRYOGENIC

%WT	HAZARDOUS COMPONENT (For mixture or waste only)	EHS	CAS #
1 100 <span style="float:right">226</span>	GASOLINE <span style="float:right">227</span>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <span style="float:right">228</span>	8006-61-9 <span style="float:right">229</span>
2 1-9 <span style="float:right">230</span>	TOLUENE <span style="float:right">231</span>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <span style="float:right">232</span>	108-88-3 <span style="float:right">233</span>
3 1-14 <span style="float:right">234</span>	XYLENES <span style="float:right">235</span>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <span style="float:right">236</span>	1330-20-7 <span style="float:right">237</span>
4 1-5 <span style="float:right">238</span>	1,2,4-TRIMETHYL BENZENE <span style="float:right">239</span>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <span style="float:right">240</span>	95-63-6 <span style="float:right">241</span>
5 1-5 <span style="float:right">242</span>	Ethyl Benzene <span style="float:right">243</span>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <span style="float:right">244</span>	100-41-4 <span style="float:right">245</span>

If more hazardous components are present at greater than 1% by weight if non-carcinogenic, or 0.1% by weight if carcinogenic, attach additional sheets of paper capturing the required information.

ADDITIONAL LOCALLY COLLECTED INFORMATION 246

DOT Hazard Class: FL

If EPCRA, Please Sign Here

**UNIFIED PROGRAM CONSOLIDATED FORM  
HAZARDOUS MATERIALS  
HAZARDOUS MATERIALS INVENTORY -- CHEMICAL DESCRIPTION**

(one page per material per building or area)

ADD

DELETE

REVISE

200

Page of

**I. FACILITY INFORMATION**

BUSINESS NAME (Same as FACILITY NAME or DBA - Doing Business As)

**CA Fuel Supply - Milpitas**

CHEMICAL LOCATION

**STR.RM & TRASH ENCL.**

201

CHEMICAL LOCATION CONFIDENTIAL - EPCRA

YES  NO

3

FACILITY ID #

MAP# (optional)

203

GRID# (optional)

204

I

G414

**II. CHEMICAL INFORMATION**

CHEMICAL NAME

**PETROLEUM HYDROCARBON**

205

TRADE SECRET

Yes  No

206

If Subject to EPCRA, refer to instructions

COMMON NAME

**MOTOR OIL (All Grades)**

207

EHS\*

Yes  No

208

CAS#

**64742-65-0**

209

\*If EHS is "Yes", all amounts below must be in lbs.

FIRE CODE HAZARD CLASSES (Complete if required by CUPA)

**III-B COMBUSTIBLE**

210

HAZARDOUS MATERIAL

TYPE (Check one item only)

a. PURE  b. MIXTURE  c. WASTE

211

RADIOACTIVE  Yes  No

212

CURIES

213

PHYSICAL STATE

(Check one item only)

a. SOLID  b. LIQUID  c. GAS

214

LARGEST CONTAINER .25

215

FED HAZARD CATEGORIES

(Check all that apply)

a. FIRE  b. REACTIVE  c. PRESSURE RELEASE  d. ACUTE HEALTH  e. CHRONIC HEALTH

216

AVERAGE DAILY AMOUNT

217

MAXIMUM DAILY AMOUNT

218

ANNUAL WASTE AMOUNT

219

STATE WASTE CODE

220

**120**

**150**

UNITS\*

(Check one item only)

a. GALLONS  b. CUBIC FEET  c. POUNDS  d. TONS

221

DAYS ON SITE:

222

STORAGE

CONTAINER

a. ABOVE GROUND TANK  e. PLASTIC/NONMETALLIC DRUM  i. FIBER DRUM  m. GLASS BOTTLE  q. RAIL CAR  
 b. UNDERGROUND TANK  f. CAN  j. BAG  n. PLASTIC BOTTLE  r. OTHER  
 c. TANK INSIDE BUILDING  g. CARBOY  k. BOX  o. TOTE BIN  
 d. STEEL DRUM  h. SILO  l. CYLINDER  p. TANK WAGON

223

STORAGE PRESSURE

a. AMBIENT  b. ABOVE AMBIENT  c. BELOW AMBIENT

224

STORAGE TEMPERATURE

a. AMBIENT  b. ABOVE AMBIENT  c. BELOW AMBIENT  d. CRYOGENIC

225

%WT	HAZARDOUS COMPONENT (For mixture or waste only)	EHS	CAS #
80-85	LUBRICATING BASE OIL	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Various
1	Zinc Compound	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Proprietary
15-20	Additives	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Proprietary
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

more hazardous components are present at greater than 1% by weight if non-carcinogenic, or 0.1% by weight if carcinogenic, attach additional sheets of paper capturing the required information.

ADDITIONAL LOCALLY COLLECTED INFORMATION

NOT Hazard Class: CL

246

If EPCRA, Please Sign Here

**UNIFIED PROGRAM CONSOLIDATED FORM  
HAZARDOUS MATERIALS  
HAZARDOUS MATERIALS INVENTORY – CHEMICAL DESCRIPTION**

(one page per material per building or area)

ADD

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**I. FACILITY INFORMATION**

BUSINESS NAME (Same as FACILITY NAME or DBA – Doing Business As)

**CA Fuel Supply - Milpitas**

CHEMICAL LOCATION

TRASH ENCL.

CHEMICAL LOCATION CONFIDENTIAL - EPCRA

YES  NO

FACILITY ID #

MAP# (optional)

1

GRID# (optional)

I4

**II. CHEMICAL INFORMATION**

CHEMICAL NAME

**GLYCOLS**

TRADE SECRET

Yes  No

If Subject to EPCRA, refer to instructions

COMMON NAME

**ANTIFREEZE/COOLANT**

EHS\*

Yes  No

CAS#

107-21-1

\*If EHS is "Yes", all amounts below must be in lbs.

FIRE CODE HAZARD CLASSES (Complete if required by CUPA)

Combustible 3B

HAZARDOUS MATERIAL TYPE (Check one item only)

a. PURE  b. MIXTURE  c. WASTE

RADIOACTIVE  Yes  No

CURIES

PHYSICAL STATE (Check one item only)

a. SOLID  b. LIQUID  c. GAS

LARGEST CONTAINER

1

FED HAZARD CATEGORIES (Check all that apply)

a. FIRE  b. REACTIVE  c. PRESSURE RELEASE  d. ACUTE HEALTH  e. CHRONIC HEALTH

AVERAGE DAILY AMOUNT

30

MAXIMUM DAILY AMOUNT

50

ANNUAL WASTE AMOUNT

STATE WASTE CODE

UNITS\* (Check one item only)

a. GALLONS  b. CUBIC FEET  c. POUNDS  d. TONS

\* If EHS, amount must be in pounds.

DAYS ON SITE:

365

STORAGE CONTAINER

a. ABOVE GROUND TANK  e. PLASTIC/NONMETALLIC DRUM  i. FIBER DRUM  m. GLASS BOTTLE  q. RAIL CAR  
 b. UNDERGROUND TANK  f. CAN  j. BAG  n. PLASTIC BOTTLE  r. OTHER  
 c. TANK INSIDE BUILDING  g. CARBOY  k. BOX  o. TOTE BIN  
 d. STEEL DRUM  h. SILO  l. CYLINDER  p. TANK WAGON

STORAGE PRESSURE

a. AMBIENT  b. ABOVE AMBIENT  c. BELOW AMBIENT

STORAGE TEMPERATURE

a. AMBIENT  b. ABOVE AMBIENT  c. BELOW AMBIENT  d. CRYOGENIC

%WT	HAZARDOUS COMPONENT (For mixture or waste only)	EHS	CAS #
50	ETHYLENE GLYCOL	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	107-21-1
0-5	Diethylene Glycol	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	111-46-6
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

more hazardous components are present at greater than 1% by weight if non-carcinogenic, or 0.1% by weight if carcinogenic, attach additional sheets of paper capturing the required information.

ADDITIONAL LOCALLY COLLECTED INFORMATION

OT Hazard Class: N.O.S.

If EPCRA, Please Sign Here

UNIFIED PROGRAM CONSOLIDATED FORM  
HAZARDOUS MATERIALS  
HAZARDOUS MATERIALS INVENTORY – CHEMICAL DESCRIPTION

(one page per material per building or area)

 ADD DELETE REVISE

200

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## I. FACILITY INFORMATION

BUSINESS NAME (Same as FACILITY NAME or DBA – Doing Business As)

CA Fuel Supply - Milpitas

3

CHEMICAL LOCATION

FRONT OF BUILDING

201

CHEMICAL LOCATION CONFIDENTIAL - EPCRA

 YES  NO

202

FACILITY ID #

MAP# (optional)

1

203

GRID# (optional)

D4

204

## II. CHEMICAL INFORMATION

CHEMICAL NAME

PETROLEUM HYDROCARBON

205

TRADE SECRET

 Yes  No

If Subject to EPCRA, refer to instructions

206

COMMON NAME

PROPANE

207

EHS\*

 Yes  No

208

CAS#

74-98-6

209

\*If EHS is "Yes", all amounts below must be in lbs.

