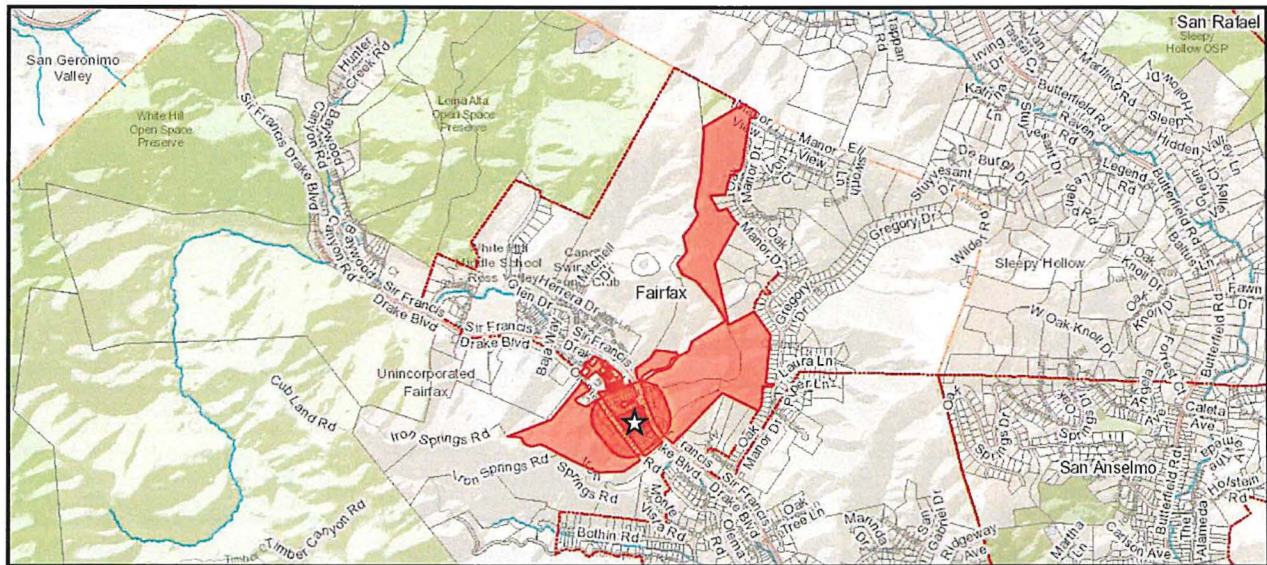


**TOWN OF FAIRFAX
STAFF REPORT ADENDUM**
Department of Planning and Building Services

TO: Fairfax Planning Commission
DATE: November 17, 2022
FROM: Linda Neal, Principal Planner
LOCATION: 2575 Sir Francis Drake Blvd.: APN # 174-051-17
ZONING: RM Multiple Family Residential Zone
PROJECT: Replacement monument sign
ACTION: Sign Permit; Application No. 22-25
APPLICANT: The Sign Factory Inc.
OWNER: Car Town Santa Clara LLC
CEQA STATUS: Categorically exempt, 15302(b) and 15311(a)



2575 SIR FRANCIS DRAKE BOULEVARD

PROJECT DESCRIPTION

Construction of a monument sign at an apartment complex measuring 4.8-feet in height and 4-feet width a hollow, heavy gauge, aluminum monument support surfaced in navy blue (Pantone KPQ-540C) supporting a 2-foot 8-inch by 6-foot sign face painted tan (Sherwin Williams, Rivers Edge, # SW 7517). The apartment location address is "2575" which will be displayed at the top of the monument post and a 17-square-foot sign face displaying the apartment complex name "Creekside Apartments" in navy blue acrylic letting with a logo beneath it will be attached to monument below the address numbers. The address numbering and border of the sign is brushed silver (see photo of materials below).

(Actual materials will be available for viewing at the hybrid meeting on November 17th). The monument sign is proposed to be located against a wall adjacent to one of the multi-vehicle carports and will be one-sided with the business identification sign face directed south and visible only to the traffic traveling northbound on Sir Francis Drake Boulevard (Attachment B - project plan set). The existing sign is illuminated by two lights set in the landscape bed and directed upwards towards the sign. There are no plans to install new lighting for the new sign.

Photo of proposed Sign Materials below:



BACKGROUND

The approximately 1.69 acre site is mostly level but slopes down to the Fairfax Creek at the rear of the four apartment buildings, pool, and two covered parking structures. The four apartment buildings, swimming pool, and two parking structures were built in the 1960's.

