



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: September 24, 2008

APPLICATION: **CONDITIONAL USE PERMIT NO. UP08-0013 AND SITE DEVELOPMENT PERMIT AMENDMENT NO. SA08-0013, DIXON LANDING PLAZA SIGNAGE**

APPLICATION SUMMARY:

A request to install a 45-foot tall double-side, multi-paneled internally illuminated freestanding sign and to approve a master sign program for Dixon Landing Plaza.

LOCATION:
APPLICANT:

1545-1551 California Circle (APN: 22-37-040, 049)
Tom Whitson, Arrow Sign Company, 1051 46th Avenue, Oakland, CA 94601

OWNER:

Norusserve Inc., 13341 Old Oak Way, Saratoga, CA 95070
Westcore Greenfield LLC ET AL, Care of Lamb & Meyer, 1761 Hotel Cir South STE 100, San Diego, CA 92122

RECOMMENDATION:

Staff recommends that the Planning Commission:
1. Close the public hearing; and
2. Adopt Resolution No. 08-052 approving the project subject to conditions of approval.

PROJECT DATA:

General Plan/
Zoning Designation:

Industrial Park (INP)/Industrial Park (MP)

Project Site Area:
Total Allowable Sign Area
Proposed Sign Area

2.33 Acres
682.72 square feet
736 square feet

CEQA Determination:

Categorically exempt from further environmental review pursuant to Class 11, Section 15311 (Accessory Structures – On-premise signs) and Section 15301 (Existing Facilities—New Copy on Existing Signs and Minor Alterations to Existing Structures) of the California Environmental Quality Act (CEQA) Guidelines.

PLANNER:

Cindy Hom, Assistant Planner

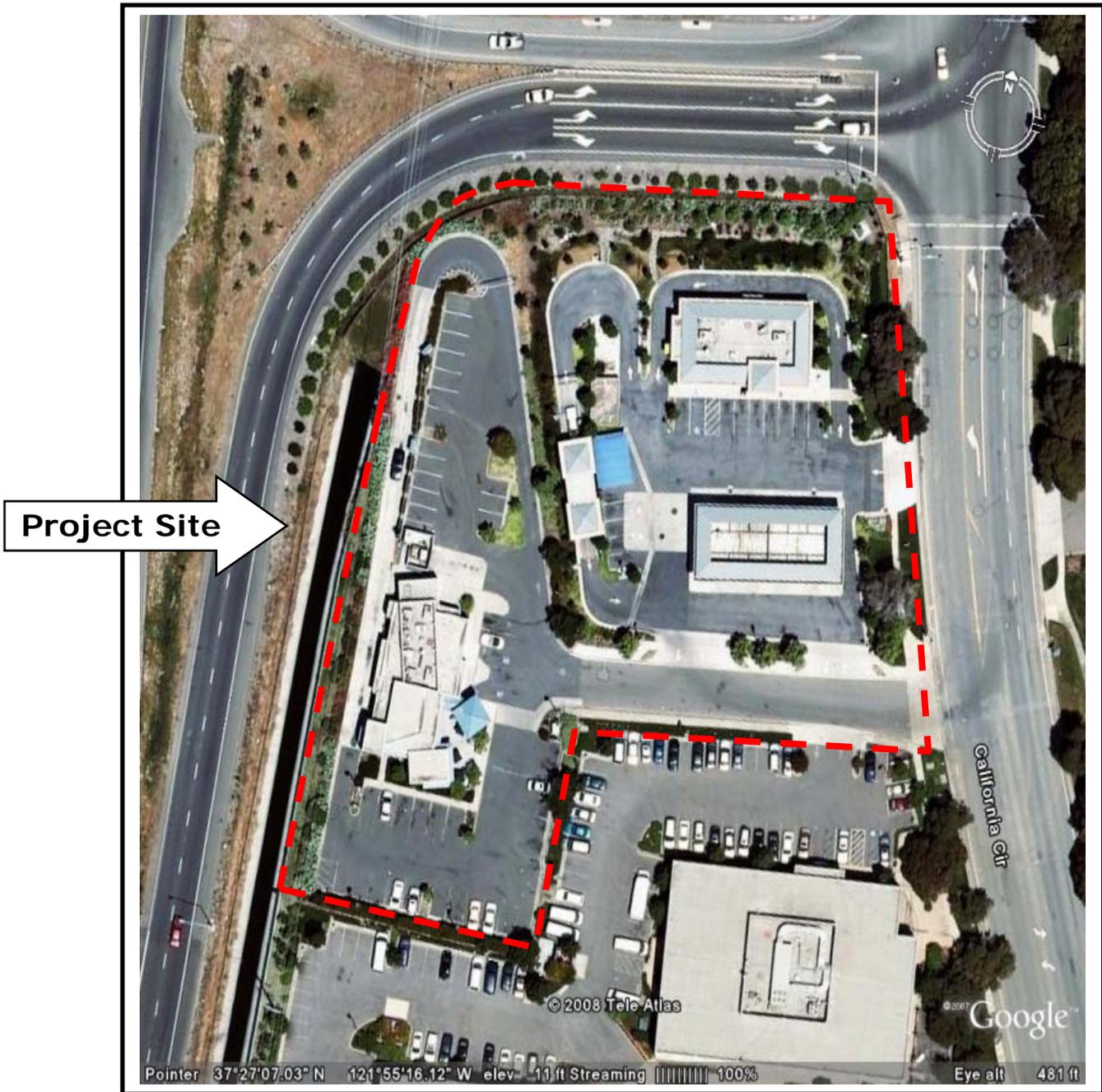
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ATTACHMENTS:

A. Project Plans

LOCATION MAP



No scale

BACKGROUND

Recent Planning Commission approvals for the project site included a sign program for the multi-tenant building located at 1545 California Circle in February 2003. In the following month, the Planning Commission approved a conditional use permit and granted site and architectural approval for new building signs and a 9½-foot tall monument sign for the Chevron gas station located at 1551 California Circle.

On April 1, 2008, Tom Whitson of Arrow Sign Company submitted an application to erect a 45-foot tall double-faced, multi-tenant, internally illuminated freestanding sign at the rear of the project site, near the I-880 off-ramp and to approve a master sign program. The purpose of the sign proposal is to create an area identification sign for the commercial plaza and implement a master sign program to ensure uniformity and consistency among all signage on the buildings and site. The sign proposal is intended to revitalize the commercial center that is currently experiencing vacancies. The application is submitted pursuant to Milpitas Municipal Code XI-30-3.04 b. (Sign Program), XI30-3.01 c. (Signs Exceeding 6-feet), and XI-10-57.03 (Conditional Use Permits).

PROJECT DESCRIPTION

The subject site is located at the southwest corner of California Circle and I-880 off-ramp intersection. The project is a 2.33-acre site consisting of two parcels that is zoned Industrial Park with a Site and Architectural overlay (MP-S). The site is accessed from two driveways off of California Circle. Adjacent uses include Interstate 880 to the west, light industrial uses to the north, quasi public uses to the east and office/R&D uses to the south. The project site is developed a 3,700 square foot multi-tenant commercial building with drive thru and a Chevron gas station and car wash facility that includes a 3,000 square building approved with convenience store, fast food restaurant, and office space. A vicinity map of the subject site location is included on the previous page.

Freestanding Sign

The applicant is proposing a 45-foot tall and 12.5-foot wide multi-tenant, double-faced freestanding sign to provide proper site visibility and timely notification to encourage customer traffic. The proposed sign is fabricated with aluminum metal construction. The proposed sign consists of a standing seam metal roof element, an internally illuminated sign cabinet with five tenant panel signs that measures approximately 45 square feet each, an area identification sign copy that measures approximately 37 square feet consisting of with 21-inch tall push-thru letters, decorative reveals and metal lattice to provide an architectural interest. The proposed sign will be located in an existing landscaping median at the rear parking lot. To encourage additional texturing and architectural enhancement of the proposed sign, staff recommends as a condition of approval, to require individual channel letters to be used on the freestanding sign in lieu of flat panels.

Sign Program

The applicant is also proposing a sign program to consolidate the site signage for the two parcels containing commercial uses and to create uniformity and consistency. The sign program proposes the following development standards that are described in the Table 1 below:

Table 1: Sign Program Development Standards

<i>Development Standard</i>	Description
Location	<ul style="list-style-type: none"> • One tenant panel on the Center Freestanding I.D. sign • Fascia signs shall be located within designated zones on each buildings as per sign plan exhibits
Sign Copy	<ul style="list-style-type: none"> • Limited to Business Name and/or logo only.
Maximum Size	<p>1545 California Circle</p> <ul style="list-style-type: none"> • South and West elevation – maximum sign area of 32.5 square feet per elevation. • East elevation – maximum sign area not to 25 square feet. • Maximum sign area on entry gable located on the east elevation shall be 25 square feet • Maximum 5-foot logo height. Maximum letter height not to exceed 30-inches for single line copy and 20-inches two line copy. • One menu board not to 20 square feet with a maximum overall height not to exceed 6.5 feet tall. • Directional displays shall not exceed 7.5 square feet. <p>1547 California Circle</p> <ul style="list-style-type: none"> • West and East elevation - maximum sign area of 32.5 square feet per elevation. • Maximum logo height is 30-inches. Maximum letter height not to exceed 36” for single line copy and 14” for two line copy. <p>1551 California Circle</p> <ul style="list-style-type: none"> • Commercial Building – maximum sign area of 111 square feet. Maximum logo and letter height of 19-inches on the east, west and tower elevation and 25-inches for the south elevation • Carwash Tunnel – maximum sign area of 32 square feet. Maximum logo and letter height is 19-inches. • Canopy – maximum sign area of 46 square feet. Maximum logo and letter height of 24-inches on the north and south elevation and 28-inches on the west and east elevations.
Sign Type	<ul style="list-style-type: none"> • LED or neon internally illuminated channel letters, exposed neon pan channel letters, and Flat Cut Outs letters. However, staff does not support exposed neon pan channel letters and recommends as a condition of approval to replace expose neon pan channels with Halo-illuminated channel letters signs. • Staff also recommends the channels letters are individual mounted to provide a more professional appearance and for the sign returns to be painted to match the building.