FIRE CODE HAZARD CLASSES (Complete if required by CUPA)

FLAMMABLE GAS

210

HAZARDOUS MATERIAL

TYPE (Check one item only)

 a. PURE  b. MIXTURE  c. WASTE

211

RADIOACTIVE  Yes  No

212

CURIES

213

PHYSICAL STATE

(Check one item only)

 a. SOLID  b. LIQUID  c. GAS

214

LARGEST CONTAINER

5

215

FED HAZARD CATEGORIES

(Check all that apply)

 a. FIRE  b. REACTIVE  c. PRESSURE RELEASE  d. ACUTE HEALTH  e. CHRONIC HEALTH

216

AVERAGE DAILY AMOUNT

45

217

MAXIMUM DAILY AMOUNT

90

218

ANNUAL WASTE AMOUNT

0

219

STATE WASTE CODE

221

220

UNITS\*

(Check one item only)

 a. GALLONS  b. CUBIC FEET  c. POUNDS  d. TONS

221

DAYS ON SITE:

365

222

STORAGE

CONTAINER  a. ABOVE GROUND TANK  e. PLASTIC/NONMETALLIC DRUM  i. FIBER DRUM  m. GLASS BOTTLE  q. RAIL CAR  
 b. UNDERGROUND TANK  f. CAN  j. BAG  n. PLASTIC BOTTLE  r. OTHER  
 c. TANK INSIDE BUILDING  g. CARBOY  k. BOX  o. TOTE BIN  
 d. STEEL DRUM  h. SILO  l. CYLINDER  p. TANK WAGON

223

STORAGE PRESSURE

 a. AMBIENT  b. ABOVE AMBIENT  c. BELOW AMBIENT

224

STORAGE TEMPERATURE

 a. AMBIENT  b. ABOVE AMBIENT  c. BELOW AMBIENT  d. CRYOGENIC

225

%WT	HAZARDOUS COMPONENT (For mixture or waste only)	EHS	CAS #
65%	PROPANE	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	74-98-6
35%	PROPYLENE	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
6%	ETHANE	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5%	TOTAL BUTANES	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
.1%	ETHYLE MERCAPTAN	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

\*more hazardous components are present at greater than 1% by weight if non-carcinogenic, or 0.1% by weight if carcinogenic, attach additional sheets of paper capturing the required information.

ADDITIONAL LOCALLY COLLECTED INFORMATION

NOT Hazard Class: FG

246

If EPCRA, Please Sign Here

**UNIFIED PROGRAM CONSOLIDATED FORM  
HAZARDOUS MATERIALS  
HAZARDOUS MATERIALS INVENTORY – CHEMICAL DESCRIPTION**

(one page per material per building or area)

ADD       DELETE       REVISE      200

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**I. FACILITY INFORMATION**

BUSINESS NAME (Same as FACILITY NAME or DBA – Doing Business As)

**CA Fuel Supply - Milpitas**

CHEMICAL LOCATION

NORTH SIDE OF SITE(not in use)

CHEMICAL LOCATION CONFIDENTIAL - EPCRA

YES  NO

FACILITY ID #

MAP# (optional)

GRID# (optional)

H5

**II. CHEMICAL INFORMATION**

CHEMICAL NAME

PETROLEUM HYDROCARBON

TRADE SECRET

Yes  No

If Subject to EPCRA, refer to instructions

COMMON NAME

USED MOTOR OIL

EHS\*

Yes  No

CAS#

8002-05-9

\*If EHS is "Yes", all amounts below must be in lbs.

FIRE CODE HAZARD CLASSES (Complete if required by CUPA)

III-B COMBUSTIBLE

HAZARDOUS MATERIAL TYPE (Check one item only)

a. PURE     b. MIXTURE     c. WASTE

RADIOACTIVE  Yes  No

CURIES

PHYSICAL STATE (Check one item only)

a. SOLID     b. LIQUID     c. GAS

LARGEST CONTAINER 520

FED HAZARD CATEGORIES (Check all that apply)

a. FIRE     b. REACTIVE     c. PRESSURE RELEASE     d. ACUTE HEALTH     e. CHRONIC HEALTH

AVERAGE DAILY AMOUNT

0

MAXIMUM DAILY AMOUNT

520

ANNUAL WASTE AMOUNT

0

STATE WASTE CODE

221

UNITS\* (Check one item only)

a. GALLONS     b. CUBIC FEET     c. POUNDS     d. TONS

\* If EHS, amount must be in pounds.

DAYS ON SITE:

365

STORAGE

CONTAINER

a. ABOVE GROUND TANK     e. PLASTIC/NONMETALLIC DRUM     i. FIBER DRUM     m. GLASS BOTTLE     q. RAIL CAR  
 b. UNDERGROUND TANK     f. CAN     j. BAG     n. PLASTIC BOTTLE     r. OTHER  
 c. TANK INSIDE BUILDING     g. CARBOY     k. BOX     o. TOTE BIN  
 d. STEEL DRUM     h. SILO     l. CYLINDER     p. TANK WAGON

STORAGE PRESSURE

a. AMBIENT     b. ABOVE AMBIENT     c. BELOW AMBIENT

STORAGE TEMPERATURE

a. AMBIENT     b. ABOVE AMBIENT     c. BELOW AMBIENT     d. CRYOGENIC

%WT	HAZARDOUS COMPONENT (For mixture or waste only)	EHS	CAS #
1 100%	MOTOR OIL, USED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8002-05-9
2		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

If more hazardous components are present at greater than 1% by weight if non-carcinogenic, or 0.1% by weight if carcinogenic, attach additional sheets of paper capturing the required information.

ADDITIONAL LOCALLY COLLECTED INFORMATION

DOT Hazard Class: FL

If EPCRA, Please Sign Here

**UNIFIED PROGRAM CONSOLIDATED FORM  
HAZARDOUS MATERIALS  
HAZARDOUS MATERIALS INVENTORY – CHEMICAL DESCRIPTION**

(one page per material per building or area)

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**I. FACILITY INFORMATION**

BUSINESS NAME (Same as FACILITY NAME or DBA – Doing Business As) 3  
**CA Fuel Supply - Milpitas**

CHEMICAL LOCATION 201      CHEMICAL LOCATION CONFIDENTIAL - EPCRA 202  
**LUBE BAY**       YES     NO

FACILITY ID # 203      MAP# (optional) 204      GRID# (optional) 204  
1      G5

**II. CHEMICAL INFORMATION**

CHEMICAL NAME 205      TRADE SECRET  Yes     No 206  
**PETROLEUM HYDROCARBON**      If Subject to EPCRA, refer to instructions

COMMON NAME 207      EHS\*  Yes     No 208  
**USED OIL FILTERS**

CAS# 209      \*If EHS is "Yes", all amounts below must be in lbs.  
**8002-05-9**

FIRE CODE HAZARD CLASSES (Complete if required by CUPA) 210  
**III-B COMBUSTIBLE**

HAZARDOUS MATERIAL TYPE (Check one item only) 211      RADIOACTIVE  Yes     No 212      CURIES 213  
 a. PURE     b. MIXTURE     c. WASTE

PHYSICAL STATE (Check one item only) 214      LARGEST CONTAINER 215  
 a. SOLID     b. LIQUID     c. GAS      **55**

FED HAZARD CATEGORIES (Check all that apply) 216  
 a. FIRE     b. REACTIVE     c. PRESSURE RELEASE     d. ACUTE HEALTH     e. CHRONIC HEALTH

AVERAGE DAILY AMOUNT 217      MAXIMUM DAILY AMOUNT 218      ANNUAL WASTE AMOUNT 219      STATE WASTE CODE 220  
**100**      **200**      **800**      **223**

UNITS\* (Check one item only) 221      DAYS ON SITE: 222  
 a. GALLONS     b. CUBIC FEET     c. POUNDS     d. TONS      **365**  
\* If EHS, amount must be in pounds.

STORAGE CONTAINER 223  
 a. ABOVE GROUND TANK     e. PLASTIC/NONMETALLIC DRUM     i. FIBER DRUM     m. GLASS BOTTLE     q. RAIL CAR  
 b. UNDERGROUND TANK     f. CAN     j. BAG     n. PLASTIC BOTTLE     r. OTHER  
 c. TANK INSIDE BUILDING     g. CARBOY     k. BOX     o. TOTE BIN  
 d. STEEL DRUM     h. SILO     l. CYLINDER     p. TANK WAGON

STORAGE PRESSURE 224      STORAGE TEMPERATURE 225  
 a. AMBIENT     b. ABOVE AMBIENT     c. BELOW AMBIENT  
 a. AMBIENT     b. ABOVE AMBIENT     c. BELOW AMBIENT     d. CRYOGENIC

%WT	HAZARDOUS COMPONENT (For mixture or waste only)	EHS	CAS #
100%	USED OIL FILTERS	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8002-05-9
	USED OIL	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8002-05-9
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

more hazardous components are present at greater than 1% by weight if non-carcinogenic, or 0.1% by weight if carcinogenic, attach additional sheets of paper capturing the required information.

ADDITIONAL LOCALLY COLLECTED INFORMATION 246  
 NOT Hazard Class: FL

If EPCRA, Please Sign Here

**UNIFIED PROGRAM CONSOLIDATED FORM  
HAZARDOUS MATERIALS  
HAZARDOUS MATERIALS INVENTORY – CHEMICAL DESCRIPTION**

(one page per material per building or area)

ADD       DELETE       REVISE      200

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**I. FACILITY INFORMATION**

BUSINESS NAME (Same as FACILITY NAME or DBA – Doing Business As)

**CA Fuel Supply - Milpitas**

CHEMICAL LOCATION

**LUBE BAY**

CHEMICAL LOCATION CONFIDENTIAL - EPCRA

YES  NO

FACILITY ID #

MAP# (optional)

**1**

GRID# (optional)

**F5**

**II. CHEMICAL INFORMATION**

CHEMICAL NAME

TRADE SECRET

Yes  No

If Subject to EPCRA, refer to instructions

COMMON NAME

**USED GASOLINE FILTERS**

EHS\*

Yes  No

CAS#

**8006-61-9**

\*If EHS is "Yes", all amounts below must be in lbs.

