AGENDA ITEM: IX-1

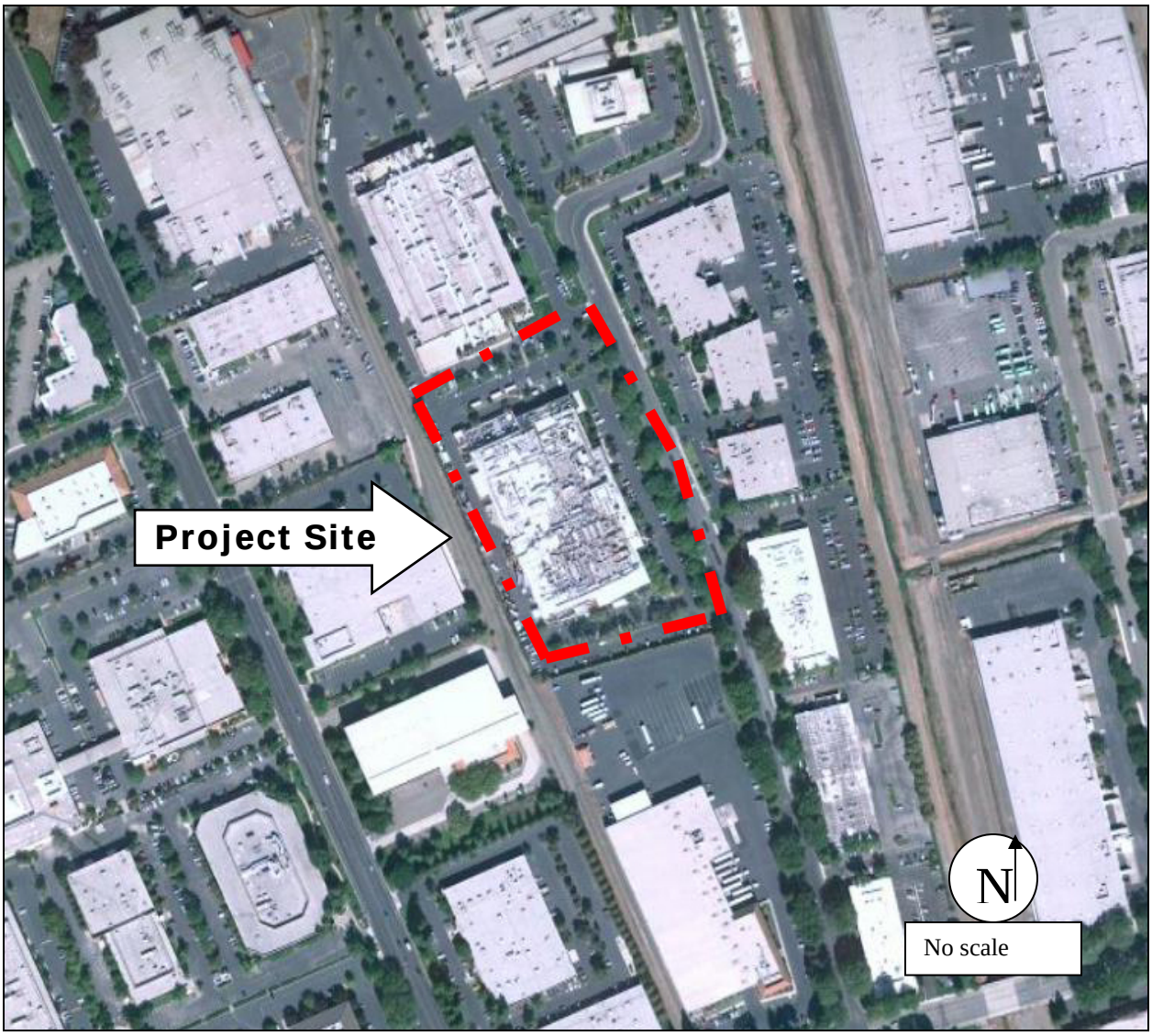
MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING Meeting Date: September 8, 2010

APPLICATION:	**SITE DEVELOPMENT PERMIT NO. SD10-0005, CONDITIONAL USE PERMIT NO. UP10-0016, AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA10-0003**
APPLICATION SUMMARY:	The project proposes a 21,300 square foot addition to the existing 97,274 square foot manufacturing building to allow for an expansion to the photo ball room, a new lunch room, several service chase rooms, an office, and utility rooms. The proposal includes façade modifications to match the existing building and the elimination of 55 parking stalls. The applicant also requests to allow the new total building square footage to exceed the floor area ratio development standard.
LOCATION:	497 S. Hillview Drive (APN: 086-38-028)
APPLICANT:	Headway Technologies represented by Dan Burris, 678 S Hillview Drive, Milpitas CA 95035
OWNER:	Headway Technologies, 497 S. Hillview Drive, Milpitas, CA 95035
RECOMMENDATION:	**Staff recommends that the Planning Commission: Adopt Resolution No. 10-38 approving the project and negative declaration, subject to conditions of approval.**
PROJECT DATA:	
General Plan/ Zoning Designation:	Manufacturing and Warehousing (MFG)/ Heavy Industrial with Sit and Architectural Overlay District (M2-S)
CEQA Determination:	Environmental Impact Assessment No. EA10-0003, Negative Declaration pursuant to section 15074 of the California Environmental Quality Act, "Consideration and Adoption of a Negative Declaration"
PLANNER:	Tiffany Brown, Junior Planner
ATTACHMENTS:	A. Resolution No. 10-38 B. Letter from the applicant

C. Site Plans
D. Environmental Impact Assessment No. EA10-0003

LOCATION MAP



BACKGROUND

The Planning Commission approved the construction of a 97,274 square foot warehouse/manufacturing building in 1984. Subsequent permits include reviews of façade modifications and exterior enclosures.

On August 4, 2010, Dan Burris representing Headway Technologies submitted an application requesting to expand the building by 21,300 square feet. This type of request requires a Site Development Permit for the addition, a Conditional Use Permit to exceed the allowable floor area ratio, and an Environmental Impact Assessment per the California Environmental Quality Act Guidelines.

PROJECT DESCRIPTION

The project site is a fully developed 6.025 acre parcel that includes a one story 97,274 square foot manufacturing/warehousing building with parking lot located at 497 S. Hillview Drive. Headway Technologies currently occupies the building for the use of manufacturing and warehousing. The property and its surroundings are zoned Heavy Industrial with neighboring uses such as Linear Technology, Bottomley Distributing Co., and Magic Technologies. A vicinity map of the subject site location is included on the previous page.

Headway Technologies requests to add an additional 21,300 square feet to allow for an expansion to for additional lab space, a new lunch room, several service chase rooms, an office, and utility rooms. The addition will require the removal of 55 parking spaces and 23 mature trees.

Development Standards

Table 1
Development Standards

	Zoning Ordinance	Proposed
Setbacks (Minimum)		
Front Yard Setback, minimum	Along major street: 35 ft. from face of curb. Along non-major street: 25 ft. from face of curb.	67’
Side Yard Setback (interior), minimum	None	South side: 89’ at closest point North side: 53’ at closest point
Street Side Yard Setback, minimum	Same as front yard setback	N/A
Rear Yard Setback, minimum	None	48’ to main building
Floor Area Ratio (Maximum)	0.40	0.45

	Zoning Ordinance	Proposed
Building Height (Maximum)	None	30’
Parking (Minimum) also discussed in Traffic Impacts / Parking section below.	1 parking space per every 1,500 square feet of building 118,574 bldg. / 1,500 = 79 spaces required	193 parking spaces
Landscaping (Minimum)	Front and Street Side yard areas	Front yard area (no street side yards for this property)

Exception to FAR

The project site is a 6.025 acre parcel (264,331sq.ft) located within the Heavy Industrial Zoning District. The Heavy Industrial Zoning District is reserved for the construction, use, and occupancy of buildings and facilities for office, research, general manufacturing, warehousing and distribution and the like. Headway Technologies is a permitted use within this zoning district and is proposing to expand its existing 97,274 square foot building by 21,300 square feet. This will bring the FAR to 0.45 which exceeds the allowable floor area ratio (FAR) development standard of 0.40. Increases above the maximum permitted FAR for any district can be allowed with the approval of a Conditional Use Permit by the Planning Commission (Section 2.03 of the Zoning Code). The Planning Commission must first consider the following:

1. the proposed development will generate low peak-hour traffic; and
2. Will not create a dominating visual prominence.

Please refer to Traffic Impacts / Parking and Architecture sections below.

Traffic Impacts / Parking

As noted previously, Headway Technologies is an existing business located within a warehousing / manufacturing building with parking lot consisting of 248 spaces. The project proposal for the building addition will reduce the existing parking by 55 spaces. Per the Zoning Ordinance, the amount of parking required for a manufacturing building is one parking space per every 1,500 square feet. The proposed building will require a total of 79 parking spaces. The remaining parking available after the reduction of 55 spaces for the building addition is 193 parking spaces. Therefore, the proposed building meets the parking requirements per the Zoning Ordinance.

The new building addition is estimated to generate less then 100 trips and less than four trips during the AM and PM high peak hours, which makes the proposal a less than significant impact and does not require further traffic analysis under the California Environmental Quality Act (CEQA).

Architecture

The project site is not located within a scenic vista as designated by the City. The proposed addition is designed to incorporate the same look and character as the existing building. The

new addition complements the existing building as well as the neighboring warehousing buildings. The proposal meets all development standards except the FAR as shown in Table 1 located on page 3. The height and mass of the proposed building will not create a dominating visual prominence as it will remain the same height and is buffered with landscaping and parking lot from the main street.

Landscaping

The project site includes approximately 123 trees and the proposed building addition will require the removal of 25 trees, none of which are defined as "protected trees" per the City Ordinance. It is necessary to remove these trees to allow for the building addition. After construction of the building addition, the applicant proposes to plant eight new trees and maintain the existing landscaping.

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 2
General Plan Consistency

Policy	Consistency Finding
2.a-I-6: Endeavor to maintain a balanced economic base that can resist downturns in any one economic sector.	**Consistent:** Besides the current economy, which is thought to be in one of its downturns, Headway Technologies is thriving and wants to expand their business within our City. This helps the City maintain a balanced economic base that can resist downturns in any one economic sector.
2.a-I-7: Provide opportunities to expand employment, participate in partnerships with local business to facilitate communication and promote business retention.	**Consistent:** By expanding the existing business, Headway Technologies can participate in more partnerships and is promoting business retention.

Zoning Ordinance

The project proposal is consistent with the Milpitas Zoning Ordinance in that the addition meets all development standards with the approval of a Conditional Use Permit to allow for the increase in floor area ratio (FAR). Staff finds that the layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development. Such design and neighborhood integration ensures that the project will not create a dominate visual prominence, which is prohibited for increased FAR projects like this one under the Zoning Ordinance. In addition, as mentioned above, the increased FAR component of this project will generate less than four trips during the AM and PM high peak hours. And that 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.

ENVIRONMENTAL REVIEW

The Planning Division conducted an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). An Initial Study and Draft Negative Declaration were prepared for the project. The commenting period began on August 20, 2010 and closed on September 8, 2010. Staff determined that the project proposal will have a less then significant impact per the CEQA Guidelines.

