CITY COUNCIL RESOLUTION 2015-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALBANY, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, APPROVING A MASTER SIGN PROGRAM AT 1080 MONROE STREET

WHEREAS, On December 6, 2004, the City Council of the City of Albany adopted Ordinance #04-09 establishing Chapter XX “Planning and Zoning” of the Albany Municipal Code; and

WHEREAS, Chapter XX established development standards and review procedures for new commercial and mixed use construction; and

WHEREAS, the Albany City Council approved Resolution 93-4 adopting San Pablo Ave. Design Guidelines on January 19, 1993; and

WHEREAS, the San Pablo Ave. Design Guidelines encourage signage as an integrated part of architectural design to enable development of a retail boulevard on the corridor;

WHEREAS, in 2007 the Regents of the University of California, serving as the master developer for the site, submitted an application for a mixed use development on the San Pablo Avenue frontage of University Village property located at the northwest and southwest corner of the intersection of San Pablo Avenue and Monroe Street; and

WHEREAS, the City Council, acting as lead agency, prepared a draft and final Environmental Impact Report (“EIR”) in accordance with the California Environmental Quality Act (“CEQA”), Public Resources Code section 21000 et seq.; and on July 9, 2012 in Resolution #2011-51 certified that the EIR was completed in compliance with the
requirements of CEQA and reflected the Council's independent judgment and analysis; and

WHEREAS, the project is within the scope of the EIR certified by the City Council in Resolution 2011-51, and the addendum to the EIR approved on May 6, 2013. Nothing in the current application constitutes significant changes to the project studied in the EIR and addendum and any revisions are not substantial and will not cause any new significant impacts, or substantially more severe impacts than those evaluated in the EIR such that a subsequent or supplemental EIR or negative declaration would be required pursuant to CEQA Guidelines sections 15162 and 15163; and none of the other conditions described in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred; and

WHEREAS, on July 16, 2012, the City Council approved a series of policy-level actions associated with the University Village Mixed Use project including zoning map amendments, zoning text amendments, planned unit development, density bonus to accommodate a senior housing project, grocery store, and retail space; and

WHEREAS, on May 6, 2013, the City Council, acting as lead agency, approved Resolution 2013-22 of the Albany City Council modifying mitigation measure GCC-1 and the mitigation monitoring and reporting program for the University Village Mixed Use development and adopted an EIR addendum; and

WHEREAS, beginning in 2013, the Planning & Zoning Commission held a series of study sessions on the Planning, Zoning and Subdivision actions associated with the project; and

WHEREAS, the Planning & Zoning Commission held public hearings on May 8, 2013, June 12, 2013, July 24, 2013, October 9, 2013, October 30, 2013, November 20, 2013 and December 11, 2013 to discuss the project design, scope, and improvements; and
WHEREAS, on March 5, 2014, the City Council held a public hearing and approved tentative maps for each component of the UC Village Mixed Use Project and design review for the senior housing project and the retail components at 1075 and 1095 Monroe Street; and

WHEREAS, the formal application for a master sign program (the “project”) was filed by the applicant on July 9, 2015; and

WHEREAS, the application is for a Master Sign Program for retail uses at 1080 Monroe St.; and

WHEREAS, on July 22, 2015, the Planning & Zoning Commission held a public hearing, considered all public comments received, the presentation by City staff, and the staff report; discussed and recommended modifications to the application; and continued the item to a date certain; and

WHEREAS, on September 9, 2015, the Planning & Zoning Commission held a public hearing, considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request;

WHEREAS, an appeal of the Planning & Zoning Commission decision was filed with the City on September 23, 2015 by Ulan McKnight; and

WHEREAS, the appellant, Ulan McKnight, identified four issues as the basis for the appeal:

1. No stormwater bioretention treatment areas are located on the project site.

2. Project fails to incorporate drought-tolerant plantings and permeable paved surfaces.

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3. Project parking does not comply with the approved Planned Unit Development (PUD), does not incorporate the concerns of the Albany Fire Marshal, and includes illegal U-turns into and out of parking spaces.

4. Project signage does not conform to Albany Municipal Code Section 20.32 for what is essentially a monument sign 10 feet in height; sign is not shown in plan view and not evaluated for potential obstruction of pedestrian and vehicle line of sight; signage is not located on the project site.

WHEREAS, the City scheduled the appeal hearing with the City Council on November 2, 2015 pursuant to Section 20.100.080 (E) (1); and

WHEREAS, a public hearing notice was mailed to property owners within 300 ft. of the subject site and was posted in three public places on October 23, 2015 for the City Council hearing pursuant to Government Code Section 65090; and

WHEREAS, Planning and Zoning Code Section 20.100.080,F establishes the following standards for review of appeals:

When reviewing any decision of the Planning and Zoning Commission on appeal, the City Council shall use the same standards for decision making and is required to make findings in accordance with the Municipal Code. The Council may adopt the Planning and Zoning Commission’s decision and findings as its own. In either case, the City Council shall have the option to prepare a resolution stating the council’s decision or shall render its decision by minute action.

WHEREAS, Attachment 13 to the staff report responds to the issues raised by the appeal and provides analyses and findings in response to the appeal; and
WHEREAS, on November 2, 2015 the City Council held a public hearing, considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and

WHEREAS, supplementary information was added to the project plans in response to issues raised in the appeals; and

WHEREAS, modifications to the project plans do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects, and no additional mitigation measures are required;

NOW, THEREFORE, THE CITY OF ALBANY CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

Section 1

The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this Resolution.

Section 2

Based on the reasons and evidence set forth in Attachment 13 to the staff report and contained in the administrative record, the City Council denies the appeal.

Section 3

A. FINDINGS FOR APPROVAL CONSISTENT WITH SECTION 20.100.050 “DESIGN REVIEW” AND SECTION 20.32 “SIGNS” OF THE ALBANY MUNICIPAL CODE:
1. **Finding Required for Approval:** The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter.