FIRE CODE HAZARD CLASSES (Complete if required by CUPA)

**I-B FLAMMABLE LIQUID**

HAZARDOUS MATERIAL

TYPE (Check one item only)

a. PURE    b. MIXTURE    c. WASTE

RADIOACTIVE  Yes  No

CURIES

PHYSICAL STATE

(Check one item only)

a. SOLID    b. LIQUID    c. GAS

LARGEST CONTAINER

**200**

FED HAZARD CATEGORIES

(Check all that apply)

a. FIRE    b. REACTIVE    c. PRESSURE RELEASE    d. ACUTE HEALTH    e. CHRONIC HEALTH

AVERAGE DAILY AMOUNT

**3**

MAXIMUM DAILY AMOUNT

**5**

ANNUAL WASTE AMOUNT

**200**

STATE WASTE CODE

**213**

UNITS\*

(Check one item only)

a. GALLONS    b. CUBIC FEET    c. POUNDS    d. TONS

\* If EHS, amount must be in pounds.

DAYS ON SITE:

**365**

STORAGE

CONTAINER

a. ABOVE GROUND TANK    e. PLASTIC/NONMETALLIC DRUM    i. FIBER DRUM    m. GLASS BOTTLE    q. RAIL CAR  
 b. UNDERGROUND TANK    f. CAN    j. BAG    n. PLASTIC BOTTLE    r. OTHER  
 c. TANK INSIDE BUILDING    g. CARBOY    k. BOX    o. TOTE BIN  
 d. STEEL DRUM    h. SILO    l. CYLINDER    p. TANK WAGON

STORAGE PRESSURE

a. AMBIENT    b. ABOVE AMBIENT    c. BELOW AMBIENT

STORAGE TEMPERATURE

a. AMBIENT    b. ABOVE AMBIENT    c. BELOW AMBIENT    d. CRYOGENIC

%WT	HAZARDOUS COMPONENT (For mixture or waste only)	EHS	CAS #
1 5	GASOLINE	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8006-61-9
2	FUEL FILTER	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

If more hazardous components are present at greater than 1% by weight if non-carcinogenic, or 0.1% by weight if carcinogenic, Attach additional sheets of paper capturing the required information.

ADDITIONAL LOCALLY COLLECTED INFORMATION

DOT Hazard Class: FL

If EPCRA, Please Sign Here

MAP # 1

BUSINESS NAME MILPITAS UNION 76

BUSINESS ADDRESS 190 W. CALAVERAS BLVD.

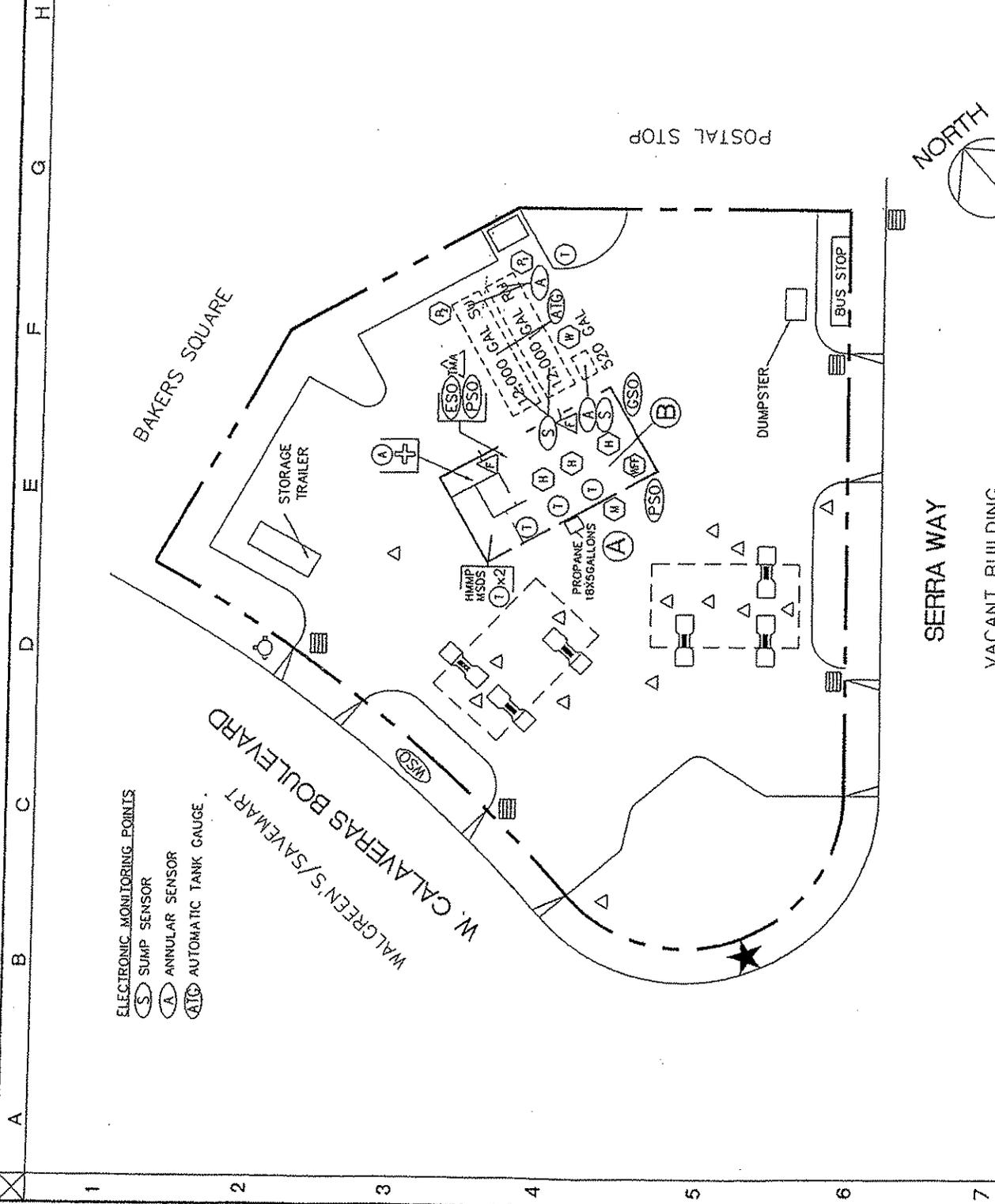
# ANNOTATED SITE MAP

DATE 5/30/2008

ZIP CODE 95035



DRAWING SCALE  
NOT TO SCALE



- ELECTRONIC MONITORING POINTS**
- (S) SUMP SENSOR
  - (A) ANNULAR SENSOR
  - (ATG) AUTOMATIC TANK GAUGE

## MAP SYMBOLS

- (E) ELECTRICAL PANEL SHUT-OFF
- (G) NATURAL GAS SHUT-OFF
- (W) WATER SHUT-OFF
- (P) EMERGENCY PUMP SHUT-OFF
- (TMA) TANK MONITORING ALARM
- (T) TELEPHONE
- (+) FIRST AID KIT
- (A) FIRE EXTINGUISHER
- (SD) STORM DRAIN
- (SS) SANITARY SEWER
- (S) STAGING AREA EVACUATION/
- (H) HMMP AND MSDS LOCATION
- (F) FIRE HYDRANT
- (F) FENCE
- (ER) EMERGENCY RESPONSE EQUIPMENT/ABSORBENTS
- (A) ABOVEGROUND STORAGE TANK
- (U) UNDERGROUND STORAGE TANK
- (G) GASOLINE (FLAMMABLE LIQUIDS)
- (D) DIESEL FUEL (COMBUSTIBLE LIQUIDS)
- (M) MOTOR OILS & LUBRICANTS (COMBUSTIBLE LIQ)
- (CO) CARBON DIOXIDE (COMPRESSED GAS)
- (P) PROPANE (FLAMMABLE LIQUID)
- (A) ANTIFREEZE/COOLANTS
- (W) WASTE OIL (COMBUSTIBLE LIQUID)
- (CW) CAR WASH PRODUCTS
- (B) BATTERIES
- (WB) WASTE BATTERIES
- (WF) WASTE OIL FILTERS
- (WA) WASTE ANTIFREEZE
- (WF) WASTE FUEL FILTERS

ATTACHMENT E



Emergency Response/Contingency Plan

Hazardous Materials Business Plan Module

Authority Cited: HSC§ 25504(b); 19 CCR §2731; 22 CCR §66262.34(a)(4)

All facilities that handle hazardous materials in HMBP quantities must have a written emergency response plan. In addition, facilities that generate 1,000 kilograms or more of hazardous waste (or more than 1 kilogram of acutely hazardous waste or 100 kilograms of debris resulting from the spill of an acutely hazardous waste) per month, or accumulate more than 6,000 kilograms of hazardous waste on-site at any one time, must prepare a hazardous waste contingency plan. Because the requirements are similar, they have been combined in a single document, provided below, for your convenience. This plan is a required module of the Hazardous Materials Business Plan (HMBP). If you already have a plan that meets these requirements, you should not complete the blank plan, below, but you must include a copy of your existing plan as part of your HMBP.

This site-specific Emergency Response/Contingency Plan is the facility's plan for dealing with emergencies and shall be implemented immediately whenever there is a fire, explosion, or release of hazardous materials that could threaten human health and/or the environment. At least one copy of the plan shall be maintained at the facility for use in the event of an emergency and for inspection by the local agency. A copy of the plan and any revisions must be provided to any contractor, hospital, or agency with whom special (i.e., contractual) emergency services arrangements have been made (see section 3, below).

1. Evacuation Plan:

a. The following alarm signal(s) will be used to begin evacuation of the facility (check all that apply):

- Bells;  Horns/Sirens;  Verbal (i.e., shouting);  Other (specify)

b.  Evacuation map is prominently displayed throughout the facility.

