

CITY OF LA CAÑADA FLINTRIDGE

PLANNING COMMISSION STAFF REPORT

February 14, 2017 Hearing

Applicant:
Bill Kerimo
La Canada Imports
1537 Foothill Blvd.
La Canada Flintridge, CA 91011

Case Type/No.:
Variance 16-06

Property Owner:
Lacy Park Real Estate Investment LLC
1421 Pasqualito Drive
San Marino, CA 91108

Case Planner:
Chris Gjolme ~ Planner

Project Location:
1537 Foothill Blvd. (La Canada Imports)

1. Request:

The applicant is requesting a Variance to allow a new monument/ground sign along Foothill Blvd. Said sign would replace the longstanding corner pole sign that was removed in 2016. A Variance is required since the new sign would constitute the 2nd ground/monument sign on a lot with less than 200 feet of street frontage. In addition, the new sign would be within 50 feet of an existing non-conforming pole sign currently serving 7-11 Liquor.

2. Location:

The site is a commercially-zoned lot at the northeast corner of Foothill Blvd. and Alta Canyada Blvd. in the Commercial Planned Development (CPD) zone. The site has served La Canada Imports for years and more recently 7-11 Liquor.

3. Staff Recommendation:

It is recommended that the project be APPROVED, subject to the conditions listed in **Exhibit "A", contained in the attached draft resolution.**

4. Project Area

Project Site: 12,260 sf
Building Area: 3,667 sf

** Site and building area unaffected by request.*

5. General Plan/Zoning/Existing Land Use

The General Plan Land Use Map designates the site as Commercial/Office (max. of 0.5 FAR). The site is zoned Community Planned Development (CPD) and is currently occupied by La Canada Imports and 7-11 Liquor.

6. Environmental Impact Review:

Based on a review of the Initial Study Questionnaire and related materials, staff has determined that no significant environmental impacts would result from the project, which is Categorically Exempt from the requirements of the California Environmental Quality Act under Section 2.5(i)(1)(signs) of the City of La Canada Flintridge Guidelines for the Implementation of CEQA.

7. Previous Action (Design Commission):

- Design Review 11-28 - allowed a temporary change of copy for the existing non-conforming 7-11 liquor pole sign. In conjunction, a condition of approval requiring a legal agreement between the City and property owner calling for removal of the pole sign and replacement with a new monument sign, or permanent and final approval of said copy change, was imposed. Approved November 17, 2011.
- Design Review 16-18 / Variance 16-06 (advisory) – preliminary review of the new monument sign for La Canada Imports. Recommendation of **Variance Finding "E"** as related to siting and design issues. Resolution 17-02 adopted on 2/2/2017.

8. Pending and Potential Actions:

Design Commission final approval of new monument sign. Issuance of building permits to install the sign.

9. Staff Analysis:

A. Background:

La Canada Imports is proposing a new monument sign to replace the long-standing pole sign at the corner that was removed last June, as required by the City Council since the sign

was on City property and regarded as a potential liability. A Variance will be required for the new monument sign since the frontage of the property is substandard. In addition, spacing between the proposed sign and the existing 7-11 Liquor pole sign would be **substandard. The Sign Ordinance allows "one ground sign per 100' of street frontage of parcel" and requires "50 feet min. distance from neighboring ground sign". Thus, in order** for the parcel to have 2 ground signs, the parcel must have 200 feet of frontage and the signs must be separated by a minimum of 50 feet. The subject parcel has 191 feet of total frontage and the proposed ground sign would be set back approximately 13 feet from the existing 7-11 Liquor pole sign.

At the November 17, 2011 Design Commission meeting, Design Review case 11-28 was approved and allowed a temporary change of copy for the existing non-conforming 7-11 Liquor pole sign. In conjunction, a condition of approval requiring a legal agreement between the City and property owner calling for removal of the pole sign and replacement with a new monument sign, or further and final review of said copy change, was imposed.

