



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: March 12, 2008

APPLICATION: **Conditional Use Permit Amendment No. UA08-0003, Linear Technology**

APPLICATION SUMMARY:

A request to amend Conditional Use Permit (UP2006-15) for modifications to the approved floor plan and to permit joint parking facilities for the industrial building located 1511 Buckeye Drive.

LOCATION:
APPLICANT:

1511 Buckeye Drive (APN 086-03-025)
Robert Cordes, Architectural Design Management Inc., 1511-M Sycamore Avenue #101, Hercules, CA 94547

OWNER:

Linear Technology, 1630 McCarthy Boulevard, Milpitas, CA 95035

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1. Close the public hearing; and**
- 2. Approve the project subject to the attached Resolution and conditions of approval.**

PROJECT DATA:

General Plan/
Zoning Designation:

Industrial Park (INP)/Industrial Park with "S" Combing District (MP-S)

Site Area:
Building Square Footage
FAR

3.7 acres (161,256 sq. ft.)
94,955 square feet
59% (Approved with UP2006-15)

CEQA Determination:

The proposed project is categorically exempt per Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

PLANNER:

Cindy Hom, Junior Planner

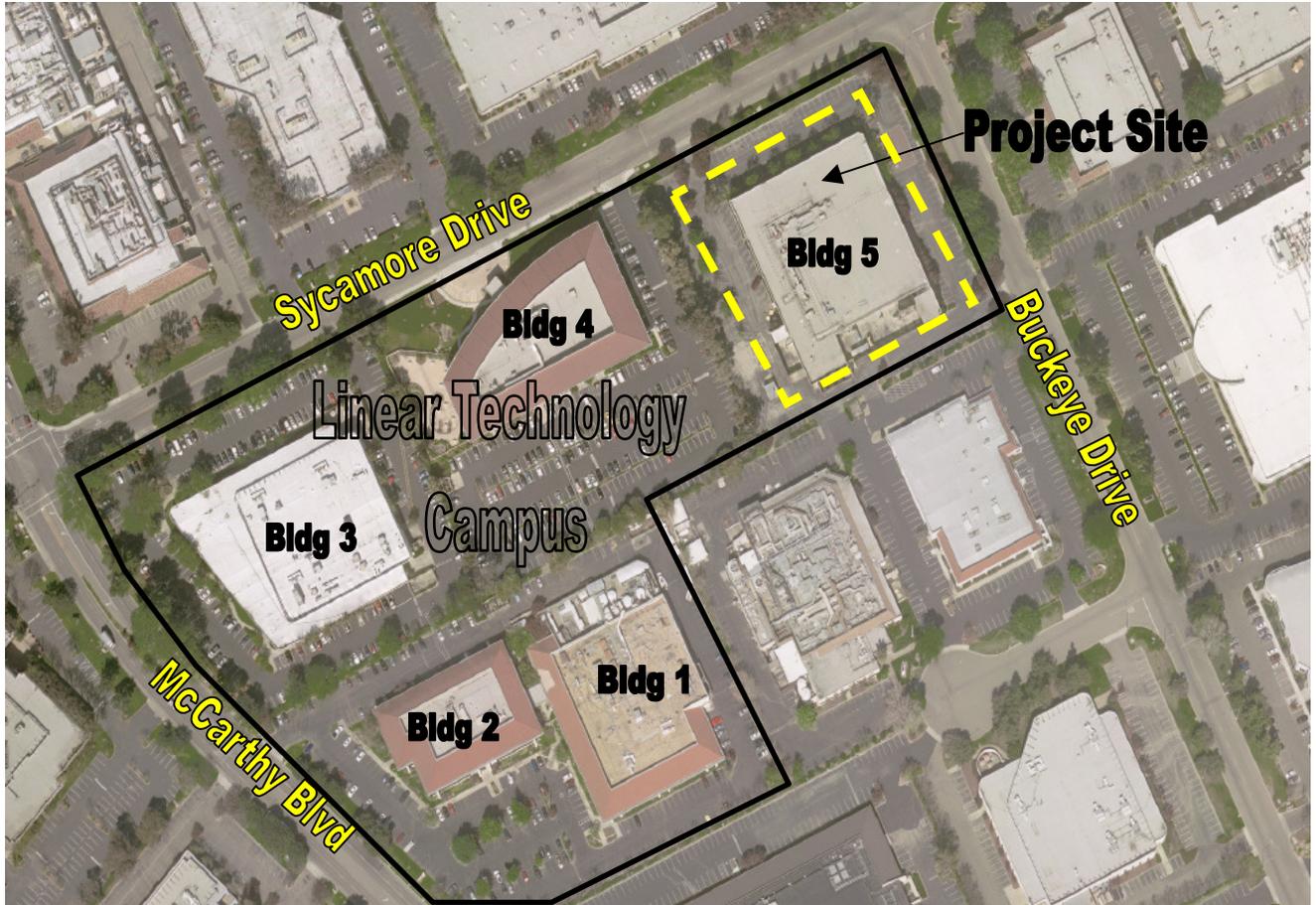
PJ:

3209

ATTACHMENTS:

- A. Resolution
- B. Plans
- C. September 13, 2006 Planning Commission Staff Report

LOCATION MAP



No scale

BACKGROUND

On September 13, 2006, the Planning Commission approved Conditional Use Permit (UP2006-15) and S-Zone Amendment (SA2006-27) to permit an increase in the allowed FAR from the maximum of .50 to .59 and for the interior and exterior renovation of the building and site.

On February 19, 2008, Robert Cordes of ADM Inc., submitted a Conditional Use Permit (CUP) amendment application to allow conversion of warehouse space to R&D offices and accessory space. The application is submitted pursuant to Special Condition No. 1, which requires Planning Commission review and approval for significant modifications to the use permit approval and Milpitas Municipal Code (MMC) XI-10-53.04 (Permissive Parking Facilities) and XI-10-53.07 (Joint Parking Facilities.) to permit joint parking facilities with the adjacent building (Building 4) located at 720 Sycamore Drive.

PROJECT DESCRIPTION

The project site is located on a 3.7 acre parcel located on the southwest corner of Buckeye Drive and Sycamore Drive, within Linear Technology’s five building campus that extends from McCarthy Boulevard to Buckeye Drive. The project site is identified as Building 5 and is approved with a 94,955 square foot industrial building, trash enclosure, and site improvements for parking and landscaping. The project site is zoned Industrial Park (MP) and surrounded by other industrial buildings.

A vicinity map of the subject site location is included on the previous page.

Development Standards

Table 1
Development Standards

MP Development Standard	Proposed Project	Complies ?
Lot Width - 100 feet	360 feet	Yes
Front Yard & Corner Side Yard Setback – 35 feet	52 feet ~ 84 feet	Yes
Rear Yard Setback – 20 feet	80 feet	Yes
Side Yard Setback – 10 feet	84 feet	Yes
Floor Area Ratio – 0.50 (50%)	0.59	Yes (Allowed with UP2006-15)
Structure Height – 35 feet	33 feet 4 inches	Yes

The project complies with the MP Zoning development standards and proposes no exterior or site modifications. As such, the previous site and architectural approval (SA2006-27) and conditions shall remain in full force and effect.

Floor Plan

The applicant is proposing modifications to the approved floor plan that entails conversion of 21,693 square feet of warehouse space to R&D and accessory office uses. Proposed changes are summarized in the table below:

Table 2
Summary of Floor Plan Changes

Uses	Approved with UP2006-15	Proposed
R&D	48,845	47,027
Office	12,249	19,900
Accessory	11,772	27,546
Warehouse	21,693	0

Parking and Joint Parking

The project site currently provides a total of 224 parking spaces and 8 bicycle parking spaces. Based on proposed uses shown in Table 2, the site requires 280 parking spaces. The applicant proposes a joint parking facility with the Building 4 (720 Sycamore) to satisfy the shortfall of 56 parking spaces. A parking analysis and compliance zoning requirements are discussed further in the staff report.

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
Implementing Policy 2.a-I-3: <i>Encourage economic pursuits which will strengthen and promote development through stability and balance.</i>	The proposed project encourages the economic pursuits of an existing business in the City and promotes the strengthening and the development of the applicant’s corporate business.
Implementing Policy 2.a-I-7: <i>Provide opportunities to expand employment, participate in partnerships with local business to facilitate communication, and promote business retention.</i>	The proposed project encourages employment opportunities within the City and promotes business retention. The R&D office space and supports the expansion of the applicant’s corporate campus.

Zoning Ordinance

The project conforms to the Industrial Park (MP) Zoning District in terms of development standards and land use. The project proposes no exterior or site modifications that affect any

development standards for setback, height, and landscaping. R&D offices are permitted use in the MP Zone. The applicant proposes interior floor plan changes that do not affect FAR, since the FAR remains at .59 as approved with CUP (UP2006-15).

Parking

Based on proposed uses, the project requires 280 parking spaces. The site currently provides 224 parking spaces. There is a parking shortfall of 56 parking spaces. The applicant is proposing a joint parking with Building 4 (720 Sycamore) to provide the 56 parking spaces needed to satisfy the zoning requirements for parking. Per MMC XI-10-53-07, Planning Commission may authorize joint parking facilities provided the following:

- The building or use is located within 300 feet.
- The applicant demonstrates there is no substantial conflict in the principal operating hours of the two buildings or uses.
- The Joint Parking Agreement is approved as to form and manner of execution by the City Attorney and recorded with the County Recorder.

Staff Analysis:

The Joint Parking can be achieved with the adjacent parcel and is within 300’ of the project site. Both buildings are within Linear Technology’s corporate campus. There is an existing pedestrian walkway that connects both parking lots and would provide a designated and convenient pedestrian connection between the two sites.

The table below demonstrates that there is no substantial conflict with the principal uses given there are the surplus parking spaces that would satisfy the parking requirement for both buildings.

Table 4
Parking Summary

	Uses	Sq. Ft.	Parking Ratio [Per sq. ft. of use]	Required Parking	Total # parking required	Parking provided	Parking deficit or surplus
Bldg 5	Office	47,027	1/300	134	280	224	-56
	R&D	19,900	1/350	66			
	Accessory	27,546	1/350	78			
Bldg 4	Office	52,518	1/350	150	180 232*	293	+113 +61*
	Warehouse (Future Office) *	8,283	1/1500 1/350	5 23*			
	Accessory	8,888	1/350	25			

*Warehousing is intended to be a temporary use. Applicant indicates future office build out that entails relocating the warehousing facility off-site and utilizing the space for office.

Furthermore, MMC XI-10-53.04 does not prevent the use of excess parking facilities to serve any existing use of land or building, provided that all regulations governing the location, size, and access design, improvement and operation are adhered to.

In accordance with Section 53.07, the applicant shall submit and obtain City Attorney review and approval of an irrevocable and in-perpetuity joint parking agreement between the both parcels as a condition of approval.

