

PLANNING DEPARTMENT

ACTION DATE:

October 1, 2015

TO:

Planning Commission

APPLICANT:

Whizin Market Square, LLC

5010 N. Parkway Calabasas, Suite 105

Calabasas, CA 91302

CASE NOS.:

VAR-01063-2015 and SIGN-01062-2015

LOCATION:

Whizin Market Square (28888-28914 Roadside Drive)

REQUEST:

Request for a Sign Permit for a Sign Program Amendment to install tenant, monument and directory signage in Whizin Market Square; and a Variance from Zoning Ordinance Section 9655.5.F.2.(i) to allow three monument signs (M1, M2 and M3) and three (3) directory signs (D1, D2 and D7) to be located less than five feet from the public right-of-way; Section 9655.5.F.2.(ii) to allow for one monument sign (M4) to exceed the maximum size area of 48 square feet; Section 9655.5.F.2.(iii) to allow three monument signs (M1, M2, M3, and M4) to exceed the maximum height of six feet; Section 9655.8.B.1.(a) to allow for a second, wall-mounted business sign (W5e) instead of one business sign for Plata Restaurant; Section 9655.8.B.1.(d) to allow four monument complex identification signs (M1, M2, M3 and M4) instead of one complex monument identification sign per street frontage; and Section 9655.8.B.1.(1) to install two directional signs (D3a and D3b) above three feet in height, and five (5) directional signs (D1, D2, D3a, D3b, and D7) in excess of three (3) square feet in size; and a request to make a finding of exemption under the California Environmental Quality Act.

Case Nos. VAR-01063-2015 and SIGN-01062-2015

ENVIRONMENTAL

ANALYSIS: Exempt from CEQA per Section 15311 of the CEQA Guidelines

RECOMMENDATION: Staff recommends the Planning Commission approve Variance

Case No. VAR-01063-2015 and Sign Permit Case No. SIGN-01062-2015, subject to conditions, based on the findings of the

draft Resolutions.

ZONING DESIGNATION: PD (Planned Development – Agoura Village Specific Plan)

GENERAL PLAN DESIGNATION: PD (Planned Development District)

I. PROJECT BACKGROUND AND DESCRIPTION

On August 6, 2015, the Planning Commission opened a public hearing to consider Whizin Market Square, LLC's request for a Sign Permit, for a Sign Program Amendment, to install tenant, monument and directory signage in Whizin Market Square, located at 28888-28914 Roadside Drive. The applicant also requested a Variance to allow three monument signs (M1, M2 and M3) and three (3) directory signs (D1, D2 and D7) to be located less than five feet from the public right-of-way; to allow for one monument sign (M4) to exceed the maximum size area of 48 square feet; to allow three monument signs (M1, M2, M3, and M4) to exceed the maximum height of six feet; to allow for a second, wall-mounted business sign (W5e) instead of one business sign for Plata Restaurant; to allow four monument complex identification signs (M1, M2, M3 and M4) instead of one complex monument identification sign per street frontage; and to install two directional signs (D3a and D3b) above three feet in height, and five (5) directional signs (D1, D2, D3a, D3b, and D7) in excess of three (3) square feet in size. A copy of the August 6, 2015 staff report is attached for reference.

After receiving oral and written testimony from staff, the applicant and the public, the Planning Commission voted to approve components of the proposed Sign Program and the proposed Variance, except for Signs M2, D1, D2 and D7. The Planning Commission did not, however, adopt resolutions approving the Sign Program and the Variance at the August 6, 2015 meeting. Furthermore, the Planning Commission expressed its desire to continue its deliberations on Signs M2, D1, D2 and D7 at a later date and allow the applicant an opportunity to reassess the locations of these four signs. Therefore, the public hearing was continued to the September 17, 2015 Planning Commission meeting. On September 2, 2015, the applicant submitted its revised Sign Program to the City. At the September 17, 2015 Planning Commission meeting, the Planning Commission continued the public hearing to the October 1, 2015 Planning Commission meeting at the applicant's request due to the applicant's scheduling constraints. Because the Planning Commission did not make specific findings of approval and did not adopt resolutions approving the Sign Program and the Variance at the August 6, 2015 meeting and because the

applicant subsequently submitted a revised Sign Program, the applications were re-noticed for the October 1, 2015 Planning Commission meeting. The October 1, 2015 agenda includes draft resolutions approving the revised Sign Program and the Variance for the Planning Commission's consideration.

II. STAFF ANALYSIS

A. Monument Sign M2

Monument Sign M2, which is proposed to serve the Cornell Road street frontage, is shown on Pages 11 and 12 of the Sign Program. The previous variance requests affiliated with this monument sign included:

- 1. Locating the sign in the public right-of-way, instead of five-feet from the public right-of-way.
- 2. Exceeding the maximum number of monument sign per street frontage.
- 3. Providing a maximum overall height of 7'9" instead of 6'0".

Sign M2 had been proposed in the public right-of-way on the south side of the northerly parking lot driveway on Cornell Road. Staff has recommended denial of the sign, finding that there was sufficient area on private property in which to locate the sign. The applicant has since changed the proposed location of the sign to the north side of this same driveway, but within private property, adjacent to the right-of-way line. No changes were made to the height of the sign (7'9"), nor its design. Variances are still applicable for the height of the sign, the location of the sign being less than five feet from the right-of-way, and the provision of more than one monument sign serving Cornell Road (Monument Sign M3 is also proposed on this same street frontage).

Based on the revised location of the sign, staff supports the Sign Permit and Variance requests for Sign M2, finding that it will allow for needed identification of the Center and its multiple tenants for motorists entering and Center from the Cornell street frontage. Although monument directory Sign M2 is proposed adjacent to the public right-of-way, within the required 5-foot setback area serving Cornell Road, it is appropriately located on-site, as proposed, to serve the identification needs of the Center without impacting traffic visibility for motorists entering and exiting the southerly driveway of the adjacent parking lot. The sign is also subject to approval of an encroachment permit from the Public Works/Engineering Department for work that may occur in the public right-of-way, and it is subject to conditions that are included in the draft Resolutions of approval.

The proposed monument directory sign height of 7'9" is necessary for display of the tenant directory and visibility for motorists entering the property. This sign, as proposed, will be appropriately located so as not to impair traffic visibility and designed in a manner that is consistent with the proposed Sign Program for the Center. In addition, the 42.63 square-foot sign will not exceed the 48 square-foot maximum allowable monument sign area.

B. <u>Directional Signs</u>

The Sign Program reviewed by the Planning Commission on August 6, 2015 included three directional signs (D1, D2 and D7) that were intended to inform patrons of their arrival at the Whizin Market Square, and included the word "welcome" on the sign faces. Staff's analysis of these signs are is follows:

Sign D1

One, six square-foot directional sign (D1) was proposed to be located within a new landscape planter at the intersection of Roadside Drive and Cornell Road, in the public right-of-way.

The applicant has since modified the Sign Program to show the proposed sign to be located on private proeprty, in the same vicinity of the Roadside Drive/Cornell Road intersection, as shown on Page 37 of the updated Sign Program. The applicant is proposing to situate the sign one foot from the right-of-way, in an existing landscape planter. A detached light box would be mounted below the sign for external illumination for nighttime visibility. A variance is required for the location since the sign would be located less than five feet from the right-of-way. A variance is also required for the proposed six square-foot size of the sign, as shown on Page 36 of the updated Sign Program, which exceeds the maximum three square-foot size limitation.

Staff clarified for the Planning Commission during the August 6, 2015 meeting that we did not support Sign D1 being in the right-of-way. Based on the proposed new location of the sign on private property, staff supports both variance requests for this sign. This directional "welcome" sign is intended to serve motorists on both Roadside Drive and Cornell Road, and there is insufficient space to locate the sign five feet from the right-of-way at this intersection. The sign is now proposed in a location that is a sufficient distance away from traffic lanes to allow for required visibility for the motorists and will not conflict with the adjacent parking spaces. Also, the proposed sign size of 6 square foot sign is necessary for identification to motorists and for legibility of the text, and viewed from the roadway. Although the sizes of the sign exceeds the 3 square feet allowed per the Sign Ordinance, the height of the sign face, excluding support posts, does not exceed 1.5 feet.

Signs D2 and D7

Two directional "welcome" signs (D2 and D7) were also reviewed by the Planning Commission on August 6, 2015. These signs were of identical style and size to Sign D1, and were proposed to be located on both sides the Agoura Road access driveway, within a 66' wide easement of the

Los Angeles County Flood Control District. Variances were required for the proposed six square-foot size of the signs and for the locations being less than five feet from the right-of-way. The Sign Program did not clearly identify the Agoura Road right-of-way line and, based on the information provided, staff assumed that the proposed location of the signs were in the right-of-way. Additionally, staff clarified for the Planning Commission during the August 6, 2015 meeting that we did not support Signs D2 and D7 being in the right-of-way.

The updated Sign Program, as shown on Page 38, provides additional information that indicates these two directional signs will be located out of the right-of-way, although adjacent to the right-of-way line. This has been verified by the Engineering/Public Works Department. The applicant has also noted in the updated sign Program that Signs D2 and D7 would be setback two feet from the edge of the driveway to allow for visibility to motorists entering and existing the driveway. A detached light box would be mounted below the signs for external illumination.

Based on the proposed new location of the sign on private property, staff supports both variance requests for Signs D1, D2 and D7. Similar to the findings of directional "welcome" Sign D1, Signs D2 and and D7 are intended to serve motorists on Agoura Road, and the signs will not be located in the right-of-way. The signs would be in locations that are a sufficient distance away from traffic lanes to allow for required visibility for the motorists and will not conflict with traffic on-site or on Agoura Road. Also, the proposed sign sizes of six square feet are necessary for identification to motorists and for legibility of the text, and viewed from the roadway. Although the sizes of the sign exceeds the three square feet allowed per the Sign Ordinance, the height of the sign face, excluding support posts, does not exceed 1.5 feet.

III. SUMMARY

Based on the revisions made in the updated Sign Program for Signs M2, D1, D2 and D7, and statements of support made on August 6, 2015 by four Planning Commissioners for the other components of the Sign Program, staff supports the entire updated Sign Program and has attached Draft Resolutions and Conditions of approval for the variance and sign permit, for the Planning Commission's consideration. In the event the Planning Commission wishes to deny any component of the Variance requests or the Sign Permit, revised Resolutions would be brought to the Planning Commission at a future meeting.

The Sign Permit and associated Variance requests have 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 variance and sign permit to allow the installation of accessory sign structures and thus is exempt from CEQA pursuant to Section 15311 of the Guidelines.

IV. RECOMMENDATION

Staff recommends the Planning Commission approve Variance Case No. VAR-01063-2015 and Sign Permit Case No. SIGN-01062-2015, subject to conditions, based on the findings of the draft Resolutions.

V. ATTACHMENTS

Exhibit A: Variance Draft Resolution of Approval and Conditions Exhibit B: Sign Permit Draft Resolution of Approval and Conditions Exhibit C: August 6, 2015 Planning Commission Staff Report

Exhibit D: Proposed Sign Program (dated August 24, 2015)

CASE PLANNER: Doug Hooper, Planning Director

Exhibit A

Variance Draft Resolution and Conditions of Approval

DRAFT RESOLUTION NO. 15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS APPROVING VARIANCE CASE NO. VAR-01063-2015 TO EXCEED MONUMENT AND VEHICLE DIRECTORY SIGN REQUIREMENTS FOR HEIGHT, THE NUMBER OF SIGNS, AND SETBACKS FROM PROPERTY LINES, AND INSTALL A SECONDARY WALL/DORMER SIGN FOR PLATA RESTAURANT FOR WHIZIN MARKET SQUARE, LOCATED AT 28888 THROUGH 28914 ROADSIDE DRIVE, AND MAKING A FINDING OF EXEMPTION **UNDER** CALIFORNIA THE **ENVIRONMENTAL QUALITY ACT**

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

An application was duly filed by Whizin Market Square, LLC, with Section I. respect to the real property located at 28888 through 28914 Roadside Drive (A.P.N. 2061-007-041, 051, 052, 905, 906), requesting approval of a Variance from Zoning Ordinance Section 9655.5.F.2.(i) to allow three monument signs (M1, M2 and M3) and three (3) directory signs (D1 D2 and D7) to be located less than five feet from the public right-of-way; Section 9655.5.F.2.(ii) to allow for one monument sign (M4) to exceed the maximum size area of 48 square feet; Section 9655.5.F.2.(iii) to allow three monument signs (M1, M2, M3, and M4) to exceed the maximum height of six feet; Section 9655.8.B.1.(a) to allow for a second, wall/dormer-mounted business sign (W5e) instead of one business sign for Plata Restaurant; Section 9655.8.B.1.(d) to allow four monument complex identification signs (M1, M2, M3 and M4) instead of one complex monument identification sign per street frontage; and Section 9655.8.B.1.(1) to install two directional signs (D3a and D3b) above three feet in height, and five (5) directional signs (D1, D2, D3a, D3b, and D7) in excess of three (3) square feet in size. Public hearings for Variance Case No. VAR-01063-2015 were duly held in conjunction with Sign Permit Case No. SIGN-01062-2015 on August 6, 2015, and October 1, 2015, at 6:30 p.m. in the City Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given and published as required by state law.

Section II. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section III. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, and the proposed Sign Program, attached as Exhibit D to the October 1, 2015 staff report for this project and incorporated herein as though set forth in full, the Planning Commission finds, pursuant to Section 9676.2.E of the Agoura Hills Municipal Code, that:

Draft Resolution No. 1	15-
Page 2	Aire

A. Monument Sign M1

- 1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance, as conditioned, deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The proposed 9'5" height of the sign includes the height of the existing raised planter in which is it is proposed to be located and will allow for needed identification of the Center from both directions of Roadside Drive that the existing signage within the Center does not provide. This sign, in combination with other approved monument signs, allows for needed identification of the Center as viewed from the adjacent street frontage. The monument sign location within the public right-of-way, is needed due to the constraints of the property for motorists who may be unfamiliar with the Center's location as they approach the property along Roadside Drive.
- 2. The granting of the variance, as conditioned, 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. The Center includes five buildings, but is restricted to three monument signs. Each building within the Center would be allowed at least one monument sign if they were not part of the Center. The allowance of this additional monument sign serving Roadside Drive will provide for needed identification of the retail center. Monument Sign M1 will replace an existing sign of similar height within the raised planter. The proposed monument directory sign height of 9'5" for Sign M1 is necessary due its placement within the raised planter for adequate visibility to motorists and. Thus, the variance from the height requirement and its location within the public right-of-way would not constitute a grant of special privileges.
- 3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance, as conditioned, would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The strict enforcement of the provisions of the Zoning Ordinance would allow for Sign M1 to serve Roadside Drive and be located at least 5 feet from the public right-of-way, thereby diminishing its visibility to motorists and identity of the businesses within the Center. There is insufficient space adjacent to street frontage in which to locate a single monument sign that would be visible to motorists in both directions of Roadside Drive, and that would meet the required 5-foot setback requirement from the public right-of-way. The proposed height of the monument sign is proportional to its proposed location and is needed for adequate visibility to motorists entering the property. The proposed design and height meets one the purposes of the Sign Ordinance, which is to provide for adequate identification of the Center.
- 4. The granting of the variance, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Draft Resolution No. 15-____Page 3

The location and height of Sign M1 will allow for proper visibility of the Center for motorists and is located such that it will not conflict with traffic or pedestrian movement. The construction of the sign will meet City Building Code requirements and the proposed external illumination will provide for adequate visibility without negatively impacting views from surrounding roadways or properties.

5. The granting of the variance, as conditioned, will be consistent with the character of the surrounding area. Sign M1 is proposed to be designed with materials matching the Center's proposed sign program and is proposed of a height, size and scale that is consistent with the exterior area it will serve. The colors and materials will match the facades of the Center they serve and will not detract from the surrounding neighborhood.

