

**City of Milpitas
Planning Department**

455 E. Calaveras Blvd., Milpitas, CA 95035
Telephone: 408-586-3279 • Fax: 408-586-3305
www.ci.milpitas.ca.gov

**Planning and Zoning
Application**

Please print or type. The City's acceptance of this application and required filing fee does not constitute a completed application pursuant to Government Code 65943. Applicant will be considered the project contact unless otherwise indicated on this form and will be the sole recipient of City correspondence, including staff reports, project approval letter, and conditions of approval.

Permit Type

- | | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> Site Development Permit | <input type="checkbox"/> Major Tentative Map | <input type="checkbox"/> Zoning Amendment/Change | <input checked="" type="checkbox"/> Variance |
| <input type="checkbox"/> Minor Site Development | <input type="checkbox"/> Minor Tentative Map | <input type="checkbox"/> Planning Appeal | <input type="checkbox"/> Interpretation |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Specific Plan Amendment | <input type="checkbox"/> Administrative Permit |
| <input type="checkbox"/> Minor Conditional Use Permit | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Time Extension | <input type="checkbox"/> Pre-Application Review |
| <input checked="" type="checkbox"/> Other <u>PARCEL MAP</u> <input type="checkbox"/> Check if Amendment to Existing Permit: (Number) _____ | | | |

Application Information and Certification

Applicant's Name:
THE TRUE LIFE COMPANIES

Telephone:
925-380-1699

Fax:

Mailing Address (Street, City, State, Zip):
12647 ALICIA BLVD. #470
SAN RAMON, CA 94583

E-mail:
L BENISTON @ THETRUELIFECOMPANIES.COM

I certify that the information herewith submitted is true and correct to the best of my knowledge.

Applicant's relationship to property owner:

- ☐ Same ☐ Architect ☐ Agent ☐ Lessee

Signature:

Date:

Leah Beniston

9/26/18

Other (please specify) DEVELOPER

Project Information

Project Address:
2001 TARDIS CT. MILPITAS

Assessor's Parcel Number(s):
086-36-034

Existing Use of Project Site:
OFFICE

Site Area (acres) / Building Floor Area (square footage):
1.23 ACRES

Project Name and Description (Please describe in detail, using an additional sheet if needed.):
44 UNIT CONDOMINIUM DEVELOPMENT. R-3 COMPLANT

Project Ownership and Authorization

Name, address and signature of all property owners having an interest in the property. All owners' consent is required to authorize the filing of this application. Use additional sheet if needed.

Name and Address:

SEE ATTACHED

Signature:

Date:

Contact Information: email and phone

Signature:

Date:

Project Contact Information

List project contact information if different from Applicant listed above.

Name:
LEAH BENISTON

Authority: ☐ Owner ☐ Agent ☐ Lessee ☒ Other
DEVELOPER (list)

Mailing Address:
SAME AS APPLICANT

Telephone:
925-380-1699

Fax:

E-mail:
L BENISTON @ THETRUELIFECOMPANIES.COM

STAFF USE ONLY

Application Received By:

Date:

Application Submittal Fee:

Total Fee Deposit:

Permit Number(s):

PJ:

**INDEMNIFICATION AGREEMENT
FOR DEVELOPMENT APPLICATIONS**

Applicant submitted an application to the City of Milpitas Planning Division on 11-2-18, 2018 for the following development approval(s):

44 UNIT CONDOMINIUM PROJECT, R-3

COMPLIANT.

(the "Project"). For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Applicant hereby expressly agrees in connection with the processing of Applicant's Project application(s) to each and every one of the following terms and conditions:

1. Applicant agrees, as part of and in connection with each and any of the application(s), to defend, indemnify, and hold harmless the City of Milpitas ("City") and its officers, contractors, consultants, attorneys, employees and agents from any and all claims(s), action(s), or proceeding(s) (collectively referred to as "proceeding") brought against City or its officers, contractors, consultants, attorneys, employees, or agents to challenge, attack, set aside, void, or annul:
 - a. Any approvals issued in connection with any of the above described application(s) by City; and/or
 - b. Any action taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended ("CEQA") by City's advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or Council.

