

**CITY OF ALBANY  
PLANNING AND ZONING AGENDA  
STAFF REPORT**

Agenda date: 3/10/09

Prepared by: AC

Reviewed by: JB

**ITEM/** 6a  
**SUBJECT:** **Planning Application 09-002. Design Review.** Request for Design Review approval to allow new and replacement signage to an existing commercial building.

**SITE:** 1382 Solano

**APPLICANT/  
OWNER:** David Ford

**ZONING:** SC (Solano Commercial)

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**STAFF RECOMMENDATION**

Staff recommends approval, subject to the attached findings and conditions of approval.

**BACKGROUND/PROJECT DESCRIPTION**

The subject property is a corner lot that has an existing Longs drugstore. CVS has bought out all Longs' Drugs; therefore, new signage is proposed for the incoming business. There are currently two internally lit, channel letter wall signs on the north and west elevations. The applicant would like to replace these wall signs with similar signage that is 6" taller in height and would also like to add a new channel letter sign at the corner of the building (intersection of Solano and Ramona Avenues). Finally the applicant would like to replace the awnings from burgundy to red in color. No other aesthetic or physical changes will result from the project. Design Review is the only discretionary item requested.

**ENVIRONMENTAL ANALYSIS**

Staff has determined that the proposed project is categorically exempt from the requirements of CEQA per Section 15301, "Existing Facilities" of the CEQA Guidelines.

**DISCUSSION OF KEY ISSUES**

The existing signage, "Longs Pharmacy," on the commercial building is approximately 1'-6" in height. The proposed replacement signage is slightly taller, approximately 2' in height and says, "CVS/Pharmacy." Staff believes that the proposed signage is appropriate in type and color; however, believes that the size of the existing signage is more appropriate for the building than the taller letters proposed. The smaller lettering is still clear and visible traveling from all directions and does not dominate the appearance of the building.

The applicant would also like to have additional signage that says, "CVS Pharmacy" added to the corner of the building. The Municipal Code states that a maximum of four signs are permitted for any one building occupant and that 2sq.ft. per linear foot of frontage is permitted for signage in the SC (Solano Commercial) zoning district. The proposed signage is well under size limits; however, the purpose of Design Review with signage is to provide the most aesthetically appealing and appropriate signage, regardless of maximum allowable size. Again, staff believes that the proposed corner sign is appropriate in type and color; however, believes that the lettering should be reduced in height, perhaps by a foot or so, to not visually dominate the building with signage. This sign particularly important because of its visual prominence at the corner when traveling east on Solano Avenue.

Staff recommends that the Commission discuss and approve the proposed signage with any revisions deemed fit, subject to the attached draft findings and conditions of approval.

**Attachments:**

1. Analysis of Zoning Requirements
2. Findings
3. Conditions of Approval
4. Project application, photos, plans

**ATTACHMENT 1 - ANALYSIS OF COMPLIANCE WITH ZONING REQUIREMENTS**

20.12 Zoning Districts and Permitted Uses

General Plan: Commercial  
Zoning: SC (Solano Commercial)

20.16 Land Use Classifications

Single family residential

Surrounding	North - Commercial	East - Mixed-use
Property Use	South - Residential	West - Residential

20.20.080 Secondary Residential Units.

Not applicable.

20.24.020 Table Of Site Regulations By District.

Not applicable.

20.24.030 Overlay District Regulations.

Not applicable.

20.24.040 Hillside Residential Regulations.

Not applicable.

20.24.050 Floor-Area-Ratio.

Not applicable.

20.24.060 Setback Areas, Encroachments.

Not applicable.

20.24.100 Distances Between Structures.

Not applicable.

20.24.110 Fences, Landscaping, Screening.

Not applicable.

20.24.130 Accessory Buildings.

Not applicable.

20.28 Off-Street Parking Requirement.

Not applicable.

20.40 Housing Provisions

Not applicable.

20.44 Non-conforming Uses, Structures and Lot

Not applicable.

20.48 Removal of Trees

Not applicable.

20.52 Flood Damage Prevention Regulations

Not applicable.

20.100.030 Use Permits.

Not applicable.

20.100.040 Variances.

Not applicable.

20.100.010 Common Permit Procedures.

Public notice of this application was provided on February 27, 2009 in the form of mailed notice to property owners and occupants within a 100-foot radius, and posted in three locations.

