



Staff Report

City of Manhattan Beach

TO: Honorable Mayor Tell and Members of the City Council

THROUGH: David N. Carmany, City Manager

FROM: Richard Thompson, Director of Community Development
Michael P. Rocque, Assistant Planner

DATE: December 6, 2011

SUBJECT: Appeal of the Planning Commission Denial of a LED Sign for Journey of Faith Church at 1243 Artesia Blvd.

RECOMMENDATION:

Staff recommends that the City Council discuss and provide direction on the sign exception appeal.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

DISCUSSION:

The Planning Commission, at its regular meeting of September 28, 2011, denied (5-0) a request for the installation of a new double-sided sixty (60) square-foot full color changeable copy LED/electronic display messaging board, replacing the existing non-conforming double-sided illuminated changeable copy cabinet pole sign. The proposed pole sign is in the same location and same size and height as the existing internally illuminated static changeable copy sign. Changeable copy signs including LED/electronic are not permitted by the City's sign code unless a sign exception is approved.

The Planning Commission may approve an exception to the sign code if a sign proposal meets the specified Code criteria as indicated in the attached Planning Commission staff report, Exhibit B. However, the Planning Commission felt the proposed sign did not meet the criteria. They felt that the proposal would be detrimental to the surrounding neighborhood (visual blight), is not necessary for reasonable use of the church facility, would create and set a precedence, would have a negative impact to vehicular traffic along the Artesia Boulevard corridor creating a safety and visibility hazard, and is not consistent with the intent of the City's sign code. The Commission expressed concerns for general distraction and obtrusiveness of the proposed LED sign to not only traffic but to the residents of Redondo Beach to the south of Artesia and allowing the existing non-conforming pole sign to remain. There was one member of the public who stated concerns for the signs' visual obtrusiveness and setting precedence along Artesia Boulevard and throughout the City. Generally, all of the Commissioners did agree that the proposed LED sign is visually less intense in regard to the illumination and brightness in comparison to the existing pole sign but they could not see how

denying the sign would prevent the church from promoting their business and reasonable use of the site.

The applicant felt that the sign was an appropriate method of church communication, would be visually limited in intensity, and would be less obtrusive than the existing pole sign. They also stated the sign could benefit the City by providing messages for onsite school and charitable uses and Citywide emergency messages. In addition, they expressed that the new LED sign allows for automatic dimming during night time hours and that they would be open to restricting the hours the sign is operating if needed (Exhibit D). Some of the Commissioners felt the sign exception could be approved with further restrictions regarding operational hours (such as a 10 pm cut off time), proposing a monument sign instead of a pole sign and allowing only a static copy sign.

Planning Staff recommended approval of the LED sign to the Planning Commission. Staff feels that the applicants proposed LED sign is consistent and compatible with the Artesia Boulevard corridor and its surrounding commercial and public land uses. The proposed sign for the combination church/school use is not the same as a retail use, which would be for commercial advertising, while the primary purpose of the proposed sign is for church/school communications. Mira Costa High School, directly to the east has a similar larger and brighter electronic sign and there has been no reported safety or hazard concerns regarding the sign. The residential uses in Redondo Beach to the south across Artesia, which is a major arterial, are more than 125 feet away, so there are no impacts.

The City has the ability to regulate and modify the intensity and hours of operation as well as the frequency of the copy change to negate any impacts. The new sign will be replacing the existing sign and maintaining the same height, size, location and area. It will emit less light intensity with the proposed black background compared to the existing white background. Lastly, approving this sign would not set a precedent as each application for an electronic sign requires a sign exception and is reviewed on an individual basis.

Sign Exception Findings:

Section 10.72.080 of the Manhattan Beach Zoning Code provides the findings that are necessary to approve a Sign exception. Staff believes all findings can be met as follows:

An application for a sign exception as it was applied for, or in modified form as required by the Commission, shall be approved if, on the basis of the application, plans, and materials submitted; the Commission finds that:

- A. *The proposed sign exception would not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located. Potential impacts may include, but are not limited to, design;*

The proposed sign does not appear to have any detrimental or adverse impacts to the surrounding neighborhood. The sign will be replacing the existing double-sided internally illuminated changeable copy pole sign in the same location, same height, size and area. The applicant has agreed to mitigate any lighting or motion concerns by placing restrictions on the sign such as; dimming the sign in the evening hours, no animations (static copy only) limiting the frequency of the sign changes, minimizing brightness, providing an on-off capability, prohibiting off premises advertising, and timing of messages.

- 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;*

The only way the applicant can install the proposed LED programmable sign is by obtaining a sign exception. The LED sign will be the same size, location, area, and height as the existing but will be more up to date and modern, a cleaner look, so that the applicant is not deprived the use or enjoyment of the subject site.

- C. *The proposed sign exception is consistent with the legislative intent of this title. In granting any such exception, the Planning Commission may impose reasonable conditions or restrictions as deemed appropriate or necessary to protect the public health, safety, and general welfare.*

The proposed sign meets the intent of the sign code and the applicant has assured the sign will not have any impacts on public health, safety, and general welfare. Specific conditions of approval related to timing, brightness, frequently of changes, and other conditions are incorporated into the resolution to ensure that all facets of the public interests are covered.

A Planning Commission resolution to approve the signs had been drafted by Staff with conditions limiting the hours, visibility, motion, and brightness, however, the Planning Commission determined that the detrimental effects of the sign and general welfare of the neighborhood/aesthetics could not be mitigated by such restrictions.

The sign exception process does not require a public hearing and the Planning Commission's decision of denial is reflected in the attached September 28, 2011 Minutes excerpts (Exhibit B). The Staff report and additional excerpts from the Planning Commission's proceedings are also attached to this report for reference (Exhibit C).

CONCLUSION

Staff recommends that the City Council conduct the appeal hearing, discuss the information received, and provide direction on the proposed LED sign appeal.

Attachments:

- A: Draft Resolution No. 6335
- B: Planning Commission Minute excerpt, dated 9/28/11
- C: Planning Commission Staff Report and attachments, dated 9/28/11
- D: Applicant appeal material
- E: Neighbor Letter dated 9/28/11
- F: Project Plans (not available electronically)

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RESOLUTION NO. 6335

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MANHATTAN BEACH, CALIFORNIA, APPROVING A SIGN
EXCEPTION APPEAL FOR JOURNEY OF FAITH CHURCH AT 1243
ARTESIA BOULEVARD**

The City Council of the City of Manhattan Beach hereby finds, and resolves as follows:

Section 1. AKC Services, Inc. (the "Applicant") on behalf of Journey of Faith Church submitted an application for a sign exception for the replacement of an existing non-conforming static changeable copy pole sign with one electronic changeable copy light emitting diode ("LED") sign for the church and school located at 1243 Artesia Boulevard. The proposed sign to be installed is a new double-sided sixty (60) square-foot full color LED/electronic display messaging board and will replace the existing double-sided cabinet pole sign maintaining the same height, size and location at the southeast corner of the site along Artesia Boulevard. A twenty-five (25) square foot non-illuminated sign cabinet will remain on top the LED sign.

Section 2. Pursuant to Manhattan Beach Municipal Code Section 10.72.080, the Planning Commission of the City of Manhattan Beach considered the application for a sign exception at a public meeting on September 28, 2011. Based on the evidence presented at that public meeting, including the staff report and written and oral testimony, the Planning Commission denied the request for the sign exception (5-0 vote). A timely appeal from the decision of the Planning Commission was filed by the Applicant.

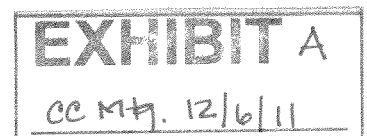
Section 3. On December 6, 2011, the City Council of the City of Manhattan Beach conducted a General Business item at a public meeting to consider the appeal of the Planning Commission's denial of the sign exception.

Section 4. The subject project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and the City's Local CEQA Guidelines. The subject project has been determined to be categorically exempt (Class 1) as a minor modification to an existing facility pursuant to Section 15301 of the State CEQA Guidelines.

Section 5. Based on the evidence presented at the December 6, 2011 public meeting, including the staff report and written and oral testimony, the City Council hereby finds and determines as follows:

A. The proposed sign exception would not be detrimental to or have adverse impacts to the surrounding neighborhood. The proposed sign will replace the existing double-sided internally illuminated changeable copy pole sign in the same location, same height, size and area. As conditioned, obtrusive lighting and motion concerns have been addressed and the sign will not be a safety or hazard concern.

B. The proposed sign exception is necessary in order that the Applicant is not deprived unreasonably in the use or enjoyment of their property as the only manner in which the Applicant may install the proposed LED programmable sign is to obtain a sign exception. The proposed sign will be the same



size and height and in the same location and area as the existing sign but will be more up to date and with a modern, cleaner look.

C. The proposed sign exception is consistent with the intent of the City's sign code in that the sign will not be obtrusive to the neighbors or public and does not result in a large sign area for the site, based on the size and street frontage. In this unique case, the proposed sign is appropriate due to the consistency and compatibility with the Artesia Boulevard corridor and its surrounding commercial and public land uses. In addition there are no impacts to the residential uses in Redondo Beach, which are located to the south across Artesia, which is a major arterial, and are more than 125 feet away. Last, the proposed sign does not set a precedent as each application for an electronic sign requires a sign exception and is reviewed on an individual basis.

Section 6. Based on the foregoing, the City Council hereby grants the appeal and approves the application for a sign exception, 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 City Council on December 6, 2011.
2. * The sign cabinet of the LED sign shall not exceed 60 square feet in area, per side, shall maintain its existing location and size, plus two and half (2.5') feet by ten (10') feet of cabinet sign on top of the LED sign.
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. * The use of the LED sign shall be limited to information regarding church activities, events and programs conducted on the church site. Commercial, personal, instructional, or entertainment oriented content as well as off-site advertisement shall be prohibited.
6. * The sign shall display only still-screen static messages. Moving, flashing, scrolling, and animated images shall be prohibited. Each still-screen message shall be displayed a minimum of 60 seconds.
- 7.* There shall be no sound or other audio related noise that emits from the sign.
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 equipped with photocell technology which will dim the sign during night time hours.
10. The sign operation shall be modified to address neighbor complaints as determined to be appropriate by the Community Development Director.
- 11.* The sign shall have no exterior illumination, only internal LED illumination at all times.
12. The sign shall have a maximum of three (3) foot candles above ambient light based on the Illuminating Engineering Society of North America standards. This criteria shall be shown on the plans and are subject to field verification and certification prior to final.
13. The sign shall be certified and installed per the conditions and approved plans prior to final.
14. This Sign Exception shall lapse two years after its date of approval, unless implemented or extended by the Planning Commission.
15. 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.
16. 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.
17. The project shall otherwise be in compliance with applicable provisions of the Manhattan Beach Municipal Code.

Section 7. The time within which judicial review of the decision reflected in this resolution, if available, must be sought is governed by Section 1094.6 of the California Code of Civil Procedure and other applicable short periods of limitation. 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 California Code of Civil Procedure Section 1094.6.

Section 8. This resolution shall take effect immediately upon adoption.

Section 9. The City Clerk shall certify to the adoption of this resolution

PASSED, APPROVED AND ADOPTED this 6th day of December, 2011.

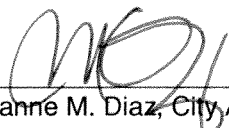
Ayes:
Noes:
Absent:
Abstain:

Nicholas W. Tell, Jr., Mayor
City of Manhattan Beach

Attest:

Liza Tamura, City Clerk (SEAL)

Approved as to Form:



Roxanne M. Diaz, City Attorney

09/28/11-5 Consideration of a Sign Exception for the Installation of One Electronic Changeable Copy LED Sign for a Church Located at 1243 Artesia Boulevard

Assistant Planner Rocque summarized the staff report. He stated that one comment was received in opposition to the proposal which has been provided to the Commissioners.