Note: A properly completed HMBP Site Plan satisfies contingency plan map requirements. This drawing (or any other drawing that shows primary and alternate evacuation routes, emergency exits, and primary and alternate staging areas) must be prominently posted throughout the facility in locations where it will be visible to employees and visitors.

2. a. Emergency Contacts\*:

- Fire/Police/Ambulance Phone No. 911
State Office of Emergency Services Phone No. (800) 852-7550

b. Post-Incident Contacts\*:

- Milpitas Fire Department Hazardous Materials Program Phone No.: 408-586-3365
Santa Clara County Hazardous Materials Compliance Division Phone No. (408) 918-3400
California EPA Department of Toxic Substances Control Phone No. (510) 540-3739
Cal-OSHA Division of Occupational Safety and Health Phone No. (408) 452-7288
Bay Area Air Quality Management District Phone No. (415) 771-6000
Regional Water Quality Control Board Phone No. (510) 622-2300

\* Phone numbers for agencies in Unidocs Member Agency geographic jurisdictions are available at www.unidocs.org.

c. Emergency Resources:

Poison Control Center Phone No. (800) 876-4766

Nearest Hospital: Name: ACUTE CARE HOSPITAL Phone No.: 408-945-4654

Address: 500 E. Calaveras City: Milpitas

3. Arrangements With Emergency Responders:

If you have made special (i.e. contractual) arrangements with any police department, fire department, hospital, contractor, or State or local emergency response team to coordinate emergency services, describe those arrangements on the lines below:

None

**4. Emergency Procedures:**Emergency Coordinator Responsibilities:

- a. Whenever there is an imminent or actual emergency situation such as an explosion, fire, or release, the emergency coordinator (or his/her designee when the emergency coordinator is on call) shall:
  - i. Identify the character, exact source, amount, and areal extent of any released hazardous materials.
  - ii. Assess possible hazards to human health or the environment that may result from the explosion, fire, or release. This assessment must consider both direct and indirect effects (e.g., the effects of any toxic, irritating, or asphyxiating gases that are generated, the effects of any hazardous surface water run-off from water or chemical agents used to control fire, etc.).
  - iii. Activate internal facility alarms or communications systems, where applicable, to notify all facility personnel.
  - iv. Notify appropriate local authorities (i.e., call 911).
  - v. Notify the State Office of Emergency Services at 1-800-852-7550.
  - vi. Monitor for leaks, pressure build-up, gas generation, or ruptures in valves, pipes, or other equipment shut down in response to the incident.
  - vii. Take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous materials at the facility.
- b. Before facility operations are resumed in areas of the facility affected by the incident, the emergency coordinator shall:
  - i. Provide for proper storage and disposal of recovered waste, contaminated soil or surface water, or any other material that results from an explosion, fire, or release at the facility.
  - ii. Ensure that no material that is incompatible with the released material is transferred, stored, or disposed of in areas of the facility affected by the incident until cleanup procedures are completed.
  - iii. Ensure that all emergency equipment is cleaned, fit for its intended use, and available for use.
  - iv. Notify the California Environmental Protection Agency's Department of Toxic Substances Control, the local CUPA, and the local fire department's hazardous materials program that the facility is in compliance with requirements b-i and b-ii, above.

Responsibilities of Other Personnel:

On a separate page, list any emergency response functions not covered in the "Emergency Coordinator Responsibilities" section, above. Next to each function, list the job title or name of each person responsible for performing the function. Number the page(s) appropriately.

**5. Post-Incident Reporting/Recording:**

The time, date, and details of any hazardous materials incident that requires implementation of this plan shall be noted in the facility's operating record.

Within 15 days of any hazardous materials emergency incident or threatened hazardous materials emergency incident that triggers implementation of this plan, a written Emergency Incident Report, including, but not limited to a description of the incident and the facility's response to the incident, must be submitted to the California Environmental Protection Agency's Department of Toxic Substances Control, the local CUPA, and the local fire department's hazardous materials program. The report shall include:

- a. Name, address, and telephone number of the facility's owner/operator;
- b. Name, address, and telephone number of the facility;
- c. Date, time, and type of incident (e.g., fire, explosion, etc.);
- d. Name and quantity of material(s) involved;
- e. The extent of injuries, if any;
- f. An assessment of actual or potential hazards to human health or the environment, where this is applicable;
- g. Estimated quantity and disposition of recovered material that resulted from the incident;
- h. Cause(es) of the incident;
- i. Actions taken in response to the incident;
- j. Administrative or engineering controls designed to prevent such incidents in the future.

**6. Earthquake Vulnerability: [19 CCR §2731(e)]**

As an attachment to this plan, you must identify any areas of the facility and mechanical or other systems that require immediate inspection or isolation because of their vulnerability to earthquake-related ground motion.

**7. Hazard Mitigation/Prevention/Abatement [19 CCR §2731(c)]**

As an attachment to this plan, you must include procedures that provide for mitigation, prevention, or abatement of hazards to persons, property, or the environment. These procedures must be scaled appropriately for the size and nature of the business, the nature of the damage potential of the hazardous materials handled, and the proximity of the business to residential areas and other populations.

## 8. Emergency Equipment:

22 CCR §66265.52(e) [as referenced by 22 CCR §66262.34(a)(4)] requires that emergency equipment at the facility be listed. Completion of the following Emergency Equipment Inventory Table meets this requirement.

EMERGENCY EQUIPMENT INVENTORY TABLE

1. Equipment Category	2. Equipment Type	3. Locations *	4. Description**
Personal Protective, Equipment, Safety Equipment, and First Aid Equipment	<input type="checkbox"/> Cartridge Respirators		
	<input type="checkbox"/> Chemical Monitoring Equipment ( <i>describe</i> )		
	<input type="checkbox"/> Chemical Protective Aprons/Coats		
	<input type="checkbox"/> Chemical Protective Boots		
	<input checked="" type="checkbox"/> Chemical Protective Gloves	SERVICE BAY	Rubber Gloves
	<input type="checkbox"/> Chemical Protective Suits ( <i>describe</i> )		
	<input type="checkbox"/> Face Shields		
	<input checked="" type="checkbox"/> First Aid Kits/Stations ( <i>describe</i> )	1-STORE ROOM	Standard first aid kit
	<input type="checkbox"/> Hard Hats		
	<input type="checkbox"/> Plumbed Eye Wash Stations		
	<input type="checkbox"/> Portable Eye Wash Kits ( <i>i.e. bottle type</i> )		
	<input type="checkbox"/> Respirator Cartridges ( <i>describe</i> )		
	<input checked="" type="checkbox"/> Safety Glasses/Splash Goggles	SERVICE BAY	Goggles
	<input type="checkbox"/> Safety Showers		
<input type="checkbox"/> Self-Contained Breathing Apparatuses (SCBA)			
<input type="checkbox"/> Other ( <i>describe</i> )			
Fire Extinguishing Systems	<input type="checkbox"/> Automatic Fire Sprinkler Systems		
	<input type="checkbox"/> Fire Alarm Boxes/Stations		
	<input checked="" type="checkbox"/> Fire Extinguisher Systems ( <i>describe</i> )	2-SERVICE BAY	Portable ABC Capability - 2A-20BC
	<input type="checkbox"/> Other ( <i>describe</i> )		
Spill Control Equipment and Decontamination Equipment	<input checked="" type="checkbox"/> Absorbents ( <i>describe</i> )	STORE ROOM	Kitty Litter
	<input type="checkbox"/> Berms/Dikes ( <i>describe</i> )		
	<input type="checkbox"/> Decontamination Equipment ( <i>describe</i> )		
	<input type="checkbox"/> Emergency Tanks ( <i>describe</i> )		
	<input type="checkbox"/> Exhaust Hoods		
	<input type="checkbox"/> Gas Cylinder Leak Repair Kits ( <i>describe</i> )		
	<input type="checkbox"/> Neutralizers ( <i>describe</i> )		
	<input type="checkbox"/> Overpack Drums		
	<input type="checkbox"/> Sumps ( <i>describe</i> )		
<input type="checkbox"/> Other ( <i>describe</i> )			
Communications and Alarm Systems	<input type="checkbox"/> Chemical Alarms ( <i>describe</i> )		
	<input type="checkbox"/> Intercoms/ PA Systems		
	<input type="checkbox"/> Portable Radios		
	<input checked="" type="checkbox"/> Telephones	throughout	See site map
	<input checked="" type="checkbox"/> Underground Tank Leak Detection Monitors	WEST INTR SERVICE BAY WALL	
<input type="checkbox"/> Other ( <i>describe</i> )			
Additional Equipment (Use Additional Pages if Needed.)			

\* Use the Location Codes (LC) from the Storage Map(s) prepared earlier for your HMBP.

\*\* Describe the equipment and its capabilities. If applicable, specify any testing/maintenance procedures/intervals. Attach additional pages, numbered appropriately, if needed.

# Employee Training Plan

(Hazardous Materials Business Plan Module)

Authority Cited: HSC, Section 25504(c); 22 CCR §66262.34(a)(4)

ATTACHMENT E.

Page 4 of 6

All facilities that handle hazardous materials in HMBP quantities must have a written employee training plan. This plan is a required module of the Hazardous Materials Business Plan (HMBP). A blank plan has been provided below for you to complete and submit if you do not already have such a plan. If you already have a brief written description of your training program that addresses all subjects covered below, you are not required to complete the blank plan, below, but you must include a copy of your existing document as part of your HMBP.

