
TO: PLANNING COMMISSION

FROM: BRUCE BUCKINGHAM, COMMUNITY DEVELOPMENT DIRECTOR
JANET REESE, PLANNER II

APPLICATION: DEVELOPMENT PERMIT APPLICATION NUMBER 12-10

LOCATION: 684 WEST GRAND AVENUE (060-222-014)

SUBJECT: Consideration of a request for a Use Permit to construct a 16 foot high freestanding monument sign.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the resolution approving the Use Permit.

BACKGROUND

In September 2011, the Planning Commission denied a proposed 21 foot high freestanding monument sign for the Flyer's Service Station (reference Attachment 2). The applicant appealed the decision to the City Council. In November 2011, the City Council upheld the Planning Commission's denial of the proposed sign on a 3-2 vote (reference Attachment 3). There was further discussion by the Council regarding a modified sign design, which included a reduced sign base height, area to accommodate future tenants and a sign height between 14 and 16 feet. The Council also waived the processing fees if the applicant submitted a modified sign design within one year.

Existing Site Conditions:

The site has been used as a service station since 1966. In 2001, the Planning Commission approved the construction of a new service station with a 2,000 square foot convenience store, and three commercial suites totaling 2,600 square feet. In 2004, the new station was constructed and a 10 foot high monument sign was installed. The station changed brands from Union 76 to Flyers in 2011.

Data Summary:

Applicant Name: Southpaw Signs
Owner Name: Grover Beach Enterprises LLC
General Plan Designation: Central Business District – Mixed Use
Zoning: Visitor Services (C-V)
Surrounding Zoning & Existing Uses:
North: C-V Zoning District, church
South: R-3 Zoning District, apartments

Please Review for the Possibility of a Potential Conflict of Interest:

- None Identified by Staff
- | | | |
|-------------------------------------|--------------------------------|---------------------------------|
| <input type="checkbox"/> Laferriere | <input type="checkbox"/> Alex | <input type="checkbox"/> Long |
| <input type="checkbox"/> Blum | <input type="checkbox"/> Evans | <input type="checkbox"/> Rodman |

East: C-V Zoning District, auto repair facility
West: C-V Zoning District, commercial units

DISCUSSION

The proposed sign (reference Attachment 1, Exhibit A) is 16 feet in height and internally illuminated. The sign would sit atop a three-foot ledger stone base that would extend up to 10 feet in height. The gas prices would be displayed by red and green light-emitting diode (LED) with the remaining sign back lit by fluorescence tubes. The proposed sign area is approximately 84.5 square feet, but the pricing and grade portion of the sign are exempt per State law. Therefore, the net sign area is calculated as approximately 63 square feet for permitting requirements, which was determined by excluding the area that displays the eight LED gas prices and grades. The large 24-inch "Regular Cash" price was not excluded in the calculation since this is redundant information. The stone base is approximately 46 square feet and is not calculated as part of the sign area, but does add to the overall bulk and size of the sign.

Zoning Code Section 9404(b)(A)(3) allows one freestanding sign per premise, not exceeding 25 square feet or 12 feet in height subject to Community Development Director approval, or 100 square feet and up to 25 feet in height subject to approval of a Use Permit by the Planning Commission. The consideration of a Use Permit by the Planning Commission is a discretionary review and allows the Commission to use its independent judgment to determine if the findings for approval can be made for the proposed sign.

In 2010, the City Council updated the City's Land Use Element of the General Plan. The updated Land Use Element designated the area along West Grand Avenue from 6th to 14th Streets as Central Business District – Mixed-Use. The purpose of this area is to "provide for the establishment of a pedestrian-oriented downtown core." Land Use Policy 5.1 requires that a Master Plan be prepared for the corridor to establish policies for the revitalization of West Grand Avenue, including signage.

In January 2011, the City Council adopted the West Grand Avenue Master Plan which established policies and design guidelines for future development to create a pedestrian oriented corridor. The Master Plan identified the area between 5th and 8th streets as a "transition" zone between the visitor serving area (from the beach to 5th Street) and the downtown core (from 8th to 11th Streets). The transition zone is envisioned to be a mixed use area with a variety of commercial and potentially all residential uses. The City Council will be considering taking final action to approve the Zoning Code update in October that would implement the new policies in the Land Use Element and West Grand Avenue Master Plan.

The Master Plan also established sign guidelines for the West Grand Avenue corridor which "should enhance the beach town character of the area, while providing for sufficient identification of businesses" (reference Attachment 4). It also emphasizes that "signs should be built to the *pedestrian scale* but should be readable by motorists". The Master Plan Sign Guidelines that are most applicable to the proposed monument sign are as follows:

- Freestanding signs should be pedestrian oriented and no taller than six feet in height.
- Pole and monument signs greater than six feet in height are strongly discouraged.
- Signs should not be illuminated. When illumination is desired, use soft, indirect light, which highlights the sign rather than attracts attention to the light fixture itself. Place light fixtures on the building so that they do not negatively impact the composition of the façade. (Footnote: Possible light sources include concealed lighting, a simple horizontal

strip, or gooseneck reflectors).

The sign guidelines adopted as part of the Master Plan is the first step in providing direction on the vision for signage on West Grand Avenue. However, the next step is for the City Council to amend the Sign Ordinance to adopt the design and development standards (i.e., maximum height and sign area) which will implement this policy. However, this has not yet occurred and since this is a guideline, the Council has the authority to determine what deviations from the six foot height are acceptable.

In November 2011, the Council voted 3-2 to uphold the Planning Commission's denial of the proposed 21 foot monument sign (reference Attachment 5). However, the Council did discuss the parameters for a modified sign design that could be acceptable. These modifications included a reduced sign base height, area to accommodate future tenants and a sign height between 14 and 16 feet.