ENVIRONMENTAL REVIEW

The Planning Division conducted an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). Staff determined that the project is categorically exempt from further environmental review pursuant to Class 3, Section 15301 ("Existing Facilities"). The project proposes interior alterations to an existing facility.

PUBLIC COMMENT/OUTREACH

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

CONCLUSION

Based on staff's review of the application request, the project is consistent with the General Plan in that it promotes economic pursuits, expansion of employment opportunities, and stable development. The project conforms to Milpitas Zoning Ordinance in terms of land use, development standards, and parking requirements. R&D uses are permitted in the MP Zone and the parking requirements can be achieved with a secured joint parking agreements. The use is not anticipated to be detrimental or injurious to property, improvements, public health and safety. The project provides a designated and convenient pedestrian connection between the project site and the joint parking spaces located on the adjacent parcel.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission approve UA08-0003, Linear Technology, subject to the attached Resolution and Conditions of Approval.

Attachments:

- A. Resolution/Findings/Conditions of Approval
 - B. September 13, 2006 Planning Commission Staff Report.
- Plans

RESOLUTION NO. 08-011

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT AMENDMENT NO. UA08-0003, LINEAR TECHNOLOGY, TO ALLOW MODIFICATIONS TO THE APPROVED FLOOR PLAN AND TO PERMIT JOINT PARKING FOR AN INDUSTRIAL BUILDING LOCATED AT 1511 BUCKEYE DRIVE (APN 86-03-025) ZONED MP-S.

WHEREAS, on February 19, 2008, an application was submitted by Robert Cordes, Architectural Design Management Inc., 1511-M Sycamore Avenue #101, Hercules, CA 94547, to allow for modifications to the approved floor plan and to permit joint parking facilities for the property located at 1511 Buckeye Drive (APN 86-03-025), zoned Industrial Park with the S-Combining District; and

WHEREAS, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project is exempt pursuant to Class 3, Section 15301 (“Existing Facilities”).

WHEREAS, on March 12, 2008, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

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

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

Section 2: The proposed project is categorically exempt per Class 3, Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines. The project proposes interior alterations to an existing facility.

Section 3: The proposed project is consistent with the General Plan’s Implementing Policy 2.a-I-3 and Implementing Policy 2.a-I-7 in that the project encourages economic pursuits of an existing business in the City and promotes the strengthening and the development of the applicant’s corporate business. The proposed project would also expand employment opportunities within the City and promotes business retention.

Section 4: The proposed project is complies with the Milpitas Zoning Ordinance in terms of development standards and land use. The project proposed the conversion of warehouse space to R&D offices and accessory uses, which are permitted uses in the MP Zone. The proposed project does not propose any building or site modifications and therefore do not affect any setback regulations, FAR, height, or landscaping. The proposed project complies with the Milpitas Parking Ordinance and satisfies the parking

requirements with a joint parking agreement with adjacent building within the Linear Technology campus.

Section 5: The Planning Commission of the City of Milpitas hereby approves Conditional Use Permit Amendment No. UA08-0003, Linear Technology, 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 March 12, 2008.

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 March 12, 2008, and carried by the following roll call vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
ABSENT: COMMISSIONERS:

Secretary of the Planning Commission

EXHIBIT 1

CONDITIONS OF APPROVAL

Planning Division

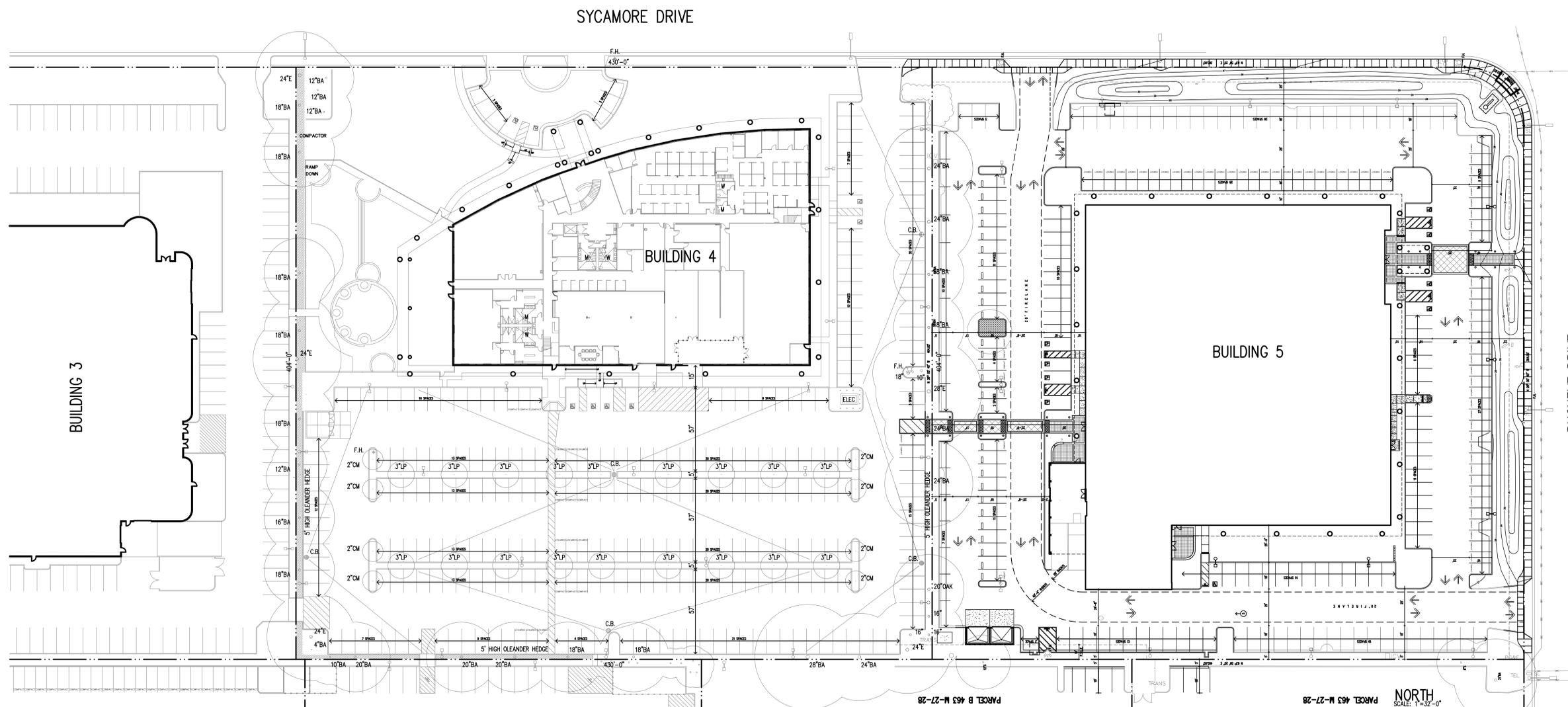
1. The owner or designee shall develop the approved project in conformance with the approved plans and color and materials sample boards approved by the Planning Commission on March 12, 2008, in accordance with these Conditions of Approval.

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 Amendment No. UA08-0003, Linear Technology, shall become null and void if the project is not commenced within 18 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 64.04-1, the owner or designee shall have the right to request an extension of UA08-0003 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein.

3. Prior to any occupancy, the applicant shall submit and obtain City Attorney review and approval of an irrevocable and in-perpetuity joint parking agreement between the parcels located at 1511 Buckeye and 720 Sycamore.
4. The previous conditions of approval for the project shall remain in full force and effect except as amended here.



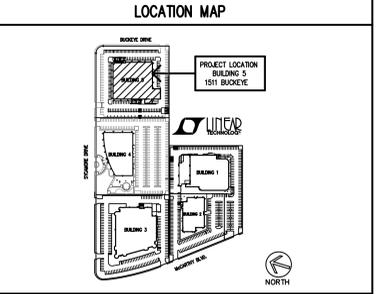
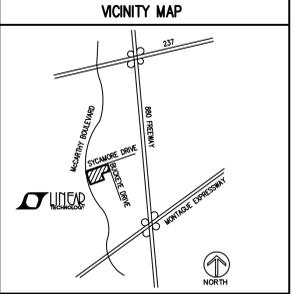
PARKING SUMMARY BUILDING 4

USE ZONE:	MP-S INDUSTRIAL PARK
SITE AREA:	173,369 SQUARE FEET
FLOOR AREA RATIO:	40.1%
BUILDING AREA:	70,187 SQUARE FEET
LOWER LEVEL:	34,013 SQUARE FEET
UPPER LEVEL:	35,676 SQUARE FEET
TRASH:	498 SQUARE FEET
OCUPANCY AREA:	OFFICE: 52,518 SQUARE FEET
	WAREHOUSE: 8,283 SQUARE FEET
	(FUTURE OFFICE)
	ACCESSORY: 8,888 SQUARE FEET
SITE PARKING REQUIRED:	OFFICE: 52,518 / 350 = 150.05 SPACES
(IF CONVERTED TO ALL R&D)	WAREHOUSE: 8,283 / 300 = 23.67 SPACES
	(FUTURE OFFICE)
	ACCESSORY: 8,888 / 350 = 25.39 SPACES
	200 SPACES
SITE PARKING PROVIDED:	69,689 / 300 = 232 SPACES*
ON-SITE PARKING PROVIDED:	
BICYCLE PARKING:	
COMPACT	7.5'x15' 6.8% 0 SPACES
FULL SIZE	9'x18' 90.4% 265 SPACES
ACCESSIBLE	9'x18' 2.1% 6 SPACES
VAN ACCESSIBLE	9'x18' .7% 2 SPACES
	100% 293 SPACES

PARKING SUMMARY BUILDING 5

USE ZONE:	MP-S INDUSTRIAL PARK
SITE AREA:	161,256 SQUARE FEET
FLOOR AREA RATIO:	58.9%
BUILDING AREA:	94,955 SQUARE FEET
LOWER LEVEL:	47,823 SQUARE FEET
UPPER LEVEL:	46,740 SQUARE FEET
TRASH:	392 SQUARE FEET
OCUPANCY AREA:	OFFICE: 47,027 SQUARE FEET
	R&D: 19,900 SQUARE FEET
	ACCESSORY: 27,546 SQUARE FEET
SITE PARKING REQUIRED:	OFFICE: 47,027 / 350 = 134.36 SPACES
	R&D: 19,900 / 300 = 66.33 SPACES
	ACCESSORY: 27,546 / 350 = 78.80 SPACES
	280 SPACES
ON-SITE PARKING PROVIDED:	
BICYCLE PARKING:	8 BICYCLE RACK EQUIVALENT: 3 SPACES
COMPACT	7.5'x15' MIN 25.4% 71 SPACES
FULL SIZE	9'x18' MIN 50.4% 141 SPACES
ACCESSIBLE	9'x18' MIN 2.1% 7 SPACES
VAN ACCESSIBLE	9'x18' MIN .7% 2 SPACES
JOINT USE W/ LTC BUILDING 4:	9'x18' MIN 20.3% 56 SPACES*
	100% 280 SPACES

*AT A 1:300 R&D PARKING RATIO MAX, ADJACENT LTC BUILDING 4 REQUIRED PARKING IS 232 SPACES. THERE ARE CURRENTLY 293 SPACES PROVIDED AT BUILDING 4 OR 61 MORE SPACES THAN REQUIRED. PRIOR TO OCCUPANCY, LTC WILL COMPLETE RECORDATION FOR THE JOINT USE OF 56 SPACES WITH ADJACENT BUILDING 4.



