



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

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development 

BY: Eric Haaland, Associate Planner 

DATE: September 24, 2008

SUBJECT: Consideration of a Sign Exception regarding the Installation of Two Ground Based Electronic Changeable Copy Signs Totaling 648 Square Feet of Area on the Manhattan Beach Studios Facility at 1600 Rosecrans Avenue

RECOMMENDATION

Staff recommends that the Planning Commission **ACCEPT** input, **DISCUSS** the subject request, and **DIRECT** staff as determined to be appropriate.

APPLICANT/ OWNER

CRP MB Studios, LLC
1600 Rosecrans Avenue.
Manhattan Beach, CA 90266

LOCATION

<u>Location</u>	1600 Rosecrans Ave, at the southwest corner of Rosecrans & Redondo Ave. (See site location map).
<u>Assessors Parcel Number</u>	4138-027-015 & 017
<u>Area District</u>	II
<u>Zoning</u>	IP, Industrial

BACKGROUND

The subject entertainment production facility has one existing monument sign identifying "Manhattan Beach Studios" at the corner of Roserans Avenue and Redondo Avenue. The subject proposal to replace that sign, and place two new electronic changeable copy cabinet signs above

requires Planning Commission approval of a sign exception pursuant to Section 10.72.080 of the City's sign code.

DISCUSSION

The submitted plans propose two new 18.5-foot tall, 324 square-foot electronic signs located on a base with fixed copy identifying Manhattan Beach Studios, in a V-formation oriented toward views from Rosecrans Avenue. The sign structure would replace the studios' existing monument sign within a palm tree ringed grassy corner area that matches the other corners at this Rosecrans/Redondo intersection. The plans indicate at least 3 of the very large existing palm trees within this unique tree-ring landscape concept to be removed or relocated to improve sign visibility toward the west. The electronic signs are both programmable LED message cabinets with the ability to display varying text and graphics at any time. The sign would communicate messages to Rosecrans traffic regarding entertainment being produced on-site, and what the applicant refers to as 3rd party advertising.

The applicant has provided attached examples of similar signs existing at other studio facilities in other cities. A smaller electronic sign was approved by the City Council for American Martyrs Church in 2006 (resolution attached), and some Manhattan Beach public schools have electronic signs. To staff's knowledge, these existing signs are limited to still messages communicating school, church, or community events. A large electronic pole sign that has been known to display entertainment advertising also exists east of the City near the I-405 freeway.

Changeable copy signs differ from typical fixed-copy signs identifying a business or entity occupying a given location. Changeable copy provides more detailed messages and scheduling information that change frequently. Movie theaters, flower shops, churches, and schools often have changeable copy signs. Most of these signs have plastic letters that can be manually changed by regular employees.

The city's sign code (MBMC Chapter 10.72) permits monument signs, pole signs, and wall signs with fixed copy at the studio facility. Since the proposed sign exceeds 6 feet in height, it is classified as a pole sign. Based on the Rosecrans frontage of the site (Redondo Avenue is a private street), the property is permitted 670 square feet of total sign area. The proposal of approximately 744 square feet of total sign area (changeable and fixed), which must be double-counted as pole sign area, exceeds the allowable amount. The proposal also exceeds the maximum permitted area for any single sign face of 150 square feet.

Signs advertising businesses, productions, or products other than those occupying the same site are prohibited as off-premise signs. Signs such as billboards that are a revenue generating commodity unto themselves, rather than identifying businesses on-site are often considered to be an independent business and land use; however, they are still eligible for sign exception approval if the Planning Commission finds them to be consistent with the intent of the sign code. Staff is not

aware of any previous approvals of off-premise/3rd party signs on private property in the City of Manhattan Beach.

Applicable Sign Code Provisions:

General provision 10.72.020(B) prohibits sign-faces greater than 150 square feet:

- B. The maximum area of any single sign face, comprised of one (1) or multiple face panels, shall be one hundred fifty (150) square feet.

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 10.72.070 of the sign code prohibits 3rd-party advertising signs including the following:

- A. Off-site or off-premises signs;
- B. Outdoor advertising display signs (billboards);

Section 10.72.080 of the sign code provides for Planning Commission approval of sign exceptions as follows:

Section 10.72.080 Sign exceptions.

On sites where strict application of this chapter creates results inconsistent with the intent of this chapter, the Planning Commission may approve modifications to the requirements of this chapter.

Applicants shall submit copies of a proposed sign program with plans and elevations drawn to scale of all existing and proposed buildings and signs as part of the exception application. Upon receipt of a complete application the item will be placed on the next available Planning Commission agenda.

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;
- B. The proposed sign exception is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of their property;
- C. The proposed sign exception is consistent with the legislative intent of 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 general intent of the sign code, referenced above, reads as follows:

Section 10.72.010 Purpose and intent.

The purpose of signs is to provide business identification. The location, height, size, and illumination of signs are regulated in order to maintain the attractiveness and orderliness of the City's appearance; to protect business sites from loss of prominence resulting from excessive signs, particularly pole signs, on nearby sites; to protect the public safety and welfare.

Analysis:

The proposed sign location appears to be the most appropriate for primary identification of the studio facility, and is consistent with existing sign locations surrounding the intersection of Rosecrans and Redondo Avenues. There are no concerns for impacts to residential neighbors since no residential uses are near, or within view, of the sign location. Sign exception applications do not require noticing, however, Continental Development, the commercial property owner sharing this unique street intersection, has been notified of the application.

