



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: February 9, 2011

APPLICATION: SITE DEVELOPMENT PERMIT NO. SD10-0010

**APPLICATION
SUMMARY:**

A request to amend the existing sign program to allow for the construction of a six foot tall monument sign for the Landess Shopping Center.

LOCATION: 1455 Landess Ave (APN: 088-35-01)

APPLICANT: Steven Peterson, 5 Thomas Mellon Circle #260, San Francisco, CA 94134

OWNER: Ted and Ann T. Sugeyaso, P.O. Box 2338, Saratoga, CA 95070-0338

RECOMMENDATION: **Staff recommends that the Planning Commission: Adopt Resolution No. 11-007 approving the project subject to the conditions of approval.**

PROJECT DATA:

General Plan/

Zoning Designation: General Commercial with Site and Architectural Review Overlay District (C2-S)

Related Permits: 'S' Zone Approval in 1987 for the commercial building and sign program

CEQA Determination: Categorically exempt from further environmental review subject to Section 15311 for on premise signs.

PLANNER: Tiffany Brown, Junior Planner

ATTACHMENTS: A. Resolution No. 11-007
B. Site Plans

LOCATION MAP



No scale

★ Sign location

BACKGROUND

On June 4, 1987, an ‘S’ Zone application was approved for the construction of a 10,000 square foot commercial building with a sign program located on a 1.05 acre parcel. On October 29, 2010, Joy Turnipseed with Ad Art Sign Company submitted an application to erect a freestanding monument sign for the Landess Center. According to Table XI-10-24.04-1, for Permanent sign types, a freestanding sign over six feet in height may be allowed with the approval of a Site Development Permit by the Planning Commission. As stated previously, the Landess Center currently has a Sign Program, and this application is submitted to amend the existing sign program to allow a new six foot tall monument sign.

PROJECT DESCRIPTION

The project site is a 1.05 acre parcel with one 10,000 square foot commercial building located to the west of the parking lot containing 74 parking stalls. The Landess Center shares a parking lot with the Seasons Market shopping center and neighboring commercial building to the east. The applicant proposes to locate the new monument sign along Landess Avenue within the landscaped planter near the south of the building. A vicinity map of the subject site location is included on the previous page. The Sign Ordinance allows for two square feet of sign for each one lineal foot of public street frontage.

Existing sign program

The Landess Center’s current Sign Program is as follows:

Total sign area allowed for the site is 751 square feet, which is derived from multiplying the street frontage of the project by two.

The 751 square feet of total sign are is equally distributed between each tenant within the building. All signage shall be individual, internally illuminated channel letters, not to exceed 24” in height.

Proposed sign program

To accommodate the new monument sign, the area allocated to the new sign is taken from the overall sign area. This leaves 697 square feet to be equally distributed amongst the tenants. No other changes to the program are proposed.

Development Standards

The new Sign Program is consistent with the Municipal Code. See Table 1 below.

Table 1
Development Standards

	Municipal Code & Sign Program	Allowed Wall Signage	Proposed Monument sign	Total
<u>Total Sign Area for Site (Maximum)</u>	751 square feet	697 square feet	54 square feet	751 square feet
<u>Height (Maximum)</u>	Wall Signage: 24" Free Standing Signs: 1 foot for every 25 feet of street frontage	24"	6'	-
<u>Free Standing Signs (Maximum Allowed)</u>	1	-	1	1

Sign Design

The monument sign was designed to complement the existing Seasons Market monument sign. The surface fabrication will be either textured or painted aluminum. The framing will contain the name of the shopping center consisting of raised 1/2" thick flat cut-out aluminum letters and 1/2" thick vertical aluminum trim lines on either side. The tenant cabinet (sub-divided into seven individual white-painted aluminum tenant panels) will be illuminated and is set into the recessed surface area with 2 1/2" space on three sides. The tenant graphics will be routed-out with acrylic backing. The shopping center addresses will be flat cut-out aluminum mounted to the recessed surface. The applicant is proposing low profile, water-tolerant ground cover around the base of the sign. See photo simulation of the sign below.



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-I-10 Foster community pride and growth through beautification of existing and future development.</i>	Consistent. The monument sign is consistent with the Milpitas General Plan in that the sign shows community pride and beautification of the existing Shopping Center.

