

## FINDINGS

### General Plan Findings

1. **General Plan Land Use Designation.** The subject property is located within the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan, which was adopted by the City Council on September 6, 1995. The Community Plan designates the site for Neighborhood Commercial land uses with corresponding zones of C1, C1.5, C2, C4, and RAS3. The site is comprised of two parcels totaling approximately 9.5 acres in area and zoned C2-1L and P-1L. The proposed zone change to (T)(Q)C2-1L will remove the P Zone on the site. The site will be wholly located within the C2 Zone which corresponds with the land use designation of the Community Plan. Therefore, the applicant's request is in substantial conformance with the purposes, intent, and provisions of the General Plan, as reflected in the adopted Community Plan.

2. **General Plan Text.** The Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan includes the following relevant land use goals, objectives, and policies:

Goal 2: A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while preserving the unique character of the community.

Objective 2-1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.

Policy 2-1.2: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and developed in accordance with design standards.

Policy 2-2.3: Require that any proposed development be designed to enhance and be compatible with adjacent development.

The project is in conformance with these goals, objectives, and policies. The Community Plan intends to preserve and promote commercial development that is well designed and compatible with surrounding uses. The project site is located at the end of a commercial corridor on Foothill Boulevard adjacent to the 210 Freeway, multifamily uses, and single family uses. The construction of two new pole signs, two monument signs, and the establishment a Master Sign Program for 36 wall signs will enhance the appearance of the site and promote the various retail uses at the site, which is consistent with Goal 2, Objective 2-1, and Policy 2-1.2 of the Community Plan. The Master Sign Program will include new and existing wall signs on the two-story commercial shopping center structure and existing wall signs on the existing Coco's Restaurant and former Sizzler Restaurant. The design of the proposed pole and monument signs is cohesive and complimentary to the recently renovated façade of the commercial shopping center. Providing new signage along the street frontage of the site will notify vehicular and pedestrian traffic of the

businesses available at the site, thereby helping to maintain the economic viability of the tenants at the site. The site will continue to operate in a manner which is compatible with the surrounding uses. Therefore, the project furthers the goals, objectives, and policies of the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan.

- 3. Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The recommended zone change to (T)(Q)C2-1L conforms to the following goals, objectives, and policies of the Citywide General Plan Framework as follows:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing potential public transit corridors and stations.

Objective 3.8: Reinforce existing and establish new neighborhood districts which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood activity, are compatible with adjacent neighborhoods, and are developed as desirable places to work and visit.

Policy 3.8.2: Encourage the retention of existing and development of new commercial uses that primarily are oriented to the residents of adjacent neighborhoods and promote the inclusion of community services (e.g., childcare and community meeting rooms).

The Framework Element recognizes the varied needs of a city, and the subsequent need for varied land uses to meet those needs. The project site is identified as a Neighborhood District by the Framework Element. Neighborhood Districts are intended to be a focal point for surrounding residential neighborhoods and containing a diversity of land uses, such as restaurants, retail outlets, grocery stores, and other local uses. The proposed project will maintain the longstanding commercial use of the site and will allow the shopping center to continue to serve the community with a variety of goods and services, which is consistent with Objective 3.8 and Policy 3.8.2. The proposed sign program will ensure that each tenant has at least one wall sign, which further supports Policy 3.8.2 to encourage the retention of existing and new community-serving uses at the site. The project is located in an urban area and is adjacent to other commercial uses, single family dwellings, multifamily dwellings, and a park. Adjacent uses are designated for Low Residential, Low Medium II Residential, Neighborhood Commercial, and Open Space land uses. The site has frontage along Sunland Boulevard and Foothill Boulevard, both of which are major boulevards. The project does not propose any changes to the existing structure or the creation of any new floor area. Thus, the project is consistent with the designation and policies of the Framework Element.

4. **Mobility Element.** The Mobility Element of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Bureau of Engineering correspondence dated July 10, 2020 recommends various improvements to the public right-of-way for compliance with American with Disabilities Act (ADA) requirements. The project is conditioned to reconstruct segments of sloping, gapping, or offset sidewalk, to reconstruct all driveways on Foothill Boulevard, Sunland Boulevard, and Fenwick Street, and to reconstruct two access ramps (one at the southwest corner of Foothill Boulevard and Fenwick Street and one midblock on Foothill Boulevard) to comply with ADA requirements. Policy 3.2 of the Mobility Plan 2035 states the following “People with Disabilities: Accommodate the needs of people with disabilities when modifying or installing infrastructure in the public right-of-way.” The required upgrades as listed in the (T) Tentative Conditions will ensure that the infrastructure adjacent to the site is accessible and equitable for all users, and as such is consistent with the goals, objectives, and policies of the Mobility Plan.
5. **Charter Findings – Section 556 and 558 (Zone Changes).** The proposed zone change complies with Sections 556 and 558 of the City Charter. The project is in substantial conformance with the purposes, intent, and provisions of the General Plan as described in Findings Nos. 1-5 above. The project is in substantial conformance with public necessity, convenience, general welfare, and good zoning practice, as noted below in Finding No. 6.

