

Laguna Niguel Plaza

Changed Plan No. 1 to Amendment No. 1 to Site Development Permit

SP 81-34P (Laguna Niguel Plaza Sign Program Rev. - Kiosk)

Sign Criteria Kiosk Building (30057 Alicia Parkway)

**CONDITIONALLY
APPROVED**

BY: Com De Dyer DATE: 4/2/13

Property Owner:

FW-CA Laguna Niguel Plaza LLC
PO Box 790830
San Antonio, TX 78279

Property Management:

Regency Centers Corporation
420 Stevens Ave, #320,
Solana Beach, CA 92075
(858) 847-4600

Sign Criteria Kiosk Building (30057 Alicia Parkway):

Tenant/Sign Contractor Responsibilities:

1. Prior to fabrication, all signs must be submitted for review and approval by both the Landlord and the City of Laguna Niguel Community Development Department ("City") for conformance with the provisions of these criteria and to ensure the sign is a quality design compatible with the Laguna Niguel Plaza.
2. Tenant or their sign contractor shall obtain approved sign permit(s) from the City prior to sign fabrication and deliver copies of same to Landlord.
3. The Landlord shall have the right to remove, at Tenant's expense upon seven days written notice, any signs installed contrary to these criteria.

Wall Sign Standards:

1. **Number and Placement:** one (1) sign on the west and east elevations of the kiosk building, two (2) total, as depicted in exhibits below.
2. **Location and Size:** Signs must be located within the "net sign area" (4" x 35") per exhibits below.
3. **Sign Copy:** Non-illuminated 1/2" thick "flat cut" acrylic red letters.
4. **Colors:** The color of wall sign letter faces per tenant design. However, multi-color, fluorescent, "day-glow" or other similar colors are not to be used.

Site Plan

FOR PLANS APPROVED PLANS NOT APPROVED

PLAN APPROVAL SUBJECT TO:

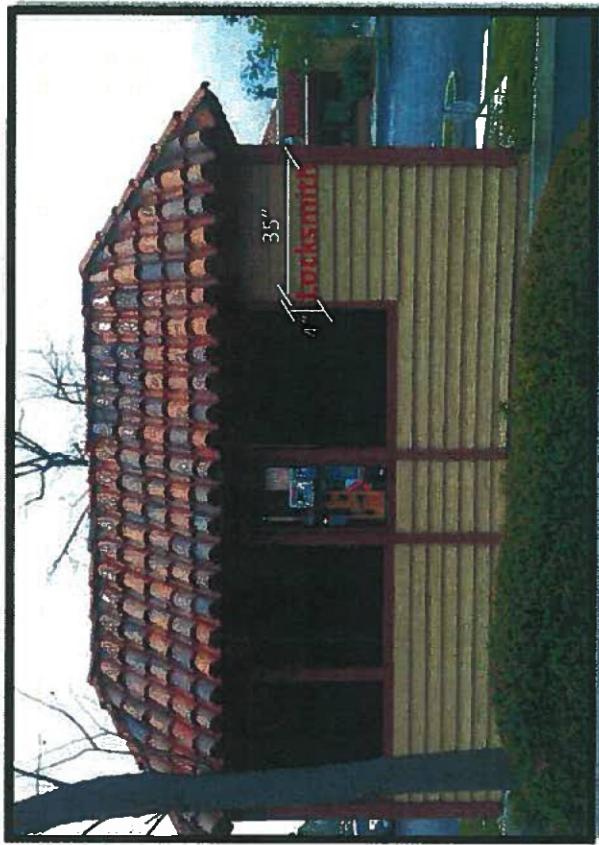
NOTES ON PLANS
 SUBMISSION OF REVISED PLANS
 LETTER DATED BY

REGENCY CENTERS, LP

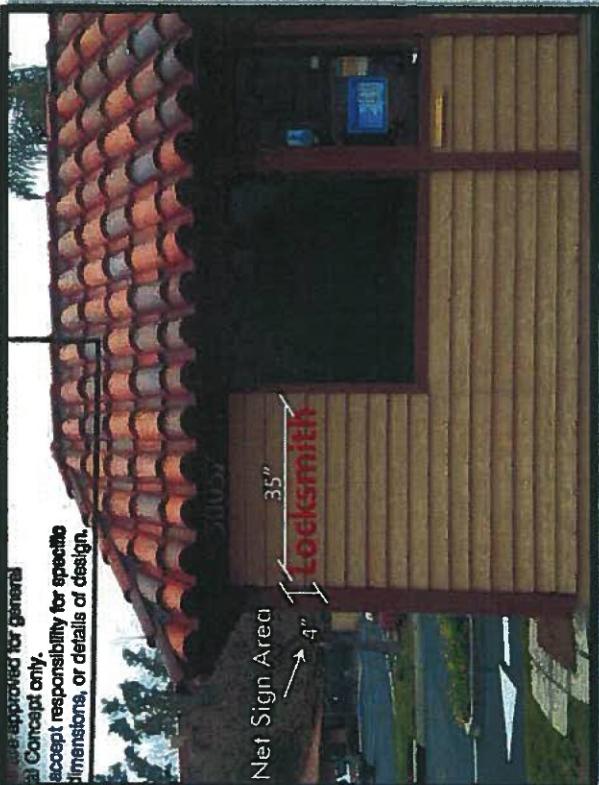
DATE 4/27/13

These Plans are prepared for general Architectural Concept only.

We do not accept responsibility for specific elements, dimensions, or details of design.



West Elevation



East Elevation



CITY OF LAGUNA NIGUEL
INTER-OFFICE MEMORANDUM

DATE: April 2, 2013

To: File - Changed Plan No. 1 to Amendment 1 to Site Development Permit SP 81-34P (Laguna Niguel Plaza Sign Program - 30057 Alicia Parkway)

FROM: John Morgan, Senior Planner 

SUBJECT: Kiosk Building Wall Signage

COPIES: Jeff Gibson, Planning Manager
Matt Frederickson, Regency Centers Corporation (Co-Applicant and Property Management)
Keren Hashalom, Absolute Locksmith (Co-Applicant)

On October 24, 1995, the Laguna Niguel Planning Commission approved Amendment No. 1 to Site Development Permit SP 81-34P, which included the approval of an updated sign program for the Laguna Niguel Plaza shopping center. The center's sign program includes provisions allowing tenant wall signage subject to a specific criterion for size, location, design and illumination. The sign program for the center does not specify whether the signage provisions apply to the small stand-alone kiosk building located at 30057 Alicia Parkway, which this Changed Plan application is intended to address.

