



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION DATE: January 17, 2013

TO: Planning Commission

APPLICANT: Ron Underwood/Jessica Steiner
3600 Birch Street, Suite 120
Newport Beach, CA 92660

CASE NOS.: 05-SPR-018 Amendment, 05-SP-035 Amendment, and
12-VAR-005

LOCATION: 29161 Canwood Street
(A.P.N. 2048-011-029)

REQUEST: Request for approval of a Site Plan/Architectural Review Amendment to remodel the exterior of an existing McDonald's Restaurant; a Sign Permit to amend the sign program; and a request for a Variance to increase the maximum allowable signage on the south building elevation from 25 square feet to 46 square feet and to place a new 13.6 square foot sign on the north building elevation.

ENVIRONMENTAL DETERMINATION: Exempt from CEQA per Sections 15301 and 15311 of the CEQA Guidelines.

RECOMMENDATION: Staff recommends the Planning Commission adopt a motion to approve Site Plan/Architectural Review Case No. 05-SPR-018 Amendment, Sign Permit Case No. 05-SP-035 Amendment and Variance Case No. 12-VAR-005, subject to conditions, based on the findings of the attached draft Resolution.

ZONING DESIGNATION: CRS-FC (Commercial Retail Service – Freeway Corridor Overlay District)

GENERAL PLAN DESIGNATION: CRS (Commercial Retail /Service)

I. BACKGROUND AND PROJECT DESCRIPTION

The applicant is requesting approval of a Site Plan/Architectural Review to remodel the exterior of an existing McDonald's restaurant building located at 29161 Canwood Street, within the CRS-FC (Commercial Retail Service – Freeway Corridor) zone.

The applicant is also seeking approval to amend the sign program for the project site. A Variance from Sign Ordinance Section 9655.8.B.1.j & k is also requested to increase the maximum allowable signage on the south building elevation from 25 square feet to 46 square feet and to install a new 13.6 square foot sign on the north building elevation.

In 2005, the Planning Commission approved Site Plan/Architectural Review Case No. 05-SPR-018 to remodel the exterior design of the building and reconfigure the parking lot to accommodate new access driveways and drive-thru lanes. In 2006, the Planning Commission approved a sign program (Case No. 05-SP-035) for the property that included two wall-mounted signs, two menu boards, two customer order displays, two clearance signs, three directional signs, one pole sign, and one monument sign.

The parcel is .99 acres and is located along the north side of the 101 Freeway and east of Kanan Road. The existing McDonald's restaurant and drive-through was built in 1976, prior to the City's incorporation. The parcel is bordered by Shell gas station on the west, Kanan Plaza shopping center to the north, and Canwood Street and the Archstone Oak Creek apartments to the east. The site is served by an existing access driveway on Kanan Road and an access driveway on Canwood Street.

II. STAFF ANALYSIS

Architectural Design

The property is located within the Freeway Corridor Overlay District. The Freeway Corridor's design standards are intended to promote the City's image as viewed from the freeway and to recognize the importance of the land use, architectural design, and appearance of development with the freeway corridor. Given the visibility of the property and building as viewed from the freeway, the proposed architecture must be of a design that is compatible for commercial buildings located within the freeway corridor.

The existing McDonald's building is single-story in height and consists of beige stucco exterior walls, with light brown wood trim, stone wainscot, green stucco on the parapet roof, and a concrete tile mansard roof.

The exterior of the building is proposed to be completely remodeled. The building footprint would remain the same. The new exterior design emphasizes more modern architecture and includes stucco finish on all the walls along with a new decorative parapet roofline of varying elevations, in place of the existing mansard tile roof. The eastern building entrance area would be highlighted with a new entry arcade that would

include a taller parapet and stone surface. Around the top of the parapet surrounding the entire building, a decorative metal roof screen would be added that would tie into, in color and material, the new fascia band, and aluminum with metal trim trellis features located around all four sides of the building. Located above selected arcades shown on the south and west elevations of the building would be the McDonald's roof arc element. The architecture feature is nationally trademarked. New building colors would include medium brown color as the base building color, which would be accented with a lighter version of the brown color and cream color stone on all four elevations. The building would be further accented with three yellow metal canopies along the south and east elevations, yellow arches above the selected arcades, and gray aluminum trellises and metal roof screens around all four elevations of the building.

The City Architectural Review Panel (ARP) has recommended approval of the proposed architectural changes to the building. The Panel's suggested changes to the building, which the applicant made, included removing the mansard roof, the use of earth tone colors, and the use of stone. The existing building meets the required development standards relative to building coverage, height, setbacks, and parking.

Sign Program Amendment

This is a unique site in that the property backs up to the freeway off ramp, with a 65 foot wide street frontage and access road from Kanan Road as well as a 280 foot street frontage on Canwood Street, opposite Kanan Road. The closest entrance to the site from the freeway is from Kanan Road; however, the building is not visible from Kanan Road. This building was constructed in 1976, when Canwood Street served as a freeway frontage road and the building orientation was based on the street configuration at that time. Also as a freeway oriented use, identification and visibility of the building from the freeway as well as access and direction from the freeway is important. The proposed Sign Program and Variance is intended to address these unique circumstances associated with this site as part of the exterior building remodel.

The current request is to amend the sign program to include on the building, four arch logo signs (13.6 square feet each), one on each elevation; three "Welcome" signs above entrances (3 square feet); two window banners that state "Pay Here" and "Pick Up Here" on the west building elevation; two ground mounted "Order Here" signs (drive-through feature west of menu boards); a ground mounted (9 square feet, 3 feet tall) illuminated directional sign (at Kanan Road); and one additional panel (10 square feet) to each of the existing two menu boards on the property. The applicant is also requesting to replace the 25 square foot freeway facing sign with new signage totaling 46 square foot, and add a 13.6 square foot arch sign to the north side of the building where there is currently no signage.

Section 9655.8.B.1.k of the Sign Ordinance allows building that directly side or back to the freeway, to have one, maximum 25 square foot sign on their building facing the freeway. The proposed freeway facing sign exceeds 25 square feet; therefore, the applicant has requested a Variance, as allowed for in Section 9676.2.E of the Zoning

Ordinance, to increase the maximum allowable signage on the south elevation from 25 square feet to 46 square feet. The applicant states in his attached Burden of Proof that the building location is unique in its proximity to the 101 Freeway and that the vast majority of its visibility to potential customers is from said thoroughfare. Therefore, an increase in sign area is requested to help the business to remain visible in its current location.

The proposal includes a 32.4 square foot "McDonald's" sign and a 13.6 square foot "M" arch logo sign, which totals 46 square feet, to be installed on the south building elevation that will replace the existing "McDonald's" sign. The new McDonald's sign is proposed to be LED illuminated channel letters set on an architecturally integrated raceway on the metal roof parapet. The face of McDonald's is white polycarbonate. The 13.6 square foot arch logo proposed on the south and north elevations would be a LED illuminated channel logo mounted to the wall.

The applicant is also requesting a Variance from Section 9655.8.B.1.j to allow one logo arch sign on the north side of the building not fronting a street. Section 9655.8.B.1.j of the Sign Ordinance only allows one building sign per street frontage (the site has street frontage on Canwood Street and Kanan Road). The applicant states that without the proposed variance, the subject business would have reduced visibility from Canwood Street.

The signs on the east elevation fronting on Canwood Street consists of a 32.4 square foot "McDonald's" sign, a 13.6 square foot arch logo sign, and a 3 square foot "Welcome" sign, totaling 49 square feet. The Sign Ordinance allows a maximum of 50 square feet on that elevation. The only sign proposed on the west elevation (drive through elevation) is a 13.6 square foot arch logo. The Sign Ordinance allows 50 square feet on that elevation.

Staff supports the variance request. In order to approve the variance application, specific findings of approval must be made by the Planning Commission. Listed below are the required findings of the Municipal Code and staff's analysis for each.

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by other property owners in the vicinity and under identical zoning classification.

This is a unique site in that the property backs up to the freeway off ramp, with a 65 foot wide street frontage and access road from Kanan Road as well as 280 foot street frontage on Canwood Street, opposite Kanan Road. The closest entrance to the site from the freeway is from Kanan Road; however, the building is not visible from Kanan Road. This building was constructed in 1976, when Canwood Street served as a freeway frontage road and the building orientation was based on the street configuration at that time. Also as a freeway oriented use, identification and visibility of the building from the freeway as well as access and direction from the freeway is important. The Variance is intended to address these unique circumstances associated with this site by increasing

sign area from 25 square feet to 46 square feet on the south (freeway elevation) and to allow a 13.5 square foot arch logo on the north elevation.

2. That the granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

In 2000, given unique circumstances, NW Rugs was granted a Variance for additional and larger signs on a tower element of a building built at the same elevation of the freeway corridor.

3. That the strict interpretation and enforcement of the provisions of this article would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.

One of the purposes of the City Sign Ordinance is to support and promote viable businesses by allowing signage that provides adequate identification, while also promoting and enhancing the quality of the visual environment of the City. The proposed increase in size of the freeway sign and additional sign on the north side of the building would increase visibility to freeway traffic and southbound traffic on Canwood Street desired by the tenant.

4. That the granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity.

The proposed freeway sign and additional sign mounted on the building will allow for proper visibility and identification of the restaurant for motorists on the freeway and southbound traffic on Canwood Street. The construction of the sign will meet City Building Code requirements.

5. The granting of the Variance will be consistent with the character of the surrounding area.

The sign material and colors will match the building it serves, and will not detract from the surrounding neighborhood. The colors are compatible with the Shell Fuel Station next door.

The Site Plan Architectural Review, sign program and associated variance requests have been reviewed for potential environmental impacts pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), and the City's Local CEQA guidelines. The project consists of a proposed building remodel, sign program amendment to allow the installation of accessory sign structures, and a Variance for additional and larger signs, and this is exempt from CEQA pursuant to Sections 15301 and 15311 of the Guidelines.

