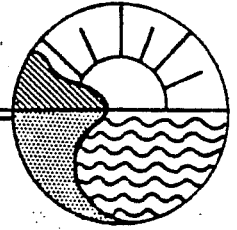


AGENDA



Planning Commission – City of Pacifica

DATE: May 2, 2011
LOCATION: Council Chambers, 2212 Beach Boulevard
TIME: 7:00 PM
ROLL CALL:
SALUTE TO FLAG:
ADMINISTRATIVE BUSINESS:

Approval of Order of Agenda

Approval of Minutes: March 21, 2011

Designation of Liaison to City Council Meeting of: May 9, 2011

CONSENT ITEMS:

PUBLIC HEARINGS:

1. S-109-11 **SIGN PERMIT and SIGN EXCEPTION**, filed by the owner, Hong Chen, Pacifica Beach View Company, to approve a Master Sign Program and to allow wall signage to exceed the maximum signage allowed at 5400-5500 Coast Highway in the Pedro Point Shopping Center, Pacifica (APN 023-072-060). Recommended CEQA status: Exempt Proposed Action: Approve S-109-11 and deny SE-28-11.

OTHER AGENDA ITEMS:

COMMUNICATIONS:

Commission Communications:

Staff Communications:

Oral Communications:

This portion of the agenda is available to the public to address the Planning Commission on any issue within the subject matter jurisdiction of the Commission that is not on the agenda. The time allowed for any speaker will be three minutes.

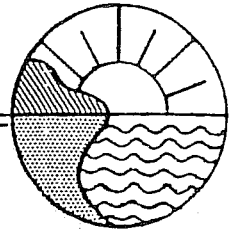
ADJOURNMENT

Anyone aggrieved by the action of the Planning Commission has 10 calendar days to appeal the decision in writing to the City Council. If any of the above actions are challenged in court, issues which may be raised are limited to those raised at the public hearing or in written correspondence delivered to the City at, or prior to, the public hearing. Judicial review of any City administrative decision may be had only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

The City of Pacifica will provide special assistance for disabled citizens upon at least 24-hour advance notice to the City Manager's office (738-7301). If you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

NOTE: Off-street parking is allowed by permit for attendance at official public meetings. Vehicles parked without permits are subject to citation. You should obtain a permit from the rack in the lobby and place it on the dashboard of your vehicle in such a manner as is visible to law enforcement personnel.

STAFF REPORT



PLANNING COMMISSION - CITY OF PACIFICA

DATE: May 2, 2011

ITEM: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in the Pacifica Tribune on January 21, 2009. 21 surrounding property owners and commercial tenants were notified by mail.

FILE: S-109-11
SE-28-11

APPLICANTS/OWNERS: Hong Chen
Pacifica Beach View Company
102 Scarborough Way
Los Gatos, CA 95032

LOCATION: 5400-5500 Coast Highway (APN: 023-072-060)

PROJECT DESCRIPTION: Approval of a new Master Sign Program and a Sign Exception for the northern commercial units at Pedro Point Shopping Center.

General Plan: Commercial

Zoning: C-2/CZ/Appeals Area (Neighborhood Commercial/Coastal Zone)

RECOMMENDED CEQA STATUS: Exempt Section 15301(g)

ADDITIONAL REQUIRED APPROVALS: None.

RECOMMENDED ACTION: Approval of MSP-109-11 and Denial of SE-28-11

PREPARED BY: Kathryn Farbstein, Assistant Planner

PROJECT SUMMARY

A. STAFF NOTES:

1. Background: The Pedro Point Shopping Center is made up of four separate parcels. One large parcel accommodates the commercial units and parking lot north of the new Fresh and Easy grocery store location. The unit that contain Fresh and Easy, and the two vacant commercial units to the south of it are located on a separate parcel of land and are under separate ownership. A portion of the parking lot, mechanical equipment and a wireless communication facility are also located on this parcel. Two additional parcels of land on the south side comprise the remainder of the parking lot. The northern parcel that currently includes eight separate commercial tenants is the subject property for this proposal.

