



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: April 14, 2010

APPLICATION: **CONDITIONAL USE PERMIT UP09-0046/SITE
DEVELOPMENT PERMIT AMENDMENT NO. SA09-0021:
SOUTH BAY HONDAY FREEWAY-ORIENTED SIGN**

**APPLICATION
SUMMARY:**

A request to allow an amendment to the sign program to accommodate a 23-foot freestanding sign along Interstate 880 to advertise South Bay Honda.

LOCATION: 920 Thompson Street (APN: 086-05-026)

APPLICANT: Chris Merrell; Northwest Signs; 120 Encinal St., Santa Cruz, CA 95060

OWNER: Santa Clara County, C/O Larry Klamecki, 70 W. Hedding Street, 9th floor, San Jose, CA 95110

RECOMMENDATION: **Staff recommends that the Planning Commission adopt Resolution No. 10-018.**

PROJECT DATA:

General Plan/

Zoning Designation: General Commercial/General Commercial (C2)

Overlay District: Site and Architectural (-S)

Related Permits: Site Development Permit No. SZ08-0001, Conditional Use Permit No. UP08-0001, Site Development Permit No. SD09-0003

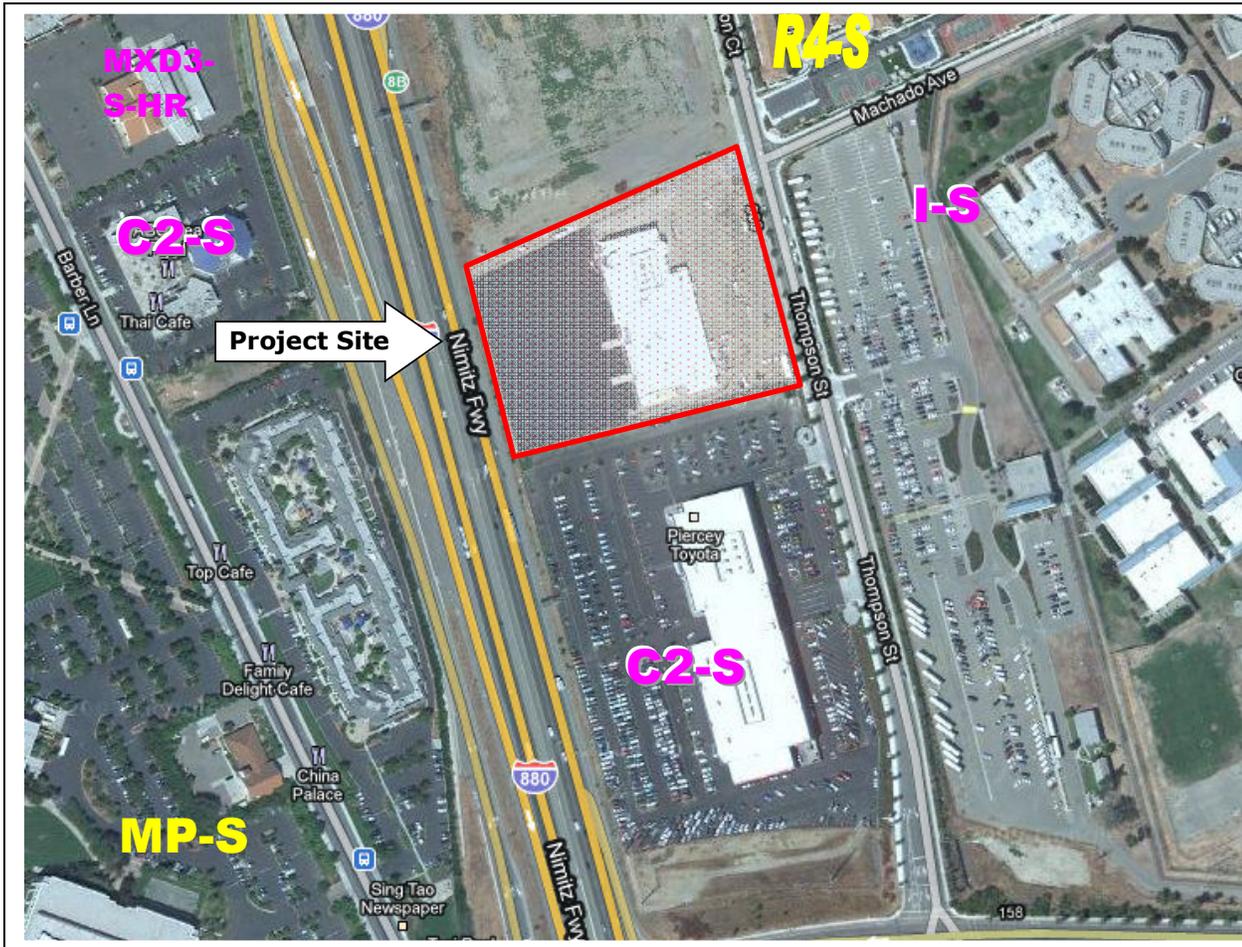
CEQA Determination: Exempt pursuant to Section 15311 (Class 11), Accessory Structures, because of the on-premises signs.

PLANNER: Sheldon S. Ah Sing, Senior Planner

PJ #: 3225

ATTACHMENTS: A. Resolution No. 10-018
B. Site Plans

LOCATION MAP



No scale

BACKGROUND

On June 11, 2008, the Planning Commission approved a Site Development Permit and Conditional Use Permit for the construction and operation of a new automobile dealership.

On October 14, 2009, the Planning Commission approved a Site Development Permit for a comprehensive sign program that included wall signs and on-site directional signs.

On November 2, 2009, Chris Merrell of Northwest Signs submitted an application to erect a freestanding sign 23 feet high along Interstate 880 to solely advertise the automobile dealership. According to Table 30-7.01, Sign Approvals by Type of Permit and by Zoning District, and Section 30-3.10 (h)(6) of the Municipal Code, freestanding signs over six feet in height may be allowed with the approval of a CUP. In addition, the existing sign program needs to be amended to reflect the additional sign.

PROJECT DESCRIPTION

The project site encompasses a 4.82 acre vacant parcel bounded by Interstate 880 to the west, Thompson Street to the east, a vacant parcel to the north (including Hetch-Hetchy) and the Toyota dealership to the south. The subject site is also adjacent to the Elmwood Correctional facility, across Thompson Street to the east and residential development, across Thompson Street to the northeast.