20.100.050 Design Review.

See Summary of Key Issues.

ATTACHMENT 2 - FINDINGS

**Findings for Design Review approval (Per section 20.100.050.E of the AMC)**

<i>Required Finding</i>	<i>Explanation</i>
<p>1. <i>The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter.</i></p>	<p>The General Plan designates this area commercial development. Additionally, the project meets City zoning standards for location, intensity and type of development. The property has an existing commercial building that will not change in size, footprint or height as a result of the project.</p>
<p>2. <i>Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient."</i></p>	<p>The subject property has an existing commercial building that will not change in size, footprint or height as a result of the project. The proposed signage is only slightly larger in size and quantity. The type/model of signage will remain to be internally lit channel lettering thus will have little no change in aesthetic impact.</p>
<p>3. <i>Approval of the project is in the interest of public health, safety and general welfare.</i></p>	<p>The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area. The subject property is an existing building and will not increase in size, footprint or height.</p>
<p>4. <i>The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.</i></p>	<p>The project as designed is in substantial compliance with the standards as stated, including access, architecture, natural features, coordination of design details, and privacy.</p>

## ATTACHMENT - 3

### COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL

1. This approval allows the reface of two existing wall signs, except as may be modified by conditions herein. Application, plans and photos submitted by David Ford for Dagna Enterprises date received by the Community Development Department on February 18, 2009, and presented to the Planning and Zoning Commission at its meeting of February 24, 2009.
2. The applicants shall pay all City and other related fees applicable to the property. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured, and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check and Inspection Fees.
3. Project Approval Expiration. This Design Review approval will expire on March 10, 2010 (one year from the date on which this approval becomes effective) or at an alternate time specified as a condition of approval, unless a building permit has been issued and construction diligently pursued. The approval may be renewed by the Community Development Director for a period up to an additional two (2) years, provided that, at least ten (10) days before expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department. The Community Development Director may grant a renewal of an approval where there is no change in the original application, or there is no request to change any condition of approval.
4. Fees. The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured, and shall be paid prior to issuance of said permit or prior to any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project developer shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and developer.
5. Appeals. The Albany Municipal Code provides that any action of the Planning staff may be appealed to the Planning and Zoning Commission, and any action of the Planning and Zoning Commission may be appealed to the City Council as per the procedures described in Section 20.100.080. The City Clerk will then schedule the matter for the next available City Council meeting.
6. Requirement for Building Permit. Approval granted by the Planning and Zoning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit issued by the Community Development Department must be obtained prior to constructing, enlarging, moving, converting, or demolishing any building or structure within the City.

7. Fire Department Approval. As part of a building permit application, the applicant shall submit written documentation that all requirements of the Albany Fire Department have, or will be, met to the satisfaction of the AFD.
8. Engineering Approval. As part of a building permit application, the applicant shall submit written documentation that all requirements of the Public Works Department have, or will be, met to the satisfaction of the City Engineer.
9. Construction Hours. Construction activity shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. Mondays through Saturdays, and 10:00 a.m. to 6:00 p.m., Sundays and legal holidays, unless otherwise approved in writing by the City Engineer for general construction activity. Failure to comply with construction hours may result in stop work orders or other administrative actions.
10. Pursuant to Government Code Section 66474.9, the applicants (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application, which action is brought within the time period provide for in Section 66499.37. The City will promptly notify the applicants of any such claim action or proceeding and cooperate fully in the defense.
11. The proposed wall signs on the north and south elevations shall be of the same size, width and height, as the existing signage.
12. The proposed wall sign at the corner of the building shall be reduced by 1' in height and

**Appeals:** The Albany Municipal Code provides that any action of the Planning and Zoning Commission may be appealed to the City Council, if such appeal is filed within 14 days of the date of the action. Appeals may be filed in the Community Development Department by completing the required form and paying the required fee. The City Clerk will then schedule the matter for the next available City Council meeting.