The southern parcel of the Pedro Point Shopping Center received approval of Master Sign Program, S-105-09 on February 2, 2009. Attached is a copy of the approved Master Sign Program for the adjacent southern half of the Pedro Point Shopping Center (see Attachment c).

2. Project Description: The applicant is proposing a new Master Sign Program to coordinate with the improvements to the commercial center and allow tenants flexibility in sign design. New signs would be subject to landlord approval in addition to City approval. The proposal would allow signage that exceeds the City's size requirements and it would impose additional restrictions on sign dimensions and design.

Specifically, the program would allow one wall sign per frontage for each tenant and each sign would be consist of individual, illuminated cut-out letter displays (see attached elevation and proposed colored individual wall sign plans). No flashing, moving, glaring or lighting resulting in coloration to surrounding areas would be permitted. The maximum copy area proposed would be 2 square feet for every 1 linear foot of business frontage and could not exceed 10% of the building face area; however, the maximum allowed signage in the Municipal Code is 0.75 square feet for every linear foot of frontage. Thus, the applicant is proposing more than double the square footage of signage allowed on all other signs in the City, including the shopping centers. In addition, the applicant is proposing to limit the sign width to 75% of the business frontage width although the adjacent portion of the center is limited to 70% of the business frontage as approved in their Master Sign Program. The program would also mandate permanent window signs for all tenants. The window signs would identify the hours of operation, an emergency number and other information approved by the landlord. An open/closed sign would also be allowed. The total window sign area would not exceed 25% of the surface area of the window, the lettering would be in a standardized font of the landlord's choice, and would be white lettering. The window signs would not be illuminated. The proposed program does not provide for other types of window graphics, but does allow for temporary promotional and banner signs as allowed by the City, but only with written permission from the landlord.

3. General Plan, Zoning, and Surrounding Land Use: The General Plan designation for the subject site is Commercial and the site is bounded by Highway 1 on the east, San Pedro Avenue to the south, a vacant lot to the west and the northern portion of the shopping center to the north.

All of the surrounding parcels have a General Plan designation of Commercial and a zoning classification of C-2/CZ (Community Commercial/Coastal Zone).

4. Municipal Code and Regulatory Standards: Pacifica Municipal Code section 9-4.2907(a) requires multi-unit developments to have a Planning Commission approved master sign program. The Code also sets forth location and dimensional standards for window and wall signs. It also states that “each sign in the master sign program shall be compatible in character and in quality of design with other signs in the program.” In this case, the proposed Master Sign Program should be compatible with the previously approved Master Sign Program, S-105-09 on the southern portion of the Pedro Point Shopping Center. If the Sign Exception, SE-28-11 is denied, this proposal would comply with all Code standards.

5. Design Guidelines: The Design Guidelines state that signs should be considered early in the development stage and in this case, when improving the facades of buildings. They should also relate to their surroundings in terms of scale and design and should be unobtrusive and convey their message clearly. It is further stated that when illumination is used, signs should be designed to illuminate the letters rather than the background and that lighting should not be unnecessarily bright, glaring or intrusive to neighbors, motorists or pedestrians. In addition, the appearance of support devices should be minimized.

6. CEQA: Staff recommends that the Planning Commission find this project is exempt from CEQA pursuant to Section 15301(g), Existing Facilities, of the California Environmental Quality Act, which exempts:

“Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use...

(g) New copy on existing on and off-premise signs...”

The proposed Master Sign Program involves negligible or no expansion of an existing use, and is similar to replacing sign copy, since signs were previously present at the subject location before the façade improvements were completed.

7. Master Sign Programs: Below are excerpts from Section 9-4.2307 Master sign programs of the Zoning Code that are relevant to this proposal:

- a. A multi-unit development, as defined in Section 9-4.2902 of this article, shall be required to have an approved master sign program. In the case of a commercial multi-unit development which has lawfully existing signs on June 10, 1987, a master sign program shall not be required unless and until one or more of the signs in the development falls under the criteria

set forth in subsection (b) of Section 9-4.2911 of this article. In such a case, the owner or other persons in charge of the subject development shall present a master sign program for approval. Each sign in the development which thereafter falls under the criteria set forth in subsection (b) of Section 9-4.2911 of this article shall be brought into compliance with the approved master sign program.

