



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: March 20, 2013

APPLICATION: **Site Development Permit No. SD13-0004, CoreSite Fencing**
APPLICATION SUMMARY: A request to install 8-foot tall ornamental “picket design” metal fencing around the perimeter of the data center facility.

LOCATION: 1656 McCarthy Blvd (APN 086-03-064)
APPLICANT: Terry Stanley, Diamond Fencing, 15466 Los Gatos Blvd. STE 109-147, Los Gatos, CA 95032
OWNER: CRP Oak Creek V 1656 McCarthy LLC, C/O CRG West, LLC, Jodi Mercer, 1050 17th Street STE 900, Denver, CO 80265

RECOMMENDATION: **Staff recommends that the Planning Commission: Adopt Resolution No. 13-007 approving the project subject to conditions of approval.**

PROJECT DATA:
 General Plan/ Zoning Designation: Industrial Park (INP)/Industrial Park (MP)
 Overlay: Site & Architectural Overlay (MP-S)
 Specific Plan: N/A

Project Site Area: 5.19 Acres
 Proposed Fence Height: 8-feet
 Required Parking: 61
 Parking Provided: 322

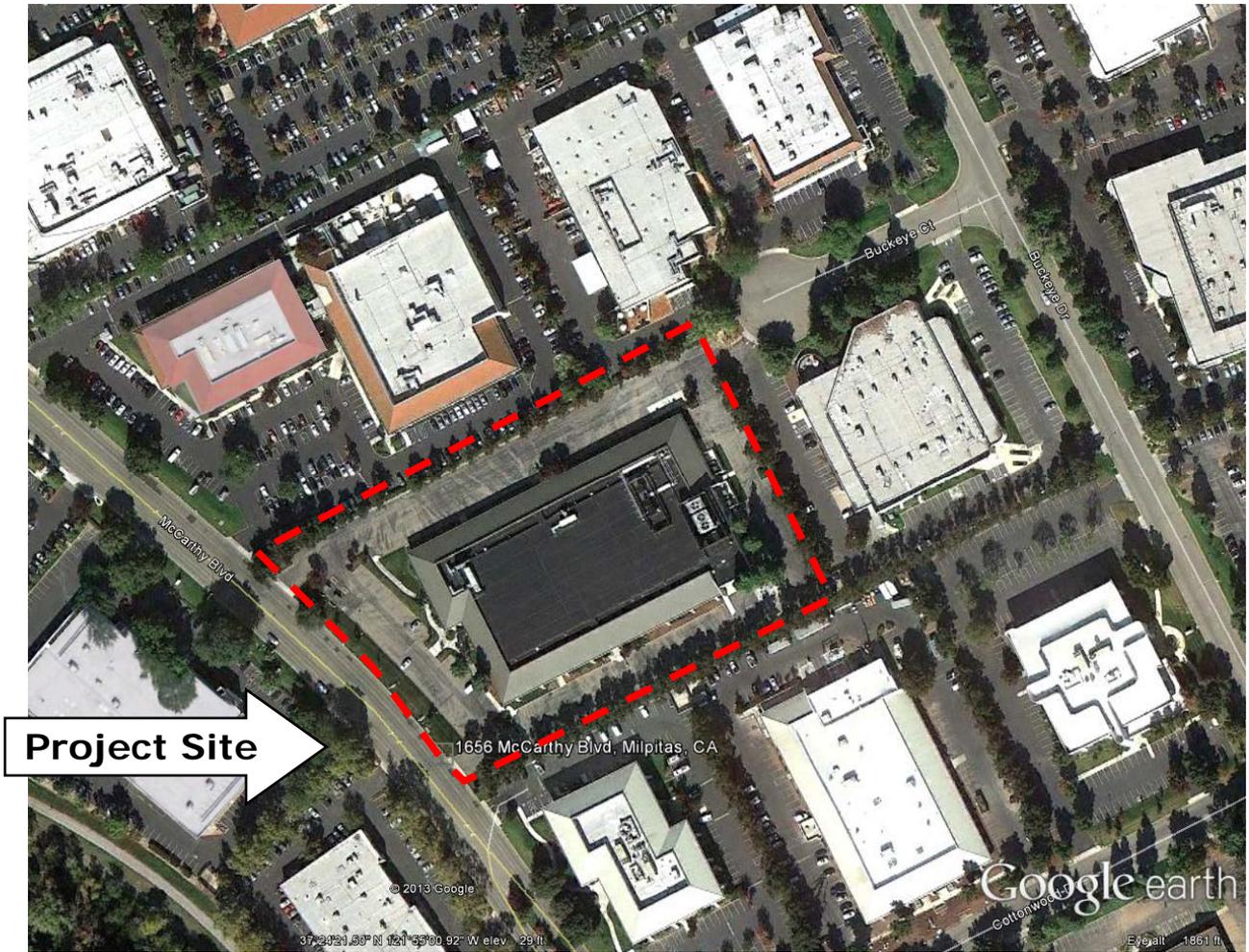
CEQA Determination: Categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) and Class 11, Section 15311 (Accessory Structures) of the California Environmental Quality Act.

PLANNER: Cindy Hom, Assistant Planner

PJ: 2891

ATTACHMENTS: A. Resolution No. 13-007/Conditions of Approval
 B. Project Plans
 C. Project Letter

LOCATION MAP



No scale

BACKGROUND

On January 25, 2013, Terry Stanley of Diamond Fencing submitted a Site Development Permit application to install an 8-foot tall ornamental “picket design” metal fence around the perimeter of a 79,200 square data center facility located in the Oak Creek Business Park. The application is submitted pursuant to Milpitas Municipal Code XI-10-54.10 (B) (2) (a) (Standards for Fences and Walls on the Valley Floor) which requires Planning Commission review and approval of a site development permit for fences exceeding 6-feet in height in non-residential zoning districts.

