



MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: January 9, 2013

APPLICATION: **Site Development Permit No. SD12-0010, Park Victoria Plaza Sign Program**

APPLICATION SUMMARY: A request to allow for a sign program for an existing one-story commercial center.

LOCATION: 1205-1247 S. Park Victoria Drive (APN 88-36-043)
APPLICANT: Mike Terron, Northwest Signs, 120 Encinal St., Santa Cruz, CA 95060
OWNER: Southwest Holdings, Inc., C/O Biagini Properties, Inc. 333 W. El Camino Real Suite 240, Sunnyvale, CA 94087

RECOMMENDATION: **Staff recommends that the Planning Commission: Adopt Resolution No. 13-001 approving the project subject to conditions of approval.**

PROJECT DATA:
 General Plan/
Zoning Designation: Professional and Administrative Office (PAO)/Commercial Office (CO)
Overlay District: Site and Architectural Overlay (-S)

Site Area: 0.75 Acre
Total Allowable Sign Area: 451 square feet
Existing Sign Area: 36 square feet
Proposed Sign Area: 298 square feet

CEQA Determination: Categorical exempt pursuant to Section 15311, Class 11, (a) (Accessory Structures, On-premise Signs) of the California Environmental Quality Act (CEQA).

PLANNER: Cindy Hom, Assistant Planner

PJ: 2871

ATTACHMENTS: A. Resolution No. 13-001
 B. Project Plans

LOCATION MAP



No scale

BACKGROUND

On October 16, 2012, Mike Terron with Northwest Signs submitted a Site Development application to permit a sign program for the Park Victoria Plaza commercial center. The application is submitted pursuant to Milpitas Municipal Code (MMC) XI-10-24.05 (F), which requires Planning Commission review and approval.

PROJECT DESCRIPTION

The project is located on a 0.75-acre site that is developed with a 10,240 square foot multi-tenant commercial center. The project site is located at the northwest corner of the intersection at South Park Victoria and Clear Lake Drive and is bounded by a two-story office building to the north, residential homes to the west, commercial buildings to the south, and South Park Victoria Drive to the east. Adjacent land uses include various commercial and restaurant uses, Christ Community Church, and residential homes within the immediate area. A vicinity map of the subject site is shown on the previous page.

The project entails a sign program that would allow for design consistency and uniformity for tenant signage within in the Park Victoria Plaza, which currently includes a several group instruction facilities, a skin care center, beauty salon, and an acupuncture office. The sign program requirement and compliance with the sign ordinance is described in the sections below:

Sign Program

The proposed sign program provides design and construction requirements for tenant wall signs and include the following requirements:

1. Each Tenant shall be allowed one attached building sign per store frontage. Corner tenants may be allowed one additional signage
2. All attached tenant building signs shall be internally illuminated channel letters. Sign colors and layout shall be tenant's choice with landlord and city approval.
3. Each tenant sign may contain one 2-foot by 3-foot internally illuminate logo sign.
4. Maximum letter height shall not exceed 1-foot, six-inches.
5. Length of the sign shall not exceed 80% of the store frontage.
6. Tenants shall be allowed one (1) square foot of sign for every lineal foot of store frontage.
7. Sign shall be vertically centered over storefront.
8. One or two lines of channel letter copy shall be allowed with landlord approval. In cases where signs consist of two line of channel letter copy, overall height shall not exceed 2-foot, six-inches.
9. Tenant signs on the west elevation shall be non-illuminated.
10. Sign colors shall be tenant's choice with landlord and city approval.

The proposed sign program complies with the Sign Ordinance design guidelines in that the sign type, illumination, and locations are appropriate and compliments the building architecture as well with other signs in the vicinity. The proposed internally illuminated channel letters provide an attractive scale and relates to the design of the storefront. The sign program emphasizes on business identification and trademark. The proposed non-illuminated channel letters on the west elevation will not interfere or create an intrusion of light into residential areas that are located along the west property line.

Sign Area

Per MMC XI-10-24.03 (B) (Maximum Permissible Sign Area), the site is allowed a maximum of 451 square feet two square feet of sign area for every one lineal foot of public street frontage). The proposed sign program would allow approximately 298 square feet of sign area for all tenant signs, which is within the maximum allowed for the site.

