



# CITY OF MILPITAS

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## **Notice of Preparation and Scoping Meeting Milpitas Metro Specific Plan Subsequent Environmental Impact Report State Clearinghouse #2006032091**

**Date:** September 16, 2021

**To:** State Clearinghouse, Agencies, Organizations and Interested Parties

**Subject:** Notice of Preparation and Scoping Meeting for the Milpitas Metro Specific Plan Subsequent Environmental Impact Report

**Scoping Meeting:** **September 30, 2021 at 3:00 P.M. – 4:00 P.M.**

**Comment Period:** **September 16, 2021 to October 18, 2021**

The City of Milpitas (City) will serve as the Lead Agency in the preparation of a Subsequent Environmental Impact Report (SEIR) for the Milpitas Metro Specific Plan (Metro Plan or project) and would like your views regarding the scope and content of the environmental information to be addressed in the SEIR.

The purpose of this notice is (1) to serve as a Notice of Preparation (NOP) of a SEIR pursuant to the State CEQA Guidelines Section 15082; (2) to advise and solicit comments and suggestions regarding the scope and content of the SEIR to be prepared for the Metro Plan; and (3) to notice the public scoping meeting. The project description, location, and a summary of potential environmental effects are included in this NOP further below.

The project is a long-term planning document that updates the original 2008 Milpitas Transit Area Specific Plan (TASP) and vision for the area. As explained in further detail below, the Metro Plan would expand the TASP area by 73 acres and would accommodate additional future growth in Milpitas, in addition to the growth identified in the TASP. No specific development projects are proposed as part of the Metro Plan. Information regarding the project description, project location, and topics to be addressed in the Draft SEIR is provided below. Additional project documents and information are available at the City of Milpitas, Planning Department located at City Hall 455 E. Calaveras Boulevard, Milpitas, CA 95035, and on-line using the following weblinks:

- <https://www.ci.milpitas.ca.gov/milpitas/departments/environmentaldocuments/>
- <https://www.ci.milpitas.ca.gov/metro/>

For questions regarding this notice, please contact Kevin Riley at 1-408-586-3292, or by email: [kriley@ci.milpitas.ca.gov](mailto:kriley@ci.milpitas.ca.gov).

### **Notice of Preparation 30-Day Comment Period**

The City, as the Lead Agency, requests that responsible and trustee agencies, and the Office of Planning and Research, respond in a manner consistent with Section 15082(b) of the CEQA Guidelines. Pursuant to Public Resources Code Section 21080.4, responsible agencies, trustee agencies and the Office of Planning and Research must submit any comments in response to this notice no later than 30 days after receipt.

## NOP – Milpitas Metro Specific Plan

Consistent with Section 15082(b) of the CEQA Guidelines, comments should provide specific detail about the scope and content of the environmental information related to the responsible or trustee agency's area of statutory responsibility and should identify significant environmental issues, reasonable alternatives, mitigation measures, and whether an agency will be a responsible or trustee agency. In accordance with the time limits established by CEQA, the NOP public review period will begin on September 16, 2021 and end on October 18, 2021.

In the event that the City does not receive a response from any Responsible or Trustee Agency by the end of the review period, the City may presume that the Responsible Agency or Trustee Agency has no response to make (State CEQA Guidelines Section 15082(b)(2)).

### **How to Comment**

All comments in response to this notice must be submitted in writing at the address below, or via email, by the close of the 30-day NOP review period, which is 5:00 PM on October 18, 2021:

Kevin Riley, Metro Plan Project Manager | City of Milpitas  
455 East Calaveras Boulevard, Milpitas, CA 95035  
Email: [kriley@ci.milpitas.ca.gov](mailto:kriley@ci.milpitas.ca.gov)

*\*It is noted that additional opportunities for public comment on the Metro Plan and pending Draft SEIR will be provided. These documents are anticipated to be available for public review in the fall of 2021.*

### **Scoping Meeting**

The City will hold a virtual online scoping meeting to provide an opportunity for agency representatives and the public to assist the City in determining the scope and content of the SEIR. The scoping meeting is not intended to be a substitute for comments submitted in response to the NOP, but rather to supplement or expand the understanding of the project, its potential effects and possible mitigation measures, as well as to offer an opportunity for other interested parties to weigh in on the scope and content of the forthcoming SEIR. Any comments on the NOP should be submitted in writing, per the directions listed above in the "How To Comment" section.