There is an existing monument sign located in a landscape bed on the North side of the entry driveway to the site. The sign is 5-feet tall and 5-feet 4-inches

wide with a white background and the sign copy in purple displaying the business identification name and management phone number (see photo below).



The applicants have indicated that the replacement sign can be installed in the same location without damaging the existing landscaping that surrounds the existing business identification sign.

DISCUSSION

Town Code § 17.064.060 lists the type of signs that are prohibited by the Sign Ordinance unless the Planning Commission approves an exception by approving a sign permit for a specific sign. Freestanding signs such as the proposed monument sign are included in the list of signs that require Planning Commission approval [Town Code § 17.064.060(G)].

To grant a sign permit for a monument sign Town Code § 17.064.100(B) requires the Commission to make a finding that the exception is not inconsistent with purpose and intent of the Sign Ordinance Chapter and that the strict adherence to the regulation may cause unnecessary hardship if one of the following exists:

1. Exceptional or extraordinary circumstances or conditions, not resulting from any act of the owner or applicant, apply to the location under consideration and not generally to other business or properties in the vicinity;
2. The exception is the minimum necessary to serve its (the signs) intended use;
3. The application submitted is extraordinary and outstanding in design; or
4. The sign is of historical significance.

The Planning Commission must also find that the proposed sign complies with the design criteria set forth in Town Code § 17.064.140(A)(1) through (6) including;

- 1) The sign must meet the purpose and intent of the Sign Ordinance [Town Code § 17.064.010];
- 2) The sign may not be garish, excessively brilliant, or otherwise inappropriate to the character or plans of the Town;
- 3) The sign must be architecturally a part of the design of the building rather than a feature independent of and in conflict with the design of the building;
- 4) The color and material of any sign shall be compatible with the color and material of any wall on which a sign is painted or to which the sign is attached;
- 5) The sign must be designed and installed in such a manner as to ensure adequate security and stabilization to minimize or eliminate risk of injury to persons and property;
- 6) If lighting is installed, it shall not cause glare to passing pedestrians or motorists or cause light pollution.

The proposed 17-square-foot, tan, sign face attached to the 4.8-foot tall, by 4-foot wide, navy blue monument support with the site address "2575" displayed at the top, and the sign copy in a navy blue similar to the color of the monument support, creates a pleasing design that complements the architecture and exterior colors of the buildings. The location of the proposed sign is within an existing planting bed adjacent to a wall alongside the existing front carport structure and will not project above the top of that wall. Included in the resolution is a condition approving the sign subject to a building permit being obtained for the monument structure to ensure it meets code requirements and is properly constructed. The project does not include any new lighting.

The size and the location proposed for the sign at the front of the large property where most of the structures are set a considerable distance from Sir Francis Drake Boulevard is the minimum necessary to alert passersby to the apartment complex location and entry driveway.

Due to the small size of the existing landscaping in the bed where the sign is to be located, it is highly likely that the landscaping will be damaged during the sign installation. Therefore, staff has incorporated a condition into the resolution approving the project that a landscaping and irrigation plan be submitted with the building permit application and that the landscaping be inspected and approved by the Planning Department Staff prior to the final inspection for the building permit. A follow-up inspection will be made by the Planning Department Staff six months after the replacement of any damaged plants to ensure the plantings have become established. The applicants may be able to remove some of the existing plants and then replant them after installation of the sign to minimize the project costs.

RECOMMENDATION

Move to approve application No. 22-25 by adopting Resolution No. 2022-33 setting forth the findings and the conditions for the Sign Permit approval.

ATTACHMENTS

Attachment A – Resolution No. 2022-33

Attachment B – Applicant’s project plans and other supplemental support information

RESOLUTION NO. 2022-33

A Resolution of the Fairfax Planning Commission Approving Application No. 22-25 for a 17 Square-Foot, Business Identification Sign Mounted Upon a 4.8-foot tall by 4-foot Wide Monument For Creekside Apartments at 2575 Sir Francis Drake Boulevard

WHEREAS, A sign permit application for an exception to the sign ordinance regulations was submitted by The Sign Factory Inc., on October 24, 2022; and

WHEREAS, the application was for a 4.8-foot tall by 4-foot wide monument sign with the apartment complex street address "2575" in silver at the top with a 17 square-foot business identification sign displaying the apartment name "Creekside Apartments" in navy blue on a tan sign face; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on November 17, 2022, at which time the Planning Commission determined that the project complies with the Town Code Chapter 17.064, the Sign Ordinance; and