Applicant's indemnification is intended to include, but not limited to, damages, fees and/or costs awarded against or incurred by City, if any, and costs of suit, claim or litigation, including without limitation attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by Applicant, City, and/or parties initiating or involved in such proceeding.

2. Applicant agrees to indemnify City for all of City's costs, fees, and damages incurred in enforcing the indemnification provisions of this Agreement.
3. Applicant agrees to defend, indemnify and hold harmless City, its officers, contractors, consultants, attorneys, employees and agents from and for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an environmental impact report, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if applicant desires to pursue such City approvals and/or

clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.

4. In the event that Applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve:
 - a. The counsel to so defend City; and
 - b. All significant decisions concerning the manner in which the defense is conducted; and
 - c. Any and all settlements, which approval shall not be unreasonably withheld.

City shall also have and retain the right to not participate in the defense, except the City agrees to reasonably cooperate with Applicant in the defense of the proceeding. If City chooses to have counsel of its own to defend any proceeding where Applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, all City Attorney fees and costs shall be paid by Applicant.

5. Applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding.

After review and consideration of all of the forgoing terms and conditions, Applicant, by its signature below, hereby agrees to be bound by and fully and timely comply with all of the foregoing terms and conditions.

APPLICANT By: _____

(Signature)

LEAH BENISTON
(Print)

Date: _____

9/26/18

Its: VP OF ENTITLEMENTS
(Title, if any)

City of Milpitas Planning Department

455 E. Calaveras Blvd., Milpitas, CA 95035
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Planning and Zoning Application

Please print or type. The City's acceptance of this application and required filing fee does not constitute a completed application pursuant to Government Code 65943. Applicant will be considered the project contact unless otherwise indicated on this form and will be the sole recipient of City correspondence, including staff reports, project approval letter, and conditions of approval.

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| <input checked="" type="checkbox"/> Other <u>PARCEL MAP</u> | | | |
| <input type="checkbox"/> Check if Amendment to Existing Permit: (Number) _____ | | | |

Application Information and Certification

Applicant's Name:
THE TRUE LIFE COMPANIES

Telephone:
925-380-1699

Fax:

Mailing Address (Street, City, State, Zip):
12647 ALICIA BLVD. #470
SAN RAMON, CA 94583

E-mail:
LBENISTON@THETRUELIFECOMPANIES.COM

I certify that the information herewith submitted is true and correct to the best of my knowledge.

Applicant's relationship to property owner:

- ☐ Same ☐ Architect ☐ Agent ☐ Lessee

Signature:

Date:

Lean Beniston

9/26/18

Other (please specify) DEVELOPER

Project Information

Project Address:
2001 TASSER CT. MILPITAS

Assessor's Parcel Number(s):
086-24-024

Existing Use of Project Site:
OFFICE

Site Area (acres) / Building Floor Area (square footages):
1.23 ACRES

Project Name and Description (Please describe in detail, using an additional sheet if needed.):
44 UNIT CONDOMINIUM DEVELOPMENT. R-3 COMPLIANT

Project Ownership and Authorization

Name, address and signature of all property owners having an interest in the property. All owners' consent is required to authorize the filing of this application. Use additional sheet if needed.

Name and Address: KARL CORTES
3626 NORCROSS CT. SAN JOSE, CA 95148

Signature:

Date:

[Signature]

9-27-2018

Contact Information: email and phone

(408) 238-4419 K.CORTES@SBCGLOBAL.NET

Signature:

Date:

[Signature]

9-27-2018

Project Contact Information

List project contact information if different from Applicant listed above.

