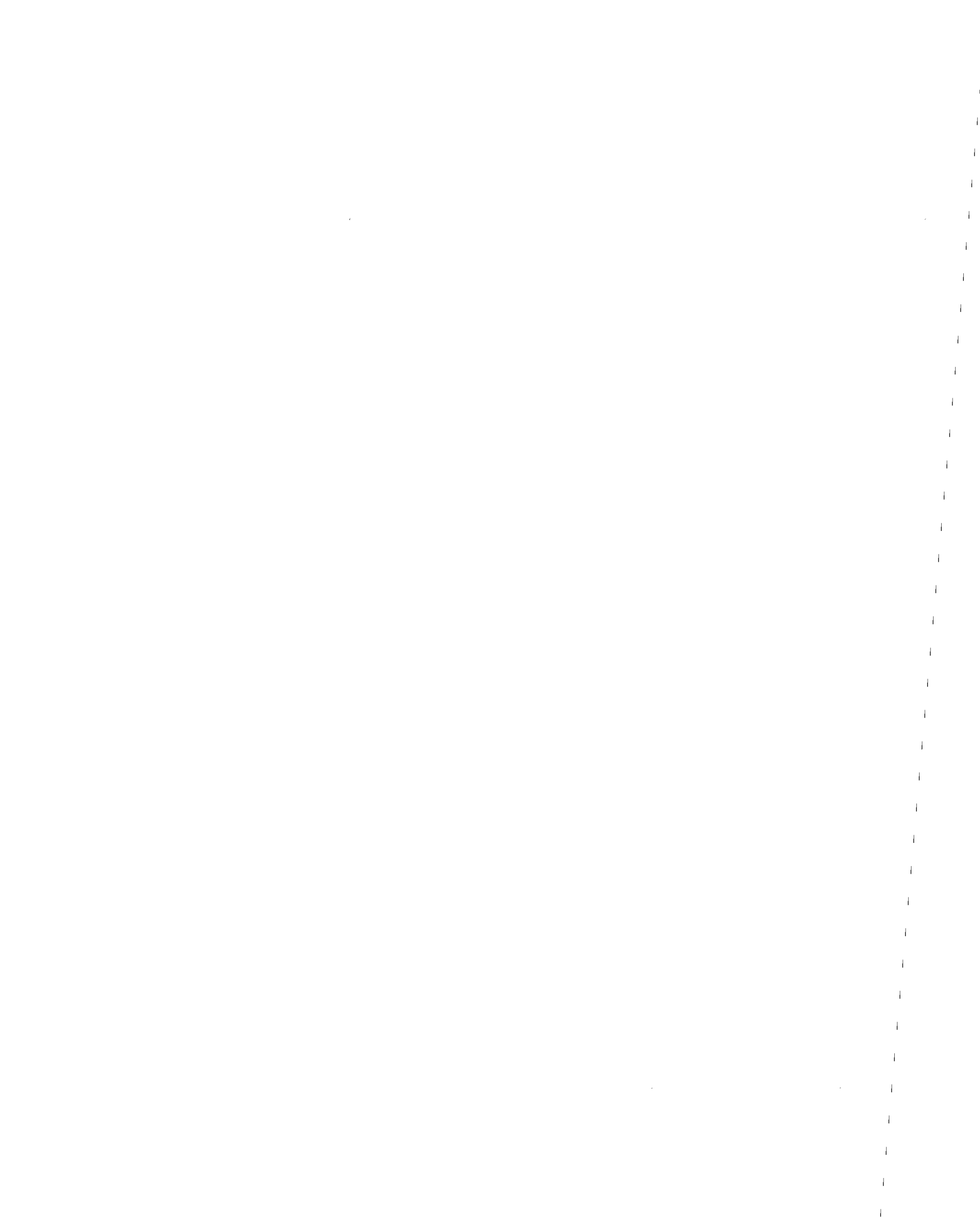


ATTACHMENT 1

(12/8/09 Planning Commission Meeting)

RESOLUTION



BEFORE THE TOWN OF CORTE MADERA PLANNING COMMISSION

In the Matter of:

An approval to amend the Master Sign Program for Park Madera Center at **502-518 Tamalpais Drive.**

Resolution No. 09-015
Design Review No. 09-019
Sign Permit No. 09-001

Adoption Date: December 8, 2009
Appeal Period Ends: December 18, 2009

WHEREAS, on September 15, 2009, a Design Review application was filed by the applicant for an amended Master Sign Program at Park Madera Center; and