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 1
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>	<i>Consistent.</i> The proposed monument sign would help promote the commercial center and encourage economic pursuits by providing appropriate visibility and business identification.
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>	<i>Consistent.</i> The sign program will provide for aesthetic and appropriate signage to promote business retention

Sign Ordinance

The project is consistent with Chapter 24 (Signs) of the Milpitas Municipal Code in that the proposed sign complies with the total allowable sign area, sign height, and appropriateness of the sign design by incorporating compatible colors, design, and scale with 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 per Section 15311, (Class 11) Accessory Structures, because the project includes the construction of 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 project proposes a new sign program that is compatible with the existing architecture of the one-story building and other signs in the vicinity in terms of scale, color, design, materials and provides an orderly and attractive multi-tenant sign for the existing multi-tenant building.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission adopt Resolution No. 13-001 approving Site Development Permit No. SD12-0010, subject to the attached Conditions of Approval.

Attachments:

- A. Resolution No. 13-001
- B. Project Plans

RESOLUTION NO. 13-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT NO. SD12-0010, PARK VICTORIA PLAZA SIGN PROGRAM, TO PERMIT A SIGN PROGRAM FOR TENANT SIGNS AT 1205-1247 S. PARK VICTORIA DRIVE.

WHEREAS, on October 16, 2012, an application was submitted by Mike Terron, Northwest Signs, to allow permit a sign program for tenant signs within the Park Victoria Plaza commercial center located at 1205-1247 S. Park Victoria Drive (APN 88-36-043), The property is located within the Commercial office 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.

WHEREAS, on January 9, 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 recitals set forth above are true and correct and incorporated herein by reference.

Section 2: The project is categorically exempt per Section 15311, (Class 11) Accessory Structures of the California Environmental Quality Act. The project proposal consists of a master sign program that allows for the installation of an on-premise signs for an existing commercial development.

Section 3: All elements of the sign, including design, lighting, scale, length and materials, are consistent with the General Plan and Milpitas Sign Ordinance. It is consistent with General Plan Policy 2.a-I-3 and 2.a-I-7 in that the project promotes business and encourages economic pursuits. The project conforms to the Milpitas Zoning Ordinance in that it complies with the development standards in terms of the total allowable sign area, design guidelines, and compatibility with other signs and the building architecture.

Section 4: The design, scale and materials of the sign harmonize with the architectural design and details of the building or site it serves. The proposed internally illuminated individual channel letter signs are compatible and in keeping with the architecture of the building.

Section 5: The design and scale of the tenant signs are appropriate to the distance from which the sign is normally viewed because the proposed wall signs are located within designated sign bands and over the tenant's storefront.

Section 6: The design and materials of the sign provide a contrast between the background and letters because the proposed individual channel letter signs are metal fabricated letters that have a 5-inch thickness. Also, the face and returns of the signs utilize a different color from the background.

Section 7: The provisions of sign program provides for following:

- a) Provides overall design consistency and uniformity in terms of sign type, illumination, and placement.
- b) Maintains the architecture style of the building by restricting tenant wall signs to designated sign bands.
- c) Complies with the design guidelines of the Milpitas Zoning Ordinance in that the proposed channel letter signs provide an attractive scale, relates to the storefronts, and provide for orderly and harmonious business identification.

Section 7: The Planning Commission of the City of Milpitas hereby approves Site Development Permit No. SD12-0010, Park Victoria Plaza Sign Program, 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 January 9, 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 January 9, 2013, and carried by the following roll call vote:

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Lawrence Ciardella				
John Luk				
Rajeev Madnawat				
Sudhir Mandal				
Zeya Mohsin				
Gurdev Sandhu				
Steve Tao				

Garry Barbadillo				
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EXHIBIT 1

CONDITIONS OF APPROVAL
Site Development Permit No. SD12-0010

A request to permit a sign program for the Park Victoria Plaza located at 1205-1247 S. Park Victoria Dr. (APN 88-36-043).