III. RECOMMENDATION

Based on the foregoing analysis, it is recommended that the Planning Commission approve Site Plan/Architectural Review Case No. 05-SPR-018 Amendment, Sign Permit Case No. 05-SP-035 Amendment, and Variance Case No. 12-VAR-005, subject to conditions, by adopting a motion to approve the Draft Resolution.

IV. ATTACHMENTS

- Exhibit A: Site Plan/Architectural Review Amendment Draft Resolution and Conditions of Approval
- Exhibit B: Sign Permit Amendment Draft Resolution and Conditions of Approval
- Exhibit C: Variance Draft Resolution and Conditions of Approval
- Exhibit D: Applicant's Burden of Proof
- Exhibit E: Vicinity Map
- Exhibit F: Reduced Photocopies of Project Plans

Case Planner: Renee Madrigal, Assistant Planner

EXHIBIT A

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING SITE PLAN/ARCHITECTURAL REVIEW
CASE NO. 05-SPR-018 AMENDMENT

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY
FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by Ron Underwood and Jessica Steiner for McDonald's Corporation with respect to the real property located at 29161 Canwood Street, Assessor's Parcel Number 2048-011-029, requesting approval of a Site Plan/Architectural Review Amendment Case No. 05-SPR-018 Amendment to remodel the exterior of an existing McDonald's Restaurant. A Public Hearing was duly held in on January 17, 2013 at 6:30 p.m. in the Council Chambers, City Hall at 30001 Ladyface Court, Agoura Hills, CA 91301. Notice of the time, date and place and purpose of the aforesaid hearing was duly given and published as required by state law.

Section 2. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission of the aforesaid Public Hearing.

Section 3. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant Sections 9677.5 of the Agoura Hills Municipal Code, that:

A. The proposed development is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located. The proposed remodel will provide the continued operation of an existing permitted restaurant that can serve the surrounding community. This restaurant is a permitted use within the Commercial Retail/Service (CRS) and Freeway Corridor Overlay (FC) zone. Also the project meets the height, lot coverage, landscape coverage and parking requirements as specified in the City's Zoning Ordinance.

B. The proposed use, as conditioned, and the manner in which it will be operated or maintained will not be detrimental to the public health and safety, or general welfare in that the property will be improved and maintained according to the City standards and Conditions of Approval. Access to the property will be via a driveway on Canwood Street to the east of the site and from Kanan Road to the west. The project, which consists of exterior changes to the building, but no increase to the building size, will preserve the light, air, privacy and open space to the surrounding neighboring parcels. The proposed building lot coverage is below the maximum coverage established for the CRS-FC and the Freeway Corridor Overlay District.

C. The proposed use, as conditioned, will not conflict with the character and design of the buildings and open space in the surrounding area in that the proposed building colors and materials, which consist of medium brown colored stucco and cream color stone are compatible with the building it serves and the architectural style of the surrounding area.

D. The proposed use, as conditioned, with the exception of the Variance request for signage, will comply with each of the applicable provisions of the Zoning Ordinance. The 21-foot building height will not exceed the 35-foot building height limitation for structures within the zone. Building lot coverage is below the maximum allowed for the zone.

E. The proposed use, as conditioned, is consistent with the City's General Plan. The proposed remodel of the restaurant enhances the visual character of the restaurant in that the new building design incorporates the appropriate amount of detail and articulation necessary to be considered a quality building that will enhance the appearance of the site and the surrounding area, as called for in Policy LU-13.2 of the General Plan.

F. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The proposed placement of additional articulation on the building through the use of stone, a new decorative roofline, trellises and canopies are compatible with the architecture of the building and the surrounding area along Canwood Street and Kanan Road.

Section 4. The Planning Commission finds, pursuant to Agoura Hills Zoning Municipal Code Section 9677.7(G), that:

A. The proposed use, as conditioned, is consistent with the General Plan, and design standards adopted by the City Council. The proposed remodel of the restaurant enhances the visual character of the restaurant in that the new building design incorporates the appropriate amount of detail and articulation necessary to be considered a quality building that will enhance the appearance of the site and the surrounding area, as called for in Policy LU-13.2 of the General Plan..

B. As conditioned, the design and location of the proposed development and its relationship to existing developments and traffic in the vicinity thereof is such that it will increase the desirability of investment or occupation in the neighborhood. The proposed project will not unreasonably interfere with the use and enjoyment of existing or proposed commercial developments in the vicinity, and will not create traffic hazards or congestion. Access to the property will continue to be via Canwood Street and Kanan Road.

C. The proposed use, as conditioned, is in keeping with the character of the surrounding neighborhood, and is not detrimental to the harmonious, orderly, and attractive development contemplated by the Zoning Ordinance and the General Plan of

the City. The remodel of the building will be compatible with the surrounding neighborhood, and enhance the appearance of the area.

D. The design of the proposed development, as conditioned, provides a desirable environment for its occupants, as well as for the project's neighbors, and is aesthetically of good composition, materials, textures, and colors. The proposed exterior building materials and colors are compatible with the variety of colors and architectural styles in the neighborhood and with the City Architectural Design Standards and Guidelines.

E. The proposed use, as conditioned, with exception of signage, complies with all applicable requirements of the district in which it is located and all other applicable requirements. The signage increase is addressed in the Variance, which is part of this project. Restaurant use is permitted in the CRS zone.

F. The overall development of the subject property is designed to ensure the protection of the public health, safety, and general welfare. The improvements to the existing building will be constructed to comply with the most recent Building Code requirements.

Section 5. The project has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA), per Section 15301 of the CEQA Guidelines (Existing Facilities). The exemption includes the remodel of an existing building. No negative declaration or environmental impact report is required.

Section 6. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. 05-SPR-018 Amendment, subject to the attached conditions, with respect to the property described in Section 1 hereof.

Section 7. The Secretary of the Planning Commission shall certify to the passage, approval and adoption of this resolution, and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Draft Resolution No. _____

Page 4

PASSED, APPROVED and ADOPTED this 17th day of January, 2013, by the following vote to wit:

AYES: (0)

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)

Chairperson

ATTEST:

Mike Kamino, Secretary

DRAFT CONDITIONS OF APPROVAL (Case No. 05-SPR-018 Amendment)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of Approval of this Permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the labeled exhibits approved by the Planning Commission: Site Plan, Building Elevation Plans, Floor Plans, and Roof Plan.
4. All exterior colors and materials used in this project shall be in conformance with the colors and materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
6. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in the Permit or on the approved Site Plan.
8. All structures shall conform with the requirements of the Division of Building and Safety of the City of Agoura Hills.
9. Unless this permit is used within two (2) years from the date of City approval, this permit will expire. A written request for a one-year extension may be considered prior to the expiration date.
10. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
11. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.

SOLID WASTE MANAGEMENT STANDARD CONDITIONS

12. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project to be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to and approved by the Department of Planning and Community Development prior to issuance of a building permit. The plan shall include the following information: material type to be recycled, reused, salvaged, or disposed; estimated quantities to be processed, management method used, and destination of material including the hauler name and facility.
13. The project shall comply with the plan and provide for the collection, recycling, and/or reuse of materials (i.e. concrete, wood, metal, cardboard, green waste, etc.) and document results during demolition and/or construction of the proposed project. After completion of demolition and/or construction, the applicant shall complete a Waste Reduction & Recycling Summary Report and provide legible copies of weight tickets, receipts, invoices or letters of verification for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, the applicant shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused and the project generating the discarded materials. The Waste Reduction & Recycling Summary Report shall be submitted and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.
14. The applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company, or shall arrange for self-hauling to an authorized facility.

SPECIAL CONDITIONS

15. The ground mounted directional sign on Kanan Road shall not be larger than three square feet in area, and shall not exceed three feet in height.

END

EXHIBIT B

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING SIGN PERMIT CASE NO. 12-SP-035 AMENDMENT

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY
FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by Ron Underwood and Jessica Steiner for McDonald's Corporation with respect to the real property located at 29161 Canwood Street, Assessor's Parcel Number 2048-011-029, requesting approval of a Sign Permit Amendment Case No. 05-SP-035 Amendment for a Sign Program Amendment to allow additional building signs to serve McDonald's Restaurant. A Public Hearing was duly held in conjunction with Variance Case No. 12-VAR-005 on January 17, 2013 at 6:30 p.m. in the Council Chambers, City Hall at 30001 Ladyface Court, Agoura Hills, CA 91301. Notice of the time, date and place and purpose of the aforesaid hearing was duly given and published as required by state law.

Section 2. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission of the aforesaid Public Hearing.

Section 3. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant Sections 9655.5.D and 9655.6.E of the Agoura Hills Municipal Code, that:

A. The proposed sign program amendment is consistent with the General Plan and the provisions of the Zoning Ordinance, including the Sign Ordinance. The sign program amendment enhances the visual character of the restaurant and provides meaningful identification, as called for in Policy LU-13.2 of the General Plan.

B. The location of the proposed signs and the design of their visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions) are legible under normal viewing conditions prevailing where the sign is to be installed. Each sign will be legible to pedestrians and motorists visiting the site and will adequately identify the restaurant.

C. The location and design of the proposed signs, their sizes, shapes, illumination, and colors are compatible with the visual characteristics of the surrounding area so as not to cause significant depreciation of the value or quality of adjacent properties. The signs are appropriate given the size of the property and the proposed sign colors and materials are compatible with the building served by the signs.

D. Except for approved variances, the proposed sign program amendment is consistent with the sign standards of the Sign Ordinance in that the number of colors, the proposed materials, and the illumination of the signs are consistent with the standards specified in the Sign Ordinance.