WHEREAS, on September 25, 2009, the application was deemed incomplete for submittal of additional project information; and

WHEREAS, on September 30, 2009, a revised Master Sign Program was submitted; and

WHEREAS, on October 2, 2009, revised plans were submitted; and

WHEREAS, on October 9, 2009, the Planning Department determined the application to be complete after review of submitted information and recommends that the project qualifies for categorical exemption under Section 15301, Class 1, of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, on October 16, 2009, public hearing notices were mailed to property owners/property managers within 300 feet of the subject property; and

WHEREAS, on October 27, 2009, staff requested Corte Madera Planning Commission continue the item to a date uncertain; and

WHEREAS, on November 3, 2009, staff requested a number of changes on the plans and text from the applicant; and

WHEREAS, on November 12, 2009, revised Master Sign Program text and plans were submitted; and

WHEREAS, on November 12, 2009, staff requested corrections to the revised plans; and

WHEREAS, on November 13, 2009, revised plans were submitted; and

WHEREAS, on November 13, 2009, public hearing notices were mailed to property owners/property managers within 300 feet of the subject property; and

WHEREAS, on November 18, 2009, staff requested corrections to the sheet S-4; and

WHEREAS, on November 19, 2009, a corrected sheet A-4 was submitted; and

WHEREAS, on November 24, 2009, the Corte Madera Planning Commission held a public hearing on the item, and heard testimony from the applicant and interested parties. The Commission expressed concerns about the lighting effects of the proposed Master Identification Sign when lit at night and asked to look at other similar signs with that are internally-illuminated with white background and black lettering; and

WHEREAS, on November 25, 2009, the applicant provided the Planning Commission with internally-illuminated sign examples to view at night per the Commission's request; and

WHEREAS, on December 8, 2009, the Corte Madera Planning Commission held a public hearing on the item, and heard testimony from the applicant and interested parties.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the Town of Corte Madera does hereby **conditionally approve** Design Review No. 09-019 and Sign Permit 09-001 to amend the Master Sign Program at Park Madera Center at **502-518 Tamalpais Drive** in Corte Madera, based upon the findings listed below in accordance with Sections 18.30.070 and 18.22.060(4) of the Municipal Code, and subject to the conditions listed herein:

CALIFORNIA ENVIRONMENTAL QUALITY ACT("CEQA") DETERMINATION

This project is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to California Code of Regulations, Title 14, Division 6, Chapter 3, ("CEQA Guidelines"), under Section 15301, Class 1, because said Guidelines provision exempts the "operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination." "The key consideration is whether the project involves negligible or no expansion of use." Because the subject application involves the amendment of an existing Master Sign Program, the project which is the subject of said application is exempt under this Section 15301, Class 1.

DESIGN REVIEW: REQUIRED FINDINGS

In order to grant a Design Review approval, the Planning Commission must make the following findings required by Section 18.30.070 of the Corte Madera Municipal Code and based on California State law. In the following section each of the required findings is set forth in bold print, followed by an opinion by staff of whether the finding can be made for this particular project.

1. The project conforms with the General Plan, any applicable Specific Plan, and all provisions of the Zoning Ordinance.

Section 18.22.030 of the Corte Madera Municipal Code states that no sign shall be approved for a shopping center, for any site with more than one building, or for any building with more than one tenant until a Master Sign Program has received Design Review approval as described in Chapter 18.30, Design Review. A Master Sign Program for Park Madera Center was approved in 1982 and was amended in 1994 and 1999. The subject application proposes to amend the Master Sign Program to provide an attractive and cohesive design for all signs on the property.

2. The project will not unnecessarily remove trees and natural vegetation, will

preserve natural landforms and ridgelines, does not include excessive or unsightly grading of hillsides, and otherwise will not adversely affect the natural beauty of the Town.

The project does not result in the removal of any trees or natural vegetation on the site. The subject property is not located on a ridgeline and the project will not affect natural landforms. The project does not include any excessive or unsightly grading of hillsides, and will not adversely affect the natural beauty of the Town.