Check all boxes that apply. [Note: Items marked with an asterisk (\*) are required.]:

## 1. Personnel are trained in the following procedures:

<input checked="" type="checkbox"/> Internal alarm/notification *
<input checked="" type="checkbox"/> Evacuation/re-entry procedures & assembly point locations*
<input checked="" type="checkbox"/> Emergency incident reporting
<input checked="" type="checkbox"/> External emergency response organization notification
<input checked="" type="checkbox"/> Location(s) and contents of Emergency Response/Contingency Plan.
<input checked="" type="checkbox"/> Facility evacuation drills, which are conducted at least (specify) <u>Annual</u> (e.g. "Quarterly", etc.)

## 2. Chemical Handlers are additionally trained in the following:

<input checked="" type="checkbox"/> Safe methods for handling and storage of hazardous materials *
<input checked="" type="checkbox"/> Location(s) and proper use of fire and spill control equipment
<input checked="" type="checkbox"/> Spill procedures/emergency procedures
<input checked="" type="checkbox"/> Proper use of personal protective equipment *
<input checked="" type="checkbox"/> Specific hazard(s) of each chemical to which they may be exposed, including routes of exposure (i.e. inhalation, ingestion, absorption) *
<input checked="" type="checkbox"/> Hazardous Waste Handlers/Managers are trained in all aspects of hazardous waste management specific to their job duties (e.g. container accumulation time requirements, labeling requirements, storage area inspection requirements, manifesting requirements, etc.) *

## 3. Emergency Response Team Members are capable of and engaged in the following:

<input checked="" type="checkbox"/> Personnel rescue procedures
<input checked="" type="checkbox"/> Shutdown of operations
<input checked="" type="checkbox"/> Liaison with responding agencies
<input checked="" type="checkbox"/> Use, maintenance, and replacement of emergency response equipment
<input checked="" type="checkbox"/> Refresher training, which is provided at least annually *
<input checked="" type="checkbox"/> Emergency response drills, which are conducted at least (specify) <u>Annual</u> (e.g. "Quarterly", etc.)

All facilities that handle hazardous materials must maintain records associated with their management. A summary of your record keeping procedures is a required module of the Unidocs Hazardous Materials Business Plan (HMBP). A blank summary has been provided below for you to complete and submit if you do not already have such a document. **If you already have a brief written description of your hazardous materials record keeping systems that addresses all subjects covered below, you are not required to complete this page, but you must include a copy of your existing document as part of your HMBP.**

Check all boxes that apply. The following records are maintained at the facility. *[Note: Items marked with an asterisk (\*) are required.]*:

<input checked="" type="checkbox"/> Current employees' training records <i>(to be retained until closure of the facility) *</i>
<input checked="" type="checkbox"/> Former employees' training records <i>(to be retained at least three years after termination of employment) *</i>
<input checked="" type="checkbox"/> Training Program(s) <i>(i.e. written description of introductory and continuing training) *</i>
<input checked="" type="checkbox"/> Current copy of this Emergency Response/Contingency Plan *
<input checked="" type="checkbox"/> Record of recordable/reportable hazardous material/waste releases *
<input checked="" type="checkbox"/> Record of hazardous material/waste storage area inspections *
<input checked="" type="checkbox"/> Record of hazardous waste tank daily inspections *
<input checked="" type="checkbox"/> Description and documentation of facility emergency response drills

*Note: The above list of records does not necessarily identify every type of record required to be maintained by the facility.*

***Note: The following section applies where local agencies require facility owners/operators to perform and document routine facility self-inspections:***

A copy of the Inspection Check Sheet(s) or Log(s) used in conjunction with required routine self-inspections of your facility must be submitted with your HMBP. *[Exception: Unidocs provides a Hazardous Materials/Waste Storage Area Inspection Form that you may use if you do not already have your own form. If you use the Unidocs form (available at [www.unidocs.org](http://www.unidocs.org)), you do not need to attach a copy.]*

Check the appropriate box:

<input checked="" type="checkbox"/> We will use the "Hazardous Materials/Waste Storage Area Inspection Form" to document inspections.
<input type="checkbox"/> We will use our own documents to record inspections. <i>(A blank copy of each document used must be attached to this HMBP.)</i>

## Aboveground Separation, Containment, and Monitoring Plan

(Appendix to Hazardous Materials Business Plan)

Complete one column for each aboveground storage area shown on the Hazardous Materials Business Plan Storage Map(s). Write the appropriate location code in the box provided at the top of each column, then moving down the column, check all boxes which apply to that location. Make additional copies of this page if needed.

Location Code	A	B	C	D	E
<b>Storage Type</b>	<input type="checkbox"/> Inside building <input type="checkbox"/> Outside storage shed <input checked="" type="checkbox"/> Outdoors	<input checked="" type="checkbox"/> Inside building <input type="checkbox"/> Outside storage shed <input type="checkbox"/> Outdoors	<input type="checkbox"/> Inside building <input type="checkbox"/> Outside storage shed <input type="checkbox"/> Outdoors	<input type="checkbox"/> Inside building <input type="checkbox"/> Outside storage shed <input type="checkbox"/> Outdoors	<input type="checkbox"/> Inside building <input type="checkbox"/> Outside storage shed <input type="checkbox"/> Outdoors
<b>Primary Containment</b>	<input checked="" type="checkbox"/> Original containers <input type="checkbox"/> Safety cans <input type="checkbox"/> Inside machinery <input type="checkbox"/> Drums/barrels <input checked="" type="checkbox"/> Pressure vessels <input type="checkbox"/> Bulk tanks <input type="checkbox"/> Aboveground piping <input type="checkbox"/> Other	<input type="checkbox"/> Original containers <input type="checkbox"/> Safety cans <input type="checkbox"/> Inside machinery <input checked="" type="checkbox"/> Drums/barrels <input type="checkbox"/> Pressure vessels <input type="checkbox"/> Bulk tanks <input type="checkbox"/> Aboveground piping <input type="checkbox"/> Other	<input type="checkbox"/> Original containers <input type="checkbox"/> Safety cans <input type="checkbox"/> Inside machinery <input type="checkbox"/> Drums/barrels <input type="checkbox"/> Pressure vessels <input type="checkbox"/> Bulk tanks <input type="checkbox"/> Aboveground piping <input type="checkbox"/> Other	<input type="checkbox"/> Original containers <input type="checkbox"/> Safety cans <input type="checkbox"/> Inside machinery <input type="checkbox"/> Drums/barrels <input type="checkbox"/> Pressure vessels <input type="checkbox"/> Bulk tanks <input type="checkbox"/> Aboveground piping <input type="checkbox"/> Other	<input type="checkbox"/> Original containers <input type="checkbox"/> Safety cans <input type="checkbox"/> Inside machinery <input type="checkbox"/> Drums/barrels <input type="checkbox"/> Pressure vessels <input type="checkbox"/> Bulk tanks <input type="checkbox"/> Aboveground piping <input type="checkbox"/> Other
<b>Secondary Containment</b>	<input checked="" type="checkbox"/> Approved cabinets <input type="checkbox"/> Secondary drum <input type="checkbox"/> Tray <input type="checkbox"/> Bermed & coated floor <input type="checkbox"/> Tank vault <input type="checkbox"/> Secondary piping or piping trench <input type="checkbox"/> Other	<input type="checkbox"/> Approved cabinets <input type="checkbox"/> Secondary drum <input type="checkbox"/> Tray <input type="checkbox"/> Bermed & coated floor <input type="checkbox"/> Tank vault <input type="checkbox"/> Secondary piping or piping trench <input type="checkbox"/> Other	<input type="checkbox"/> Approved cabinets <input type="checkbox"/> Secondary drum <input type="checkbox"/> Tray <input type="checkbox"/> Bermed & coated floor <input type="checkbox"/> Tank vault <input type="checkbox"/> Secondary piping or piping trench <input type="checkbox"/> Other	<input type="checkbox"/> Approved cabinets <input type="checkbox"/> Secondary drum <input type="checkbox"/> Tray <input type="checkbox"/> Bermed & coated floor <input type="checkbox"/> Tank vault <input type="checkbox"/> Secondary piping or piping trench <input type="checkbox"/> Other	<input type="checkbox"/> Approved cabinets <input type="checkbox"/> Secondary drum <input type="checkbox"/> Tray <input type="checkbox"/> Bermed & coated floor <input type="checkbox"/> Tank vault <input type="checkbox"/> Secondary piping or piping trench <input type="checkbox"/> Other
<b>Separation</b>	<input checked="" type="checkbox"/> All materials compatible <input type="checkbox"/> One-hour separation wall/partition <input type="checkbox"/> Separation by at least 20 feet <input type="checkbox"/> Approved cabinets <input type="checkbox"/> Other	<input checked="" type="checkbox"/> All materials compatible <input type="checkbox"/> One-hour separation wall/partition <input type="checkbox"/> Separation by at least 20 feet <input type="checkbox"/> Approved cabinets <input type="checkbox"/> Other	<input type="checkbox"/> All materials compatible <input type="checkbox"/> One-hour separation wall/partition <input type="checkbox"/> Separation by at least 20 feet <input type="checkbox"/> Approved cabinets <input type="checkbox"/> Other	<input type="checkbox"/> All materials compatible <input type="checkbox"/> One-hour separation wall/partition <input type="checkbox"/> Separation by at least 20 feet <input type="checkbox"/> Approved cabinets <input type="checkbox"/> Other	<input type="checkbox"/> All materials compatible <input type="checkbox"/> One-hour separation wall/partition <input type="checkbox"/> Separation by at least 20 feet <input type="checkbox"/> Approved cabinets <input type="checkbox"/> Other
<b>Monitoring Type</b>	<input checked="" type="checkbox"/> Visual <input type="checkbox"/> Automatic sensors <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Visual <input type="checkbox"/> Automatic sensors <input type="checkbox"/> Other	<input type="checkbox"/> Visual <input type="checkbox"/> Automatic sensors <input type="checkbox"/> Other	<input type="checkbox"/> Visual <input type="checkbox"/> Automatic sensors <input type="checkbox"/> Other	<input type="checkbox"/> Visual <input type="checkbox"/> Automatic sensors <input type="checkbox"/> Other
<b>Monitoring Frequency</b>	<input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Continuous <input type="checkbox"/> Other	<input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Continuous <input type="checkbox"/> Other	<input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Continuous <input type="checkbox"/> Other	<input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Continuous <input type="checkbox"/> Other	<input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Continuous <input type="checkbox"/> Other

In the space provided below, describe the location, type, manufacturer's specifications (if applicable) and suitability of any monitoring methods used other than visual monitoring. Attach additional pages if needed:

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## Spill/Release Response Procedures for Propane

The Propane used can be hazardous in the event of a spill or release, or if there is a fire at the facility. Propane is flammable, in the event of a fire; the container could explode violently due to the high heat of the fire.

