

**MINUTES  
PLANNING COMMISSION REGULAR MEETING  
JUNE 15, 2010**

**1.0 CALL TO ORDER**

The Regular Meeting of the Planning Commission of the City of Highland was called to order at 6:00p m by Chairman Haller in the Donahue Council Chambers, 27215 Base Line, Highland, California

Present. Commissioners Randall Hamerly, Trang Huynh, Milton Sparks, Michael Stoffel and Michael Willhite, Vice Chairman John Gamboa and Chairman Richard Haller

Absent. None

Staff Present John Jaquess, Community Development Director  
Lawrence Mainez, City Planner  
Sean Kelleher, Assistant Planner  
Dennis Barton, Assistant Public Works Director  
Kim Stater, Economic Development Specialist  
Linda McKeough, Administrative Assistant III

**2.0 COMMUNITY INPUT**

There was none.

**3.0 CONSENT CALENDAR**

**3 1 Minutes of February 2, 2010, Regular Meeting**

**A Motion** was made by Commissioner Hamerly and seconded by Vice Chairman Gamboa to approve the Minutes of February 2, 2010, as submitted

Motion carried on a 6 – 0 vote with the abstention of Commissioner Huynh

06-15-10 PC

#### 4.0 PUBLIC HEARINGS

- 4 1 MCA 009-006 - City of Highland Municipal Code Section 16 32 070 M is proposed to be Amended to reduce the maximum time limit to complete a Certificate of Appropriateness. The location is City wide

Chairman Haller introduced the item and called for Staff presentation.

Economic Development Specialist Stater gave the presentation from the Staff Report and explained the proposed revised language to the Commission

Chairman Haller asked if the Commission had any questions of Staff

A question was asked by Commissioner Hamerly regarding the description for the concurrent approval of an historic project for Painting or something like that, but it is a concurrent time line for the Certificate of Appropriateness plus the Building Permit. Economic Development Specialist Stater responded the time limit is thirty-six (36) months to complete the construction and once that expires, then as soon as the Building Permit expires, it's dead. Commissioner Hamerly asked if the City has a policy once the project has been initiated, and call for the first inspection, any six month or longer period of any inactivity, the Permit expires, unless there is a letter of Extension and would they have to file another letter for a Certificate of Appropriateness also or does it just keep moving. Economic Development Specialist Stater responded no, this way, the Permit keeps moving. Commissioner Hamerly stated in general, what his thought is whatever time line is applicable to a project, it creates some real nightmares trying to keep track of let's see, this part expired and this part didn't if they are not on the concurrent time clock, so to speak.

Vice Chairman Gamboa asked about the Certificate of Appropriateness if the house is sold and it's still outstanding. Economic Development Specialist Stater responded that the Certificate of Appropriateness runs with the land. Vice Chairman Gamboa asked if the new homeowner would be made aware of it and the time line and Economic Development Specialist Stater responded affirmatively. Community Development Director Jaquess stated that it needs to be made aware of by the seller. Economic Development Specialist Stater said there have been some instances and provided a scenario with a house on Main Street just north of Palm Avenue that had a Code Violation and that the property owner had torn down a porch without approval and was then rebuilt.

06-15-10 PC

with original blueprints and the property owner never completed the work and how the new property owner purchased the house and was made aware of this That may not happen in every case, but we're not recently familiar or that doesn't have an outstanding Code violation, but we try to do that

Vice Chairman Gamboa said that he is afraid that if someone tries to sell their house and asked if there is a certain process or is it just continuous with the same time line and Economic Development Specialist Stater responded it would be continuous on with the same time line

Chairman Haller asked if the Commission had any further questions of Staff Hearing none, he then opened the Public Hearing and asked if anyone in the audience wanted to speak on this Item Hearing none, he then closed the Public Hearing and opened the floor for discussion amongst the Commissioners

Commissioner Hamerly commented as a matter of principle, I am in favor of giving the property owner as much time as possible to do whatever they are anticipated to do and provided an example with a project located on Seine, and how the Commission extended that a number of times, and ultimately, we end up with a better project, because he was able to acquire more pieces of property and master planned a bigger area He is not sure that this is the process that we are talking about here with this particular Appropriateness These projects might be smaller in scale and budget might be a little more sensitive issue so I would hate to burden the property owner with saying that you would have to do it in this amount of time, regardless or it just expires and they lose whatever they have invested in Plans or Permit(s)

Chairman Haller said the process sounds pretty simple in that you would go before the Historic and Cultural Preservation Board (HCPB) and fill out an Application and then asked if there was a fee. Economic Development Specialist Stater responded there is no fee and Chairman Haller said there is no fee and Commissioner Hamerly said okay Chairman Haller continued and reiterated this seems to be a pretty simple process and they just want to be re-engaged in the process in case if the Permit expires and they have not completed the work It sounds like a pretty simple request and any problems would be problematic with extending it three (3) years beyond the upgrade of the Building Permit and it could be a very long process

Commissioner Hamerly stated that he felt the Certificate of Appropriateness should be concurrent with whatever the timeline is going for the Building Permit so that you would only have one (1) timeline to keep track of per project

06-15-10 PC

Chairman Haller stated it sounds like this is getting closer to syncing up, but there is still a lag in the Certificate of Appropriateness with it being beyond the expiration of the Building Permit and reiterated that it is a lot closer with the thirty-six (36) months.

There being no further questions of Staff or discussion amongst the Commissioners, Chairman Haller then called for the question

**A Motion** was made by Vice Chairman Gamboa and seconded by Commissioner Huynh to approve Resolution No 10-004 recommending the City Council approve the following

1. Adopt a Notice of Exemption and Instruct the City Clerk to file a Notice of Exemption with the County Clerk of the Board, and,
2. Introduce an Ordinance to Amend Title 16, Section 16 32 070 M of Land Use and Development Code

Motion unanimously passed on a 7 – 0 vote

The Commission then thanked Economic Development Specialist Stater

(Note Economic Development Specialist Stater left the Chambers at 6 12 p m )

4 2 Environmental Review (CEQA) Clearance for the East Highland Village Street Improvements, (Mitigated Negative Declaration) (ENV 010-001)

The Site is generally located in the following areas

- 1) The north/south portion of Merris Street between Merris Street and Old Greenspot Road,
- 2) Old Greenspot Road between Church Street and Merris Street, and
- 3) Church Street between Merris Street and Old Greenspot Road

Representative Dennis Barton, Assistant Public Works Director

06-15-10 PC

Chairman Haller introduced the item and called for Staff presentation

Assistant Planner Kelleher gave the presentation from the PowerPoint presentation. He explained the locations and by adopting this so the Public Works Division can continue through this process. The City's Environmental Consultant is working with the Agencies currently and then concluded his presentation.

Chairman Haller asked if the Commission had any questions of Staff

Commissioner Hamerly commented how, at one point, there was at least a Study Session regarding this Neighborhood and it was determined that it was an historic neighborhood because one of the items specifically was Street Standards and what would be appropriate for the Neighborhood, in terms of width and Right-of-Way, etc. and asked if the Study Session was with the Commission or the Design Review Board. Assistant Planner Kelleher responded that was part of the discussion of the East Highlands Village Policy Area and Design Standards that were created for and were discussed at that point. There were preliminary Design Standards discussed, as part of that project which included a "V" Ditch that would be used for both parking, as well as for drainage. With this Project, we are proposing to "V" Ditch on the west side of Merris Street, at this point, and indicated there are no improvements proposed on Ypsilantha, Tyler or the other interior street, at this point. So we would be looking at a modified design on those streets, as part of a future street improvement project and reiterated the west side of Merris Street will see the street improvements. Commissioner Hamerly said Merris will get the "V" Ditch plus the five foot (5') walk asked and Assistant Planner Kelleher responded no, that the "V" Ditch is part of the walk and the "V" Ditch is five feet (5') wide. Commissioner Hamerly okay and asked if the five foot (5') wide concrete swale that we're calling gutter / sidewalk and Assistant Planner Kelleher responded that is correct.

Commissioner Hamerly stated with taking a windshield survey of the Neighborhood, he is concerned with the streets are really narrow and the houses are very close and in some cases, they are up to the front property line and that was a point of discussion in whatever Hearing that was and also concerned about the owner improvements and the usability of some of those lots and even taking five feet (5') out of some of those properties, the way they are currently developed. Assistant Planner Kelleher responded it is within the

06-15-10 PC

Right-of-Way and Assistant Public Works Director Barton added the Right-of-Way and Right-of-Entry have already been acquired for the construction, with the exception of one little piece where Merris turns into Merris East / West and were designed around that and that has already been resolved

Commissioner Hamerly asked in the cases of properties that some have fences/walls and those types of things, is the City proposing to relocate those improvements, or reconstruct, in kind and Assistant Public Works Director Barton responded normally, they would either relocate or reconstruct, and in this case, and both he and Assistant Planner Kelleher were unable to recall any issues with existing improvements Commissioner Hamerly said that he thought there were some wrought iron fences or gates or something along the Old Greenspot Road properties, but they might be set back so it's not impacted and Assistant Public Works Director Barton said Old Greenspot Road there might be a couple of locations, but those would be relocated.