### **Entitlement Findings – Zone Change**

- 6. Pursuant Section 12.32 of the LAMC, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.**

The subject request is for a Zone Change from C2-1L and P-1L to (T)(Q)C2-1L. The Community Plan designates the site for Neighborhood Commercial uses, with corresponding zones of C1, C1.5, C2, C4, and RAS3. Staff is recommending the inclusion of the (T) Tentative Classification conditions. As such, the recommended zone would be (T)(Q)C2-1L, which corresponds with the Community Plan land use designation corresponding zones.

Public Necessity: Approval of the Zone Change to (T)(Q)C2-1L will remove the P-1L Zone on the site, and it make the entire site one zone which corresponds with the land use designation of the General Plan. The existing C2 Zone on the site generally follows the footprint of the commercial shopping center and the remaining portions of the site are zoned P-1L. Approval of the Zone Change to (T)(Q)C2-1L will allow the site to be zoned in a manner that is more consistent with the zoning of other commercially-zoned sites within the Foothill Specific Plan. Other commercial sites within the Specific Plan are generally wholly located within the C2 Zone. Additionally, the existing P Zone is intended only for parking and does not permit the construction of any structures, including tenant signage. Removal of the P Zone will allow the construction of the proposed monument and pole signs. The requested Zone Change to C2 in order to construct additional signage for the site will promote the economic viability of the site, and this is consistent with public necessity.

Convenience: The proposed monument, pole, and wall signs at the site will provide a cohesive sign program for the sign and will provide clearly visible signage for the commercial tenants. The site is located in close proximity to single family dwellings to the north and multifamily dwellings to the south. The proposed signage will conveniently notify residents and visitors of the goods and services available at the project site. The signs have been specifically designed to minimize brightness at night, and the applicant has provided a photometric analysis to demonstrate the light output. Additionally, the project site is located in close proximity to the 210 Freeway and located near several bus lines operating along Sunland Boulevard (222) and Foothill Boulevard (90, 91). Therefore, the proposed project is consistent with public convenience.

General Welfare: As previously discussed, the zone change will remove the P Zone on the site which currently extends over the parking areas of the site. Per the Los Angeles Municipal Code, no building or structure may be constructed except for parking buildings or informational signage relating to parking lot operation. Removing the P Zone to permit the construction of signage in the parking lot will provide visibility for the tenants of the site to visitors and will reinforce the existing commercial uses at the site. Additionally, the project is required to upgrade the public right-of-way adjacent to the site to be compliant with ADA requirements. Therefore, as conditioned, the project is in harmony with the general welfare of the City.

Good Zoning Practices: The site is located in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan area, which designates the site for

Neighborhood Commercial land uses with corresponding zones of C1, C1.5, C2, C4, and RAS3. The Zone Change from C2-1L and P-1L to (T)(Q)C2-1L will remove the P Zone on the site. The C2-1L Zone on the site generally aligns with the footprint of the building and the remaining areas of the site are zoned P-1L. P Zones were originally intended for parking uses and significantly restrict the development of a site, however the application of P Zones is no longer standard practice for land use and zoning. The P Zone does not allow for the construction of any structure including signage, and thus the applicant has requested a zone change to apply the C2 Zone uniformly across the site. The project will meet the parking requirements enumerated in the Municipal Code, and as such, the project is consistent with good zoning practice.

For the reasons stated above, the zone change request is beneficial in terms of the public necessity, convenience, general welfare, and good zoning practice, and is consistent with the General Plan.

#### **7. “T” and “Q” Classification Findings.**

Pursuant to Section 12.32 G.1 and G.2(a), of the LAMC, the current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the proposed project. Such limitations are necessary to ensure the identified improvements and construction notices are issued to meet the public’s needs, convenience, and general welfare served by the required actions. The conditions that limit the operations, scale, and scope of development are also necessary to protect the best interests of and to assure a development more compatible with the surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental impacts of the subject recommended action.

#### **Entitlement Findings – Specific Plan Exception**

#### **8. Pursuant to LAMC Section 11.5.7 F, that strict application of the regulations of the specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the specific plan.**

The applicant has requested a Specific Plan Exception to:

- 1) To permit one pole sign with 425 square feet in area per side (850 square feet total), one pole sign with 385 square feet in area per side (770 square feet total), four 300-square foot wall signs, six 200-square foot wall signs, and four 150-square foot wall signs, in lieu of the 75-square foot maximum size permitted for wall and freestanding signs permitted by the Foothill Boulevard Corridor Specific Plan;
- 2) To permit a total of 36 wall signs, in lieu of the maximum of three signs of any type which are permitted by the Specific Plan;

- 3) To exceed the total sign area of two square feet for each linear foot of building frontage to permit a total of 2,025 square feet of wall signs along the Sunland Boulevard frontage, , in lieu of 1,283.6 square feet, and to permit a total of 2,550 square feet of wall signs along the Fenwick Street and Foothill Boulevard frontages, in lieu of 1,585.6 square feet; and
- 4) To permit two 40 feet in height pole signs, in lieu of the 25-foot height limit for pole signs permitted by the Specific Plan.