A condition of approval for Amendment No. 1 to Site Development Permit SP 81-34P stipulates that the project was approved as a "precise plan." The condition does however allow for the submittal of a Changed Plan application if changes are subsequently proposed regarding the location or alteration of any use or structure that are in substantial conformance with the spirit and intent of the original approval action. The following changes to the existing approved "precise plan" are proposed:

- **Kiosk Wall Signage:** The applicants are requesting to change the center's existing sign program to add specific provisions allowing wall signage on the east and west building elevations of the small stand-alone kiosk building in order to provide some business identification for this lease space. The sign copy would be limited to a maximum of 4 inches in height and would consist of non-illuminated ½-inch thick acrylic lettering identifying the tenant's business. For additional information, refer to the attached wall sign plan, which identifies copy for the current tenant (Absolute Locksmith).

Based on the information provided above and the attached project exhibits, this Changed Plan is found to be in substantial conformance with the spirit and intent of Amendment No. 1 to Site Development Permit SP 81-34P and is approved subject to the existing project conditions. In addition, the following conditions shall apply:

- a) This plan is approved as a precise plan and shall not be altered in any way. Any subsequent changes shall first require review and approval by the Community Development Department.
- b) Prior to construction or installation of the sign, the owner or designee shall submit plans and obtain applicable approvals and permits from the Planning and Building Divisions.

Attachment: Project Sign Plans (Site Plan, Wall Sign Details, Elevation Renderings), stamped approved April 2, 2013

SIGN CRITERIA
PACIFIC ISLAND AT ALICIA
LAGUNA NIGUEL

TENANT SIGN CRITERIA
IN LINE WALL SIGNAGE

A. Design Parameters:

ES

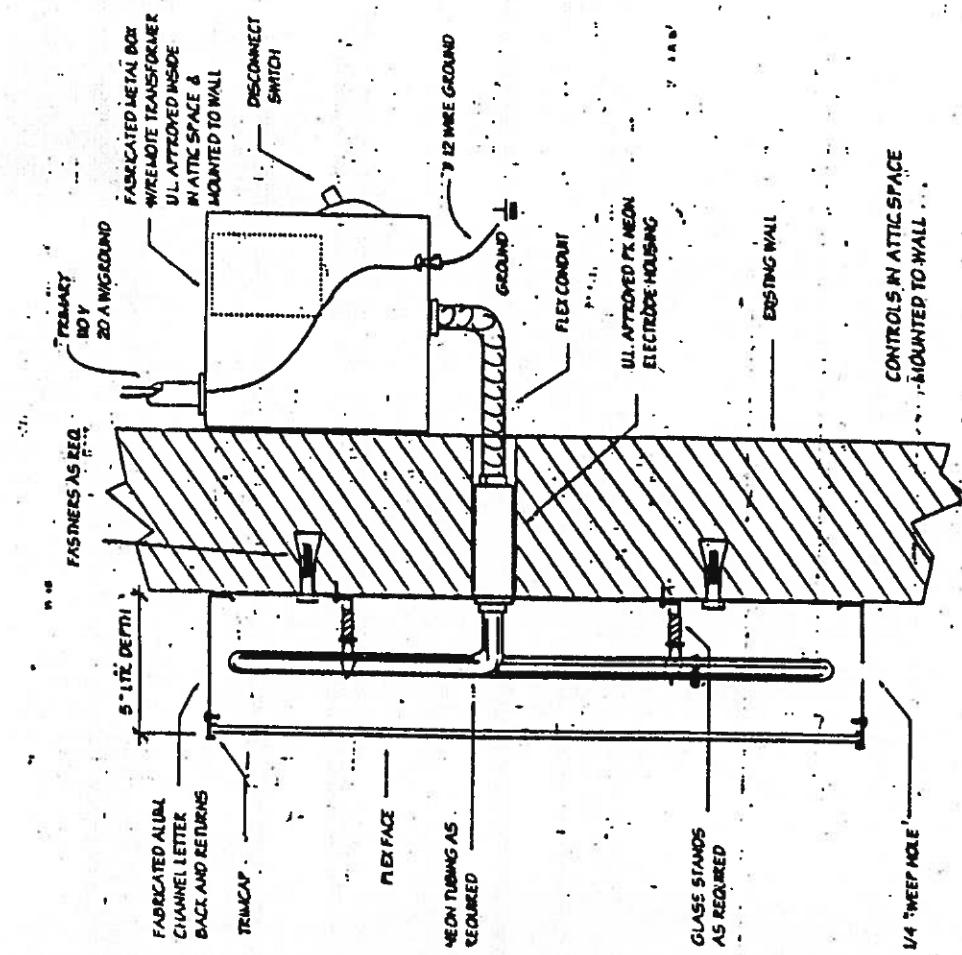
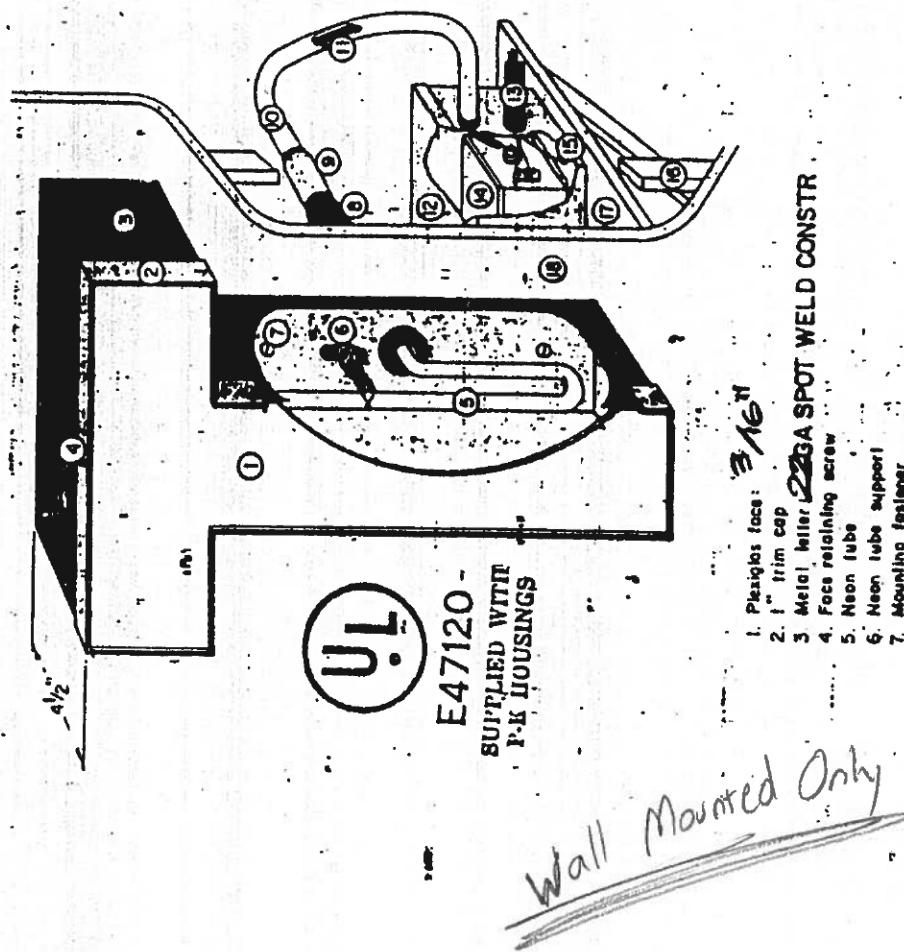
- (1) Individual letters shall be used. No can assemblies will be allowed. (Exception: Unitized assemblies with plex face signage shall be allowed if demonstrated to be part of an established major tenants sign program and approved by Owner and/or Project Architect.)
- (2) Letters shall be 5" thick individual channel letters fabricated from 22 GA paintlock sheet steel sprayed inside & out with high grade automotive enamel. Interior illumination by neon tubing using U.L. approved protective housing throughout.
- (3) Maximum upper case letter height shall be 24".
- (4) Lower case letters shall be proportional in height to capital letters.
- (5) Letterstyle: Tenant must utilize approved letterstyle which is helvetica medium, upper and lower case or all capitals, unless Tenant graphics are part of a Registered Trademark. In any case, Tenant's proposed letterstyle is to be subject to prior written approval of the Landlord, and must conform to all size and attachment requirements as specified herein.
- (6) Color of letters, trim cap, and returns (edges) will be approved by the Landlord or his representative.
- (7) Tenant logos can be incorporated into the maximum area of allowable sign.
- (8) Wall signs shall fit within the designated sign band area and shall be limited in overall length to 75% of the Tenants business frontage.
- (9) Colors of logos signs shall be limited.