The scoping meeting will be held on Thursday, September 30, 2021, at 3:00 P.M. – 4:00 P.M. The scoping meeting can be accessed at:

Facebook: <https://www.facebook.com/CityofMilpitas/>  
YouTube: <https://www.ci.milpitas.ca.gov/youtube>  
Web Streaming: <https://www.ci.milpitas.ca.gov/webstreaming>

Please submit comments during the meeting by email to [kriley@ci.milpitas.ca.gov](mailto:kriley@ci.milpitas.ca.gov). For comments before or after the meeting or additional information, please contact Kevin Riley at 1-408-586-3292, or by email: [kriley@ci.milpitas.ca.gov](mailto:kriley@ci.milpitas.ca.gov).

### **Project Location and Setting**

The City of Milpitas is located at the southern tip of the San Francisco Bay, in Santa Clara County, California. With San Jose situated to its south, Milpitas sits in the northeast section of the South Bay, bordering the East Bay and Fremont. Milpitas is often called the "Crossroads of Silicon Valley" with most of its 13.63 square miles of land situated between two major freeways (I-880 and I-680), and traversed by State Route 237, and County-managed Montague Expressway.

The planning area for the 2008 TASP (TASP Area) comprises an approximately 437-acre area in the southeastern portion of the City, just north of San Jose. The TASP Area is centered on a roughly 0.5-mile radius around the Milpitas Bay Area Rapid Transit (BART) Station (Milpitas Transit Center) located near

the intersection of Montague Expressway and East Capitol Avenue. The boundaries of the TASP Area are the Great Mall to the north, South Main Street to the west, Trade Zone Boulevard and the city limits to the south, Milpitas Boulevard to the southeast, and the industrial lands to the northeast.

As explained in more detail in the following section, the planning area for the Metro Plan (Metro Plan Area) comprises the TASP Area plus an additional 73-acres. As part of the Metro Plan, the Metro Plan Area has been expanded to include additional parcels on the east side of Main Street and the industrial area between Berryessa Creek and Highway 680, which the General Plan establishes as an Innovation District. Similar to the TASP Area, the Metro Plan Area is generally bound by and includes the Great Mall and industrial lands to the north, South Main Street to the west, Trade Zone Boulevard and the city's limits to the south, and I-680 and the San Jose border to the east. The Metro Plan Area is organized into five subdistricts, which are generally separated by major street corridors including Great Mall Parkway/Capitol Avenue, Montague Expressway, Milpitas Boulevard, and the BART rail tracks. The parcels along Main Street are part of the McCandless subdistrict, a primarily residential neighborhood with some services, across Great Mall Parkway from Great Mall. The expansion area to the east of the Transit Center is part of the new Innovation District. The location of the Metro Plan Area is shown in Figure 1 (Project Location).

### **Project Description**

The Metro Plan will replace the 2008 TASP in its entirety. The Metro Plan aims to update the original TASP vision and complete existing and emerging neighborhoods by expanding access to neighborhood services and retail, creating exciting new opportunities for business and jobs near transit and housing, providing additional affordable and market-rate housing, enhancing multimodal connections and non-vehicular mobility throughout the area, providing a greater variety of shared public spaces, and strengthening the identity and sense of place of the Metro Plan Area.

The Metro Plan Area covers a significant portion of the southern area of the City, and the Metro Plan provides policies to guide development in this district in terms of land use, circulation, community design, and utilities and services. The Milpitas General Plan calls for the maintenance and implementation of the Milpitas Metro Specific Plan to guide development around the Milpitas Transit Center and light rail stations into a transit-oriented urban neighborhood with a mix of land uses (General Plan Land Use Goal LU-2, Policy LU 2-1, and Action LU-2a). The Metro Plan will fulfill that requirement.

The Metro Plan expands the original 437-acre TASP area by approximately 73 acres, annexing approximately 60 acres of an industrial area on the east side near I-680 and approximately 13 acres on the west side along a portion of South Main Street, resulting in a Metro Plan area of 510 acres. In addition, the Metro Plan Area would be divided into five subdistricts. To balance the high-density development in the plan area, each subdistrict includes or will include at least one park or open space amenity, as well as linear parks and trails, which will provide residents and workers with outdoor recreational space. In addition, a series of area-wide infrastructure improvements will take place to accommodate residential and mixed-use development; make it more accessible to and comfortable for pedestrians; improve vehicle navigability; and reduce obstructions to development. The proposed land use map for the Metro Plan is shown in Figure 2 (Proposed Milpitas Metro Specific Plan Land Use Map).<sup>1</sup>

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<sup>1</sup> The City of Milpitas is considering annexing a 3.7-acre site from the City of San Jose. This site is located on the east side of the I-680, south of the Montague Expressway; is located adjacent to the proposed Innovation District; and is shown in Figure 1. The certainty of this annexation is not known at this time; therefore, this SEIR will not consider this annexation site in its environmental analysis. If this site is annexed by the City of Milpitas, then additional environmental review would be prepared at that time.