In response to a question from Commissioner Gross, Director Thompson said that staff determined that it was not necessary to place a restriction on the hours of operation for the proposed sign because it would not have a negative impact along Artesia Boulevard. He said that a restriction could be placed on the hours permitted for operation of the sign if it were determined to be appropriate by the Commission.

In response to a question from Commissioner Seville-Jones, Assistant Planner Rocque said that the sign would be restricted to changing at a minimum of every 60 seconds, which is indicated in the staff report and draft Resolution.

In response to a question from Commissioner Conaway, Assistant Planner Rocque indicated that the Sign Code does not allow electronic signs. He indicated that such signs can only be permitted through a Sign Exception.

In response to a question from Commissioner Conaway, Assistant Planner Rocque said that staff does not have information regarding local cities that have banned changeable LED signs.

In response to a question from Chairperson Paralusz, Assistant Planner Rocque indicated that the sign as proposed would be 170 square feet.

In response to a question from Commissioner Gross, Assistant Planner Rocque commented that the Sign Code does not permit pole signs for churches or schools. He said that the existing pole sign for the church has been on the site for many years. He indicated that changeable copy is permitted on monument signs.

In response to a comment from Commissioner Gross, Director Thompson pointed out that the proposal is for a Sign Exception, and each project for such an exception is considered on an individual basis.

Chairperson Paralusz opened the public hearing.

Audience Participation

Chris Polster, AKC Services, Inc., stated that a sample sign was placed on the site to demonstrate the appearance of the sign when completed. He indicated that the intent is to replace the existing manual changeable sign and to use the board in a more efficient manner. He stated that the existing sign is old and in need of replacing, and the proposal would change the sign to a more current technology.

In response to a question from Commissioner Gross, **David Water**, representing the applicant, indicated that the proposed sign would be less bright than the existing sign. He commented that they would also allow the City to display public service announcements on the sign. He commented that limiting the colors on the sign may affect the functionality.

Mr. Polster said that it is possible to limit the colors; however, their intent in improving the sign is to use more color. He pointed out that the sign would not include motion such as on a television screen.

Commissioner Gross said that the Commission may want to discuss limiting the amount of color. He asked if the applicant would be concerned with limiting the color that could be used for the background. He suggested that possibly staff and the applicant decide on the number of colors and the background color.

Roberto Diaz said that it would be possible to limit the sign to three colors. He commented that they use combinations of red, green, and blue to generate all of the colors for the sign.

Mr. Water indicated that they would like to utilize the colors on the sign.

Chairperson Paralusz closed the public hearing.

Commission Discussion

Commissioner Gross indicated that he is in favor of the project with conditions. He said that the applicant is allowed to maintain their existing sign. He indicated that he would be in favor of allowing a modern design provided that the number of colors displayed at once and the background colors are limited. He said that he would defer to staff and the applicant to determine the appropriate colors. He commented that it is important to include that the intent is to replace the existing sign. He said that he would support limiting the hours of operation of the sign.

Commissioner Seville-Jones indicated that she is not in favor of the proposed sign. She commented that pole signs are not attractive, and approving the proposal would extend the life of the existing pole sign by many years. She stated that there is a useful life for changeable copy signs. She indicated, however, that she does not feel that the existing sign must be replaced with another pole sign but rather a monument sign which meets the requirements of the Sign Code. She commented that she does not want to see electronic signs that change every 60 seconds throughout the community. She stated that she is concerned about setting a precedent. She pointed out that the sign at American Martyrs was basically enclosed within that property and is not visible outside of the church campus. She indicated that the subject sign would be very visible along Artesia Boulevard and could be a distraction to drivers. She commented that she would also support limiting the hours permitted for operation of the sign. She commented that the sign could be visible to residents across Artesia Boulevard in Redondo Beach who should not have to see the changing sign after 10:00 p.m. She also said that she feels the church does not need the sign after 10:00 p.m.

Commissioner Conaway commented that his family does participate in activities at Journey of Faith, but he feels he can consider that issue fairly. He commented that he does share the concerns expressed by Commissioner Seville-Jones. He said, however, that the proposed sign would be less bright than the existing sign. He also indicated that having text change every 60 seconds is preferable to having text that is constantly changing. He pointed out that many cities have banned electronic signs, including the City of Los Angeles. He indicated that the City of Los Angeles determined that electronic signs can create a safety hazard, can be difficult on the vision of older people, and can create visual blight. He indicated that Los Angeles decided to ban them in all but two specific areas. He pointed out that the sign as proposed would not be conforming for a new building under the current Code. He stated that if the proposed sign would set a precedent for similar signs if it is approved. He suggested that the

City review the policy to address new and emerging technologies to determine the full impacts of changeable LED signs and to look at the regulations of other neighboring cities.

Commissioner Andreani stated that she is not in favor of the changeable copy sign; however, she would like for a compromise to be reached. She said that she does not feel the sign is necessary for advertising the church or the school, and she is concerned with setting a precedent. She indicated that she has concerns with potential safety impacts and with creating a nuisance. She commented that she feels the sample sign that was placed on the site is easier on the eyes than the existing sign. She indicated that she would like for the sign to be brought into compliance with the Code by using a monument rather than a pole sign. She stated that she is not in favor of a changeable copy sign for the site.

Chairperson Paralusz indicated that she is opposed to the proposed sign. She indicated that she understands that the church wishes to update their existing signage; however, the City does have an Ordinance that restricts such signs as is being proposed. She commented that she cannot make finding that it would not create a detrimental impact. She said that she has concerns regarding the impact of the sign on traffic and visual blight. She indicated that she feels allowing the sign would create a precedent. She said that the sign for American Martyrs is isolated within that property. She pointed out that a larger monument sign for Raleigh Studios was denied because of concern regarding visual blight and impacts on traffic. She commented that she does not feel denying the request would prevent the church from promoting their business.

In response to a question from Director Thompson, Chairperson Paralusz said that she would still have concerns if the LED sign were redesigned as a monument sign. She said that LED signs do attract more attention than signs that are not electronic. She indicated that LED signs can be distracting to drivers.

Director Thompson said that after viewing the sample signage that was placed on the site, he felt that the sign as proposed would have less of an impact than the existing sign. He pointed out that the brightness of the sign can be controlled as well as the time span for changing the text. He pointed out that there is a condition included in the draft Resolution that staff can work with the applicant to mitigate any impacts if complaints are received.

Chairperson Paralusz indicated that she would have difficulty denying a request from another applicant for a similar sign along Artesia Boulevard if the proposed sign is approved. She indicated that she does not feel there would be a benefit to the community in having a large number of electronic signs.

Commissioner Seville-Jones said that she would also agree with the suggestion of Commissioner Conaway that the City look at addressing the developing technologies for signs. She indicated that she would prefer for the City to plan according to the new technology rather than for such signs to be considered through exceptions.

Commissioner Conaway commented that he would not wish to see the existing sign remain in the event the proposed sign is not approved.

Commissioner Gross said that he is concerned with setting a precedent with the proposed sign. He said that he is swayed by the comments of the other Commissioners to deny the proposal.

Commissioner Conaway commented that an LED sign that does not have changeable copy would be an improvement to the existing sign if the brightness were controlled.

Commissioner Andreani said that she has more of a concern regarding the changeable copy than she does with having an LED sign. She indicated that she also has a concern with setting a precedent with a changeable copy sign, and she does not want to promote them within the City.

Chairperson Paralusz reopened the public hearing.

Mr. Polster pointed out that electronic billboards have been banned in Los Angeles; however, signs similar to the subject proposal are permitted. He stated that LED signs are allowed for schools but not other businesses. He said that the sign could be used by the City for public service announcements. He indicated that the sign would not include motion such as on a television screen.

Chairperson Paralusz pointed out that signs for schools are approved by the school district and are not reviewed by the City.

Chairperson Paralusz closed the public hearing.

Action

A motion was MADE and SECONDED (Seville-Jones/Andreani) to **DENY** a Sign Exception for the installation of one electronic changeable copy LED sign for a church located at 1243 Artesia Boulevard

AYES: Andreani, Conaway, Gross, Seville-Jones, Chairperson Paralusz
NOES: None
ABSENT: None
ABSTAIN: None

Director Thompson explained the 15-day appeal period and stated that the item will be placed on the City Council's Consent Calendar for their meeting of October 18, 2011.

Director Thompson said that staff will include the suggestion of addressing new sign technology at the City Council's next work plan session.

5. DIRECTORS ITEMS.

Director Thompson said that there will be a presentation on the library project by the architect of the project at the next Planning Commission meeting on October 12, 2011.

Director Thompson indicated that the City Council will discuss the Commission's recommendation regarding addressing the approval of liquor licenses in the City at their next meeting on October 4, 2011.

6. PLANNING COMMISSION ITEMS

Commissioner Seville-Jones said that the Home Town Fair will take place the weekend of October 1, 2011

Commissioner Conaway commended staff on their staff reports which are well written, thorough, and clear.

7. TENTATIVE AGENDA September 14, 2011

- a. **Chalk Day Care 1030 Manhattan Beach Boulevard**
- b. **Library Status Report**

8. ADJOURNMENT

The meeting was adjourned at 10:25 p.m. to Wednesday, October 12, 2011, in the City Council Chambers, City Hall, 1400 Highland Avenue

SARAH BOESCHEN
Recording Secretary


ATTEST:


RICHARD THOMPSON
Community Development Director

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**CITY OF MANHATTAN BEACH
DEPARTMENT OF COMMUNITY DEVELOPMENT**

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development 

BY: Michael P. Rocque, Assistant Planner 

DATE: September 28, 2011

SUBJECT: Consideration of a Sign Exception for the Installation of One Electronic Changeable Copy Light Emitting Diode (LED) Sign for a Church and School Located at 1243 Artesia Boulevard (Journey of Faith)

RECOMMENDATION

Staff recommends that the Planning Commission **DISCUSS** the subject request and **APPROVE** Resolution PC 11-XX allowing one electronic changeable copy LED sign at Journey of Faith with conditions.

APPLICANT

AKC Services, Inc.
31681 Riverside Dr., Suite B
Lake Elsinore, CA 92530

OWNER

Community Baptist Church of Manhattan Beach
1243 Artesia Blvd
Manhattan Beach, CA 90266

PROJECT OVERVIEW

Location

<u>Location</u>	1243 Artesia Blvd
<u>Area District</u>	I
<u>Legal Description</u>	Lots 1, 2, 3 and 4, Block 4, Amended Map of Seaside Park

Landuse

<u>General Plan</u>	Low Density Residential(North Side) and High Density Residential (South Side)
<u>Zoning</u>	RH – Residential High Density-Sign located adjacent to Artesia Boulevard in RH. North Side RS

<u>Existing Land Use</u>	Church and School
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<u>Neighboring Zoning</u>	North	RS – Residential Single Family
	South	C3 – General Commercial (City of Hermosa Beach)
	East	PS – Public and Semi-Public (Mira Costa High School)
	West	CG – General Commercial and RH – Residential High Density

<u>Sign Criteria</u>	<u>Allowed</u>	<u>Existing/Proposed</u>
Monument	40 sq. ft.	0 sq. ft.
Wall	100 sq. ft.	0 sq. ft.
Pole	0 sq. ft.	173 sq. ft. (Sign Exception Required)

BACKGROUND

Currently, the subject church facility has two existing pole signs. The first sign is located at the front of the site off of Prospect Avenue/Artesia Boulevard measuring over ten feet (10') in height and three (3) square feet in area which a sign exception was granted (PC Reso. 04-05) (Exhibit B) to allow for the replacement of a non-permitted pole sign within the front setback area. The second sign is an existing double-sided internally illuminated changeable copy cabinet pole sign and is located at the southeast corner of the site along Artesia Boulevard. This sign measures over fourteen feet (14') in height and one hundred and seventy (170) square feet in total surface area. The changeable copy cabinet measures sixty (60) square feet in total area on each side totaling one hundred and twenty (120) square feet in total cabinet area and an additional twenty five (25) square feet in total area on each side totaling fifty (50) square feet. The subject proposal is requesting to replace the existing double-sided cabinet pole sign with a new full color LED/electronic display board maintaining the same height, size, location and area. In accordance with Sections 10.72.050 and 10.72.070, changeable copy display boards, reflective signs and more than one pole sign per site are not permitted by the City's sign code and therefore requires Planning Commission approval of a sign exception.

