




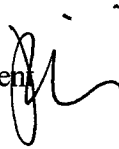
Agenda Item #: 06/1205.10

## Staff Report

### City of Manhattan Beach

**TO:** Honorable Mayor Tell and Members of the City Council

**THROUGH:** Geoff Dolan, City Manager 

**FROM:** Richard Thompson, Director of Community Development  
Esteban M. Danna, Assistant Planner  

**DATE:** December 5, 2006

**SUBJECT:** Consideration of a Sign Exception for the Addition of a Pole Sign at 909 North Aviation Boulevard

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#### **RECOMMENDATION:**

Staff recommends that the City Council **RECEIVE** and **FILE** the Planning Commission's approval of the Sign Exception for the addition of a pole sign at 909 North Aviation Boulevard.

#### **FISCAL IMPLICATION:**

There are no fiscal implications associated with the recommended action.

#### **BACKGROUND:**

In July 2006 staff received a Sign Exception application seeking approval to remove all but one of the existing signs at 909 North Aviation Boulevard and replace them with a single two-sided pole sign. The existing sign to remain is a roof sign and thus legal, non-conforming. The proposed pole sign area exceeds the allowable sign area for the property. At its regular meeting on November 15, 2006 the Planning Commission adopted Resolution No. PC 06-17 (5-0 vote), approving the Sign Exception for a smaller pole sign based on conditions set forth by staff.

#### **DISCUSSION:**

The Commission reviewed the submitted plans and heard the staff presentation (a sign exception does not require a public hearing). The applicant was informed of the Planning Commission meeting and received the staff report. However, the applicant was not present at the meeting and did not provide reasons for pursuing a sign exception. There was no public input on the item at the meeting. The Planning Commission approved the Resolution with the following conditions:

- Removal of all signage on the property with the exception of the roof sign.
- Modification of the proposed pole to be a maximum of 16 feet in height and limited to 4 tenants per face.
- All signs on the property cannot exceed the maximum allowed sign area for the property.

The applicant was informed of the Planning Commission decision and was considering whether or not to appeal the decision at the time this report was written.

**ALTERNATIVES:**

Other than the recommended action, the City Council may:

1. **REMOVE** this item from the Consent Calendar portion of the agenda, **APPEAL** the Planning Commission's approval, and direct that a public hearing be scheduled.

- Attachments:
- A. Resolution No. PC 06-17
  - B. Planning Commission minutes excerpt 11/15/06
  - C. Planning Commission Staff Report & Attachments 11/15/06
  - D. Plans (Attachment not available in electronic form)

cc: Allan Matthew, Neon Sign Company, Inc. and Robert Nagata, Apollo Holdings LLC.

Resolution No. PC 06-17

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A SIGN EXCEPTION APPEAL TO ADD A POLE SIGN AT THE PROPERTY LOCATED AT 909 NORTH AVIATION BOULEVARD.**

**THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission, on November 15, 2006 held a public meeting, received testimony, and considered a sign exception application to allow the addition of a pole sign for the property legally described as Lot 24, Block 5, Redondo Villa Tract No. 3, on the property located at 909 North Aviation Boulevard.
- B. The applicant for the sign exception application is Alan Matthew of Chief Neon Sign Company, Inc. The property owner is Apollo Holdings, Inc. (Robert Nagata).
- C. The applicant requests approval to add a pole sign that exceeds maximum allowed sign area per MBMC 10.72.010.
- D. City records show that four sign permits have been issued to the subject property in the past. Two of these permits issued were for the construction of pole signs, 76 square feet in 1991 and 6.32 square feet in 1996. City records show the pole sign permit was finalized and approved in December of 1991, however, no such evidence exists for the 1996 permit application. Currently, no pole signs exist on the property. City records also show that only two of the existing signs have permits. These are a 12 square foot wall sign (Manhattan Beach Tailors) and a 22 square foot legal non-conforming roof sign for Vogue Skin & Nails. The other existing signs on the sight do not have permits.
- E. The property is located within Area District I and is zoned CG, General Commercial. The properties to the north are similarly zoned; the properties to the west are zoned General Commercial and Residential Single Family; the properties to the south are zoned Residential Single Family; the properties to the east are in the City of Redondo Beach and are zoned R-2 (Low Density Multi-Family).
- F. The General Plan designation for the property is General Commercial.
- G. Based on the property frontage of 150 linear feet on Aviation Boulevard, the site is permitted a total of 300 square feet of Wall/Awning/Monument sign area or 150 square feet of pole sign area.
- H. In accordance with Section 10.72.080, Sign Exceptions, the Planning Commission makes the following findings:
  - 1) The proposed sign exception would not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located, since the conditions proposed will mitigate any potential impact.
  - 2) The proposed sign exception is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of their property, since Aviation Boulevard is a high volume arterial with high speed traffic.
  - 3) The proposed sign exception is consistent with the legislative intent of the sign ordinance, since the conditions will ensure that the site signage is not excessive or unattractive.



