



MILPITAS PLANNING COMMISSION STAFF REPORT

April 23, 2014

APPLICATION: **Ranch Drive Sign - Site Development Permit No. SD-14-0001**
A request for a Site Development Permit for a new freestanding sign over 6 feet in height.

RECOMMENDATION: **Staff recommends that the Planning Commission:
Adopt Resolution No. 14-018 approving Site Development Permit No. SD14-0001 for a new freestanding sign over 6 feet in height.**

LOCATION:
Address/APN: 74 – 82 Ranch Drive (APN: 22-540-02)
Area of City: McCarthy Ranch

PEOPLE:
Project Applicant: Gregory A. Graves, Golden Gate Sign Co, Inc.
Property/Business Owner: First Creekside Associates
Project Planner: Tracy Tam, Planning Intern

LAND USE:
General Plan Designation: General Commercial (GNC)
Zoning District: General Commercial (C2)
Overlay District: Site and Architectural Overlay (-S) and Recreation and Entertainment Overlay (RE)

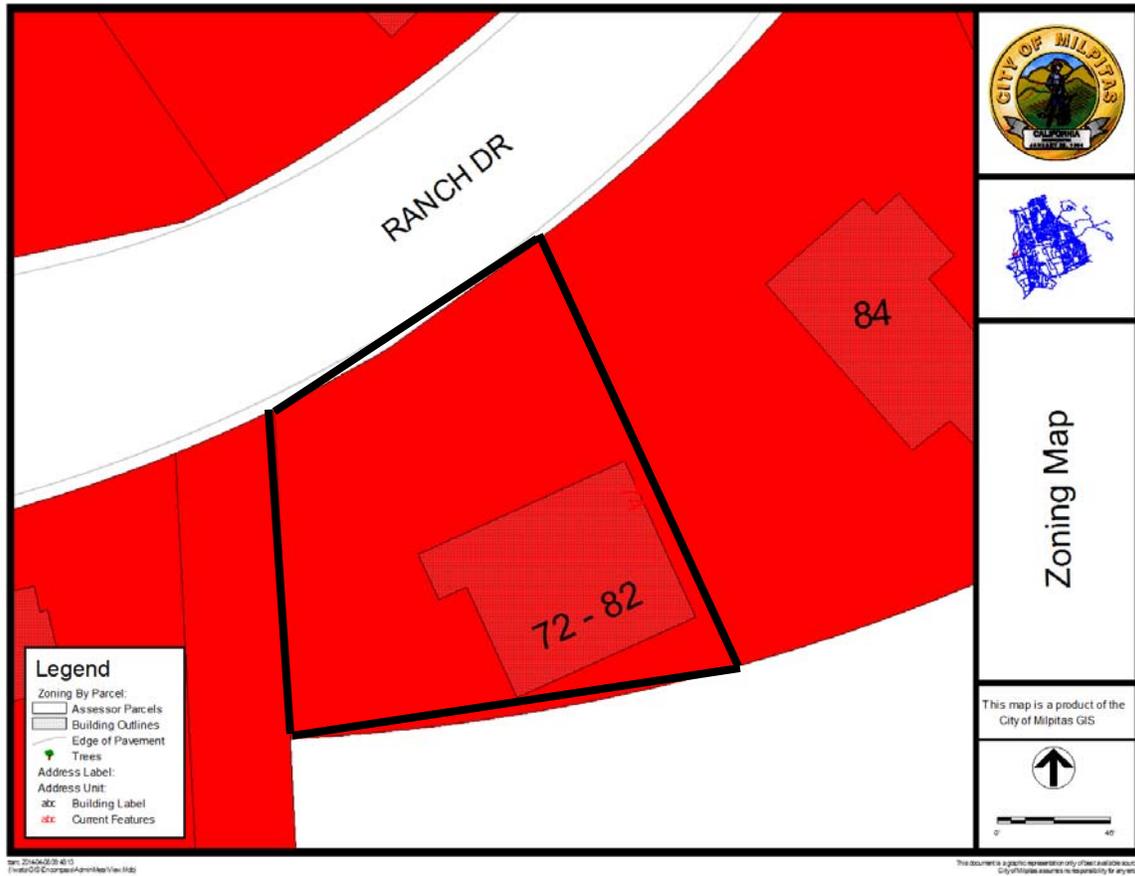
ENVIRONMENTAL: Categorically exempt from further CEQA review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines.

EXECUTIVE SUMMARY

The proposed internally illuminated 7'-6" freestanding sign is located on a 0.58 acre site in the McCarthy Ranch Marketplace. The project site and surrounding area is zoned General Commercial (C2) with a Recreation and Entertainment (RE) Overlay, with the exception of the parcel located south of the project site, which is zoned Light Industrial (M1).

