



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: December 12, 2012

APPLICATION: **Conditional Use Permit No. UP12-021, Site Development Permit Amendment No. SA12-0008, and Environmental Assessment No. EA12-0003, Taipei Economic and Cultural Office Center.**

APPLICATION SUMMARY: A request to operate a 30,784 square foot cultural center within an existing vacant industrial building and install site improvements and minor building modifications that include replacement of an existing trash enclosure, parking lot resurfacing and re-striping, and rehabilitation of landscaping.

LOCATION: 100 S. Milpitas Blvd. (APN 86-28-029)
APPLICANT: Sy-Cheng Tsai, 2050 Concourse Drive, San Jose, CA 95131
OWNER: Ruby Hill LP, C/O Diane Rubino, P.O. Box 18730, San Jose, CA 95158.

RECOMMENDATION: **Staff recommends that the Planning Commission: Adopt Resolution No. 12-043 approving the project subject to the conditions of approval.**

PROJECT DATA:
General Plan/
Zoning Designation: Town Center (TWC)/Town Center (TC)
Overlay District: Site and Architectural Overlay (-S)
Specific Plan:

CEQA Determination: Categorically Exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

PLANNER: Cindy Hom, Assistant Planner

PJ: 2861

ATTACHMENTS: A. Resolution No. 12-043/Conditions of Approval

- B. Project Plans
- C. Project Description
- D. Schedule of Activities
- E. Risk Assessment
- F. Environmental Assessment

LOCATION MAP



Not to Scale.

BACKGROUND

In March 1984, the Planning Commission granted site and architectural approval for the construction of a new two story, concrete tilt up R&D building, surface parking spaces, and landscaping amenities consisting of White Alder, Sequoia, Liquid Amber, and Brisbane Box trees. Subsequent approvals included installation of a 1,400 square equipment enclosure and security fencing. Since the June 2010, the building has been vacated.

On September 13, 2012, Sy-Cheng Tsai with the Taipei Economic and Cultural Office submitted a conditional use permit application to allow for the operations of a 30,784 square foot cultural community center that would be operated six days a week during the hours of 9:30AM to 9:30PM. The project also includes a site development permit amendment for the installation of various site and exterior modifications such as parking lot resurfacing and re-striping, rehabilitation of landscaping, replacement of an existing trash enclosure, and minor façade changes. The application is submitted pursuant to Milpitas Municipal Code XI-10-5.02-1 (Cultural Center), which requires Planning Commission review and approval.

PROJECT DESCRIPTION

The project site is located on a 2.02-acre parcel developed with a two-story, concrete tilt-up building located at the northeast corner of the intersection at S. Milpitas Boulevard and Los Coches Street. The subject property is bounded by S. Milpitas Boulevard to the west, Los Coches Street to the south, quasi-public buildings to the east, and medical and dental offices to the north. The project site is zoned Town Center and is surrounded by industrial uses to the south, quasi public uses to the east, medical and dental office uses to north, and commercial services to the west, however, the city is currently processing an application for the development of 113 residential units on the adjacent neighboring site. A vicinity map of the subject site location is included on the previous page.

The applicant is requesting a conditional use permit to operate a cultural community center within an existing 30,847 square foot vacant industrial building that includes a 5,445 square foot multi-purpose auditorium room, approximately 5,232 square feet of conference and meeting room space, 1,820 square feet of administrative offices, a 1,128 square foot art exhibit hall, and a 2,128 square foot library room. The project also includes various exterior and site modifications such as new exterior lights, replacement of an existing trash enclosure, rehabilitation of landscaping, parking lot resurfacing and restriping.

Site Plan

As depicted on the site plan, access to the site is provided by two driveways on Los Coches Street and one driveway entrance on S. Milpitas Boulevard. The site is developed with a two story industrial buildings that provide a total of 30,874 square feet of floor area, 106 parking spaces and trash enclosure located at the northeast corner of the site. The applicant is proposing various site improvements to parking, trash enclosure, and landscaping.

Parking Lot

The applicant proposes re-surfacing and re-striping of the parking lot area. The on-site parking consists of regular and compact stalls. Currently, the proposal shows compact parking located at

the north side of the building. Staff recommends as a condition of approval, that the compact stalls are dispersed through out the site as required by the Parking Ordinance.

Trash Enclosure

The project proposed to replace the existing trash enclosure with a new 240 square foot enclosure that is constructed with concrete block walls with cement plaster that will be painted to match the main building. The enclosure also includes metal gates and a decorative metal cover that would be constructed over the trash enclosure.

Landscaping

The applicant proposes to rehabilitate the existing landscaping. The applicant proposes to remove and replace any damaged or dead plantings. Staff recommends as a condition of approval that prior to building permit issuance, the applicant submits a landscaping and irrigation plan that shows existing landscaping to remain as well as landscaping to be removed and replaced. Removal of any “protected” trees shall require Planning Commission Subcommittee approval and a tree removal permit that is issued from the Public Works Department. Removal of any protected trees shall be replaced at a 2:1 ratio.

The applicant is also proposing to install three new flag poles near the front entry way. The proposed flag poles will stand 20-feet tall. The Milpitas Sign Ordinance provisions allows for one flag signs per site or building and not to exceed 40 square feet per flag sign. The code also exempts flag poles that are intended to display the United States Flag, California State Flag, and City/County Flag. The applicant intends to display the United States Flag, California State Flag, and a corporate flag for the Taipei Economic and Cultural Offices. Therefore, the project is consistent with the City’s sign ordinance.

Floor Plan

The 30,874 square foot facility includes the following functions and uses listed in Table 1A below

Table 1A:
Proposed Weekday Uses (Tuesday thru Friday)

Room	Square Footage / Seats	Uses	Hours of Operation
Multipurpose Auditorium with stage	5,445 (auditorium) 1,025 (stage)	Recreation and physical fitness activities	9:30AM - 3:30PM and 5:30PM – 10:00PM
Lecture Room	1,745	Small assemblies, seminars, and presentations	2:30PM – 10:00PM
Meeting Rooms	1,574	Conducting meeting	

Room	Square Footage / Seats	Uses	Hours of Operation
<ul style="list-style-type: none"> Room A Room B 	467 699	and conferences	7:30PM – 10:00PM 7:30PM – 10:00PM
Training Rooms <ul style="list-style-type: none"> Room A Training Rooms <ul style="list-style-type: none"> Room B Room C Room D Computer Classroom 	1,924 415 415 403 408 698	Training, classes, workshops, seminar	1:30 PM -10:00 PM 1:30 PM -10:00 PM 1:30 PM -10:00 PM 1:30 PM -10:00 PM 1:30 PM -10:00 PM
Administrative Offices and Lobbies	2,281	Office administration	9:30AM – 5:30PM
Library	2,128	Individual studies	9:30AM – 5:30PM
Art Exhibit Hall	1,128	Display of various art pieces	9:30AM – 5:30PM
Storage	2,583	Storage	

Table 1B:**Proposed Weekend Uses (Saturday and Sunday)**

Room	Square Footage / Seats	Uses	Hours of Operation
Multipurpose Auditorium with stage	5,445 (auditorium) / 396 seats 1,025 (stage)	Group Activities (daytime) and Assemblies (nighttime). Proposed to occur twice a month	8:00AM – 10:00PM
Lecture Room	1,745	Public service	9:30AM – 1:00PM
Administrative Office and Lobbies	2,281	Office administration	9:30AM – 3:30PM

Room	Square Footage / Seats	Uses	Hours of Operation
• Briefing Room	408		
Library	2,128	Individual studies	9:30AM – 5:30PM
Art Exhibit Hall	1,128	Display of various art pieces	9:30AM – 5:30PM
Storage	2,583	Storage	

Table 1C:
Proposed Special Event

Room	Square Footage / Seats	Uses	Hours of Operation
Multipurpose Auditorium with stage	5,445 (auditorium) / 396 seats 1,025 (stage)	Celebratory Activities for New Year's, Chinese New Year's, National Day of ROC	10:000AM – 9:00PM

Parking Requirements

The applicant provided a schedule of activities for its weekday, weekend, and special event operations. Based on the schedule of activities and hours of operation, the peak use during the weekday is between the hours of 1:30PM to 5:30PM when facility is in full use. The parking demand during this peak period is 99 parking spaces. The site provides 107 parking spaces and therefore complies with the parking requirements. The peak weekday parking demand for the facility is summarized in tables below:

Table 2A:
Weekday Parking Demand

Uses	Square Footage / Seats	Parking Ratio	Required Parking
Multipurpose auditorium and stage	6570	1/200	33
Lecture Hall	120 seats	1 / 4 seats	30
Library	2,128	1/400	5
Offices	2,281	1/240	10
Meeting rooms	1,574	1/200	8
Training rooms	1,924	1/200	10
Art Exhibit	1,128	1/400	3
Total Required			99

Total Provided	107
----------------	-----

The peak parking demand for the weekend is between the hours of 5:00PM to 10:00PM which the multipurpose room is used for an auditorium or banquet facility which as a seating capacity of 396 seats which requires 99 parking spaces. To ensure that the parking requirements are satisfied, the applicant would not operate any of the office space, training rooms, meeting rooms library or lecture hall at the same time when the auditorium or banquet seating is proposed for the multipurpose room.

Table 2B:
Weekend Peak Parking Demand and Special Events

Uses	Square Footage / Seats	Parking Ratio	Required Parking
Multipurpose auditorium	396 seats	1 / 4 seats	99
Art Exhibit	1,128	1/400	3
Front Lobby	843	1/240	4
Total Required			106
Total Provided			107

To ensure compliance with parking requirements and to monitor the parking conditions staff recommends the following conditions of approval:

- The applicant shall develop and implement a Transportation Demand Management plan to encourage ridesharing and use of public transportation.
- The project shall be required a six and twelve month reviews by the Planning Commission. The permit review shall require a public hearing at which the Planning Commission may impose additional special conditions, if necessary, to address any issues related to the new use. The applicant shall bear the costs of all materials and fees associated with the hearing.
- When the multipurpose auditorium is used for the seating capacity of 396 seats for presentations, performances, and special events, all other rooms such as but not limited to the lecture hall, training rooms, meeting rooms and library shall not be operated to ensure parking is not over capacity.

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 3
General Plan Consistency

Policy	Consistency Finding
<p>Guiding Principle 2.d-G-2, <i>Development of adequate civic, recreational and cultural centers in locations for the best service to the community and in ways, which will protect and promote community beauty and growth.</i></p>	<p>Consistent. The proposed cultural community center offers cultural opportunities and community services for both the local community and the region given its location and proximity to residential land uses and Interstate Highway 680.</p>

Zoning Ordinance

The project conforms to the Milpitas Zoning Ordinance in that cultural community centers are conditionally permitted in the Town Center zoning district and complies with the development standard in terms of setbacks, height, FAR landscaping. As demonstrated in section above, the project complies with the parking requirements based on the facility’s peak parking demand.

The project will not be detrimental or injurious to property, public health, safety and general welfare given the surrounding lands uses include other quasi public uses, commercial service, and nearby residential areas. Although the project is located within the vicinity of industrial uses, the project would not create a potential negative impact. As a condition of approval, the applicant will be required to implement the mitigation measures described in the Environmental Assessment (EA12-0003) that includes an evacuation/shelter-in-place program and Emergency Action Plan that is reviewed and approved by the Fire Department prior to occupancy. Therefore the proposed project is consistent with the Zoning Ordinance in terms of public health and safety as well as promotes peace, morals, comfort and welfare consistent with Section 57.04 of the Milpitas Zoning Ordinance.

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 Mitigated Negative Declaration (EA12-0003) was prepared and circulated for this project. The environmental assessment determined there would be no significant impacts related to this project. Further discussion of potential impacts is included in the attached Environmental Assessment No. EA12-0003. A mitigation-monitoring program ensures that any potential environmental impacts for hazardous materials and parking are lessened to a less than significant level. The twenty-day public review period was held from November 20, 2012 to December 12, 2012. At the time of the preparation of the staff report, no comments were received by the public regarding the environmental document. Any additional comments received will be presented at the Planning Commission hearing. Staff recommends adoption of the Mitigated Negative Declaration with the mitigation measures incorporated therein.

PUBLIC COMMENT/OUTREACH

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

CONCLUSION

The project is consistent with the General Plan in that it encourages the development of adequate civic, recreational and cultural centers in locations for the best service to the community given its location to serve both the local and regional community. The proposed cultural community center conforms to the Town Center zoning ordinance in terms of land use, development standards, and parking regulations. As conditioned, the project will not have a negative impact on public health, safety, and general welfare.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission close the public hearing and adopt Resolution No. 12-043 approving Conditional Use Permit No. UP12-0021, Site Development Permit No. SA12-0008, and Environmental Assessment EA12-0003, subject to the attached Conditions of Approval.

Attachments:

- A. Resolution No. 12-043
- B. Project Plans
- C. Project Description
- D. Schedule of Activities
- E. Risk Assessment
- F. Environmental Assessment

RESOLUTION NO. 12-043**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. UP12-022, SITE DEVELOPMENT PERMIT AMENDMENT NO. SA12-0008, AND ENVIRONMENTAL ASSESSMENT NO. EA12-0003, TAPEI ECONOMIC AND CULTURAL OFFICE CENTER (TECO), A REQUEST TO OPERATE A 30,874 SQUARE FOOT CULTURAL COMMUNITY CENTER LOCATED AT 100 S. MILPITAS BLVD.**

WHEREAS, on September 13, 2012, Sy-Cheng Tsai submitted an application to allow for a 30,874 square foot cultural community center and installation of minor site and building improvements located at 100 S. Milpitas Blvd. (APN 86-28-029). The property is located in the Town Center Zoning District with Site and Architectural Overlay (TC-S); and

WHEREAS, the Planning Commission reviewed the Mitigated Negative Declaration prepared for this project in accordance with the California Environmental Quality Act, which determined less than significant impacts on the environment from the proposed cultural community center. The Initial Study and Mitigated Negative Declaration were circulated for public comment on November 20, 2012 to December 12, 2012. The environmental documents are maintained by the Milpitas Planning Division located 455 E. Calaveras Boulevard, Milpitas, CA 95035

WHEREAS, on December 12, 2012, 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 and in accordance with the provisions of the California Environmental Quality Act, California Public Resources Code §§ 21000, et seq. (CEQA), an Initial Study/Mitigated Negative Declaration was prepared and properly circulated for public review wherein it was determined that environmental impacts could be reduced to a level of less than significant through implementation of project requirements and compliance with mitigation monitoring program attached hereto as Exhibit 2; and

Section 3: The project is consistent with the General Plan in that it encourages the development of adequate civic, recreational and cultural centers in locations for the best service to the community given its location to serve both the local and regional community.