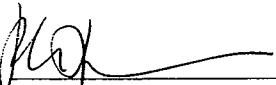
**SECTION 2:** Pursuant to Manhattan Beach Municipal Code Section 10.72.050, the Planning Commission hereby **APPROVES** the Sign Exception subject to the following conditions set forth by Planning staff:

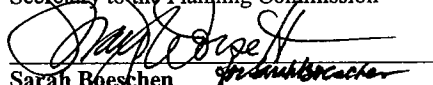
1. The project shall be in substantial conformance with the plans reviewed by the Planning Commission on 11/15/2006, with the revisions as detailed in the conditions of this the Resolution. Any substantial deviation must be reviewed and approved by the Planning Commission.
2. The square footage of the pole sign shall be reduced so the total sign area for the entire site shall conform to the maximum allowed as detailed in MBMC 10.72.050, which is 300 square feet of Wall/Awning/Monument or 150 square feet of pole sign or a combination thereof.
3. The pole sign shall be limited to four tenants per face, plus the site address.
4. The pole sign shall not exceed 16 feet in height.
5. The existing Vogue Skin and Nails roof sign may remain. Any future proposed modification to the sign shall be subject to review and approval by the Director of Community Development to determine if the sign shall be removed or otherwise brought into conformance with the current sign code requirements.
6. Prior to the installation of the new pole sign the applicant shall submit a complete sign program that shows all signage to be approved on the site. The final design shall be subject to review and approval by Director of Community Development.

**SECTION 3:** Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by an person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code or Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **November 15, 2006** and that said Resolution was adopted by the following vote:

**AYES:** Bohner, Cohen, Lesser, Powell,  
Schlager  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

  
\_\_\_\_\_  
**Richard Thompson**  
Secretary to the Planning Commission

  
\_\_\_\_\_  
**Sarah Boeschen**  
Recording Secretary

**PLANNING COMMISSION [DRAFT] MINUTES**

November 15, 2006

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1  
2 A motion was MADE and SECONDED (Lesser/Bohner) to **APPROVE** the minutes of October  
3 25, 2006, as amended.

4  
5 AYES: Bohner, Cohen, Lesser, Powell, Chairman Schlager  
6 NOES: None  
7 ABSENT: None  
8 ABSTAIN: None

9  
10 Director Thompson suggested discussing the proposed Code Amendment regarding  
11 mansionization after the Variance request at 1908 Magnolia Avenue.

12  
13 **AUDIENCE PARTICIPATION** None

14  
15 **BUSINESS ITEMS**

16  
17 **A. Consideration of a SIGN EXCEPTION for the Addition of a Pole Sign at 909 Aviation**  
18 **Boulevard**

19 Assistant Planner Danna summarized the staff report. He indicated that the subject parcel is zoned  
20 General Commercial. He said that the proposal includes removal of all but one of the existing signs  
21 on the site and the addition of a pole sign. He commented that the proposed pole sign would  
22 include identification for seven tenants, leasing information, and a space for the address of the  
23 center. He said that the existing roof sign measures 22 square feet. He stated that the proposed  
24 pole sign would be 194 square feet, which is required by the Sign Code to be doubled in the  
25 calculation of total sign area. He indicated that the total amount of sign area proposed is 410 square  
26 feet, which is in excess of 110 square feet over the maximum permitted. He indicated that the  
27 existing roof sign on the site is to remain, and the existing wall sign is proposed to be removed. He  
28 commented that there are 15 nonconforming signs on the site that staff is recommending be  
29 removed. He stated that staff believes effective signage could be achieved without exceeding the  
30 maximum permitted. He said that staff also feels the proposal is inconsistent with the purpose and  
31 intent of the Sign Code, and removal of all existing non-permitted signs will be required. He said  
32 that staff is recommending that the Commission approve the subject sign exception based on the  
33 conditions in the draft Resolution.

34 In response to a question from Commissioner Lesser, Assistant Planner Danna indicated that staff  
35 was not able to reach the applicant by phone regarding whether they would be opposed to a height  
36 for the pole sign of 16 as recommended by staff rather than 22 feet as originally proposed.

37 Commissioner Powell asked whether the proposed pole sign would create a clearance problem for



## PLANNING COMMISSION [DRAFT] MINUTES

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- 1 vehicles, as it would be located at the entrance to a subterranean parking garage.
- 2 Assistant Planner Danna indicated that the applicant has the freedom to choose the shape and  
3 dimensions they would like for the pole sign, and staff is waiting for the applicant to submit  
4 proposed plans.
- 5 Commissioner Cohen asked whether it may be possible for all of the tenants of the center to be able  
6 to be represented on the pole sign while still meeting Code requirements.
- 7 Director Thompson indicated that there are some businesses in the subject center with frontage that  
8 would not need additional exposure on the pole sign, and staff is recommending a compromise of  
9 limiting the signage for four tenants per side.
- 10 Assistant Planner Danna pointed out that the wording would need to be very small in order to  
11 include identification for all seven tenants on each side of the sign, which would make it very  
12 difficult to read for drivers passing by the site on Aviation Boulevard.
- 13 In response to a question from Commissioner Bohner, Director Thompson said that staff feels the  
14 signage as recommended by staff is adequate to provide identification for all of the tenants. He said  
15 that staff has a concern with the number of tenants on the sign and the size of the lettering. He  
16 commented that there are also provisions in the Code to allow for temporary promotional signs and  
17 banners as appropriate.
- 18 In response to a question from Commissioner Lesser, Director Thompson said that rather than  
19 denying the applicant's original request, staff is suggesting approving the conditions in the draft  
20 Resolution as a compromise.
- 21 Chairman Schlager commented that the pole sign as proposed by staff would be a great  
22 improvement over the signage currently allocated across the building. He commented that the signs  
23 on many buildings along the Aviation Boulevard corridor appear to be nonconforming, and he  
24 suggested that the Code Enforcement Officer also investigate the compliance with the Sign  
25 Ordinance guidelines of other businesses along Aviation Boulevard. He said that he would support  
26 the proposed draft Resolution.
- 27 Chairman Schlager opened the public hearing.
- 28 There being no one wishing to speak, Chairman Schlager closed the public hearing.
- 29 Director Thompson said that the applicant was provided with proper notice of the hearing and was  
30 provided with a copy of the staff report. He indicated that staff's understanding was that someone  
31 representing the applicant would be present at the hearing, and there was no further communication  
32 as to any reason they were unable to attend. He said that if the Resolution is approved by the

