



MILPITAS PLANNING COMMISSION STAFF REPORT

June 11, 2014

APPLICATION: Devcon Monument Sign – Site Development Permit No. SD14-0009

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. 14-026 approving Site Development Permit No. SD14-0009 for a new freestanding sign over 6 feet in height.

LOCATION:

Address/APN: 690 Gibraltar Drive (APN: 86-42-010)

PEOPLE:

Project Applicant: Syvester Ramirez, Devcon Construction
Property/Business Owner: Gary Filizetti, Devcon Construction
Project Planner: Tracy Tam, Planning Intern

LAND USE:

General Plan Designation: Manufacturing and Warehousing (MW)
Zoning District: Heavy Industrial (M2)
Overlay District: Site and Architectural Overlay (-S)

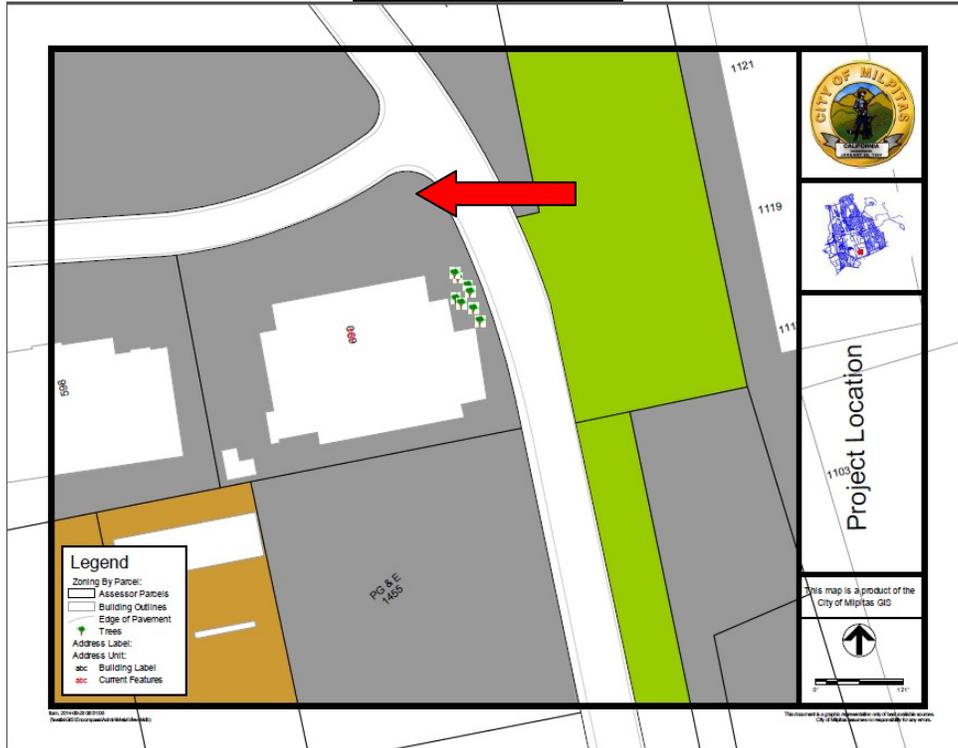
ENVIRONMENTAL: Categorically Exempt from further environmental review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA).

EXECUTIVE SUMMARY

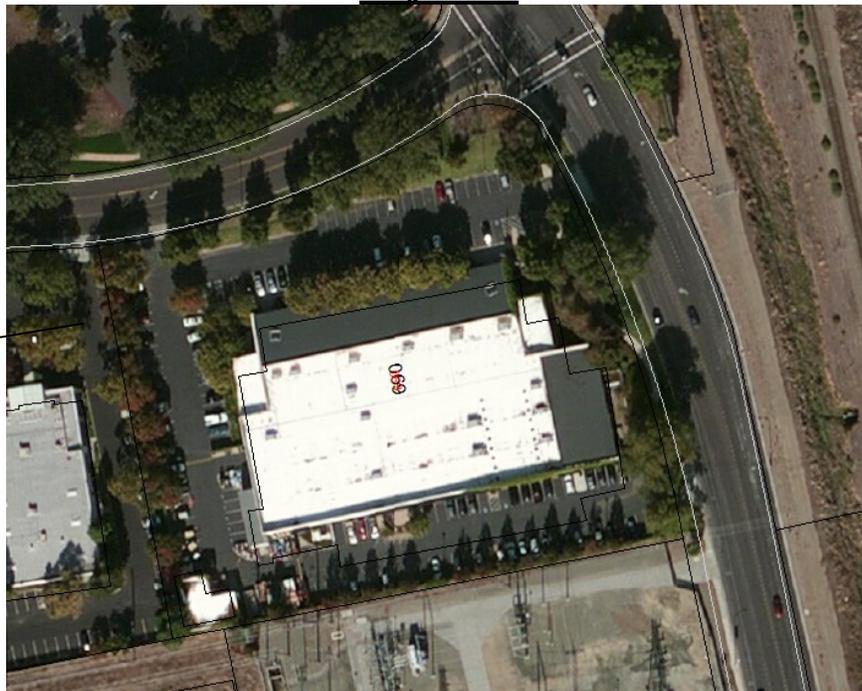
The proposed 12'-2" internally illuminated freestanding sign is located on a developed 3.24 acre site in the Heavy Industrial zoning district. The sign is 6-feet in height but will be placed on a 6'-2" foot berm for a total sign height of 12'-2" above the nearest sidewalk grade. The Sign Ordinance requires signs placed on berms to be measured for height from the nearest public sidewalk or curb.