Sign Design

Section 9405 (A) of the Sign Ordinance states the following:

- A. *Architectural Design Review: The following criteria describe general characteristics of signs that are encouraged by the City in all zones:*
1. *Design Compatibility: Signs -- their materials, size, color, lettering, location and arrangement -- must be an integral part of the site and building design and must be compatible with their surroundings.*
 2. *Consistency: Signing should be consistent in location and design throughout a development. This includes shopping centers.*
 3. *Restraint: Signing should be simple, restrained and subordinate to the overall project design.*
 4. *The message: Text should be kept to a minimum. Location, size, materials and other features of a sign should be selected to achieve appropriate visibility.*
 5. *Types: Wall signs, graphic symbol signs, monument signs, and low-profile freestanding signs are encouraged. Distinctive architectural features, landscaping, window displays and merchandise can be used to communicate some of the image and identity traditionally conveyed by signs.*
 6. *Lighting: Lighting for signs should be in harmony with the sign's and project's design. If outside lighting is used, it should be arranged so the light source is shielded from view.*
 7. *Pedestrians: Signing for pedestrians should be provided where appropriate.*

In general, the proposed sign is attractively designed and the letter size is in proportion to the overall sign size with the exception of the 24-inch "Regular Cash" price. The Commission may want to discuss if the 24-inch "Regular Cash" price is in proportion to the rest of the sign and/or whether the redundant pricing is necessary. In regards to sign visibility and the distance at which text is readable, the table below indicates the sight visibility for specific letter heights. This may be helpful in understanding the legibility of the sign for drivers on West Grand Avenue.

Letter Height	Readable Distance	Distance for Maximum Impact
6-inches	200-feet	60-feet
9-inches	400-feet	90-feet
12-inches	525-feet	120-feet
18-inches	750-feet	180-feet
24-inches	1000-feet	240-feet

If the Commission has concerns regarding the 24-inch letters, it may consider alternatives such as reducing the letter size.

The proposed sign base that the sign canister sits on is three feet in height. This is consistent with Council comments and lowers the sign to be more in scale with pedestrians than the previous six foot tall sign base. The Council also commented on the need to provide future tenant signage based on the ability to have multiple tenants in the building. The sign has been designed to allow one future tenant space where the "Beer Wine Liquor" is located. However, if more than one tenant were to occupy the building, the proposed sign could not accommodate additional signage. The Commission could consider an additional signage area directly above the "Beer Wine Liquor" sign. However, this would increase the overall sign height, unless another portion of the sign was reduced such as the proposed 24-inch "Regular Cash". If the Commission finds the current design acceptable, staff has added a condition of approval that would require the Planning Commission to review any substantive changes to the sign, such as adding additional signage for tenants.

Section 9405 (D) of the Sign Ordinance indicates that the minimum setback from the property line (i.e., back of sidewalk) is four feet for freestanding and monument signs. The existing sign does not meet this requirement and it appears the proposed sign also does not meet the required setback. Staff has included a condition requiring the proposed sign meet the minimum four foot setback.

The sign is proposed to be internally illuminated with fluorescent bulbs. The white background (e.g., "Flyers") would show as white, while the remaining blue areas would be opaque and therefore, would not be illuminated. The remaining lettering would be white and yellow. The gas prices are proposed to be red LED with diesel in green LED.

ENVIRONMENTAL REVIEW

The project qualifies for a Class 1 Categorically Exempt in accordance with the California Environmental Quality Act (CEQA). A Class 1 exemption (Section 15301) consists of projects involving negligible or no expansion of the existing facilities.

ALTERNATIVES

The Planning Commission has the following alternatives to consider:

1. Adopt the resolution approving the Use Permit; or
2. Adopt the resolution with modifications to the conditions approving the Use Permit; or
3. Direct staff to prepare a resolution of denial and return to the next meeting; or
4. Provide alternative direction to staff.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the resolution approving the Use Permit.

PUBLIC NOTIFICATION

On September 13, 2012, the public hearing notice was mailed to all property owners within 300 feet of the property and posted as required by City code. On September 14, 2012, the public hearing notice was published in the Times Press Recorder. In addition, the agenda was posted in accordance with the Brown Act.

ATTACHMENTS

1. Draft Resolution
2. Planning Commission Meeting Minutes Dated September 13, 2011
3. City Council Meeting Minutes Dated November 7, 2011
4. West Grand Avenue Master Plan Sign Guidelines
5. Monument Sign Previously Denied by the Planning Commission

PLANNING COMMISSION RESOLUTION NO. 12-__

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GROVER BEACH
APPROVING A USE PERMIT FOR DEVELOPMENT PERMIT APPLICATION NO. 12-10
(684 WEST GRAND AVENUE)**

WHEREAS, the Planning Commission for the City of Grover Beach has received for its review and consideration a Staff Report and presentation in connection with Development Permit Application No. 12-10 for a Use Permit to allow the construction of a 16 foot high monument sign at 684 West Grand Avenue in the Visitor Services (C-V) Zoning District; and

WHEREAS, the notice of Public Hearing was sent to adjoining property owners and advertised in the manner required by law; and

WHEREAS, the project has been found to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA), Class 1: Existing Facilities; and

WHEREAS, the Planning Commission of the City of Grover Beach has reviewed and considered Development Permit Application No. 12-10 at Public Hearing on September 25, 2012; and

WHEREAS, the Planning Commission for the City of Grover Beach makes the following findings, in accordance with Municipal Code Section 9144.5 Use Permits, Subsection (B), subject to the conditions of approval contained herein:

1. The project will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood because the proposed sign is consistent with the intent of the Visitor Serving zone and meets the requirements of the Sign Ordinance. The sign illumination will not flash or move.
2. The project will not be injurious or detrimental to property and improvements in the neighborhood of such proposed use or the general welfare of the City. The project site is zoned Visitor Serving and there are existing commercial uses to the east, west and north. The proposed sign is approximately 150 feet from the closest existing residential use.
3. The project is consistent with the General Plan and Zoning Code. The proposed sign is consistent with the intent of the Visitor Serving zone and meets the requirements of all development standards of the Sign Ordinance.

CONDITIONS OF APPROVAL:

GENERAL

- G-1. This Use Permit will not take effect until the Applicant and Property Owner sign this Resolution agreeing to the terms and Conditions of Approval. Failure to sign within thirty (30) days shall constitute non-compliance with said conditions resulting in an automatic withdrawal of the approval.
- G-2. Failure to appeal the Planning Commission action or a specific condition imposed as

provided in Section 9144.12 within five (5) working days of Planning Commission action shall be deemed as agreement to all conditions of approval.

- G-3. The Applicant agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided in Government Code Section 66499.37 to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify Applicant of any such claim, action or proceeding to which City receives notice, and City will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Applicant of the obligations of this condition. Applicant's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions contained in this resolution.
- G-4. The project shall comply with all Federal, State, Local and City codes, regulations, and standards.
- G-5. The approval granted by this Resolution shall be valid for twenty-four (24) months of the Planning Commission final approval date, and shall expire unless a building permit is issued for the proposed sign. Any request for a time extension shall be submitted prior to expiration.
- G-6. The approval granted by this Resolution may be revoked by the Planning Commission if any of the conditions herein are violated or the continuance of the use would be detrimental to the health, safety, and general welfare of the persons located in the neighborhood and the City of Grover Beach.
- G-7. All notes and specifications as shown on the plans shall be considered Conditions of Approval.
- G-8. All Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: "The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which it is their usual and customary responsibility to perform, and which are within their authority to perform."