B. Monument Sign M2

- 1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance, as conditioned, deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The proposed 7'9" height of the sign is necessary for the directory listing of the tenants within the Center. This sign, in combination with other approved monument signs, allows for needed identification of the Center as viewed from the adjacent street frontage. Sign M2 is proposed on private property in an appropriate location that is less than five feet from the public right-of-way, so as not to impair traffic visibility and designed in a manner that is consistent with the proposed Sign Program for the Center. The monument sign location is needed due to the constraints of the property for motorists who may be unfamiliar with the Center's location as they approach the property along Cornell Road.
- 2. The granting of the variance, as conditioned, 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. The Center includes five buildings, but is restricted to three monument signs. Each building within the Center would be allowed at least one monument sign if they were not part of the Center. The allowance of this additional monument sign proposed to be located adjacent to the public right-of-way along Cornell Road will provide for needed identification of the retail center. The proposed monument directory sign height of 7'9" for Sign M2 is necessary for listing of tenant identification to motorist. Thus, the variance from the height requirement and location less than five feet from the public right-of-way would not constitute a grant of special privileges.
- 3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance, as conditioned, would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The strict enforcement of the provisions of the

Zoning Ordinance would allow for Sign M2 to serve Cornell Road and be located at least 5 feet from the public right-of-way, thereby diminishing its visibility to motorists and identity of the businesses within the Center. There is insufficient space adjacent to street frontage in which to locate a single monument sign that would be visible to motorists in both directions of Cornell Road, and that would meet the required 5-foot setback requirement from the public right-of-way. The proposed height of the monument sign is proportional to its proposed location and is needed for adequate visibility to motorists entering the property. The proposed design and height meets one the purposes of the Sign Ordinance, which is to provide for adequate identification of the Center and its tenants.

- 4. The granting of the variance, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The location and height of Sign M2 will allow for proper visibility of the Center for motorists and are located such that it will not conflict with traffic or pedestrian movement. The construction of the sign will meet City Building Code requirements and the proposed illumination will provide for adequate visibility without negatively impacting views from surrounding roadways or properties.
- 5. The granting of the variance, as conditioned, will be consistent with the character of the surrounding area. Sign M2 is proposed to be designed with materials matching the Center's proposed sign program and is of a height, size and scale that is consistent with the exterior area it will serve. The colors and materials will match the facades of the Center they serve and will not detract from the surrounding neighborhood.

C. Monument Sign M3

- 1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance, as conditioned, deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The proposed 7'9" height of the sign is necessary for the directory listing of the tenants within the Center. This sign, in combination with other approved monument signs, allows for needed identification of the Center as viewed from the adjacent street frontage. Sign M3 is proposed on private property in an appropriate location that is less than five feet from the public right-of-way, so as not to impair traffic visibility and designed in a manner that is consistent with the proposed Sign Program for the Center. The monument sign location is needed due to the constraints of the property for motorists who may be unfamiliar with the Center's location as they approach the property along Cornell Road.
- 2. The granting of the variance, as conditioned, 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. The Center includes five buildings, but is

restricted to three monument signs. Each building within the Center would be allowed at least one monument sign if they were not part of the Center. The allowance of this additional monument sign proposed to be located adjacent to the public right-of-way along Cornell Road will provide for needed identification of the retail center. The proposed monument directory sign height of 7'9" for Sign M3 is necessary for listing of tenant identification to motorist. Thus, the variance from the height requirement and location less than five feet from the public right-of-way would not constitute a grant of special privileges.

- 3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance, as conditioned, would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The strict enforcement of the provisions of the Zoning Ordinance would allow for Sign M3 to serve Cornell Road and be located at least 5 feet from the public right-of-way, thereby diminishing its visibility to motorists and identity of the businesses within the Center. There is insufficient space adjacent to street frontage in which to locate a single monument sign that would be visible to motorists in both directions of Cornell Road, and that would meet the required 5-foot setback requirement from the public right-of-way. The proposed height of the monument sign is proportional to its proposed location and is needed for adequate visibility to motorists entering the property. The proposed design and height meets one the purposes of the Sign Ordinance, which is to provide for adequate identification of the Center and its tenants.
- 4. The granting of the variance, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The location and height of Sign M3 will allow for proper visibility of the Center for motorists and are located such that it will not conflict with traffic or pedestrian movement. The construction of the sign will meet City Building Code requirements and the proposed illumination will provide for adequate visibility without negatively impacting views from surrounding roadways or properties.
- 5. The granting of the variance, as conditioned, will be consistent with the character of the surrounding area. Sign M3 is proposed to be designed with materials matching the Center's proposed sign program and is of a height, size and scale that is consistent with the exterior area it will serve. The colors and materials will match the facades of the Center they serve and will not detract from the surrounding neighborhood.

D. Monument Sign M4

1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance, as conditioned, deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The proposed 8'6" height of the sign will allow

for needed identification of the Center from for motorists entering the property from Agoura Road that the existing signage within the Center does not provide. Although the proposed sign area of 57.2 square feet for monument directory Sign M4 exceeds the 48 square foot allowable sign area, the size of the sign allows for necessary visibility to motorists entering the on-site parking lot from Agoura Road and provides both direction identification and tenant identification within the Center.

- 2. The granting of the variance, as conditioned, 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. The proposed monument directory sign height of 8'6" within the interior parking is necessary due to its placement on the property for adequate visibility to motorists and, therefore, the variance from the height requirement would not constitute a grant of special privileges. Although the proposed sign area of 57.2 square feet for monument directory Sign M4 exceeds the 48 square foot allowable sign area, it is proposed to be situated within the Center's parking lot and the size of the sign allows for necessary visibility to motorists entering the on-site parking lot from Agoura Road and provides both direction identification and tenant identification within the Center. The granting of the Variance will not constitute a grant of special privileges, but will allow the applicant to have a sign that will be visible to motorists despite the existence of the flood control channel situated parallel to Agoura Road.
- 3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance, as conditioned, would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The proposed height of the monument sign is proportional and is needed for adequate visibility to motorists entering the property. The proposed design and height meets one the purposes of the Sign Ordinance, which is to provide for adequate identification of the Center and its tenants. Although the proposed sign area of 57.2 square feet for monument directory Sign M4 exceeds the 48 square foot allowable sign area, it cannot be located adjacent to Agoura Road within flood control channel located on-site and parallel to the street. Thus, a larger sign within the parking lot is necessary for visibility to motorists.
- 4. The granting of the variance, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The height of Sign M4 will allow for proper visibility of the Center for motorists and is located such that it will not conflict with traffic or pedestrian movement within the parking lot. The construction of the sign will meet City Building Code requirements and the proposed illumination will provide for adequate visibility without negatively impacting views from surrounding roadways or properties.

Draft Resolu	ution No. 15-	
Page 7		

5. The granting of the variance, as conditioned, will be consistent with the character of the surrounding area. Sign M4 is proposed to be designed with materials matching the Center's proposed sign program and is of a height, size and scale that is consistent with the exterior area it will serve. The colors and materials will match the facades of the Center they serve and will not detract from the surrounding neighborhood.

E. <u>Directional Sign D1</u>

- 1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance, as conditioned, deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Directional "welcome" Sign D1 is intended to serve motorists on both Roadside Drive and Cornell Road. Sign D1 is proposed on private property in an appropriate location that is less than five feet from the public right-of-way, so as not to impair traffic visibility and designed in a manner that is consistent with the proposed Sign Program for the Center. The location of Sign D1 is needed due to the constraints of the property for motorists who may be unfamiliar with the Center's location as they approach the property along Cornell Road. The proposed sign size of 6 square feet for this "welcome" sign is necessary for identification to motorists and for legibility of the text, and viewed from the roadway.
- 2. The granting of the variance, as conditioned, 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. The proposed size of directional Sign D1 will not exceed a height of three feet and is proposed in an appropriate location in the public right-of-way to identify the Center from the adjacent street intersection. There is insufficient space adjacent to street frontage in which to locate a single monument sign that would be visible to motorists in both directions of Cornell Road and Roadside Drive, and that would meet the required 5-foot setback requirement from the public right-of-way.
- 3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance, as conditioned, would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The proposed location less than five feet from the public right-of-way and the size of Sign D1 would allow for legibility and visibility to the motorists on Roadside Drive and Cornell Road. Given the proposed location of this sign, a smaller sized sign will not serve this purpose.
- 4. The granting of the variance, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The location and size of Sign D1 will allow for proper visibility of the Center for

Draft Resolution No. 15	HC T
Page 8	1881

motorists and the sign would be located on private property such that it will not conflict with traffic or pedestrian movement. The sign's placement will provide for adequate visibility without negatively impacting views from surrounding roadways or properties.

5. The granting of the variance, as conditioned, will be consistent with the character of the surrounding area. Sign D1 is proposed to be designed with materials matching the Center's proposed sign program and is of a size and scale that is consistent with the exterior area it will serve. The colors and materials will match the facades of the Center they serve and will not detract from the surrounding neighborhood.

F. <u>Directional Sign D2</u>

- 1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance, as conditioned, deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Directional "welcome" Sign D2 is intended to serve motorists on Agoura Road and there is insufficient space to locate the sign on private property along Agoura Road for adequate traffic visibility due to the existence of a flood control channel that is parallel to the Agoura Road street frontage. The proposed sign size of six square feet for this "welcome" sign is necessary for identification to motorists and for legibility of the text, and viewed from the roadway.
- 2. The granting of the variance, as conditioned, 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. The proposed size of directional Signs D2 will not exceed a height of three feet and are appropriately located on private property to identify the Center from both directions of Agoura Road.
- 3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance, as conditioned, would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The proposed size and location of directory Sign D2 will allow for legibility and visibility to the motorists it serves. Given the proposed location and intent of this directional sign, a smaller sized sign located on private property, away from Agoura Road, will not serve this purpose.
- 4. The granting of the variance, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The proposed location and size of Sign D2 will allow for proper visibility of the Center for motorists and the sign is to be located on private property such that it will not conflict with traffic or pedestrian movement. The sign will provide for adequate visibility without negatively impacting views from surrounding roadways or properties.

5. The granting of the variance, as conditioned, will be consistent with the character of the surrounding area. Sign D2 is proposed to be designed with materials matching the Center's proposed sign program and is of a size and scale that is consistent with the exterior area it will serve. The colors and materials will match the facades of the Center it serves and will not detract from the surrounding neighborhood.

G. <u>Directional Sign D7</u>

- 1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance, as conditioned, deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Directional "welcome" Sign D7 is intended to serve motorists on Agoura Road and there is insufficient space to locate the sign on private property along Agoura Road for adequate traffic visibility due to the existence of a flood control channel that is parallel to the Agoura Road street frontage. The proposed sign size of six square feet for this "welcome" sign is necessary for identification to motorists and for legibility of the text, and viewed from the roadway.
- 2. The granting of the variance, as conditioned, 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. The proposed size of directional Signs D7 will not exceed a height of three feet and are appropriately located on private property to identify the Center from both directions of Agoura Road.
- 3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance, as conditioned, would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The proposed size and location of directory Sign D7 will allow for legibility and visibility to the motorists it serves. Given the proposed location and intent of this directional sign, a smaller sized sign located on private property, away from Agoura Road, will not serve this purpose.
- 4. The granting of the variance, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The proposed location and size of Sign D7 will allow for proper visibility of the Center for motorists and the sign is to be located on private property such that it will not conflict with traffic or pedestrian movement. The sign will provide for adequate visibility without negatively impacting views from surrounding roadways or properties.

5. The granting of the variance, as conditioned, will be consistent with the character of the surrounding area. Sign D7 is proposed to be designed with materials matching the Center's proposed sign program and is of a size and scale that is consistent with the exterior area it will serve. The colors and materials will match the facades of the Center it serves and will not detract from the surrounding neighborhood.

H. Directional Sign D3a

- 1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance, as conditioned, deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. This parking directional sign is proposed to be mounted on an existing garden/screen wall within the parking lot serving Cornell Road and its proposed height of 5'8" and size of 6.75 square feet are necessary for identification to motorists and for legibility of the text, and viewed from the roadway.
- 2. The granting of the variance, as conditioned, 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. Directional Sign D3a is allowed to be located on private property for directional purposes and will be mounted on an existing garden/screen wall within the parking lot are of a height that will allow for visibility to motorists.
- 3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance, as conditioned, result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The proposed size and height of directional Sign D3a allows for legibility and visibility to the motorists it serves. Given the proposed location of this directional sign, a smaller sized sign at a lower height will not serve this purpose for motorists entering the parking lot.
- 4. The granting of the variance, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The location and size of Sign D3a will allow for proper visibility of the parking lot location information for motorists. The sign, proposed to be mounted on an existing garden/screen wall, will provide for adequate visibility without negatively impacting views from surrounding roadways or properties.
- 5. The granting of the variance, as conditioned, will be consistent with the character of the surrounding area. Signs D3a is proposed to be designed with materials compatible with the Center's proposed sign program and is of a size and scale that are consistent with the exterior area it will serve. The proposed colors and materials will match the facades of the Center it serves and will not detract from the surrounding neighborhood.

I. <u>Directional Sign D3b</u>

- 1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance, as conditioned, deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. This parking directional sign is proposed to be mounted on an existing garden/screen wall within the parking lot serving Cornell Road and its proposed height of 5'8" and size of 6.75 square feet are necessary for identification to motorists and for legibility of the text, and viewed from the roadway.
- 2. The granting of the variance, as conditioned, 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. Directional Sign D3b is allowed to be located on private property for directional purposes and will be mounted on an existing garden/screen wall within the parking lot are of a height that will allow for visibility to motorists.
- 3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance, as conditioned, result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The proposed size and height of directional Sign D3b allows for legibility and visibility to the motorists it serves. Given the proposed location of this directional sign, a smaller sized sign at a lower height will not serve this purpose for motorists entering the parking lot.
- 4. The granting of the variance, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The location and size of Sign D3b will allow for proper visibility of the parking lot location information for motorists. The sign, proposed to be mounted on an existing garden/screen wall, will provide for adequate visibility without negatively impacting views from surrounding roadways or properties.
- 5. The granting of the variance, as conditioned, will be consistent with the character of the surrounding area. Signs D3b is proposed to be designed with materials compatible with the Center's proposed sign program and is of a size and scale that are consistent with the exterior area it will serve. The proposed colors and materials will match the facades of the Center it serves and will not detract from the surrounding neighborhood.

J. Dormer Sign W5e

1. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance, as conditioned, deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Plata Restaurant can be accessed from both

Draft Resolution No. 15-____Page 12

Cornell Road and Roadside Drive, yet the restaurant is restricted from having signage serving Roadside Drive. The north elevation of the restaurant is visible from Roadside Drive and could serve for secondary signage were it not for one building being located between the restaurant and the street. Thus, the location of the building in relation to the property line and the street frontage prevents the property owner from enjoying the privilege of having a sign along the most visible street frontage.

- 2. The granting of the variance, as conditioned, 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. Allowing a variance for an additional dormer sign on the north elevation facing Roadside Drive will not constitute a special privilege because it would merely allow the restaurant's sign to be visible on a street frontage that otherwise would be allowed if the building situated between the restaurant and Roadside Drive were not there.
- 3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance, as conditioned, would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. Preventing Plata Restaurant from having a sign on the Roadside Drive side of the building would restrict the restaurant from having identification on the side of the building that essentially serves as secondary frontage. Restricting the signage in this manner would constitute unnecessary hardship for the applicant.
- 4. The granting of the variance, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The sign is proposed to be located on a roof dormer and will not conflict with traffic or pedestrian movement. The construction of the sign will meet City Building Code requirements and the proposed illumination will provide for adequate visibility without negatively impacting views from surrounding roadways or properties.
- 5. The granting of the variance will be consistent with the character of the surrounding area. Sign W5e is proposed to be designed with materials and colors matching the restaurant's primary sign and is proposed of a height, size and scale that is consistent with the building exterior area it will serve.

Section IV. 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 variance to allow the installation of minor, on-premise signs that are accessory to commercial buildings and is thus is exempt from CEQA pursuant to Section 15311 of the Guidelines (Accessory Structures including On-Premise Signs).