E. The proposed sign program amendment is consistent with the City's adopted sign design guidelines. The proposed sign colors and letter styles are compatible with the architectural design of the building that is served and the restaurant's existing sign program.

F. The sign program complies with the purpose and overall intent of the Sign Ordinance through the number of signs proposed, the colors and materials, and design, which preserve and enhance the unique character and visual appearance of the City.

G. The sign program amendment accommodates future revision that may be required because of changes in the use or tenants in that the restaurant signs can be replaced with the name of a future owner.

H. The sign program amendment complies with the standards of the Sign Ordinance in that the design of the signs are compatible with the character and environment of the community, are not distracting to motorists, are visually attractive, and provide adequate identification for the building on the property.

Section 4. The project has been environmentally reviewed pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), and the City's Local CEQA guidelines. The project consists of a proposed sign program amendment to allow the installation of accessory sign structures and this is exempt from CEQA pursuant to Section 15311 of the Guidelines (Accessory Structures including On-Premise Signs).

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Sign Permit Case No. 05-SP-035 Amendment, subject to the attached conditions, with respect to the property described in Section 1 hereof.

Section 6. The Secretary of the Planning Commission shall certify to the passage, approval and adoption of this resolution, and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Draft Resolution No. _____

Page 3

PASSED, APPROVED and ADOPTED this 17th day of January, 2013, by the following vote to wit:

AYES: (0)

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)

Chairperson

ATTEST:

Mike Kamino, Secretary

DRAFT CONDITIONS OF APPROVAL
(Case No. 05-SP-035 Amendment)

STANDARD CONDITIONS

1. This decision for approval of the Sign Permit application, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the required forms and related fees with the City.
2. Except as modified herein, the approval of this action is limited to and requires complete conformation to the Sign Plans of the restaurant (McDonald's) approved by the Planning Commission on January 17, 2013.
3. The approval of this permit shall not be effective for any purpose until the applicant and property owner have agreed in writing that they are aware of, and accept all Conditions of this permit with the Department of Planning and Community Development.
4. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. Unless the approval is used within two (2) years from the date of City approval, Sign Permit Amendment Case No. 05-SP-035 Amendment will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
7. The applicant shall obtain a building permit from the Department of Building and Safety for the approved signage.

END

EXHIBIT C

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING VARIANCE CASE NO. 12-VAR-005

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY
FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by Ron Underwood and Jessica Steiner for McDonald's Corporation with respect to the real property located at 29161 Canwood Street, Assessor's Parcel Number 2048-011-029, requesting approval of a Variance from Zoning Ordinance Sections 9655.8.B.1.J & k to increase the maximum allowable signage on the south building elevation from 25 square feet to 46 square feet and provide a new 13.6 square foot sign on the north building elevation. A Public Hearing was duly held in conjunction with Variance Case No. 12-VAR-005 on January 17, 2013 at 6:30 p.m. in the Council Chambers, City Hall at 30001 Ladyface Court, Agoura Hills, CA 91301. Notice of the time, date and place and purpose of the aforesaid hearing was duly given and published as required by state law.

Section 2. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission of the aforesaid Public Hearing.

Section 3. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant Sections 9676.2.E of the Agoura Hills Municipal Code that:

A. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by other property owners in the vicinity and under identical zoning classification. This is a unique site in that the property backs up to the freeway off ramp, with a 65 foot wide street frontage and access road from Kanan Road as well as 280 foot street frontage on Canwood Street, opposite Kanan Road. The closest entrance to the site from the freeway is from Kanan Road; however, the building is not visible from Kanan Road. This building was constructed in 1976, when Canwood Street served as a freeway frontage road and the building orientation was based on the street configuration at that time. Also as a freeway oriented use, identification and visibility of the building from the freeway as well as access and direction from the freeway is important. The Variance is intended to address these unique circumstances associated with this site by increasing sign area from 25 square feet to 46 square feet on the south (freeway elevation) and to allow a 13.5 square foot arch logo on the north elevation.

B. The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated. In 2000, given unique circumstances, NW Rugs was granted a Variance for additional and larger signs on a tower element of a building built at the same elevation of the freeway corridor.

C. The strict interpretation and enforcement of the provisions of this article would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. One of the purposes of the City Sign Ordinance is to support and promote viable businesses by allowing signage that provides adequate identification, while also promoting and enhancing the quality of the visual environment of the City. The proposed increase in size of the freeway sign and additional sign on the north side of the building would increase visibility to freeway traffic and southbound traffic on Canwood Street desired by the tenant.

D. The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity. The proposed freeway sign and additional sign mounted on the building will allow for proper visibility and identification of the restaurant for motorists on the freeway and southbound traffic on Canwood Street. The construction of the sign will meet City Building Code requirements.

E. The granting of the Variance will be consistent with the character of the surrounding area. The sign material and colors will match the building it serves, and will not detract from the surrounding neighborhood. The colors are compatible with the Shell Fuel Station next door.

Section 4. The project has been reviewed for potential environmental impacts pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), and the City's Local CEQA guidelines. The project consists of a proposed sign program amendment to allow the installation of accessory sign structures and this is exempt from CEQA pursuant to Section 15311 of the Guidelines.

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Variance Case No. 12-VAR-005, subject to the attached conditions, with respect to the property described in Section 1 hereof.

Section 6. The Secretary of the Planning Commission shall certify to the passage, approval and adoption of this resolution, and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Draft Resolution No. _____

Page 3

PASSED, APPROVED and ADOPTED this 17th day of January, 2013, by the following vote to wit:

AYES: (0)

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)

Chairperson

ATTEST:

Mike Kamino, Secretary

DRAFT CONDITIONS OF APPROVAL
(Case No. 12-VAR-005)

STANDARD CONDITIONS

1. This decision for approval of the Sign Permit application, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the required forms and related fees with the City.
2. Except as modified herein, the approval of this action is limited to and requires complete conformation to the Sign Plans approved for this permit by the Planning Commission on January 17, 2013.
3. The approval of this permit shall not be effective for any purpose until the applicant and property owner have agreed in writing that they are aware of, and accept all Conditions of this permit with the Department of Planning and Community Development.
4. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. Unless the approval is used within two (2) years from the date of City approval, Variance Case No. 12-VAR-005 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
7. The applicant shall obtain a building permit from the Department of Building and Safety for the approved signage.

END

EXHIBIT D

2. That the granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated;

As stated in Item 1, the requested variance is only intended to maintain the visibility already

afforded to the site and will grant the business no advantage over similar properties nearby.

3. That the strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance;

Without the proposed variance, the subject business would have reduced visibility to freeway traffic,

a significant portion of their clientele, as well as to those on Canwood Street. The proposed signage

is tasteful, works with the proposed architecture, and allows the restaurant to remain competitive.

- 4. That the granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity; and

The granting of the proposed variance will in no way be detrimental to public health and safety, in fact
it will be the exact opposite. By maintaining the site's visibility through signage, the property can
continue to remain a safe and reliable destination for both locals and travelers at all hours of
operation. In terms of aesthetics, the proposed remodel and this related variance will result in an
enhanced facade and improved curb appeal for the business and neighborhood.
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5. That the granting of the Variance will be consistent with the character of the surrounding area.

The granting of this variance will be consistent with the surrounding area's character as the proposed facade improvements and related signage are in the same vein and context as surrounding businesses. Furthermore, the proposed architectural changes are respectful of Agoura Hill's 'look' through the use of materials, colors, and textures.

END

EXHIBIT E

SITE PLAN/ARCHITECTURAL REVIEW
CASE NO. 05-SPR-018 AMENDMENT,
SIGN PERMIT CASE NO. 05-SP-035 AMENDMENT, &
VARIANCE 12-VAR-005