The subject property is zoned General Commercial (C2) with a Site and Architectural (-S) Overlay. The correctional facility is zoned Institutional (I-S), the residential neighborhood is zoned Multi-family High Density (R3-S). A vicinity map of the subject site location is included on the previous page.

Project Scope

The applicant proposes a new freeway-oriented freestanding sign, which augment the existing nine wall signs to advertise the Honda brand and four freestanding monument signs to direct customers through the ingress and egress of the site.

Sign Area

According to Section 30-3.02(a), Maximum Permissible Sign Area, of the Sign Ordinance, the site is allowed a maximum of 856 square feet for signs (two square feet of sign area for every one lineal foot of public street frontage). As demonstrated in Table 1, with the proposed freestanding sign, the amended sign program proposes 635.5 square feet of sign area, which is less than the maximum allowed for the site.

Sign colors, materials and location

The table below restates the sign program and includes the new freestanding sign by summarizing the type of signs, locations, sizes, colors and illumination. For further reference, consult the associated plans for the project (Attachment B).

Table 1
Sign Summary

<i>Sign (Type)</i>	<i>West Elevation</i>	<i>East Elevation</i>	<i>North Elevation</i>	<i>Sign Area Total (Sq. Ft.)</i>
Honda Emblem (existing)	80 sq. ft., non-illuminated, painted to match brushed aluminum	80 sq. ft., non-illuminated, painted to match brushed aluminum	None	160
30" Honda (existing)	56.25 sq. ft., internally illuminated, blue face, aluminum returns	56.25 sq. ft., internally illuminated, blue face, aluminum returns.	None	112.5
30" Dealer Name (existing)	42.5 sq. ft., internally illuminated, blue face, aluminum returns	42.5 sq. ft., internally illuminated, blue face, aluminum returns	None	85
24" Service Letters (existing)	None	None	42 sq. ft., internally illuminated, blue face, aluminum returns	42
Service Ovals (existing)	None	None	Two, 16 sq. ft., internally illuminated, blue face, aluminum returns	32
<i>Wall Subtotal</i>				<u>431.5</u>
Directional Monument (existing)	None	Four, 19 sq. ft., non-illuminated, blue and gray.	None	76
Freeway (New)	Internally illuminated, double face, blue and white.	None	None	128
<i>Freestanding Subtotal</i>				<u>204</u>
<u>Site Total</u>				635.5

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
<i>2.a-1-23, Require development in the Midtown area to conform the adopted design guidelines/requirements contained in the Midtown Specific Plan.</i>	Consistent. The project complies with the Midtown Specific Plan design guidelines.
<i>2.a-1-3. Encourage economic pursuits which will strengthen and promote development through stability and balance.</i>	Consistent. The project promotes an automobile dealership, which strengthens the city’s tax base.

The proposed project is consistent with the General Plan, which encourages the development of a wide variety of commercial uses. The proposed sign will help promote the automobile dealership.

Sign Ordinance

The project is consistent with Chapter 30 (Signs) of the Milpitas Municipal Code. The proposed sign is compatible in colors, design, scale and materials with the other signs on site and the building it intends to advertise. The proposed sign is not adjacent to residential properties and is consistent in scale with other similar signs along the Interstate. The proposed freestanding sign will also be located in a planter area as required by the Sign Ordinance.

Midtown Specific Plan

The project is located within the Midtown Specific Plan. The Specific Plan provides design guidelines for the entire Midtown area, including criteria for signage. While the design guidelines discourage freestanding signs, the benefits of promoting an automobile dealership outweigh the intent of the guideline. The guidelines do not holistically capture the uniqueness of an automobile dealership. The Planning Commission is empowered to allow deviations from the guidelines if appropriate findings are made.

Table 3
Midtown Specific Plan Consistency

Midtown Guidelines	Proposed Project
<i>All signs should be designed to complement the architectural style and setting of the structure or use it is adjacent to.</i>	Consistent. The proposed sign carries over the architectural style and colors of the automobile dealership.
<i>Sign letters and materials should be professionally designed and fabricated.</i>	Consistent. The proposed sign is manufactured by a professional sign company.

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 freestanding sign oriented towards the freeway with internal illumination. The proposed sign is compatible with the dealership building in terms of scale, color, design and materials and also with the other signs within the sign program. Deviations proposed from the Midtown Specific Plan guidelines are warranted because the freestanding sign advertises a type of business that requires exposure.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission close the public hearing following public testimony and adopt Resolution No. 10-018 for Conditional Use Permit No. UP09-0046 and Site Development Permit Amendment No. SA09-0021, South Bay Honda Sign, subject to the attached Conditions of Approval.

Attachments:

- A. Resolution No. 10-018
- B. Project Plans

RESOLUTION NO. 10-018

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. UP09-0046 AND SITE DEVELOPMENT PERMIT AMENDMENT NO. SA09-0021, SOUTH BAY HONDA FREESTANDING SIGN AND SIGN PROGRAM, TO ALLOW A NEW FREESTANDING SIGN ALONG INTERSTATE 880 AND AMENDING THE EXISTING SIGN PROGRAM FOR THE PURPOSE OF ADVERTISING, LOCATED AT 920 THOMPSON

WHEREAS, on November 2, 2009, an application was submitted by Chris Merrell, of Northwest Signs, 120 Encinal Street, Santa Cruz, CA 95060, to allow a new freestanding sign along Interstate 880 and amending the sign program for the purpose of advertising an existing automobile dealership. The property is located within the General Commercial with Site and Architectural Overlay Zoning district (C2-S) (APN: 85-05-026); and

WHEREAS, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA).

WHEREAS, on April 14, 2010, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

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

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

Section 2: The project is categorically exempt pursuant to CEQA Section 15311 (Class 11), accessory structures because the project contemplates on-premise signs.

Section 3: The layout of the site and design of the proposed signs are compatible and aesthetically harmonious with adjacent and surrounding development in that the sign incorporate materials, colors, scale and lighting that is consistent and compatible with the building they serve and are consistent with other retail enterprises in the area.

Section 4: The project is consistent with the zoning ordinance in that the sign comprises of design that incorporates materials, colors, scale and lighting that is consistent and compatible with the building they serve.

Section 5: The project is consistent with the general plan in that project encourages economic pursuits, which will strengthen and promote development through stability and balance by promoting a use that can strengthen the city's tax base.

Section 6: The project is consistent with the Midtown Specific Plan in that the project’s sign conforms to the design guidelines in most cases, except as noted in Sections 7 and 8 below.