**Evidence:** The City's General Plan ("General Plan") designates the property as Residential/Commercial (RC). The Property is currently zoned San Pablo Commercial (SPC). The project also conforms to the planned unit development (PUD) of Parcel A and Parcel B of the University Village Mixed Use Development (Resolution 2014-23). The proposed master sign program substantially conforms to the sign type and size requirements of the Zoning Ordinance and the sign guidelines of the San Pablo Avenue Design Guidelines, subject to the conditions of approval in Exhibit A.

2. **Finding Required for Approval:** Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient."

**Evidence:** The proposed wall signs will be visually and functionally appropriate to the building on which they are located since they incorporate a similar contemporary style, with contrasting colors and materials including white sign lettering adhered to dark wood and grey stucco backgrounds and exterior walls. The proposed freestanding and wall signs will be harmonious with the surroundings because the signs will add new high-quality signs to the existing monument, wall, freestanding, and blade signage at the retail, restaurant, and auto-services businesses that comprise the east side of San Pablo Avenue across from the site.
3. **Finding Required for Approval:** Approval of the project is in the interest of the public health, safety and general welfare.

**Evidence:** The proposed project on which the signs will be located will result in the development of vacant land within a regionally-designated Priority Development Area and is expected to enhance the economic vitality of the San Pablo Avenue commercial district by creating more retail activity at the subject site and in the corridor. The project represents a substantial economic investment in the San Pablo Avenue corridor and includes uses that serve the needs of the surrounding community. In addition, the new businesses will support the health, safety, convenience and welfare of those that reside in the area and would help maintain property, improvements, or potential future development in the area.

4. **Finding Required for Approval:** The project is in substantial compliance with applicable general and specific Standards for Review stated in subsection 20.100.050D, specifically that "the design and location of signs and their materials and colors are consistent with the character and scale of the buildings to which they are attached or which are located on the same site, and with the character of the street upon which they front; signs are visually harmonious with surrounding development."

**Evidence:** The design and location of the wall signs on the parapet above the individual tenant spaces are integrated into the architectural design of the building and the signs express the contemporary design of the building, in that the wall signs are made up of white individual letters mounted directly onto the stucco and reclaimed wood of the building façade.

The signs are compatible with the character of San Pablo Avenue, in that the retail, auto-service, and restaurant uses on east side of the corridor across from the project use monument, freestanding, wall, and blade signs made with...
contemporary materials, including vinyl, metal, and plastic. Although the portion of Monroe Street fronting the subject site is currently vacant, the proposed freestanding and walls signs are consistent with the character of the development envisioned by the San Pablo Avenue Design Guidelines which encourages signage as an integrated part of the architectural design to help achieve the vision for a cohesive retail boulevard.

5. **Finding Required for Approval**: The project is in substantial compliance with Section 20.32, Signs.

**Evidence**: The primary purpose of the signage is tenant identification as opposed to product advertising in that each tenant’s wall sign will utilize the same sign colors, height, and background materials of reclaimed wood or stucco. The white letters mounted onto dark wood or gray stucco will have contrast that allows for legibility and visual interest. Although the wall sign area for individual tenants will be determined depending on the individual tenant name, each wall sign will be 2 feet in height and will be required to comply with Section 20.32, and therefore will not exceed the maximum sign area of 3 square feet per tenant frontage in the San Pablo Commercial zoning district. Subject to the conditions of approval in Exhibit A, the project will substantially comply with sign area requirements, including Subsection 20.32.080F which allows a freestanding identification sign for Shopping Centers with 5 or more tenants, which may include a roster of tenants and a maximum sign area of 150 square feet.

6. **Finding Required for Approval**: The City-adopted San Pablo Avenue Design Guidelines have been considered and incorporated in the project.

**Evidence**: The signage will be integrated into the architecture of the building because the wall sign lettering will be mounted directly onto the reclaimed wood panel parapet and the stucco of the exterior wall. The signs will have a compatible size and proportion to the building in that wall signs are aligned with...
the bays of the individual tenant storefronts. The use of high-quality materials and contrasting colors and materials, allow for visibility and readability of the signs from the street and sidewalk, and will contribute to the retail boulevard and urban character envisioned by the Guidelines.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Albany denies the appeal based on the analyses and findings in Attachment 13 to the staff report and hereby approves the Master Sign Program for the University Village Mixed Use Project at 1080 Monroe St. subject to Exhibit A Conditions of Approval and Attachment 04, Project Plans.

PASSED AND ADOPTED by the City Council of the City of Albany on the 2nd day of November 2015.

AYES: Council members: Barnes, McQuaid, Nason, Pilch and Mayor Maass

NOES:

ABSENT:

ABSTAIN:

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MAYOR MAASS

ATTEST: [Signature]
Nicole Almaguer
Albany City Clerk

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RESOLUTION NO. 2015-71

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,
the 2nd day of November, 2015, by the following votes:

AYES: Council Members Barnes, McQuaid, Nason, Pilch and Mayor Maass

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 3rd
day of November, 2015.

Eileen Harrington
DEPUTY CITY CLERK

The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.
EXHIBIT A: RESOLUTION 2015-71
CONDITIONS OF APPROVAL FOR A MASTER SIGN PROGRAM AT
1080 MONROE STREET

To ensure compliance with governmental regulations and consistency with
findings for approval, the following conditions of approval are incorporated into the
approval of the application. These conditions are summary in nature, and it is the
responsibility of the applicant to meet detailed project requirements, including City
policies and codes.

SPECIAL CONDITIONS

SIGN-1 Signage Design Review Approval. All construction/installation of signage shall
conform to the approved sign plan and color and material samples
approved by the Community Development Department.