The proposed project is consistent with the General Plan and the Zoning Ordinance and meets the signage design guidelines outlined in the Sign Ordinance, Sections XI-10-24.03(C) and XI-10-24.03(D) of the Milpitas Municipal Code.

Map 1 Project Location



Map 2
Project Site



Additional Pictures



Street view of proposed sign location



Proposed sign location from the parking lot

BACKGROUND

History

On October 26, 1994, the Planning Commission approved the “S” Zone application for a 5,600 square foot retail building on a 0.58 acre site located on Ranch Drive. The architectural elements, building colors, landscape plan, and trash enclosures were approved along with the “S” Zone application. The special conditions approved with this application include items pertaining to pedestrian walkways, screening of rooftop equipment, private sidewalks, construction of a mutual driveway, a recorded parcel map, and lighting.

On December 14, 1994, Planning Commission approved a building sign program for the 5,600 square foot retail building at 70 Ranch Drive. The total sign area allowed is 275 square feet. Because the approval was specifically for the building, the square footage for the proposed freestanding sign would not be included in the 275 square footage.

On November 29, 1995, Planning Commission approved Use Permit No. 1312 to allow an additional 25% building sign area for McCarthy Ranch Phase I, II, III, Applebee’s, and the “C-1” site. An additional 50% sign area and an additional 10-foot sign height was also approved for Phase II. With the 25% increase in signage, the maximum sign area allowed for the building is 328 square feet.

On June 26, 1996, Planning Commission approved an amendment to the building sign program for a restaurant located at 74 Ranch Drive. The sign program was previously approved on December 14, 1994. The sign program specifies a 30-inch maximum letter/sign height for building signs, and the signs for the restaurant exceed the maximum height by 4-inches.

The Application

The following is a summary of the applicant’s request:

- *Site Development Permit:* to consider a new 7’-6” freestanding sign to be located at 74-82 Ranch Drive.

Per Section XI-10-24.04 of the Sign Ordinance, freestanding signs over six (6) feet in height require Planning Commission review and approval.

PROJECT DESCRIPTION

Overview

The project proposes a new internally illuminated 7’-6” freestanding sign to be located at 74-82 Ranch Drive. The purpose of the sign is advertise businesses located in the adjacent commercial building. It will provide sign area for the property address and four businesses. See Attachment B.

Location and Context

The 0.58 acre site includes one parcel located on the southeast side of Ranch Drive, just west of Interstate 880. The project site and surrounding area is zoned General Commercial (C2), with the exception of the parcel located south of the project site, which is zoned Light Industrial (M1). The project site is also subject to the Recreation and Entertainment (RE) Overlay. There are three existing restaurant uses and one medical office located on this parcel. Vicinity and location maps of the subject site location are included on the page 2 and 3.

PROJECT ANALYSIS

General Plan and Zoning Conformance

This project is consistent with the intent of the implementing policies of the Land Use Element in the General Plan to encourage economic pursuits which will strength and promote development through stability and balance and by providing opportunities to expand employment, participate in partnerships with local businesses to facilitate communication, and promote business retention. The proposed freestanding sign will help the businesses by providing better visibility from the street and it will assist with business retention by providing appropriate signage to attract customers.

Development Standards

The proposed project conforms to the development and design standards because the proposed height for the freestanding sign is well under the maximum allowed for non-residential areas. There is a 25-foot maximum for freestanding signs and the proposed sign stands at 7'-6". Furthermore, the Sign Ordinance states that only one freestanding sign is permitted for each parcel if the parcel does not have more than 300 feet of public street frontage. The parcel in where the freestanding sign is proposed only has 131.19 feet of public street frontage, and the applicant is only requesting one freestanding sign. Lastly, the maximum sign area allowed is 262.18 square feet. The proposed freestanding sign is 24.39 feet.

The proposed project meets the design standards set forth in the Sign Ordinance in that it is appropriate given the proposed location, the scale in relation to the building height, the similarity in materials and illumination, and the visibility and legibility of the sign itself. The proposed project does not prohibit or obstruct pedestrian circulation and is made of high quality material.

The table below demonstrates how the project is consistent with the development standards of the Sign Ordinance.