Name:
LEAN BENISTON

Authority: ☐ Owner ☐ Agent ☐ Lessee ☒ Other (list)
DEVELOPER

Mailing Address:
SAME AS APPLICANT

Telephone:
925-380-1699

Fax:

E-mail:
LBENISTON@THETRUELIFECOMPANIES.COM

STAFF USE ONLY

Application Received By:

Date:

Application Submittal Fee:

Total Fee Deposit:

Permit Number(s):

PJ:

Consultant List

Have consultants been identified to assist with this project? ☒ Yes

☐ No

By: LEAH BENISTON VICE PRESIDENT OF ENTITLEMENTS 11/2/2018
Name of Person Completing this Form Capacity Date

Consultants include, but are not limited to, architects, designers, contractors, landscape architects, engineers, planners, real estate agents, and environmental consultants. It is important this form be filled out completely. It enables members of the City Council, Planning Commission and staff to avoid potential conflicts of interest, which could otherwise invalidate your project's approval.

Name: SCOTT PRICKETT Capacity: ARCHITECT
Company: SDG ARCHITECTS INC. Phone No.: 925-634-7000
Address: 3261 WALNUT BLVD. #120 BRENTWOOD, CA 94513 Email: _____
Milpitas Business Tax ID# _____

Name: _____ Capacity: ENGINEER
Company: WOOD ROGERS Phone No.: 925-847-1556
Address: 4670 WILLOW RD. #125 PLEASANTON, CA 94588 Email: _____
Milpitas Business Tax ID# _____

Name: ROMAN DE SOTA Capacity: LANDSCAPE DESIGN
Company: R3 STUDIOS Phone No.: 510-452-4190
Address: 201 4TH ST #1018 OAKLAND, CA 94607 Email: _____
Milpitas Business Tax ID# _____

Name: _____ Capacity: _____
Company: _____ Phone No.: _____
Address: _____ Email: _____
Milpitas Business Tax ID# _____

Name: _____ Capacity: _____
Company: _____ Phone No.: _____
Address: _____ Email: _____
Milpitas Business Tax ID# _____

Name: _____ Capacity: _____
Company: _____ Phone No.: _____
Address: _____ Email: _____
Milpitas Business Tax ID# _____

If more room is necessary, you may complete and attach additional copies of this form.

City of Milpitas Municipal Code Title III requires everyone, including consultants, who render services in or from the City of Milpitas to have a valid business tax/license. Please contact the Business Resource Center at 408-586-3100 for instructions on how to obtain a Milpitas Business Tax ID number.

Hazardous Waste and Substances Statement

Pursuant to California Government Code Section 65962.5 (AB 3750 – Cortese)

Government Code Section 65962.5 requires that “before a lead agency accepts as complete an application for any development ...the applicant shall consult the [Cortese] list and shall submit a signed statement...indicating whether the project and any alternative are located on a site that is included on [the list].” This form is provided for that purpose.

TO: Planning Division
City of Milpitas
455 East Calaveras Blvd
Milpitas, CA 95035

I have consulted the current Hazardous Waste and Substances Sites List, consolidated by the California Environmental Protection Agency pursuant to Government Code Section 65962.5 at <http://www.calepa.ca.gov/SiteCleanup/CorteseList/> regarding the development project application herewith submitted.

Based on my consultation, the location of the project, shown below,

☐ IS ☒ IS NOT

on a site which is included on the attached most recent Hazardous Waste and Substances Sites List.

Project location:

If located on such a site, print the sources of that information as shown on the list:

I declare under penalty of perjury that the foregoing is true. Executed this

2 day of November, 2018, in
(date) (month) (year)

San Ramon, CA
(city and state)

X Leah Beniston
Signature of applicant (or agent)

Leah Beniston, Vice President of Entitlements
Print applicant name, with agent name and title, if any

Development Statistics

SECTION 1: ZONING AND GENERAL PLAN INFORMATION

a. What is the property currently designated for:

ZONING: R3 - TOD

GENERAL PLAN: HIGH DENSITY RESIDENTIAL 21-40 dw/ac

b. Are any changes being proposed to either the Zoning or General Plan? ☒ NO ☐ YES.

