



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 03/23/2022

ITEM NO: 2

DATE: March 18, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Construction of a Roof Sign on Property Zoned C-2:LHP. **Located at 9 and 11 Montebello Way.** APN 529-01-006.
Architectural and Site Application S-22-010. Property Owner: Los Gatos Investments, LLC. Applicant: Montebello Market, LLC.
Project Planner: Ryan Safty

RECOMMENDATION:

Consider approval of a request for construction of a roof sign on property zoned C-2:LHP, located at 9 and 11 Montebello Way.

PROJECT DATA:

General Plan Designation: Central Business District
Zoning Designation: C-2:LHP - Central Business District with a Landmark and Historic Preservation overlay
Applicable Plans & Standards: Zoning Code and Commercial Design Guidelines
Parcel Size: 2,673 square feet (0.06 acres)

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Commercial and residential	Central Business District	C-2:LHP
East	Commercial	Central Business District	C-2:LHP
South	Office	Central Business District	C-2
West	Town Plaza Park	Open Space	RC

PREPARED BY: RYAN SAFTY
Associate Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.

FINDINGS:

- As required, the project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.
- The project is consistent with the applicable Commercial Design Guidelines.
- As required by Section 29.10.125(8) of the Town Code for granting a roof sign.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is located on the east side of Montebello Way, across the street from Town Plaza Park (Exhibit 1), in the Central Business District and Downtown Commercial Historic District. The 2,349-square foot commercial tenant space is currently under construction for a tenant improvement to accommodate an approved Conditional Use Permit for a commercial market (Montebello Market).

Prior to the Conditional Use Permit and associated building permit approvals, the building was divided in two and was occupied by a dry cleaner and an interior design retail store. In 2019, the dry cleaners had a hanging sign, and the retail store had a window sign. In 2014, the northernmost unit at 9 Montebello Way (Frank) had a roof sign (Exhibit 4).

On February 1, 2022, the applicant applied for a sign permit (SN-22-005) for the property. Staff reviewed the sign permit application package and determined that the proposal is considered a roof sign by Town Code, which requires an Architecture and Site application. On February 23, 2022, the applicant applied for an Architecture and Site application for the roof sign.

PROJECT DESCRIPTION:

The proposed roof sign requires Architecture and Site approval per Town Code Section 29.10.125(8)(f). The Commercial Design Guidelines do not list roof signs as an allowed sign type and specify that roof-mounted signs are a prohibited sign type, "except where other types of signage cannot be effectively employed." Therefore, this application is being considered by the Planning Commission.

PROJECT DESCRIPTION (continued):

A. Location and Surrounding Neighborhood

The subject property is located on the east side of Montebello Way, across the street from Town Plaza Park (Exhibit 1), in the Central Business District and Downtown Commercial Historic District. The property abuts commercial and residential to the north, office to the south, commercial to the east, and Town Plaza Park to the west, across Montebello Way.

DISCUSSION:

A. Project Summary

The applicant proposes to add a roof sign above the flat projecting awning, set one foot in from the front of the awning. Pursuant to Town Code, a roof sign requires approval of an Architecture and Site application.

The proposed roof sign would consist of 18-inch tall individual letters set on top a two-inch tall raceway. The letters would be three-inch deep aluminum channel and painted dark blue, while the raceway would be four inches deep and painted black. The letters would have a white acrylic face with internal illumination. The sign letters would appear blue during the day, and then white at night. Renderings of the sign in both the day and night have been provided (Exhibit 7).

B. Commercial Design Guidelines

The Town's Commercial Design Guidelines Section 6.1.1 (Allowed Signage Types) does not include roof signs. Roof-mounted signs are listed in Section 6.1.2 (Prohibited Signage Types) with the caveat, "except where other types of signage cannot be effectively employed" (Exhibit 5). There are no specific guidelines in the Commercial Design Guidelines related to roof signs. However, the proposed roof sign would comply with the general sign guidelines listed in Sections 6.1.3 through 6.1.9 related to maximum sign area, excessive wording, font types, sign proportions, materials, shapes, and type styles.

C. Town Code

Pursuant to Town Code Section 29.10.135(c), allowed sign area is calculated as one square foot of sign area for each lineal foot of primary business frontage. The subject property has 42 feet, eight inches of business frontage, which equates to allowed sign area of 42.67 square feet. The proposed sign would be 41.47 square feet.

DISCUSSION (continued):

Town Code does not have specific design requirements related to roof signs, but Section 29.10.125 contains standards that shall apply to all sign approvals. With the inclusion of Condition of Approval 3 (Exhibit 3) related to maximum illumination intensity, the proposed sign complies with Section 29.10.125. Town Code Section 29.10.125(3), compatibility with surroundings, is discussed in the Neighborhood Compatibility section of the report below.