B. City Approval:

- (1) Variations to the City signage standard will require a special use permit and require Landlord approval.

i. CONSTRUCTION REQUIREMENTS:

- (1) All penetrations of the exterior storefronts or buildings required for sign installation shall be neatly sealed in a water tight manner.
- (2) No labels will be permitted on the exposed surface of signs except those required by local ordinance inconspicuous location.
- (3) Sign contractor shall repair any damage to any work caused by his work.
- (4) Tenant shall be fully responsible for the operations of Tenant's sign contractors.
- (5) All work to be performed by a professional sign company. Said sign company must be in possession of a current Contractor's License to perform such work (C-45 License).



ILLUMINATED CHANNEL LETTER
 (UL APPROVED FAB. ALUMINUM
 CHANNEL LETTER W/PLEXI FACE
 (PT HOUSING))
 #1

NOTE: SIGN CIRCUIT MUST BE DEDICATED.
 (110V)

3/16" Note: 1/2" minimum clearance required behind face for
 electrical connections. Unobstructed accessibility
 to this area must be provided.

3/16"

1. Plexiglas face
2. 1" trim cap
3. Metal beller 22GA SPOT WELD CONSTR
4. Face retaining screw
5. Neon tube
6. Neon tube support
7. Mounting fastener
8. P-K electrode housing - UL approved
9. Conduit Coupling
10. Flexible conduit w/ connector
11. GTO Wire
12. Transformer box - insulated in a convenient location
13. 110 V lead-in
14. 30 amp. transformer
15. Grounding screw
16. Stud framing
17. Transformer box platform
18. Sign fascia

MAX. LENGTH 75% OF LEASEHOLD FRONTAGE

TENANT NAME

MAX. HEIGHT 24"

Letters shall be 5" thick individual channel letters fabricated from 22 GA paintlock sheet steel sprayed inside & out with high grade automotive enamel. Interior illumination by neon tubing using U-L approved protective housing throughout.

Color of letters to be plexiglass #2793 red with 3/4" gold trim cap. The returns (edges) will be painted dark bronze.

COLORATION:

IN-LINE TENANT CHANNEL LETTER SIGN FACES
MAY CHOOSE FROM FOLLOWING COLOR PALETTE:
RED, BLUE, WHITE, GREEN, TEAL, CORAL & YELLOW

CHANNEL LETTER

SIGN TYPE C

NOTE:

"IN CASES WHERE SIGNS MAY BE ALLOWED TO EXCEED 100 SQUARE FEET AGGREGATE TOTAL SIGN AREA FOR TYPICAL IN-LINE TENANTS DUE TO THE SIGN PROGRAM CRITERIA, IN-LINE TENANT WALL SIGNS SHALL NOT EXCEED A MAXIMUM AGGREGATE TOTAL AREA OF 100 SQUARE FEET, IRRESPECTIVE OF THE REGULATIONS THE SIGN PROGRAM CRITERIA."

