



## MILPITAS PLANNING COMMISSION AGENDA REPORT

**PUBLIC HEARING**

Meeting Date: March 9, 2011

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**APPLICATION:** Site Development Permit No. SD10-0015, McCarthy Business Center Monument Sign and Sign Program

**APPLICATION  
SUMMARY:**

A request to install an 8-foot tall double-faced, non-illuminated monument sign along the McCarthy Street frontage and obtain sign program approval.

**LOCATION:**  
**APPLICANT:**  
**OWNER:**

1525 S. McCarthy Blvd. (APN 86-03-079)  
Daniel Tseng, 1525 McCarthy Blvd. Suite 1000, Milpitas, CA 95035

**RECOMMENDATION:**

**Staff recommends that the Planning Commission:**

**Adopt Resolution No. 11-013 approving the project subject to conditions of approval.**

**PROJECT DATA:**

General Plan/

Zoning Designation:

Overlay District:

Specific Plan:

Highway Services (HS)/Light Industrial (M1)

Site and Architectural Overlay (-S)

N/A

Site Area:

Total Allowable Sign Area:

Existing Sign Area:

Proposed Sign Area:

Total Sign Area:

4.19 Acre

884 square feet

56 square feet

56 square feet

112 square feet

CEQA Determination:

Categorical exempt pursuant to Section 15311, Class 11, (a) (Accessory Structures, On-premise Signs) of the California Environmental Quality Act (CEQA).

PLANNER:

Cindy Hom, Assistant Planner

PJ:

2693

ATTACHMENTS:

A. Resolution No. 11-013  
B. Project Plans

## LOCATION MAP



No scale

**BACKGROUND**

On July 24, 2004, the Planning Commission approved a conditional use permit (UP2004-8) for the installation of a 60-foot tall artificial tree pole with six (6) telecommunication antennas and associated ground mounted equipment on an existing industrial development improved with a 75,444 square foot industrial building and freestanding sign located in the Oak Creek Business Park on the west side of McCarthy Boulevard, south of Sycamore Drive

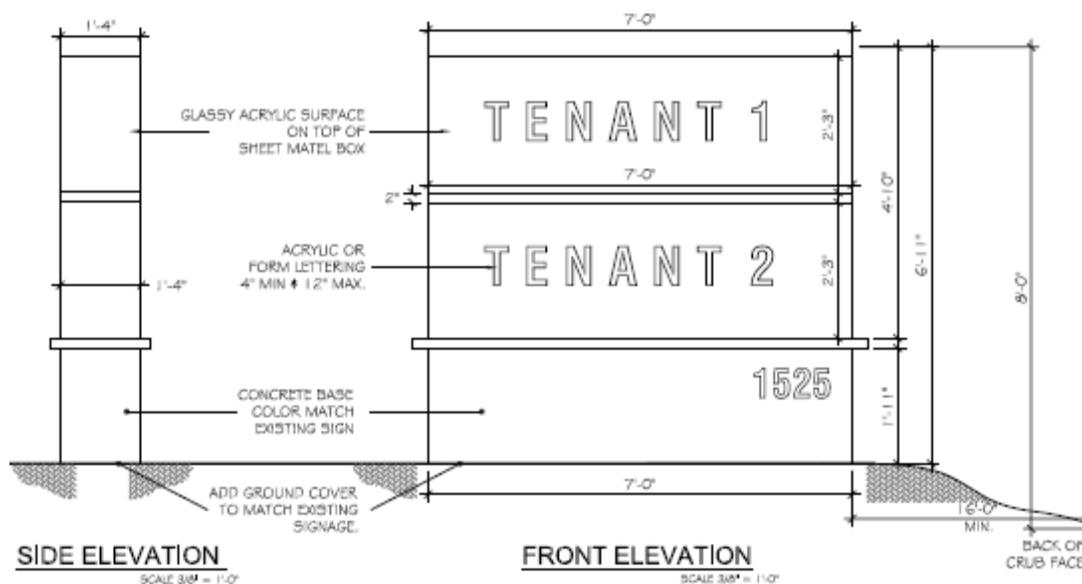
On January 3, 2011, Daniel Tseng submitted an application to erect an eight-foot tall double faced, non illuminated monument sign near the southern driveway entrance on the McCarthy Boulevard. According the Milpitas Municipal Code (MMC) XI-10-24.04-1, freestanding signs over six feet in height may be allowed with Planning Commission review and approval of a site development permit.