Zoning Ordinance

The proposed sign is permitted with a Site Development Permit to amend the existing Sign Program and allow for the architectural review of the new monument sign per Section XI-10-24.04-1 of the Municipal Code. The proposed sign is consistent with the Zoning Ordinance Section XI-10-24 and XI-10-57.03 of the Municipal Code in that the provisions of the amended sign program ensure consistency in design and style of all new signs including consistency with existing signs. In addition, the monument sign scale and materials harmonize with the architectural design and details of the building.

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 subject to Section 15311 for on premise signs.

PUBLIC COMMENT/OUTREACH

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

CONCLUSION

The proposed monument sign is consistent with both the General Plan and Zoning Ordinance and will enhance the visibility of tenants for the Landess Center shopping center. The monument sign design is compatible and aesthetically harmonious with the commercial building, neighboring commercial buildings, and neighboring monument sign.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission close the public hearing after hearing testimony and adopt Resolution No.11-007 approving Site Development Permit No. SD10-0010, subject to the attached Resolution and Conditions of Approval.

Attachments:

- A. Resolution No. 11-007
- B. Project Plans



RESOLUTION NO. 11-007

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT NO. SD10-0010, SIGN PROGRAM AMENDMENT, TO ALLOW A NEW MONUMENT SIGN, LOCATED AT 1455 LANDESS AVE

WHEREAS, on October 29, 2010, an application was submitted by Joy Turnipseed with Ad Art Sign Company, 2670 W. Shaw Lane, Ste 102, Fresno, CA 93711, to amend the existing sign program to allow for a new six foot double sided monument sign. The property is located within the General Commercial zoning district (APN 088-35-011); 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 categorically exempt.

WHEREAS, on February 9, 2011, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

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

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

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

Section 3: The monument sign is consistent with the Milpitas General Plan Policy 2.a-I-10 in that the sign shows community pride and beautification of the existing Shopping Center.

Section 4: The proposed sign is consistent with the Zoning Ordinance Section XI-10-24 and XI-10-57.03 of the Municipal Code in that the provisions of the amended sign program ensure consistency in design and style of all new signs including consistency with existing signs. In addition, the monument sign scale and materials harmonize with the architectural design and details of the building.

Section 5: The Planning Commission of the City of Milpitas hereby approves Site Development Permit No. SD10-0010, Sign Program Amendment, 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 February 9, 2011.

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

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Lawrence Ciardella				
Sudhir Mandal				
Zeya Mohsin				
Gurdev Sandhu				
Steve Tao				
Noella Tabladillo				
Mark Tiernan				
John Luk				

EXHIBIT 1

CONDITIONS OF APPROVAL
Site Development Permit No. SD10-0010

A request to amend the existing sign program to allow for the construction of a six foot tall monument sign for the Landess Shopping Center.
1455 Landess Ave (APN: 088-35-01)

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 **February 9, 2011**, in accordance with these Conditions of Approval.

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

SD10-0010 shall become null and void if the project is not commenced within two (2) years from the date of approval unless in conjunction with a tentative map, then the project life coincides with the life of the map. Pursuant to Section 64.06(B) of the Zoning Ordinance of the City of Milpitas, commencement shall be:

- a. Completes a foundation associated with the project; or
 - b. Dedicates any land or easement as required from the zoning action; or
 - c. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.
2. Pursuant to Section 64.06(1), the owner or designee shall have the right to request an extension of **SD10-0010** 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. SD10-0010 is for the amendment to an existing sign program to allow for a new monument sign. The sign program requirements are as follows:
 - a) The aggregate sign square footage shall be equally distributed between each building tenant. The aggregate sign square footage is 697 square feet.

- b) All wall signage shall be individual, internally illuminated channel letters, not to exceed 24” in height.
- c) The monument sign is double sided containing 54 square feet of signage and stands 6’ tall. Details are as follows:
 - i. Surface fabrication will be either textured or painted aluminum. The framing will contain the shopping center name consisting of raised ½” thick flat cut-out aluminum letters and ½” thick vertical aluminum trim lines on either side. The Tenant cabinet (sub-divided into seven individual white-painted aluminum tenant panels) is set into the recessed surface area with 2 ½” space on three sides. The tenant graphics will be routed-out with acrylic backing. The shopping Center addresses will be flat cut-out aluminum mounted to the recessed surface.

