



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

October 21, 2010

Richard J. Bruckner
Director

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Steve Lennard
19025 Parthenia St.
Northridge, CA 91324

**REGARDING: PROJECT NUMBER R2006-02775-(1)
VARIANCE CASE NUMBER 200900009
5161 Pomona Blvd., Los Angeles, CA 90022**

Dear Applicant:

The Regional Planning Commission, by its action of Wednesday, October 20, 2010, **DENIED** the above described project and entitlements. The attached documents contain the Regional Planning Commission's findings.

The applicant or and other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on Wednesday, November 3, 2010.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

For further information on appeal procedures or any other matter pertaining to this case, please contact Anita Gutierrez at (213)974-6443 or e-mail at AGutierrez@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

Richard J. Bruckner
Director

Mark Child, Supervising Regional Planner
Zoning Permits Section I Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

MC:ag

Hearing Footage: 10/20/2010-Item #8

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

**PROJECT NUMBER R2006-02775-(1)
VARIANCE CASE NUMBER 200900009**

REQUEST

The applicant is requesting a variance to allow a free standing sign in an area where it is otherwise unpermitted and for the sign area to exceed the maximum allowable sign area in the zone.

REGIONAL PLANNING COMMISSION HEARING DATE: October 20, 2010

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION

A duly noticed public hearing was held on October 20, 2010 before the Regional Planning Commission. Commissioners Valadez, Bellamy, Helsley, Rew and Modugno were present. No Commissioners were absent. The applicant's representative, Steve Lennard and David Ramifard presented testimony in favor of the request and answered questions presented by the Commission.

Several tenants of the shopping center gave testimony in favor of the project and stated that increased signage would be beneficial to the business.

There being no further testimony, the Regional Planning Commission closed the public hearing and denied the permit.

FINDINGS

1. The project site is located at 5161 Pomona Blvd., Los Angeles, CA 90022. The nearest intersection is Atlantic Boulevard and Pomona Boulevard.
2. The project includes a proposed free standing pole sign, twenty feet in height, double faced with a total sign area of 246 square feet per side. The proposed sign would be located along Pomona Blvd. facing east and west.
3. The project site is designated "CC" Community Commercial in the East Los Angeles (ELA) Community Plan. This classification describes areas with mostly small businesses in centers or along strips. These businesses are basically oriented to serving the needs of surrounding neighborhoods and have little regional attraction. The community plan does not address signs specifically; however given that businesses within this designation are meant to serve the surrounding neighborhoods, a large freestanding sign would not be suitable for businesses within this designation. The sign is not consistent with eth ELA Community Plan.
4. The subject property is with the East Los Angeles Community Standards District, Section 22.44.118 of the County Code and the following development standards

apply: One freestanding sign shall be permitted where one of the following findings can be made:

- a. Subject building is at least 35 feet from the front property line. The building on the subject property is 6 feet from the front property line. The proposed project does not meet this finding.
- b. Subject building has more than two tenants and the secondary tenants have no street frontage. The building on the subject property does have more than two tenants however secondary tenants do have street frontage. The proposed project does not meet this finding.
- c. Adjacent buildings are within 10 feet of the front property line and the subject building is at least 10 feet behind either of the adjacent buildings. There is currently not an adjacent building next to the subject property, adjacent property to the west is developed with a parking lot and property to the east is being developed with a parking structure. The proposed project does not meet this finding.

The project does not meet any of the findings to allow a free standing pole sign on the subject property. The applicant has requested a variance to allow a free standing sign in an area where it is otherwise unpermitted.

5. Sign areas shall comply with the following requirements:

- a. The total permitted sign area of all signs on a building or site is 10 percent of the building face (not to exceed 240 square feet).

Currently, the shopping center has approximately 240 square feet of signage on the building, as each individual tenant has at least one wall business sign. The proposed free standing pole sign would add an additional 480 square foot of sign area (240 square feet per side), which would exceed the maximum permitted sign area per site. The applicant has requested a Variance to authorize exceeding the maximum permitted sign area per site.

6. The proposed free-standing pole sign would not be compatible with the surrounding neighborhood as other commercial centers in the area do not have free standing multi-tenant signs. Additionally, future plan for the area include adopting plans to make the streets more walkable and the area more pedestrian friendly and a large sign such as the one proposed is not oriented toward pedestrians, but rather automobiles.
7. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
8. The Department of Regional Planning has determined that a Categorical Exemption, Class 3 Categorical Exemption- New Construction or Conversion of Small Structures, is

the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

9. Although the applicant claims that the recently built Gold Line station affects the visibility of the shopping center, the view of the business is not obscured to the extent that a special circumstance exists. The view of the building on the project site is intermittently obscured facing north looking directly at the site, however it is no more obscured that it would be if a large truck or bus drove by, which is often the case along Pomona Boulevard, as the street is classified as a major highway. A highway is typically a multi-lane arterial designed to accommodate higher volumes of traffic, has access restrictions, and intended to provide regional connectivity. There are not any special circumstances or exceptional characteristics applicable to this property, such as size, shape, topography, location or surroundings, which are not generally applicable to other properties in the same vicinity and under identical zoning classification.
10. Every business in the commercial shopping center, currently has at least one wall business signs, which is the same as other commercial businesses in the vicinity. Visibility is not obscured to the extent that special circumstances or exceptional characteristics would be applicable to the property. The strict application of the code does not deprive this property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. Without this variance the shopping center would still be allowed to have signage per Section 22.44.118 of the County Code. The Variance is not necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the vicinity and same zone; and
11. Allowing this variance would constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity as the Metro Gold Line tracks on Atlantic Boulevard. This would be the only multi-tenant pole sign in the area, all other similarly situated properties are required to comply with the sign regulations. This would grant this business a special privilege.
12. That strict application of zoning regulations as they apply to this property would not result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards as tenants in the shopping center would still be allowed individual signage for their business.
13. The proposed sign would be materially detrimental to the general welfare, enjoyment and valuation of property of other persons located in the vicinity as the sign would not encourage a pedestrian friendly environment.
14. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That there are not special circumstances or exceptional characteristics applicable to the property involved, such as size, shape, topography, location or surroundings, which are not generally applicable to other properties in the same vicinity and under identical zoning classification; and
- B. That such variance is not necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone; and
- C. That because of special circumstances or exceptional characteristics applicable to the property, the strict application of the code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification; and
- D. That the adjustment authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated; and
- E. That strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards; and
- F. That such adjustment will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity.

REGIONAL PLANNING COMMISSION ACTION

1. In view of the findings of fact and conclusions presented above, Variance Case Number 200900009 is DENIED.

c: Each Commissioner, Zoning Enforcement, Building and Safety

VOTE: 4-1

Concurring: Valadez, Bellamy, Rew and Modugno

Dissenting: Helsley

Abstaining:

Absent:

Action Date:10/20/10

MC:ag
10/21/10