**PLANNING COMMISSION [DRAFT] MINUTES**

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1 Commission, the applicant would have the ability to appeal the decision to the Council.

2 A motion was MADE and SECONDED (Schlager/Bohner) to **APPROVE** the draft Resolution  
3 for a Sign Exception for the addition of a pole sign at 909 Aviation Boulevard

4 AYES: Bohner, Cohen, Lesser, Powell, Chairman Schlager

5 NOES: None

6 ABSENT: None

7 ABSTAIN: None

8  
9 Director Thompson explained the 15-day appeal period and stated that the item will be placed on  
10 the City Council's Consent Calendar for their review on December 5, 2006.

11

12 7. PUBLIC HEARINGS, CONTINUED

13 **06/1025.3-1 Consideration of a USE PERMIT for Construction of a Two-Story Youth**  
14 **Center/Assembly Hall, Establish a Site-Wide Parking Requirement and**  
15 **VARIANCE for a New Elevator Shaft/Bell Tower Which Would Exceed the**  
16 **30-Foot Height Limit at 303 Peck Avenue**

17 Commissioner Lesser indicated that his child attended the Montessori school over the summer;  
18 however, he does not have a financial interest in the project and feels he can be fair and unbiased in  
19 considering the issue.


20 Commissioner Bohner indicated that he attends the Manhattan Beach Community Church;  
21 however, he also has no financial interest in the project and feels he can consider the issue fairly.


22 Associate Planner Moreno summarized the staff report. He stated that representatives of the church  
23 and school have met since the meeting of October 25, 2006. He commented that Condition 4 of the  
24 proposed Resolution requires a traffic management plan, which is a standard condition for large  
25 scale commercial projects in order to address the traffic path and storage of construction vehicles  
26 and material. He indicated that staff wants to ensure that construction vehicles do not access the  
27 site from Peck Avenue because of the topography, the narrowness of the driveway, and the  
28 proximity to the students of the Montessori school. He stated that staff is concerned with safety of  
29 any project and will work closely with the applicant to address concerns. He said that the  
30 construction vehicles would access the site off of Rowell Avenue. He commented that staff has  
31 received several e-mails expressing concerns regarding safety. He stated that the Commissioners  
32 have been provided with conditions regarding idling of construction vehicles, and hours of  
33 construction.

34 In response to a question from Commissioner Lesser, Associate Planner Moreno commented that

**CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

**TO:** Planning Commission

**THROUGH:** Richard Thompson, Director of Community Development 

**FROM:** Esteban M. Danna, Assistant Planner 

**DATE:** November 15, 2006

**SUBJECT:** Consideration of a Sign Exception for the Addition of a Pole Sign at 909 North Aviation Boulevard

**RECOMMENDATION**

Staff recommends that the Planning Commission **APPROVE** the request for the addition of a pole sign based on the conditions set forth by staff and **ADOPT** the attached Draft Resolution.

**APPLICANT**

Mr. Alan Matthew  
Chief Neon Sign Company, Inc.  
707 East Rosecrans Avenue  
Los Angeles, CA 90059

**PROPERTY OWNER**

Mr. Robert Y. Nagata  
Apollo Holdings, Inc.  
909 North Aviation Boulevard No. 9  
Manhattan Beach, CA 90266

**BACKGROUND**

In July 2006 staff received a Sign Exception application seeking approval to remove all but one of the existing signs on the subject property and replace them with a single two-sided pole sign. The subject multi-tenant commercial site currently contains the following uses:

First Floor

- Vogue Skin & Nails

Second Floor

- Manhattan Beach Tailors
- Southwest Hauling and Disposal
- Nikita's Accounting
- Oceanside Camera Repair
- Contractor-Connection.com
- Cherry Hummel Insurance

Pursuant to MBMC 10.72.050, the maximum amount of sign area allowed in Area District I for wall, awning, and/or monument (W/A/M) signs is two (2) square feet of sign area per one (1) linear foot of property frontage. The maximum amount of sign area allowed for a pole sign is one (1) square foot of sign area per one (1) linear foot of property frontage. For the subject property, with a frontage of 150 feet, the maximum W/A/M sign area allowed is 300 square feet. For a

**EXHIBIT**  
C



pole sign, the maximum area allowed is 150 square feet, 75 square feet per sign face for a two-sided sign.

