



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 09/09/2020

ITEM NO: 4

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DATE: September 4, 2020  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Consider a Request for Approval for a Variance from the Town Code to Exceed the Maximum Allowable Sign Area and an Exception from the Commercial Design Guidelines to Exceed the Maximum Letter Height for a Wall Sign (Sephora) on Property Zoned C-2:LHP:PD, Located at 50 University Avenue, Suite B260. APN 529-02-044. Variance Application V-20-001. Property Owner: SRI Old Town LLC. Applicant: Peter Liu.

Deemed complete: July 30, 2020  
Final date to take action: January 30, 2021

**RECOMMENDATION:**

Consider a request for approval for a Variance from the Town Code to exceed the maximum allowable sign area and an exception from the Commercial Design Guidelines to exceed the maximum letter height for a wall sign on property zoned C-2:LHP:PD, Located at 50 University Avenue, Suite B260.

**PROJECT DATA:**

General Plan Designation: Central Business District  
Zoning Designation: Central Business District, Landmark and Historic Preservation Overlay, Planned Development, C-2:LHP:PD  
Applicable Plans & Standards: Master Sign Program, Zoning Code; Commercial Design Guidelines  
Parcel Size: 4.15 acres

**PREPARED BY:** ERIN WALTERS  
Associate Planner

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Reviewed by: Planning Manager and Community Development Director

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Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Medium Density Residential	R-1:8:LHP
East	Los Gatos Creek and Highway 17	N/A	N/A
South	Commercial	Central Business District	C-2:LHP
West	Commercial	Central Business District	C-2:LHP

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.
- As required by Section 29.20.170 of the Town Code for granting a Variance application to exceed the maximum allowable sign area.
- That the project is in conformance with Planned Development Ordinance 2025.
- That the project is in conformance with the Old Town Master Sign Program.
- That the proposed project is consistent with the applicable Commercial Design Guidelines with the exception of the maximum letter height for a wall sign in the C-2 District.

ACTION:

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

BACKGROUND:

The subject site is located on the east side of University Avenue (Exhibit 1). The subject 4,668-square foot tenant space is located on the first floor of the Old Town Shopping Center and is currently under construction with a retail tenant improvement (Sephora). The subject tenant space is a portion of a former restaurant space (The Catamount).

On January 14, 2020, the applicant applied for a sign permit (SN-20-002) for the subject tenant space. Staff reviewed the sign permit application package and determined that the proposed total sign area would exceed the maximum allowable sign area per Section 29.10.135 (c), Rules 1 and 2, of the Town Code, and the proposed letter height would exceed the maximum letter

BACKGROUND (continued):

height for a wall sign per Section 6.2.5 of the Commercial Design Guidelines. On March 11, 2020, the applicant applied for a Variance application.

PROJECT DESCRIPTION:

The project is being considered by the Planning Commission as the applicant is requesting approval of a Variance to exceed the maximum allowable sign area and an exception from the Commercial Design Guidelines to exceed the maximum letter height for a wall sign located in the C-2 District.

A. Location and Surrounding Neighborhood

The subject property is located on the east side of University Avenue (Exhibit 1) and is developed with the Old Town Shopping Center commercial buildings. The subject 4,668-square foot tenant space is located on the first floor of the shopping center's main building. The property abuts commercial properties to the south and west, residential properties to the north, and the Los Gatos Creek and Highway 17 to the east.

B. Project Summary

The applicant is requesting approval of a Variance to exceed the maximum allowable sign area and an exception from the Commercial Design Guidelines to exceed the maximum letter height for a wall sign located in the C-2 District.

DISCUSSION:

A. Project Summary

The applicant proposes a wall sign and awning signage on the exterior building of the subject tenant space. The proposed signage meets the Old Town Shopping Center Master Sign Program, but exceeds the maximum allowable sign area per the Town Code and exceeds the maximum letter height for wall signs located in the C-2 District per the Commercial Design Guidelines. The applicant has provided a scope of work and letter of justification for the proposed project (Exhibits 4 and 5). The proposed development plans are provided in Exhibit 9.