- 3. The project will not significantly and adversely affect the views, sunlight, or privacy of nearby residences, provides adequate buffering between residential and nonresidential uses, and otherwise is in the best interests of the public health, safety and general welfare.**

The amended Master Sign Program includes a revised freestanding master identification sign, revised blade and wall-mounted tenant signs, an updated and redesigned freestanding sign for "Tamalpais Travel", and a new directional sign. Because the two freestanding signs will be in the same location as the existing freestanding signs, the project will not significantly and adversely affect the views, sunlight, or privacy of nearby residences. The closest sign is approximately 112 ft. away from the nearest residence, which provides for adequate buffering between residential and nonresidential uses.

- 4. The structure, site plan and landscaping are in scale and harmonious with existing and future development adjacent to the site and in the vicinity and with the landforms and vegetation in the vicinity of the site.**

The updated look of the Master Sign Program will be harmonious with existing and future development adjacent to the site. No landforms or vegetation will be disturbed. The proposed signs are compatible with the height and bulk on the existing buildings on-site and do not exceed the requirements of Chapter 18.22, Signs, of the Zoning Ordinance.

- 5. Development materials and techniques will result in durable high-quality structures.**

The combination of sign materials, sign colors, and construction methods will result in a durable, high-quality installation.

- 6. The structures, site plan, and landscaping create an internal sense of order, provide a visually pleasing setting for occupants, visitors, and the general community, are appropriate to the function of the site, and provide safe and convenient access to the property for pedestrians, cyclists and vehicles.**

The proposed signs will provide design cohesiveness and internal sense of order for the shopping center and will be a visually pleasing setting for occupants, visitors, and the general community. The signs are appropriate to the function of the site as they communicate business tenant names. All aspects of the Master Sign Program will provide safe and convenient access to the property for pedestrians, cyclists and vehicles. The master identification sign and freestanding sign will be in the same location and direction as the existing like-signs that they will be replacing.

7. **To the maximum extent feasible, the project includes the maintenance, rehabilitation, and improvement of existing sites, structures, and landscaping, and will correct any violations of the Zoning Ordinance, Building Code, or other municipal violations that exist on the site.**

The Master Sign Program will provide for new and improved signage for the property. There are no known violations on the site.

8. **The design and location of signs are consistent with the character and scale of the buildings to which they are attached or which are located on the same site, the signs are visually harmonious with surrounding development and there are no illegal signs on the site.**

The Master Sign Program will provide for an attractive and cohesive design for all signs on the property consistent with the character and scale of the buildings to which they are attached or which are located. The updated Program includes signs that visually harmonious with surrounding development. There are a number of illegal signs on the property, therefore, a condition of approval has been included that requires that any sign that is not part of this Master Sign Program or is not listed in Corte Madera Municipal Code §18.22.030, Exempt Signs, must be removed prior to a final Planning Department inspection of this project.

FREESTANDING SIGN: REQUIRED FINDINGS

In order to grant a freestanding sign approval, the Planning Commission must make the following findings required by Section 18.22.060 of the Corte Madera Municipal Code. In the following section each of the required findings is set forth in bold print, followed by an opinion by staff of whether the finding can be made for this particular project.

1. **The sign is single-sided, unless the Planning Commission determines that a double-sided sign is beneficial to the public.**

The amended Master Sign Program includes two doubled-sided freestanding signs in the same location and direction as existing: the master identification sign and the freestanding sign for "Tamalpais Travel". Both signs have been previously approved as being beneficial to the public for identification of businesses, and only the colors, materials, and design for both signs are being updated with a more contemporary and up-to-date look.

2. **A freestanding sign is the only appropriate means by which the business conducted on the premises can have the same degree of identification to the traveling and shopping public as that available to businesses on neighboring premises.**

The two updated freestanding signs are the only appropriate means by which the businesses conducted on the premises have the same degree of identification to the traveling and shopping public as that available to businesses on neighboring premises, as previously determined and approved for the Park Madera Center Master Sign Program in 1982, and amended in 1994 and 1999.

3. **The freestanding sign is consistent with the purposes of this chapter and Chapter 18.30, Design Review.**

The two updated doubled-sided freestanding signs are consistent with the purposes of Chapter 18.22, Signs, in that the signs will maintain the attractiveness and orderliness of the town's appearance and they are well-designed and pleasing in appearance. The freestanding signs are also consistent with Chapter 18.30, Design Review, in that the design and location of signs are consistent with the character and scale of the buildings to which they are located, and are visually harmonious with surrounding development.