Scatte

gavon drugs

luckam

5-1-6 FROM CENTRE LINE OF THE SIGN

Experiments

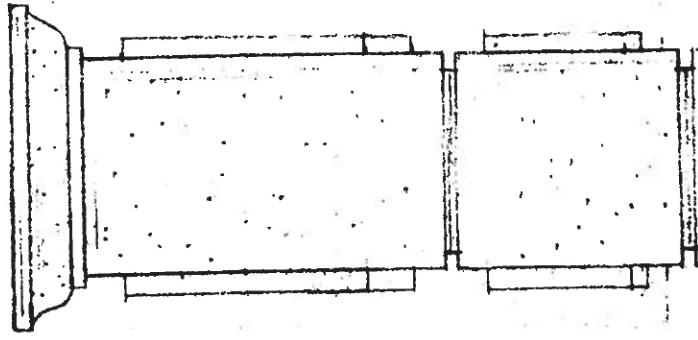
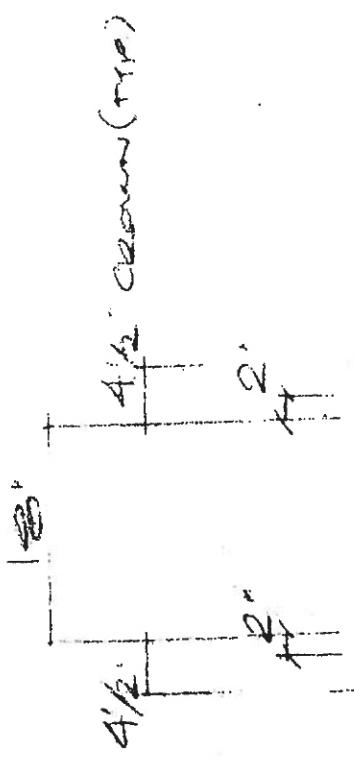
Sign

412

CENTRAL LINE OF THE
MOUNTAINS

卷之三

10.1	10.1	10.1
19.3/16.	19.3/16.	19.3/16.
2.5	2.5	2.5
1-6/12	1-6/12	1-6/12
6.	6.	6.



underneath
side panel

DETAIL-A-1

SIGN-A ONE (1) DOUBLE FACED MONUMENT SIGN

MONUMENT SIGN FABRICATED FROM ALUMINUM,
TEXCOATED AND PAINTED (COLORS TO MATCH THE
PAINT COLOR PALETTE OF THE BUILDINGS)
SIGNAGE ON MONUMENT SIGN TO BE
DIMENSIONAL PLEXIGLAS LETTERS WITH 2" WIDE TRIM CAP EDGES
PUSHED THROUGH ROUTED OUT ALUMINUM FACE
TRIM CAP TO BE PAINTED THE SAME COLOR AS THE MONUMENT BACKGROUND
FACES.
"LUCKY" & "SAVE ON DRUGS" RED PLEXIGLAS

RETURNS & TRIM CAP EDGES ARE TO BE PAINTED THE SAME COLOR
AS THE MONUMENT BACKGROUND.



REVISIONS

1 *Ver 1*

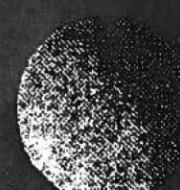
2 *Ver 2*

3 *Ver 3*

4 *Ver 4*

5 *Ver 5*

SIGNS & SERVICES



10980 Boatman Avenue
Stanton, CA 90680
714/761-8200
FAX 714/761-2451

Contractor license #624675

NOTICE: This is an original design and the
property of The Signs & Services Company.
It is not to be used for any purpose other than to
convey the theme or design elements herein to
the prospective client. Reproduction of this
design or construction of displays based on this
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Co. is prohibited and subject to legal remedy.

RESOLUTION NO. 95-38C

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF LAGUNA NIGUEL, CALIFORNIA,
APPROVING AMENDMENT 1 TO SITE DEVELOPMENT PERMIT SP 81-34P/USE
PERMIT UP 81-35P, SUBJECT TO CONDITIONS

WHEREAS:

1. The APPLICANT, Mr. Tod Ridgeway of Ridgeway Development Company, 240 Newport Center Drive, Suite 114, Newport Beach, CA 92660, has submitted an application for: Amendment 1 to Site Development Permit SP 81-34P/Use Permit UP 81-35P to a) Remodel a portion of the existing shopping center and increase the size of an existing retail building by adding 1,950 square feet to accommodate a Sav-On Drug and an adjacent retail tenant space; and, b) Construct a new facade with tile accents, new plaster and stucco, new colors, for a portion of the existing shopping center buildings, and reconfiguration of a portion of the rear parking area, a modified landscape plan and a sign program. The following modifications to development standards are proposed: 1) A modification to development standards to permit monument signs which exceed the height and size permitted in the SR "Sign Restrictions" District of the Zoning Code and to allow more than one monument sign per street frontage; 2) A modification to development standards to permit wall signs larger than the maximum square footage of area permitted in the SR "Sign Restrictions" District of the Zoning Code; and 3) A parking modification to permit compact parking stalls and fewer than the required number of parking spaces, resulting in a parking deficit for the center; and 4) A request for waiver of the requirements in the Laguna Niguel Planned Community Text for a minimum 36 inch high opaque landscape screen be provided along all parking areas abutting arterial highways. The proposed project is located in the Laguna Niguel Planned Community, Planning Area K-1, generally located northwest of the intersection of Alicia Parkway and Pacific Island Drive.
2. The Planning Commission of the City of Laguna Niguel hereby finds that the proposed project will not have an adverse impact on wildlife resources.
3. In accordance with the California Environmental Quality Act, the State CEQA Guidelines, and the City's Environmental Review Guidelines, the Planning Commission has reviewed and considered Mitigated Negative Declaration ND 95-01, which addressed the environmental impacts of Amendment 1 to Site Development Permit SP 81-34P/Use Permit UP 81-35P, in reaching its decision on the application.
4. A notice of public hearing describing the project and the date, time, and location of the hearing has been duly advertised in the "Laguna Niguel News". In addition, property owners within 300 feet of the project boundaries,

interested individuals, and responsible agencies were mailed notice of the hearing pursuant to state law.

5. The Planning Commission held public hearings on the project on October 10 and 24, 1995 in order to receive and review public testimony on the application.
6. The Planning Commission of the City of Laguna Niguel finds and determines as follows:

- a. **General Plan Consistency** - The proposed project is located in General Plan Community Profile Area 14, Subprofile Area D. The General Plan designates the project site as "Community Commercial" with a maximum of 82,230 square feet of Community Commercial retail uses.

The project proposes to add 1,950 square feet of Community Commercial retail uses. The proposed project is not consistent with the land use designation and square footage allocation specified for the site in the General Plan.

As part of an associated approval, the Planning Commission has recommended that the Laguna Niguel City Council approve General Plan Amendment GPA 95-01, which would result in the proposed Site Plan being consistent with the General Plan.