ADM²
ARCHITECTURAL DESIGN MANAGEMENT, INC
ARCHITECTURE + FACILITIES PLANNING + DESIGN BUILD
1511 M BUCKEYE AVENUE, BLDG
HERCULES, CALIFORNIA 94547
(916) 799-7013
ROBERT C. CORDES ARCHITECTURAL CORPORATION
FOR
LINEAR TECHNOLOGY CORPORATION
1630 MCCARTHY BOULEVARD
MILPITAS, CALIFORNIA 95035



REVISIONS

No.	Description	Date
1	FOR OWNER REVIEW	2-7-08
2	FOR BUILDING PERMIT	-
3	USE PERMIT AMENDMENT & EXTENSION	2-19-08

REVISIONS

No.	Description	Date
1	PLAN CHECK COMMENTS	-

ADM PROJECT NO.
06-447
SHEET TITLE

PARKING SUMMARY

SCALE: 1/32"=1'-0" PLOT SCALE: 1/32"=1'-0"
SHEET NO.

SHEET NOTES

ROOM NAMES

- | | |
|------------------------|-----------------------------|
| 100 RECEIVING | 143 ELEVATOR EQUIPMENT |
| 101 BREAK ROOM | 144 SECURITY EQUIPMENT |
| 102 MAIN ELEC ROOM | 145 COFFEE |
| 103 CORRIDOR | 146 LOBBY VESTIBULE |
| 104 CORRIDOR | 147 VISITOR LOBBY |
| 105 CORRIDOR | 148 LOBBY TOILET |
| 106 MAIL ROOM | 149 COFFEE |
| 107 BENCH OWENS | 150 LOBBY CONFERENCE |
| 108 BENCH OWENS | 151 LIBRARY |
| 109 SECURITY EQUIPMENT | 152 OFFICE |
| 110 ELEVATOR EQUIPMENT | 153 OFFICE |
| 111 EMPLOYEE LOBBY | 154 OFFICE |
| 112 GUARD STATION | 155 OFFICE |
| 113 CORRIDOR | 156 OFFICE |
| 114 CORRIDOR | 157 OFFICE |
| 115 TELEPHONE | 158 OPEN OFFICE |
| 116 COFFEE | 159 LIGHT TABLE/PLOTTER |
| 117 OPEN OFFICE | 160 CONFERENCE |
| 118 OFFICE | 161 CONFERENCE |
| 119 OFFICE | 162 OFFICE |
| 120 OFFICE | 163 OFFICE |
| 121 OFFICE | 164 OPEN OFFICE |
| 122 OFFICE | 165 R&D BENCH LAB |
| 123 OFFICE | 166 CUSTODIAN |
| 124 OFFICE | 167 PROBE STATIONS |
| 125 OFFICE | 168 CONFERENCE |
| 126 OFFICE | 169 COPY ROOM |
| 127 OFFICE | 170 PROBE STATIONS |
| 128 OFFICE | 171 SECURE STORAGE |
| 129 CONFERENCE | 172 BOARD CUTTER |
| 130 OFFICE | 173 MACHINE SHOP |
| 131 OFFICE | 174 MAIN DATA ROOM |
| 132 OFFICE | 175 ELEC EQUIP |
| 133 OFFICE | 176 CORRIDOR |
| 134 OFFICE | 177 TOILET VESTIBULE |
| 135 OFFICE | 178 MEN'S TOILET |
| 136 OFFICE | 179 WOMEN'S TOILET |
| 137 OFFICE | 180 WOMEN'S TOILET |
| 138 OFFICE | 181 WOMEN'S LOCKER & SHOWER |
| 139 OPEN OFFICE | 182 MEN'S TOILET |
| 140 COFFEE | 183 MEN'S LOCKER |
| 141 CONFERENCE | 184 MEN'S SHOWER |
| 142 CONFERENCE | 185 STORAGE |
| | 186 STAGING |

GENERAL NOTES

- A EXISTING CONDITION DRAWINGS HAVE BEEN PREPARED USING LINEAR TECHNOLOGY AS-BUILT DRAWINGS AND ARCHITECT'S FIELD OBSERVATIONS. FIELD VERIFY ALL CONDITIONS PRIOR TO START OF CONSTRUCTION.
- B EXISTING LINEAR EXPRESS WAREHOUSE AND SHIPPING & RECEIVING AREA TO REMAIN OPERATIONAL THROUGHOUT THE CONSTRUCTION. REFER TO PROJECT SPECIFICATIONS FOR CONTRACTOR RESPONSIBILITIES.

KEYED NOTES

- ① DASHED LINE INDICATES TRACE OF CANOPY ABOVE.
- ② DASHED LINE INDICATES TRACE OF ROOF SOFFIT ABOVE.

PROJECT DATA

PROPERTY ADDRESS: 1511 BUCKEYE DRIVE
MILPITAS, CALIFORNIA 95035

ASSESSOR'S PARCEL NO: 086-03-025

USE ZONE: MP-S - INDUSTRIAL PARK DISTRICT

FLOOD ZONE: ZONE X

OCCUPANCY: B OFFICE & R&D
A-3 BREAK ROOM

CONSTRUCTION TYPE: III-N

NUMBER OF STORIES: TWO

FIRE PROTECTION: YES, FULLY SPRINKLERED

HAZARDOUS MATERIAL: NO

AREA TABULATIONS

SITE AREA: 161,256 SQUARE FEET

SITE COVERAGE:

LEVEL 1	48,450 SQUARE FEET
TRASH	392 SQUARE FEET
TOTAL	48,842 SQUARE FEET (30%)

MAX. ALLOWED FLOOR AREA RATIO IN MP ZONE: 50%

FLOOR AREA RATIO: 59%*

LEVEL 1	47,823 SQUARE FEET
LEVEL 2	46,740 SQUARE FEET
TRASH	392 SQUARE FEET
TOTAL	94,955 SQUARE FEET

* PREVIOUSLY APPROVED USE PERMIT ALLOWED 59% FAR.

OCCUPANCY AREA :

OFFICE:	47,027 SQUARE FEET
R&D:	19,900 SQUARE FEET
ACCESSORY:	27,546 SQUARE FEET

PARKING TABULATIONS

PARKING STANDARDS:

DENSITY:

OFFICE:	1 SPACE/350 SQUARE FEET
R&D:	1 SPACE/300 SQUARE FEET
ACCESSORY:	1 SPACE/350 SQUARE FEET

SIZE:

STANDARD:	9'X18' - 2-WAY AISLE - 25'
COMPACT:	7.5'X15' - 2-WAY AISLE - 20'

RATIO:

REQUIRED PARKING:

OFFICE:	47,027/350 = 134.36 SPACES
R&D:	19,900/300 = 66.33 SPACES
ACCESSORY:	27,546/350 = 78.80 SPACES
TOTAL REQUIRED:	280 SPACES

PROVIDED PARKING:

BICYCLE:	3 SPACES EQUIVALENT (8 RACKS)
COMPACT:	71 SPACES
STANDARD:	144 SPACES
ACCESSIBLE:	6 SPACES
VAN ACCESSIBLE:	2 SPACES
FROM LTC BLDG. 4:	54 SPACES
TOTAL PROVIDED:	280 SPACES**
RATIO:	25.4% COMPACT**

** PARKING IS COMPLIANT WITH ZONING REQUIREMENTS

ADM
ARCHITECTURAL DESIGN MANAGEMENT, INC
ARCHITECTURE + FACILITIES PLANNING + DESIGN BUILD
1511-M SYCAMORE AVENUE, #101
HERCULES, CALIFORNIA 94547
(916) 799-7013
ROBERT C. CORDES ARCHITECTURAL CORPORATION
FOR
LINEAR TECHNOLOGY CORPORATION
1630 MCCARTHY BOULEVARD
MILPITAS, CALIFORNIA 95035

SEAL



ISSUED

No.	Description	Date
1	FOR OWNER REVIEW	12-19-07
2	FOR BUILDING PERMIT	12-19-07
3	USE PERMIT AMENDMENT & EXTENSION	2-19-08

REVISIONS

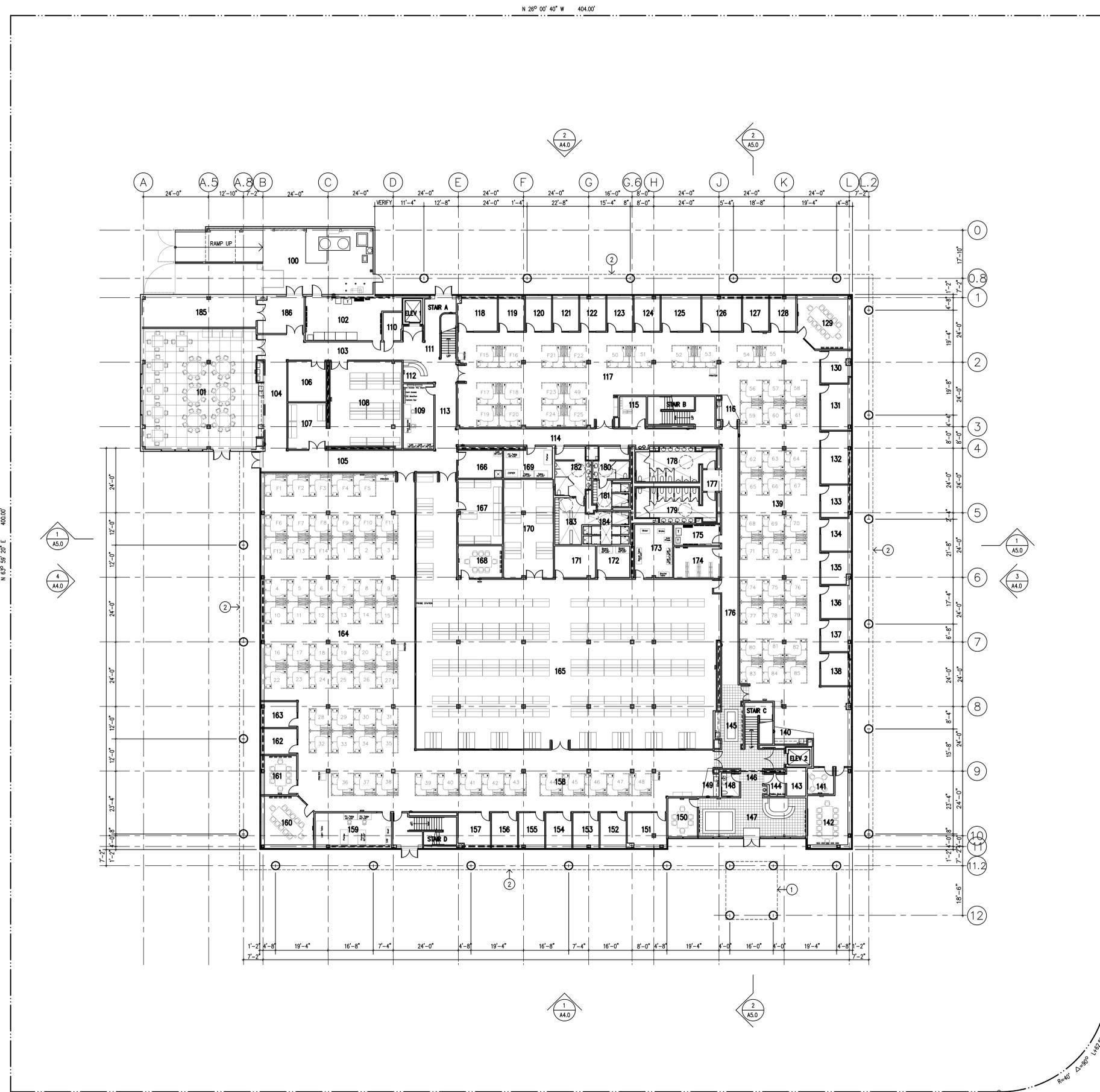
No.	Description	Date
Δ	PLAN CHECK COMMENTS	-