Draft Resolut Page 13	tion No. 15	
approves Var	ection V. Based on the aforer riance Case No. VAR-01063-2015 cribed in Section 1 hereof.	mentioned findings, the Planning Commission hereby, subject to the attached Conditions, with respect to the
approval, and	ection VI. The Secretary of the adoption of this resolution, and Book of Resolutions of the Planni	e Planning Commission shall certify to the passage, shall cause this resolution and his certification to be ing Commission of the City.
PASSED, AP	PPROVED and ADOPTED this 1st	day of October, 2015, by the following vote to wit:
AYES: NOES: ABSTAIN: ABSENT:	(0) (0) (0) (0)	
		Linda Northrup, Chairperson
ATTEST:		
Doug Hooper	, Secretary	

CONDITIONS OF APPROVAL (CASE NO. VAR-01063-2015)

STANDARD CONDITIONS

- 1. This decision for approval of the Variance 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. 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.
- 3. Except as modified herein, the approval of this action is limited to and requires the complete conformation to the Sign Plans approved for this permit by the Planning Commission on October 1, 2015.
- 4. It is hereby declared to be the intent that if any provision of this Permit is held or declared 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 this approval is used within two (2) years from the date of City approval, Variance No. VAR-01063-2015 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.

PUBLIC WORKS/ENGINEERING DEPARTMENT CONDITIONS

8. The following Conditions of Approval are based on the plan set dated August 24, 2015 and attached as Exhibit D in the October 1, 2015 staff report. Modifications of any sort to this plan set will require a new review by the City, and could result in new conditions that will supersede the Conditions of Approvals outlined below. Furthermore, it is understood that approval of the location of any sign in the public right-of-way does not prohibit the City from doing future improvements which may require the removal and/or relocation of the sign(s) (or related improvements) to a new location to accommodate the public improvements. Such relocations/re-installations would be done at the sole cost of the applicant. Any work in the public right-of-way will require an encroachment permit, subject to the conditions of approval outlined below.

Conditions of Approval (Case No. VAR-01063-2015) Page 2

- 9. Prior to issuance of any encroachment permit(s) to install signage and/or improvements in the public right-of-way, the applicant shall meet all indemnification requirements and prepare all necessary written documentation specified by the City in this regard.
- 10. Prior to issuance of any encroachment permit(s) to install signage and/or improvements in the public right-of-way, the applicant will prepare/provide exhibits depicting exact, proposed locations of all signage/improvements. Dimensions of each sign (ie: length, width, height) and distances from existing/proposed public right-of-way lines shall be shown. Also, line-of-site diagrams shall be prepared by a licensed traffic engineer, and submitted to the City for review and approval prior to any encroachment permit issuance. The City reserves the right to determine the final location of any signage/improvement in the public right-of-way to preserve the public health and safety.
- 11. The applicant shall be solely responsible for the physical installation and all costs associated with providing irrigation to any new landscaping planned as part of each new sign (ie: Monument Directory Sign M3 shows landscaping at the bottom of the sign).
- 12. Monument Sign M1: The applicant comply with the requirements of Condition Nos. 9, 10 and 11 of this permit and shall relocate the sign, at their sole cost, a minimum of six feet back towards the buildings from its current location. The landscaping inside the planter box shall be kept low, and maintained to not exceed a maximum height of the outer boundary retaining curb face of the planter box.
- 13. Monument Directory Signs M2: The final location of this sign shall be subject to the requirements of Condition Nos. 9, 10 and 11 of this permit and shall not prohibit the ability to construct a sidewalk and/or handicap access ramp at the curb return of the driveway. The applicant shall prepare an exhibit for this corner showing the exact proposed location of the sign, and future sidewalk and access ramp improvements in the vicinity of the sign to preserve the space needed for ultimate road improvements fronting Cornell Road. In addition, if the sign is located in the Los Angeles County Flood Control District right-of-way, the applicant shall provide written documentation to the City showing the Los Angeles County Flood Control District's approval of the sign location prior to any permit being issued for this particular sign.
- 14. Monument Directory Signs M3: The final location of this sign shall be subject to Condition Nos. 9, 10 and 11 of this permit and shall not prohibit the ability to construct a sidewalk and/or handicap access ramp at the curb return of the driveway. The applicant shall prepare an exhibit for this corner showing the exact proposed location of the sign, and future sidewalk and access ramp improvements in the vicinity of the sign to preserve the space needed for ultimate road improvements fronting Cornell Road. In addition, if the sign is located in the Los Angeles County Flood Control District right-of-way, the applicant shall

provide written documentation to the City showing the Los Angeles County Flood Control District's approval of the sign location prior to any permit being issued for this particular sign.

- 15. <u>Directional Sign D1</u>: This sign shall be subject to the requirements of Condition Nos. 9, 10 and 11 of this permit and shall not be located in the public right-of-way.
- 16. <u>Directional Sign D2</u>: This sign is subject to the requirements of Condition Nos. 9, 10 and 11 of this permit. In addition, if this sign is located in the Los Angeles County Flood Control District right-of-way, the applicant shall provide written documentation to the City showing the Los Angeles County Flood Control District's approval of the sign location prior to any permit being issued for this particular sign.
- 17. <u>Directional Sign D7</u>: This sign is subject to the requirements of Condition Nos. 9, 10 and 11 of this permit. In addition, if this sign is located in the Los Angeles County Flood Control District right-of-way, the applicant shall provide written documentation to the City showing the Los Angeles County Flood Control District's approval of the sign location prior to any permit being issued for this particular sign.

SPECIAL CONDITIONS

- 18. The applicant shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of the approval of this application. Although the applicant is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of the action, but such participation shall not relieve the applicant of any obligation under this Condition.
- 19. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, and employees from and against any claim, action or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul any approval or condition of approval. The City shall notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.

Exhibit B

Sign Permit Draft Resolution and Conditions of Approval

DRAFT RESOLUTION NO. 15-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS APPROVING A SIGN PERMIT FOR A SIGN PROGRAM AMENDMENT (CASE NO. SIGN-01062-2015) FOR WHIZIN MARKET SQUARE, LOCATED AT 28888 THROUGH 28914 ROADSIDE DRIVE, AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Section I. An application was duly filed by Whizin Market Square, LLC, with respect to the real property located at 28888 through 28914 Roadside Drive (A.P.N. 2061-007-041, 051, 052, 905, 906), requesting approval of a Sign Permit for a Sign Program Amendment, attached as Exhibit D to the October 1, 2015 staff report for this project and incorporated herein as though set forth in full, (Case No. SIGN-01062-2015) to install new signage to serve a retail center ("Whizin Market Square"). Public hearings were duly held for Sign Permit Case No. SIGN-01062-2015 in conjunction with Variance Case No. VAR-01063-2015 on August 6, 2015, and on October 1, 2015, at 6:30 p.m. in the City Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearings were duly given and published as required by state law.

Section II. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section III. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, and the proposed Sign Program dated August 24, 2015 and attached as Exhibit D to the October 1, 2015 staff report for this project and incorporated herein as though set forth in full,, the Planning Commission finds, pursuant Section 9655.5.D of the Agoura Hills Municipal Code, that:

- A. The proposed sign program amendment, as conditioned, 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 retail center 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), as conditioned, are legible under normal viewing conditions prevailing where the sign is to be installed. The project identification sign will be subtly externally illuminated to identify the complex and restaurant.

- C. The location and design of the proposed signs, their sizes, shapes, illumination, and colors, as conditioned, 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 buildings served by the signs.
- D. With Variance Case No. VAR-01063-2015, the proposed sign program amendment, as conditioned, is consistent with the sign standards of the Sign Ordinance in that the number of colors, the proposed materials, and the illumination of the project identification sign are consistent with the standards specified in the Sign Ordinance and Agoura Village Specific Plan.
- E. The proposed sign program amendment, as conditioned, 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 buildings that are served and the Center's existing sign program.
- Section IV. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, and the proposed Sign Program attached as Exhibit E to the October 1, 2015 staff report for this project and incorporated herein as though set forth in full,, the Planning Commission finds, pursuant Section 9655.6.E of the Agoura Hills Municipal Code, that:
- A. The sign program amendment, as conditioned, 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.
- B. The sign program amendment, as conditioned, accommodates future revisions that may be required because of changes in the use or tenants in that the monument signs serve the entire center and the restaurant sign can be replaced with the name of a future tenant.
- C. The sign program amendment, as conditioned, 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 buildings on the property.
- Section V. 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 thus is exempt from CEQA pursuant to Section 15311 of the Guidelines (Accessory Structures including On-Premise Signs).

CONDITIONS OF APPROVAL (CASE NO. SIGN-01062-2015)

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. 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.
- 3. Except as modified herein, the approval of this action is limited to and requires the complete conformation to the Sign Plans of the Center ("Whizin Market Square") approved by the Planning Commission on October 1, 2015.
- 4. It is hereby declared to be the intent that if any provision of this Permit is held or declared 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 this approval is used within two (2) years from the date of City approval, Sign Permit Case No. SIGN-01062-2015 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.

PUBLIC WORKS/ENGINEERING DEPARTMENT CONDITIONS

8. The following Conditions of Approval are based on the plan set dated August 24, 2015 and attached as Exhibit D in the October 1, 2015 staff report. Modifications of any sort to this plan set will require a new review by the City, and could result in new conditions that will supersede the Conditions of Approvals outlined below. Furthermore, it is understood that approval of the location of any sign in the public right-of-way does not prohibit the City from doing future improvements which may require the removal and/or relocation of the sign(s) (or related improvements) to a new location to accommodate the public improvements. Such relocations/re-installations would be done at the sole cost of the applicant. Any work in the public right-of-way will require an encroachment permit, subject to the conditions of approval outlined below.

Conditions of Approval (Case No. SIGN-01063-2015) Page 3

applicant shall provide written documentation to the City showing the Los Angeles County Flood Control District's approval of the sign location prior to any permit being issued for this particular sign.

- 15. <u>Directional Sign D1</u>: This sign shall be subject to the requirements of Condition Nos. 9, 10 and 11 of this permit and shall not be located in the public right-of-way.
- 16. <u>Directional Sign D2</u>: This sign is subject to the requirements of Condition Nos. 9, 10 and 11 of this permit. In addition, if this sign is located in the Los Angeles County Flood Control District right-of-way, the applicant shall provide written documentation to the City showing the Los Angeles County Flood Control District's approval of the sign location prior to any permit being issued for this particular sign.
- 17. <u>Directional Sign D7</u>: This sign is subject to the requirements of Condition Nos. 9, 10 and 11 of this permit. In addition, if this sign is located in the Los Angeles County Flood Control District right-of-way, the applicant shall provide written documentation to the City showing the Los Angeles County Flood Control District's approval of the sign location prior to any permit being issued for this particular sign.

SPECIAL CONDITIONS

18. Condition No. 11 of Planning Commission Resolution No. 12-1075 is hereby amended (deleted) as follows:

"The applicant shall not install more than one sign on the exterior north building elevation of the building currently occupied by Hugo's Restaurant, which sign shall not be greater than 23.83 square feet. Such sign shall be for the sole use of the tenant in the space currently occupied by Hugo's Restaurant."

- 19. The applicant shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of the approval of this application. Although the applicant is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of the action, but such participation shall not relieve the applicant of any obligation under this Condition.
- 20. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, and employees from and against any claim, action or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul any approval or condition of approval. The City shall notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.

Exhibit C

August 6, 2015 Planning Commission Staff Report



PLANNING DEPARTMENT

ACTION DATE:

August 6, 2015

TO:

Planning Commission

APPLICANT:

Whizin Market Square, LLC

5010 N. Parkway Calabasas, Suite 105

Calabasas, CA 91302

CASE NOS.:

VAR-01063-2015 and SIGN-01062-2015

LOCATION:

Whizin Market Square (28888-28914 Roadside Drive)

REQUEST:

Request for a Sign Permit for a Sign Program Amendment to install tenant, monument and directory signage in Whizin Market Square; and a Variance from Zoning Ordinance Section 9655.5.F.2.(i) to allow three monument signs (M1, M2 and M3) and three (3) directory signs (D1, D2 and D7) to be located less than five feet from the public right-of-way; Section 9655.5.F.2.(ii) to allow for one monument sign (M4) to exceed the maximum size area of 48 square feet; Section 9655.5.F.2.(iii) to allow three monument signs (M1, M2, M3, and M4) to exceed the maximum height of six feet; Section 9655.8.B.1.(a) to allow for a second, wall-mounted business sign (W5e) instead of one business sign for Plata Restaurant; Section 9655.8.B.1.(d) to allow four monument complex identification signs (M1, M2, M3 and M4) instead of one complex monument identification sign per street frontage; and Section 9655.8.B.1.(1) to install two directional signs (D3a and D3b) above three feet in height, and five (5) directional signs (D1, D2, D3a, D3b, and D7) in excess of three (3) square feet in size; and a request to make a finding of exemption under the California Environmental Quality Act.

Planning Commission August 6, 2015 Page 2

Case Nos. VAR-01063-2015 and SIGN-01062-2015

ENVIRONMENTAL

ANALYSIS: Exempt from CEQA per Section 15311 of the CEQA Guidelines

RECOMMENDATION: Staff recommends that the Planning Commission approve Variance

Case No. VAR-01063-2015 and Sign Permit Case No. SIGN-01062-2015, subject to conditions, and deny the Variance and Sign Permit requested for Monument Sign M2 of the proposed Sign

Program, based on the findings of the draft Resolutions.

ZONING DESIGNATION: PD (Planned Development – Agoura Village Specific Plan)

GENERAL PLAN DESIGNATION: PD (Planned Development District)

I. PROJECT BACKGROUND AND DESCRIPTION

In 2008, Tucker Investment Group, LLC, filed two separate development applications for the renovation and remodel of the Whizin Center (later named Whizin Market Square) located at the southeast corner of Roadside Drive and Cornell Road. A Site Plan/Architectural Review application was approved by the Planning Commission in November of 2008 for the interior and exterior remodel of the indoor Market Hall (former atrium area) of the Center. The project also included the renovation of the vacant restaurant space for Hugo's Restaurant and the renovation of the north half of the Cornell Road parking lot. These improvements have since been completed.

An Agoura Village Development Plan application was submitted in July of 2008. The proposal includes the remodel of approximately 100,000 square feet of existing floor area; 14,850 square feet of new retail and restaurant floor area; the expansion and reconfiguration of the parking lot; and 5,800 square feet of outdoor courtyard area. The plans were reviewed by staff, the Architectural Review Panel, the Agoura Village Policy Committee, and the Land Use/Economic Development Committee, and staff is awaiting the submittal of revised plans based on the comments given. The property owner subsequently met with staff and the Land Use/Economic Development Committee regarding the possible phasing of future improvements and has completed repair and cosmetic upgrades of the retail buildings fronting Roadside Drive, including fascia repair and re-paint, repair to the roof equipment screen, repair and cosmetic improvement to the storefront windows and new signage to the front (north) building elevations.

The applicant submitted a new Sign Program application in 2010 to amend the previous sign program. On November 18, 2010, the Planning Commission approved a new Sign Program, which included new tenant signage for the two retail buildings fronting Roadside Drive, new

signage fronting on Cornell Road, and new signage for tenant spaces fronting Agoura Road. Monument/entry signage to serve the Center were also approved.

On August 16, 2012, the Planning Commission approved a Sign Program Amendment for the property owner's request to install a total of five (5) new monument entry signs attached to new, horizontal slat fences. Two were approved for the westerly driveway serving Roadside Drive; two for the driveway entrance serving Agoura Road; and one at the intersection of Cornell Road and Agoura Road, facing Cornell Road. The Planning Commission also approved a Variance to have more than the three monument signs allowed per the Sign Ordinance, and to locate one of the proposed signs less than 5 feet from the property line. In addition, the Planning Commission approved a Variance request to install a second wall sign facing Roadside Drive, for Hugo's Restaurant. This new sign has since been installed, as have new fence-mounted monument signs serving Roadside Drive. The fence-mounted monument signs serving Agoura Road are currently being installed.