SIGN-2 Final Sign Program. Prior to issuance of the first building permit for a sign, the
applicant shall provide a final Master Sign Program, consistent with any
direction provided by the Planning and Zoning Commission and City Council,
to the satisfaction of the Community Development Director. The final Master
Sign Program shall include color specifications, and depth and height
dimensions for all sign letters.

SIGN-3 Sign Regulations. All signs shall conform to Section 20.32 of the Municipal
Code, including standards for maximum height and sign area, and lighting
specifications.

SIGN-4 Sign Program Amendments. Revisions to the Master Sign Program shall be
subject to review and approval by the Community Development
Department or Planning and Zoning Commission, as determined by the
Community Development Director.
SIGN-5 Sign Visibility. Signs proposed near corners shall be located and designed to
the satisfaction of the Community Development Director and Transportation
Division, such that they do not obstruct sightlines between vehicles and
pedestrians.

SIGN-5 Caltrans Approval. Prior to issuance of a building permit for any signs
projecting into the Caltrans right-of-way, the applicant shall obtain written
approval from Caltrans confirming its acceptance of the sign specifications.

GENERAL CONDITIONS

GEN-1 Project Approval. This Master Sign Program approval is for 1080 Monroe Street,
as shown and described on the project plans, provided by Lowney
Architecture, dated October 20, 2015, except as may be modified by
conditions herein. For any condition herein that requires preparation of a Final
Plan where the project developer has submitted a conceptual plan, the
project developer shall submit final plan(s) in substantial conformance with the
conceptual plan, but incorporate the modifications required by the conditions
herein for approval by the City.

GEN-2 Fees. The applicant shall pay any and all City and other related fees applicable
to the property, as may be modified by conditions herein. Fees shall be based
on the current fee structure in effect at the time the relevant permits are
secured, and shall be paid before issuance of said permit or before any City
Council final action approval. Notice shall be taken specifically of Plan Check,
Engineering, Fire and Inspection Fees. The project developer shall also
reimburse the City for direct costs of planning, building and engineering plan
check and inspection, as mutually agreed between the City and developer.

GEN-3 Appeals. Not Applicable.
GEN-4 Requirement for Building Permit. Approval granted by the City Council does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City.

GEN-5 Construction Hours. Construction activity shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. Mondays through Saturdays, and 10:00 a.m. to 6:00 p.m., Sundays and legal holidays, unless otherwise approved in writing by the City Engineer for general construction activity. Failure to comply with construction hours may result in stop work orders or other administrative actions.

GEN-6 Modifications to Approved Plans. The project shall be constructed as approved. Planning staff may approve minor modifications in the project design, but not the permitted land use (per MC 20.12). A change in an item requiring discretionary approval and any other changes deemed necessary by the Planning staff shall require further Planning and Zoning Commission approval through the Design Review process.

GEN-7 Hold Harmless Agreement. Pursuant to Albany Municipal Code Section 20.100.010 (N), the applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application. The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense.

GEN-8 Public Improvements Standards. Public improvements shall be designed and constructed in accordance with the City's Standard Specifications and Standard Details, unless specifically waived in writing by the City Engineer.
GEN-9 Title 24 Standards. All construction shall be designed and built in accordance with California Title 24 handicap accessibility standards. Appropriate details and specifications shall be incorporated into the plans and submitted at time of building permit application.

GEN-10 Energy Conservation Standards. All buildings shall be designed in accordance with the State of California energy conservation standards for non-residential buildings. The necessary plans and documentation shall be submitted at time of building permit application.

LIGHTING CONDITIONS

LGHT-1 Exterior Lighting. All exterior lighting shall be installed in such a manner that glare is directed away from surrounding properties and rights-of-way. If required, exterior light fixtures shall be equipped with “cut off” lenses to minimize light and glare spill over onto adjacent properties.

LGHT-2 Shielding of Lighting. Prior to the certificate of occupancy, all accent lighting shall be directed downward and, if necessary, fixed with cut-off lenses to ensure that no glare spills onto neighboring properties.
ATTACHMENT 13 – Response to Ulan McKnight Appeal (filed 9/23/15)

The appellant has identified four items as the basis for the appeal. A summary response and complete analysis are provided for each appeal item. While the appeal only pertains specifically to design review and a master sign program for 1080 Monroe St. (the proposed multi-tenant retail building at “Parcel B”) the full retail component of the UC Village Mixed Use Project—which includes 1075 and 1095 Monroe St. (the grocery and corner retail buildings at “Parcel A”)—is also discussed below to provide context.

**Appeal Issue #1: No stormwater bioretention treatment areas are located on the project site.**

**Summary**

In March 2014, the City Council approved a Stormwater Treatment Plan, which identified the on- and off-site bioretention areas proposed to treat stormwater runoff for Parcel A and B. *No changes to the resolution findings or conditions of approval are recommended.*

**Analysis**

**Previous Approval – City Council Resolution 2014-24**

On March 5, 2014, the City Council approved the Tentative Map for the retail portion of the UC Village Mixed Use project, which included a Stormwater Treatment Plan illustrating how stormwater would be treated for both Parcel A and B. This approval (Resolution 2014-24) was not appealed and is final.

The Stormwater Treatment Plan identified bioretention areas connected to the storm drain system on 10th St., on Monroe St., in the Parcel A parking lot, and along the north side of the grocery building, as shown in Attachment 13-A and summarized in Table 1.