ADM PROJECT NO.
06-447
SHEET TITLE

LOWER LEVEL FLOOR PLAN

SCALE: 1/16"=1'-0"
SHEET NO.

A2



AMENDED FLOOR PLAN

SHEET NOTES

ROOM NAMES

200 GENERATOR (EXTERIOR)	231 COPY
201 SHIELDED ROOM	232 CUSTODIAN
202 R&D BENCH LAB	233 COFFEE
203 LANDING	234 LANDING
204 CORRIDOR	235 CONFERENCE
205 CORRIDOR	236 ROUND TABLE CONFERENCE
206 R&D BENCH LAB	237 CORRIDOR
207 TELEPHONE ROOM	238 CONFERENCE
208 OFFICE	239 CONFERENCE
209 OFFICE	240 OFFICE
210 OFFICE	241 OFFICE
211 OFFICE	242 OFFICE
212 OFFICE	243 OFFICE
213 OFFICE	244 OFFICE
214 CONFERENCE	245 STORAGE
215 OFFICE	246 OFFICE
216 COFFEE	247 OFFICE
217 OFFICE	248 CONFERENCE
218 OFFICE	249 CONFERENCE
219 OFFICE	250 OFFICE
220 OPEN OFFICE	251 OFFICE
221 MEN'S TOILET	252 OFFICE
222 TOILET VESTIBULE	253 OFFICE
223 WOMEN'S TOILET	254 OFFICE
224 ELECTRICAL ROOM	255 OFFICE
225 SERVER/IDF	256 LIGHT TABLE
226 WOMEN'S TOILET	257 OFFICE
227 TOILET VESTIBULE	258 OFFICE
228 MEN'S TOILET	259 COFFEE
229 TELEPHONE ROOM	260 COFFEE
230 STORAGE	261 OPEN OFFICE

GENERAL NOTES

- A EXISTING CONDITION DRAWINGS HAVE BEEN PREPARED USING LINEAR TECHNOLOGY AS-BUILT DRAWINGS AND ARCHITECT'S FIELD OBSERVATIONS. FIELD VERIFY ALL CONDITIONS PRIOR TO START OF CONSTRUCTION.
- B EXISTING LINEAR EXPRESS WAREHOUSE AND SHIPPING & RECEIVING ARE TO REMAIN OPERATIONAL THROUGHOUT THE CONSTRUCTION. REFER TO PROJECT SPECIFICATIONS FOR CONTRACTOR RESPONSIBILITIES.

KEYED NOTES

- 1 REFER TO FURNITURE SUPPLIER DRAWINGS FOR CUBICLE LAYOUT.
- 2 RESLOPE CONCRETE TO NEW DRAINS AT TOILET ROOMS.
- 3 NATURAL GAS BACK-UP GENERATOR. REFER TO ELECTRICAL DRAWINGS FOR REQUIREMENTS. PROVIDE 3.5" HIGH (MINIMUM) HOUSEKEEPING PAD AT GENERATOR. SEE 5/A&S.1
- 4 DASHED LINE INDICATES TRACE OF SOFFIT ABOVE.

PROJECT DATA

PROPERTY ADDRESS: 1511 BUCKEYE DRIVE
MILPITAS, CALIFORNIA 95035
ASSESSOR'S PARCEL NO: 086-03-025
USE ZONE: MP-S - INDUSTRIAL PARK DISTRICT
FLOOD ZONE: ZONE X
OCCUPANCY: B OFFICE & R&D
A-3 BREAK ROOM
CONSTRUCTION TYPE: III-N
NUMBER OF STORIES: TWO
FIRE PROTECTION: YES, FULLY SPRINKLERED
HAZARDOUS MATERIAL: NO

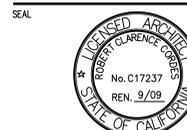
AREA TABULATIONS

SITE AREA: 161,256 SQUARE FEET
SITE COVERAGE:
LEVEL 1 48,450 SQUARE FEET
TRASH 392 SQUARE FEET
TOTAL 48,842 SQUARE FEET (30%)
MAX. ALLOWED FLOOR AREA RATIO IN MP ZONE: 50%
FLOOR AREA RATIO: 59%*
LEVEL 1 47,823 SQUARE FEET
LEVEL 2 46,740 SQUARE FEET
TRASH 392 SQUARE FEET
TOTAL 94,955 SQUARE FEET
* PREVIOUSLY APPROVED USE PERMIT ALLOWED 59% FAR.
OCCUPANCY AREA :
OFFICE: 47,027 SQUARE FEET
R&D: 19,900 SQUARE FEET
ACCESSORY: 27,546 SQUARE FEET

PARKING TABULATIONS

PARKING STANDARDS:
DENSITY: OFFICE: 1 SPACE/350 SQUARE FEET
R&D: 1 SPACE/300 SQUARE FEET
ACCESSORY: 1 SPACE/350 SQUARE FEET
SIZE: STANDARD: 9'X18' - 2-WAY AISLE - 25'
COMPACT: 7.5'X15' - 2-WAY AISLE - 20'
UP TO 40% COMPACT
RATIO:
REQUIRED PARKING:
OFFICE: 47,027/350 = 134.36 SPACES
R&D: 19,900/300 = 66.33 SPACES
ACCESSORY: 27,546/350 = 78.80 SPACES
TOTAL REQUIRED: 280 SPACES
PROVIDED PARKING:
BICYCLE: 3 SPACES EQUIVALENT (8 RACKS)
COMPACT: 71 SPACES
STANDARD: 144 SPACES
ACCESSIBLE: 6 SPACES
VAN ACCESSIBLE: 2 SPACES
FROM LTC BLDG. 4: 54 SPACES
TOTAL PROVIDED: 280 SPACES**
RATIO: 25.4% COMPACT**
** PARKING IS COMPLIANT WITH ZONING REQUIREMENTS

ADM
ARCHITECTURAL DESIGN MANAGEMENT, INC
ARCHITECTURE + FACILITIES PLANNING + DESIGN BUILD
1511-M SYCAMORE AVENUE, #101
HERCULES, CALIFORNIA 94547
(916) 799-7013
ROBERT C. CORDES ARCHITECTURAL CORPORATION
FOR
LINEAR TECHNOLOGY CORPORATION
1630 MCCARTHY BOULEVARD
MILPITAS, CALIFORNIA 95035



ISSUED

No.	Description	Date
1	FOR OWNER REVIEW	12-19-07
2	FOR BUILDING PERMIT	12-19-07
3	USE PERMIT AMENDMENT & EXTENSION	2-19-08

REVISIONS

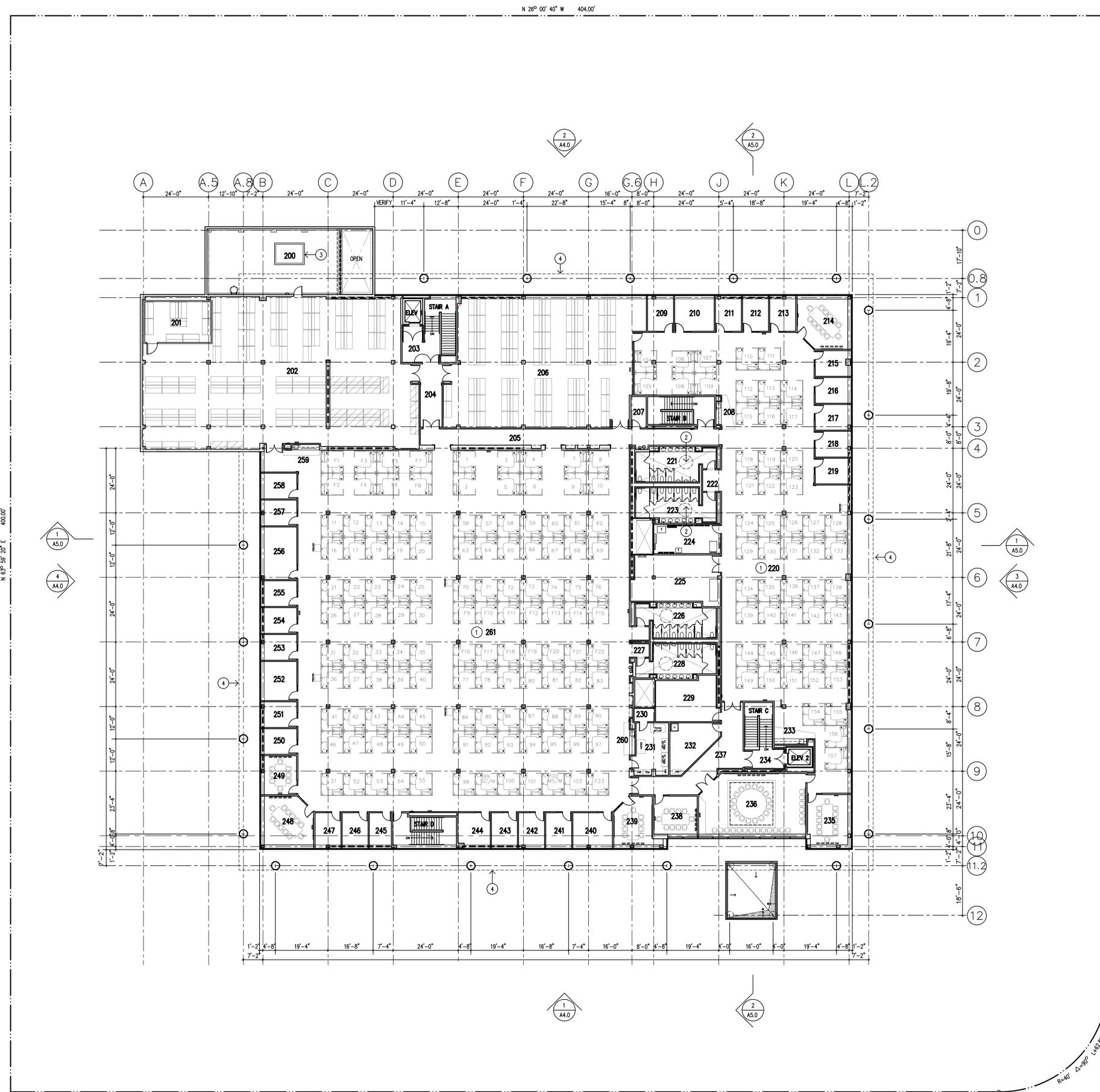
No.	Description	Date
Δ	PLAN CHECK COMMENTS	-

ADM PROJECT NO.
06-447
SHEET TITLE

UPPER LEVEL
FLOOR PLAN

SCALE: 1/16"=1'-0"
SHEET NO.