DISCUSSION

The submitted plans propose the installation of a new double-sided sixty (60) square-foot full color LED/electronic display messaging board replacing the existing double-sided cabinet sign. The sign is a programmable electronic (LED) message cabinet measuring 6' high x 10' wide with a fixed 2.5' panel across the top reading "Journey of Faith". The sign would communicate messages to its members and the community regarding various events, activities, and programs. Similar electronic signs exist at Pacific Elementary School and most recently in 2006 American Martyrs Church received approval from the Planning Commission for the installation of 2 new 25 square-foot electronic display wall signs located on a parking structure wall facing 15th Street. The signs are both programmable electronic (LED) message cabinets.

Traditional changeable copy signs differ from LED messaging-copy signs. Traditional changeable copy sign provide specific detailed messages and scheduling information that change semi-frequently. Movie theaters, flower shops, churches, and schools often have changeable copy signs. Most of these signs have plastic letters that are manually changed by regular employees. LED messaging copy signs provide a business or entity more flexibility and ease of delivering messages in a cleaner, more modern style that is more easily and frequently changed.

The City's sign code (MBMC Chapter 10.72.050E & 10.72.070I) generally prohibits changeable copy signs except for the monument sign allowance for churches, schools and other public and semi-public sites. This case does not meet the exception since the current proposed sign is a pole sign and not a monument sign as it is over six (6') feet in height. The sign code also prohibits the use of revolving, flashing, fluttering, spinning, or reflective signs.

Applicable Sign Code Provisions:

Section 10.72.050E of the sign code provides the permitted church signs as follows:

Land Use	Sign Type	Maximum Number	Maximum Area	Height	Permitted Projection	Additional Reg' s
Public & Semipublic (Churches, schools,...)	Monument	1 double faced sign per site frontage	20 s.f. per face	6 ft.	None	(E)
	Wall	1 per primary building	20 s.f. each	Top of wall	12 inches	

Additional regulation (E)(referenced above) permits changeable copy for churches, schools, etc. as follows:

- E. Changeable copy is permitted to be incorporated within one (1) primary monument sign of a public or semipublic site.

General provision 10.72.020(E) prohibits changeable copy signs in general unless a sign exception is approved as follows:

- E. The copy of all signs shall be permanently fixed in place in conformance with their corresponding sign permits unless an exception for changeable copy is provided pursuant to the regulations of this chapter.

Section 10.72.080 of the sign code provides criteria and findings for Planning Commission approval of sign exceptions, which is required for the proposed changeable copy LED pole signs in excess of the total number of allowed signs and excess square footage.

Analysis:

The existing pole sign location is directly adjacent to Artesia Boulevard situated at the southeast corner of the site across from Mira Costa High School. The existing pole sign has been there for decades with no record of any permits in the City. It appears to be the most prominent and visible sign location to the campus-like layout of the church and school facility. Most of the surrounding uses are commercial or public/semi-public with the sign having minimal obstructions and no immediate impact or visibility issues to surrounding residential neighbors. Homes with the closest

view of the proposed signs are to the south in Hermosa Beach on the south side of Artesia Boulevard. The only direct impact the sign will have, will be on vehicular traffic along the Artesia Boulevard corridor.

In addition to neighbor and traffic impacts, the Planning Commission should also determine if the sign proposal would be visually detrimental to the public. The intent of the sign code (10.72.010) includes maintaining the attractiveness and orderliness of the City's appearance, and protecting the public safety and welfare.

Staff does have a concern for motion and brightness (especially in the evening hours) in the proposed sign. In addition to the identified code conflicts of changeable copy, sign quantity and sign size, the sign code also prohibits all "revolving, flashing, fluttering, spinning, or reflective signs". These motion oriented effects combined with bright internal lighting could be very visually disruptive. The flexibility provided by a programmable LED sign may have the potential to achieve these effects. The applicant has indicated that the signs will not include any of these effects; however, staff suggests that any approval of the request should specifically prohibit significant motion effects and strong lighting intensity as indicated in the conditions below and in the attached Draft Resolution (PC 11-XX).

On September 22, 2011, the applicant and sign contractor presented a mock sign on site which demonstrated the features and depicted what the proposed sign would look like upon installation. Attached to this report are photos of the on-site mock sign (Exhibit E).

Sign Exception Findings:

Section 10.72.080 of the Manhattan Beach Zoning Code provides the findings that are necessary to approve a Sign exception. Staff believes all findings can be met as follows:

An application for a sign exception as it was applied for, or in modified form as required by the Commission, shall be approved if, on the basis of the application, plans, and materials submitted; the Commission finds that:

- A. *The proposed sign exception would not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located. Potential impacts may include, but are not limited to, design;*

The proposed sign does not appear to have any detrimental or adverse impacts to the surrounding neighborhood. The sign will be replacing the existing double-sided internally illuminated changeable copy pole sign in the same location, same height, size and area. The applicant has agreed to mitigate any lighting or motion concerns by placing restrictions on the sign such as; dimming the sign in the evening hours, no animations (static copy only) limiting the frequency of the sign changes, minimizing brightness, providing an on-off capability, prohibiting off premises advertising, and timing of messages.

- 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;*

The only way the applicant can install the proposed LED programmable sign is by obtaining a sign exception. The LED sign will be the same size, location, area, and height as the existing but will be more up to date and modern, a cleaner look, so that the applicant is not deprived the use or enjoyment of the subject site.

- C. *The proposed sign exception is consistent with the legislative intent of this title. In granting any such exception, the Planning Commission may impose reasonable conditions or restrictions as deemed appropriate or necessary to protect the public health, safety, and general welfare.*

The proposed sign meets the intent of the sign code and the applicant has assured the sign will not have any impacts on public health, safety, and general welfare. Specific conditions of approval related to timing, brightness, frequently of changes, and other conditions are incorporated into the resolution to ensure that all facets of the public interests are covered.

Sign Exception Conditions:

The following conditions have been added to the Draft Resolution PC 11-XX (Exhibit A) as it pertains to the electronic LED changeable copy sign at the subject site:

1. There shall be no sound or other audio related noise that emits from the sign.
2. The project shall be constructed and operated in substantial compliance with the submitted plans as approved by the Planning Commission on September 28, 2011.
3. The sign cabinet of the LED sign shall not exceed sixty (60) square feet in area, per side, shall maintain its existing location and size, plus and two and half (2.5') feet by ten (10') feet of sign cabinet on top of the LED sign.
4. The use of the LED signs shall be limited to information regarding church activities, events and programs conducted on the church site. Commercial, personal, instructional, or entertainment oriented content as well as off-site advertisement shall be prohibited.
5. The signs shall display only still-screen static messages. Moving, flashing, scrolling, and animated images shall be prohibited. Each still-screen message shall be displayed a minimum of 60 seconds.
6. 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.

7. The sign shall be equipped with photocell technology which will dim the sign during night time hours.
8. The sign shall have no exterior illumination, only internal LED illumination at all times.
9. The sign shall have a maximum of three (3) foot candles above ambient light based on Illuminating Engineering Society of North America standards. This criteria shall be shown on the plans and are subject to field verification and certification prior to final.
10. The signs or sign operation shall be modified to address neighbor complaints as determined to be appropriate by the Community Development Director.
11. The sign shall be certified and installed per the conditions and approved plans prior to final.

Public Input

Sign exception applications do not require individual public noticing, the Planning Commission agenda was posted on the website and in the public posting display areas. No public comments were received regarding the application at this time.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

This application is Categorically Exempt in accordance with Class 1, Section 15301, of the California Environmental Quality Act (CEQA) Guidelines, as the subject amendment is determined to be categorically exempt from environmental review in that it is a minor change in the operation of the business and thus a negligible change of use in the existing site.

CONCLUSION

The sign code permits the Planning Commission to approve a sign exception if it finds that: it would not be detrimental to the surrounding area, is necessary for reasonable use of the property, and is consistent with the intent of the sign code. Staff recommends that the Planning Commission review the proposal and determine whether the electronic LED sign is a reasonable method for the church to communicate information that will not be visually detrimental to neighbors and the public use of Artesia Boulevard.

Staff has provided the attached draft resolution with findings for approval incorporating the reasons discussed above, and conditions requiring restricted messaging times, noise, and lighting/animation.

ALTERNATIVES

Other than the stated recommendation, the Planning Commission may:

1. **DENY** the project subject to public testimony received, based upon appropriate findings, and **DIRECT** Staff to return with a draft Resolution.

EXHIBITS:

- A. Draft Resolution PC 11-XX
- B. PC Resolution No. 04-05 & 08-02
- C. Sign Drawings
- D. Project application
- E. Photos of on-site Mock sign from 9/22/11

RESOLUTION NO. PC 11-XX

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
MANHATTAN BEACH APPROVING A SIGN EXCEPTION FOR AN
ELECTRONIC CHANGEABLE COPY LED SIGN AT THE PROPERTY
LOCATED AT 1243 ARTESIA BOULEVARD (Journey of Faith Church)**

**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 of the City of Manhattan Beach considered an application for a sign exception on September 28, 2011 for an existing church facility on the property located at 1243 Artesia Boulevard in the City of Manhattan Beach.
- B. The proposed sign is the installation of a new double-sided sixty (60) square-foot full color LED/electronic display messaging board replacing the existing double-sided cabinet sign maintaining the same height, size and location located at the southwest corner of the site along Artesia Boulevard. A twenty-five (25) square foot non-illuminated sign cabinet will remain on top the LED sign.
- C. The Assessors Parcel Number for the property is 4168-011-001.
- D. The applicant for the subject project is AKC Services, Inc., agent for the owner of the property, Community Baptist Church of Manhattan Beach.
- E. 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.
- F. 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.
- G. The property is located within Area District I and is zoned RH, Residential High Density, on the south side and RS on the north side. The surrounding land uses beyond the church facility consist of multi- and single-family residences, commercial, and Mira Costa high school.
- H. The General Plan designation for the property is Low Density Residential(North Side) and High Density Residential (South Side)
- I. In 1997 the Planning Commission approved a Use Permit and Variance application (Resolution No. PC 97-18) to allow a remodel and expansion of a Religious Assembly use on the High Density Residential lot and a Variance to allow relief from parking, front yard



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setback, and fence height requirements.

- J. In 2004 the Planning Commission approved a Variance and Sign Exception application (Resolution No. PC 04-05) to allow a building addition into the required setback and pole sign adjacent to the church entrance at the corner of Artesia and Prospect.
- K. In 2008 the Planning Commission approved a Use Permit and a Variance application (Resolution No. PC 08-02) to allow a new 18,000 square-foot education building and allow the elevator shaft to exceed the maximum allowed building height.
- L. 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 it's large area and quantity of street frontage; as detailed in the project staff report.
- M. Pursuant to Section 10.72.080 of the Manhattan Beach Municipal Code, the following findings for the Sign Exception are made:

1. *The proposed sign exception would not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located. Potential impacts may include, but are not limited to, design;*

The proposed sign does not appear to have any detrimental or adverse impacts to the surrounding neighborhood. The sign will be replacing the existing double-sided internally illuminated changeable copy pole sign in the same location, same height, size and area. The applicant has agreed to mitigate any lighting or motion concerns by placing restrictions on the sign such as; dimming the sign in the evening hours, no animations (static copy only) limiting the frequency of the sign changes, minimizing brightness, providing an on off capability, prohibiting off premises advertising, and timing of messages.

