

**EMERYVILLE PLANNING COMMISSION**

**STAFF REPORT**

**Agenda Date: April 23, 2020**  
**Report Date: April 16, 2020**

**TO:** Planning Commission

**FROM:** Navarre Oaks, Assistant Planner  
Community Development Department

**SUBJECT:** **Public Market Master Sign Program**  
**SIGN19-017**

**LOCATION:** Along Shellmound Street between Shellmound Way and 63rd Street, including adjacent portions of 62nd Street and an interior courtyard (APNs: 49-1556-7, -15, -16, -17, -22, -23, -24)

**APPLICANT/  
OWNER:** AG-CCRP Public Market L.P. c/o City Center Realty Partners  
170 Grant Avenue, 6th Floor  
San Francisco, CA 94108

**PROJECT  
DESCRIPTION:** An application for a proposed Master Sign Program for the Public Market.

**GENERAL PLAN  
DESIGNATION:** Mixed Use with Residential and Major Transit Hub

**ZONING  
DESIGNATION:** Planned Unit Development (PUD-2)

**ENVIRONMENTAL  
STATUS:** This project is exempt from environmental review under State CEQA Guidelines Section 15311(a), which applies to accessory structures including on-premises signs, and the “common sense exemption” at Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment.

**APPLICABLE  
ZONING CODE  
PROVISIONS:** Section 9-5.1613(c) Master Sign Programs: Findings  
Section 9-7.407 Design Review Findings

**RECOMMENDED  
COMMISSION  
ACTION** 1. Open public hearing and take testimony regarding the proposed project.  
2. Close public hearing and consider Staff Report and Resolution.  
3. Approve Master Sign Program (SIGN19-017).

## **BACKGROUND:**

In December 2005 the Planning Commission approved a Master Sign Program (SA05-23) for the Public Market that included directional signage, project identity signs, and sign guidelines for tenants at the Marketplace Tower Building, the Brick Building (west of the Marketplace Tower), and the Public Market. This Master Sign Program was updated in 2011 with new designs for the directional and project identity signage.

In 2016, the relocation of Shellmound Street, in conjunction with the Marketplace Redevelopment Project Planned Unit Development (PUD), necessitated that the existing directional and project identity signs be replaced. The property owner, AG-CCRP Public Market L.P., applied for a new Directional Sign Program, which was processed as a Major Sign Permit for directional signs only. The Public Market Directional Sign Program (SIGN16-028) was approved by the Planning Commission on April 27, 2017. As the new Public Market Directional Sign Program superseded the earlier approved Master Sign Program at the Public Market but did not include tenant signage, Condition of Approval II.B.2 required that “the Applicant shall apply for, and obtain approval of, a new Master Sign Program for tenant signage to replace the tenant signage portion of SA05-23 (Marketplace Master Sign Program) in accordance with the Section 9-5.1613 of the Emeryville Municipal Code.” Section 9-5.1613 covers Master Sign Programs and is discussed further in this report.

Due to redesign and delays in achieving final development approvals for Parcel B, the development of a Master Sign Program was put on hold. On October 8, 2019 the applicant submitted an application for a Master Sign Program covering all multi-tenant buildings in the Marketplace Redevelopment Project area: Parcel A, Parcel B, Parcel G (the Public Market), the Brick Building and the Tower Building.

A Planning Commission study session for the proposed Master Sign Program was held on January 23, 2020. There was no one wishing to speak during public comment but the Commissioners did provide feedback to the applicant and staff. The Commission was generally supportive of the proposed signage and the flexibility built into the approach of the Master Sign Program. The Commission pointed out some minor mistakes to page numbering and internal document cross references, and requested that both the applicant and staff double check the Master Sign Program for consistency with all sign type dimensional and area maximums in the Sign Regulations.

The Commission questioned why Parcel C (originally designed to be a grocery store) and Parcel F (not yet approved as a Final Development Plan) were not included in the Master Sign Program. Staff clarified that Parcel F was not included because the building was not designed nor built yet, and that the applicant had not been directed to include Parcel C as the previous tenant required a Major Sign Permit. The Commission directed that Parcel C be included, especially as the space could at some point potentially be subdivided for multiple tenants.