A3



AMENDED FLOOR PLAN

SHEET NOTES

GENERAL NOTES

A EXISTING CONDITION DRAWINGS HAVE BEEN PREPARED USING SURVEY INFORMATION FROM THE LEA & BRAZE ENGINEERING, INC SITE SURVEY DATED 6-1-06. LINEAR TECHNOLOGY INCORPORATED AS-BUILTS AND ARCHITECT'S FIELD OBSERVATIONS. FIELD VERIFY ALL CONDITIONS PRIOR TO THE START OF CONSTRUCTION.

KEYED NOTES

- 1 CROSSHATCHED AREA IS A NEW TWO STORY OFFICE AND WAREHOUSE.
- 2 REFER TO SHEET L1 FOR ENLARGED PLAN AT EMPLOYEE AND MAIN ENTRY.
- 3 BOULEVARD AND PROPERTY LINE BERMING AND LANDSCAPING TO REMAIN.
- 4 EXISTING BURIED FIRE WATER STORAGE TANK AND SURROUNDING CONCRETE APRON TO BE ABANDONED IN PLACE.
- 5 REFER TO SHEET A7 FOR ENLARGED PLAN AT TRASH ENCLOSURE.
- 6 RELOCATED SITE PARKING LOT LUMINAIRES RETAINED DURING DEMOLITION.
- 7 CURB, GUTTER AND LANDSCAPE MODIFICATIONS TO ACCOMMODATE WIDENED PARKING LOT.
- 8 IMPRINTED CONCRETE OR PAVERS.
- 9 CLOSE EXISTING DRIVEWAY OPENING.
- 10 PAINTED WALKWAY TO BUILDING 4.
- 11 EXISTING MONUMENT SIGN TO RECEIVE LINEAR TECHNOLOGY LOGO.

PROJECT DATA

PROPERTY ADDRESS: 1511 BUCKEYE DRIVE
MILPITAS, CALIFORNIA 95035
ASSESSOR'S PARCEL NO: 086-03-025
USE ZONE: MP-5 - INDUSTRIAL PARK DISTRICT
FLOOD ZONE: B
OCCUPANCY: B OFFICE & R&D
F-2 WAREHOUSING
CONSTRUCTION TYPE: III-N
NUMBER OF STORIES: TWO
FIRE PROTECTION: YES, FULLY SPRINKLERED
HAZARDOUS MATERIAL: NO

AREA TABULATIONS

SITE AREA: 161,256 SQUARE FEET
SITE COVERAGE:
LEVEL 1 48,450 SQUARE FEET
TRASH 577 SQUARE FEET
TOTAL 49,027 SQUARE FEET (30%)
MAX. ALLOWED FLOOR AREA RATIO IN MP ZONE: 50%
FLOOR AREA RATIO: 59%
LEVEL 1 47,823 SQUARE FEET
LEVEL 2 46,740 SQUARE FEET
TRASH 577 SQUARE FEET
TOTAL 95,140 SQUARE FEET
* FLOOR AREA RATIO EXCEEDS ALLOWABLE: USE PERMIT REQUIRED
OCCUPANCY AREA :
OFFICE: 48,845 SQUARE FEET
R&D: 12,249 SQUARE FEET
WAREHOUSE: 21,693 SQUARE FEET
ACCESSORY: 11,772 SQUARE FEET

PARKING TABULATIONS

PARKING STANDARDS:
DENSITY: OFFICE: 1 SPACE/350 SQUARE FEET
R&D: 1 SPACE/300 SQUARE FEET
WAREHOUSE: 1 SPACE/1,500 SQUARE FEET
ACCESSORY: 1 SPACE/350 SQUARE FEET
SIZE: STANDARD: 9'X18' - 2-WAY AISLE - 25'
COMPACT: 7.5'X15' - 2-WAY AISLE - 20'
RATIO: UP TO 40% COMPACT
REQUIRED PARKING:
OFFICE: 48,845/350 = 139.56 SPACES
R&D: 12,249/300 = 40.83 SPACES
WAREHOUSE: 21,693/1,500 = 14.46 SPACES
ACCESSORY: 11,772/350 = 33.63 SPACES
TOTAL REQUIRED: 228.48 SPACES
PROVIDED PARKING:
STANDARD: 147 SPACES
COMPACT: 76 SPACES
ACCESSIBLE: 8 SPACES
TOTAL PROVIDED: 231 SPACES**
RATIO: 33% COMPACT**
** PARKING IS COMPLIANT WITH ZONING REQUIREMENTS

THIS DESIGN DOCUMENT
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ARCHITECTURE + PROJECT MANAGEMENT + DESIGN BUILD
1511-M SYCAMORE AVENUE, #101
HERCULES, CALIFORNIA 94547
(916) 799-7013
ROBERT C. CORDES ARCHITECTURAL CORPORATION
FOR
LINEAR TECHNOLOGY CORPORATION
1630 MCCARTHY BOULEVARD
MILPITAS, CALIFORNIA 95035



ISSUED

No.	Description	Date
1	FOR OWNER REVIEW	-
2	FOR OWNER REVIEW	-
3	USE PERMIT AMENDMENT & EXTENSION	2-19-08
4	AS BUILT	-

REVISIONS

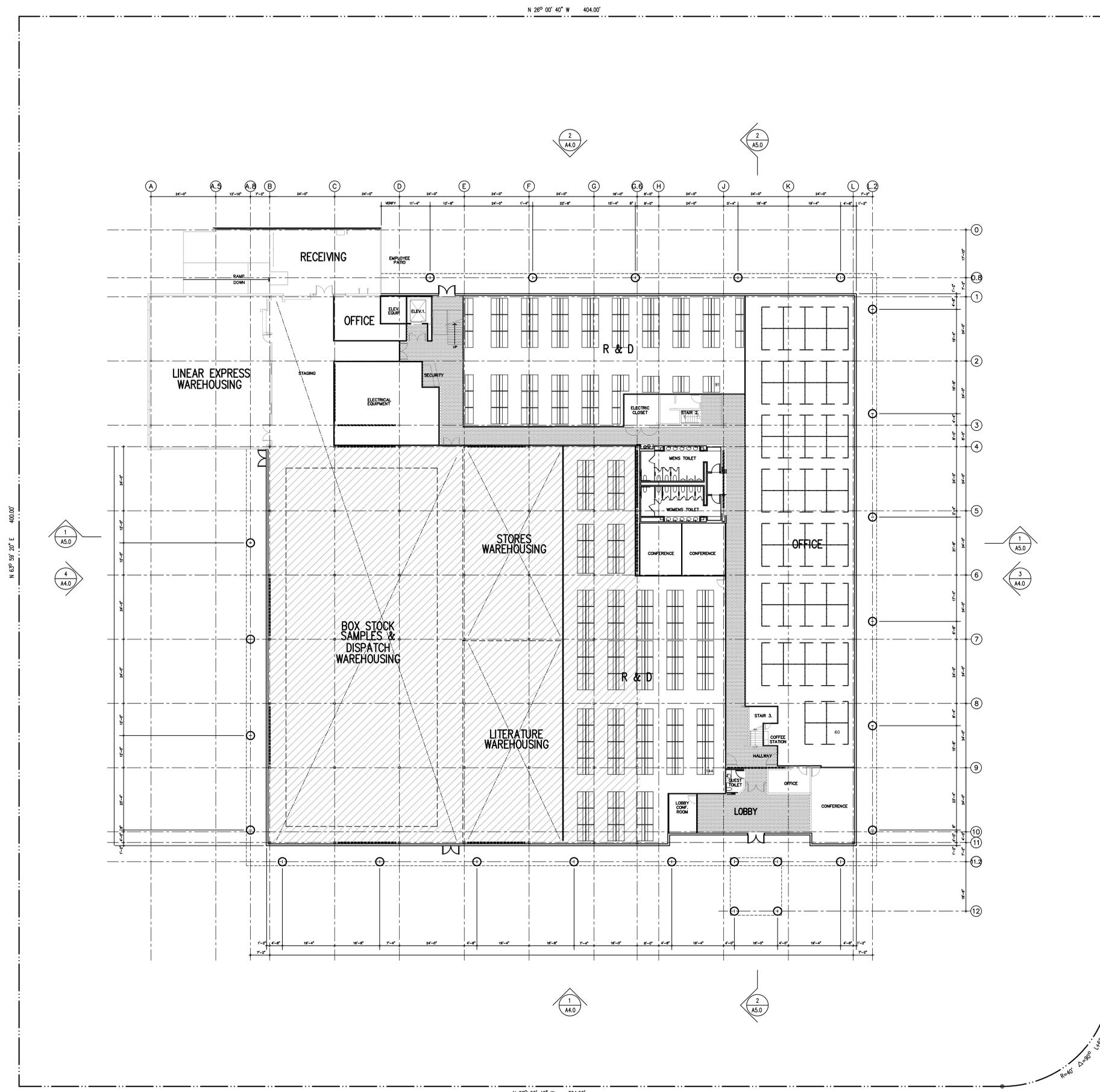
No.	Description	Date
Δ	PLAN CHECK COMMENTS	-

ADM PROJECT NO.
06-447
SHEET TITLE

LOWER LEVEL FLOOR PLAN

SCALE: 1/16"=1'-0" PLOT SCALE: 1/16"=1'-0"
SHEET NO.

A4



APPROVED FLOOR PLAN



SHEET NOTES

GENERAL NOTES

A EXISTING CONDITION DRAWINGS HAVE BEEN PREPARED USING LINEAR TECHNOLOGY AS-BUILT DRAWINGS AND ARCHITECT'S FIELD OBSERVATIONS. FIELD VERIFY ALL CONDITIONS PRIOR TO START OF CONSTRUCTION.