Section 7: The deviations from the Midtown Specific Plan design guidelines meets the design intent identified within the Specific Plan and does not detract from the overall architectural, landscaping and site planning integrity of the proposed development in that the design of the proposed freestanding sign comprises of a design that incorporates materials, colors, scale and lighting that is consistent and compatible with the building it is serving.

Section 8: The deviations from the Midtown Specific Plan design guidelines allows for a public benefit such as a more diverse economic base for the community, a convenient service for local residents and a resource for city services, not otherwise obtainable through the strict application of the design guidelines.

Section 5: The Planning Commission of the City of Milpitas hereby approves Conditional Use Permit No. UP09-0046 and Site Development Permit Amendment No. SA09-0021, South Bay Honda Signs, 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 April 14, 2010.

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 April 14, 2010, and carried by the following roll call vote:

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Cliff Williams				
Lawrence Ciardella				
Sudhir Mandal				
Gurdev Sandhu				
Steve Tao				
Noella Tabladillo				
Mark Tiernan				

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Erik Larsen				

EXHIBIT 1

**CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. UP09-0046 AND SITE DEVELOPMENT PERMIT
AMENDMENT NO. SA09-0021**

A request to consider a new freestanding sign and amendment to the existing sign program for the purposes of advertising an automobile dealership.
920 Thompson Street (APN: 085-05-026)

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 April 14, 2010, 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)**

2. UP09-0046 and SA09-0021 shall become null and void if the project is not commenced within 18 months from the date of approval. Pursuant to Section 64.06(2) of the Zoning Ordinance of the City of Milpitas: If the project requires the issuance of a building permit, the project shall be deemed to have commenced when the date of the building permit is issued and/or a foundation is completed, if a foundation is a part of the project. If the project does not require the issuance of a building permit, the project shall be deemed to have commenced when dedication of any land or easement is required or complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.

Pursuant to Section 64.06(1), the owner or designee shall have the right to request an extension of UP09-0046 and SA09-0021 if said request is made, filed and approved by the Planning Commission prior to expiration dates set forth herein. **(P)**

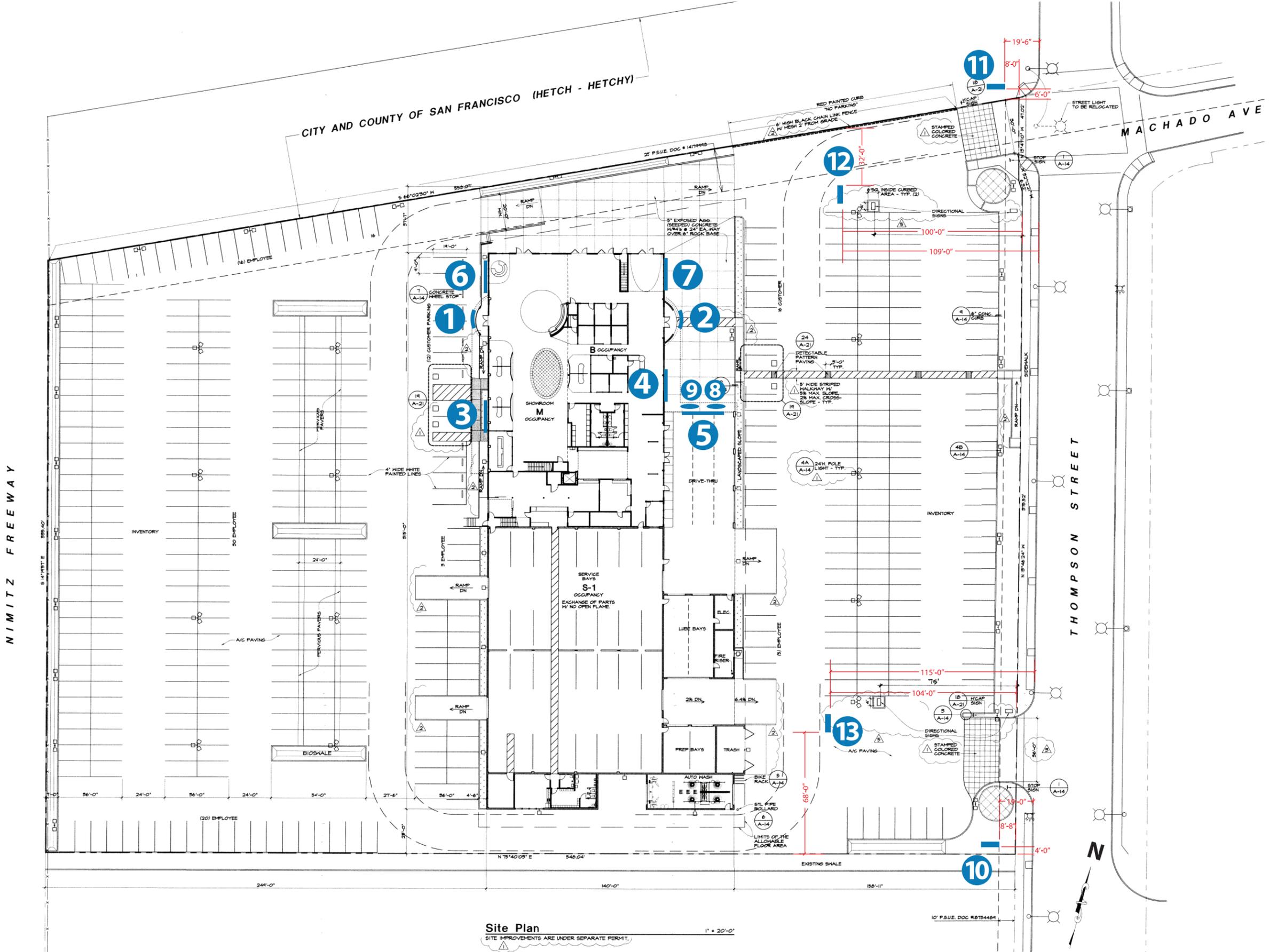
3. Prior to the issuance of building permits, the owner or designee shall include within the four first pages of the working drawings for a plan check, a list of all conditions of approval imposed by the final approval of the project. **(P)**
4. Private Job Account - If at the time of application for building permit there is a project job account balance due to the City for recovery of review fees, the review of permits will not be initiated until the balance is paid in full and there is at least 25% of the initial account balance maintained. **(P)**

(P) = Planning

(B) = Building

(E) = Engineering

(F) = Fire Prevention



Site Plan
 SITE IMPROVEMENTS ARE UNDER SEPARATE PERMIT.
 1" = 20'-0"

Attachment B
Job No.