The strict application of the Specific Plan signage regulations would result in practical difficulties for the subject site. The subject site is approximately 9.5 acres in area and is improved with a two-story, 159,154 square-foot commercial shopping center and surface parking lot. The irregularly-shaped lot is bound by public streets on all sides and has tenant units which face north, south, and east. The site recently completed façade renovations, and interior tenant improvements will continue as commercial tenants come to the site. The number of tenant units at the site will vary based on the future tenants and the amount of square footage required for each use. Per the applicant, the total number of units at the site will range from a minimum of 14 to a maximum 26 units. These totals include a range of six to 15 units along the Sunland Boulevard frontage and a range of eight to 11 units along the Foothill Boulevard frontage. The building is located in the center of the property with surface parking located on all four sides of the structure. The building is set back approximately 129 feet from Sunland Boulevard to the south, a variable distance of approximately 135 to 160 feet from Fenwick Street to the northwest, and a variable distance of approximately 40 to 245 feet from Foothill Boulevard to the northeast. In comparison, other commercial properties and shopping centers in the vicinity of the project site within the Specific Plan area are generally located 0 to 20 feet from the public right-of-way. The relatively large distance between the street and the building frontage on the subject site makes it difficult for tenant wall signage to be easily visible to passing vehicular and pedestrian traffic in the public right-of-way. Additionally, the Specific Plan limits the number of signs permitted at each site to a maximum of three signs of any type. Other commercial properties and shopping centers within the Specific Plan are on smaller sites with fewer individual tenants and are more easily able to meet this requirement and achieve the goals of the Specific Plan. Due to the uniquely large size of the site, enabling a large number of tenants, this regulation makes it difficult to consistently provide signage for each tenant unit in a manner which complies with the signage regulations of the Specific Plan.

The Specific Plan intends to “create a vibrant commercial environment along Foothill Boulevard’ and to “create a more unified appearance in buildings and signs.” Limiting the number of total signs to three for a 9.5 acre site with 14-26 individual tenants will be inconsistent with this purpose. Additionally, the Specific Plan limitations on overall sign area and individual sign area for this site, given its deep setbacks from the public right-of-way, would result in illegible signs and would not be consistent with this purpose. The proposed wall, monument, and pole signs at the proposed number and size will provide clear and cohesively designed identification for each tenant unit at the site in a manner which is consistent with the stated purposes of the Specific Plan.

The proposed signage will benefit both the businesses at the site and users of the site. In addition, the proposed monument and pole signs have been designed to use building materials and colors which complement the recently upgraded façade of the shopping center. The signs will include a red brick base and tan and dark red paint, which match design elements of the building facade. It is not the intent of the Specific Plan to prohibit commercial tenant units from each having at least one identifying sign. But rather, the plan intends to limit the number and size of signs to avoid oversized signs that are disproportional to the size of a site and to reduce visual clutter caused by excess signage. The size and number of the proposed signage is appropriately proportional to the large size of the 9.5 acre site.

The applicant proposes to locate one pole sign and one monument sign on Foothill Boulevard and to locate one pole sign and one monument sign on Sunland Boulevard. The requested height of the proposed pole signs will further the intention of the Specific Plan “to create a vibrant commercial environment.” The Sunland Boulevard frontage has a variable change in grade between the public right-of-way on Sunland Boulevard and the southern parking area along the street frontage. The elevation difference begins from level ground at the eastern edge of the site and gradually increases to an approximately 5-foot difference in grade towards the center and western edge of the site. The 40 feet in height pole sign on Sunland Boulevard will be located 35 feet above the public right-of-way due to the sloping topography. Permitting the sign to exceed the height limitation of the Specific Plan will ensure the maximum visibility of this sign. The second proposed pole sign will be located at the intersection of Foothill Boulevard and Fenwick Street adjacent to existing power poles, several power lines, street trees, and traffic signals. For this pole sign, the height and size of the sign is necessary to ensure that the sign is visible and legible to passing traffic behind the various utility equipment and street trees. Due to the size, configuration, and sloping of the site, passing vehicular and pedestrian traffic will not be able to see both pole signs or both monument signs at one time. These signs will be appropriately located on the site in a manner which does not create visual clutter. The proposed signage will enhance the appearance of the site and meets the intent of the Specific Plan to promote and preserve the commercial corridor along Foothill Boulevard by providing at least one sign for each tenant. As such, the strict application of the regulations of the Specific Plan to the subject property would result in practical difficulties or unnecessary hardships which are inconsistent with the general purposes and intent of the Specific Plan.