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 site is currently developed with one large manufacturing and warehousing structure and parking lot at 497 S. Hillview Drive. The site is within a fully developed area in Milpitas. The 6.025 acre parcel is located within the Heavy Industrial Zoning District which is reserved for the for office, research, general manufacturing, warehousing and distribution businesses. The FAR increase will not generate significant traffic and will not create a dominating visual presence. Headway Technologies is a permitted use within this zoning district and the proposal to expand the business is consistent the General Plan and Zoning Ordinance with the approval of a Conditional Use Permit by the Planning Commission.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission close the public hearing after hearing testimony and adopt Resolution No. approving Site Development Permit No. SD10-0005, Conditional Use Permit No. UP10-0016, and Environmental Impact Assessment No. EA10-0003, subject to the attached Resolution and Conditions of Approval.

Attachments:

A. Resolution No. 10-38
B. Letter from the applicant
C. Site Plans
D. Environmental Impact Assessment No. EA10-0003

ATTACHMENT A.

RESOLUTION NO. 10-038

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT NO. SD10-0005, CONDITIONAL USE PERMIT NO. UP10-0016, AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA10-0003 TO ALLOW A 21,300 SQUARE FOOT ADDITION TO AN EXISTING MANUFACTURING BUILDING, LOCATED AT 497 S. HILLVIEW DRIVE.

WHEREAS, on August 4, 2010, an application was submitted by Dan Burris representing Headway Technologies, 678 S. Hillview Drive, Milpitas, CA 95118, to construct a 21,300 square foot addition to the existing 97,274 square foot manufacturing building to allow for an expansion to the photo ball room, a new lunch room, several services chase rooms, an office, and utilities rooms. The proposal includes an increase to the Floor Area Ration (FAR) to 0.45, façade modifications, the elimination of 55 parking stalls and 25 trees. The property is located within the Heavy Industrial Zoning District with Site and Architecture Overlay District (APN 086-38-038); and

WHEREAS, the proposed increase in FAR exceeds the normally permitted FAR for the zoning district and therefore can be permitted only upon the issuance of a conditional use permit and certain findings by the Planning Commission; and

WHEREAS, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and prepared a Negative Declaration; and

WHEREAS, on September 8, 2010, 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: Pursuant to Section 15074 of the California Environmental Quality Act guidelines, on the basis of the whole record before it, there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the lead agencies independent judgment and analysis. The Negative Declaration was circulated between August 20, 2010 through September 8, 2010 and recommends that the Planning Commission adopt a Negative Declaration pursuant to Section 15074 of the CEQA guidelines.

Section 3: The project proposal is consistent with the Milpitas General Plan Implementing Policies 2.a-I-6 and 2.a-I-7 in that Headway Technologies is a thriving business

that can resist downturns in any one economic sector and is providing opportunities to expand employment and promote business retention.

Section 4: The project proposal is consistent with the Milpitas Zoning Ordinance Table XI-10-7.02-1 in that the expansion of use is a permitted use within our Heavy Industrial Zoning District and addition meets all development standards with the approval of a Conditional Use Permit to allow for the increase in floor area ratio (FAR). The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development. Such design and neighborhood integration ensures that the project will not create a dominating visual prominence. The proposed FAR increase will also only generate less than four traffic trips during the AM and PM high peak hours, thereby complying with the increased FAR prerequisites of Milpitas Municipal Code XI-10-2.03 (Floor Area Ration (FAR)). In addition, 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.

Section 5: The Planning Commission of the City of Milpitas hereby approves Site Development Permit No. SD10-0005, Conditional Use Permit No. UP10-0016, and Environmental Impact Assessment No. EA10-0003, subject to the above Findings, and Conditions of Approval attached hereto as Exhibit 1.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Milpitas on September 8, 2010.

_____
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 September 8, 2010, and carried by the following roll call vote:

COMMISSIONER	**AYES**	**NOES**	**ABSENT**	**ABSTAIN**
Cliff Williams				
Lawrence Ciardella				
Sudhir Mandal				
Gurdev Sandhu				
Steve Tao				
Noella Tabladillo				

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Mark Tiernan				
John Luk				

EXHIBIT 1

CONDITIONS OF APPROVAL
SITE DEVELOPMENT PERMIT NO. SD10-0005, CONDITIONAL USE PERMIT NO. UP10-0016, AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA10-0003

A request to construct a 21,300 square foot addition to the existing 97,274 square foot manufacturing building to allow for an expansion to the photo ball room, a new lunch room, several services chase rooms, an office, and utilities rooms. The proposal includes an increase to the FAR to 0.45, façade modifications, and the elimination of 55 parking stalls and 25 trees.
497 Hillview Drive (APN: 086-38-028)

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 September 8, 2010, 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)**

   SD10-0005, UP10-0016, EA10-0003 shall become null and void if the project is not commenced within two (2) years from the date of approval. Pursuant to Section 64.06(B) of the Zoning Ordinance of the City of Milpitas:

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

2. Pursuant to Section 64.06(1), the owner or designee shall have the right to request an extension of SD10-0005, UP10-0016, EA10-0003 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein. **(P)**

3. Prior to the issuance of building permits, the owner or designee shall include within the four first pages of the working drawings for a plan check, a list of all conditions of approval imposed by the final approval of the project. **(P)**

4. Prior to the issuance of building permits, the applicant shall submit a landscaped plan demonstrating the addition of shrubbery to the landscaped planter between the parking lot and Hillview Drive and if possible, adding a small 1' minimum in width landscaped buffer

between the building and the parking lot. This will help soften the look of the street frontage. **(P)**

5. Prior to building permit issuance, the developer shall submit a Storm Water Control Plan package for review and approval by the Engineering Division and comply with Regional Water Quality Control Board's requirements for post construction treatments and implement. **(E)**

6. 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. Prior to any building permit issuance, Council's approval of the water Supply Assessment is required.

7. Prior to building permit issuance, the applicant/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. **(E)**

8. The applicant 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 $129,803 based on 6.02 acres @ 21,562/acre.

    b) The Storm, Water and Sewer connection fees will be calculated at the time of building plan check submittal.

    c) Water Service Agreement(s) for water meter(s) and detector check(s).

    d) 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)**

9. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to, connection fees (water, sewer and storm), plan check and inspection deposit, and 2.5% building permit automation fee. **(E)**

10. If the existing services (water, sewer and storm) are not adequately sized to serve this additional development, plans showing new services must be submitted and approved prior to building permit issuance. **(E)**

11. It is the responsibility of the developer to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric,

AT&T, Comcast, Santa Clara Valley Water District and Santa Clara Valley Transportation Agency (VTA). Copies of any approvals or permits must be submitted to the City of Milpitas Engineering Division. **(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)**

15. All existing public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees

or deep rooted shrubs are permitted within City utility easements, where the easement is located within landscape areas. **(E)**

16. If necessary, the developer shall obtain required industrial wastewater discharge approvals from San Jose/Santa Clara Water Pollution Control Plant (WPCP) by calling WPCP at (408) 277-2755. **(E)**

17. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329. **(E)**

18. In accordance with Chapter 5, Title VIII (Ord. 238) of Milpitas Municipal Code, for new and/or rehabilitated landscaping 2500 square feet or larger the developer shall comply with all requirements of the City of Milpitas Water Efficient Ordinance (Ord No 238). Two sets of landscape documentation package shall be submitted by the developer or the landscape architect to the Building Division with the building permit plan check package. Approval from the Land Development Section of the Engineering Division is required prior to building permit issuance, and submittal of the Certificate of Substantial Completion is required prior to final occupancy inspection.

    Contact the Land Development Section of the Engineering Division at (408) 586-3329 for information on the submittal requirements and approval process. **(E)**

19. Per Chapter 6, Title VIII of Milpitas Municipal Code (Ord. No. 240), the landscape irrigation system must be designed to meet the City's recycled water guidelines and connect to recycled water system. To meet the recycle water guideline the developer shall:

    A. Design the landscape irrigation for recycled water use. Use of recycled water applies to all existing rehabilitated and/or new landscape.

    B. Design the irrigation system in conformance to the South Bay Water Recycling Guidelines and City of Milpitas Supplemental Guidelines. Prior to building permit issuance the City will submit the plans to the Department of Health Services (DOHS) for approval; this approval requires additional processing time. The owner is responsible for all costs for designing and installing site improvements, connecting to the recycled water main, and processing of City and Department of Health Services approvals. Contact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain copies of design guidelines and standards.

    C. Protect outdoor eating areas from overspray or wind drift of irrigation water to minimize public contact with recycled water. Recycled water

shall not be used for washing eating areas, walkways, pavements, and any other uncontrolled access areas.**(E)**

20. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hours prior to construction for location of utilities. **(E)**

21. Developer shall comply with the new regional permits requirements for both pre-construction and post-construction requirements. Storm water management shall be in compliance with Municipal Regional Permit (MRP) dated October 14, 2009. **(E)**

22. The developer shall comply with Regional Water Quality Control Board's requirements for post construction treatments and implement the following:

    a. Prior to site development permit approval by planning commission, developer shall submit a Storm Water Control Plan package for review and approval.

    b) At the time of building permit plan check submittal, the developer shall submit a "final" Storm Water Control Plan and Report. Site grading, drainage, landscaping and building plans shall be consistent with the approved Storm Water Control Plan. The Plan and Report shall be prepared by a licensed Civil Engineer and certified that measures specified in the report meet the MRP and the Regional Water Quality Control Board (RWQCB) Order, and shall be implemented as part of the site improvements.

    c) Prior to issuance of Certificate of Occupancy, the developer shall submit a Storm water Control Operation and Maintenance (O&M) Plan, acceptable to the City, describing operation and maintenance procedures needed to insure that treatment BMPs and other storm water control measures continue to work as intended and do not create a nuisance (including vector control). The treatment BMPs shall be maintained for the life of the project. The storm water control operation and maintenance plan shall include the applicant's signed statement accepting responsibility for maintenance until the responsibility is legally transferred.

    d) Developer shall provide the City with an annual inspection report of the Storm Water Control Plan post construction compliance with the NPDES requirements. If the City does receive the report, City will conduct the field inspection and report, and the developer and its successor shall be responsible to pay all associated costs.

    e) Prior to Final occupancy, the developer shall execute and record an O&M Agreement with the City for the operation, maintenance and annual inspection of the C.3 treatment facilities.**(E)**

23. Prior to issuance of a building, site improvement or landscape permit, the building permit application shall be consistent with the developer's approved Storm Water Control Plan and

approved special conditions, and shall include drawings and specifications necessary to implement all measures described in the approved Plan. As may be required by the City's Building, Planning or Engineering Divisions, drawings submitted with the permit application (including structural, mechanical, architectural, grading, drainage, site, landscape and other drawings) shall show the details and methods of construction for site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants. Any changes to the approved Storm water Control Plan shall require Site Development Permit amendment application review. **(E)**

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

25. Access Control Devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the fire code official. All access control devices shall be provided with an approved means for deactivation or unlocking by the fire department. Access control devices shall also comply with Chapter 10 Egress. CFC Section 504.4, added to the International Fire Code **(F)**

26. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters and shall be consistent with Milpitas standardized addressing guidelines. Milpitas Municipal Code Section V-300-2.17, amended Section 505.1 of the International Fire Code **(F)**

27. No parking is permitted in front of fire hydrants. Hydrants located on street (public or private street) shall have an unobstructed clearance of not less than 30 feet per Vehicle Code 22513, California Fire Code Section 508.5.4. Fire hydrants shall be clearly identified in an approved manner to prevent obstruction by parking and other obstructions. CFC Section 508.5.4 **(F)**