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
Implementing Policy 2.a-I-3 <i>Encourages economic pursuits, which will strengthen and promote development through stability and balance.</i>	Consistent. The proposed pylon sign would help promote the commercial plaza and encourage economic pursuits by providing appropriate visibility and attracting customer traffic.
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>	Consistent. The sign program will provide for aesthetic and appropriate signage for business identification and promote business retention

Zoning Ordinance

The purpose of the Site and Architecture Overlay District is to ensure the layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development. In this case, the proposed pylon sign and sign program is compatible with the site and surrounding uses and consist of high quality materials, styles, and design as discuss further in the staff report.

Conformance with the Sign Ordinance

Allowable Sign Area

As per Section 3.02, the maximum permissible total sign area is calculated either by one square foot for each two lineal feet of building perimeter or two square feet for each one lineal foot of public street frontage. Based on the project site, the total allowable sign area is 682.72 square feet. As proposed, the project does not comply with the sign ordinance requirement for total allowable sign area. The sign proposal exceeds the allowable square footage by 53 square feet as demonstrate in Table 3:

Table 3: Total Allowable Sign Area Calculations

Parcel	Bldg Perimeter or Street Frontage Calculations	Total Area Allowed
1545-1547 California Cir.*	340 lineal feet/2=170	170
1551 California Cir	256.36x2=512.72	512.72
Total Allowable Sign area		682.72
Proposed Sign Area		
• Pylon Sign		294
• 1545-1547 California Cir		170
• 1551 California Cir		272
Total Proposed Sign Area		736
Amount of sign area in excess		53.28

*This site does not have any street frontage. Sign area calculations are based on building perimeter.

Staff recommends as a condition of approval that the applicant submit a revised sign program and sign area calculations demonstrating conformance with the maximum allowable sign area prior to any permits being issued for additional signage.

Sign Program

As per Section 4.04 of the Sign Ordinance, multi-tenant use structures shall seek uniformity of design and materials. The sign program consists of development standards that apply to tenant wall signage and are described in Table 1 above in terms of type of signs, letter height, fabrication, mounting, and sign locations. If approved, the sign program will streamline staff review of individual sign requests. Based on staff’s review, the proposed sign program conforms to the Milpitas Sign Ordinance design guidelines in that the sign program promotes an orderly and attractive development by utilizing high quality materials; standardized sign types, height, and display locations; and uniform fabrication and installation standards. As a condition of approval, staff recommends a sign program amendment for any modifications to sign program requirements, allowable sign areas and/or tenant additions beyond the five as proposed with this sign program.

Height

The sign program ordinance provision, MMC XI-30-4.04 (C), also allow for deviations from the standards of the Sign Regulation, the applicant is requesting to deviate from the height development standard. The freestanding height limitation in non-residential zoning district is 25-feet. The applicant is proposing a sign height of 45-feet. The height is necessary to ensure proper site visibility and timely notification to encourage customer traffic. Staff is supportive of the sign because it would provide for an attractive landmark sign. The proposed sign is designed to be architectural compatibility with the buildings. The 45-foot height is also consistent with other freestanding sign such as the McCarthy Ranch Marketplace and Milpitas Square sign structures along I-880.

Furthermore, freestanding signs greater than 6-feet in height require a condition use permit subject to Planning Commission review and approval. Planning Commission shall consider the following:

- Height and size of sign – As proposed the height and size of the sign would provide appropriate visibility of the site to help revitalize the center and encourage economic pursuits.

- Illumination of the signs – The pylon sign will illuminate the business name and logo only. Wall sign will also be internally illuminated. Soft up lighting is proposed on the roof element. As proposed, the signs will not produce any unwanted glares or an intense light source
- Proximity to residential – The proposed sign does not abut any residential land uses. Any views of the proposed sign would be partially obstructed by other industrial buildings from the residential development located on Dixon Landing Road and Milmont Drive.
- Relationship of the height and size of the sign to that of the parcel – The proposed sign is located within an existing landscaping median and will not interfere with site circulation or interfere with buildings or public improvements.
- Density and impact of other signs in the vicinity – The proposed sign will not negatively impact other signs in the vicinity or obstruct views of other freestanding signs that include driveway monument signs that front California Circle and a freestanding hotel sign located approximately 211-feet away.

Directional signs

The sign program proposes directional signs. Per Milpitas Municipal Code XI-30-5.01 (d) directional signs regulating on-premise traffic and parking which are less than 12 square feet are exempt. Staff recommends as a condition of approval that directional signs shall not include business names or logos. All directional signs shall consist of standard design and construction.

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 pursuant to Class 11, Section 15311 (Accessory Structures – On-premise signs) and Section 15301 (Existing Facilities—New Copy on Existing Signs and Minor Alterations to Existing Structures) of the CEQA Guidelines.

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 freestanding sign and master sign program project is consistent with the General Plan in that it encourages economic pursuits and business retention. As conditioned the project will be in conformance with the Milpitas Sign Ordinance in terms of sign area, design standards, and height with the approval of a conditional use permit and sign program. The project will not be detrimental or injurious to property, improvements, public safety and general welfare considering that the freestanding sign and the other attached building plaza signs erected under the sign program will be aesthetically pleasing and harmonious with the existing architecture and will ensure sign consistency within the vicinity.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission adopt Resolution No. 08-052 approving Conditional Use Permit No. UP08-0013 and Site Development Permit Amendment No. SA08-0013, Dixon Landing Plaza Signage, subject to the attached Conditions of Approval.

Attachments:

- A. Resolution/Conditions of Approval
Plans

RESOLUTION NO. 08-052

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. UP08-0013 AND SITE DEVELOPMENT PERMIT AMENDMENT NO. SA08-0013, DIXON LANDING PLAZA SIGNAGE TO ALLOW FOR THE INSTALLATION OF A 45-FOOT TALL DOUBLE SIDED, MULTI-TENANT, INTERNALLY ILLUMINATED PYLON SIGN AND A SIGN PROGRAM FOR THE DIXON LANDING PLAZA LOCATED AT 1545-1551 CALIFORNIA CIRCLE.

WHEREAS, on April 1, 2008, an application was submitted by Tom Whitson, Arrow Sign Company, 1051 46th Avenue, Oakland, CA 94601 to allow for the installation of a new 45-foot tall internally illuminated multi-tenant pylon sign for the project site located at 1545-1551 California Circle (APN 22-37-040, and 049), zoned Industrial Park and the approval of a sign program for the Dixon Landing Plaza; and

WHEREAS, the Planning Division completed an environmental assessment for the pylon sign and sign program project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this pylon sign and sign program project to be categorically exempt from further environmental review pursuant to Class 11, Section 15311 (Accessory Structures – On-premise signs) and Section 15301 (Existing Facilities—New Copy on Existing Signs and Minor Alterations to Existing Structures) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, on September 24, 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 and the findings and evidence set forth in the staff report for this resolution are true and correct and incorporated herein by reference and made the findings of this Planning Commission.

Section 2: The pylon sign and sign program project is categorically exempt pursuant to Class 11, Section 15311 (Accessory Structures – On-premise signs) and Section 15301 (Existing Facilities—New Copy on Existing Signs and Minor Alterations to Existing Structures) of the CEQA Guidelines.

Section 3: The project is consistent with the General Plan in that the proposed pylon sign and sign program would help promote the commercial plaza and encourage economic pursuits by providing appropriate visibility for business identification and attracting customer traffic.

Section 4: The project conforms to the Milpitas Zoning Ordinance. As conditioned, the proposed pylon sign and sign program project is compatible with the site and surrounding uses,

utilizes high quality materials, styles, and design, and complies with the sign ordinance requirements for height, sign area, and design standards. The project will not be detrimental or injurious to property, improvements, public safety and general welfare considering that the pylon sign and the wall or building signs to be installed or replaced under the sign program will be aesthetic and harmonious with the existing architecture and will not dominate other existing signs within the vicinity

Section 5: The sign program's contribution to effective and attractive identification of businesses, services and uses and the design quality of the site and surrounding area will be superior to the quality that would result under the regulations and standards of the Sign Ordinance in that the sign program includes a 45-foot all pylon sign that due to its architectural design, placement and height, is compatible with the existing buildings and is consistent with the other freeway signs along I-880 in the City.

Section 6: All of the proposed signs of the retail complex are well-related to each other, and compatible with the style or character of existing improvements on the site and adjacent sites in that the architecture of pylon utilizes design elements and color that matches the architectural character of buildings and existing improvements. Wall signs will be installed within designated zones on the buildings to ensure compatibility with building architecture.