**Table 1: UC Village Retail Stormwater Treatment (in Square Feet)**

<table>
<thead>
<tr>
<th>Proposed Impervious Area</th>
<th>Required Treatment Area</th>
<th>Potential Treatment Area</th>
<th>Excess Treatment Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>141,414</td>
<td>5,657</td>
<td>8,325</td>
<td>2,668</td>
</tr>
</tbody>
</table>

Note: (1) Required treatment area based on 4% of new impervious area

Given the site topography and proposed grading, stormwater will generally flow north and west from Parcel B toward Village Creek. Additionally, Parcel A, Parcel B, and the remainder parcel (Monroe St.) are owned in fee by the same owner, who also has lease agreements over both Parcel A and B. As a result, and given the relative small size of Parcel B, the applicant proposed to treat the runoff from Parcel B improvements within Monroe St. and Parcel A.
Existing Conditions and Mitigations Applied to the Project

As part of the City Council’s approval of the Tentative Map in 2014, the following requirements were applied to the project regarding bioretention areas and the preparation of drainage/stormwater management plans:

- **Mitigation Measure HYDRO-3:** Requires preparation and approval of a grading and drainage plan, including stormwater best management practices, prior to issuance of a grading permit, and requires compliance with Countywide National Pollutant Discharge Elimination System (NPDES) Permit regulations.¹

- **Condition SP-40:** “Prior to approval of the final map by the City Engineer, the applicant shall submit and have approved by the City Engineer a grading and drainage plan.”

- **Condition SP-68:** “Prior to issuance of any grading permit or building permit for any component of the project, the project applicant and City of Albany shall ensure that the proposed project drainage design meets all the requirements of the current Countywide NPDES Permit (NPDES Permit No. CAS0029831), as amended. [MMRP HYDRO-3]”

New development and redevelopment projects that create 10,000 square feet or more of impervious surface are required to treat the permit-specified amount of stormwater runoff. This may be accomplished by installing rain barrels, green roofs, permeable pavement, landscape-based treatment (e.g., bioretention) or related treatment measures, so that all of the permit-specified amount of runoff infiltrates, is stored for reuse, evaporates, or is taken up by plants.

As indicated by the mitigation measure and conditions of approval above, the final drainage/stormwater plans are subject to review and approval by the City’s Public Works Department during the plan check/building permit review process.

**Planning & Zoning Commission Review**

While stormwater treatment is not a requirement for Design Review according to Section 20.100.50 of the Planning and Zoning Code, it is an important design feature that should be considered during the site planning and design process. The Planning & Zoning Commission first reviewed the Design Review application for 1080 Monroe St. at its July 22, 2015 meeting. At that time, the applicant presented the same Stormwater Treatment Plan that had been approved by the City Council, for informational purposes.

At the continued hearing on September 9, 2015, the Planning & Zoning Commission reviewed a revised plan set that focused on the building design, signage, streetscape/landscaping, and crosswalk, as these were the issues raised during the first hearing. The Stormwater Treatment Plan was not presented again at this subsequent meeting since it was not the focus of the meeting.

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¹ Municipal stormwater discharges in the City of Albany are regulated under the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP). MRP Provision C.3 addresses post-construction stormwater management requirements and requires project sponsors to incorporate site design, source control, and stormwater treatment measures into projects to minimize the discharge of pollutants into stormwater runoff. Provision C.3b allows projects to implement these measures onsite or at a “joint stormwater treatment facility,” meaning a facility which treats the combined runoff from two or more C.3-regulated projects located adjacent to each other.
No changes to the resolution findings or conditions of approval are recommended.

**Appeal Issue #2:** Project fails to incorporate drought-tolerant plantings and permeable paved surfaces.

**Summary**

The tree species and pavement types are consistent with City and State requirements regarding water use, and appropriate for the site and its planned uses. *No changes to the resolution findings or conditions of approval are recommended.*

**Analysis**

**Landscape Plan**

The landscape plan for 1080 Monroe St. includes 12 street trees along the south side of Monroe St. The tree species were changed from *Zelkova serrata* to *Acer Rubrum* (Red Sunset Maple) or *Acer Macrophyllum* (Big Leaf Maple) as a result of a Planning & Zoning Commissioner comment at the July 22, 2015 hearing.

Given ongoing drought conditions, reducing water use is an important factor in planning for new landscapes. Also important is the ability for landscaping to provide shade, instill a sense of identity, reduce maintenance (e.g., dropping fruit, longevity), and manage stormwater. Both of the *Acer* species are identified as Moderate water users in the Water Use Classification of Landscape Species (WUCOLS) database, an initiative by the California Department of Water Resources. Additionally, both of the approved species are listed on the Albany City Arborist Tree List (see excerpt Attachment 13-B) and therefore known to grow well in the City. The Tree List also states that some forms of the *Acer Macrophyllum* are drought tolerant.

As per the following condition of approval applied to the approval for 1080 Monroe St., the project is required to meet City and State water efficient landscape requirements and guidelines which include plant selection, installation, and irrigation practices to reduce water use and maximize the viability of the landscaping.

- **Condition of Approval SP-21:** “Prior to issuance of any grading permit or building permit for any component of the project, a final and landscape and irrigation plan shall be submitted and approved by the City of Albany. The project shall comply with the requirements of Section 12-7 of the Albany Municipal Code "Water Efficient Landscaping” and the latest Bay Friendly Landscape policies.”

As part of the building permit review process, City staff and consultants will review the final landscape plan for consistency with the landscape plan and plant palette approved during Design Review, and for compliance with Condition SP-21.

Notably, the more substantial landscaped area in the retail project is located on Parcel A. On March 5, 2015, the City Council approved the general landscape plan and plant palette for Parcel A, which proposed primarily drought tolerant, native, and low water use plants, and specified the water use and compliance requirements, as shown in Attachment 13-C.
Permeable Paved Surfaces

As described in response to item #1 above, permeable paving is one way to manage stormwater runoff by allowing for infiltration and removing pollutants. Since Monroe St. and the adjacent sidewalk are expected to be well used by vehicles, pedestrians, and bicyclists, the more durable non-permeable asphalt and concrete surfaces are recommended in this location. As noted above, the stormwater plan was already approved in March 2014 and the project’s proposal to address stormwater through bioretention treatment areas is an acceptable method.

Therefore, no changes to the resolution findings or conditions of approval are recommended.

**Appeal Issue #3:** Project parking does not comply with the approved Planned Unit Development (PUD), does not incorporate the concerns of the Albany Fire Marshal, and includes illegal U-turns into and out of parking spaces.