Signed:

Property Owner	Date	
Contractor	Date	License No.
Architect	Date	License No.

Engineer	Date	License No.
G-9.	The hours of construction shall be from 7:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. Saturday, Holidays, and Sunday, in accordance with Grover Beach Municipal Code Section 3120.1.	
G-10.	The plans submitted for a building permit shall be in substantial conformance with the approved plans, and signed by a person qualified under the California Business and Professions Code.	

COMMUNITY DEVELOPMENT DEPARTMENT

- CDD-1. This resolution authorizes the construction of a 16 foot freestanding monument sign as shown on the attached Exhibit A. The sign illumination shall not flash or move. Any substantive changes to the sign, such as adding additional signage for tenants other than in the "Beer Wine Liquor" location, shall require an amendment to this Use Permit. Changes to the sign copy shall be reviewed by the Community Development Director.
- CDD-2. The sign shall be setback a minimum of four feet from the public right-of-way.
- CDD-3. Prior to building permit issuance, the applicant shall submit a landscape plan for the disturbed area adjacent to the sign.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission for the City of Grover Beach **DOES HEREBY APPROVE** a Use Permit for Development Application No. 12-10.

On motion by Commissioner _____, seconded by Commissioner _____, and on the following roll-call vote, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

the foregoing RESOLUTION NO. 12-__ was **PASSED, APPROVED**, and **ADOPTED** at a Special Meeting of the City of Grover Beach Planning Commission on this 25th day of September, 2012.

JOHN LAFERRIERE, CHAIR

Attest:

BRUCE BUCKINGHAM, COMMUNITY DEVELOPMENT DIRECTOR
SECRETARY TO THE PLANNING COMMISSION

ACCEPTANCE OF CONDITIONS

This permit is hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the Applicant and Property Owner or Authorized Agent. The undersigned hereby acknowledges the approved terms and conditions and agrees to fully conform to and comply with said terms and conditions within the recommended time frames approved by the City Council.

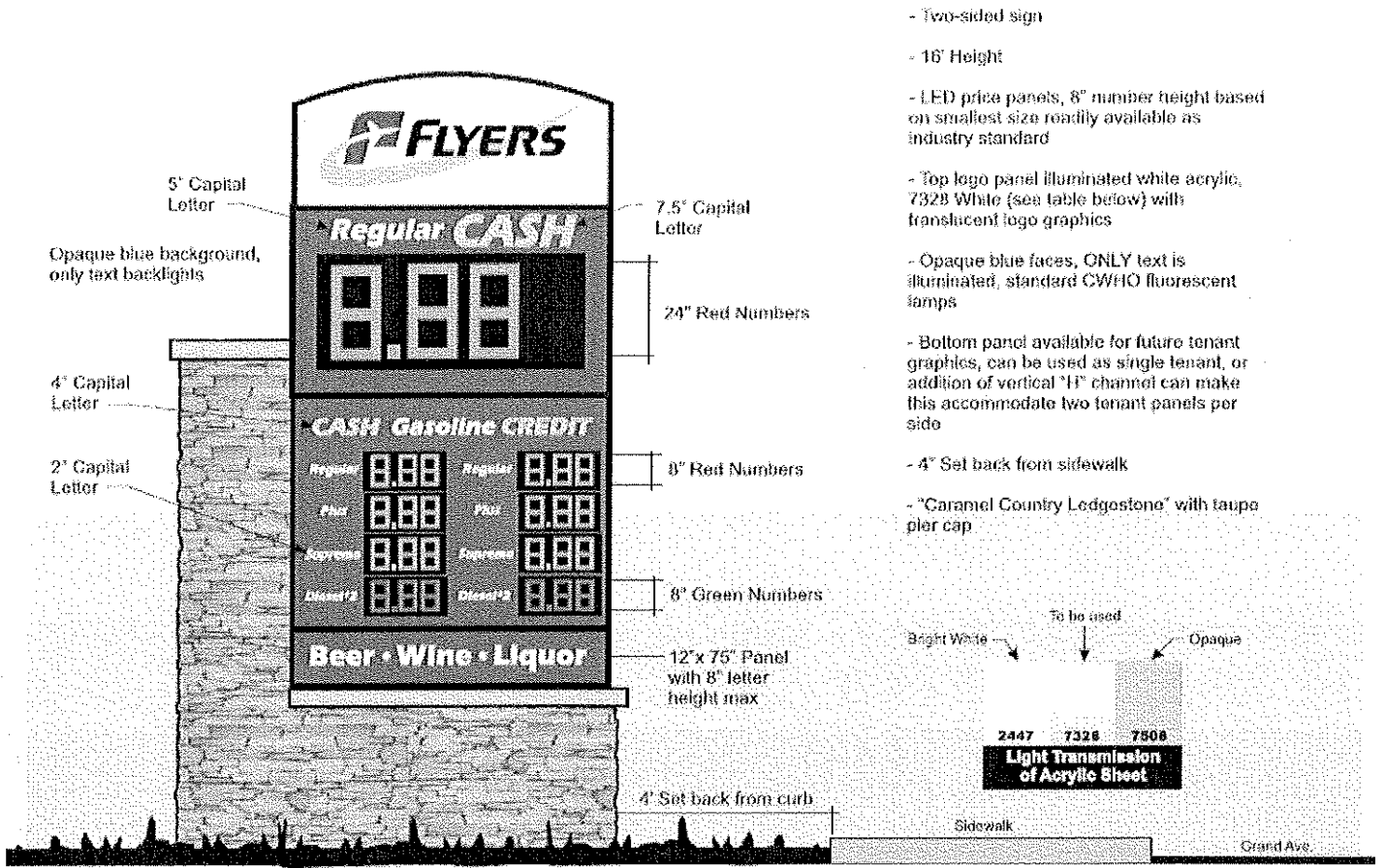
Applicant

Date

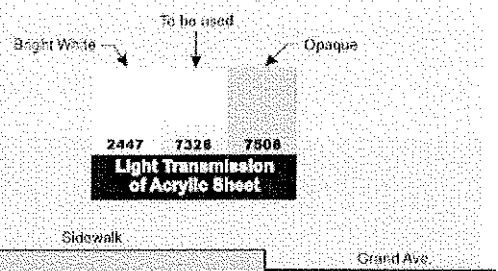
Property Owner or Authorized Agent

Date

Exhibit A



- Two-sided sign
- 16' Height
- LED price panels, 8" number height based on smallest size readily available as industry standard
- Top logo panel illuminated white acrylic, 7328 White (see table below) with translucent logo graphics
- Opaque blue faces, ONLY text is illuminated, standard CWHO fluorescent lamps
- Bottom panel available for future tenant graphics, can be used as single tenant, or addition of vertical "H" channel can make this accommodate two tenant panels per side
- 4" Set back from sidewalk
- "Caramel Country LedgeStone" with taupe pler cap