Section 7: All of the proposed signage shall generally conform with the Design Guidelines within the Sign Ordinance in that the sign program will enable design consistency and uniformity that enhances the plaza and provides proper business identification. The sign program requirements regulate the placements, sign type, letter and logo heights, as well as maximum sign areas which are consistent with the design guidelines in the Milpitas Sign Ordinance.

Section 8: The sign program does not include any sign types that are prohibited by the Milpitas Sign Ordinance.

Section 9: The sign program will afford effective and attractive signage that will be aesthetically pleasing and harmonious with surrounding uses.

Section 10: The Planning Commission of the City of Milpitas hereby approves Conditional Use Permit No. UP08-0013 and Site Development Permit No. SA08-0013, Dixon Landing Plaza Signage, 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 September 24, 2008.

Chair

EXHIBIT 1

**CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. UP08-0013 AND SITE DEVELOPMENT PERMIT
AMENDMENT NO. SA08-0013, DIXON LANDING PLAZA SIGNAGE**

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 September 24, 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 No. UP08-0013 and Site Development Permit No. SA08-0013, Dixon Landing Plaza Signage 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 UP08-0013 and SA08-0013 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein.

3. The applicant submit a revised sign program and sign area calculations demonstrating conformance with the maximum allowable sign area and conformance with the special conditions of approval prior to any building issuance. With the resubmittal of the sign program, the application shall include the following:
 - a. Sign types...
 - b. Installation of channel letters...
 - c. Directional signs...
 - d. The individual sign panels on the freestanding pylon sign shall include channel letters...
4. Sign types allowed include LED or neon internally illuminated channel letters, reverse pan channel letters, and/or Flat Cut Outs (FCOs) letters.

5. Installation of Channels letters shall be individual mounted to provide a more professional appearance. Sign returns to be painted to match the building.
6. A sign program amendment shall be required for any modifications to sign program requirements, allowable sign areas and/or tenant additions beyond the five as proposed with this sign program.
7. Directional signs shall not include business names or logos. All directional signs shall consist of standard design and construction. [SAS1]
8. To encourage additional texturing and architectural enhancement to the proposed sign, individual channel letters shall be utilized on the freestanding sign in lieu of flat panel signs.[SAS2]
9. The project shall conform to all local, state and federal regulations.
10. If at the time of application for building permit there is a project job account balance due to the City for recovery of fees, review of permits will not be initiated and/or permits issued until the balance is paid in full. (P)

Engineering Division

11. It is the responsibility of the developer to obtain any necessary encroachment permits or approval from affected agencies or private parties, including but not limited to CALTRAN and Pacific Gas & Electric. Copies of any approvals or permits must be submitted to the City of Milpitas Engineering Division.
12. 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. Any existing or proposed signs along California Circle frontage shall be located 17-foot minimum back from the street face of curb to clear the line site and existing 16-foot PSUE.
13. 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, including but not limited to construction activities, to eliminate as much as possible pollutants entering our receiving waters. 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.

DIXON LANDING

P L A Z A

MASTER SIGN PROGRAM

Prepared by
Arrow Sign Company



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(510) 533-7693
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July 25, 2008

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Section 1

1.0 Purpose

Dixon Landing Plaza (the Center) represents an opportunity to create a positive retail shopping experience for the adjacent neighborhoods and the local community. While its location provides excellent accessibility, it's very important that proper site visibility and timely notification is provided to customer traffic. Additionally, it is key that all signage be coordinated with the Center's design.

The guidelines established for the Center's tenants will provide a coordinated sign system to communicate information in a distinctive and aesthetically pleasing manner. The visual consistency that this criterion creates will minimize confusion and confirm an image of quality, uniting all the individual establishments within the center. The objective is to expedite the review and approval of the Center's signage by providing criteria that explains acceptable signage standards for the Center.

It shall be the responsibility of each tenant to submit design drawings of the proposed signage first to the Property Owner/Landlord for its written and/or stamped approval and subsequently to the City of Milpitas for approval prior to the installation of any signage. The use of professional designers and/or sign companies to prepare these drawings will be required. The guidelines and requirements for the submittal process are located in section 4.0 "Submittals and Review".

Section 2

2.0 Design Specifications/All Tenants

All signs shall be reviewed for conformance with the following guidelines and overall design quality. Approval or disapproval of sign submittals shall remain the right of the Property Owner/Landlord and the City of Milpitas.

The square footage of individually applied letters for tenant identification is defined as the area of a sign measured by the height of the letters times the length of each line of letters, otherwise, the area of the sign may be measured to the outside perimeter of the sign, including the area of any voids within a simple bounding perimeter.

Sign content shall be limited to the Tenant's name and primary graphic logo unless specifically provided for herein.

Notwithstanding the following Sign Provisions, Tenants may utilize standard corporate logos and/or prototypical signage graphics, subject to approval of the Property Owner/Landlord and the City of Milpitas.

The Center will be allowed one double faced internally illuminated I.D. pylon sign.

All signage on the building fascias, with exception of certain logo/graphics, shall consist of individual channel letters internally illuminated with neon or LED's - face lit, exposed neon pan channel letters or halo lit and non-illuminated flat cut out letters (FCOs). Signage illumination shall not include flashing, moving or scintillating effects.

All signs must be dimensional. Signs painted directly onto the building will not be permitted.

Fascia signs shall be located in the zones designated for each building in the building elevation drawings in these Guidelines.

2.1 General Construction

Signs must be constructed and installed to meet or exceed all applicable codes and City of Milpitas requirements. All building signs shall be constructed, installed and maintained at the Tenant's expense.

All exterior signs shall be secured by concealed fasteners; bolts, fasteners, clips, and conduits shall be generally hidden from public view. If exposed, all sign parts shall be painted to match the exterior color of the surfaces on which they are mounted.

All building fascia signs shall be attached and mounted directly to the walls. All penetrations of the building structure required for sign installation shall be neatly sealed and watertight. Color and finish of attachments and sealant shall match adjacent exterior finishes.

Surfaces of all signage are intended to be flat without bulges, oil canning or other imperfections.

2.2 Electrical and Illumination

Fabrication and installation shall comply with all Underwriters Laboratories requirements and applicable state and local codes. All components shall bear the U.L. label indicating approval, and be manufactured and installed by a U.L. certified company.

All wiring, raceways, conductors, transformers, ballasts and other equipment shall be concealed from public view. Primary electrical service to all Tenants' signs shall be tied to Tenant's electrical service. Tenant shall provide time clocks for use in conjunction with the electrical service and be responsible for all associated costs.

The illumination of all sign components shall be uniform in intensity over all the illuminated surfaces.

Illumination and electrical specifications must appear on all shop drawings submitted for approval.

Section 2

2.3 Installation and Removals

All penetrations of any building structure required for sign installations shall be neatly sealed and continuously maintained in watertight condition.

All contractors used by Tenants for installation, removal or service calls on signage must be fully licensed, and must provide Property Owner/Landlord with certificates of insurance prior to the commencement of any work. All methods of attachment to any structure must be detailed on shop drawings and be approved by the Property Owner/Landlord.

Sign removals shall include the patching and repairing of the entire work area, plus the repainting of any "ghosted" areas as directed by the Property Owner/Landlord.

Tenant's Sign Contractor shall repair any damage caused by his work. Tenant's sign contractor must follow the rules and regulations for T.I. contractors provided in each Tenant lease. Damage to any structure that is not repaired by the Contractor shall become the Tenant's responsibility to correct.

The Tenant's Sign Contractor shall be completely licensed by the State of California, carry Workman's Compensation and Public Liability Insurance, per the lease against all damage suffered or done to any and all persons and/or property while engaged in the construction or erection of signs.

Section 3

3.0 General Sign Provisions

Dixon Landing Plaza encourages the use of various letter styles and colors to achieve a unique and individual look. However, these signage guidelines limit the number of signs, sign sizes (including width) and overall letter heights.

Notwithstanding the following Specific Provisions, Tenants may utilize standard corporate logos and/or prototypical signage graphics, subject to approval of the Property Owner/Landlord and City of Milpitas. All tenant signage is subject to Property Owner/Landlord and City of Milpitas approvals.

3.1 Center Freestanding I.D.

There will be one (1) I.D. pylon sign on the property to identify the Center and merchants. The pylon will be double faced, internally illuminated listing the Center's name and five (5) tenants. The pylon sign will be 45 feet tall and 12 feet 6 inches wide with I.D. and tenant panels not to exceed 294 square feet and will act as the landmark display for the center. (See Exhibit 1, Sign A). (See Exhibit 10 Site Plan for pylon sign location.)

3.2 Tenant Signage

There will be three (3) types of signage for this Center. Sign types will consist of either LED or neon internally illuminated channel letters, exposed neon pan channel letters and FCOs. Non illuminated flat cut out letters not exceeding 6" in height will be part of the scope of work for this Center provided that these letters are too small to illuminate.

Tenant Signage by Address

Address: 1545 California Circle will be allowed the following signage:

West elevation - 2 illuminated displays with a maximum sign area not to exceed 25 square feet and 7.5 square feet, respectively, for a maximum total combined square footage of 32.5 square feet. (See Exhibit 2, Sign B1).

South elevation - 2 illuminated displays with a maximum sign area not to exceed 25 square feet and 7.5 square feet, respectively, for a maximum total combined square footage of 32.5 square feet. (See Exhibit 2, Sign B2).

East elevation - One (1) illuminated display with a maximum sign area not to exceed 25 square feet. (See Exhibit 2, Sign B3).

