



PLANNING COMMISSION STAFF REPORT

MEETING DATE: July 16, 2018

TO: Members of the Planning Commission

SUBMITTED BY: Holly Smyth, AICP, Planning Director
Robert Reber, AICP, Adjunct Planner

SUBJECT: Ledcor Properties, Inc. Design Review Permit #DRP 18-05 for Master Sign Program for “The Exchange at Bayfront” (a.k.a., Block N or “Hercules Bayfront Creekside Apartments”) at the South Corner of the John Muir Parkway and Bayfront Boulevard Intersection

1. RECOMMENDATION:

That the Planning Commission request staff report, open public hearing, invite applicant to make a presentation, receive comments from public and Commission, and consider adopting Resolution #18-13 approving Design Review Permit #DRP 18-05

2. BACKGROUND:

At its regular meeting on May 1, 2017, the City of Hercules Planning Commission adopted Resolution No. 17-02 approving Design Review Permit #DRP 17-01 for the “Hercules Bayfront Creekside Apartments” located on “Block N”, a 2.2-acre site within the Bayfront portion of the Hercules Waterfront District Master Plan. [The project has since been renamed “The Exchange at Bayfront” (or simply “The Exchange”); see Figure 1 for an illustrative map of the Bayfront area.] On July 11, 2018, the City’s Planning Director approved Minor Modification #MM 18-01 for the project, converting some of the previously approved amenity space to more retail, slightly expanding the residential space, and allowing some other minor interior modifications. The resulting approved 3–4-story tall, mixed-use project on Block N will consist of 172 residential units with approximately 8,600 square feet of amenities and 13,979 square feet of commercial space, plus 205 below-grade and 20 at-grade parking spaces. (see Figure 2 below for illustrative site plan).

Figure 1 – Illustrative Map of Bayfront



The approved design includes a condition of approval (COA #5 of DRP 17-01) requiring that the project applicant, prior to installing any on-site signage, submit for the City's approval a Master Sign Program. On June 28, 2018, Ben Ortega of Ledcor Properties, Inc. (the property owner and project developer) submitted an application for a Design Review Permit to approve a comprehensive Master Sign Program for the project. The Master Sign Program includes signage for both the residential and commercial uses of the mixed-use project, construction of which began in June 2018.

Figure 2 – Illustrative Site Plan of Bayfront Block N



3. DISCUSSION

A Master Sign Program (MSP) is used to create standard sign design guidelines for projects with multiple buildings or tenants, ensuring continuity of quality and aesthetics throughout the project for the mutual benefit of all owners and tenants. The intent of the MSP for The Exchange is to encourage well-designed, consistent signage that is pleasing in appearance and compatible with the building architecture and community character while providing latitude for a variety of signage and ensuring safety by eliminating potential hazards.

MSPs may allow for exceptions to standard sign regulations (Chapter 34 of the Zoning Ordinance) so long as the MSP substantially conforms to the Zoning Ordinance.¹ Once the City approves an MSP, tenants receive administrative approval for their individual signs at planning staff level instead of having to go through the Design Review public hearing process each time. Approval of a Master Sign Program does not waive the permit requirements for individual signs. The Planning Director can issue individual sign permits in conformity with the provisions of an approved MSP.

Chapter 34, “Sign Regulations,” of the Zoning Ordinance, subsection 34.400.R requires Master Sign Programs for buildings or groupings of buildings containing six (6) or more business or office uses. Among other required information, Master Sign Programs must include:

¹ The Waterfront District Master Plan (WDMP) is the regulating form-based code applicable to the project; however, the WDMP does not include regulations specific to signage.

- An accurate plot plan of the lot, including location of buildings, parking lots, driveways, and landscaped areas on the lot;
- Computation of the maximum total sign area, the maximum area for individual signs, the height of signs, and the number of freestanding signs allowed on the lot included in the plan;
- An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not;
- Color scheme;
- Lettering or graphic style;
- Materials;
- Sign dimensions;
- Shared usage of pylon signs (if applicable).

Table 1 below lists proposed signs included in The Exchange MSP, and compares them to the City's standard sign regulations (Chapter 34 of the Zoning Ordinance).