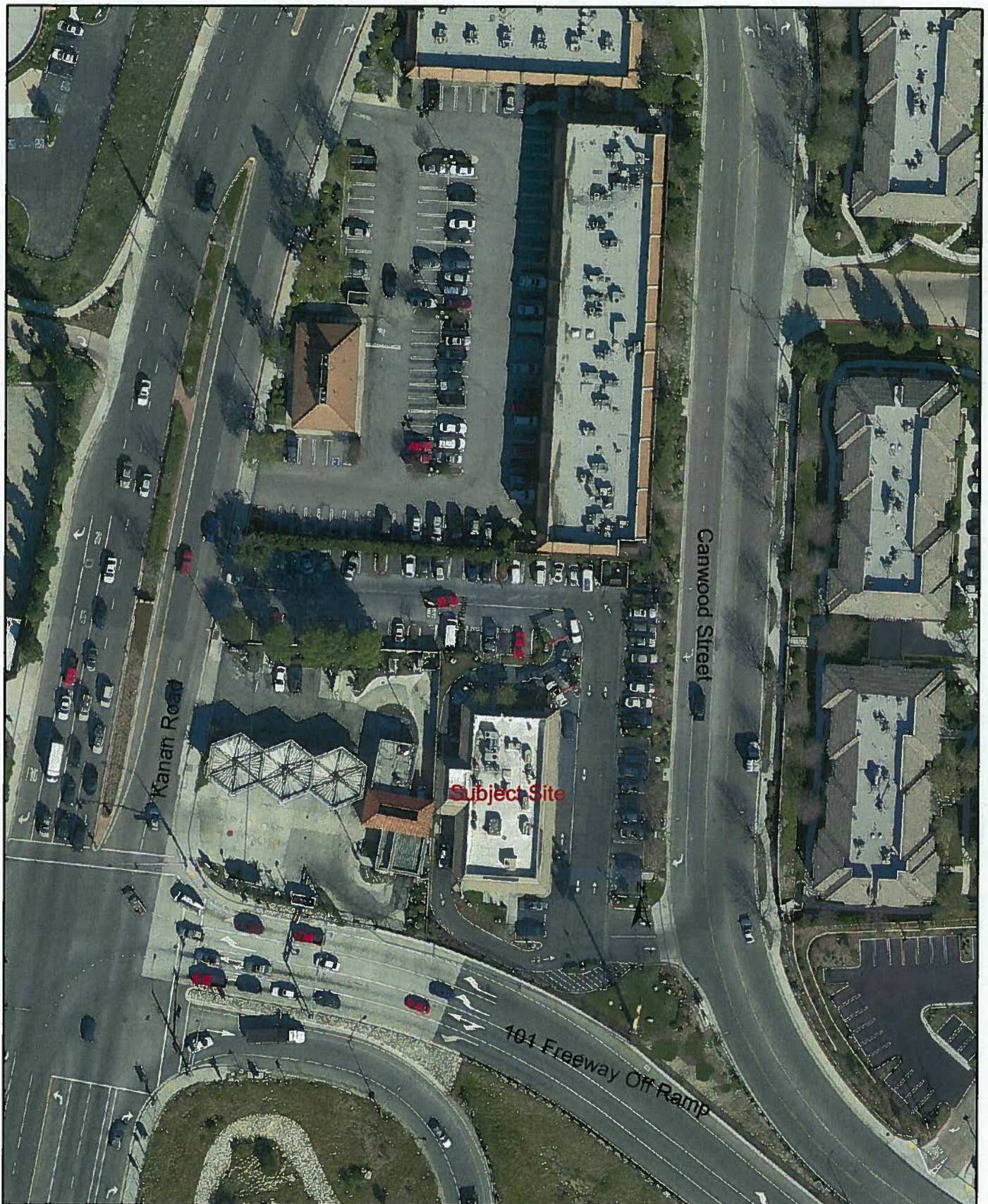
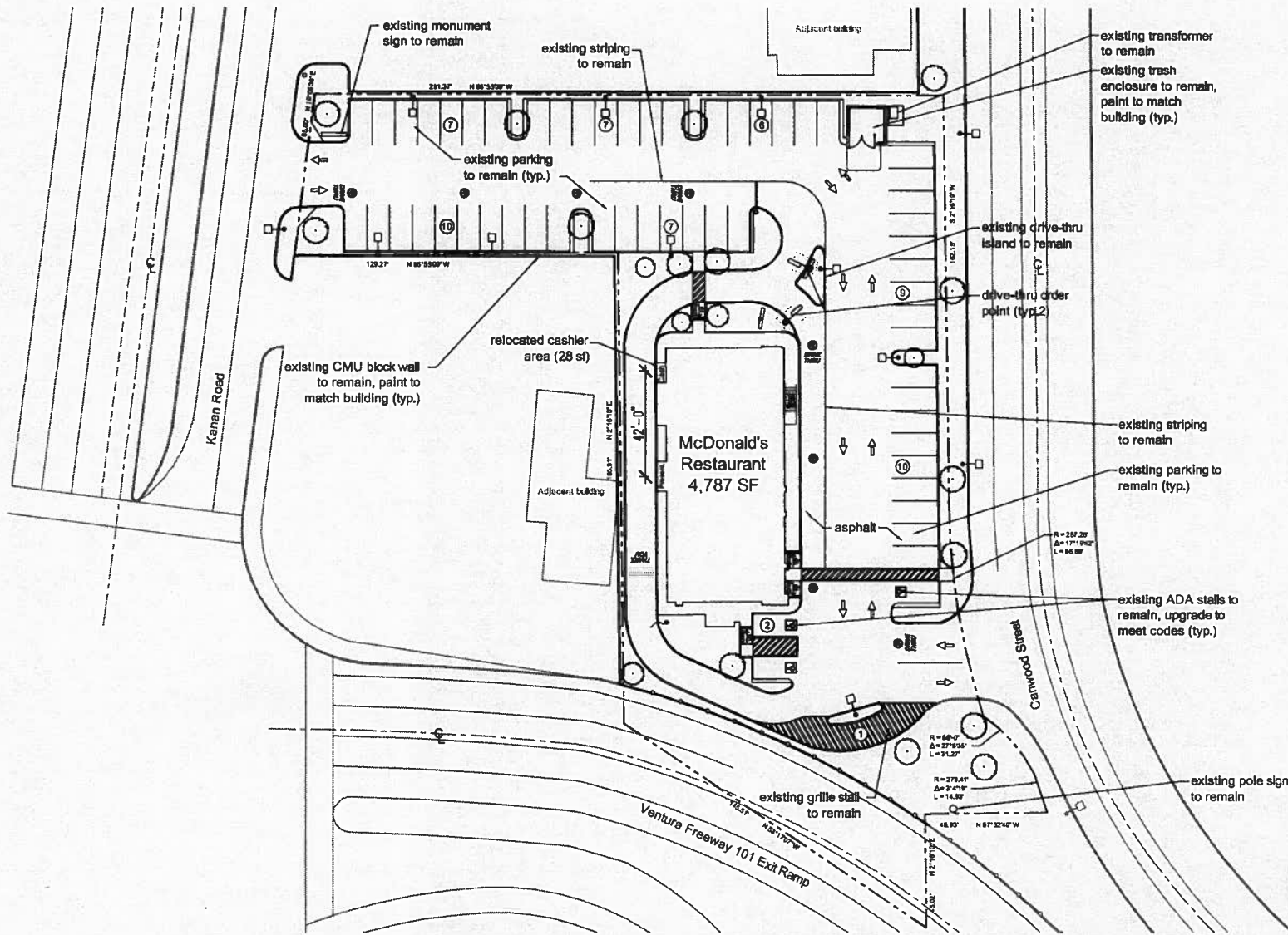
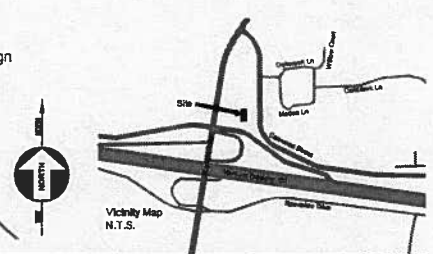


EXHIBIT F



note:
trash enclosure, doors, ladder, light poles,
and electrical cabinet to be painted to
match/coordinate with building

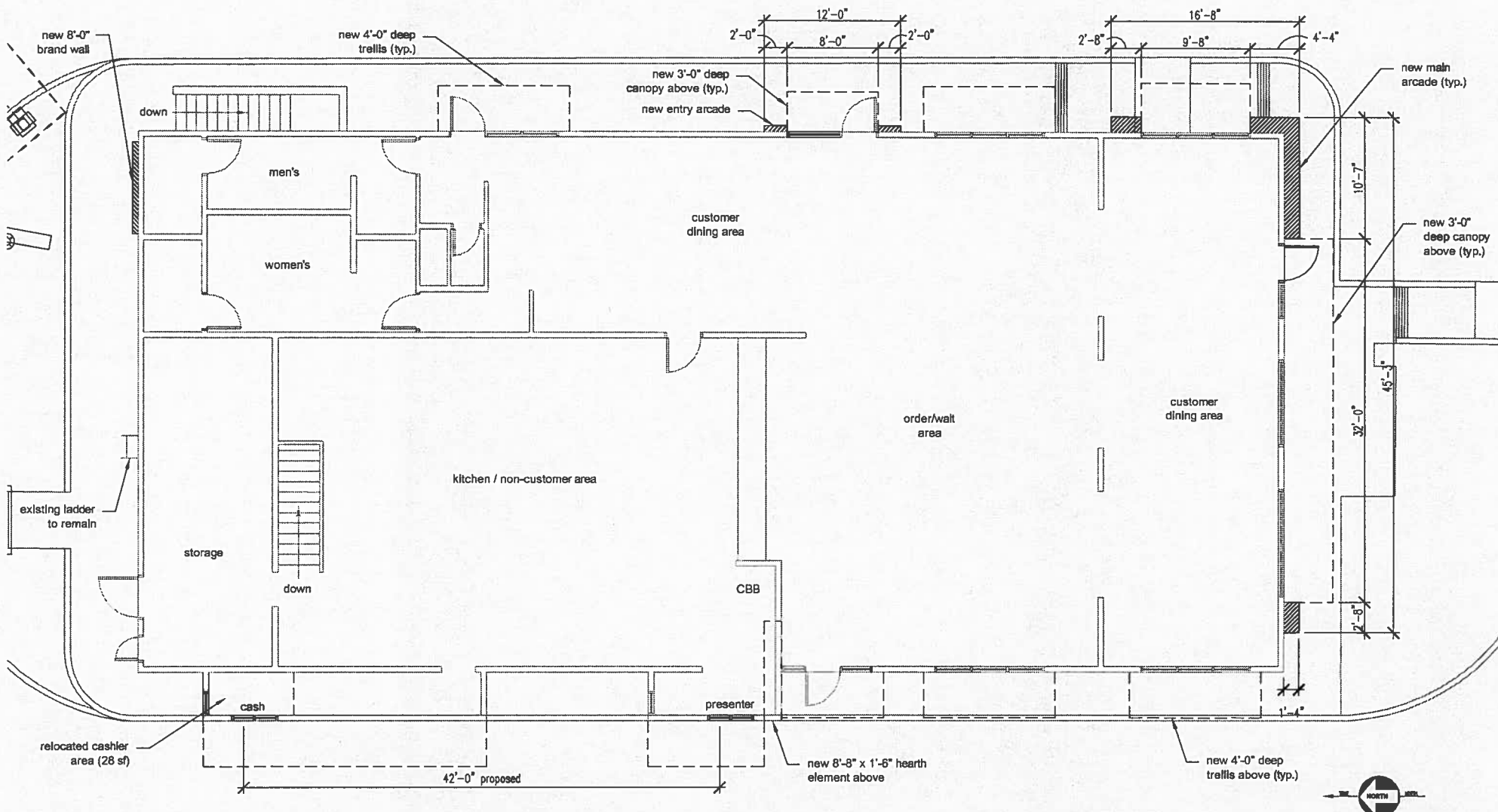


Project Architect:
BICKEL UNDERWOOD
JERRY R. BICKEL, JR., ARCHITECT
A CALIFORNIA CORPORATION
2400 Mich Street, Suite 120, Menlo Park, CA 94025
949-757-0111
web: www.bickelunderwood.com