North, South and East locations - Three (3) single faced illuminated directional displays with maximum sign area not to exceed 7.5 square feet each. (See Exhibit 2, Signs B4, B6 & B7).

West elevation - One (1) illuminated menu board display with maximum sign area not to exceed 20 square feet with a maximum overall height not to exceed 80 ". (See Exhibit 2, Sign B5).

Maximum logo height 5 feet; maximum letter height: single line 30", 2 lines stacked 20".

See Exhibit 3 Site Plan for all sign locations.

Address: 1547 California Circle will be allowed the following signage:

West elevation - One (1) illuminated display with a maximum sign area not to exceed 30 square feet. (See Exhibit 4, Sign C1).

East elevation - One (1) illuminated display with a maximum sign area not to exceed 30 square feet. (See Exhibit 4, Sign C2).

Maximum logo height 30"; maximum letter height: single line 36", 2 lines stacked 14".

See Exhibit 5 Site Plan for the sign locations.

Section 3

Address: 1551 California Circle will be allowed the following signage:

West building - West and East elevations - Two (2) illuminated displays with a maximum sign area not to exceed 16 square feet each. (See Exhibit 6, Signs D1 & D2).

Maximum logo and letter height 19".

Canopy - North and South elevations - Two (2) illuminated displays with a maximum sign area not to exceed 18 square feet each. (See Exhibit 6, Signs D3 & D6).

Maximum letter height 24".

Canopy - West and East elevations - Two (2) illuminated displays with a maximum sign area not to exceed 5 square feet each. (See Exhibit 6, Signs D4 & D5).

Maximum logo height 28".

North building - West and East elevations - Two (2) illuminated displays with a maximum sign area not to exceed 10 square feet each. (See Exhibit 7, Signs D9 & D10).

Maximum logo height 19.5".

North building - South elevation/east side - Two (2) illuminated displays with a combined maximum sign area not to exceed 75 square feet. (See Exhibit 6, Signs D7).

Maximum logo and letter height 25".

North building - South elevation - Tower - one (1) illuminated display with a maximum sign area not to exceed 16 square feet. (Please see Exhibit 6, Sign D8).

Maximum logo and letter height 19.5".

East elevation - One (1) double faced illuminated price monument display with a maximum sign area not to exceed 110 square feet per side with a maximum height not to exceed 10 feet tall. (See Exhibit 7, Sign D11).

Northeast elevation - One (1) double faced illuminated directional display with maximum sign area not to exceed 6 square feet per side with a maximum height not to exceed 46". (Please see Exhibit 7, Sign D12).

North elevation - One (1) single faced illuminated menu board display with maximum sign area not to exceed 32 square feet with a maximum overall height not to exceed 81". (See Exhibit 7, Sign D13).

See Exhibit 8 Site Plan for all sign locations.

All sign locations subject to Property Owner/Landlord and City of Milpitas approvals.

Tenants occupying these buildings will also be allowed additional signage if they have multiple elevations subject to Property Owner/Landlord and City of Milpitas approvals

3.3 Typical Channel Letter Attachments

3.4 Permanent Window Graphics

Permanent Window Graphics are those signs affixed to a storefront window.

A standard font format shall be used for the Permanent Window Graphics that indicates hours of operation, suite or street address, open/closed and relevant information.

Signage is applied to the surface of door or window glass using vinyl graphics in one of the following colors: gold, aluminum, silver or copper leaf, and white.

All tenants shall affix suite or street address on at least one business storefront window or door entry.

Maximum cap height for permanent identification letters shall be 2" with the exception for open/closed sign and suite/address identification which shall not exceed a 6" cap height.

The aggregate square footage of all window signs shall not exceed twenty five (25) percent of the surface area of the window on which it is placed.

Window signs shall not be illuminated.

All window signs shall be approved in writing by the Property Owner/Landlord.

Section 4

4.0 Submittals & Review

No signs shall be fabricated or installed unless the following approvals have been obtained.

Property Owner/Landlord Approval:

Submit three (3) sets of plans, to scale, showing the sign elevation. This drawing must have all materials and colors specified. At least one drawing of the sign must be in color. Also provide material and color samples if requested by the Property Owner/Landlord. The plans must also include the building elevation and the location(s) of the signs on the building, and a site plan indicating the location of the store in the Center.

Once these plans are stamped and approved, one set shall be retained by the Property Owner/Landlord, one set shall be the tenant's copy, and the last set shall be submitted to the City of Milpitas. The City of Milpitas requires four (4) sets total with application and fees.

If the plans submitted to the Property Owner/Landlord are not acceptable or require revisions, they must be resubmitted unless they are approved "with conditions".

4.1 Prohibited Signs/Banners

No Flashing, moving or scintillating light bulbs or effects are permitted.

Window signs, other than the Permanent Window Graphics, will not be allowed. These signs include neon signs, fiber optic/neon simulated plastic signs and border neon.

The Property Owner/Landlord reserves the right to determine the acceptability of signs. Noncompliant signs are to be removed immediately upon request.

Promotional and temporary signs/banners will not be permitted without written Property Owner/Landlord approval and must be in accordance with City of Milpitas ordinances.

City of Milpitas Permit Process:

All signs are required to have a sign permit issued from the City of Milpitas. Four (4) sets of plans, including the stamped and approved set from the Property Owner/Landlord are to be submitted to the Planning Department for approval. The next approval must be obtained from the building department, including all mounting details for the sign. All illuminated signs require an electrical permit.

4.2 Tenant Responsibilities

Tenants shall be responsible for the fulfillment of all requirements of this Signage Guidelines and all applicable codes and ordinances. Each Tenant is responsible for the cost of design, fabrication, installation, maintenance and electricity for their sign(s). Tenants shall be responsible for the immediate repair of neon/LEDs which are damaged or not illuminating properly and as well the proper maintenance of all their signs. All permits required by the City of Milpitas and associated fees, shall be obtained and paid for by the Tenant or tenant's representative. Tenants shall be required to perform or cause to have performed such necessary action to correct or repair signage within 10 days of written notice from Property Owner/Landlord.

All sign contractors employed or retained by Tenant must carry Workmen's Compensation in the amount of \$1,000,000 and Public Liability insurance per the lease, providing coverage against damage suffered or done to any and all persons and/or property while engaged in the construction or erection of signs, in an amount deemed appropriate by Landlord/Lessor. Tenants shall indemnify and hold harmless the Property Owner/Landlord and the City of Milpitas from any damages that arise from the installation, maintenance or use of Tenant's signage.

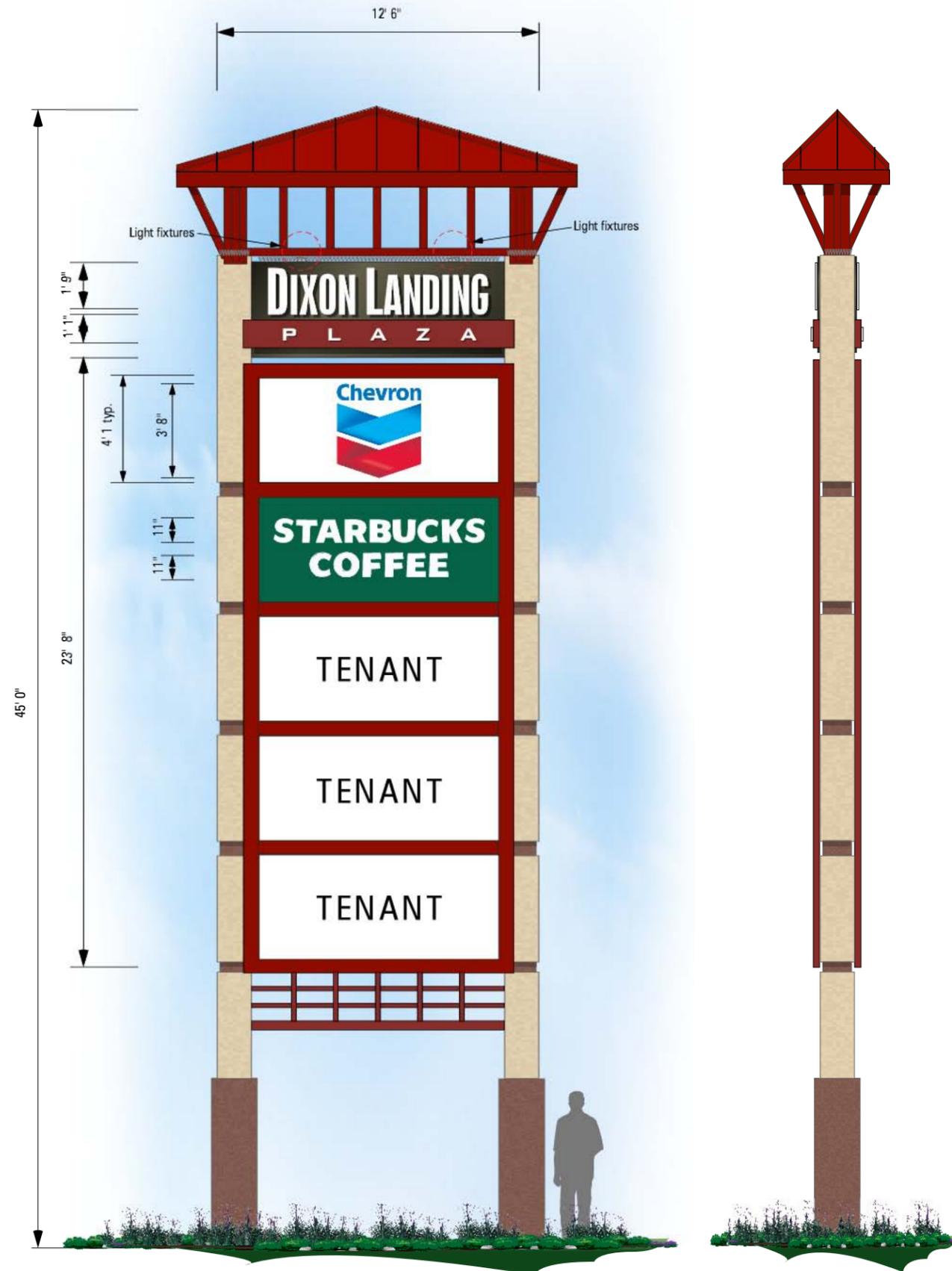
Upon the termination or conclusion of Tenant's lease, the tenant is responsible at their sole cost for the removal of all signs. All signs must be removed and their electrical connections capped within 30 days of the lease's termination. The storefront fascia shall be patched, touch-up painted to match the surrounding fascia areas and otherwise repaired as detailed in a previous section of these Guidelines.