The applicant, Whizin Market Square, LLC, is now proposing to amend the Sign Program for the entire Center. As noted in their attached project description/burden of proof, the applicant intends to make phased improvements to the Center. Whizin Market Square presently consists of four, multi-tenant retail buildings along Roadside Drive and the building of the Center. The main building is "L" shaped and is setback from Roadside Drive, with building frontages generally on Cornell Road and Agoura Road. As noted above, the improvements to the Center include the completed Phase I comprehensive plan to renovate, construct and use and maintain the Roadside Drive retail building and the indoor Market Hall. According to the applicant, another key aspect of Phase I is the re-tenanting and relocation of tenants within the Center. The applicant is currently preparing plans for submitting an amended development application to renovate the balance of the Center, which would update the building facades of the Cornell Road and Agoura Road frontages, as well as improve the interior parking area with community gathering spaces and add new retail space. When complete, the applicant envisions Whizin Market Square to be a unique, community-based center offering shopping, dining, and lifestyle entertainment elements in destination location serving both Agoura Hills and surrounding communities.

Prior to submitting this improvement plans for the City's review, and in an attempt to provide requested additional identification to the Center's tenants, the applicant is requesting approval of a Sign Permit for installation of the proposed components of the Sign Program. Variances for proposed monument signs, directional signs and a dormer sign are also proposed, and are analyzed below.

II. STAFF ANALYSIS

A. Sign Program

Included as a separate enclosure for this report is the applicant's proposed Master Sign Program for the Center. This document includes the proposed sign criteria, monument signs, wall signs, directional signs, sign elevations and renderings. The monument, wall and directional signs are referenced by letter/number designations within Sign Program (i.e. M1 is a proposed monument sign serving Roadside Drive).

New tenant signs (reference W1 in the Sign Program) are proposed for the east and north facing elevations of the Center's main building. These signs include ¼" thick dark gray colored aluminum script letters and logos mounted on a framed white washed wooden background. Each sign is proposed to include a thin white LED strip along the bottom channel of the sign to uplight the background behind the lettering. The sizes of the signs will vary as each tenant is allowed one (1) square foot of sign area per each linear foot of tenant frontage. However, the Sign Program calls for the primary signs not to exceed 16.5 square feet, regardless of the length of tenant frontage. A small, 7.5 square foot sign (C1) of similar style is proposed at the Market Hall's easterly entrance. This non-illuminated sign is proposed to be attached under the patio roof for pedestrian visibility.

Ten (10) square foot signs of the same style are proposed for the back (south) building elevations of the two Roadside Drive retail buildings (reference sign W2 in the Sign Program). These signs are proposed to be oriented toward the central parking lot and would serve as the secondary signs to those tenants with primary frontage on Roadside Drive.

Up to 15, ten (10) square foot secondary signs of the similar style are proposed on the south-facing elevation of the Centers' main building, oriented toward Agoura Road (reference sign W3 in the Sign Program). No signs are currently located on this building elevation and the 15 signs are proposed to span and appear as a new design element across this frontage. The Planning Commission is asked to consider the applicant's proposal to illuminate these building mounted signs with external LED downlit lamps, as shown for the W3 sign detail.

A similar sign (W7) is proposed to be located on the south end of the Center's main building's west elevation. The applicant proposed this particular sign to serve as the primary sign for the tenant (currently Canyon Club). It would be allowed to be up to 50 square feet in size, per the Sign Ordinance. The free-standing retail building fronting Roadside Drive is proposed to incorporate a similar style sign but, as proposed, would be directly mounted to the white-washed

wood fascia as depicted in the Sign Program for Sign W5, and would also be placed on the dormer serving tenant space east of Wood Ranch Restaurant. The proposed dormer sign to serve Plata Restaurant (W5e) is proposed to be oriented toward Roadside Drive and be pin-mounted, but include a font matching their existing building sign on the east-facing tenant frontage. Signs W6a, W6b, W5c and W5d in the Sign Program depict the existing, approved signs for Wood Ranch Restaurant, Hugo's Restaurant and Carrara Pastries.

Freestanding single and double-sided pedestrian directional signs (D4, D5 and D6) of up to 7 feet in height are proposed at the westerly entrance of the Market Hall, between the two buildings fronting Roadside Drive, and in front of the tenant spaces along the north elevation of the Center's main building. These signs, as proposed, conform to the Sign Ordinance and would include tenant directories and would include internal edge lighting along the background perimeter.

The proposed Sign Program Amendment, as conditioned and with the exception of monument Sign M2, complies with the standards of the Sign Ordinance in that the design of the signs, as proposed, are compatible with the character and environment of the community, are not distracting to motorists, are visually attractive, and provide adequate identification for the buildings on the property. The location of the proposed signs and the design of their visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions), as proposed, will be legible under normal viewing conditions prevailing where the signs are to be installed and the proposed illumination methods would be subtle. Staff also finds that the signs recommended for approval are appropriate given the size of the property and the proposed sign colors and materials are compatible with the building they serve. Thus, staff supports the proposed Sign Program Amendment. The justification for denial of monument Sign M2 is included in the Variance analysis below. A draft Resolution of denial for this particular monument directory sign component of the requested Sign Permit is attached for the Planning Commission's consideration.

B. Variance Requests

Monument Signs

The monument sign components of the Sign Program consist of Signs M1, M2, M3, and M4. The applicant proposes to replace one existing monument sign (M1) and install three supplemental monument identification signs (M2, M3, and M4), in addition to the previously approved fence-mounted monument signs for the Center. The applicant notes in their attached description/burden of proof that proposed monument signs are intended to present a consistent

and recognizable brand designed to reflect the Center's architectural theme, and are intended to establish a distinct identity for the Center.

As depicted in the Sign Program, one monument sign (M1) proposed to serve Roadside Drive is intended to replace an existing sign that is located within the public right-of-way, in a raised landscape planter and is faced perpendicular to Roadside Drive. The applicant is requesting to replace the existing monument sign to reflect the new name of the Center, "Whizin Market Square", with a design that would be consistent with the Center's aesthetic renovations. The sign design is proposed to feature a painted supporting post structure wrapped in faux wood slats around all four sides to match the wood elements of the WMS architectural theme and the previously approved entry monuments. The sign face, as proposed, is designed with green flat cut lettering and will be externally lit with standard fixtures to uplight both faces. The sign is proposed to have an overall height of 9'5", including the raised planter, measured from the grade of the adjacent street. As a result, the sign, as proposed, exceeds the maximum permitted height of 6'0", pursuant to the Zoning Ordinance Section 9655.5., and is subject to approval of a Variance. The actual height of the sign, when measured from its base within the planter, is proposed to be 6'6"inches. The total proposed sign area is 47.2, which is less that the maximum 48 square foot area allowed for monument signs.

Two monument signs (M2 and M3) are proposed to be installed along the Cornell Road frontage, one located at each driveway entrance on Cornell Road. According to the applicant, both proposed monument signs to serve the Cornell Road frontage are intended to highlight the Center's identity and includes a list of the tenants within the Center. These signs would have faux wood clad retainers and sides. The Center's logo is proposed to be positioned at the top of the monument signs. These monument signs, as proposed, would be externally illuminated with two light boxes mounted at the base of the monument sign and house fluorescent lamps that cast light upward across the lettering, providing nighttime visibility of the signs. Each sign, as shown in the Sign Program, is proposed to measure 7'9" in height and contain a maximum sign area of 43 square feet. Due to the configuration of the Center's parking and driveway locations, the applicant proposes to locate these two monument signs less than the required five-foot setback from the property lines. Sign M2 is proposed to be located in the public right-of-way. Sign M3 is proposed at the property line. The proposed locations and height of both signs require approval of a Variance.

One monument sign (M4) would is proposed to be located within the interior parking lot on the east end of the Center. This directory monument sign is proposed to be positioned within a landscape planter along the main drive aisle of the parking area, accessed from Agoura Road.

This sign, as proposed, is intended to mimic the design and details of M2 and M3. However, the applicant is proposing an overall sign height of 8'6" for Sign M4 (instead of a maximum 6'0" height), and to encompass a maximum sign area of 57.2 square feet (instead of a maximum size of 48 square feet), thereby requiring approval of a Variance.

In summary, the applicant is requesting Variances for the following components of the proposed monument signs:

1. Monument Sign M1 (Roadside Drive)

- A. One additional monument sign per street frontage.
- B. Zero setback (in public right-of-way) instead of a five-foot setback.
- C. Overall height of 9'5" instead of 6'0".

2. Monument Sign M2 (Cornell Road)

- A. One additional monument sign per street frontage.
- B. Zero setback (in public right-of-way) instead of a five-foot setback.
- C. Overall height of 7'9" instead of 6'0".

3. Monument Sign M3 (Cornell Road)

- A. One additional monument sign per street frontage.
- B. Zero setback (on private property) instead of a five-foot setback.
- C. Overall height of 7'9" instead of 6'0".

4. Monument Sign M4 (Parking Lot/Agoura Road)

- A. One additional monument sign per street frontage.
- B. Overall height of 8'6" instead of 6'0".
- C. Sign area of 57.2 square feet instead of 48 square feet.

With the exception of monument identification sign M2 of the Sign Program, staff supports the Variance requests listed above. Although fence-mounted monument signs were previously approved for the three street frontages serving the Center, the size of the Center is larger than nine acres. The length of the street frontage along the Roadside Drive is approximately 800 feet and the property is setback more than 100 feet from Agoura Road because of the adjacent flood control channel. The three additional monument signs, M1, M3 and M4, as proposed, will allow for needed identification of the Center and its multiple tenants for motorists entering and Center

from each street frontage. Also, monument sign M1 is proposed to serve as a replacement to the existing monument sign located within the same landscape planter.

The landscape planter serving as the proposed location for monument sign M1 is located entirely within the public right-of-way. Ideally, staff would prefer no sign be located in the public right-of-way. However, as previously noted above, monument sign M1 is proposed as a replacement sign for one currently located within this planter and will continue to serve as necessary identification of the Center for its frontage along Roadside Drive. Staff finds that there is insufficient area within the private property to locate a monument sign that serves as identification from Roadside Drive. Although monument directory sign M3 is proposed adjacent to the public right-of-way, within the required 5-foot setback area serving Cornell Road, it is appropriately located on-site, as proposed, to serve the identification needs of the Center without impacting traffic visibility for motorists entering and existing the southerly driveway of the adjacent parking lot. Proposed monument signs M1 and M3 are subject to approval of an encroachment permit from the Public Works/Engineering Department for work that may occur in the public right-of-way, and are subject to conditions that are included in the draft Resolutions of approval.

The proposed height of monument sign M1 itself is 6'6", but the height is measured from the grade elevation at a distance of five feet around the perimeter of the sign. Because of the narrow dimensions of the planter in which the sign is to be located, the proposed 9'5" height of the height of the monument sign includes the 2'11" high raised planter. With the proposed location within the planter to be approved by the Public Works Department, as conditioned, and the fact that the sign is proposed to serve as a replacement to the existing monument sign situated in the same raised planter, staff finds the proposed height of the sign to be appropriate for the identification of the Center from Roadside Drive, and the sign appropriately designed to match the architectural theme of Whizin Market Square.

The proposed monument directory sign heights of 7'9" for sign M3, located at the Cornell Road frontage, and a height of 8'6" for the monument identification sign M4 within the interior parking area, in lieu of the six-foot maximum height, are necessary for display of the tenant directory and visibility for motorists entering the property. These signs, as proposed, will be appropriately located so as not to impair traffic visibility and designed in a manner that is consistent with the proposed Sign Program for the Center. Although the proposed sign area of 57.2 square feet for monument directory sign M4 exceeds the 48 square foot allowable sign area, the proposed size of the sign allows for necessary visibility to motorists entering the on-site parking lot from Agoura Road and provides both direction identification and tenant identification within the Center.

Monument Sign M2 - Recommendation of Denial

Staff recommends the Planning Commission deny the applicant's request for monument directory sign M2, which is proposed to be located in the public right-of-way. There is sufficient space within the on-site parking lot fronting Cornell Road to provide for a monument sign located at least five (5) feet from the property line, in compliance with the Zoning Ordinance. A new monument sign (Sign M3) is proposed in the same vicinity as the subject monument sign, at the south end of the parking lot fronting Cornell Road, and is proposed to serve the same purpose as monument sign M2 in attracting motorists utilizing the on-site parking lot. Also, a pedestrian directory sign is proposed at the east side of the parking for pedestrians entering the Center. Thus, this subject third sign (M2), proposed to be located in the same vicinity as two other directory signs, would be unnecessary for both motorists and pedestrians. In addition, the proposed monument sign (M2) within the public right-of-way will not allow for necessary visibility for motorists to safely enter and exit the north driveway of the parking lot fronting Cornell Road. One of the purposes of the Sign Ordinance is to reduce possible traffic and safety hazards by prohibiting signs that are distracting to motorists. The proposed monument sign is unnecessary to meet the identification needs of the Center and will not enhance the quality of visual environment of the City. A draft Resolution of denial for this particular monument directory sign is attached for the Planning Commission's consideration.

Directional Signs

The directional sign component of the Sign Program consists of Signs D1, D2, D7, D3a and D3b. The applicant proposes to install five (5) directional signs for Center's identification, way-finding and parking information. According to the applicant, the directional signs will reinforce the identity of the Center and inform patrons of their arrival at the Center and assist with navigation in and around the center for both pedestrians and motorists.

As shown on the Sign Program, three of the directional signs (D1, D2 and D7) are intended to inform patrons of their arrival at the Whizin Market Square and include the word "welcome" on the sign face. One directional sign (D1) is proposed to be located within a new landscape planter at the intersection of Roadside Drive and Cornell Road, in the public right-of-way. Directional ("welcome") signs are proposed to be located on both sides the Agoura Road access driveway, within the public right-of-way and within a 66' wide easement granted to the Whizin Center in 1969 by Los Angeles County Flood Control District. Signs D2 and D7 are intended to provide advance notice of the otherwise unidentified driveway. Signs D1, D2 and D7, as proposed, would be a maximum of three feet in height as permitted under the Zoning Ordinance. However, the proposed area of each sign is six (6) square feet, exceeding the three (3) square feet of

allowable sign area and is, therefore, subject to approval of a Variance. A detached light box would be mounted below each sign for external illumination for nighttime visibility.

The applicant is also proposing to locate two directional ("Additional Parking') signs (D3a & D3b) within the Cornell Road parking lot. These signs are proposed to be mounted on the loading dock screen wall and have a maximum height dimension of 1'6", and are proposed to be affixed to an existing loading dock screen wall 5'8" above grade (instead of 3 feet), and have a maximum sign area of 6.75 square feet (instead of three square feet). According to the applicant, these parking lot directional signs are intended to provide guidance to additional public parking, accessible from Agoura Road and Roadside Drive, that are not otherwise visible or accessible from the Cornell Road frontage. However, a Variance is required for the proposed height and size of the signs.

In summary, the applicant is requesting Variances for the following components of the proposed directional signs:

1. Directional "Welcome" Sign D1 (Roadside Drive/Cornell Road)

- A. In the public right-of-way instead of private property.
- B. Sign area of 6 square feet instead of 3 square feet.

2. Directional "Welcome" Signs D2 and D7 (Agoura Road)

- A. In the public right-of-way instead of private property.
- B. Sign area of 6 square feet instead of 3 square feet.

3. <u>Directional "Additional Parking" Signs D3a and D3b</u>)

- A. Sign area of 6.75 square feet instead of 3 square feet.
- B. Height of 5'8" above grade instead of 3 feet.

Staff supports the Variance requests listed above. As previously noted in this report, ideally staff would prefer no sign be located in the public right-of-way. However, directional "welcome" sign D1 is intended to serve motorists on both Roadside Drive and Cornell Road, and there is insufficient space to locate the sign on private property at this intersection. The sign is proposed in a location that is a sufficient distance away from traffic lanes to allow for required visibility for the motorists and will not conflict with the adjacent parking spaces.

The proposed sign sizes of 6 square feet for the "welcome" signs (D1, D2 and D7) and the 6.75 square feet for the "additional parking" signs (D3a and D3b) are necessary for identification to motorists and for legibility of the text, and viewed from the roadway. Although the sizes of the signs exceed the 3 square feet allowed per the Sign Ordinance, the height of the sign faces, excluding support posts, does not exceed 1.5 feet. The "additional parking" signs (D3a and D3b) need to be located at a height greater than 3 feet as the signs are proposed to mounted to the existing garden/screen wall in the on-site parking lot and, as proposed, would not be adequately visible to motorists entering the parking lot from both driveways if placed at a lower height.