28. Permanent structures shall not be erected over underground fire water lines. **(F)**

29. Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs shall be constructed of durable materials, permanently installed and readily visible. CFC Section 510.1 **(F)**

30. Occupancy. It shall be unlawful to occupy any portion of a building or structure until the required fire detection, alarm and suppression systems have been tested and approved. California Fire Code 901.5.1 **(F)**

31. Fire Protection: Fire Sprinkler systems, fire hydrant systems, standpipe system, fire alarm systems, portable fire extinguishers, smoke and heat ventilation, smoke-removal systems, and other fire protective or extinguishing systems or appliances shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. CFC Section 901.6. **(F)**

32. An automatic fire sprinkler system shall be provided for the addition. California Fire Code Section 903.2, amended by the Milpitas Municipal Code V-300-2.2.5 **(F)**

33. Fire alarm system shall be provided for the addition. California Fire Code Section 907 **(F)**

34. Where a building fire alarm system is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system in accordance with NFPA 72. CFC Section 904.3.5 **(F)**

35. Portable fire extinguishers shall be selected, installed and maintained in accordance with CFC Section 906.2 and Chapter 3, Title 19 California Code of Regulations. **(F)**

36. Means of egress shall be illuminated at all times the building space served by the means of egress is occupied. CFC Section 1006.1 **(F)**

37. Exit doors shall be readily distinguishable from the adjacent construction and shall be easily recognizable as exit doors. CFC Section 1008.1 **(F)**

38. Exit doors shall be readily openable from the inside without the use of a key or any special knowledge or effort. CFC Section 1008.1.8 **(F)**

39. Required exit access, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency when the areas served by such exits are occupied. CFC Section 1028.2 **(F)**

40. A full disclosure of the Hazardous Materials use, storage or handling shall be done during construction permit process for review by the Fire Department. CFC Section 2701.5 **(F)**

41. Automatic Shutoffs for Smoke Control. Air-moving systems supplying air in excess of 2,000 cfm to enclosed spaces within buildings shall be equipped with State Fire Marshal approved and listed smoke detectors for automatic shutoff. Where fire detection or alarm systems are provided for the building, the smoke detectors required by this section shall be supervised by such systems and shall activate the fire alarm system. CMC Section 609.0 **(F)**

42. Complete plans and specifications for all aspects of Fire-Protection systems shall be submitted to the Fire Department for review and approval prior to system installation or alteration. CFC Section 901.2 **(F)**

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

ATTACHMENT B.

July 8, 2010

City of Milpitas
Planning and Neighborhood Services
455 East Calaveras Boulevard
Milpitas, CA 95035-5411

Attention: James Lindsay
Director

Sheldon S. Ah Sing
Senior Planner

Subject Letter of Explanation
Headway Facility Expansion
497 South Hillview Drive
Milpitas CA 95035

Dear Sirs:

The following is the outline for our explanation of the project:

1. Reason for Project
2. Presumptions/Assumptions
3. Proposed Solution
4. Special features
5. Concluding statements

The contents have been reviewed by internal Headway Technologies personnel.

1. Reason for project

   a. The building was originally constructed in the early 1980's, and, this particular semiconductor operating unit was originally developed for a company called "Komag" at this location in 1990.

   b. In 1996, the unit was separated from Komag and renamed "Headway Technologies".

   c. In spite of a local economy that has been contracting and losing positions – Headway Technologies has been growing and is on the verge of outgrowing 497 South Hillview.

d. As of now, there is only a fraction of the existing building that is not used and occupied with semiconductor manufacturing equipment, and, there is practically no available area within the building to locate new equipment.

e. Headway Technologies management was tasked with considering a wide series of options, including moving the existing operation to another location not within the boundaries of the City of Milpitas.

f. For the convenience of the operation and for business continuation, Headway Technologies is focused on this location and this proposed expansion.

2. Presumptions/Assumptions

a. Site is an M2 Zone

b. The site is an existing 6.025 acre/264331 GSF site

c. To allow for the largest possible expansion – the applicant wishes to propose using a portion of the adjacent, City of Milpitas, South Hillview Avenue right-of-way, as additional site area to the existing 6.025 acre site.

This would represent an additional 13255 GSF that can be added to the original site area.

d. To allow for the largest possible expansion – the applicant wishes to propose that the FAR (floor area ratio, also known as "coverage"), for this lot, be considered in compliance with the "Industrial Zone Development Standards" of a nominal .4 ("40%"), if 24586 GSF is added to the existing building, and, there is adherence to all other zoning requirements.

3. Proposed Solution

Per the drawings:

a. Expand the building toward South Hillview.

b. Establish two new entrances along the East Elevation. Establish one new entrance at the South Side.

c. Use the same existing pallet of colors and similar exterior materials.

d. Develop recesses along the elevation to maintain a similarity in form between the new addition and the existing building.

e. Provide for landscaping to replace the landscape materials that are demolished.

4. Special Features

a. Landscaping will be added at the north elevation and south elevation of the new addition.

5. Concluding remarks

a. This solution is in the best interests of Headway Technologies and the City of Milpitas

b. Headway maintains its operations and does not have to modify them as severely as would be required in a move to another building in Milpitas, or, another building in a different community.

c. The City of Milpitas will reap the benefits of Headway Technologies staying in the City of Milpitas.

d. By using the South Hillview right-of-way as part of the site area, and, the use of a nominal .4 FLR the site is maximized to its highest and best use at this time.

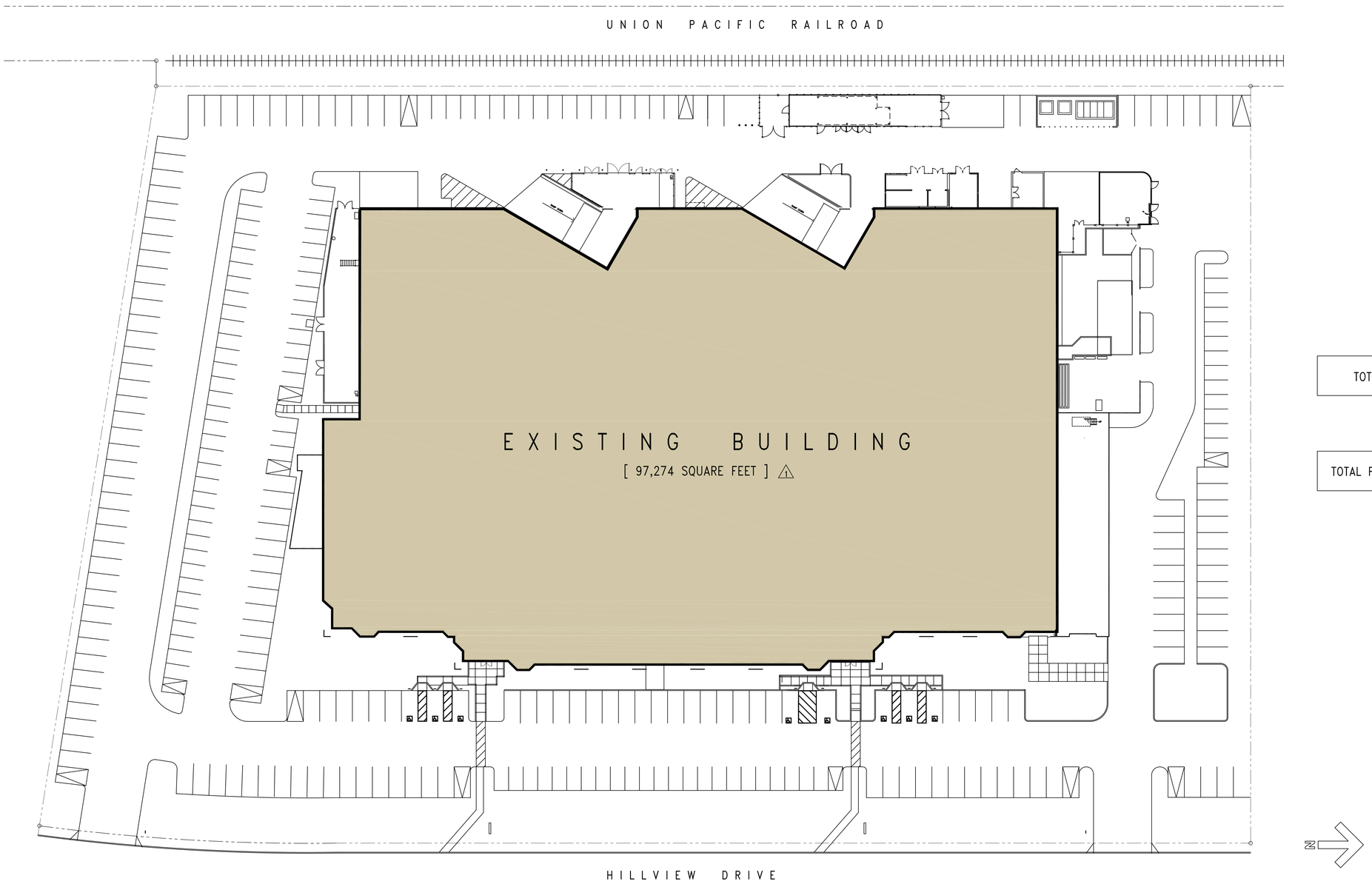
e. By staying in the same location and appending to the existing MEP infrastructure, there will be first cost and ongoing operational energy savings to the benefit of Headway Technologies, and, the community of energy users.

If you have any questions or comments – please do not hesitate and give me a call.

Regards,

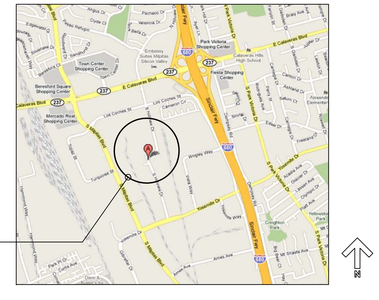
7/8/2010

Douglas White, Architect AIA
WHL Architects*Planners, Inc.



TOTAL PARKING SPACES = 284 1

TOTAL PARCEL ACREAGE = 6.025 ACRES 1



VICINITY MAP

EXISTING CONDITIONS – SITE PLAN
N.T.S.