PROJECT DESCRIPTION

The project site is located on a 5.19 acre site developed with a 79,200 square foot industrial building and related site improvements. The site is located on the northeast quadrant of the McCarthy Boulevard and Cottonwood Drive intersection and is bounded by McCarthy Boulevard on the west and industrial buildings to the north, east, and south. The site is zoned as Industrial Park and is surrounded by various light industrial and Research & Development uses.

The facility currently operates as a data center, which is a facility that houses computer servers, telecommunications switching facilities, internet nodes for entities, including but not limited to web hosting organizations, large enterprises or any other internet service organizations. Due to the nature of the business, the applicant requests to install an 8-foot tall ornamental “picket design” metal fence for security purposes. The proposal also includes new electronic access gates that are located on the interior driveways along McCarthy Boulevard and Buckeye Court. The gates will include a new pedestal for the security card reader and intercom system. Based on staff’s review, the security gates comply with the Fire Department requirements for emergency access as well as trash servicing.

Development Standards

Fencing

The project complies with the Industrial Park Development and Zoning Ordinance standards in terms of land use and development standards. The proposed 8-foot tall “picket design” metal fencing is consistent with Planning Commission approval of a Site Development Permit. The installation of the card reader pedestals would be installed within proximity of the access gates. To ensure that the placement of the structures do not impede vehicle and pedestrian circulation, staff recommends as a condition of approval that the 25-foot drive aisle clearance is maintained. The applicant shall install the pedestals within a landscaped planter or mounted on a concrete curb where feasible.

Parking

The site currently provides 322 parking spaces. The perimeter fencing will enclose approximately 247 parking spaces and remove four parking spaces. A total of 71 parking spaces would remain unenclosed. Based on the existing floor plan, sixty-one (61) spaces are required for the office and data room. As proposed, the project complies with the Parking Ordinance requirements.

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 2
General Plan Consistency

Policy	Consistency Finding
<p><i>Implementing Policy 2.a-I-3</i> <i>Encourage economic pursuits which will strengthen and promote development through stability and balance.</i></p>	<p>Consistent. The project encourages economic pursuits and business retention in that it provides for a secured and reliable facility that will help attract new business.</p>

Zoning Ordinance

The project complies with the Milpitas Zoning Ordinance in that fence does not exceed the 8-foot tall height limitation for fences within non-residential zones. The project will not result in impact on parking in that the project provides the sixty-one (61) parking spaces that are required for the operations of the data center.

The proposed ornamental metal fence provides for an aesthetic and harmonious development. The proposed “picket design” open work type fencing and existing landscaping allows for protection and adornment, while not depicting a solid massive barrier. The fence is in keeping with the surrounding industrial development including maintaining its original design character and landscape theme.

The project will not be detrimental to public health, safety, and general welfare in that it maintains the required emergency access and egress as well as trash servicing.

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 15301 (Existing Facilities) and Section 15303 (New Construction of Structures) of the California Environmental Quality Act. The project entails the installation of 8-foot tall perimeter fencing and two new key access pedestals.

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 proposed ornamental security fencing complies with the zoning requirements and provides for an aesthetic and harmonious development.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission recommend adoption of Resolution No. 13-007 approving Site Development Permit No. SD13-0004, subject to the attached Conditions of Approval.

Attachments:

- A. Resolution No. 13-007

- B. Plans
- C. Project Letter

RESOLUTION NO. 13-007**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT NO. SD13-0004, CORESITE, A REQUEST TO INSTALL AN 8-FOOT TALL PERIMETER FENCE AT 1656 MCCARTHY BLVD.**

WHEREAS, on January 25, 2013, an application was submitted by Terry Stanley with Diamond Fence Company, Inc., 15466 Los Gatos Blvd. STE 109-147, Los Gatos, CA 95032, for a request to install an 8-foot tall perimeter fencing for an existing industrial development located at 1656 McCarthy Blvd., Milpitas, CA 95035 (APN 86-03-064) 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 20, 2013 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 Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

Section 2: The project is categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) and Class 11, Section 15311 (Accessory Structures) of the California Environmental Quality Act. The installation of an 8-foot tall perimeter fence and pedestals for associated security card reader and intercom system entail minor site modifications to an existing industrial development.

Section 3: Site Development Permit. The proposed 8-foot tall fence requires a site development permit. In order to issue the permit, we make the following findings:

1. The layout of the site and existing landscaping and the design of the proposed fencing are compatible and aesthetically harmonious with adjacent and surrounding development as the ornamental metal fence allows for security as well as adornment.
2. The project is consistent with the General Plan, particularly with Policies 2.a-I-3 in that the proposed project encourages economic pursuits, business retention by providing a secured and reliable data center facility that will help maintain existing and new business.
3. The project conforms to the Milpitas Zoning Ordinance and particularly with the Industrial Park Zoning District in terms of land use and development standards. The

proposed 8-tall fence is consistent with the Zoning requirements in that it is permitted with Planning Commission approval

Section 4: The Planning Commission of the City of Milpitas hereby approves Site Development Permit No. SA13-0004, CoreSite Fencing, 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 20, 2013.

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 20, 2013, and carried by the following roll call vote:

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Garry Barbadillo				
Lawrence Ciardella				
John Luk				
Rajeev Madnawat				
Sudhir Mandal				
Zeya Mohsin				
Demetress Morris				
Gurdev Sandhu				

CONDITIONS OF APPROVAL
SITE DEVELOPMENT PERMIT NO SD13-0004, CORESITE
A request to allow install an 8-foot tall perimeter fence at
1656 McCarthy Blvd.