Propane is an odorless, colorless, flammable gas. Often an odorant is added for fuel purposes. A release in a confined area may cause rapid breathing, diminished mental alertness, impaired muscular coordination, faulty judgement, depression of all sensations, emotional instability and fatigue. As asphyxiation progresses, nausea, vomiting and loss of consciousness may result.

### Spill or Release:

In the event of a release from the propane tank/cylinder, do the following:

1. Evacuate all personnel from the affected area.
2. Stay upwind of the release and out of low-lying areas.
3. Avoid breathing gases.
4. If the leak is in a container or valve, contact the propane supplier for assistance.
5. Ventilate the area before attempting to re-enter the area.
6. Do not enter the building until emergency personnel have notified you that it is safe.
7. Contact management using the emergency phone list procedure.

### Fire:

1. Follow the Fire and Explosion evacuation procedures.
2. Notify emergency personnel of the tank location.

### Prevention Procedures:

1. Store tank and/or cylinders with valve protection caps installed.
2. Tank and cylinders should be stored upright and firmly secured to prevent falling or being knocked over.
3. Containers should be stored in a cool, dry, well ventilated area away from sources of heat or ignition and direct sun light.
4. If you suspect any problems with the tank notify the supplier immediately to have the system inspected.



**PS&E CHECKLIST (Rev. June 4, 2009 per Conditional E-76)**Agency: City of MilpitasFederal Project No. CML-5314 (006)

This form is to be completed by the local agency and attached to the PS&E Certification. See Exhibit 12-E for instructions and the referenced attachments.

**I. HIGHWAY SYSTEM**

- On the National Highway System (NHS)  
 Off the NHS

**II. FUNCTIONAL CLASSIFICATION (Check as many as appropriate)**On the Federal-aid System

- |   |   |
|---|---|
| <input type="checkbox"/> Urban Principal Arterial - Fwy or Expwys | <input type="checkbox"/> Rural Principal Arterial |
| <input type="checkbox"/> Urban Principal Arterial - Other         | <input type="checkbox"/> Rural Minor Arterial     |
| <input type="checkbox"/> Urban Minor Arterial                     | <input type="checkbox"/> Rural Major Collector    |
| <input checked="" type="checkbox"/> Urban Collector               |   |

Off the Federal-aid System

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Urban Local | <input type="checkbox"/> Rural Minor Collector |
|                                      | <input type="checkbox"/> Rural Local           |

**III. TYPE OF CONSTRUCTION (Check appropriate box)**

- New or Reconstruction  
 Resurfacing, Restoration and Rehabilitation (3R)  
 Preventive Maintenance

**IV. METHOD OF CONSTRUCTION****A. Contracting Method (Check appropriate box)**

- Competitive bidding  
 Other than competitive bidding

(If the contracting method is other than competitive bidding, check appropriate box below.)

- This is a "Delegated" project and not subject to significant FHWA oversight. A Public Interest Finding has been submitted to the DLAE for review and filed in the contract records justifying the method.  
 This is a "High Profile" project and subject to significant FHWA oversight. A Public Interest Finding justifying the method has been submitted and approved by Caltrans and FHWA.

**B. Force Account (Day Labor) (Check appropriate box)**

- The entire work will be constructed by contract as indicated above.  
 Some work (incidental to the main purpose of the project) will be constructed by Force Account. A Public Interest Finding is on file in the contract records justifying the work.  
 The entire project will be constructed by Force Account (Day Labor).

(If the entire project will be constructed by Force Account (Day Labor)

- This is a "Delegated" project and not subject to significant FHWA oversight. A Public Interest Finding is on file in the contract records justifying the work.  
 This is a "High Profile" project and subject to significant FHWA oversight. A Public Interest Finding justifying the method has been submitted and approved by Caltrans and FHWA.

V. ENVIRONMENTAL ANALYSIS (Check box if requirement is met)

- The PS&E is fully responsive to the necessary actions called for by the environmental document, permit conditions and other agreements.

VI. VALUE ENGINEERING (VE) ANALYSIS (Check appropriate box )

- VE analysis has been performed on this project and a copy of the analysis has been submitted to the DLAE for forwarding to the Caltrans District Value Analysis Coordinator.
- The project is not a bridge project. VE analysis has not been performed as the estimated total project cost is <\$25 million.
- The project is a bridge project. VE analysis has not been performed as the total project cost is <\$20 million.

VII. GEOMETRIC DESIGN STANDARDS (Complete this section if project changes existing geometrics)

A. Geometric Design Standards Used (Check appropriate box)

- Caltrans Design Standards (on State Highway System)
- Current AASHTO Standards
- 3R Projects - Minimum Standards for Geometric Design of Federal-Aid Resurfacing, Restoration, and Rehabilitation Projects on Local Streets and Roads, *Local Assistance Procedures Manual*, State of California Department of Transportation.
- Local Agency Design Standards Date approved: April 2007

B. Deviations from Controlling Criteria (check appropriate box for each controlling criteria)

Criteria Met	Design Criteria Not Met	Design Exception Approval Date	Controlling Criteria
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Design Speed
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Lane Width
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Shoulder Width
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Bridge Width
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Horizontal Alignment
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Vertical Alignment
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Grades
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Stopping Sight Distance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Cross Slopes
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Super elevation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Horizontal Clearance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	Vertical Clearance

**VIII. BRIDGE DESIGN PROCEDURES** (Check the appropriate box)

All bridges have been designed in accordance with the current edition of the Caltrans *Bridge Design Specifications Manual*

- YES                      DOES NOT APPLY (Bridge construction not included in the project)
- 

**IX. STANDARD PLANS** (Check appropriate box)

- Caltrans *Standard Plans*                               *Standard Plans for Public Works Construction*
- Local Approved Standard Plans:

\_\_\_\_\_ Date signed (on behalf of the local agency) by a person in responsible charge and who is registered professional engineer licensed to practice in the State of California.

**X. PROJECT PLANS AND SPECIFICATIONS** (Check box if requirements met)

- Cover sheet of plans and specifications signed and stamped on behalf of the local agency by the person in responsible charge, and who is a registered professional engineer licensed to practice in the State of California.
- Traffic Control Plans or reference to Standard Plan and Signs/Striping Plans Included (Note: Additionally, Traffic Management Plans are required to be on file for all reconstruction, rehabilitation, and other projects [including projects on the State Highway System not funded by the state], if significant traffic delays are anticipated and as a result from project activities).
- Erosion Control Plan
- ADA is being fully complied with including Federal ADA Standards for Accessible Guidelines for Buildings and Facilities (ADAAG), Title 24 of the California Code of Regulations, and local codes.

**XI. STANDARD SPECIFICATIONS** (Check Standards used)

- Caltrans *Standard Specifications*
- Standard Specifications for Public Works Construction* (Green Book)
- Locally Approved Standard Specifications

**XII. REQUIRED FEDERAL CONTRACT PROVISIONS**

**A. General Federal Requirements** (Check appropriate box and indicate page number)

- |   |                 |
|---|-----------------|
|   | <b>Page No.</b> |
| <input checked="" type="checkbox"/> Caltrans SSP - SECTION 14. FEDERAL REQUIREMENTS FOR FEDERAL-AID CONSTRUCTION PROJECTS (Attachment A, FR-1 & FR-2) is included. .... | 68              |
| <input type="checkbox"/> Equivalent provisions are included. ....   | _____           |

**B. FHWA Form 1273**

**1. Incorporation of FHWA Form 1273 into Contract** (Check appropriate box and indicate page number)

- |   |                 |
|---|-----------------|
|   | <b>Page No.</b> |
| <input checked="" type="checkbox"/> An unmodified copy of FHWA Form 1273 <i>REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS</i> (Attachment B, FR-3 thru FR-14) has been physically incorporated into this contract ..... | 70              |

A modified copy of FHWA Form 1273 *REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS* has been physically incorporated into this contract.....

2. **Modification of FHWA Form 1273** (If the provisions contained in FHWA Form 1273 will be modified, fill in the required project information before completing Sections 2.a thru 2.d.)

Estimated Construction Contract Cost: \$1,200,000

a. **Section IV. Payment of Predetermined Wages** (Check appropriate box)  
This section applies to all federal-aid highway construction projects exceeding \$2,000 and to all related subcontracts, except for projects not located on the Federal-aid System (roadways classified as local roads or rural minor collectors), which are exempted. If exempted, this section may be crossed out, removed, or may be specified elsewhere in the contract that it does not apply.