## NOP – Milpitas Metro Specific Plan

The following objectives have been identified for the Metro Plan:

1. Accommodate a maximum of 7,000 additional housing units to help the City to meet its regional housing needs requirements and support transit ridership.
2. Support the evolution of the Great Mall site from a purely retail-based mall site into a mixed-use, retail and amenity-rich area that is well integrated into the Milpitas Metro Plan Area.
3. Create additional neighborhood-serving retail to serve demand from Plan Area residents, community members, and the local workforce, including up to 300,000 additional square feet of retail and restaurant space.
4. Attract business investments and generate employment opportunities through commercial development near transit, with a maximum of 3,000,000 square feet of new office/R&D/light manufacturing space.
5. Ensure adequate public open space to serve residential development. In compliance with the General Plan, the goal for open space development is 3.5 acres per 1,000 residents or the equivalent in terms of recreational value. Some recreational opportunities may be provided outside the plan area, and intensively-programmed and high quality spaces may be counted as equivalent to larger spaces in meeting open space goals.
6. Support the development of an Innovation District in the industrial area east of the Transit Station and west of Highway 680, which will become a hub of employment and research and development, better integrating Milpitas into Silicon Valley.
7. Enhance the street network to create a multi-modal network that includes pedestrian and bikeways to reinforce a pedestrian scale and grid where appropriate.
8. Expand the plan boundaries to encourage the development of an Innovation District east of the Transit Center, and provide opportunities for housing development along Main Street.
9. Redefine the five subdistricts, which are bound by major streets and other impediments, each with its own character based on the allocated mix of land uses and development densities, parks placement, street grid, pedestrian connections, and proximity to the Milpitas Transit Center. Particular visions include:
  1. High to very high-density housing and/or high intensity office and employment uses along arterials, the light rail and the BART stations;
  2. Vibrant mix of lifestyle retail and amenities, high density housing and/or offices within the Great Mall District, along Great Mall Parkway and Montague Expressway; and
  3. Innovation District redeveloped with high-density office, research, light manufacturing uses and services primarily to the east of Berryessa Creek.
10. Encourage higher density and intensity on the sites closest to the BART and light rail transit nodes in order to support transit ridership and to respond to strong market interest in high-density development. High density is particularly appropriate on wide streets where taller buildings fit with the scale of the street, such as Montague Expressway, Capitol Avenue/Great Mall Parkway, and the Milpitas Boulevard Extension.
11. Ensure the active transportation-oriented character of the Plan Area by creating streetscapes that are richly detailed, fine-grained, and provide good connectivity between desired destinations.
12. Develop parks that provide active and passive recreation opportunities and pedestrian connectivity in each subdistrict, as per the Parks and Recreation Master Plan. Encourage the development of creative, usable outdoor space on building rooftops and balconies.

13. Require local-serving retail on particular sites where it is feasible and appropriate, and permit it in otherwise residential and commercial-only structures.
14. Promote the development of hotels where appropriate to meet demand, and support commercial activity to provide an important revenue source for the City.
15. Improve the City transportation network and contribute to the County transportation network and transportation demand management over the next 20 years by improving the multimodal network and implementing the Active Transportation Plan. Key enhancements include creating safer connections for pedestrians and bicyclists and establishing a plan-wide transportation demand management (TDM) program.

**Additional Growth Under the Metro Plan**

While no specific development projects are proposed as part of the Metro Plan, the Metro Plan will accommodate future growth in Milpitas, including new businesses, expansion of existing businesses, and new residential uses. The buildout analysis assumes a 20-year horizon, and 2040 is assumed to be the buildout year of the Metro Plan.

Anticipated growth accommodated by the Metro Plan within the Metro Plan Area includes new and expanded businesses, new and expanded retail uses, and new hotel and residential uses. Table 1 below summarizes the range of net growth, including residential units, and non-residential square footage that could occur.

Consistent with the Metro Plan Land Use Map (see Figure 2), future growth would largely be focused into the five subdistricts or neighborhoods; each of which would have different characteristics and support different land uses. As shown in Table 1, buildout of the Metro Plan could yield an additional 7,000 dwelling units and 14,000 new residents; and 700 hotel rooms, as well as 300,000 square feet (sf) of retail uses, and 3 million sf of office uses, including 500,000 sf of industrial uses, resulting in approximately 9,500 new jobs; in addition to the buildout that was envisioned under the 2008 TASP.

