CITY OF WILDOMAR

PLANNING COMMISSION

Commission Members
Chairman Robert Devine · Vice-Chairman Harv Dykstra
Gary Andre · Scott Nowak · Miguel Casillas

REGULAR MEETING
WEDNESDAY, APRIL 15, 2009 AT 7:00 P.M.
Council Chambers, Wildomar City Hall, 23873 Clinton Keith Road, Wildomar, CA 92595

PUBLIC COMMENTS: Prior to the business portion of the agenda, the Planning Commission will receive public comments regarding any agenda items or matters within the jurisdiction of the governing body. This is the only opportunity for public input except for scheduled public hearing items. The Chairperson will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a “Public Speaker/Comment Card” available at the door. The completed form is to be submitted to the Chairperson prior to an individual being heard. Lengthy testimony should be presented to the Planning Commission in writing (8 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker or less if a large number of requests are received on a particular item.

AGENDA

1.0 CALL TO ORDER

1.1 Roll Call

1.2 Pledge of Allegiance

2.0 PUBLIC COMMENT: Members of the audience may comment on matters that are not included on the agenda. Each person will be allowed three (3) minutes or less if a large number of requests are received on a particular item. No action may be taken on a matter raised under “public comment” until the matter has been specifically included on an agenda as an action item.

3.0 APPROVAL OF MINUTES:

3.1 Approval of the March 4, 2009 Regular Meeting Minutes.

4.0 CONTINUED PUBLIC HEARING ITEMS: The Planning Commission will review the proposed request, receive public input and consider action for the following items:

None.
5.0 PUBLIC HEARING ITEMS: The Planning Commission will review the proposed request, receive public input and consider action for the following items:

5.1 VARIANCE NO. 08-0072: A request to approve a Variance to increase the height of one of two free-standing signs for the Wildomar Square commercial center from 65 feet to 85 feet within the Scenic Highway Commercial zone (C-P-S).

Recommendation: Staff is recommending denial of the variance request.

Environmental Determinations: No California Environmental Quality Act (CEQA) compliance documentation has been provided at this time. If the Commission decides to consider approval of the variance request at a future date, the appropriate documentation will be provided.

6.0 GENERAL BUSINESS ITEMS:

None.

7.0 ADMINISTRATIVE HEARINGS REPORT:

7.1 Report actions taken at the April 1, 2009 Director’s Hearing.

8.0 PLANNING DIRECTOR’S REPORT: This item is reserved for the Planning Director to comment or report on items not on the agenda. No action will be taken. The Planning Director is Gary Wayne.

8.1 Announcement of the new City of Wildomar website and Planning Commission webpage (http://www.cityofwildomar.org).

9.0 PLANNING COMMISSION COMMENTS: This portion of the agenda is reserved for Planning Commission business, for the Planning Commission to make comments on items not on the agenda, and/or for the Planning Commission to request information from staff.

10.0 ADJOURNMENT

The next scheduled Regular Meeting of the City of Wildomar Planning Commission is May 6, 2009 at 7:00 P.M.

RIGHT TO APPEAL: Any decision of the Planning Commission may be appealed to the City Council within ten (10) calendar days after the date of Planning Commission’s action.
**REPORTS:** All agenda items and reports are available for review at Wildomar City Hall, 23873 Clinton Keith Road and at the Mission Trail Library, 34303 Mission Trail Blvd., Wildomar, CA. Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours. If you wish to be added to the regular mailing list to receive a copy of the agenda, a request must be made through the Planning Department in writing or by e-mail.

**PUBLIC COMMENTS:** Prior to the business portion of the agenda, the Planning Commission will receive public comments regarding any agenda items or matters within the jurisdiction of the governing body. This is the only opportunity for public input except for scheduled public hearing items. The Chairperson will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a “Public Speaker/Comment Card” available at the door. The completed form is to be submitted to the Chairperson prior to an individual being heard. Lengthy testimony should be presented to the Planning Commission in writing (8 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

**ADDITIONS/DELETIONS:** Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Planning Commission.

**ADA COMPLIANCE:** If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Planning Department either in person or by telephone at (951) 667-7751, no later than 10:00 A.M. on the day preceding the scheduled meeting.