C. Dormer Sign for Plata Restaurant

In 2012, the Planning Commission approved a Variance request to allow Hugo's Restaurant, a tenant in the Center, to install a second wall sign on the building's north elevation, facing Roadside Drive. At the time, Hugo's Restaurant had two signs serving their restaurant, as allowed per the Sign Ordinance. The restaurant was entitled to one sign facing their sole frontage street (Cornell Road), and a secondary sign serving a public entrance. The public entrance to the restaurant is taken from the Center's interior Market Hall area. The restaurant was identified with a 47 square foot sign facing Cornell Road, and a 10 square foot sign in the Market Hall.

The Planning Commission approved a Variance for the requested second, 23.83 square foot wall sign on their building's north elevation, facing Roadside Drive, that has since been installed. The Planning Commission interpreted Roadside Drive as a second, or even primary, frontage road for the restaurant's signage entitlements. The Zoning Ordinance defines "primary frontage" as "the frontage which provides the subject building with its main or principle orientation to a public or private right-of-way, whether or not such frontage has a public entrance to the building. In shopping centers or multiple tenant buildings, the primary frontage shall be established as part of a sign program." "Secondary frontage" is defined as "any frontage, other than the primary frontage, that has a public entrance to the subject building."

The Planning Commission concurred with staff that, were it not for a building being located between the restaurant and the Roadside Drive, Roadside Drive would be considered secondary frontage and a sign could be located on the north-facing building wall. Also, the applicant agreed to the Planning Commission's adopted condition of approval limiting signage on the north building elevation to only one sign that would serve solely Hugo's Restaurant, and no other tenant in the Market Hall.

The applicant is now requesting a Variance to install a new dormer sign (W5e) on the same north building elevation, for Plata Restaurant. The sign, as proposed, would be consistent with the previously approved dormers along the Cornell Road frontage. The applicant is proposing a maximum sign area of 25 square feet, as noted in the Sign Program, consistent with the maximum sign area that would be allowed for a tenant having two street frontages.

Similar to Hugo's Restaurant, Plata Restaurant has two signs serving the business. Their primary sign faces the Center's central parking lot and the secondary sign serves the public entrance in the indoor Market Hall area. The Planning Commission is being asked to make similar findings as those made for the Variance granted to Hugo's Restaurant that, were it not for a building being located between the restaurant and the Roadside Drive, Roadside Drive would be considered secondary frontage and a sign could be located on the north-facing building wall. Although multiple tenants are located in the building, only one tenant, Plata Restaurant, is proposed to be identified on this dormer.

Staff supports the dormer sign Variance request to serve Plata Restaurant. The 25 square foot maximum size of the sign would be similar to the 23.83 square foot sign approved for Hugo's Restaurant on this same building elevation. Staff's justification for approval of the Variance is based on the fact that Plata Restaurant can be accessed from both Cornell Road and Roadside Drive, yet the restaurant is restricted from having signage serving Roadside Drive. The north elevation of the restaurant is visible from Roadside Drive and could serve for secondary signage were it not for one building being located between the restaurant and the street. The restaurant has a north-facing building elevation but is restricted from wall signage facing Roadside Drive. Also, the restaurant lacks visibility from the Roadside Drive, although the largest parking lot in the center serving the restaurant is accessed from Roadside Drive. Furthermore, the proposed wall sign will allow for proper visibility of the restaurant and will not conflict with traffic or pedestrian movement. The construction of the sign will meet City Building Code requirements and the proposed back-lit illumination of the sign will provide for adequate visibility without negatively impacting views from surrounding roadways or properties. The dormer design will be consist with the existing dormers serving buildings fronting Cornell Road and the west portion of Roadside Drive.

The draft Sign Permit Resolution includes a condition amending previously adopted Resolution No. 12-1075, condition no. 11, to delete the requirement imposed for the Hugo's Restaurant sign which stated as follows:

"The applicant shall not install more than one sign on the exterior north building elevation of the building currently occupied by Hugo's Restaurant, which sign shall not be greater than 23.83 square feet. Such sign shall be for the sole use of the tenant in the space currently occupied by Hugo's Restaurant."

D. Summary

Staff supports the requested Sign Permit and Variance applications, with the exception of proposed monument sign M2, for the reasons stated above. Draft Resolutions of approval for the Variance requests and Sign Permit are attached for the Planning Commission's consideration for adoption. Draft Resolutions of denial for Sign M2 Variance and Sign Permit are also attached for the Planning Commission's consideration. In the event the Planning Commission wishes to deny any other component of the Variance requests or the Sign Permit, revised Resolutions would be brought to the Planning Commission at a future meeting.

The Sign Permit and associated Variance requests have 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 variance and sign permit to allow the installation of accessory sign structures and thus is exempt from CEQA pursuant to Section 15311 of the Guidelines.

III. RECOMMENDATION

Staff recommends that the Planning Commission approve Variance Case No. VAR-01063-2015 and Sign Permit Case No. SIGN-01062-2015, subject to conditions, and deny the Variance and Sign Permit requested for Monument Sign M2 of the proposed Sign Program, based on the findings of the draft Resolutions.

IV. ATTACHMENTS

- * Exhibit A: Variance Draft Resolution of Approval and Conditions
- * Exhibit B: Variance Draft Resolution of Denial (For Sign M2)
- * Exhibit C: Sign Permit Draft Resolution of Approval and Conditions
- * Exhibit D: Sign Permit Draft Resolution of Denial (For Sign M2)
- * Exhibit E: Applicant's Project Description/Burden of Proof
- * Exhibit F: Proposed Sign Program

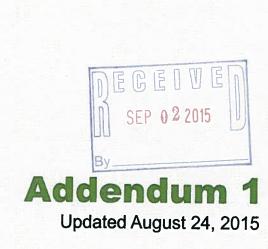
CASE PLANNER: Doug Hooper, Planning Director

Exhibit D

Proposed Sign Program



Master Sign Program



up, LLC Brad Rosenheim & Associates, Inc. 21600 Ornard Street, Suite 630 Woodland Hills, CA 91367

Tucker Investment Group, L. 5010 N Parkway Calabasas Suite 105

A ROAD Sute 105

Interiors | Archite 31416 AGOURA R WESTLAKE VILL

WW.KKAIA.

Sr Acct Minger Dave N
Coordinator

Layout Mitch Con EABDICATION

POSSIBLE STATE OF THE STATE OF

Sign Criteria

L

- 3-Site Plan Previously Approved in 2011
- 4-Site Plan Approved & Proposed
- 5-Site Plan Addendum 1 Signs Only
- 6-Inventory Addendum 1 Signs
- 7-Miscellaneous Sign Criteria And C2 Under Canopy Signs

Monument Signs

- 8-Monument Sign M1
- 8-Elevations
- 9-Monument Sign M1 Photo-composite & Rendering
- 10-Monument Sign M1 Location and Materials
- 11 Monument Directory Signs M2 & M3 Materials
- 12-Monument Directory Sign M2 Location & Photo-composites
- 13-Monument Directory Sign M3 Location & Photo-composites
- 14-Monument Directory Sign M4 **Materials**
- 15-Monument Directory Sign M4 Location & Photo-composites

Wall Signs

- 16-Wall Sign W1 **Artwork Spacing**
- 17-Wall Sign W1 Typical Material & Attachment Details
- 18-Wall Sign W1 Typical Placement Detail & Photo-composite
- 19-Wall Sign W1 Typical Photo-composite

- 20-Wall Sign W1 Elevations
- 21 Wall Sign W2 Typical **Artwork Spacing**
- 22-Wall Sign W2 Typical Attachment Detail for Roadside Buildings
- 23-Wall Sign W2 Roadside Buildings Elevations
- 24-Wall Sign W3 Typical Artwork Spacing & Attachment Details
- 25-Wall Sign W3 Renderings
- 26-Wall Signs W3 Elevation
- 27-Pedestrian Wall Sign W4 Elevation
- 28-Wall Sign W5 Elevation
- 29-Wall Sign W5e Elevation
- 30-Wall Sign W5b Elevation
- 31-Wall Sign W6a Elevation
- 32-Wall Sign W6b Elevation
- 33-Wall Signs W5c & W5d Elevation
- 34-Wall Sign W7 Front Elevation
- 35-Wall Signs W5, W6 & W7 Typical Letter Type & Attachment Details

Directional Signs

36-Directional Signs - D1, D2 & D7 Materials

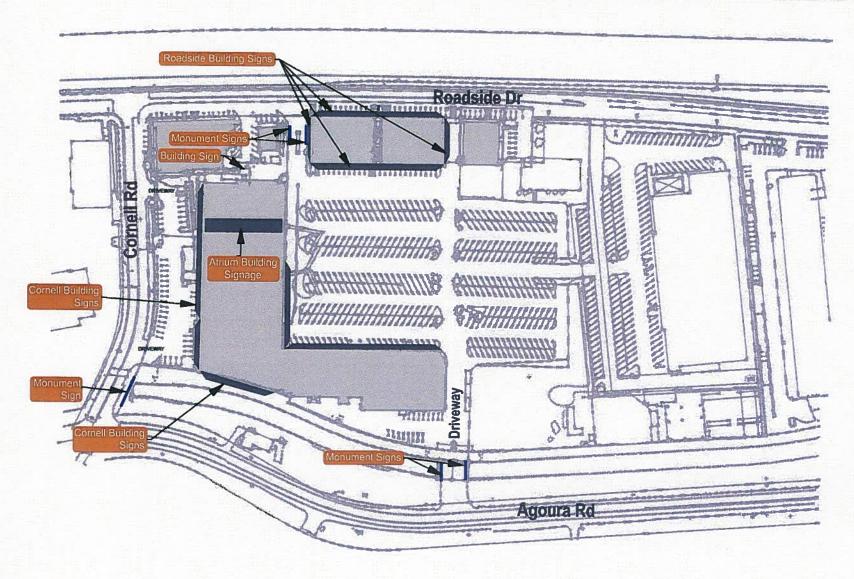
- 37-Directional Sign D1 Location & Photo-composite
- 38 Directional Sign D2 Location & Photo-composite
- 39-Directional Sign D7 Location & Photo-composite
- 40-Directional Sign D3a Material & Existing Elevation
- 41 Directional Sign D3b Sign Layout. Existing & Rendering
- 42-Pedestrian Directional Sign D4 Elevation
- 43-Pedestrian Directional Sign D5 Elevation
- 44-Pedestrian Directional Sign D6 Elevation
- 45-Under Canopy Sign C1 Details & Photo-composite

2011 Sign Program (appendix)

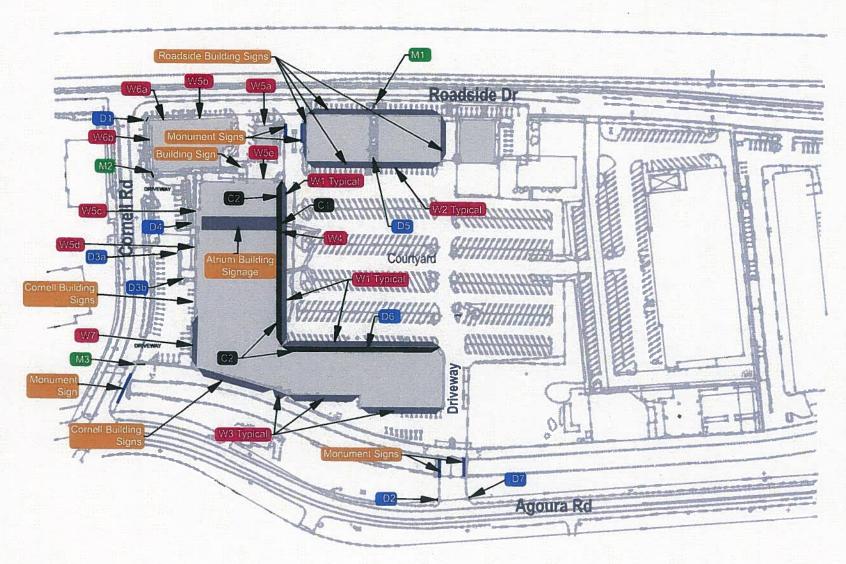
- SG-Signage Guidelines
- 1-Site Plan Roadside
- 2-Roadside Front Elevation
- 3—Roadside Rear Elevation
- 4-Wall Sign Detail Section
- 5-Site Plan Cornell
- 6—Cornell Front Elevation
- 7-SW Corner Elevation
- 8-Detail Section
- 9-Site Plan Atrium
- 10-Atrium First Floor
- 11—Atrium Details
- 12-Sign Plan Monuments
- 13—Monument Details



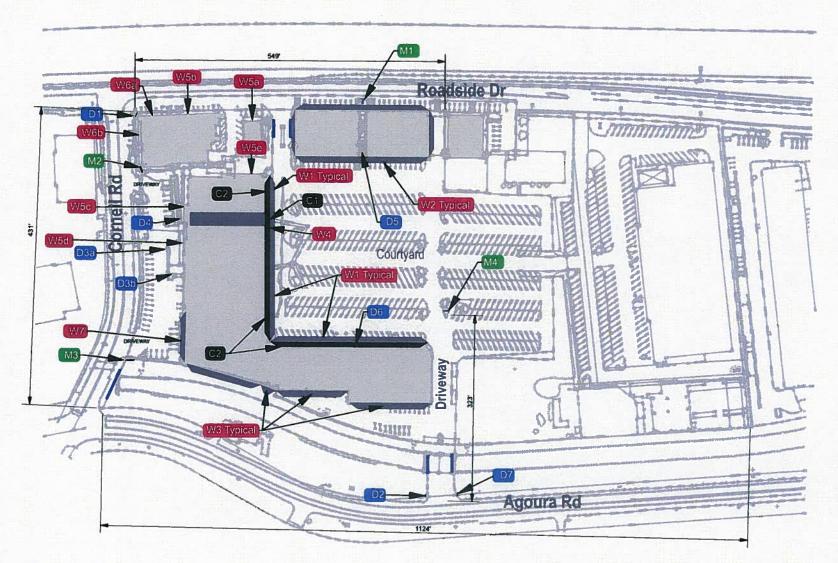












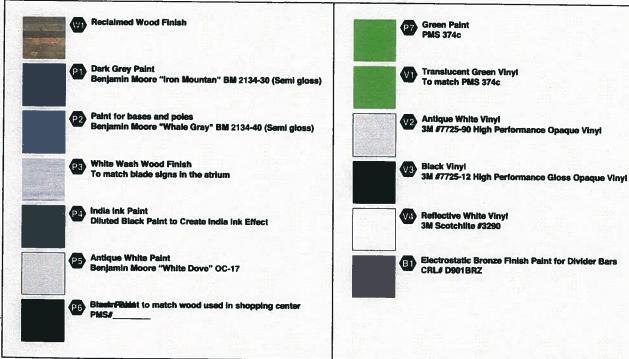


MONUMENT SIGNS		QTY	AREA
M1	ROADSIDE DR	1	47.2 SQ FT
M2	CORNELL ROAD SOUTH	1 100	42.63 SQ FT
M3	CORNELL ROAD NORTH	1 200	42.63 SQ FT
M4	COURTYARD DRIVEWAY	1	57.38 SQ FT
WALL SIGNS		QTY	AREA
W1	FACING COURTYARD	ONE PER TENANT	16.5 SQ FT MAX
W2	FACING COURTYARD	ONE PER TENANT	10 SQ FT
W3	FACING AGOURA RD	ONE PER TENANT	10 SQ FT
W4	AT ATRIUM ENTRANCE ON EAST ELEV	1	12 SQ FT
W5a	FACING ROADSIDE DR (On dormer)	1	22.5 SQ FT
W5b	FACING ROADSIDE DR (On dormer)	10 4 5	27.9 SQ FT
W5c	FACING CORNELL RD (Existing on dormer)	1	29.5 SQ FT
W5d	FACING CORNELL RD (Existing on dormer)	1 7 2 2	29.5 SQ FT
W5e	FACING ROADSIDE DR (On dormer)	1	25 SQ FT
W6a	FACING ROADSIDE DR (Existing on dormer)	1	42 SQ FT
W6b	FACING CORNELL RD (Existing on dormer)	1	33 SQ FT
W7	FACING CORNELL RD	1	50 SQ FT MAX

DIRECTIONAL SIGNS		QTY	AREA
D1	CORNER OF ROADSIDE DR & CORNELL RD	1	6 SQ FT
D2	WEST SIDE OF AGOURA RD DRIVEWAY	1	6 SQ FT
D7	EAST SIDE OF AGOURA RD DRIVEWAY	1 1 1	6 SQ FT
D3a	DRIVEWAY NEAR CORNELL ROAD	1	6.75 SQ FT
D3b	DRIVEWAY NEAR CORNELL ROAD	1	6.75 SQ FT
D4	AT WEST END OF ATRIUM	1	15.75 SQ FT
D5	AT NORTH END OF COURTYARD	1	14 SQ FT
D6	AT SOUTH END OF COURTYARD	1	17.81 SQ FT
UNDER CANOPY SIGNS		QTY	AREA
C1	AT ATRIUM ENTRANCE ON EAST ELEV	1	7.5 SQ FT
C2	SAME TENANT SPACES AS W1 SIGNS ONLY	ONE PER TENANT	9 SQ FT MAX



MATERIAL COLORS



FONT SPECIFICATIONS

- 1) Tenant names on Monument Signs to be Raleway Medium font.
- 2) Universally increase "tracking" to 45. Applies to entire line of every line of text.