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 20, 2103, 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. Site Development Permit No. SD13-0004 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 Site Development Permit No. SD13-0004 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein. (P)
4. The project shall be operated in accordance with all local, state and federal regulations. (P)
5. Private Job Account - If at the time of application for building permit there is a 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. Prior to building permit issuance, the applicant shall demonstrate on the plans that the placement of the pedestal structures does not impede vehicle and pedestrian circulation and maintained the required 25-foot drive aisle clearance. The applicant shall install the pedestals within a landscaped planter and/or mounted on a concrete curb where feasible.(P)
7. 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)

8. Applicant shall provide access to solid waste enclosure at all time, by providing key access or 24-hour guard maintain access to the proposed gate. (PD)
9. 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 shrubs are permitted within City utility easements, where the easement is located within landscape areas. (E)
10. An encroachment permit is required for any work within the public right of way and easement. Plan for building permit submittal need to show all the existing easements and the location of all on-site publicly maintained utilities, including but not limited to the 12-inch storm drain line on the northeast corner of the property. (E)
11. The applicant shall provide an emergency access mechanism to the approval of the Police Department. (PD)

(P) = Planning

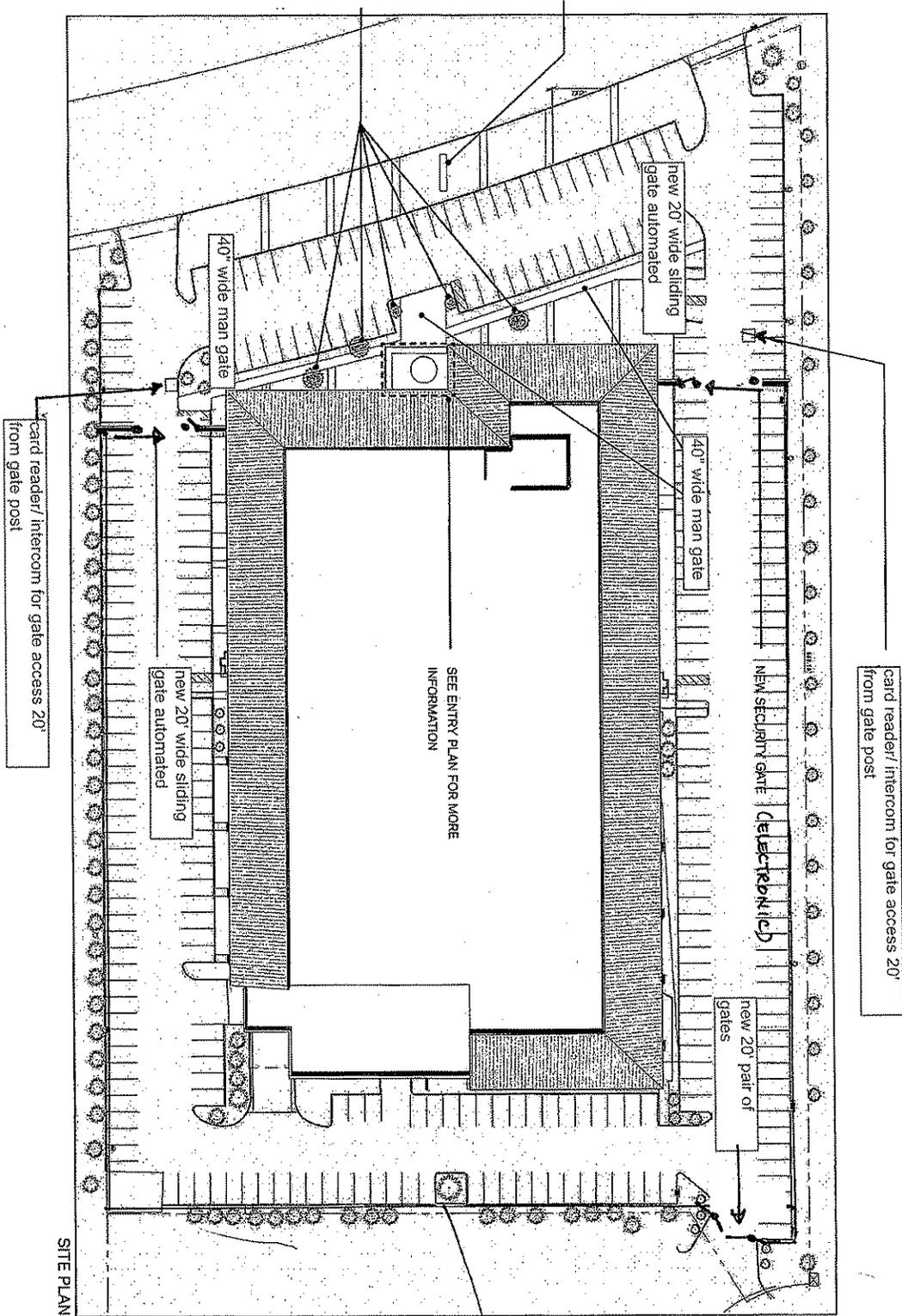
(E) = Engineering

(PD) = Police Department



CORESITE

1656 MCCORMY BLVD



new 8' high ornamental iron security fence

card reader/intercom for gate access 20' from gate post

new 20' pair of gates

NEW SECURITY GATE (ELECTRONIC)