**POSTING STATEMENT:** On April 10, 2009, a true and correct copy of this agenda was posted at the three designated posting places: Wildomar City Hall, 23873 Clinton Keith Road; U. S. Post Office, 21392 Palomar Street, and the Mission Trail Library, 34303 Mission Trail Blvd.
1.0 CALL TO ORDER

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Devine at 7:00 P.M. at Wildomar City Hall, Council Chambers.

1.1 ROLL CALL OF PLANNING COMMISSION

Present: Robert Devine, Chairman
Harv Dykstra, Vice-Chairman
Miguel Casillas, Commissioner
Scott Nowak, Commissioner
Gary Andre, Commissioner

Absent: None.

Staff Present: Gary Wayne, Planning Director
David Hogan, Assistant Planning Director
Thomas Jex, Assistant City Attorney
Jon Crawford, Supervising Engineer
Sean del Solar, Planner

1.2 PLEDGE OF ALLEGIANCE:

Commissioner Casillas led the flag salute.

2.0 COMMUNICATIONS FROM THE PUBLIC:

None.

3.0 APPROVAL OF MINUTES:

Commissioner Nowak moved to approve the Minutes of January 21, 2009, and February 18, 2009. The motion was seconded by Commissioner Casillas. Motion carried, the following vote resulted:
AYES: Devine, Dykstra, Casillas, Nowak, and Andre.
NOES: None.
ABSENT: None.
ABSTAIN: None.

4.0 CONTINUED PUBLIC HEARING ITEMS:

None.

5.0 PUBLIC HEARING ITEMS:

5.1 CONDITIONAL USE PERMIT NO. 03545 AND ENVIRONMENTAL ACTION NO. 08-0052.

Applicant: Reza Kassraian, Pars Global, LLC
Location: Northeast corner of Clinton Keith Road and George Avenue (APN: 362-250-003).
Proposals: CUP03545: A conditional use permit is proposed for a drug store with sale of alcoholic beverages and the development of approximately 45,638 square feet of commercial retail space and day care facility, parking facilities, street improvements and associated appurtenances on an approximate 4.74-acre site. The proposed commercial development includes an approximately 3,700 square foot (sf) fast-food restaurant, a series of three smaller commercial buildings totaling 7,800, 3,858, and 6,880 sf, a 14,400 sf anchor retail (drug store) building and a 9,000 sf of day care building. The proposed development also includes: 221 parking stalls, the expansion of the Clinton Keith Road right-of-way, landscaping, and related infrastructure.

Environmental Action: In accordance with the California Environmental Quality Act (CEQA), that although the proposed project could have a significant effect on the environment; there will not be a significant effect in this case because a MITIGATED NEGATIVE DECLARATION will be adopted.

Planning Director Wayne presented the project to the Commission and noted that an errata sheet had been added to clarify the indemnification clause in the resolution.

Chairman Devine asked if the Planning Commission had any questions for Staff.
Commissioner Nowak noted that the traffic study only addressed improvements on the north side of Clinton Keith and questioned why no improvements were included on the south side of Clinton Keith.

Planning Director Wayne responded that improvements on the south side of Clinton Keith were the responsibility of another project.

Supervising Engineer Crawford confirmed that between the two projects near full width street improvements would be made to Clinton Keith. He also advised the commission that the City would have the two developers coordinate the work on Clinton Keith to minimize the disruption to traffic.

Commissioner Nowak questioned if the first project could complete all the street improvements to Clinton Keith.

Planning Director Wayne responded that because the subject property did not have street frontage all the way to Inland Valley Drive, the project could not be required to make all the improvements to Clinton Keith.