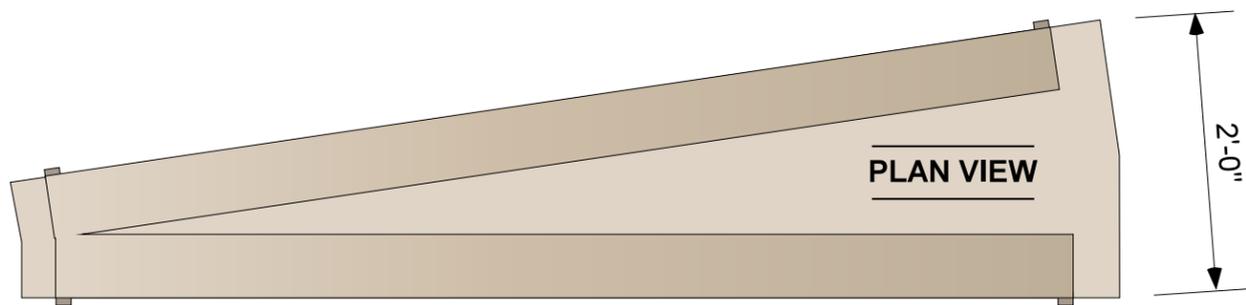
Table 1
Signage at Landess Center

	<i>Municipal Code & Sign Program</i>	<i>Allowed Wall Signage</i>	<i>Proposed Monument sign</i>	<i>Total</i>
<u>Total Sign Area for Site (Maximum)</u>	751 square feet	697 square feet	54 square feet	751 square feet
<u>Height (Maximum)</u>	Wall Signage: 24” Free Standing Signs: 1 foot for every 25 feet of street frontage	24”	6’	-
<u>Free Standing Signs (Maximum Allowed)</u>	1	-	1	1

(P)

- 5. Proposed sign on Landess Avenue Frontage shall be located 20-foot minimum back from the Landess Avenue face of curb, to clear the existing public service utility easement. No permanent structure is allowed within the public right of way or easement. (E)

- (P) = Planning
- (B) = Building
- (E) = Engineering
- (F) = Fire Prevention



Double-faced "V", internally-illuminated monument display

Scale: 3/4" = 1'-0"

Surface fabrication either textured or painted aluminum. Framing portion to contain center ID consisting of raised 1/2" thick flat cut-out aluminum letters. 1/2" thick vertical aluminum trim lines on either side. Tenant cabinet (sub-divided into seven individual white-painted aluminum tenant panels) set into recessed surface area with 2-1/2" space on three sides. Tenant graphics routed-out with acrylic backing. Address numerals flat cut-out aluminum mounted to recessed surface.