Revised Sign

3/8" = 1'

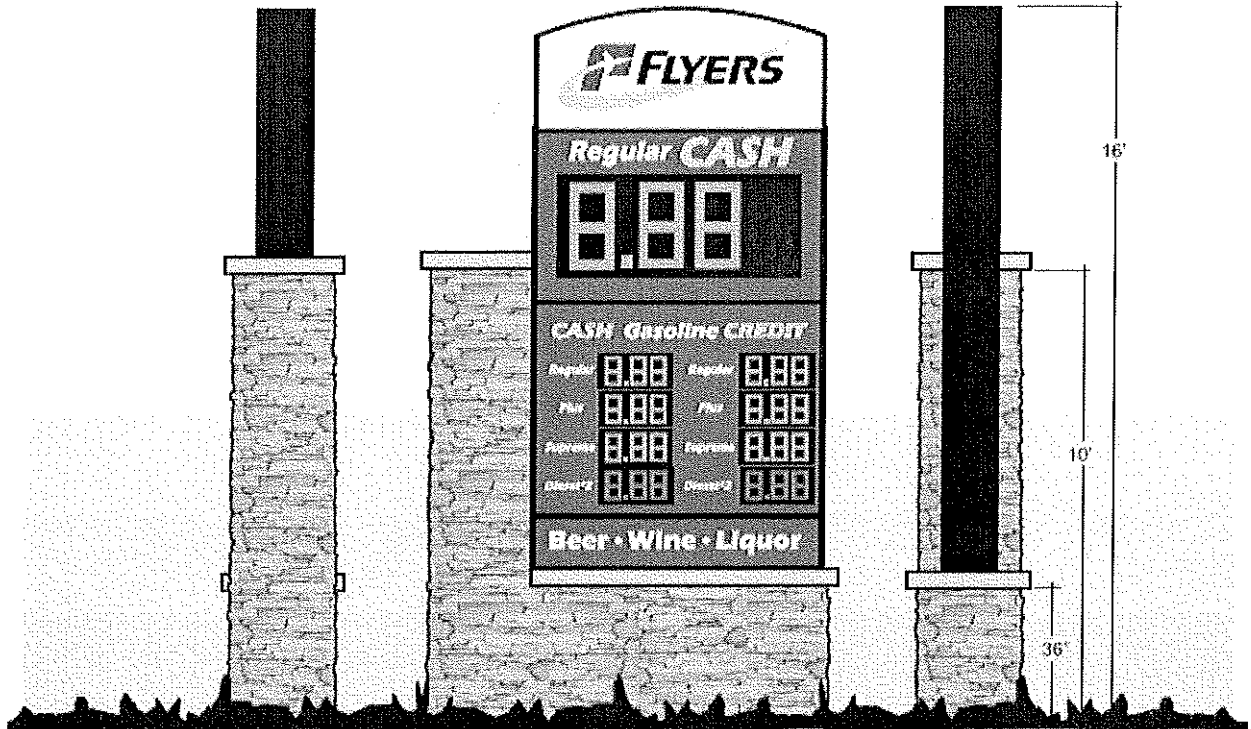
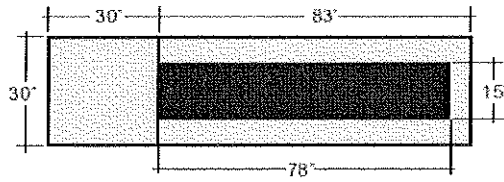


Southpaw Sign Company, Inc.
859 Pine Lane Blvd
Cloverleaf, CA 94545
925 474 5700
Fax 925 474 5710
www.southpaw.com

Customer: Flyers
Project: New Sign
684 West Grand Ave
Grover Beach, CA 93041

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Agreed Date



Revised Sign

No Scale



Southpaw Sign Company Inc.
 660 One Lane, Unit 1
 Gearys, CA 93445
 (805) 479-5700
 Fax: (805) 474-5751
 southpaw/sign.com

Client: Flyers
 Project: New Sign
 684 West Grand Ave.
 Grover Beach, CA 93441

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Signature: _____ Date: _____

2. Development Permit Application No. 11-013 (continued from August 9, 2011)

Applicant – McHale Sign Company

This Development Permit Application is a request for approval of a Use Permit to construct a new 21 foot high monument sign. The property is located at 684 West Grand Avenue (APN 060-222-014) in the Visitor Services (C-V) District.

Planner Reese gave the background of the site and previous approvals. She stated that the brand had recently changed to Flyers, and the signage had been updated with the new name, but the owner wanted a new monument sign. The West Grand Avenue Master Plan has guidelines for signage, but the Sign Ordinance has not been amended to reflect those guidelines. She stated that staff is recommending denial. She stated that State law requires the pricing to be displayed, so it is exempt from the sign codes. The pricing area is counted related to height but not total square footage.

Chair Long opened the public hearing.

Muhammad Elsayed, applicant, stated that they would like to get approval for the signs so that they are able to advertise both cash and credit pricing. He stated that they want to encourage cash payments by offering a discount. He stated that they have to post the cash and credit pricing. He stated that current sign ordinance allows for 100 square feet of signage but they are only requesting approval for 65 square feet.

Commissioner Coleman asked if there was a reason that they couldn't reduce the height of the sign base in order to lower the overall height. Mr. Elsayed stated that they considered that, but he didn't feel that a reduction was necessary. They want the maximum height that they can get, because visibility has a great impact on their business.

Vice Chair Evans asked if other stores adjacent to the gas station would also need signs. Mr. Elsayed indicated that they plan to utilize all the space on the site, so there will not be any other businesses there.

Chair Long asked if the sign they are requesting is the standard for the Flyers company. Mr. Elsayed indicated that he did not know.