Section 5

5.0 Exhibits

- #1 - Sign A Pylon sign
- #2 - 1545 California Circle Signs B1-B7
- #3 - 1545 California Circle Sign Site Plan
- #4 - 1547 California Circle Signs C1, C2
- #5 - 1545 California Circle Sign Site Plan
- #6 - 1551 California Circle Signs D1 - D8
- #7 - 1551 California Circle Signs D9 - D13
- #8 - 1551 California Circle Sign Site Plan
- #9 - Wall Letters Attachment
- #10 - ALTA Site Plan showing Sign A Pylon - Install location to scale

EXHIBIT 1

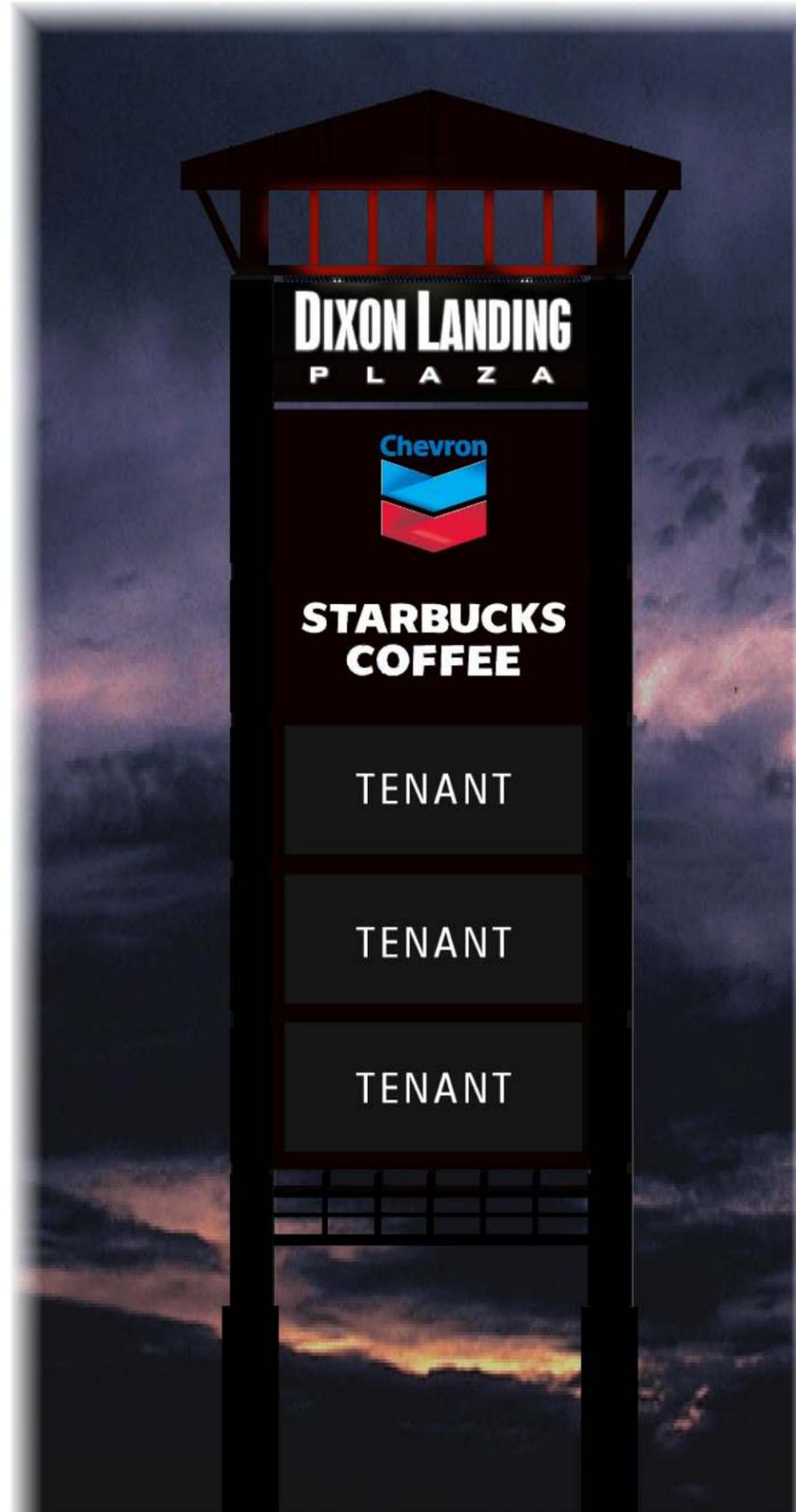


A SIGN ELEVATION

SCALE: 3/16" = 1'-0"

One (1) D/F internally illuminated pylon sign

ITEM	DESCRIPTION	VENDOR	SPECIFICATION
Roof	Metal	Sherwin Williams	SW #6342 Spicy Hue
Grids	2" sq. tube aluminum 4" sq. tube aluminum	Sherwin Williams	SW #6342 Spicy Hue
Cabinet & dividers	Aluminum	Sherwin Williams	SW #6342 Spicy Hue
Tenant panel	Polycarbonate	GE	White Lexan w/ Blockout film White Matte
Tenant copy	Vinyl	3M	Per tenant colors
Dixon Landing cabinet	Aluminum	Matthews	Dark Bronze #281-313, satin
Dixon Landing copy	1/2" push-thru	3M	White #3630-20
Plaza cabinet	Aluminum	Sherwin Williams	SW #6342 Spicy Hue
Plaza cabinet copy	1/2" push thru	3M	White #3630-20
Columns	16" square tube	Sherwin Williams texcoat	SW #6114 Bagel
Reveal & base	Aluminum	Sherwin Williams texcoat	SW #6117 Smokey Topaz
Bird Spikes		Nixalite	Espike 6405
Light fixture	Multi-Purpose Flood	Permlight	Two (2) ENBS White



SOUTH ELEVATION



NORTH ELEVATION

EXHIBIT 2



B1 WEST ELEVATION - 1545 California Circle Bldg.



B2 B4 SOUTH ELEVATION - 1545 California Circle Bldg.



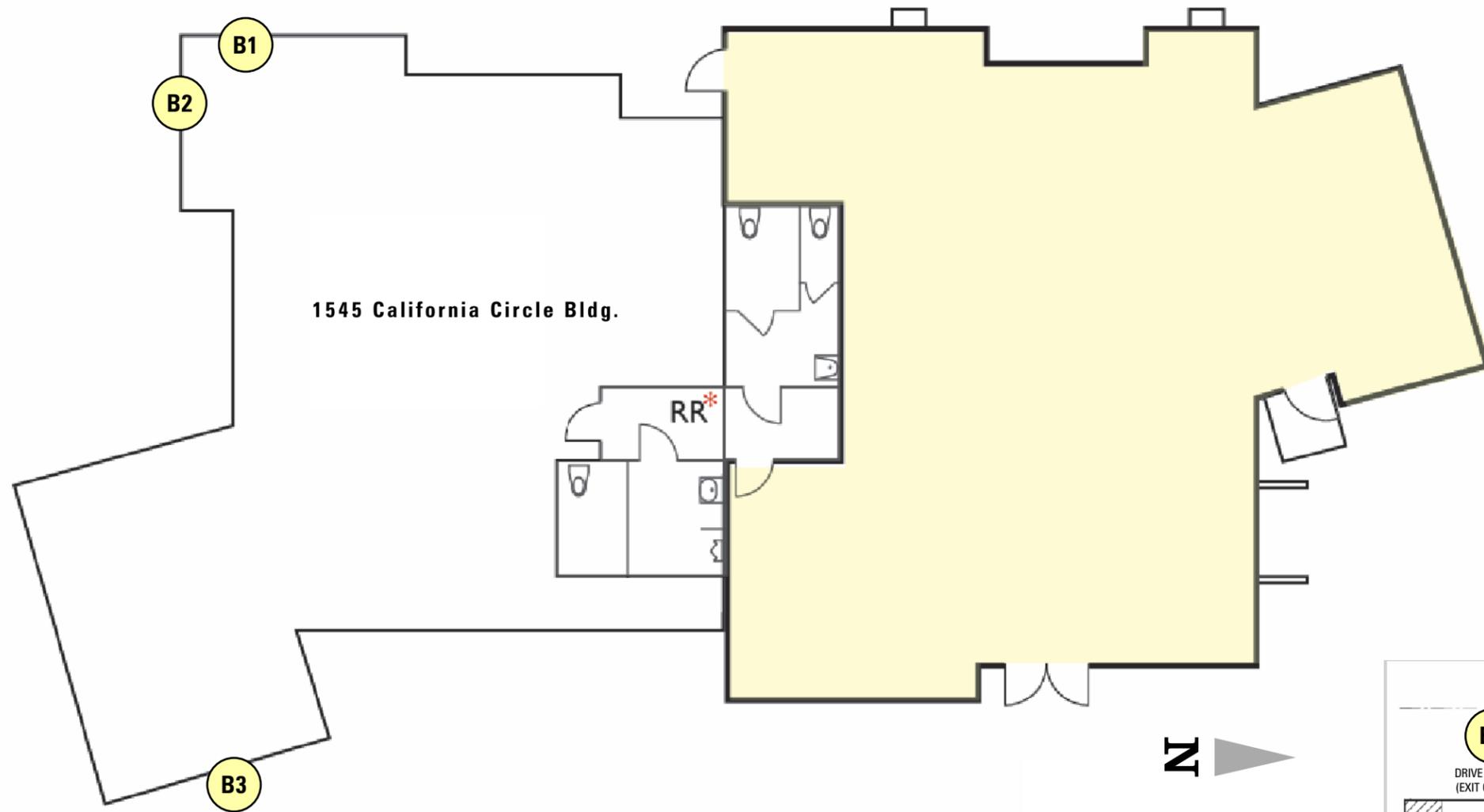
B3 EAST ELEVATION - 1545 California Circle Bldg.