adART[®]
SIGN COMPANY

5 THOMAS MELLON CIRCLE SUITE 260
SAN FRANCISCO, CA 94134
T 415.869.6460
F 415.869.6480

CA STATE CONTRACTORS LICENSE #826051

LANDESS CENTER

DOUBLE FACED "V" DISPLAY

SALES: BOB KIERYCZYK
JOB #:
DATE: 7/9/10
DESIGNER: JACK DUBOIS
FILENAME: LANDESS CENTER

SALES APPROVAL _____

CUSTOMER APPROVAL _____

LANDLORD APPROVAL _____

Revision	Date	Description

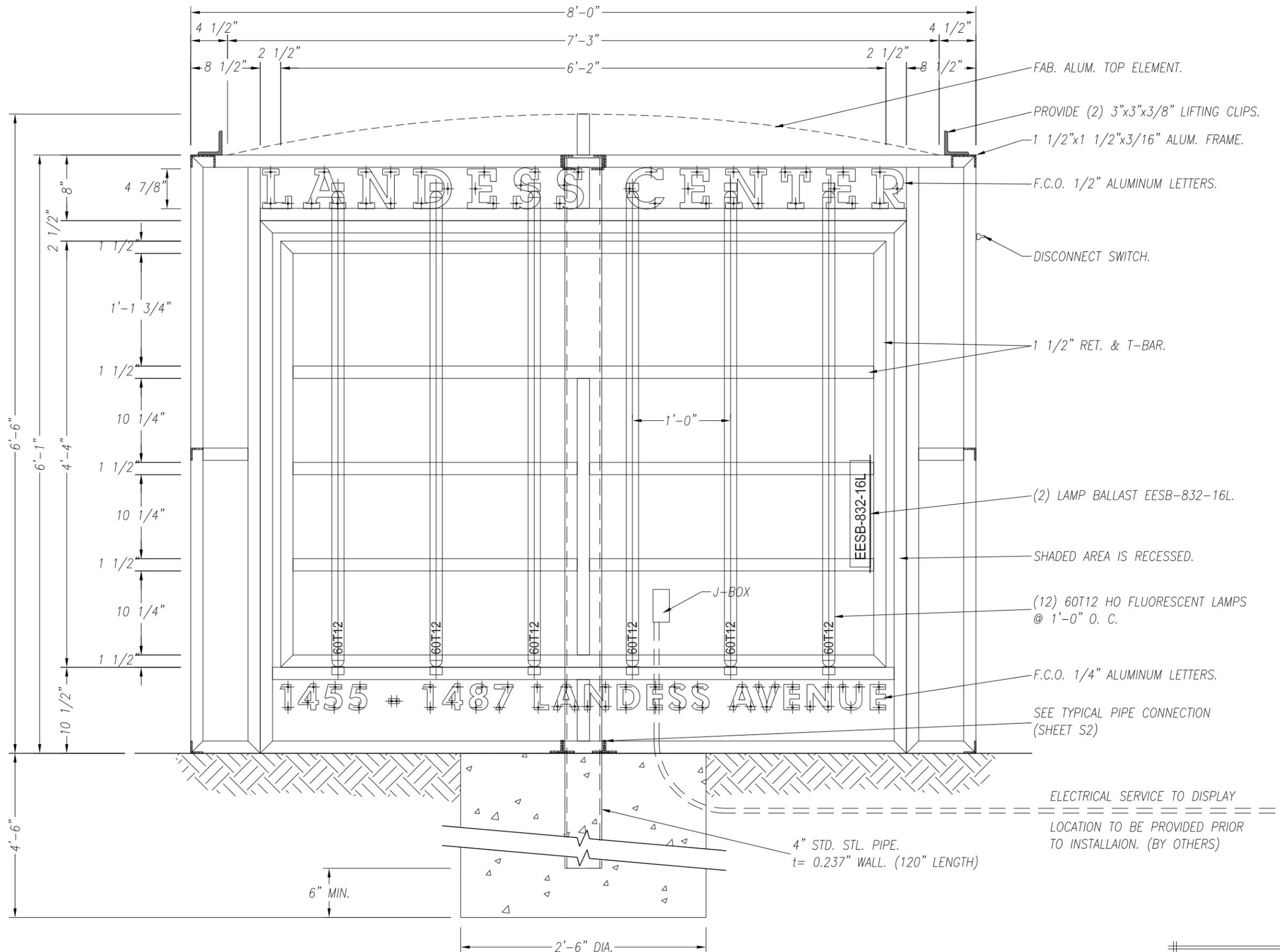
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5 THOMAS MELLON CIRCLE, SUITE 260
 SAN FRANCISCO, CA 94134
 T 415.869.6460
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CALIFORNIA STATE CONTRACTORS LIC. #826051



FACE ELEVATION
 SCALE: 1"=1'-0"

NOTE: ALL GROUND WIRE CONNECTIONS TO BE WITH # 10-32 GREEN MACHINE SCREW.

ELECTRICAL LOAD
 1.7 AMPS @ 120 V.A.C.