 (DO NOT STRECH OR DISTORT TEXT)



Miscellaneous Sign Criteria And C2 Under Canopy Signs

C2 UNDER CANOPY SIGN SPECIFICATIONS

Each tenant in a space that requires sign type W1 may install one Under Canopy Sign.

Tenant Under Canopy Sign Guidelines

- a) Must be non-illuminated.
- b) One sign per tenant.
- c) Area may not exceed (9) nine square feet.
- d) No structural element shall be located less than eight (8) feet above finished grade.
- e) Shall me hung near the main entrance of the business
- e) Sign supports and brackets shall be compatible with the design and scale of the sign.
- f) Although Whizin Market Square encourages unique and approriate designs for each tenant, property owner approval is required before permit is applied for.
- g) Permit must be obtained at City of Agoura Hills.

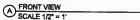


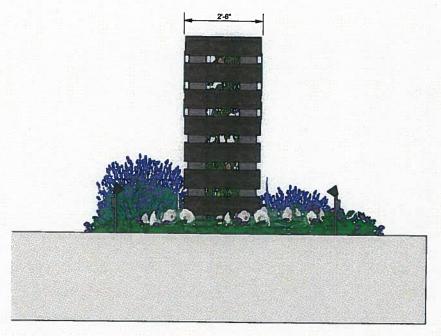
Monument Sign M1
Elevations

EXTERNALLY ILLUMINATED DOUBLE SIDED MONUMENT SIGN

SIGN ÁREA 47.2 SQ FT





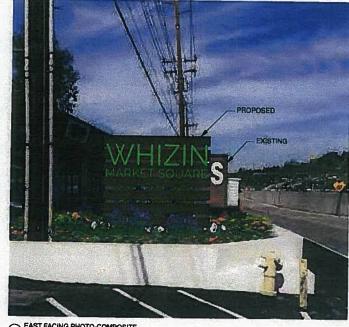


B SIDE VIEW SCALE 1/2" = 1"

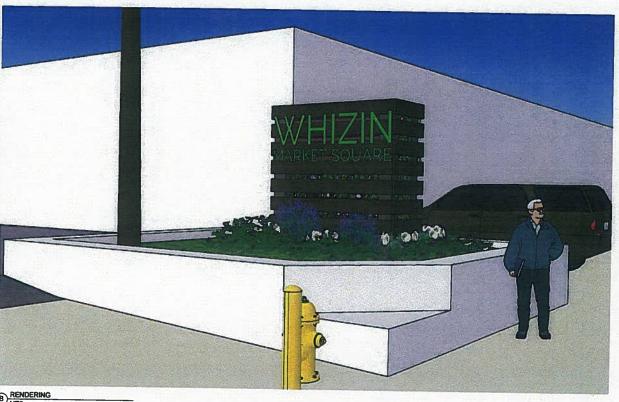




Monument Sign M1 Photo-composite & Rendering



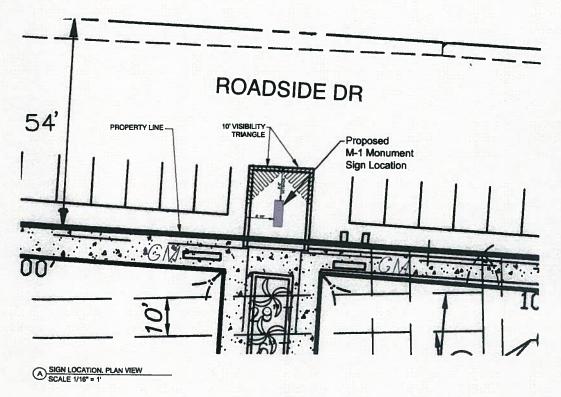
A EAST FACING PHOTO-COMPOSITE
SCALE 1/4" = 1"

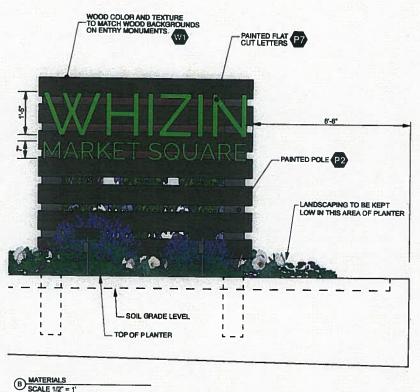






Monument Sign M1 Location and Materials

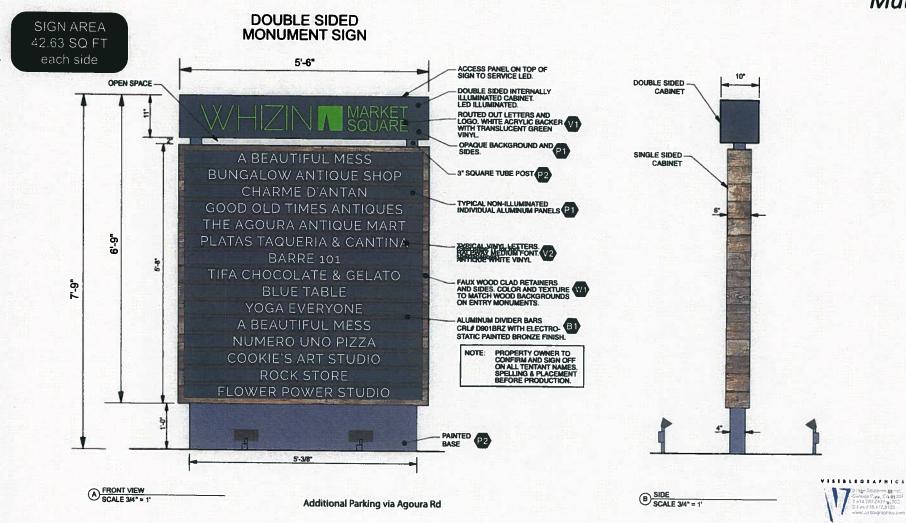






Monument Directory Signs - M2 & M3

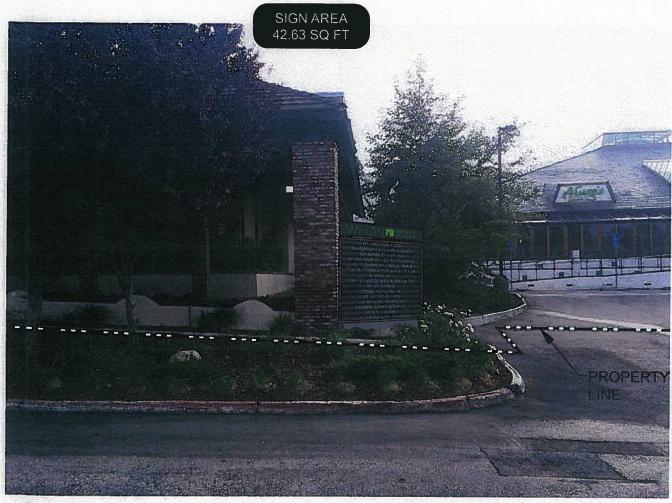
Materials



Grange Pyry, Chiggsod
To 10 Ter Cert 7 g (102
Line Share 510 et 2010)
www.co Expression.com
www.co Expression.com

Monument Directory Sign - M2 Location & Photo-composites

ROADSIDE DR





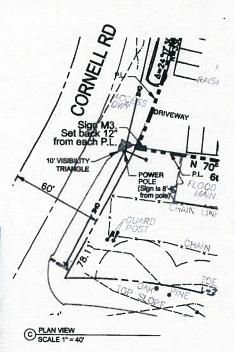


A ELEVATION FACING SOUTHWEST SCALE 1/4" = 1"

Monument Directory Sign - M3 Location & Photo-composites

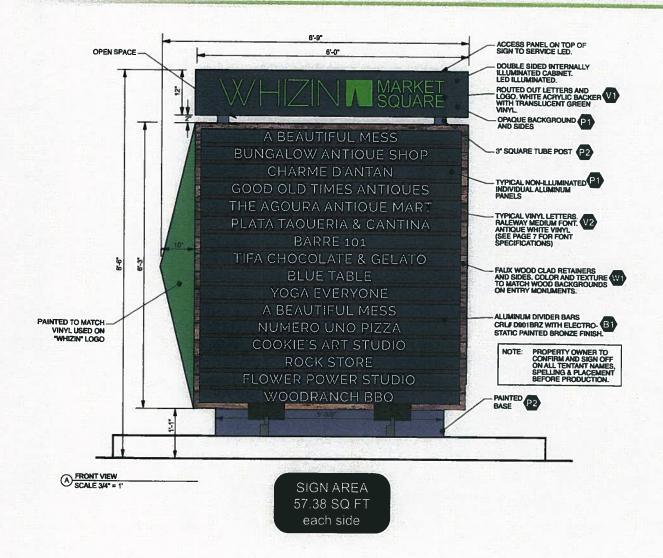


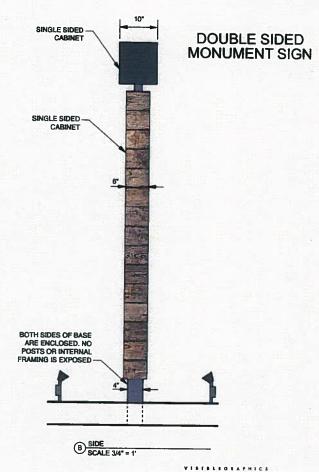






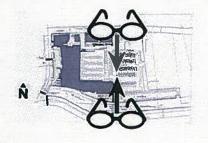
Monument Directory Sign - M4 Materials

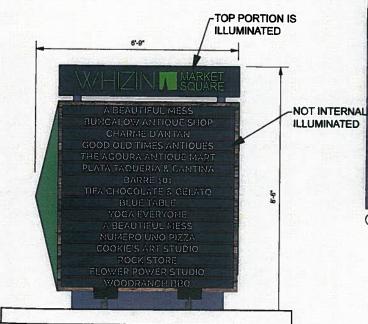


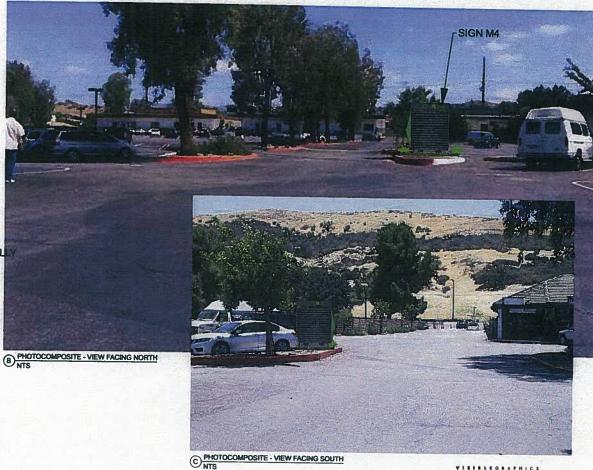




Monument Directory Sign - M4 **Location & Photo-composites**







A PARKING LOT DIRECTORY

VISIBLE ORAPHICS

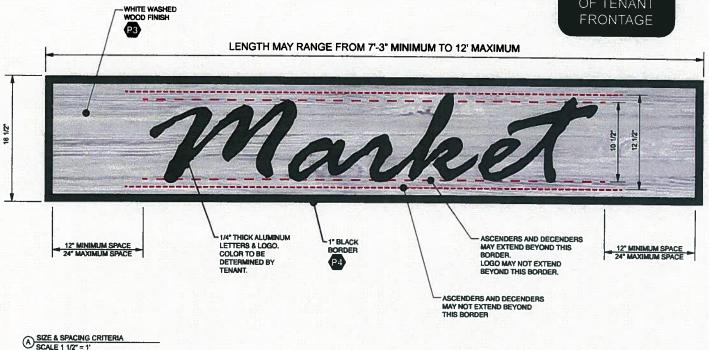
Wall Sign - W1 Artwork Spacing

ALLOWABLE SIGN AREA:

SIGN AREA MAY NEVER EXCEED 1 SQUARE FOOT PER EACH LINEAR FOOT OF TENANT FRONTAGE, <u>OR</u> MAXIMUM AREA BASED ON SIZE RANGE SHOWN BELOW, <u>WHICHEVER IS SMALLER</u>

SIGN AREA MAY NEVER EXCEED 16.5 SQ FT REGARDLESS OF TENANT FRONTAGE

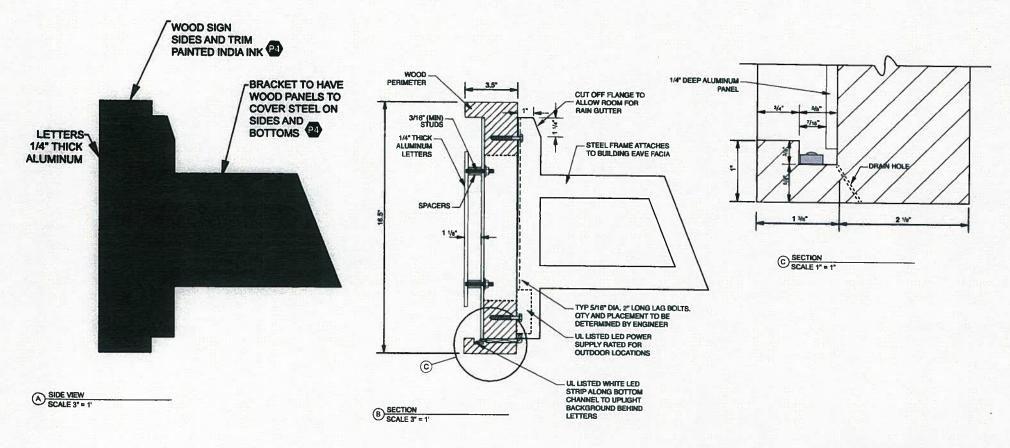
See page 17 for attachment and illumination requirements



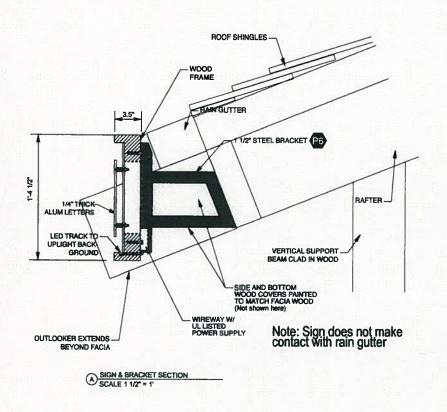
21570 Biodiner gyest
Catago Pan, CA 9136
Catago Pan, CA 9136
Catago Pan, CA 9136
Catago Pan, CA 9136
E-fice 119 477 5120
White Valley aphilia com
MATIONAL SIGN FABRICATION
PROJECT MANAGEMENT AND DESIGN