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 January 9, 2013, 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)**

Site Development Permit No. SD12-0010 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.
2. Pursuant to Section 64.06(1), the owner or designee shall have the right to request an extension of Site Development Permit No. SD12-0010 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. If, at time of building permit review, there is an outstanding 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)**
 5. Channel returns shall be a minimum thickness of one-inch and be painted to match faces. **(P)**
 6. Sign shall comply with the below Sign Program requirements:

- Each Tenant shall be allowed one attached building sign per store frontage. Corner tenants may be allowed one additional signage
- All attached tenant building signs shall be internally illuminated channel letters. Sign colors and layout shall be tenant's choice with landlord and city approval.
- Each tenant sign may contain one 2-foot by 3-foot internally illuminate logo sign.
- Maximum letter height shall not exceed 1-foot, six-inches.
- Length of the sign shall not exceed 80% of the store frontage.
- Tenants shall be allowed one (1) square foot of sign for every lineal foot of store frontage.
- Sign shall be vertically centered over storefront.
- One or two lines of channel letter copy shall be allowed with landlord approval. In cases where signs consist of two line of channel letter copy, overall height shall not exceed 2-foot, six-inches.
- Tenant signs on the west elevation shall be non-illuminated.
- Sign colors shall be tenant's choice with landlord and city approval. (P)

(P) = Planning

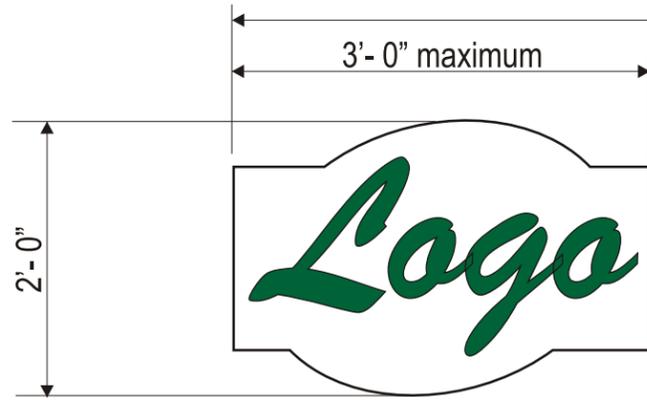
(B) = Building

(E) = Engineering

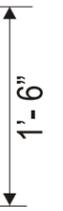
(F) = Fire Prevention

85% of tenants leased frontage maximum

ATTACHMENT B



TENANT SIGN



Sample channel letter sign elevation

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

NOTWITHSTANDING ANYTHING CONTAINED IN THIS EXHIBIT, ALL SIGNS MUST BE APPROVED BY LANDLORD AND THE CITY AS OUTLINED IN THE LEASE.

SIGN AREA CALCULATION

Allowable sign area : $225.65 \times 2 = 451.3$ sq ft
 Proposed sign area : $8 (26 \text{ sq ft}) + 3 (30 \text{ sq ft}) = 298$ sq ft
 Existing sign area : $2 (18 \text{ sq ft}) = 36$ sq ft

GENERAL SPECIFICATIONS

1. This sign program establishes requirements for the design and fabrication of all new signage on the retail property known as Park Victoria Plaza in Milpitas, California. All new signs placed on this property must comply with this sign program and be approved by the property owner and City of Milpitas prior to installation. All existing signs shall be considered legal nonconforming signs and may remain in place until present tenant leaves or wishes to update an existing sign at which time that existing sign must be removed and a new sign must be installed.
2. No animated, flashing, audible signs, paper signs, blinking, rotating, or moving light signs, exposed lamps or neon tubing will be permitted. Exposed conduit tubing is prohibited. Nonconforming signs shall also include those specified in City of Milpitas Sign Ordinance.
3. All signs and their installation shall comply with all local building and electrical codes.
4. Tenants shall submit their sign designs to the landlord for approval prior to submitting to the Planning Department. The design submittal shall be in the form of a professionally drawn, accurately scaled drawing, indicating length, height, and colors of all elements of sign. Any sign(s) which are installed without written approval may be subject to removal.
5. Tenants shall obtain Planning Department approval of sign permit(s) prior to issuance of a building permit(s).
6. All attached building signs shall be attached to the building fascia as specified in this sign program.
7. No products shall be represented in tenant's signage unless incorporated in tenant's business name or logo.
8. All penetrations to the building structure required for sign installation shall be neatly sealed in a watertight condition. All electrical components of signs will be concealed.
9. Tenants shall employ the services of a qualified licensed sign contractor.
10. The entire cost of sign including design, permit acquisition, fabrication and installation shall be the tenant's sole expense. When tenant vacates space tenant's sign or signs must be removed and all penetrations to building must be patched and painted at tenant's sole expense.