- c. In addition to the design criteria contained in Section 9-4.2910 of this article, each sign in the master sign program shall be compatible in character and in quality of design with other signs in the program.
- f. In addition to a freestanding sign or signs, a commercial multi-unit development shall be allowed one sign for each business provided the sign area for each business shall not exceed seventy-five hundredths (.75 or $\frac{3}{4}$) square foot of signage per one foot of business frontage, and five-tenths (.5 or $\frac{1}{2}$) square foot of permanent window sign area per one foot of lineal business frontage.

8. Sign Exception: Section 9-4.2913 Exceptions of the Zoning Code states that the Planning Commission, after a public hearing, may grant an exception when making all of the following findings:

- (a) There are exceptional or extraordinary circumstances applicable to the property, building, or sign involved which do not apply generally to other property, buildings, or signs in the vicinity. Such circumstances may include the shape, size, location, or surroundings of the subject property or buildings or the type or design of sign involved;
- (b) That, owing to such exceptional or extraordinary circumstances, the literal enforcement of the specified provisions of this article would result in practical difficulty or unnecessary hardship not created by, or attributable to, the applicant or owner of the property;
- (c) The granting of such exception will not constitute a grant of special privilege inconsistent with the limitations imposed on other properties or buildings in the vicinity;
- (d) The granting of such exception will not be materially detrimental to the public welfare or materially injurious to property or improvements in the vicinity; and
- (e) The granting of such exception will not be inconsistent with the general purpose or intent of this article.

9. Analysis:

Master Sign Program - Once the applicant started to improve the northern portion of the Pedro Point Shopping Center, staff requested that the applicant submit a Master Sign Program that allowed signs consistent with the new façade treatment and with the approved Master Sign Program for the southern portion of the center. Unlike the southern portion of the center, no

Master Sign Program had been approved for subject site. The signs that would be allowed would have to meet all of the City's dimensional requirements, except the maximum allowed signage area, in addition to landlord imposed limitations on sign width and window graphics. The applicant has not specified particular colors for future signage in order to allow tenant flexibility and corporate identification as can be seen in the attached plans. Staff believes that such corporate identification is desirable for optimum visibility since no freestanding sign is proposed and the property is located off of Highway 1. The consistency in sign proportion and location as proposed will provide a coordinated appearance to any future signage for this portion of the shopping center. In addition, the window graphics on all units would be consistent and provide cohesiveness. With the allowance for corporate branding, the Design Guidelines relating to clarity would be met. Individual letters would be required and, if illuminated, the lighting would be internal and no cabinet signs would be allowed. Accordingly, the Design Guideline relating to avoiding unnecessary or intrusive lighting would be met. Lastly, the program would require that all support devices be hidden from view and/or painted to match the building, that all signs be maintained in good repair and that all sign removals be followed by repair work that would leave as little trace of previous signage as possible.

Sign Exception - Although staff believes that the proposal meets most of the objectives of the Design Guidelines as previously described, the amount of signage per frontage proposed exceeds the amount of signage allowed in the attached commercial space as well as any other commercial area in the City of Pacifica. In addition, the signage would be allowed to cover 75% of the width of the tenant space and the maximum allowed for the adjacent commercial center is 70%. In staff's opinion, the applicant is requesting excessive wall signage to make the signs more visible from the Coast Highway, especially because many of the tenant spaces are narrow in size at approximately 14 feet in width. Currently, there is no freestanding sign existing at the San Pedro Shopping Center. The amount of signage in relation to the building façade is apparent when viewing the attached elevation plan. It is difficult for staff to make the findings necessary to allow excessive signage for the subject site when the adjacent portion of the center has a recently approved Master Sign Program for the southern half of the shopping center with maximum signage of less than half of the signage under the proposed Master Sign Program for the northern half of the same shopping center.