McDonald's 004-0517

29161 Canwood St.
Agoura Hills, California

Proposed Site Plan
Scale: 1" = 40'
October 12, 2012
McDonald's - 29161 Canwood St., Agoura Hills, CA
McDonald's - 29161 Canwood St., Agoura Hills, CA

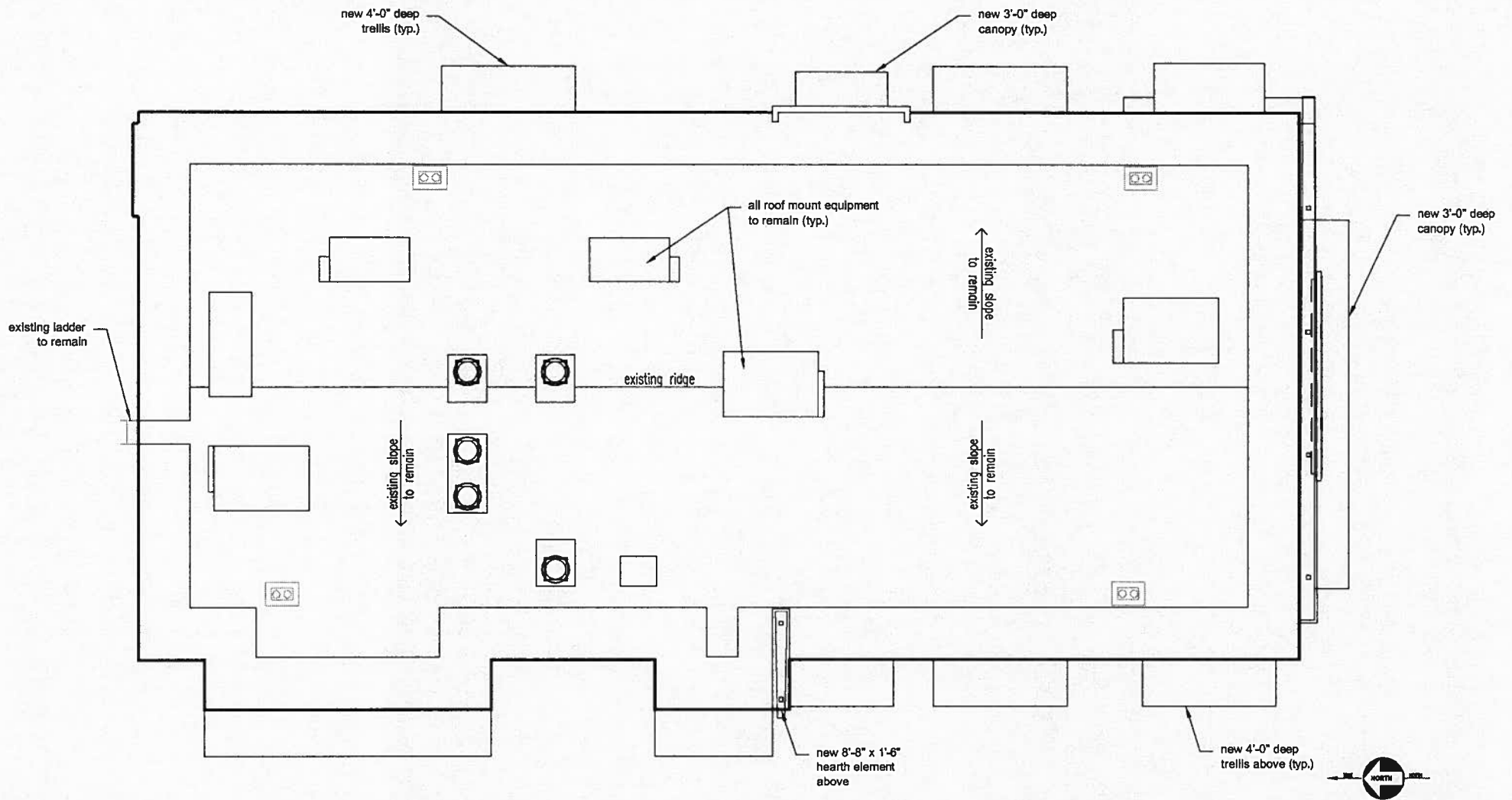


Project Architect:
BICKEL UNDERWOOD
 JAMES A. BICKEL, JR., ARCHITECT
 A CALIFORNIA CORPORATION
 2600 Beach Street, Suite 120, Newport Beach, CA 92660
 949-757-0011 architecture@bickelunderwood.com

McDonald's 004-0517

29161 Canwood St.
 Agoura Hills, California

Proposed Floor Plan
 Scale: 1/8" = 1'-0"
 September 14, 2012
 2012/09/14/0040517/0040517_BUCKER_BLM.dwg



Project Architect:

BICKEL UNDERWOOD
 JAMES A. BICKEL, JR., ARCHITECT
 A CALIFORNIA CORPORATION
 2600 Beach Street, Suite 100, Newport Beach, CA 92660
 949-757-0411 architect@bickelunderwood.com

McDonald's 004-0517

29161 Canwood St.
 Agoura Hills, California

Proposed Roof Plan

Scale: 1/8" = 1'-0"

September 14, 2012

301212009 - McDonald's 004-0517, Canwood
 29161 Canwood St. Agoura Hills, CA 91301

Proposed Elevations
29161 Canwood St.
Agoura Hills, California
004-0517
Scale: 1/8"=1'

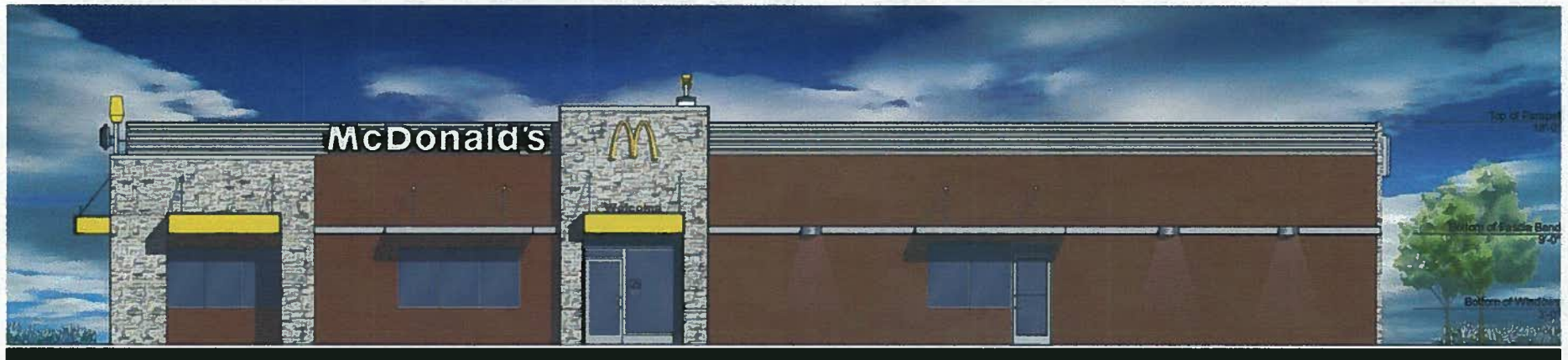
Color Scheme

Materials Legend

- Log Cabin
- Serengeti Sand
- Stone Arcade - Coronado Stone Special Antique Cream
- Canopies (Metal)
- Metal (Coping)
- Aluminum Trellis



South - Front Elevation



East - Non D/T Elevation



West - D/T Elevation

Color Scheme

Materials Legend

- Log Cabin
- Serengeti Sand
- Stone Arcade - Coronado Stone
Special Antique Cream
- Canopies (Metal)
- Metal (Coping)
- Aluminum Trellis



North - Rear Elevation

McDonald's

Store #3997, 29161 Canwood St., Agoura Hills, CA



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1739 West Alhambra Street
Long Beach, California
90801-1155
Phone: 562-436-3500
Facsimile: 562-436-1657

www.superior's-gis.com

Project:
McDonald's #3997

Address:
**29161 Canwood St.,
Agoura Hills, CA**

Account Manager:
S. Janocha

Designer:
L. Ramirez 3.50

Scale: **AS NOTED**

Design No.: **12-06-4963-03 P**

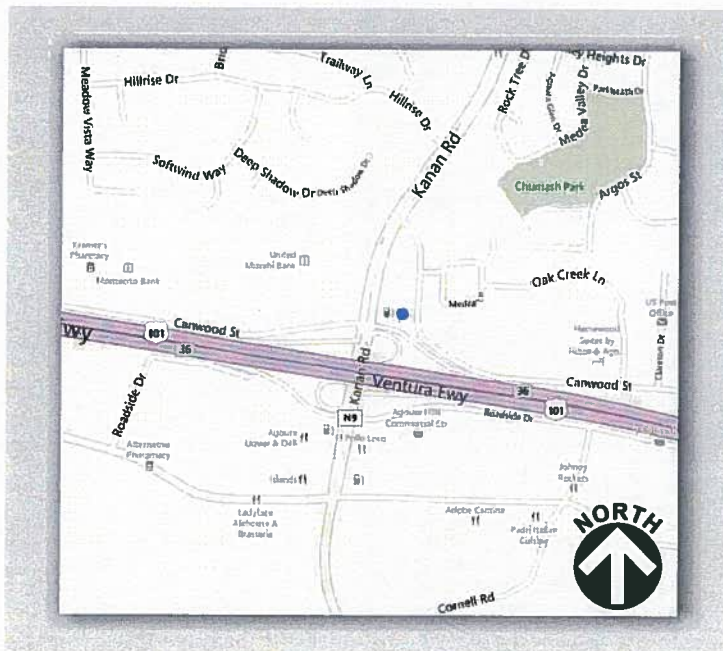
Date: **06.01.12**

Reg. No.:

Revisions:
R1 7/23/12 LR New elevations & site plan (1.75)
R2 9/17/12 LR New elev. & site plan (1.75)
R3 12/14/12 LR New elev., del A3 letters, move sign B4 (1.75)

SIGN SCHEDULE - McDONALD'S SIGNAGE

NO.	DESCRIPTION	ILLUM.	AREA	QUANT.	TOTAL
A	CHANNEL LETTERS	Y	32.4	2	64.8
B	CHANNEL ARCH	Y	13.6	4	54.4
C					
D	"WELCOME" LETTERS	N	3.0	3	--
E	WINDOW BANNER	N	--	1	--
F	WINDOW BANNER	N	--	1	--
U	MENUBOARD/COO	Y	43.31	2	--
W	CANOPY	Y	--	2	--
I					
J	GATEWAY CLEARANCE	N	--		--
K					
L	DIRECTIONAL	Y	9.3	2	--
TOTAL SQ. FOOTAGE =					119.2



1 VICINITY MAP
Scale: N.T.S.



APPROVALS

FOR JOB CHECK DATE

Acct. Mgr.

FOR CONSTRUCTION DATE

Acct. Mgr.

Design

Production

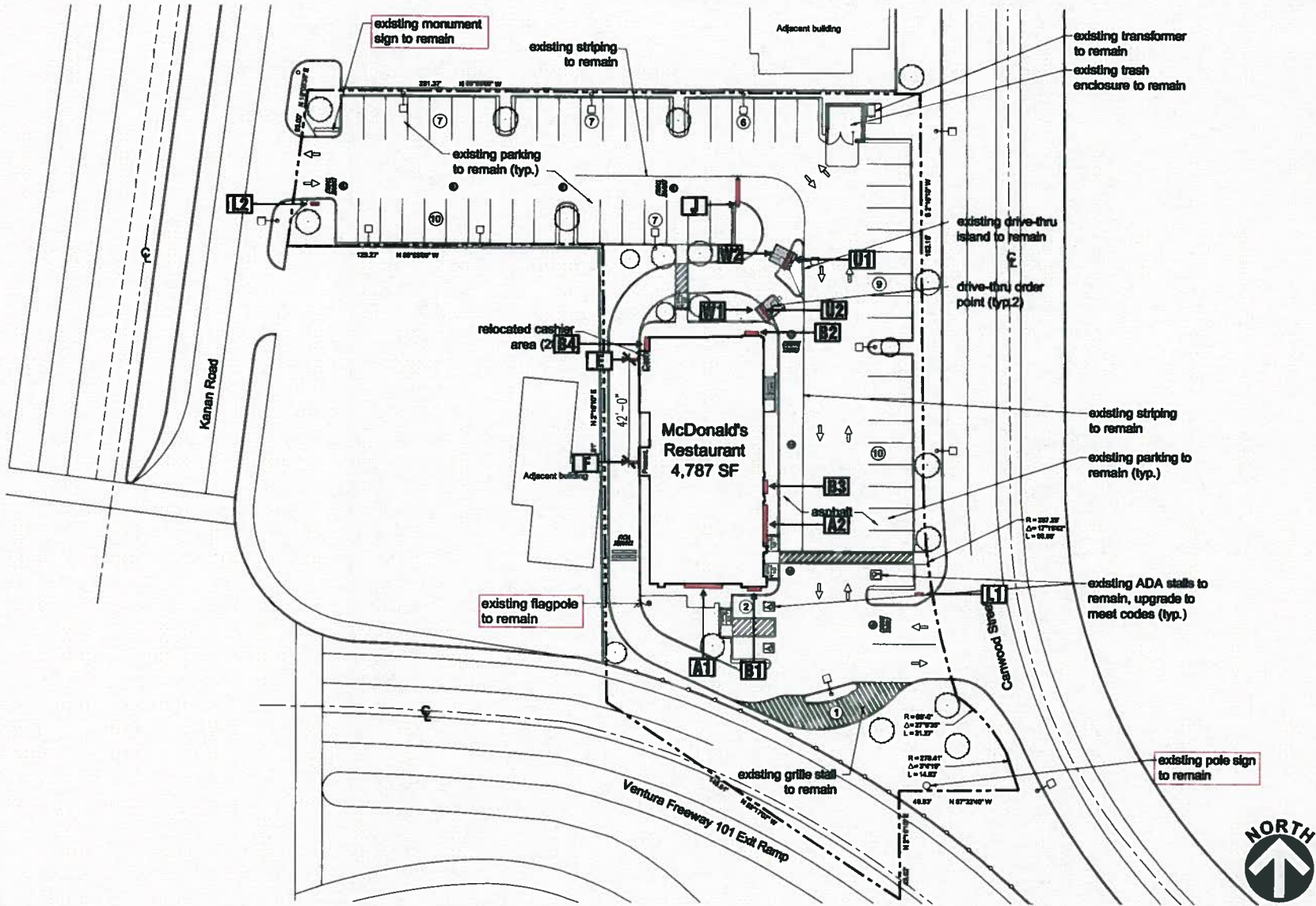
FOR INSTALL ONLY DATE

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Facsimile: 562-435-1967
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Project:
McDonald's #33997

Address:
29161 Camwood St.,
Agoura Hills, CA

Account Manager:
S. Jenocha

Designer:
L. Ramirez 3.50

Scale: AS NOTED

Design No.: 12-06-4963-03 P

Date: 06.01.12

Reg. No.:

Revisions:
R1 7/23/12 L/R New elevations & site plan (1.75)
R2 8/17/12 L/R New elev. & site plan (1.75)
R3 12/14/12 L/R New elev., del A3 letters, move sign B4 (1.75)

APPROVALS

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FOR CONSTRUCTION	DATE
Acc. Mgr.	
Design	
FOR INSTALL ONLY	DATE
Acc. Mgr.	

Page: 02 Of: 08

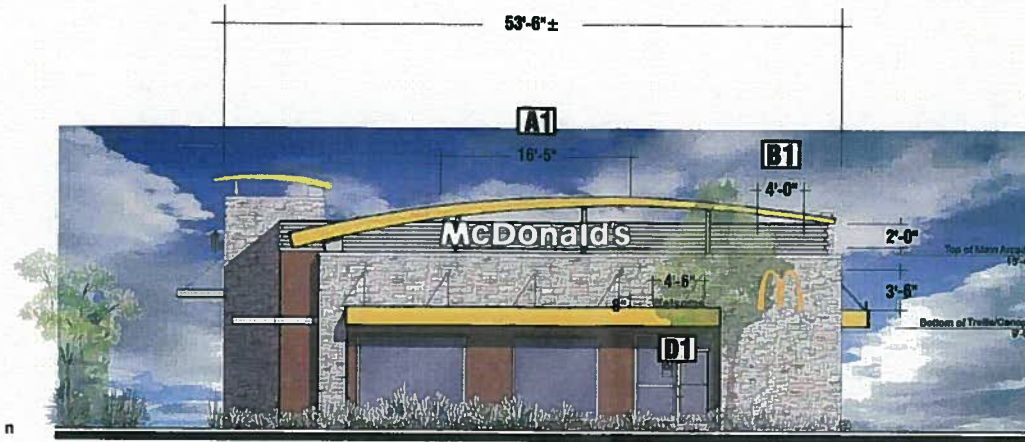
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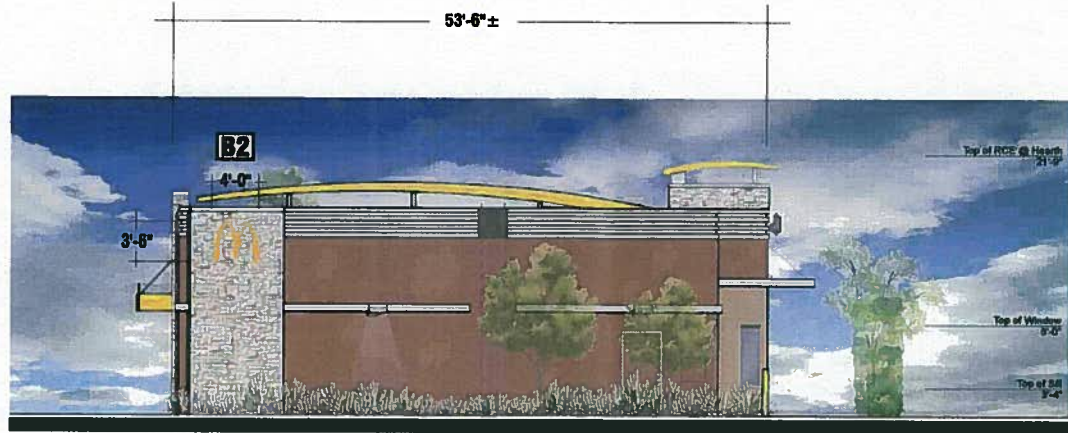
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1 SITE PLAN
Scale: N.T.S





1 FRONT ELEVATION - SOUTH
Scale: 3/32" = 1'-0"



2 REAR ELEVATION - NORTH
Scale: 3/32" = 1'-0"

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Address:
29161 Camwood St.,
Agoura Hills, CA

Account Manager:
S. Jenocha

Designer:
L. Ramirez 3.50

Scale: AS NOTED

Design No.: 12-06-4963-03 P

Date: 06.01.12

Reg. No.:

Revisions:
R1 7/23/12 LR New elevations & site plan (1.78)
R2 9/17/12 LR New elev. & site plan (1.78)
R3 12/14/12 LR New elev., del A3 letters, move sign B4 (1.78)

APPROVALS

FOR JOB CHECK DATE

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FOR CONSTRUCTION DATE

Acc. Mgr.