CONSTRUCTION REQUIREMENTS

1. Sign contractor shall repair any damage caused by his/her work.
2. Lessee shall be fully responsible for the operations of his/her sign contractors.

TENANT SIGN REQUIREMENTS

1. Each tenant shall be allowed one attached building sign per store frontage. In cases where tenant has more than one frontage (corner suites, for example) tenant may be allowed an additional sign over second frontage.
2. All attached tenant building signs shall be internally illuminated channel letter signs. Sign colors and layout shall be tenant's choice with landlord and city approval.
3. Each tenant sign may contain one 2'-0" X 3'-0" internally illuminated channel module with translucent plastic face vinyl overlay graphics.
4. Maximum letter height shall not exceed 1'-6"
5. Length of sign shall not exceed 80% of store frontage.
6. Tenants shall be allowed 1 sq foot of sign area for each linear foot of store frontage.
7. Sign will be vertically centered over storefront.
8. One or two lines of channel letter copy will be allowed with landlord approval. In cases where sign consists of two lines of channel letter copy overall height of two lines of copy may not exceed 2'-6"
9. Tenants with entrance on West Elevation may have same size and type sign on West Elevation however those signs must be non-illuminated.
10. Sign colors to be tenant's choice subject to landlord and city approval.



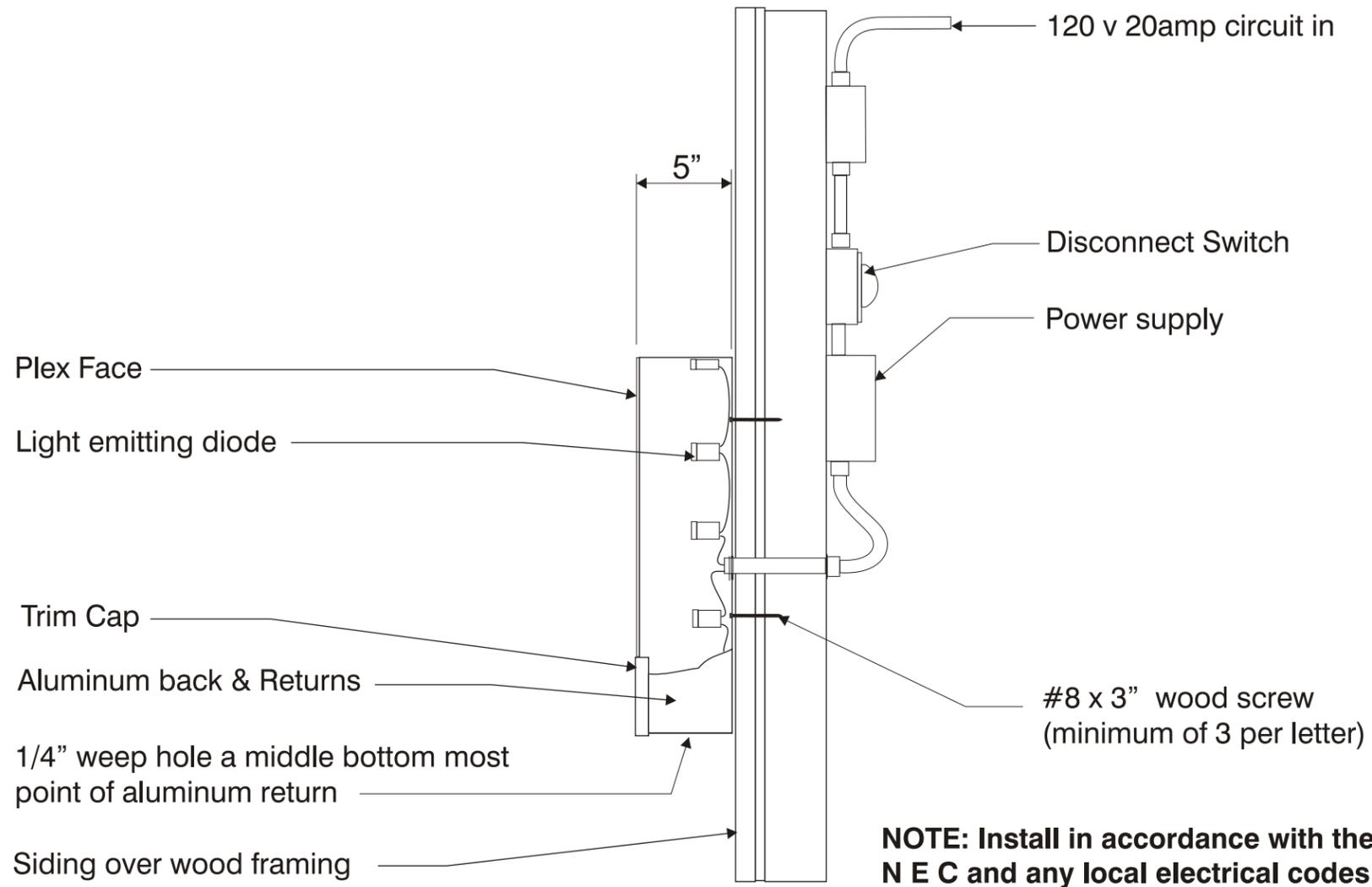
120 Encinal Street
 Santa Cruz, CA 95060-2111
 Phone: 831.469.8208
 Fax: 831.469.8172
 Email: mike@northwestsigns.com
 Web: www.northwestsigns.com

