

Attachment A
Discussion

PLN120442

ATTACHMENT A DISCUSSION

Background

This application arose due to a 32 square foot monument sign built by the Barnyard on State Property without planning permits. The face of the sign has been removed, but the base of the sign remains in place. The requested entitlements originally requested by the applicant and that were presented to the Planning Commission would have accomplished the following:

1. General Development Plan: This would incorporate the State property as part of the shopping center. .
2. Variance: The shopping center already exceeds the allowable square footage for shopping center signage and the variance is necessary to allow more signage.
3. Design Approval: The Design Approval would approve the design of the sign in relation to the policies of the General Plan and Carmel Valley Master Plan.

At the Planning Commission the primary emphasis related to the signage was the monument sign which had been constructed on the State Property, which the Planning Commission denied. This appeal has been continued to allow staff and the applicant to develop an alternative solution to the proposed monument sign. The analysis related to the monument sign is no longer applicable and the remainder of this analysis will focus on the revised proposal submitted by the applicant.

The existing signage for the Shopping Center consists of: 1) 35 square feet of signage including one on-site sign and three off-site signs approved under File No. PLN040237; and 2) a 34 square foot sign located on the façade of Building A of the center facing Highway One approved under File No. DA070224 (The existing signage is included in Exhibit 1 to Attachment A of this report). The signage approved under File No. PLN040237 was approved in response to a code enforcement action (CE990239) which arose from the placing of a number of signs on and off the property without necessary permits. Normally a shopping center is allowed 35 square feet of signage identifying the center. The total shopping center signage currently is 69 square feet, double that which is permitted.

In response to meetings with staff, the applicant has proposed a sign program which would do the following:

1. Removal of monument sign; -- The request for the freestanding sign would be removed from the application.
2. Approval of water tower sign with poppy's as attached; -- A 48.5 square foot sign advertising the Barnyard would be painted on the water tower.
3. Approval of Barnyard Shopping and Dining Sign: A new 39.5 square foot sign would be placed on the rear of the buildings advertising the Barnyard.
4. No new signage on backside of buildings facing Highway 1; currently the individual tenants could request approval of signage on the rear of the buildings. The revised sign program for the center would not allow this signage for individual tenants.
5. Reduction of new tenant signage to 15 SF; all tenants would be limited to signage of 15 square feet. This will limit the overall amount of signage allowed on the buildings.
6. Applicant will apply for directional signs in County Right of way. This is not something that requires Board of Supervisors action. The applicant can submit a request for the signs and the signs in the right of way would be processed by the Public Works department.

The objective of this proposal is to allow center signage to enable people to find the center, without constructing freestanding signs adjacent to Highway 1 and allowing excessive signage on the building. The center has some marketing challenges from a retail standpoint because it does not have good visibility from a major transportation corridor. Other centers (such as the Crossroads) have visibility from Highway 1 and the access to the Crossroads is visible from Highway 1. In addition the Barnyard is not immediately identifiable from Highway 1 as a retail center, whereas other centers such as the Crossroads are clearly discernible as a retail center. The Barnyard additional barnyard signs would provide additional identification without placing a freestanding sign along the Highway 1 corridor.

This proposal does allow two additional center identification signs beyond what the sign ordinance would allow. The unique circumstances associated with this center warrant this consideration, and protects the scenic corridor along Highway 1 by not installing a freestanding sign.

Staff is supportive of this compromise with the provision that the proposed signage not exceed the overall signage currently allowed. Staff recommends that the request be approved with a condition that requires the applicant to prepare a comprehensive sign program for the center demonstrating that the signage allowed under this new proposal would be equivalent to the total sign area allowed under the sign ordinance (for both center identification and tenant signage) and that the new signs be limited to 35 square feet in keeping with the limitations placed by the sign ordinance.

General Development Plan

The Planning Commission approved the General Development Plan. The applicant leased the 2.6-acre site from the California Department of Parks and Recreation effective June 1, 2011 for a period of 10 years to expire on May 31, 2021. The applicant applied to add the 2.6-acre portion of the State Property to the Site Plan of the approved Zoning Permit for the Shopping Center. Staff determined a General Development Plan would be the appropriate means for the addition of the 2.6-acre site. The General Development Plan would in effect, treat both parcels as a single site, which would enable consideration of the sign on the State Parks property.