The proposed MSP expressly forbids:

- Flashing, moving, animated, and intermittently lighted signs, excluding public service signs such as time and temperature displays and traditional barber shop poles;
- Changeable copy signs;
- Roof signs;
- Banners, flags, pennants, balloons, or other temporary signage except as approved by the City with a temporary permit;
- Signs that project over public right-of-way; (however, Contra Costa Co Doc-2017-0238846-00 "Encroachment Easement and Agreement" recorded December 20, 2017 allows overhead structures to encroach over the public right-of-way)
- Obscene or unlawful signs;
- Audible signs or advertising devices;
- Inflatable signs;
- Portable signs such as A-frame signs.

In cases not covered by the MSP, the prevailing criteria of the City of Hercules Municipal Code would prevail.

Table 1: Individual signs allowed under proposed Master Sign Program*

| Sign Type | Number of Signs | Size | City Standard (per Zoning Ordinance) | Notes |
|------------------------------------|-----------------------------|---|--|---|
| <i>Retail Signs</i> | | | | |
| Illuminated Channel Letters | 1–2 per tenant; 13 total | 1 sq. ft. / 1 linear ft. of store frontage Max.: 24 sq. ft. per sign Max. letter height: 18 inches | Mixed-Use: 1 sq. ft. / 5 linear ft. of store frontage (total) | Channel letter returns not to exceed 5 inches and painted to match building color |
| Projecting (Blade) Signs | 1–2 per tenant; 16 total | 4 sq. ft. 24 in. x 24 in | Mixed-Use: 1 sq. ft. / 5 linear ft. of store frontage (total) | Non-illuminated |
| Window Identification Vinyl | 15 | 2 sq. ft. 20 in. high x 14 in. wide | <25% of glazing | White die-cut reverse vinyl |
| Regulatory Vinyl | 15 | 1 sq. ft. 12 in. x 12 in. | Max.: 4 sq. ft. | As legally required, e.g., for identifying handicap access and Prop. 65 warnings |
| Address Numbers | 15 | 0.625 sq. ft. 22 ½ in. long x 4 in. high | n/a | 4-inch-tall letters |
| <i>Residential Signs</i> | | | | |
| Non-illuminated Channel Letters | 2 | 44.6 sq. ft. 268 in. wide x 24 in. tall | Max.: 250 sq. ft. | Non-illuminated 3-in.-thick aluminum channel letters |
| Project Blade Sign | 1 | 60 sq. ft. 20 ft. tall x 3 ft. wide | Max.: 100 sq. ft. | Non-illuminated 3-in.-thick aluminum channel letters |
| Illuminated Directional Blade Sign | 1 | 4 sq. ft. 24 in. tall x 24 in. wide | Max.: 4 sq. ft. | Illuminated directional for underground parking garage |
| Directory Signs | 7 | 15 sq. ft. 60 in. wide x 36 in. tall | 1 per 500 ft. of lot frontage | Illuminated Weather-proof aluminum cabinet |
| Address Numbers | 1 | 2.83 sq. ft. 34 in. long x 12 in. high | n/a | 3-inch-thick painted aluminum channel letters |

**Items in bold red indicate exceedance of City Standard without approval of an MSP.*

4. FINDINGS AND FACTS

Section 42.500 of the City of Hercules Zoning Ordinance requires five findings to be made for granting a Design Review Permit; however, for Master Sign Plans for previously approved projects, only Findings 1, 2, 3, and 4 apply, as follows:

Finding No. 1: The approval of the design review plan is in compliance with all provisions of Zoning Ordinance Chapter 42, “Design Review,” other pertinent provisions of the Zoning Ordinance, and applicable zoning and land use regulations, including but not limited to the Hercules General Plan as amended and any specific plan.

Fact No. 1: Approval of the Master Sign Program for The Exchange at Bayfront (Block N of the Hercules Waterfront) is consistent with both (a) Section 34.400.R of the Hercules Zoning Ordinance, which provides for Master Sign Programs for buildings containing six or more businesses, and (b) Condition of Approval #5 of the Waterfront Block N project (Planning Commission Resolution No. 17-01), requiring that the project applicant submit a Master Sign Program (MSP) for Planning Commission approval of all on-site signage, consistent with the provisions of Section 34.400.R of the Zoning Ordinance. As stipulated in Section 34.400.R of the Zoning Ordinance, The Exchange Master Sign Program provides all of the required information, including but not limited to: an accurate site plan, with locations of buildings and entrances; computation of maximum total sign area, maximum individual sign area, and the height of signs; an accurate indication of the site location for each sign; lettering and graphic style; materials; and sign dimensions.

Finding No. 2: The approval of the design review plan is in the best interests of the public health, safety, and general welfare.