IF YES, list the new Zoning District or,

General Plan designation(s) as appropriate --

ZONING: _____

GENERAL PLAN: _____

SECTION 2: SIZE OF DEVELOPMENT AND NUMBER OF LOTS

a. What is the total land area of the project site? 1.22 ☐ SQ. FT. / ☒ ACRES.

b. How many legal lots does the project area currently contain? _____ LOTS

c. Do you propose to subdivide the project site and thereby increase the number of lots? ☐ NO ☐ YES.

If yes, are the total number of lots? _____ lots

d. Is the site currently vacant? ☒ NO ☐ YES.

SECTION 3: HISTORIC INFORMATION

a. Were any structures located on the project site constructed prior to 1956? ☒ NO ☐ YES. -- If yes, when was the structure built? Year Built: _____

b. How is this structure being used? OFFICE

c. Describe generally where this structure is located on the project site: _____

d. Is the site or any of the structures considered to be historically significant? ☒ NO ☐ YES.

e. What type of historic designation? (check one) ☐ Federal ☐ State ☐ Landmark ☐ Local

f. Is the site or structure known by a particular name? ☐ NO ☐ YES -- If yes, list its name --

☐ Site _____

☐ Building _____

SECTION 4: EXISTING RESIDENTIAL

a. Does the project site currently contain any residential dwellings? ☒ NO ☐ YES. -- If YES, what is the total number of units? _____ Units.

b. Indicate the number of units by type: _____ Single Family Detached; _____ Single Family Attached; _____ Townhouses; _____ Condominiums; _____ Apartments

c. Are there any existing affordable housing units on the project site? ☒ NO ☐ YES, If YES, how many affordable housing units does the development contain? _____ Affordable Units.

**SECTION 5: NEW RESIDENTIAL:
PROPOSED OR CHANGES TO EXSTING**

- a. Do you propose to increase the number of affordable units? ☐ NO ☒ YES. – If YES, how many units? 6
Affordable units
- b. Do you propose to add any new units to the project site? ☐ NO ☒ YES. – If YES, what are the types and number of units:
_____ Single Family Detached; _____ Single Family Attached;
_____ Townhouses; 40 Condominiums; _____ Apartments
- c. Do you propose to delete any residential units from the project? ☒ NO ☐ YES. – If YES, what are the types and number of units: _____ Single Family Detached; _____ Single Family Attached;
_____ Townhouses; _____ Condo.; _____ Apartments
- d. Are any jobs being removed from the project site? ☐ NO ☒ YES. – If YES, Indicate how many: _____ employees

SECTION 6: RESIDENTIAL PARKING INFORMATION

- a. How many COVERED parking spaces are currently being provided per dwelling unit? 1.6 spaces
- b. How many UNCOVERED parking spaces per unit? 0.35 spaces
- c. Given the total amount of parking spaces being provided, list the number of spaces by their types:
- COVERED: ☐ 47 No. of Standard; ☐ 15 No. of Compact; ☐ 2 No. of Handicapped Van; ☐ _____ No. of Handicapped Car; ☐ _____ No. of Bicycle Spaces; ☐ _____ No. of Motorcycle; ☐ _____ No. of Off Site; ☐ _____ No. of Other
- UNCOVERED: ☐ 7 No. of Standard; ☐ 6 No. of Compact; ☐ 1 No. of Handicapped Van; ☐ _____ No. of Handicapped Car; ☐ _____ No. of Bicycle Spaces; ☐ _____ No. of Motorcycle; ☐ _____ No. of Off Site; ☐ _____ No. of Other
- d. Are any changes being proposed to the number of available parking spaces? ☐ NO ☐ YES. – If YES, will there be an increase or decrease in the total number of spaces. ☐ Increased by _____ spaces ☐ Decreased by _____ spaces.
- e. Indicate the revised composition:
- COVERED: ☐ _____ No. of Standard; ☐ _____ No. of Compact; ☐ _____ No. of Handicapped Van; ☐ _____ No. of Handicapped Car; ☐ _____ No. of Bicycle Spaces; ☐ _____ No. of Motorcycle; ☐ _____ No. of Off Site; ☐ _____ No. of Other
- UNCOVERED: ☐ _____ No. of Standard; ☐ _____ No. of Compact; ☐ _____ No. of Handicapped Van; ☐ _____ No. of Handicapped Car; ☐ _____ No. of Bicycle Spaces; ☐ _____ No. of Motorcycle; ☐ _____ No. of Off Site; ☐ _____ No. of Other