4. At its discretion, the planning commission may authorize a freestanding sign in a required front or side yard.

The two updated freestanding signs are authorized to be located in a required 20 ft. yard setback because they are existing signs that were approved by the Park Madera Center Master Sign Program approved in 1982, and amended in 1994 and 1999, and they will be updated with a modernized and cohesive design.

CONDITIONS OF APPROVAL

PLANNING DEPARTMENT

1. The proposed project shall be constructed substantially in accordance with the PARK MADERA CENTER plans by Barber Sign Company Inc. stamped "Official Exhibit" with a RECEIVED stamped date of November 13, 2009; and the Master Sign Program, Park Madera Center text document stamped "Official Exhibit" with a RECEIVED stamped date of November 13, 2009; except as amended by the conditions listed below:
2. No other changes shall be made to the approved site plan, elevations, colors and materials, or the Master Sign Program for Park Madera Center text document without written approval from the Corte Madera Planning Department. The Planning Director may refer changes to the Planning Commission.
3. The applicant and subject property owner shall permit the Planning Department or its representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the construction being performed under the authority of this approval is in accordance with the terms and conditions described herein.
4. The internally-illuminated Master Identification Sign shall have a lighting dimmer switch installed.
5. To ensure unnecessary lighting does not spill beyond the immediate area of the internally-illuminated Master Identification Sign, the applicant shall contact the Planning Department after the lighting has been installed so that the Planning Commission may review sign at night and select the appropriate lighting intensity.
6. The lighting for the Master Identification Sign must be turned off by 9:30 p.m., and all other internally-illuminated signs must be turned off by 9 p.m.
7. Design and construction shall conform to the applicable provisions of the 2007 California Building Standards Code.

8. Prior to a final Building Department inspection of this project, the applicant shall contact the Planning Department to schedule an inspection of the finished project to ensure compliance with all of the required conditions of approval.
9. Prior to a final Planning Department inspection of this project, all unauthorized signs must be removed.

CONDITIONS DURING CONSTRUCTION

10. Hours of construction shall be limited to 7:30 a.m. to 5:30 p.m., Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturday, provided that if any work-related complaints are received about construction on a weekend, no further work shall be conducted on a Saturday. No workers shall be on the site except during these hours. No work shall be performed on a legal holiday.
11. All equipment shall be equipped with mufflers.
12. Prior to final building inspection, all debris shall be removed from the site.

DESIGN REVIEW and SIGN PERMIT

13. This Design Review and Sign Permit approval shall lapse and become null and void one year following the date on which the approval becomes final unless, prior to the expiration of said one year, a building permit is issued and is active per Building Code requirements on the site which was the subject of the application, or a Certificate of Occupancy is issued for the site or structure which was the subject of the application. Design Review approval may be renewed as prescribed in Section 18.30.090 of the Town Zoning Ordinance.

INDEMNIFICATION AGREEMENT

14. The applicant shall:
 - A. Defend, indemnify, and hold harmless the Town of Corte Madera and its agents, officers, attorneys, or employees from any claim, action or proceeding (collectively referred to as "proceeding") brought against the Town or its agents, officers, attorneys, or employees to attack, set aside, void, or annul the approval of Design Review No. 09-019 and Sign Permit 09-001, which proceeding is brought within the applicable statute of limitations. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the Town, if any, and the cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the Town, and/or the parties initiating or bringing such proceeding.
 - B. Defend, indemnify, and hold harmless the Town, its agents, officers, attorneys, or employees for all costs incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending any document, if made necessary by said proceeding and if applicant desires to pursue securing such approvals, after initiation of such proceeding, which are conditioned on the approval of such documents.

- C. In the event that a proceeding is brought, the Town shall promptly notify the applicant of the existence of the proceeding and the Town will cooperate fully in the defense of such proceeding. In the event that the applicant is required to defend the Town in connection with any said proceeding, the Town shall retain the right to (1) approve the counsel to defend the Town, (2) approve all significant decisions concerning the matter in which the defense is conducted, and (3) approve any and all settlements, which approval shall not be unreasonably withheld. The Town shall also have the right not to participate in said defense, except that the Town agrees to cooperate with the applicant in the defense of said proceeding. If the Town chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend the Town in such matters, the fees and expenses of the counsel selected by the Town shall be paid by the Town. Notwithstanding the immediately preceding sentence, if the Town attorney's office participates in the defense, all Town attorney fees and costs shall be paid by the applicant.