The 2.6-acre site and the site of the Shopping Center are under "One Ownership" as defined in Section 21.06.830 of Title 21 (Zoning Ordinance). Under this definition "One ownership means ownership of property or possession thereof under a contract to purchase or under a lease, the term of which is not less than 10 years, by a person or persons, firm, corporation, or partnership, individually, jointly, in common, or in any other manner whereby such property is under single or unified control." From a technical standpoint, based on this definition, both the Barnyard Parcel and the State Property already are under one ownership because the applicant has a lease for the State Property the term of which is no less than ten years.

The General Development Plan would authorize the use of existing, parking and trash enclosure facilities within the State Property for the shopping center.

Recommendation:

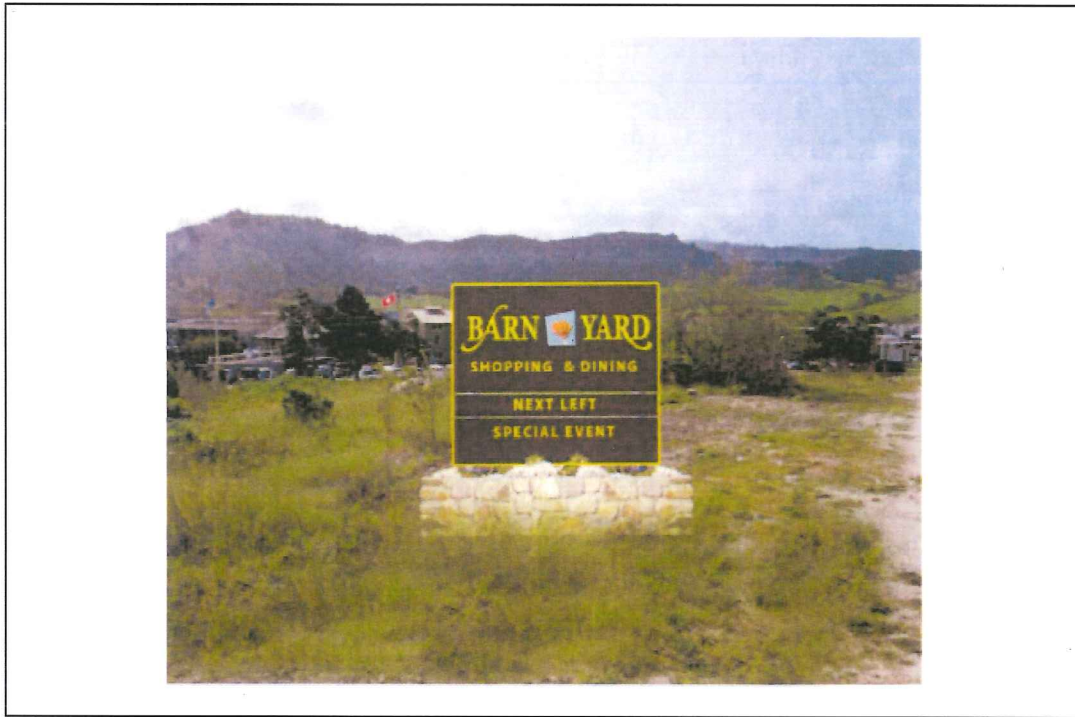
It is recommended that the Board of Supervisors adopt a resolution (Attachment B) to:

- a. Deny the appeal by Sima Barnyard LLC from the Planning Commission's decision approving a General Development Plan to add a 2.6-acre portion of California State Parks property to the site of the Barnyard Shopping Center, denying a Variance for added

signage for the Barnyard Shopping Center and denying a Design Review Application for the construction of a new 32 square foot monument sign and a new signage plan for the Shopping Center;

- b. Find the project exempt per CEQA Guidelines Sections 15301;
- c. Approve a General Development Plan to add a 2.6-acre portion of California State Parks property to the site of the Barnyard Shopping Center
- d. Approve a Variance and Design Approval for the following:
 1. Thirty five square foot Water tower sign;
 2. Thirty five square foot Barnyard Shopping and Dining Sign facing Highway 1 on the rear of the buildings advertising the Barnyard;
 3. No additional new signage on buildings facing Highway 1; and
 4. Reduction of new tenant signage to 15 SF; all tenants would be limited to signage of 15 square feet. This will limit the overall amount of signage allowed on the buildings.