**Summary**

The project parking is consistent with the approved PUD and with Fire Department and California Vehicle Code requirements. *In order to better accommodate safe travel by all modes and allow for convenient parking access, an additional condition of approval is proposed.*

**Analysis**

**PUD Parking Requirements**

The City Council approved the PUD for the UC Village Mixed Use Project at its March 5, 2014 hearing (Resolution 2014-23). The PUD allowed for modifications of Planning and Zoning Code development standards where it could be demonstrated that the revised standards would result in a more desirable development. Table 2 summarizes the standards and modifications related to 1080 Monroe St., and how they are being applied in the project under review. Where the PUD does not specify a standard or modification, the Planning and Zoning Code would apply.

**Table 2: PUD Standards and Design Review Proposal for 1080 Monroe St.**

<table>
<thead>
<tr>
<th><strong>PUD Standard/Modification</strong></th>
<th><strong>Compliance per Proposed Project</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Modification #4: Allow 1 parking space per 500 gross sq. ft. of floor area for all types of restaurant, retail, professional office, and services.</td>
<td>Proposed Gross Floor Area = 11,700 sq. ft. Parking required (1/500 sq. ft.) = 23 stalls Parking proposed = 30 stalls</td>
</tr>
<tr>
<td>Modification #5: Allow off-street non-residential parking for Parcel B to be met with parking spaces located on abutting Monroe St.</td>
<td>Parking provided on Monroe St.</td>
</tr>
<tr>
<td>Modification #7: No off-street loading required for the multi-tenant shopping center.</td>
<td>No designated loading provided.</td>
</tr>
<tr>
<td>Allows back-in angled parking on Monroe St. as part of a Complete Streets approach</td>
<td>Not pursued. See discussion below.</td>
</tr>
</tbody>
</table>

The items in the first three rows of Table 2 are included in the project, but back-in angled parking is no longer being pursued. Back-in angled parking is a new approach to parking that improves driver visibility, particularly when exiting. It is, however, not in wide use, and thus
experience in other communities has been mixed. The advantage of angled parking is that it is easier for motorists to pull out without blocking traffic flow in both directions. The parking spaces, however, are accessible from only one direction, which results in drivers circling around the block to park.²

Fire Department Approval

The appellant appears to be referring to plan check comments from the City’s former Fire Marshal on the adjacent Belmont Village assisted living development and does not relate to the design review or master sign program for 1080 Monroe.

Parking and Turning Movements on Monroe St.

U-turns—defined as turning your vehicle around in the street to go back the way you came—are not permitted in the portion of Monroe St. between the two intersections according to the California Vehicle Code. It is assumed that the appellant’s concerns refer to a driver crossing the center divider to pull into stalls on the opposite side of the street.

As shown in the project plans, the applicant is proposing perpendicular parking which allows drivers approaching from either direction to access or exit a parking space. Given the center aisle proposed, this can be a legal turning movement if the center lane is striped with broken lines (e.g., a similar striping condition to Marin Ave.). However, as the landscaping, streetscape, and parking layout have been further detailed and finalized as part of the 1075 & 1095 Monroe St. building permit applications, Planning and Transportation staff have reconsidered the proposed striping and instead recommend removing the center striping from Monroe St. This allows for drivers to park on the opposite side of the street, while potentially reducing vehicle speeds.

A new condition of approval is proposed:

SP-19: The center striping on Monroe St. between San Pablo Ave. and 10th Street shall be removed or similarly modified to allow for safe turning movements across traffic lanes to park on either the south or north side of Monroe St. Striping for turn lanes necessary to access San Pablo Ave. shall be retained.

As a result of this additional condition of approval, the City Council is being asked to take action on the design review approval for 1080 Monroe St.

² Notably, in the future, the alignment of the parking spaces could be adjusted if back-in angled parking gains widespread acceptance or if vehicle maneuvers associated with perpendicular parking prove to be problematic.
**Appeal Issue #4:** Project signage does not conform to Albany Municipal Code Section 20.32 for what is essentially a monument sign 10 feet in height; sign is not shown in plan view and not evaluated for potential obstruction of pedestrian and vehicle line of sight; signage is not located on the project site.

**Summary**

Existing regulations and conditions of approval applied to the project adequately ensure compliance with the Planning and Zoning Code and that the tenant identification sign will be located to avoid obstructing sight lines for drivers, bicyclists, and pedestrians at the intersection of Monroe St. and San Pablo Ave. *The language of the existing condition of approval regarding sight lines is proposed to be revised; as a result, the City Council is being asked to take action on the design review approval for 1080 Monroe St.*

**Analysis**

**City Code Requirements and Design Guidelines**

Section 20.32.080(F) of the Planning and Zoning Code requires Shopping Centers with five or more tenant spaces to prepare a master sign program, which may include individual signs for each tenant and a freestanding sign that lists some or all tenants. In the San Pablo Commercial Zone, where the proposed project is located, Section 20.32.090 of the Planning and Zoning Code allows freestanding signs (e.g., post supported) with a maximum height of 30 feet and monument signs (e.g., solid base) with a maximum height of 5 feet.

Conversely, the San Pablo Avenue Design Guidelines (see excerpt in Attachment13-D) provide different and sometimes inconsistent standards for freestanding signage. In general, the Design Guidelines support signage that is mounted onto functional elements of the architecture and discourage freestanding signs mounted onto single poles. Where there is a need for signs which are detached from buildings, the Guidelines support signs mounted on solid monument bases. The Guidelines cap the total height of monument signs at 5 feet, but contrary to the Planning and Zoning Code, allow for taller signs (a maximum of 10 feet) on demonstration of visibility problems. Although the Code takes precedence over the Design Guidelines, City staff and the Planning & Zoning Commission considered both documents in reviewing the master sign program application.