KEYED NOTES

- 1 CROSSHATCHED AREA IS A NEW TWO STORY OFFICE AND WAREHOUSE.
- 2 ENTIRE UPPER FLOOR IS RENOVATED FOR OFFICE USE.
- 3 REFER TO EXTERIOR ELEVATIONS FOR NEW EXTERIOR SKIN, COLUMNS AND ROOF SCREEN. SEE SHEET A8 FOR TYPICAL WALL SECTION.
- 4 REFER TO EXTERIOR ELEVATIONS FOR NEW FULL HEIGHT LOBBY CURTAINWALL GLAZING.
- 5 ENTRY CANOPY TO MATCH CANOPY AT BUILDING 4.
- 6 EXISTING FIRE CORRIDOR AND STAIRS TO BE RETAINED.
- 7 EXISTING TOILET ROOMS TO RECEIVE ADA/CBC COMPLIANCE UPGRADES.
- 8 NEW STAIR AND ELEVATOR AT EMPLOYEE ENTRANCE.

PROJECT DATA

PROPERTY ADDRESS: 1511 BUCKEYE DRIVE
MILPITAS, CALIFORNIA 95035
ASSESSOR'S PARCEL NO: 086-03-025
USE ZONE: MP-S - INDUSTRIAL PARK DISTRICT
FLOOD ZONE: ZONE X
OCCUPANCY: B OFFICE & R&D
F-2 WAREHOUSING
CONSTRUCTION TYPE: III-N
NUMBER OF STORIES: TWO
FIRE PROTECTION: YES, FULLY SPRINKLERED
HAZARDOUS MATERIAL: NO

AREA TABULATIONS

SITE AREA: 161,256 SQUARE FEET
SITE COVERAGE:
LEVEL 1 48,450 SQUARE FEET
TRASH 577 SQUARE FEET
TOTAL 49,027 SQUARE FEET (30%)
MAX. ALLOWED FLOOR AREA RATIO IN MP ZONE: 50%
FLOOR AREA RATIO: 59%
LEVEL 1 47,823 SQUARE FEET
LEVEL 2 46,740 SQUARE FEET
TRASH 577 SQUARE FEET
TOTAL 95,140 SQUARE FEET
* FLOOR AREA RATIO EXCEEDS ALLOWABLE: USE PERMIT REQUIRED
OCCUPANCY AREA :
OFFICE: 48,845 SQUARE FEET
R&D: 12,249 SQUARE FEET
WAREHOUSE: 21,693 SQUARE FEET
ACCESSORY 11,772 SQUARE FEET

PARKING TABULATIONS

PARKING STANDARDS:
DENSITY: OFFICE: 1 SPACE/350 SQUARE FEET
R&D: 1 SPACE/300 SQUARE FEET
WAREHOUSE: 1 SPACE/1,500 SQUARE FEET
ACCESSORY: 1 SPACE/350 SQUARE FEET
STANDARD: 9'X18' - 2-WAY AISLE - 25'
COMPACT: 7.5'X15' - 2-WAY AISLE - 20'
UP TO 40% COMPACT
RATIO:
REQUIRED PARKING:
OFFICE: 48,845/350 = 139.56 SPACES
R&D: 12,249/300 = 40.83 SPACES
WAREHOUSE: 21,693/1,500 = 14.46 SPACES
ACCESSORY: 11,772/350 = 33.63 SPACES
TOTAL REQUIRED: 228.48 SPACES
PROVIDED PARKING:
STANDARD: 147 SPACES
COMPACT: 76 SPACES
ACCESSIBLE: 8 SPACES
TOTAL PROVIDED: 231 SPACES**
RATIO: 33% COMPACT**
** PARKING IS COMPLIANT WITH ZONING REQUIREMENTS

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ARCHITECTURE + PROJECT MANAGEMENT + DESIGN BUILD
1511-M SYCAMORE AVENUE, #107
HERCULES, CALIFORNIA 94547
(916) 798-7013
ROBERT C. CORDES ARCHITECTURAL CORPORATION
FOR
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1630 MCCARTHY BOULEVARD
MILPITAS, CALIFORNIA 95035



ISSUED

No.	Description	Date
1	FOR OWNER REVIEW	-
2	FOR OWNER REVIEW	-
3	USE PERMIT AMENDMENT & EXTENSION	2-19-08
4	AS BUILT	-

REVISIONS

No.	Description	Date
Δ	PLAN CHECK COMMENTS	-

ADM PROJECT NO.
06-447
SHEET TITLE

**UPPER LEVEL
OVERALL PLAN**

SCALE: 1/16"=1'-0" PLOT SCALE: 1/16"=1'-0"
SHEET NO.

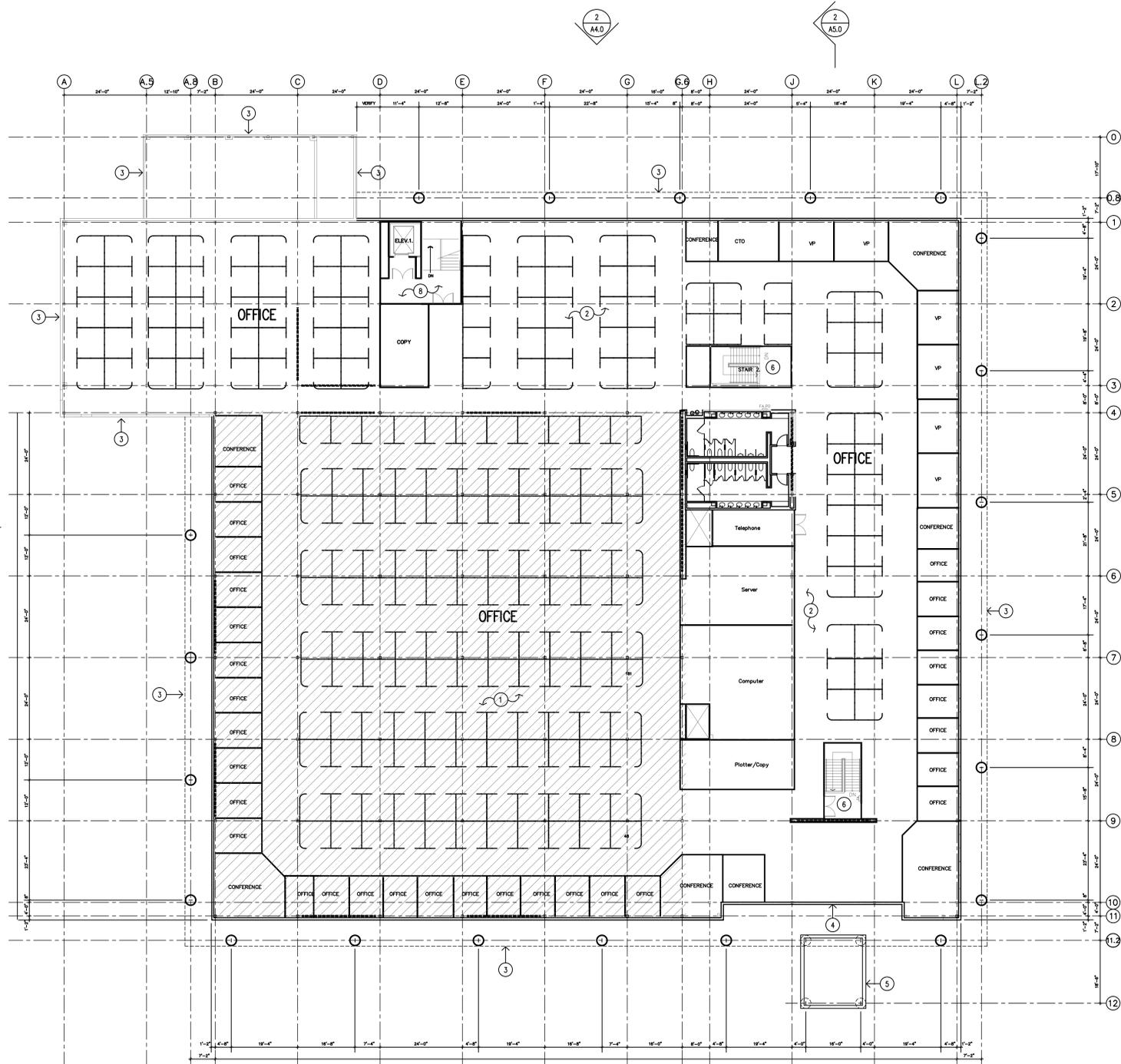
A5

N 26° 00' 40" W 404.00'

N 26° 00' 40" W 364.00'

N 63° 59' 20" E 400.00'

N 63° 59' 20" E 380.00'



APPROVED FLOOR PLAN



MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearing

Report Prepared by: Momo Ishijima

Public Hearing: Yes: X No:

Notices Mailed On: 9/1/06

Published On: 8/31/06

Posted On: 9/1/06

TITLE: USE PERMIT NO. UP2006-15 AND "S" ZONE APPROVAL AMENDMENT NO. SA2006-27, LINEAR TECHNOLOGY

Proposal: A request for the renovation and site improvements of an existing industrial building. Proposal includes the removal and reconstruction of the interior warehouse space to office use, exterior façade, trash enclosure, parking lot and landscaping. A Conditional Use Permit is required for the increase in the allowed Floor Area Ratio (FAR.)

Location: 1511 Buckeye Drive

APN: 086 03 025

RECOMMENDATION: Approve with Conditions.

Applicant: Robert Cordes, Architectural Design Management Inc., 1511-M Sycamore Avenue #101, Hercules, CA 94547

Property Owner: Linear Technology, 1630 McCarthy Boulevard, Milpitas, CA 95035

Previous Action(s): "S" Zone Approval

Environmental Info: The proposed project is categorically exempt per Section 15302 (Replacement or Reconstruction) of the California Environmental Quality Act (CEQA) Guidelines.