B5 WEST ELEVATION - 1545 California Circle Bldg.

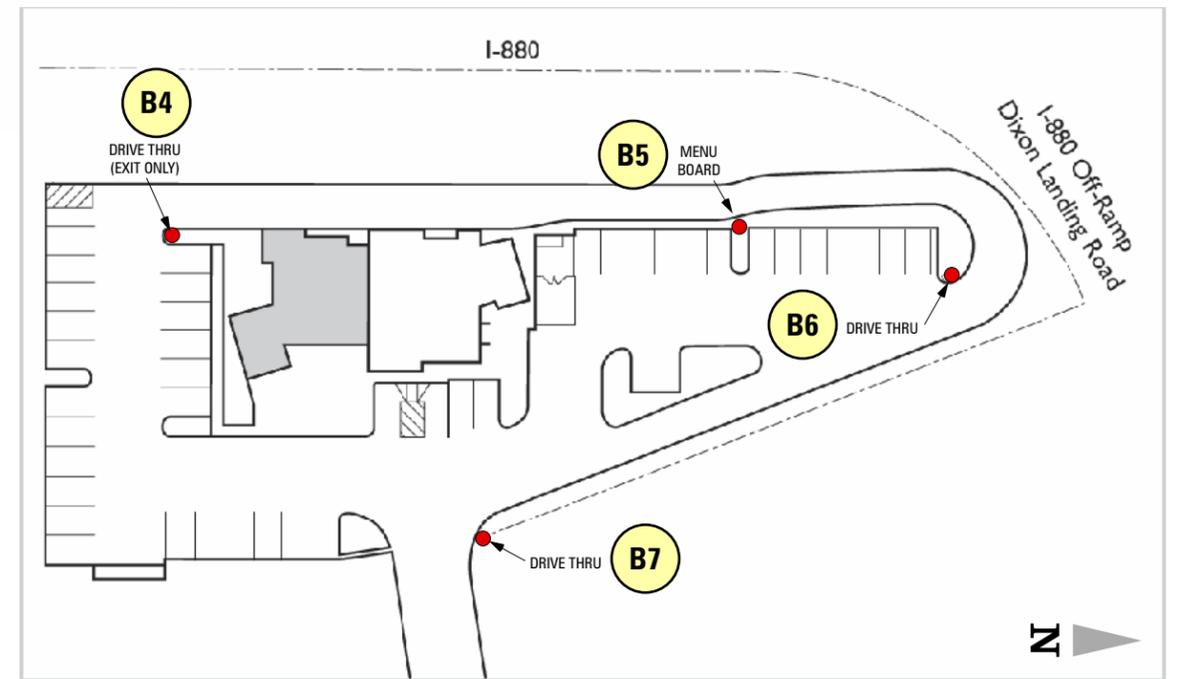


B6 B7 NORTH & EAST ELEVATION - 1545 California Circle Bldg.



SITE PLAN - 1545 California Circle Bldg.

NOT TO SCALE

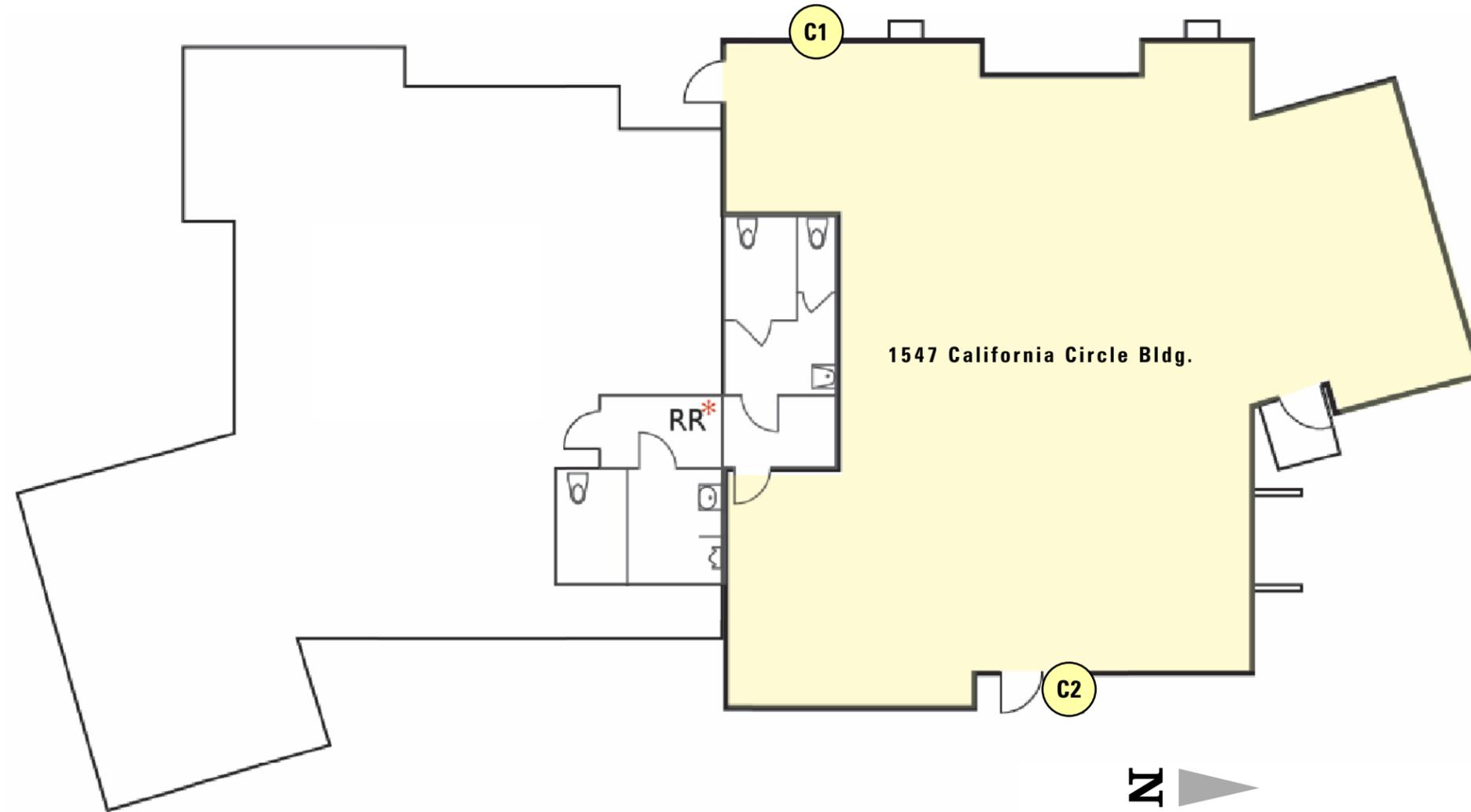




C1 WEST ELEVATION - 1547 California Circle Bldg.



C2 EAST ELEVATION - 1547 California Circle Bldg.



SITE PLAN - 1547 California Circle Bldg.

NOT TO SCALE



D1 EAST ELEVATION - 1551 California Circle Bldg.



D2 WEST ELEVATION - 1551 California Circle Bldg.



D3 **D6** NORTH & SOUTH CANOPY ELEVATION - 1551 California Circle Bldg.