Design

Production

FOR INSTALL ONLY DATE

Acc. Mgr.

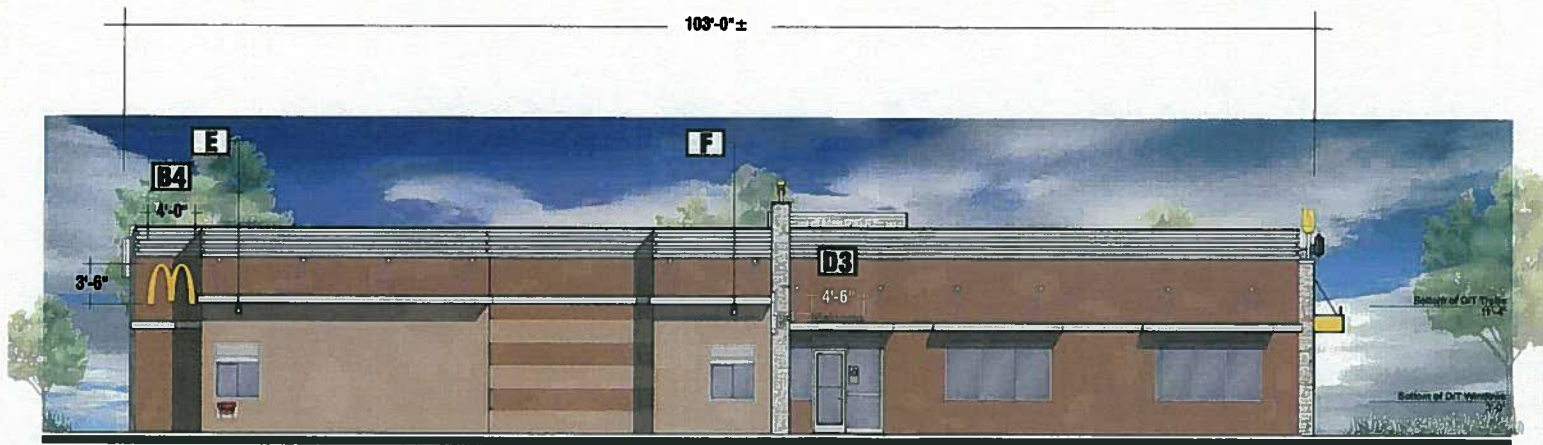
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③ **NON-DRIVE THRU ELEVATION - EAST**
Scale: 3/32" = 1'-0"



④ **DRIVE THRU ELEVATION - WEST**
Scale: 3/32" = 1'-0"



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Project:
McDonald's #3987

Address:
29181 Camwood St.,
Agoura Hills, CA

Account Manager:
S. Jenocha

Designer:
L. Ramirez 3.50

Scale: AS NOTED

Design No.: 12-06-4963-03 P

Date: 06.01.12

Reg. No.:

Revisions:
R1 7/23/12 LR New elevations & site plan (1.75)
R2 8/17/12 LR New elev. & site plan (1.75)
R3 12/14/12 LR New elev., del A3 letters, move sign B4 (1.75)

APPROVALS

FOR JOB CHECK DATE

Acct. Mgr.

FOR CONSTRUCTION DATE

Acct. Mgr.

Design

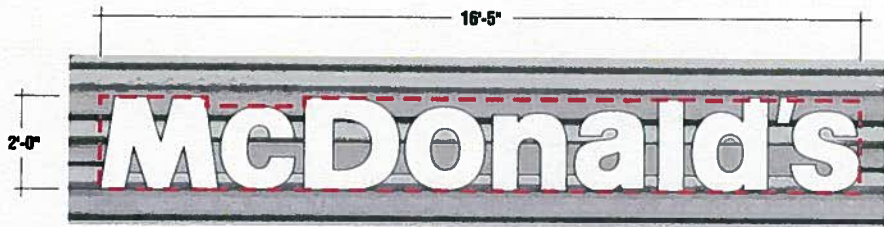
Production

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Page: 04 Of: 08

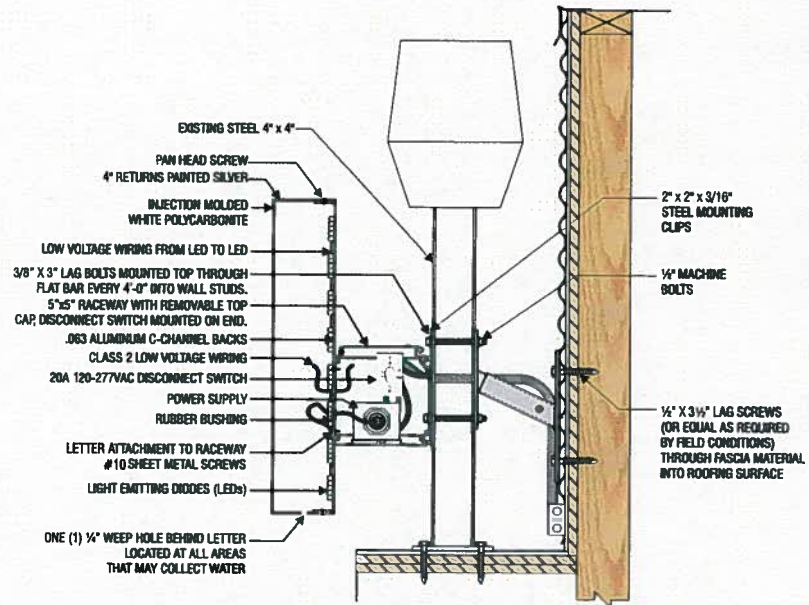
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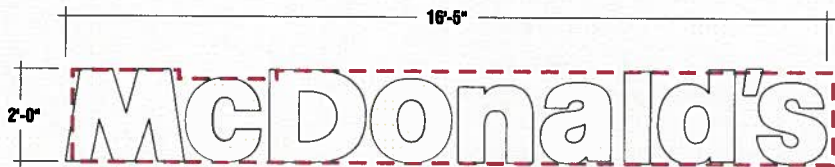
A1 LED ILLUMINATED CHANNEL LETTERS ON ARCHITECTURALLY INTEGRATED RACEWAY
 Quantity: One (1) Required 32.4 Sq. Ft.
 Scale: 3/8" = 1'-0"

SPECIFICATIONS:

LETTERS: INJECTION MOLDED WHITE POLYCARBONITE
RETURNS: SILVER
ILLUMINATION: WHITE LED'S
RACEWAY: ALUMINUM CONSTRUCTION PAINTED SILVER
POWER REQ: 1.6 AMPS
NOTE:



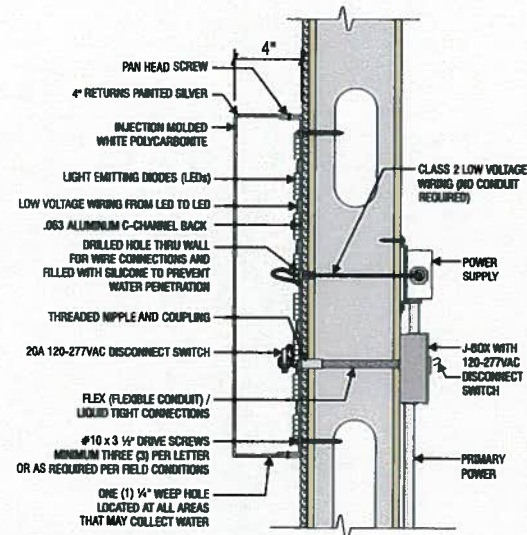
1 TYPICAL SECTION DETAIL - ILLUMINATED LETTER SET ON ARCHITECTURALLY INTEGRATED RACEWAY
 Scale: n.l.s



A2 LED ILLUMINATED CHANNEL LETTERS
 Quantity: One (1) Required 32.4 Sq. Ft.
 Scale: 3/8" = 1'-0"

SPECIFICATIONS:

LETTERS: INJECTION MOLDED WHITE POLYCARBONITE
RETURNS: SILVER
ILLUMINATION: WHITE LED'S
POWER REQ: 1.6 AMPS
NOTE:



2 TYPICAL SECTION DETAIL - ILLUMINATED LETTER SET
 Scale: n.l.s

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Project:
 McDonald's #3997

Address:
 29161 Canwood St.,
 Agoura Hills, CA

Account Manager:
 S. Janocha

Designer:
 L. Ramirez 3.50

Scale: AS NOTED

Design No.: 12-06-4963-03 P

Date: 06.01.12

Reg. No.:

Revisions:
 R1 7/23/12 LR New elevations & site plan (1.75)
 R2 9/17/12 LR New elev. & site plan (1.75)
 R3 12/14/12 LR New elev., del A3 letters, move sign B4 (1.75)

APPROVALS

FOR A&E CHECK DATE

Acc. Mgr.

FOR CONSTRUCTION DATE

Acc. Mgr.