- b. **Planned Community Text and Zoning Code** - The proposed project, as conditioned, is consistent with the Laguna Niguel Planned Community Text and otherwise conforms to all applicable requirements of the City's Zoning Code.
 - c. **Public Health** - The design of the proposed project or the type of improvements will not cause serious public health problems.
 - d. **General Welfare** - The proposed project will not result in conditions or circumstances contrary to the public health, safety, or general welfare.
 - e. **Site Plan and Architecture** - The proposed site plan and architecture are compatible with adjacent properties and structures.
 - f. **Landscaping** - The proposed landscaping provides visual relief for the development and complements the architecture.
 - g. **Development Fees for Public Facilities** - The fee payment requirements of the Capital Facilities Fee Programs as adopted by the City will be met.

- h. No Conflict with Easements - The design or improvements of the proposed project will not conflict with easements acquired by the public at large for access through or use of property within the project.
- i. Utility Service - Adequate utility services and capacities exist now, or will exist prior to occupancy to serve the project.
- j. Modification to Offstreet Parking Standards - Applicable offstreet parking requirements are excessive or inappropriate due to the nature of the specific uses involved or because of special circumstances. The existing project has a shortfall of 139 spaces under the parking code and the proposed project has a shortfall of 145 spaces under the parking code as proposed. Based on the parking accumulation counts and the nature of the proposed increase in floor area, however, there is sufficient parking to accommodate the proposed uses, given the design of the center and the nature of the existing uses as well as the proposed uses. The proposed offstreet parking facilities comply with the intent of the offstreet parking regulations as specified by Zoning Code Section 9-1-145.1.
- k. Modifications to Sign Regulations - Establishment of the proposed alternative sign standards to permit wall signs in excess of one square foot of sign area per linear foot of building frontage and an increase in the amount of aggregate wall signage permitted for the major tenants in the Laguna Niguel Plaza Shopping Center, will result in a greater public benefit, as conditioned, than would otherwise be possible without the alternative sign standards as proposed. The project sign program includes three new multi-tenant freestanding signs which exceed the sign standards. The freestanding signs, as conditioned, are more aesthetically pleasing, because they are conditioned to be redesigned as lower monument wall signs that are integrated with the design of the project. Given the site size, topography and location, the increase in signage is justified.
- l. Public Benefit - Approval of the proposed modification to offstreet parking standards will result in a project which will result in a greater public benefit than would otherwise be possible without the modification to offstreet parking standards. Approval of the proposed modification will allow an expansion of the shopping center square footage to accommodate Sav-On Drugs, which is a complementary use in terms of parking and type of business, to the other existing retail, restaurant, and office uses within Laguna Niguel Plaza.
- m. Public Benefit - Approval of the proposed modification to sign standards will result in a project which will result in a greater public benefit than

would otherwise be possible without the modification to sign standards. The project sign program includes one additional monument sign along Alicia Parkway. Due to the topography and long street exposure the additional sign enables better identification of the in-line tenants, which promotes efficient vehicular circulation.

THEREFORE BE IT RESOLVED, by the Planning Commission of the City of Laguna Niguel, California, as follows:

- A. The Planning Commission hereby certifies that the information contained in Mitigated Negative Declaration ND 95-01 (Exhibit 1) was reviewed and considered by the Planning Commission prior to making a decision on Amendment 1 to Site Development Permit SP 81-34P/Use Permit UP 81-35P.
- B. The Planning Commission hereby approves Amendment 1 to Site Development Permit SP 81-34P/Use Permit UP 81-35P which includes a site plan and building elevations for the proposed project, and details regarding the location(s), design, and copy for permanent project signage, and a mix of uses, subject to the following conditions:
 1. Permit Expiration - Unless an extension is approved by the City, the site development permit for this project shall expire 24 months from the date of approval written herein below. If the use is not established by said expiration date, this site development permit shall become null and void.
 2. Project Compliance - This approval constitutes approval of the proposed project only to the extent that the project complies with the Laguna Niguel Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance or approval of the project regarding any other applicable ordinance, regulation or requirement.
 3. Limits of Approval - This site development permit shall apply only to the land use and location specified herein and only to the plans approved by the Planning Commission. No other land use, location, or plans are authorized under this permit.
 4. Changed Plan - Except as otherwise provided herein, this project is approved as a precise plan. After any application has been approved, if changes are proposed regarding the location or alteration of any use or structure, a changed plan may be submitted to the Community Development Director for approval. If the Director determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action could have been the same for the

changed plan as for the approved plan, he may approve the changed plan without requiring a new public hearing.

5. **Revocation** - Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Laguna Niguel Planning Commission.
6. **Legal Indemnification** - The applicant shall defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants from any claim, action, or proceeding against the City, its officers, agents, and employees to attack, set aside, void, or annul an approval of the City Council, Planning Commission, other decision-making body, or staff action concerning this project. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
7. **Mitigation Monitoring Program** - The project shall comply with all mitigation measures contained within the Mitigation Monitoring Program for Amendment 1 to Site Development Permit SP 81-34P/Use Permit UP 81-35P(Exhibit 2).
8. **Notice of Determination Filing Fee** - Within 48 hours of the approval of the project, the applicant shall deliver to the Community Development Department a check payable to the County Clerk in the amount of twenty-five dollars (\$25.00) for the County administrative fee to enable the City to file the Notice of Determination required under Public Resources Code Section 21152 and 14 California Code of Regulations 15075. If within such 48 hour period the applicant has not delivered to the Community Development Department the fee required above, the approval for the project granted herein shall be void.
9. **Placement of Utilities and Irrigation Systems** - The placement and installation of utilities, irrigation systems, and landscape plantings shall be coordinated and shown on the final landscaping plan. Utilities and irrigation systems shall be adequately screened with landscaping. The irrigation system shall be designed to be water efficient and shall provide for the use of reclaimed water when it is made available to the project.
10. **Landscaping Installation** - All landscaping shall be certified in writing by a licensed landscape architect and approved by the City Landscape Architect as installed in accordance with the approved final landscape plans.
11. **Landscape Maintenance** - The applicant shall be responsible for adequately installing and maintaining all landscaping at all times. Required landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal and

immediate replacement of plants when necessary and the regular watering of all plants.