SECTION 7: EXISTING NON-RESIDENTIAL

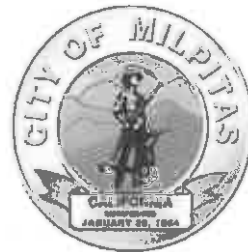
- a. Are there any existing non-residential buildings on the project site? ☐ NO ☒ YES. – If YES, what is the combined total floor area of the buildings 14,463 Sq. Ft.
- b. Indicate which non-residential uses are currently existing on the project site: ☒ General Office; ☐ Medical Offices/Clinics; ☐ Warehouse; ☐ Retail; ☐ Industrial R&D; ☐ Industrial Speculative Bldg.; ☐ Religious Institutions/Facilities; ☐ Child Day Care; ☐ Hotel/Motel; ☐ Services; ☐ Other _____
- c. Please provide the following information on existing land uses, where applicable: Number of ☐ _____ Seats (Religious Institutions, Restaurants); ☐ _____ Children (Child Day Care); ☐ _____ Students (Schools); ☐ _____ Beds (Residential Care Facilities); ☐ _____ Rooms (Hotel/Motel).

SECTION 8: NEW NON-RESIDENTIAL: PROPOSED OR CHANGES TO EXISTING

- a. Are any new land uses being proposed for the project site? ☐ NO ☐ YES. – If YES, Indicate which uses are being proposed – ☐ General Office; ☐ Medical Offices/Clinics; ☐ Hotel/Motel; ☐ Retail; ☐ Warehouse; ☐ Services; ☐ Industrial R&D; ☐ Industrial Speculative Bldg.; ☐ Religious Institutions/Facilities; ☐ Child Day Care; ☐ Other _____
- b. Do you plan to add any new floor area? ☐ NO ☐ YES. – If YES, how much additional floor area? : _____ Sq. Ft.
- c. Please provide the following information for the proposed uses, where applicable: Number of ☐ _____ Seats (Religious Institutions, Restaurants); ☐ _____ Children (Child Day Care); ☐ _____ Students (Schools); ☐ _____ Beds (Residential Care Facilities); ☐ _____ Rooms (Hotel/Motel).
- d. Are any uses being removed/deleted from the site? ☐ NO ☐ YES. – If YES indicate which uses are proposed to be removed/deleted - ☐ NO ☐ YES. – If YES, Indicate which uses are being proposed – ☐ General Office; ☐ Medical Offices/Clinics; ☐ Hotel/Motel; ☐ Retail; ☐ Warehouse; ☐ Services; ☐ Industrial R&D; ☐ Industrial Speculative Bldg.; ☐ Religious Institutions/Facilities; ☐ Child Day Care; ☐ Other _____
- e. Do you plan to reduce the amount of floor area devoted for non-residential use? ☐ NO ☐ YES. – If YES, what is remaining amount of non-residential floor area? : _____ Sq. Ft. of non-residential use.
- f. Are any jobs being removed from the project site? ☐ NO ☐ YES. – If YES, Indicate how many: _____ employees
- g. Approximately how many jobs will the project create? _____ employees