**PROJECT DESCRIPTION**

The project site is located at the southwest corner of the McCarthy Boulevard and Sycamore Drive intersection on a 4.20 acre parcel developed with a 75,444 square foot, two-story, concrete tilt-up industrial building, surface parking, and related site improvements. The project site is zoned Light Industrial and is surrounded by other industrial buildings and uses to the north, east, and south and the Coyote Creek trail to the west. A vicinity map of the subject site location is included on the previous page.

The applicant requests site development approval to install a new 8-foot tall non-illuminated, double-faced multi-tenant monument sign constructed with a metal cabinet on top of a concrete base. Tenant panels consist of glassy acrylic surface with acrylic or formed letters. The proposed sign is proposed adjacent to the south driveway entrance on McCarthy Boulevard. The proposed sign would match the same style, height, and design as the existing monument sign. See Figures 1 and 2 below for an illustration of the proposed and existing signs.

**Figure 1**  
**Proposed Monument Sign**



**Figure 2**  
**Existing Monument Sign**



**Sign Area**

Per MMC XI-10-24.03 (B) (Maximum Permissible Sign Area), the site is allowed a maximum of 884 square feet for signs (two square feet of sign area for every one lineal foot of public street frontage). As demonstrated in Table 1, the project proposes 112 square feet of sign area, which is less than the maximum allowed for the site.

**Sign Height and Number of Freestanding Signs**

According to MMC XI-10-24.04-1, the maximum number of signs and sign height is determined by amount of street frontage. Per the Sign Ordinance, one sign is permitted per each street frontage. One additional sign may be granted on parcels with more than 300-feet of public street frontage. Sign height is determined by the following calculation: one foot of height for every eight lineal feet of public street frontage, not to exceed 25 feet in height. For a second sign, only the lineal feet in excess of 300 shall be used to determine height. The sign proposal complies with this sign provisions for height and number of signs as demonstrated in Table 1 below:

**Table 1**  
**Sign Height Calculation**

<b>Location</b>	<b>Dimensions</b>
Existing Street Frontage	442'
Excess Street Frontage	142'
Maximum Sign Height for Second Sign	$142/8=17.75'$
Proposed Sign Height of Second Sign	8'

Sign type, materials and location

The table below summarizes the type of signs, locations, and sign dimensions.

**Table 2**  
**Sign Summary**

Monument Sign	Location	Sign (Type)	Dimension	Sign Area Total (Sq. Ft.)
Proposed	North driveway	Double faced, non-illuminated monument – Fabricated with Aluminum sign cabinet with acrylic tenant panels on top of a concrete base.	7' x 8' x 1'-4"	56
Existing	South driveway	Double faced, non-illuminated monument – Fabricated with Aluminum sign cabinet with acrylic tenant panels on top of a concrete base.	7' x 8' x 1'-4"	56

Sign Program

The project is a two story multi-tenant building with 154 units. This building is developed as business center that caters to individual consulting companies and small to medium sized professional offices. Pursuant to MMC XI-10-24.05 (F) (Sign Programs), a sign program is required for multi-tenant buildings to ensure design consistency and uniformity. The applicant proposes the following sign program requirements:

1. Signage on the monument signs are limited to tenants who occupy 3,000 square feet or more.
2. No building signs are permitted.
3. Signage shall be limited to business name and logo.
4. Colors shall be landlord approved.
5. Lettering shall consist of acrylic or form letters. Letter height should be a minimum of 4-inches to a maximum letter height of 12-inch with 1 to 2-inch thick letters.

## 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**

<b>Policy</b>	<b>Consistency Finding</b>
Implementing Policy 2.a-I-3 <i>Encourages economic pursuits, which will strengthen and promote development through stability and balance.</i>	<b>Consistent.</b> The proposed monument sign would help promote the business center and encourage economic pursuits by providing appropriate visibility and business identification.
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>	<b>Consistent.</b> The sign program will provide for aesthetic and appropriate signage to promote business retention

### *Sign Ordinance*

The project is consistent with Chapter 24 (Signs) of the Milpitas Municipal Code in that the proposed sign complies with the total allowable sign area, sign height, and appropriateness of the sign design by incorporating compatible colors, design, and scale with the building and with the existing on-site monument sign. The proposed monument sign is located within an existing landscaping will also be located in planter areas as required by the Sign Ordinance.

## 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 per Section 15311, (Class 11) Accessory Structures, because the project includes the construction of an on-premise sign.

## PUBLIC COMMENT/OUTREACH

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

## CONCLUSION

The project proposes a with a new non-illuminated double faced monument sign. The proposed monument sign is compatible with the two story building and with the existing monument signs in terms of scale, color, design, materials and provide an orderly and attractive multi-tenant sign for the existing office building.

**RECOMMENDATION**

**STAFF RECOMMENDS THAT** the Planning Commission adopt Resolution No. 11-013 approving Site Development Permit No. SD10-0015, subject to the attached Conditions of Approval.

*Attachments:*

- A. Resolution No. 11-013  
Plans

**RESOLUTION NO. 11-013**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT NO. SD10-0015, MCCARTHY BUSINES CENTER SIGN, TO ALLOW INSTALLATION OF AN 8-FOOT TALL MONUMENT AND SIGN PROGRAM APPROVAL FOR AN EXISTING MULTI-TENANT INDUSTRIAL BUILDING LOCATED AT 1525 MCCARTHY BOULEVARD.**

**WHEREAS**, on January 3, 2011, an application was submitted by Daniel Tseng, 1525 McCarthy Boulevard, Suite 1000, Milpitas, CA 95035, to allow installation of an 8-foot tall double-faced, non-illuminated monument sign and obtain sign program approval for the building located at 1525 McCarthy Boulevard. The property is located within the Light Industrial Zoning district (86-03-079); 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 categorically exempt from further environmental review pursuant to Section 15311, Class 11, (a) (Accessory Structures, On-premise Signs) of the California Environmental Quality Act (CEQA); and

**WHEREAS**, on March 9, 2011, 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; and

**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 project is categorically exempt per Section 15311, (Class 11) Accessory Structures of the California Environmental Quality Act. The project proposal consists of the installation of an on-premise monument sign for an existing industrial development.

**Section 3:** The project is consistent with the Milpitas General Plan in that it meets General Plan Policy 2.a-I-3 and 2.a-I-7. The proposed sign provides an aesthetic and harmonious sign that provides visible and effective business identification to promote business and encourage economic pursuits. The proposed colors and materials of the sign are compatible and in keeping with the character of the building architecture and matches the existing monument sign.

**Section 4:** The project conforms to the Milpitas Zoning Ordinance in that it complies with the development standards in terms of the total allowable sign area, sign height, and number of freestanding signs.

**Section 5:** The project provides for an aesthetic and harmonious development in that the scale, design, and material is architecturally compatible with the building and matches the existing freestanding sign.

**Section 6:** The project proposes an eight-foot tall, double faced, non-illuminated monument sign with formed letters. As proposed, the design and scale of the sign is appropriate to the distance from it is normally viewed. The location and scale provides good visible along McCarthy Boulevard. The letter heights are appropriate and provide clarity and readability.

**Section 7:** The proposed location and design of the sign is appropriate in that it provide business identification for the major anchor tenants within the McCarthy Business Center.

**Section 8:** The provisions of sign program provides for following:

- a) Design consistency, effective signage, and attractive business identification for the major anchor tenants by regulating the placement, style, and sign copy of the tenant panels. The sign program is compatible with the existing monument sign in terms of size, location, design, and style.
- b) Maintains the architecture style of the building by restricting signage on the building and/or the over concentration of signage by limiting the number of tenant signs.
- c) Complies with the design guidelines of the Milpitas Zoning Ordinance.

**Section 9:** The Planning Commission of the City of Milpitas hereby approves Site Development Permit No. SD10-0015, McCarthy Business Center Sign, 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 9, 2011

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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 9, 2011, and carried by the following roll call vote:

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Mark Tiernan				
Lawrence Ciardella				

<b>COMMISSIONER</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Sudhir Mandal				
Gurdev Sandhu				
Steve Tao				
Noella Tabladillo				
Zeya Moshin				
John Luk				

**EXHIBIT 1****CONDITIONS OF APPROVAL  
Site Development Permit No. SD10-0015**

A request to install an 8-foot tall double-faced, non-illuminated monument sign along the McCarthy Street frontage and obtain sign program approval  
1525 McCarthy Boulevard (APN: 86-03-079)

**General Conditions**

1. The owner or designee shall develop the approved project in conformance with the approved plans and color and materials sample boards approved by the Planning Commission on March 9, 2011, in accordance with these Conditions of Approval.