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;*

The only way the applicant can install the proposed LED programmable sign is by obtaining a sign exception. The LED sign will be the same size, location, area, and height as the existing but will be more up to date and

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modern, a cleaner look, so that the applicant is not deprived the use or enjoyment of the subject site.

3. *The proposed sign exception is consistent with the legislative intent of this title. In granting any such exception, the Planning Commission may impose reasonable conditions or restrictions as deemed appropriate or necessary to protect the public health, safety, and general welfare.*

The proposed sign meets the intent of the sign code and the applicant has assured the sign will not have any impacts on public health, safety, and general welfare. Specific conditions of approval related to timing, brightness, frequency of changes, and other conditions are incorporated into the resolution to ensure that all facets of the public interests are covered.

- N. 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.
- O. Approval of the changeable copy LED sign request is appropriate in this unique case due to the signs' isolation from neighboring properties, visible location along Artesia Boulevard and minimal obstructions and visibility issues and does not imply that other installations would be appropriate.
- P. The project shall otherwise be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- Q. This Resolution, upon its effectiveness, constitutes the Sign Exception approval for the subject project.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Sign Exception for one electronic changeable copy LED pole sign, 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 September 28, 2011.

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2. * The sign cabinet of the LED sign shall not exceed 60 square feet in area, per side, shall maintain its existing location and size, plus two and half (2.5') feet by ten (10') feet of cabinet sign on top of the LED sign.
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. * The use of the LED signs shall be limited to information regarding church activities, events and programs conducted on the church site. Commercial, personal, instructional, or entertainment oriented content as well as off-site advertisement shall be prohibited.
6. * The signs shall display only still-screen static messages. Moving, flashing, scrolling, and animated images shall be prohibited. Each still-screen message shall be displayed a minimum of 60 seconds.
- 7.* There shall be no sound or other audio related noise that emits from the sign.
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 equipped with photocell technology which will dim the sign during night time hours.
10. The signs or sign operation shall be modified to address neighbor complaints as determined to be appropriate by the Community Development Director.
- 11.* The sign shall have no exterior illumination, only internal LED illumination at all times.
12. The sign shall have a maximum of three (3) foot candles above ambient light based on the Illuminating Engineering Society of North America standards. This criteria shall be shown on the plans and are subject to field verification and certification prior to final.
13. The sign shall be certified and installed per the conditions and approved plans prior to final.

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14. This Sign Exception shall lapse two years after its date of approval, unless implemented or extended by the Planning Commission.
15. 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.
16. 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.

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 September 28, 2011 and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RICHARD THOMPSON,
Secretary to the Planning Commission

RESOLUTION NO. PC 11-

Sarah Boeschen,
Recording Secretary

Journey of Faith

RESOLUTION NO. PC 04-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A VARIANCE APPLICATION TO ALLOW RELIEF FROM BUILDING SETBACK REQUIREMENT AND SIGN EXCEPTION FOR AN EXISTING RELIGIOUS FACILITY LOCATED AT 1243 ARTESIA BOULEVARD (Onyx Architects)

P. 3

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 of the City of Manhattan Beach conducted a public hearing pursuant to applicable law on March 10 2004, to consider an application for a Variance and Sign Exception for the properties legally described as Lots 1, 2, 3 and 4, Block 4, Amended Map of Seaside Park, located at 1243 Artesia Boulevard in the City of Manhattan Beach.
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant/owner's representative for the Variance and Sign Exception application are Onyx Architects.
- D. In 1997 the Planning Commission approved a Use Permit and Variance applications (Resolution No. PC 97-18) to allow a remodel and expansion of a religious assembly use on the High Density residential lot and a Variance to allow relief from parking, front yard setback and fence height requirements.
- E. The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (e) "Minor Alterations to Existing Facility", provided that the addition will not result in an increase of an addition of more than 50% of existing floor area before the addition.
- F. 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.
- G. This Resolution is intended to incorporate and supersede the previous Use Permit and Variance approval to allow a building expansion on a residential high density zoned lot.
- H. The Planning Commission made the following findings with respect to this Variance application:
 - 1. The applicant's request approval for a proposed 200 square foot building addition located at the entry area of the church auditorium (sanctuary) a portion that would encroach into the required 20-foot front yard setback area adjacent to Artesia Boulevard. Additionally, a sign exception is requested to allow a non-permitted pole sign in the front setback adjacent to the church entry area
 - 2. The project is located in Area District I and is developed with one and two-story buildings located in both the (RS) Residential Single Family and (RH) Residential High Density zone. The properties to the north, across Tennyson Street, are zoned (RS) Single Family Residential; the properties to the south, across Artesia Boulevard, are in the City of Hermosa Beach; the property to the east, across Meadows Avenue, is zoned (PS) Public and Semi-Public; and the properties to the west are zoned (CG) General Commercial.

EXHIBIT B

RESOLUTION NO. PC 04-05

3. The General Plan designation for the property is Low Density Residential and High Density Residential.
4. With the proposed minor building addition, no changes are proposed to any of the existing one and two story buildings.
5. Based upon State law, the proposed project will meet the required findings as follows:

Variance-Building Addition

- a. The special circumstances applicable to this property are that the addition into the required front building setback area is negligible because they are merely strengthening a pre-existing wall that already encroaches into the required setback, and enclosing an existing area that has walls on three sides and a roof.
 - b. The relief may be granted without substantial detriment to the public good due to the physical conditions of the site which includes a width of Artesia Boulevard (100 feet) and the east/west orientation of the lot. For the same reason, natural resources will not be affected nor there any detriment to properties or persons within the vicinity of the project.
 - c. Granting the request will not constitute a granting of a special privilege because the existing use will not change and the proposed addition would not further limit visual impact along Artesia Boulevard.
6. Based upon MBMC Section 10.72.080, the proposed sign will meet the required finding as follows:

Sign Exception

- a. The proposed sign exception would not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located. Potential impacts may include, but are not limited to, design. The proposed sign is designed to complement both the building architecture and proposed new plaza area. The location and position of the sign is designed to take advantage of maximum visibility from all adjoining streets and positioned to alleviate safety concerns from the adjacent street corner, and therefore will not be detrimental to the surrounding neighborhood.
- 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. The proposed sign is positioned so as not to interfere with automobile traffic sightlines (view triangle) along Artesia Boulevard and/or Prospect Avenue, and will be designed and constructed to a high standard to complement the building design and the surrounding area, replacing a visually less appealing monument sign.
- c. The proposed sign exception is consistent with the legislative intent of this title. The proposed sign location is positioned so that it will not affect the safety of the adjacent street corner, but is visible from east/west bound traffic on Artesia Boulevard and from north/south bound traffic on Prospect Avenue and therefore is consistent with the legislative intent of this title.

RESOLUTION NO. PC 04-05

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Variance and Sign Exception subject to the following conditions:

General

1. The project shall be in substantial conformance with the plans submitted to, and approved by the Planning Commission on March 10, 2004.
2. A Traffic Management Plan shall be submitted by the applicant or contractor in conjunction with the building plan check. The Traffic Management Plan shall be approved by both the Community Development and Police Departments prior to the issuance of the building/demolition permits. The plan shall provide for the management of all construction related traffic during all phases of the project, including delivery materials and parking.
3. No building material shall be allowed to be stored in either the public right-of-way or required on-site parking areas.

Operational Restrictions

4. An adequate trash enclosure shall be provided and maintained on the site which is accessible from the exterior of the building for trash disposal and City pick-up, subject to the specification and approval of the Public Works Department, Community Development Department and City's waste contractor
5. Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance.
6. The applicant/business owners shall provide adequate management and supervisory techniques to prevent boisterous activities outside and in the immediate area of the surrounding neighborhood.
7. All proposed signs, other than the proposed "pole" sign (permanent or temporary), shall meet the current Sign Ordinance requirements subject to the approval of the Community Development Department. All sign applications shall be accompanied with plans and must be submitted prior to the issuance of a building permit.
8. During peak hours, the existing parking areas shall not be utilized for outdoor activities associated with either religious assembly or religious education.
9. Any future proposal for a satellite dish shall meet the current Code requirements for setbacks, maximum height, maximum dish dimension, screening, undergrounding and surface material and finishes, provided placement of such equipment does not detract from the visual character of the building, subject to the approval of the Community Development Department.
10. Prior to the issuance of a building permit, the applicant shall provide evidence that the site provides 148 on-site vehicle parking spaces which includes 139 standard spaces, 7 disabled spaces and 2 compact spaces.

Public Works

11. All landscape irrigation backflow devices must meet current City requirements for property installation.
12. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility pole(s) 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.

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13. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.
14. If required, a property line cleanout must be installed on the sanitary sewer lateral (See City Standard Plan ST-5).
15. A backwater valve is required on the sanitary sewer lateral if the discharges from fixtures with flood level rims are located below the next upstream manhole cover of the public sewer (See City Standard Plan ST-24).
16. If any existing sewer lateral is used, it must be video taped to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public Works Department will review the tape and determine at that time if the sanitary lateral needs repairing, replaced, or that it is structurally sound and can be used in its present condition.
17. Any unused water or sanitary sewer laterals must be abandoned at the City sewer main.
18. Erosion and sediment control devices BMPs (Best Management Practices) must be implemented around the construction site to prevent discharges to the street and adjacent properties. BMPs must be identified and shown on the plan. Control measures must also be taken to prevent street surface water entering the site.
19. All storm water, nuisance water, etc. drain lines installed within the street right-of-way must be constructed of ductile iron pipe. Drains must be shown on plans.
20. Plan holder must have the plans checked and stamped for approval by the Public Works Department prior to the issuance of a building permit. All of the Public Works notes and conditions must be printed on the plans.

Building Division

21. All work shall comply with the 2001 California Codes which includes: 1999 National Electrical Code, 1997 Uniform Building Code, 2000 Uniform Mechanical Code and Uniform Plumbing Code.
22. Change in seating and/or stage area will require re-classification of building occupancy.
23. Remodeled areas must comply fully with all exit and disabled access requirements.

Procedural

24. All provisions of the Variance and Sign Exception are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter. The applicant/business owner shall cooperate with the Community Development in its conduct of periodic reviews of the subject Variance Permit.
25. This Resolution shall become effective when all time limits for appeals have been exhausted as provided in MBMC Section 10.100.030.
26. The Variance and Sign Exception shall be approved for a period of two years after the date of approval, with the option for future extensions, in accordance with the Manhattan Beach Municipal Code (MBMC) Section 10.84.090 (A).
27. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action 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 or enter into an agreement with the City to pay such expenses as they become due.

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28. At any time in the future, the Planning Commission or City Council may review the Variance and Sign Exception approval for purposes of revocation or modification. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land use.

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.