**PROJECT OVERVIEW**

**Location**

Address 909 North Aviation Boulevard between 9<sup>th</sup> Street and 10<sup>th</sup> Street (Exhibit A).  
Legal Description Lot 24, Block 5, Redondo Villa Tract No. 3  
Area District I

**Land Use**

General Plan General Commercial  
Zoning CG (General Commercial)  
Land Use Existing Commercial Proposed No change

<u>Neighboring Zoning/Land Uses</u>	<u>Zoning</u>	<u>Current Use</u>
North adjacent parcel:	CG (General Commercial,)	Retail
South across 9 <sup>th</sup> St:	RS (Residential Single Family)	Single Family Residence
East across Aviation Bl:	R-2 (City of Redondo Beach)	Low Density Multi-Family
West adjacent parcel:	CG (General Commercial)	Single Family Residence

**Project Details**

Parcel Size: 7500 sq. ft. (150'x 50')

Property Frontage: 150 ft.

**Sign Area:**

<u>Existing with permit</u>	<u>Existing without permit</u>	<u>Allowed</u>
<i>Wall Sign</i> (3'X4' Manhattan Beach Tailors 12 sq. ft.)	<i>Wall Sign</i> (3'X4' Manhattan Beach Tailors 12 sq. ft.)	300 sq. ft.
<i>Roof Sign</i> (1'-8" X 13' Vogue Skin & Nails 22 sq. ft., legal non-conforming)	<i>Wall Sign</i> (2'X6' Manhattan Beach Tailors 12 sq. ft.)	
	<i>Wall Sign</i> (unknown dimensions, Manhattan Beach Tailors, inside carport)	
	<i>Wall Sign</i> (unknown dimensions, Rollieflex (Oceanside Camera Repair), above window on second floor)	
	<i>Wall Sign</i> (2'-6"X4' Southwest Hauling and Disposal 10 sq. ft.)	

Existing without permit (continued)

*Wall Sign (1'-6"X3'-4" Nikita's Accounting  
5 sq. ft.)*

*Wall Sign (4'X5' Vogue Salon 20 sq. ft.)*

*Wall Sign (unknown dimensions, Vogue  
Salon, inside carport)*

*Window Signs (unknown dimensions, Vogue  
Salon, 6 neon light signs, on front window  
advertising services)*

*Window Sign (unknown dimensions, Vogue  
Salon, on front window)*

Total known sign area: 92 square feet

**DISCUSSION**

The proposed sign program uses a combination of the two types of signs, both roof and pole. The one sign to remain (Vogue Skin & Nails) is an illuminated roof sign measuring 12'-8" X 13'-0" with an area of 22 square feet. A permit was issued for this sign, however, it is currently legal non-conforming, as Section 10.72.070 G prohibits roof signs. The proposed pole sign is 12 feet 2 inches high, 8 feet wide, and has an area of 97 square feet per side with a total sign area of 194 square feet. The pole sign has a total height of 22'-8" above existing grade.

The existing/remaining sign (Vogue Skin & Nails), even though a roof sign, is measured as a W/A/M type with an area of 22 square feet. This brings the total remaining square footage of allowed sign area to 278 square feet. Since the proposed additional sign area is a pole sign, the remaining allowable sign area is reduced to 139 square feet, or 69.5 square feet per sign face. The proposed two-sided pole sign area is 97 square feet per face. Therefore, the addition of the pole sign causes the subject property to exceed the allowed sign area by 55 square feet.

Total Allowed W/A/M Signage	300 sq. ft.
Total W/A/M Signage to remain	22 sq. ft.
Total W/A/M Signage area available	278 sq. ft.
Total Area Available for Pole Sign (per face)	69.5 sq. ft.
Total Pole Sign Area Proposed (per face)	97sq. ft.
Total Signage Area Over Allowance (both faces)	55 sq. ft.

The staff advised the applicant to submit a revised plan showing complying sign area in order to grant the property a sign permit. The applicant determined that they would instead submit the Sign Exception application to request approval of the additional sign area. Section 10.72.080

allows the Planning Commission to approve additional signage through the sign exception process.

### **EXISTING SIGN PERMITS**

City records show that four sign permits have been issued to the subject property in the past. Two of these permits issued were for the construction of pole signs, 76 square feet in 1991 and 6.32 square feet in 1996. City records show the pole sign permit was finalized and approved in December of 1991, however, no such evidence exists for the 1996 permit application. Currently, no pole signs exist on the property. City records also show that only two of the existing signs have permits. These are a 12 square foot wall sign (Manhattan Beach Tailors) and a 21 square foot roof sign for Vogue Skin & Nails (Permit application states 21 square feet, however sign measures 21.71 square feet which is rounded to 22 square feet). The other existing signs on the sight do not have permits.