**Proposed Project and Planning & Zoning Commission Review**

Staff has worked closely with the applicant to explore a range of signage alternatives for the tenant identification sign. Given the limited space available for a freestanding sign, the applicant originally proposed a series of blade signs consolidated into one marquee structure that projected out from the east elevation of the building, over San Pablo Avenue (see Attachment 12). At its July 22, 2015 meeting, the Planning & Zoning Commission did not support this sign design and requested that the applicant revise the proposal. Also at this meeting, the Commission instructed the applicant to consider how to acknowledge and/or replace the existing University Village entryway sign at the southwest corner of the Monroe St. and San Pablo Avenue intersection.
In response to comments from Planning & Zoning Commissioners, the applicant prepared several sign alternatives for an identification sign, as shown in Attachment 12, including the preferred alternative of a 10-foot high monument sign for retail tenants on the northwest corner of the intersection. Although not immediately adjacent to the building, the placement of the sign would allow passers-by to identify the tenants located on Monroe St. On the southwest corner next to the building, a monument sign was proposed to serve as the gateway signage for University Village student housing near the existing sign’s current location. Together these two new signs would form an entryway to the development and University Village.

Although the tenant identification sign could have been located adjacent to the multi-tenant building on Parcel B, the respective placement of signage was preferential for the collective memory of maintaining the University Village signage on the southwest corner, and for utilizing the space available on the northwest corner to help draw customers down Monroe St. As the two parcels share a single owner, there is nothing that precludes the applicant from locating the identification sign on the opposite corner. This relationship is expected to be codified in the lease agreement between all parties of the UC Village Mixed Use project.

The staff report presented at the September 9, 2015 Planning & Zoning Commission hearing, clearly stated that the Planning and Zoning Code has different dimensional standards for monument and freestanding signs and that in order to approve the tenant identification sign with height dimensions that were both workable for the applicant, and in compliance with the City’s Code, the sign would need to be modified to be a freestanding sign rather than monument sign. The Planning & Zoning Commission instructed the applicant to revise the proposed accordingly. The following condition was applied to the project approval:

**SIGN-3 Sign Regulations.** All signs shall conform to Section 20.32 of the Municipal Code, including standards for maximum height and sign area, and lighting specifications.

**Visibility at Monroe St./San Pablo Ave. Intersection**

The appellant is correct that the proposed monument/freestanding sign was not shown in plan view; the applicant has provided a plan view of the sign on the plan set attached in Attachment 4 (Sheet A10.1). Staff shared the appellant’s concerns about the visibility between drivers, bicyclists, and pedestrians at the corner of Monroe St. and San Pablo Ave. and as a result included the following condition of approval on the project. A clarifying edit is recommended as shown in strikeout/underline below.

**SIGN-5 Monument Signs Sign Visibility.** Monument Signs proposed near corners shall be located and designed to the satisfaction of the Community Development Director and Transportation Division, such that they do not obstruct sightlines between vehicles and pedestrians.

The project applicant has continued to refine the sign proposal to meet City Code and has worked with Planning and Transportation Division staff to properly locate the sign to avoid obstructing sightlines for vehicles, bicyclists, and pedestrians. As shown in the plan set in Attachment 6 (Sheet A10.1), the current proposal is a freestanding sign proposed on two 2-foot
poles, with a sign height of 8 feet. This freestanding sign is both consistent with the Code, while supportive of the San Pablo Avenue Design Guidelines.

As a result of this revised condition of approval, the City Council is being asked to take action on the master sign program approval for 1080 Monroe St.
Acer rubrum “Red Sunset”
Red Maple

Sample: 1000 San Pablo, 850 Talbot
General Notes

Provide good drainage in clay soil.

Family: Sapindaceae

California Native: No

Habit: Deciduous

Sunset Zones: 1 - 9 and 14 - 17

USDA Hardiness Zones: 4 - 8

Exposure: Full Sun to Partial Shade

Water Needs: Wet to Moist Soil

Soil Type: Clay, Loam or Sand

Soil pH: Highly Acidic to Slightly Alkaline

Salinity Tolerance: Coastal Moderate

Seaside Tolerance: Good in Mild Zone

Height: 50 feet

Growth Rate: 36 Inches per Season

Shape: Columnar, Erect or Spreading with a High Canopy.

Landscape Use: Riparian

Longevity: 50 to 150 years

Leaves: Palmate Medium Green. Red or Orange in Fall.


Fruit: Red Winged Seed, Large (1.50 - 3.00 inches), fruiting in Summer.

Bark: Dark Gray, Exfoliating or Scaly

Pest & Disease: Susceptible to Aphids, Beetle Borers and Scales, Oak Root Rot, Phytophthora, Root Rot and Verticillium.

Shading Capacity: Rated as Moderate in Leaf and Moderate cut of Leaf.

Branch Strength: Rated as Medium Weak

Litter Issue: Dry Fruit

Root Damage Potential: Rated as Moderate

Health Hazard: Allergy
Acer macrophyllum
BigLeaf Maple

Sample: 1007 Peralta Ave
General Notes

Resistant to oak root fungus. Susceptible to powdery mildew. Some forms are quite drought tolerant. Sudden Oak Death manifested as leaf spot. Has Fragrant Flower. An *Acer macrophyllum* in Los Altos Hills is registered as a California Big Tree. It measures 61 feet high, with a trunk circumference of 174 inches and a crown spread of 76 feet for a total of 254 points.