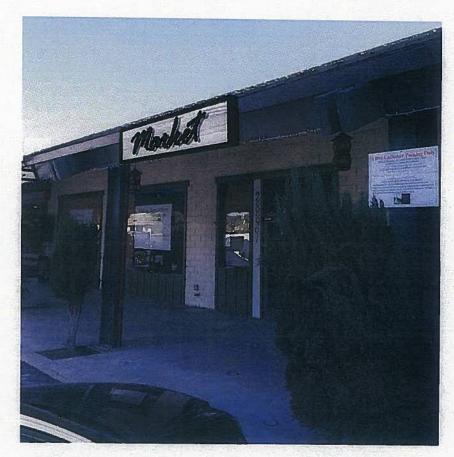
The course is the estimate property of White Country and remail to the intend to leave it part official property only a appared

Wall Sign - W1 Typical Material & Attachment Details



Wall Sign - W1 Typical Placement Detail & Photo-composite





B PHOTOCOMPOSITE





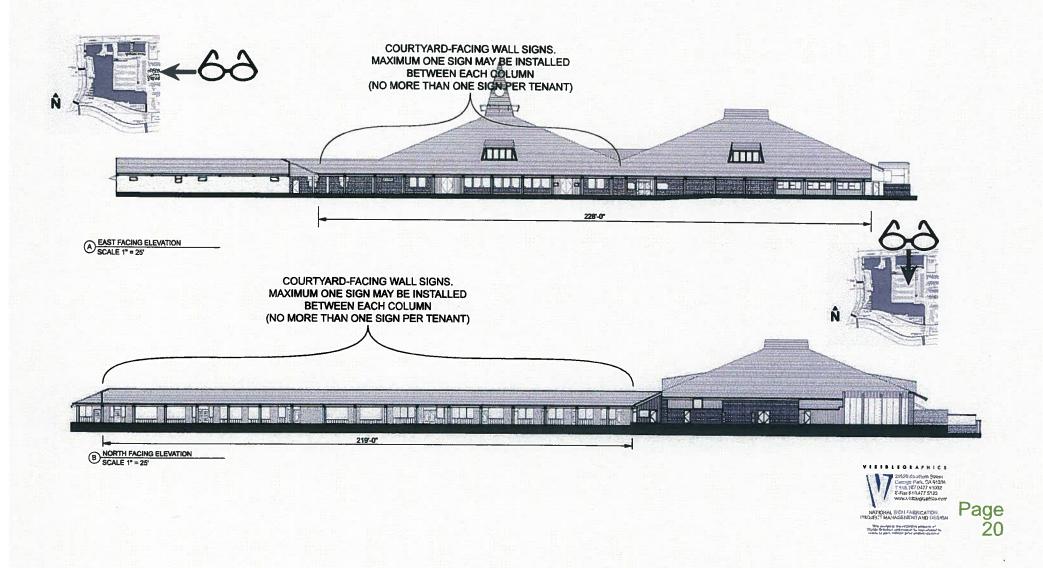
Wall Sign - W1 Typical Photo-composite



A FRONT ELEVATION SCALE 1/2" = 1'



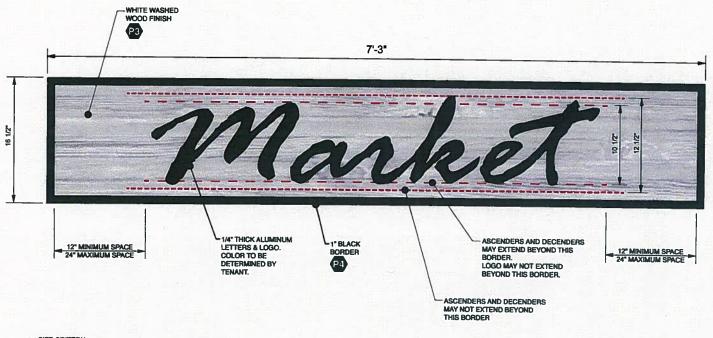
Wall Sign - W1
Elevations



Wall Sign - W2 Typical Artwork Spacing

See page 22 for attachment and illumination requirements

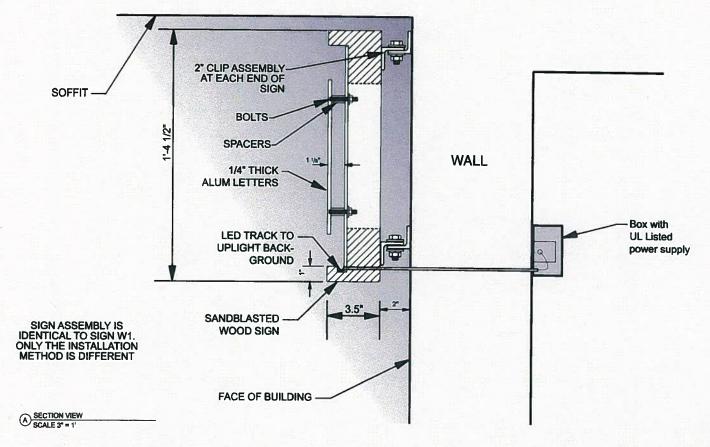
SIGN AREA 10 SQ FT



A SIZE CRITERIA SCALE 1 1/2" = 1"

2 1570 Nichten Steel
2 1570 Nichten Steel
Company Rus, CA 44396
1 5412 TAY 14103
1 5412 TAY 14103
WWW.YEELingsuphics.com
WATCHAL SOITH FAIRTCATTOR
PROJECT LANAGEMENT AND DESIGN
The amplies the verticals presents of

Attachment Detail for Roadside Buildings

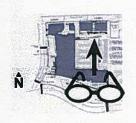


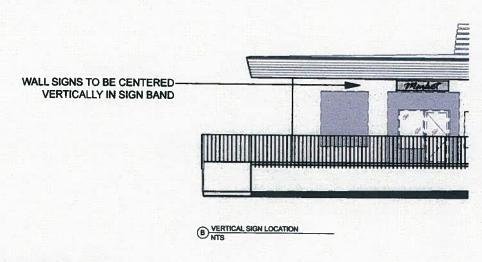
21520 Dashbern Gusyel
Compay Part, CA 9120A
T 91872 DATY 11022
T 91872 DATY 11022
TOWN A SETEROPLEPHOLE
MATERIAL DATE PARTICIAND DESIGN
PROJECT VAMIAGEMENT AND DESIGN
THE AMERICAND OF THE SETEROPLEPHOLE
White former and promote for consideration of the seterople of the seteropl

VISIBLEGRAPHICS

Wall Sign - W2

Roadside Buildings Elevations





COURTYARD-FACING WALL SIGNS.
MAXIMUM ONE SIGN PER TENANT
CENTERED OVER STOREFRONT

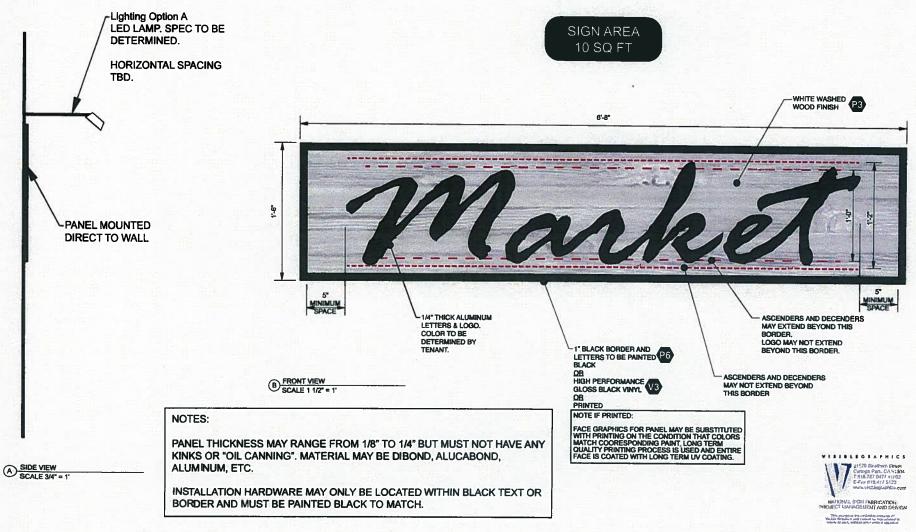


ROADSIDE BUILDINGS - SOUTH ELEVATION
SCALE 1/16" = 1"

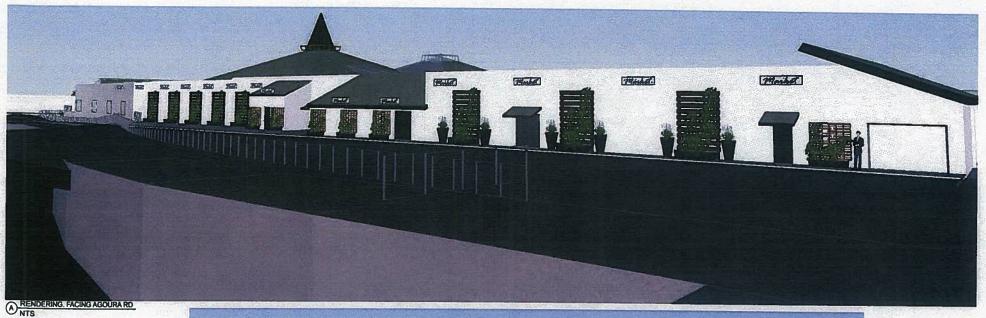


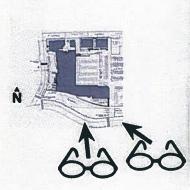
Wall Sign - W3 Typical

Artwork Spacing & Attachment Details



Wall Sign - W3 Renderings

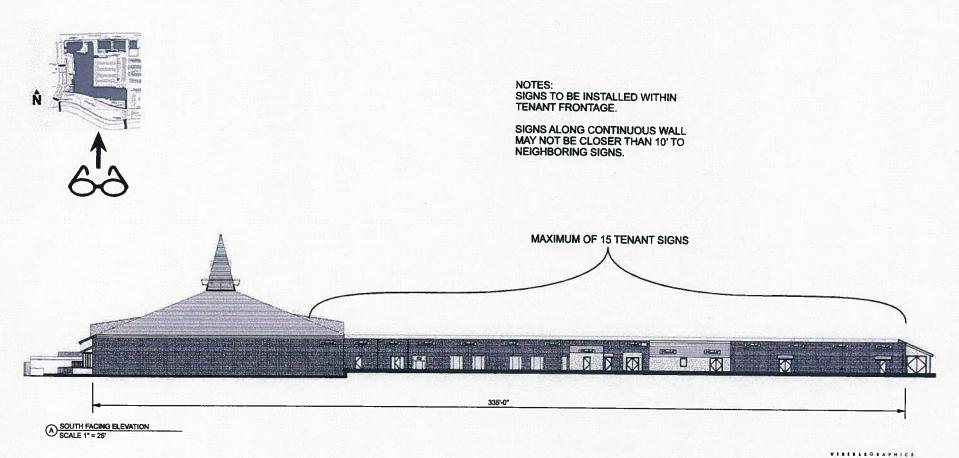




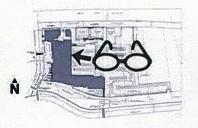




Wall Signs - W3
Elevation



Pedestrian Wall Sign - W4 **Elevation**



SINGLE SIDED INTERNALLY ILLUMINATED CABINET

BACKGROUND IS NOT BACK LIT. INTERNAL EDGE LIGHTING AROUND PERIMETER OF BACKGROUND, LED CANNOT BE SEEN DIRECTLY

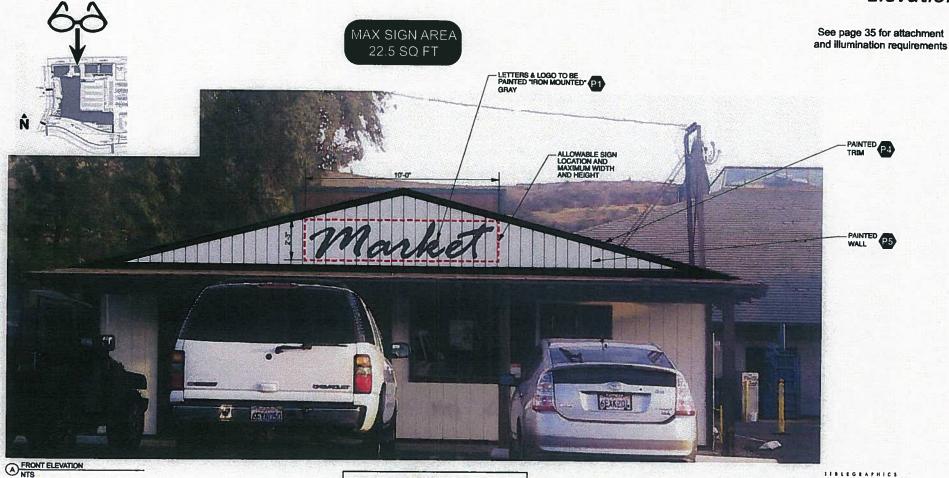
PEDESTRIAN DIRECTORY
SCALE 3/4" = 1'



SIGN AREA 12 SQ FT

21570 Strathern Street Carnogs Pare, CA 91364 T 518,767,0477 v (752 E-Frix 618,477 5123

Wall Sign - W5 **Elevation**

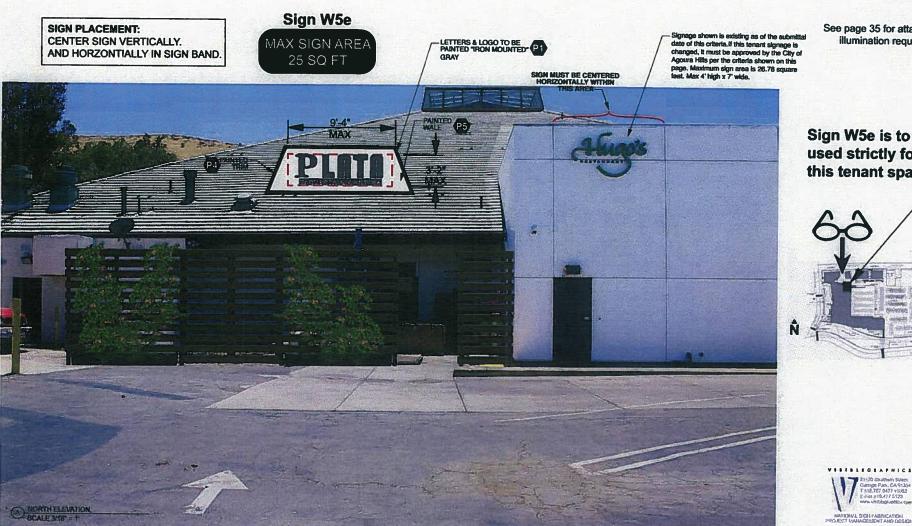


SIGN PLACEMENT: CENTER SIGN VERTICALLY. AND HORZONTIALLY IN SIGN BAND.