Vantage #:
 Date: 24-MAR-09
 Design #: 09-0543
 Scale: N.T.S.
 Sales: A. Jackson
 Designer: J. Foster

Rev. #: R1
 Date: 9-SEPT-09

- Vector Artwork Required
- High Resolution Image Required
- Final Colours Required

Conceptual artwork only

Electrical Requirements

<input type="checkbox"/> 120V	<input type="checkbox"/> 347V
<input type="checkbox"/> Other _____	

* Voltage needs to be specified prior to customer approval

Customer Approval

 Date



HONDA

South Bay #208350
 920 Thompson St.
 Milpitas, CA

Vantage #:
 Date: 24-MAR-09
 Design #: 09-0543
 Scale: N.T.S.
 Sales: A. Jackson
 Designer: J. Foster

Rev. #:
 Date:

- Vector Artwork Required
- High Resolution Image Required
- Final Colours Required

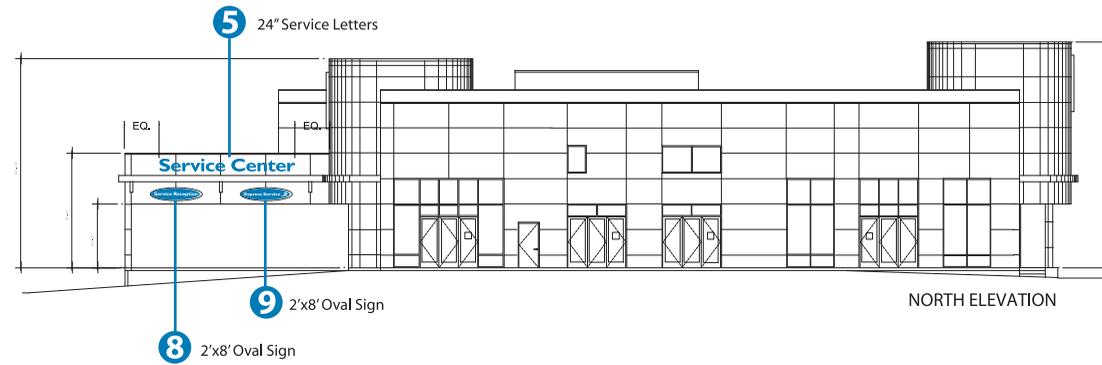
Conceptual artwork only

- ⚡ Electrical Requirements**
- 120V 347V
 - Other _____

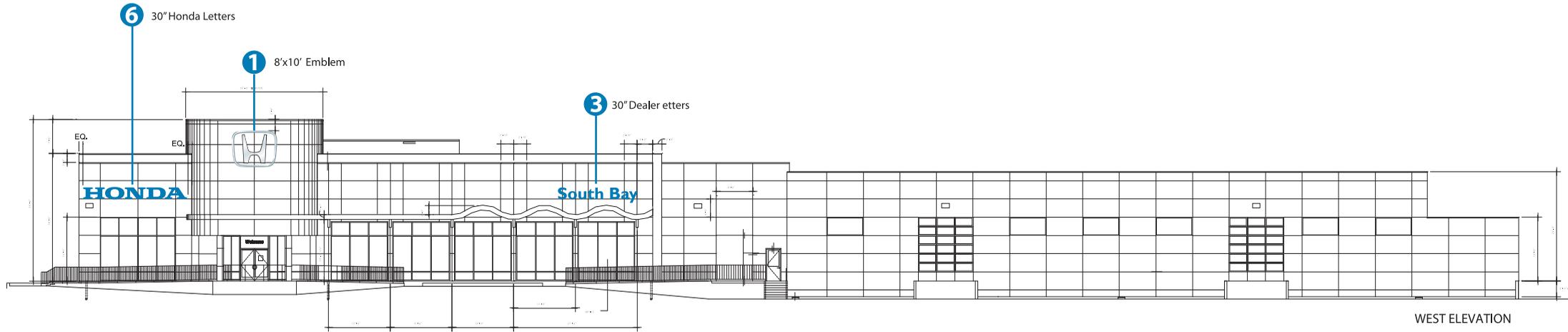
* Voltage needs to be specified prior to customer approval

Customer Approval

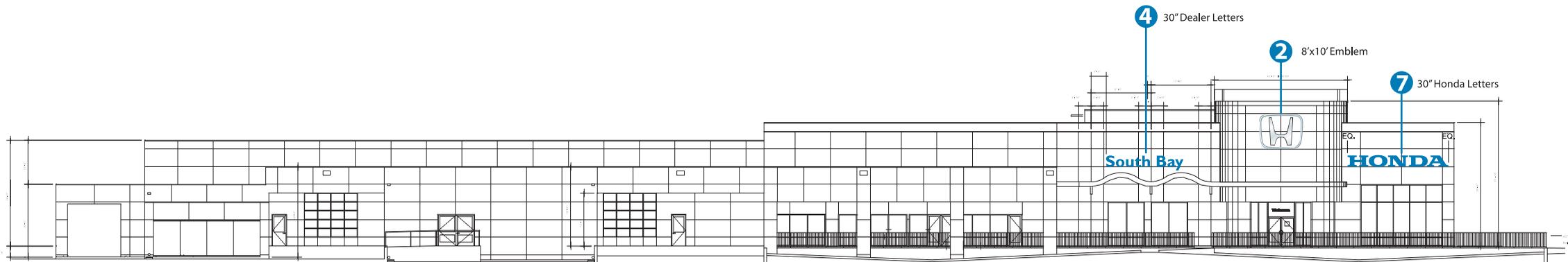
Date _____



NORTH ELEVATION

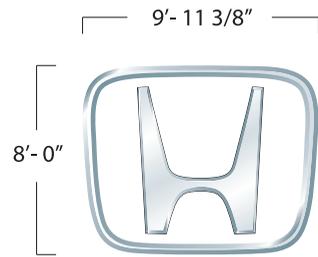


WEST ELEVATION



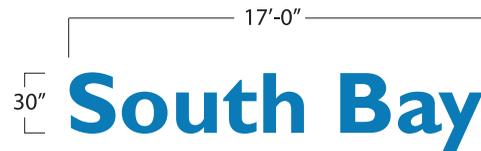
EAST ELEVATION





- 1 8'x10' Honda Wall Emblem
- 2 8'x10' Honda Wall Emblem

Non-illuminated fabricated fiberglass emblem painted to match brushed aluminum



- 3 30" Dealer Name Letters
- 4 30" Dealer Name Letters

Fabricated aluminum channel letters
Returns prefinished satin anodized aluminum
Trimcap 1" satin silver (Westrim)
Acrysteel #6701 blue faces
Illuminated with 15mm Neo Blue neon
Self contained transformers