STOP WORK ORDER - RED TAG ORDINANCE

15. Per Section 15.70.010 of the Municipal Code, whenever any construction or other work that is subject to any provision of the Code has been, or is being, done in any manner that is contrary to any of the provisions of the Code, any ordinance of the Town, or any condition of a permit, approval, or other entitlement granted by the Town, the Town Manager or his/her designee may order that all construction or work on the property be stopped immediately by notice in writing mailed to any person engaged in doing or causing such work to be done and the owner of the property, and by posting on the property where the violation has occurred, or is presently occurring, a notice to stop such construction or work. Such person shall forthwith stop such work until authorized by the Town to proceed.

APPEAL PERIOD

16. Unless a shorter statute of limitation applies, judicial challenges to this decision must be brought within the time period specified in California Code of Civil Procedures § 1094.6.

* * * * *

PASSED AND ADOPTED by the Corte Madera Planning Commission on December 8, 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Bruce Mace, Chair

Robert Pendoley, Planning Director/Assistant Town Manager

ATTACHMENT 2

(12/8/09 Planning Commission Meeting)

EMAIL TO PLANNING COMMISSION
REGARDING SIGN EXAMPLES



Larisa Roznowski

From: Larisa Roznowski
Sent: Wednesday, November 25, 2009 3:49 PM
To: PC - Bruce Mace (Bruce.Mace@ucsfmedctr.org); Bruce Mace (PC); Patrick Pagnillo (PC); Peter Schwartz (PC); Richard Esteb (PC); Sloan Bailey (PC)
Cc: Bob Pendoley; Dan Bell
Subject: Park Madera Center sign examples
Attachments: 100_3846.jpg; BhiCrnNght.pdf; BComDRev.pdf

Planning Commissioners,

This is in regards to the Park Madera Center sign examples that you requested to review for 502-518 Tamalpais Dr., Park Madera Center. Robert Rogers with Barber Sign Company has sent two exhibits for two freestanding internally-illuminated signs located at Bahia Corners in San Rafael (one on Kerner Drive, one on Bellam). These signs were permitted and installed in 2008. The day time and night time plans for this site are attached. Please visit this site after dark and let us know what you think at our next meeting.

Robert Rogers has also sent you a photo that he took last night that demonstrates a bright translucent acrylic white sign face at the Tamalpais Bank site. Take a look at that sign at night for comparison.

See you on Dec. 8th.

Best regards,
Larisa

Larisa Roznowski
Town of Corte Madera Planning Department
300 Tamalpais Dr.
Corte Madera, CA 94925
(415) 927-5067
lroznowski@ci.corte-madera.ca.us

11/25/2009

Exhibit B - 8' x 6'



Exhibit B is a vertical sign with a blue roof and base. The top section features the 'BAHIA CORNERS' logo in a stylized font. Below this, the sign is divided into several sections: 'YUSHANG' with 'SUSHI BAR' and 'MANDARIN CAFE' in smaller text; 'BRAZIL MARIN STORE'; 'PLAYA AZUL MARISCOS' with 'MEXICAN FOOD' in smaller text; 'LA PLAZA MARKET'; 'VESPRO' and 'ORIGINAL CONSTRUCTION'; and 'FOR LEASE' in a box.

BAHIA
CORNERS

YUSHANG SUSHI BAR
MANDARIN CAFE

BRAZIL MARIN STORE

PLAYA AZUL **MARISCOS** MEXICAN
FOOD

LA PLAZA MARKET

VESPRO ORIGINAL
CONSTRUCTION

FOR LEASE

Exhibit A - 6' x 8'



Exhibit A is a horizontal sign with a blue roof and base. The top section features the 'BAHIA CORNERS' logo. Below this, the sign is divided into four sections: 'BRAZIL MARIN STORE' and 'YUSHANG' with 'SUSHI BAR • MANDARIN CAFE' in smaller text; 'PLAYA AZUL MARISCOS' with 'MEXICAN FOOD' in smaller text; and 'LA PLAZA MARKET'. The bottom section features the 'BAHIA CORNERS' logo.