7-11 Liquor submitted a proposal for a new monument sign (Design Review 12-13), which was reviewed by the Commission on December 6, 2012. Several design issues were raised and the item was continued accordingly. 7-11 is finally prepared to submit a revised design for the monument sign, which staff anticipates early in 2017. The 7-11 sign would be comparable in size and siting to the La Canada Imports sign currently under review. Thus, upon hopeful completion of the overall project, the new 7-11 sign would flank the eastern driveway while the La Canada Imports sign would flank the western driveway, logical given the layout and function of the parking lot. A 27-28-foot wide planter would continue to intervene, but the existing hedge would likely be removed or lowered to facilitate visibility of the sign(s) from Foothill Blvd.

Staff would point out that the desired efficiency of a single compliant sign simply wasn't equitable since the 7-11 Liquor sign concepts allocated minimal field space for La Canada Imports. After considerable discussion and negotiating with 7-11, La Canada Imports has opted to pursue their own sign. In general, the City Council is aware of and sensitive to this matter, and has asked staff to assist La Canada Imports with replacing its monument sign.

B. Context:

La Canada Imports has been located at the corner of Foothill Blvd. and Alta Canyon Road for years and is currently identified by a sign mounted on a **beam above the store's entry.** A longstanding pole sign near the corner provided street identification for the business until its City-mandated removal in June of 2016. Further to the east, a 2nd non-conforming pole sign serving 7-11 Liquor remains.

The corner lot is bounded by Foothill Boulevard on the south and Alta Canyon Road to the west. An alley separates the site from residential properties to the north while Unocal 76

is across Foothill Blvd. to the south. Although a single property, two businesses occupy the site; La Canada Imports to the west and 7-11 Liquor to the east. A parking lot fronts the building and has dual driveway access from Foothill Blvd. and single driveway access from Alta Canyonada Road.

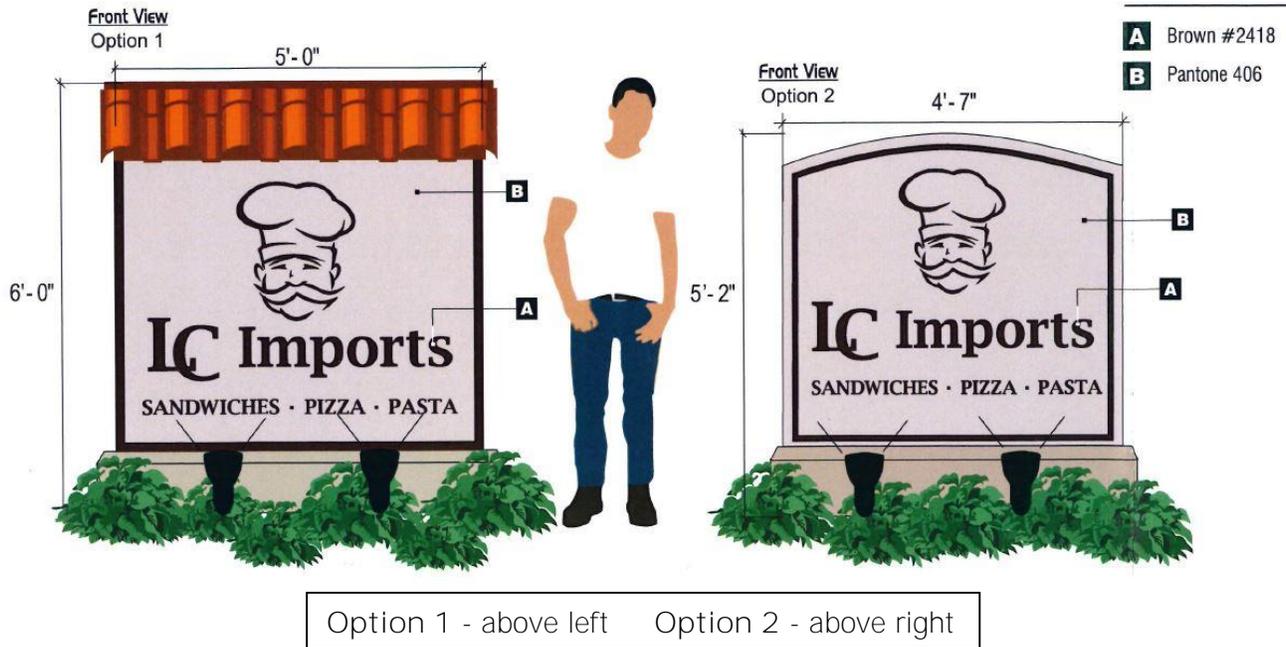


C. Project Description:

With removal of the corner pole sign, a new monument sign of compliant size and height is proposed. The sign would be along the east edge of the western driveway, which has long served and been associated with La Canada Imports. As with most monument signs, it would be oriented perpendicularly with the street in order to be seen from east and west-bound traffic.