There are several signs on the property that are not addressed in the plans. Manhattan Beach Tailors and Vogue Skin and Nails have large visible signs inside the carport. Vogue Skin & Nails has several visible window signs for which removal is not proposed. These include 6 neon signs which read: "Nails"(2), "Spa Pedicure," "Waxing," "Facials," and "Open." There is an additional static sign that reads "Walk-ins Welcome." These signs will need to be removed or they will be counted towards total sign area.

### **SIGN EXCEPTION FINDINGS**

In accordance with Section 10.72.080, in order to approve a Sign Exception, the Planning Commission must make the following findings:

- A. The proposed sign exception would not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located.
- B. The proposed sign exception is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of their property.
- C. The proposed sign exception is consistent with the legislative intent of the sign ordinance.

In granting any such exception, the Planning Commission may impose reasonable conditions or restrictions as deemed appropriate or necessary to assure compliance with subsections A through C above, and to protect the public health, safety, and general welfare.

Staff does not support approval of the sign program as proposed. However, staff can support a lower, smaller pole sign with fewer tenants that conforms to the square footage allowed by the code. Additionally, staff supports the retention of the existing legal non-conforming roof sign for the following reasons:

- 1. The proposed sign program exceeds the maximum sign area allowed per MBMC Section 10.72.050. Other options exist where effective signage can be placed without exceeding the sign area allowance. Staff worked with the applicant and suggested other proposals for the property's sign program.

2. Staff considers the installation of a pole sign reasonable because of the subject site's characteristics and its location on Aviation Boulevard. These characteristics include a high-volume arterial with a high-speed traffic, street side parking, local topography changes, trash enclosure location, and adjacent businesses with existing pole signs. However, staff believes that effective signage can be achieved without exceeding the sign area allowed through MBMC 10.72.050.
3. The purpose and intent of the sign code is not followed by the proposed pole sign. MBMC 10.72.010 (Purpose and Intent) clearly states that "The location, height, size, and illumination of signs are regulated in order to maintain the attractiveness and orderliness of the City's appearance; to protect business sites from loss of prominence resulting from excessive signs, particularly pole signs, on nearby sites..." A pole sign with excessive sign area, an excessive number of tenants identified on the sign, and over 22 feet in height would be unattractive and may adversely affect neighboring businesses.
4. Staff recommends the removal of all existing non-permitted signs except those in conformance with Section 10.72.040 G (Exceptions), which states that "one non-illuminated permanent window, wall, door, or directory sign per business, not exceeding 3 square feet, with letter heights not exceeding 4 inches, limited to business identification, goods and service descriptions, hours of operation, address and telephone number" are permitted (existing plaques adjacent to tenants' front door).

#### **RECOMMENDATION**

It is recommended that the Planning Commission **APPROVE** the subject sign exception based on the conditions set forth by staff in the Draft Resolution including:

1. Removal of all signage on the property with the exception of the Vogue Salon roof sign.
2. Modification of the proposed pole sign as follows:
  - a. Maximum 16 foot height.
  - b. Maximum 4 tenants per sign face.
3. Total 300 square feet for all signs on the property (150 square feet for pole signs), not including signs under the Exceptions regulations.

The attached Draft Resolution details all of these conditions.

#### **ATTACHMENTS**

- Exhibit A: Draft Resolution No. PC 06-
- Exhibit B: Vicinity Map
- Exhibit C: Application
- Exhibit D: Plans (not available electronically)

c: Allan Matthew, Neon Sign Company, Inc. and Robert Nagata, Apollo Holdings LLC.

**'Draft' Resolution No. PC 06-**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
MANHATTAN BEACH APPROVING A SIGN EXCEPTION APPEAL  
TO ADD A POLE SIGN AT THE PROPERTY LOCATED AT 909  
NORTH AVIATION BOULEVARD.**

**THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES  
HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission, on November 15, 2006 held a public meeting, received testimony, and considered a sign exception application to allow the addition of a pole sign for the property legally described as Lot 24, Block 5, Redondo Villa Tract No. 3, on the property located at 909 North Aviation Boulevard.
- B. The applicant for the sign exception application is Alan Matthew of Chief Neon Sign Company, Inc. The property owner is Apollo Holdings, Inc. (Robert Nagata).
- C. The applicant requests approval to add a pole sign that exceeds maximum allowed sign area per MBMC 10.72.010.
- D. City records show that four sign permits have been issued to the subject property in the past. Two of these permits issued were for the construction of pole signs, 76 square feet in 1991 and 6.32 square feet in 1996. City records show the pole sign permit was finalized and approved in December of 1991, however, no such evidence exists for the 1996 permit application. Currently, no pole signs exist on the property. City records also show that only two of the existing signs have permits. These are a 12 square foot wall sign (Manhattan Beach Tailors) and a 22 square foot legal non-conforming roof sign for Vogue Skin & Nails. The other existing signs on the sight do not have permits.
- E. The property is located within Area District I and is zoned CG, General Commercial. The properties to the north are similarly zoned; the properties to the west are zoned General Commercial and Residential Single Family; the properties to the south are zoned Residential Single Family; the properties to the east are in the City of Redondo Beach and are zoned R-2 (Low Density Multi-Family).
- F. The General Plan designation for the property is General Commercial.
- G. Based on the property frontage of 150 linear feet on Aviation Boulevard, the site is permitted a total of 300 square feet of Wall/Awning/Monument sign area or 150 square feet of pole sign area.
- H. In accordance with Section 10.72.080, Sign Exceptions, the Planning Commission makes the following findings:
  - 1) The proposed sign exception would not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located, since the conditions proposed will mitigate any potential impact.
  - 2) The proposed sign exception is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of their property, since Aviation Boulevard is a high volume arterial with high speed traffic.
  - 3) The proposed sign exception is consistent with the legislative intent of the sign ordinance, since the conditions will ensure that the site signage is not excessive or unattractive.

