### PUBLIC HEARING

**AGENDA ITEM: IX-1**

**MILPITAS PLANNING COMMISSION**

**AGENDA REPORT**

Meeting Date: March 28, 2012

<table>
<thead>
<tr>
<th>APPLICATION:</th>
<th>SITE DEVELOPMENT AMENDMENT NO. SA12-0001</th>
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<tbody>
<tr>
<td>APPLICATION SUMMARY:</td>
<td>A request to amend the existing sign program to allow for a modification of an existing freeway pylon monument sign</td>
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<td>LOCATION:</td>
<td>660 N. McCarthy Blvd #100</td>
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<td>APPLICANT:</td>
<td>Randall McClune, 1014 Timothy Drive, San Jose, CA 95133</td>
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<tr>
<td>OWNER:</td>
<td>California Diversified LLC, 550 Newport Center Drive, Newport Beach, CA 92660</td>
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<td>RECOMMENDATION:</td>
<td><strong>Staff recommends that the Planning Commission:</strong> Adopt Resolution No. 12-016 approving the project subject to conditions of approval.</td>
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**PROJECT DATA:**

- **General Plan/Zoning Designation:** Manufacturing (MFG)/Industrial Park (MP)
- **CEQA Determination:** The proposed project is categorically exempt per Section 15311 for on-premise signs

**PLANNER:** Janice Spuller, Assistant Transportation Planner

**PJ:** 2805

**ATTACHMENTS:**

- A. Resolution No. 12-016
- B. Plans
BACKGROUND
On December 8, 1999, a sign program for the McCarthy Center located at 660-820 N. McCarthy Boulevard was approved. On February 17, 2012, Randall McClune submitted an application requesting a request to increase the size of one of the existing freeway pylon monument sign to allow for tenant panels. As the Municipal Code XI-10-24.04 states, freestanding signs exceeding six (6) feet require approval with a Site Development Permit. The existing sign has been approved as part of the approved sign program, but the addition of square footage to the sign to allow for tenant panels require the approval through a Site Development Permit.

PROJECT DESCRIPTION

The project site is located at the McCarthy Center, a 67.8 acre multi-building office development located adjacent to Interstate 880.

The existing sign, noted as sign 1.2 on the attached plans, is 37’ x 4’ aluminum sign cabinet with a brown painted finish with a 32’ x 3’ aluminum cabinet overlay painted white, which is double sided. Ground light fixtures illuminate the sign in the evening. The proposed modification is an expansion by adding a double-sided tenant panel attached to the existing sign, measuring 30’ high and 14’ wide, with internally illuminated channel letters approximately 1’ in height. The panel will allow for no more than five tenants.

Photo simulations of the proposed sign modification from the property (left) and from Interstate 880 (above)
The McCarthy Center total sign area allowed is 10,179 square feet, including 1,413 sf for freestanding signs. The sign program includes building signs as well as directional signs within the property. With the addition of the tenant panel, an additional 1,260 sf is required.

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>
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<tr>
<th>Policy</th>
<th>Consistency Finding</th>
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<td>2.a-I-7 Provide opportunities to expand employment, participate in partnerships with local businesses to facilitate communication, and promote business retention.</td>
<td>Consistent. The project would promote business retention in that it would allow the McCarthy Center to capture a larger customer base and increase the vitality of the business center</td>
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Sign Ordinance
The proposed sign is consistent with the Milpitas Municipal Code sign ordinance (Section XI-10-24). The proposed sign expansion is compatible in design, color, and materials with the existing monument sign as well as the other freestanding signs within the McCarthy Center. The proposed sign is commensurate with other freeway signs and will not provide any aesthetic challenges to residences.

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 Section 14311 for on premise signs.

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

CONCLUSION
The proposed modified monument sign is consistent with both the General Plan and Zoning Ordinance and will enhance visibility of tenants for the McCarthy Center from the freeway. The expansion of the
monument sign is compatible with the existing sign and the signs within the McCarthy Center, using the same material and design.

**RECOMMENDATION**

**STAFF RECOMMENDS THAT** the Planning Commission close the public hearing and adopt Resolution No. 12-016 approving Site Development Permit Amendment No. SA12-0001, subject to the attached Conditions of Approval.