The Commission also expressed a desire to see controls for temporary signs, particularly sidewalk signs; a requirement for high efficiency lighting; that more information be provided on the character of the Public Market and the Master Sign Program; and to clarify that signage should not conflict with the public art to be installed on Parcel B. Since the January study session, the Master Sign Program has been revised to address all items listed above in the following ways:

- Minor mistakes and page numbering have been corrected.
- The proposed Master Sign Program has been checked by both the applicant and staff for consistency with the Sign Regulations.
- Section 2 (page 6) has been expanded to further discuss the character of the Public Market.
- Section 3.5 (page 10) now requires LED and other high efficiency lighting.
- Section 4.7 (page 20) prohibits “temporary signs from blocking public use of the sidewalk or accessibility on private property” and notes that permits are needed for signs on public sidewalks. This section also notes that most temporary signs are limited to hours of operation, and that temporary window signs may not be displayed for more than 90 consecutive days or exceed ten percent of the window area (consistent with the Sign Regulations).
- Parcel C has been added to the Master Sign Program (page 25).

### **PROJECT PROPOSAL:**

The proposed Master Sign Program (MSP) provides signage standards for tenants of Parcel A, Parcel B, Parcel C, Parcel G (the Public Market food hall), the Brick Building, and the Tower Building in the Marketplace PUD. The MSP allows for seven different types of signs:

- overhead wall signs,
- canopy signs,
- awning signs,
- blade signs,
- wall signs/plaque signs,
- door/window signs, and
- temporary signs.

As required by Section 9-5.1613(b)(1) and (3), the proposed MSP provides standards for each type of sign that include how big they can be, where they can be located, lighting, and materials. The MSP includes a site plan, typical building elevations, and allowances for temporary signage. The MSP does not propose tenant-specific signs, as the intent of the MSP is to provide direction and consistency for new tenants.

As required by Section 9-5.1613(b)(2), the proposed MSP includes a table (Table 3.1, page 13) with the computation of allowable sign area for each tenant that does not exceed one square foot of sign area per linear foot of public frontage.

## CONFORMITY TO PLANNING REGULATIONS

### Sign Requirements

In order to approve a Master Sign Program, the Commission must make all of the findings required by Section 9-5.1613(c). Staff believes that these findings can be made, as discussed below:

1. The proposed Master Sign Program will promote visual harmony and a cohesive appearance for the development while allowing an appropriate level of individuality for each establishment.

**The proposed Public Market Master Sign Program promotes visual harmony and a cohesive appearance while allowing an appropriate level of individuality for each establishment by providing direction on sign locations and materials that are consistent with the character of the project, while providing flexibility in sign types and designs for each establishment.**

2. The proposed Master Sign Program will promote signs that relate well to the design of the buildings in the development in terms of compatibility with architectural features, colors and textures.

**The proposed Public Market Master Sign Program promotes signs that relate well to the design of the buildings by providing sign types and locations that take the architectural features, colors and textures of each building into consideration.**

3. The proposed Master Sign Program will promote signage that is in keeping with the visual character of the surrounding area.

**The proposed Public Market Master Sign Program promotes signage that keeps with the visual character of the surrounding area by including sign types that relate well to the architecture of the district and using sign materials and lighting that consider the scale and feel of the surrounding area.**

4. The total aggregate sign area allowed under the proposed Master Sign Program for each individual establishment does not exceed that allowed by Section 9-5.1609(b)(1).

**The proposed Public Market Master Sign Program's total aggregate sign area is consistent with Section 9-5.1609(b)(1), which allows for a maximum of one square foot of sign area per linear foot of public frontage.**

5. The height, size, and total aggregate area of overall site signage allowed under the proposed Master Sign Program is no more than is necessary to adequately identify the development and its major tenants.

**The height, size, and total aggregate area of overall site signage allowed under the proposed Public Market Master Sign Program is consistent with the limitations set forth in the Planning Regulations. These limitations include the sizing and height for individual sign types as well as the maximum sign area set forth in Section 9-5.1609(b)(1), which allows for a maximum of one square foot of sign area per linear foot of public frontage.**

6. The proposed Master Sign Program will comply with all the applicable provisions of this Article, including but not limited to standards for specific sign types and design principles.