- 9. That there are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property that do not apply generally to other property in the specific plan area.**

The subject property is 9.5 acres in area and improved with a two-story, 159,154 square-foot commercial shopping center containing a maximum of 26 tenant units and a surface parking lot. The irregularly-shaped site is bounded by streets on all sides. The site has approximately 1,172 feet of frontage along Sunland Boulevard to the south, 537 feet of frontage along Foothill Boulevard to the northeast, and 907 feet of frontage along Fenwick Street to the northwest. In general, other commercial sites within the Foothill Boulevard Corridor Specific Plan only have frontage along one street or along two streets if located

on a corner, and the length of their property frontage is much less than the subject property. The unique geography of the site and its large size of 9.5 acres gives it significantly more street frontage than other sites within the Specific Plan area. Additionally, there will be a maximum of 26 tenant units at the site which face north, south, and east. The site currently has two large national/regional retailers at the site, a Ralph's grocery store and a Rite-Aid drugstore. Future tenant units will vary in size depending on the types of uses established at the site. Comparatively, other commercial sites within the Specific Plan are typically improved with smaller commercial shopping centers comprised of 5-10 tenant units or with one commercial tenant. Within in the Specific Plan area there are several other large, multi-acre sites containing grocery stores, home improvement stores, and other large-scale retailers. However, these sites have less street frontage than the subject property and contain less commercial tenant units, and as a result do not face similar difficulties in providing adequate signage. The signage regulations of the Specific Plan restrict the subject property from providing suitable and sufficient signage for the tenants.

The topography of the site along the Sunland Boulevard frontage creates an additional difficulty in complying with the Specific Plan signage regulations. There is a variable change in grade between the public right-of-way on Sunland Boulevard and the southern parking area along the street frontage. The elevation difference begins from level ground at the eastern edge of the site and gradually increases to an approximately 5-foot difference in grade towards the center and western edge of the site. The 425 square foot pole sign will be at-grade in the parking lot and approximately 35 feet in height above the public right-of-way on Sunland Boulevard. Other commercially zoned properties within the Specific Plan typically have property frontages which are at-grade with the public right-of-way, and as a result do not face similar difficulties in providing visible signage. The applicant has requested a 40-foot in height pole sign to ensure that the sign is clearly visible from Sunland Boulevard for users of the site despite the grade change along the street frontage.

The subject site is unique in its size, number of commercial tenant units, and street frontage, and thus there are exceptional circumstances and conditions applicable to the subject property that do not generally apply to other property in the Specific Plan area.

- 10. That an exception from the specific plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the specific plan area in the same zone and vicinity but which, because of special circumstance and practical difficulties or unnecessary hardships is denied to the property in question.**

The Foothill Boulevard Corridor Specific Plan identifies the project site as within Major Activity Area No. 1. However, the Specific Plan does not identify separate signage regulations for Major Activity Areas. Per Section 9 of the Specific Plan, the maximum permitted signage area for wall signs is two square feet per one linear foot of building frontage. This Section of the Specific Plan also limits the size of wall signs to a maximum of 75 square feet and permits a maximum height of pole signs to 25 feet. The Specific Plan further restricts signage by permitting a maximum of three signs of any sign type on

a lot. In general, other commercial sites in the Specific Plan area are smaller in area, have less street frontage, and fewer tenant units than the subject site. The signage regulations and limitations of the Specific Plan are typically sufficient for providing adequate signage for other sites in a manner which complies with the intent and purpose of the Specific Plan. However, special circumstances pertaining to the subject property make it difficult for the site to provide adequate signage for its current and future tenants.

The subject 9.5 acre property is significantly larger than other property within the Plan area and is able to serve more tenants than smaller shopping centers within the Plan area. The existing shopping center was constructed in 1962 and has served the local community for almost 60 years. The development of the site predates the adoption of the Specific Plan in 1995. While the signage regulations may be suitable for smaller sites with fewer tenants and less street frontage, they prevent the tenant units at the subject site from each having sufficient signage. Signage permitted at the site by the regulations of the Specific Plan is not adequate to serve the scale of the subject site. The proposed wall, monument, and pole signs will provide visibility for each tenant at the site and will ensure that passing vehicular and pedestrian traffic are aware of the goods and services offered at the site. Identification signage is needed to maintain the economic viability of current and future businesses at the site. Thus, an exception from the Specific Plan signage regulations is necessary for the preservation and enjoyment of a substantial property right or use that is generally possessed by other property within the Specific Plan area.

**11. That the granting of an exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property.**

The applicant is proposing to remove one existing, 40 feet in height pole sign and to construct two 40 feet in height pole signs, two 8 feet in height monument signs, and 36 wall signs. There is an existing legal, nonconforming pole sign for Coco's Restaurant located along the Sunland Boulevard frontage which was permitted at the site in 1965 and will remain. The project will remove the outdated pole sign for Ralph's and Rite-Aid and will construct a new pole sign of the same height in its place. The second pole sign will also be 40 feet in height and will be located along the northern frontage of the site at the intersection of Fenwick Street and Foothill Boulevard. There will be one monument sign located along Sunland Boulevard to the south and one monument sign located along Foothill Boulevard to the northeast. Due to the large size and slope of the site, the two pole signs and the two monument signs will not be visible at the same time from the public right-of-way. The building materials and paint colors proposed for the new signs will match the recently updated façade of the shopping center. The new signage will enhance the appearance of the site and further unify the appearance of the site, in keeping with the intent of the Specific Plan.