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 March 10, 2004, and that said Resolution was adopted by the following vote:

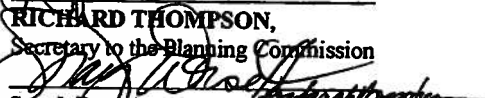
AYES: O'Connor, Simon, Savikas, Chairman
Montgomery

NOES:

ABSTAIN: Kuch

ABSENT:


RICHARD THOMPSON,
Secretary to the Planning Commission


Sarah Boeschen
Recording Secretary

Journey of Faith

RESOLUTION NO. PC 08-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT TO ALLOW A NEW 18,000 SQUARE FOOT EDUCATION BUILDING AND A VARIANCE TO ALLOW RELIEF FROM MAXIMUM ALLOWABLE BUILDING HEIGHT, FOR AN EXISTING RELIGIOUS FACILITY LOCATED AT 1243 ARTESIA BOULEVARD (Journey of Faith)

P.4

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 of the City of Manhattan Beach conducted a public hearing pursuant to applicable law on January 23, 2008, to consider application for a Use Permit and Variance for the properties legally described as Lots 1, 2, 3 and 4, Block 4, Amended Map of Seaside Park, located at 1243 Artesia Boulevard in the City of Manhattan Beach.
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant/owner's representative for the Use Permit and Variance applications is Onyx Architects.
- D. In 1997 the Planning Commission approved a Use Permit application (Resolution No. PC 97-18) to allow a 22,350 square foot addition, which includes a lobby, tower, service spaces, pre-school and fellowship hall, on the High Density residential portion of the lot and a Variance to allow relief from parking, front yard setback and fence height requirements. In 2004 a Variance approval was also granted (Resolution No. PC 04-05) for a 200 square foot building addition at the church entry that encroaches into the 20-foot front yard setback area and a sign exception to allow a non-permitted pole sign in the front setback area.
- E. The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Class 2) as a replacement of existing structures.
- F. 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.
- G. This Resolution is intended to incorporate and supersede the previous Use Permit and Variance approvals to allow building expansions on a residential high density zoned portion of the lot.
- H. The Planning Commission made the following findings with respect to this application:
 - 1. The applicant's request approval for a proposed three level 18,000 square foot education building replacing 16,000 square feet of existing education buildings contained in several buildings, and a Variance to allow only the proposed elevation shaft to exceed the maximum allowable height limit based on location and state mandated requirements by approximately 3-feet excluding the HVAC units which must be designed below the maximum allowable height or be located elsewhere, not on the rooftop.
 - 2. The project is located in Area District I and is developed with one and two-story buildings located in both the (RS) Residential Single Family and (RH) Residential High Density zone. Per MBMC Section 10.12.020

RESOLUTION NO. PC 08-02

(D), facilities on sites of two (2) acres or more are subject to the (PS) Public and Semi-Public regulation, precluding the Residential Districts regulations. The properties to the north, across Tennyson Street, are zoned (RS) Single Family Residential; the properties to the south, across Artesia Boulevard, are in the City of Hermosa Beach; the property to the east, across Meadows Avenue, is zoned (PS) Public and Semi-Public; and the properties to the west are zoned (CG) General Commercial and (RH) High Density Residential.

3. The General Plan designation for the property is Low Density Residential and High Density Residential.
4. The maximum building height allowed for the property is at a 191.04 elevation. The proposed elevator shaft penthouse design is housed in an 8' x 13' area and would extend a maximum of 3-feet above the proposed parapet roofline (194.04).

Use Permit

- a. The subject proposal would replace 16,000 square feet of existing education buildings contained in several buildings. The proposed use is in accord with the objectives of this title, and the purpose of the district in which it is located since the project is a residential zone consistent with Section 10.12.010 (F) of the Manhattan Beach Zoning Code which states that the district is intended to provide sites for public and semipublic land uses needed to complement residential development. With the exception of the proposed building height, the subject proposal would be in compliance with all applicable regulations as detailed in the report.
- b. The proposed education building poses no detrimental effect to the public health, safety, or welfare of persons residing or working on the proposed project site, or to the adjacent neighborhood; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city as the site continues to operate as a religious assembly use. The new building is intended to upgrade existing building with a new education facility which meets current zoning and building code requirements.

The proposed location of the use and the proposed conditions under which it will be operated or maintained is consistent with the General Plan, since the project site is classified as a Public Facility and would operate for the public benefit and welfare.

The General Plan of the City of Manhattan Beach poses certain goals and policies, which reflect the expectations and wishes of the City, with respect to land uses. Specifically, the project is consistent with the following Goals of the General Plan as summarized below:

Goal LU-1.1: Limit the height of new development to three stories where the height limit is 30-feet in order to protect the privacy of adjacent properties and preserve the low profile of the community.

Goal LU-1.2: Encourage the use of notches, open space, setbacks, landscaping, or other architectural details to reduce building bulk.

Goal LU-3.1: Encourage quality design in all new construction.

Goal LU-7.1: Protect existing residential neighborhoods from the intrusion of inappropriate and incompatible uses.

RESOLUTION NO. PC 08-02

Variance

- a. Because of special circumstance or conditions applicable to the subject property, the proposed height Variance would not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located. The proposed elevator shaft would provide minimal visual impact from the ground and from neighboring properties since it is small and would be screened.
- b. The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to properties or improvements in the vicinity of the development site. The proposed location and size of the elevator shaft on the building rooftop would enable the applicant to utilize the construction building area in a way that conserves land area and makes use of the site's natural topography by providing more landscape area.
- c. Granting the application is consistent with the purposes of this title and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district, since the proposed building height will be in scale and compatible with the buildings on site.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Use Permit and Variance subject to the following conditions:

Site Preparation/Construction

1. The project shall be in substantial conformance with the plans and project description submitted to, and approved by the Planning Commission on January 23, 2008, with revisions as noted in the conditions. Any other substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
2. A Traffic Management Plan shall be submitted by the applicant or contractor in conjunction with the building plan check. The Traffic Management Plan shall be approved by both the Community Development and Police Departments prior to the issuance of the building/demolition permits. The plan shall provide for the management of all construction related traffic during all phases of the project, including delivery materials and parking.
3. No building material shall be allowed to be stored in either the public right-of-way or required on-site parking areas.
4. During construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
5. A site landscaping plan utilizing drought tolerant native plants shall be submitted for review and approval concurrent with the building permit application. All plants shall be identified on the plan by the Latin and common names. Mature shade trees shall be incorporated into the plan. Landscaping shall be installed per the approved plans prior to building final. All existing trees shall be protected where feasible as part of the new proposal.
6. A minimum 5-foot wide landscape buffer shall be provided at the northerly property line adjacent to the new parking area.
7. Public right-of-way trees shall be provided around the perimeter of the property to the extent feasible subject to the approval of both the Community Development Department and Public Works Department.
8. A low pressure, low-flow or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off. The type and design shall be subject to the approval of the Public Works and Community Development Departments and shall be installed per the approved plans prior to building final.

RESOLUTION NO. PC 08-02

9. Plans shall incorporate sustainable building components into the building and site design. The plans may include, but not be limited to LEED (Leadership in Energy and Environmental Design) and Built-it-Green components, permeable pavement, energy efficient plumbing, mechanical and electrical systems, and retention of storm water on the site. Plans shall require review and approval by the Community Development Department and Public Works Department.
10. An adequate trash enclosure shall be provided and maintained on the site which is accessible from the exterior of the building for trash disposal and City pick-up, subject to the specification and approval of the Public Works Department, Community Development Department and City's waste contractor.
11. The proposed HVAC equipment located at the rooftop shall remain below the allowable building height or located elsewhere within on the building or on property. The elevator shaft shall be the minimum height and size required by code and under no circumstances shall the height be greater than 3-feet above the maximum height limit.
12. The applicant/business owners shall provide adequate management and supervisory techniques to prevent boisterous activities outside and in the immediate area of the surrounding neighborhood.
13. All proposed signs (permanent or temporary), shall meet the current Sign Ordinance requirements subject to the approval of the Community Development Department. All sign applications shall be accompanied with plans and must be submitted prior to the issuance of a building permit.
14. During peak hours, the existing parking areas shall not be utilized for outdoor activities associated with either religious assembly or religious education.
15. Any future proposal for a satellite dish shall meet the current Code requirements for setbacks, maximum height, maximum dish dimension, screening, undergrounding and surface material and finishes, provided placement of such equipment does not detract from the visual character of the building, subject to the approval of the Community Development Department.
16. Prior to the issuance of a building permit, the applicant shall provide evidence that the site provides 181 on-site vehicle parking spaces which includes 172 standard spaces and 9 disabled spaces.

Traffic Engineer Requirements

17. A Sunday Parking Management Plan shall be submitted for approval by the City Traffic Engineer prior to occupancy. This plan shall consist, at a minimum, of unrestricted parking of all on-site spaces on Sundays, off-site parking agreements(s), time-limit parking restrictions if appropriate, designated areas for employees, staff and visitors on weekends, valet and/or passenger loading areas for off-site parking lots, Lot Full signs and parking lot occupancy monitors as appropriate.
18. An off-street parking agreement shall be maintained for use of the Mira Costa High School Student Center parking lot on Sundays.
19. Proposed uses and schedule of all occupied space on the church campus as identified in the Parking Needs Analysis shall not be modified without City approval. Classrooms and meeting space identified in the Parking Needs Analysis as vacant during weekdays shall not be occupied except on Sundays without prior City approval.

Public Works

20. This is a SUSMP project and an Operating and Maintenance Agreement Form regarding on-site storm water pollution BMP's and mitigation devices must be completed and submitted to the City before a building or grading permit issues.

RESOLUTION NO. PC 08-02

21. A mop sink must be installed on each floor and be shown on the plumbing plan.
22. Commercial enterprises must comply with the National Pollution Discharge Elimination System (NPDES) clean water requirements. Discharge of mop water, floor mat washing, trash can cleaning and washing out of trash enclosures into the street or storm drain system is prohibited (MBMC 5.84.060, 5.84.090).
23. If the property is located on a corner lot, a disabled access ramp must be installed on the public sidewalk (See City Standard Plan ST-9). Ramp must be shown on plans if applicable.
24. Before the two utility poles located on Prospect Avenue can be relocated, approval from Parking and Public Improvement Commission (PPIC) and City Council is required; and a building permit must be obtained
25. Plan holder must have the plans checked and stamped for approval by the Public Works Department prior to the issuance of a building permit. All of the Public Works notes and conditions must be printed on the plans.

Building Division

26. All work shall comply with the 2007 California Building Code, 2007 California Electrical Code, 2007 California Mechanical Code and 2007 California Plumbing Code.

Procedural

27. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission
28. *Terms and Conditions are Perpetual.* These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
29. This Resolution shall become effective when all time limits for appeals have been exhausted as provided in MBMC Section 10.100.030, have expired.
30. The Use Permit and Variance shall lapse two (2) years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code.
31. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action 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 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.

RESOLUTION NO. PC 08-02


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 January 23, 2008, and that said Resolution was adopted by the following vote:

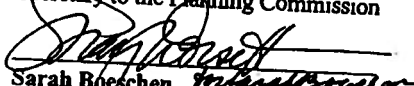
AYES: Lesser, Powell, Chairman Bohner

NOES: Fasola, Seville-Jones

ABSTAIN:

ABSENT:


RICHARD THOMPSON,
Secretary to the Planning Commission


Sarah Boeschen
Recording Secretary

JourneyofFaithPCRes1-23-08



MASTER APPLICATION FORM

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

<i>Office Use Only</i>	
Date Submitted:	6/10/11
Received By:	Ted F.
F&G Check Submitted:	

1243 Artesia Blvd
Project Address

Legal Description

General Plan Designation Zoning Designation Area District

For projects requiring a Coastal Development Permit, select one of the following determinations¹:

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------|
| <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"/> Use Permit (Residential) |
| <input type="checkbox"/> Coastal Development Permit | <input type="checkbox"/> Use Permit (Commercial) |
| <input type="checkbox"/> Environmental Assessment | <input type="checkbox"/> Use Permit Amendment |
| <input type="checkbox"/> Minor Exception | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Subdivision (Map Deposit) 4300 | <input type="checkbox"/> Public Notification Fee / \$65 |
| <input type="checkbox"/> Subdivision (Tentative Map) | <input type="checkbox"/> Park/Rec Quimby Fee 4425 |
| <input type="checkbox"/> Subdivision (Final) | <input type="checkbox"/> Lot Merger/Adjustment/\$15 rec. fee |
| <input type="checkbox"/> Subdivision (Lot Line Adjustment) | <input checked="" type="checkbox"/> Other <u>Sign Exception</u> \$3820.00 |

Fee Summary: Account No. 4225 (calculate fees on reverse)

Pre-Application Conference: Yes _____ No _____ Date: _____ Fee: _____

Amount Due: \$ _____ (less Pre-Application Fee if submitted within past 3 months)

Receipt Number: _____ Date Paid: _____ Cashier: _____

Applicant(s)/Appellant(s) Information

Name: GKC Services Inc.