40" wide man gate

new 20' wide sliding gate automated

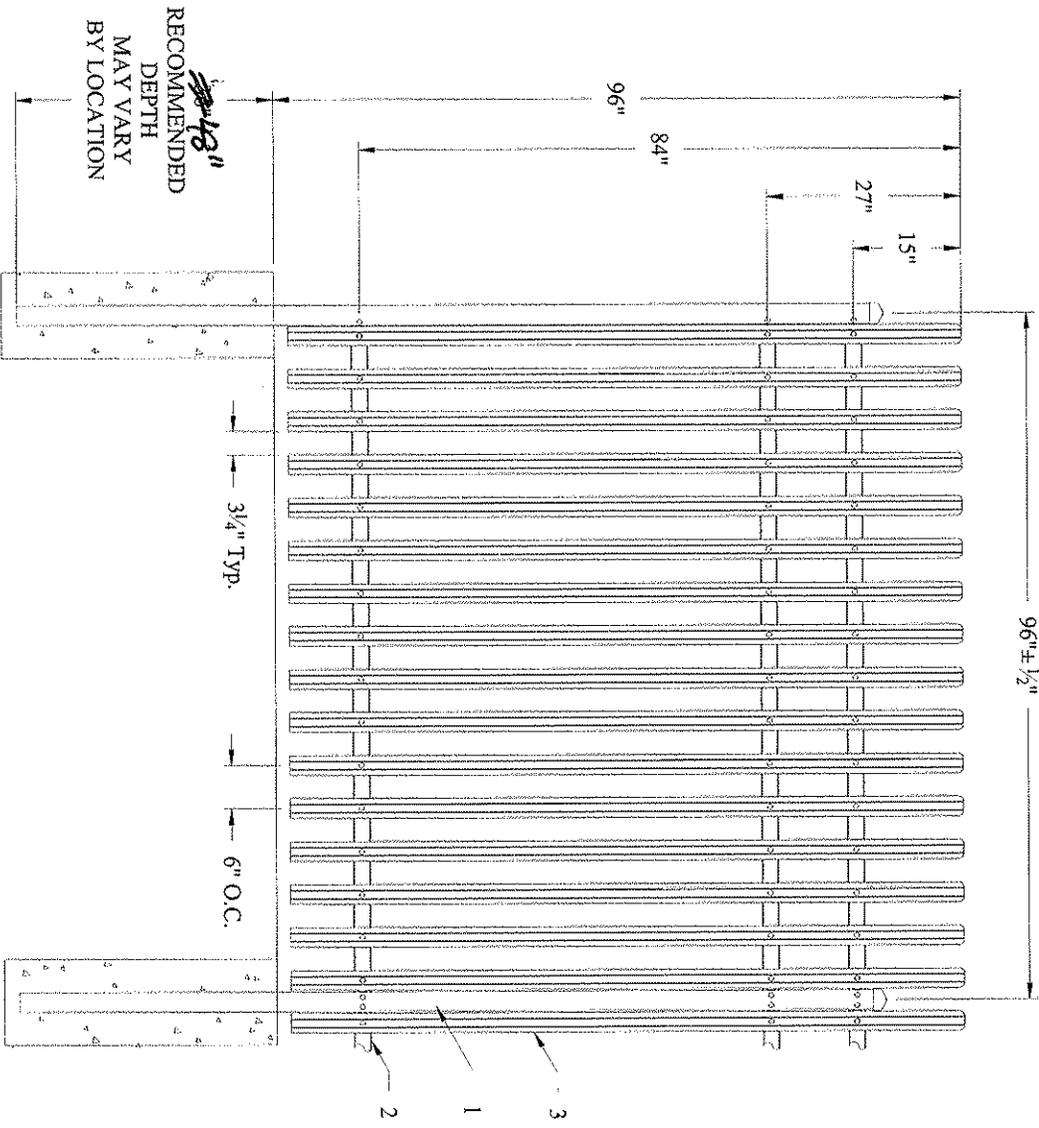
SEE ENTRY PLAN FOR MORE INFORMATION

new 20' wide sliding gate automated

40" wide man gate

card reader/intercom for gate access 20' from gate post