- 5 24" Service Center Letters

Fabricated aluminum channel letters
Returns prefinished satin anodized aluminum
Trimcap 1" satin silver (Westrim)
Acrysteel #6701 blue faces
Illuminated with 15mm Neo Blue neon
Self contained transformers



- 6 30" Honda Letters
- 7 30" Honda Letters

Fabricated aluminum channel letters
Returns prefinished satin anodized aluminum
Trimcap 1" satin silver (Westrim)
Acrysteel #6701 blue faces
Illuminated with 15mm Neo Blue neon
Self contained transformers



- 8 2'x8' Mounted Oval Sign



- 9 2'x8' Mounted Oval Sign

Fabricated aluminum cabinet
Returns prefinished satin anodized aluminum
Trimcap 1" satin silver (Westrim)
Acrysteel #7328 white faces
3M 3630-8264 blue vinyl face applied
3M 7725-31 gray vinyl face applied
Illuminated with H.O. fluorescent lamps

- #7328 white acrysteel
- 3M 3630-8264 blue vinyl
- 3M 7725-31 gray vinyl

Attachment **Job No.**

Vantage #:
Date: 23-MAR-09
Design #: 09-0543
Scale: 1/8"=1'-0"
Sales: A. Jackson
Designer: J. Foster

Rev. #:
Date:

- Vector Artwork Required
- High Resolution Image Required
- Final Colours Required

Conceptual artwork only

Electrical Requirements

120V 347V
 Other _____

* Voltage needs to be specified prior to customer approval

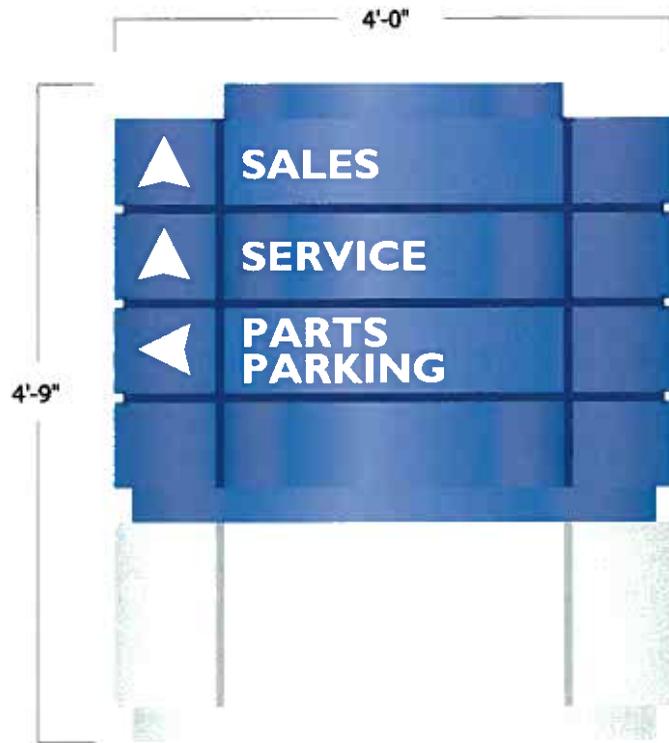
Customer Approval

Date _____

*** Refer to construction /engineering drawings for specifications**



12 4' X 4'-6" Directional Sign
 D/F illuminated pylon sign
non



FACING EAST



FACING WEST

*** Refer to construction / engineering drawings for specifications**

Vantage #:
 Date: 23-MAR-09
 Design #: 09-0543
 Scale: 3/4"=1'-0"
 Sales: A. Jackson
 Designer: J. Foster

Rev. #:
 Date:

- Vector Artwork Required
- High Resolution Image Required
- Final Colours Required