General Plan Designation: Industrial Park

Present Zoning: MP-S, Industrial Park with Site and Architectural Review District Overlay

Existing Land Use: Industrial Building

Agenda Sent To: Applicant and owner as noted above

Attachments: (1) Project plans
(2) Project statement

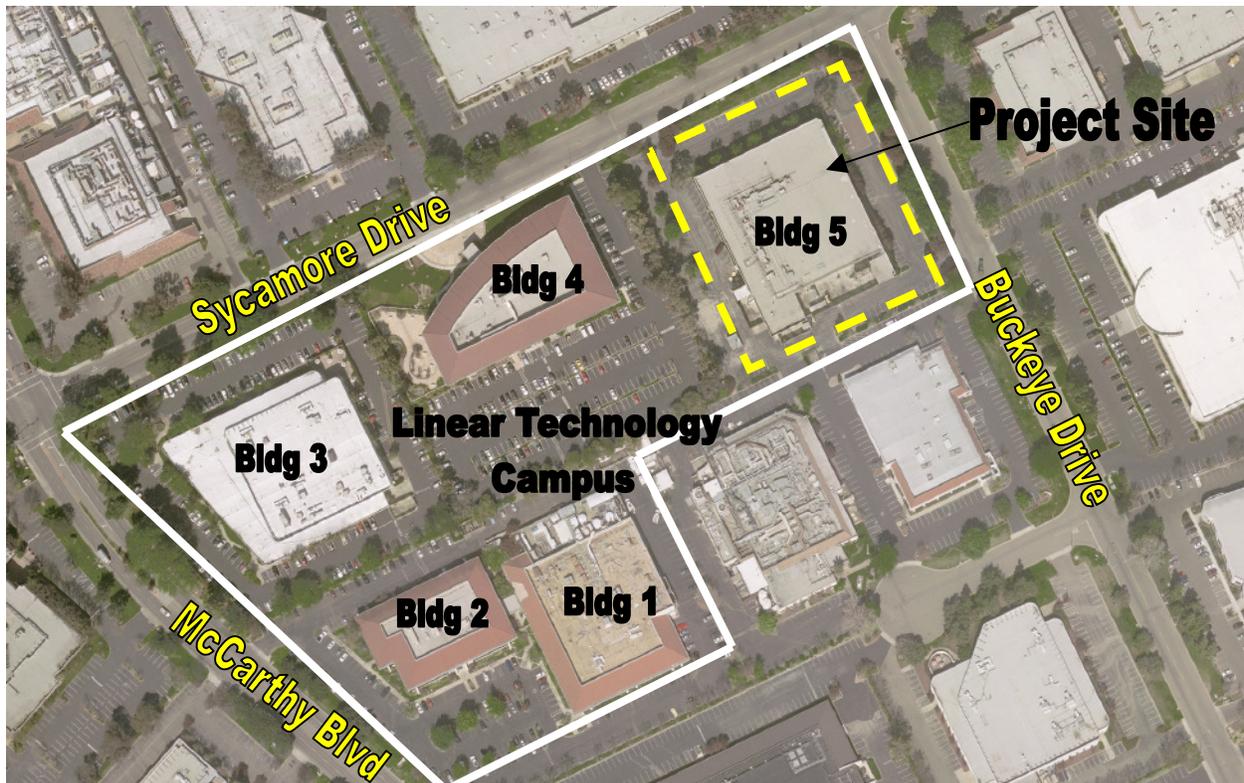
PJ#: 3209

BACKGROUND

On August 4, 1983, the Planning Commission approved, and on August 16, 1983, the Redevelopment Agency approved, Site and Architectural Review (“S” Zone Approval) for a 73,622 square foot two-story industrial building on the southwest corner of Buckeye Drive and Sycamore Drive. The building was never built out to its approved size and the current building size is 43,027 square feet. Subsequent amendments to the “S” Zone Approval have included modifications to the front entrance canopy design, and approvals of a freestanding sign, an underground water tank and a pump house structure.

Site Description

The project site is located on the southwest corner of Buckeye Drive and Sycamore Drive. The 161,256 square foot lot consists of a 43,027 square foot industrial building, trash enclosure, underground water tank, and a pump house structure. The project site is located in an industrial park and is surrounded by other industrial buildings.



THE APPLICATION

The application is submitted pursuant to Section 2.38-2 (Floor Area Ratio), Section 35 (Industrial Park District) and Section 42 (“S” Zone Combining District) of the Milpitas Zoning Ordinance.

Project Description

The applicant, Linear Technology, recently purchased the subject building on the southwest corner of Buckeye Drive and Sycamore Drive. Linear Technology's campus extends from McCarthy Boulevard to Buckeye Drive and consists of five buildings. The project site is Building #5. The proposed project includes the removal and reconstruction of the interior space, exterior façade, trash enclosure and site improvements including parking reconfiguration and landscaping.

Interior Space: The existing structure is comprised of visitor and employee lobbies, office spaces on the first and second floors, a one-story fab with a long span interstitial truss service level, and an exterior mechanical/electrical pad and equipment mezzanine. The applicant proposes to retain the visitor and employee lobbies and existing office space and replace the fab, mechanical/electrical pad and equipment mezzanine with two-story office, R&D and warehouse spaces. The warehouse space will be located on the lower level adjacent to the existing docking bays. An R&D bench lab area will be located adjacent to the warehouse and the second-story addition will be office space. The increase in floor area will result in a building size of 95,140 square feet and a FAR of 0.59.

Exterior façade: The exterior of the structure will be modified to match Linear Technology's campus buildings #1 through #4. Portions of the southern wall will be removed and the footprint of the building will be reduced to accommodate the installation of columns, new horizontal bands of vision glass for each floor level, cement plaster walls and horizontal shiplap decorative treatment. This design will be repeated on each elevation with full height curtain wall glazing for the main lobby area.

Roof: The applicant proposes to modify the roof from a flat roof to a pitched roof with a new overhang and rooftop equipment screen with a wood fascia and Mission tile roof.

Trash Enclosure: The existing trash enclosure will be removed and replaced with a new trash enclosure structure at the southwest corner of the project site. The trash enclosure will be approximately 400 square feet in size with double swinging metal doors. The exterior finish and paint color will match the primary building.

Site Improvements: The parking lot will be restriped and reconfigured to accommodate more compact stalls resulting in an increase in parking spaces. The two internal driveway accesses to the adjacent parcels on the south side are proposed to be closed and restriped for additional parking spaces. The applicant has provided letters of acknowledgement from the adjacent property owners regarding the closure of these driveways. New parking spaces are also proposed along the south side of the building where the building footprint is proposed to be reduced and over the underground water tank area where the pump house structure is proposed to be removed. The existing parking space totals 215 and the applicant proposes an increase of 16 parking spaces for a total of 231.

Landscaping: The applicant proposes new landscape enhancements around the driveway entrances on Buckeye and Sycamore Drives, the new parking spaces, the internal driveway

closures and trash enclosure. Additionally, the proposed work on the exterior façade of the building will necessitate all new landscaping around the building. The preliminary landscape plan proposes 24-inch box Crape Myrtle trees and other smaller plant material including but not limited to New Zealand Flax, Xylosma, Daylilly, India Hawthorne, Fortnight Lily and Oleander.

Conformance with the General Plan

The proposed project is consistent with the General Plan and with Implementing Policies 2.a-I-3 and 2.a-I-7.

Implementing Policy 2.a-I-3 Encourage economic pursuits which will strengthen and promote development through stability and balance.

Comment: The proposed project is consistent with the above policy, which encourages the economic pursuits of an existing business in the City and promotes the strengthening and the development of the applicant’s corporate campus, identity and character.

Implementing Policy 2.a-I-7 Provide opportunities to expand employment, participate in partnerships with local business to facilitate communication, and promote business retention.

Comment: The proposed project is consistent with the above policy, which encourages opportunities to expand employment within the City and promotes business retention. The reconstruction of the building will allow for expanded office space and supports the expansion of the applicant’s corporate campus.

Conformance with the Zoning Ordinance

The project is consistent with the following applicable Industrial Park development standards of the Zoning Ordinance:

MP Development Standard	Proposed Project	Complies ?
Lot Width - 100 feet	360 feet	Yes
Front Yard & Corner Side Yard Setback – 35 feet	52 feet ~ 84 feet	Yes
Rear Yard Setback – 20 feet	80 feet	Yes
Side Yard Setback – 10 feet	84 feet	Yes
Floor Area Ratio – 0.50 (50%)	0.59	No (requires a Conditional Use Permit)
Structure Height – 35 feet	33 feet 4 inches	Yes

ISSUES

Floor Area Ratio (FAR)

The project site lot size is 161,256 square feet (3.7 acres) and the existing building size is 43,027 square feet. The current FAR for the project site is 0.30. The applicant proposes to increase the floor area by constructing and expanding the second floor for a total of 95,140 square feet of floor area for an FAR of 0.59. The allowable FAR in the MP – Industrial Park District is 0.50. Milpitas Municipal Code Section XI-10-2.38-2 allows for the increase in FAR with a Conditional Use Permit. The following findings must be made for the approval of the FAR increase:

- a) demonstrate that proposed development will generate low peak hour traffic
- b) demonstrate that proposed development will not create a dominating visual prominence

Additionally, the Zoning Ordinance states ‘where an increase in FAR has been allowed, all other development standards for the site must be met.’

Analysis

a) According to the Trip Generation Analysis prepared by the City staff, the AM and PM peak hour traffic increase for the additional floor space during the AM hours is 97 trips and for PM hours is 95 trips. (See attached Table 1) Under Existing PM peak hour conditions, the building generates 1.63 trips per 1,000 square feet. Under proposed conditions, the building would generate 1.90 trips per 1,000 square feet during the PM peak hour. The level of service (LOS) of neighboring intersections in this area is LOS B. Staff concludes that the increase does not represent a significant or noticeable increase in traffic volume on local streets and will therefore be considered to generate low peak hour traffic.

b) The proposed addition will not create a dominating visual prominence because the added floor space will be wholly contained within the structure. No additions are proposed on the exterior or the footprint of the building. In fact, the footprint of the building is proposed to be reduced slightly along the southern elevation.

Parking

The project is consistent with the parking requirements of the Zoning Ordinance. The required parking spaces for the proposed project are outlined in the table below.

Use	Parking Standard	Required Parking
Office	1 space per 350 square feet	48,845 / 350 = 140
R & D	1 space per 300 square feet	12,249 / 300 = 41
Warehouse	1 space per 1,500 square feet	21,693 / 1,500 = 14

Accessory	1 space per 350 square feet	11,772 / 350 = 33
	Total Required	228 spaces

The applicant proposes the following parking spaces:

Standard spaces	147 spaces
Compact spaces	78 spaces
<u>Accessible spaces</u>	<u>8 spaces</u>
Total	233 spaces

The Zoning Ordinance allows for up to 40% compact spaces in the industrial districts. The proposed project has 33% compact spaces and exceeds the parking requirements by 5 spaces.

Trash Enclosure

Pursuant to Section XI-10-42.10(K) and City Council Resolution No. 6296, trash and recycling enclosures are required to be screened and designed to be architecturally compatible to adjacent structures. The applicant proposes to remove the existing trash enclosure adjacent to the building and construct a new trash enclosure adjacent to the southern property line. The trash enclosure will be approximately 400 square feet with the exterior wall to match the material and color of the primary building. *Staff recommends* the installation of plants and irrigation around the side and rear of the trash enclosure to screen the wall and dissuade graffiti.

Sidewalk

The project site currently does not have sidewalks installed. Sections X-1-8.01 & 8.02 of the Milpitas Municipal Code adopted by Ordinance No. 95 by the City Council in 1962 states:

Section X-1-8.01 **Required improvements prior to issuance of a building permit.** ~ As a condition precedent to obtaining a use permit, variance, special “S” Zone area approval ~ any Permittee who proposes to erect, construct, alter, enlarge, convert, move or maintain any building or structure on or upon any land adjacent to an unimproved street or who seeks to change the use of any land which includes or is adjacent to an unimproved street, shall make provision for those matters hereafter set forth in this Chapter.