Chairman Haller asked if the Commission had any further questions of Staff Hearing none, he then opened the Public Hearing and asked if anyone would like to speak on the Item Hearing none, he then closed the Public Hearing and opened the floor for further discussion amongst the Commissioners There being no further questions of Staff or discussion amongst the Commissioners, Chairman Haller then called for the question

**A Motion** was made by Vice Chairman Gamboa and seconded by Commissioner Stoffel to

- 1 Approve Resolution 10-005 adopting a Mitigated Negative Declaration for the East Highland Village Street Improvements, Environmental Document (ENV 010-001), and,
- 2 Direct Staff to file a Environmental Notice of Determination with the San Bernardino County Clerk of the Board for ENV-010-001

Motion unanimously passed on a 7 – 0 vote.

The Commission then thanked Assistant Public Works Director Barton and he thanked the Commission

(Note Assistant Public Works Director Barton left the Chambers at 6.17 p.m )

06-15-10.PC

## 5.0 LEGISLATIVE

- 5.1 A Sign Program (ASR-010-003) for an existing Multi-tenant Commercial Building. The location is at Webster Plaza, - a 1.06 acre Site located at the west side of Webster Street between Boulder Avenue and Greenspot Road. (7920 Webster Street. Assessor Parcel Number 1201-361-27-0000. Representative Nancy Parker (Quiel Bros Sign Company), Applicant Property Owner Frank Zizzo

Chairman Haller introduced the item and called for Staff presentation

Assistant Planner Kelleher gave the presentation from the PowerPoint presentation. He explained the Applicant is in the audience for any questions the Commission may have. He then explained the Proposed Sign Program to the Commission and how the Signs that exist today would remain until the Owner of the Suite proposed to modify them and further explained the West Elevations and indicated that Staff recommends no Signs be located on the west or north side and asked the Commission whether or not as to having Signs located on the west or north side. He noted there is a potential Business Owner may want to utilize Multiple Suites and the Sign Program does allow for them to combine the Signage of two (2) adjacent Suites to create a larger Sign. In case of the East Elevation, there is 40.5 square foot of Signage per frontage of Suite, which could potentially yield an 81 square foot Sign for a Single Tenant, if they did occupy both Suites on the East Elevation and then concluded his presentation.

Chairman Haller asked if the Commission had any questions of Staff

Vice Chairman Gamboa asked if the current Signs are grandfathered in and Assistant Planner Kelleher responded that is part of the Sign Program, if the Commission adopts the Conditions of Approval (COAs), Findings of Fact and you would adopt the Sign Program and you would adopt the Grandfathering in the existing Signs, unless stricken by the Commission. Vice Chairman Gamboa asked if they are not indicated now and Assistant Planner Kelleher responded that it is indicated in the Sign Program and Vice Chairman Gamboa responded that he did not see it in the Sign Program. Assistant Planner Kelleher responded that on the bottom of Page 11 of the Staff Report states that there is compliance with the Code and read that all existing legal, non-conforming Signs shall remain until Tenant is no longer under a Lease Agreement and Assistant Planner Kelleher further explained that it is their Sign Program.

06-15-10 PC

Commissioner Willhite asked then it would mean that there would be eighty-one (81) square feet (of Signage) if merged two (2) of the adjacent Suites on the East Elevation by his calculations 27' long X 3' high and Assistant Planner Kelleher responded that is correct

Chairman Haller asked if the Commission had any further questions of Staff.

Commissioner Hamerly had some concerns with multiple issues, give the Sign size permissible under their Sign Program, the Facade being fifty inches (50") high by however long and provided an example with the names of sixteen (16) lawyers and creating a Sign that that would not be thirty-six inches (36") high, but is twenty-seven feet (27') long, but would include all of their names in a row. At some point, with the aesthetics and proportion come into play and the Sign Program has to identify what enhances a Project, not only from a communications standpoint, but from a aesthetics standpoint and that is why we allow the latitudes of a Sign Program to say that we can bend the rules a little bit in the hopes that we will get something creative to publicize the businesses that are within the space and I don't see a lot of opportunity for that given the way the Façade presents itself right now, you just have a long, linear dangly, and don't allow Roof Mounted Signs so that leaves us the option of a Facade Mounted Sign or Building Mounted Sign if you want to go on the wall and did not see anything about Window Signage and thankfully, that is off the table, but did not think it would be appropriate to say that one (1) Tenant could just fill up an entire Facade there

Chairman Haller asked if the Commission had any further questions of Staff Hearing none, he then opened the floor and asked if the Applicant would like to make a presentation

Ms Nancy Parker, of Quel Brothers Signs, 272 South "I" Street, San Bernardino, California, who is the Applicant's Representative, addressed the Commission. She distributed photographs to the Commission and then explained each photograph to the Commission for consideration. With the first page with photographs regarding Signage on the West Elevation, she indicated the Staff Report indicated that could not have Signage because there is no parking lot there. The first page with the car / parking lot that is along the side and is not directly in front, but it is still a parking lot and is visible to the Store

06-15-10 PC

Front Cars can still see in front of the Building and regarding the dirt lot, at some point, there may be a building there, at some time, but it is not in the Landlord's budget, right now. There are a lot of Developers that are in the same boat. With the second, larger page is the Elevations of the Building where the photographs were taken at different distances and explained that is why the Applicant wants Signage on the Back of the Building and is also the Tenant's Entrance and Tenants have always had Signs. If you don't have Signs on your Entrance, how are you going to find them or where is the Entrance of this Facility. Ms. Parker then asked if the Commission had any questions about those photographs. Hearing none, she continued. You were also talking about if the Suites are combined are typical. You never know when you build a development, that it be divided up different ways. It never is the same and is sometimes divided maybe into four (4) different suites and sometimes it's one (1) suite or two (2). The Sign Program leaves that open and the present Tenant and allow for Signage. With the square footage, you are really worried about how long is the Sign going to be on the Facade and we did place seventy-five percent (75%) of Facade for the length and so you cannot have two (2) Signs on the same Elevation, from Lease Line to Lease Line so there would never be a problem with them butting up to another Sign, at some point. With regards to the Monument Sign on the West Elevation, the Landlord cannot budget for that and that is a Landlord issue, not a Tenant issue and that the Tenant pays for Signs on the Building, not for a Free-Standing Sign which is pretty typical.

Chairman Haller asked if the Commission had any questions for Ms. Parker.

Commissioner Willhite asked how many Tenants are currently there in the Building and Ms. Parker responded two (2) now and two (2) (Suites) are empty.

Chairman Haller asked a woman in the audience to come forward and speak into the microphone if she wanted to speak.

Ms. Parker said this is the Major Tenant.

Chairman Haller asked the woman to provide her name and address for the record.

Ms. Joanna Weck, 7920 Webster Street, Highland, California, who is the Tenant (Surreal Salon), addressed the Commission. She stated that she will be open for four (4) years on September 1, and the whole time she has had that Building, the year after she was there and Allstate had left, and when they

06-15-10 PC

left, she then took over their spot. She owns the half of what we want to put our Sign on the West Elevation and explained that is her Frontage. That is the Front of her Building and that is where everyone walks in and that is where she tries to make it as nice as possible even though she is looking at a whole bunch of dirt. When she built the place, it was to have a nice place for Highland for everyone to come to get multiple services done in one (1) spot. So now, she has taken over the Allstate portion of the Building when they left two (2) years ago and she now has that part of the Building and is in an "L" shape of that spot and there is a Liquor Store on the little bit of the corner. She has about 3,500 square feet out of 5,000 square feet of the entire Building. At some point, the owner of the Liquor Store has been having issues with them and their cleanliness of the place and reiterated at some point, if the Liquor Store ever leaves, she will take over the entire Building. Ms. Weck further stated if that ever happens, she needs to make sure and that she is not requesting a big Sign on their side, but she is requesting for her Building Frontage to be seen. She further explained how everybody tells her how they didn't know that she was there and everyone lives in Highland and reiterated that they still don't know that she is there and she is on a "main drag", but are unable to see her Sign because she has the Can Signs that have been there since before the City of Highland became the City of Highland since this is one of the original Buildings in Highland and she is trying to upgrade her Business to be more effective. With the Signage, she does not want Can Signage because it is more electricity, but want to have letters (Signage) that look nice and elegant and that it draws attention to her Business and she does not want to have a bunch of window signs that it draws attention. She is in a spot where there is not a lot of people around her and indicated that she does not want to draw the wrong attention there and further indicated that her windows are blacked out so until you would come in, you realize then it is a Hair Salon and Day Spa. Ms. Weck said that she needs a Sign and after so long with people getting lost and not knowing where they are going, she would prefer and the way that advertising is now, she needs to draw attention to her Business, other than just a Liquor Store there. She stated when she provides directions to her Business, she has to explain how you have to turn at the first left where the Liquor Store is, and then come into the Salon and relax. Ms. Weck further indicated it is really sad that always say that her Business is associated with the Liquor Store and that is not why she built her Business for in that it is not to be connected with a Liquor Store.