Commissioner Nowak asked if the project would receive TUMF credits for the construction of Clinton Keith.

Supervising Engineer Crawford responded in the negative citing the fact the County has determined that the improvements made by the project to Clinton Keith do not qualify for TUMF fee credits.

Commissioner Nowak asked if a condition could be added that would require the first project in the area to complete all the improvements to Clinton Keith.

Supervising Engineer Crawford responded that the method in which the City approaches traffic control plans would encourage the two projects to coordinate street improvement work on Clinton Keith.

Commissioner Andre asked if the project’s street improvements would include a deceleration and right turn lane to access the proposed development.

Supervising Engineer Crawford responded that there would be three west bound lanes and one of which would be a right turn lane for access to George.

Vice-Chairman Dykstra noted that the environmental document reported that the property drains into Murrieta Creek and then into Lake Elsinore. Vice-Chairman Dykstra stated that information was incorrect.
Planning Director Wayne acknowledged the error and affirmed that would be corrected.

Vice-Chairman Dykstra questioned why bicycle paths or lanes would not be included in the project and if there was sufficient space in the Clinton Keith right-of-way to provide bicycle lanes at a later date.

Supervising Engineer Crawford responded that the width of Clinton Keith does allow for bicycle lanes, but because there are no connecting bicycle lanes, the project would not be required to add bicycle lanes.

Commissioner Andre stated that in his work with the County he noticed a reluctance of the County to install bicycle lanes on roads with 6 lanes due to the potential for accidents. He also added that further west on Clinton Keith there were trails proposed.

Vice-Chairman Dykstra advised that the trails might not be ideal for bicycles.

Chairman Devine noted the overabundance of pharmacies in the area and asked if the City might be creating a problem if the application was approved.

Planning Director Wayne responded that regulating the use of a pharmacy was not possible because it was a permitted use in the zone and the only decisions before the commission were site design and a conditional use permit for the sale of alcohol.

Chairman Devine opened the Public Hearing.

The applicant’s representative John Clement of Venture Point Development addressed the Commission.

Commissioner Nowak asked if the applicant had been in communication with the developers of the project across the street.

Applicant Clement responded that those conversations had begun and stressed the applicant’s experience in coordinating street improvements with other developers.

Chairman Devine asked the applicant if he had received a copy of the conditions of approval and the errata sheet and if he had an opportunity to review them.

Applicant Clement indicated that he had a chance to review the documents.

Chairman Devine recognized Resident George Taylor.
Resident George Taylor asked if the proposed daycare center was considered a school and if so, how far away was the facility from the business selling alcohol.

Planning Director Wayne responded that the proposed daycare center was a commercial endeavor which was not the same as a school.

Applicant Clement added that the 500 foot radius around schools which normally prohibits the sale of alcohol was not required around a daycare center.

Chairman Devine closed the Public Hearing.

Vice-Chairman Dykstra requested that in the future bicycle transportation be discussed further and that more information should be provided about concurrent projects in the immediate area of projects before the Commission.

Commissioner Nowak also asked for renderings to be included in future staff reports disbursed to Commissioners.

Assistant City Attorney Jex provided clarification on the motions required to approve the resolutions for the proposed project.

MOTION: Vice-Chairman Dykstra made a motion to adopt environmental action 08-0052 with resolution PC09-001. The motion was seconded by Commissioner Nowak. Motion carried, the following vote resulted:
   AYES: Devine, Dykstra, Casillas, Nowak, and Andre.
   NOES: None.
   ABSENT: None.
   ABSTAIN: None.

MOTION: Commissioner Casillas made a motion to approve Conditional Use Permit 03545 subject to the attached Conditions of Approval as modified at the hearing, with resolution PC09-002. The motion was seconded by Vice-Chairman Dykstra. Motion carried, the following vote resulted:
   AYES: Devine, Dykstra, Casillas, Nowak, and Andre.
   NOES: None.
   ABSENT: None.
   ABSTAIN: None.