The proposed signage will not reduce the amount of existing parking nor will the signage intensify the use of the site. The project does not propose any changes to the existing building and will not result in changes to the operation of the site. The commercial shopping center has long served the local community. Approval of the requested Specific Plan Exception will allow the site to continue to provide beneficial services to the

community and will enhance the built environment. Thus, the granting of the exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property.

**12. That the granting of an exception will be consistent with the principles, intent and goals of the specific plan and any applicable element of the general plan.**

The subject property is located in the C2-1VL and P-1VL Zones and is designated for Neighborhood Commercial land use by the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan. The land use designation corresponds to the C1, C1.5, C2, C4, and RAS3 Zones. The applicant has requested a Zone Change to remove the P Zone on the site and to extend the C2 Zone across the entire site. The P Zone does not permit the construction of any structures including signage, however proposed signage is permitted within the C2 Zone. The project is in substantial conformance with the purposes, intent, and provisions of the General Plan, including the Framework Element and the Community Plan, as described in Findings Nos. 1-5 above. Approval of the Specific Plan exception is consistent with the following purposes of the Foothill Boulevard Corridor Specific Plan:

To enhance future commercial development of the Foothill Boulevard Corridor by establishing coordinated and comprehensive standards for parking, vehicle circulation, building height, building design, building mass, open space, landscape, and street improvements.

To create a vibrant commercial corridor along Foothill Boulevard and Commerce Avenue by encouraging appropriate uses, building design, landscaping, screening of unsightly views, minimizing uninteresting blank walls, and proper site designs.

To create a more unified appearance in building and signs.

The project is also consistent with the following relevant text from the Foothill Boulevard Corridor Specific Plan Design Guidelines and Standards Manual:

Guideline 28: Signs should not create visual clutter.

Standard 28a: Sign text shall be limited to business identification.

Guideline 29: Reduce on-site sign clutter by locating signs appropriately to provide identification for businesses and to assist pedestrians and vehicular traffic in locating their destination.

The Specific Plan intends to allow signage that is informative and aesthetically compatible with development. As previously described, the proposed signage will enhance the appearance of the site and notify passing vehicular and pedestrian traffic of the businesses located at the site. The proposed signage has been designed at a scale appropriate to the site in a manner which will not create visual clutter and will allow each business to have at least one identification sign. The size of the site, the large setback of

the building from all three street frontages, and number of tenant units necessitates the requested Specific Plan Exception to grant relief from the signage limitations of the Specific Plan. As conditioned, the new signage is consistent with the principles, intent, and goals of the Specific Plan and applicable elements of the General Plan.

### **Entitlement Findings – Zone Variance**

**13. The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

The applicant has requested a Zone Variance to permit two pole signs which exceed the 400 square foot pole sign total permitted for both sides by LAMC Section 14.4.12. The project includes one pole sign with 385 square feet per side (770 square feet total), and one pole sign with 425 square feet per side (850 square feet total). The purpose of the 400-square foot total maximum for both sides of pole signs is to prevent oversized signs and to promote compatible land uses between properties. Such regulations are written on a citywide basis and cannot take into account individual unique characteristics of a property. A variance grants permission to depart from the literal enforcement of the zoning code and allow the property to be used in a manner not otherwise permitted, provided that the spirit of the ordinance is maintained without detrimental impacts to the community.

One pole sign will be located at the northern corner of the site adjacent to the intersection of Foothill Boulevard and Fenwick Street, and one pole sign will be located toward the southwestern corner of the site along Sunland Boulevard. Passing vehicular and pedestrian traffic will not be able to see both pole signs at the same time from the public right-of-way due to the configuration of the site. The subject property is the only site within the Specific Plan with street frontage on all sides and tenant storefronts located on three elevations. The building is located in the center of the property and storefronts are setback over 100 feet from the street. This large distance may make it difficult for people passing the site to identify the businesses by wall signs alone. The size of the pole signs is also necessitated by the number of units at the site. Interior tenant improvements have not been completed yet in order to accommodate the square footage needs of future tenants. The total number of tenants at the site will be within the range of 14 to 26 units. The proposed pole signs will accommodate additional signage for 9 and 10 businesses per side, which will be valuable for attracting both businesses and customers.

The proposed signs have been deemed appropriate for the large scale of the 9.5 acre site and compatible with the surrounding residential, commercial, and open space uses. The project does not conflict with the intent or purpose of the sign regulations enumerated in LAMC Section 14.4. As further stated in Finding No. 8 above and hereby incorporated, the strict application of the Zoning Ordinance would result in practical difficulties and unnecessary hardships that are inconsistent with the general purpose and intent of the zoning regulations.