SECTION 9: NON-RESIDENTIAL PARKING INFORMATION

- a. What is the total number of parking spaces currently available for the project? _____ Total spaces
- b. List the number of existing parking spaces by their types: ☐ _____ No. of Standard; ☐ _____ No. of Compact; ☐ _____ No. of Handicapped Van; ☐ _____ No. of Handicapped Car; ☐ _____ No. of Bicycle Spaces; ☐ _____ No. of Motorcycle; ☐ _____ No. of Other _____
- c. Are any changes being proposed to the number of available parking spaces? ☐ NO ☐ YES. – If YES, will there be an increase or a decrease in the total number of spaces. ☐ Increased by _____ spaces; ☐ Decreased by _____ spaces.
- d. Indicate the revised composition: : ☐ _____ No. of Standard; ☐ _____ No. of Compact; ☐ _____ No. of Handicapped Van; ☐ _____ No. of Handicapped Car; ☐ _____ No. of Bicycle Spaces; ☐ _____ No. of Motorcycle; ☐ _____ No. of Other _____



Environmental Information Assessment

Purpose: The Environmental Information Assessment process is intended to identify any potential environmental effects of a proposed development project, and to identify measures to minimize or compensate for any impacts that are expected. Further, the Environmental Information Assessment facilitates the completion of a subsequent Initial Study. The Initial Study document is the primary means of determining the level of environmental review required under the California Environmental Quality Act (CEQA) and, consequently, whether a Negative Declaration or an Environmental Impact Report must be completed for a proposed project. The three major documents in the environmental review process are:

- An initial study is the preliminary analysis prepared by staff to determine whether a negative declaration or an environmental impact report should be prepared;
- A negative declaration is a document which states the project will not have, or can, based on available information be prevented from having, a significant adverse impact on the environment; and
- An environmental impact report (EIR) is a detailed report on the estimated significant avoidable and unavoidable environmental impacts of the project.

This form is intended to accompany a project application form.

Application Submittal Requirements: Most environmental impact assessments are required in conjunction with a request for a land use or site plan approval. In such cases, see the information sheet for a project for all submittal requirements. This information sheet and questionnaire provides supplemental information to the project submittal application form.

Code/Regulations Reference: California Public Resources Code, beginning with Section 21000; implementing regulations adopted by the Office of Planning and Research (CEQA: California Environmental Quality Act, Statutes and Guidelines 2002)

Incomplete Applications: An application is considered to be incomplete if any of the items checked on this information sheet have not been included. Processing of the application will be delayed until the submittal is determined to be complete.

I understand that my plan review may be delayed if required materials are missing, incomplete, or otherwise lacking information or clarity as determined by staff from the submittal package. I further understand that my plan review will be delayed if materials submitted do not comply with City codes, ordinances and standards.

Leah Beniston

Project Applicant

11-1-18

Date

Project Address: 2001 TAROB CT. MILPITAS

Assessor's Parcel Number: 086-36-034

General Plan Designation: HIGH DENSITY RESIDENTIAL Zoning District: R-3 TOD

Project Applicant Name and Telephone Number: LEAH BENISTON 925-380-1699

The following information is required to be submitted with a planning or development application to ascertain the level and type of environmental review that will be needed to support your project. This form may also be submitted with a Planning Application form to commence environmental studies on a project site to inform the overall project design.

Project Name: _____

Brief Project Description:

FOUR STORY CONDOMINIUM BUILDING WITH 40 RESIDENTIAL
DWELLING UNITS ABOVE GROUND FLOOR PARKING.

Have any studies or site investigations been performed for the property? No___ If yes, please attach a copy of each study and list the title of each study here:

PRELIMINARY TITLE REPORT DATED NOVEMBER 2, 2016

PRELIMINARY ARBIST REPORT DATED MARCH 5, 2016

PRELIMINARY GEOTECHNICAL REPORT DATED NOVEMBER 13, 2017

PHASE I ESA AND SOIL QUALITY EVALUATION DATED JANUARY 9, 2017

SIGNED UTILITY MODELING ACKNOWLEDGEMENT

ALTA SURVEY 2018

PRELIMINARY STORM WATER MANAGEMENT PLAN DATED OCTOBER 31, 2016

SEWER NEEDS ASSESSMENT DATED OCTOBER 31, 2016

Please describe what, if any, known constraints exist on the site or are adjacent to the site. Also describe any constraints attributable to the proposed use on the site and in relation to its surroundings.