5.2 REVISED PLOT PLAN NO. 22461 AND REVISED PARCEL MAP NO. 35219, PL08-0027.
   Applicant: MDMG, Inc.
Location: East of Palomar Street, west of Stable Lanes Road, south of Clinton Keith Road, and north of Rock Elm Drive (APNs: 380-130-015 & 380-130-016).

Proposals: PP22461 The site is currently under construction based on a plot plan already approved by the County of Riverside. The project Plot Plan proposes to revise the approved plot plan by eliminating a 2-story, 11,717 sq. ft. office building and an approximately 7,700 sq. ft. retail structure and replacing them with an approximately 26,000 sq. ft. car wash and auto service facility. The revised plot plan also includes architectural elevations for an approved drive-thru restaurant that was approved as a use and a pad.

PM35219 The Parcel Map is a Schedule E map which proposes a revision to the approved parcel map to subdivide the site into seven parcels instead of eight. The zoning for the project site is general commercial (C-1/CP) and the General Plan Land Use Designation is Commercial Retail (CR).

Environmental Action: In accordance with the California Environmental Quality Act (CEQA), although the proposed project could have a significant effect on the environment, there will not be a significant on the environment in this case because revisions in the project have been agreed to by the applicant or mitigation measures have been added to the project and a Mitigated NEGATIVE DECLARATION will be adopted.

Planning Director Wayne made the staff report.

Chairman Devine asked if the Planning Commission had any questions for Staff.

Vice-Chairman Dykstra noted that the environmental document made a reference to the project location as in the city of Murrieta. He requested that the document be corrected.

Planning Director Wayne acknowledged the error and made the corrections.

Vice-Chairman Dykstra also noted that the site plan could be more inclusive of surrounding developments and uses. He went on to ask if bicycle lanes would be included in the proposed project.
Supervising Engineer Crawford responded that the segment of Clinton Keith where the project is located was not originally designed to accommodate bicycle lanes.

Chairman Devine opened the Public Hearing.

The applicant, James Bach of MDMG addressed the Commission.

Chairman Devine asked the applicant if he had received a copy of the conditions of approval and the errata sheet and if he had an opportunity to review them.

Applicant Bach indicated that he had a chance to review the documents.

Commissioner Andre noted that the fence on top of the retaining wall was 42 inches high. He went on to indicate that it may be too low and asked the applicant if the fence could be higher.

Applicant Bach responded that the areas near the fence in question were not places easily accessible to the public.

Commissioner Andre also expressed concern with an open pit at the construction site and requested that the applicant take steps to secure the construction site.

Applicant Bach responded that he would look into the issues and ensure that the site would be secure.

Commissioner Nowak asked if the carwash utilized a system of recycled water and if the hardscape surfaces around the carwash would use permeable materials.

Applicant Bach responded that the Carwash did utilize a water recycling system and also that the hardscape surfaces around the carwash were impervious, however they were addressed in the WQMP.

Chairman Devine asked about the traffic circulation around the subject site.

Applicant Bach demonstrated a carwash patron’s path of travel through the subject site.

Vice-Chairman Dykstra questioned if the shopping center entrance would have a traffic control device.

Applicant Bach replied in the affirmative and discussed the details of the device.
Supervising Engineer Crawford added that the widening of Clinton Keith by the proposed project has enabled the removal of the “U” turn prohibition at the shopping center entrance.

Commissioner Andre noted the absence of a two-story building that was originally proposed and thanked the applicant for the changes.

Resident Enola Mena inquired about the Carwash’s hours of operation and requested additional information on the landscaping.

Applicant Bach responded that the Carwash’s hours of operation would be typical hours of operation. He went on to clarify that while the project illustration showed palm trees, no palm trees would be included in the final product.