*Attachments:*
A. Resolution No. 12-016  
B. Plans
RESOLUTION NO. 12-016

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT NO. SA12-0001, SIGN PROGRAM AMENDMENT, TO ALLOW FOR A MODIFICATION OF AN EXISTING MONUMENT SIGN, LOCATED AT 660 N. MCCARTHY BLVD

WHEREAS, on February 17, 2012, an application was submitted by Randall McClune, 1014 Timothy Drive, San Jose, CA 95133, for a sign program amendment to allow for an expansion of an existing monument sign. The property is located at 660 N. McCarthy Blvd, Milpitas, CA 95035 (APN 22-29-034) within the Industrial Park Zoning 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 Categorically Exempt from further environmental review; and

WHEREAS, on March 28, 2012 the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

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

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

Section 2: An initial environmental assessment of the project was conducted in accordance with the California Environmental Quality Act (CEQA) and determined that the project is categorically exempt from further environmental review pursuant to Section 15311 for on-premise signs.

Section 3: The monument sign is consistent with the Milpitas General Plan Policy 2.a-I-7 in that the revised sign will promote business retention allowing the McCarthy Center to capture a large customer base from Interstate 880.

Section 4: The proposed sign is consistent with the Zoning Ordinance Section XI-10-24 and XI-10-57.03 of the Municipal Code in that:

a. the provisions for the amended sign program ensure consistency in design, style, and materials of all new signs including consistency with existing signs; and

b. The design, scale and materials of the sign harmonize with the architectural design and details of the building and site it serves; and
c. The design and materials of the sign provide a contrast between the background and letters; and

d. The freestanding sign is necessary because of the purpose of the sign to promote the site from freeway traffic; and

e. The provisions of the amended sign program address compatibility of the design and style of any existing signs on the building and site; and

f. All new signs within the sign program are in compliance with the design guidelines of the Zoning Code.

Section 5: The Planning Commission of the City of Milpitas hereby approves Site Development Permit Amendment No. SA12-0001, 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 28, 2012.

____________________________
Chair

TO WIT:

I HEREBY CERTIFY that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on March 28, 2012, and carried by the following roll call vote:

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<tr>
<th>COMMISSIONER</th>
<th>AYES</th>
<th>NOES</th>
<th>ABSENT</th>
<th>ABSTAIN</th>
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<tbody>
<tr>
<td>Lawrence Ciardella</td>
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<td>John Luk</td>
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<td>Rajeev Madnawat</td>
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<td>Sudhir Mandal</td>
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<td>Zeya Moshin</td>
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<td>Gurdev Sandhu</td>
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<td>Steve Tao</td>
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<td>Gary Barbadillo</td>
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CONDITIONS OF APPROVAL
SITE DEVELOPMENT PERMIT AMENDMENT NO. SA12-0001,
A request to Amend the existing sign program to allow for expansion of an existing monument sign for the McCarthy Center
660 N. McCarthy Blvd (APN: 022-29-034)

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 28, 2012, in accordance with these Conditions of Approval.

Any deviation from the approved site plan, floor plans, 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)

2. Conditional Use Permit Amendment No. UA12-0002, 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.

3. Pursuant to Section 64.06(1), the owner or designee shall have the right to request an extension of Conditional Use Permit Amendment No. UA12-0002 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein. (P)

4. SA12-0001 is for the amendment to an existing sign program to allow for expansion of an existing monument sign. The sign program will expand the total sign area from 10,179 sf to 11,439 with the addition of 1260 sf from the expansion of the monument sign. (P)

(P) = Planning
McCarthy Center
Signage and Graphics Program

Milpitas, California
Project No. 11015

Design Development
08.29.11
(Revised 12.06.11)

RECEIVED
FEB 17 2012
CITY OF MILPITAS
PLANNING DIVISION
NOTES

1. 1317" W.C. FABRICATED ALUMINUM CABINET WITH INTERNAL STRUCTURAL SUPPORT AS STATED. CABINET TO HAVE POLYURETHANE FINISH TO MATCH EXISTING COLORS. 2. COPY TO BE PRINTED TRANSFERED ACROSS 1" MADE ROUTER PUSH PANEL LETTERS WITH INTERNAL LED ILLUMINATION.

EXISTING SIGN CABINET TO REMAIN.

WE RECOMMEND VISUALLY INSPECTED THE EXISTING CABLES Before INSTALLATION TO PREVENT DEFACEMENT OF CABINET AND INTERFERENCE WITH CABINET PLACEMENT.

NEW PROPOSED CABINET TO BE PAINTED TO MATCH BRICK COLOR ON EXISTING DEVELOPMENT.

SYSTEM SEVEN
IRVINE COMPANY
OFFICE PROPERTIES
MILLER ESCRROW
CENTERCORP INC.
MEGATRONICS

ELEVATION - SIGN TYPE 1 - PROPOSED ADDITION TO EXISTING SIGN NO. 1.2 - SIDE B

SIDES VIEW

SECTION

4 PUSH-THRU LETTER SECTION - APPLICABLE TO SINGLE AND STACKED COPY LINES

SCALE: 1" = 1'-0"