Conceptual artwork only

Electrical Requirements

120V 347V
 Other _____

* Voltage needs to be specified prior to customer approval

Customer Approval

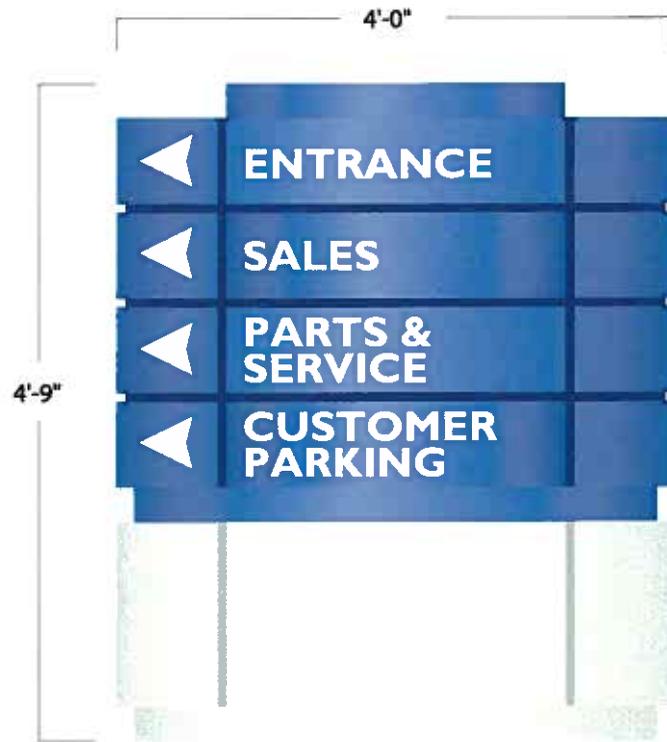
Date _____

HONDA

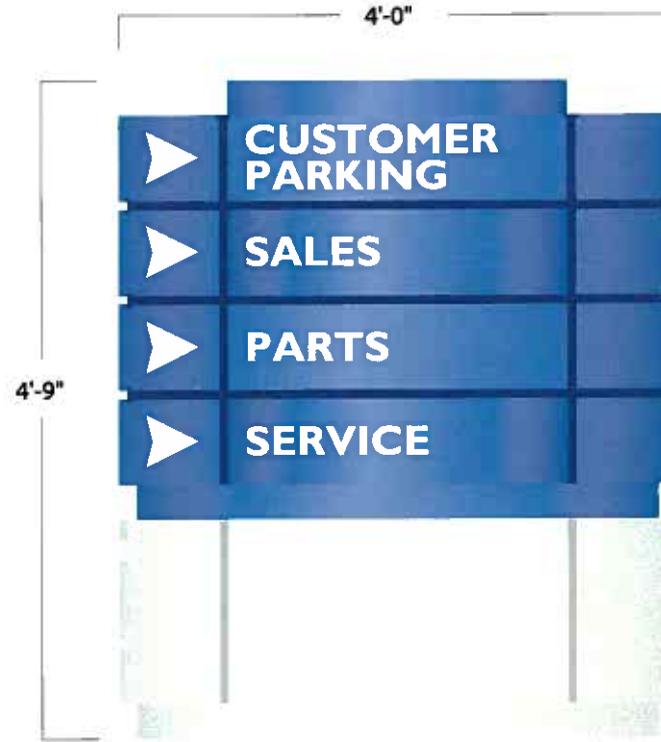
South Bay #208350
 920 Thompson St.
 Milpitas, CA

11 4' X 4'-6" Directional Sign
 D/F illuminated pylon sign

non



FACING SOUTH



FACING NORTH

*** Refer to construction / engineering drawings for specifications**

Vantage #:
 Date: 23-MAR-09
 Design #: 09-0543
 Scale: 3/4"=1'-0"
 Sales: A. Jackson
 Designer: J. Foster

Rev. #:
 Date:

- Vector Artwork Required
- High Resolution Image Required
- Final Colours Required

Conceptual artwork only

Electrical Requirements

120V 347V

Other _____

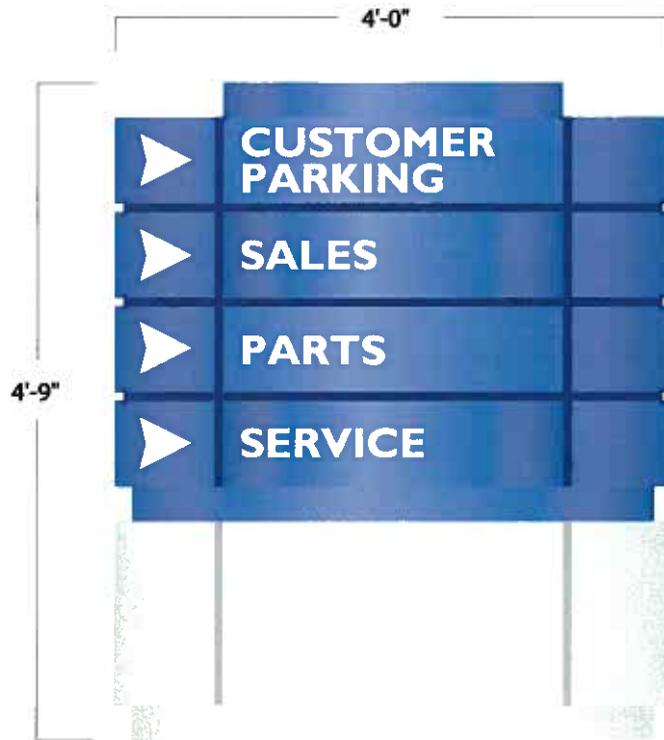
* Voltage needs to be specified prior to customer approval

Customer Approval

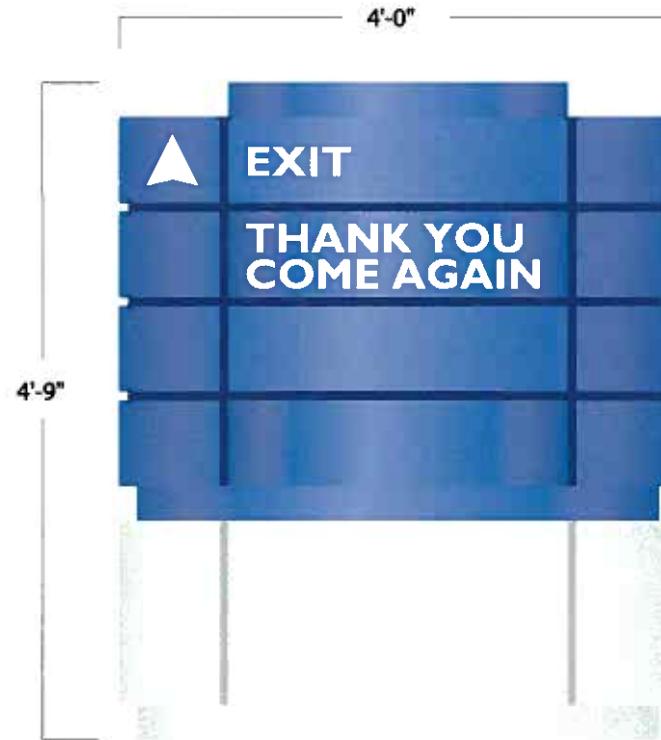
Date _____

Attachment B
Job No.

13 4' X 4'-6" Directional Sign
D/F illuminated pylon sign
non



FACING EAST



FACING WEST

*** Refer to construction / engineering drawings for specifications**

Vantage #:
Date: 23-MAR-09
Design #: 09-0543
Scale: 3/4"=1'-0"
Sales: A. Jackson
Designer: J. Foster

Rev. #:
Date:

- Vector Artwork Required
- High Resolution Image Required
- Final Colours Required