Section 4: Cultural community centers are conditionally permitted uses in the Town Center zone. The project conforms to the Milpitas zoning ordinance in terms of land use and development standards. The site modifications provide for an orderly and harmonious

development that complements existing conditions in that it revitalize a vacant building and restore landscaping amenities.

Section 5: As conditioned, the project will not have a negative impact on public health, safety, and general welfare. Based on the schedule of activities, the peak parking demand can be satisfied with on-site parking spaces. As conditioned, the applicant will be required to implement the mitigation measures described in the Environmental Assessment (EA12-0003) that includes an evacuation/shelter-in-place program and Emergency Action Plan.

Section 6: The Planning Commission of the City of Milpitas hereby approves Conditional Use Permit No. UP12-0022, Site Development Permit Amendment No. SA12-0008, and Environmental Assessment No. EA12-0003, TECO Community Center, 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 December 12, 2012.

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 December 12, 2012, and carried by the following roll call vote:

COMMISSIONER AYES NOES ABSENT ABSTAIN

- Lawrence Ciardella**
- John Luk**
- Rajeev Madnawat**
- Sudhir Mandal**
- Zeya Mohsin**
- Gurdev Sandhu**
- Steve Tao**
- Garry Barbadillo**

EXHIBIT 1

CONDITIONS OF APPROVAL

Conditional Use Permit No. UP12-022, Site Development Permit Amendment No. SA12-0008, and Environmental Assessment No. EA12-0003, TECO Community Center

Planning Division

1. The owner or designee shall develop the approved project in conformance with the approved plans approved by the Planning Commission on December 12, 2012, 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.

2. Conditional Use Permit No. UP12-0022 and Site Development Permit Amendment No. SA12-0008 shall become null and void if the project is not commenced within 24 months from the date of approval. Pursuant to Section 64.04-2 of the Zoning Ordinance of the City of Milpitas, since the project requires the issuance of a building permit, the project shall not be deemed to have commenced until the date of the building permit is issued and a foundation is completed.

Pursuant to Section 64.06, the owner or designee shall have the right to request an extension of Conditional Use Permit No. UP12-0022 and Site Development Permit Amendment No. SA12-0008 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein.

3. This use shall be conducted in compliance with all appropriate local, state and federal laws and regulations, and in conformance with the approved plans.
4. If at the time of application for permit there is a project job account balance due to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full.
5. If at the time of application for a certificate of occupancy there is a project job account balance due to the City for recovery of review fees, a certificate of occupancy shall not be issued until the balance is paid in full.
6. Any occupancy of the tenant space shall not occur until all conditions of approval have been satisfied and verified by the City.

7. Prior to building permit issuance, the applicant shall provide a parking re-stripping plan to demonstrate compliance with parking development standards. Compact parking spaces shall be distributed throughout the entire parking lot area.
8. Prior to certificate of occupancy, the applicant shall develop and implement a Transportation Demand Management plan to encourage ridesharing and use of public transportation. (P)
9. The project shall be reviewed by the Planning Commission in a fully noticed public hearing *within* six (6) months of occupancy and another subsequent permit review at twelve months. The Planning Commission may impose additional special conditions, if necessary, to address any issues related to the new use. The applicant shall bear the costs of all materials and fees associated with the hearing.
10. When the multipurpose auditorium is used for the seating capacity of 396 seats for presentations, performances, and special events, all other rooms such as but not limited to the lecture hall, training rooms, meeting rooms and library shall not be operated to ensure parking is not over capacity. (P)
11. Staff recommends as a condition of approval that prior to building permit issuance, the applicant submits a landscaping and irrigation plan that shows existing landscaping to remain as well as landscaping to be removed and replaced. Removal of any “protected” trees shall require Planning Commission Subcommittee approval and a tree removal permit that is issued from the Public Works Department. Removal of any protected trees shall be replaced at a 2:1 ratio.

Environmental Mitigations

12. HAZ MM 1: The applicant shall design install a wind directional sock on the subject site. Additionally, the building shall have an in-place communication system for notifying occupants via a pre-recorded message in the event of an incident and then directing them on emergency procedures to follow. Part of the building response system will also include a ventilation system with manual shutoff control shall shut down airflow and to calculate the airflow and air exchanges within the building in the event of an incident. The Plan will outline the operational aspects of this system shall be submitted to the Fire Department for review of completeness and approval, prior to building occupancy. (P) (F)
13. HAZ MM2: The applicant shall update, to the satisfaction of the city’s Fire Department, the Plan on an annual basis. This update shall be conducted by a qualified safety consultant and shall be coordinated with the City’s Fire Department in order to assure continuity of the implementation of the plan. (P) (F)
14. HAZ MM3: The applicant shall prepare, to the satisfaction of the City’s Fire Department, a Plan for the site, which recognizes the nature of risks at the project site and in the industrial area surrounding the project site. Such a plan shall describe the evacuation/shelter-in-place programs and all related emergency procedures. The Plan shall include measures to protect personnel who are on facility premises, both inside and outside buildings. This plan shall also include emergency supply

provisions for a time period as determined by the Fire Department. The development of the plan is the responsibility of the applicant and shall be approved prior to building occupancy. Proper implementation of this plan on an on-going basis shall be achieved by the property owner, to the satisfaction of the City's Fire Department, by submitting proof, on an annual basis, which indicates training, annual drills, and outreach have occurred. (P) (F)

Engineering Division

15. Water Supply and Force Majeure. The City currently has adequate water supply and sewerage treatment plant capacity allocation for this land entitlement approval project. 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. However, this condition of approval applies in case of emergency declaration of supply assurance in the case of a major catastrophic event that restricts City's assurance to provide water supply, or allocated treatment plant capacity.
16. All existing on-site 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.
1. Per Chapter 200, Solid Waste Management, V-200-3.10, *General Requirement*, applicant / property owner shall not keep or accumulate, or permit to be kept or accumulated, any solid waste of any kind and is responsible for proper keeping, accumulating and delivery of solid waste. In addition, according to V-200-3.20 *Owner Responsible for Solid Waste, Recyclables, and Yard Waste*, applicant / property owner shall subscribe to and pay for solid waste services rendered. Prior to occupancy permit issuance (start of operation), the applicant shall submit evidence to the City that a minimum level of refuse service has been secured using a Service Agreement with Allied Waste Services (formally BFI) for commercial services to maintain an adequate level of service for trash and recycling collection. If applicant or any of the future tenants is frying/cooking foods within the premises a Tallow account may be required to be maintained and keep the tallow bins clean. After the applicant has started its business, the applicant shall contact Allied Waste Services commercial representative to review the adequacy of the solid waste level of services. If services are determined to be inadequate, the applicant shall increase the service to the level determined by the evaluation. For general information, contact BFI at (408) 432-1234.
17. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from City of Milpitas Engineering Division.

18. The developer shall submit a Sewer Needs Questionnaire and/or Industrial Waste Questionnaire with the building permit application and pay the related fees prior to Building Permit issuance. Contact the Land Development Section at (408) 586-3329 to obtain the form(s).
19. 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 including construction activities 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.
20. The developer shall not obstruct the noted sight distance areas as indicated on the City standard drawing #405. Overall cumulative height of the grading, landscaping & signs as determined by sight distance shall not exceed 2 feet when measured from street elevation.
21. 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.
22. 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.
23. 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.

MITIGATION MONITORING PROGRAM

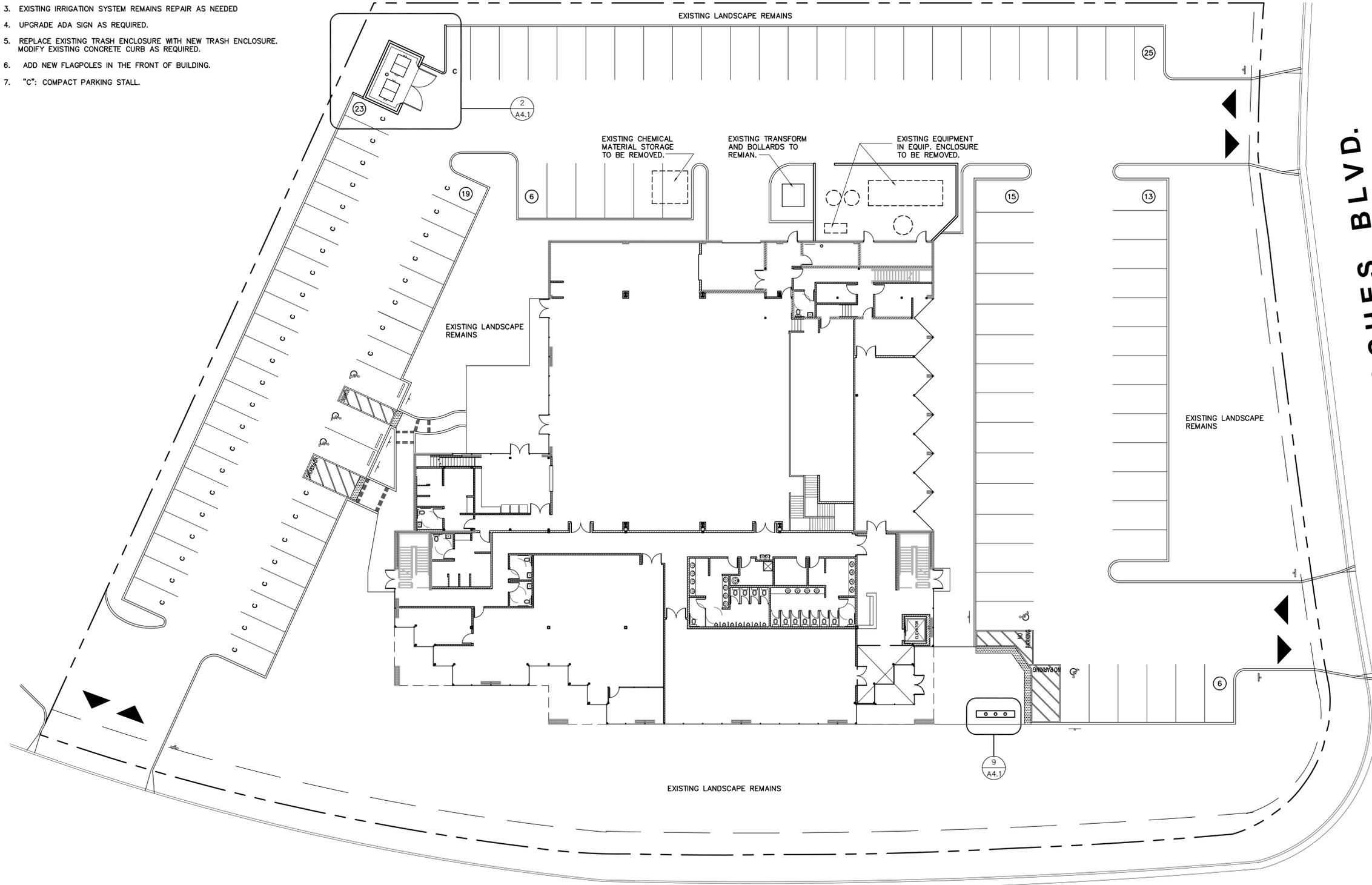
**TECO CULTURAL COMMUNITY CENTER, 100 S. MILPITAS BLVD.
 ENVIRONMENTAL IMPACT ASSESSMENT NO. EA12-0003
 (CONDITIONAL USE PERMIT NO. UP12-0022)**

Mitigation Measure	Implementation, Responsibility & timing	Monitoring Responsibility	Shown on Plans	Verified Implement.	Remarks
<p><u>Mitigation Measure Hazards and Hazardous Materials 1:</u></p> <p><i>The applicant shall design install a wind directional sock on the subject site. Additionally, the building shall have an in-place communication system for notifying occupants via a pre-recorded message in the event of an incident and then directing them on emergency procedures to follow. Part of the building response system will also include a ventilation system with manual shutoff control shall shut down airflow and to calculate the airflow and air exchanges within the building in the event of an incident. The Plan will outline the operational aspects of this system shall be submitted to the Fire Department for review of completeness and approval, prior to building occupancy.</i></p>	<p><i>Responsibility: Applicant Timing: Prior to issuance of any building permits.</i></p>	<p><i>Responsibility: Fire Division</i></p>	<p>_____</p> <p>initials</p> <p>_____</p> <p>date</p>	<p>_____</p> <p>initials</p> <p>_____</p> <p>date</p>	
<p><u>Mitigation Measure Hazards and Hazardous Materials 2:</u></p> <p><i>The applicant shall update, to the satisfaction of the city's Fire Department, the Plan on an annual basis. This update shall be conducted by a qualified safety consultant and shall be coordinated with the City's Fire Department in order to assure continuity of the implementation of the plan.</i></p>	<p><i>Responsibility: Applicant Timing: Prior to issuance of any building permits.</i></p>	<p><i>Responsibility: Fire Division</i></p>	<p>_____</p> <p>initials</p> <p>_____</p> <p>date</p>	<p>_____</p> <p>initials</p> <p>_____</p> <p>date</p>	

<p>Mitigation Measure Hazards and Hazardous Materials 3: <i>The applicant shall prepare, to the satisfaction of the City's Fire Department, a Plan for the site, which recognizes the nature of risks at the project site and in the industrial area surrounding the project site. Such a plan shall describe the evacuation/shelter-in-place programs and all related emergency procedures. The Plan shall include measures to protect personnel who are on facility premises, both inside and outside buildings. This plan shall also include emergency supply provisions for a time period as determined by the Fire Department. The development of the plan is the responsibility of the applicant and shall be approved prior to building occupancy. Proper implementation of this plan on an on-going basis shall be achieved by the property owner, to the satisfaction of the City's Fire Department, by submitting proof, on an annual basis, which indicates training, annual drills, and outreach have occurred</i></p>	<p><i>Responsibility: Applicant Timing: Prior to issuance of any building permits</i></p>	<p><i>Responsibility: Fire Division</i></p>	<p>_____ initials _____ date</p>	<p>_____ initials _____ date</p>	
--	--	---	---	---	--

NOTES TO SITE PLAN:

1. EXISTING PARKING TO BE RE-COAT AND RE-STRIPED.
2. EXISTING LANDSCAPE REMAINS, REPAIR AND REMOVE DEAD TREES.
3. EXISTING IRRIGATION SYSTEM REMAINS REPAIR AS NEEDED
4. UPGRADE ADA SIGN AS REQUIRED.
5. REPLACE EXISTING TRASH ENCLOSURE WITH NEW TRASH ENCLOSURE. MODIFY EXISTING CONCRETE CURB AS REQUIRED.
6. ADD NEW FLAGPOLES IN THE FRONT OF BUILDING.
7. "C": COMPACT PARKING STALL.