The sign is approximately forty-one square feet and meets other standards in the Sign Ordinance in that it is below the 25-foot height requirement, it only proposes one freestanding sign where two are allowed, and it is under the square footage allowance.

Map 1
690 Gibraltar Drive



Map 2
Project Site



Additional Pictures



Existing monument sign



Location of proposed monument sign

BACKGROUND

History

On April 1, 1982, the Planning Commission approved a 45,720 square foot industrial building with blue tinged aluminum roof, tinted windows and landscaping.

On September 6, 1984, the Planning Commission approved a use permit for a 10-foot high non-illuminated freestanding sign at the corner of South Milpitas Boulevard and Gibraltar Drive for a previous use.

On February 26, 2001, the Planning Division received and an application for a new 10-foot high architectural screen wall at the south property line and a 6-foot high architectural screen wall at the west property line to screen trash enclosures. This request was approved by the Planning Division on March 9, 2001.

On April 6, 2001, the Planning Division received an application for a site and architectural amendment for a variety of changes such as: curved awnings, replacement of missing trees, skylights, landscape maintenance, relocation of parking lot lights, an update to the exterior's concrete flat work, new accented bollards, new exterior rear patio and flagpoles, removal of one heritage tree, and new screening for trash enclosure. This request was approved by the Planning Commission Subcommittee on June 27, 2001.

The Application

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

- *Site Development Permit:* To consider a new 12'-2" freestanding sign to be located at 690 Gibraltar Drive.

Per Section XI-10-24.04(B)(2)(c) of the Sign Ordinance, freestanding signs over six (6) feet in height require Planning Commission review and approval. Freestanding signs are measured from the closest public sidewalk or curb, as per Section XI-10-24.04(D)(7)(a).

PROJECT DESCRIPTION

Overview

The project proposes a new internally illuminated 12'-2" freestanding sign to be located at 690 Gibraltar Drive, which is the location of DevCon Construction Company. Specifically, the sign will be located on the corner of South Milpitas Boulevard and Gibraltar Drive. The purpose of this sign is to assist with the new branding and identification for DevCon Construction. The face of the sign will not provide the address location of the building, as the address number is already located on the building. Please see Attachment B.

Location and Context

The 3.24 acre site includes one parcel located just south of Gibraltar Drive at the southwest corner of South Milpitas Boulevard. The parcels directly south of the project site have the same Heavy Industrial (M2) zoning designation and the parcel located southwest of the project site is

zoned Multi-family residential, High Density (R3). The parcel located directly south of the project site is a PG&E facility. Vicinity and location maps of the subject site location are included on the page 2.

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 with will strengthen and promote development through stability and balance. The proposed freestanding sign is also in compliance with the Sign Ordinance in that it is within the parameters of what the Sign Ordinance allows. The project site is subject to Site and Architectural Overlay (-S).

Development Standards

The proposed project conforms to the development and design standards set forth in the Sign Ordinance because the proposed height for the freestanding sign is under the maximum allowed for non-residential areas. There is a 25-foot maximum for freestanding signs and the proposed sign height stands at 12’-2” above the adjacent sidewalk grade. 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. This parcel has approximately 317.75 feet of public street frontage. The applicant is applying for one freestanding sign where two are allowed. The maximum sign area allowed is 635.50 square feet. The proposed freestanding sign is 40.98 square feet.

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.	12’-2”	Yes
Maximum # of signs permitted	1 per each parcel’s public street frontage, 1 additional sign for sites with more than 300 feet 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 (1) lineal	40.98 square feet	Yes

	Standard	Proposed	Complies?
	feet of public street frontage. Maximum sign allowed: 516.10 sq. ft. or 635.50 sq. ft.		

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-10-57-03-1(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 it is aesthetically harmonious with adjacent and surrounding development in that the design of the proposed freestanding sign complements and is designed in context with the buildings around it. The cabinet is made of aluminum material while the graphics are routed acrylic with an aluminum laminate.

- 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 set forth in the Sign Ordinance. The Sign Ordinance specifies that the maximum permissible sign area in non-residential zones is either one square foot of sign for each two lineal feet of building perimeter or two square feet of sign for each one lineal foot of public street frontage. Therefore, the maximum allowed signage for this parcel is 635.50 square feet. This project is proposing 40.98 square feet of signage and thus it is well within the limits of allowed signage. Furthermore, one 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 is 317.75 feet, so this parcel is allowed two freestanding signs. Since only one freestanding sign is proposed, it is in compliance with this requirement. Additionally, the maximum allowed height for the sign is 25-feet in non-residential areas. The proposed sign is 12’-2”, within the maximum allowed height. Lastly, the materials for the sign are of high-quality material and the location of the sign in relation to the height and the 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.

The project is consistent with this finding because it provides on-street visibility for business identify and branding purposes which will encourage economic pursuits by promoting name recognition and assisting with business retention and growth in Milpitas.

ENVIRONMENTAL REVIEW

The Planning Division conducted an environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). 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. The square footage of the proposed freestanding sign is approximately 41 square feet while the square footage of the parcel is 141,570 square feet.

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 May 30, 2014. (Two Fridays before the meeting) In addition, 16 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 Land Use Element contained within the General Plan to encourage economic pursuits and business retention by providing on-street visibility to promote the business.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission:

1. Conduct the public hearing; and
2. Adopt Resolution 14-026 approving Site Development Permit No. SD14-0009 for a new freestanding sign over 6 feet in height located at 690 Gibraltar Drive.

ATTACHMENTS

A: Resolution No. 14-026

B: Site Plan, Elevations, Cross-sections