Any deviation from the approved site plan, floor plans, elevations, materials, colors, landscape plan, or other approved submittal shall require that, prior to the issuance of building permits, the owner or designee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the Planning Commission, in accordance with the Zoning Ordinance. **(P)**

Site Development Permit No. SD10-0015 shall become null and void if the project is not commenced within two (2) years from the date of approval. Pursuant to Section 64.06(B) of the Zoning Ordinance of the City of Milpitas:

- a. Completes a foundation associated with the project; or
  - b. Dedicates any land or easement as required from the zoning action; or
  - c. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.
2. Pursuant to Section 64.06(1), the owner or designee shall have the right to request an extension of Site Development Permit No. SD10-0015 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein. **(P)**
  3. Prior to the issuance of building permits, the owner or designee shall include within the four first pages of the working drawings for a plan check, a list of all conditions of approval imposed by the final approval of the project. **(P)**
  4. A landscaped planter at the base of the sign shall be maintained as long as the sign is in use. **(P)**
  5. If, at time of building permit review, there is an outstanding project job account balance due to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full. **(P)**
  6. The developer shall not obstruct the noted sight distance areas as indicated on the City standard drawing #405. Overall cumulative height of the grading, landscaping & signs as

determined by sight distance shall not exceed 2 feet when measured from street elevation.  
(E)

7. The edge of the proposed new monument signs along McCarthy Boulevard frontage must be located 16-foot minimum back from the street Face of Curb, to clear both line of sight and existing public service utility easement. No permanent structure is allowed within the public right of way or easement. (E)

(P) = Planning

(B) = Building

(E) = Engineering

(F) = Fire Prevention



**JWL Associates**

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ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF THE DESIGNER AND THE SAME MAY NOT BE REPRODUCED, COPIED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.



**SIGN AREA CALCULATION:**

EXISTING FRONTAGE OF THE LOT: 442' (> 300')  
GREATER THAN 300' FRONTAGE  
DO ALLOW ONE ADDITIONAL SIGN.

442
- 300
142 (IN EXCESS)

**BASE ON 442' FRONTAGE:**

MAXIMUM ALLOWABLE SIGN AREA:	884 SQ.FT.
EXISTING MONUMENT SIGN AREA:	58.64 SQ. FT.
884	
- 58.64	
825.36	
NEW MONUMENT ALLOWABLE SIGN AREA:	825.36 SQ. FT.
PROPOSED NEW MONUMENT SIGN AREA:	58.64 SQ. FT. (< 825.36 SF.)
PROPOSED TOTAL MONUMENT SIGN AREA:	117.28 SQ. FT. (< 884 SF.)