Page

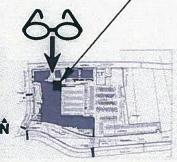
II B L E G E A P H I C S

Wall Sign - W5e Elevation

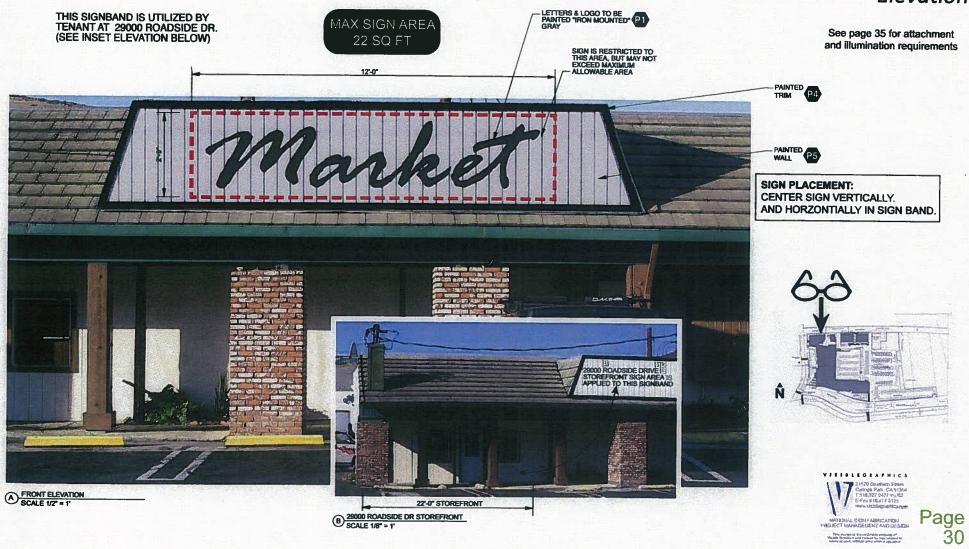


See page 35 for attachment and illumination requirements

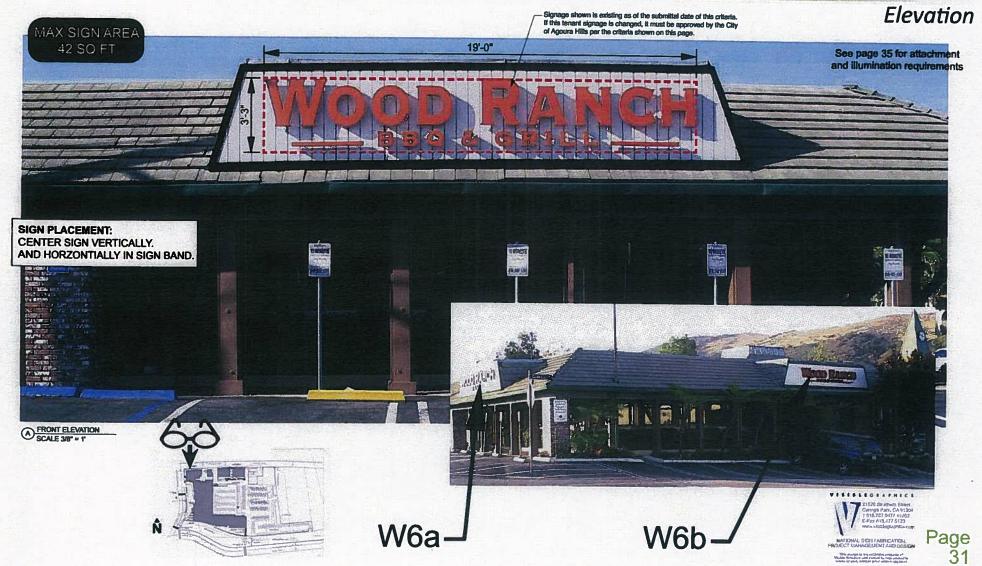
Sign W5e is to be used strictly for this tenant space-



Wall Sign - W5b Elevation

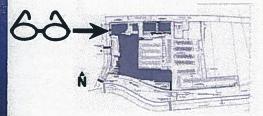


Wall Sign - W6a



MAX SIGN AREA 33 SQ FT Wall Sign - W6b Elevation

See page 35 for attachment and illumination requirements



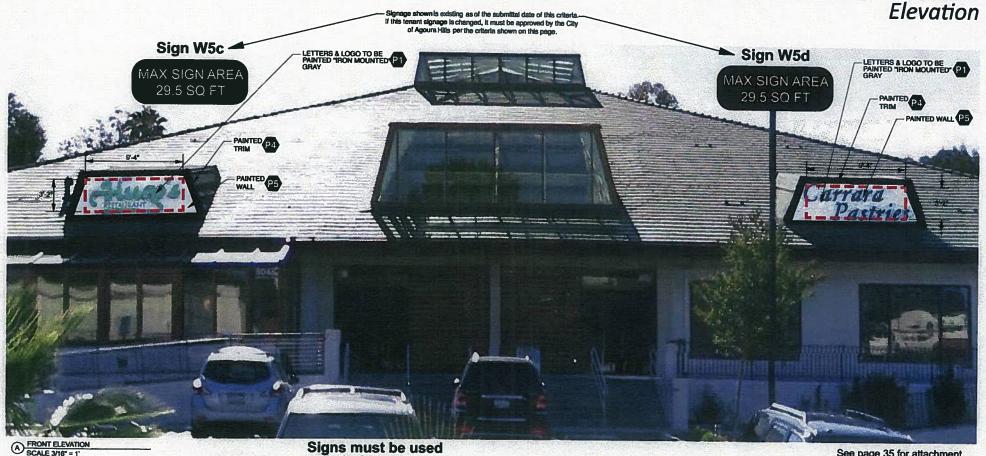
SIGN PLACEMENT: CENTER SIGN VERTICALLY. AND HORZONTIALLY IN SIGN BAND.

14'-6"

Signage shown is existing as of the submittal date of this criteria. If this tenant signage is changed, it must be approved by the City of Agoura Hills per the criteria shown on this page.



Wall Signs - W5c & W5d



Signs must be used strictly for these tenant spaces

Sign W5c

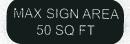
Sign W5d

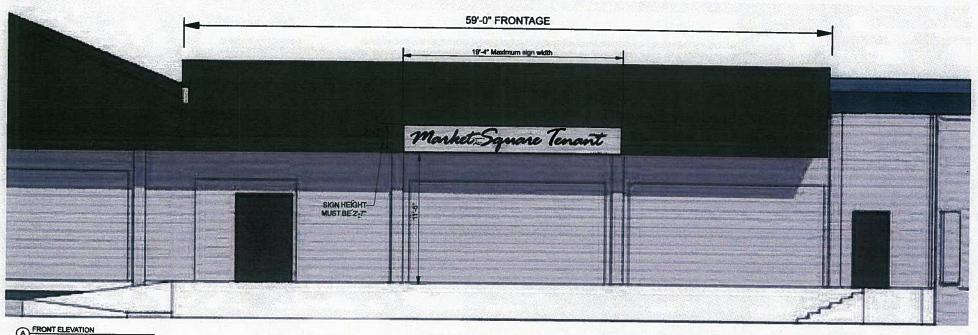
SIGN PLACEMENT: CENTER SIGNS VERTICALLY. AND HORZONTIALLY IN SIGN BANDS. See page 35 for attachment and illumination requirements



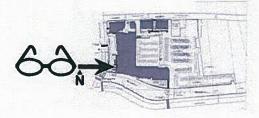
Wall Sign - W7 **Front Elevation**

See page 17 for attachment and illumination requirements









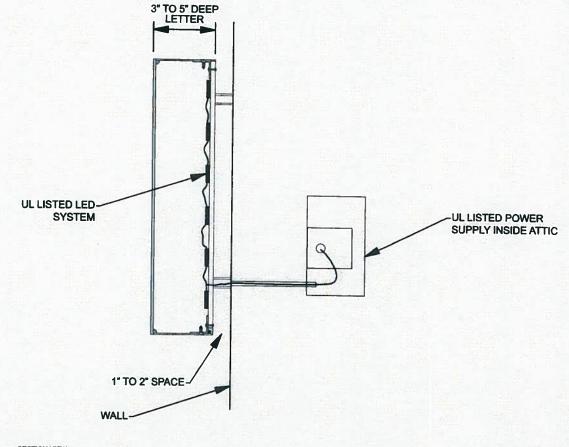


Wall Signs - W5, W6 & W7

Typical Letter Type & Attachment Details

LETTER TYPE TO BE REVERSE CHANNEL LETTERS WITH INTERNAL HALO ILLUMINATION.

LETTERS & LOGO TO BE PAINTED "IRON MOUNTED" GRAY







Directional Signs - D1, D2 & D7 Materials

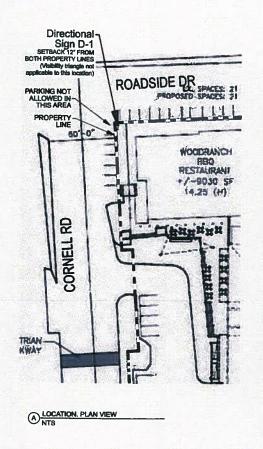


FACE GRAPHICS FOR PANEL MAY BE SUBSTITUTED WITH PRINTING ON THE CONDITION THAT COLORS MATCH COORESPONDING PAINT, LONG TERM QUALITY PRINTING PROCESS IS USED AND ENTIRE FACE IS COATED WITH LONG TERM UV COATING.

Sign D1: Single-sided Sign D2: Double-sided Sign D7: Double-sided



Directional Sign - D1 Location & Photo-composite





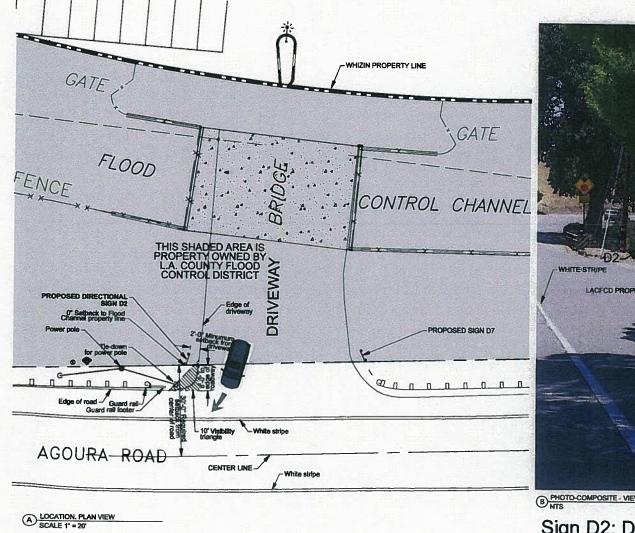
® PHOTOCOMPOSITE
NTS

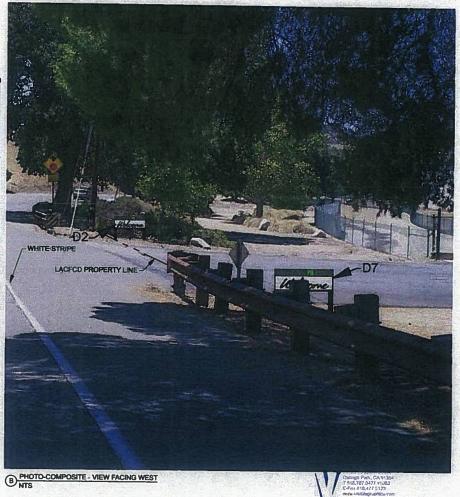
Sign D1: Single-sided





Directional Sign - D2
Location & Photo-composite



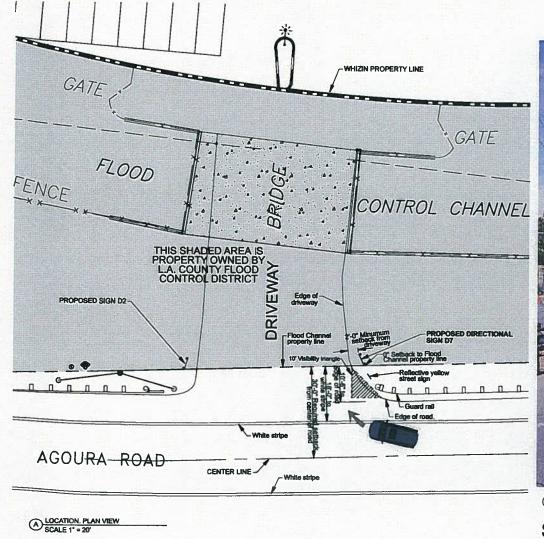


Sign D2: Double-sided

Page

SPON FABRICATION HAS RECATION HAS RECATION HAS RECATION FABRICATION HAS RECATION HAS RECATIVE HAS RECAT

Directional Sign - D7 Location & Photo-composite



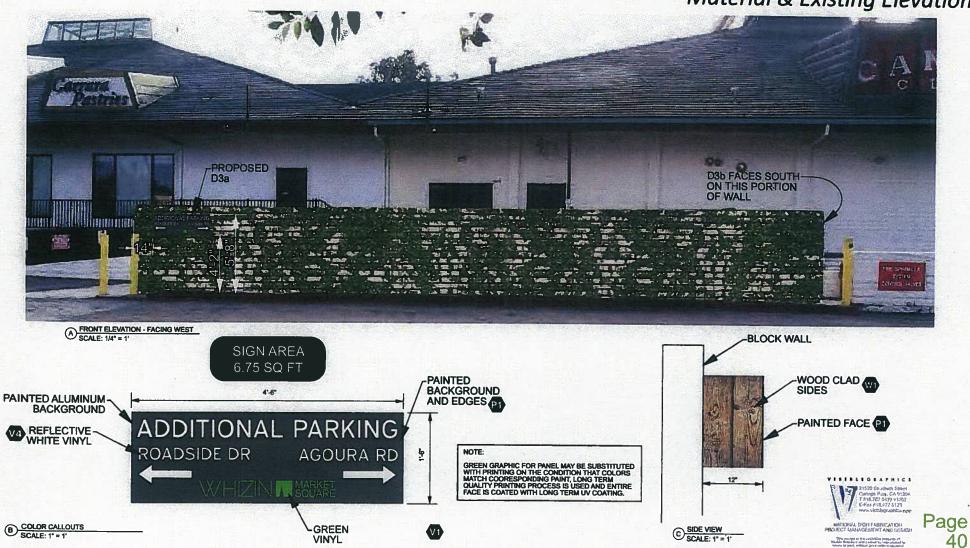


B) PHOTO-COMPOSITE - VIEW FACING WES

Sign D7: Double-sided



Directional Sign - D3a
Material & Existing Elevation



Directional Sign - D3b Sign Layout. Existing & Rendering



A FACING SOUTH

SIGN AREA 6.75 SQ FT

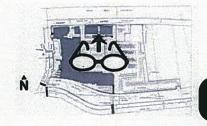




Pedestrian Directional Sign - D4
Elevation



Pedestrian Directional Sign - D5 Elevation



SIGN AREA 14 SQ FT

DOUBLE SIDED INTERNALLY ILLUMINATED CABINET



A PEDESTRIAN DIRECTORY
SCALE 3/4" = 1'



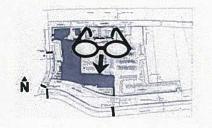
B PHOTO COMPOSITE

21570 disativen Steel
Catego Pan. CA 91204
T 918-77 0479 vitik2
E-918-71 9179
WWW.VEIDOGRAPHICA-COM
NATIONAL STOLL FABRICATION
HORICT MANIMODIAEMT AND DEGION

VISIBLE ORAPHICS

SIGN AREA 17.81 SQ FT

Pedestrian Directional Sign - D6 Elevation

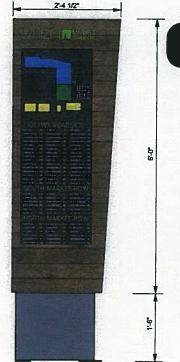




DOUBLE SIDED INTERNALLY ILLUMINATED CABINET

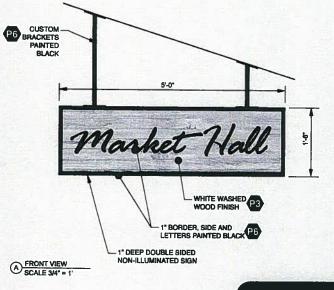
BACKGROUND IS NOT BACK LIT. INTERNAL EDGE LIGHTING AROUND PERIMETER OF BACKGROUND.

> LED CANNOT BE SEEN DIRECTLY

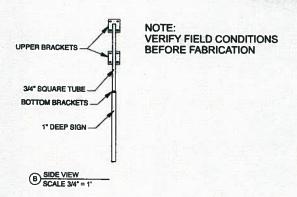


A PEDESTRIAN DIRECTORY SCALE 3/4" = 1'

Under Canopy Sign - C1
Details & Photo-composite



SIGN AREA 7.5 SQ FT





© PHOTOCOMPOSITE

24570 Obsolvers Street
Goestigo Paro, CA 41304
Y 148772 0477 V 1092
E-Fee 118.477 5120
E-Fee 118.477 5120
MATIONAL DIGH FABRICATION
PROJECT USANGEMENT AND DEGIGN

The gradual and comme in the comment in