MILIPITAS BLVD.

LOS COCHES BLVD.

SITE PLAN
SCALE : 1/16" = 1'-0"



RCUSA (RONG CHANG USA) CORPORATION
2050 CONCOURSE DRIVE, #60 TEL (408) 321-9988
SAN JOSE, CA 95131-1892 FAX (408) 321-9987

All design, drawings, specifications, & plans are the property of RCUSA and shall remain the property of RCUSA. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of RCUSA. All information is to be verified by all persons, organizations, and individuals before any construction or other activity. RCUSA shall not be liable for any errors or omissions in this document. The user assumes all responsibility for the accuracy and completeness of the information provided. RCUSA shall not be held responsible for any consequences arising from the use of this information.



SY-CHENG TSAI C-24234

Culture Center of TECO-Milpitas CUP Application
100 S. Milpitas Blvd., Milpitas, CA 95035

SITE PLAN

DATE: 08/07/12
JOB NO. RC120834

ISSUE & REVISION	
NO.	DESCRIPTION
1	09/12/12 CITY SUBMITTAL
2	11/05/12 CITY RE-SUBMIT
3	
4	
5	
6	
7	
8	
9	
10	
11	

SHEET NO.

A1.1

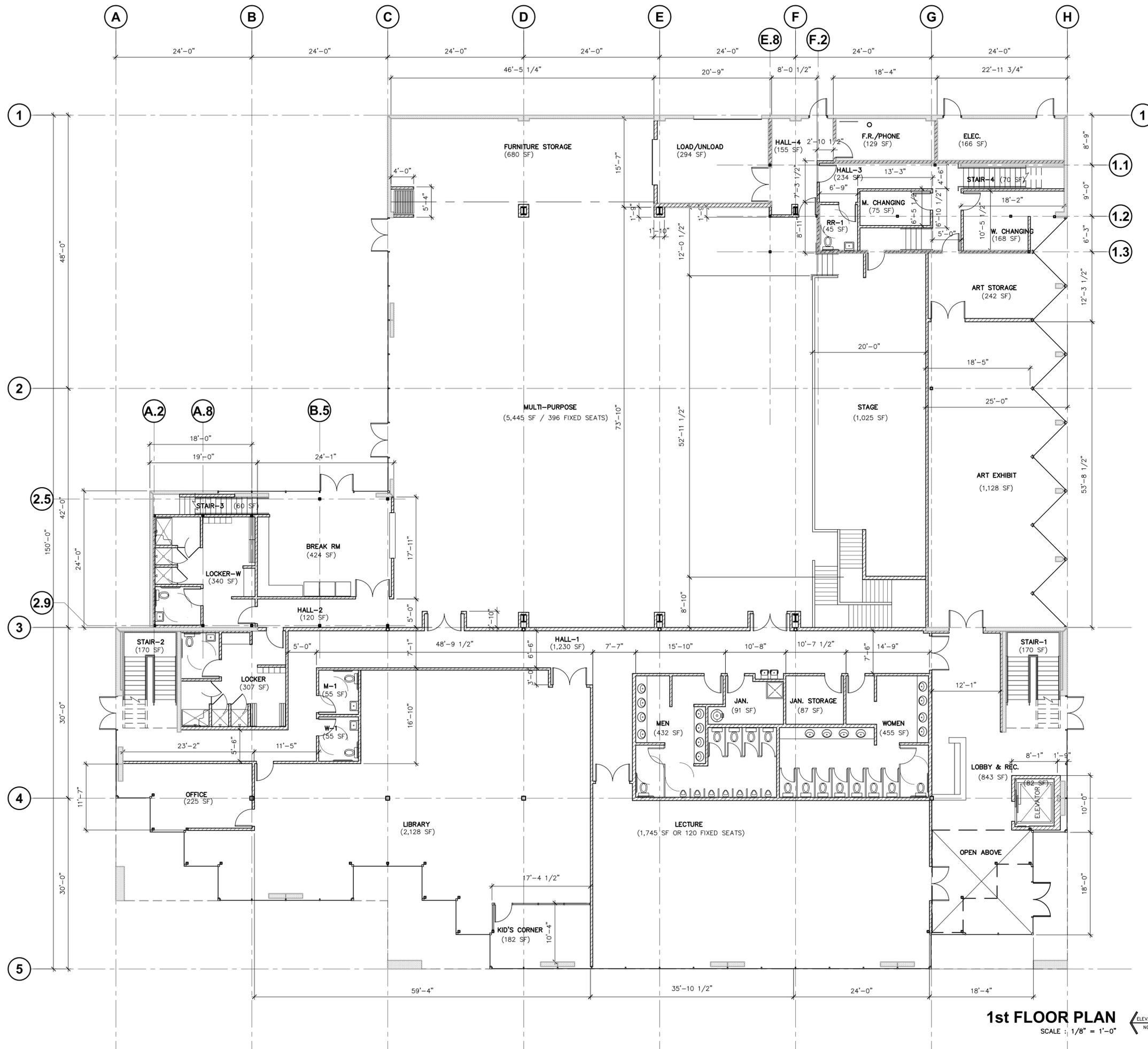
DRAWN BY: JL

FLOOR PLAN LEGEND:

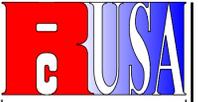
-  EXISTING EXTERIOR / INTERIOR WALLS
-  NEW INTERIOR WALLS

GENERAL NOTES:

1. ALL EXISTING INTERIOR CONSTRUCTION TO BE REMOVED, UNO.
2. ALL MECHANICAL SYSTEM TO BE REMOVED.
3. ALL EXISTING LIGHT FIXTURES AND WIRING TO BE REMOVED, ONLY EXISTING MAIN SERVICE AND MAIN PANEL TO REMAIN.
4. ALL PLUMBING FIXTURES AND WATER PIPES TO BE REMOVED EXCEPT EXISTING MAIN SEWER LINES.
5. EXISTING SPRINKLER SYSTEM AND FIRE ALARM SYSTEM TO REMAIN, MODIFY AS REQUIRED FOR NEW CONSTRUCTION.



1st FLOOR PLAN
 SCALE : 1/8" = 1'-0"
 ELEV. REF NORTH



RCUSA (RONG CHANG USA) CORPORATION
 2050 CONCOURSE DRIVE, #60
 SAN JOSE, CA 95131-1892
 TEL (408) 321-9988
 FAX (408) 321-9987

All design, drawings, specifications, & plans are prepared by the architect and are intended to be used by the contractor and others in the construction of the project. The architect is not responsible for any errors or omissions in the drawings, specifications, or plans, or for any consequences arising therefrom, whether or not such errors or omissions are caused by the negligence of the architect. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable laws, codes, and regulations. The contractor shall also be responsible for obtaining all necessary approvals from the appropriate authorities. The architect's liability is limited to the professional services rendered by the architect.



SY-CHENG TSAI C-24234

Culture Center of TECO-Milpitas CUP Application
 100 S. Milpitas Blvd., Milpitas, CA 95035

PROPOSED 1st FLOOR PLAN

DATE: 08/07/12
 JOB NO. RC120834

ISSUE & REVISION	
1	09/12/12 CITY SUBMITTAL
2	11/05/12 CITY RE-SUBMIT
3	
4	
5	
6	
7	
8	
9	
10	
11	

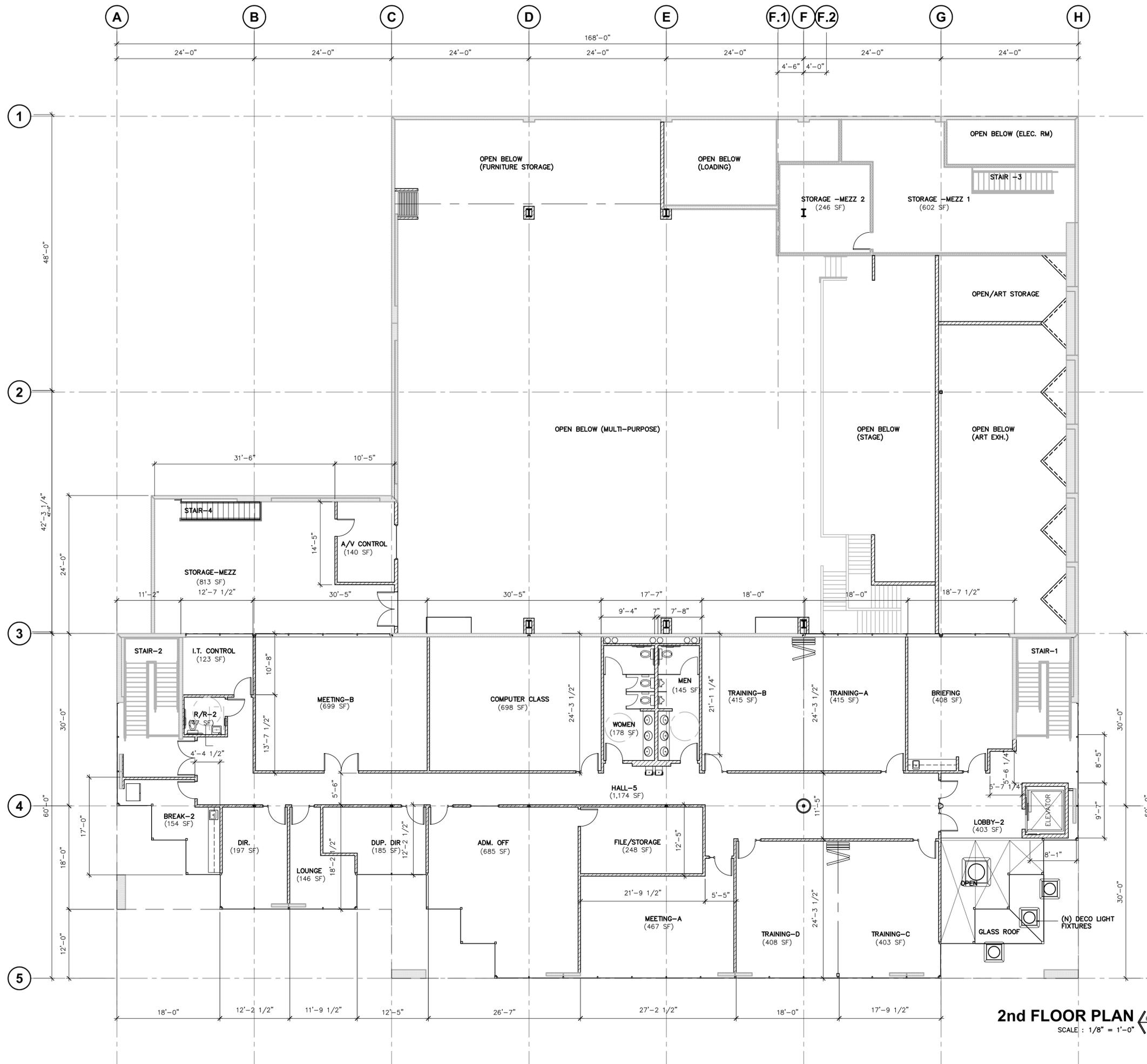
SHEET NO.
A2.1
 DRAWN BY: JL

FLOOR PLAN LEGEND:

-  EXISTING EXTERIOR / INTERIOR WALLS
-  NEW INTERIOR WALLS

GENERAL NOTES:

1. ALL EXISTING INTERIOR CONSTRUCTION TO BE REMOVED, UNO.
2. ALL MECHANICAL SYSTEM TO BE REMOVED.
3. ALL EXISTING LIGHT FIXTURES AND WIRING TO BE REMOVED, ONLY EXISTING MAIN SERVICE AND MAIN PANEL TO REMAIN.
4. ALL PLUMBING FIXTURES AND WATER PIPES TO BE REMOVED EXCEPT EXISTING MAIN SEWER LINES.
5. EXISTING SPRINKLER SYSTEM AND FIRE ALARM SYSTEM TO REMAIN, MODIFY AS REQUIRED FOR NEW CONSTRUCTION.



2nd FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 NORTH



RCUSA (RONG CHANG USA) CORPORATION
 2050 CONCOURSE DRIVE, #60 SAN JOSE, CA 95131-1892
 TEL (408) 321-9988 FAX (408) 321-9987

All design, analysis, measurements, & plans are created by, and the property of, the architect. The architect shall not be held responsible for any errors or omissions in the drawings, specifications, or any other documents prepared by or for the architect. The architect shall not be held responsible for any damage or injury to any person, firm, or corporation, arising from the use of the drawings, specifications, or any other documents prepared by or for the architect, when the architect has exercised reasonable care in the preparation of the drawings, specifications, or any other documents prepared by or for the architect. The architect shall not be held responsible for any damage or injury to any person, firm, or corporation, arising from the use of the drawings, specifications, or any other documents prepared by or for the architect, when the architect has exercised reasonable care in the preparation of the drawings, specifications, or any other documents prepared by or for the architect.