**SECTION 2:** Pursuant to Manhattan Beach Municipal Code Section 10.72.050, the Planning Commission hereby **APPROVES** the Sign Exception subject to the following conditions set forth by Planning staff:

1. The project shall be in substantial conformance with the plans reviewed by the Planning Commission on 11/15/2006, with the revisions as detailed in the conditions of this the Resolution. Any substantial deviation must be reviewed and approved by the Planning Commission.
2. The square footage of the pole sign shall be reduced so the total sign area for the entire site shall conform to the maximum allowed as detailed in MBMC 10.72.050, which is 300 square feet of Wall/Awning/Monument or 150 square feet of pole sign or a combination thereof.
3. The pole sign shall be limited to four tenants per face, plus the site address.
4. The pole sign shall not exceed 16 feet in height.
5. The existing Vogue Skin and Nails roof sign may remain. Any future proposed modification to the sign shall be subject to review and approval by the Director of Community Development to determine if the sign shall be removed or otherwise brought into conformance with the current sign code requirements.
6. Prior to the installation of the new pole sign the applicant shall submit a complete sign program that shows all signage to be approved on the site. The final design shall be subject to review and approval by Director of Community Development.

**SECTION 3:** Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by an person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code or Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **November 15, 2006** and that said Resolution was adopted by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