WHEREAS, based on the plans and other documentary evidence in the record the Planning Commission has determined that the applicant has met the burden of proof required to support the findings necessary to approve the Sign Permit; and

WHEREAS, the Commission has made the following findings:

1. The project is consistent with the purpose and intent section of Chapter 17.064, Signs, of the Zoning Ordinance.
2. The size and the location proposed of the sign at the front of the large property where most of the structures are set a considerable distance away from Sir Francis Drake Boulevard is the minimum necessary to alert passersby to the apartment complex location and entry driveway.
3. The proposed monument sign is not garish, the colors and materials are compatible with the colors and materials of the apartment complex buildings, the condition below requiring that a building permit be obtained prior to erection of the sign will ensure that it is designed and installed to be stable and eliminate risk of injury to persons and property, and no lighting is proposed for the sign so the sign will not cause glare to passing pedestrians or motorists or cause light pollution.

WHEREAS, the Commission has found the project to be categorically exempt from the California Environmental Quality Act (CEQA) per categorical exemptions 15302(b) and 15311(a) of the CEQA Guidelines.

WHEREAS, the Commission has approved the project subject to the applicant's compliance with the following conditions:

ATTACHMENT A

1. The project approval is limited to the sign project depicted and described in the following plans prepared by The Sign Factory, Inc. received by the Town on October 24, 2022.
2. Prior to issuance of the building permits for the project the applicant or his assigns shall submit a construction plan to the Public Works Department which may include but is not limited to the following.
 - a) Location for storage of construction materials prior to and during construction of the sign.
 - b) Location of parking for the employees of the contractor that will install the sign.
3. Construction vehicles may not block the access driveway to the apartment complex during the construction process.
4. Any changes, modifications, additions, or alterations made to the approved set of plans will require a modification of Application No. 22-25. Modifications that do not significantly change the project, the project design or the approved discretionary permit **may** be approved by the Planning Director or the Planning Commission. Any construction based on job plans that have been altered without the benefit of an approved modification of Application 22-25 will result in the job being immediately stopped and red tagged.
5. The applicant and its heirs, successors, and assigns shall, at its sole cost and expense, defend with counsel selected by the Town and indemnify, protect, release, and hold harmless the Town of Fairfax and any agency or instrumentality thereof, including its agents, officers, commissions, and employees (the "Indemnitees") from any and all claims, actions, or proceedings arising out of or in any way relating to the processing and/or approval of the project as described herein, the purpose of which is to attack, set aside, void, or annul the approval of the project, and/or any environmental determination that accompanies it, by the Planning Commission, Town Council, Planning Director or any other department or agency of the Town. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the Indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the Indemnitees. Nothing herein shall prohibit the Town from participating in the defense of any claim, action, or proceeding. The parties shall use best efforts, acting in good faith, to select mutually agreeable defense counsel. If the parties cannot reach agreement, the Town may select its own legal counsel and the applicant agrees to pay directly, or timely reimburse on a monthly basis, the Town for all such court costs, attorney fees, and time referenced herein, provided, however, that the applicant's duty in this regard shall be subject to the Town promptly notifying the applicant of any said claim, action, or proceeding.

6. A landscaping and irrigation plan shall be submitted with the building permit application and the landscaping shall be inspected and approved by the Planning Department Staff prior to the final inspection for the building permit. A follow-up inspection will be made by the Planning Department Staff six months after the sign final inspection to ensure all the plant material, whether it be existing or new, is in good condition.
7. The applicant shall comply with all applicable local, county, state and federal laws and regulations. Local ordinances which must be complied with include, but are not limited to: The Noise Ordinance, Chapter 8.20, Polystyrene Foam, Degradable and Recyclable Food Packaging, Chapter 8.16, Garbage and Rubbish Disposal, Chapter 8.08, Urban Runoff Pollution Prevention, Chapter 8.32, and the Americans with Disabilities Act.

NOW, THEREFORE BE IT RESOLVED, the Planning Commission of the Town of Fairfax hereby finds and determines as follows:

The approval of the sign permit is in conformance with the Zoning Ordinance, Title 17; and

Construction of the project can occur without causing significant impacts on neighboring residential developments and/or Sir Francis Drake Boulevard.

