



# CITY OF SAN MATEO

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## Agenda Report

Agenda Number: 2

Section Name: {{section.name}}

Account Number:

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**TO:** Planning Commission  
**FROM:** Zachary Dahl, Interim Director  
**PREPARED BY:** Community Development Department  
**MEETING DATE:** January 23, 2024  
**SUBJECT:**  
1471 E. 3rd Avenue – New Freestanding Commercial Sign (PA-2023-001)

### RECOMMENDATION:

Adopt a Resolution to approve the Site Plan and Architectural Review (SPAR) for a new freestanding gas station sign at 1471 E. 3rd Avenue, based on the findings and subject to the conditions of approval.

### BACKGROUND:

Tom Gallager (applicant) has submitted a Planning Application for a Site Plan and Architectural Review (SPAR) at 1471 E. 3rd Avenue for a new freestanding sign measuring 22 feet, four inches in height, which requires Planning Commission approval in accordance with San Mateo Municipal Code (SMMC) section 27.06.040(a)(10) as a freestanding sign over eight feet in height. The proposal also includes canopy signs and building face signs that comply with the City's Sign Ordinance Chapter 25.06.070. The resolution with findings and conditions of approval is included at Attachment 1.

### Project Site

The project site is located at 1471 E. 3<sup>rd</sup> Avenue, a 7,980 square-foot (0.18-acres) parcel located at the northwest corner of E. 3<sup>rd</sup> Avenue and S. Norfolk Street. The site is zoned R4, Multiple Family Dwellings (High Density). A gas station currently operates on the site and the current proposal would not affect the existing use. The existing structures include a 1,008 square-foot building containing an auto repair use and convenience store, four gas station pump stands, a 924 square-foot canopy over the gas station pumps, and a freestanding and cabinet sign showing gas prices. A location map showing the project site and its vicinity is included as Attachment 2.

### Project Description

The project includes new signage throughout the site, including replacement of the existing 16-feet, 10-inch freestanding gas price sign with a new 22-feet, 4-inch freestanding sign in the same location and using the same footing. This proposed sign is a two-sided cabinet sign measuring three feet, five inches wide by 11 feet, four inches tall. The sign will include the gas station name and display gas prices using six-inch-tall LED numerals. The proposal also includes removal of the existing cabinet gas price sign, new canopy signage, and a new face sign on the existing building and branding updates to the canopy, gas pumps, and building. No changes to the number of gas pumps or overall dimensions of the building or canopy are proposed. Project plans showing the proposed signage and other improvements are included in Attachment 3.

### APPLICABLE CODE AND POLICY REVIEW

#### General Plan and Zoning Code

The General Plan Land Use Map designates the project site as High Density Multi-Family. A list of applicable General Plan policies and a discussion of the project's conformance to them is included in the Resolution (Attachment 1). With respect

to signage, the project conforms to Policy UD 1.4 of the Urban Design Element in that the project conforms to all requirements pertaining to the design, size, type, illumination, and quantity of signs.

The project site is also zoned R4, Multiple Family Dwellings (High Density), development standards for which are provided in Chapter 27.24 of the Municipal Code. The project site contains an existing, legal nonconforming use in that an automobile gas station is not identified as a permitted or special use in the R4 zone. However, the General Plan Land Use Element does contain Land Use Policy LU 1.19, which allows for legally established non-conforming uses and buildings to be maintained and encourages reconstruction and/or minor expansion to improve visual compatibility with the surrounding development.

Applicable Zoning Code requirements for nonconforming uses are provided in Chapter 27.72 of the Municipal Code, which is referred to as the “Nonconforming Code.” This Code prohibits a change in the use unless the new use is permitted, and prohibits physical improvements that expand or alter the use; and provides that the nonconforming use shall be replaced with a permitted use should the nonconforming use discontinue for a period greater than six months or longer. The project meets all applicable requirements in the Nonconforming Code in that the project does not involve a physical expansion or change in the existing gas station use.