Date Received: Jan 12, 2009

Planning Application No.: 09-002

Fee Paid: \$183

MANUAL #424482



# City of Albany



54919

## PLANNING APPLICATION FORM (GENERAL PROJECTS)

<p>For <b>PLANNING &amp; ZONING COMMISSION</b> action:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Conditional Use Permit*</li> <li><input type="checkbox"/> Design Review (residential, residential additions, commercial, office and multi-family*, )</li> <li><input type="checkbox"/> General Plan Amendment from _____ to _____</li> <li><input type="checkbox"/> Parcel Map/ Tentative Map/ Vesting Tentative Map, Lot Line Relocation</li> <li><input type="checkbox"/> Parking Exceptions/Reductions</li> <li><input type="checkbox"/> Precise Development Plan</li> <li><input type="checkbox"/> Second Unit Use Permit *</li> <li><input type="checkbox"/> Variance *</li> <li><input type="checkbox"/> Zone Change from _____ to _____</li> <li><input type="checkbox"/> Other:</li> </ul>	<p>For <b>ADMINISTRATIVE</b> action:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Admin. Lot Line Relocation</li> <li><input type="checkbox"/> Home Occupations</li> <li><input checked="" type="checkbox"/> Sign Review</li> <li><input type="checkbox"/> Other:</li> </ul>
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\* Please complete the appropriate Supplemental Questionnaire.

The City of Albany Municipal Code has certain requirements for Planning Applications. Your answering the following questions will help staff assess how to process your application. Thus, we may have additional questions based on your responses below. Additionally, after your application is accepted for processing, staff and Planning and Zoning Commissioners will likely make at least one field visit to your house and neighborhood.

Job Site Address: <u>1382 SOLANO AVE.</u>		Zone: <u>SC</u>
Property Owner(s) Name: <u>DAGNA ENTERPRISES</u>	Phone: Fax:	Email:
Mailing Address: <u>P.O. BOX 173</u>	City: <u>FAIRFIELD</u>	State/Zip: <u>CA 94533</u>
Applicant(s) Name (contact person): <u>DAVID FORD</u>	Phone: <u>510-387-6516</u> Fax: <u>510-380-6788</u>	Email:
Mailing Address: <u>124 ALLIANCE CT.</u>	City: <u>ROSEVILLE</u>	State/Zip: <u>CA 95747</u>

ATTACHMENT #4



**PROJECT DESCRIPTION** (Please use back of sheet or attach extra sheets, if necessary): INSTALL (7) ILLUMINATED WALL SIGNS FOR "LIVE";  
REMOVE (4) EXISTING ALUMINUM (NO SIGNS);  
REMOVE (1) EXISTING SIGN ON EXISTING MANHOLE SIGN;

**GENERAL INFORMATION** (Please fill out this section if you are asking for approval of a project that will require construction):

Item	Existing	Proposed
Lot Area (sq. ft.)		
Size of structure(s) or commercial space (sq. ft.)		
Number of stories		
Lot Coverage		
Floor Area Ratio (FAR)		
Impervious Area		
Number of units		
Proposed number of off-street spaces		
Proposed number of spaces in garage		
Number of spaces		

<sup>1</sup> Lot Coverage applies to all zoning districts. It is defined as the land area covered by all the structures on a site, including all projections, except portions of uncovered decks, porches or lanai, balconies, or stairways that are less than six feet above grade and are not enclosed by walls on more than two sides; eaves, trellises and similar structures that do not have solid eaves.

<sup>2</sup> Floor Area Ratio (FAR) is defined as the proportion of building floor area per area of the parcel of land upon which the building rests. See the informational handout "How to Calculate Floor Area Ratio" for details on what is included and excluded.

<sup>3</sup> Impervious Area includes the total square footage of building footprint(s), driveway(s), path(s), parking lots, walkway(s), and any other impervious surfaces.

<sup>4</sup> Slope Density requirements apply in the HD Zoning District pursuant to Measure K. See handout on how to measure slope density in this area.

<sup>5</sup> Off-street parking requirements were enacted under Measure D. This Measure requires that all residential development must have a minimum of two off-street parking spaces. Some exceptions may apply to your project, see residential development handout.

**Restrictions:** Are there any deed restrictions, easements, etc. that affect the property, and, if so, what are they? In some instances, you may be required to provide a title report.

[Signature]  
 Signature of Property Owner

[Signature]  
 Signature of Applicant

Date

Date

Community Development Department staff is available between 8:30 a.m. and 7:30 p.m. on Mondays, 8:30 a.m. through 5:00 p.m. on Tuesdays through Thursdays, and 8:30 a.m. to 12:30 p.m. on Fridays at 979 San Pablo Avenue, 2<sup>nd</sup> Floor, Albany, CA 94706; TEL: (510) 528-5760.