**14. There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone or vicinity.**

The subject property is a sloping, irregularly-shaped 9.5 (413,996 square feet) lot located in the P-1L and C2-1L Zones. The site has approximately 1,172 feet of frontage along Sunland Boulevard to the south, 537 feet of frontage along Foothill Boulevard to the northwest, and 907 feet of frontage along Fenwick Street to the northeast. The site is currently improved with a two-story, 159,154 square foot commercial shopping center containing a maximum of 26 tenant units. The site slopes downwards to the north, resulting in the unique configuration of the two-story shopping center. A maximum of 11 commercial tenant units which face north towards the Foothill Boulevard and Fenwick Street frontage are located on the ground floor of the shopping center and are at grade with the northern parking area. A maximum of 15 commercial tenant units which face south towards the Sunland Boulevard frontage are located on the second story of the structure, and due to the sloping of the site, the entrances to these units are at grade with the southern parking area. Nearby commercial sites are generally improved with small commercial shopping centers with 5-10 tenant units and frontage along one street, or two streets if located on a corner. The site is located at the western edge of the Foothill Boulevard commercial corridor, and the site is significantly larger other commercial property in the vicinity and within the Specific Plan. The 9.5 acre site is the largest commercial shopping center within the Specific Plan and the only commercial property within the Specific Plan to have street frontage on all sides. Additionally, there is a change in grade from the sidewalk along the Sunland Boulevard frontage, which results in the grade of the parking lot being approximately 5 feet lower than the grade of the sidewalk. The difference in grade results in reduced visibility of the site from the public right-of-way. The subject site is unique in its size, topography, and configuration of commercial tenants. As further stated in Finding No. 9 above and hereby incorporated, there are special circumstances applicable to the subject property such as size, shape, and topography that do not generally apply to other property in the same zone or vicinity.

**15. Such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

As stated above, there is an approximately 5-foot difference in grade between the public right-of-way on Sunland Boulevard and the parking lot of the subject site. Per the applicant, "commercially zoned parcels along this commercial corridor are able to maximize their physical presence and visibility to the public right-of-way because these sites are not topographically similar to the subject site." The applicant has requested two new pole signs which exceed the 400-square foot total maximum permitted for both sides of a sign by the Municipal Code in order to provide more visible signage for the site. The site is unique due to its relatively long street frontages on all sides of the property which extend from approximately 643 to 1,172 feet in length, and the proposed signage is proportional to the size of the site. The site is larger than other property in the same zone and vicinity, and special circumstances pertaining to the site require relief from the sign

regulations of the Municipal Code in order to preserve a substantial property use. As further stated in Finding No. 10 above and hereby incorporated, the requested variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity.

**16. The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The applicant is requesting to permit two pole signs which are greater than 400 square feet in area. The applicant is not proposing to make any changes to the existing commercial shopping center or the operation of the site. Properties adjacent to the site are improved with commercial, multifamily, single family, and open space uses. Due to the relatively large size of the 9.5 acre site, the largest commercial shopping center site within the Foothill Boulevard Corridor Specific Plan, the proposed pole signs will not create visual clutter and will enhance the appearance of the site. The pole signs will be located over 100 feet away from the nearest residential uses. In order to avoid any adverse effects to the public welfare and nearby uses, the pole signs also have specifically been designed to minimize the brightness of each sign at night. As stated in Finding No. 11 above and hereby incorporated, the requested variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.

**17. The granting of the variance will not adversely affect any element of the General Plan.**

The site is designated for Neighborhood Commercial uses by the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan. The site is also located within Major Activity Area No. 1 of the Foothill Boulevard Corridor Specific Plan. As further stated in Finding Nos. 1-5 and 12 above and hereby incorporated, the requested pole signs are in substantial conformance with the intent and provisions of the General Plan, the Community Plan, and the Specific Plan.

**Entitlement Findings – Project Permit Compliance per LAMC Section 11.5.7**

**18. That the project substantially complies with the applicable regulations, findings, standards, and provisions of the Specific Plan.**

The Foothill Boulevard Corridor Specific Plan establishes standards and guidelines for commercial development. The project is a sign program to allow signage for a maximum of 26 commercial units in an existing two-story 159,154 square foot commercial shopping center on a 9.5 acre site located in Major Activity Area No. 1 of the Specific Plan. The applicant is proposing a total 36 wall signs to allow each unit in the shopping center a minimum of one wall sign and includes signage for the two existing restaurants. The site is bounded by streets on all sides and has tenant units which face Sunland Boulevard, Fenwick Street, and Foothill Boulevard. The proposed sign plan will increase the visibility of tenants to passing vehicular and pedestrian traffic and will provide relief from the

signage regulations of the Specific Plan. The project substantially complies with the applicable findings, regulations, standards, and provisions of the Specific Plan discussed below, except for signage regulations discussed above, which have been approved herein as Specific Plan Exceptions.

Section 6.A.1 of the Specific Plan requires all roof mechanical equipment and duct work to be screened from view. The project is conditioned herein to screen all roof mechanical equipment and duct work.

