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RESOLUTION NO. PC 14-12

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN
BEACH APPROVING A SIGN EXCEPTION FOR THE PROPERTY LOCATED AT 1888
ROSECRANS AVENUE (Continental Rosecrans Aviation LP)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE
AS FOLLOWS:

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

- A. The Planning Commission of the City of Manhattan Beach, on November 12, 2014, received testimony, and considered an application for a sign exception for a sign program with one pole sign, two monument signs, two projecting signs, and five wall signs for an existing office building on the property located at 1888 Rosecrans Avenue in the City of Manhattan Beach.
- B. The Assessors Parcel Number for the property is 4138-017-021.
- C. The applicant for the subject project is Continental Rosecrans Aviation LP, the owner of the property.
- D. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, the subject project has been determined to be exempt (Class 1) as minor modifications to an existing facility per Section 15301 of CEQA.
- E. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- F. The property is located within Area District II and is zoned PD, Planned Development. The surrounding private land uses beyond the subject site primarily consist of commercial and industrial uses.
- G. The General Plan designation for the property is Manhattan Village Commercial.
- H. Approval of the sign exception, subject to the conditions below: will not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located since the signs are a component of a comprehensive sign program that is consistent with the building's architecture and the commercial/industrial Rosecrans corridor area; is necessary for reasonable use of the subject property as a somewhat isolated corner site, and is consistent with the intent of City's sign code in that the subject site is larger and at a more unique location than it anticipates; as detailed in the project staff report.
- I. The project shall otherwise be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- J. This Resolution, upon its effectiveness, shall constitute the Sign Exception approval for the subject project.

Section 2. The Planning Commission of the City of Manhattan Beach **APPROVES** the subject Sign Exception for a sign program with one pole sign, two monument signs, two projecting signs, and five wall signs subject to the following conditions (*indicates a site specific condition):

Site Preparation / Construction

1. The project shall be constructed and operated in substantial compliance with the submitted plans as approved by the Planning Commission on November 12, 2014.
2. * Total primary site sign area shall not exceed 867 square feet, including the double-counted pole sign area identifying Continental Park. Total sign area, including one west facing wall sign, shall be dispersed around the site perimeter.
3. * The monument/pole sign shall be limited to 7.25 feet in height with a minority of the structure occupied by sign copy. A substantial portion of the monument/pole sign shall be devoted to identifying the location as an entry point to the City of Manhattan Beach.
4. * The two projecting signs shall be limited to a 3.2 foot width and 30.5 foot length.
5. * Any sign lighting shall be external, or internal illumination of individual letters only. No other internal illumination elements shall be used to accent or decorate the building exterior, unless determined to be community-oriented holiday/event lighting by the Community Development Director.
6. The siting of construction related equipment (cranes, materials, etc.) shall be subject to the approval from the Director of Community Development.
7. Any related equipment or hardware shall be visually screened as determined by the Community Development Director. Any wires and cables shall be installed within related structures or underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department.
8. Signs shall be installed and maintained in a safe condition as determined by the Building Official, Fire Department, and Police Department. Signs shall be maintained in good visual condition as determined by the Community Development Director. Signs determined to be unsafe or in visually poor condition shall be removed by the owner/tenant immediately.
9. The project shall maintain compliance with the city's storm water pollution requirements. No waste water shall be permitted to be discharged from the premises. Waste water shall be discharged into the sanitary sewer system.
10. All defective or damaged curb, gutter, street paving, and sidewalk improvements shall be removed and replaced with standard improvements, subject to the approval of the Public Works Department.
11. This Sign Exception shall lapse two years after its date of approval, unless implemented or extended by the Planning Commission.
12. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
13. Applicant shall defend, indemnify, and hold the City, its elected officials, officers, employees, volunteers, agents, and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees") free and harmless from and against any and all claims (including, without limitation, claims for bodily injury, death, or damage to property), demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including, without limitation, attorneys' fees, consequential damages, disbursements, and court costs) of every kind and nature whatsoever (individually, a "Claim," collectively, "Claims"), in any manner arising out of or incident to: (i) this approval and related entitlements, (ii) the City's environmental review of this project, (iii) any construction related to this approval, or (iv) the use of the property that is the subject of this approval. Applicant shall pay and satisfy any judgment, award or decree that may be rendered against City

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or the other Indemnites in any such suit, action, or other legal proceeding arising out of or incident to this approval, any construction related to this approval, or the use of the property that is the subject of this approval. The City shall have the right to select counsel of its choice. Applicant shall reimburse the City, and the other Indemnites, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Applicant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Applicant or Indemnites. This indemnity shall apply to all Claims and liability regardless of whether any insurance policies are applicable. Nothing in this Section shall be construed to require Applicant to indemnify Indemnites for any Claim arising from the sole negligence or willful misconduct of the Indemnites. In the event such a legal action is filed challenging the City's determinations herein or the issuance of the coastal permit, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of November 12, 2014 and that said Resolution was adopted by the following vote:

AYES: Bordokas, Conaway, Hersman,
Vice-Chairperson Andreani
NOES: None
ABSTAIN: None
ABSENT: Chairperson Ortmann



RICHARD THOMPSON,
Secretary to the Planning Commission



Rosemary Lackow,
Recording Secretary