40 FOOT UTILITY EASEMENT ADJACENT TO LUNDY AVE.

1. Project Site and Surrounding Land Uses:

- a. Site size (acres): 1.22
- b. Total square footage of all existing buildings: 16,463
- c. Total square footage of all buildings to be removed: 16,463
- d. Total square footage of all proposed buildings: 102,736
- e. Describe the project site as it exists before the project:

OFFICE BUILDING WITH ASSOCIATED PARKING.

- f. Does the project area include any off site improvements or staging areas, i.e. storage, roadway improvements or utility extensions? No If yes, please describe type and location:

EXISTING RIGHT OF WAY TO BE ABANDONED PER CITY OF MILPITAS

- g. Describe the surrounding properties (type of land use e.g., single family residential, gas station, warehouse, park, etc.):

North: INDUSTRIAL

East: APPROVED TOWNHOME PROJECT

South: CITY OF SAN JOSE

West: INDUSTRIAL

2. Biological (Plant and Animal Life)

- a. Does the site contain any trees? Yes ☒ No ☐ If yes, briefly describe the number and type. Attach a tree survey and or arborist report if one is available.

SEE ARBORIST REPORT DATED MARCH 5, 2018

TOTAL 43 TREES REMOVED

TOTAL 49 TREES PLANTED

b. Does the site contain any wildlife breeding, nesting or feeding areas? Yes___No___☒Unknown___ If yes or no, please provide your justification:

c. Does the site contain any known endangered animal or plant species habitats? Yes___No___☒Unknown___ If yes or no, please provide your justification:

d. Does the site contain or is it near (within 300 feet) any watercourse such as a stream, flood control drainage way, ditch or swale, flowing annually or seasonally? No___☒If yes, please describe:

SITE IS IN A FLOODZONE. GRADE WILL BE RAISED APPX. 4 1/2 FT.
TO COMPLY WITH CITY FLOOD CONTROL ORDINANCE.

e. Does the site contain or is it within 300 feet of any permanent or seasonal wetlands? No___☒If yes, please describe:

3. Cultural:

a. Are there any known graves or burial sites on the property? Yes___No___☒

b. Is the property on a Milpitas, State or National Historic Register? No___☒If yes, please identify which list(s) here:

c. Does the property contain any buildings 50 years or older? Yes___No___☒

If yes, please attach either a Request for Historic Evaluation form or any prior historic evaluation work (e.g., a DPR form) that has been prepared.

4. Earth - Soils and Topography:

a. Briefly describe any grading or topographic changes needed to carry out the project:

SITE IS IN A FLOODZONE. GRADE WILL BE RAISED APPX. 4 1/2 FT.
TO COMPLY WITH CITY FLOOD CONTROL ORDINANCE.

b. Does the site have a slope of 10% or more? No ☒ If yes, approximate % slope ____

c. Will grading involve more than 1,000 yards of cut and fill combined? No ☒ If yes, approximate total cubic yards _____ and depth of excavation _____.

Please describe the probable disposition of the cut and fill of the project, i.e. import or export?

NO CUT BUT FILLING FOR FLOOD ZONE UNDETERMINED

QUANTITY AT THIS TIME.