Section 6.A.2 of the Specific Plan requires night lighting to be shielded and directed onto the site and no floodlighting to be located so as to be seen directly by adjacent properties. Blinking lights are also prohibited. This provision shall not preclude the installation of low-level security lighting. The project is conditioned herein to apply proper shielding to night lighting.

Section 6.A.3 of the Specific Plan requires trash or garbage areas to be screened by a wall enclosure and/or landscape materials. The project is conditioned herein to screen trash or garbage areas.

Section 9.A of the Specific Plan lists the types of signs prohibited within the Plan area, including balloons for the purpose of display or advertising above a roof, wall signs which contain more than the name and/or logo of a business, off-site commercial sites, projecting signs, roof signs, cabinet (box) signs, and sandwich signs located in the right-of-way. The project does not propose any of these sign types and has been conditioned herein to prohibit all such signs.

- 19. That the project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

The project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301 (Class 1), Section 15305 (Class 5), Section 15311 (Class 11), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. Class 11 consists of the construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs. As such, the project qualifies for a Class 11 Categorical Exemption.

- 20. That the project is consistent with the General Plan.**

As further stated in Findings No. 1-5, 12, and 17 above and hereby incorporated, the proposed sign plan is consistent with the General Plan.

**Entitlement Findings – Project Permit Compliance Findings per Foothill Boulevard Corridor Specific Plan****21. That the proposed buildings and structures complement or are compatible with the surrounding buildings in terms of design, massing, and architectural integrity.**

Adjacent properties to the north are improved with one- and two-story single family and multifamily dwellings. Adjacent properties to the south are improved with a three-story self-story facility and two- and three-story multifamily dwellings. The multifamily dwellings to the south across Sunland Boulevard are located upslope of the public right-of-way and the project site. The project does not propose any changes to the existing two-story commercial shopping center or the two restaurant buildings at the site. The pole and monument signs along Sunland Boulevard will be located approximately 100 feet away from adjacent multifamily residential properties to the south. Similarly, the pole and monument signs along Foothill Boulevard and Fenwick Street frontage will be located approximately 100 feet from adjacent multifamily and single family properties to the north. The pole and monument signs will be constructed with building materials and paint colors which are also used in the recently upgraded façade of the shopping center. The cohesive design will establish a sense of place at the site and enhance the appearance of the site. As such, the proposed structures complement and are compatible with the surrounding buildings in terms of design, massing, and architectural integrity.

**22. That the landscape design is compatible with the buildings on site and complements landscape off site.**

The project site recently completed upgrades and expansions of the site's landscaping. A landscape plan for the site was approved in 2014 under case no. DIR-2014-3180-ZBA-SPP. Under this case, the site was conditioned to provide 33,500 square feet of landscaping on the site, which includes upgrades to two large landscaped areas along the Fenwick Street frontage, a landscaped setback along portions of the street frontages, the planting of a minimum of 39 shade trees in the southern parking area, and the planting of a minimum of 45 shade trees. As observed by Planning staff during a site visit, the landscape improvements have been fully constructed. The applicant is not proposing any changes to the landscaping as part of this project. As such, the landscape design is compatible with the buildings on site and complements landscape off site.

**Entitlement Findings – Conditional Use****23. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.**

The applicant has requested a Conditional Use to permit hours of operation of 24 hours a day seven days a week, to permit the construction, use, and maintenance of two pole signs, and to permit 33,500 square feet of landscaping in various locations on the site in lieu of providing a 5-foot landscaped buffer along the street frontage, all of which deviate

from the development standards and operating conditions enumerated in the Municipal Code for Commercial Corner development.

The intent of the development standards and operating conditions is to ensure that Commercial Corner development operates in a manner which is compatible with the surrounding area. The site is zoned for commercial use, and the applicant is proposing to maintain the existing commercial use of the site. The requested hours of operation will allow the site, including the existing grocery store and drugstore, to provide essential and beneficial services to customers during expanded hours of operation. Additionally, approval for hours of operation of 24 hours a day seven days a week are consistent with the historic use of the site. Per City records, the site has operated 24 hours a day seven days a week since at least 1995, prior to the adoption of Commercial Corner regulations under Ordinance No. 175,223. Per the applicant, the site serves as a commercial hub for the area and its continued operation is part of public necessity and convenience.

The requested pole signs which deviate from the Commercial Corner development standards will both enhance the appearance of the site and provide an essential function for the site. The site has two existing, non-conforming pole signs on the Sunland Boulevard which predate the adoption of the Commercial Corner regulations and the Foothill Specific Plan. The pole adjacent to the Coco's restaurant in the southeastern corner of the site was legally constructed in 1970 and will remain on site. The second pole sign towards the southwestern corner of the site is proposed to be replaced with an updated pole sign of the same height. The applicant is proposing a third pole sign at the northern corner of the site adjacent to the intersection of Foothill Boulevard and Fenwick Street. The project site has frontage on all sides of the property, and the site is uniquely configured with storefronts facing north, south, and east. The pole signs will notify passing vehicular and pedestrian traffic of the uses at the site and will be able to provide additional signage for commercial tenants. Ensuring sufficient signage for current and future tenants is needed to promote the economic viability of individual tenants and the shopping center as a whole. Further, the signs have been cohesively designed to complement the façade of the shopping center and as such will enhance the appearance of the site. Consistent design among the signage and shopping center will further establish a distinct sense of place at the site.