D. Architecture and Site Analysis

Pursuant to Town Code Section 29.10.125(8), roof signs require an Architecture and Site application and are only allowed as follows:

(8) Roof signs. Roof signs must:

- a. Be erected only on a roof whose pitch is at least one (1) vertical to four (4) horizontal.*
- b. Have a face no more than two (2) feet measured vertically.*
- c. Be located so the face is parallel to the eave in front of the sign.*
- d. Be set no more than eight (8) inches above the roof.*
- e. Be designed and erected so that no part of its face is higher than either the peak or an elevation five (5) feet above the eave in front of the sign.*
- f. Have architecture and site approval.*

Architecture and site approval may only be issued on the basis of findings that a wall sign is not feasible because the wall of the building is set back beneath and obscured by the porch or roof overhang which is an extension of and integral with the sloping roof of the building, and that the sign cannot be suspended between posts or columns supporting the roof without obstructing safe passage for pedestrians.

The applicant has provided responses to each of these requirements in their Project Description and Letter of Justification (Exhibit 6). The proposal complies with Town Code Section 29.10.125(8)(b) through (f), as the face of the sign would be 18 inches in height, the face would be oriented parallel to the eave, the sign would be set two inches above the roof, the proposed sign would not be higher than the parapet peak nor more than five feet above the eave in front of the sign, and an Architecture and Site application has been submitted.

Town Code Section 29.10.125(8)(a) requires that roof signs be erected only on a roof whose pitch is at least one vertical to four horizontal (25 percent slope). However, Town Code Section 29.10.100 (Sign Definitions) defines a roof sign as, "an attached sign erected on a roof or projecting above the eave or rake of a building or coping of a parapet. A sign erected on top of a canopy, arcade, awning or marquee is a roof sign."

DISCUSSION (continued):

Per Town Code, the proposed sign above the projecting awning meets the definition of a roof sign; however, the proposed sign could not meet Section 29.10.125(8)(a) as the awning is flat.

The flat projecting awning is an existing feature of this Downtown Commercial Historic District building. The Historic Preservation Committee (HPC) reviewed and supported the current façade update work, with the existing awning remaining as is. The existing awning would need to be modified to have a minimum 25 percent slope to meet Town Code Section 29.10.125(8)(a), which would alter the front façade and require additional HPC review.

The applicant's Project Description and Letter of Justification also addresses the required findings for granting Architecture and Site approval of a roof sign (Exhibit 6). Regarding the first finding, the applicant contests that a wall sign is not feasible as the building façade is primarily glass and could not accommodate a wall sign. The parapet above the projecting awning is setback four feet from the front edge of the projecting awning and, "this is an older building, and we are concerned with the ability to properly attach this amount of weight to the parapet, as well as the ability of the attachment to remain in place permanently."

Regarding the second finding, the applicant contests that the sign cannot be suspended between posts or columns supporting the roof due to visibility concerns. "We want to be able to easily attract customers and identify where the new market is located. From the intersection of N. Santa Cruz Ave. and Main St. this presents a challenge due to all of the trees in Town Plaza blocking visibility. [...] We want to ensure it is readable from a distance to draw customers through the park to an area that was previously unknown as a market [...] In this circumstance, we feel the roof sign is appropriate and there is no option for an alternate sign type."

E. Neighborhood Compatibility

Town Code Section 29.10.125(3) requires the design, color, and location of each sign be compatible with the architecture of the buildings on the premises, and in harmony with the structures and other improvements on the property. The applicant justified neighborhood compatibility in their Project Description and Letter of Justification (Exhibit 6): "The design, size, and scale of the sign from that viewing distance has been recommended by our architect and sign manufacturer, to strike a balance between visibility at a distance and appropriateness given the scale of the building and other surrounding buildings."

DISCUSSION (continued):

F. Environmental Review

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.

PUBLIC COMMENTS:

At this time, the Town has not received any public comment.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for a roof sign. The proposed sign complies with the applicable provisions of the Commercial Design Guidelines and Town Code requirements, with the exception of Town Code Section 29.10.125(8)(a) (roof pitch).

B. Recommendation

Based on the analysis above, staff recommends approval of the Architecture and Site application subject to the recommended conditions of approval (Exhibit 3). If the Planning Commission finds merit with the proposed project, it should:

1. Make the finding that the proposed project is Categorically Exempt, pursuant to the adopted Guidelines for the implementation of the California Environmental Quality Act, Section 15301: Existing Facilities (Exhibit 2);
2. Make the finding that the project complies with the applicable Commercial Design Guidelines (Exhibit 2);
3. Make the finding as required by Section 29.10.125(8) of the Town Code for granting a roof sign; and
4. Approve Architecture and Site application S-22-010 with the conditions contained in Exhibit 3 and the development plans in Exhibit 7.

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SUBJECT: 9 and 11 Montebello Way/S-22-010

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CONCLUSION (continued):

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction; or
2. Approve the application with additional and/or modified conditions; or
3. Deny the application.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Historic Images of Subject Property
5. Commercial Design Guidelines Section 6.1 – General Guidelines
6. Project Description and Letter of Justification, received February 23, 2022
7. Project Plans, received February 23, 2022

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