12. Final Landscape Plans - Final landscape plans shall be submitted by the applicant and approved by the Community Development Director and City Landscape Architect. Said final plans shall be consistent with both the preliminary plans and the street improvement plans and specify exact sizes and locations of the proposed landscaping.
13. Preliminary Landscape Plan - Prior to the issuance of a building permit for Phase II and/or prior to the removal or modification of the existing landscaping, the applicant shall submit a detailed preliminary landscape plan for the review of the Planning Commission. Said preliminary plan shall indicate exact sizes, species and locations of new plant material. In addition, the preliminary landscape plan shall also indicate the amount of pruning, thinning or removal of the existing landscaping on the project site. Absolutely no landscape modifications shall occur prior to the approval of the required detailed preliminary landscape plan.
14. Monument Signs - Sign A shall be redesigned so as not to exceed (5) five feet in height (as measured from the centerpoint of the sign). The existing Kentucky Fried Chicken monument sign may remain, but that sign shall be redesigned so as to be consistent with the new monument signs A, B, and C. Sign C shall be relocated so as to be further back from the right-of-way, approximately half-way between the existing sign and the proposed sign location. All freestanding signs shall be located to the approval of the City Traffic Engineer and Community Development Director. Additionally, all freestanding signs shall consist of transparent "push through" letters with a minimum depth of (2) two inches and shall have an opaque stucco background.
15. Typical In-Line Tenant Wall Signs - A note shall be added to the final tenant wall sign program which states, "In cases where signs may be allowed to exceed 100 square feet aggregate total sign area for typical in-line tenants due to the sign program criteria, In-line tenant wall signs shall not exceed a maximum aggregate total area of 100 square feet, irrespective of the regulations the sign program criteria." Additionally, the tenant wall sign color pallet shall be limited to include; red, white, green, blue, teal, coral, and yellow.
*add to
notes on
Sheet 9 of 10
and provide
8 1/2" x 11" copies
of program book*
16. Project Phasing - Phase I shall include Sav-On Drug store remodel, Phase II shall include the shop buildings 2 and 3, and Phase III shall include the freestanding pad building. The signage and landscaping alterations shall be completed as needed, however, all landscaping alterations shall be

completed within 2 months of the beginning of any landscape modification to the existing project site.

17. Physical Improvement Authorization - Prior to the issuance of any building permit, the applicant shall submit notarized written authorization from the property owners of Parcel A of LLA 85-33, and Parcels 5, 6, and 8 of Parcel Map PM 83-119, which specifically grants the applicant permission to complete improvements within the aforementioned subject property.
18. Light Standards Signs - No pennants or signage are permitted on the parking lot light standards as a part of this project.

C. The Planning Commission hereby incorporates the following mitigation measures from Mitigated Negative Declaration ND 95-01 as additional conditions for Amendment 1 to Site Development Permit SP 81-34P/Use Permit UP 81-35P:

1. The Planning Commission and City Council shall consider the required amendment to the General Plan, prior to final approval of the proposed project.
2. During grading operations, periodic watering of affected areas shall be required consistent with SCAQMD Rule 403.
3. Soil binders shall be spread on the construction site and unpaved parking areas.
4. Construction equipment shall be properly tuned and maintained to reduce pollutant emissions.
5. Prior to issuance of building permits, the applicant will be required to pay transportation fees as follows: Coastal Area Road Improvements and Traffic Signals (CARITS) Fee Program, Major Thoroughfare and Bridge (MP/LN) Fee Program for the Moulton Parkway/Laguna Niguel Area, San Joaquin Hills Transportation Corridor (SJHTC) Fee Program and any other transportation fee programs adopted by the City.
6. The ten (10) Parking Spaces located directly adjacent (in front of) to the Kindercare Childcare building shall be designated for parent/client and Van drop-off use only. The 10 parking spaces south of shop building 2 shall be designated as employee parking only to prevent any potential conflicts between parents with small children and delivery vehicles. The operation of the parking shall be monitored twice per week for the first month of operation of the Sav-On to ensure that the restricted parking spaces are not used by employees of the childcare facility.

7. A sign alerting truck drivers to "watch for children" shall be placed at the entrance to the shopping center from Pacific Island Drive.
8. The (9) nine parallel parking stalls behind the proposed Sav-On Drug shall be designated for employee parking and a minimum 30 feet wide drive-aisle shall be maintained at all times.
9. As part of their action on the Site Development Permit, the Planning Commission must specifically consider alternative development standards for parking . The burden of proof is on the project proponent to show how the project will better serve the public interest by the establishment of the proposed alternative development standards to allow a reduced number of parking spaces on the project site.
10. Any proposed use of hazardous materials in tenant suites shall be reviewed by all applicable local, State, and Federal regulatory agencies.
11. All equipment shall be equipped with engine mufflers maintained in proper working order.
12. All construction operations shall be limited to the hours of 7 a.m. to 8 p.m. Monday through Friday and 8:30 a.m. to 6 p.m. on Saturday. Also, all such operations shall otherwise comply with City noise regulations.
13. Construction personnel shall wear noise protection gear in accordance with state and federal safety regulations.
14. Prior to the issuance of any building permits, plans for the automatic fire sprinkler system shall be submitted to and approved by the Fire Chief. This system shall be operational prior to the issuance of a certificate of use and occupancy for Sav-On.
15. Prior to the issuance of any building permits, plans for the fire alarm system shall be submitted to and approved by the Fire Chief. This system shall be operational prior to the issuance of a certificate of use and occupancy.
16. Prior to the issuance of building permits, the applicant shall submit to the Fire Chief a list of the quantities of all hazardous, flammable and combustible materials, liquids or gases. These liquids and materials are to be classified according to the "Orange County Fire Department Chemical Classification Handout". A summary sheet listing each hazard class, the total quantity of chemicals stored per class and the total quantity of chemicals used in that class must also be provided. All forms of materials

are to be converted to units of measure in pounds, gallons and cubic feet. Compressed gases and compressed liquified gases are to be converted to cubic feet.