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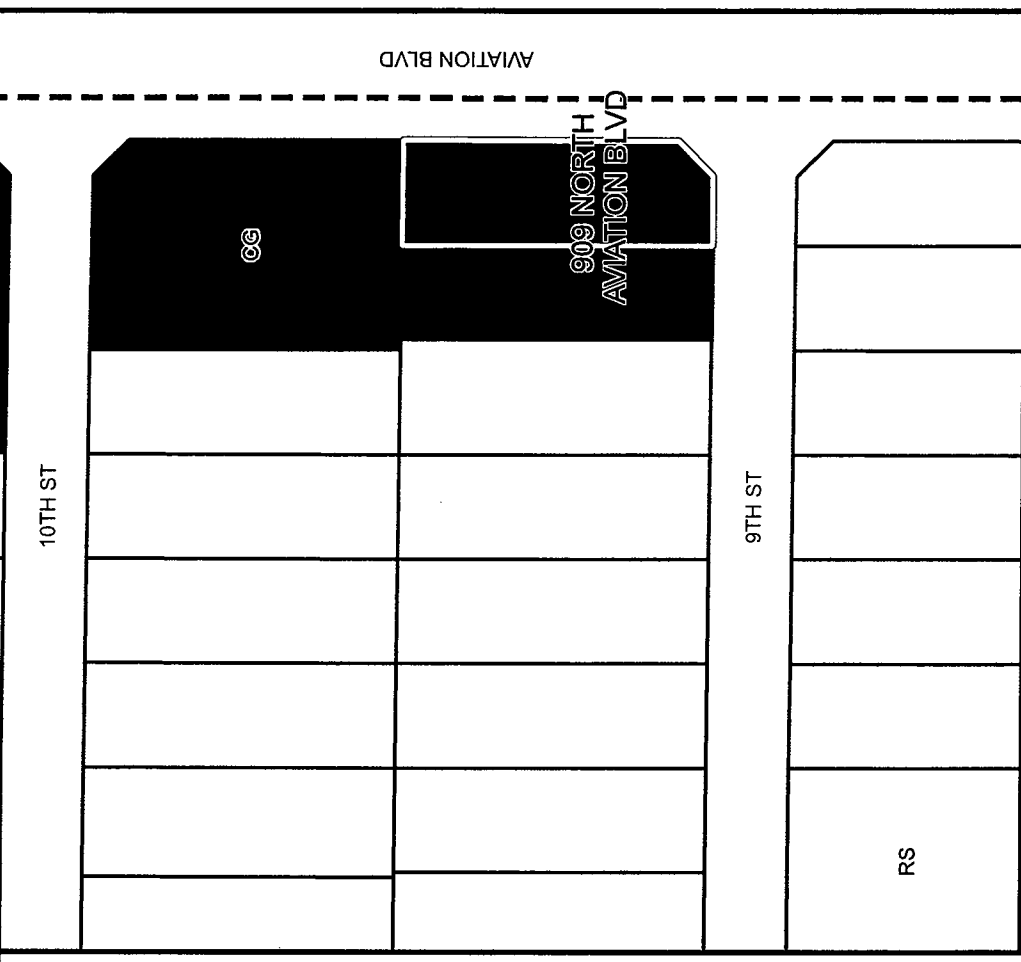
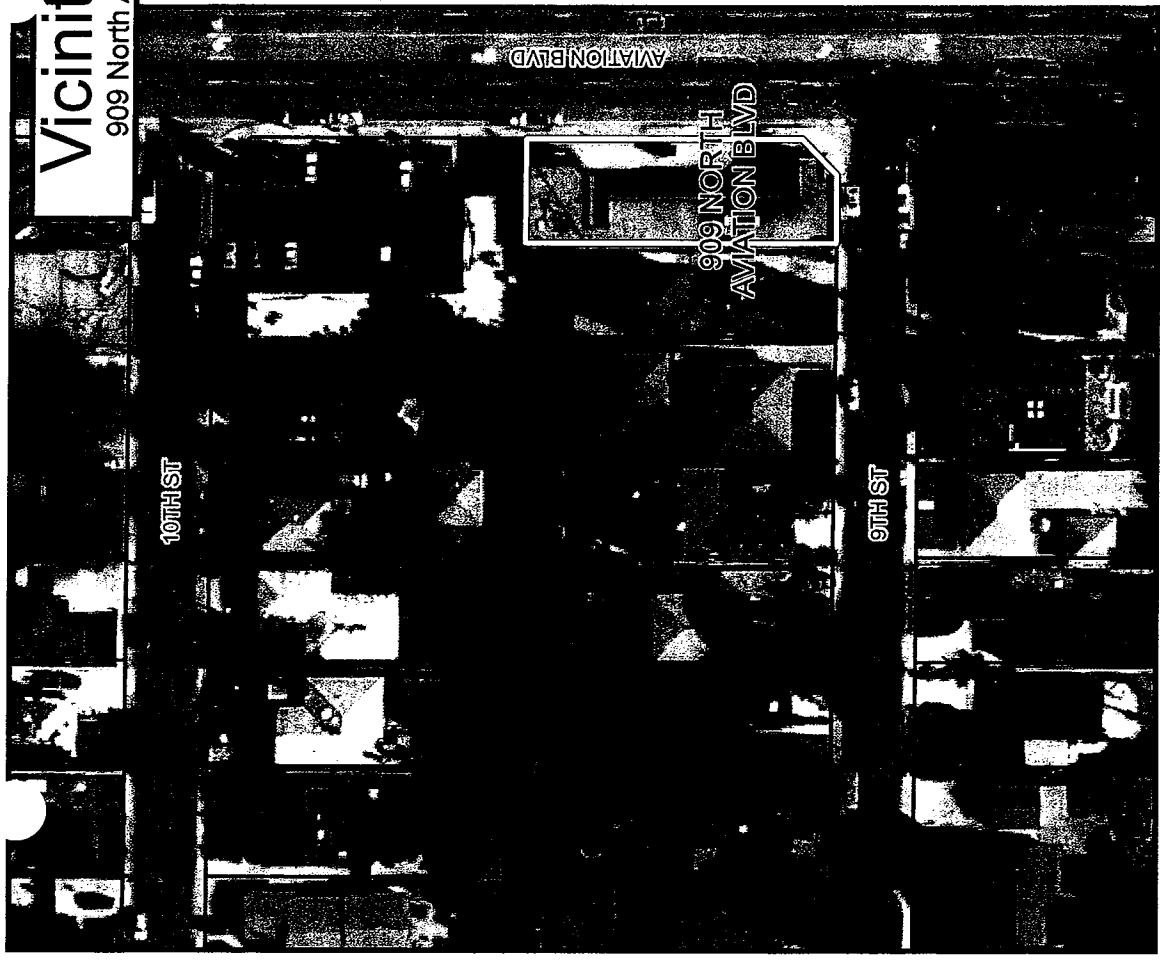
**Richard Thompson**  
Secretary to the Planning Commission

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**Sarah Boeschen**  
Recording Secretary

# Vicinity Map

909 North Aviation Blvd



### Legend

- City Boundary
  - 909 N. Aviation Blvd
  - Parcels
- Zoning**
- CG
  - RS



**City of Manhattan Beach**  
**Community Development**



# MASTER APPLICATION FORM

CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT

*Office Use Only*  
Date Submitted: 7/14/06  
Received By: [Signature]  
F&G Check Submitted:

909 N. Aviation Blvd.  
Project Address

Legal Description

General Plan Designation                      Zoning Designation                      Area District

For projects requiring a Coastal Development Permit, select one of the following determinations<sup>1</sup>:

- |   |  |
|---|--|
| <input type="checkbox"/> Project located in Appeal Jurisdiction           | <input type="checkbox"/> Project <u>not</u> located in Appeal Jurisdiction |
| <input type="checkbox"/> Major Development (Public Hearing required)      | <input type="checkbox"/> Public Hearing Required (due to UP, Var., etc.)   |
| <input type="checkbox"/> Minor Development (Public Hearing, if requested) | <input type="checkbox"/> No Public Hearing Required                        |