- Section IV has not been modified.
- Section IV has been *crossed out/removed/specified elsewhere in the contract that it does not apply.* (Indicate type of modification).

b. **Section V. Statements and Payrolls** (Check appropriate box)  
This section applies to all federal-aid highway construction projects exceeding \$2,000 and to all related subcontracts, except for projects not located on the Federal-aid System (roadways classified as local roads or rural minor collectors), which are exempted. If exempted, this section may be crossed out, removed, or may be specified elsewhere in the contract that it does not apply.

- Section V has not been modified.
- Section V has been *crossed out/removed/specified elsewhere in the contract that it does not apply.* (Indicate type of modification)

c. **Section VI. Record of Materials, Supplies, and Labor** (Check appropriate box)  
See PS&E Checklist Instructions (Exhibit 12-E of this chapter) for applicability.

- Section VI has not been modified.
- Section VI has been *crossed out/removed/specified elsewhere in the contract that it does not apply.* (Indicate type of modification)

d. **Section VII. Subletting or Assigning the Contract** (Check appropriate box)  
This section applies to all federal-aid highway projects.

- Section VII has not been modified.
- Section VII has been *crossed out/removed/specified elsewhere in the contract that it does not apply.* (Indicate type of modification)

C. **Certification/Disclosure Forms** (Check if included and indicate page number) Page No.

- EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION* (Exhibit 12-E, Attachment C)..... 22
- NONCOLLUSION AFFIDAVIT* (Exhibit 12-E, Attachment D) ..... 25
- DEBARMENT AND SUSPENSION CERTIFICATION* (Exhibit 12-E, Attachment E) ..... 26

NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS (Exhibit 12-E, Attachment F) ..... 27

DISCLOSURE OF LOBBYING ACTIVITIES (Exhibit 12-E, Attachment G)..... 28

Equivalent provisions (Attach complete listing, including page numbers).....

**D. Liquidated Damages (Check appropriate box and indicate page number) Page No.**

Caltrans SSP SECTION 4. BEGINNING OF WORK, TIME OF COMPLETION AND LIQUIDATED DAMAGES (Exhibit 12-E, Attachment I) is included in this contract.....

Equivalent provisions are included. .... 187-189

**E. Disadvantaged Business Enterprise (DBE)/Subcontracting**

**1. UDBE Goal. (Refer to Exhibit 12-E, PS&E Instruction Checklist)**

Local Agency non-zero UDBE goal percentage for this contract is: 9%

Or

The UDBE goal for this contract is 0%. Documentation verifying this determination is attached to this PS&E Checklist and is also on file with the local agency. Refer to Exhibit 12E - PS&E Checklist Instructions.

Or

This contract has no UDBE goal because:

The AADPL goal has been met for this federal fiscal year

This contract has no subcontracting opportunities for UDBE participation

This contract is "non-profit"

Other, specify: \_\_\_\_\_

Documentation verifying the above "no UDBE goal" determination is attached to the PS&E Checklist and is also on file with the local agency. Refer to Exhibit 12E - PS&E Checklist Instructions.

**2. Contract Provisions (For Use with all Federal-aid contracts)**

The following applicable Caltrans Standard Special Provisions (SSPs) to the Caltrans Standard Specifications or their equivalent are included in the contract Special Provisions with page numbers noted (editing may be required). Check if included and indicate page number.

**a. Caltrans Standard Special Provisions Page No.**

2-1.01 GENERAL Required Listing of Proposed Subcontractors and Required Contract Assurance Statement (Exhibit 12-E, Attachment H) or *Equivalent Provisions* ..... 15,16

2-1.015 FEDERAL LOBBYING RESTRICTIONS (Exhibit 12-E, Attachment H) or *Equivalent Provisions* ..... 59

<input checked="" type="checkbox"/> 2-1.02 DISADVANTAGED BUSINESS ENTERPRISE (DBE) (Exhibit 12-E, Attachment H) or <i>Equivalent Provisions</i> .....	60
<input checked="" type="checkbox"/> SECTION 3- AWARD AND EXECUTION OF CONTRACT (Exhibit 12-E, Attachment I) or <i>Equivalent Provisions</i> .....	57, 187
<input checked="" type="checkbox"/> Caltrans SSP 5-1.- SUBCONTRACTOR AND DBE RECORDS (Exhibit 12-E, Attachment J) or <i>Equivalent Provisions</i> .....	62
<input checked="" type="checkbox"/> Caltrans SSP 5-1.- DBE CERTIFICATION STATUS (Exhibit 12-E, Attachment J) or <i>Equivalent Provisions</i> .....	64
<input checked="" type="checkbox"/> Caltrans SSP 5-1.- PERFORMANCE OF SUBCONTRACTORS (Exhibit 12-E, Attachment K) or <i>Equivalent Provisions</i> .....	63
<input checked="" type="checkbox"/> Caltrans SSP 5-1. SUBCONTRACTING (Exhibit 12-E, Attachment L) or <i>Equivalent Provisions</i> .....	67
<input checked="" type="checkbox"/> Caltrans SSP 5-1. PROMPT PROGRESS PAYMENTS TO SUBCONTRACTORS (Exhibit 12-E, Attachment L) or <i>Equivalent Provisions</i> .....	67
<input checked="" type="checkbox"/> Caltrans SSP 5-1. PROMPT PAYMENT OF WITHHELD FUNDS TO SUBCONTRACTORS (Exhibit 12-E, Attachment L) or <i>Equivalent Provisions</i> .....	67

**b. The following forms are applicable with the above SSP's.**

<input type="checkbox"/> LISTING OF SUBCONTRACTORS (Form in Sample Proposal and Contract) or <i>Equivalent Form</i> .....	
<input checked="" type="checkbox"/> LOCAL AGENCY BIDDER UDBE COMMITMENT (CONSTRUCTION CONTRACTS) (Exhibit 15-G1) or <i>Equivalent Provisions</i> .....	34
<input checked="" type="checkbox"/> LOCAL AGENCY BIDDER-DBE INFORMATION (Construction Contracts) (Exhibit 15-G(2)) or <i>Equivalent Provisions</i> .....	39
<input checked="" type="checkbox"/> DBE CERTIFICATION STATUS CHANGE (Exhibit 17-O or <i>Equivalent Provision</i> , If applicable) .....	65
<input checked="" type="checkbox"/> EXHIBIT 15-H UDBE INFORMATION—GOOD FAITH EFFORTS (Exhibit 15-H6 If applicable) .....	37
<input checked="" type="checkbox"/> FINAL REPORT UTILIZATION OF DISADVANTAGED BUSINESS ENTERPRISES (DBE), FIRST-TIER SUBCONTRACTORS (Exhibit 17-F) or <i>Equivalent Provisions</i> .....	84
<input checked="" type="checkbox"/> BIDDER'S LIST (49 CFR, Part 26.11) List data for all firms that bid as prime, or bid, or quote subcontracts for this contract (optional Exhibit 12-G) .....	16

**May 15, 2009 Update per Conditional E-76 Requirements for DBE:**

**Federal Requirements for Race Conscious DBE Program are being provided per the City's Annual DBE Agreement with Caltrans approved on April 17, 2009. The page numbers noted above reflect the use of Caltrans' suggested Race Conscious DBE Specifications for American Recovery and Reinvestment Act projects which are integrated into the Final Project Specifications.**

**F. Buy America Specification** (Check appropriate box and indicate page number if requirement applies. See Section 12.9 of the *Local Assistance Procedures Manual* for requirement.) **Page No.**

- Caltrans SSP 5-1- BUY AMERICA REQUIREMENTS (Exhibit 12-E, Attachment M)
- Equivalent provisions are included ..... 64
- Buy America specifications are not included in contract.
- Waiver for the following has been approved by FHWA: \_\_\_\_\_ Date \_\_\_\_\_.

**G. Federal Trainees** (Check appropriate box and indicate page number if requirement applies) **Page No.**

- The project has less than 100 working days. A Federal Trainee goal and special provisions are not required.
- Analysis of the Engineers Estimate has the dollar value under \$200,000. A Federal Trainee goal and special provisions are not required.
- Caltrans SSP - *FEDERAL REQUIREMENT TRAINING SPECIAL PROVISIONS* (Exhibit 12-E, Attachment N, FR-15 and FR-16) are included. (The Trainee goal is \_\_\_\_\_.)..... \_\_\_\_\_
- Equivalent provisions are included (The Trainee goal is \_\_\_\_\_.) ..... \_\_\_\_\_

**H. Federal Wage Rates** (Check appropriate box and indicate page number if Federal Wages Rates are included) **Page No.**

- Federal Wages Rates are physically incorporated in this contract..... \_\_\_\_\_  
**Note: By checking the above box, the local agency is indicating that they are aware of the Federal-aid "10-day rule" requirement.**
- This project is not located on a Federal-aid Route. Federal Wage Rates are not required.

**I. Relations with Railroad** (Check appropriate box and indicate page number if special provisions are included) **Page No.**

- The required provisions are included..... \_\_\_\_\_
- This project does not involve the use of railroad properties or adjustments to railroad facilities..... \_\_\_\_\_

**J. American Recovery and reinvestment Act (ARRA) Funds** (Check appropriate box and indicate page number if special provisions are included) **Page No.**

- This is an ARRA funded project and the required ARRA provisions (Exhibit 12-E, Attachment O)are included ..... \_\_\_\_\_
- This project does not involve ARRA Funds ..... \_\_\_\_\_

**XIII. RESTRICTED CONTRACT PROVISIONS (CHECK APPROPRIATE BOX)**

**A. Indian Preferences (Check appropriate box and provide required information)**

Not included

Included. The project is on or near the \_\_\_\_\_ Indian Reservation.

**B. Bonding and Prequalification (Check box if requirement met)**

Bonding or prequalification, if required, will not be used to restrict competition, prevent submission of a bid by or prohibit consideration of a bid submitted by any responsible contractor, whether a resident or nonresident of the State of California.