Project: **Park Victoria Sign Program**
 Address: **1205-1247 S. Park Victoria Drive
 Milpitas, CA**

Dates / Revisions:
 08-02-2012
 08-08-2012
 08-10-2012
 08-13-2012
 10-10-2012
 11-28-2012

Approvals:
 Client:
 Architect:
 Landlord:
 Project Manager:

Drawing Number: **AUG-8.12**
 Page Number: **1**
 Salesman: Mike Terron
 Drawn By: K. Johnson
 Scale: As Noted



L.E.D. Channel letter attachment detail

NTS



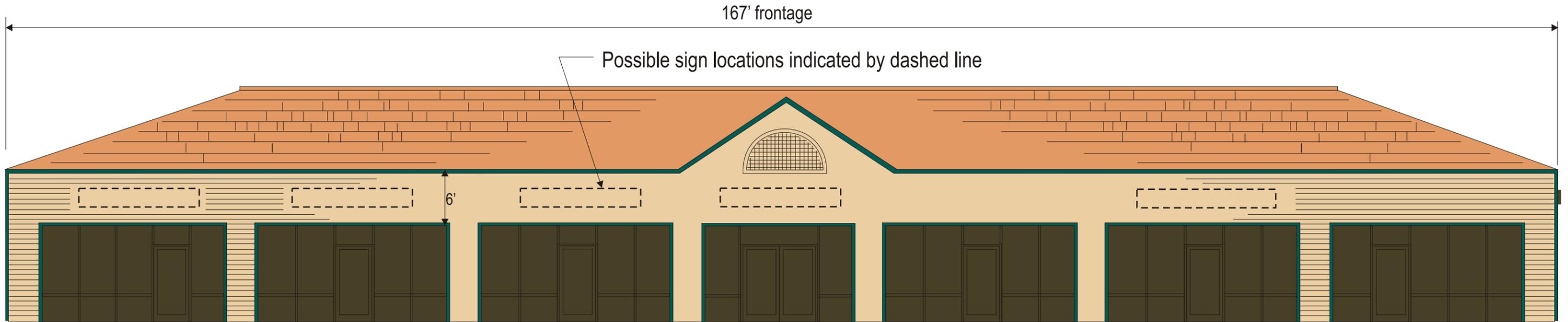
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 Client:
 Architect:
 Landlord:
 Project Manager:

Drawing Number: **AUG-8.12**
 Page Number: **2**
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 Scale: As Noted



West Elevation 3/32" = 1' - 0"