5. Hazards and Hazardous Materials:

a. Is any part of this property within a study zone as identified by the California

Geological Survey? Consult the California Department of Conservation website for information at www.conservation.ca.gov No ☒ If yes, note which of the following apply:

____ Hayward Fault (Alquist-Priolo zone)

____ Liquefaction zone

____ Landslide zone

____ Other site specific hazards, please specify: _____

b. Is the subject site in the Wildfire Hazard Zone? No ☒ Yes ____

c. Is the property on the Hazardous Waste and Substances Site List produced by the State of California? Consult list on City web site or Permit Counter. No ☒ Yes ____

d. Does the site contain any underground storage tanks? No ☒ Yes ____

e. Have pesticides been used for agricultural or landscape activities? No ☒ Yes ____

f. Will end users store or work with hazardous or potentially hazardous materials? No ☒ Unknown at this time ____ If, yes, please specify:

g. Will the users generate any by-products that require on-site treatment or processing prior to disposal? No ☒ Unknown at this time ____ If yes, please describe:

RESIDENTIAL TRASH

6. Hydrology and Water Quality:

a. Does the site contain any active or abandoned wells? No ☒ Yes ____

b. Is the site within a flood plain? No ____ Yes ☒

c. Does the project traverse or alter any drainage swale or creek? No ☒ Yes ____

d. Describe the method(s) to be used to manage storm water. Identify Best Management Practices (BMP's) that will be used to prevent pollutants from entering the storm water system after the project is completed. Is the site within a flood plain?

SEE PRELIMINARY STORM WATER MANAGEMENT PLAN

7. Noise, Vibration, Glare and Odors:

a. Is the project site within:

120 feet of a rail line or BART? Yes ___ No ☒

500 feet of an at-grade rail crossing? Yes ___ No ☒

500 feet of a freeway, highway or other heavily traveled roadway? Yes ___ No ☒

Near any other noise or vibration source (e.g., industrial or commercial process)? No ☒ If yes, specify source:

b. Will the project or end user be a source of noise or vibration (e.g., industrial or commercial process)? No ☒
Unknown at this time ___ or if yes, specify source:

c. Will the project contain larger surface areas of reflective materials such as glass or metal? No ___ If yes, please specify material and usage:

REPLACING SINGLE STORY CONCRETE BUILDING WITH
A FOUR STORY RESIDENTIAL BUILDING.

d. Will the project or end user generate odors? No ☒ If yes, please describe:

e. Will the project produce a noticeable change in the ambient noise levels or subject persons to excessive noise levels or vibrations? If so, what would cause the change?

NO

8. Transportation and Circulation:

a. Will the number of vehicular access points for the site increase, remain the same or decrease as a result of the proposed project? DECREASE BY ONE

b. Are any drive-through facilities proposed as part of this project? Yes ☐ No ☒

c. Are any off-site improvements (e.g., traffic signal, turn lanes, and/or road improvements) needed to serve the project? No ☒ If yes, please describe the improvements:

d. Is the project frontage improved with curb, gutter and sidewalk? Yes ☒ If not, describe which improvements are missing.

e. Are there any nearby pathways, trails, bike lanes, or bus stops? No ☐ If yes, please describe what exists and approximate distance from site:

PENITENCIA CREEK TRAIL ACCESSED THROUGH 1980 TARDR CT.
TRADE ZONE AND LUNDY BUS STOP 0.1 MILES

f. Estimate the number of auto and truck trips generated daily by this project. Indicate trip generation factor and source of traffic.

CONFORMS WITH THE TRANSIT AREA SPECIFIC PLAN.

9. Community Safety.

Note any special requirements for fire or police services such as hazardous materials use or storage.

NONE

10. Geologic Hazards.

Does the site contain any evidence of past landslides, unstable soils or serpentine rock?

No ☒; If yes, please describe the improvements:

Other Comments or information you would like to provide:

THIS IS A 100% CONFORMING PROJECT TO R-3 TDD.

Certification:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Leah Gemstr

Project Applicant

11-2-18

Date

If you need additional information or clarification to prepare your submittal please contact the staff person who furnished you this sheet for further assistance.

Information sheet furnished by: _____ Phone: (408) 586-_____

for proposal:

Date: _____