



February 20, 2015

MICHAEL GRATTON  
3951 INDUSTRIAL WAY, BLDG A  
CONCORD, CA 94520

Subject: Design Review Application No. Y14-047, 1372 N. Main Master Sign Program

The Walnut Creek Design Review Commission took the following action on your item on February 18, 2015

- |   |  |
|---|--|
| <input type="checkbox"/> Approved                   | <input checked="" type="checkbox"/> Approved with Conditions |
| <input type="checkbox"/> Denied (without prejudice) | <input type="checkbox"/> Denied                              |
| <input type="checkbox"/> Held over to _____         |  |

If the Design Review Commission took final action on your application, Resolution No. 2909 setting forth the Commission's decision and findings in regard to this item will be enclosed.

For additional information regarding disposition of this application, please refer to the reverse side of this letter.

Very truly yours,

KENNETH NODDER, Acting Secretary  
Walnut Creek Design Review Commission

Enclosures: Resolution No. 2909  
Standard Design Review Conditions – Exhibit A

WALNUT CREEK DESIGN REVIEW COMMISSION  
RESOLUTION NO. 2909  
1372 N. MAIN MASTER SIGN PROGRAM  
DESIGN REVIEW APPLICATION NO. Y14-047  
1372 N. MAIN STREET (APN 178-240-021)

EFFECTIVE DATE: MARCH 4, 2015, unless appealed prior to that date

Section 1. Background

1. On February 18, 2015 the Walnut Creek Design Review Commission held a public hearing to consider Design Review Application No. Y14-047, filed on May 20, 2014 by Michael Gratton, of Specialized Graphics, applicant for the property management, in which a master sign program was requested for the 1372 N. Main retail project, located 1372 N. Main Street in Walnut Creek. The hearing was originally scheduled for December 17, 2014 and January 21, 2015, and both times the applicant requested the item be continued.
2. On October 15, 2014, the Walnut Creek Sign Subcommittee reviewed the proposed master sign program for the 1372 N. Main project and gave a positive recommendation to the Design Review Commission for approval of the signage with revisions.
3. Public hearing notices for the project were mailed to property owners within 300 feet of the property and posted within a 300-foot radius of the subject property at least 10 days prior to the scheduled hearings.

Section 2. Findings. The project is subject to Design Review findings contained in the Walnut Creek Planning Code, Section 10-2.4.1206. Required findings, below, are shown in regular type and the reason(s) the project is consistent is shown in **bold** type:

1. The plan is consistent with the General Plan, any applicable Specific Plan and this Chapter. **The approval of a master sign program is required pursuant to Walnut Creek Municipal Code 10-8.109 Master Sign Programs, where a sign(s) is requested for: 1) a building or groupings of buildings which contains six (6) or more business or office uses, or 2) community uses that request more than two identification signs. The Master Sign Program is consistent with the *General Plan 2025* and the Walnut Creek Sign Ordinance with the granting of one Sign Ordinance exception, see Finding 8 below.**
2. The approval of this plan is in the best interest of the public health, safety and general welfare. **The proposed master sign program will enhance the building façade and facilitate retail identification for existing tenant spaces. The tenant identification is in the best interest of the public health, safety and general welfare.**
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. **The proposed master sign program will facilitate pedestrian circulation as it will provide adequate building identification, monument signage, directional signage, and tenant identification. The proposed signage has been designed to provide a consistent program that is well designed and oriented for a walkable, pedestrian friendly environment.**

4. General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings.  
**The sign materials, colors, placement, and scale are compatible with the building architecture and surrounding area and located at a pedestrian scale along the North Main Street frontage.**
5. General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to complement buildings and structures and to provide an attractive environment for the enjoyment of the public.  
**The project will not add or change any existing landscaping.**
6. Compliance with all provisions of Chapter 8 (Preservation of Trees on Private Property) of Title 3 (Public Safety) of this code.  
**No trees are affected by the proposed project.**
7. The project is statutorily and categorically exempt under the California Environmental Quality Act (CEQA) per Section 15301. Additionally, signs are exempt from CEQA per Section 15301 (g) and 15311.
8. The second floor tenants are located mostly on the interior courtyard of the building and have no visibility to the street, therefore allowing these tenants a tenant panel on the monument directory sign will assist in identifying and locating the business. Therefore, an exception to 10-8.104, Second Floor Signage, to allow second floor tenants on the monument directory sign is justified.

