

**WALNUT CREEK DESIGN REVIEW COMMISSION  
RESOLUTION NO. 2986  
DESIGN REVIEW APPLICATION NO. Y11-053  
BROADWAY PLAZA SHOPPING CENTER  
MASTER SIGN PROGRAM AMENDMENT (LARGE FORMAT SIGN)**

**Effective Date: April 18, 2017 Unless Appealed Prior to that Date**

**Section 1. Background.**

1. On April 5, 2017, the Design Review Commission held a public hearing to consider a request by Macerich, owner of Broadway Plaza Shopping Center, to amend the Master Sign Program (MSP) to allow installation of a large format sign (digital video and static advertisement screen) within the plaza area of the shopping center. The shopping center encompasses approximately 25 acres and is bounded by S. Main Street, Mt. Diablo Boulevard, S. Broadway and Newell Avenue. The zoning is P-D 2122 (Planned Development).
2. The applicant is proposing a Large Format Sign atop Building #3 facing the Broadway Lane plaza. The screen would be approximately 18 feet tall by 32½ feet wide, 585 square feet in size and stand approximately 40 feet above grade.
3. Large format sign details were reviewed by the Sign Subcommittee on January 18, 2017 and comments were forwarded to the Design Review Commission.
4. On December 2, 2015, the Design Review Commission held a public hearing on a request by Macerich, owner of the Broadway Plaza Shopping Center, for a new Master Sign Program (MSP) for all landlord signage including wayfinding, parking and “Large Format” (digital video and static advertisement board) signs at Broadway Plaza.
5. The MSP provides details for both existing and proposed Landlord signage used throughout the shopping center including shopping center identification, wayfinding, directory/kiosk, parking garage, creek walk and “Large Format” signage. The Landlord criteria package includes details regarding signage locations, type, dimensions, construction, materials, and illumination.
6. On January 15, 2014, the Design Review Commission adopted Resolution No. 2872 granting final design review approvals of Phase 1 of the Broadway Plaza Long-Range Master Plan. Condition #4 required approval of a Master Sign Program (MSP) by the full commission prior to the installation of any signs. The MSP was to address all aspects of the shopping center signage including shopping center identification, parking counter, way-finding, lifestyle graphics and all individual tenant sign criteria.
7. As the entire MSP document was broken into two sections – Tenant Criteria and Landlord Criteria. On October 7, 2015, the Walnut Creek Design Review Commission held a public hearing and adopted Resolution No. 2930 approving a MSP for tenant criteria within the shopping center.
8. Consistent with §10-8.101 (Sign Regulations – Intent and Purpose), the purpose of a sign program is to provide the minimum standards for the coordinated placement, size, and general appearance of business identification signs to ensure that commercial signs are designed for the purpose of identifying a business in an attractive and functional manner, rather than to serve primarily as

general advertising for the business, and as a means to safeguard life, health, property, and public welfare while promoting architectural compatibility which enhances the visual environment.

9. This project is consistent with the Final Environmental Impact Report (FEIR) adopted by City Council on December 10, 2013.
10. 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 hearing.

**Section 2. Findings.**

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

- A. **The plan is consistent with the General Plan and any applicable Specific Plan and this Chapter.**

The project conforms to General Plan (GP) Goal 13 of Chapter 4 “*Built Environment*” which seeks to maintain and enhance high quality building design and urban design. The Master Sign Program (MSP) is consistent with Policy 13.1 in that the MSP preserves the scale, appearance, and compatibility of the development by providing sign standards that are generally consistent with other sign programs in the City.

- B. **The approval of this plan is in the best interest of the public health, safety and general welfare.**

The purpose of a sign program is to provide the minimum standards for the coordinated placement, size, and general appearance of business identification signs to ensure that commercial signs are designed for the purpose of identifying a business in an attractive and functional manner, rather than to serve primarily as general advertising for the business, and as a means to safeguard life, health, property, and public welfare while promoting architectural compatibility which enhances the visual environment. As proposed, the MSP for the Broadway Plaza Master Sign Program conforms to the above stated purpose and requirements of the Sign Ordinance.

As conditioned, the Master Sign Program (MSP) complements the new site design approved under Design Review Application No. Y11-053. The MSP allows for shopping center-wide wayfinding, parking, and information. The approved sign types, quantity, and approved locations will further promote these efforts; therefore this project is in the best interest of the public health, safety and general welfare.

- C. **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 location is appropriate as it would be oriented toward the plaza patrons while not being viewable from off-site (as would have been the case for two proposed back in December, 2015 atop Buildings #4 and #5.) The surrounding framework matches the texture, color and detailing of the adjacent elevator shaft and the return along the north end is deeper than shown to the Sign Subcommittee and this same detailing continues around the back side of the structure as well.

- D. **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 Large Format sign will be integrated into the surrounding architecture, will not appear as a freestanding billboard, and will have no potential to be viewable from the surrounding streets neighborhoods.

- E. **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.**

Not applicable.

- F. **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.

- G. **Where fine art work has been proposed, general consideration of category, form, scale, durability, siting and similar elements have been incorporated to complement the surroundings.**

The Sign Program is not subject to the City's Fine Art requirements.

**Section 3. Decision.**

Based on the findings as set forth above, this Commission hereby grants approval of Design Review/Sign Review Application No. Y11-053, as shown on the plans labeled "Exhibit I of Design Review No. Y11-053 Broadway Plaza Shopping Center MSP Amendment (Large Format Sign)," subject to the following conditions:

1. The Large Format sign shall be installed substantially in compliance as shown in the Master Sign Program (MSP) Amendment package labeled "Exhibit I of Design Review No. Y11-053 Broadway Plaza Shopping Center MSP (Large Format Sign)" dated 3-17-2017, as conditioned below.

2. The applicant shall install the required Parking Counter sign at the Nordstrom garage entrance (a component of the approved MSP), prior to issuance of a building permit for the Large Format Sign.
3. The two other approved Large Format Signs (Sign Assets A and D, Exhibit H per DRC Resolution No. 2935) shall be eliminated from the approved Master Sign Program.
4. A separate building permit shall be obtained for the construction of the sign. The applicant/owner should contact the Building division to discuss submittal requirements.
5. The developer shall comply with all requirements of the Contra Costa Co. Fire Protection District, Contra Costa Water District, Central Contra Costa Sanitary District, East Bay Municipal Utility District, Pacific Gas and Electric Company, AT&T, Comcast and Astound Broadband.
6. 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.
7. 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.
8. 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 April 18, 2017 (10 days after the mailing date) unless appealed prior to that date.

PASSED AND ADOPTED on April 5, 2017 by the Walnut Creek Design Review Commission at a regular meeting thereof upon motion by Commissioner Volkmann and seconded by Commissioner Cothren.

Resolution No. 2986

Design Review Application No. Y11-053

Broadway Plaza Shopping Center MSP Amendment (Large Format Sign)

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Ayes: Volkmann, Cothren, Fotheringham

Noes: Gorny

Absent: Weiss

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KENNETH W. NODDER, Secretary  
Walnut Creek Design Review Commission

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