Drawing Name: Landess Ctr 12-20-10 1.dxf
 Date: 05.14.10

Revision	Date	Description
05.25.10		

SALES APPROVAL

CUSTOMER APPROVAL

LANDLORD APPROVAL

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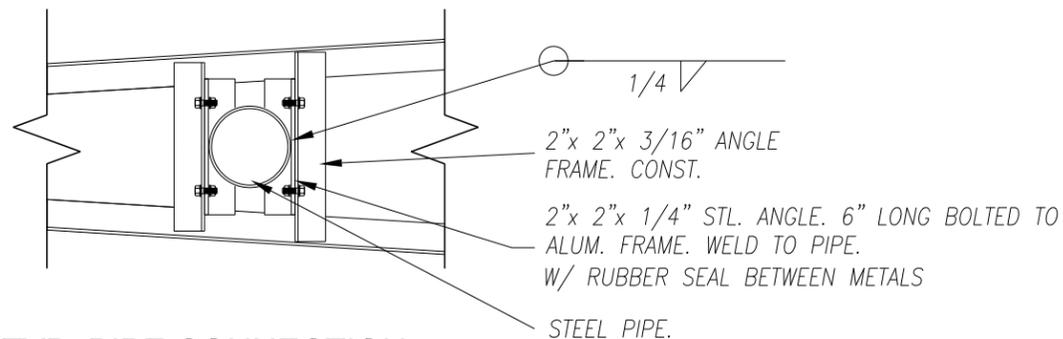
SHEET NUMBER: OF: 2 SHEETS

S1

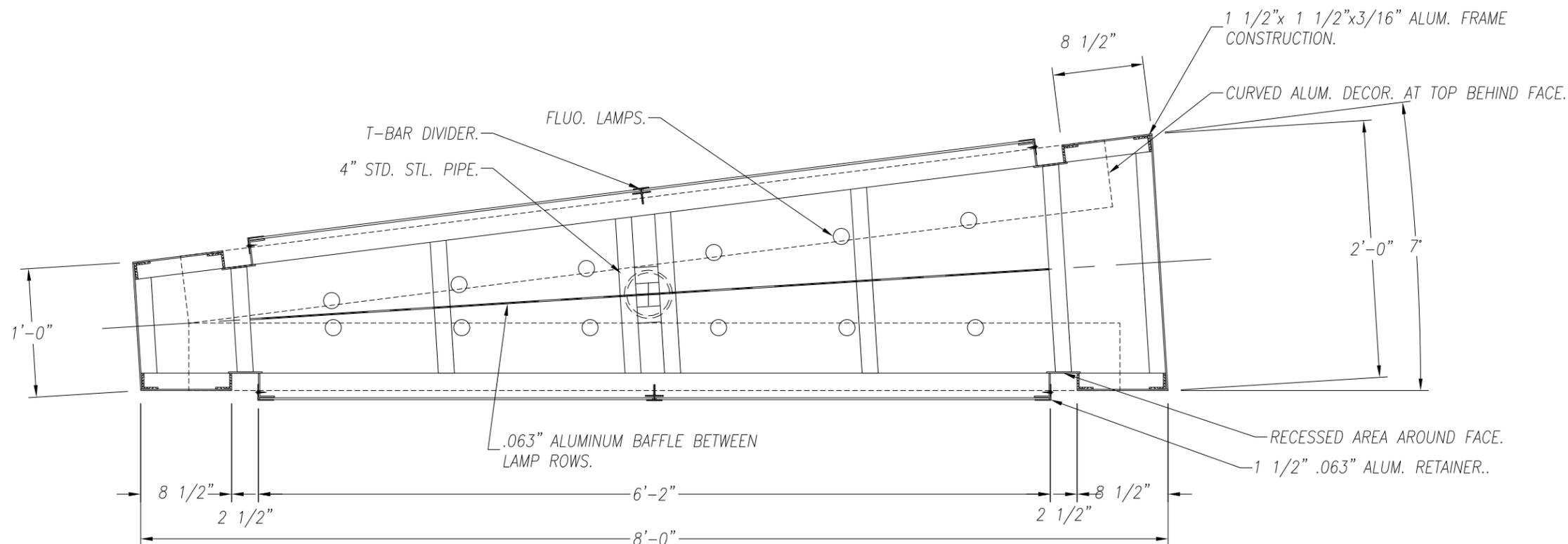


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TYP. PIPE CONNECTION
 SCALE: N.T.S.