1

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C-10969
9-30-11
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Headway Technologies
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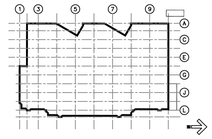
BUILDING EXPANSION

497 S. HILLVIEW DRIVE
MILPITAS, CA 95035

KEY PLAN



Revision	Description	Date
1	PLANNING SUBMITTAL CORRECTIONS	08/19/10
–	PLANNING SUBMITTAL	08/05/10
–	ISSUE FOR REVIEW	05/27/10

Drawing Title
EXISTING CONDITIONS – SITE PLAN

WHL Project No.
10110

Scale
AS NOTED

Date Issued
05/27/10

Drawing No.
A1
FILE: EXIST-A1 SCR:
XREF:

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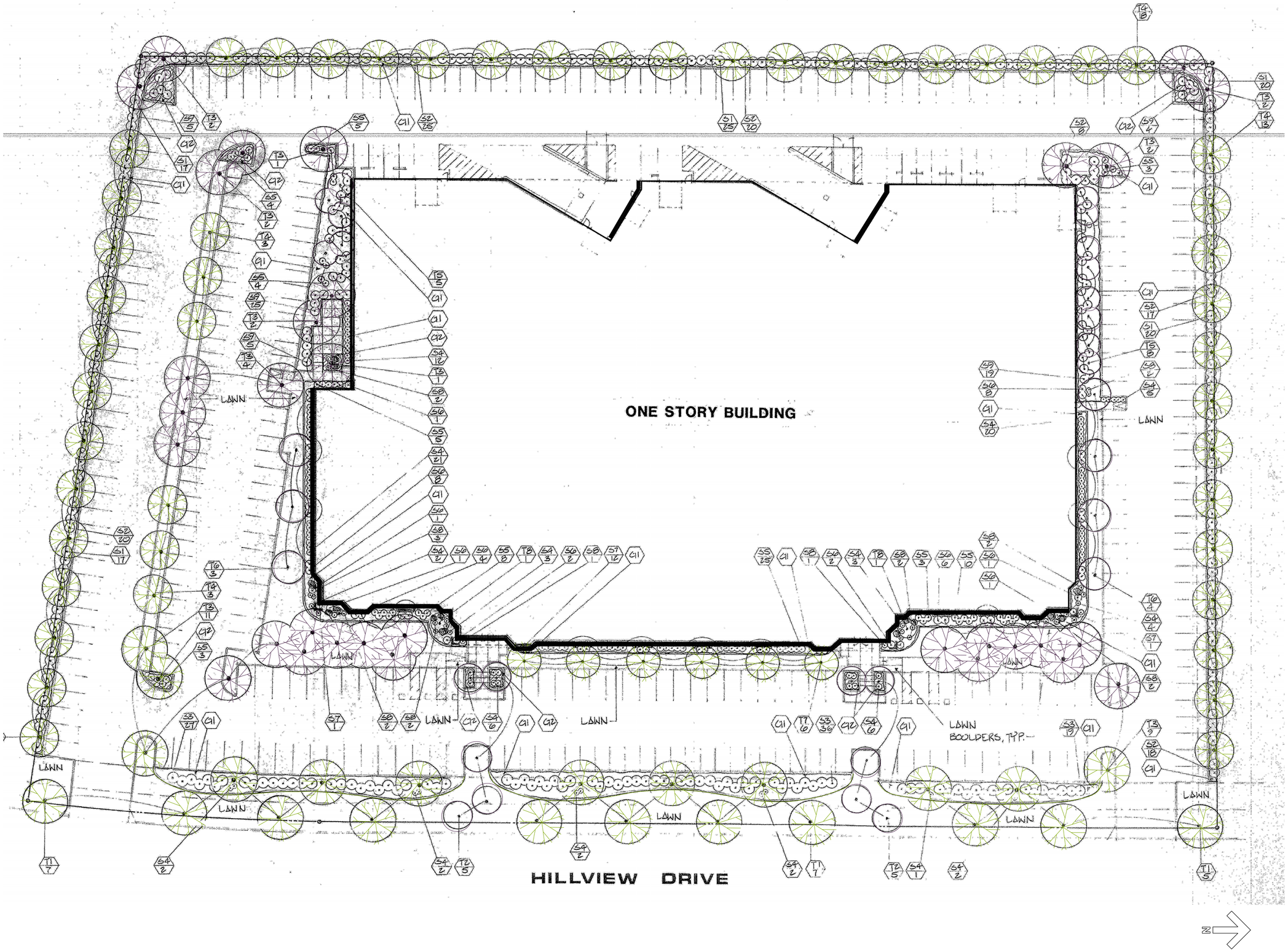
ATTACHMENT C.



EXISTING CONDITIONS - LANDSCAPE PLAN
1"=20'-0"

1

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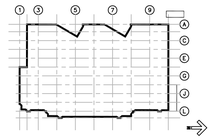
KEY PLAN



Revision	Description	Date
–	PLANNING SUBMITTAL	08/05/10
–	ISSUE FOR REVIEW	05/27/10

Drawing Title
EXISTING CONDITIONS-
LANDSCAPE PLAN

WHL Project No.
10110

Scale
AS NOTED

Date Issued
05/27/10

Drawing No.
A2
FILE: EXIST-A2 SCR:
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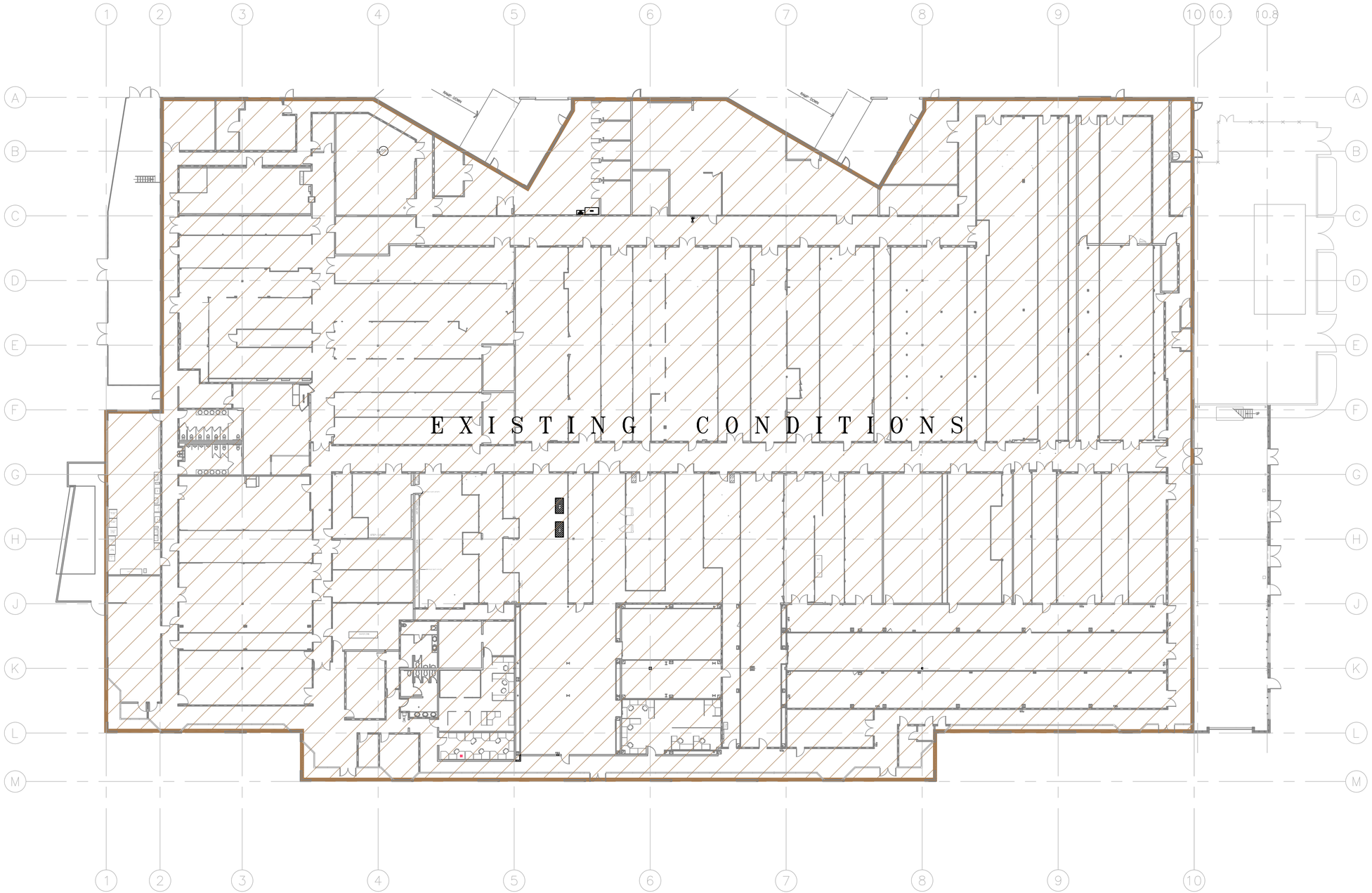

EXISTING CONDITIONS – FLOOR PLAN

1/16"=1'-0"

1

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BUILDING EXPANSION

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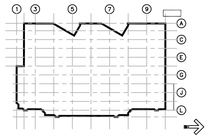
KEY PLAN



Revision	Description	Date
–	PLANNING SUBMITTAL	08/05/10
–	ISSUE FOR REVIEW	05/27/10

Drawing Title
EXISTING CONDITIONS–
FLOOR PLAN

WHL Project No.
10110

Scale
AS NOTED

Date Issued
05/27/10

Drawing No.
A3

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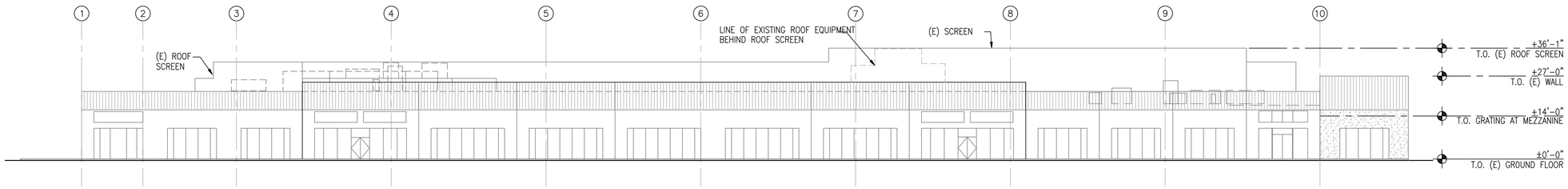
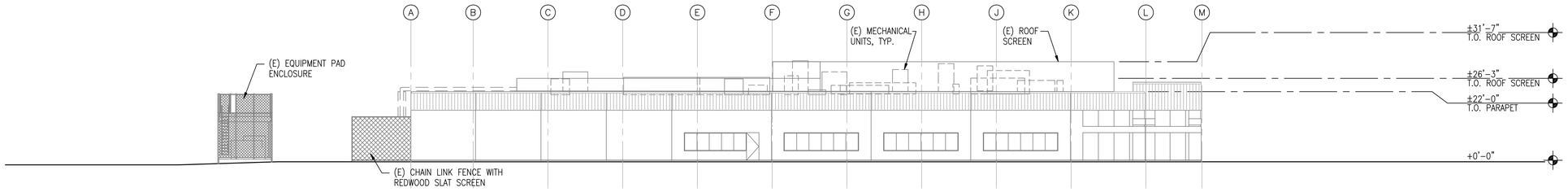


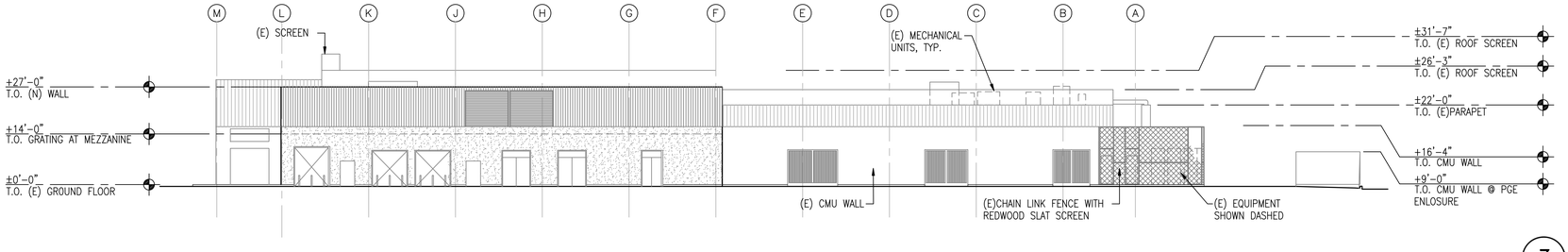
EAST ELEVATION – VIEW FROM STREET 1

1/16"=1'-0"



SOUTH ELEVATION 2

1/16"=1'-0"



NORTH ELEVATION 3

1/16"=1'-0"

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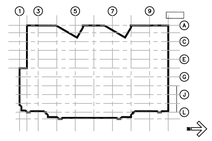
KEY PLAN



Revision	Description	Date
–	PLANNING SUBMITTAL	08/05/10
–	ISSUE FOR REVIEW	05/27/10

Drawing Title
EXISTING CONDITIONS – EXTERIOR ELEVATIONS

WHL Project No.	Scale
10110	AS NOTED
Date Issued	**Drawing No.**
05/27/10	A4

FILE: EXIST- A4 SCR:
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ATTACHMENT C.