Conceptual artwork only

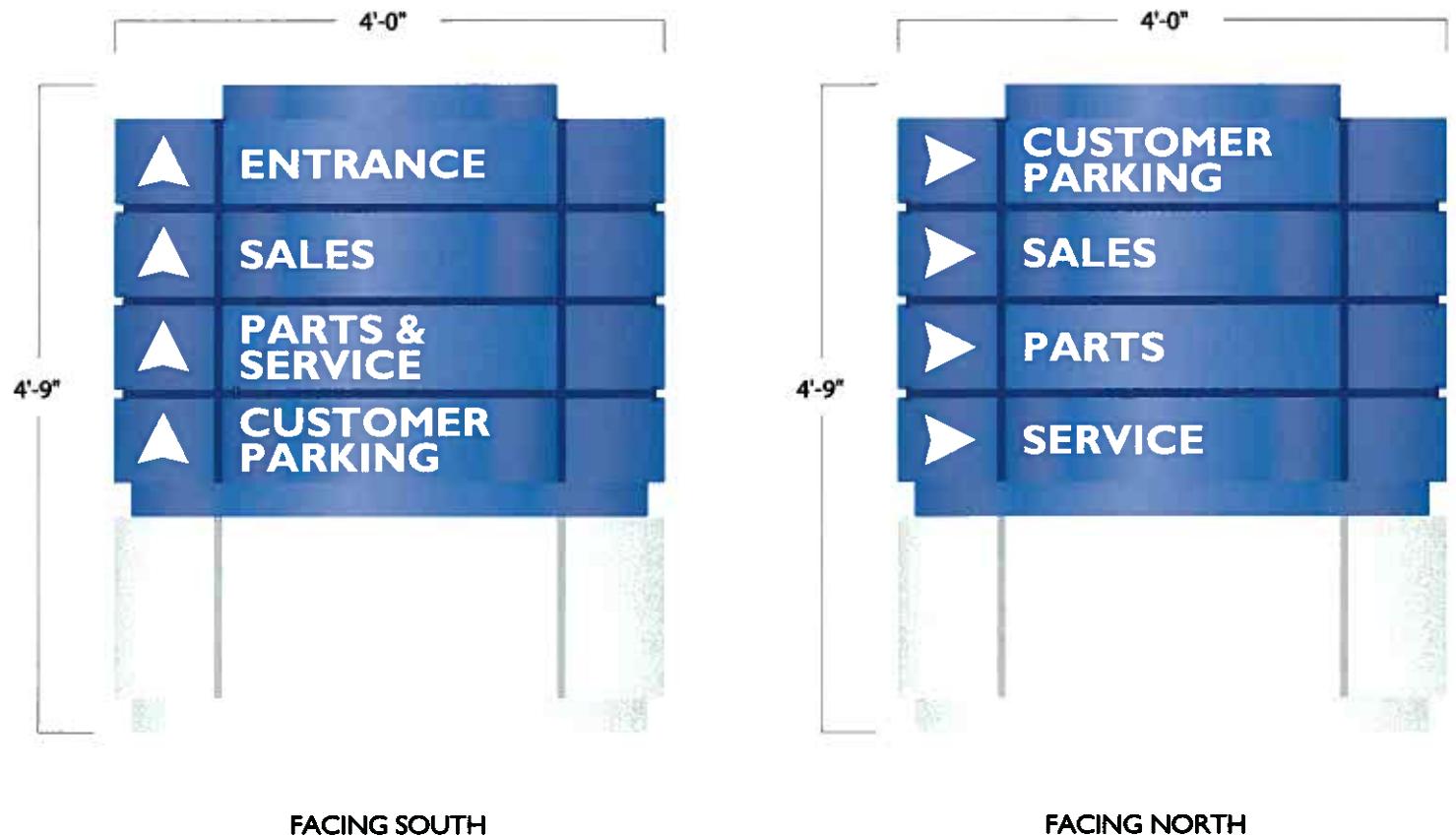
Electrical Requirements
 120V 347V
 Other _____

* Voltage needs to be specified prior to customer approval
Customer Approval
Date _____



10 4' X 4'-6" Directional Sign
 D/F illuminated pylon sign

non



Vantage #:
 Date: 23-MAR-09
 Design #: 09-0543
 Scale: 3/4"=1'-0"
 Sales: A. Jackson
 Designer: J. Foster

Rev. #:
Date:

- Vector Artwork Required
- High Resolution Image Required
- Final Colours Required