The foregoing resolution was adopted at a regular meeting of the Planning Commission held in said Town, on the 17th day of November 17, 2022 by the following vote:

AYES:

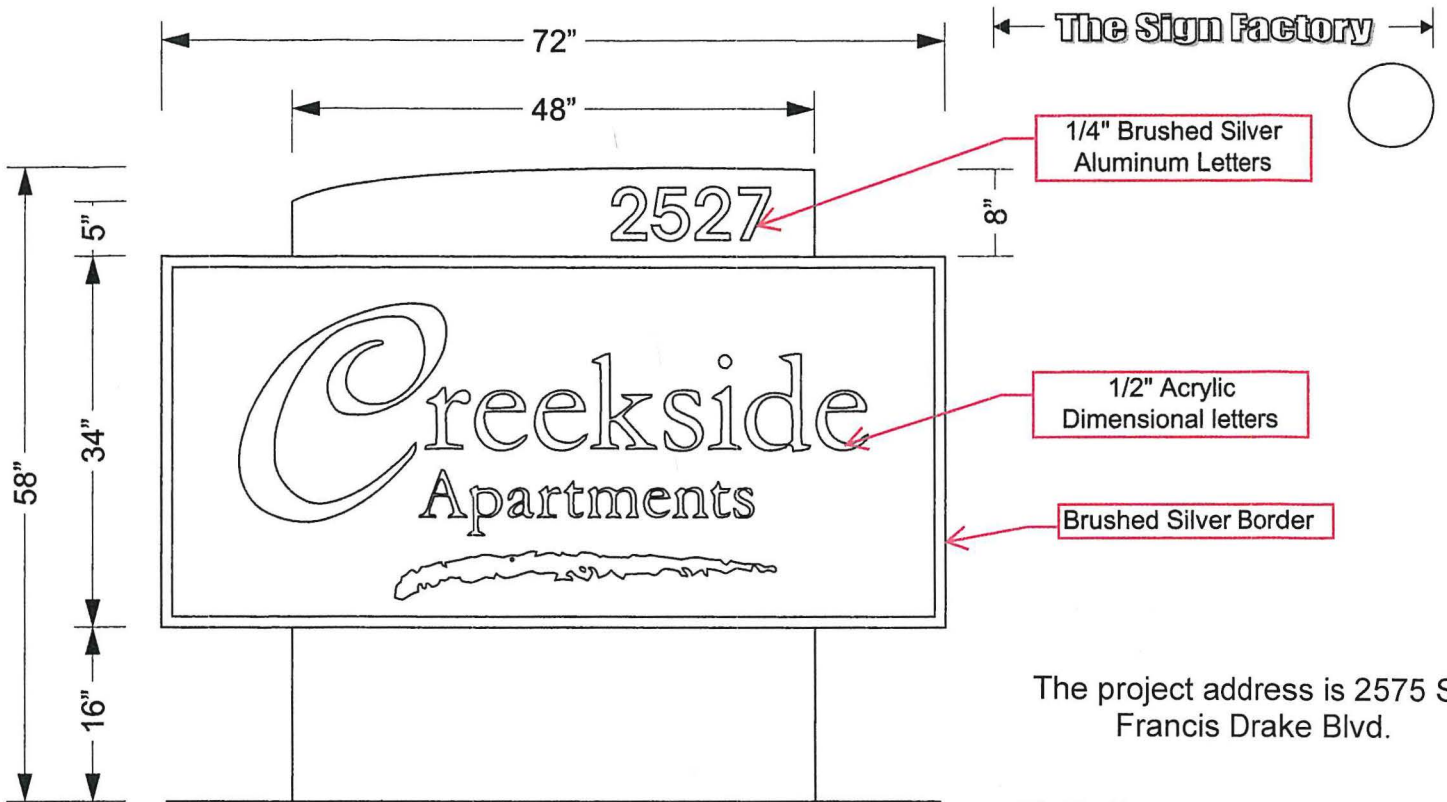
NOES:

ABSTAIN:

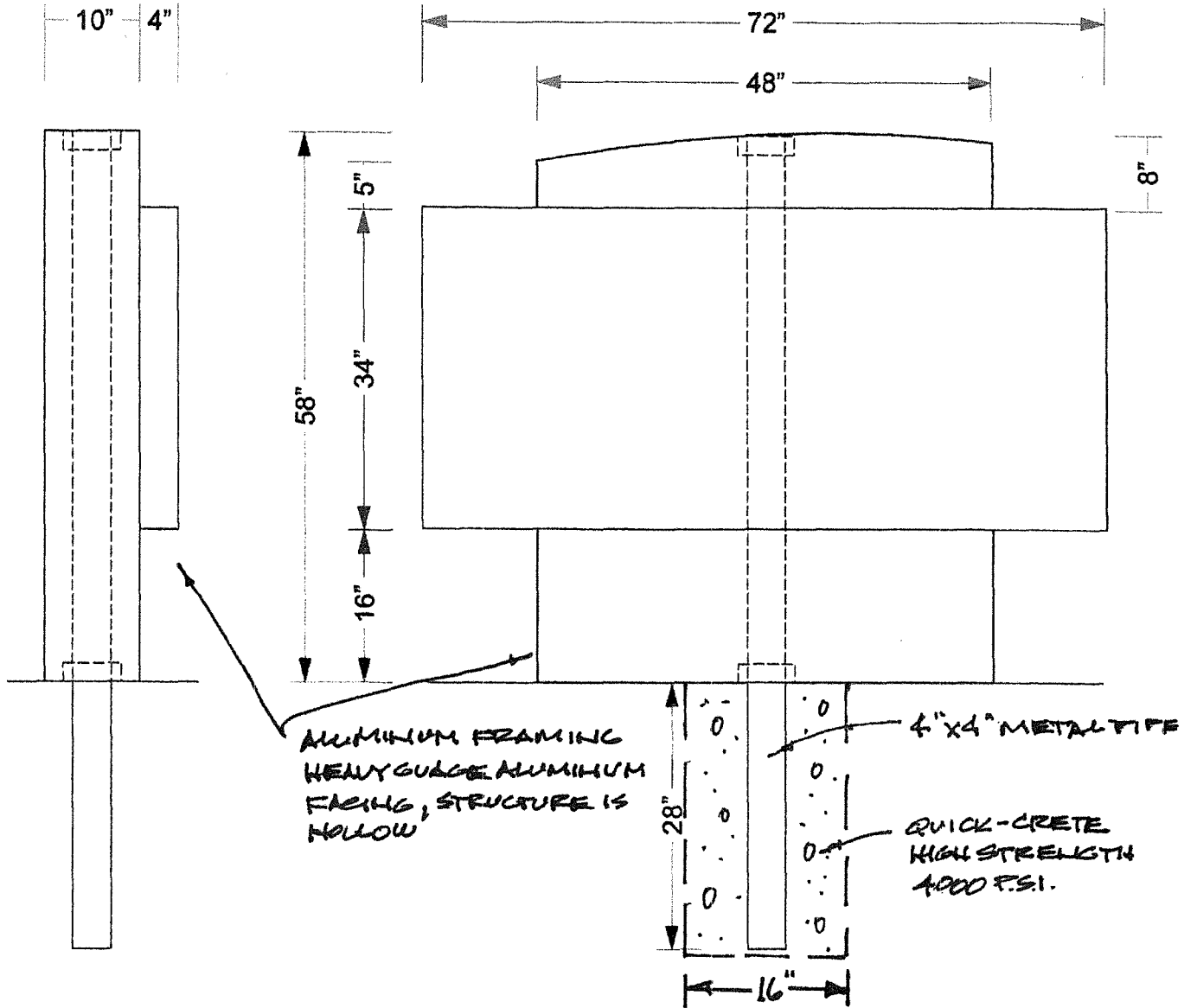
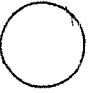
Chair Norma Fragoso

Attest:

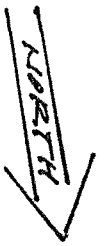
David Woltering, Interim Planning Director



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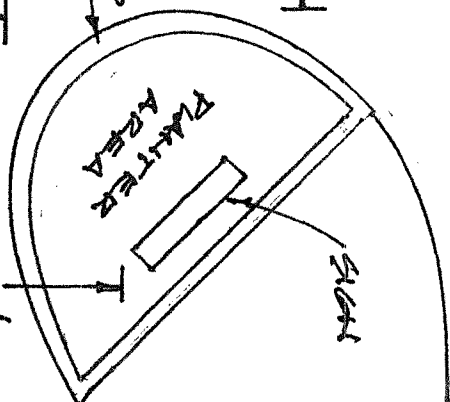


BUILDINGS

WINDSCAPING S

DRIVEWAY 22'

RETAINING WALL



5' SIDEWALK

CARPET

WINDSCAPING S

SIR FRANCIS DRAKE BLVD.



2575 SW Francis Drive Blvd
Tualatin, California
Google
Street View - Jul 2022

Sign Location
To be placed in front
of wall



Google

© 2022 Google