17. Prior to the issuance of building permits, the applicant shall pay all applicable school impact fees to the Capistrano Unified School District.
18. The project will be required to comply with all applicable site development standards of the Zoning Code and Laguna Niguel Planned Community Text, including but not limited to the standards regarding overhead shielding of trash storage areas (the Site Plan includes two proposed trash storage areas).
19. All roof-mounted equipment shall be screened from view by appropriate architectural treatments. If such equipment can be viewed from above by surrounding residences, the equipment shall have overhead screening or shall be fully enclosed within a roof structure.
20. As part of their action on the Site Development Permit, the Planning Commission must specifically consider alternative development standards for signage. The burden of proof is on the project proponent to show how the project will better serve the public interest by the establishment of the proposed alternative development standards. The proposed alternative site development standards would allow an increased number of freestanding signs on both the Alicia Parkway and Pacific Island Drive frontages, more than one square foot of sign area per linear foot of building frontage and an increase in the amount of aggregate wall signage permitted for the major tenants in the Laguna Niguel Plaza Shopping Center.
21. Prior to issuance of a grading permit, final landscape plans shall be submitted by the applicant and approved by the Community Development Director and City Landscape Architect. Said final plans shall be consistent with both the preliminary plans, Community Design Guidelines and the street improvement plans.
22. As part of their action on the Site Development Permit, the Planning Commission must specifically consider alternative development standards for landscape screening. The burden of proof is on the project proponent to show how the project will better serve the public interest by the establishment of the proposed alternative development standards to allow the elimination of an opaque landscape screen for parking areas abutting Alicia Parkway, an arterial highway.

23. If excavation of greater than three feet below grade is required, prior to issuance of a grading permit, the applicant shall provide written evidence to the Community Development Director that a City-certified paleontologist has been retained to observe grading activities and salvage and catalog fossils as necessary. The paleontologist shall be present at the pregrading conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling identification, and evaluation of fossils. If major paleontological resources are discovered which require long-term halting or redirecting of grading, the paleontologist shall report such findings to the Community Development Director.

24. All cultural resources that may be recovered shall be donated to a suitable institution for curation, display and study by qualified personnel after laboratory analysis and a report has been prepared.

D. The action taken herein shall not be deemed final until the 16th day after the date of this Resolution or until after approval of General Plan Amendment GPA 95-01 by the City Council, whichever occurs at a later date. Any aggrieved party may appeal any part of this action to the City Council prior to the expiration of the foregoing period by doing so in writing to the City Clerk and stating the reasons for the appeal.

PASSED, APPROVED AND ADOPTED this 24th day of October, 1995.

AYES: Fisk, Lindholm, Winer

NOES: Biggs

ABSTAIN: Axen

ABSENT: None

Robert P. Lenard
Robert P. Lenard
Community Development Director

Brian Fisk
Brian Fisk
Chairman of the Planning Commission

EXHIBITS:

1. Mitigated Negative Declaration ND 95-01
2. Mitigation Monitoring Program

Staff has concerns with the proposed architectural modifications in relation to aesthetics and the Community Design Guidelines, which encourage full pitched roofs. The existing roof lines within the center appear as full pitched roofs, although they technically are large sloping mansard roofs. The elevations as proposed, would raise the sign band above the eave line, and in effect create roof signs. The addition of the new Sav-On Drug gable-end roof element, as proposed, will improve the appearance of the storefront by breaking up the existing linear roof plane. Finally, the plaster proposed over the existing wood columns and the exterior of the lap-siding and block walls would create a consistent treatment throughout the buildings included within the remodel.

The application does not include any modifications to the existing Lucky Food Center portion of the shopping center. (Lucky has instructed the applicant to exclude them from this application.) The other non-participating buildings within the center are, Kentucky Fried Chicken, Mobil Oil, and Kindercare Learning Center. Thus, approving a remodel for only a portion of the center raises concerns regarding overall aesthetics and compatibility of design.

Project Signage

The project also requests a modification to the SR "Sign Restrictions" District regulations to permit more than one freestanding identification monument sign along Alicia Parkway and Pacific Island Drive project frontages and signs which are larger than four feet high and fifty square feet in area which are the maximum parameters permitted within the SR District. Currently there are six monument signs for the center, four along Alicia Parkway, one along Pacific Island Drive and one at the intersection of Pacific Island Drive and Alicia Parkway. The project proposes to modify two of the monument signs along Alicia Parkway and the one sign at the intersection of Alicia Parkway and Pacific Island Drive. Additionally, the project includes the removal of one of the signs along Alicia Parkway. The project also proposes to modify the SR "Sign Restrictions" District regulations and Laguna Niguel Planned Community regulations to permit aggregate wall signage in excess of the 100 square feet maximum permitted square footage for two major tenants. In addition, in-line tenant wall signage in excess of the permitted one square foot of signage per lineal foot of store frontage is also proposed. Thus, the project proposes to establish alternative development standards to allow an increase in the number and size of freestanding signs on both Alicia Parkway and Pacific Island Drive and to permit an increased amount of wall signage for the tenants.

As a part of the application, a preliminary wall sign program was submitted. The proposed in-line tenant preliminary wall sign program consists of tenant signage not exceeding 75% of the storefront width with a 24 inch letter height sign band. The colors proposed are red, blue, and white. This program includes a request for modified standards regarding total allowable tenant wall signage. The SR District and Laguna Niguel Planned Community allows one square foot of signage per lineal foot of store front, with a minimum of 25 square feet of signage for storefronts with less than 25 feet of frontage. The proposed program would allow more sign area than permitted by the regulations. A smaller store with 20 feet of frontage is allowed to have 25 square feet of sign area under existing regulations; the applicant's proposal would allow that sign area

to be increased to 30 square feet. Under the applicant's proposal, the allowable sign area would increase proportionately as the linear frontage of a store increases.

The center currently has 6 monument signs, 5 of which are along Alicia Parkway, a designated Scenic Highway. The existing signs consist of (A) one 11 feet 6 inch high by 9 feet wide monument sign located at the top of the slope approximately 20 feet from the right-of-way at the project's main entry from Alicia Parkway; (B) two center identification signs, approximately 4 feet 6 inches high by 10 feet wide, one located at the northern entry and one located at the corner of Alicia Parkway and Pacific Island Drive; (C) one 5 feet high by 14 feet wide Mobil gas station identification/price sign located adjacent to the Mobil entry; (D) one monument identification sign measuring 4 feet 6 inches high by approximately 10 feet wide for Kentucky Fried Chicken, located just south of the freestanding pad building adjacent to Alicia Parkway; and (E), a monument identification sign measuring 4 feet high and 8 feet wide for Kindercare Learning Center which is located on Pacific Island Drive, adjacent to the project entry.