SY-CHENG TSAI C-24234

Culture Center of TECO-Milpitas CUP Application
 100 S. Milpitas Blvd., Milpitas, CA 95035

PROPOSED 2nd FLOOR PLAN

DATE: 08/07/12
 JOB NO. RC120834

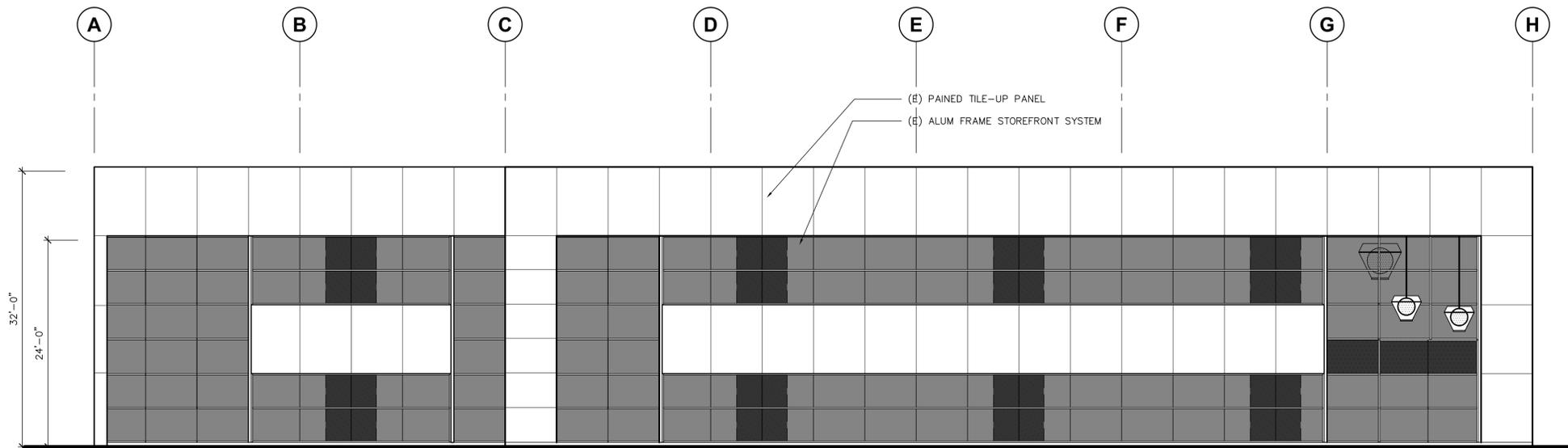
ISSUE & REVISION

NO.	DATE	REVISION
1	09/12/12	CITY SUBMITTAL
2	11/05/12	CITY RE-SUBMIT
3		
4		
5		
6		
7		
8		
9		
10		
11		

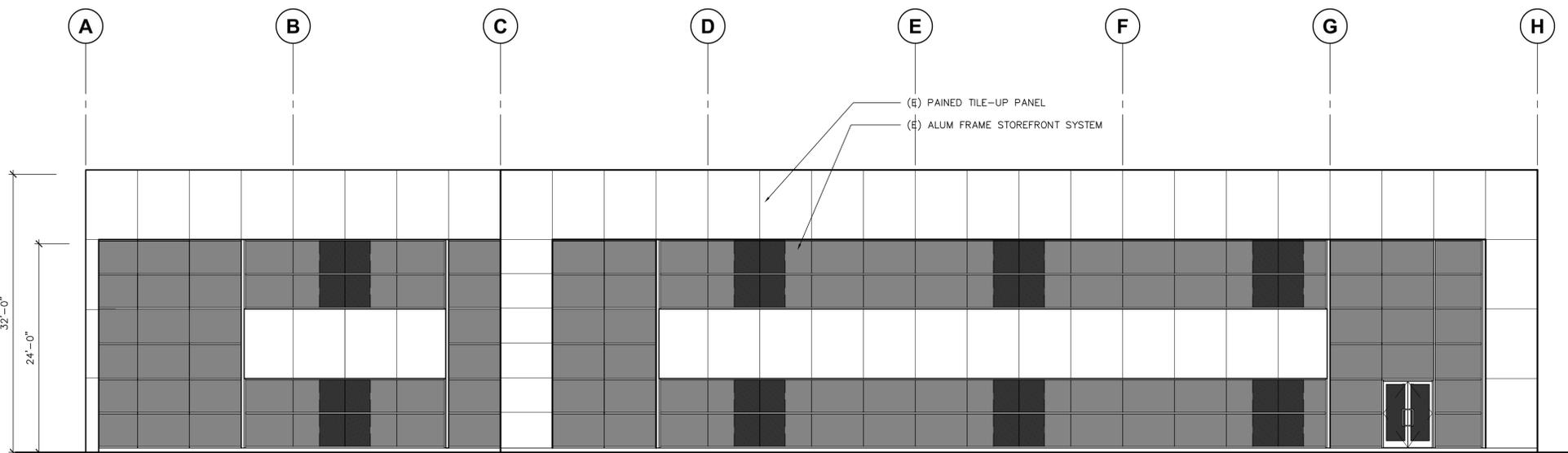
SHEET NO.

A2.2

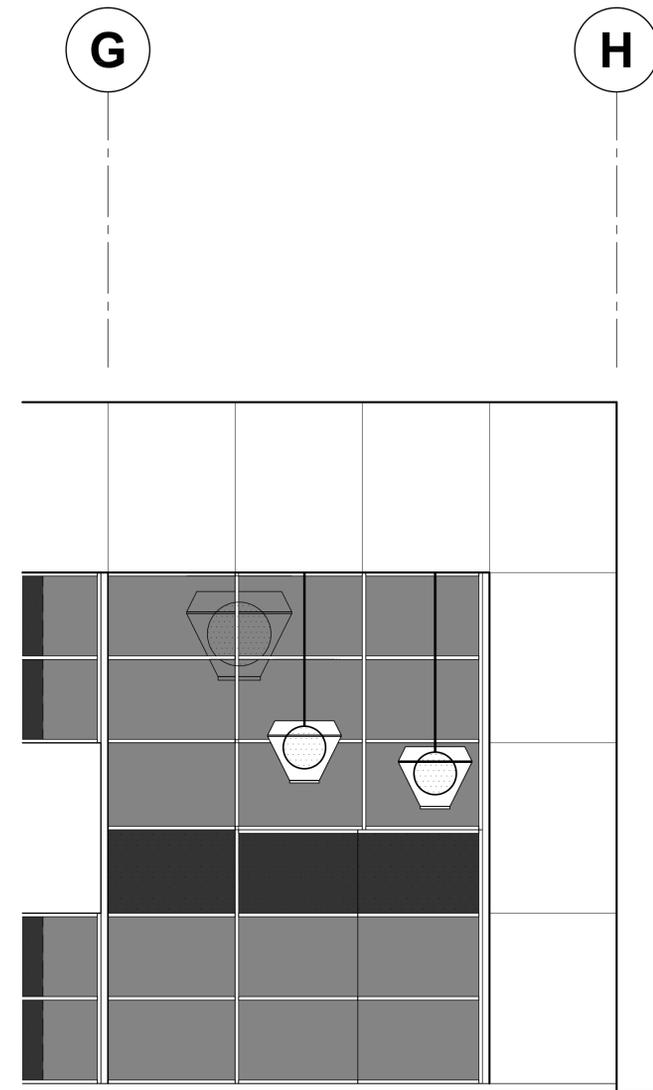
DRAWN BY: JL



WEST ELEVATION - NEW
SCALE : 1/8" = 1'-0"



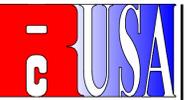
WEST ELEVATION - EXISTING
SCALE : 1/8" = 1'-0"



WEST ELEVATION - NEW ENTRY
SCALE : 1/4" = 1'-0"

ELEVATION NOTES:

1. BUILDING TO BE REPAINTED, NEW COLOR TO MATCH EXISTING.
2. PROPOSED NEW ENTRY TO MATCH EXISTING STOREFRONT SYSTEM.
3. EXTERIOR SIGN TO BE APPLIED SEPARATED FOR APPROVAL.



RCUSA (RONG CHANG USA) CORPORATION
2050 CONCOURSE DRIVE, #50 SAN JOSE, CA 95131-1892
TEL (408) 321-9988 FAX (408) 321-9987

All design, analysis, arrangements & plans are owned by, and the property of, the architect. No part of this work shall be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect. All information is to be verified by all persons, contractors and other parties. The architect shall not be responsible for any errors or omissions in the information provided for, instructions prior to, or during the construction process.



SY-CHENG TSAI C-24234

Culture Center of TECO-Milpitas CUP Application
100 S. Milpitas Blvd., Milpitas, CA 95035

EXISTING & NEW ELEVATIONS

DATE: 08/07/12
JOB NO. RC120834

ISSUE & REVISION	
1	09/12/12 CITY SUBMITTAL
2	11/05/12 CITY RE-SUBMIT
3	
4	
5	
6	
7	
8	
9	
10	
11	

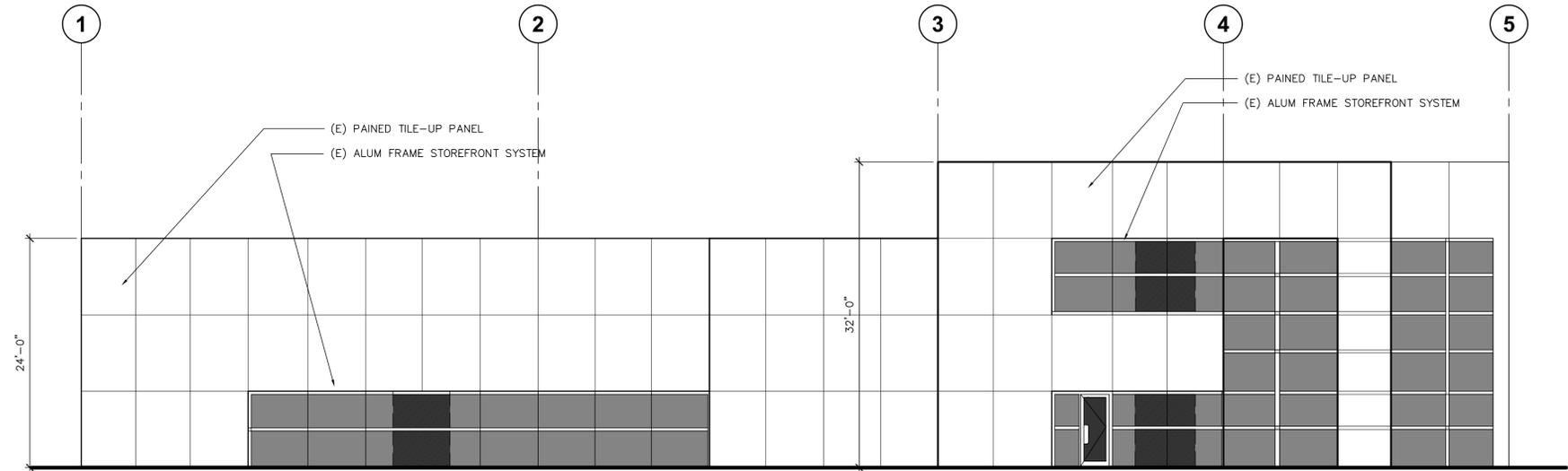
SHEET NO.

A3.2

DRAWN BY: JL

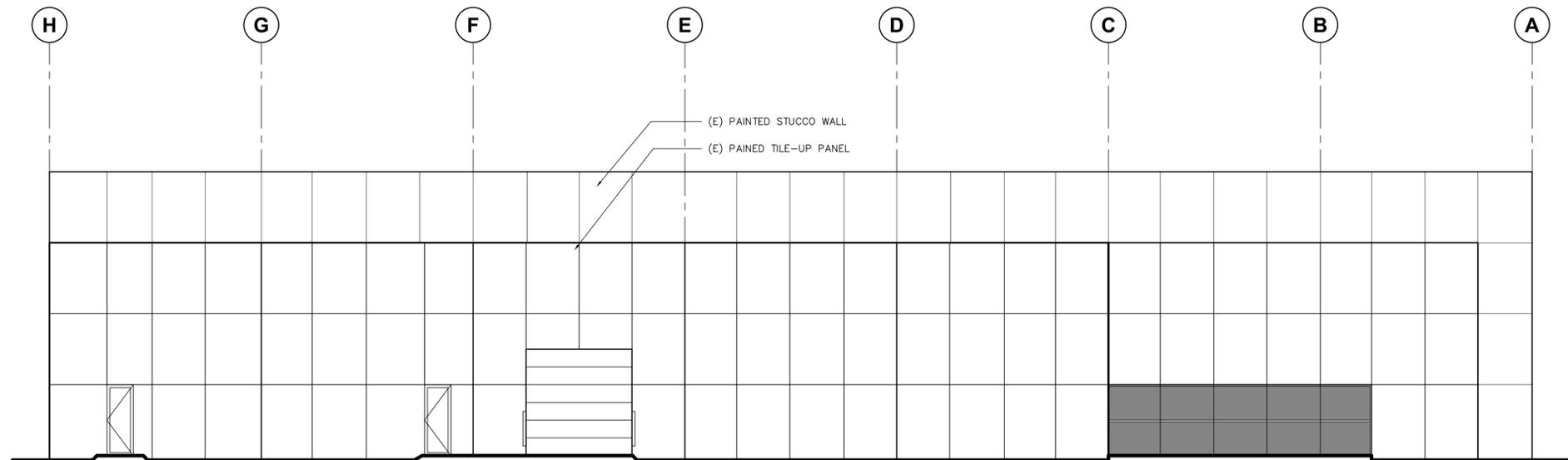
ELEVATION NOTES:

1. BUILDING TO BE REPAINTED, NEW COLOR TO MATCH EXISTING.
2. PROPOSED NEW ENTRY TO MATCH EXISTING STOREFRONT SYSTEM.
3. EXTERIOR SIGN TO BE APPLIED SEPARATED FOR APPROVAL.



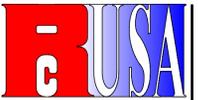
NORTH ELEVATION - EXISTING

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



EAST ELEVATION - EXISTING

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



RCUSA (RONG CHANG USA) CORPORATION

2050 CONCOURSE DRIVE, #60 TEL (408) 321-9988
SAN JOSE, CA 95131-1892 FAX (408) 321-9987

All design, analysis, measurements, & plans are owned by, and the property of, Rong Chang USA Corporation. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Rong Chang USA Corporation. All information is to be verified by all persons, contractors, and other parties. Rong Chang USA Corporation is not responsible for any errors or omissions in this document. The information is provided for informational purposes only and is not intended to be used for any other purpose.



SY-CHENG TSAI C-24234

Culture Center of TECO-Milpitas CUP Application
100 S. Milpitas Blvd., Milpitas, CA 95035

EXISTING & NEW ELEVATIONS

DATE: 08/07/12
JOB NO. RC120834

ISSUE & REVISION	
1	09/12/12 CITY SUBMITTAL
2	11/05/12 CITY RE-SUBMIT
3	
4	
5	
6	
7	
8	
9	
10	
11	

SHEET NO.

A3.3

DRAWN BY: JL

駐舊金山台北經濟文化辦事處

Taipei Economic and Cultural Office in San Francisco
555 Montgomery Street, Suite 501, San Francisco, CA 94111

Planning Department
City of Milpitas
455 E. Calaveras Blvd.,
Milpitas, CA 95035-5411

Date: 09/12/2012

Re: Culture Center of Taipei Economic and Cultural Office in San Francisco
100 S. Milpitas Blvd., Milpitas

To Whom It May Concern:

We are pleased to present you with the proposal of new "Culture Center of TECO" for a Conditional Use Permit Application.

Currently our center "Culture Center of Taipei Economic and Cultural Office in San Francisco" located in Sunnyvale. On July 2012 we are under contract to purchase a building located at 100 S. Milpitas Blvd., The property has more parking spaces and larger building size than our currently facility, the new building is meet our needs and we are exciting to have this new building to provide our services to the community.

The uses of the building will be similar to our current facility. In short, we like this building functioned as a "Community Center" facility. Attached hereafter is an introduction to our organization as well as our currently operation schedule for your review.

Everyone knows that a major concern of a "Community Center" is its parking spaces, which need to be adequately support their activities. We are facing the same issue here, lucky that this property has plenty of parking spaces. I would like to discuss a little about our events and how we can arrange the parking to support our uses and also meet City standard.