Pat Cory, sign company representative, stated that under California law, gas stations are required to show both cash and credit pricing and it also regulates the size of the pricing to 6 inches. He stated that the West Grand Avenue Master Plan guidelines have not been adopted, and for this business, what the guidelines allow isn't adequate. He stated that this is a typical sign for Flyers. They are not requesting the maximum height or square footage. He indicated that LED technology allows them to make pricing changes from inside, tied into the POS (Point of Sale) system. The sign has dimming system.

Chair Long closed the public hearing.

Commissioner Alex stated that he is struggling with this. He felt the size was too big. The City adopted the West Grand Avenue Master Plan size limitation because they didn't want large signs up and down Grand Avenue. He felt that the base is too tall and obnoxious. However, he doesn't want to limit their business, and wants them to be successful.

Commissioner Evans indicated that he liked this proposal. He stated that the West Grand Avenue Master Plan is the basis for staff recommendations, and feels that this is going to be the beginning of items that might come before them that don't meet the established guidelines. He acknowledged that it is tall, but felt that not allowing the sign would give the Chevron station a competitive advantage just because of the timing of the adoption of the West Grand Avenue Master Plan. Now that there is a good, recognizable, competing station, it would be good for the

consumers.

Commissioner Laferriere stated they did approve the West Grand Avenue Master Plan, and he recognizes that there may be some issues with that plan. He sees this as a process, and this is the first breakdown, since it has state mandated pricing for gas stations. He stated that this is in a transitional zone, and this site has a long history of being a service station. He stated that he wants the business to be successful. He felt that "pedestrian scale" and service stations aren't a good mix. The signs for service stations are meant to be seen by people driving down the street. He stated that the Commission has to apply their judgment. He felt uncomfortable as a Planning Commissioner making exceptions to the approved guidelines and felt that making exceptions may be better handled by the City Council. He asked if the Planning Commission were to oppose Staff's recommendation, would they be making a recommendation to City Council, or would the Planning Commission make that determination.

Director Buckingham stated that absent further direction from the Council, they were in a difficult position. The Planning Commission could determine that there should be exceptions to the guidelines, and they would need to direct staff to come back with resolutions of approval. They could also recommend an intermediate size. Whatever the decision of the Commission, the applicant has the option to appeal it to the Council.

Commissioner Laferriere stated that if this was a new service station and in the core of downtown, it would be different, but in this area, with an existing business and it being a service station, he doesn't feel the sign guidelines should apply.

Vice Chair Evans asked why the business can't be grandfathered in since they were there prior to the adoption of the guidelines.

Commissioner Coleman stated that upon first review of the project, she was opposed to it, because of the Master Plan. But then, she also wants to support business owners who want to improve their business. She stated that when she went by the site, she would like to see the sign reduced, but doesn't find it as offensive as she first thought. She stated that landscaping could be used to soften the appearance. She understands the reason that they want the sign as it is proposed.

Commissioner Roberson asked how tall the current sign is. Planner Reese stated that it is 10 feet. Commissioner Roberson felt that 12 feet is too small, but 21 feet is too high. She felt that the height could be reduced by decreasing the size of the base.

Commissioner Blum remembered the discussion about signage during the Master Plan hearings. He feels that the sign is too big and wishes that the applicant would have reduced the height of the base. He understands the desire for new sign, but doesn't agree that because Chevron got their signs approved before the adoption of the West Grand Avenue Master Plan that this should be allowed as well. He didn't feel that grandfathering existing businesses is the intent of the Master Plan. Implementing the Master Plan will take time, and provides direction for where they want it to go in the future. He stated that 10 feet high may be small but he feels that the existing sign is almost adequate, if they adjust the sign area and design. He feels that the proposed sign base is too large. He stated that they need to try to honor the Master Plan even in difficult times.

Chair Long asked for clarification about the Zoning Code related to height. Director Buckingham indicated that the Zoning Code gives the Director the ability to approve a sign up to 12 feet in height. Anything greater than that would be under the purview of the Planning Commission, which can approve a sign up to 25 feet in height, or 100 square feet. Staff was trying to weigh the existing zoning code against the guidelines in the Grand Avenue Master Plan. Chair Long state that the findings can be met, but there are the guidelines are in place, even if they haven't

been adopted.

Commissioner Blum stated that a smaller sign would still be able to communicate pricing to the consumers. He understands the importance of signs and wants to support the business, but also feels that the Planning Commission should be diligent in implementing the guidelines in the Master Plan.

Commissioner Alex asked why the applicant was requesting 21 feet and not 25 feet.

Chair Long reopened the public hearing.

Mr. Cory stated that they didn't want the sign to get in the way of the palm tree or to remove the tree. They felt that 21 feet was adequate.

Jay Galvin, Nella Oil (Flyers parent company), stated that if the sign is too large it takes detracts from the rest of the site. They tried to compromise but felt that the 21 feet was appropriate for their site.

Commissioner Alex felt that they proposed 21 feet because that is what had been approved at Chevron.

Commissioner Coleman felt that approving Chevron set a precedent. Commissioner Alex stated that it was approved before the Master Plan was adopted.

Commissioner Blum felt that there was a way to redesign the sign by eliminating the large 24 inch digital display of the cash price at the top of the sign and use the shorter, existing base.

Vice Chair Evans stated that the cash price is one of the main reasons for the sign proposal. Commissioner Blum felt that the consumers would still be able to see those prices.

Tom Dwali, Flyers representative, stated that the price sign is integral to the sign; and locals will find those prices. The intent is to be competitive with Chevron, and show lower prices. He stated that they spent a lot of time researching the whole package. Commissioner Coleman asked if the proposed sign is typical for Flyers. Mr. Dwali indicated that it was a little smaller than the typical Flyers sign.

Commissioner Laferriere asked if there was any concern about width or is it just height. He asked if it would be acceptable to make it wider and shorter.

Vice Chair Evans felt that for a gas station, height would be very important.

Commissioner Roberson stated that a lot of signs in the city are very large. On West Grand Avenue, the goal is for people slow down and look around. She didn't feel that the sign needed to be as high as they were proposing, but she did not have an issue with it being wider. She suggested a compromise, possibly allowing it to be 16 feet high.

Commissioner Alex stated that if the Commission will allow it to go over the height in the Master Plan, they might as well go to 21 feet.

Commissioner Laferriere suggested providing some guidance so that the applicant could bring back a proposal with a reduced sign.