PHOTO-A

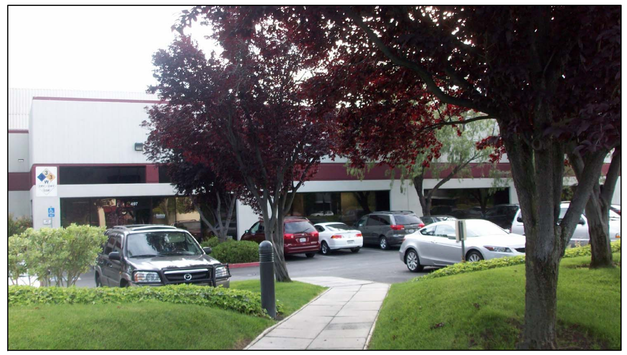
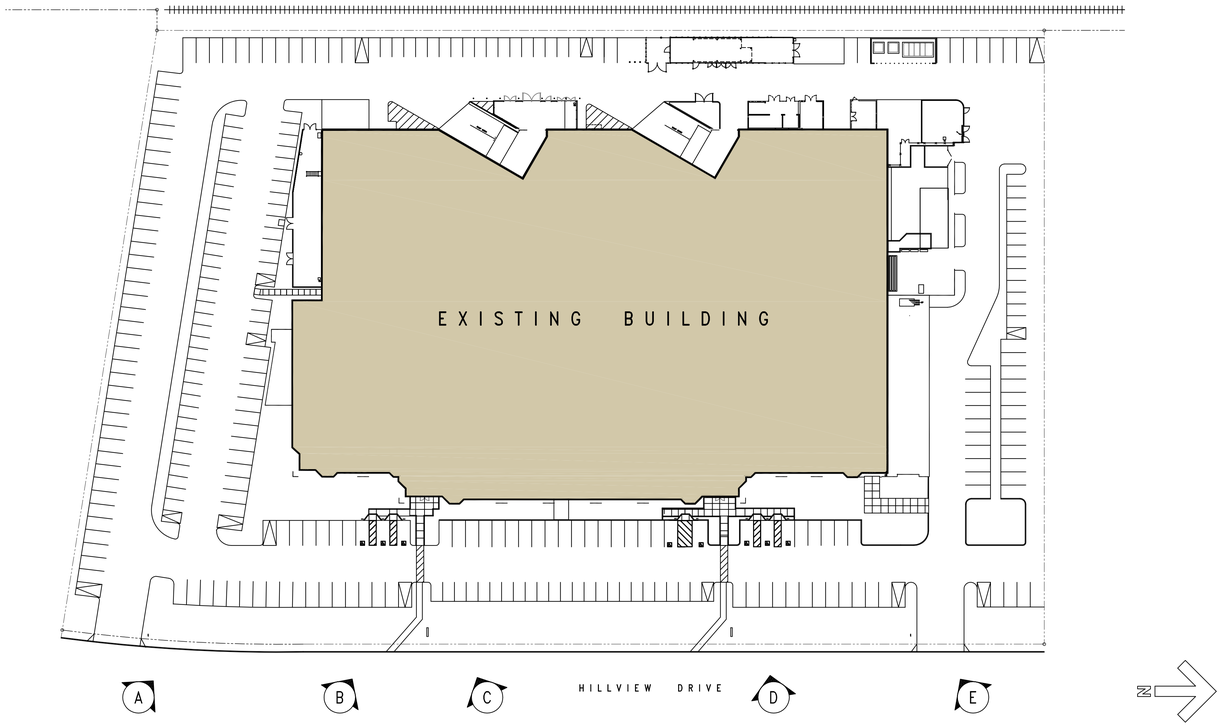


PHOTO-B



EXISTING SITE PLAN - PHOTO LOCATIONS

N.T.S.

1

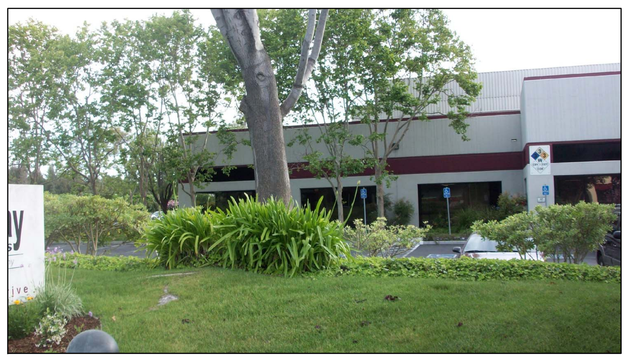


PHOTO-C

PHOTO-D

PHOTO-E

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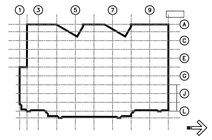

Revision	Description	Date
-	PLANNING SUBMITTAL	08/05/10
-	ISSUE FOR REVIEW	05/27/10

Drawing Title
EXISTING CONDITIONS - PHOTOS

WHL Project No.
10110

Scale
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Date Issued
06/09/10

Drawing No.
A5

FILE: EXIST-A5 SCR:
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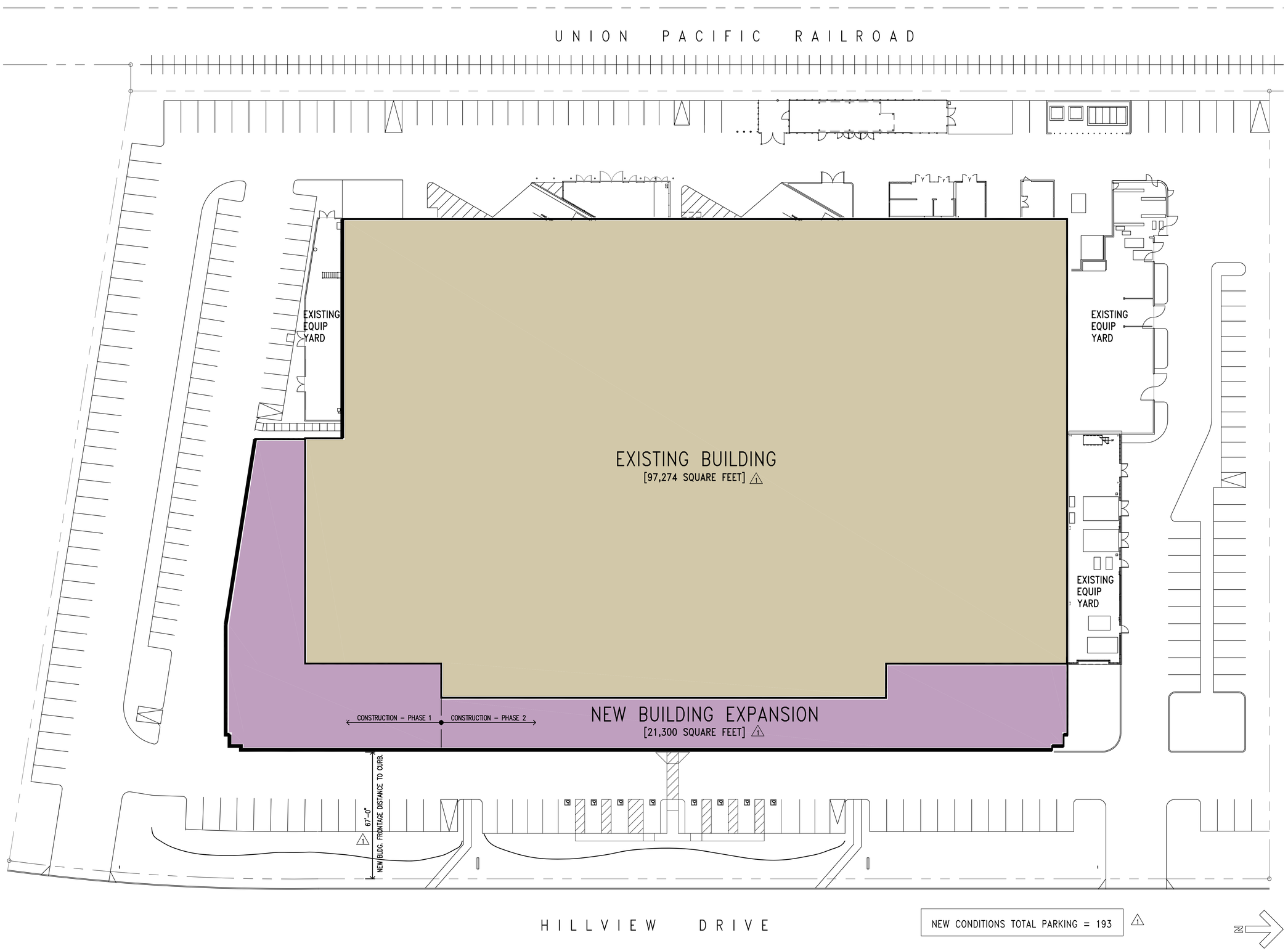

NEW CONDITIONS –SITE PLAN
1/20"=1'-0"

1

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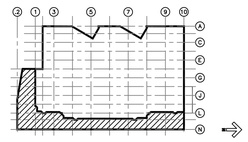
KEY PLAN