**Total Sign Area**

The applicant proposes 70.2 square feet of wall sign area and 2.62 square feet of awning sign area resulting in a total proposed sign area of 72.82 square feet where the maximum allowable sign area is 51.66 square feet per Town Code (Exhibit 9, Sheets 1.2 and 2.0). Per

DISCUSSION (continued):

the Commercial Design Guidelines (Chapter 6, page 5), a six-inch margin around all words has been included to calculate the total sign area.

Total Sign Area	
Proposed	Maximum Allowable
72.82 square feet	51.66 square feet

The project business frontage is 51 feet, 8-inches. Per Town Code Section 29.10.135 (c), Rules 1 and 2, the maximum allowable signage area for the subject business frontage is 51.66 square feet. A Variance from the Town Code is required to exceed the maximum allowable sign area.

**Wall Sign Letter Height**

The applicant proposes a 30-inch letter height for the wall sign, when a maximum letter height of 12-inches is allowed per the Commercial Design Guidelines (Exhibit 9, Sheets 1.2 and 2.0).

Wall Letter Height	
Proposed	Maximum
30-inches	12-inches

Per the Commercial Design Guidelines- Chapter 6.2 Wall Signs:  
Section 6.2.5 - Maximum letter height:

*Sign height and width should be appropriate to the building on which it is placed and the distance of the sign from the fronting streets. Generally, wall sign letter heights should not exceed the following:*

*C-1 District, 12 inches*

*C-2 District, 12 inches*

*LM District, 12 inches*

*Los Gatos Boulevard, 18 inches*

*Exception: Auto dealership wall signage will be considered in the context of the overall Sign Program.*

The subject site is located in the C-2 District and subject to a maximum letter height of 12-inches. An exception from the Commercial Design Guidelines is required to exceed the maximum letter height.

DISCUSSION (continued):

B. Variance – Exceed Maximum Sign Area

Section 29.10.135 (c) of the Town Code states that Rules 1 and 2 govern the calculation of the area of attached signs. The maximum sign area for attached signs on any frontage may not exceed the area derived from the calculation for that frontage.

*Rule 1. Allowed sign area is one (1) square foot for each lineal foot of primary business frontage plus one (1) square foot for each lineal foot of secondary business frontage provided that the sign area generated by each secondary business frontage cannot exceed fifty (50) percent of the sign area generated by the primary business frontage.*

*Rule 2. Allowed sign area is one (1) square foot for each lineal foot of primary business frontage plus one-half square foot for each lineal foot of secondary business frontage.*

The maximum allowable sign area for the subject business frontage is 51.66 square feet as the primary business frontage is 51 feet, 8-inches. The applicant is requesting a Variance to exceed the maximum allowable sign area to allow a sign area of 77.82 square feet. The applicant has provided a letter of justification for the request (Exhibit 5), citing the need to exceed the maximum allowable sign area due to the requirement of the Commercial Design Guidelines 6-inch sign area margin and due to the project's proposed letter height of 30-inches. An exception from the Commercial Design Guidelines is also required to exceed the maximum letter height of 12-inches in the C-2 District.

As required by Section 29.20.170 of the Town Code, the deciding body, on the basis of the evidence submitted at the hearing, may grant a Variance if it can make the following findings.

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the ordinance deprives such property of privileges enjoyed by other properties in the vicinity and under identical zone; and
2. The granting of a variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone which such property is situated.

The applicant has submitted a letter of justification outlining the request for a larger wall sign area than permitted by the Town Code and taller letter height than permitted by and the Commercial Design Guidelines (Exhibit 5). The applicant states that vehicular and pedestrian visibility to the subject tenant's sign would be compromised as the building is setback 188 feet from the public right of way, creating a unique challenge. The applicant also states that the mature trees and the shopping center's sign would block visibility to the tenant's signage.

DISCUSSION (continued):

The letter of justification states that the 12-inch letter height would not be seen by vehicular traffic along University Avenue and would prevent the tenant from being adequately identified. The letter states that a larger letter height would help identify the tenant to vehicular traffic, possibly preventing traffic incidents. The applicant states that the tenant space is unique to other tenant spaces as it is larger and has a pitched roof over the entry. The applicant provides that a larger sign would be visually more aesthetic than a smaller sign, and compliment the scale of the building's architecture.