Mailing Address: 31681 Riverside Dr. Suite B, Lake Elsinore, CA 92530

Agent: _____

Applicant(s)/Appellant(s) Relationship to Property: _____

Contact Person (include relation to applicant/appellant): _____ Phone number / e-mail: _____

Address: _____

Applicant(s)/Appellant(s) Signature: _____ Phone number: _____

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

install Full color led Board

6'-0" x 10'-0" on existing structure



¹ 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)

info@akcservices.net

Casey
Permit Expediter

Contact Bill
@ 310-806-7814

06-10-2011
A/001-01282529
PATT

Planning Commission
City of Manhattan Beach, CA

Re: Journey of Faith

Journey of Faith, located at 1243 Artesia Blvd, is proposing an Electronic Message Center to replace an existing marquee sign on the corner of Artesia Boulevard and S Meadows. As a Church, a school, and a facility that brings community together, Journey of Faith has a need and an obligation to get messages across to its members and the community regarding events and activities. The Electronic Message Center is a communication vehicle that can be used to convey service times, community outreach activities, canned food drives, volunteer opportunities, and more. The Church will have full access and control over the Electronic Message Center once installed.

Journey of Faith office hours are Monday-Friday 9:00 a.m. to 4:30 p.m.; however, Church activities occur 7 days a week, including a pre-school which operates weekdays, church activities for all ages operating at various hours of everyday. Activities include: worship services on Sundays from 8:00 a.m. to 8:00 p.m., choir practice and performances, community and Church presentations, on-site gatherings and festivals, bible-study classes and more. Peak Hours vary from 8:00 a.m. to 3:30 p.m. with most activities completed by 8:45 p.m.

Electronic Message Centers have been approved in the City of Manhattan Beach at venues similar to Journey of Faith. With that being considered, we propose the following conditions under which the Journey of Faith sign would operate:

1. Message center is dimmable. At any point in time, the unit can be manually dimmed. Unit currently is equipped with photocell technology that automatically dims the sign at night. This automatic dimming may be set to specific levels deemed safe and appropriate by the City of Manhattan Beach.
2. Sign is muted. There will be no audio associated with the unit.
3. Sign will automatically discontinue messages after 10 p.m.
4. Messages will not animate. All images displayed will be static.
5. Messages will remain displayed for no less than 30 seconds. This time frame is subject to the thoughts and recommendations of the City of Manhattan Beach.

If the City finds in favor of Journey of Faith, an affidavit, swearing to abide by the regulations and limitations set forth by the City, will be signed by Journey's highest ranking official and will be presented with the permit application.

The Journey of Faith organization believes that the proposed sign will not be detrimental to, nor adversely impact, the Church and school surroundings.

There is currently an illuminated sign on the property, the proposed sign would, just like the existing sign, deliver a readable message and is no larger than the existing sign in terms of square feet.

Journey of Faith is a stronghold for community gatherings and activities, the Church and school have messages to deliver, people to inform and invite, and responsibilities to the people in the community it serves. It's a large group of buildings utilizing a small physical message space and as the owners of that space and the buildings, they should have the ability to upgrade that message technology without increasing the physical size of that medium.

OWNER'S AFFIDAVIT

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I/We Gregg DeNen 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).

Gregg DeNen
Signature of Property Owner(s) - (Not Owner in Escrow or Lessee)

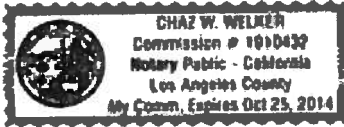
Gregg DeNen
Print Name

1243 Arteria Blvd, Manhattan Beach, CA 90266
Mailing Address

(310) 372-4641
Telephone

Subscribed and sworn to before me,
this 15th day of February, 2011

in and for the County of Los Angeles
State of California



Chaz W. Welner
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.

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

Coastal Development Permit	
Filing Fee (public hearing - no other discretionary approval required):	\$ 4,275 <input checked="" type="checkbox"/>
Filing Fee (public hearing - other discretionary approvals required):	\$ 815 <input checked="" type="checkbox"/>
Filing Fee (no public hearing required):	\$ 550
Use Permit	
Use Permit Filing Fee:	\$ 5,200 <input checked="" type="checkbox"/>
Master Use Permit Filing Fee:	\$ 8,145 <input checked="" type="checkbox"/>
Assessment Filing Fee:	\$ 4,730 <input checked="" type="checkbox"/>
Master Use Permit Conversion:	\$ 4,050 <input checked="" type="checkbox"/>
Variance	
Filing Fee:	\$ 4,925 <input checked="" type="checkbox"/>
Minor Exception	
Filing Fee (with notice):	\$ 1,065 <input checked="" type="checkbox"/>
Filing Fee (without notice):	\$ 475
Subdivision	
Certificate of Compliance	\$ 1,505
Final Parcel Map / Final Tract Map	\$ 685
Lot Line Adjustment or Merger of Parcels	\$ 1,010
Mapping Deposit (paid with Final Map application)	\$ 473
Quincy (Parks & Recreation) fee (per unit/lot)	\$ 1,817
Tentative Parcel Map (less than 4 lots / units) No Public Hearing	\$ 605
Tentative Parcel Map (less than 4 lots / units) Public Hearing	\$ 3,980 <input checked="" type="checkbox"/>
Tentative Tract Map (more than 4 lots / units)	\$ 3,770 <input checked="" type="checkbox"/>

Environmental Review (contact Planning Division for applicable fee)	
Environmental Assessment:	\$ 215
Environmental Assessment (if Initial Study is prepared):	\$ 2,210
Fish and Game County Clerk Fee ² :	\$ 75

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

² Make \$75 check payable to LA County Clerk, (DO NOT PUT DATE ON CHECK)
City Planning/Conservation/Mapmaking/Map Application Form and Rev. 2/09

Journey of Faith Sign Mock Pictures
9/22/11

Daytime



Nighttime





October 11, 2011

City of Manhattan Beach
c/o Michael Rocque – Assistant Planner
1400 Highland Avenue
Manhattan Beach, CA 90266

Re: Appeal of LED sign for Journey of Faith

Site: Journey of Faith Church - APN: 4168-011-001
1243 Artesia Boulevard
Manhattan Beach, CA 90266-6970

On behalf of our client, we respectfully request an appeal on to the Planning Commission denial of our project at the September 28, 2011 meeting for the LED changeable message sign located at the site indicated above. The project was listed on the agenda as item number seven (business items) 09/28 11-5.

Our request for an appeal is requested at this site as we feel that the Planning Commission failed to offer us the same consideration as other similar locations within the City of Manhattan Beach. Journey of Faith is a church currently that has a school situated on the property. Our request is to allow this entity to exchange the existing manual reader-board (changeable copy sign) for a new modern LED changeable copy sign. Currently another church/school located within the city is utilizing a similar style sign and we feel that this site should be given the same use allowance. Also, there are several State schools using similar technology within the city limits, though the State schools are not governed by the City code and thus were not required to obtain city approval for their use, though they are currently in use and do not cause the "public hazard" that the Planning Commission frequently stated during their review. Similar signs are in use in adjacent cities throughout the area and have not had public safety issues cited as a reason for denial.

The proposed LED sign benefits the community by providing messages for onsite school and charitable uses. The proposed sign alteration will not be used for offsite advertising and will adhere to all CalTrans restrictions for such sign types. Also, the proposed unit dramatically reduces the lumens that are thrown off by the current changeable copy sign. The existing unit has a bright white background whereas the new unit has a black background thus making the new sign more subtle and easier to view. Our new unit allows for automatic dimming during the night hours so that it will not be distracting to motorists and others in the area. The proposed sign exchange utilizes new technology that consumes less energy than the current sign and meets or exceeds all California Title 24 standards while allowing passing traffic to more easily read the sign which reduces the time spent looking around while driving.

We thank you for your time and consideration of our project.

Sincerely,

Chris Polster
Executive Vice President

EXHIBIT D
CC MTG 12-6-11

CORPORATE OFFICE:
31681 Riverside Drive, Suite B
Lake Elsinore, CA 92530-7815



Phone (866) 997-3764
Fax (866) 788-6196
info@akcservices.net
www.akcservices.net



MASTER APPLICATION FORM

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

PAID
E/001-01292839
10-13-2011

<i>Office Use Only</i>	
Date Submitted:	10/13/11
Received By:	MP
F&G Check Submitted:	

To MR

1243 Artesia Blvd
Project Address

Legal Description

General Plan Designation Zoning Designation Area District

For projects requiring a Coastal Development Permit, select one of the following determinations¹:

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------|
| <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 checked="" type="checkbox"/> Appeal to PC/PWC/BBA/CC \$500. | <input type="checkbox"/> Use Permit (Residential) | _____ |
| <input type="checkbox"/> Coastal Development Permit | <input type="checkbox"/> Use Permit (Commercial) | _____ |
| <input type="checkbox"/> Environmental Assessment | <input type="checkbox"/> Use Permit Amendment | _____ |
| <input type="checkbox"/> Minor Exception | <input type="checkbox"/> Variance | _____ |
| <input type="checkbox"/> Subdivision (Map Deposit)4300 | <input type="checkbox"/> Public Notification Fee / \$85 | _____ |
| <input type="checkbox"/> Subdivision (Tentative Map) | <input type="checkbox"/> Park/Rec Quimby Fee 4425 | _____ |
| <input type="checkbox"/> Subdivision (Final) | <input type="checkbox"/> Lot Merger/Adjustment/\$15 rec. fee | _____ |
| <input type="checkbox"/> Subdivision (Lot Line Adjustment) | <input type="checkbox"/> Other | _____ |

Fee Summary: Account No. 4225 (calculate fees on reverse)

Pre-Application Conference: Yes _____ No _____ Date: _____ Fee: 500⁰⁰

Amount Due: \$ _____ (less Pre-Application Fee if submitted within past 3 months)

Receipt Number: _____ Date Paid: _____ Cashier: _____

Applicant(s)/Appellant(s) Information

AKC Services Inc.
Name

31681 Riverside Dr. Suite B
Mailing Address

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

Contact Person (include relation to applicant/appellant) 951.471.8419
Phone number / e-mail

Address, _____

Applicant(s)/Appellant(s) Signature Phone number

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

install Full Color Led Board 6'-0" x 10'-0"
on existing structure

¹ 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 Gregg DeNevi 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).

Gregg DeNevi
 Signature of Property Owner(s) - (Not Owner in Escrow or Lessee)

Gregg DeNevi
 Print Name

1243 Artesia Blvd
 Mailing Address

310. 372. 4641
 Telephone

Subscribed and sworn to before me,
 this _____ day of _____, 20____

in and for the County of _____

State of see attachment for notarization 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.