SITE PLAN



#	QTY	DESCRIPTION
1	2	3" I-BEAM POST
2	3	IMPASSE II RAIL
3	16	2 1/2" WIDE PALE

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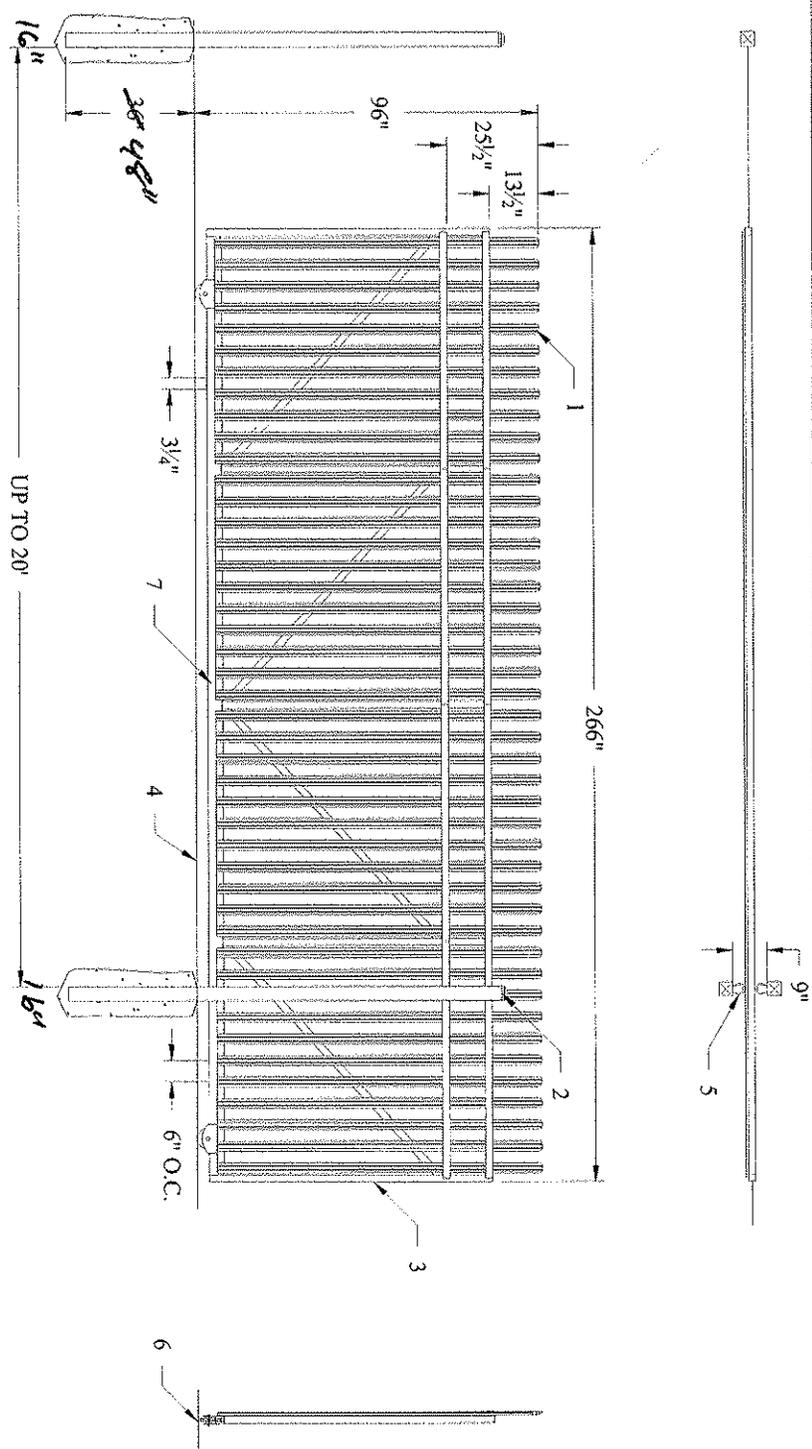
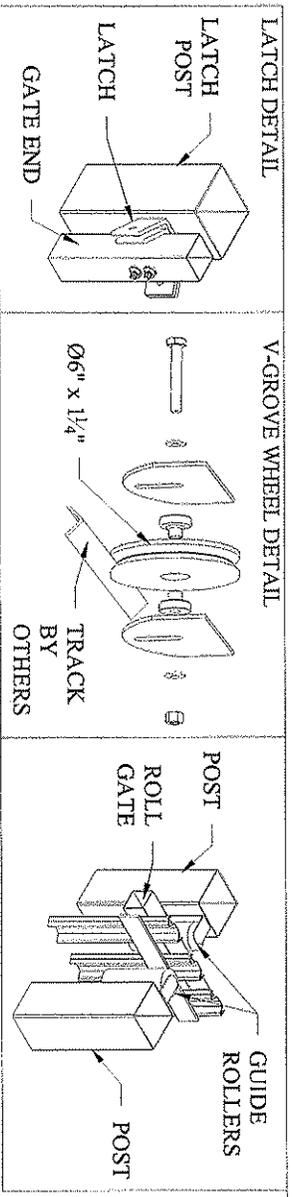
AMERISTAR®