Chair Long liked Commissioner Laferriere's idea and suggested that they give the applicant some direction.

Director Buckingham stated that staff didn't want to get into redesigning the sign, since it is very difficult. He stated that the height was the biggest issue, not width or area; the sign needed to be proportional and aesthetically pleasing. They could give direction about maximum height and suggest that the applicant redesign. If the applicant isn't interested in reducing the sign height, the Commission could deny the project and the applicant could then either redesign or appeal the decision the City Council.

Assistant City Attorney Donaldson stated that precedence hadn't been established with the Chevron sign, since the Master Plan hadn't been adopted yet. If they were to approve this sign at a greater height than allowed in the Master Plan, that would set a precedent, but only for future service stations.

Director Buckingham stated that the intent of the guidelines for pedestrian scale signs in the Master Plan was to prevent pedestrians from being overwhelmed by the signs. If the base were reduced that would bring the sign more in line with that concept. He stated that with traffic at 35 miles per hour, the pricing is probably in excess of what is needed to be legible.

Commissioner Roberson reiterated that staff is recommending denial, and if the Commission votes to deny the project, the applicants have the option of redesigning or appealing to City Council.

Commissioner Roberson made a motion to adopt the resolution denying the Use Permit; Commissioner Blum seconded the motion.

Assistant City Attorney Donaldson stated that any further Commission comments should be made before the vote.

Chair Long stated that they will be coming up against this issue again; there are issues with the guidelines and those need to be taken seriously. He stated that he is comfortable with a 12 foot height, but beyond that, it would have to be addressed on a case by case basis.

Vice Chair Evans stated that they should look at having different guidelines for different types of businesses, while still staying true to the Master Plan, and expanding on it.

Chair Long stated that the guidelines provide decent direction, but the proposed sign doesn't meet the categories that are out there. It might be worth looking into down the road.

Commissioner Laferriere suggested that possibly when they talk about signs sizes, they can calculate it based on average heights, to account for logos and non-square signs to encourage creativity instead of just a big rectangle.

The motion above was carried with a vote of 5-2-0-0, with Commissioner Laferriere and Vice Chair Evans voting no.

PUBLIC COMMUNICATIONS The Mayor opened the floor to any member of the public for comment on items of interest which were within the jurisdiction of the City Council, but were not listed on the agenda.

- A. Juan Olivarría, Principal, Grover Beach Elementary School, thanked the City Council for street improvements completed on Longbranch Avenue through the Safe Routes to School grant.
- B. Jeff Lee, Chair, Parks, Recreation & Beautification Commission, provided an overview of recent City-sponsored special events, thanked a list of event sponsors, and announced upcoming holiday activities.
- C. Anita Shower, Grover Beach, requested the City post a two-hour parking sign in the 800 block on the south side of West Grand Avenue. She then expressed concerns regarding the number of sidewalk "sandwich board" signs advertising businesses on West Grand Avenue.
- D. Elizabeth Doukas, Grover Beach, requested an administrative hearing to resolve a dispute with her neighbor on Atlantic City Avenue. She then distributed documents regarding the matter.

PUBLIC HEARINGS

3. Appeal of Planning Commission Denial to Construct a Freestanding Sign with a Height of 21 Feet at 684 West Grand Avenue (Application No. 11-013).

Applicant/Appellant: Elsayed M. Elsayed; Project Location: 684 W. Grand Avenue.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Planner Il Reese provided an overview of the appeal filed regarding the Planning Commission's denial of a proposal to construct a 21-foot tall freestanding sign at the Flyers gasoline station. The Planning Commission denied the request based on the proposed height for the sign being inconsistent with the General Plan and West Grand Avenue Master Plan. She noted that the sign ordinance allowed one freestanding sign per premise, not exceeding 25 square feet or 12 feet in height subject to Community Development Director approval, or 100 square feet and up to 25 feet in height subject to approval of a Use Permit by the Planning Commission. However, the West Grand Avenue Master Plan provided a guideline that freestanding signs be no taller than six feet in height for properties located within the Master Plan area. She then outlined design issues to be considered regarding freestanding signs, as well as a suggested design alternative for reducing the sign's height if the Council determined the proposed sign was too tall.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter.

Steve Elsayed, Applicant/Appellant, spoke in support of his appeal and noted the size of two newer commercial business signs located on West Grand Avenue for Chevron and Taco Bell. Upon question he responded that no other tenant would be located in his commercial building, the gasoline station would be the only business advertised on the proposed sign, and that he was not agreeable to the suggested alternate sign design at 14 feet high.

There were no further public comments received and the Mayor closed the Public Hearing.

Staff responded to questions from the Council regarding sign heights along West Grand Avenue, existing sign regulations, and guidelines in the West Grand Avenue Master Plan regarding signage.

City Attorney Koczanowicz outlined the Council's alternatives regarding the appeal.

Brief discussion was held regarding preferred sign heights for the Applicant/Appellant's business location, whether the proposed sign would be too intrusive for nearby residential areas, and the intent of the West Grand Avenue Master Plan regarding improvements for

the downtown area. Further discussion was held regarding having the Applicant/Appellant work with staff towards a modified sign design with a sign base smaller than 75", total height between 14 and 16 feet, and to accommodate future tenants.

Council Member Peterson spoke in support of Mr. Elsayed's proposal for a 21-foot tall freestanding sign as an appropriate height to attract motorists and further improve his business.

Council Member Molnar agreed with Council Member Peterson's comments and noted that she had voted against the West Grand Avenue Master Plan.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Member Bright to adopt Resolution No. 11-64 upholding the Planning Commission decision without prejudice and without requiring the Applicant/Appellant to pay additional processing fees if he submitted a modified sign proposal within one year to the Planning Commission. The motion carried on the following roll call vote:

AYES: Council Member Bright, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members Molnar and Peterson.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 11-64: A Resolution of the City Council of the City of Grover Beach, California Upholding the Planning Commission Action, Denying a Use Permit for Development Permit Application No. 11-013 (684 West Grand Avenue).

Recess: Upon consensus of the City Council, the meeting recessed at 7:48 p.m.

Reconvene: At 7:58 p.m., the meeting reconvened with all Council Members present.

ORDER OF THE DAY: Pursuant to Council consensus during review of the posted agenda, Mayor Shoals called for discussion of Agenda Item No. 8.