Two design options were reviewed by the Design Commission; both would employ a painted aluminum cabinet atop a concrete base. Sign Option 1 would measure 6'x5' and include a top cap composed of tiles matching the subject building. Option 2's cabinet would be slightly smaller and lower, with a gentle curvature along the top as opposed to the level faux roof. "LC Imports" would be the main copy, with subordinate "sandwiches, pizza and pasta" copy below. Though arranged in two lines, the copy would match the

primary sign on the main beam of the building's portico. A fanciful logo of a mustached chef was also proposed as part of the design. (Staff would note that the owner has since considered changing the logo to a pizza, which the Design Commission would consider at a later date). Copy and logo material would be applied acrylic. Field and copy/logo color would be taupe (Pantone 406) and brown, respectively, for both options. A thin brown border is also proposed for both signs. Lastly, exterior up-lighting mounted on base stems is proposed as is landscaping along the sign base.



Both designs were regarded as efficient, balanced and creative by staff. The Design Commission ultimately endorsed Option #2, noting that the top curvature adds simplicity and grace while the tile cap of Option #1 seemed somewhat contrived.

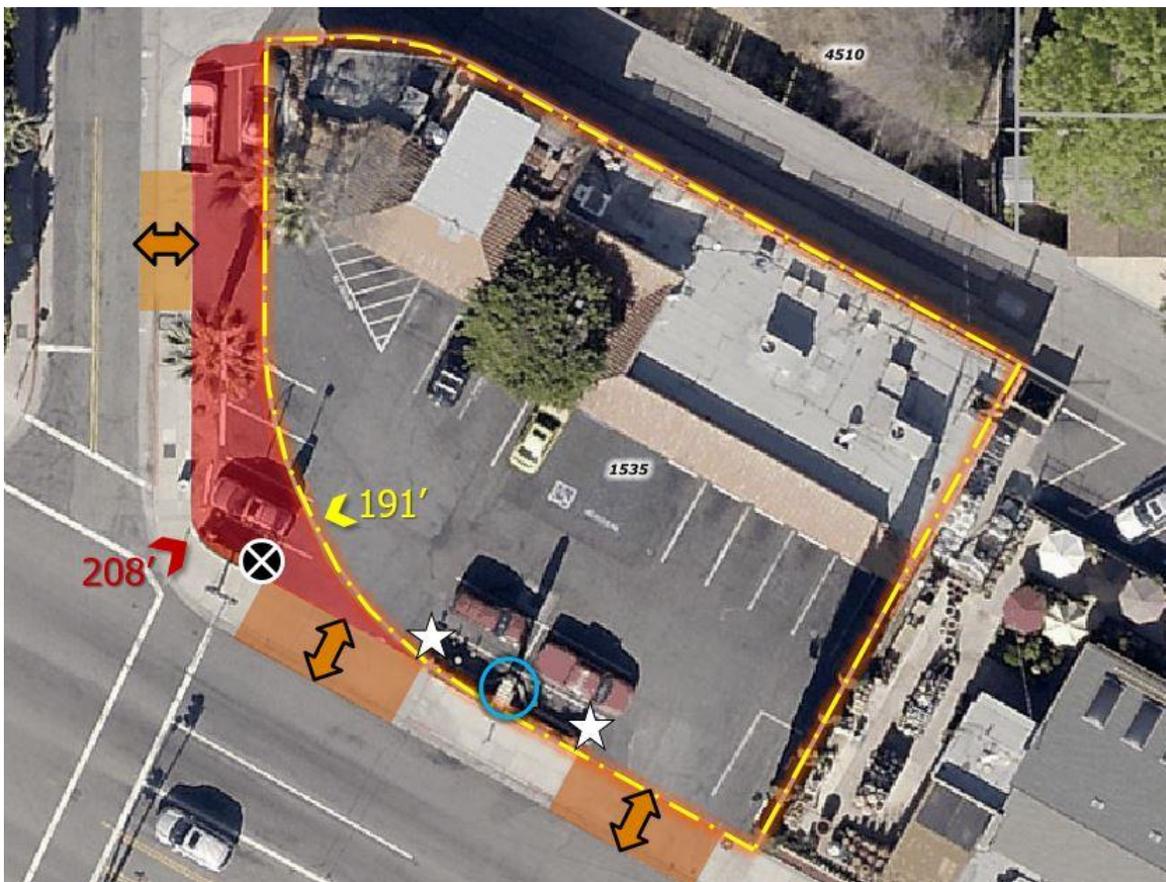
D. Variance:

Notwithstanding proximity of the non-conforming 7-11 pole sign, the request is a reasonable proposal when considering it offers needed and reasonable compensation for loss of the corner pole sign. Moreover, several unique spatial characteristics of the subject property further validate the request in staff's estimation.

The lot is compromised by the width of the street right-of-way (ROW) to the west, the result of which is a significantly inset curved property line up to 25 feet from the curb. Though not at all apparent in the field, the property line actually runs through the parking lot and several stalls before curving to the east and eventually aligning with the sidewalk along Foothill Blvd. The extent of City-owned ROW to the west and parking lot 'spillover' precludes the siting of any new ground sign in this area, with exception of the far northwest corner of the lot, where visibility of a ground sign from Foothill Blvd. would be very difficult.

The disparity between the location of the property line and edge of the sidewalk is also **critical in evaluating the 'actual' and 'perceived' frontage of the lot.** As already noted, 200 feet of frontage is required for a single property to have two monument signs. While the **lot's frontage along** the property line measures 191 feet, just below the requirement, its frontage as measured to the edge of the sidewalk (a more typical demarcation between public and private property) is 208 feet, above the requirement. Although not a qualified measurement, staff would argue that the perceived size of the property supports two signs while the actual frontage deficiency is extremely minimal and a product of an unusually deep and severely configured ROW.

With the west end and corner of the site largely unavailable for siting a new sign, the south side of the lot along Foothill Blvd. becomes the most viable option. However, this frontage spans only 50 feet and is developed with the eastern driveway entrance. As a result, the most optimal space available for a new sign is between the driveways, where the 7-11 pole sign is currently situated. This area spans approximately 28-30 feet. Thus, a new sign cannot possibly achieve 50 feet of spacing from the 7-11 sign considering the dual driveway and ROW constraints. The following diagram details these characteristics, with the ROW highlighted in red and driveways highlighted in orange. It also shows the location of the previous pole sign (black & white X), current 7-11 pole sign (blue circle) and optimal location of the new La Canada Imports and 7-11 monument signs flanking their respective driveways (white stars), with the planter area continuing to intervene.



The Design Commission agreed with staff's assessment that although one property, the site has long been distinguished by two separate and distinct businesses served by separate driveways along Foothill Blvd., with the east driveway visually and functionally relating to 7-11 Liquor and the west relating to La Canada Imports. The use of two compliant monument signs flanking these driveways to provide appropriate tenant distinction and identification from Foothill Blvd. was also favorably regarded, especially when considering the desired removal of the 2nd non-conforming pole sign. In essence, optimal project realization would result in removal of two non-conforming over-height pole signs and replacement with compliant monument signs (in terms of size and height) of markedly improved design. The attached advisory resolution, adopted on February 2, 2017, summarizes their findings and consensus on the matter.