The Planning Commission should determine if the sign proposal would be visually detrimental to the public. The intent of the sign code includes maintaining the attractiveness and orderliness of the city's appearance, and protecting the public safety and welfare. The Commission should also consider the issue of off-premise advertising very seriously since this type of signage is often of substantial concern in other jurisdictions, and its approval in Manhattan Beach would be unique. This aspect of the proposal does not appear to be consistent with the sign code's purpose to provide for "business identification".

Staff also has a concern for motion effects in electronic signs. In addition to the identified code conflicts of changeable copy, total sign area, sign-face size, and 3rd party advertising, 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 has 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.

General Plan goals and policies that the Planning Commission may find relevant to this application include the following:

Policy LU-2.3: Protect existing mature trees throughout the City, and encourage their replacement with specimen trees whenever they are lost or removed.

Policy LU-3.5: Ensure that the sign ordinance provides for commercial signage that is attractive, non-intrusive, safe, and consistent with overall City aesthetic goals.

Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.

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 signs are a reasonable method for the studio facility to communicate information that will not be visually detrimental to neighboring businesses and the public use of Rosecrans Avenue.

ENVIRONMENTAL DETERMINATION

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.

ALTERNATIVES

The alternatives available to the Planning Commission include:

1. **APPROVE** the project with appropriate findings and conditions.
2. **DENY** the project based upon appropriate findings.

Attachments:

- A. Vicinity Map
- B. Sign exception for Am. Martyrs
- C. Applicant Material
Plans (separate)

cc: MB Studios, Applicant

Eric H

RESOLUTION NO. 6046

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

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

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

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

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



Certified to be a true copy of said document on file in my office.

TA

City Clerk of the City of Manhattan Beach

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

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

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90



Certified to be
a true copy of
said document
on file in my
office.

TA

City Clerk of
the City of
Manhattan
Beach

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

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

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

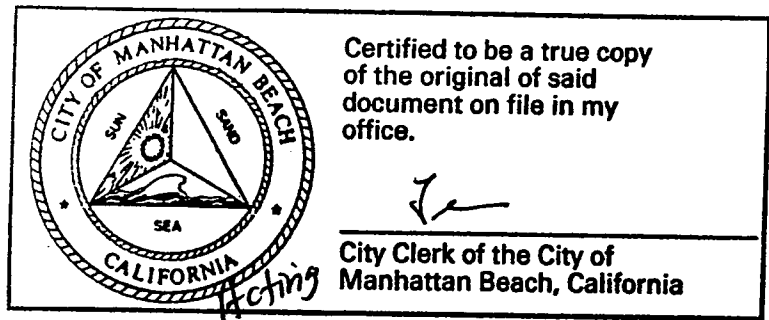
PASSED, APPROVED and ADOPTED this 18th day of July, 2006.

Ayes: Montgomery, Fahey and Tell.
Noes: Aldinger and Mayor Ward.
Absent: None.
Abstain: None.

/s/ Mitch Ward
Mayor, City of Manhattan Beach, California

ATTEST:

/s/ Terri Aliabadi
City Clerk (Acting)



Signage Features

Signage Brightness

The LCD sign will be programmed to automatically adjust to be consistent with the surrounding lighting conditions, which will minimize visual impact. Under normal circumstances, the sign's brightness as measured in candelas will be 75% lower than the maximum brightness allowed in Los Angeles.

Audio

There will be no audio.

Motion

The LCD sign will feature still images only.

Signage Use

The LCD sign needs to have the ability to advertise for both tenants and 3rd party advertisements. This is the only way that we can ensure that our tenants, national partners, local businesses, and local government (PSA) are adequately serviced. We are an entertainment focused business with local and national clients, and advertising signage is essential to the function of the studio.

Foliage

A few of the palm trees on our site will be relocated but not completely removed. They will be relocated around the sign in a pattern to remain consistent with the palm trees planted at the adjacent corners of the intersection. Furthermore, additional plants will be planted around the sign to increase its visual appeal.

Sign Exception Qualification

Title 10.72.080 of the city code has 3 requirements in order to qualify for sign exceptions, which are delineated below.

1. *The proposed sign exception would not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located*

The proposed signage would be located on the primary business corridor of Manhattan Beach and would not have any impacts on residential neighborhoods, schools, or other sensitive non-business areas of Manhattan Beach. In order to minimize visual impact, the proposed signage has been scaled back to be 39% smaller than the industry's standard size. Additionally, it has just one sign facing each direction on Rosecrans Ave and has been designed with foliage and materials consistent with local architecture.

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*

Manhattan Beach Studios is a unique business to Manhattan Beach. It is a special use property, with unique requirements that are crucial to remain competitive with the other feature film and TV studios in Los Angeles County. The proposed signage is absolutely necessary for Manhattan Beach Studios be able to function as a full-service studio. All of Manhattan Beach Studios major competitors utilize signage in their product offering, and Manhattan Beach Studios must continually update its offerings in order to draw business away from the central entertainment districts. 3rd Party Advertising is also critically important in order to truly be a global media center for its entertainment tenants, provide Manhattan Beach with PSA capabilities, and also provide local Manhattan Beach businesses with advertising opportunities.

3. *The proposed sign exception is consistent with the legislative intent of this title*

Manhattan Beach Studios believes that the proposed signage is consistent with 10.72.080's intent because the proposal provides benefits both the city and Manhattan Beach Studios, without inundating the city of Manhattan Beach with gratuitous billboard advertisements. The city of Manhattan Beach will have the ability to display its Public Service Announcements on the proposed sign. This is a significant benefit to the city of Manhattan Beach at the sole cost of the ownership of Manhattan Beach Studios. Furthermore, the signage has been designed with great sensitivity to its surroundings while still enabling Manhattan Beach Studios to function as a special use property and the city gains the ability to distribute Public Service Announcements in its Central Business District.