TITLE: IMPASSE STRONGHOLD 3R EXT 8H 8W PANEL

DATE: 02/13/12 SCALE: DNS SHEET: 1/1

DRN BY: JAS CHK BY: JW REV: 2

DRAWING NO. 35X30948N

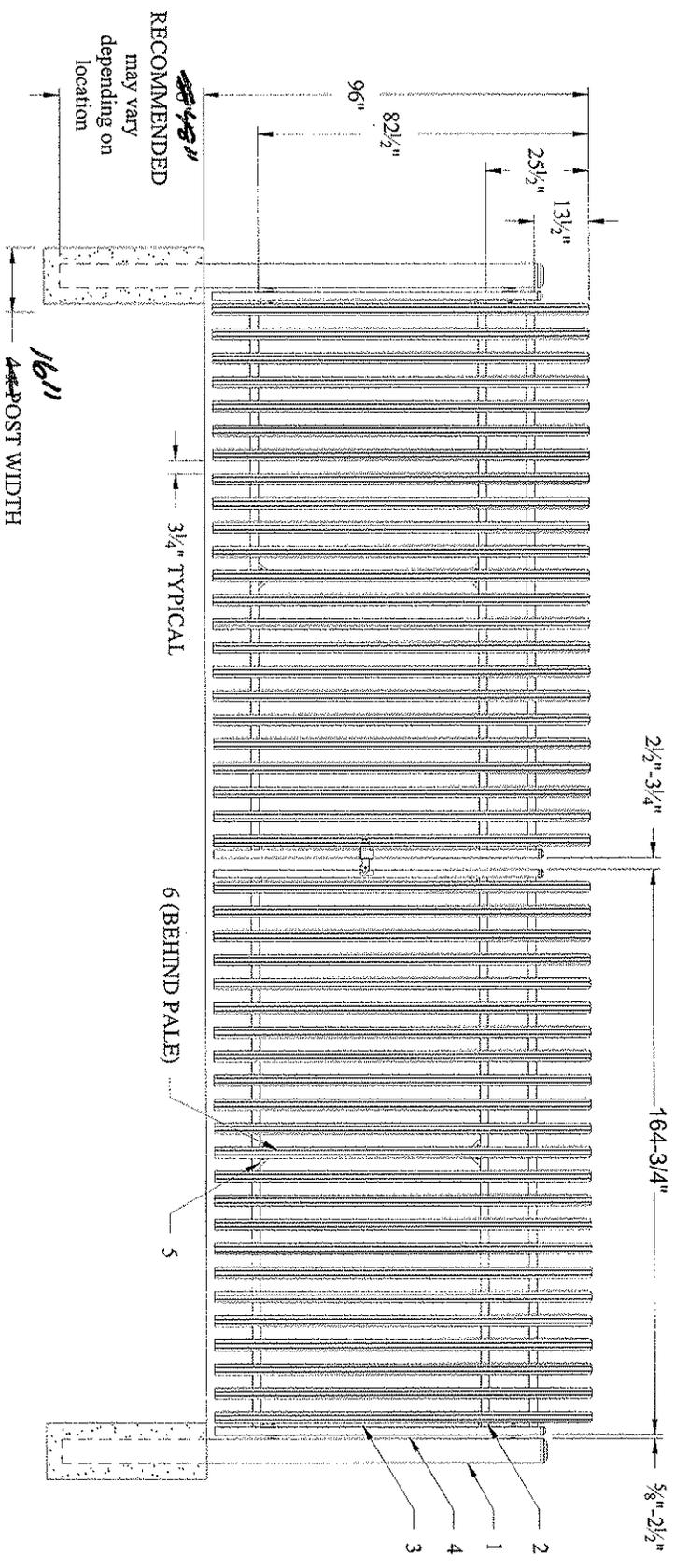


#	DESCRIPTION
1	2 1/2" PALE
2	4" SQ POST
3	2" SQ FRAME
4	V-GROOVE TRACK
5	TOP GUIDE ROLLERS
6	6" V-GROOVE WHEEL
7	2" x 4" LOWER TUBE

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TITLE: PASSPORT IS STRONGHOLD 3R SH 18" - 20' ROLL GATE
 DATE: 02/09/12 SCALE: DNS SHEET: 1/1
 DRN BY: JAS CHK BY: ES REV: a
 DRAWING NO: 35X309420R



#	DESCRIPTION
1	6" POST
2	2" SQ GATE RAIL
3	2 1/4" WIDE PALE
4	2" SQ x 11 ga. GATE END
5	GG25 GUSSET PLATES
6	2" SQ MIDDLE UPRIGHT

NOT TO SCALE

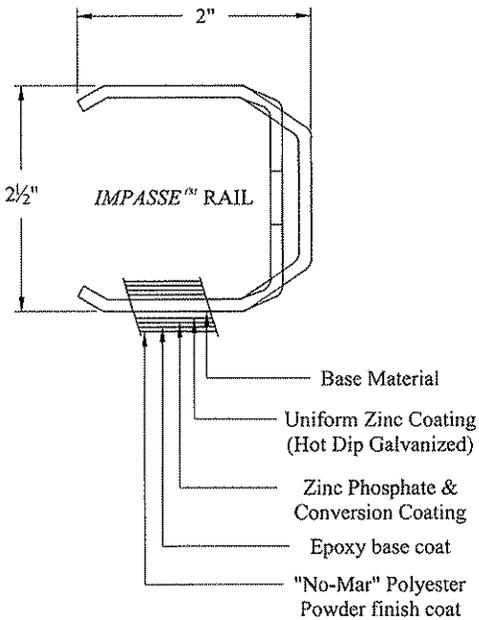
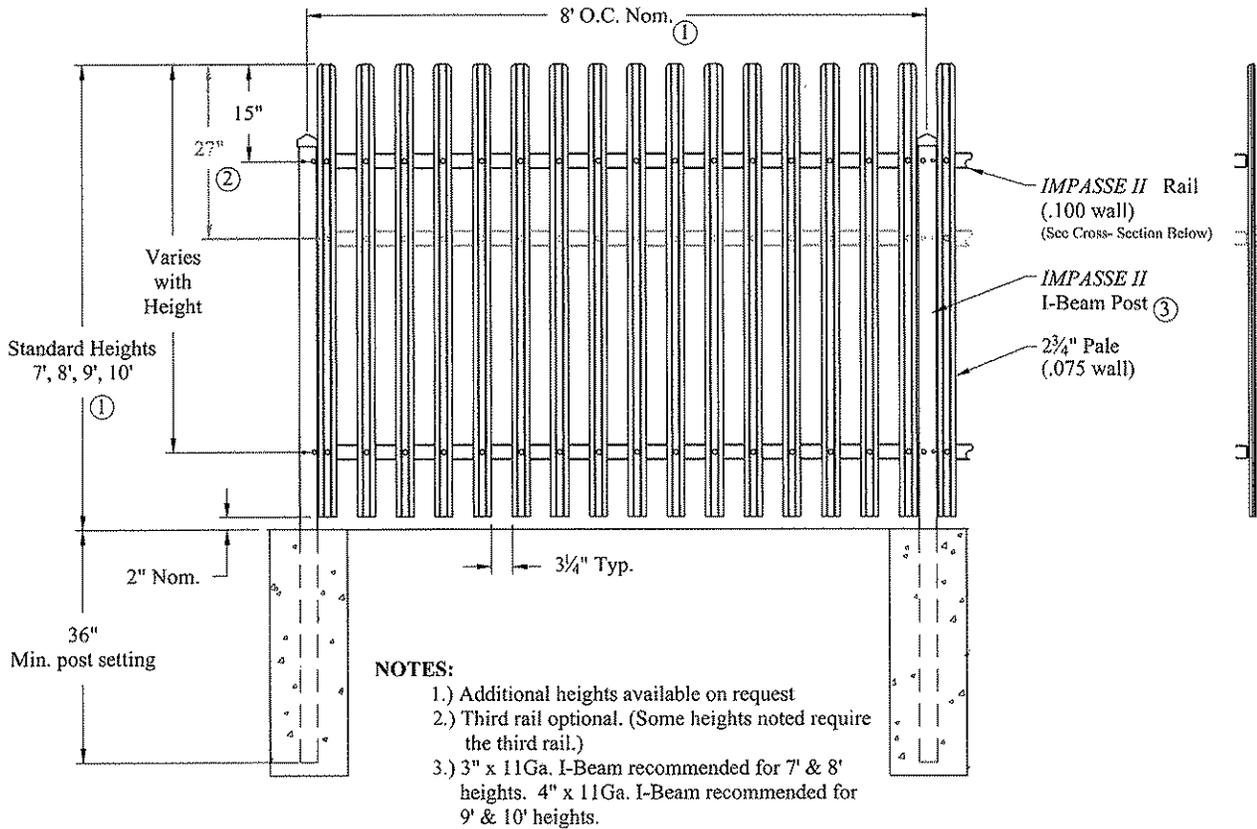
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AMERISTAR®