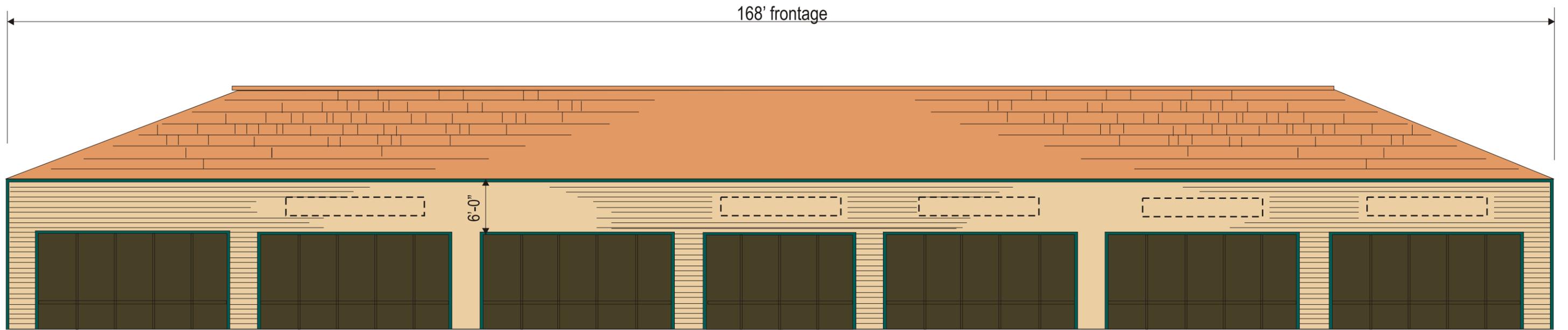
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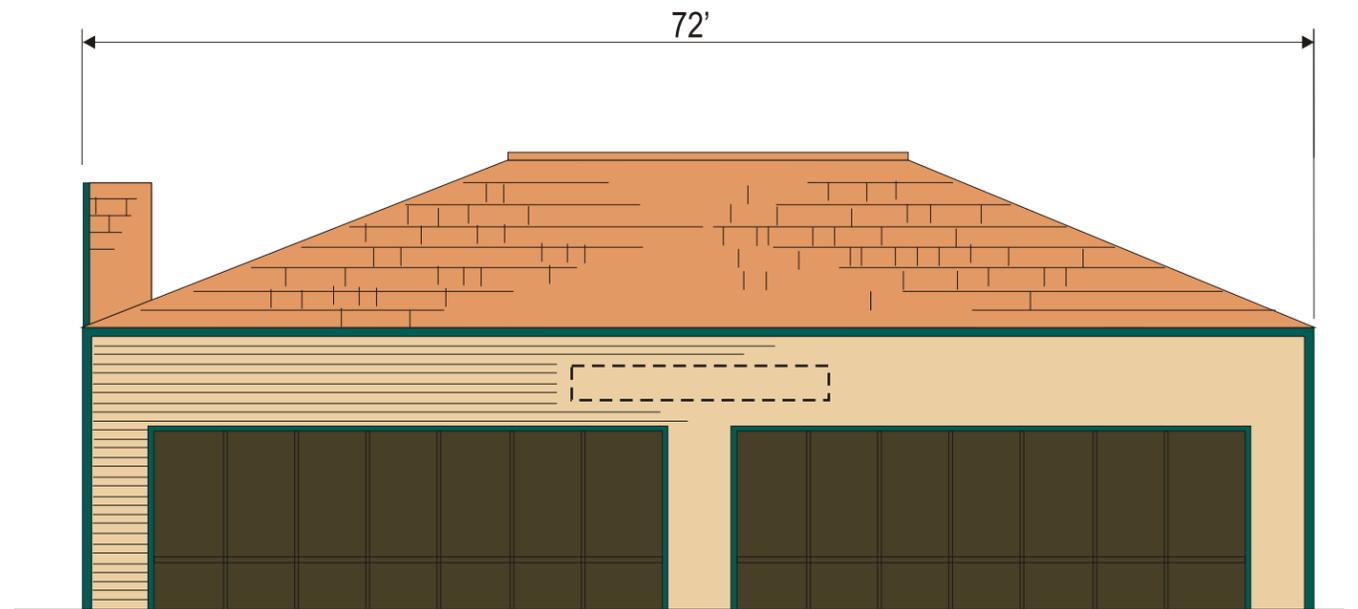
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 Project Manager: _____

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 Scale: As Noted



East Elevation 3/32" = 1'-0"



South Elevation 3/32" = 1'-0"