**Section 3. Decision.** Based on the findings as set forth above, this Commission hereby grants approval of the 1372 N. Main Master Sign Program, as shown on the plans labeled "Exhibit A of Design Review Application No. Y14-047" and grants the Sign Ordinance Exception subject to the following conditions:

**DESIGN REVIEW CONDITIONS:**

1. The Master Sign Program for the property shall be implemented substantially as shown on the plans labeled "Exhibit A of Design Review Application No. Y14-047"; and as modified herein. Except as modified herein, any proposed changes to the approved master sign (including colors, materials, sign locations, number of signs or size of sign) shall be submitted in writing to the Planning Division staff for review and approved, prior to inclusion in any subsequent building permit or site development permit construction documents.
2. The applicant and the adjacent property owner at 1388 N. Main Street, shall coordinate the timing and removal of the existing freestanding sign near the common property line.
3. No direct or indirect illumination of the fabric awnings is allowed.

4. All permanent signs for the project site, including the monument directory sign, the oval address sign, building identification, as well as all new awnings will require a sign permit and building permit prior to placement. All tenant signage, including window signs, tenant signage and awnings, shall be reviewed and approved by the Planning Division to ensure compliance with the adopted sign program.
5. No advertising or tenant identification will be allowed on outdoor seating areas or on table umbrellas.
6. All non-compliant signs shall be removed and replacement and or new signs installed in conformance with the adopted 1372 N. Main Master Sign Program by March 4, 2016 (one year from Effective Date).
7. No tenant signage shall be permitted on the east side of the building.
8. The two small directory wall signs shall match in terms of color, detail and size with a brushed aluminum finish.
9. Any necessary repair, painting and patching shall be carried out in conjunction with removal of existing signs and installation of new signs.

**ENGINEERING DEPARTMENT CONDITIONS:**

10. The monument directory sign shall be located a minimum of two feet behind the back edge of sidewalk to the satisfaction of the City Engineer. Prior to the issuance of a building permit, the monument directory sign shall be reviewed and approved for a location outside of the Right of Way unless an Encroachment Agreement is obtained first.
11. A Building Permit shall be obtained for the installation of signage improvements on the site. The applicant/owner should contact the Building division to discuss submittal requirements.
12. An encroachment permit is required for all work within the public right-of-way. The encroachment permit is required prior to the issuance of the building permit.

**BUILDING DIVISION CONDITIONS:**

13. Please review Information Bulletin IB-010 for submittal requirements for signs:  
<http://www.walnut-creek.org/civicax/filebank/blobdload.aspx?blobid=2463>
14. Upon submittal of the building permit application, the following items shall be addressed:
  - a. Provide structural calculations and details of the attachments of any signs or awnings to the exterior face of the building prepared by a California-licensed civil or structural engineer.
  - b. Verify exterior wall substrate materials and provide appropriate fasteners. Show any blocking required to be installed.
  - c. Provide structural calculations designing for wind forces for the monument sign.
  - d. Illuminated signs shall be designed to meet applicable requirements of the 2013 California Energy Code.

**TIME LIMITS/EXTENSIONS:**

15. Building permits must be issued or a request for a one-year extension must be filed with the Community and Economic Development Department by March 4, 2016 and subsequently approved by the Design Review Commission or this approval will become null and void on that date. Approval shall be valid for no more than six (6) months from the date of building permit issuance unless construction shall have commenced prior to the expiration of the building permit.

**INDEMNIFICATION/COST RECOVERY**

16. The applicant and its heirs, successors, and assigns shall, at its sole cost and expense, indemnify, defend with counsel selected by the City, protect, release, and hold harmless the City and any agency or instrumentality thereof, including any of its officers, employees, commissions, and agents, from any and all claims, actions, or proceedings arising out of or in any way relating to the processing and/or approval of this Project, the purpose of which is to attack, set aside, void, or annul the approval of this Project and any environmental determination that accompanies it. 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 City 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 City may select its own legal counsel and the applicant agrees to pay directly, or timely reimburse on a monthly basis, the City for all such court costs, attorney fees, and time referenced herein.
17. In the event that any condition imposing a fee, exaction, dedication, or other requirement is challenged by the applicant in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
18. All outstanding fees owed to the City, including staff time spent processing this application, shall be paid in full prior to the issuance of a site development permit or building permit.

Section 4. Effective Date. This resolution shall take effect on March 4, 2015, unless appealed by that date.

The foregoing resolution was adopted February 18, 2015 by the Walnut Creek Design Review Commission at a regular meeting thereof upon motion by Commissioner Fotheringham and seconded by Commissioner Cothren.

AYES: Fotheringham, Cothren, Weiss  
NOES: Gorny, Volkmann  
ABSENT: none



Kenneth Nodder, Interim Secretary  
Walnut Creek Design Review Commission