The applicant also states that other businesses in the shopping center and in surrounding shopping centers appear to have signage that exceed the letter height as shown in the provided site photographs (Exhibit 6). The applicant states that the granting of the Variance would not grant a special privilege that other properties do not also enjoy.

C. Old Town Shopping Center Sign Letter Height - Neighborhood Compatibility

The following table provides a summary of sign letter height for wall signs located on the subject building in the Old Town Shopping Center.

Tenant Name	Sign Letter Height
White House Black Market	12-inches
Thread Up	11-1/2-inches
Talbots	30-inches
Anthropologie	8-inches
Chico's	12-inches
Wine Cellar	17-inch letter "W" and 24-inch letter "C"

Existing sign letter heights range from eight inches to 30 inches. There are two examples of larger sign letter heights that exceed the Commercial Design Guidelines. Wine Cellar has a 17-inch "W" and 24-inch "C" and Talbots has a 30-inch sign letter height. The Talbots and Wine Cellar signs were approved prior to the approval of the Commercial Design Guidelines.

D. Neighborhood Outreach

The applicant reached out to the surrounding tenants of the Old Town Shopping Center regarding the proposed project. The applicant has provided a summary of the outreach and the feedback (Exhibit 7). A majority of the tenants were supportive of the proposed signage and two tenants provided feedback that a 24-inch letter height would be preferable.

DISCUSSION (continued):

E. Sign Letter Height and Total Sign Area Alternatives

Staff requested that the applicant provide a summary of sign letter heights and total sign area alternatives for the subject project to provide a comparison. The total sign area column includes both the wall sign area and the awning sign area. The applicant provided the following table:

Wall Sign Letter Height	Wall Sign Area (s.f.) (includes the required 6-inch margin)	Awning Sign Area (s.f.)	Total Sign Area (s.f.)	Variance Required
12-inch	18.43	2.62	21.05	No
18-inch	31.03	2.62	33.65	No
24-inch	49.56	2.62	52.18	Yes
<i>Proposed 30-inch</i>	<i>Proposed 70.2</i>	<i>Proposed 2.62</i>	<i>Proposed 72.82</i>	<i>Yes</i>
Max. allowed per Commercial Design Guidelines 12-inch			Max. allowed per Town Code 51.66 s.f.	

The table above provides four different wall sign letter height options: 12-inch, 18-inch, 24-inch, and 30-inch. Either the 12-inch and 18-inch wall sign letter height option would result in a total sign area (including the awning sign area) which would not require a Variance from the Town Code. Either the 24-inch and 30-inch wall sign letter height option would result in a total sign area (including the awning sign area) which would require a Variance from the Town Code.

F. CEQA Determination

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 a Variance from the Town Code for a sign area of 72.82 square feet, where 51.66 square feet is allowed based on primary business frontage, and approval of an exception from the Commercial Design Guidelines for a 30-inch wall sign letter height, where the maximum is 12-inches in the C-2 District.

B. Recommendation

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 findings as required by Section 29.20.170 of the Town Code for granting a Variance to exceed the maximum allowable sign area (Exhibit 2);
3. Make the finding that the project is in conformance with Planned Development Ordinance 2025 (Exhibit 2);
4. Make the finding the project is in conformance with the Old Town Master Sign Program (Exhibit 2);
5. Make the finding that the project complies with the applicable Commercial Design Guidelines with the exception of exceeding the maximum letter height for a wall sign in the C-2 District (Exhibit 2); and
6. Approve Variance application V-20-001 with the conditions contained in Exhibit 3 and the development plans in Exhibit 9.

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. Project Description, received June 26, 2020
5. Letter of Justification, received June 26, 2020

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SUBJECT: 50 University Avenue, Suite B260/V-20-001

DATE: September 4, 2020

6. Site Photographs, received March 11, 2020
7. Neighborhood Outreach, received June 26, 2020
8. Old Town Center Master Sign Program
9. Development Plans, received July 23, 2020