Staff researched the type of Sign Exceptions proposed and granted in the past and very few exceptions have been granted. As far as staff can tell, none of the sign exceptions were granted for a Master Sign Program to allow more than 0.75 square foot of signage for each linear foot of business frontage. However, several exceptions were granted to allow additional signage for freestanding signs. It may be more appropriate in this case to allow an exception for freestanding signage that would improve visibility to the Pedro Point Shopping Center from the Coast Highway.

10. Summary: In light of the foregoing, staff recommends that the Planning Commission approve the Master Sign Program but deny the Sign Exception at 5400-5500 Coast Highway. Staff believes that there are sufficient findings to support approval of the Master Sign Program but not sufficient findings to support approval of the Sign Exception. Staff believes that the

proposed Master Sign Program, as conditioned, will meet all Code requirements and Design Guidelines, and contribute to the improved appearance of the shopping center.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

1. Staff recommends that the Planning Commission **APPROVE** Sign Permit, S-109-11, to allow a new Master Sign Program at the Pedro Point Shopping Center, subject to the following conditions:

Planning Department

1. Development shall be substantially in accord with the plans entitled "Pedro Point Shopping Center, Master Sign Program," consisting of eleven (11) sheets, dated November 14, 2008 except as modified by the following conditions.
2. The Master Sign Program shall be revised to allow a maximum signage of 0.75 square feet per linear foot of frontage for each tenant space as allowed in Section 9-4.2907 (f).
3. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
4. The applicant shall hereby agree to indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and /or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorneys fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and /or parties initiating or bringing such Proceeding. If the applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.
5. The applicant shall clearly indicate compliance with all conditions of approval on the plans and/or provide written explanations to the Planning Director's satisfaction prior to approval of a building permit.

2. Staff recommends that the Planning Commission **DENY** Sign Exception, SE-28-11, to allow sign area to exceed the maximum allowable square footage based on the findings below.

C. FINDINGS:

1. Findings for Approval of the Master Sign Program: The Planning Commission finds that the proposed Master Sign Program is consistent with the pertinent sections of the City's adopted Design Guidelines and, as conditioned, will meet all City requirements. Specifically, the Commission finds that the proposed program would be compatible with the Pedro Point Shopping Center and the signs would appear coordinated and provide adequate business identification without creating unnecessary glare. Staff further believes that the proposed Master Sign Program will encourage more colors and corporate identifiers to improve business recognition, while the consistency of scale and window graphics will provide a coordinated appearance.

2. Findings for Denial of the Sign Exception: The Planning Commission finds that there is not sufficient evidence to make all the required findings to grant the proposed Sign Exception in this case because the Master Sign Program for the southern portion of the center was recently approved with the maximum allowable signage of 0.75 square feet of signage per linear foot of frontage, which is the requirement throughout the City of Pacifica. Therefore, there are no exceptional or extraordinary circumstances that apply to the northern section of the shopping center that do not apply to the southern section of the center. In addition, if the Sign Exception was granted, it would constitute a grant of special privilege inconsistent with the Master Sign Program previously adopted for the adjacent portion of the center.

COMMISSION ACTION

D. MOTION FOR APPROVAL:

1. Move that the Planning Commission **APPROVE** the Sign Permit, S-105-09 subject to conditions 1 through 5, and adopt findings contained in the May 2, 2011 staff report, and incorporate all maps and testimony into the record by reference.

2. Move that the Planning Commission **DENY** the Sign Exception, SE-28-11 based on the findings contained in the May 2, 2011 staff report, and incorporate all the maps and testimony into the record by reference.

Attachments:

- a. Land Use and Zoning Exhibit
- b. Proposed Master Sign Program for 5400-5500 Coast Highway (Northern Half of Center)
- c. Approved Master Sign Program for Southern Half of Pedro Point Shopping Center
- d. Sign Plans (Planning Commission and City Council only)