**The proposed Public Market Master Sign Program complies with all applicable provisions of the regulations for signs in Chapter 5, Article 16 of the Emeryville Planning Regulations.**

### Design Review Requirements

In order to approve a Major Design Review permit, the Commission must make the findings required by Section 9-7.407. Staff believes that these findings can be made, as discussed below:

1. The design of the project is consistent with the General Plan, including but not limited to its Urban Design goals and policies.

**General Plan goals and policies do not explicitly mention signs. Nonetheless, the proposed Public Master Sign Program is consistent with the following Urban Design goal:**

***UD-G-19 High Quality – Design and construction that respects existing architecture, but creates new signature places.***

**The proposed Public Market Master Sign Program respects the existing architecture while creating the opportunity for unique and high quality signage by creating a palate of sign types and materials that consider the architecture of the buildings while providing flexibility and choice for individual establishments when considering which sign types and designs to use.**

2. The design of the project conforms to the Emeryville Design Guidelines and any other applicable design guidelines or criteria. If strict compliance with the provisions of such design guidelines or criteria is not achieved, the applicant must convincingly demonstrate that the intent of the guidelines or criteria is met.

***E-9 Ensure unified and harmonious building facades, integrating all elements, including signs, balconies, and building entrances. Windows should have regular patterns or be coherent in their variety (e.g. in shapes and proportions).***

The proposed Public Market Master Sign Program provides guidance for sign materials, lighting, location and the size of each sign type so that signage will be coordinated with building façades.

***H-1 Architectural Compatibility***

- *Signs (including supporting structures, if any) should be designed as an integral design element of a building’s architecture and should be architecturally compatible, including color and scale, with the building and surrounding structures.*
- *A sign that covers a window or that spills over “natural” boundaries or architectural features and obscures parts of upper floors of buildings is detrimental to visual order and should be avoided.*
- *Signs above the first story should not obstruct views from inside or outside upper stories. Lighted signs should not illuminate upper stories; instead, illumination should focus on the sign itself or downward towards the sidewalk.*

The proposed Public Market Master Sign Program restricts the design and location of tenant signs to make sure that each sign is compatible with the various architectural features of the buildings throughout the district. The proposed Public Market Master Sign Program restricts the amount of window area that signs may cover and does not permit signs to obstruct architectural features.

***H-4 Visibility***

- *Ensure that signs are visible and readily distinguishable from their surroundings. Projecting signs should be regulated so that they do not obstruct each other.*
- *Provide sign illumination appropriate to the building design and location. Discourage any sign that, because of brilliant interior or exterior lighting, interferes with the enjoyment of surround property, residential units (in case of a mixed-use building) or traffic.*

To ensure readability, projecting signs are regulated so that they do not obstruct each other and are consistent with the regulations for projecting signs in the Sign Regulations. Illuminated signs are limited to those styles that are most compatible with building features and the neighborhood; all illuminated signs are required to be dimmable.

3. The project is of a high design quality that is compatible with, and will not adversely affect, the surrounding area.

The Public Market Master Sign Program provides regulations and standards to ensure that signs are of a high design quality and that are compatible with, and will not adversely affect, the surrounding area.

## **STAFF COMMENTS:**

Staff has worked extensively with the applicant to make sure that the proposed Master Sign Program is accurate in its depictions, provides correct measurements and details of existing and approved buildings, addresses all comments raised by the Planning Commission, and is a user-friendly document for both tenants and City Staff.

## **ENVIRONMENTAL REVIEW:**

As the Public Market Master Sign Program only permits signs for existing or approved structures, it is exempt from environmental review under State CEQA Guidelines Section 15311(a), which applies to accessory structures including on-premises signs, and the “common sense exemption” at Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment.

## **RECOMMENDATION:**

Staff recommends that the Planning Commission approve the proposed Public Market Master Sign Program (SIGN19-017), subject to the attached Conditions of Approval.

Attachments:

Resolution  
Conditions of Approval  
Proposed Master Sign Program dated April 13, 2020