BAHIA
CORNERS

BRAZIL MARIN STORE

YUSHANG
SUSHI BAR • MANDARIN CAFE

PLAYA AZUL **MARISCOS** MEXICAN
FOOD

LA PLAZA MARKET

BAHIA
CORNERS

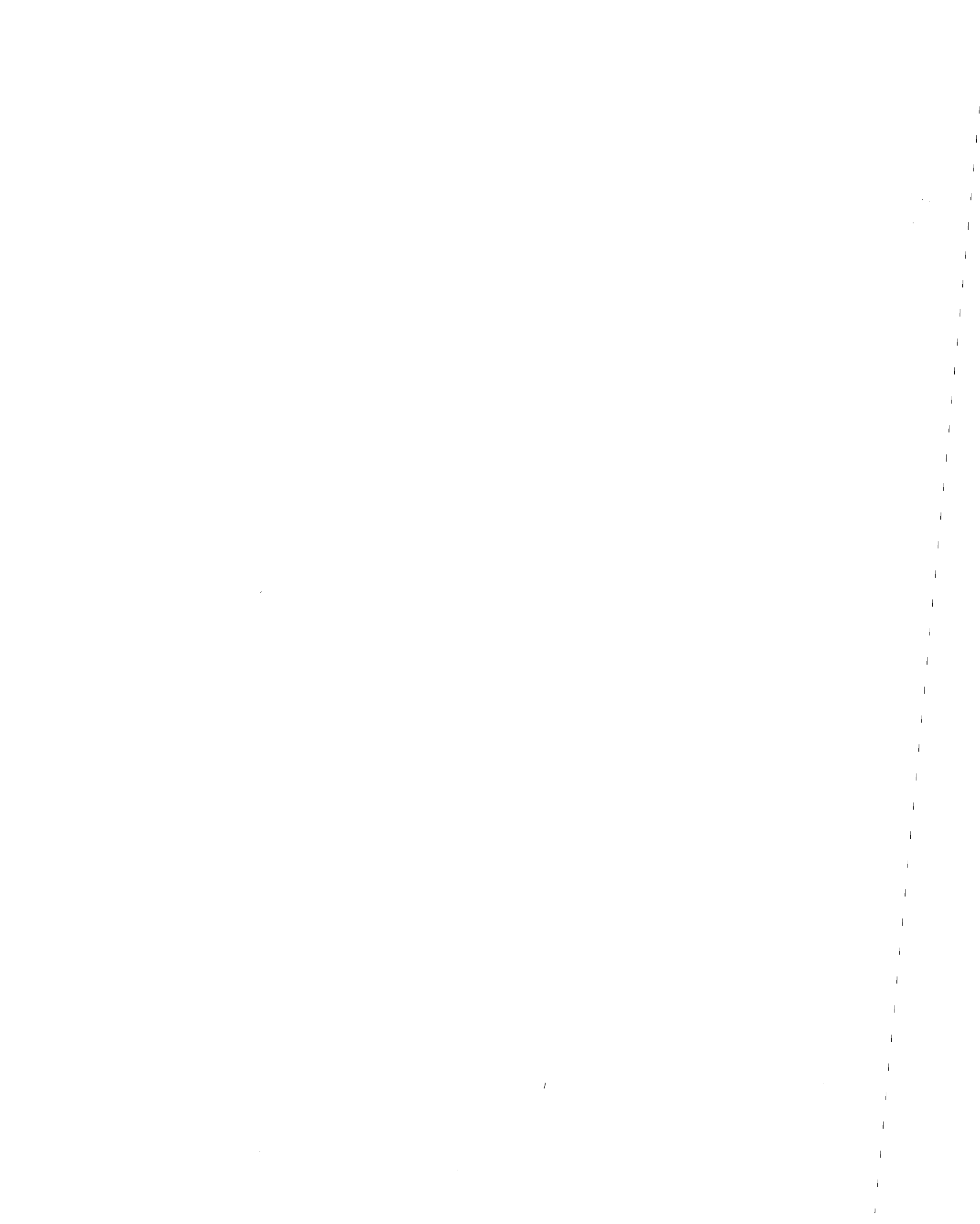


Exhibit B-8 x 6

BAHIA CORNERS

YUSHANG <small>SUSHI BAR MANDARIN CAFE</small>	
BRAZIL MARIN STORE	
<small>PLAYA AZUL</small>	MARISCOS <small>MEXICAN FOOD</small>
LA PLAZA MARKET	
VESPRO	ORIGINAL CONSTRUCTION
FOR LEASE	

Exhibit A-6 x 8

BRAZIL MARIN STORE	YUSHANG <small>SUSHI BAR • MANDARIN CAFE</small>
<small>PLAYA AZUL</small> MARISCOS <small>MEXICAN FOOD</small>	LA PLAZA MARKET