Findings

The Planning Commission may approve an application for a Variance where the information submitted by the applicant, analyzed by staff and/or presented at public hearing substantiates the following findings:

- A. Because of special circumstances or exceptional characteristics applicable to the property, the strict application of this code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The subject property is of unique configuration, constrained by public ROW to the west and reduced frontage to the south that serves two driveways. As such, opportunities for siting of a new monument sign are greatly reduced. The site is currently occupied by two businesses with established patterns of ingress/egress, which further justifies use of two separate monument signs in order to provide adequate tenant identification as seen from **the City's primary commercial thoroughfare, Foothill Blvd. Across the street to the south,** a property of similar size and configuration is distinguished by an excess number of ground signs, with which the request would be consistent. Moreover, the desired removal of 2 nonconforming pole signs and replacement with monument signs of improved scale and design is regarded as a special circumstance and worthy project benefit. Staff supports the finding.

- B. The adjustment authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

The requested Variance will not allow any modification of use beyond those permitted in the zone, and the consideration of signage outside of code limitations is justified by the uniqueness of the property and pre-existing circumstances. This relief is available on a case-by-case basis to all properties through the same variance process as needed, with said process previously utilized to grant deviation from code upon demonstration of exceptional

circumstances and special need. Staff supports this finding.

- C. Strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards.

The size and configuration of the subject property along with the non-conforming pole sign currently precludes introduction of any new monument sign. As such, replacement of the **business's long**-standing pole sign is not possible at this time without some form of code relief. Due to these considerations, strict conformance to code would unduly limit tenant identification and prevent attainment of aesthetic improvement within the project and immediate commercial district. Staff supports the finding.

- D. Such adjustment will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity.

The new monument sign would be proximate to and visible from the street, but would be of improved scale and design, presenting no visual conflicts with other properties or businesses in the immediate area. With a sidewalk depth and corresponding setback from Foothill Blvd. of approximately 12-13 feet, no significant line-of-sight issues were identified **with the sign's placement**. Staff recommends this finding.

- E. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic values in the neighborhood.

The sign would be properly scaled **and reasonably sited when considering the site's** constraints. It would also be of quaint and nuanced design, consistent with the character of the Old Town District. This in turn is complementary to the appearance of the subject property and larger commercial district, which would benefit from the desired removal of two non-conforming pole signs. Staff recommends the finding.

E. Summary/Recommendation:

Based on the above analysis and findings, staff recommends that the Variance **BE APPROVED**, subject to **conditions listed in Exhibit "A", attached to the draft resolution.**

C: *Bill Kerimo / La Canada Imports / 1537 Foothill Blvd. / La Canada Flintridge, CA 91011*
arbi@theempire.com

Att: *Design Commission Resolution 17-02*

CITY OF LA CAÑADA FLINTRIDGE

RESOLUTION NO. 17-xx

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING VARIANCE 16-06
FOR A NEW MONUMENT SIGN
CONSTITUING THE 2ND GROUND SIGN
ON A LOT WITH LESS THAN 200 FEET OF FRONTAGE
AND WITHIN 50 FEET OF AN EXISTING POLE SIGN
AT 1537 FOOTHILL BLVD.
AS REQUESTED BY
LA CANADA IMPORTS**

WHEREAS, a request by La Canada Imports has been received for a new monument sign at 1537 Foothill Blvd., said request attached hereto and incorporated herein by reference; and

WHEREAS, the Design Commission, on January 19, 2017, held a public meeting and conducted a preliminary review of the request as advisory to Planning Commission entitlement review for a Variance; and

WHEREAS, the Design Commission, on February 2, 2017, adopted Resolution 17-02, recommending approval of Variance finding "E" as related to design and siting issues associated with the request; and

WHEREAS, the Planning Commission, on February 14, 2017, following public notice in the prescribed manner, held a public hearing and conducted a review of the request; and

WHEREAS, in compliance with the California Environmental Quality Act, the Planning Commission reviewed the Initial Study Questionnaire and related materials and hereby determines that the project will have no significant impact on the environment, and is Categorically Exempt from the requirements of the California Environmental Quality Act under Section 2.5(i)(1)(signs) of the City of La Canada Flintridge Guidelines for the Implementation of CEQA; and

WHEREAS, the Planning Commission has reviewed the facts contained in the staff report dated February 14, 2017, regarding the application for Variance approval at 1537 Foothill Blvd. and heard and considered the testimony of the applicant and the public; and