Section X-1-8.02 **Improvements on streets, etc.** Said Permittee shall provide for the improvement of said unimproved street by the installation, at Permittee’s sole cost, of any of the following improvements which said unimproved street shall lack: curb, gutters, driveways, sidewalks, drains, street paving, and street lights.

As such, *staff recommends* that prior to building permit issuance, the developer obtain design approval and bond for all necessary public improvements along Sycamore and Buckeye Drives including but not limited to new 6-foot sidewalk installation, ADA approved ramp installation, removal and replacement of damaged curb, gutter and pavements, and adjusting of all affected utility boxes to grade. *Staff recommends* that a complete landscape plan and a tree survey be

prepared for the Building Permit / Site Improvement process. The applicant shall work with staff in resolving the trees to be removed and preserved.

Additionally, as stated above in the FAR section of this report, where an increase in FAR has been allowed, all other development standards for the site must be met including the installation of sidewalks.

Conformance with CEQA

The proposed project is categorically exempt from further environmental review pursuant to Class 1, Section 15302 (Replacement or Reconstruction of Structures) of the California Environmental Quality Act (CEQA) Guidelines.

RECOMMENDATION

Close the Public Hearing. Approve Conditional Use Permit No. UP200615 and Site and Architectural Approval Amendment No. SA2006-27 based on the Findings and Special Conditions of Approval listed below.

FINDINGS

1. The proposed project is categorically exempt from further environmental review pursuant to Class 1, Section 15302 (Replacement or Reconstruction of Structures) of the California Environmental Quality Act (CEQA) Guidelines.
2. The proposed layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding developments.
3. The proposed project is consistent with the General Plan Implementing Policy 2.a-I-3 & 2.a-I-7, which encourages the economic pursuits of an existing business in the City and promotes the strengthening and the development of the applicant's corporate campus, identity and character and encourages opportunities to expand employment within the City and promotes business retention.
4. As conditioned, the proposed project is consistent with the Zoning Ordinance and meets the intent, development standards and guidelines of the Industrial Park district.
5. The proposed project is consistent with the FAR increase conditional use permit finding requirement of generating low peak hour traffic as demonstrated in the attached Trip Generation Analysis.
6. The proposed project is consistent with the FAR increase conditional use permit finding requirement of not creating a dominant visual prominence because the floor area increase is wholly contained in the existing building.

SPECIAL CONDITIONS

1. This Conditional Use Permit No. UP2006-15 and Site and Architectural Approval Amendment No. SA2006-27 is to permit the removal and reconstruction of the interior warehouse space to office use, exterior façade, trash enclosure, parking lot and landscaping and for the increase in the allowed Floor Area Ratio (FAR.) as shown on the proposed plans and as modified by these conditions of approval. Any significant modification of this approval requires review by the Planning Commission. Any other minor modifications, per Section 42-10-2, to approved plans may be approved by the Planning Division or Planning Commission Subcommittee. (P)
2. This project shall be conducted in compliance with all appropriate local, state, and federal laws and regulations. (P)
3. The material and color of the trash enclosure shall match the primary building and shall be suitably screened by appropriate landscaping. (P)
4. The applicant shall submit complete landscape plans including botanical names of landscape material and location of the material as part of the Building Permit / Site Improvement review. (P)
5. A complete tree survey shall be submitted during Building Permit / Site Improvement process to be reviewed by staff. The survey shall include the trees to be preserved and trees to be removed. Removal of trees shall be subject to review and approval of the Planning Director. (P)
6. All roof top equipment shall be screened from public view. (P)
7. The applicant is responsible for ensuring that all contractors and subcontractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders. (P)
8. Prior to building permit issuance, the developer shall obtain design approval and bond for all necessary public improvements along Sycamore and Buckeye Drives including but not limited to new 6-foot sidewalk installation, ADA approved ramp installation, removal and replacement of damaged curb, gutter and pavements, and adjusting of all affected utility boxes to grade. Plans for all public improvements shall be prepared on Mylar (24"x36" sheets) with City Standard Title Block and submit a digital format of the Record Drawings (AutoCAD format is preferred) upon completion of improvements. (E)
9. Prior to occupancy permit issuance, applicant/property owner shall construct the new trash enclosures to accommodate the required number of bins serving this development. The proposed enclosure shall be designed per the Development Guidelines for Solid Waste

Services and enclosure drains must discharge to sanitary sewer line. City review/approval is required prior to construction of the enclosure. (E)

10. 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. 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. (E)
11. Per Chapter 200, Title V of Milpitas Municipal Code (Ord. No. 48.7) solid waste enclosures shall be designed to limit the accidental discharge of any material to the storm drain system. The storm drain inlets shall be located away from the trash enclosures (a minimum of 25 feet). This is intended to prevent the discharge of pollutants from entering the storm drain system, and help with compliance with the City's existing National Pollution Discharge Elimination System (NPDES) Municipal permit. (E)
12. It is the responsibility of the developer/owner to obtain approval/consent from the adjacent property owners for removal of existing onsite joint access. (E)
13. 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 shrub are permitted within City utility easements, where the easement is located within landscape areas. (E)
14. In accordance with Chapter 5, Title VIII (Ord. 238) of Milpitas Municipal Code, for new and/or rehabilitated landscaping 2500 square feet or larger the developer shall:
 - A. Provide separate water meters for domestic water service & irrigation service. Developer is also encouraged to provide separate domestic meters for each tenant.
 - B. Comply with all requirements of the City of Milpitas Water Efficient Ordinance (Ord No 238). Two sets of landscape documentation package shall be submitted by the developer or the landscape architect to the Building Division with the building permit plan check package. Approval from the Land Development Section of the Engineering Division is required prior to building permit issuance, and submittal of the Certificate of Substantial Completion is required prior to final occupancy inspection.

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

15. Per Chapter 6, Title VIII of Milpitas Municipal Code (Ord. No. 240), the landscape irrigation system must be designed to meet the City's recycled water guidelines and connect to recycled water system. Contact the Land Development Section of the Engineering Division at (408) 586-3329 for design standards to be employed. To meet the recycle water guideline the developer shall:
 - A. Design the landscape irrigation for recycled water use. Use of recycled water applies to all existing rehabilitated and/or new landscape adjacent to existing or future recycled water distribution lines (except for rehabilitated landscape less than 2500 square feet along the future alignment).
 - B. Design the irrigation system in conformance to the South Bay Water Recycling Guidelines and City of Milpitas Supplemental Guidelines. Prior to building permit issuance the City will submit the plans to the Department of Health Services (DOHS) for approval; this approval requires additional processing time. The owner is responsible for all costs for designing and installing site improvements, connecting to the recycled water main, and processing of City and Department of Health Services approvals. Contact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain copies of design guidelines and standards.
 - C. Protect outdoor eating areas from overspray or wind drift of irrigation water to minimize public contact with recycled water. Recycled water shall not be used for washing eating areas, walkways, pavements, and any other uncontrolled access areas. (E)
16. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to, plan check and inspection deposit. (E)
17. Per Milpitas Municipal Code Chapter 2, Title X (Ord. No. 201), developer may be required to obtain a permit for removal of any existing tree(s). Contact the Street Landscaping Section at (408) 586-2601 to obtain the requirements and forms. (E)
18. 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. (E)
19. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hrs prior to construction for location of utilities. (E)
20. Prior to building permit issuance, the developer shall dedicate adequate right of way for pedestrian purposes crossing the driveways. (E)
21. 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). (E)

22. It is the responsibility of the developer to obtain any necessary approvals or permits from affected agencies and private parties. Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
23. If necessary, developer shall obtain required industrial wastewater discharge approvals from San Jose/Santa Clara Water Pollution Control Plant (WPCP) by calling WPCP at (408) 942-3233. (E)
24. The City makes every effort to deliver a continuous and sufficient supply of water. However, temporary interruptions may be necessary for the purpose of making repairs or improvements. If it is important to maintain uninterrupted water supply to this development (except in case of emergency), the developer is encouraged to design and install a redundant water service system. (E)
25. If the existing services (water, sewer and storm) are not adequately sized to serve this development plans showing new services must be submitted and approved prior to building permit issuance. (E)
26. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Construction activities are viewed as a source of pollution. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329. (E)
27. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Industries are required to make an evaluation of their specific site activities and determine their permit requirements. If a permit is required, industries must prepare the following documents:
 - A. File a Notice of Intent (NOI) prior to building permit issuance.
 - B. Prepare and submit a Storm Water Pollution Prevention Plan with the NOI.
 - C. Prepare a Monitoring Plan prior to operation.

If you have questions about your specific requirements contact the RWQCB at (1-800) 794-2482. For general information contact the City of Milpitas at (408) 586-3329. (E)

28. The Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program shows this site to be in Flood Zone "X". (E)

29. At the time of building plan check submittal, the developer shall incorporate the changes shown on Engineering Services Exhibit "S" (dated 7/18/2006) in the design plans. (E)

(P) = Planning Division

(E) = Engineering Division



MEMORANDUM

Planning & Neighborhood Preservation

DATE: September 13, 2006

TO: Planning Commission

VIA: Tom Williams, Director of Planning & Neighborhood Services

FROM: Momo Ishijima, Associate Planner

SUBJECT: CORRECTION IN STAFF REPORT – LINEAR TECHNOLOGY (UP2006-15, SA2006-27)

Page 2 of the Staff Report – Background section: **Delete** the sentence “The building was never built out to it’s approved size and the current building size is 43,027 square feet.” All references to “43,027 square feet” should be modified to “87,283 square feet.”

Page 5 of the Staff Report – Floor Area Ratio section: **Modify** the second sentence to read, “The current FAR for the project site is 0.54, already exceeding the allowable FAR in the MP – Industrial Park zoning district by 0.04. Delete the fourth sentence “The allowable FAR in the MP – Industrial Park District is 0.50.”

Page 5 of the Staff Report – Floor Area Ratio *Analysis a)* section: **Modify** *Analysis a)* to read: “According to the Trip Generation Analysis prepared by the City staff, the AM and PM peak hour traffic increase for the additional floor space during the AM hours is 3 trips and for PM hours is 2 trips. (See attached Table 1) The existing uses generate 2.14 and 1.96 trips per 1,000 square feet during the AM and PM peak hours, respectively. The proposed uses would generate 2.01 and 1.90 trips per 1,000 square feet during the AM and PM peak hours, respectively. Therefore, the finding of “low peak hour traffic generation” can be made. The level of service (LOS) of neighboring intersections in this area is LOS B. Staff concludes that the increase does not represent a significant or noticeable increase in traffic volume on local streets and will therefore be considered to generate low peak hour traffic.”

Replace attached Table 1 with corrections made to the existing floor area as 87,283 square feet.