**Table 1: Comparison of Existing Growth under the 2008 TASP and Additional Growth under the Metro Plan**

<b>Land Use</b>	<b>Existing Development in 2008</b>	<b>TASP Planned New Development</b>	<b>Total TASP Planned Development</b>	<b>Entitled by 2019<sup>a</sup></b>	<b>Additional Projected Development for Metro Plan by 2040</b>	<b>Total Planned Development (TASP plus Metro Plan)</b>
Dwelling Units	468	7,109	7,577	6,955	7,000	14,5777
Office (sf)	52,780	993,843	1,050,000	10,630	3,000,000 <sup>b</sup>	4,050,000
Retail (sf)	1,970,000	287,075	2,240,000	186,500	300,000	2,540,000
Hotel (rooms)	292	350	642	0 <sup>c</sup>	700	1,342

Notes:

- <sup>a</sup>. Entitled, under construction, or constructed/occupied.
- <sup>a</sup>. Includes 500,000 sf of industrial uses
- <sup>c</sup>. Currently there are concept plans for a high-rise hotel.

### **Subsequent EIR Analysis**

The City, as the Lead Agency under CEQA, will prepare a SEIR for the Metro Plan. The purpose of a SEIR is to inform decision makers and the general public of the environmental effects associated with major changes to a previously certified EIR. The SEIR process is intended to provide environmental information sufficient to evaluate major changes and to identify the potential for new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

In May 2008, the City certified a Final Environmental Impact Report (Certified EIR) for the TASP, which evaluated the buildout of approximately 7,100 residential units resulting in 18,000 new residents; and 1,000,000 sf of office space, 285,000 sf of retail space, and 175,000 sf of hotel space resulting in 4,200 new jobs under the TASP. As described above, the Metro Plan would allow for additional growth and expand the boundaries of the TASP Area. In accordance with CEQA and the CEQA Guidelines, the SEIR analysis will focus on the potential impacts of the changes to the project and will not reevaluate the project as a whole. Accordingly, the SEIR will examine the revised project in the context of the 2008 Milpitas TASP EIR, focusing on the changes to environmental impacts and mitigation that would result from the revisions to the project.

The SEIR will be prepared in accordance with CEQA and will include:

- A description of the project;
- A description of the current environmental setting as compared to the environmental setting from the Certified EIR, new or increased potential environmental impacts, and new or revised mitigation measures;
- Alternatives to the project as currently proposed; and
- New environmental consequences or significant changes in environmental consequences as compared to the Certified EIR, including: (a) any significant environmental effects which cannot be avoided if the project is implemented, (b) the growth-inducing impacts of the project, and (c) cumulative impacts.

The City has determined that the Metro Plan has the potential to result in new environmental effects or environmental effects that are increased in severity compared to the 2008 TASP EIR with respect to the following resource topics, which will be addressed in the SEIR:

- Transportation
- Air Quality and Greenhouse Gas Emissions
- Noise
- Population and Housing
- Public Services
- Utilities
- Land Use

### **Hazardous Waste Sites**

Portions of the project are located on or in close proximity to areas with hazardous materials contamination compiled pursuant to Government Code Section 65962.5 (Cortese List).



Source: Urban Field Studio, 2021.

### Legend

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- Milpitas Metro
- BART Station
- Police Substation\*
- Railway
- Transit Center
- Potential Annexation Area
-  Public Facilities (PF)
-  Permanent Open Space (POS)
-  Residential Retail High Density Mixed Use (RRMU) 40-85 units/acre; max 2.5 FAR
-  Boulevard Very High Density Mixed Use (BVMU) 85-250 units/acre; 2.5-5.0 FAR
-  Business Park Research & Development, Lower Density (BPRD-L); 1.0-2.5 FAR
-  Business Park Research & Development, Higher Density (BPRD-H); 1.0-2.5 FAR
-  Business Park Research & Development, Residential (BPRD-R); 1.0-5.0 FAR
-  Multi-Family Residential High Density (MFH) 30-40 units/acre
-  Multi-Family Residential Very High Density (VHD) 40-85 units/acre
-  Urban Residential (URR) 70-120 units/acre

\*Location of police substation is approximate and shall be determined through the implementation of the MMSP.

**Figure 2**  
**Proposed Milpitas Metro Specific Plan Land Use Map**