BAHIA CORNERS





ATTACHMENT 3

(12/8/09 Planning Commission Meeting)

MASTER SIGN PROGRAM TEXT,
SITE PLAN, & SIGN EXHIBITS



MASTER SIGN PROGRAM
Park Madera Center

GENERAL

1. Master Sign Program for Park Madera Center is listed as follows.

1. General Requirements.

- a. Signs shall conform to governmental codes and this lease.
- b. Locations are limited to those described in this program.
- c. Designs shall be submitted to Town & Landlord for review. Written approvals are required. Tenant shall supply landlord a copy of Town Permit.
- d. Text is limited to tenant's business name; Logos/Symbols or products shall not appear unless reviewed and accepted by Town & Landlord.
- e. Fabrication & Erection shall be performed by qualified workers in all portions of work.

I. Purpose.

To establish a comprehensive Master Sign Program [MSP] Consistent with the Town of Corte Madera General Plan, in harmony with the general design of the Center and surrounding environment.

II. Tenant Wall Signage.

Due to the character of the existing colors, materials & design of the buildings throughout the Center, some latitude will be allowed relating to the size & scope of tenant signage.

A. Building A.

- 1. Tenants with street frontage shall be allowed one internally illuminated sign. Total sign area for each tenant, one sq.ft. of sign area for each linear ft. of building frontage with primary access.

See Exhibit S.4 & S.4A for specifications. All other tenants shall conform to sign specifications outlined in section C., below.

Landlord Approval _____ Tenant Approval _____

B. Building B

1. Tenant shall be allowed one 32 sq.ft. internally illuminated sign to be installed on side building elevation.
2. Tenant shall be allowed one additional 12 sq.ft. non-illuminated wall sign installed on front elevation.
See Exhibits S.5.
3. Total sign area for each tenant, one sq.ft. for each linear foot of Leased frontage providing primary access.

C. Building C.

1. Each tenant shall be allowed one non-illuminated sign. Total sign area for each tenant, one sq.ft. for each linear ft. of leased frontage providing primary public access.
See Exhibit S.3 for specifications.
2. Tenants in rear section of building C. shall be allowed one double sided under canopy non-illuminated blade sign not to exceed three sq.ft. No additional wall signage is allowed.
See Exhibit S.3 for specifications.

III. Free Standing Signs.

- A. One double sided internally illuminated east and west facing tenant directory sign installed at main driveway entrance per Exh. S.1. & S.2.
Maximum sign area allowed: 100 sq.ft. per side.
- B. One single sided supplemental non-illuminated tenant directional sign installed at rear of complex per exhibit S.2 .
Maximum 12 sq.ft. sign area, maximum height: 5' 6".
- C. As approved by existing Master Sign Program [MSP] approved on February 22, 1994, individual tenant sign shall be limited to the 506 Tamalpais Drive address in the location and size currently existing [Tamalpais Travel].
[16 sq.ft. in area, 5' feet maximum height]. See S.4.A2 Photo.
Sign colors, materials & design must be update as shown on Sheet S.4 & S.4A.

*Free Standing Sign Locations shown on plot plan, Sheet S.2



IV. Unacceptable Signs or Details

- A. Sidewalk or Sandwich Board Signs.
- B. Flashing, flickering, audio-reinforced or unduly bright illumination.
- C. Exposed conduit, junction boxes, crossovers, lettering ledges or labels.
- D. Signs which cast their illumination off-site.
- E. Paper or cardboard signs.
- F. Injected plastic molded letters or script.
- G. Inflatables, promotional banners, pennants, vehicle displays.
- H. Any sign that is not part of this Master Sign Program or is not listed in Corte Madera Municipal Code Section 18.22.030, Exempt Signs.

V. Miscellaneous Provisions

- A. In the interpretation of sign matters between Landlord and Tenant, judgement of the Landlord or designated agent shall govern.
- B. Conditions not covered herein are subject to The Town Regulations governing signs and review by Landlord.
- C. Existing tenant signage may be brought into compliance with this Program through mutual discretion of Landlord and Tenant.
- D. Upon vacating leased premises, Tenant shall remove tenant Signage and restore sign fascia area to its original condition.

Submittals to: Keegan & Coppin Company, Inc.
101 Larkspur Landing Circle
Larkspur, CA 94939

Landlord Approval: _____ . Tenant Approval: _____ .