- **Family**: Sapindaceae
- **California Native**: Yes
- **Habit**: Deciduous
- **Sunset Zones**: 4 - 17
- **USDA Hardiness Zones**: 6 - 8
- **Exposure**: Full Sun to Full Shade
- **Soil Type**: Loam or Sand
- **Soil pH**: Highly Acidic to Slightly Alkaline
- **Seaside Tolerance**: Good in Mild Zone
- **Height**: 65 feet
- **Growth Rate**: 36 Inches per Season
- **Shape**: Oval or Rounded, Erect or Spreading and covers an Extensive Area.
- **Landscape Use**: Riparian
- **Longevity**: Greater than 150 years
- **Leaves**: Palmate Medium Green. Gold in Fall.
- **Flowers**: Inconspicuous, Fragrant, Yellow. Flowers in Spring.
- **Fruit**: Brown or Mostly Green Winged Seed, Large (1.50 - 3.00 inches), fruiting in Winter or Summer.
- **Bark**: Red Brown, Furrowed
- **Pest & Disease**: Resistant to Oak Root Fungus. Susceptible to Beetle Borers, California Flathead Borer and Caterpillars, Sudden Oak Death, Root Rot, Oak Root Rot, Annosus Root Disease, White Mottled Rot, Leaf Spot and Verticillium. See additional information...
- **Shading Capacity**: Rated as Dense in Leaf and Moderate out of Leaf.
- **Branch Strength**: Rated as Medium
- **Litter Issue**: Dry Fruit
- **Root Damage Potential**: Rated as High
- **Health Hazard**: Allergy
- **Biogenic Emissions**: Moderate
- **Fire Resistance**: Favorable
### TREE LEGEND

- **WHITE**: Existing trees to remain
- **DARK**: Trees to be removed

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### UNDERSTORY PLANTING LIST

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### PROJECT TO CONFORM TO BAY-FRIENDLY BASICS POLICY

1. **Bay Friendly**
   - **PLANTS**
     - **Native**
     - **Wildflowers**
     - **Herbaceous**
     - **Grasses**
     - **Shrubs**
     - **Trees**

2. **Design**
   - **Vegetation**
     - **Bay Friendly**
     - **Water Quality**
     - **Fish and Wildlife**

3. **Materials**
   - **Native**
   - **Bay Friendly**

4. **Surface Water Quality**
   - **Bay Friendly**

5. **Native**
   - **Bay Friendly**
   - **Water Quality**
   - **Fish and Wildlife**

### RETAIL DEVELOPMENT

### OPPIDAN

### NOT FOR CONSTRUCTION
E. Signage  

[As of January 19, 1993, the standards underlined below will not be in effect until amendments are made to the City's sign ordinance]

E-1. Signage Should be Mounted on Architecture, not Above It. As the most prominent characteristic of the commercial strip, signage is obviously one of the most important features of shopping by car. No matter how expressive a building is, signs are needed to identify individual businesses. Signs should therefore be mounted on the face of the tallest architectural element that relates to an individual business. Separate, lower signs should be provided for the attention of pedestrians.

Signs should be mounted on functional elements of the building; for example, a tower may be designed primarily for the purpose of extending signage higher for greater visibility, but it should also enclose usable floor area, or a usable volume such as an atrium - it should not be just a glorified free-standing sign.

Except for small directional signs, new free-standing signs mounted on a single pole should not be used. Where there is a need for signs which are detached from buildings, they should be mounted on solid monument bases. Such monument-type signs may be justified where buildings are set well back from the street, or for essentially open uses such as auto sales lots. The total height of monument signs should not exceed 5 feet; width at the base should exceed total height. Taller signs may be permitted on demonstration of visibility problems, but in no case should they exceed a maximum of ten feet. Existing pole-type signs should be phased out, according to Municipal Code Section 20-5.8.

Large, building-mounted projecting signs should generally not be used. Sculptural neon signs designed as an extension of the architectural form of the main building may be used. A neon sign designed to look like a parapet roof or marquee is an example.

Signs projecting outward from buildings should be limited to those which serve to orient pedestrians rather than to attract motorists. Signs projecting above a roof or parapet line should be limited to those which are incorporated into a three-dimensional architectural feature of the building.

E-2. Signs Should be in Proportion with the Size of the Building They Identify. On the Retail Boulevard, signs should be clear and easy to read, but clearly subordinate to buildings. The sum total of building mounted signs used to identify an individual use should not exceed two square feet of area for each linear foot of the frontage occupied by that use; special considerations should be given to sites that have visibility problems or very large frontages.

E-3. Signs Should Be Located on a Building in a Place that is Designed for Them. Signs should be mounted on parapets, recessed wall areas, and other architectural features. Wall-mounted signs should not crowd, or cover over, surrounding architectural details, such as windows, pilasters, or trim.
E-4. Materials and Lighting. A successful sign depends greatly on the design and quality of its materials. Following are examples of materials which can provide the desired quality of execution:

1) painted wood with individually mounted, scored or painted letters;

2) painted or anodized metal signs with letters as indicated above;

3) custom neon, either mounted on a painted board or suspended in storefront window or transom areas, or applied directly to building walls;

4) painted canvas awnings.

Recommendations for lighting are:

1) back-lit with lighting behind projecting lettering;

2) top or bottom lit, with spotlights or concealed fluorescent tubes.

E-5. Internally Illuminated "Canned" Signs Should Not Be Used; Neon is preferred. Neon signs, including individual "channel" letters, are usually custom made to suit an individual business. They lend a sense of character and energy to a retail environment. Canned signs, on the other hand, look and often are mass-produced, making any place look generic. They become glowing rectilinear shapes at night, detracting from adjacent buildings that have attractive windows and other sources of light. Small canned signs displaying a corporate logo or decorative device may be acceptable parts of a sign program, if they are incidental to the main sign message.

F. Pedestrian Detail

F-1. Pedestrian Detail is Important. The shopper is on foot between the car and the front door of a business, and between the doors of adjacent businesses. Amenities, such as colorful awnings, well-proportioned window mullions, and other features that are viewed at close range should be provided by a Retail Boulevard Building.