REGULAR BUSINESS

8. Presentations and Discussion Regarding the Draft Coastal Dunes Dust Control "Fugitive Dust" Rule Scheduled for Consideration by the Air Pollution Control District.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault provided a brief overview regarding efforts by the Air Pollution Control District (APCD) to study the potential cause of high concentrations of particulate matter, or "dust", in the South County area that periodically exceeded state standards. He then described efforts by the APCD and the State Department of Parks and Recreation in 2010 to develop a program to reduce particulate matter. City Manager Perrault outlined concepts of a draft rule developed by the APCD to reduce emissions from the dunes that was scheduled to be considered further by the APCD Board at a Public Hearing on November 16, 2011. He also noted that State Parks opposed the draft rule until further scientific studies could be completed. He then introduced Larry Allen of the Air Pollution Control District and Phil Jenkins of the State Department of Parks and Recreation.

Presentations were given by Mr. Allen and Mr. Jenkins, and both responded to questions from the City Council.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter.

Kathy Lotfi was registered to speak, but had left the meeting room without providing comments.

The following persons expressed concerns regarding particulate matter on the Nipomo Mesa:

2.6 SIGN GUIDELINES

Signs along the West Grand Avenue corridor should enhance the beach town character of the area, while providing sufficient identification of businesses. Signs should be built to the pedestrian scale but should be readable by motorists and cyclists travelling through the corridor. Signs should not overpower a building's façade, but rather attract customers to the business through a design that harmonizes with the building and its surroundings.

Recommended signage for buildings along West Grand Avenue include awning signs, window signs, second floor window signs, wall signs with channel letters, projecting signs, and directory signs. Monument signs are also acceptable at certain locations. Figure 2.45 illustrates sign types appropriate for West Grand Avenue and Table 2.5 provides definitions of the sign types recommended in this Section. Additional sign examples can be found in Figure 2.46.

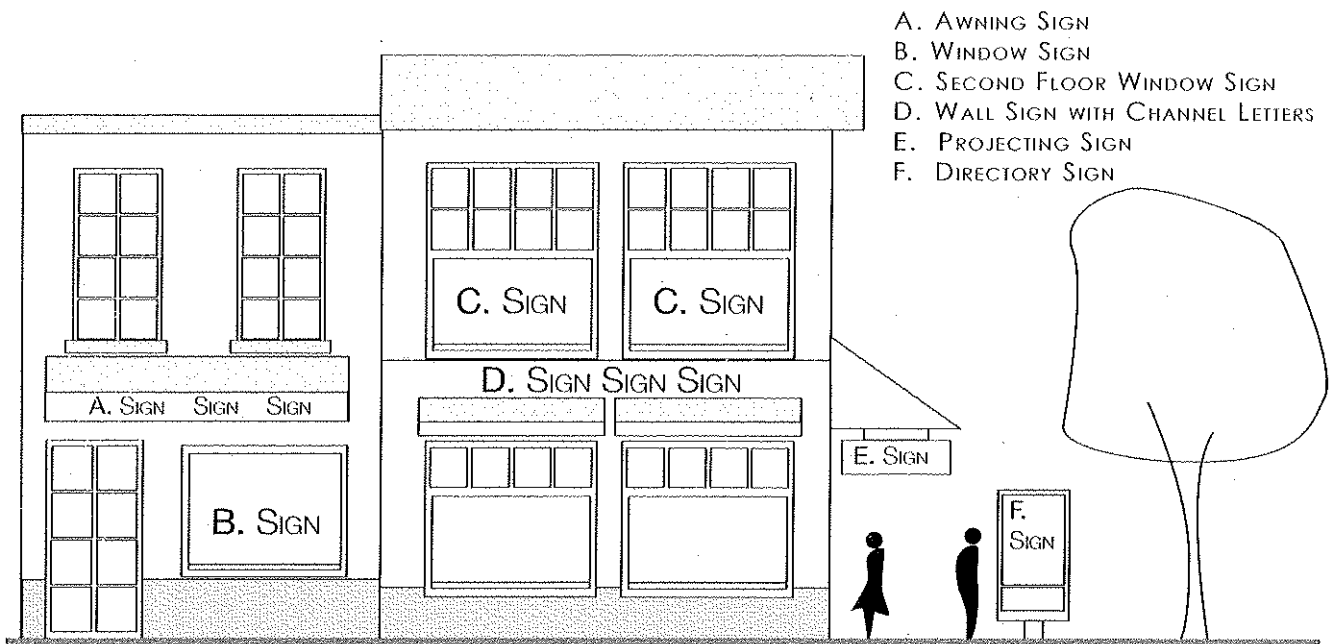


Figure 2.45 Illustration of appropriate sign types for West Grand Avenue

Table 2.5 Sign Type Definitions

Awning Sign	A sign copy or logo attached to or painted on an awning.
Window Sign	A sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign which faces a window exposed to public view and is located within twelve inches of the window. Window signs do not include business hours of operation and open/closed signs. Window displays, including merchandise displays that are located more than twelve inches from the face of a window, are not considered signs.
Wall Sign with Channel Letters	A sign made of wood or metal letters attached to a building façade, generally in which the sign is composed of individual, separate letters.
Projecting Sign	A sign other than a wall sign suspending from, or supported by, a structure and projecting outward.
Directory Sign	A sign that is designed and erected solely for the purposes of directing vehicular and/or pedestrian traffic within a project.

SIGN GUIDELINES

A sign's design and location should relate to the overall design of the building façade, and should be compatible with visually related storefronts and buildings.

Freestanding signs should be pedestrian oriented and no taller than six feet in height.

A sign should fit within the features of the façade.

The shape of the sign can reflect the architectural style of the building.

Lettering and graphic illustrations should reflect the overall design of the building as well as the business's image. Lettering should be readable at the pedestrian scale, but also identifiable from the street, with contrast between the background and the lettering. Signs should use as few words as possible.

Sign colors should relate to the exterior colors of the building, as well as those of immediately adjacent structures and signs. Colors should complement, not compete or clash with surroundings.

Lettering should be painted or applied to a signboard rather than directly onto the building.

Signs should be constructed from durable materials that complement the architecture of the building and are visually compatible with the building's exterior materials.

Signs should not be illuminated. When illumination is desired, use soft, indirect light, which highlights the sign rather than attracts attention to the light fixture itself. Place lighting fixtures on the building so that they do not negatively impact the composition of the façade.¹

When multiple signs are permitted for a business, all signs should have a unified graphic appearance.

When a building contains multiple storefronts of different businesses, signs of the different businesses should relate to each other in terms of type, height, proportion, colors, lettering, and background. Maintaining general uniformity among these characteristics reinforces the building's façade composition.