**Submitted Application (check all that apply)**

- |  |  |
|--|--|
| <input type="checkbox"/> Appeal to PC/PWC/BBA/CC _____       | <input type="checkbox"/> Subdivision (Lot Line Adjustment) _____ |
| <input type="checkbox"/> Coastal Development Permit _____    | <input type="checkbox"/> Use Permit (Residential) _____          |
| <input type="checkbox"/> Environmental Assessment _____      | <input type="checkbox"/> Use Permit (Commercial) _____           |
| <input type="checkbox"/> Minor Exception _____               | <input type="checkbox"/> Use Permit Amendment _____              |
| <input type="checkbox"/> Subdivision (Map Deposit)4300 _____ | <input type="checkbox"/> Variance _____                          |
| <input type="checkbox"/> Subdivision (Tentative Map) _____   | <input type="checkbox"/> Public Notification Fee _____           |
| <input type="checkbox"/> Subdivision (Final) _____           | <input type="checkbox"/> Park/Rec Quimby Fee 4425 _____          |
|  | <input checked="" type="checkbox"/> Other Sign Exception \$465   |

**Fee Summary:** Account No. 4225 (calculate fees on reverse)  
 Pre-Application Conference: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_ Fee: \_\_\_\_\_  
 Amount Due: \$ 465 (less Pre-Application Fee if submitted within past 3 months)  
 Receipt Number: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Cashier: \_\_\_\_\_

**Applicant(s)/Appellant(s) Information**

Alan Matthew @ Chief Near Sign Co., Inc.  
Name

707 E. Rosecrans Ave. Los Angeles, Ca. 90039  
Mailing Address

Contractor / Agent  
Applicant(s)/Appellant(s) Relationship to Property

Alan Matthew                      310-327-1317  
Contact Person (include relation to applicant/appellant)

S/A ABOVE  
Address and Phone Number

Alan Matthew                      310-217-7399 alan.m@chiefnear  
Applicant(s)/Appellant(s) Signature                      Fax Number and e-mail address sign.com

**Complete Project Description- including any demolition (attach additional pages if necessary)**

Installation of (1) - New pole sign.

CASHIER  
JUL 14 2006  
01-02126  
PA

<sup>1</sup> An Application for a Coastal Development Permit shall be made prior to, or concurrent with, an application for any other permit or approvals required for the project by the City of Manhattan Beach Municipal Code. (Continued on reverse)



# OWNER'S AFFIDAVIT

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

I/We ROBERT Y. NAGATA being duly sworn,  
depose and say that I am/we are the owner(s) of the property involved in this application and  
that the foregoing statements and answers herein contained and the information herewith  
submitted are in all respects true and correct to the best of my/our knowledge and belief(s).

APOLLO HOLDINGS, LLC

*Robert Y. Nagata*  
Signature of Property Owner(s) - (Not Owner in Escrow or Lessee)

ROBERT Y. NAGATA, President  
Print Name

909 N. Aviation Boulevard, #9, Manhattan Beach, CA 90266  
Mailing Address

(310) 374-9596  
Telephone

Subscribed and sworn to before me,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

in and for the County of \_\_\_\_\_

SEE ATTACHED

State of \_\_\_\_\_

Notary Public

\*\*\*\*\*

## Fee Schedule Summary

Below are the fees typically associated with the corresponding applications. Additional fees not shown on this sheet may apply - refer to current City Fee Resolution (contact the Planning Department for assistance.) Fees are subject to annual adjustment in January of each year.

### Submitted Application (circle applicable fees, apply total to Fee Summary on application)

#### Coastal Development Permit

Filing Fee (public hearing - no other discretionary approval required): \$ 1,824   
Filing Fee (public hearing - other discretionary approvals required): \$ 124   
Filing Fee (no public hearing required): \$ 124

#### Use Permit (Master)

Residential Filing Fee: \$ 2,420   
Commercial Filing Fee: \$ 3,005   
Amendment Filing Fee: \$ 1,209

#### Variance

Filing Fee: \$ 3,005

#### Minor Exception

Filing Fee: \$ 966

#### Subdivision

Tentative Parcel/Tract Map Filing Fee: \$ 585   
Final Parcel Map/Tract Map Filing Fee: \$ 585  
Mapping Deposit: \$ 473  
Quimby Parks and Recreation Fee (new lot/unit): \$ 1,817  
Certificate of Compliance Filing Fee: \$ 564.50

#### Environmental Review (contact Planning Division for applicable fee)

Environmental Assessment: \$ 124  
Environmental Assessment (if Initial Study is prepared): \$ 1,557  
Fish and Game County Clerk Fee<sup>2</sup>: \$ 25

Public Notification Fee applies to all projects with public hearings and covers the city's costs of envelopes, postage and handling the mailing of public notices. Add this to filing fees above, as applicable. \$ 65

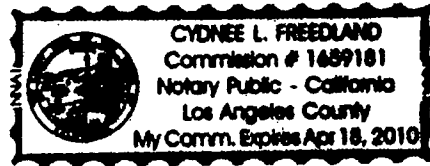
<sup>2</sup> Make \$25 check payable to LA County Clerk, (do not put date on check).

State of CALIFORNIA        )  
  ) ss  
County of LOS ANGELES    )

On June 29, 2006, before me, Cydnee L. Freedland, a Notary Public in and for said State, personally appeared ROBERT Y. NAGATA personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Notary Public



Commission Expiration Date 04/18/2010

[SEAL]