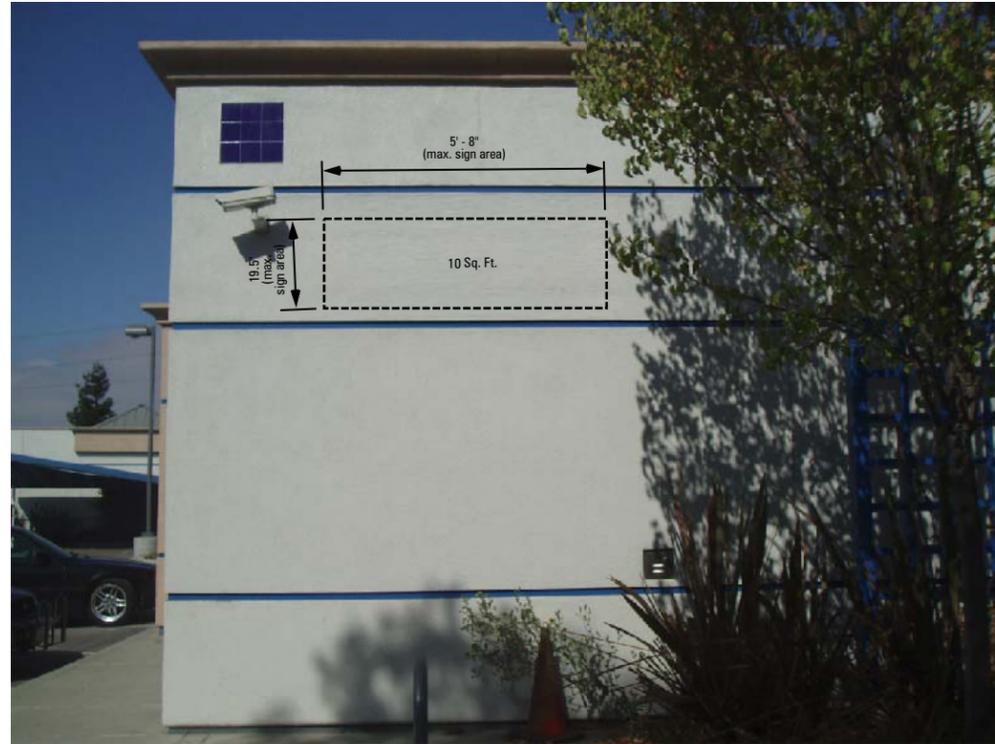


D4 **D5** WEST & EAST CANOPY ELEVATION - 1551 California Circle Bldg.



D7 **D8** SOUTH ELEVATION - 1551 California Circle Bldg.

EXHIBIT 7



D9 D10 WEST & EAST ELEVATION - 1551 California Circle Bldg.



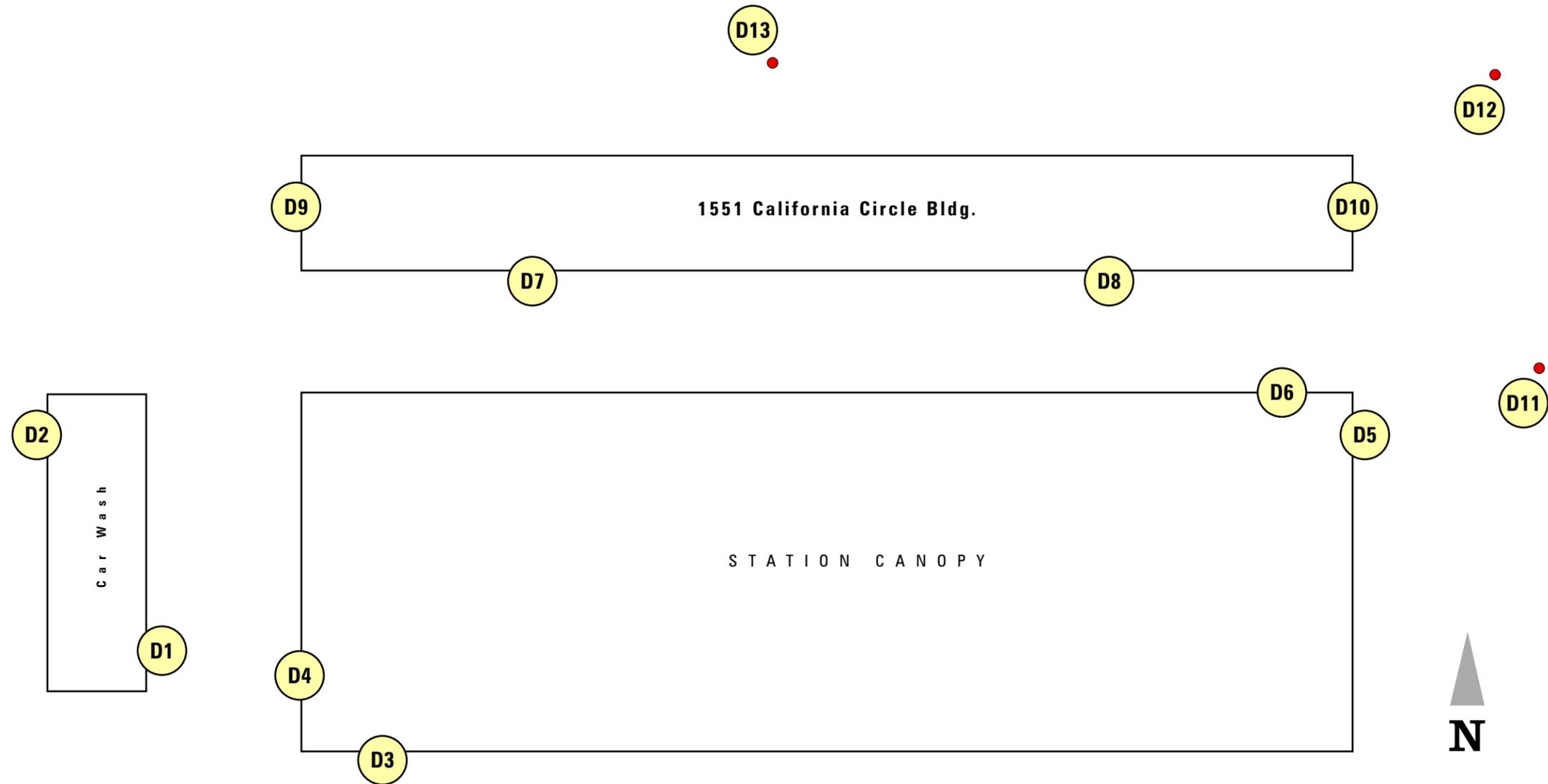
D11 PRICE MONUMENT ELEVATION - 1551 California Circle Bldg.



D12 SIGN ELEVATION - 1551 California Circle Bldg.



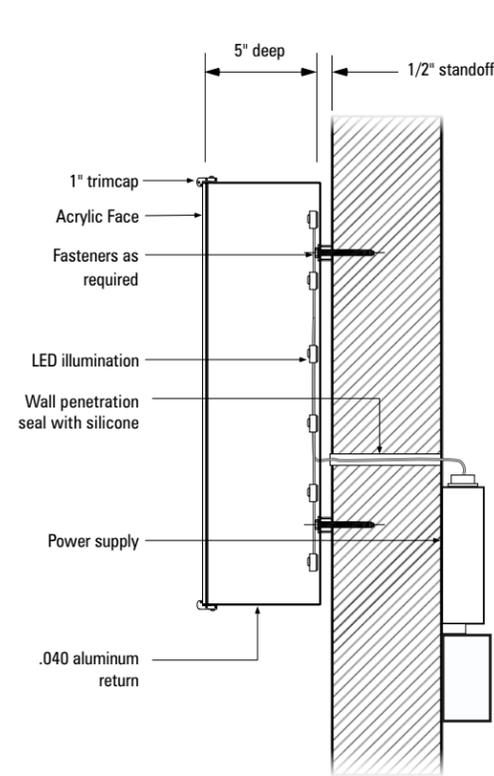
D13 MENU ELEVATION - 1551 California Circle Bldg.



SITE PLAN - 1551 California Circle Bldg.

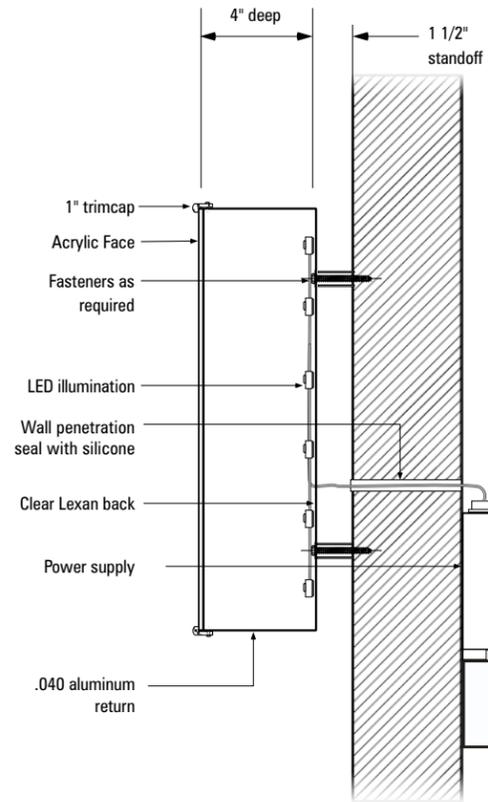
NOT TO SCALE

EXHIBIT 9



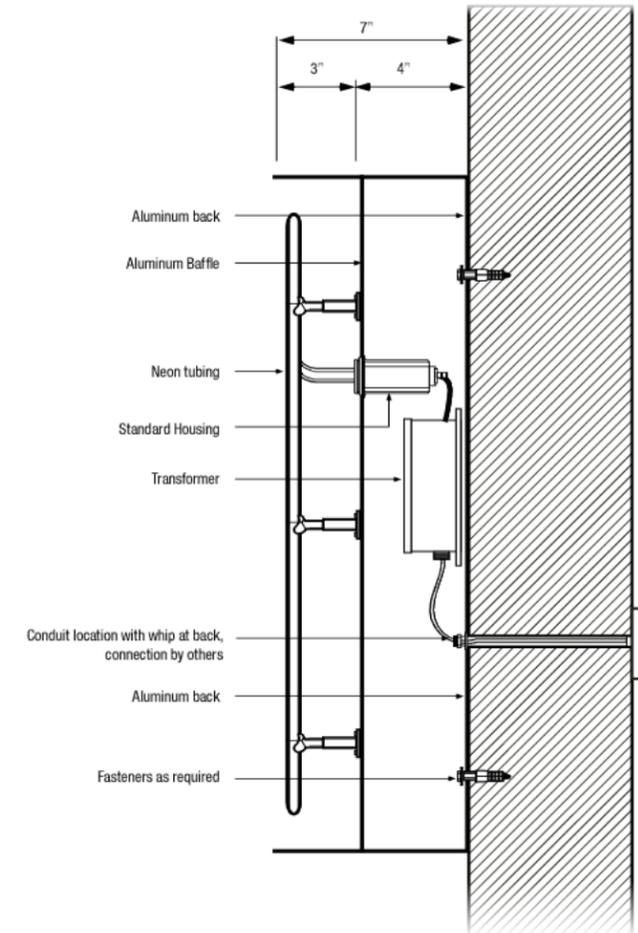
**INTERNALLY ILLUMINATED LETTERS
WALL MOUNT**

