

VI. 3a.

City of Costa Mesa

Inter Office Memorandum

To: Planning Commission
From: Mel Lee, Senior Planner *MEL*
Date: October 8, 2009
Subject: **ADDITIONAL RESOLUTION FOR ZONING APPLICATION ZA-09-33
3333 HYLAND AVENUE**

Attached for your reference is an additional resolution approving the Planned Sign Program with the proposed LED sign, if the Planning Commission chooses to do so. Please note that the approval findings in Exhibit "A" are generic and need to be modified at the meeting based on public testimony and any other evidence presented during the meeting. Also included is an additional condition of approval (Condition 8) for Exhibit "B" stating that the illumination levels of the LED sign cannot exceed the maximum light levels indicated in the lighting consultant's report.

Attachment

cc: Acting Development Services Director
Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Peter Buffa
2824 Nevis Circle
Costa Mesa, CA 92626

Burnham-Ward Properties, LLC
1100 Newport Center Drive, Suite 150
Newport Beach, CA 92660

RESOLUTION NO. PC-09-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING ZONING
APPLICATION ZA-09-33**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Peter Buffa, authorized agent for
Burnham-Ward Properties, LLC, owner of real property located at 3333 Hyland Avenue,
in a Planned Development Industrial (PDI) zone;

WHEREAS, the request is for an amendment to an existing planned signing
program (ZA-05-69) to allow a 60-foot high freeway-oriented sign with an electronic
(LED) screen, as well as other additional signage, for South Coast Collection (formerly
South Coast Home Furnishings Centre);

WHEREAS, a duly noticed public hearing held by the Planning Commission on
October 12, 2009 with all persons having the opportunity to speak and be heard for and
against the proposal;

BE IT RESOLVED that, based on the evidence in the record and the findings
contained in Exhibit "A," and subject to the conditions of approval contained within
Exhibit "B," the Planning Commission hereby **APPROVES** Zoning Application ZA-09-33.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does
hereby find and determine that adoption of this Resolution is expressly predicated upon
the activity as described in the staff report for Zoning Application ZA-09-33 and upon
applicant's compliance with each and all of the conditions in Exhibit "B" as well as with
compliance of all applicable federal, state, and local laws. Any approval granted by this
resolution shall be subject to review, modification or revocation if there is a material
change that occurs in the operation, or if the applicant fails to comply with any of the
conditions of approval.

PASSED AND ADOPTED this 12th day of October, 2009.

James Righeimer, Chair,
Costa Mesa Planning Commission

EXHIBIT "A"**FINDINGS (APPROVAL)**

- A. The signs comply with Costa Mesa Municipal Code Section 13-29(e) because:
- The signs are compatible and harmonious with uses that exist in the general neighborhood.
 - The signs comply with the intent of the applicable performance standards as prescribed in the Zoning Code.
 - The signs are consistent with the General Plan.
 - The cumulative effects of all planning applications have been considered.
- B. The signs are consistent with the intent of the City's Sign Code and the General Plan.
- C. The signs are compatible with the buildings and developments they identify, taking into account materials, colors, and design motif.
- D. Approval does not constitute a grant of special privilege and/or allow substantially greater visibility than what the standard sign provisions would allow.
- E. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15311 for Accessory Structures.
- F. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL (IF PROJECT IS APPROVED)**

- Plng. 1. The graphic panels and building roof sign fins shall not project above the existing building rooflines.
2. The total site signage shall not exceed the 4,632 square feet of total sign area allowed under the City's Sign Code. The applicant shall provide revised drawings showing how this will be accomplished.
3. Window signs shall not exceed 20% of the contiguous window area per the City's Sign Code.
4. All newly installed signs shall be in conformance to the requirements and intent of this planned signing program, as well as other applicable Codes and regulations. Any sign not meeting the specific criteria outlined in the planned signing program shall not be permitted.
5. The City's Sign Ordinance shall apply to signs not specifically covered by this sign program.
6. Any modification, addition, or deletion to the approved planned signing program shall be reviewed by the Zoning Administrator to determine if an amendment to the planned signing program is necessary.
7. The planned signing program may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, or if, in the opinion of the Development Services Director or his/her designee, any of the findings upon which the approval was based are no longer applicable.
8. The brightness level of the LED sign shall not exceed the following maximum illumination levels stated in the lighting study prepared by the project consultant:
1. 139.5 nits as viewed from New Hampshire Drive and Iowa Street.
 2. 75 nits as viewed from Michigan Avenue and California Street.

-----Original Message-----

From: Nyle [mailto:surfcaryl@aol.com]
Sent: Thursday, October 08, 2009 9:36 AM
To: LEE, MEL
Subject: Re.Official Public Notice

To:
Planning Commission
Schafhauser
Ms Mel Lee, Senior Planner
Ave.
Costa Mesa, Ca.
Mesa, Ca. 92626

From:
Nyle
3240 Michigan
Costa

October 8, 2009

In regards to you Official Public Notice Application No: 2A-09-33.

I have live at the above address and have seen many changes in the city and this is not one I would be for to walk out my fount door and see a 60 foot tall ELECTRONIC BILLBOARD.

1. it is not in with in the city signing program and if you change this how many others will ask the same to be done in other areas of the city?
2. Take away the view of we have now and replace it with a Electronic Billboard ?
3. It bad enough now that we can se the sing and lights off the one that is there now.
4. And if you look at the light that this sign would put out being so HIGH and being visible from Michigan, Iowa, New Hampshire and a lot of the homes that back up to the freeway. It would take away form that nice privet area and light it up.
5. The sound wall will not hid or help this being the sing is so big at 60 feet high. The farther back you get on Michigan you see this NEW sign on first photo page.
6. Also placement of this sing would create a mass exit to next off ramp which is a mess now with the on ramp being at the end of the property. And traffic slow up even more to look at this 60 foot high sing.
7. They should have a good marketing plan such a South Coast which has no 60 foot high sing. Will they be the next if this is allowed to happen hear?

In closing the area can still see the sing that was place there from the Furnishings Center and lights at night. Do we need more of this to take away from our area ? I am NOT FOR THIS TO CHANGE and know this will set a new president with in the city.

Regards

Nyle Schafhauser
3240 Michigan Ave.
Costa Mesa, Ca. 92626

VI.3
2A-09-33

From: LouiseFid@aol.com [mailto:LouiseFid@aol.com]
Sent: Thursday, October 08, 2009 10:51 AM
To: LEE, MEL
Subject: Official Public Notice-Sign

In regards to your Public Notice Application No.2A-09-33

I have lived on Michigan Avenue for over 12 years. As a taxpayer and with home values going down we do not need one more thing to add to the decline. I do not want to walk out my front door and see a 60ft. tall electronic billboard sign.

How many others will start asking for the same to be done in other areas of the city? It is bad enough that we have the sign and lights from the one that is there now. Let's petition the city to take that one down, not put another one up. The lights are extremely bothersome. We live in a beautiful neighborhood here in Costa Mesa and want to keep it that way.

South Coast Plaza does not even have a sign this large. Will that be next?

I am totally against this proposal and will be at the Council meeting to voice my opinion along with many others from the neighborhood.

Thank you,
Louise Fiduccia
3239 Michigan Avenue
Costa Mesa, CA 92626

10/08/2009