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

<u>Coastal Development Permit</u>	
Filing Fee (public hearing - no other discretionary approval required):	\$ 4,615 <input checked="" type="checkbox"/>
Filing Fee (public hearing - other discretionary approvals required):	1,660 <input checked="" type="checkbox"/>
Filing Fee (no public hearing required - administrative):	920 <input checked="" type="checkbox"/>
<u>Use Permit</u>	
Use Permit Filing Fee:	\$ 5,200 <input checked="" type="checkbox"/>
Master Use Permit Filing Fee:	8,255 <input checked="" type="checkbox"/>
Master Use Permit Amendment Filing Fee:	4,740 <input checked="" type="checkbox"/>
Master Use Permit Conversion:	4,075 <input checked="" type="checkbox"/>
<u>Variance</u>	
Filing Fee:	\$ 5,160 <input checked="" type="checkbox"/>
<u>Minor Exception</u>	
Filing Fee (without notice):	\$ 1,775
Filing Fee (with notice):	2,020 <input checked="" type="checkbox"/>
<u>Subdivision</u>	
Certificate of Compliance:	\$ 1,560
Final Parcel Map + mapping deposit:	515
Final Tract Map + mapping deposit:	595
Mapping Deposit (paid with Final Map application):	500
Merger of Parcels or Lot Line Adjustment:	1,155
Quimby (Parks & Recreation) fee (per unit/lot):	1,817
Tentative Parcel Map (4 or less lots / units) No Public Hearing:	915
Tentative Parcel Map (4 or less lots / units) Public Hearing:	3,325 <input checked="" type="checkbox"/>
Tentative Tract Map (5 or more lots / units):	4,080 <input checked="" type="checkbox"/>
<u>Environmental Review (contact Planning Division for applicable fee)</u>	
Environmental Assessment (no Initial Study prepared):	\$ 215
Environmental Assessment (if Initial Study is prepared):	2,260
Fish and Game/CEQA Exemption County Clerk Posting Fee ² :	50
<input checked="" type="checkbox"/> 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:	\$ 85

²Make a separate \$50 check payable to LA County Clerk, (DO NOT PUT DATE ON CHECK)

Jurat

State of California

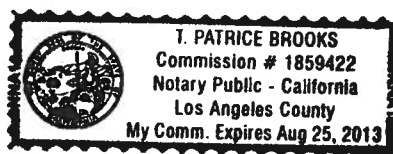
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 12th day of October,
2011 by GREGG DENEM

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature *Patrice Brooks*

(Notary seal)



OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

OWNER'S AFFIDAVIT RE: GREGG DENEM
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 2 Date signed: 10-12-2011
Document Date is 10-12-2011

including this attachment
(Additional information)

INSTRUCTIONS FOR COMPLETING THIS FORM

The wording of all Jurats completed in California after January 1, 2008 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one which does contain proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
 - ❖ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document

Michael Rocque

From: Richard Thompson
Sent: Wednesday, September 28, 2011 11:57 AM
To: Michael Rocque
Cc: Laurie B. Jester
Subject: FW: Opposition to Sign Exception - Changeable LED Sign

Make copies for the Planning Commission and mention in your presentation tonight.

From: Gary Osterhout [<mailto:garyosterhout@verizon.net>]
Sent: Tuesday, September 27, 2011 5:31 PM
To: List - Planning Commission
Subject: Opposition to Sign Exception - Changeable LED Sign

Commissioners:

I would like to submit my opposition to the requested sign exception requested by Journey of Faith on your Wednesday night agenda.

I have expressed this same opposition every other time such a similar request has come before the Planning Commission. Simply, I find these signs obtrusive, unnecessary, not in keeping with our "small town atmosphere," distracting to traffic and, in short, visual blight. We need to resist all such requests less precedent is established and we can not longer justify denying every business and/or organization that wants one of these. And as soon as one gets such privileges all will want the same because the lighted changeable sign attracts more attention than what is historically permitted.

The cited similar signs, for Pacific School and Martyr's, are no examples at all. The City had no jurisdiction over Pacific. You owe yourself and the community a full review of the minutes of the City Council meeting that authorized the Martyr's sign, for it is quite explicit in the record that the only reason that sign was approved was due to the rather remote location. In fact, the minutes also reflect that approval of that sign was not to be considered precedential.

It certainly is a challenge to have to deny such a request. But little would be lost in doing so, while preserving so much.

Regards,

Gary Osterhout

Richard Thompson
Director of Community Development
P: (310) 802-5502
E: rthompson@citymb.info



CITY OF
MANHATTAN BEACH

1400 HIGHLAND AVENUE, MANHATTAN BEACH, CA 90266
WWW.CITYMB.INFO



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EXHIBIT E
CC MTG 12-6-11

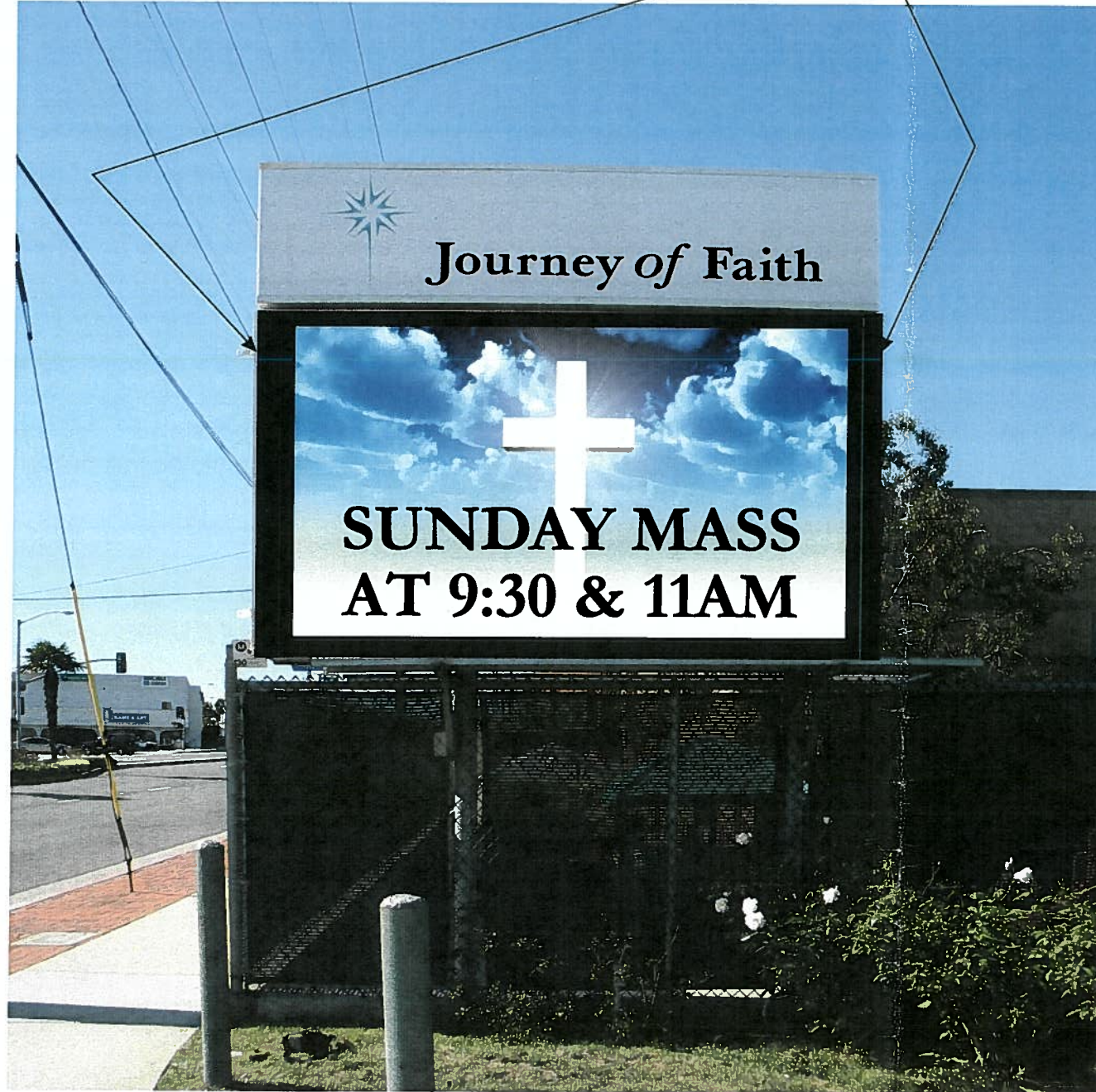
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SIGN TYPE A NEW EMC DISPLAYS FOR EXISTING DOUBLE POLE SIGN

❗ REMOVE AND DISPOSE OF EXISTING D/F ZIP TRACK READER BOARD

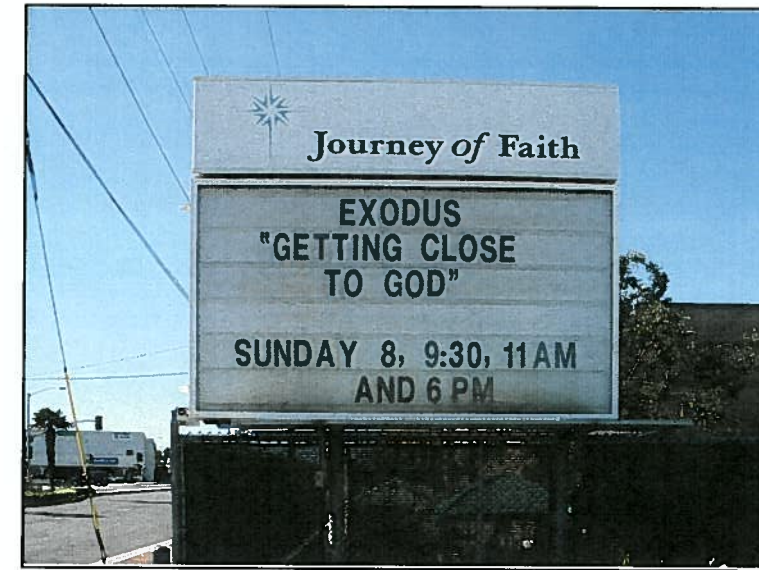
MANUFACTURE NEW ALUMINUM SURROUND END PIECES
TO MAKE LENGTH MATCH EXISTING TOP CABINET
(PAINT BLACK)

FULL COLOR RGB LED BOARD 6'-0" X 10'-0"



ELEVATION VIEW
Scale: 3/8" = 1'-0" +-

EXISTING CONDITION - NTS



Note: Reader Board change only.
No other structural changes to be made.
Sign will remain in exiting location.
No foundation alterations proposed.