Resident George Taylor questioned the stability of the retaining wall in the event of an earthquake and asked for additional information on the structure of the wall.

Applicant Bach responded that the design and construction of the retaining wall was overseen by engineers and that several redundant systems provided a very safe wall. The applicant then discussed each system used to reinforce the retaining wall.

Chairman Devine closed the Public Hearing.

MOTION: Commissioner Nowak made a motion to adopt environmental action 08-0027, approve revised parcel map 35219 and approve revised plot plan revision 22461 subject to the attached Conditions of Approval as modified at the hearing, with resolution PC09-003. The motion was seconded by Commissioner Casillas. Motion carried, the following vote resulted:

AYES: Devine, Dykstra, Casillas, Nowak, and Andre.
NOES: None.
ABSENT: None.
ABSTAIN: None.

6.0 GENERAL BUSINESS ITEMS:

None.

7.0 ADMINISTRATIVE HEARINGS REPORT:

None.

8.0 PLANNING DIRECTOR’S REPORT:
Planning Director Wayne informed the Commission that at the last meeting of the City Council the Bella Rosa project (08-0168) General Plan Amendment and Zone Change requests were both approved, however the plot plan was referred back to staff for further design review to address the access issues on Depasqualle Road.

9.0 PLANNING COMMISSION COMMENTS:

Vice-Chairman Dykstra requested that future projects that come before the Commission include site design information on the surrounding area.

Planning Director Wayne recognized Vice-Chairman Dykstra’s concerns and responded that surrounding area information should be available and that staff would work to include that information in the future.

Vice-Chairman Dykstra also requested that staff create and make available to the public maps of the new CalFire high fire hazard areas.

Planning Director Wayne responded that the City had copies of the draft maps and when CalFire approves the new maps, the City would be able to better disseminate the information.

Commissioner Casillas inquired about the status of the I-15 / Clinton Keith Overpass expansion.

Supervising Engineer Crawford discussed the status of the project and responded that at best, construction would not begin on the project until 2010 or 2012.

10.0 ADJOURNMENT:

The March 3, 2009 regular meeting of the Wildomar Planning Commission adjourned at 8:15 P.M.

Respectfully submitted:

Gary Wayne
Commission Secretary
CITY OF WILDOMAR – PLANNING COMMISSION
Agenda Item 5.1
PUBLIC HEARING ITEM
Meeting Date: April 15, 2009

TO: Chairman Devine, Members of the Planning Commission

FROM: Harmony Linton, Development Services

SUBJECT: Variance 08-0072, David Horenstein, D.H. Holdings, Inc., Applicant. A request to amend the Sign Program for Wildomar Square and approve a Variance to increase the height of one free-standing sign ("A1") to 85 feet within the Scenic Highway Commercial Zone (C-P-S), located at the southeast corner of Clinton Keith Road and Hidden Springs Road.

APN: 380-110-039

STAFF REPORT

RECOMMENDATION:

It is recommended that the Planning Commission deny the requested Variance based upon the analysis in this staff report and adopt a resolution entitled:


BACKGROUND:

The project site is a rectangular shaped lot located at the southeast corner of Clinton Keith Road and Hidden Springs Road. The subject property is zoned Scenic Highway Commercial (C-P-S) and has a General Plan Land Use Designation of Commercial Retail. Conditional Use Permit No. 3504 was approved by the County of Riverside on May 8, 2007 for the development of Wildomar Square. The original permit was for the development of three buildings to equal 23,000 square feet on 2.96 acres. The permit was then revised and a Variance was added, these revisions were approved on April 22, 2008. The revised permit added an additional 1.85 acres, for a total of 4.81 net acres, and three additional buildings for a total of 46,600 square feet. Variance No. 1827 approved the installation of two 65-foot high, 21-foot wide freestanding (pylon) signs, each incorporating 480 square feet of signage area along the project’s easterly boundary adjacent to Interstate 15. The location of Wildomar Square is shown in Attachment A.
After incorporation DH Holdings submitted a Variance application to the City of Wildomar requesting a modification to the approved sign program to allow one of the previously approved 65-foot free-standing signs to exceed the height approved by Variance 1827 (and further exceed the requirements of Ordinance 348). This subsequent Variance request would allow the Freestanding Sign “A-1” to exceed the Ordinance requirement by an additional 40 feet, giving it a total height of 85 feet. This higher sign would require the modification of the existing Sign Program. The denial of this second variance request does not effect the privileges granted by the first variance.