In our operation schedule, the daily routine activities take very little parking spaces, usually about 30 spaces the most. Senior people come to the Center most of them are dropped by their family member and later pick them up. People for the administration business generally comes along and not stay too long, say about 30 minutes.

Weekly events happened 2~3 times at night time, most of them are in small classes around 30 persons. For the new building maybe there are two or three classes in the same time. In any circumstance, there are max around 80 ~ 150 persons in the building. Same are the Monthly events, monthly larger events may have 200 attendants, and usually Center will not have two events held in same time.

As shown on the parking analysis sheet submitted in the review package. Besides those spaces had its designated use, the gym is the most flexible space for many different uses at different occasions. If there no large event needs, the gym just used for exercise, or play balls like table

tennis, badminton or line dance and aerobic. The maximum occupants will not over 30 persons in a time. Base on the City parking requirements, for this building floor area used for activities requires 103 parking spaces. And the property has 107 parking spaces on site.

The yearly events that will have up to 400 attendants at each time, and most likely the Center will convert the gym into a large auditorium to host those attendants. In this case, Center needs to have special arrangement to ensure the total parking spaces can be fully support those activities.

There are several scenarios to discuss while converted the use of gym.

Scenario -1;

If an event has around 200 attendants in the gym, the other facility still can has it 75% of spaces in using at its regular schedule. The required parking space is 98 at this condition.

Scenario – 2;

If an event has around 300 attendants in the gym, the other facility still has it 50% of spaces in using at its regular schedule. The required parking space is 107 at this condition.

Scenario – 3;

If an event has around 400 attendants in the gym, the other facility still has it 10% of spaces in using at its regular schedule. The required parking space is 106 at this condition.

It is clear that each scenario with the different combinations, the center can provide adequate parking spaces. Base on the events, the Center will pre-arrange some activities cancel or postpone its regular schedule in order to free up the parking spaces for those larger attendants events.

In addition to the events arrangement, we also encourage all attendants come the Center by public transportations, car pool, or drop off and pickup by friends. And we will request all event organizer place those alternative transportation methods and information on the promotion flyers and or on the tickets.

We believe that with proper arrangement we will not have parking issues for all of our events, and we are looking forward to get approval from the City and prepare our facilities to better serve to our community.

Sincerely Yours;



Shang Chieh Su
Deputy Director of Culture Center of Taipei Economic and Cultural Office in San Francisco

About the

Culture Center of the Taipei Economic and Cultural Office in San Francisco (Sunnyvale)

The center established on July 1988 in Sunnyvale California. Since then the center serves the Chinese compatriots and its neighbor in the bay area as well as north of California area. On July 2012 the center had a contract to purchase the existing R&D building at 100 S. Milpitas Blvd., Milpitas California and plan to relocate the Center to new location in 2013.

The main responsibilities to our overseas compatriots and compatriot groups of this center are

Administration Supports:

1. Regular administration services.
2. Center management, maintenance, facilities rental and equipment leasing.
3. Planning and implementation of Celebratory activities.
4. Contact with overseas compatriot groups.
5. Assist in compatriot's personal affairs.

General Administration Services

Chinese School Service;

Our center has provided Chinese education assistance to more than 100 Chinese Schools in North California, Nevada and Utah Area. Our services include providing Chinese teaching materials and various training for Chinese education.

Costumes Service;

Our center has a good collection of various costumes for different Chinese historical timeframe. Our inventory also includes prominent lion dance equipment and cultural related game gears for using during major traditional ethnic festivals.

Facility Service;

In order to provide Chinese immigrant communities a place to hold various activities, our center provides facility rental service. You can rent our auditorium, 4 classrooms or computer room for educational and cultural activities during our office hour.

Library Service;

Our library has a collection of over 10,000 books, thirty or more kinds of magazines and huge quantity of audio/video media.

Assistant in Compatriot Groups' Activities

There about 250 different types of compatriot groups, the center assists and coordinates with them for their successfully activities, such activities are

1. National Birthday Celebration.
2. Taiwanese & Chinese American Athletic Tournament of S.F. Bay Area

Activities and Parking Analysis - Weekdays (Monday Closed)																
Activities	Time												Room Name	Floor Area	Parking Ratio	Parking Req'd
	9:30	11:30	13:30	15:30	17:30	19:30	21:30									
General Administration, Library Activities - reading and books renting, Exhibition Long term and short term Art Display													Lobby	843	supporting	0.00
													Arts Exhibit	1,128	1 per 400 SF	2.82
													Library	2,535	1 per 400 SF	6.34
													Director Office	197	1 per 240 SF	0.82
													VP Office	146	1 per 240 SF	0.61
													Deputy Dir. Office	185	1 per 240 SF	0.77
													Admin. Office	659	1 per 240 SF	2.75
													Briefing Room	408	1 per 240 SF	1.70
Line Dance, Tai chi, Pingpong													Multi Purpose Room	5,445	1 per 200 SF	27.23
													Lockers	647	Supporting	0
													Stage	1,025	1 per 200 SF	5.13
													Back Stage	298	Supporting	0
													A/V Control Room	140	Supporting	0
Group Activities (speech, presentation ..)													Lecture Room			
													total seats	120	1 per 4 seats	30.00
Computer Training Program													Computer Learning	699		
													total seats	16	1 per 4 seats	4.00
Local group member's meeting (one day per week)													Meeting Room A	467		
													Meeting Room B	699		
													total seats	40	1 per 4 seats	10.00
Varies Training Class													Training Room A	410		
Varies Training Class													Training Room B	410		
												total seats	32	1 per 4 seats	8.00	
Varies Training Class													Training Room C	399		
Varies Training Class													Training Room D	403		
												total seats	32	1 per 4 seats	8.00	
Parking Req'd by Hour	43	43	43	43	63	63	36	36	8	92	92	60	60			

Culture Center of TECO-Milpitas

Activities and Parking Analysis - Saturday & Sunday																
Activities	Time										Room Name	Fixed Seat Floor Area	Parking Ratio	Parking Req'd		
	9:30	11:30	13:30	15:30	17:30	19:30	21:30									
General Administration, Library Activities - reading and books renting, Exhibition Long term and short term Art Display												Lobby	843	supporting	0.00	
												Arts Exhibit	1,128	1 per 400 SF	2.82	
												Library	2,535	1 per 400 SF	6.34	
												Director Office	197	1 per 240 SF	0.82	
												VP Office	146	1 per 240 SF	0.61	
												Deputy Dir. Office	185	1 per 240 SF	0.77	
												Admin. Office	659	1 per 240 SF	2.75	
												Briefing Room	408	1 per 240 SF	1.70	
Group Activies - Assembly (Twice per month)												Multi Purpose Room	5,445	1 per 200 SF	27.23	
												Lockers	647	supporting	0.00	
Public Services - fixed seats												Lecture Room	1,745			
													120	1 Per 4 seats	30.00	
Group Activies - Fixed Seats (Twice per month)												Multi Purpose Room	396	1 Per 4 seats	99.00	
												Stage	1,025	1 per 200 SF	5.13	
												Back Stage	298	supporting	0.00	
												A/V Control Room	140	1 per 200 SF	0.70	
Parking Req'd by Hour	73	73	73	73	73	43	27	27	105	105	105	105	105			

Culture Center of TECO-Milpitas

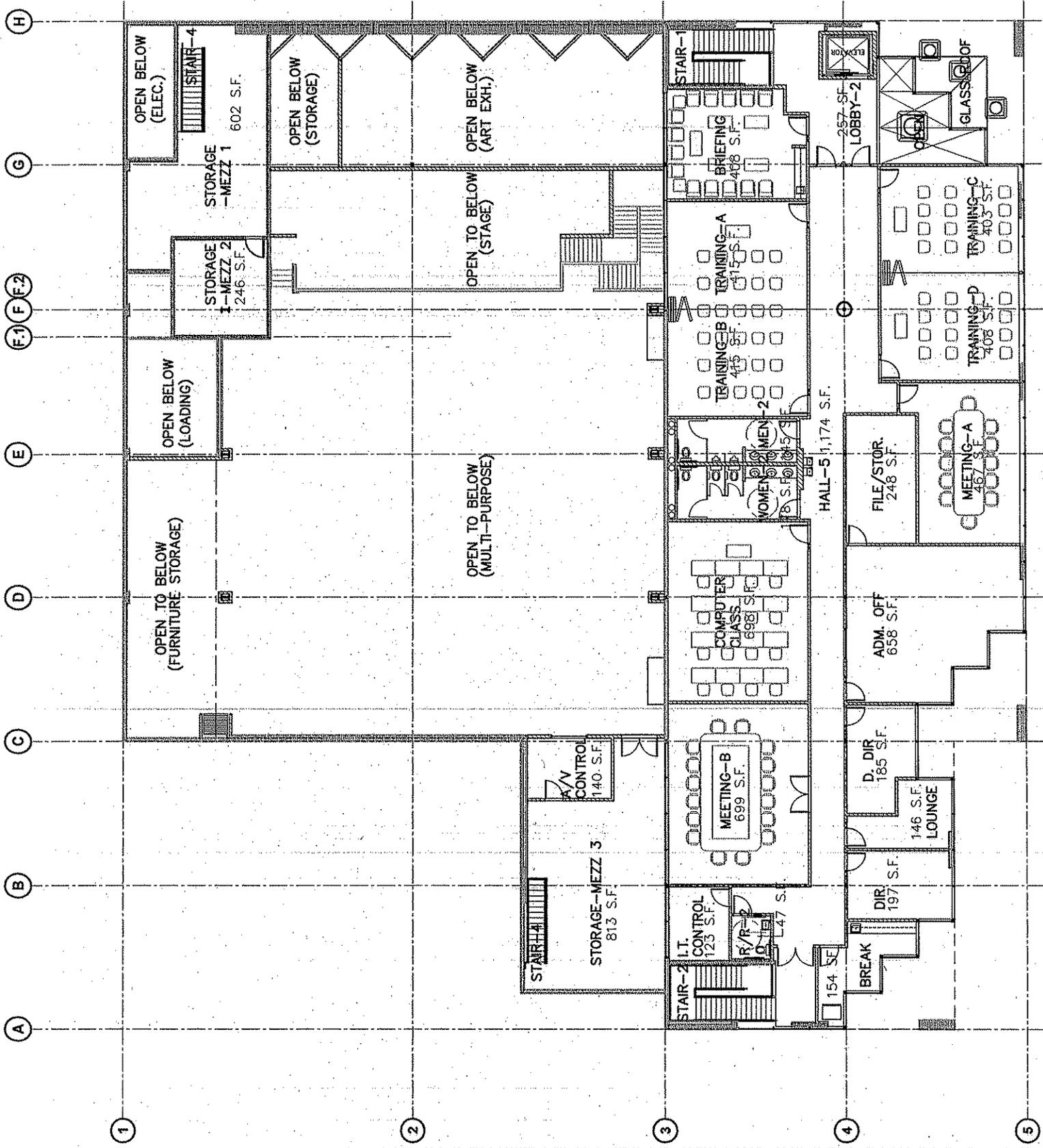
Activities and Parking Analysis -Special Events																	
Activities	Time													Room Name	Fixed Seat		
	9:30	11:30	13:30	15:30	17:30	19:30	21:30								Floor Area	Parking Ratio	Parking Req'd
Three Celebratory Activities happened per year: New Year, Chinese New Year and National Day of ROC. Such event always set at Sunday. During the event day all Center regular activities will be canceled.														Lobby	843	0	0.00
														Arts Exhibit	1,128	0	0.00
														Library	2,535	0	0.00
														Director Office	197	0	0.00
														VP Office	146	0	0.00
														Deputy Dir. Office	185	0	0.00
														Admin. Office	659	0	0.00
														Briefing Room	408	0	0.00
Group Activies - Fixed Seats (Three times per year)														Multi Purpose Room	396	1 Per 4 seats	99.00
														Stage	1,025	1 per 200 SF	5.13
														Back Stage	298	Supporting	0.00
														A/V Control Room	140	1 per 200 SF	0.70
Parking Req'd by Hour	105	105	105	105	105	105	105	105	105	105	105	105					

Culture Center of TECO

Parking Analysis - by Activities						
Room Name	Area Sq. Ft.	Required Parking-Daily		Special Event		Remark
		Parking Ratio	Number	Parking Ratio	Number	
<u>First Floor</u>						
Multi Purpose Room	5,445	1 per 200	27.23			
(fixed seats)	396			1 per 4	99.00	Fixed Seating
Stage	1,025	1 per 200	5.13	1 per 200	5.13	
Arts Exhibit	1,128	1 per 400	2.82			
Lecture Room	1,745	1 per 200	8.73			
Library	2,310	1 per 400	5.78			
Library Office	225	1 per 240	0.94			
Supporting Areas			0			Supporting spaces
Lobby	843					
Common areas	1,294					
Circulation areas	2,307					
Storages	922					
Utility Room	472					
Load/Unload	294					
Restrooms	997					
Lockers	647					
Break Room	424					
Back Stage	298					
Sub-total	20,772					
<u>Second Floor</u>						
Offices	1187	1 per 240	4.95			
Meeting Room	1574	1 per 200	7.87			
Training Room	2321	1 per 200	11.61			

Culture Center of TECO

Room Name	Area Sq. Ft.	Required Parking-Daily		Special Event		Remark
		Parking Ratio	Number	Parking Ratio	Number	
Supporting Areas			0.00			Supporting spaces
Office Support	371					
Restrooms	374					
Break Room-2	154					
Circulation Areas	1,431					
Common Areas	1063					
Sub-total Floor Area	8,475					
Existing Mezzanine						
Stroage	918	0	0.00			Supporting spaces
Common areas	34	0	0.00			Supporting spaces
Sub-total Floor Area	952					
New Mezzanine						
Book Storage	811	0	0.00			Supporting spaces
A/V Control Room	140	0	0.00	1 per 200	0.70	
Common areas	30	0	0.00			Supporting spaces
Sub-total Floor Area	981					
Total Building Area	31,180					
Total Parking Space Required			75		105	
Total Parking Spaces Provided			107		107	
Regular	62					
Compact	40					37%
Handicap-req	3					
Handicap-Van	2					



HALL-5 1,174 S.F.

OPEN BELOW (ELEC.)
STAIR-4
602 S.F.

STORAGE-MEZZ 2
246 S.F.

OPEN BELOW (LOADING)

OPEN TO BELOW (FURNITURE STORAGE)

OPEN TO BELOW (MULTI-PURPOSE)

OPEN TO BELOW (STAGE)

OPEN BELOW (ART EXH.)

OPEN BELOW (STORAGE)

STAIR-4
STORAGE-MEZZ 3
813 S.F.