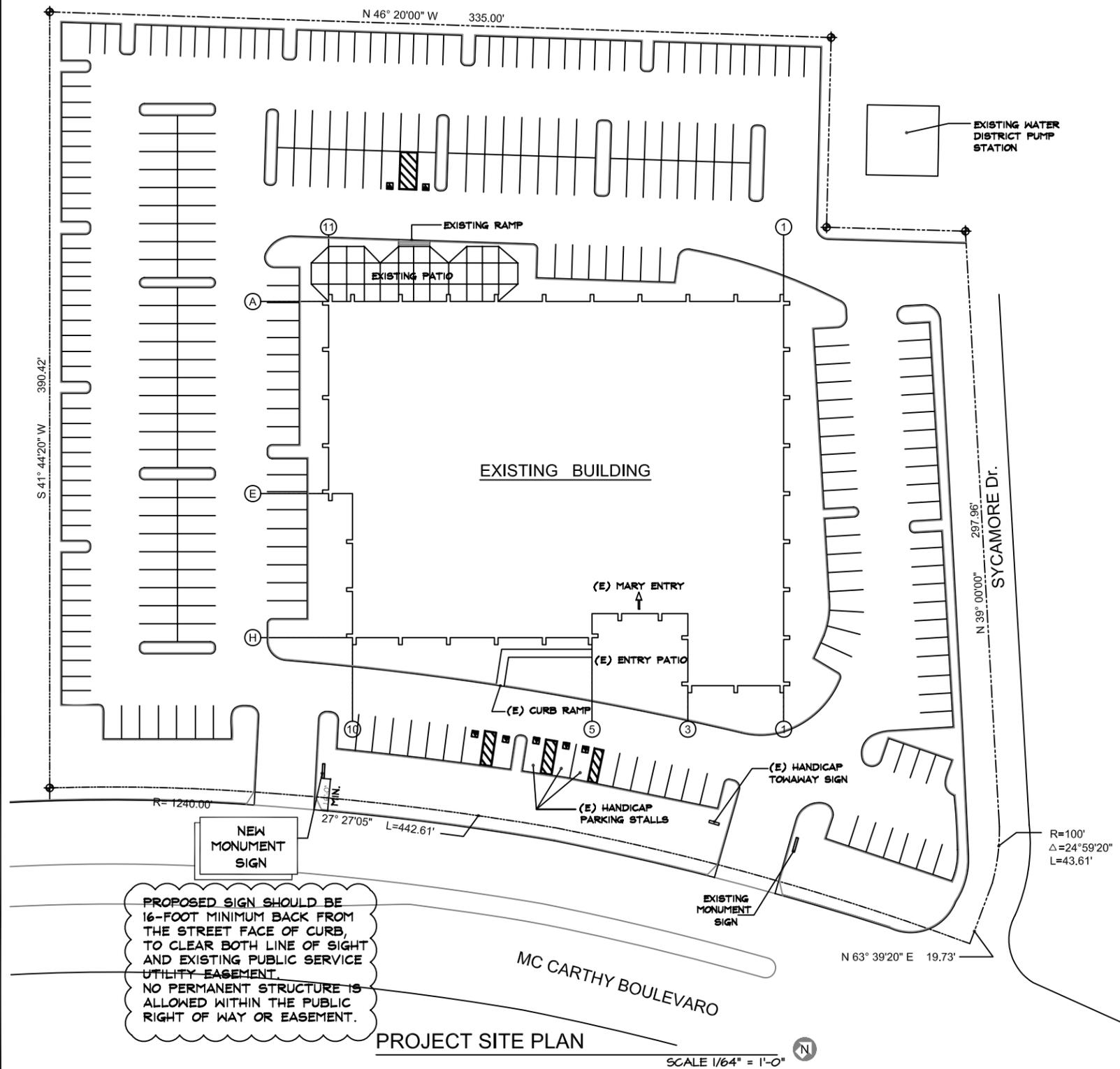
**EXISTING CONDITION:**

- THERE IS ONE CONSIST MONUMENT SIGN AT NORTH ENTRANCE, PLEASE SEE ATTACHED PICTURE.
- NO SIGNAGE ON BUILDING WALL.

**PLANNING NOTES**

1. SIGN POLICY PROGRAM ARE PROVIDED FOR TENANT WHOM OCCUPIED 3,000 S.F. OR MORE.
2. MONUMENT SIGN SHOULD USE ACRYLIC OR FORM LETTERING ON TOP OF GLASSY ACRYLIC SURFACE.
3. THE HEIGHT OF MONUMENT SIGN LETTERING SHOULD BE MINIMUM 4", MAXIMUM 12", AND 1" TO 2" LETTER THICKNESS.
4. NO BUILDING SIGNS ARE ALLOWED.
5. SIGNAGE SHOULD BE LIMITED TO BUSINESS NAME AND LOGO.
6. COLORS SHALL BE LANDLORD APPROVED.

**ADDITIONAL  
MONUMENT SIGN  
ON  
1525 MCCARTHY BLVD  
MILPITAS, CA 95035**



PROPOSED SIGN SHOULD BE 16-FOOT MINIMUM BACK FROM THE STREET FACE OF CURB, TO CLEAR BOTH LINE OF SIGHT AND EXISTING PUBLIC SERVICE UTILITY EASEMENT. NO PERMANENT STRUCTURE IS ALLOWED WITHIN THE PUBLIC RIGHT OF WAY OR EASEMENT.

SHEET TITLE:  
SITE PLAN AND NOTES

Issue Date: 12-06-2010		
Revisions		
No.	Date	Description
1		
2		
3		
Project No: 2010_00XX		Drawn By: J.S.
Designer: D.T.		Checked By:

A-1.1



**ADDITIONAL  
MONUMENT SIGN  
ON  
1525 MCCARTHY BLVD  
MILPITAS, CA 95035**

SIGN PROGRAM REQUIREMENT FOR TENANT:

1. SIGN POLICY PROGRAM ARE PROVIDED FOR TENANT WHOM OCCUPIED 3,000 S.F. OR MORE.
2. MONUMENT SIGN SHOULD USE ACRYLIC OR FORM LETTERING ON TOP OF GLASSY ACRYLIC SURFACE.
3. THE HEIGHT OF MONUMENT SIGN LETTERING SHOULD BE MINIMUM 4", MAXIMUM 12", AND 1" TO 2" LETTER THICKNESS.
4. NO BUILDING SIGNS ARE ALLOWED.
5. SIGNAGE SHOULD BE LIMITED TO BUSINESS NAME AND LOGO.
6. COLORS SHALL BE LANDLORD APPROVED.



MCCARTHY  
BUSINESS  
CENTER



CHINA MOBILE

1525