Revision	Description	Date

1	PLANNING SUBMITTAL CORRECTIONS	08/19/10
–	PLANNING SUBMITTAL	08/05/10
–	ISSUE FOR REVIEW	05/27/10

Drawing Title
NEW CONDITIONS – SITE PLAN

WHL Project No.
10110

Scale
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Date Issued
06/02/10

Drawing No.
A6

FILE: NEW-A6 SCR:
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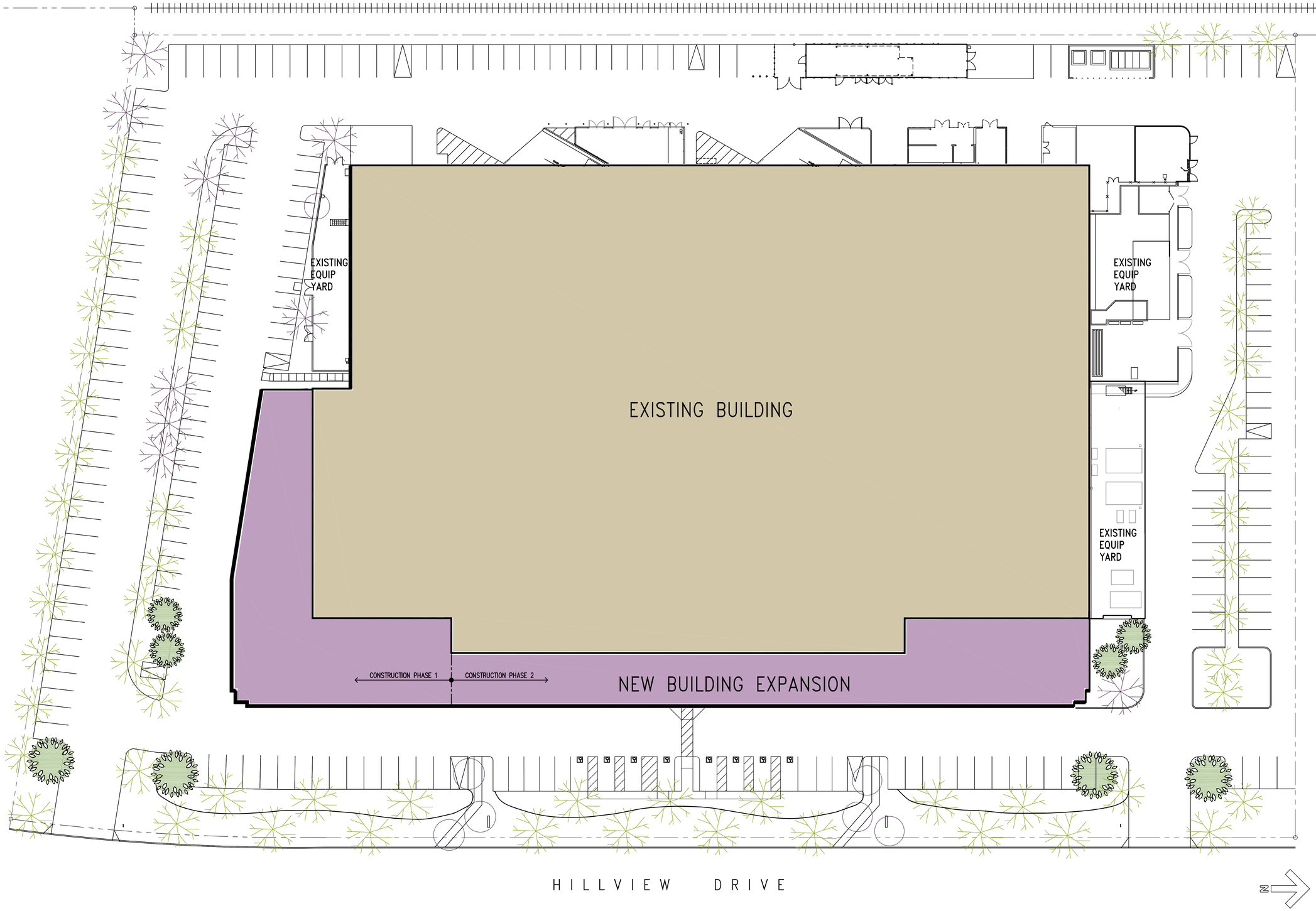

NEW CONDITIONS – LANDSCAPING PLAN
1/20"=1'-0"

1

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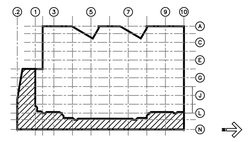
KEY PLAN



Revision	Description	Date
–	PLANNING SUBMITTAL	08/05/10
–	ISSUE FOR REVIEW	05/27/10

Drawing Title
NEW CONDITIONS – LANDSCAPING PLAN

WHL Project No.
10110

Scale
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Date Issued
06/02/10

Drawing No.
A7

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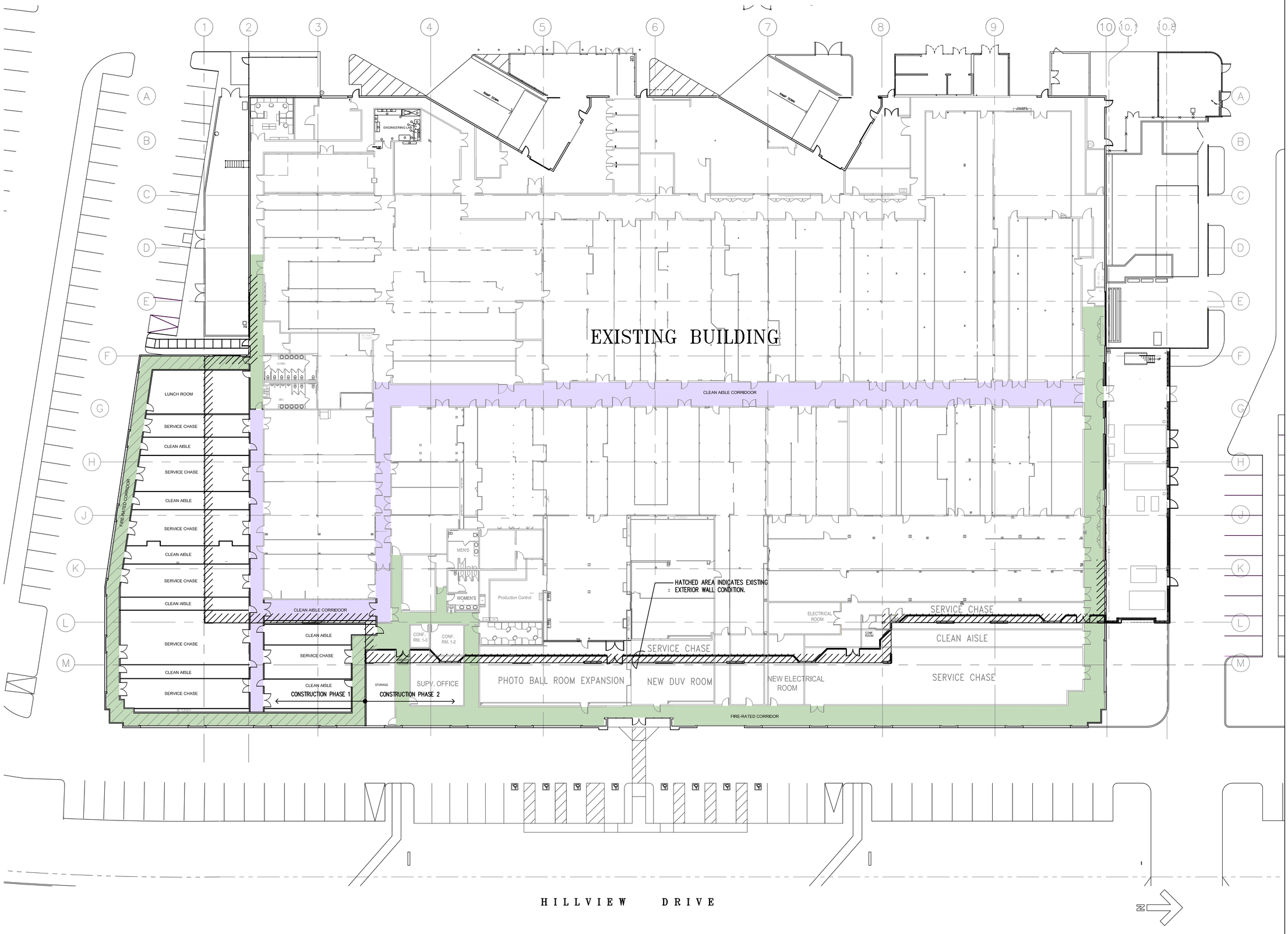
ATTACHMENT C.



NEW CONDITIONS – FLOOR PLAN AND BUILDING EXPANSION

1/16"=1'-0"

1

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BUILDING EXPANSION

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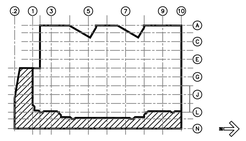
MILPITAS, CA 95035

KEY PLAN



Revision	Description	Date
–	PLANNING SUBMITTAL	08/05/10
–	ISSUE FOR REVIEW	05/27/10

Drawing Title
NEW CONDITIONS – FLOOR PLAN AND BUILDING EXPANSION

WHL Project No. 10110

Scale AS NOTED

Date Issued 05/27/10

Drawing No. A8

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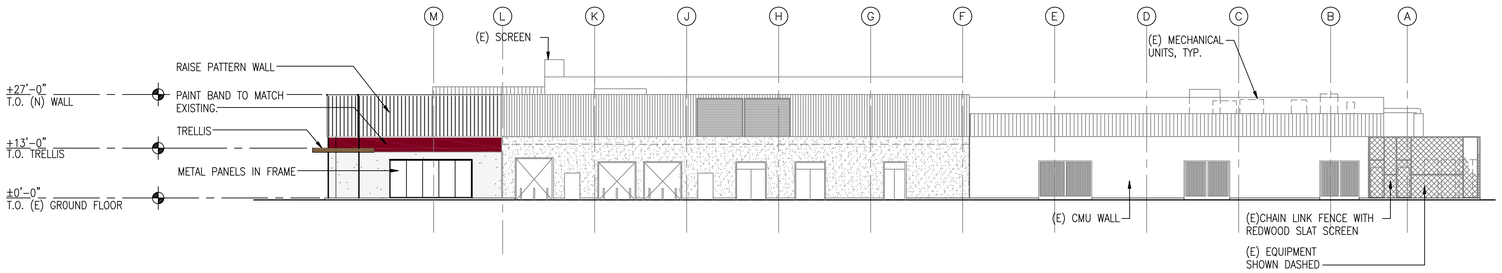
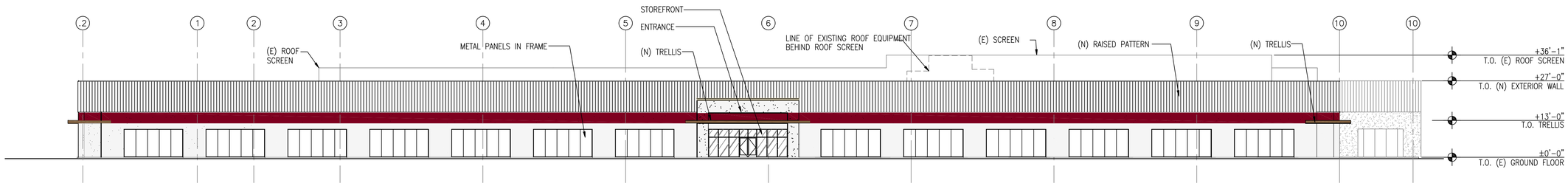


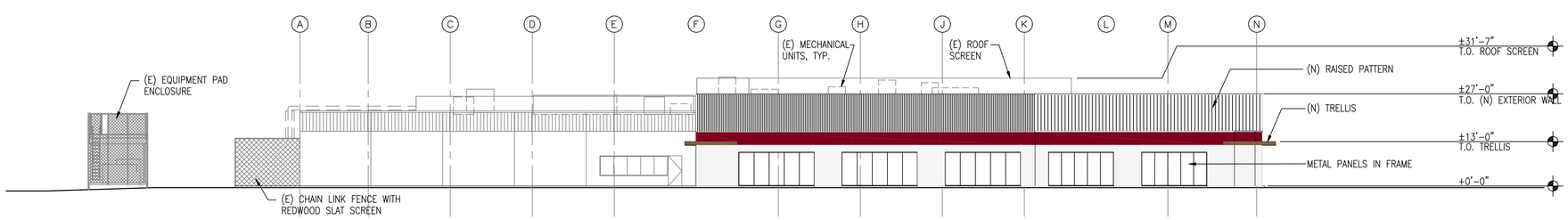
NORTH ELEVATION 1

1/16"=1'-0"



EAST ELEVATION – VIEW FROM STREET 2

1/16"=1'-0"



SOUTH ELEVATION 3

1/16"=1'-0"

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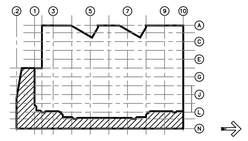
BUILDING EXPANSION

497 S. HILLVIEW DRIVE
MILPITAS, CA 95035

KEY PLAN



Revision	Description	Date
–	PLANNING SUBMITTAL	08/05/10
–	ISSUE FOR REVIEW	05/27/10

Drawing Title
NEW CONDITIONS – EXTERIOR ELEVATIONS

WHL Project No.	Scale
10110	AS NOTED
Date Issued	**Drawing No.**
05/27/10	A9

FILE: NEW-A9 SCR:
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ATTACHMENT C.