Fact No. 2: The Master Sign Plan for The Exchange would not impact or be detrimental to the health, safety, welfare, or public interest. The proposed signage includes the installation of signage to ensure proper and safe flow of vehicle and pedestrian traffic in and out of and through the project site. All electrical signs must be Underwriters Laboratories (UL) compliant, i.e., certified for electrical safety. Signs are subject to individual permits to ensure installation meets building code requirements.

Finding No. 3: General site considerations, including site layout, open space, and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety, and similar elements have been designed to provide a desirable environment for the development.

Fact No. 3: The largest and most visible signs for The Exchange—two 45-sq-ft identifiers just below the cornices and one 60-sq-ft. vertical blade sign along its main corner—are oriented to take advantage of the project’s location on Block N at the junction of the two major Waterfront roadways (John Muir Parkway and Bayfront Boulevard). Other signs allowed under the Master Sign Program are placed and sized to cater to slower vehicular and pedestrian traffic, consistent with the overall intent and design of the Waterfront District Master Plan. Tenant identification signs are appropriately located and scaled on buildings to make businesses readily identifiable to potential residents, customers, and other visitors.

Finding No. 4: General architectural considerations, including the character, scale, and quality of the design, the architectural relationship with the site and other buildings, building materials and colors, screening of exterior appurtenances, exterior lighting and signing, and similar elements have been incorporated in order to insure the compatibility of this development with its design concept and the character of adjacent buildings.

Fact No. 4: The Master Sign Plan for The Exchange designates sign areas for both residential and retail areas of the project based on key architectural elements, ensuring signage is appropriately scaled and aligned for each building facade. Signs may not extend above the building fascia. Approved colors are limited to a palette designed to complement the building materials and colors. Sign materials are to be of high quality, with corrosion-resistant hardware. All illuminated signage and sign components must be installed in accordance with approved UL (Underwriters Laboratories) listings and N.E.C (National Electrical Code) specifications and meet all applicable building code standards, with no visible light leaks and all electrical devices, raceways, conduit, power supplies, and fasteners concealed. The Master Sign Program also prohibits flashing, animated, inflatable, tethered, audible, portable, obscene, and other inappropriate signage that can contribute to visual clutter and distraction.

Finding No. 5: General landscape considerations, including the location, type, size, color, texture, and coverage of plant materials at the time of planting and after a 5-year growth period, provision for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to insure visual relief, to complement buildings and structures, and to provide an attractive environment for the enjoyment of the public.

Fact No. 5: Master Sign Programs do not include or affect the project landscaping, which was previously approved by the Planning Commission on May 1, 2017, through Resolution No. 17-02, which approved Design Review Permit (DRP) #17-01 for the “The Exchange at Bayfront” (previously the “Hercules Bayfront Creekside Apartment Project”) on Block N of the Waterfront.

5. ENVIRONMENTAL DETERMINATION

The Design Review Permit/Master Sign Program is within the scope of the development programs evaluated in the Environmental Impact Report for the Hercules Bayfront Project (State Clearinghouse No. 2009112058), which the City Council certified on December 16, 2011, at a duly held public hearing, through adoption of Resolution No. 11-122. The City Council subsequently approved Resolution No. 11-140, adopting a statement of overriding considerations and a mitigation monitoring and reporting program for the Hercules Bayfront Project. No new significant environmental effects could occur as a result of the proposed Master Sign Program, no new mitigation measures are required for the proposed project, and the proposed project does not require further environmental review under CEQA.

6. CONCLUSIONS / RECOMMENDATIONS

The Exchange project will advance goals, objectives, policies, and programs of the Hercules General Plan and the Waterfront District Master Plan by expanding and enhancing residential and commercial opportunities and services in the Hercules Waterfront District. The proposed Master Sign Program supports those goals of commercial success by specifying a comprehensive, cohesive, and consistent approach for the project collectively and its tenants individually to identify and advertise their businesses to potential patrons.

7. ATTACHMENTS

- Attachment 1 – Draft Resolution approving Design Review Permit #DRP 18-05, Master Sign Program for The Exchange at Bayfront (Waterfront Block N), with Conditions of Approval
 - Exhibit A – Master Sign Program for The Exchange at Bayfront
- Attachment 2 - Recorded Encroachment Easement and Agreement

Attachment 1

Draft Resolution Approving Design Review Permit No. 18-05, Master Sign Program for The Exchange at Bayfront, with Conditions of Approval

Exhibit A

Master Sign Program for The Exchange at Bayfront

Attachment 2
Recorded Encroachment Easement and Agreement