Design

Production

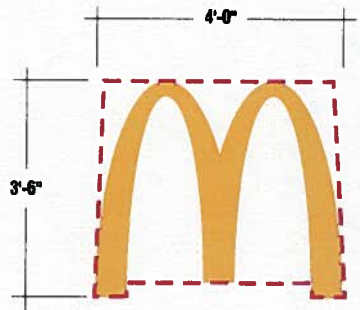
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B1 **B2**
B3 **B4**

LED ILLUMINATED CHANNEL LOGO
Quantity: Four (4) Required

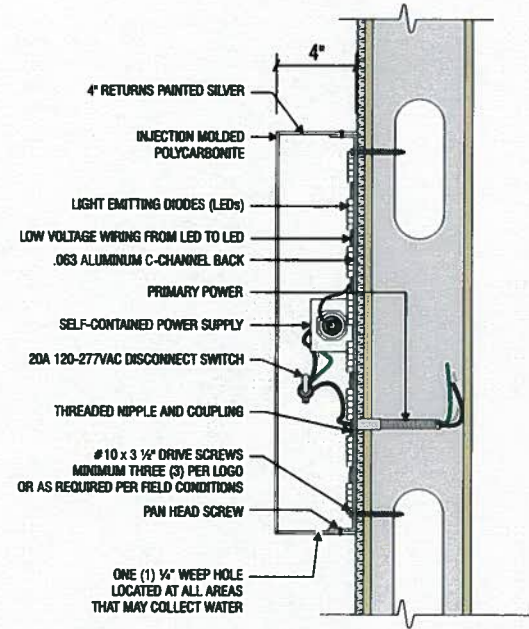
13.6 Sq. Ft.
Scale: 3/8" = 1'-0"

SPECIFICATIONS:

LOGO: INJECTION MOLDED YELLOW POLYCARBONITE
ILLUMINATION: WHITE LED'S
POWER REQ: 1.3 AMPS
NOTE:

Note to All Contractors

120 Sign Voltage
This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign. All wall penetrations to be sealed with UL Listed silicone sealant.



1 TYPICAL SECTION DETAIL - SELF-CONTAINED BUILDING LOGO
Scale: n.l.s

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1700 West Anaheim Street
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Project:
McDonald's #3997

Address:
**29161 Camwood St.,
Agoura Hills, CA**

Account Manager:
S. Jarochia

Designer:
L. Ramirez 3.50

Scale: **A3 NOTED**

Design No.: **12-06-4963-03 P**

Date: **06.01.12**

Reg. No.:

Revisions:
R1 7/23/12 LR New elevations & site plan (1.75)
R2 9/17/12 LR New elev. & site plan (1.75)
R3 12/14/12 LR New elev., del A3 letters, move sign B4 (1.75)

APPROVALS

FOR JOB CHECK DATE
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Design

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Project:
McDonald's #3997

Address:
29181 Canwood St.,
Agoura Hills, CA

Account Manager:
S. Janocha

Designer:
L. Ramirez 3.50

Scale: AS NOTED

Design No.: 12-06-4963-03 P

Date: 06.01.12

Reg. No.:

Revisions:
R1 7/23/12 LR New elevations & site plan (1.75)
R2 8/17/12 LR New elev. & site plan (1.75)
R3 12/14/12 LR New elev., del AS letters, move sign B4 (1.75)

APPROVALS

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Page: 07 Of: 08

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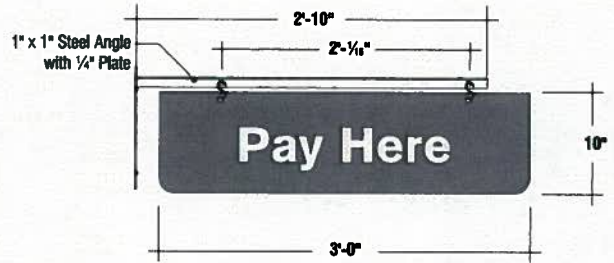


D1 D2 NON-ILLUMINATED FREESTANDING FLAT CUT OUT LETTERS 3.0 Sq. Ft.
Quantity: Three (3) Required Scale: 1/2" = 1'-0"

D3

SPECIFICATIONS:

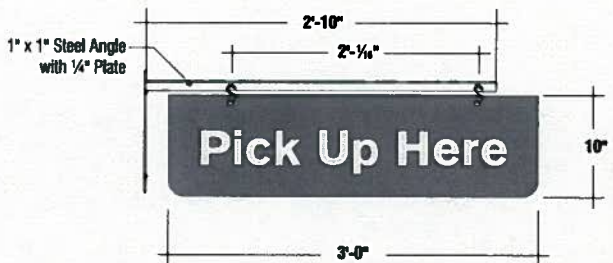
- LETTERS: FLAT CUT OUT ALUMINUM PAINTED BLACK WITH GRAY VINYL INSET ON FACE
- RAIL: ALUMINUM PAINTED BLACK MOUNTED TO AWNING SUPPORT WITH 1/4 -20 SELF DRILLING SCREWS FOUR (4) PLACES



E SINGLE FACE NON-ILLUMINATED WINDOW POSITION PANEL W/MOUNTING BRACKET 2.49 Sq. Ft.
Quantity: One (1) Required Scale: 1" = 1'-0"

SPECIFICATIONS:

- PIGMENTED ABS TO MATCH PMS #425C WITH SCREENED WHITE COPY
- TWO (2) STAINLESS STEEL S-HOOKS AT TOP SO TO CONNECT TO EYEBOLTS ABOVE
- MOUNTING BRACKET: 1" X 1" STEEL ANGLE AND PLATE PAINTED BLACK

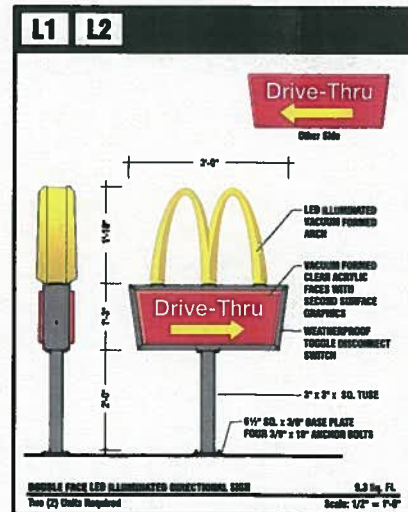
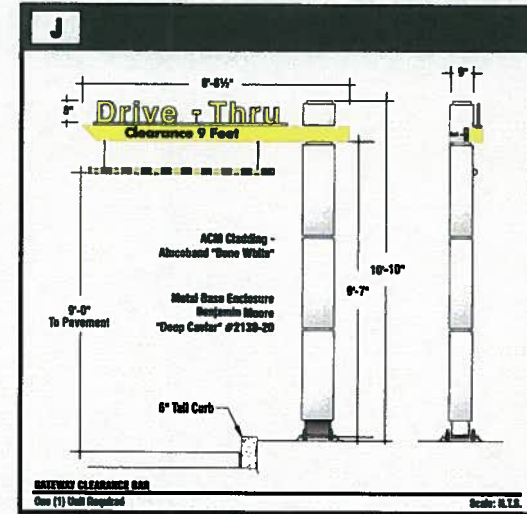
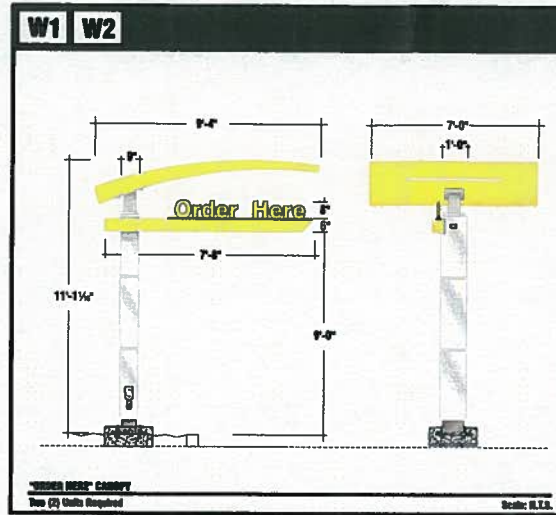
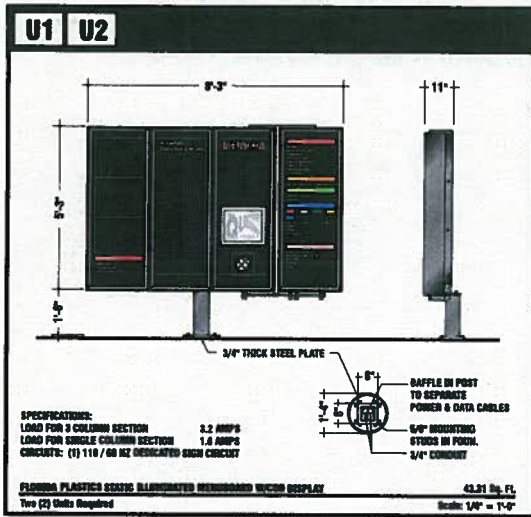


F SINGLE FACE NON-ILLUMINATED WINDOW POSITION PANEL W/MOUNTING BRACKET 2.49 Sq. Ft.
Quantity: One (1) Required Scale: 1" = 1'-0"

SPECIFICATIONS:

- PIGMENTED ABS TO MATCH PMS #425C WITH SCREENED WHITE COPY
- TWO (2) STAINLESS STEEL S-HOOKS AT TOP SO TO CONNECT TO EYEBOLTS ABOVE
- MOUNTING BRACKET: 1" X 1" STEEL ANGLE AND PLATE PAINTED BLACK

**** ALL FOOTINGS BY THE GENERAL CONTRACTOR ****
(for signs on this page)



superior
electrical advertising

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Project:
McDonald's #3997

Address:
29161 Carwood St.,
Agoura Hills, CA

Account Manager:
S. Janocha

Designer:
L. Ramirez 3.50

Scale: AS NOTED

Design No.: 12-06-4963-03 P

Date: 06.01.12

Reg. No.:

Revisions:
R1 7/22/12 LR New elevations & site plan (1.75)
R2 9/17/12 LR New elev. & site plan (1.75)
R3 12/14/12 LR New elev., del A3 letters, move sign B4 (1.75)

APPROVALS

FOR JOB CHECK DATE

Acct. Mgr.

FOR CONSTRUCTION DATE

Acct. Mgr.

Design

Production

FOR INSTALL ONLY DATE

Acct. Mgr.

Page: 08 Of: 08

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