NOT TO SCALE



**HALO CHANNEL LETTERS
WALL MOUNT**

NOT TO SCALE



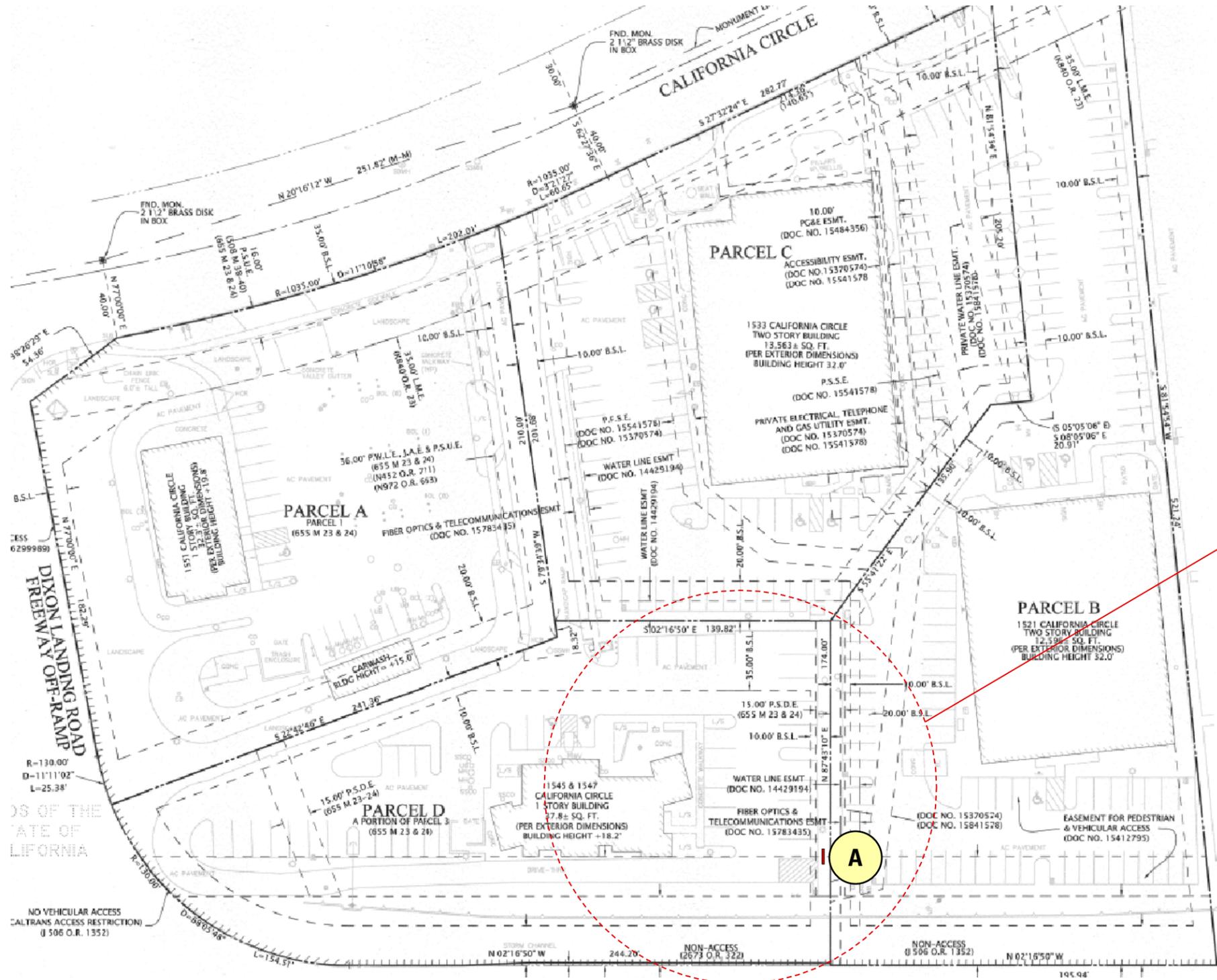
**OPEN CHANNEL LETTERS EXPOSED NEON
WALL MOUNT**

NOT TO SCALE



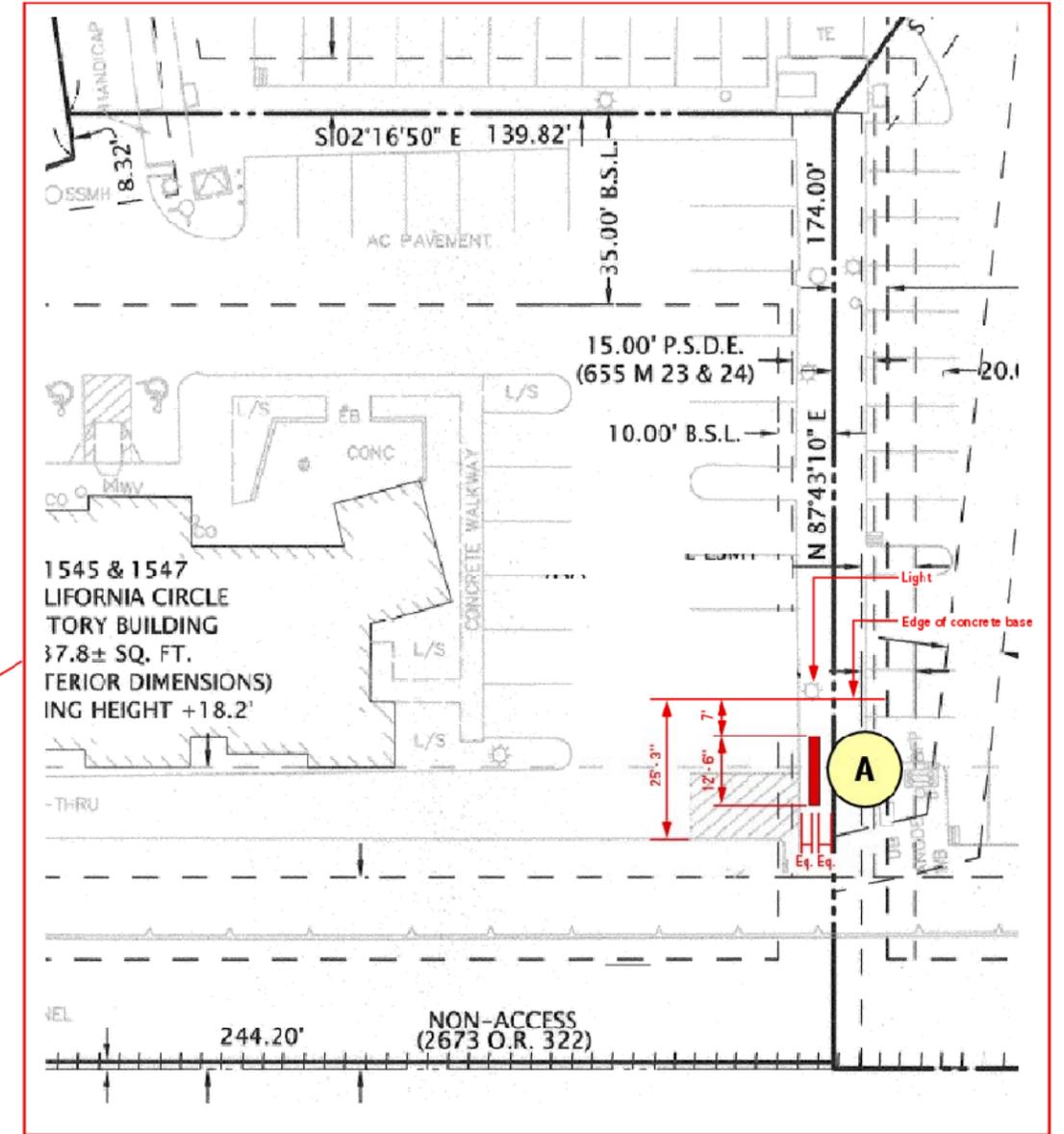
ALL TENANTS

NOT TO SCALE



SITE PLAN

NOT TO SCALE



SITE PLAN

SCALE: 1/32" = 1'-0"