EXHIBIT 1 to ATTACHMENT A



Proposed Sign

1



2



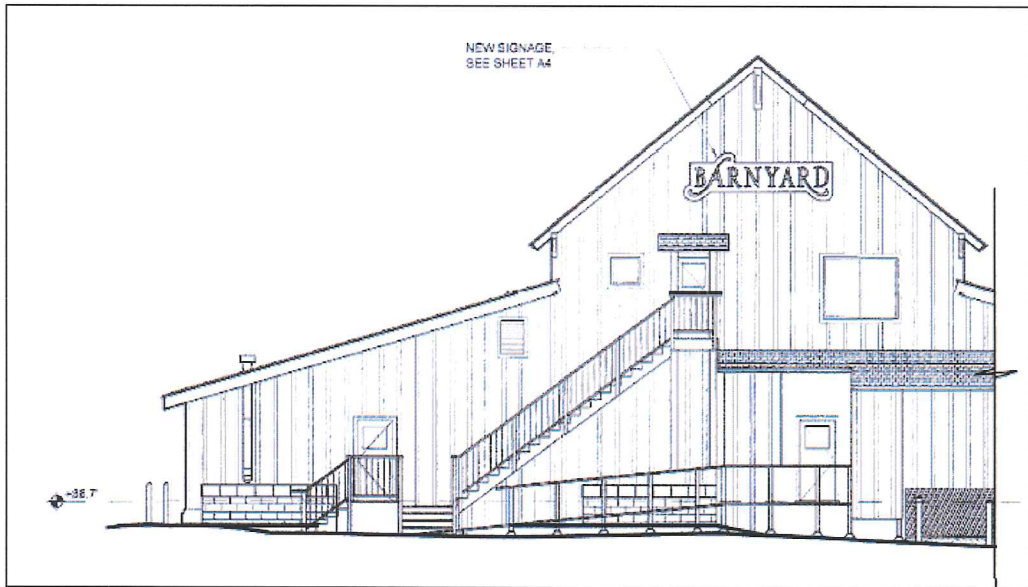
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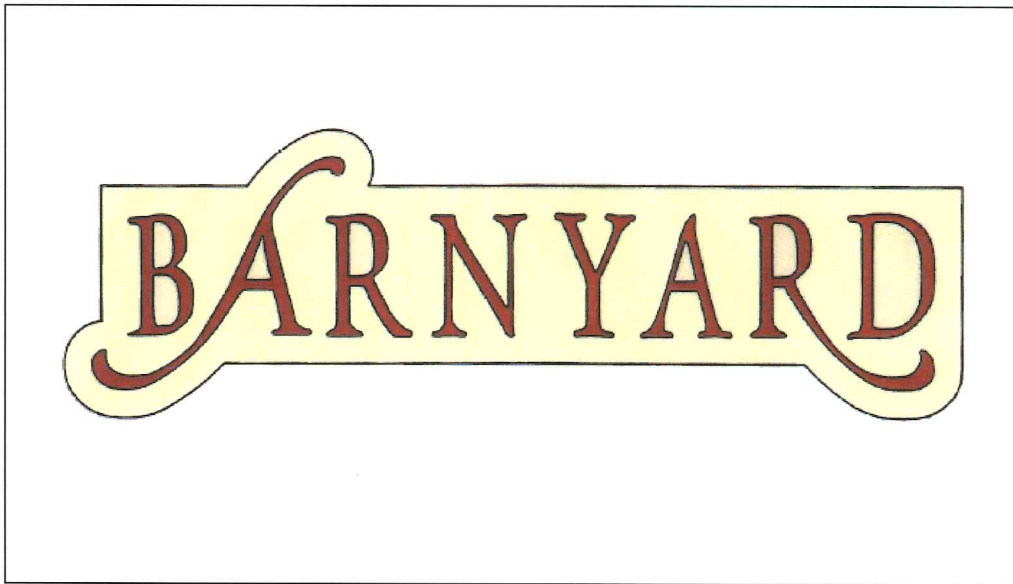
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APPROVED SIGNAGE
(PLN040237)



Building 'A'



Approved Sign

**APPROVED SIGNAGE
(DA070224)**