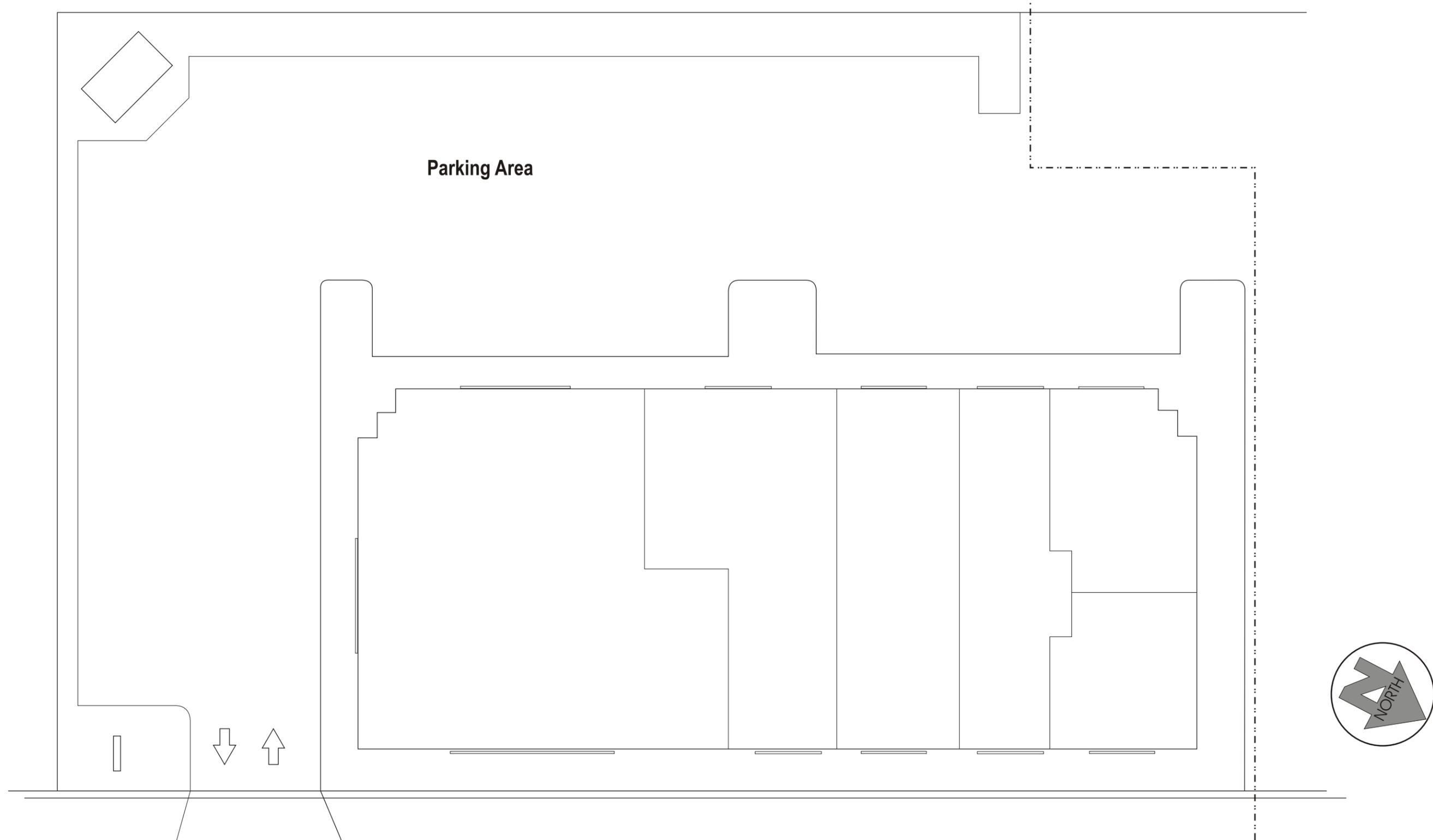
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 Architect: _____
 Landlord: _____
 Project Manager: _____

Drawing Number: **AUG-8.12**
 Page Number: **4**
 Salesman: Mike Terron
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 Scale: As Noted



Parking Area

South Park Victoria Drive

Site Plan 1" = 20'



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Drawing Number: **AUG-8.12**
 Page Number: **5**
 Salesman: Mike Terron
 Drawn By: K. Johnson
 Scale: As Noted