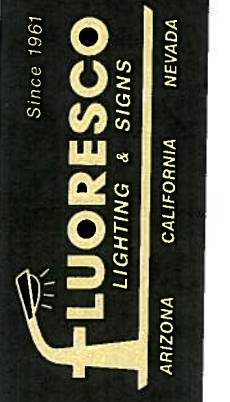
**EXHIBIT F
CC MTG 12-6-11**

EXHIBIT
C

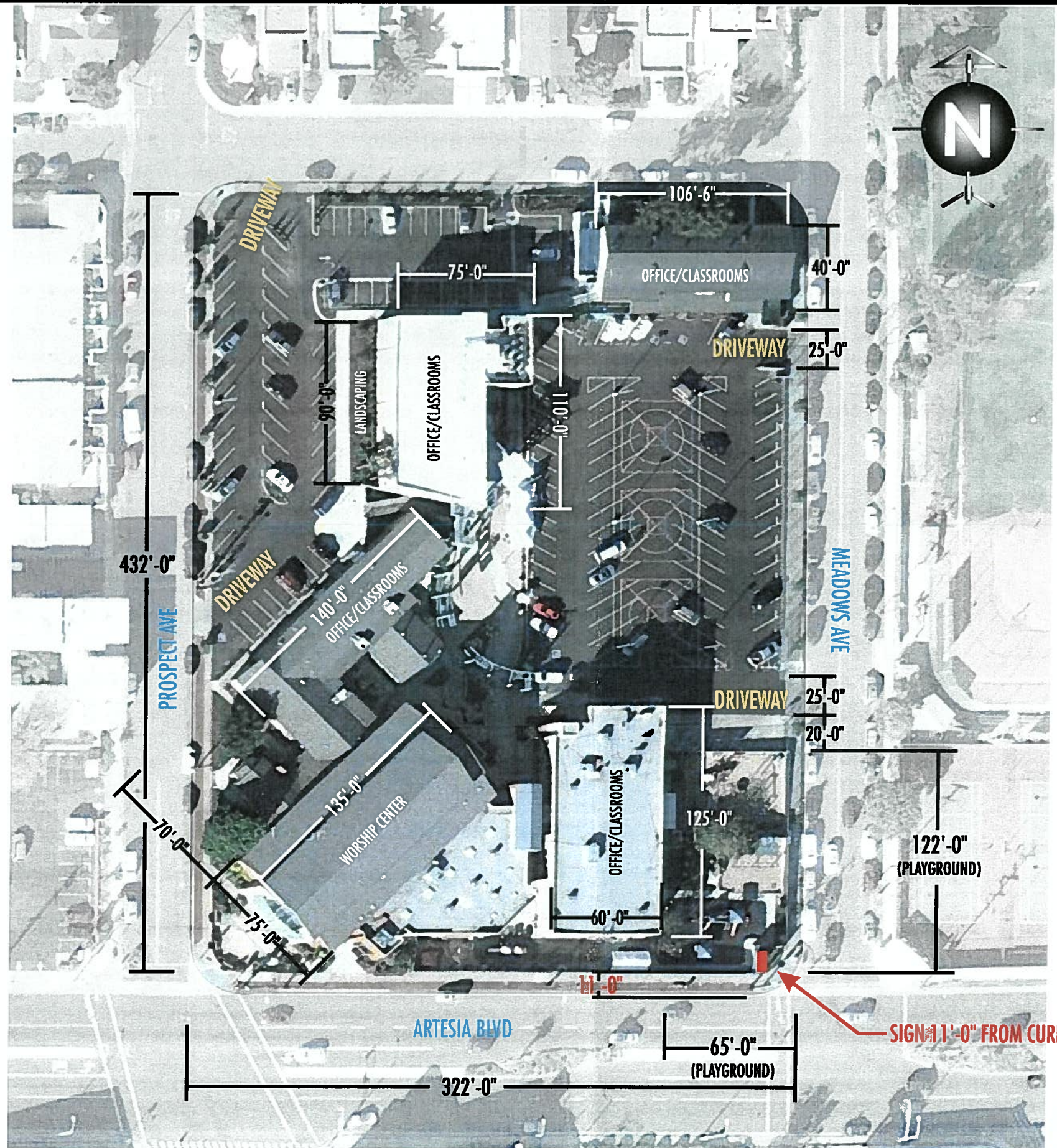
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PROJECT: JOURNEY OF FAITH
LOCATION: 1243 ARTESIA BLVD., MANHATTAN BEACH, CA
SCALE: AS NOTED
DATE: 12-1-10

DESIGNER: JT pete
CHECKED BY: DANIEL KLEIMAN
SALESPERSON: DANIEL KLEIMAN
FILE NAME: 101608.JOURNEY OF FAITH.CDR
DWG #: FP 110477
PAGE 1 OF 2



SIGN TYPE A SITE PLAN



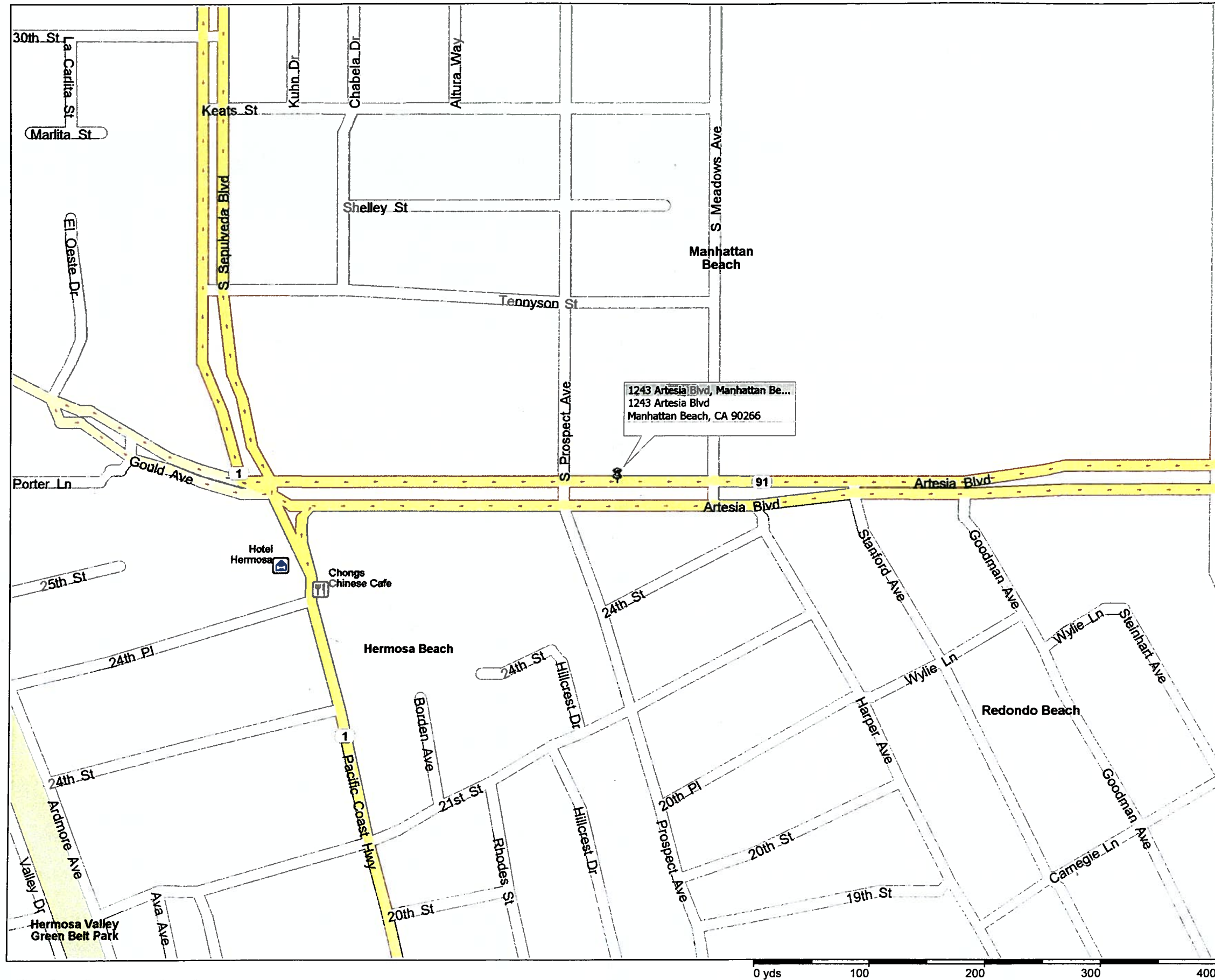
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SCALE	AS NOTED	SALESPERSON	DANIEL KLEIMAN
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		DWG #	FP 110477
		PAGE	2 OF 2

California, United States, North America



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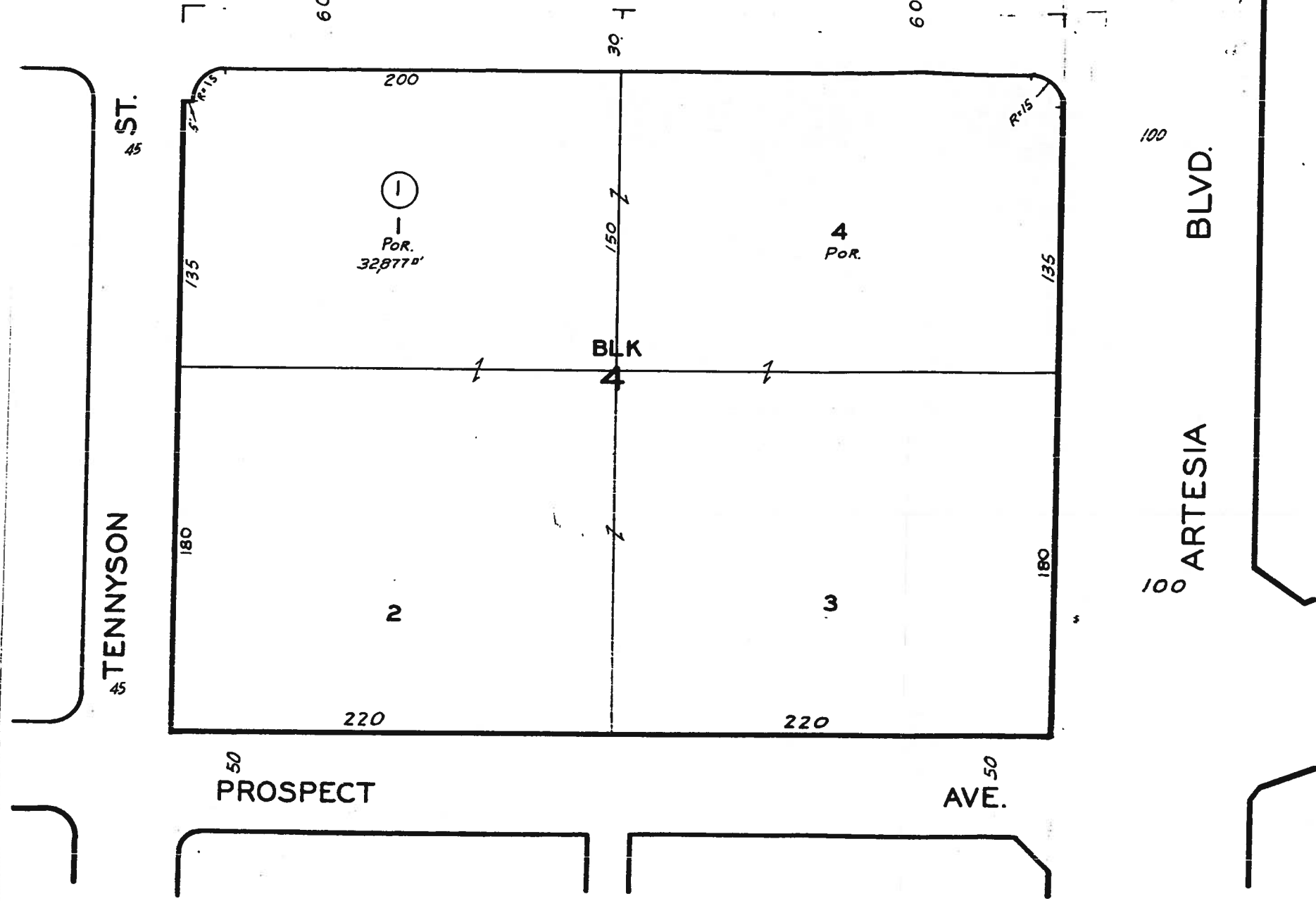
11

SCALE 1" = 60'

MEADOWS

AVE.

REVISED
11-23-56
10-4-62



AMENDED MAP OF SEASIDE PARK

M. B. 8-19

CODE
6174

FOR PREV. ASSMT. SEE: 1701-11

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.