TITLE: IMPASSE STR 3R EXT 8H DBL GATE
 DATE: 07/20/10 SCALE: DNS SHEET: 1/1
 DRN BY: JAS CHK BY: MB REV: 2
 DRAWING NO:

Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.



IMPASSE II™ RAIL

Specially formed high strength architectural shape; lower lip contoured to carry - Steel Cable and/or Sensor Cables for security.

IMPASSE II™ PALE

Specially formed high strength corrugated shape; resists prying or bending; bolt holes recessed to prevent chiselling of bolt head.

IMPASSE II™ POST

Specially formed I-Beam, pre-punched for multiple rail options.

SECURITY FASTENER

Stainless steel security nut prevents tampering or removal by normal tools.

HIGH SECURITY STEEL FENCE

Title: **IMPASSE II STRONGHOLD 2/3-RAIL**

DR: CI	SH. 1 of 1	SCALE: DO NOT SCALE
CK: BS	Date 11/4/11	REV: a



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Maximum gauge steel and outdoor powdercoating form the strength you need.

Pedestals 12" x 12" x 12" (12" x 12" x 12")
 Pedestals are made from a heavy-duty galvanized steel plate with a 1/4" thick base and a 1/2" thick top. They are designed to support a variety of signs and are available in a variety of finishes. They are also available in a variety of colors and are easy to install. They are made from a heavy-duty galvanized steel plate with a 1/4" thick base and a 1/2" thick top. They are designed to support a variety of signs and are available in a variety of finishes. They are also available in a variety of colors and are easy to install.

Custom Pedestals
 We have the capability to fabricate custom pedestals for your business. We can make them in any size and shape you need. We can also make them in a variety of finishes and colors. They are made from a heavy-duty galvanized steel plate with a 1/4" thick base and a 1/2" thick top. They are designed to support a variety of signs and are available in a variety of finishes. They are also available in a variety of colors and are easy to install.

Packaging
 Each pedestal is packaged in a heavy-duty plastic bag to protect it from damage. The bags are labeled with the part number and are easy to identify. They are also available in a variety of finishes and colors. They are made from a heavy-duty galvanized steel plate with a 1/4" thick base and a 1/2" thick top. They are designed to support a variety of signs and are available in a variety of finishes. They are also available in a variety of colors and are easy to install.

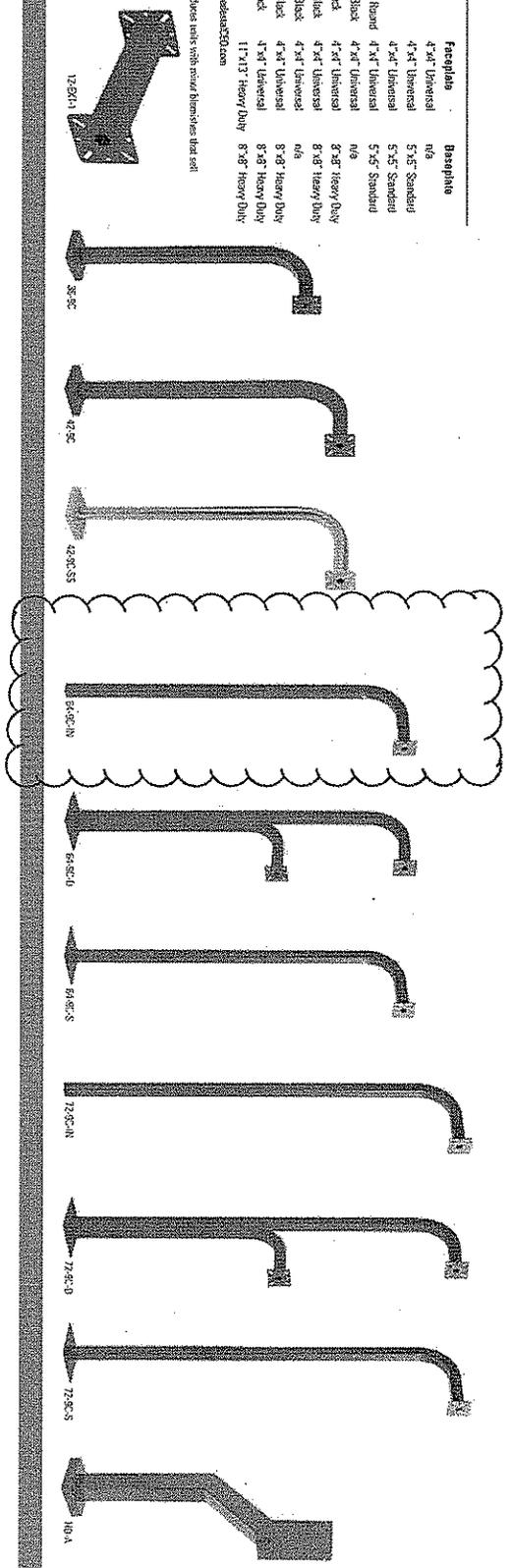
Shipping
 We offer free shipping on all pedestals. We will ship them to your door in a heavy-duty plastic bag to protect them from damage. They are also available in a variety of finishes and colors. They are made from a heavy-duty galvanized steel plate with a 1/4" thick base and a 1/2" thick top. They are designed to support a variety of signs and are available in a variety of finishes. They are also available in a variety of colors and are easy to install.