Details should be of high quality design and materials, but not necessarily of the same level of detail or expense preferred for a storefront in a pedestrian shopping district, like Solano Avenue. In a pedestrian district, for example, it may be desirable for a building base to be surfaced with a special material, like decorative tile. For a Retail Boulevard Building a variation in the wall surface material may be all that is necessary; a different color of masonry or a pleasing scoring pattern may be sufficient. The same holds true for windows; beautifully milled wood mullions may be desirable for the pedestrian street, anodized color aluminum is fine for the Retail Boulevard.
SITE PLAN GENERAL NOTES

A. REFER TO SINGLE LINE DIAGRAM FOR CONDUIT AND WIRE SIZES FOR SWITCHBOARDS, PANELBOARDS AND TRANSFORMERS.

B. ELECTRICAL DISTRIBUTION EQUIPMENT SHOWN ARE BASED ON INDUSTRY STANDARDS. CONTRACTOR SHALL VERIFY THAT THE FINAL EQUIPMENT SELECTION FITS IN THE ALLOCATED SPACE.

C. ALL SITE LIGHTING SHALL BE #8, #8 GND IN A 1" C U.N.O. ALL EXTERIOR BUILDING MOUNTED LIGHTING SHALL BE #8, #8 GND IN A 3/4" C U.N.O.

D. REFERENCE LANDSCAPE ARCHITECTS DRAWINGS FOR ADDITIONAL INFORMATION.

E. ROUTE ALL EXTERIOR LIGHTING TO PANEL INDICATED VIA LIGHTING CONTACTOR. REFER TO CONTACTOR SCHEDULE FOR MORE INFORMATION.

F. REFER TO POWER COMPANY DRAWINGS FOR EXACT TRANSFORMER LOCATION AND ADDITIONAL REQUIREMENTS. PROVIDE BOLLARDS AS REQUIRED BY POWER COMPANY FOR TRANSFORMER IMPACT PROTECTION.

G. ALL UNDERGROUND CONDUIT SHALL BE INSTALLED A MINIMUM OF 24" BELOW FINISHED GRADE, UNLESS REQUIRED OTHERWISE.

H. ALL EXTERIOR MOUNTED ELECTRICAL DEVICES SHALL BE IN NEMA 3R ENCLOSURES.

I. CONTRACTOR SHALL INCLUDE IN HIS BID THE COST OF CONDUIT, TRENCHING, AND BACKFILLING FROM THE SERVICE SWITCHBOARD TO THE UTILITY TRANSFORMER LOCATION SHOWN.

J. ALL EXTERIOR RECEPTACLES SHALL BE "WEATHERPROOF WHILE IN USE" U.N.O.

K. ALL PULLBOXES SHALL BE NO. 3-1/2 U.N.O.

KEYNOTES

1. EXTERIOR LIGHTING FIXTURES SHALL BE INSTALLED WITHIN THE PROPERTY AND TO MAKE SURE THAT LIGHT AND GLARE DOES NOT SPILL OVER ONTO NEIGHBORING PROPERTIES.

2. PROPOSED 16' POLE LIGHTS, PHILIPS LUMEC MPTC TYPE FIXTURE (F7). TYPICAL TO 10 NOS.

3. PROPOSED SECONDARY FIXTURE ATTACHED 12 FOOT HEIGHT FROM THE GROUND. COORDINATE WITH THE POLE LIGHT SUPPLIER.

4. J-BOX FOR CATENARY LIGHTING. FIELD VERIFY EXACT LOCATION.

SCALE: 1" = 20'-0"
1. ROOFTOP MECHANICAL UNIT LOCATIONS ARE TO BE DETERMINED BY MECHANICAL ENGINEER AT LATER DATE. LAYOUT ILLUSTRATES POTENTIAL QUANTITIES, SIZES AND LOCATIONS.

2. TREES AND LANDSCAPING ARE SHOWN FOR REFERENCE ONLY. SEE LANDSCAPE PLANS FOR TREE TYPES AND DIMENSIONS.

3. NEIGHBORING BUILDING "BELMONT PROJECT" SHOWN FOR REFERENCE ONLY AND IS NOT PART OF THIS PROJECT.

4. SEE EX. 1 FOR SITE LIGHTING INFORMATION.

- OUTDOOR DINING
- TRANSFORMER
- AWNING ABOVE
- TRASH AND RECYCLING AREA WITH TRACK DOORS
- UTILITY ROOM TO INCLUDE ELECTRIC, METER, AND FIRE RISER
- GAS METERS
- MECHANICAL UNIT
- AWNING BELOW
- FIRE DEPT. CONNECTION
- FIRE STANDING SIGN
- MONUMENT SIGNAGE
- PEDESTRIAN PATH
- CROSSWALK
- SHORT-TERM BIKE RACKS

**LEGEND**
- ROOF AREA
- PARAPET WALL
- MAIN ENTRY

**GRAPHIC SCALE:** 1" = 20'

**GRADING SCALE:** 1" = 1'-0"
1. Dimensions for reference only. See Site Plan on Sheet A2.1 for dimensioned drawings.

2. Street elevations shown are approximate. See Civil Plans for more information.

- **Key Notes**
  - Site Lighting
  - See Landscape Drawings
  - Rooftop Mechanical Unit
  - Outdoor Seating
  - Awnings

- **Legend**
  - Retail
  - Trash / Utility

- **Graphic Scale**: 1" = 1' - 0"
# Signage Summary

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**Total Signage Area:** 270 SF

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## Signage Legend

- **Retail Signage Type 'F':** Surface mounted acrylic letters on reclaimed wood panels or studs, fully shielded lighting, directed at letters.
- **Freestanding Sign Type 'F':** Surface mounted acrylic letters on reclaimed wood panels, fully shielded lighting, directed at letters.
- **Monument Sign Type 'M':** Surface mounted acrylic letters on reed/reclaimed wood panels, fully shielded lighting, directed at letters.

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## Signage Details

- **Sign Per Spec:**
  - Fully shielded sign lighting
  - Reclaimed wood flanges
  - IFFD - tube steel support

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**NOT FOR CONSTRUCTION**

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**Attachment 4**