Conceptual artwork only

Electrical Requirements

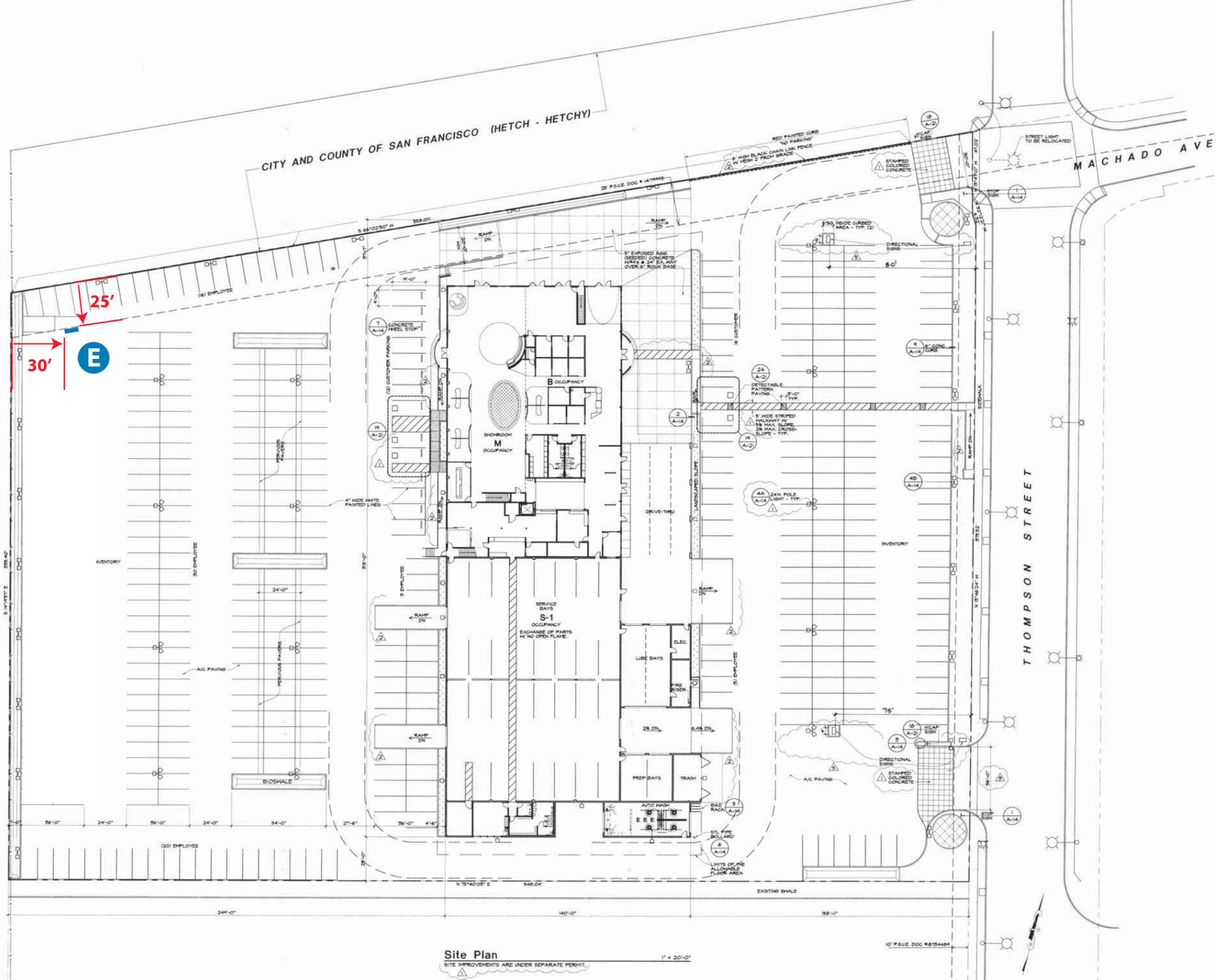
120V 347V
 Other _____

* Voltage needs to be specified prior to customer approval

Customer Approval

Date _____

*** Refer to construction / engineering drawings for specifications**



Site Plan
 1" = 20'-0"
 SITE IMPROVEMENTS ARE UNDER SEPARATE PERMIT.

Attachment B
Job No.

Vantage #:
 Date: 24-MAR-09
 Design #: 09-0543
 Scale: N.T.S.
 Sales: A. Jackson
 Designer: J. Foster

Rev. #: R6
Date: 05-Mar-10

- Vector Artwork Required
- High Resolution Image Required
- Final Colours Required

Conceptual artwork only

Electrical Requirements

120V 347V
 Other _____

* Voltage needs to be specified prior to customer approval

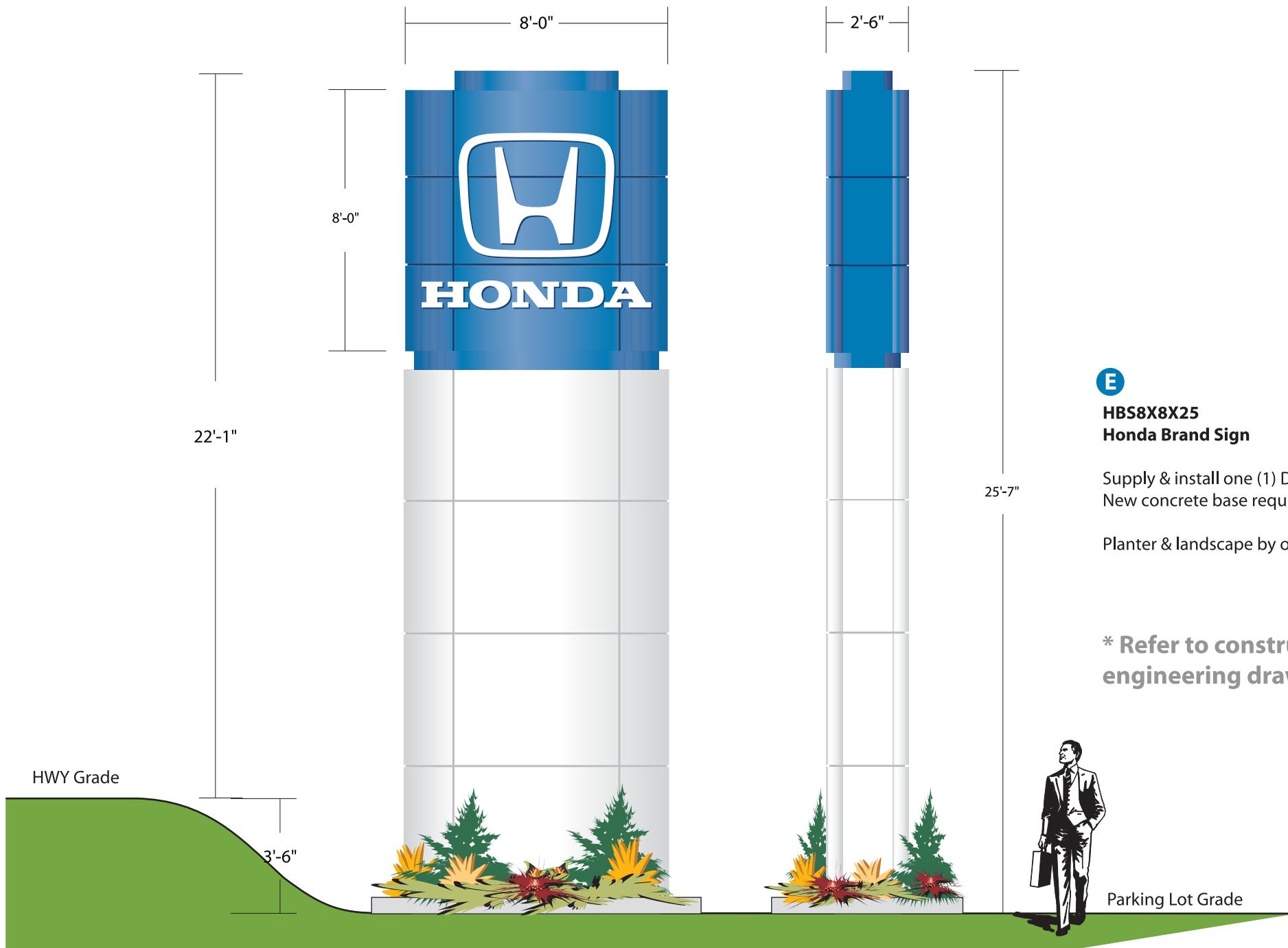
Customer Approval

Date _____



HONDA

South Bay #208350
 920 Thompson St.
 Milpitas, CA



E

**HBS8X8X25
Honda Brand Sign**

Supply & install one (1) D/F illuminated pylon sign
New concrete base required

Planter & landscape by others

*** Refer to construction /
engineering drawings for specifications**

25'-7"

22'-1"

8'-0"

8'-0"

2'-6"

3'-6"

HWY Grade

Parking Lot Grade

Attachment B **Job No.**

Vantage #:
Date: 28-JULY-09
Design #: 09-1100
Scale: 1/4"=1'-0"
Sales: A. Jackson
Designer: J. Foster

Rev. #: R6
Date: 05-Mar-10

- Vector Artwork Required
- High Resolution Image Required
- Final Colours Required

Conceptual artwork only

Electrical Requirements

120V 347V
 Other _____

* Voltage needs to be specified prior to customer approval

Customer Approval

Date _____



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Toll Free 1-800-268-6536

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