NORTH PARKING ENTRANCE FROM HILLVIEW DRIVE

FRONT BUILDING ENTRANCE FROM HILLVIEW DRIVE

SOUTH PARKING ENTRANCE FROM HILLVIEW DRIVE

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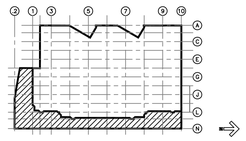
Headway Technologies
A TDK Group Company

BUILDING EXPANSION

497 S. HILLVIEW DRIVE
MILPITAS, CA 95035

KEY PLAN



Revision	Description	Date
–	PLANNING SUBMITTAL	08/05/10
–	ISSUE FOR REVIEW	05/27/10

Drawing Title
NEW CONDITIONS–RENDERINGS

WHL Project No.
10110

Scale
AS NOTED

Date Issued
07/07/10

Drawing No.
A10

FILE: NEW-A10 SCR:
XREF:

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ENVIRONMENTAL CHECKLIST FORM

1. Project title: Headway Technologies building addition and expansion of use.

2. Lead agency name and address: City of Milpitas

3. Contact person and phone number: Tiffany Brown, 408-586-3283

4. Project location: 497 S. Hillview Drive, Milpitas, CA 95035

5. Project sponsor's name and address: Headway Technologies, 678 S. Hillview Drive, Milpitas CA 95035

6. General plan designation: Warehousing and Manufacturing (MFG)

7. Zoning: Heavy Industrial with Site and Architectural Review (M2-S)

8. Description of project:
Environmental Impact Assessment No. EA10-0003: The project proposes a 21,300 square foot addition to the existing 97,274 square foot manufacturing building to allow for an expansion to the photo ball room, a lunch room, several service chase rooms, an office, and utility rooms located at 497 S. Hillview Dr. (APN: 086-38-028) Zoned Heavy Industrial with Site and Architectural Overlay District (M2-S)

Site Development Permit No. SD10-0005: The proposed 21,300 square foot addition with façade modifications to match the existing building and the elimination of 55 parking stalls.

Conditional Use Permit No. UP10-0016 for the request to allow the proposed building addition and existing building Floor Area Ratio (FAR) to exceed the 0.40 FAR zoning development standard.

9. Surrounding land uses and setting: The project site is located within the Heavy Industrial zoning District on S. Hillview Drive. Headway Technologies currently uses this site is for manufacturing and warehousing with hazmat chemicals. Neighboring properties are also zoned Heavy Industrial with uses such as Linear Technology, Bottomley Distributing Co., Magic Technologies etc.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

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.

☐	Aesthetics	☐	Agriculture and Forestry Resources	☐	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Geology /Soils
☐	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials	☐	Hydrology / Water Quality
☐	Land Use / Planning	☐	Mineral Resources	☐	Noise
☐	Population / Housing	☐	Public Services	☐	Recreation
☐	Transportation/Traffic	☐	Utilities / Service Systems	☐	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.

_____ _____
Signature Date

_____ _____
Printed Name For

MAPS

Figure 1: Regional Map

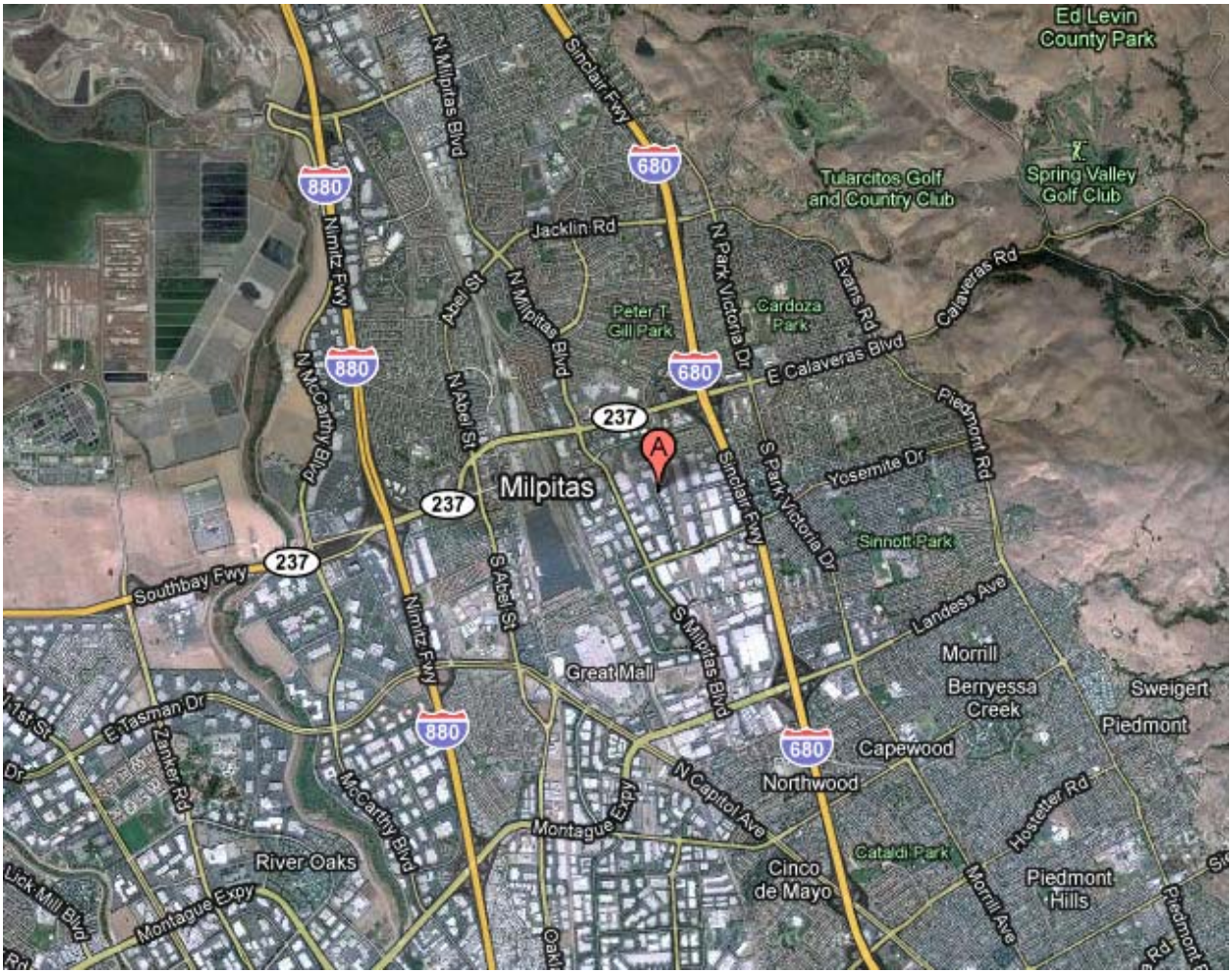

Figure 2: Vicinity Map

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. 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. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. 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.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a. Earlier Analysis Used. Identify and state where they are available for review.
   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   a. the significance criteria or threshold, if any, used to evaluate each question; and
   b. the mitigation measure identified, if any, to reduce the impact to less than significance

ISSUES

I. AESTHETICS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	2,4, 8
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐	2,4, 8
3) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒	2, 8
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒	1, 8

Comment:

As shown on the aerial photograph, the project site is currently developed with one large manufacturing and warehousing structure and parking lot. The site is within a fully developed area in Milpitas. The topography is flat and views of the eastern foothills are partially blocked by existing manufacturing / warehousing buildings. The project site is not located within a scenic vista as designated by the General Plan. The project site includes approximately 123 trees and the proposed building addition will require the removal of 25 trees, none of which are defined as “protected trees” per City Ordinance. It is necessary to remove these trees to allow for the building addition. After construction of the building addition, the applicant proposes to plant eight trees and maintain the existing landscaping. The new 21,300 square foot building addition was designed to incorporate the same look and character as the existing 97,274 square foot warehouse building, which complements the neighboring warehousing buildings. The building addition will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

II. AGRICULTURAL AND FOREST RESOURCES

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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) 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?	☐	☐	☐	☒	1,2,4
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	1,2
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526)?	☐	☐	☐	☒	
4) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,2

Comment:

The proposed project is on a developed 6.025 acre parcel located within the Heavy Industrial Zoning District. The proposed building addition to the existing warehouse building will not convert farmland or conflict with existing zoning for agricultural or forest land uses. The project site is surrounded by the Heavy Industrial Zone and therefore will not involve other changes in the existing environment which could result in conversion of farmland or forest land.

III. AIR QUALITY 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.					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	1,10
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒	1,10
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☐	☒	3,10
4) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒	1, 2, 7
5) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	1

Comment:

The project site is within the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the regional government agency that monitors and regulates air pollution within the air basin. Both the U.S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants which represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called “criteria” pollutants because the health and other effects of each pollutant are described in criteria documents. The major criteria pollutants are ozone, carbon monoxide, nitrogen dioxide (NOx) sulfur dioxide, and particulate matter. Toxic Air Contaminants (TACs) are another group of pollutants of concern. There are many different types of TACs, with varying degrees of toxicity. Cars and trucks release at least forty different toxic air contaminants. The most important, in terms of health risk, are diesel particulate, benzene, formaldehyde, 1,3-butadiene and acetaldehyde. Public exposure to TACs can result from emissions from normal operations, as well as accidental releases.

BAAQMD has established thresholds for what would be considered a significant addition to existing air pollution. According to the BAAQMD CEQA guidelines, a project that generates more than 80 pounds per day of ozone precursors (i.e., reactive organic gases (ROG) and nitrogen oxides) is considered to have

a potentially significant impact on regional air quality. On an annual basis, the threshold is 15 tons per year. For a project that does not individually have significant operational air quality impacts, the determination of a significant cumulative air quality impact is based upon an evaluation of the consistency of the project with the local general plan and of the general plan with the most current Clean Air Plan (CAP).

Sensitive Receptors
BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include residences, school playgrounds, childcare centers, retirement homes, convalescent homes, hospitals and medical clinics. There are no close receptors in close proximity to the project site.

Headway Technologies is an existing business located within the Heavy Industrial Zoning District and is surrounded by manufacturing and warehousing business which limits the amount of sensitive receptors within the area and minimizes the chances of exposing sensitive receptors to a substantial pollutant concentration. The proposed addition and uses within will not create an objectionable odor that may affect a substantial number of people.

Construction-related air quality impacts associated from the proposed project would be the result of dust creating activities and exhaust emissions of construction equipment. Due to the negligible amount and short duration of these impacts, all are considered to be less than significant, except for the activities generating dust.

IV. BIOLOGICAL RESOURCES					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) 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 and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	1,4
2) 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 and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	1,4
3) 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?	☐	☐	☐	☒	1,4
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☐	☒	1,4
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	1, 4, 8
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	1,4

Comment:

The site is within a fully developed area in Milpitas. The project site includes approximately 123 trees and the proposed building addition will require the removal of 25 trees, none of which are defined as

"protected trees" per City Ordinance. It is necessary to remove these trees to allow for the building addition. After construction of the building addition, the applicant proposes to plant eight trees and maintain the existing landscaping.