DISCUSSION:

Section 65906 of the State Planning and Zoning Law establishes the purpose and limitations for variances and are the foundation for the findings which must be made to approve a variance. The County’s required findings for variances mirror these provisions of State Law. The provisions of State Law are as follows:

“Variances from the terms of the zoning ordinances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.”

When Riverside County approved Variance No. 1827 to install the two 65-foot high, 18-foot wide freestanding (pylon) signs, each with 480 square feet in signage area per side, they made the following justifications for approval:

1. “The proposed signage exceeds the requirements of Section 19.4.a.4 of Ordinance No. 348, which allows for one free-standing sign to be constructed on the same street. The commercial center proposes to exceed this requirement by proposing two free-standing signs, both on the project site’s easterly boundary (adjacent to Interstate 15). The commercial center is oddly shaped; therefore, being neglected of road frontage along Interstate 15, the road frontage that properties with conventional layouts along Interstate 15 enjoy. Therefore, in order to effectively display retailers compared to adjacent commercial developments, the project would need an additional free-standing sign. This constraint supports the variance for Signs A1 and A2 to exceed the maximum number of free-standing signs allowed for a project by an additional free-standing sign.”
2. “The proposed signage exceeds the requirements of Section 19.4.a.4 of Ordinance No. 348, which limits the maximum height of free-standing signs to 45 feet for signs located within 660 feet of a freeway right of way line. The commercial center proposes to exceed this requirement by proposing 65 foot high Pylon Signs. The site is at a lower elevation than the adjacent freeway (Interstate 15), which is where the signs are proposed. Since the site is 22 feet lower than Interstate 15 it is being neglected the same privileges that adjacent properties enjoy given the site’s topography. If the site was at grade with Interstate 15, the variance would not be required. Therefore, in order to effectively display retailers compared to adjacent commercial developments, the free-standing signs need to be 65 feet in total height. This constraint supports the variance for Signs A1 and A2 to exceed the maximum height by 20 feet.”

3. “The proposed signage exceeds the requirements of Section 19.4.a.4 of Ordinance No. 348, which limits the maximum surface area of free-standing signs to 150 square feet for signs located within 660 feet of a freeway right of way line. The commercial center proposed to exceed this requirement by proposing two Pylon Signs with a surface area of 480 square feet per sign for a total of 960 square feet of surface area. The project is being neglected of the same privileges that adjacent properties enjoy given the site’s odd shape and topography, which causes the buildings to be placed at lower elevations than Interstate 15 causing a lack of visibility of the tenant signs. Therefore, in order to effectively display retailers compared to adjacent commercial developments, the surface area of the pylon signs need to be larger. This constraint supports the variance for Signs A1 and A2 to exceed the maximum surface area by 330 square feet per sign.”

After analyzing the County’s decision, it is staff’s position that the County of Riverside’s findings for two of the three varianced provisions were flawed. Specifically, the justification for two signs, the increased height for the second sign, and the increased amount of signage area. However, staff believes that the County of Riverside’s findings to increase the height of one of the two freestanding signs was justified because allowing one sign at the 65 foot height would offset the height of the Clinton Keith Road overcrossing which is approximately 22 feet above the elevation of the project site and obstructs the visibility of the Wildomar Square signage for southbound traffic on Interstate 15. A similar variance was approved by Riverside County for the 65-foot tall Bear Creek Village freestanding sign.