Table 1:
Summary of Development Standards

	Standard	Proposed	Complies?
<u>Freestanding Signs</u>			
Height	25 feet maximum for non-residential. 1 foot of	7'-6"	Yes

	Standard	Proposed	Complies?
	height for every 8 lineal feet of public street frontage. Maximum allowed for this site: 16.40 feet.		
Maximum # of signs permitted	1 per each parcel's public street frontage, 1 additional sign for sites with more than 300 ft. of public street frontage	1 freestanding sign	Yes
Maximum sign area in non-residential	1 square foot of sign for each two (2) lineal feet of building perimeter or two (2) square feet of sign for each one (1) lineal foot of public street frontage. <u>Maximum sign allowed: 162.63 sq. ft. or 262.38 sq. ft.</u>	24.39 square footage	Yes

The proposed project is consistent with the development standards because it is well within the maximum allowed height, the number of signs allowed, and the square footage of signage allowed, per the Sign Ordinance. The maximum allowed height is 16.40 feet and the proposed sign stands at 7'-6". The proposed sign is proposing one freestanding sign. The development standards state that one freestanding sign is allowed per parcel, unless the parcel has more than 300 feet of public street frontage. Since the parcel has 131.19 feet of public street frontage, the one proposed sign meets this requirement. The maximum square footage of signage allowed for this site is 262.38 square feet, and the proposed sign has 24.39 square feet of signage, thus being in compliance with the maximum sign area allowed in non-residential.

FINDINGS FOR APPROVAL (OR DENIAL)

A finding is a statement of fact relating to the information that the Planning Commission has considered in making a decision. Findings shall identify the rationale behind the decision to take a certain action.

Site Development Permit (Section XI-10-57.03(F))

- 1. The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.*

The project is consistent with this finding because the proposed freestanding sign is similar in design and placement to existing freestanding signs located along Ranch Drive. The proposed freestanding sign is constructed of a similar material, height, and architectural style to existing freestanding signs located in McCarthy Ranch along Ranch Drive. The sign will be internally illuminated and constructed of aluminum and Lexan plastic with vinyl letters.

2. *The project is consistent with the Milpitas Zoning Ordinance.*

The project is consistent with the Sign Ordinance because it meets the regulations and design standards of the Sign Ordinance. The Sign Ordinance specifies that the maximum permissible sign area in non-residential zones is either 1 square foot of sign for each 2 lineal feet of building perimeter or 2 square feet of sign for each 1 lineal foot of public street frontage. Therefore, the maximum allowed signage is 162.63 square feet or 262.38 square feet. Since this project is proposing 24.39 square feet of signage, it is well within the limit. Also, 1 freestanding sign is allowed for each parcel's public street frontage, and an additional freestanding sign is allowed for parcels that have more than 300 feet of public street frontage. The public street frontage 131.19 feet, so the 1 proposed freestanding sign meets this requirement. The height of the sign allowed is 1 foot of height for every 8 lineal feet of public street frontage, making the maximum sign height to be 16.40 feet. The proposed freestanding sign stands at 7'-6" so it is well within the parameters of this requirement. Lastly, the materials for the sign are of high-quality material and the location of the sign in relation to the height and location of the building are appropriate.

3. *The project is consistent with the Milpitas General Plan.*

The project is consistent with the General Plan, specifically:

- Policy 2.a-I-3: Encourage economic pursuits which will strengthen and promote development through stability and balance.
- Policy 2.a-I-7: Provide opportunities to expand employment, participate in partnerships with local business to facilitate communication, and promote business retention.

The project is consistent with this finding because it provides better on-street visibility for marketing purposes to encourage economic pursuits for consumers and assists with business retention from the possibility of drawing in more consumers.

ENVIRONMENTAL REVIEW

The project is categorically exempt from further CEQA review under Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines because the proposed freestanding sign is considered a small structure.

PUBLIC COMMENT/OUTREACH

Staff provided public notice the application in accordance with City and State public noticing requirements. At the time of writing this report, there have been no inquiries from the public. A notice was published in the Milpitas Post on April 11, 2014. (Two Fridays before the meeting) In

addition, 22 notices were sent to owners and occupants within 300 feet of the project site. A public notice was also provided on the project site, on the City's Website, www.ci.milpitas.ca.gov, and posted at City Hall.

CONCLUSION

In summary, the proposed freestanding sign meets the intent, design guidelines and requirements of the Sign Ordinance, and will help with the purpose and intent of the General Commercial (C2) zoning district by marketing retail sales, personal businesses, and business services in the City, and to encourage economic pursuits and business retention by providing greater on-street visibility to promote business.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission:

1. Conduct Public Hearing; and
2. Adopt Resolution No. 14-018 approving Site Development Permit No. SD14-0001 for a new freestanding sign over 6 feet in height.

ATTACHMENTS

A: Resolution No. 14-018

B: Site Plan, Elevations, Cross-sections