STAIR-2
LT. CONTROL
123 S.F.

MEETING-B
699 S.F.

COMPUTER CLASS
698 S.F.

WOMEN
MEN-2
104 S.F.

TRAINING-B
415 S.F.

TRAINING-A
415 S.F.

STAIR-1
BRIEFING
408 S.F.

LOBBY-2
257 S.F.

FILE/STOR.
248 S.F.

ADM OFF
658 S.F.

D. DIR
185 S.F.

DIR.
197 S.F.

BREAK

146 S.F. LOUNGE

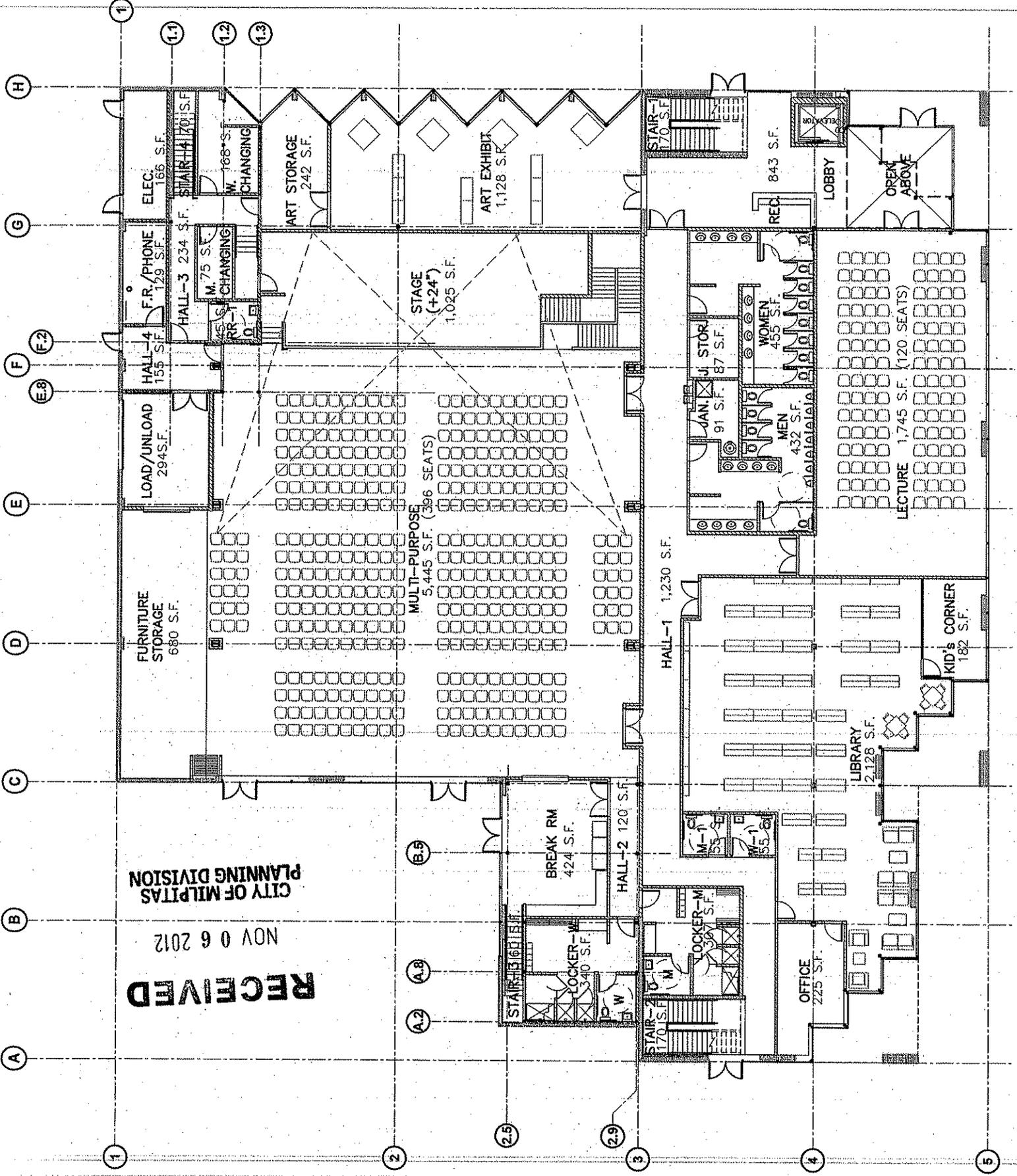
MEETING-A
467 S.F.

TRAINING-D
406 S.F.

TRAINING-C
403 S.F.

GLASS BOOF

RECEIVED
NOV 06 2012
CITY OF MILPITAS
PLANNING DIVISION



November 14, 2012

Via Electronic Mail

Mr. Sy-Cheng Tsai
RCUSA Corporation
2050 Concourse Drive
San Jose, CA 95131
TSC@rcusa88.com

Re: Risk Assessment Plan for the Community Center at 100 South Milpitas Blvd, Milpitas, California

Dear Mr. Tsai:

ENVIRON International Corporation (ENVIRON) has prepared this Risk Assessment Plan (RAP) for the proposed Community Center at 100 South Milpitas Boulevard, Milpitas, Santa Clara County, California (herein designated as the "Project" or "Site"). The RAP evaluates "the potential health and safety risks to individuals from the exposure to hazardous materials which may occur at the proposed site due to its location in an industrial zone," as described in the Milpitas Fire Department (MFD) *Guideline for Preparation of Risk Assessments*¹. The focus of the RAP is on neighboring businesses that may store chemicals which could have off-site consequences if catastrophically released, including chemicals that are acutely toxic, exist in a form that readily allows off-site transport after release and are used or stored in sufficient quantities to cause off-site impacts.

Four of the seven surrounding industrial businesses may impact the Site, as discussed below. The seven neighboring industrial business were identified with the assistance of Mr. Albert Zamora, the Division Chief and Fire Marshal of the City of Milpitas. The industrial businesses have submitted Risk Management Plans (RMPs) under the California Accidental Release Prevention (CalARP) Program or have submitted Hazardous Material Business Plans (HMBPs) that indicate large or medium chemical use, as characterized by the City of Milpitas, including use of toxic gases under the City of Milpitas Toxic Gas Ordinance (TGO).

The United States Environmental Protection Agency (USEPA) Risk Management Program Guidance for Offsite Consequence Analysis² ("USEPA RMP Guidance") methodology was used to evaluate potential impacts at the Site. Potential release impacts were compared to the USEPA Immediately Dangerous to Life and Health (IDLH) concentration, 1/10 IDLH concentration, and USEPA Risk Management Plan (RMP) and CalARP toxic endpoint (TEP) concentration.

Summary of Proposed Project

The proposed Community Center, located at the corner of South Milpitas Boulevard and Los Coches Street, would host mostly evening and weekend events. The Site is north of Los Coches Street and to the east of South Milpitas Boulevard, which is a major thoroughfare, and south of East Calaveras

¹ Milpitas Fire Department Bureau of Fire Prevention. 2007. *Guideline for Preparation of Risk Assessments*. September. Available online at http://www.ci.milpitas.ca.gov/_pdfs/fire_risk_assessment_guidelines.pdf.

² USEPA. 2009. *Risk Management Program Guidance for Offsite Consequence Analysis*. EPA 550-B-99-099. March. Available online at <http://www.epa.gov/osweroe1/docs/chem/oca-chps.pdf>.

Boulevard (Highway 237). To the immediate north and east of the Site are commercial buildings. The Site, which covers approximately 2 acres, is zoned for Town Center³. Figure 1 shows the location of the proposed Project. While people, including children and the elderly, may congregate at the Community Center, no one will live at the Community Center. Additionally, there will not be routine use by sensitive users, such as a daycare center.

Primary Land Use in Area of Project

The proposed Project is located within a mixed-use commercial and industrial area. One high-tech manufacturing and research and development (R&D) facility, Nanogram, is within one-quarter mile of the Project. Several similar facilities, such as Headway Technologies, Linear Technology, and Magic Technologies, are within one-half mile of the Project. East Calaveras Boulevard is located immediately north of the site. North of East Calaveras Boulevard is some commercial properties and residences.

Seven businesses in the vicinity of the Project were identified for review per direction of Mr. Albert Zamora, the Division Chief and Fire Marshal of the City of Milpitas, based on either their historical hazardous material incidents or their having the potential to release hazardous chemicals⁴. The businesses are:

1. Linear Technology, 275 S. Hillview Dr.
2. Headway Technologies, 497 S. Hillview Dr.
3. Nanogram, 165 Topaz St.
4. Magic Technologies, 463 S. Milpitas Blvd.
5. System Services of America, Inc., 1029 Montague Expressway
6. Siemens Water Technologies, 960 Ames Ave.
7. T. Marzetti, 876 Yosemite Dr.

Figure 2 shows the location of each of these seven facilities with respect to the Project.

Table 1 lists the distance between each business and the Project, the chemicals of concern at each business, and the maximum amount stored at any one time. The chemicals of concern are those that are acutely toxic, exist in a form that readily allows off-site transport after release, or are used or stored in sufficient quantities to have off-site consequences if catastrophically released. The list includes chemicals with CalARP thresholds and USEPA TEPs.

Evaluation of Risk

An off-site consequence analysis was performed for each of the seven facilities identified as having the potential to release chemicals of concern. The off-site consequence analysis followed the USEPA RMP Guidance. The USEPA RMP Guidance tabulates the distance to the TEP concentration based on the release rate of a given chemical, with specific tables for ammonia and chlorine. The USEPA RMP Guidance tables were used to find the distances to the IDLH and 1/10 IDLH concentrations, as well.

³ City of Milpitas. 2011. *Zoning Map*. December. Available online at http://www.ci.milpitas.ca.gov/_pdfs/plan_map_zoning.pdf

⁴ Telephone conversation between Mr. Albert Zamora of the City of Milpitas and Mr. Michael Keinath of ENVIRON, 28 August 2012.

The USEPA RMP Guidance has defined the worst-case release scenario as the release of the largest quantity of a regulated substance from a single vessel or process line failure that results in the greatest distance to an endpoint under conservative meteorological conditions. For the worst-case release scenario analysis under RMP, the possible causes of the worst-case release or the probability that such a release might take place are not considered; the release is simply assumed to occur. Worst-case release scenarios represent the failure modes that would result in the worst possible off-site consequences, however unlikely, and not more likely smaller releases that would potentially result in smaller impacts. ENVIRON assumed the worst case is a ten-minute release of the entire quantity of a chemical stored on site.

To evaluate the potential zone of impact that could be potentially affected if any of the seven identified facilities had a catastrophic release of a chemical of concern, ENVIRON used dispersion parameters in Table 5 of the USEPA RMP Guidance. This table assumes the release is of a dense gas in a rural setting. For ammonia and chlorine releases, ENVIRON used dispersion parameters in Tables 9 and 11, respectively. The meteorological conditions assumed for dispersion are Pasquill Stability Class F and a wind speed of 1.5 meters per second. This combination represents a conservative scenario, that is, the largest zone of impact for the amount of chemical released.

Each chemical at each facility was evaluated individually for distance to the IDLH, TEP, and 1/10 IDLH concentration. Table 1 includes the results of the risk assessment.

Risk Assessment Conclusion

The Project is in the 1/10 IDLH concentration zone of impact for four of the seven industrial businesses included in this risk assessment. The Project is also in the TEP concentration zone of impact for the same four industrial businesses. Table 1 shows both the distance from the Project to each business and the zones of impact for IDLH, TEP, and 1/10 IDLH. Figure 3 shows the extent of the maximum 1/10 IDLH concentration zone of impact for each business for which the Project is in the 1/10 IDLH concentration zone of impact. The impacts by business are discussed below.

ENVIRON understands that the MFD only requires the distance to the 1/10 IDLH concentration for planning purposes and decisions. We further understand that the MFD would also like distances to the IDLH and TEP concentrations for Fire Department planning purposes. Distances to the IDLH, TEP, and 1/10 IDLH concentration zones of impact are all discussed here.

Linear Technology, 275 S. Hillview Dr.

The chemicals of concern at Linear Technology are anhydrous ammonia, a mixture with 1% arsine, boron trifluoride, chlorine, a mixture with 5% diborane, dichlorosilane, hydrogen bromide, hydrogen chloride, nitrogen trifluoride, a mixture with 15% phosphine, pure phosphine, a solution of 30% sodium hydroxide, a solution of 36% sulfuric acid, sulfur hexafluoride and tungsten hexafluoride. Worst-case releases of hydrogen chloride, sodium hydroxide, and sulfuric acid were not evaluated.

Hydrogen chloride is a liquid with a low vapor pressure and therefore does not readily evaporate. As such, the EPA RMP guidance does not include methodology for calculating distances to endpoints for such a release.

Pure sodium hydroxide is a solid and has a low vapor pressure and therefore does not readily evaporate. As such, the EPA RMP Guidance does not include methodology for calculating distances to endpoints for such a release. Additionally, sodium hydroxide is not included as a CalARP regulated chemical.

The USEPA RMP Guidance only establishes a TEP for sulfuric acid if it is combined with sulfur trioxide in the form of oleum. Additionally, sulfuric acid is only regulated under CalARP if concentrated with greater than 100 pounds of sulfur trioxide or the acid meets the definition of oleum. The sulfuric acid at these facilities is not in the form of oleum, therefore no TEP is established.

Chlorine at Linear Technology has the greatest distance to the 1/10 IDLH and thus IDLH zone of impact of all chemicals stored on site, at 1.2 miles to the 1/10 IDLH concentration and 0.4 miles to the IDLH concentration. Diborane has the largest TEP zone of impact, 1.2 miles. The Project is 0.29 miles to the northwest of Linear Technology, and as such is inside the IDLH zone of impact for chlorine. The Project is in the TEP zone of impact for chlorine, diborane, and pure phosphine from Linear Technology. The Project is in the 1/10 IDLH zone of impact for anhydrous ammonia, chlorine, diborane, hydrogen bromide, and pure phosphine from Linear Technology.

Under the worst-case scenario for the actual amount of anhydrous ammonia, chlorine, diborane, hydrogen bromide, and phosphine stored in the single largest vessel, the Project is located within the hypothetical distance to the 1/10 IDLH concentrations of these chemicals.

Headway Technologies, 497 S. Hillview Dr.

The chemicals of concern at Headway Technologies are anhydrous ammonia, boron trichloride, chlorine, a solution of 50% sodium hydroxide, and a solution of 30% sulfuric acid. Worst-case releases of sodium hydroxide and sulfuric acid were not evaluated, as discussed in the results for Linear Technology.