The proposed signage modifications include the replacement of signs (A) and (B) as noted above, and the removal of sign (D) for Kentucky Fried Chicken. Signs (C) and (E) would remain. Therefore the overall number of monument signs would be reduced by one, for a total of 5 monument signs for the project. The proposed modifications to sign (A) and signs (B) include replacing sign (A) with a solid wall monument located on the slope at the main entry a minimum of 5 feet from the right-of-way line. The dimensions of the proposed monument sign are 12 feet high (10 feet 6 inches at the midpoint) by 8 feet wide. The sign copy is proposed to consist of a maximum of 20 inch channel letters mounted to the front of the sign structure. Signs (B) are proposed to be replaced by one 4 feet high 16 feet wide monument wall sign with 20 inch maximum channel letters at the corner of Alicia Parkway and Pacific Island Drive, and one 4 feet high by 3 feet 10 inches wide center identification sign located at the northern project entry.

Alicia Parkway is identified as a Scenic Highway in the Laguna Niguel General Plan. The General Plan includes two types of Scenic Highways, Viewscape Corridors and Landscape Corridors. Alicia Parkway is designated as a Landscape Corridor. The General Plan states that, "A landscape corridor traverses developed or developing areas and has been designated for special treatment to provide a pleasant driving environment, as well as community enhancement." Thus, consideration of the request to modify the development standards to allow oversize freestanding signs on the Alicia Parkway frontage and to allow wall signage in excess of the amount permitted must include an evaluation of the effects of the proposal on the driving environment and the community character.

The proposed Amendment 1 to Site Development Permit SP 81-34P/ Use Permit UP 81-35P may be approved establishing alternative site development standards, including alternative signage standards. In order to gain approval for alternative site development standards, the burden of proof is on the project proponent to show how the project will better serve the public interest by the establishment of the proposed alternative development standards. The following mitigation measure is required to ensure that the proposed project complies with the sign regulations in the

Laguna Niguel PC.

20. As part of their action on the Site Development Permit, the Planning Commission must specifically consider alternative development standards for signage. The burden of proof is on the project proponent to show how the project will better serve the public interest by the establishment of the proposed alternative development standards. The proposed alternative site development standards would allow an increased number of freestanding signs on both the Alicia Parkway and Pacific Island Drive frontages, more than one square foot of sign area per linear foot of building frontage and an increase in the amount of aggregate wall signage permitted for the major tenants in the Laguna Niguel Plaza Shopping Center.

Landscaping

The project proposes to substantially alter the existing landscaping on the project site adjacent to Alicia Parkway and Pacific Island Drive to provide better identity and visibility for the project. New palm trees are incorporated into the landscape design as well as the removal of approximately 30 Eucalyptus and Platanus mature trees, and three mature coral trees.

The Laguna Niguel Community Design Guidelines require street trees to be located at 30 feet on center, as a maximum spacing guideline. The projects' preliminary landscape plan appears to be consistent with the requirement. However, final landscape plans are required to be submitted prior to the issuance of any building permits for the project, should the project receive approval. Therefore the following mitigation measure is required to ensure compliance:

21. Prior to issuance of a grading permit, final landscape plans shall be submitted by the applicant and approved by the Community Development Director and City Landscape Architect. Said final plans shall be consistent with both the preliminary plans, Community Design Guidelines and the street improvement plans.

Additionally, the existing shrub plantings along Alicia Parkway are shown on the preliminary landscape plans. The project proposal includes a request for waiver of the requirements in the Laguna Niguel Planned Community Text for additional shrub plantings along Alicia Parkway. The text requires that a minimum 36 inch high opaque landscape screen be provided along all parking areas abutting arterial highways.

The proposed Amendment 1 to Site Development Permit SP 81-34P/ Use Permit UP 81-35P may be approved establishing alternative site development standards; including alternative landscape screening standards. In order to gain approval for alternative site development standards, the burden of proof is on the project proponent to show how the project will better serve the public interest by the establishment of the proposed alternative development standards. The following mitigation measure is required to ensure that the proposed project complies with the screening regulations in the Laguna Niguel PC.

22. As part of their action on the Site Development Permit, the Planning

immediate replacement of plants when necessary and the regular watering of all plants.

12. Final Landscape Plans - Final landscape plans shall be submitted by the applicant and approved by the Community Development Director and City Landscape Architect. Said final plans shall be consistent with both the preliminary plans and the street improvement plans and specify exact sizes and locations of the proposed landscaping.
13. Preliminary Landscape Plan - Prior to the issuance of a building permit for Phase II and/or prior to the removal or modification of the existing landscaping, the applicant shall submit a detailed preliminary landscape plan for the review of the Planning Commission. Said preliminary plan shall indicate exact sizes, species and locations of new plant material. In addition, the preliminary landscape plan shall also indicate the amount of pruning, thinning or removal of the existing landscaping on the project site. Absolutely no landscape modifications shall occur prior to the approval of the required detailed preliminary landscape plan.
14. Monument Signs - Sign A shall be redesigned so as not to exceed (5) five feet in height (as measured from the centerpoint of the sign). The existing Kentucky Fried Chicken monument sign may remain, but that sign shall be redesigned so as to be consistent with the new monument signs A, B, and C. Sign C shall be relocated so as to be further back from the right-of-way, approximately half-way between the existing sign and the proposed sign location. All freestanding signs shall be located to the approval of the City Traffic Engineer and Community Development Director. Additionally, all freestanding signs shall consist of transparent "push through" letters with a minimum depth of (2) two inches and shall have an opaque stucco background.
15. Typical In-Line Tenant Wall Signs - A note shall be added to the final tenant wall sign program which states, "In cases where signs may be allowed to exceed 100 square feet aggregate total sign area for typical in-line tenants due to the sign program criteria, in-line tenant wall signs shall not exceed a maximum aggregate total area of 100 square feet, irrespective of the regulations the sign program criteria." Additionally, the tenant wall sign color pallet shall be limited to include; red, white, green, blue, teal, coral, and yellow.
16. Project Phasing - Phase I shall include Sav-On Drug store remodel, Phase II shall include the shop buildings 2 and 3, and Phase III shall include the freestanding pad building. The signage and landscaping alterations shall be completed as needed, however, all landscaping alterations shall be

From Amendment 1 of 8P 81-34 P
for major tenants