06-15-10 PC

Commissioner Willhite asked how many people can fit in her Day Spa, what is the occupancy limit and Ms Weck responded there are twenty-seven (27) people who currently work there; seventeen (17) hair dressers, two (2) massage therapists, five (5) estheticians and two (2) nail technicians

Commissioner Willhite was concerned with the parking and how he goes by there two to three (2 – 3) times per day and if people don't know where you are, the parking lot is always full and Ms Weck responded that is how you know, they will go, "oh, it's the one with the full parking lot" and that is how they know Commissioner Willhite said that you're telling me that you want to do this and get more people and try to figure out where are you going to put the cars and Ms Weck responded no, it's not more people because everybody there is independent, so everybody there has their own business so what you see is what you will ever get and it's letting the clients know where we are (located) Then it's like saying that they should not have a Sign at all because they are at our maximum capacity? They are not at a maximum capacity, they can always take more If you would drive by at any different time of the day, there is going to be five (5) cars out there There may be twenty (20) cars out there It is all different throughout the day It takes how long for a man's haircut – about fifteen to twenty (15 – 20) minutes, there could be somebody coming in and out It is never parking for them and has never been an issue Parking for the Liquor Store in that people get mad because they just can't pull in and go running in and get their beer, or they can't sit and drink their beer in the parking lot. Commissioner Willhite said he is looking at long term and Ms Weck responded there is a Development that is supposed to be developed and that's where they are supposed to have parking that is supposed to mix and match within that and that is done with Mission Development and that is a whole different issue. Right now, they are doing everything possible and that parking is not an issue

Commissioner Hamerly said given the long term for Greenspot Road and wanting to optimize the visibility of Ms. Weck's Business, if she had to choose two (2) sides of the Building to accomplish that, which two (2) sides would she choose, once the street improvements are in place even if there is no pad that is developed in near term that would block / separate her Business from Greenspot Road. There would still be a lot of vegetation that would be obstructing her Facade and given that, then asked what would be her solution to that in the way to draw clientele to her Business Ms. Weck responded if she

06-15-10 PC

had two (2) side, the Signage would be for the Front of her Business (west side) and where she has the Can Signage on the south side

Commissioner Hamerly said then west and south sides would be her two (2) primary Facades Ms Weck responded and said that it is not saying when the other Tenant vacates the Building, then the whole Building would be hers and she would want to put another Sign up on the other side because it would be her whole Building But at the time, now and until whenever changes with whatever goes on with the developments that goes on with the City, then yes, west and south

Commissioner Hamerly said okay and then asked if she would not want a view to exposure to Boulder Avenue as being a primary draw for her Business and Ms. Weck responded affirmatively, yes, there is a back side, but because there is a Boulder Side, but on one side she would like to be on, but somebody else owns that land and she is told in the Sign Program that she is not allowed to have anything overhanging onto somebody else's property. She reiterated affirmatively that she would put it on the Boulder Side and on her west side, because that is a more focal point but because it is someone else's property and of the property lines, she is unable to have a Sign hanging over onto someone else's side

Commissioner Hamerly asked if the eave is right on the property line and Ms Weck responded affirmatively and Commissioner Hamerly continued then at any depth, she would not be able to project and Ms Weck stated there are three (3) sides than can be worked with right now and they do not have all four (4) sides

Commissioner Huynh asked what are the Business Hours in the evening and Ms Weck responded she is open from 8:00 a.m. to 8:00 p.m. Commissioner Huynh asked when closing, is the Business Sign illuminated and Ms. Weck responded no, there is no illumination and no lighting because she is trying to save on electricity and not have to use the electricity because when she is closed, she is closed and does not need lights out there

Commissioner Hamerly asked what about the Sign Program in that it does call for illuminated letters and there are details for LEDs. Ms. Weck responded that they have it in there for the purpose if somebody wanted to do that at some point, they would and added that her Sign is not being illuminated.

06-15-10 PC

Commissioner Hamerly stated there are multiple options, LED, Florescent, Building Mounted Non-illuminated and had remembered reading something in there that was calling for Internal / Rear Illumination for letters within the Sign Program. If Ms Weck is trying to draw in Business, having them (Signs) illuminated, especially they are red, it is really going to "jump off the Building" and that you would pick it up, even at night. Ms. Weck responded that she was doing this in taste also and trying not to have red lighting and trying to stand out like that is that when it is daytime and we are in business hours, she would like to catch the eye and she doesn't care what it looks like at 12 midnight and that is not her main thing. She is trying to save on electricity, as well and does not need to have her Sign running all night long and the Can Sign that she has right now is on a timer and shuts off. She would rather have letters that are more elegant and defined looking in order to draw attention and not a light.

Vice Chairman Gamboa asked usually the Sign Program is done by the Owner and Assistant Planner Kelleher responded it was brought by the Owner, and the Tenant is and that Ms Parker is the Representative for Mr. Frank Zizzo, who is the Property Owner. Mr Zizzo did sign the Application, however, he did elect to have a Representative to do the presentation on behalf of his company.

Commissioner Stoffel commented on the letters regarding when a person is traveling on Greenspot Road and would a person be able to read the Sign. Ms Weck responded affirmatively and that the lettering is three feet (3') high and is a dark color.

Some woman was speaking from the audience and Assistant Planner Kelleher asked her to come up to the microphone to speak.

Ms. Parker added there are contrast color and foam letters and reiterated there will be no illumination. With regards to the Cabinet Sign, the Sign Program is for the existing Facility and will be grandfathered in.

Vice Chairman Gamboa commented regarding the Monument Sign there is not being utilized and Assistant Planner Kelleher responded there is no Monument Sign there that is Staff's recommendation instead of doing a Sign on the West Elevation on the Building. Ms Weck stated that it's almost like every bad thing in that she has a Liquor Store and a trash can so let's put our Signs there. I don't want to be drawn into that and is trying to make her own self in the front of her Building. She just wants to be noticed for what she is on the west side of where she is, even though she wraps a little bit around the corner, that it is not her front entrance and people try to go to that door, and someone is getting a massage and you hear someone trying to get in the door and reiterated that is not her front door.

06-15-10 PC

Commissioner Hamerly said with Ms Weck wanting to take over the entire Building, assuming budget constraints or whatever, she would not completely re-orient towards the street and asked if that is correct and Ms Weck responded no Everything that is in that Building is built based is this her front door so nothing would change on that at all Commissioner Hamerly said then she would expand, call it, "back of house" so that she would keep the front or main entrance west and just push back through to the east Ms Weck responded the front will never change in that where it is, is where it is

Chairman Haller asked if the Commission had any further questions

Commissioner Huynh asked if the seventy-five percent (75%) includes the letter spacing and Ms Parker responded to take the Façade's full length and take seventy-five percent (75%) to utilize it Take a forty foot (40') Façade you would utilize thirty feet (30') of it Assistant Planner Kelleher explained the seventy-five percent (75%) is based on the width of the Building and not the width of the Façade In the case of the West Elevation of the Building Commissioner Hamerly said the wall and not the eave Assistant Planner Kelleher said correct you are looking at eighty-one (81 [square]) versus the eave overhang which is eighty-seven feet (87') so they would be allowed to have an eighty-one (81) square foot Sign and the seventy-five percent (75%) would be measured off of the walls which would be which would be eighty-one (81 [square]) feet

Commissioner Hamerly commented if there were a Tenant that had a logo, he assumed that would fall within the envelope of being a maximum height of thirty-six inches (36"), as well, so there would not be anything going off of the top of the fifty-inch (50") Facade Ms Parker responded no, not all and need the equalness and usually not go with the maximum height and the number of letters / words and reiterated that thirty-six inches (36") is just a general Assistant Planner Kelleher added if the Planning Commission would like, Staff can establish a minimum letter height within that thirty-six inches (36") and can say that the minimum letter height is one foot (1') and can have two (2) rows of one foot (1') high letters within the space

Commissioner Stoffel asked about if one (1) Tenant has the whole place designed one way and is broken into four different suites and another Tenant has their design Assistant Planner Kelleher responded it is written into the Program and if they take over the entire thing, then we are measuring the width of the Suite so with Ms Weck, in this case, has both Suites on the west side of

06-15-10 PC

the Building, so potentially, she could put up an eighty-one (81) square foot Sign for the Sign Program and that eighty-one (81) square foot Sign could potentially extend along seventy-five percent (75%) of the space of that Building and/or potentially also be three feet (3') high and twenty-seven feet (27') wide of the Building. There is going to be a variation of sizes of the Sign, based on how tall the Sign is because it is one (1) square foot of Signage per linear foot of Building frontage. He reiterated there is going to be a variation because there is three feet (3') of area vertically available.

Commissioner Willhite asked Assistant Planner Keller if the Commission would get to see the Sign to approve it and Assistant Planner Kelleher responded if the Commission approves the Sign Program, then it (the Sign[s]) would be approved at Staff level at the counter and Staff reviews the Signs so we are sure that they are consistent with the requirements and cannot regulate Sign colors.

Chairman Haller said the way that the Sign Program is written, we would have to approve it, as written, and the way that we are looking at is to limit that a little bit so that we don't get an eighty-one (81) square foot by thirty-six inches (36") high red letters, as a proposed Sign, which is allowed right now by this document. Ms. Parker then distributed one copy of a proposed Design and indicated this is what they are sort of looking to do so the Commission can kind of see. Chairman Haller responded that the Commission's problem is that it is not consistent with what is written in the Sign Program.

Commissioner Hamerly stated his other concern, at ultimate long term, it would be nice if the entire parcels of land north of Greenspot Road took on a common causing flair of character and encouraged Mission (Development) to do that with the streetscape and to work with this particular property owner to have a common streetscape so the whole thing ties together and it would be nice if the Signage would do that, as well. So I don't know if should say yes, for the next undeterminable amount of time until the large Development is put in and that this would be a Conditionally approved Sign Program to be updated or revised at a future date when the overall Sign Program comes into play. Assistant Planner Kelleher responded the difficulty with that is we don't know when this Mission (Project) will go and Commissioner Hamerly interjected and said that's why I said undeterminable, I mean, who knows, so if ever.

Ms. Weck responded and stated that's the thing and explained when she went into this spot, she has dealt with a lot of the guys here that already know what she has gone through with that because there was a Developer that was going to develop it and then they pulled out. She has known when the Development

06-15-10 PC

was in, the Owners that own of the Building were under that Conditional Use Permit (CUP) and were under so many things that were done on because they were going to have to make sure that everything with this Building match everything else that was being put in and they were in agreement on that Well, but this has been put off, put off and put off but he says that in the next five (5) years if it is even going to be done because everything with the economy, nobody knows what is going to happen and everything keeps getting put off, but in return, she should not have her Business suffer in not being able to advertise, or get her Frontage because she is waiting for this development to be developed She is just trying to make a living to pay back her debts also and this is something that she feels is her way of advertising for her Business is having a Sign in front of her Building

Community Development Director Jaquess responded and wanted to point out to the Commissioners there are really a couple three (3) major specific Policy issues that the Commission should specifically evaluate You are already talking about one (1) of them One if you want to allow Signage on the side of the Building that does not front a parking (lot) or a driveway on the street which has been our Standard, historically The other issue is whether you want to allow thirty-six inch (36") high letters all the way around the Building as traditionally, the focus has always been on the street side He thought that the Last Policy issue for the Commission to address if you want to allow the Signage area to be calculated on all sides of the Building because, in essence, you are giving them  $120 \text{ plus } 80$  is roughly 200 square feet of Signage on the Building because you are asking on the Sign Program for one (1) square foot of Signage per linear foot on the three (3) sides

Commissioner Hamerly said in dealing with those thoughts, he was concerned with the exterior to be cohesive and have the Sign Program that extenuates the Building, and indirectly, the Business The Signs should be consistent and that the Facade that we are mounting those Signs to is consistent all the way around the Building With that being said, probably a more, accurate way of determining Signage would be a function of floor area at least, as opposed to Frontage so that if you do have an Anchor Tenant that takes the entire Building and say okay, you have 5,000 square feet and you can have a maximum amount of Signage distributed however you see fit If you want to have two (2) Signs on the south face, that faces Greenspot Road, if you want to have one (1) on each end of the Building, if that is the best way to use your Signage, if you want to put it on your main entrance and in this case, it is the west facing

06-15-10 PC

Façade, leave it up to the Tenant how to best market their Building. In this case, we have an unusual situation where the main approach is not off the main street and it's probably not the last time that we get something like that given our disposition to have frontages closer to the street for pedestrian visibility and parking in the rear and saying, "oh, they are coming in from the rear parking lot", or it doesn't face the street, but they want their Sign to be from the parking lot and reiterated so this may not be the last time we see this particular situation. He is visioning things like this happening in the Town Center. Maybe we should think about those two (2) aspects, but the function of floor area might be more accurate so you don't end up with a big Sign on a Long Façade, but the main entrance on the Short Façade and they have the smallest Sign there and doesn't think that would be doing justice to the Building either or the Tenant.

Commissioner Willhite asked whatever we approve tonight, goes with the Building and not with the Tenant right and City Planner Mainez responded that is correct. Commissioner Hamerly added this is the Program for the property.

Commissioner Willhite asked so if this Tenant moves out and she rented to another Tenant and moves in, they would have the same ability. Ms. Weck responded that she has had the Building for ten (10) years, so I've been stuck there for ten (10) years. Chairman Haller responded and said that's the way we think of the Sign Program in that it goes with the Property and not with the Tenant. Ms. Weck said so what she is proposing to the Commission is that she is going to be there for a long time and that she has already been there for four (4) years, so she does not plan on leaving anytime soon.

Commissioner Stoffel said is there a way of putting something that if, in five (5) years, this whole thing gets developed right there in front and it could change, does it have to be revisited or is there a possibility that that dirt lot could end up being a parking lot or another building if something happens there. Chairman Haller responded the Owners are always eligible to bring back revisions of the Sign Program for consideration. The City can initiate it, once it is approved, it's approved.

Ms. Weck said that it's just like all of the new developments that have already started. Lowes and Staples, and all those places have signs on the front, back, and sides of their Building, so they have them everywhere and there are not parking lots in the back, there are not parking lots on the sides and they all have signs all the way around the building wherever they are located. She is

06-15-10 PC

asking where she is located, at the present time, to have her Signs, and if anything changes, where the other Tenant vacates, then at some point, she would like to put up that Sign. Right now, she has only three (3) corners to work with and one (1) side that she is not particular with, but the frontage of her Sign. With all of the buildings that are going in, are able to have nice, elegant signs and she is stuck with an 80's Can Sign that she has swallows galore and invite the Commission to come and see that will not leave because they all put their nests there every February through September that cannot be touched so she has bird stuff all over the place because she has that lip for them to build on and thought that was more disgusting than anything.

Vice Chairman Gamboa stated he was not trying to be negative and that he knows her Business, but Staples and Lowes also have parking lots in the rear. Ms. Weck said in the back there and Vice Chairman Gamboa said yes. Ms. Weck said asked for delivery trucks and Vice Chairman Gamboa responded and wanted to let her know there is parking back there. Ms. Weck responded and said okay and that she has never parked behind the building and Commissioner Hamerly interjected that we have had that discussion with them, as well and Vice Chairman Gamboa said yes. Ms. Weck said that she will have to go and check that out. Vice Chairman Gamboa stated they are illuminated 24/7. Ms. Weck said we can park on the dirt, but not very many people want to. Community Development Director Jaquess said a person cannot park in the dirt. Vice Chairman Gamboa said how Ms. Weck was saying there is no parking back there and Ms. Weck said she knows, but she was saying that her Building where she wants to advertise so I just want to get it where we are located and not on the back side of her Building.

Vice Chairman Gamboa said he has a problem with the Sign Program and would like to give this thing, but is the amount of (Sign) size and the grandfathering of the Old Can Sign and that she needs to either get rid of the Old Can Sign and put something else up and also does not like it on the sides either.

Some woman out in the audience spoke (sounded like Ms. Parker) about as Tenants change, then that will happen with the Sign Program. The woman continued saying that you have a little Tenant that couldn't afford that with taking the old Sign off and put new letters up. Vice Chairman Gamboa responded he understood that. The woman continued with her explanation why to grandfather the Sign in. As soon as they move out and Commissioner Hamerly interjected but this Exhibit here is one that is proposed immediately, so we are really only talking about one (1) Tenant and that would be the Liquor Store that would have the existing Can Sign and asked if that is correct.

06-15-10 PC

Assistant Planner Kelleher interjected is the Commission proposing to keep the Can Sign on the south side of the Building Ms Weck responded she would like to until she would have the money to replace that and would like to start with her one (1) Sign and then take down the Can Sign and have that match my same, other Sign She is not one that has just thousands of dollars to slap down and do all new Signage in that she has to do one (1) Sign at a time

Commissioner Hamerly asked if this Exhibit was for the west facing Façade is what you are showing and Ms. Weck said yes Vice Chairman Gamboa said then the Can Sign would stay up and Commissioner Hamerly interjected on the south and Vice Chairman Gamboa stated on the south and Ms Weck interjected until the Signs are to be put up with another matching Sign on a different scale and also, if again, Tenants change, things might be changing in the year, then obviously, the other Can Signs will be coming down so she would change it and match it exactly to what she already has.

Commissioner Stoffel asked if it is her hope to have the same on the west as on the south if the Liquor Store is gone and Ms. Weck said yes, exactly. Commissioner Stoffel said personally, that on the Exhibit, as shown, looks really nice, but that is his opinion and it looks like it's clean and it looks good But I don't know of getting into the details of what could happen in ten to fifteen (10 – 15) years from now

Chairman Haller stated he would agree with that statement, except for unfortunately, that the Sign Program is not consistent with that Sign and it still allows a whole lot more to put things in.

Vice Chairman Gamboa said that is why he has a problem with it

Commissioner Hamerly stated you could easily have a combination of the deep channel letters with neon illumination with which would be a completely different animal than that Exhibit

Commissioner Stoffel asked what would we need to do to make them happy to change / alter it in how it would look there and get rid of that language to make it work What would we need

Chairman Haller responded you are asking the Applicant to modify their Sign Program and I don't know if they are willing to do that and Ms. Parker responded one of the statements there was that if it would be illuminated or not

06-15-10 PC

- is that what you are saying Vice Chairman Gamboa said no and Ms Weck interjected that does not want to put cap / channel letters that stick out, but would have something less than that But on the foam letters, they do have a 3D dimension to them and that they are not just flat cutouts, but are pieces of plastic placed on the wall that stick out about two inches (2")

Commissioner Hamerly stated when we change hats and become a Design Review Board, as part of our job description here at the Planning Commission, we have to think about the overall package and what does it look like The way that the Sign Program is written here, there could be just a complete random assortment of non-illuminated, neon, LED, there could be a whole combination of Signage types on that Façade and that's the part, at least for him, is a point of concern If all the letters looked exactly like your Sign, regardless of the name, the style of the letters were the same, he would have no problem with that But that fact that we could have neon, LED, and non-illuminated Ms Parker responded the neon and LED are inside the letters Commissioner Hamerly stated he understood, but you have Ms Parker interjected they are not really exposed so there's not going to be any difference in that respect Vice Chairman Gamboa no, but the Sign Program states and Commissioner Hamerly interjected but there is a difference in terms of the styles and in the colors that are there That is the point that he is making, is that you have a wide variety of Signage types on a fairly small Building and he doesn't think it would be very attractive to have a whole bunch of different types of Signs and styles of letters on such a small Facade Ms Parker responded first of all, you said it's a small Building and it's not like a large standard elaborate Sign Program Commissioner Hamerly responded and stated he understood, but you could conceivably have four (4) Tenants Ms Parker interjected and said right, good point and Commissioner Hamerly continued and stated and if that happens, you could end up with a bunch of all four people stake out their turf on the south facing Façade and we've got four (4) different Signs there That's what we're having this discussion now in what's that going to look like (and) worst case scenario Not for this Application for this Salon, because the Sign Program is not this Salon's Sign Program It's this property's Sign Program, in perpetuity

Ms Parker stated this is how the Sign Program occurred and we just wanted to propose Signage for the Salon and that was it We were told that we needed to submit a Sign Program and that we would be required to build the top and increase in square footage also Commissioner Hamerly responded that is absolutely correct because the Sign Program gives the Applicant some latitude

06-15-10 PC

to push the envelope in exchange for something and that something is this is going to be such a tremendous enhancement to the advertising capability for the Businesses in this property and the aesthetics of the property that we are willing to bend the rules because of the benefits that it's going to provide to the Occupants and to the community

Ms Parker asked are you looking for something that has no lighting. Ms Weck added is it no lighting that you don't want Commissioner Hamerly stated it's a point of consistency Ms Weck responded while she is there, she is taking three (3) of those four (4) spots so they will never change because she is not going to build Signs and have Signs done over and over; this is it This is her Sign, this is it and she is not changing it With the Liquor Store there, she doesn't know because she does not own the Building, but she just knows that they may not be there long term so she can't say that the Owners of the Building are going to make them change their Signs because why would you want to make somebody change their Sign if they are not going to be there long term. She is there, long term so, right now, she said that her (Signs) are not going to be lighted She cannot tell you ten (10) years from now if somebody is going to want to change the lighting letters, but that is when they are going to have to come in here and say, "my Program is completely different because they will want these letters" and they are going to have to apply for a different Program Commissioner Hamerly said, actually, they couldn't because this is the Program and Vice Chairman Gamboa agreed this is the Program Commissioner Hamerly further stated this is why we are having this discussion

Ms Weck asked if the Owner of the Building couldn't do another Sign Program and Commissioner Hamerly responded they can amend their Sign Program Ms. Weck said that is what she is saying and Vice Chairman Gamboa agreed they could amend the Sign Program and added the new Tenants can use this exact Sign Program and put in exactly whatever Assistant Planner Kelleher stated and Assistant Planner Kelleher said 81 square foot and Vice Chairman Gamboa continued by stating an 81 square foot Sign and that we would be unable to say anything about it because they are following the rules of the Sign Program Ms Weck said they don't have the Building Frontage

Commissioner Stoffel asked how do we change this then to make it work for them and make it work for us How do we fix this Commissioner Hamerly responded you look at how a typical property works Take Lowe's for instance Lowe's was the 800 pound gorilla, they were the Anchor Tenant and said this is

06-15-10 PC

what we need and the Sign Program catered to the Anchor Tenant and everybody else kind of fell in line and said okay, we are going to follow that style, a little bit smaller for Buildings "B", "C" and "D" We could do something similar for this Tenant, if she is the Anchor Tenant, she says this is what she wants for her Business and everybody else kind of follows that design parameter and saying, "yes, we can live with that" Commissioner Stoffel said it feels like it would work for them Commissioner Hamerly said that it would work for this Tenant right now Vice Chairman Gamboa stated the way the Sign Program is written, it's just too. and Commissioner Stoffel interjected how do we get them to change it. Commissioner Willhite said my vote is and Commissioner Hamerly said yes and Chairman Haller interjected to have them change it and Commissioner Hamerly to make the Tenant happy and At the same time, both Ms Parker interjected that's what they are talking about right now and Commissioner Stoffel interjected seems like they are open to that. Vice Chairman Gamboa said we can't change that and Commissioner Stoffel responded that he understood that and Community Development Director Jaquess interjected they would need to continue this and they would need to bring it back next Meeting with a Revised Proposal to reflect the feedback that they are getting from the Commission today

Commissioner Willhite asked if there was a Sign Program for the shops across the street Vice Chairman Gamboa said Carino Plaza (which is located across the street from this Building in an easterly direction on Webster Street) and Commissioner Hamerly responded he doesn't believe they have ever seen a Sign Program and Assistant Planner Kelleher responded yes, there is a Sign Program for that Center

Commissioner Willhite said it's not 81 square feet per Suite and Assistant Planner Kelleher said no City Planner added the linear square footage per Sign and Commissioner Hamerly interjected if it is based on  $\frac{3}{4}$  or seventy-five percent (75%) Assistant Planner Kelleher stated the one square foot per linear footage is consistent with our Code, but we set a maximum of thirty (30) square feet The seventy-five percent (75%) of frontage is also consistent with Code, but again, we have that maximum of thirty (30) square feet in Code So both of those are actually consistent with Code It's just that they are going one additional step and removing that thirty (30) square foot maximum If it is the Planning Commission's desire to continue this and what I have gathered this evening is that you want a specified script or type style of lettering and you're hoping for a specific color Commissioner Hamerly interjected and apologized

06-15-10 PC

if that is based on his comment, that wasn't correct Assistant Planner Kelleher said okay and Commissioner Hamerly continued with when he was saying a style, you have a non-illuminated deep channel or shallow channel just so there is a consistent type of lettering, not a type style

Assistant Planner Kelleher continued that he has an internally illuminated or non-illuminated so if we are looking for an internally illuminated, are we just saying it has to be LED, or does it have to be halogen or neon or is it any type of internal illumination because he thought that this is what they are proposing at this point Commissioner Hamerly said right That Design Sheet is basically almost anything goes and Assistant Planner Kelleher said yes and so, at that point, then saying it must be internally illuminated through use of "X" type of illumination and the letters must be . he thought the letter specified in the letter design have to be one and three-quarter inches ( $1\frac{3}{4}$ " ) so all letters throughout the Program must be one and three-quarter inches ( $1\frac{3}{4}$ " ) and are illuminated by "X" or non-illuminated. Commissioner Hamerly responded in that that would be comfortable for him because you have a consistent depth or shadow line on the letters in the mounting on the Façade is the same for all letters whether it is illuminated or non-illuminated. Then, at least, we have a starting point for consistency and Assistant Planner Kelleher said okay

Ms. Parker stated we do have a problem with the thickness of the lettering when you are illuminating it and Commissioner Hamerly said he understood Ms Parker continued so that would have to be addressed and that you just can't say you want a letter that is  $1\frac{3}{4}$  inches or two inches (2") It needs to have a transformer and even with an LED, it has a small unit that goes inside and both of these you have to address to Commissioner Hamerly said then you can also have remote transformers and you have plenty of soffet space to accomplish that

Ms Parker even with a remote transformer and you have a neon, you still have to have a minimum of two inches (2") around the neon and that's with Code Commissioner Hamerly said then if you are choosing neon as your illumination source, and all of the illuminated Signs which is neon, you would say that we would have to have two inches (2") standard depth and that would be illuminated or non-illuminated Ms Parker responded that you have to have a four inch (4") minimum or certain spacing from the neon and that's an electrical issue also. Five inches (5") is probably your standard channel letters and four

06-15-10 PC

inches (4") you might be able to space out all of the letters accord to LED and then we could bring them down a little bit less and Assistant Planner Kelleher stated you would want to specify whatever that depth is going to functionally work for an illuminated Sign and a non-illuminated Sign, they are going to have to match so you will want to specify that depth in the Program

Ms Parker said well, here is where you've got if somebody wants to go non-illuminated and Ms Weck interjected yes, actually and Ms Parker interjected versus and Ms Weck interjected this is, I mean and Ms Parker interjected how about if we possibly do something like that where all of the letters in the front on the street side / frontage, but of the Back Elevations there doesn't even need to be illuminated yet, somebody that has frontage would be illuminated if she wasn't a Tenant there The Back is the concern because if you don't want Signage back there so she thought it was illumination also.

Commissioner Huynh asked she was talking about the back and if she meant the west side or was she talking about the north side and Ms Parker responded her frontage (Ms Weck's) and Commissioner Huynh interjected the west side and Ms Parker continued it is the back of the Building, but it's her frontage and she is going to need Signage and how a lot of malls or a lot of centers which are not built to standard corners anymore They are not built like a little block building now A lot of them have different angles

Commissioner Hamerly said that he is willing to say the west makes perfect sense because if that is where her front door is, it's nice to have a Sign over your front door Vice Chairman Gamboa responded he does not have a problem with that and Commissioner Hamerly interjected that's reasonable Vice Chairman Gamboa continued but the matter is the amount of space that one (1) Tenant can have on the frontage and the type of illumination. If she ever moved out, one (1) Tenant could have neon, the other Tenant could have LED and so forth There are no specifics on what kind of lettering there is and Commission Hamerly said there are too many specifics and Vice Chairman Gamboa said right, there are too many specifics

Chairman Haller asked if they made their point and are they understanding what the Commission is looking for The Commission is looking for consistency and want to put some wraps around the maximum Signage Ms. Parker responded that she might possibly be able to call out, with your forms, maybe several fonts and where you don't have all different kinds of fonts and

06-15-10 PC

Commissioner Hamerly interjected actually, the fonts weren't even a point of concern because every company has a different and Ms Parker interjected and making it standard So if you want them all to look Vice Chairman Gamboa interjected but if you look at the Lowe's Center, each Building has different type of lettering, but they all have the same basic, type of lettering and the same type of illumination Ms Parker said they have neon and LED and knows that for a fact It's up to you, she could go with the LED and indicated Larry Quiel could explain the lettering to the Commission

Mr Larry Quiel, of Quiel Sign Company, 272 South "I" Street, San Bernardino, California, addressed the Commission He stated the Sign criteria and most every sign criteria that he puts together has to be flexible enough to allow some of the major tenants, such as Starbucks, Subway, and those types of tenants that would come in would turn away from this Center if you would make the Sign criteria so restrictive, in that they can't bring in their Trademark Logos in and that is essentially the direction that you are going You said that LEDs are new to the industry in the last five (5) years or so LEDs are put into channel letters with narrow strokes that have always been prohibitive with neon because with neon, you have to have a certain electrical clearance because you have high voltage The LEDs are new to the industry and they are being used quite a bit and we are getting a lot of flexibility with colors and so on. When dealing with perspective Tenants that are coming into these centers, like he said, the Subways, the Starbucks, he doesn't care who it is, if the Tenant has a Trademark Logo, they will walk away and then this poor Landlord will have a real tough time with too restrictive of a Sign criteria It needs to be flexible enough to bring businesses in, be creative with your Planning folks at the counter, evaluate it and have a Planning Commission / Design Review Group if that is what your wish is, but you need to be flexible enough to allow businesses to come into the Center With what Ms Weck is proposing, on her lettering, it's a real nice letter font / letter style and we would have a problem illuminating that letter because it is a narrow letter But this is her (Ms Weck's) Logo and this is what she wants to project to her clientele and is the same Logo that she is using within her Business. When you get too restrictive with the Sign Code, you will have perspective new Tenants here in front of you every time, if they propose to go into that Center and ultimately, you will be writing the Code over and over again He is just talking from experience He would like the Commission to look at the Code, keep in mind that the use of LEDs they're not anything in the Code that we have put into it, the channel letters

06-15-10 PC

whether if they are illuminated with neon or LEDs, are not going to be exposed so you won't be able to tell whether it's an LED or a neon tube that is illuminating that letter. If you wanted to limit the fonts that they can use, you will have a problem with some Tenants that would want to come in there, but that can be done. If you concentrate more on the square footage allowable, the size of letters, the colors, the return colors, etc., it will be a very attractive Sign Code for that particular Plaza so I just wanted to add that into that.

Chairman Haller thanked Mr. Quiel for his comments and then asked if the Commission had any further questions.

Commissioner Huynh said he might have missed this piece of information when the Applicant spoke earlier and asked how long Ms. Weck has been there and Ms. Weck responded in September, it will be four (4) years.

Commissioner Huynh said how she has come in and try to get additional Signage because she is expanding the space or. Ms. Weck interjected no and Commissioner Huynh continued or because the Business is slowing down and she is trying to maximize her capacity. Ms. Weck responded no, at the original time, she ran into a lot of problems with the Signage and she put out a lot of money to get her Business going that she has had such problem with the Sign Program that she could not put out any more money to come in here and try to fight doing all of this. They said all you can do is to fill in your Can Sign so that was her limitation. At that point, when she forked out all renovations, you just go with what you can go with, at that time. She is now at a different spot where she actually have expanded more where she is getting constant. She has different people. In this Business, you have people come and go. Hair dressers come and go, they move to different spots so when someone new comes in, she gets everybody says, "I didn't know it was here" and "where's it at" they are lost or they are calling "where's it at" there is no stop light, there is no nothing. She has to say turn left and turn into the Liquor Store – that's the direction. You know, she can't say, "at the first left turn and you will see Surreal Salon and Day Spa right there." That's not the directions that you can give. This is a constant people coming and going in this industry and people constantly move salons so when she has new people coming, this is where she has been coming into issues of clients lost and finally have come to the point where advertising in the Highland Community News does not work any different and still don't know where we are so she needs something that will give the eyes attention that says, "yes, this is her Business and this is where she's at" and not "next to the Liquor Store on the Back side."

06-15-10 PC

Commissioner Willhite asked Assistant Planner Kelleher if there was a current Sign Program for this Building and Assistant Planner Kelleher responded there was nothing that he could locate. Both Ms. Weck and Assistant Planner Kelleher responded the Building was there before the City was the City of Highland.

Vice Chairman Gamboa asked City Planner Mainez if there is a difference between this Sign Program and another Sign Program that they have done for another center like the one for Boulder and Greenspot Road and City Planner Mainez responded the major difference is how simple this one is and is very, very basic and it was intentional. The purpose is for the Major Tenant to have a Sign and very intentionally kept all of the colors and styles out and they wanted something just for the Salon Sign area.

Commissioner Willhite asked if they can do just the west side of the Building and grandfather on whatever is existing on the other two (2) sides and just do the Sign Program for the west side of the Building. City Planner Mainez responded no, and Commissioner Hamerly added then it's not a Sign Program because then, you are approving technically, a Sign. City Planner Mainez said the worse case scenario is that we can bring back to the Commission each individual Sign, that's the downside and that the Property Owner does not want to do that.

Commissioner Huynh stated then it would be based on the Business License and when you have a new Tenant come in, then a Sign and City Planner Mainez interjected then it becomes a Sign Program and then each new Sign is reviewed over the counter. Commissioner Stoffel responded and said personally, he would almost rather see that than give them their Sign and City Planner Mainez responded well based on all of the comments a Sign Program is appropriate and Commissioner Stoffel interjected that is what he was thinking – they get what they want and we get what we want.

Chairman Haller said he does not understand and asked what is the basis though for allowing for a larger square footage and what are the Findings Essentially, and it's just an individual Sign Program which it exceeds the City's Code. You have to have some basis for allowing that and what would the basis be as Commissioner Hamerly has explained that in the past, you are getting an overall Program for the entire Development. All of the Signs are consistent in some way so you get a theme that is throughout the Development. So that is the basis and the reason why we are able to approve a Sign Program somewhere else, but he does not follow the logic. Then, with that approach, what is the basis for allowing the larger square footage.

06-15-10 PC

Commissioner Stoffel asked just on that west side and Chairman Haller said just overall and Commissioner Hamerly added on any side because typically, there is a cap on that. Unless, case in point that always comes up, Jack in the Box (Project located on the southwest corner of Base Line and Sterling) we waived the maximum height because we did not want them to take a Logo that was skewed at a 33 degree angle and square it up just to work within the envelope of a maximum height. So we said, no, we would rather have the Logos on the Building match the Logo on their Monument Sign and so we said, go ahead and make it a little taller so they could keep it consistent with the architecture on that particular property. That would be a case where we bent the rules a bit for an aesthetic intent. Then they changed their Logo.

Ms Weck responded she has the whole side of the Building and these are not four (4) separate Units. There is no wall separating three (3) of those Units. It is a fully opened, three (3) Unit so to her, she only has one (1) Unit. When she has her address, it's Unit "A" for that Facility.

Commissioner Stoffel asked Ms Weck again to comment on the overall square footage and the original internal square footage. Commissioner Hamerly said there's something to that and another way to dissect this if it helps out for internally illuminated or non-illuminated is per se, per letter is this color or the return of the mounting hardware is this color and let's just say that it was charcoal. We would say the Cans for all the letters and the rest of the letters on the Building are going to be charcoal so that there is at least a side or a shadow line that is consistent and we don't care what color of letter that you put in there for illumination. Then at least, you have a common denominator in there. We have never been hung up on the font style because we recognize every company has their own particular script, but it is the size and what percentage of the Façade they are taking up for a Tenant that takes up this many square feet of frontage or floor area. Ms. Weck responded it's for the consistency. With the PowerPoint presentation shows Surreal Salon and stated because of her two (2) spots, she would not want to go Surreal and then another spot over here. Because this whole this is hers, she is trying to make it consistency with Surreal Spa and she is trying to make it as small as possible by saying, "Surreal Spa and Apparel" instead of just saying, "Surreal Salon and Day Spa" by making it so long. She is trying to make it consistent so it's not so broken up because she doesn't have three (3) different Units and has one (1) consistent Unit and does not want to have everything so split it up and when someone else comes in, and then put it back to your thirty (30) [square feet] or whatever is required, but she trying to put her thirty (30) [square feet] and thirty (30) [square feet] together to make one (1) Sign and not have two (2) different Signs everywhere.

06-15-10 PC

Chairman Haller stated that he feels like we are going around in circles. He understood what she is saying, and we want to try and accommodate her. We don't like the way that the Sign Program is written because it is too broad and allows things that we do not like. He proposed if she could work with City Staff to figure out revisions to the Sign Program that meets us half way and accommodates the Sign that is proposed to be put up now on the west side, but allows for an overall Sign Program that would allow us to make the Findings that would allow for a larger square footage of the total Signage along the three (3) different Frontages. Because he really needs to get an overall consistent Sign Program in order to make the Findings that allow for a deviation to the thirty (30) square foot max that is in the City Code.

Commissioner Hamerly stated one of the other things that we have done in the past is for Anchor Tenants where it's based on square footage and let's say, okay, somebody does come and they do take this entire block, then they qualify, based on square footage, or percentage of use, to have that larger Sign and become the Anchor Tenant. We have had that happen in a couple of other smaller things where they have come in and rented out four (4) Tenant spaces and we have allowed them to come in and now they are an Anchor Tenant and get that larger Sign. They were multiple categories within that Sign Program that said a typical suite is this, Anchor Tenant gets the tower plus this larger area because it is a Building Mounted Sign on a Tower Element, something like that. So there were divisions within the Sign Program.

Chairman Haller added that makes total sense.

Assistant Planner Kelleher added we have already kind of done that as part of the Table on Page Three (3) identified Multiple Tenants versus Single Tenant Occupancy within that Building.

Commissioner Sparks asked if the Liquor Store has its own Sign and she is going to have her own Sign, is that correct. It won't be together on the same one (1) and Ms. Weck responded that is correct. Commissioner Sparks stated they are open late and their Sign is lit up and she wants hers with no lights, so when she shuts down, it is down period, is that correct and Ms. Weck said yes.

Chairman Haller reiterated and suggested for the Applicant to modify the Sign Program to be consistent with the lengthy discussion that we have had here and work with Assistant Planner Kelleher to what we are both trying to achieve which to allow, in the near term, a Sign to be installed that would be consistent.

06-15-10 PC

with the Sign Program that would result in an overall Program for the Building and accommodate future Tenants, should they come in. But that would give us the ability to make the Findings consistent with what we have made on other Sign Programs that allow deviation from the City Code.

Ms. Parker stated that she could call out the return colors and will have a trim cap on the ones that are illuminated, where needed and that she can kind of play around with that and that is no problem and will check out the height, square footage and will deal with that and will discuss that.

Commissioner Hamerly indicated with the largest Exhibit shows seventy-six (76) square feet maximum area and let's say that this is the worst case scenario, that would be the largest Sign that would go up on that Building, based on a Single Occupant, that would be seventy-six and maybe that's the cap of the maximum size that would be permitted on this Center.

Chairman Haller responded the Exhibit is showing twenty-seven inches (27") at maximum letter size. Vice Chairman Gamboa said the Sign Program is asking for thirty-six (36) and Commissioner Hamerly added but it also gives them up to eighty-one (81).

Ms. Weck responded that the problem is to that she has done the Sign Program already twice. They have put it in once and the City wanted something else so she went in revamped it. The thing is that she has to pay for all of this because the Owner of the Building is not a very lenient person and she is doing this for her to have her Business be successful. So now, she is going to have to pay Quiel again to go on and to keep on revamping this and revamping it when it has been already told once to be revamped. She is so far in deep now, that she has been doing this since November that it's like where does she throw up her hands and go okay. She has got thousands of dollars for a Sign, she has to pay someone to keep revamping the Sign Program because she does not have a great landlord that takes care of everything for her. She is doing it because she wants her Business to look presentable and she is the one who is going to have to keep paying for this.

Vice Chairman Gamboa stated that is one (1) reason why all of the Developers come to us with their Sign Program and not the Tenant. He feels for her and that he does not have that kind of money to keep and Ms. Weck interjected the landlord had a maximum of what they would spend and beyond that now,

06-15-10 PC

it's maxed out and now, it's thrown onto her where she is so far in, that she would be throwing away all of the money that she has already paid saying, sorry, we can't do the Sign Program anymore. It's like everything keeps on being asked and asked and asked and she is doing it and you see what she wants to do. It's not anything that is going to ruin the City of Highland.

Chairman Haller stated we understand what you are saying, and we are sympathetic, but this is the first time that we have seen it. Based on the comments, and personally, he finds it unacceptable and could not approve it without modifications. So, we are suggesting that there is a compromise to go back, spend a couple of weeks and modify it and bring it back. He thought what they are asking for is pretty reasonable and it is very minor in terms of changes.

Commissioner Stoffel said they are all fine with this and Chairman Haller added I think that is what we are saying. Commissioner Stoffel stated he believes that she does not understand that. Vice Chairman Gamboa said it's not her Sign.

Commissioner Hamerly stated there is a difference between her Sign and the (Sign) Program and Commissioner Stoffel reiterated that he thought that she doesn't understand that and said that her Sign is nice and the Sign is fine and it looks good.

Commissioner Sparks added their hands are tied because of the Sign Program.

Commissioner Stoffel stated but what happens in that it's what if the place gets, hypothetically, built next door and she finds a better location and she moves, then, we are saying, there can be issues. Hypothetically, that is possible that she could move into a better location further west.

Vice Chairman Gamboa stated after ten (10) years, when you leave, and Commissioner Stoffel interjected they want to make sure that there is something set in place for the Building when you decide to leave.

