



Planning Commission Staff Report

December 11, 2013
Item 6.b.

SUBJECT: Appeal of P13-2389

APPELLANTS: Tim Bennett and Town Square of Pleasanton HOA

APPLICANT: Tim Bennett, T. Bennett Services Inc.

PROPERTY OWNER: Rajeev Rai

PURPOSE: Appeal of the Zoning Administrator's approval for Sign Design Review to install an approximately one-foot, six-inch tall by ten-foot long halo-illuminated wall-mounted sign.

GENERAL PLAN: Retail/Highway/Service Commercial, Business and Professional Offices

SPECIFIC PLAN: Downtown Specific Plan

ZONING: PUD-C-S/O/HDR (Planned Unit Development – Commercial Service/Office/High Density Residential) District

LOCATION: 73 Ray Street

EXHIBITS:

- A. [Approved Sign Plans dated "Received October 17 2013"](#)
- B. [Zoning Administrator's Approval Letter dated "November 4, 2013"](#)
- C. [Letters of Appeal dated "November 7, 2013" and "November 15, 2013"](#)
- D. [Ordinance 1723 – PUD-97-08](#)
- E. [Letters of Opposition](#)
- F. [Location and Noticing Maps](#)

I. BACKGROUND

PUD-97-08 and Ordinance 1723

On September 16, 1997, the City Council introduced Ordinance 1723 for PUD-97-08 that approved the rezoning of the subject and surrounding properties to PUD-C-S/O/HDR and development plan to construct the approximately 6,100 sq. ft. office building with semi-subterranean parking and thirty (30) small-lot, single-family detached

homes on approximately 3.2 acres. The commercial office building and single-family residential homes all share access off of Ray Street through Tessa Place. Exhibit D is a copy of Ordinance 1723.

Sign Application P13-2389

On October 17, 2013, Mr. Bennett submitted an application to install a one-foot, six-inch tall by ten-foot long halo-illuminated wall-mounted sign for QASource above the entrance facing Tessa Place. During the review process, staff was contacted by two adjacent residents with concerns regarding the proposed sign illumination and the potential impacts it may have on their homes. Staff tried to work out a solution that was agreeable to all parties but has been unable to come to a compromise due to both parties wanting either unrestricted illumination or no illumination at all. After discussion with all parties and review of the site the Zoning Administrator determined that: (1) the subject elevation of the proposed halo-illuminated sign faces the adjoining residential properties and is located within 75 ft. of a single family residential home; (2) the subject business is a professional office with little to no walk-in traffic. Therefore, the application was approved with a condition to limit the hours of illumination for the proposed sign to the hours of 6 a.m. to 7 p.m. (please refer to Exhibit B). Mr. Bennett, as well as the adjacent residential Town Square of Pleasanton Home Owners Association (HOA) filed appeals of the Zoning Administrator's approval. Mr. Bennett filed the appeal due to the restricted hours of illumination; the adjacent HOA filed the appeal due to sign illumination adjacent to residential properties; accordingly, the appeal is now before the Planning Commission for review and action. Please refer to Exhibit C for the letters of appeal.

II. SITE DESCRIPTION

The subject site is located on the north side of Ray Street, just west of First Street. The property maintains a total land area of 18,622 sq. ft. with street frontages of approximately 137 ft. along Ray Street and approximately 200 ft. along Tessa Place. Access to the site is obtained through Tessa Place and shared with the single-family residents to rear, northeast of the property. The subject building is a one story, 6,100 sq. ft. professional office building with semi-subterranean parking as well as at-grade parking along Tessa Place. The subject building is currently occupied by QASource which provides quality assurance services for software companies. They maintain normal business hours from 8 a.m. to 6 p.m. with occasional meeting hours from 6 p.m. to 9 p.m.. The main entrance to the building faces southeast, towards Tessa Place. Properties adjacent to the site include single family homes to northeast and northwest of the property, the Alameda County Transportation Corridor to east and commercial properties, including a Pacific Bell switching facility and a multi-tenant commercial center including office, retail, and personal services to the south across Ray Street.



Figure 1: 2010 Aerial Photograph/Location Map

III. PROJECT DESCRIPTION

QASource has received approval to install a one-foot, six-inch tall by ten-foot long, halo-illuminated channel letter sign above the main entrance facing Tessa Place. Please refer to Figure 2a and 2b on the following page for photographs of the approved sign location in reference to the adjacent single-family homes. The proposed halo-illuminated sign is backlit to produce a “halo” effect around the sign, the sign letters are opaque metal and light does not pass through them. The applicant is requesting to allow for the sign to be illuminated all night long, with no restricted hours. The adjacent neighborhood HOA is requesting to prohibit sign illumination altogether.



Figure 2a & 2b: Street View and Sign Location



IV. ANALYSIS

Sign Illumination

The Downtown Design Guidelines allow for halo-illuminated signs, though rarely utilized in the Downtown area. Although staff feels that the sign is aesthetically appealing, staff believes that due to the location of the sign adjacent to a residential street and residential homes that it would not be appropriate to be illuminated all night long. The subject business is also classified as an office use and does not rely on walk-in or impulse customer traffic, therefore sign illumination and tenant identification during non-

business hours would have little effect on the subject business. Staff feels that limiting the hours of illumination to typical business hours would reduce potential negative impacts on the surrounding residential neighborhood along Tessa Place while allowing tenant identification during normal business hours.

Staff has been in contact with both the applicant and the surrounding HOA and has been unable to come to a resolution to meet all parties' requests. Staff feels that a compromise between the two sides limiting illumination to the hours of 6 a.m. to 7 p.m. is the best solution. The proposed sign would allow illumination in the winter daylight savings time while not disrupting the adjacent neighbors. The proposed sign will achieve a high level of visual interest and quality and will meet the applicant's corporate appearance for their facility.

However, should the Commission find that the wall-mounted signs halo-illumination is appropriate at all times, or not appropriate at all, the Commission may uphold the appeal and approve it with modified conditions to reflect the direction of the Commission.

V. PUBLIC NOTICE

Notice of this appeal was sent to surrounding property owners and tenants within a 1,000-foot radius of the site. At the time this report was published, staff had received comments from three additional neighbors in opposition of the sign illumination (please refer to Exhibit E). The location and noticing maps are included as Exhibit F.

VI. ENVIRONMENTAL ASSESSMENT

The proposal is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15311, Accessory Structures, Class 11(a), on-premise signs, of the CEQA Guidelines. The Class 11 exemption covers new or replacement on-premise signs. Therefore, no new environmental document accompanies this staff report.

VII. STAFF RECOMMENDATION

Staff recommends the Planning Commission deny the appeals and uphold the Zoning Administrator's approval of case P13-2389.

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