V. CULTURAL RESOURCES					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	☐	☐	☐	☒	1,4
2) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☐	☐	☒	1,4
3) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☒	1,4
4) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒	1,4

Comment:

The project site is a developed 6.025 acre parcel with a 97,274 square foot building and parking lot. The project proposal includes the addition of 21,300 square feet to the existing manufacturing building, therefore the 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 project as described below.

The proposed project shall implement the following Condition:
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					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
a) Rupture of a known earthquake fault, as described 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.)	☐	☐	☒	☐	1,11, 12, 13
b) Strong seismic ground shaking?	☐	☐	☒	☐	1, 11, 12, 13
c) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1, 11, 12, 13
d) Landslides?	☐	☐	☐	☒	1
2) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	1, 11, 12, 13
3) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒	1, 11, 12, 13
4) 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?	☐	☐	☐	☒	1, 11, 12, 13
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	1, 11, 12, 13

Comment:

The project site is a 6.025 acre developed site with a 97,274 square foot building and parking lot. Per the City of Milpitas General Plan, the project site is not located within the identified geotechnical hazards. The 21,300 square foot building addition will not be built on expansive soils, compressible soils, unstable

soils on slopes, or liquefiable soils. The project site is not located within a fault rapture zone or landslide hazard zone.

The project site is located in a seismically active region. Geologic conditions on the site will require that the new building addition be designed and constructed in accordance with standard engineering techniques and Uniform Building Code guidelines to avoid or minimize potential damage from seismic shaking and liquefaction on the site.

VII. GREENHOUSE GAS EMISSIONS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒	2, 3
2) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒	2, 3

Comment:
The proposed project would not make a cumulatively considerable contribution to global climate change beyond existing conditions. The site is currently used for offices, industrial, and commercial uses. The project location is within an established urban area served by existing infrastructure would not impede the state's ability to reach the emission reduction limits/standards set forth by the State of California by Executive Order S-3-05 and AB 32.

VIII. HAZARDS AND HAZARDOUS MATERIALS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	1
2) 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?	☐	☐	☐	☒	1
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	1
4) 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?	☐	☐	☒	☐	1
5) 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 area?	☐	☐	☐	☒	1
6) 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?	☐	☐	☐	☒	1
7) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1

VIII. HAZARDS AND HAZARDOUS MATERIALS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project: 8) 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?	☐	☐	☐	☒	1

Comment:

Headway Technology is an existing semiconductor company that uses various chemicals and hazardous materials. The project proposal includes the expansion of their business into a 21,300 square foot addition. All facilities that handle virgin or waste hazardous materials quantities subject to the State Hazardous Materials Business Plan (HMBP) are required to prepare and submit a HMBP to the local Unified Program Agency that administers the HMBP Program. HMBP is a document containing detailed information n the storage of hazardous materials at the facility. Chapter 6.95 of California Health and Safety Code (HSC) and Title 19, Division 2, of the California Code of Regulations (CCR) require that facilities which use or store such materials at or above reporting thresholds submit this information. Because they are an existing business, they have filed a Hazardous Materials Business Plan and complied with HSC and CCR.

IX. HYDROLOGY AND WATER QUALITY					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒	1,2
2) 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)?	☐	☐	☐	☒	1,2
3) 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?	☐	☐	☐	☒	1,2
4) 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?	☐	☐	☐	☒	1,2
5) 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?	☐	☐	☐	☒	1,2
6) Otherwise substantially degrade water quality?	☐	☐	☐	☒	1,2
7) 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?	☐	☐	☐	☒	1,2, 14

IX. HYDROLOGY AND WATER QUALITY					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒	1, 2, 14
9) 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?	☐	☐	☐	☒	1,2
10) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1,2

Comment:

The proposed project would conform to the City flood hazard management ordinance; therefore, implementation of the project would not result in people or structures being exposed to any significant flood risk.

Impervious surfaces on the proposed project would be approximately the same as the amount of impervious surfaces that exist on the site. The project proposes to eliminate some trees and vegetation, to allow for the building addition; however, the rest of the existing landscaping and vegetation will be maintained including the addition of eight trees. In maintaining the landscaping, Headway Technologies is ensuring that stormwater runoff from the project site would not exceed the capacity of the existing storm drainage system, or contribute significantly to downstream flooding.

X. LAND USE					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Physically divide an established community?	☐	☐	☐	☒	1, 2
2) 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?	☐	☐	☐	☒	1, 2
3) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1, 2, 4

Comment:

The project site is a 6.025 acre parcel located within the Heavy Industrial Zoning District. The Heavy Industrial Zoning District is reserved for the construction, use, and occupancy of buildings and facilities for office, research, general manufacturing, warehousing and distribution and the like. Headway Technologies is a permitted use within this zoning district. The existing facility is a 97,274 square foot building. The project proposal is to expand their use by adding 21,300 square feet to the existing building. This addition will exceed the allowable floor area ratio (FAR) development standard of 0.40. Increases above the maximum permitted FAR for any district can be allowed with approval of a Conditional Use Permit by the Planning Commission. The proposed building addition will not physically divide an established community or applicable habitat conservation plan.

XI. MINERAL RESOURCES					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) 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?	☐	☐	☐	☒	1, 4
2) 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?	☐	☐	☐	☒	1, 4

Comment:
The site is within a fully developed area in Milpitas. The project would not result in the loss of availability of a known mineral resource, and no mineral excavation sites are present within the general area. The proposed project, therefore, would not result in impacts to mineral resources.

XII. NOISE					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project result in:					
1) 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?	☐	☐	☐	☒	1, 6
2) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	1, 6
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	1, 6
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	1, 6
5) 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?	☐	☐	☐	☒	1, 6
6) 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?	☐	☐	☐	☒	1, 6

Comment:

Noise is defined as unwanted sound. Noise can be disturbing because of its pitch or loudness. Pitch refers to relative frequency of vibrations, higher pitch signals sound louder to people.

A decibel (dB) is measured based on the relative amplitude of a sound. Ten on the decibel scale marks the lowest sound level that a healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis such that each 10 decibel increase is perceived as a doubling of loudness. The California A-weighted sound level, or dBA, gives greater weight to sounds to which the human ear is most sensitive.

The Environmental Quality Element of the City of Milpitas's General Plan identifies noise and land use compatibility standards for various land uses (General Plan Figure 5-G). The City establishes 70 to 80 DNL as the noise limit for public/educational land uses. Chapter 9.10 "Regulation of Noise and Vibration," of the City of Milpitas Municipal Code identifies allowable hours for construction to limit impacts to sensitive uses. Headway Technologies currently operates within the allowable DNL.

XIII. POPULATION AND HOUSING					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) 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)?	☐	☐	☐	☒	1, 2, 8
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1

Comment:

The proposed project would not result in significant population or housing impacts.

XIV. PUBLIC SERVICES					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project: 1) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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?	☐	☐	☐	☒	1
Police Protection?	☐	☐	☐	☒	1
Schools?	☐	☐	☐	☒	1
Parks?	☐	☐	☐	☒	1
Other Public Facilities?	☐	☐	☐	☒	1

Comment:
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.

The project proposal will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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.

XV. RECREATION					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) 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?	☐	☐	☐	☒	1, 4, 8
2) 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?	☐	☐	☐	☒	1, 4, 8

Comment:
The proposed project would not result in significant impacts to parks and recreational facilities.

XVI. TRANSPORTATION/TRAFFIC					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	1, 3
2) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒	1, 3
3) 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?	☐	☐	☐	☒	1
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☐	☒	1
5) Result in inadequate emergency access?	☐	☐	☐	☒	1
7) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒	1

Comment:

Headway Technologies is an existing business located within a 97,274 square foot building with parking lot consisting of 248 spaces. The project proposal for the 21,300 square foot building addition will reduce the existing parking by 55 spaces to include a larger photo ball room, a lunch room, several services chase rooms, an office, and utilities rooms. Trip generation uses emphasis on acreage and building square footage to estimate the amount of traffic generation rates. The new building addition is estimated to

generate less than 100 trips, which is a less then significant impact. Per the Zoning Ordinance, the amount of parking required for a manufacturing building is one parking space per every 1,500 square feet. The existing building plus the proposed addition will require a total of 79 parking spaces. The remaining parking available after the reduction of 55 spaces for the building addition is 193 parking spaces. Therefore the proposed building meets the Zoning Ordinance requirements for parking.

*Note: This page has been updated since August 20, 2010 to show the correct amount of parking required per the Milpitas Zoning Ordinance. However, the outcome of this section remained the same.

XVII. UTILITIES AND SERVICE SYSTEMS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	1,2
2) 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?	☐	☐	☒	☐	1,2
3) 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?	☐	☐	☒	☐	1,2
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	1,2
5) 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?	☐	☐	☒	☐	1,2
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	1,2
7) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	1,2

Comment:
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

The project will comply with all federal, state, and local statutes and regulations related to waste water treatment and solid waste.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
1) 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?	☐	☐	☐	☒	1, A
2) 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)?	☐	☐	☐	☒	1, A
3) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☐	☒	1, A
4) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒	1, A

Comment:

As shown on the aerial photograph, the project site is currently developed with one large manufacturing and warehousing structure and parking lot at 497 S. Hillview Drive. The site is within a fully developed area in Milpitas. The 6.025 acre parcel is located within the Heavy Industrial Zoning District. The Heavy Industrial Zoning District is reserved for the construction, use, and occupancy of buildings and facilities for office, research, general manufacturing, warehousing and distribution and the like. Headway Technologies is a permitted use within this zoning district. The existing facility is a 97,274 square foot building. The project proposes a 21,300 square foot addition to the existing manufacturing building to allow for an expansion to the photo ball room, a lunch room, and several services chase rooms, an office, and utilities rooms. This proposal is consistent the General Plan and Zoning Ordinance with the increases above the maximum permitted FAR approval of a Conditional Use Permit by the Planning Commission. Cumulatively the project proposal will not have a significant impact on the environment.

SOURCES
General Sources:

1. CEQA Guidelines - Environmental Thresholds (Professional judgment and expertise and review of project plans)
2. City of Milpitas General Plan (Land Use Chapter)
3. City of Milpitas General Plan (Circulation Chapter)
4. City of Milpitas General Plan (Open Space & Environmental Conservation Chapter)
5. City of Milpitas General Plan (Seismic and Safety Chapter)
6. City of Milpitas General Plan (Noise Chapter)
7. City of Milpitas General Plan (Housing Chapter)
8. City of Milpitas Zoning (Title XI)
9. California Department of Conservation, *Santa Clara County Important Farmland 2006,* Map. June 2005
10. Bay Area Air Quality Management District, CEQA Guidelines, June 2010
11. County of Santa Clara Department of Public Works, *Soil Map Sheet 19,* 1964
12. United States Department of Agriculture, Soil Conservation Service, *Soils of Santa Clara County*, 1968
13. California Department of Conservation, *Geologic Map of the San Francisco-San José Quadrangle*, 1990
14. Federal Emergency Management Agency, *Flood Insurance Rate Map, Community Panel Nos. 06085CIND0A, 06085C0058H, 06085C0059H, 06085C0066H, 06085C0067H, 06085C0068H, 06085C0069H.06085C0080H, 06085C0086H, and 06085C0087H*
15. Transit Area Specific Plan Final Environmental Impact Report, June 2008

Project Related Sources:

A. Project application and plans

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.