Chlorine at Headway Technologies has the greatest distance to the 1/10 IDLH and thus IDLH zone of impact of all chemicals stored on site, at 0.8 miles to the 1/10 IDLH concentration and 0.2 miles to the IDLH concentration. Boron trichloride has the largest TEP zone of impact, 1.4 miles. The Project is 0.39 miles to the northwest of Headway Technologies, and as such is inside the TEP zone of impact for chlorine and boron trichloride. The Project is in the 1/10 IDLH zone of impact for chlorine from Headway Technologies.

Under the worst-case scenario for the actual amount of chlorine stored in the single largest vessel, the Project is located within the hypothetical distance to the 1/10 IDLH concentration.

Nanogram, 165 Topaz St.

Nanogram is located south west of the Project. The chemicals of concern at Nanogram are anhydrous ammonia, a mixture with 10% diborane, a mixture with 10% phosphine, and sulfur hexafluoride.

Phosphine at Linear Technology has the greatest distance to the 1/10 IDLH and thus IDLH zone of impact of all chemicals stored on site, at 0.2 miles to the 1/10 IDLH concentration and 0.1 miles to the IDLH concentration. Phosphine also has the largest TEP zone of impact, 0.3 miles. The Project is 0.18 miles to the northeast of Nanogram, and as such is inside the TEP zone of impact for phosphine from Nanogram. The Project is in the 1/10 IDLH zone of impact for phosphine from Nanogram.

Under the worst-case scenario for the actual amount of phosphine stored in the single largest vessel, the Project is located within the hypothetical distance to the 1/10 IDLH concentration.

Magic Technologies, 463 S. Milpitas Blvd.

The chemicals of concern at Magic Technologies are anhydrous ammonia, boron trichloride, carbon monoxide, chlorine, hydrogen bromide, a solution of 30% sodium hydroxide, and a solution of 36%

sulfuric acid. Worst-case releases of sodium hydroxide and sulfuric acid were not evaluated, as discussed in the results for Linear Technology.

Hydrogen bromide at Magic Technologies has the greatest distance to the 1/10 IDLH and thus IDLH zone of impact of all chemicals stored on site, at 1 mile to the 1/10 IDLH concentration and 0.3 miles to the IDLH concentration. Boron trichloride has the largest TEP zone of impact, 1.4 miles. The Project is 0.35 miles to the north-northwest of Magic Technologies, and as such is inside the TEP zone of impact for chlorine and boron trichloride. The Project is in the 1/10 IDLH zone of impact for chlorine and hydrogen bromide from Magic Technologies.

Under the worst-case scenario for the actual amount of chlorine and hydrogen bromide stored in the single largest vessel, the Project is located within the hypothetical distance to the 1/10 IDLH concentrations of these chemicals.

System Services of America, Inc., 1029 Montague Expressway

The chemical of concern at System Services of America, Inc., is anhydrous ammonia. The distances to the IDLH, TEP and 1/10 IDLH concentrations are 0.4, 0.4, and 1.1 miles from System Services of America, Inc., respectively. The Project is 1.2 miles to the north-northwest of System Services of America, Inc., and as such is outside the IDLH, TEP, and 1/10 IDLH zones of impact for anhydrous ammonia.

Under the worst-case scenario for the actual amount of anhydrous ammonia stored in the single largest vessel, the Project is not located within the hypothetical distance to the 1/10 IDLH concentration of anhydrous ammonia.

Siemens Water Technologies, 960 Ames Ave.

The chemicals of concern at Siemens Water Technologies are solutions of 50% sodium hydroxide and 31% hydrogen chloride. Worst-case releases of sodium hydroxide and hydrogen chloride were not evaluated, as discussed in the results for Linear Technology. Additionally, hydrogen chloride less than 37% is not included as a CalARP or USEPA RMP regulated chemical.

T. Marzetti, 876 Yosemite Dr.

The chemical of concern at T. Marzetti is a solution of 30% sodium hydroxide. Worst-case releases of sodium hydroxide were not evaluated, as discussed in the results for Linear Technology.

Limitations

This report has been prepared exclusively for use by RCUSA for submission to the City of Milpitas and may not be relied upon by any other person or entity without ENVIRON's express written permission. The conclusions presented in this report represent ENVIRON's professional judgment based upon the information available to us and as provided by the MFD and conditions existing as of the date of this report, and are correct to the best of ENVIRON's knowledge as of the date of this report. Future conditions (e.g., new industrial uses) may differ from those described herein and this report is not intended for use in future evaluations of risks to the site. In performing this assignment, ENVIRON relied upon publicly available information, including information submitted by facilities to the Milpitas Fire Department. Accordingly, the conclusions in this report are valid only to the extent that the information provided to ENVIRON was accurate and complete. ENVIRON does not make any warranties or representations, whether expressed or implied, regarding the accuracy of such information, and shall not be held accountable or responsible in the event that any such inaccuracies are present.

ENVIRON's scope of work for this assignment was limited to identifying neighboring businesses, as identified by MFD, that may store chemicals that could have off-site consequences if catastrophically released. The proposed Project is located in close proximity to both I-680 (the Site is approximately 0.6 miles to the west of I-680) and I-880 (the Site is approximately 1 mile to the east of I-880), and is located near a railroad right-of-way, consisting of multiple tracks. The scope of work for this report did not include evaluation of potential risks from trucks accidents or railcar derailments involving releases of hazardous materials. Further, because the proposed Project is located within the greater Bay Area, which is urban and industrialized, the proposed Project faces the same potential risks and hazards as any other business in an industrial or urban area. This report is intended, consistent with normal standards of practice and care, to assist the client in identifying the risks of known current conditions within the Site vicinity.

Conclusion

The Project will need to comply with any mitigation measures required by the MFD, as a result of being within the 1/10 IDLH zones of impact of anhydrous ammonia, chlorine, diborane, hydrogen bromide, and phosphine. Mitigation measures suggested by the MFD in its *Guideline for Preparation of Risk Assessments* include

- Installation of a wind directional sock on the building for assessing wind direction and weather conditions,
- Implementation of an in-place communication system for notifying occupants via a prerecorded message in the event of an incident and then directing them on emergency procedures to follow,
- Installation of manual shutoff control on the building ventilation (HVAC) system,
- Preparation of an Emergency Action Plan (EAP) with Evacuation and Shelter in Place procedures,
- An airborne chemical monitoring system for the gases that have been identified as a risk of exposure (*i.e.*, anhydrous ammonia, chlorine, diborane, hydrogen bromide, and phosphine), and
- Automatic shutdown of the ventilation system upon gas detection.

Additionally, the communication system, gas detection system, and emergency procedures developed in the EAP will all require testing upon installation and ongoing annual testing. The Project may need to implement some or all of the above measures, at the discretion of the MFD.

If you have any questions or need further information, please feel free to contact Michael at 415.796.1934 or mkeinath@environcorp.com.

Sincerely,

Michael Keinath, PE
Senior Manager

Elizabeth A. Miesner, MS
Principal

Attachments:

Table 1	Distances to the IDLH, TEP, & 1/10 IDLH for Catastrophic Release Scenario for Toxic Gases and Liquids of Concern Stored in the Vicinity of the Project
Figure 1	Proposed Project Boundary
Figure 2	Industrial Facilities Near the Proposed Project
Figure 3	Maximum Distances to 1/10 IDLH Concentration

Tables

Figures

Appendix G

ENVIRONMENTAL CHECKLIST FORM

1. Project title: Taipei Economic and Cultural Office Center, Conditional Use Permit No. UP12-0021, Site Development Permit Amendment No. SA12-0008, and Environmental Assessment No. EA12-003

2. Lead agency name and address: City of Milpitas, 455 E. Calaveras Blvd. Milpitas, CA 95035

3. Contact person and phone number: Cindy Hom, (408) 586-3284

4. Project location: 100 S. Milpitas Blvd. Milpitas, CA 95035 (APN 86-28-029)

5. Project sponsor's name and address: Sy-Cheng Tasi, 2050 Concourse Drive, San Jose, CA 95131

6. General plan designation: Town Center (TWC)

7. Zoning: Town Center with Site and Architectural Overlay (TC-S).

8. Description of project: The applicant is requesting a conditional use permit (UP12-0021) and a site development permit amendment (SA12-0008) to operate a 30,784 square foot cultural center that includes 5,445 square foot multi-purpose auditorium, approximately 5,232 of conference and meeting room space, 1,820 square feet of office space, a 1,128 square foot art exhibit hall, and a 2,128 square foot library room within an existing vacant industrial building. The project includes installation of various exterior and site modifications such as replacement of an existing trash enclosure, rehabilitation of landscaping, parking lot resurfacing and restriping. The cultural center would operate seven days a week between the hours of 9:00AM to 10:00PM.

The project site is located on a 2.02-acre parcel developed with an existing 30,784 square foot, two-story concrete tilt up industrial building, 107 parking spaces, and existing site improvements located at 100 S. Milpitas Blvd., (APN: 86-28-029), zoned Town Center with the Site and Architectural ("S") Overlay District.

9. Surrounding land uses and setting: The City of Milpitas is situated on the eastern shore of the San Francisco Bay, in Santa Clara County, just south of Alameda County. Milpitas encompasses about 13.64 square miles of land, and borders Fremont on the north, San Jose on the south and west, and unincorporated county to the east. See Figure 1 for map location.

The project site is located on the northeast corner of the intersection at S. Milpitas Boulevard and Los Coches Street. The site is bounded by Los Coches Street to the north, S. Milpitas Boulevard to the west, medical and dental offices to the north, and commercial buildings with quasi-public uses to the east. Surrounding uses include commercial and institutional uses to the north and east; industrial uses to the south, and commercial services to the west. However, the City is currently processing an application to develop the adjacent neighboring site with 113 new residential units to the west. See Figure 2 for aerial photo of project site and vicinity

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature

Date

Printed Name

For

MAPS

Figure 1: Regional Map

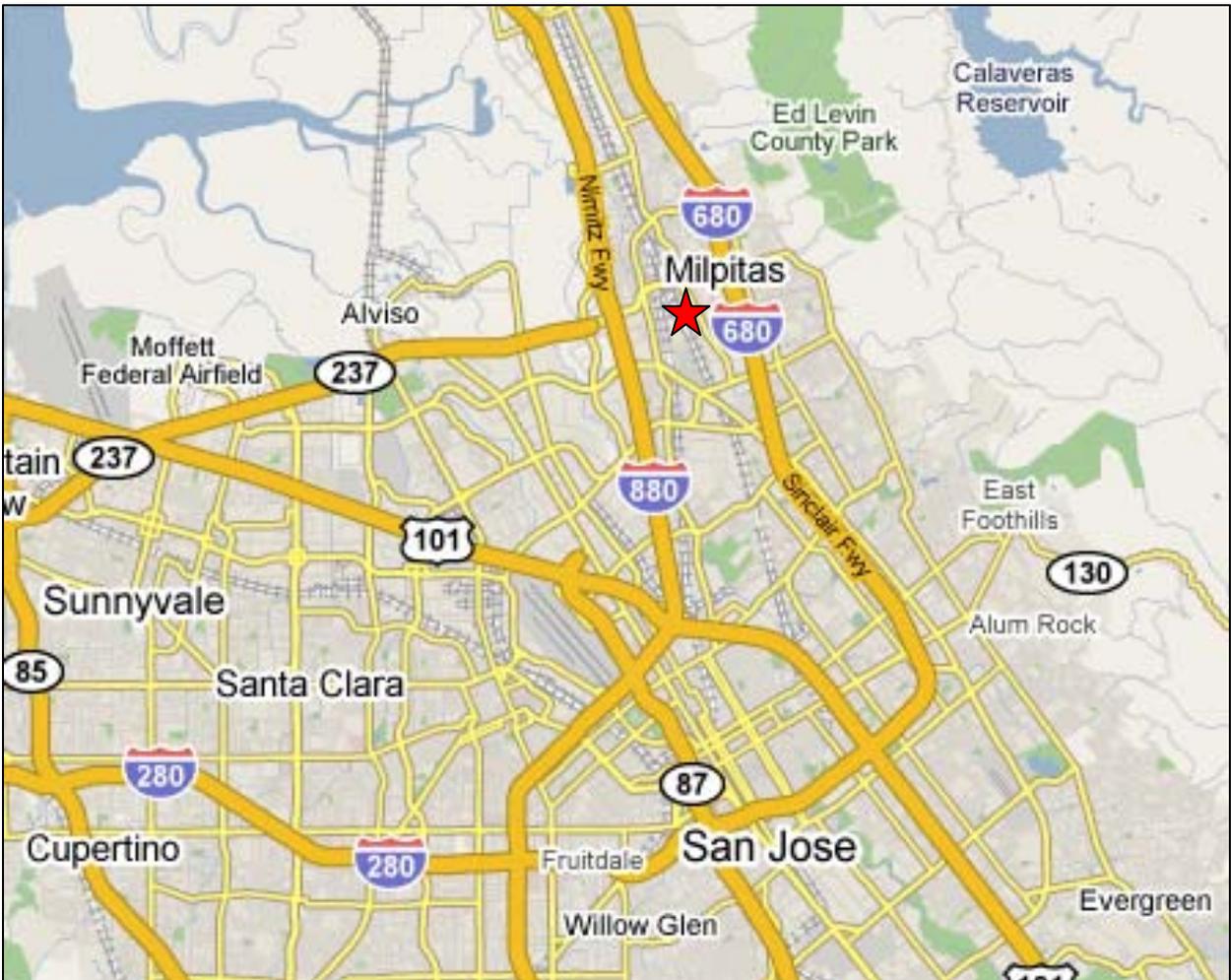
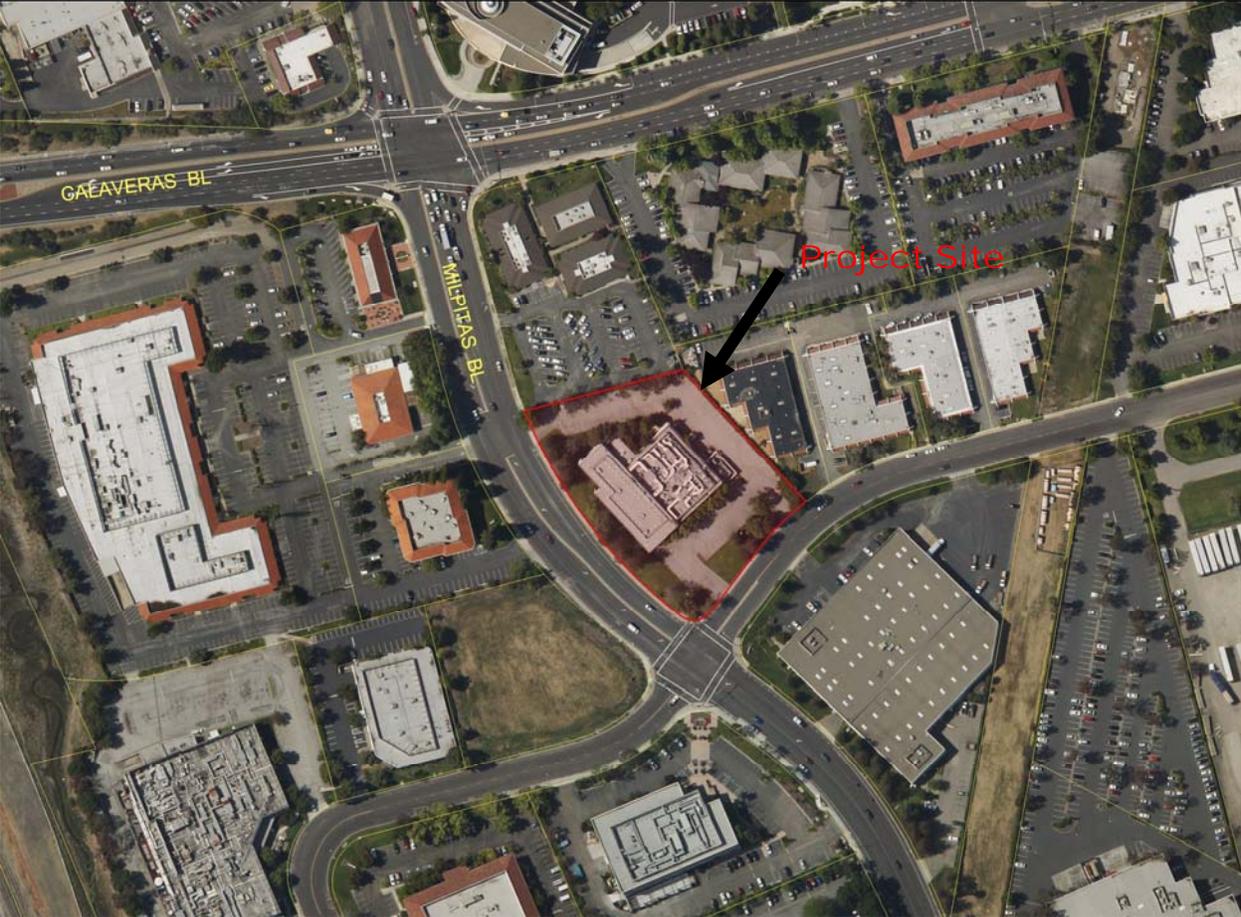