A sign design program should be considered for larger buildings with multiple stores so that all signs for the building are of similar design.

Retail uses with a common entrance, professional signs, and any other secondary uses should utilize signs that relate to the overall building façade design and to principal and secondary signs in shape, material, color, lettering, and other design features.

Not Recommended

Covering, obscuring, interrupting, or destroying significant architectural detailing or features with signs is strongly discouraged.

Pole and monument signs greater than six feet in height are strongly discouraged.

Using signs that overpower or clutter the façade, or otherwise distract from the character of the building and the beach town feeling of the corridor is strongly discouraged.

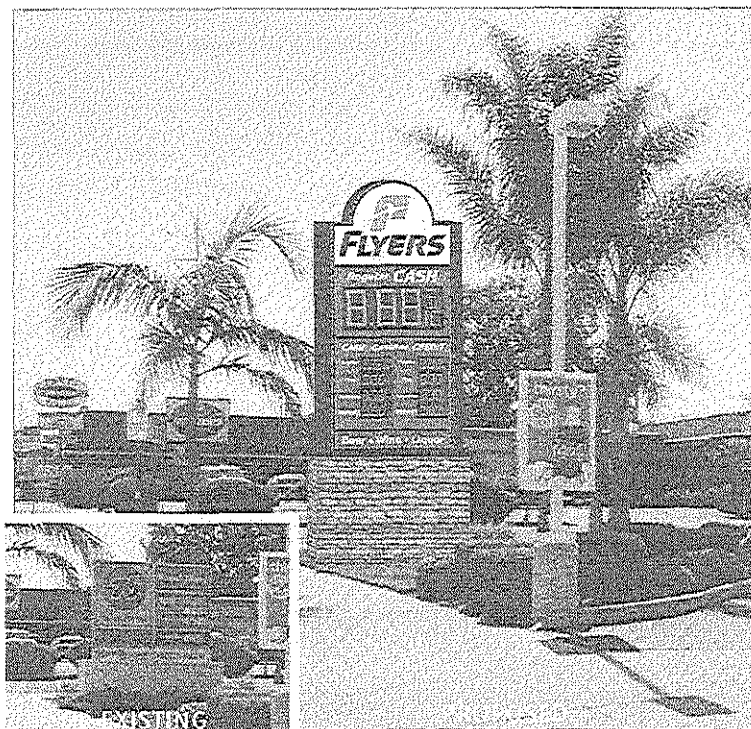
Using directly (internally) lighted box signs or directly lighted letters is strongly discouraged.

Using signs that continue inappropriate alterations is not recommended.

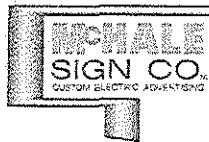
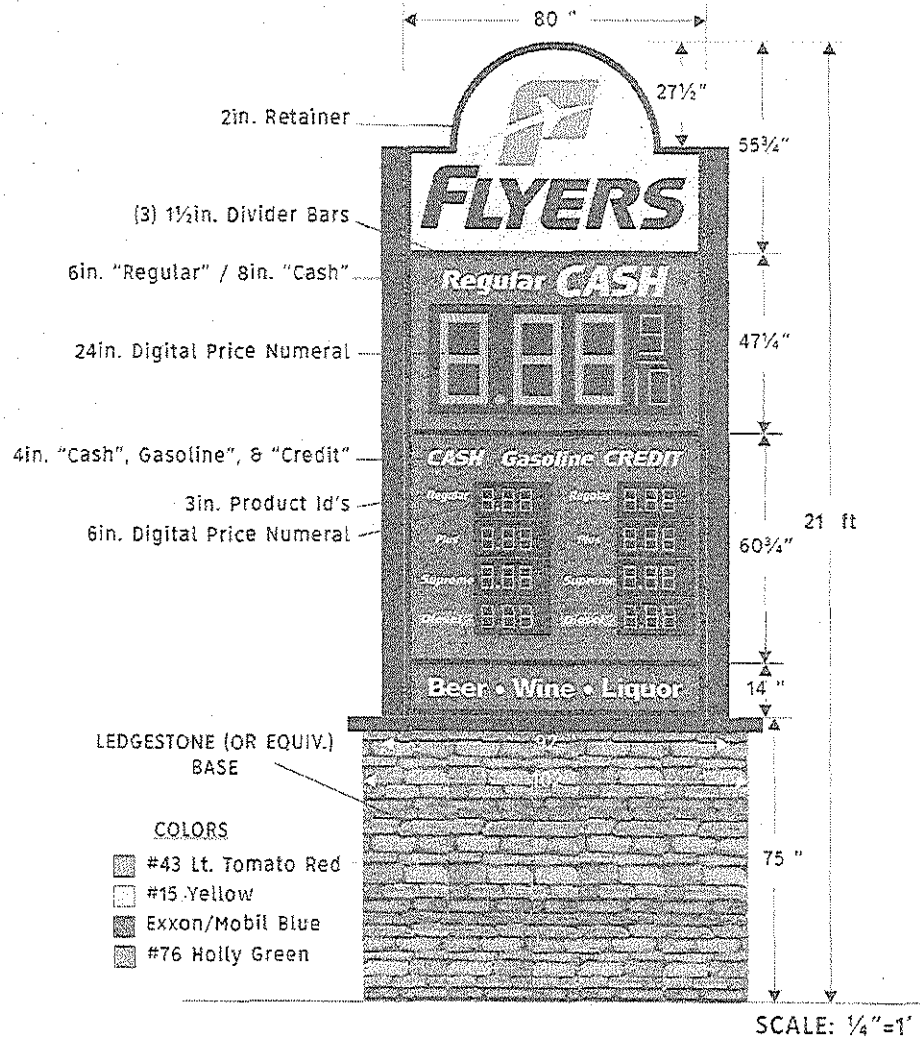
Employing signs with unusual shapes that do not blend with the beach town character of West Grand Avenue is discouraged.

NOTES

¹ Possible light sources include concealed lighting, a simple horizontal strip, or gooseneck reflectors.



D/F INTERNALLY ILLUMINATED LED
 "CASH/CREDIT" DIGITAL PRICE SIGN
 WHITE ACRYLIC PAN-FORMED FACES WITH
 TRANSLUCENT VINYL GRAPHICS
 BLACK PAINTED CABINET, RETAINER AND
 DIVIDER BARS



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10/28/2011

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