The requested deviation from the landscaping requirements will allow the site to maintain the recently upgraded landscaping as approved per Case No. DIR-2014-3180-ZBA-SPP. The site was required to provide 33,500 square feet of landscaped areas with a minimum 3-foot wide landscaped buffer along the street frontage where feasible. Included in the conditions of approval and approved landscape plan for this case were two large landscaped areas along the Fenwick Street frontage, the planting of a minimum of 39 shade trees in the southern parking area, and the planting of a minimum of 45 shade trees in the northern parking area. The project under Case No. DIR-2014-3180-ZBA-SPP was not subject to the Commercial Corner development regulations due to the existing P Zone on the site. LAMC Section 12.03 defines Commercial Corner as "any commercially used corner lot located in a C or M zone." The landscaping requirements of the Case No. DIR-2014-3180-ZBA-SPP have been implemented and constructed, including 3-foot landscaped setbacks along portions of the Sunland Boulevard and the Foothill Boulevard

frontages. The applicant is proposing to construct signage on the site and is not proposing any alterations to the parking configuration. Providing a 5-foot landscaped buffer as mandated per the Commercial Corner development standards would require the applicant to alter the parking configuration of the site and the existing landscaping in the parking areas. The existing landscaping sufficiently enhances the appearance of the site and as such, relief from the Commercial Corner development standards will enhance the built environment.

**24. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The project consists of the construction, use, and maintenance of new signage and the establishment of a Master Sign Program for the shopping center. The project will not alter location, size, height, or operation of the existing shopping center or the two detached restaurant buildings. The applicant is seeking to maintain the hours of operation of 24 hours a day seven days a week, which is consistent with the historic use of the site. The site has operated with these hours of operation since at least 1995 in such a manner that is compatible with the surrounding uses. Conditions have been imposed to manage the operation and use of the site 24 hours a day seven days a week. The project site is conditioned to provide private security to monitor the site and to maintain a hotline number and log for the purpose of citizen complaints. The applicant shall be responsible for responding to any complaints received within 24 hours. Additionally, the project is required to file a Plan Approval application within five years of the effective date of this grant. The Plan Approval will review the applicant's compliance with and the effectiveness of the conditions of this grant. As part of the Plan Approval application, the applicant will provide supporting documentation which demonstrates how compliance with each condition has been attained. Therefore, as conditioned, the hours of operation will be compatible with and will not adversely affect the surrounding neighborhood.

The surrounding neighborhood is comprised of various low to medium residential uses to the north, west, and south, commercial uses to the south and east, and a park with associated recreational facilities to the northeast. The proposed pole signs will each be at least 100 feet from the nearest residential uses across the street on Foothill Boulevard and Sunland Boulevard. The pole signs also have specifically been designed to minimize the brightness of each sign to reduce any potential adverse effects on the surrounding residential uses. Only the channel letters or logos on the pole signs will be illuminated at night instead of illuminating the entire panel of each sign. This design ensures that the signage will be appropriately visible and legible at night without producing excess light and brightness. As such, the pole signs will be compatible with and will not adversely affect or further degrade adjacent uses.

The recently constructed upgrades to 33,500 square feet of landscaping on the site, including the planting of trees throughout the north and south parking areas and the 3-foot landscaped setback along portions of the Sunland Boulevard and Foothill Boulevard frontages, will continue to enhance the appearance of the site and further its compatibility with surrounding uses. Relief from Commercial Corner landscaping requirements allows

the existing landscaping improvements and the existing parking configuration to remain unchanged. The landscape plan for the site was reviewed and approved under Case No. DIR-2014-3180-ZBA-SPP. The Letter of Determination for this case dated October 27, 2014 states that the landscaping of the site “[ensures] adequate buffering between the surfacing parking area and the public right-of-way, significant improvements to existing landscaped buffers, enhanced shading of the parking area, and direct and clearly-demarcated pedestrian walkways from the sidewalk to the shopping center walkways.” Therefore, the existing landscaping of the shopping center meets the intent of the Commercial Corner regulations and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

**25. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**

As further stated in Findings No. 1-5, 12, 17, and 20 above and hereby incorporated, the proposed sign plan is consistent with the General Plan.

**Environmental Finding**

- 26.** Pursuant to State CEQA Guidelines Article 19, Section 15301 (Class 1), Section 15305 (Class 5), and 15311 (Class 11), and based on the independent judgement of the decision maker, after consideration of whole of the administrative record, the project has been granted a Categorical Exemption through ENV-2019-4522-CE. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographic features, involving negligible or no expansion of former use. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20% which do not result in any changes in land use or density. Class 11 consists of the construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs. The records upon which this decision is based are with the Valley Project Planning Division of the Planning Department in room 430, 6262 Van Nuys Blvd.