**C. Price Adjustment Clauses (Check appropriate box)**

Price adjustment clauses are not included.

Price adjustment clauses are included. The federal conditions restricting the use of these clauses have been met and are documented in the project files

**D. Warranty Clauses (Complete this section if project is on the NHS)**

Warranty Clauses are not included.

Warranty Clauses are included. Documentation of the required conditions on the use of these clauses is in the project files.

**E. Proprietary Items (Complete this section if project is on the NHS)**

Proprietary Items are not included.

Proprietary Items are included. A Public Interest Finding justifying the use has been approved and is documented in the project files.

**XIV. MATERIALS & EQUIPMENT (Check appropriate box)**

**A. Publicly Owned Equipment (for use by Contractor) (Check appropriate box)**

Not included

Included. A Public Interest Finding justifying this use is in project files and the project specifications meet the requirements for federal participation listed in Chapter 12.

**B. Equipment Purchases for Local Ownership (Check appropriate box)**

Not included

Included. Amount charged to construction engineering will be limited to amortized equipment cost (over its useful life) attributable to the time the equipment is used on the project.

**C. Convict Produced Materials**

- Not included
- Included. The conditions placed on the use of these materials by the contractor meet federal requirements and are included in the contract specifications.

**D. Local Agency Furnished Materials** (Check appropriate box)

- Local Agency Furnished Materials are not included.

(If Local Agency Furnished Materials are included check appropriate box.)

- Local Agency Furnished Materials have been acquired on the basis of competitive bidding.
- A Public Interest Finding is on file in the contract records justifying another method of acquisition.

**XV. PRELIMINARY ESTIMATE** (Check boxes if requirements met)

- Exhibit 12-A or equivalent has been completed and is attached.
- The estimate is broken down into items sufficient in detail to provide an initial prediction of the financial obligation to be incurred by the local agency, state and FHWA and to permit an effective review and comparison of the bids received.
- Non-participating items of work have been identified and segregated from the estimated cost of work eligible for federal-aid.

(If project is funded with more than one type of federal-aid, check box if requirement met.)

- The estimate has been segregated by fund types for use in preparing the "Request for Authorization for Construction" (Detail Record) and the Finance Letter.

**XVI. MAJOR PROJECTS WITH TOTAL COST OF \$100 MILLION TO \$500 MILLION OR MORE** (Check boxes if requirements met)

The total cost of this project is:

- Expected to be less than \$100 million.
- Expected to be \$100 million or more, but less than \$500 million:
  - A Financial Plan is required and has been prepared and submitted to the DLAE.

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

- Expected to be \$500 million or more and:
  - A Project Management Plan has been prepared and submitted to the DLAE.

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

- An Annual Financial Plan has been prepared and submitted to the DLAE

**XVII. LOCAL AGENCY SIGNATURE**

This Federal Contract Provisions checklist has been prepared in accordance with Chapter 12 "Plans, Specifications & Estimate," of the *Local Assistance Procedures Manual*.

Signature: J. O. R. [Signature] Date: 6-4-2009  
Title: Traffic Engineer

**XVIII. CALTRANS ACCEPTANCE**

Check appropriate acceptance statement:

- I have not personally inspected the subject project PS&E package but I am aware of the scope of the project. I have reviewed this "PS&E CHECKLIST" and agree it is complete and appears to have been prepared in accordance Chapter 12 "Plans, Specifications & Estimate," of the *Local Assistance Procedures Manual*.
- I have inspected the specifications portion of the subject project PS&E package and I am aware of the scope of the project. I have reviewed this "PS&E CHECKLIST" and agree it is complete and appears to have been prepared in accordance with Chapter 12 "Plans, Specifications & Estimate," of the *Local Assistance Procedures Manual*. I have also verified that the indicated Required Federal Contract Provisions are included in the specifications.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

- Distribution:** 1) Original with PS&E Certification - DLAE  
2) Original "Accepted" copy with PS&E Certification - DLAE file  
3) One "Accepted" copy to be returned to Local Agency

Adopted by City Council: Nov. 3, 1970  
Amended by City Council: Dec. 19, 1995

**GENERAL DEVELOPMENT POLICY:  
GASOLINE SERVICE STATIONS, AND  
AUTOMOTIVE SERVICE CENTERS**

**PURPOSE AND INTENT:** The purpose and intent of this Development Policy is to provide for service station design standards which will encourage safe, orderly, unique and attractive service station development in a manner which best serves the interest of the residents of the City, the users of the station and the operators of the station.

**DEFINITION:** The term "automotive service stations", "gasoline service stations" or "automotive service centers" shall mean a retail place of business engaged primarily in the sale of motor fuels but also in supplying goods and services generally required in the operation and maintenance of automotive vehicles and fulfilling of motorist needs. These may include sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items; lubrication services; washing of automobiles as an incidental part of the business; the performance of minor automotive maintenance and repair, and the supplying of such other incidental customer services and products.

**DEFINITION OF SNACK SHOP:** *An area within a gasoline service station or automotive service center no greater than 250 square feet of floor area for the display and sale of prepackaged, single-serving snacks, dairy products, soft drinks, and sundry items. Restrooms and cashier areas are excluded from the floor area calculations.*

**SITE STANDARDS:**

1. The service station site should have at least 120 feet of street frontage, excluding that area in the corner radius.
2. Service station sites should have a minimum of 22,500 square feet of lot area.
3. Service stations should be designed so that they will not unduly interfere with the vehicular and pedestrian circulation system of the commercial area.
4. A service station should not be the first use in a given development proposal to be built. Exceptions to this principle may be allowed by the Planning Commission where it finds that the proposed development is in a location or zone where development of a unified commercial complex cannot reasonably be expected.

## BUILDING DESIGN:

1. The service station should be designed for the specific site and be architecturally compatible with the other structures in the center or area. Standard type buildings are discouraged.
2. The use of independent licensed architects, as opposed to using the oil company's engineers or architects, is encouraged in designing all structures upon the site.
3. The entrance to the service bays shall not be open to the street but shall be so designed to face the rear or interior side property line. (Ordinance)
4. Whenever side access to service bays is permitted landscaping or screening devices shall be used to substantially preclude the view into the service bays work areas.
5. The following materials are encouraged to be included as a part of the main building site:
  - a) Tinted glass (gray or bronze).
  - b) Mission tile, concrete shake or similar roofing material.
  - c) Introducing additional materials complimentary to the basic building material for the purpose of architectural accent (mosaic tile, stained redwood, etc.)
6. Outside storage and display cabinets or enclosures may be permitted if such cabinets are constructed and finished in harmony with the color, material and design to that of the main building.
7. All pump islands shall have canopies.
8. All supporting columns within the main building and the canopies shall be covered with the basic building materials for the purpose of architectural accent.

## LANDSCAPING:

1. A minimum of 20% of the service station site shall be improved with well maintained landscaping elements. These elements may include, but will not be limited to, plant materials, street furniture (such as benches and kiosks), and decorative surfaces (variations in color and texture). Emphasis should be on a pleasing appearance, quality of design and proper balance between structure and landscaping elements. Existing specimen trees, mature ornamental shrubs, and ground cover should be preserved.

2. Any unpaved area of the site shall be landscaped and separated from the paved areas by a minimum six inch high concrete curb per P.C. Resolution No. 168 or 310.
3. Any area that is required for unobstructed intersection visibility shall be developed and maintained as a low shrubbery and ground cover area.
4. Large paved areas shall be allowed only when adequate landscaping is provided according to prescribed minimum guides and standards.
5. Along and abutting all street right-of-ways, except in those areas encompassed within the driveway exits and entrances, there shall be provided landscaped areas a minimum of ten or more feet in width. (Ordinance)
6. All planter areas shall be a minimum of ten feet in width.
7. Trees shall be 24" boxed specimen or field grown and shrubs a minimum of 5 gallon size or larger.
8. All planter areas shall be serviced by an irrigation system.

#### MISCELLANEOUS STANDARDS:

1. All interior property lines are to be fenced with a solid wall of similar material to that used in the main building or the surrounding development. In the case of service stations located within Shopping Center Developments, landscaped areas may be utilized in lieu of fencing subject to Planning Commission review and approval.
2. *Retail sales of items which are not identified as permissible in the snack shop definition shall be prohibited.* The use of the service station premises for the storage of travel trailers, car rentals, sale of groceries, sale of dairy products (excluding prepackaged single-serving snack items), alcoholic beverages, garden supplies, and other similar uses of a storage or sales nature is prohibited.
3. No outside open storage or display of merchandise shall be allowed, except for lubricating oil cabinets or containers located on or adjacent to each pump island.
4. No junked or wrecked automobile shall be allowed to be brought onto or stored on the site. Further, no used or discarded automotive parts or equipment may be located outside of the building except within the designated trash storage area, which is to be adequately screened from view.
5. All outdoor storage space for rubbish shall be screened by a solid wall of similar material to that used in the main building.
6. No delivery tank shall fill the on-site gasoline storage tanks from the public street right-of-way.

**SIGNS:**

1. All signing must conform to Milpitas Sign Ordinance.
2. The use of unusual and unique signing is encouraged. Freestanding pole or monument style signs shall include a decorative type based on pole coverings.
3. No freestanding sign shall revolve, rotate, move or create the illusion of movement, rotation or revolvment, or have any visible moving, revolving or rotating surfaces or parts. (Ordinance)
4. No freestanding sign shall be located within the front counter planter area, except a low architecturally designed identification sign, and in conformance with the adopted Sign Ordinance. The location of said sign shall not create a traffic obstruction.
5. Price signs are encouraged to be integrated with the freestanding pole identification sign, and shall be architecturally designed to be compatible with the station.