WHEREAS, based on the evidence presented by the application materials, staff report, and public testimony, the Planning Commission makes the following findings:

- A. Because of special circumstances or exceptional characteristics applicable to the property, the strict application of this code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification because the subject property is of unique configuration, constrained by public ROW to the west and reduced frontage to the south that serves two driveways. As such, opportunities for the siting of a new monument sign are greatly reduced. The site is currently occupied by two businesses with established patterns of ingress/egress, which further justifies use of two separate monument signs in order to provide adequate tenant identification as seen from the City's primary commercial thoroughfare, Foothill Blvd. Across the street to the south, a property of similar size and configuration is distinguished by an excess number of ground signs, with which the request would be consistent. Moreover, the desired removal of 2 nonconforming pole signs and replacement with monument signs of improved scale and design is regarded as a special circumstance and worthy project benefit.
- B. The adjustment authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated because the requested Variance will not allow any modification of use beyond those permitted in the zone, and the consideration of signage outside of code limitations is justified by the uniqueness of the property and pre-existing circumstances. This relief is available on a case-by-case basis to all properties through the same variance process as needed, with said process previously utilized to grant deviation from code upon demonstration of exceptional circumstances and special need.
- C. Strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards because the size and configuration of the subject property along with the non-conforming pole sign currently precludes introduction of any new monument sign. As such, replacement of the business's long-standing pole sign at the corner is not possible at this time without some form of code relief. Due to these considerations, strict conformance to code would unduly limit tenant identification and prevent attainment of aesthetic improvement within the project and immediate commercial district.
- D. Such adjustment will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity because the new monument sign would be proximate to and visible from the street, but would be of improved scale and design, presenting no visual conflicts with other properties or businesses in the immediate area. With a sidewalk depth and corresponding setback from Foothill Blvd. of approximately 12-13 feet, no significant line-of-sight issues were identified with the sign's placement.

- E. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic values in the neighborhood because the sign would be properly scaled and reasonably sited when considering the site's constraints. It would also be of quaint and nuanced design, consistent with the character of the Old Town District. This in turn is complementary to the appearance of the subject property and larger commercial district, which would benefit from the desired removal of two non-conforming pole signs.

NOW, THEREFORE, be it resolved that the Planning Commission approves Variance 16-06 for a new monument sign at 1537 Foothill Blvd., subject to the conditions listed in Exhibit "A", attached to this resolution.

PASSED, APPROVED AND ADOPTED this 14th day of February, 2017.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
VARIANCE 16-06
1537 Foothill Blvd.
La Canada Imports

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Variance 16-06.
3. Prior to obtaining a building permit or when applicable initiation of use, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
4. All structures, site work and other features including but not limited to, buildings, roadways, parking areas, landscaping and other facilities shall be located and maintained as shown on the project plans labeled Variance 16-06, except as otherwise stated in these conditions, or modified through further review by the Design Commission.
5. This approval will expire unless "start of construction" is commenced within 12 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:
 - a. All zoning and related approvals are effective; and
 - b. All required building and grading permits for the project have been issued; and
 - c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the Division of Building and Safety; i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable

legal standards for determining when vested property rights to complete the project have arisen.

6. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.
7. This approval is subject to the applicant paying all fees, deposits and assessments to the City of La Cañada Flintridge, as established by policy, ordinance or resolution of the City Council prior to occupancy or initiation of use. This includes payment for contracted staff services as invoiced to the City.
8. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
9. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents, or employees to attack, set aside, void, or annul approval of this Variance. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
10. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Division of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.
11. All construction/contractor parking shall be on-site only. If it is deemed by the Community Development Director or the Planning Commission that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development or Planning Commission. Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets. Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of

construction materials shall occur on Sundays or City recognized holidays.

12. Prior to submittal for plan check and permits, final review and approval of the sign by the Design Commission shall be required.
13. The sign shall be sited entirely on private property, as verified by field markings subject to inspection prior to issuance of permits.
14. The adjacent parking space shall be preserved. Minor adjustments to the size and location of the sign shall be allowed to ensure this.

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