

The Division recommends all street improvements, including full parkway access driveways, sidewalks and wheel chair ramps on all curb returns, striping, signage on La Paz Road and Aliso Creek Road be per approval of the Assistant Director, EMA-Development. Improvements should include one-half of a raised median on La Paz Road to prevent left turns onto this site, or a cash deposit should be provided for said improvements.

Noise

The property is subject to air and ground traffic noises and a condition to construct sound attenuated buildings is recommended.

Screening

The Division recommends that a six-foot high wall be constructed along the entire rear property line to separate and screen the proposed commercial project from the open space parcel.

SIGN

The Planned Community District regulations require that the signs be approved through a comprehensive sign program which shall generally comply with the "Sign Restrictions" District.

The Bank of America has a building frontage of 139 lineal feet. The SR District limits signage to one square foot for each one lineal foot of frontage. The total square feet of wall signs requested is 240 square feet. It is the Division's opinion that the wall signage total of the north, west and south elevations should not exceed a total of 139 square feet and that the east elevation be approved as proposed, since those signs will not be visible from any boundary property line because of landscaping.

The proposed Carl's Jr. restaurant has a building frontage of 70 lineal feet and should have seventy (70) square feet of wall signage, accordingly.

The menu board should be a ground sign no higher than 4 feet and should be limited to 24 square feet of sign area. The sign is not visible from La Paz and Aliso Creek Roads.

The rest of the shops should be limited to the ratio of 1 square foot of sign for each lineal foot of tenant frontage, except that a tenant with less than 25 feet frontage should be entitled to 25 square feet of sign.

The Bank of America and Carl's ground (monument) signs as proposed should be limited to a maximum of four (4) feet in height and forty (40) square feet of sign area.

Compliance with CEQA:

Previously approved EIR 236 was determined to adequately address the environmental effects of this project.

RECOMMENDATION:

Subject to information received at the public hearing, approve Use Permit 80-43P/Site Plan 80-42P, subject to the following findings and conditions.

*NOISE*

- a. An acoustical analysis shall be submitted to the Assistant Director, EMA-Regulation, for review and approval, describing in detail the exterior noise environment and the details of structural design required to achieve the interior noise standard.
- b. Prior to issuance of building permits, evidence shall be submitted to the Assistant Director, EMA-Regulation which indicates that the sound attenuation measures specified in the acoustical report required above have been incorporated into the design of the project.
10. The wall sign elevation signs are approved subject to the following:
  - a. Bank of America east elevation sign is approved as submitted but the total of the rest of the signs on the east, north and south walls shall not exceed 139 square feet.
  - b. Carl's Jr. wall signs shall be limited to a total of 70 square feet of sign area.
  - c. Wall signs for the rest of the tenants are subject to 1 square foot of sign area for 1 lineal foot of building footage that a tenant occupies. A tenant with less than 25 feet of frontage is entitled to one 25 square foot sign.
  - d. The Carl's Jr. menu board shall be a ground sign no higher than 4 feet nor more than 24 square feet of sign area.
  - e. One each Bank of America and one Carl's Jr. ground (monument) sign no higher than four (4) feet and no larger than 40 square feet are approved.
11. Applicant agrees as a condition of issuance and use of this permit to defend at its sole expense any action brought against the County because of issuance of this permit or, in the alternative, to relinquish such permit. Applicant will reimburse the County for any court costs and attorneys' fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition (Government Code Section 65907 requires that any action to attack, review, set aside, void or annul the permit must be brought within 180 days of approval).
12. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for the revocation of said permit by the Orange County Board of Supervisors.

Respectfully submitted,



Robert G. Fisher, Manager  
Current Planning and Development

VQ:pc