



Agenda Item #: _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Ward and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Richard Thompson, Director of Community Development
Eric Haaland, Associate Planner

DATE: July 18, 2006

SUBJECT: Consideration of a Resolution Approving a Sign Exception for Installation of Two Electronic Changeable Copy Signs Above the Entrance to the American Martyrs Parking Garage, Located at 624 15th Street.

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution 6046.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

DISCUSSION:

The Planning Commission, at its regular meeting of April 26, 2006, **DENIED** (3-1, 1 absent) a request for 2 new 25 square-foot electronic wall signs located on a parking structure wall facing 15th Street. After considering an appeal of that decision at its regular meeting of July 5, 2006, the City Council decided to **APPROVE** (3-2) the request; and directed staff to return with an appropriate resolution. Resolution No. 6046 (attached) includes findings and conditions discussed by the Council including a 7am to 9pm time restriction, and a restriction to displaying on-premises church information only.

ALTERNATIVES:

The alternatives to the staff recommendation include:

1. **REMOVE** this item from the Consent Calendar, and **MODIFY** Resolution No. 6046 as determined to be appropriate.

Attachments:

Resolution No. 6046

c: Absolute Sign, Inc., Applicant
American Martyrs Church, Property owner

RESOLUTION NO. 6046

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING A SIGN EXCEPTION FOR THE PROPERTY LOCATED AT 624 15th STREET (American Martyrs Church)

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

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

- A. The City Council of the City of Manhattan Beach considered the subject item on July 5, 2006, received testimony, and considered an appeal of the Planning Commission's decision regarding a sign exception for an existing church facility on the property located at 624 15th Street in the City of Manhattan Beach.
- B. The application was filed on February 23, 2006. The Planning Commission considered the item, and received public testimony on March 29, and April 26, 2006. The Planning Commission denied the application on April 26, 2006. The City Council considered the appealed application and received public testimony for the project on July 18, 2006.
- C. The applicant for the subject project is Absolute Sign, Inc., sign contractor for the owner of the property, American Martyrs Church.
- D. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, the subject project has been determined to be exempt (Class 1) as minor modifications to an existing facility per Section 15301 of CEQA.
- E. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- F. The property is located within Area District II and is zoned RS, Residential Single-Family. The surrounding private land uses beyond the church facility consist of single-family residences.
- G. The General Plan designation for the property is General Commercial.
- H. Approval of the sign exception, subject to the conditions below: will not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located since the signs are primarily visible from church property and shall be restricted from obtrusive lighting or motion, is necessary for reasonable use of the subject property since the signs can effectively provide information to church members and the community, and is consistent with the intent of the City's sign code in that the signs will not be obtrusive to the neighbors or public and do not result in large quantities of sign area for the site considering its large area and quantity of street frontage; as detailed in the project staff report.
- I. Approval of the changeable copy LED sign request is appropriate in this unique case due to the signs' isolation from neighboring properties and buffering by the surrounding church campus and does not imply that other installations would be appropriate.
- J. The project shall otherwise be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- K. This Resolution, upon its effectiveness, constitutes the Sign Exception approval for the subject project.

SECTION 2. The City Council of the City of Manhattan Beach hereby APPROVES the subject Sign Exception application subject to the following conditions (*indicates a site specific condition):

1. * The project shall be constructed and operated in substantial compliance with the submitted plans as approved by the Planning Commission on March 29, and April 26, 2006.
2. * Each sign shall not exceed 25 square feet in area or a projection of 12 inches from the attached wall surface. No portion of the signs shall rise above or hang below the wall surface at the proposed location above a parking structure entrance.
3. All wires and cables shall be installed within related structures or underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department. No rough components or finishes shall be visibly exposed.
4. The siting of construction related equipment (cranes, materials, etc.) shall be subject to the approval from the Director of Community Development prior to the issuance of any permits.
5. * Planting or other appropriate visual screening from neighboring properties or identified public street perspectives shall be maintained or installed on church-owned property as determined to be appropriate by the Community Development Director. Existing trees, buildings, structures, or adequate replacements shall continue to provide screening and new trees/structures shall be provided where screening needs are identified currently or in the future.
6. * The use of the LED signs shall be limited to information regarding American Martyrs church and Manhattan Beach community activities, events and programs. Commercial, personal, instructional, or entertainment oriented content shall be prohibited.
7. * The signs shall display only still-screen messages. Moving, flashing, scrolling, or color-changing copy or images shall be prohibited. Each still-screen message shall be displayed a minimum of 60 seconds.
8. * The sign displays shall not result in obtrusive or unsafe light intensity or glare impacting surrounding properties or public right-of-way as determined by the Community Development Director. As a minimum, use of background lighting effects shall be prohibited, and a maximum of 25% of the LED display shall be lighted at any time.
9. The sign shall be operated only between 7am and 9pm daily.
10. The signs or sign operation shall be modified to address neighbor complaints as determined to be appropriate by the Community Development Director.
11. This Sign Exception shall lapse two years after its date of approval, unless implemented or extended by the Planning Commission.
12. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
13. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

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 any 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 of Civil Procedure Section 1094.6.

SECTION 4. This resolution shall take effect immediately. The City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

SECTION 5. The City Clerk shall certify to the adoption of this resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED and ADOPTED this 18th day of July, 2006.

Ayes:
Noes:
Absent:
Abstain:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk