

PC Attachment 1

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RESOLUTION NO. PC 2023-XX

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LAKE FOREST, CALIFORNIA,
APPROVING PLANNED SIGN PROGRAM 11-22-5581
ESTABLISHING CRITERIA AND REGULATIONS FOR
SIGNS AT THE SHOPS AT PORTOLA HILLS AND
PORTOLA SENIOR APARTMENTS LOCATED IN THE
PORTOLA MIXED-USE BUILDING AT 901 AND 931
PORTOLA OAKS DRIVE, RESPECTIVELY, IN
PORTOLA CENTER SOUTH, LAKE FOREST,
CALIFORNIA**

WHEREAS, on November 29, 2022, Omar Dandashi, on behalf of Sunrise Pacific Construction, filed a planned sign program application for the new Shops at Portola Hills and Portola Senior Apartments located in the Portola Mixed-Use Building at 901 and 931 Portola Oaks Drive in Portola Center South; and

WHEREAS, the Municipal Code allows a planned sign program to ensure coordination and compatibility between all signs within a commercial or mixed-use development and requires a planned sign program for deviations to the Sign Code regulations; and

WHEREAS, in accordance with Lake Forest Municipal Code (LFMC) Section 9.164.080, a planned sign program is required for any new development proposing more than 3 on-site signs, any requests for deviations from the regulations and standards of LFMC Section 9.164.110, lighting for the purposes of signage, and requested deviations from the regulations in the Sign Code; and

WHEREAS, the Director of Community Development has reviewed the project's potential effects on the environment, and has recommended that the Planned Sign Program for on-site signs is categorically exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15311 (a); and

WHEREAS, the City gave notice of the public hearing at which the project would be considered by the Planning Commission by publishing a notice in a newspaper of general circulation on July 20, 2023, and by posting a notice at City Hall, and by mailing a notice to owners of property located within 300 feet of the project site on July 20, 2023; and

WHEREAS, on August 3, 2023, the Planning Commission held a noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Planned Sign Program and at which the Planning Commission considered the Planned Sign Program.

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE FOREST DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. FINDINGS. The Lake Forest Planning Commission hereby finds, based on consideration of the whole record before it, as follows:

1. CEQA: Approval of the permit application is in compliance with the requirements of the California Environmental Quality Act (CEQA).

Pursuant to the California Environmental Quality Act, Article 19, the proposed project is exempt under Section 15311 (a). CEQA Section 15311 specifically exempts projects which are "on-premises" signs. The project falls under this Class 11(a) exemption for on-premises signs because the signs requested are located on the subject property.

2. The Planned Sign Program achieves overall design and sign integration that exceeds what would have been achieved solely through implementation of the Sign Ordinance:

The Planned Sign Program for the Shops at Portola Hills and Portola Senior Apartments includes one monument sign that deviates from the City's Sign Ordinance. The monument sign is an 11-foot-tall monument sign, four (4) feet taller than the seven (7) foot height limit permitted by Code and located perpendicular to Glenn Ranch Road. The regulations for this monument sign, as well as other on-site signage, including two (2) vehicular directional monument signs along Portola Oaks Drive, one identifying the commercial tenant (Shops at Portola Hills), and the other identifying the residential tenant (Portola Senior Apartments), and the maximum 12 wall tenant signs proposed, including fabric and metal tenant awning signs, and a metal awning sign above the apartment complex entrance are included in the Planned Sign Program regulations. The Planned Sign Program regulations ensure signs are evenly spaced and separated enough to not create a cluttered building frontage, as well as display a generally uniform appearance. Accordingly, the Planned Sign Program achieves overall design and

sign integration that exceeds what would have been achieved solely through implementation of the Sign Ordinance.

3. The proposed Planned Sign Program signs will harmonize with other on-site signs and enhance the site, building, and/or use on the site.

The Planned Sign Program regulates all on-site signage for the mixed-use building. The sign program proposes one 11-foot-tall monument sign perpendicular to Glenn Ranch Road that will be visible to vehicles and pedestrians traveling along Glenn Ranch Road despite the sign being somewhat obscured by a traffic signal. The Planned Sign Program also proposes two monument directional signs upon entering the project site on Portola Oaks Drive. These directional monument signs will guide visitors and residents to the commercial and residential portions of the building entrances and are more than 100 feet apart as required by the Sign Code. Included in the Planned Sign Program are up to twelve (12) tenant wall signs, some of which will include fabric and metal awnings which will add visibility and enhance the building elevations, and a metal canopy sign above the apartment complex entrance. All signs proposed are cohesive in appearance and include colors and materials that match the mixed-use building which is designed in the Spanish architecture vernacular. Furthermore, the wall signage regulations ensure that signs installed on the building are evenly spaced and separated enough to not create a cluttered building frontage. Accordingly, the Planned Sign Program creates a uniform appearance and will ensure that any new signs installed in the future will harmonize with existing on-site signs.

4. The proposed signs will not negatively impact the aesthetics of the subject site or the surrounding properties.

The Planned Sign Program regulates all on-site signage for the commercial and residential portion of the building. The regulations ensure that all tenant wall signs are evenly spaced between the building's architectural features and separated enough to not create a cluttered appearance along the building frontage. One of the monument signs located along Glenn Ranch Road, and the two four (4) foot tall directional monument signs located at the commercial and residential project entrances along Portola Oaks Drive will effectively guide visitors and residents. Furthermore, the location of the wall tenant signs, their articulation and lettering, will add to the building's aesthetic. Lighting of all signs, whether internally lighted or backlit, will be

controlled by a timer which will be turned off at 10:00 p.m. This will allow lighting impacts onto adjoining residents in both Portola Center South (IronRidge), and Portola Center Northwest and Northeast (The Oaks to be minimized during evening hours. Therefore, the Planned Sign Program will not create conditions that will negatively impact the aesthetics of the site or the surrounding properties.

5. The proposed signs are consistent with the purpose and intent of the sign ordinance.

Planned Sign Program No. 11-22-5581 is consistent with the intent of the City's sign ordinance, Lake Forest Municipal Code ("LFMC") section 9.154.110, Table 9.164,110C, in that it provides for the effective use of signs as a means of identification and communication. Moreover, the Planned Sign Program permits only signs that will not, by reason of their size, location, construction, or manner of display, endanger the public safety. Finally, the Sign Ordinance, according to LFMC Section 9.164.080 allows for approval of exceptions to the Sign Ordinance when deemed appropriate and compatible with the site. The Planned Sign Program includes two deviations from the Sign Ordinance relative to the height of one monument sign that will be displayed along Glenn Ranch Road, a major arterial, and the other relative to the number of awning signs permitted on a building elevation. The monument sign along Glenn Ranch Road will be eleven (11)-feet tall, five (4) feet taller than the seven (7)-foot maximum height allowed by Code. This sign will be installed at the southwest corner of Glenn Ranch Road and Portola Oaks Drive. It will be installed behind a traffic signal to minimize its being unnecessarily obscured from vehicles and pedestrians. The awning signs along the front side (west) and rear building elevations will exceed the number permitted by the sign code. The front (north facing) building elevation will have up to four awning signs, the side (west facing) building elevation will have up to two awning signs, and the rear (south facing) elevation will have two awning signs. Having only one awning sign for a single building as permitted by Code did not anticipate this multi-tenant situation. However, having awning signs above some of the tenant spaces, and the apartment complex entrance, adds to the pedestrian scale, and an aesthetic consistent with the Spanish architectural style of the building. Therefore, the Planned Sign Program, with the proposed deviations from the City's Sign Ordinance, is consistent with the purpose and intent of the sign ordinance.

6. The signs are consistent with the purpose and intent of all applicable design guidelines.

The project site is located in Portola Center and is subject to the Portola Center Area Plan, Section 7.9 which describes community signage and advertising guidelines. The guidelines for this area suggest that signage exhibit compatibility with the architectural theme which for the mixed-use building is a Spanish-like architectural theme. The guidelines indicate retail signage should be oriented to the pedestrian, and awnings, such as those proposed, are encouraged to provide a variety of visuals within the Mixed-Use Center. The monument signs exhibit the suggested architectural style in that they include colors and materials consistent with the Spanish-like architectural theme. The proposed Planned Sign Program designates specific locations for each sign; it permits only one wall monument sign along a major arterial identifying the shopping center, two directional monument signs, one at the entrance of the commercial portion of the building, and the other over 100 feet away, as the Sign Code requires, at the residential entrance to the project, and up to twelve tenant wall signs, including some enhanced with fabric and metal awnings. Accordingly, the proposed Planned Sign Program is consistent with the Portola Center Area Plan community signage and advertising guidelines, and will not negatively impact the aesthetics of the site or surrounding areas, particularly since all sign lighting both internally lit and backlit signs will be controlled by a timer which will turn off at 10:00 p.m.

SECTION 2. PLANNING COMMISSION ACTIONS. The Planning Commission hereby takes the following actions:

1. Approve a categorical exemption for the project under CEQA Guidelines Section 15311 and direct the Director of Community Development to prepare and file with the Clerk for the County of Orange a notice of exemption as provided under Public Resources Code Section 21152(b) and CEQA Guidelines 15062.

A copy of the exemption shall be kept on file and available for public review at the City of Lake Forest Civic Center, 100 Civic Center Drive, Lake Forest, CA 92630.

2. Approve Planned Sign Program 11-22-5581 subject to the following conditions:

CONDITIONS OF APPROVAL:
PSP 11-22-5581

The following Conditions of Approval shall apply to the applicant for the permit or owner of the project, whichever is appropriate for the condition.

INDEMNIFICATION

1. The applicant shall indemnify, protect, defend, and hold the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and other such procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Community Redevelopment Law, Code of Civil Procedure Sections 1085 or 1094.5, or any other federal, state, or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

Prior to the installation of any signage at the center, the following shall be completed:

2. All signage on the mixed-use building within Portola Center, 901 and 931 Portola Oaks Drive shall be developed in substantial compliance with the Planned Sign Program 11-22-5581 in accordance with plans approved by the Planning Commission on August 3, 2023, and on file with the City of Lake Forest Community Development Department. (PLNG)
3. The applicant shall obtain sign permits and necessary building permits for all signage from the City of Lake Forest. (BLDG)

Miscellaneous

4. Signage lighting shall be turned off at 10:00 p.m. or until such time as the park lighting at Portola Community Park is turned off, whichever is more restrictive.

APPROVED this 3rd day August, 2023 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

JOLENE FUENTES
CHAIR
LAKE FOREST PLANNING COMMISSION

DATE

ATTEST:

PC Resolution 2023-XX

PSP 11-22-5581

Page 9 of 9

Agenda of August 3, 2023

GAYLE ACKERMAN, AICP
DIRECTOR OF COMMUNITY DEVELOPMENT

DATE