Customer Service
 We have a dedicated customer service team that is available to help you with any questions you may have. We are committed to providing you with the best possible service and are always ready to help you. They are made from a heavy-duty galvanized steel plate with a 1/4" thick base and a 1/2" thick top. They are designed to support a variety of signs and are available in a variety of finishes. They are also available in a variety of colors and are easy to install.

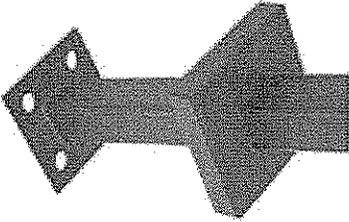
PRODUCTS

Part Number	Description	Faceplate	Baseplate
12-EX1	12" Facelate, Elevation, Black	4"x4" Universal	n/a
36-9C	36" Post Mount, Goose-neck, Black	4"x4" Universal	5"x5" Standard
42-9C	42" Post Mount, Goose-neck, Black	4"x4" Universal	5"x5" Standard
42-9C-SS	42" Post Mount, Goose-neck, Stainless Steel, Round	4"x4" Universal	5"x5" Standard
64-9C-N	64" In Ground, Post Mount, Goose-neck, Black	4"x4" Universal	n/a
64-9C-D	64" Post Mount, Dual Height, Goose-neck, Black	4"x4" Universal	8"x8" Heavy Duty
64-9C-S	64" Post Mount, Single Height, Goose-neck, Black	4"x4" Universal	8"x8" Heavy Duty
72-9C-N	72" In Ground, Post Mount, Goose-neck, Black	4"x4" Universal	n/a
72-9C-S	72" Post Mount, Single Height, Goose-neck, Black	4"x4" Universal	8"x8" Heavy Duty
72-9C-D	72" Post Mount, Dual Height, Goose-neck, Black	4"x4" Universal	8"x8" Heavy Duty
H0-A	Heavy Duty, 4"x4" Post, Black	11"x11" Heavy Duty	8"x8" Heavy Duty

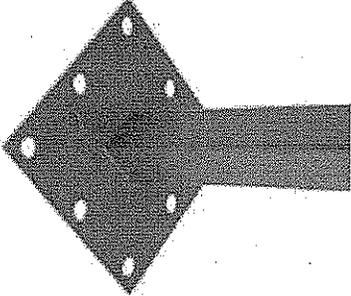
Want to save more? Sometimes the manufacturing process produces extra inch round flanges that sell for 25% less. Please call for availability.
 Made in the USA



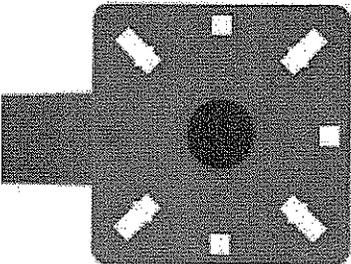
Baseplate and Faceplate Details



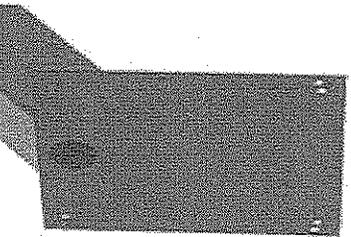
5'x5' Standard
Baseplate and Cover



8'x8' Heavy Duty
Baseplate
(Cover optional)



4'x4' Universal
Faceplate



11'x13' Heavy Duty
Faceplate

Account Setup

If you are a distributor and would like to save your customers money on their pedestals, please fax a cover sheet and a bank & trade reference list to us today. We can have an account set up for you in less than 72 hours.

Corporate Headquarters:

561 Wilderness Dr.
Alpine, UT 84004
Ph: 800-660-3072 Fax: 801-907-7773
Email: help@pedestalCEO.com
www.pedestalceo.com



CoreSite Real Estate 1656 McCarthy, LLC
1050 17th Street, Suite 800
Denver, CO 80265

January 28, 2013

City of Milpitas
455 East Calaveras Boulevard
Milpitas, CA 95035

RE: Permit for Property Located at 1656 McCarthy Blvd, Milpitas

To Whom it May Concern:

This letter is written by and on behalf of the Owner, CoreSite Real Estate 1656 McCarthy, L.L.C. and serve as written confirmation and notice that Terry Stanley, Project Manager of Diamond Fence, Co. Inc., is an authorized agent of the Owner for the sole purpose of applying and obtaining the Permit.

Thank you for your time and consideration. Please contact me at 303-405-1030 with any questions or if you need additional information.

Sincerely,

CORESITE REAL ESTATE 1656 MCCARTHY, L.L.C.,
a Delaware limited liability company

BY: CORESITE, L.P.,
a Delaware limited partnership
its Sole Member

By: **CORESITE REALTY CORPORATION**,
a Maryland corporation
its General Partner



Kevin Beck
Vice President of Design and Constr



Kevin Beck
Vice President of Design
and Construction

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