#### Sign Code

The allowed number of signs, sign dimensions, and sign area for the project is governed by Table 25.06-3 in SMMC 25.06.070. A summary of the Municipal Code standards and proposed signage for the project is provided in the table below, which shows compliance to the maximum sign area and maximum number of signs allowed.

<b>Sign Summary Table</b>				
<b><i>Primary Frontage (E. 3<sup>rd</sup> Ave)</i></b>				
<b>Name</b>	<b>Quantity</b>	<b>Type</b>	<b>Proposed Sign Area (Sq. Ft.)</b>	<b>Maximum Sign Area (Sq. Ft.)</b>
<b>Sign A</b>	1 *	Freestanding Sign	36.4	-
<b>Sign C</b>	1	Canopy Sign	4.8	-
<b>Sign D2</b>	1	Canopy Sign	21.8	-
<b>TOTAL</b>		-	63	150
<b><i>Secondary Frontage (S. Norfolk St.)</i></b>				
<b>Name</b>	<b>Quantity</b>	<b>Type</b>	<b>Proposed Sign Area (Sq. Ft.)</b>	<b>Maximum Sign Area (Sq. Ft.)</b>
<b>Sign D1</b>	1	Canopy Sign	21.8	-
<b>Sign J2</b>	1	Building Face Sign	9	-
<b>TOTAL</b>		-	30.8	98.93
<b>*Freestanding pole sign exempted from total number of signs allowed per 25.06.050(b)(5)</b>				

In accordance with SMMC 25.06.050(b)(5) and State of California Business and Professions Code Section 13400, gas station signs displaying gasoline prices and services are permitted to exceed the number of signs authorized by SMMC Chapter 25. The proposed freestanding sign is thus not counted toward the maximum number of signs for the site of two per street frontage, or four total for this corner lot. The sign is subject to Planning Commission review and approval pursuant to SMMC 27.06.040(a)(10) and design standards under SMMC 25.06.050(b)(2), which require that the sign be compatible with the architectural style of the main building and that the height be in scale with the surrounding neighborhood.

The proposed freestanding sign is in the same location as the existing freestanding sign and is compatible with the colors and materials used throughout the site. The new sign is taller than the current sign but is in scale with the existing site, existing building and canopy. A larger gas station sign measuring 23 feet, seven inches was also previously sited at this location prior to the current sign. The sign is also consistent with similar, existing freestanding signs for other gas stations.

The sign is limited to a size sufficient for displaying gas prices and services consistent with Business and Professions Code Section 13400 and SMMC Chapter 25.

**FISCAL IMPACT:**

There are no direct fiscal implications to the City's General Fund associated with this request. The applicant is responsible for all costs associated with the project.

**ENVIRONMENTAL DETERMINATION:**

Staff has determined that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) under Class 11 Section 15311(a) On-premise signs. The project consists of the construction of minor structures (signs) for an existing commercial use.

**NOTICE PROVIDED:**

In accordance with Government Code Section 65091 and the City's Municipal Code noticing requirements, this Public Hearing was noticed to the following parties at least ten days in advance of this Planning Commission meeting:

- Property owners, residential tenants and business tenants within 1,000 feet of the project site.
- The City's "900 List" which contains nearly 100 Homeowner Associations, Neighborhood Associations, local utilities, media, and other organizations interested in citywide planning projects;
- The City's Planning "Notify Me" email list; and,
- The interested parties list, which includes interested individuals who contacted the City and requested to be added to the project notification list.

**PUBLIC COMMENTS:**

As of the date of publication of this report, no public comments have been submitted to staff. Additional public comments received following the publishing of this agenda report will be forwarded to the Planning Commission for review and consideration at the Public Hearing and posted to this item on the City's Public Meeting Portal as "Post Packet Public Comments."

The applicant held the required informal neighborhood meeting on August 18, 2022. The applicant indicated there were no attendees at the meeting and no comments or concerns have been received prior to or following the neighborhood meeting.

**ATTACHMENTS**

Att 1 – Draft Resolution with Findings  
Exhibit A – Conditions of Approval  
Att 2 – Location Map  
Att 3 – Project Plans

**STAFF CONTACT**

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