Figure 2: Vicinity Map



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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4
3) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4

Comment:

The project will not substantially impact any scenic vistas, damage scenic resources, degrade the existing visual quality or create a new source of substantial light or glare because the project site is located on the valley floor and is not on or near any designated scenic corridors, scenic resources, and/or scenic highways. The project entails the operations of a cultural community center within an existing industrial building. The project proposes interior tenant improvements and minor exterior and site modifications that would not affect the visual character of the building, existing landscaping, or add new source of substantial light or glare that would negatively affect day or nighttime views. **[No Impact]**

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:					

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)
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 9, 12
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 9, 12
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 9, 12
4) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 9, 12
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 9, 12

Comment: The project site is located in an urbanized industrial area. The project site is not currently used for agricultural purposes and is not zoned or designated as farmland of any type or would conflict with a Williamson Act Contract. **[No Impact]**

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 10
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 10
4) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 10
5) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 10

Comment:

The proposed project is for the operation of a 30,784 square cultural community center. The proposed operations of the facility will not conflict with any applicable air quality plan, violate any air quality standards, expose sensitive receptors to substantial air pollutant concentrations or create objectionable odors.

The Bay Area Air Quality Management District (BAAQMD) has adopted a threshold of 54lbs/day for the air pollutants that include: carbon monoxide (CO), nitrogen oxides (NOx), and reactive organic gas (ROG) as the threshold for projects that would substantial contribute to air quality violations. According the BAAQMD, projects that do not exceed 2,000 vehicle trips would not exceed this threshold. The project is anticipated to generate 454 new daily trips but would only add 50 new AM peak hour trips and 50 PM peak hour trips which would not result in a cumulatively considerable net increase for any criteria pollutants. **[Less than Significant Impact]**

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4

Comment:

The project proposes minor interior improvements to allow for operations of a cultural community center within an existing industrial building and rehabilitation of existing landscaping. Therefore, the project will not result in any substantial effects on sensitive or protected species. The project is not located near any riparian habitat, sensitive natural community, or federally protected wetlands, nor would the project interfere with the movement of any native resident or migratory fish or wildlife species. The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance since no trees are proposed for removal. The project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **[No Impact]**

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, 4
1) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
2) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
3) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
4) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4

Comment:

The project does not involve any demolition or excavation activities or contain any significant cultural or historical resources. Therefore, the project will not result in any significant effects on cultural or historic resources given that this is an existing development and the site does not proposed site improvements beyond rehabilitation of existing landscaping. **[No impact]**

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:					1, 5, 13
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 5, 13
c) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 5, 13
d) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 5, 13
2) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 5, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 5, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 5, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 5, 13

Comment:

The project area is located on the Valley Floor, in a mapped liquefaction hazard zone with soils that have a moderate potential for expansion. The project site is not located within a fault rupture zone or landslide hazard zone. The project area is located in a seismically active region and could experience strong seismic ground shaking and related effects in the event of an earthquake on one of the identified active or potentially active faults in the region. The conditional use permit and change in use from industrial to assembly use will require city review under the current California Building Code. The proposed project entail the operation a 30,784 square foot cultural community center within an existing industrial building

and would not result in any geological, geotechnical, or seismicity impacts that cannot be avoided through standard engineering and construction techniques. **[No Impact]**

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 10
2) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 10

Comment:

The proposed project would not make a cumulatively considerable contribution to global climate change beyond the permitted industrial use under the existing zoning designation. Although the site is currently a vacant industrial building, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 16
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 16

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:					
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 16
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 16
7) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 16
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 16

Comment:

The project includes a conditional use permit to allow for the operations of cultural community center and does not involve the transport, storage, use, or generate toxic or hazardous materials. However, the project is adjacent to the Heavy Industrial Zoning District and within proximity of businesses that have operations that involve the use and storage of various hazardous materials. The project is not located within an airport land use plan, public airport, private airstrip or wildlands.

HAZ Impact 1- Since the project site is adjacent to various industrial businesses that transport, store, or utilize various hazardous materials, the proposed project will introduce a sensitive receptors to potential exposure of hazardous materials upon an accidental exposure event. Based on the Risk Assessment dated prepared by Environ for this project, the assessment identified the following chemicals of concern that can be accidentally released in event of a catastrophe:

- Anhydrous ammonia
- Chlorine
- Diborane
- Hydrogen Bromide
- Phosphine

The Risk Assessment determined potential impacts from these off-site risks can be reduced to a less than significant level by installation and maintenance of a airborne chemical monitoring, detection and response system and implementation of an Emergency Action Plan (EAP) as described further in the below mitigation measures:

- HAZ MM1 - Prior to building permit issuance, the tenant improvement plans shall indicate an airborne chemical monitoring system (sensors), with detection and response/notification capabilities that shall be designed and installed by the applicant. The sensors shall be specific for the gases identified in the Risk Assessment as having the potential of impacting the site. Notification shall alert Fire dispatch of an alarm and also provide in-place communication, both inside and outside of the building, to alert occupants of an emergency, via pre-recorded message, and shall direct them on emergency procedures to follow. As part of the monitoring system, building ventilation shall have manual and automatic shutoff capabilities with the control device located per Fire Department direction.
- HAZ MM2 - Prior to building permit issuance, the tenant improvement plans shall indicate the location of a windsock or other approved wind/weather-monitoring device on site to aid in determining wind direction in the event of a nearby hazardous material release.
- HAZ MM3 - Prior to building permit issuance, the tenant improvement plans shall indicate the location of warning notification signs posted at all entrances to the building. The signs shall serve to advise building occupants of potential hazards within the surrounding industrial area. Proposed verbiage shall be submitted for Fire Department review. Signs may be required in multiple languages, as appropriate for occupants of the building.
- HAZ MM4 - Prior to certificate of occupancy issuance, the applicant shall submit an Emergency Action Plan (EAP) to the Milpitas Fire Department for approval, which recognizes the nature of the risk at the project site in the surrounding industrial area. The EAP shall include identification of key personnel in the implementation of the plan, training documentation, written evacuation plan showing evacuation routes, shelter in-place and assembly areas, and location of emergency equipment.
- HAZ MM5 - Prior to certificate of occupancy issuance and before implementing the EAP, the employer shall designate and train a sufficient number of persons to assist in the safe and orderly emergency evacuation of employees. The employer shall advise each employee of his/her responsibility under the plan. Furthermore, drills with EAP designated staff and the Fire Department shall be conducted on site to test and document implementation of the EAP. An additional drill including building occupants shall occur immediately following occupancy. Drills shall be conducted and documented monthly and on an annual basis with the Fire Department on site.
- HAZ MM6 – The applicant shall provide a disclosure and acknowledgement form to all guests which discloses potential hazards and includes a description of emergency procedures. Recordkeeping of the notification are to be maintained at all times.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 14
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 14
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 14
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 14
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 14
6) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 14
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 14
10) Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 14

Comment:

The proposed project does not propose any physical alterations to existing condition of the site. Therefore, there are no hydrology or water quality impacts resulting from this proposed project. **[No Impact]**

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
3) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2

Comment:

The project does not propose any changes to the land use designations to the property. With the approval of the Conditional Use Permit and associated conditions of approval and mitigation measures, the proposed cultural center will be consistent with the General Plan and Milpitas Zoning Ordinance. The proposed project would not result in significant, adverse land use impacts. **[No Impact]**

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4

Comment:

The project entails a conditional use permit to allow for the operations of a cultural community center and does not involve or result in the loss of availability of a known mineral resource or located near mineral resource zone or excavation sites. Therefore, the project would not result in impacts to mineral resources. **[No Impact]**

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 6
2) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 6
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 6
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 6

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:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 6

Comment:

The project will not result in any additional substantial noise impacts beyond the existing conditions. The project vicinity continues to include commercial and industrial uses and is regulated by the Milpitas General Plan Noise Standards. **[No Impact]**

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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

Comment:

The project is not anticipated to generate any additional substantial urban growth impacts considering the project entails the operations of cultural community center. The project will not result in new growth given the surrounding area is fully developed and no increase in land use density is requested over that permitted within the existing zoning district and general plan land use designation. The project will not displace existing homes or necessitate new housing elsewhere. **[No Impact]**

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:					1, 2
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2

Comment:

The project will not have an impact on public services considering it is an existing development in an urbanized area within the City of Milpitas. The project will not result in new growth given the surrounding area is fully developed and no increase in land use density is requested over that permitted within the existing zoning district and general plan land use designation. The project site is served by:

Fire: Fire protection is provided by the City of Milpitas Fire Department, which provides structural fire suppression, rescue, hazardous materials control and public education services. There are four Fire stations located within the city at the various locations below:

- Fire Station # 1:** 777 South Main St.
- Fire Station # 2:** 1263 Yosemite Dr.
- Fire Station # 3:** 45 Midwick Dr.
- Fire Station # 4:** 775 Barber Ln.

Police Protection: The City of Milpitas Police Department provides police protection.

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), two middle schools (grades 7-8) and nine elementary schools (grades K-6).

Maintenance: The City of Milpitas Public Works Department provides public works maintenance of public utilities for water, sewer, and stormwater.

Parks: The City of Milpitas has approximately 190 acres of city owned parks and recreational facilities.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

Comment:

The project does not propose any new resident population and therefore will not increase the use of existing or physical deterioration of existing recreational facilities nor require the construction of new facilities. **[No Impact]**

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,15

XVI. TRANSPORTATION/TRAFFIC					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,15
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
5) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
7) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

Comment:

The project proposes to convert an empty 30,784 square foot industrial building into a cultural community center that offers various programs and activities that operate daily. Based on the proposed use, the project will generate approximately 454 new daily trips and add only add 50 new AM peak hour trips and 50 PM peak hour trips as demonstrated in the below trip generation analysis:

Trip Generation Analysis

USE	INTENSITY	TRIP RATE	DAILY TRIPS	AM		PM	
				IN	OUT	IN	OUT
Existing Use							
R&D	30,784 KSF	8.11/KSF	249	32	6	5	28
Total Existing Use	30,784 KSF		249	32	6	5	28
Proposed Use							
Recreational Community Center	30,784 KSF	22.88/KSF	703	31	19	15	35
Total Proposed Use	30,784 KSF		703	31	19	15	35
Net			+454	-1	+13	+10	+7

The City of Milpitas General Plan identifies level of service (LOS) E in the peak hours as the operational threshold for local intersection and recognizes regional facilities may operate at worse than LOS E. The City of Milpitas considers uses with a new increase of 100 PM peak hour trips as requiring traffic studies to review if there are potential substantial changes in surrounding facility conditions. This practice is consistent with the Santa Clara County CMP program. Since the project will generate less than a 100 new peak trips, it does not require a traffic analysis.

The additional 50 AM and 50 PM peak hour trips would not result in a substantial change to the existing LOS and would have less than a significant effect on transportation facility operations under project conditions. The anticipated trip generation for this project will not negatively affect the surrounding roadway system that includes State Route 237/Calaveras Boulevard, Milpitas, Los Coches Street, Topaz Street, and Turquoise Drive or cause a significant intersection delay at nearby signalized intersections.

The project will not conflict with any applicable congestion management program standards or to adopted policies, plans, or programs supporting alternative transportation. The project will not involve any modifications to the existing access and circulation and therefore, will not create any traffic hazards or result in inadequate emergency access. **[Less than significant]**

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:					

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4
7) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4

Comment:

The project entails a conditional use permit to allow for the operations of cultural community center within an existing vacant industrial building. The site is already served by utilities and will not increase existing levels of service or require additional capacity for water, sewer, or solid waste. **[No Impact]**

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 15, 16
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 15, 16
3) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 15, 16
4) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 4, 15, 16

Comment:

The project is located within an urbanized area and will not have the potential to degrade the environment, reduce wildlife habitat, threatened endangered plant or animal species, or impact historical or cultural resources.

The proposed project may have potential impacts related to the hazardous materials in that sensitive receptors (very young and elderly population) may be expose to accidental release or airborne chemicals. Mitigation measures have been included in the project to reduce identified project impacts on the natural and human environment to a less than significant level.

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. Milpitas Midtown Improvement Plans TIA, May 2008.
16. Risk Assessment, Environ, November 14, 2012.

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.