Ms. Weck said the Sign that she is showing them with the extended amount of visibility to be a little bit bigger than the size it's supposed to be or whatever. Is that what you are approving, but now, they just need to go into this paper work and change whatever few things that Assistant Planner Kelleher is writing down, or whatever, that has to be changed in the Program for future use.

06-15-10.PC

Commissioner Hamerly stated we cannot approve her Sign, but we can say that Sign would fit in the Sign Program that is being proposed. There is a weird difference, but there is a very specific difference between the two (2). We cannot approve a specific Sign, we have to approve the Program and everything that the Program allows.

Ms. Parker responded that she has done some of the Sign Programs in the City and has done about five (5) of them and have not come across a problem. With this one, the landlord wanted it simple and wanted it owned, and that is exactly what is happening and that she can revise it a little bit with some of the issues. The one (1) issue that concerns her is the illuminated versus non-illuminated and that is a big issue for her. When they are talking about depth and things like that and the letters and Commissioner Hamerly interjected but he doesn't understand the confusion if we say use the depth you need to get the source you need, whether it's neon or LED, as long as she gives them some standards so that there is some consistency saying like one return is not going to be shiny silver and the one over here is going to be something else.

Ms. Parker stated if they all go non-illuminated, with the whole Tenants and Commissioner Hamerly interjected nobody said that.

Community Development Director Jaquess nobody is suggesting that at all.

Ms. Parker said no, but that what was suggested when talking about the depth of the letters and the Community Development Director Jaquess interjected that they are really looking for more definition of what would be allowed. If it was illuminated, it would have a certain style, depth and color and if it was non-illuminated, it would have a style and color.

Ms. Parker said you are talking about returns and like what she said before, she could take care of the return colors and that she could match that and she has non-illuminated foam letters and reiterated that she could match that color or letter to all of the returns that would come into the Center. It is still a concern with the illuminated versus the non-illuminated foam letters and reiterated that she could go ahead and do that and that's not a problem with the return colors. She was just worried that they brought up depth and Commissioner Hamerly interjected that was in a point of discussing what were the type of letters that she was proposing for illuminated because they have a standard sheet there that had three (3) different styles on it.

06-15-10 PC

Ms Parker asked it did? And then she thought that it was just non-illuminated channel letters and Commissioner Hamerly stated there were three (3) different details on that one (1) sheet and that is what they were asking Which of those details that she was proposing - Exhibit "C"

Ms Parker said okay, with LEDs, that's no problem and can take care of that and can go ahead and make sure that the return will match and is not a problem either

City Planner Mainez asked the Commission if it would be correct to say the Commission is okay with the Signs on the West facing Elevation and Chairman Haller responded he thought he had heard that and Commissioner Stoffel added definitely feeling better and Chairman Haller said okay and Vice Chairman Gamboa said yes

Commissioner Stoffel said this is where he thought this is how government breaks down and thought that there is confusion of what all the talk is and then they got lost, and Staff gets lost and the Planning Commission gets lost and thought there needs to be a summary here so that they feel comfortable, we feel comfortable and get it figured out

City Planner Mainez asked that the Applicant should summarize so she understands the Planning Commission's comments

Chairman Haller asked Ms Parker to summarize and Ms Parker responded that she is pretty well and have that idea and that there is no problem with most of them with the Sign on the West Elevation and the reasons for that and we have been talking about sizes for that

Chairman Haller stated one (1) of the things they are looking for are the maximum size would be consistent with the sample that she provided so that the max letter size would be twenty-seven inches (27") and Commissioner Hamerly interjected with seventy-six (76) square feet and said that one in the Sign Program says that it can go to a maximum size of thirty-six inches (36") on another Sign Chairman Haller said right, but we are looking to reduce that down and Commissioner Hamerly said but this Exhibit is saying twenty-seven inches (27") is their max and Chairman Haller reiterated so we are looking to reduce that down and Ms Parker interjected what about thirty-inches (30") and that thirty-inches (30") is a pretty standard letter height of thirty-inches (30") Commissioner Stoffel asked what was on the thing and Commissioner Hamerly

06-15-10 PC

responded twenty-seven (27) Both a Commissioner and Assistant Planner Kelleher said three inches (3") Commissioner Stoffel said he had heard of people like her who are experts on that kind of stuff and to him, what he saw, looked fine and Commissioner Hamerly interjected that was the point in bringing that up in saying that that Sign is what we are calling the Anchor Tenant and Commissioner Stoffel said right and Commissioner Hamerly continued that that is the area would be building out entire Building so that would be the maximum Sign that would be permitted on that, based on a Single Occupant So even that, by approving that right now, we would be deviating from the way that this Table is presented because it's not right now a Single Tenant It may be in the very near future, but that's another point

Ms. Parker said she is willing to work with the twenty-seven inches (27") then and that's not a problem with that

Chairman Haller asked about what has been brought up three (3) times now with the square footage versus the linear footage and want the Sign Program revised to be consistent with that approach and Commissioner Hamerly stated it was just a suggestion to say what happens based on having four (4) spaces available what happens if they have two (2) spaces, or three (3) spaces, or when they finally achieve 100% occupancy with one (1) Tenant.

Assistant Planner Kelleher responded that we can include the Table that we have noted on Page Three and Commissioner Hamerly injected okay and Assistant Planner Kelleher continued in the Sign Program and what we will do is identify each of the Suite numbers and maybe identify what the Signage areas are if it is a Single Suite or if they have the entire West Elevation with this much square footage. We will work with the Applicant to establish a Table Commissioner Hamerly said the point of bringing that up, though, was that Table says that if you have a Single Tenant, then you are allowed this maximum Sign conditionally We have all said that we like the Sign, as proposed, but right now, it is not a Single Tenant Does that Table need to be modified to give her permission to do that Sign, and City Planner Mainez interjected with seventy-six square feet with a Single Tenant on the West Elevation and Commissioner Hamerly continued but that Condition only existed for a Single Occupant with the way that Table is written

06-15-10 PC

Assistant Planner Kelleher stated that Commissioner Hamerly is suggesting if we were to say Single Tenant on the all Suites occupied on the West Elevation are all occupied and Commissioner Hamerly interjected then that would be the way of handling and Assistant Planner Kelleher continued West Elevation and Commissioner Hamerly interjected that Condition and that would be consistent in this Sign Program and Assistant Planner Kelleher said okay and is willing to work with the Applicant

Chairman Haller asked if the Commission had any further questions He then asked what about the timing and Ms Parker responded that she would be able to get it done rapidly She can do it tomorrow and just wants to get this done She wants to get her Sign up

Assistant Planner Kelleher added it would be for the Commission's consideration on July 6, 2010

Chairman Haller asked if she could have this done by the end of this week and Commissioner Hamerly said if its continued, it doesn't have to be re-notified, right? and Assistant Planner Kelleher said correct and if it is continued to a date certain Commissioner Hamerly said you're not going to say that's not going to give us enough time to re-broadcast this because it being continued so they can come onto a date certain for the next Meeting Assistant Planner Kelleher said he can work with the Applicant to establish a date, because he thought that they would want to touch base, hopefully, this week, to go over each of the items and just kind of flush out of how we want to format the Sign Program for you folks

There being no further comments or questions to the Applicant or Staff, Chairman Haller called for the question

**A Motion** was made by Commissioner Hamerly and seconded by Vice Chairman Gamboa to continue this Item for revisions to the Sign Program to July 6, 2010

Motion unanimously passed on a 7 – 0 vote

The Commission then thanked the Applicant and Representative for working with the Commission and showed their appreciation

06-15-10 PC

**6.0 ANNOUNCEMENTS**

Community Development Director Jaquess explained the Items tentatively scheduled for the July 6, 2010, Commission Regular Meeting. He also explained what is on the City Council's Schedule for July 13, 2010.

Chairman Haller asked what about the Sign Code and Community Development Director Jaquess said the Subcommittee is going through the process and has a Meeting on June 24, 2010, at 4 00 p m.

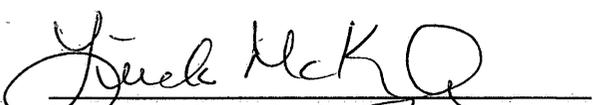
Chairman Haller reminded the Commission about the July 4<sup>th</sup> Parade.

**7.0 ADJOURN**

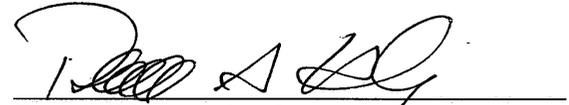
There being no further business, Chairman Haller declared the Meeting adjourned at 7 46 p m.

Submitted by

Approved by



Linda McKeough, Community  
Development Administrative Assistant III



Randall Hamerly, Chairman  
Planning Commission

06-15-10 PC