PLAN VIEW
 SCALE: 1"=1'-0"

Drawing Name: Landess Ctr 12-20-10 2.dxf
 Date: 05.14.10

Revision	Date	Description
05.25.10		

SALES APPROVAL _____

CUSTOMER APPROVAL _____

LANDLORD APPROVAL _____

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LANDESS CENTER

DOUBLE FACED "V" DISPLAY

CLIENT: LANDESS CENTER

ADDRESS: MILPITAS, CA

SALES: BOB KIJEJCZYK
DRAWING / JOB
DATE: 12/15/10
DRAWN BY: JACK DUBOIS
SCALE : NTS
SHEET: 1 OF 1

Revision	Date	Description

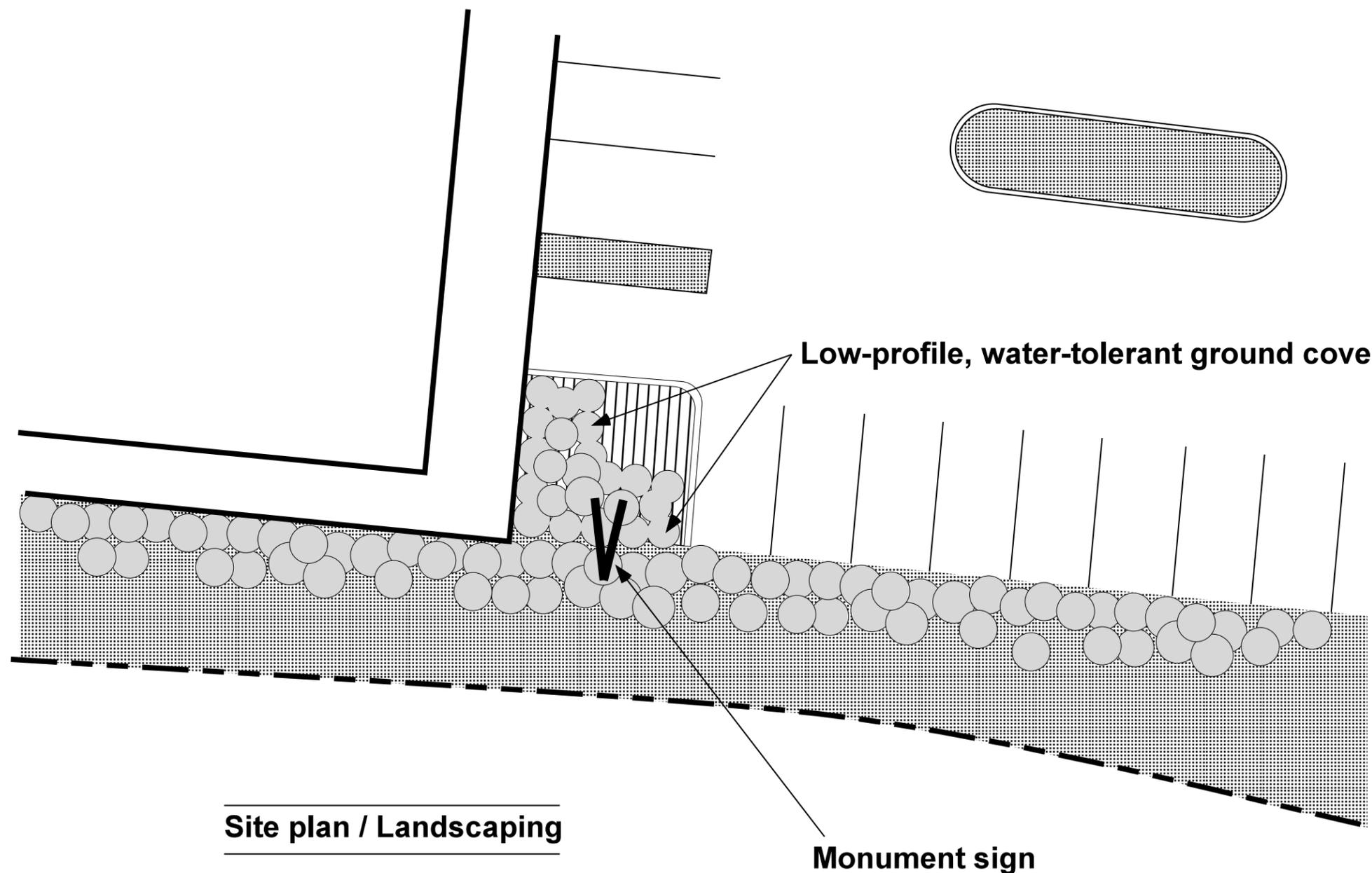
SALES APPROVAL

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Site plan / Landscaping

Monument sign

Low-profile, water-tolerant ground cover