Figure 1 – Approved Freestanding Signs A-1 & A-2
The City of Wildomar’s Zoning Ordinance, Title 17 of the Municipal Code (formally Ordinance 348), has specific provisions for free-standing signs. According to Section 17.252.040.A of the Municipal Code, freeway oriented free-standing signs located within 660 feet of the nearest edge of a freeway right of way line, shall have a maximum height not to exceed 45 feet, and a maximum surface area not to exceed 150 square feet of signage area. The Code also indicates shopping centers with frontage on two or more streets, the shopping center is permitted to have two free-standing signs, provided that the two signs are not located on the same street; are at least 100 feet apart, and that the second sign does not exceed 100 square feet in surface area and 20 feet in height.

The project has already received a variance to allow two free-standing signs with a height of 65 feet and a surface area of 480 square feet each adjacent to Interstate 15. These two free standing pylon signs are in addition to the monument sign located at the corner of Clinton Keith Road and Hidden Springs Road, the other wall signage, and directional signs allowed by the approved Sign Program. A summary of the allowable sign heights and signage areas allowed by the Zoning Ordinance, and approved by Variance 1827, as well as the current variance proposal are described in Table 1 below. The approved Sign Program for Wildomar Square is contained in Attachment D.

<table>
<thead>
<tr>
<th>WILDOMAR SQUARE FREESTANDING SIGNAGE</th>
<th>Zoning Code Requirement</th>
<th>Approved by Variance 1827*</th>
<th>Current Variance Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Free-Standing Signs Allowed</td>
<td>2</td>
<td>No changes requested.</td>
<td>No additional changes requested.</td>
</tr>
<tr>
<td>Number of Free-Standing Signs per Street Frontage</td>
<td>1</td>
<td>No changes requested.</td>
<td>No additional changes requested.</td>
</tr>
<tr>
<td>Height of Free-Standing Sign #1</td>
<td>45 Feet</td>
<td>65 Feet</td>
<td>85 Feet</td>
</tr>
<tr>
<td>Allowable Signage Surface per Sign #1</td>
<td>150 Square Feet</td>
<td>480 Square Feet</td>
<td>No additional changes requested.</td>
</tr>
<tr>
<td>Height of Free-Standing Sign #2</td>
<td>20 Feet</td>
<td>65 Feet</td>
<td>No additional changes requested.</td>
</tr>
<tr>
<td>Allowable Signage Surface per Sign #2</td>
<td>100 Square Feet</td>
<td>480 Square Feet</td>
<td>No additional changes requested.</td>
</tr>
</tbody>
</table>

* If the second variance is denied by the City, this denial does not effect the previously approved variance (and the current approved Sign Program) for the Wildomar Square commercial center.

In the attached variance justification provided by the Applicant (please see Attachment E), the applicant states that due to the topographical slope issues that three of the six previously approved sign panels (totalling approximately 240 square feet) will not be
viewable by southbound traffic on the freeway. Images of the existing and proposed Freestanding Sign “A-1” are shown in Attachment F. Copies of visual simulations provided by the Applicant are contained in Attachment G.

The Applicant concludes that in order to effectively display all of the previously approved enlarged signage area, the project would need to add an additional 20 feet to the height of the northern most pylon sign which is adjacent to Clinton Keith Road. In their justification e-mail, the Applicant provided the following rationale for the proposed variance. The three supporting arguments presented by the Applicant are italicized below.

“a. The commercial center proposes to exceed this requirement by increasing (1) one of the Pylon Signs to 85’ closest to Clinton Keith and Interstate 15. on the project site's easterly boundary (adjacent to Interstate 15). The commercial center is oddly shaped and is situated in a deep hole relative to other portions of the Shopping Center; In addition, due to Cal Trans right of way closer to the sign location being dedicated to Cal-Trans, the current location of the sign has further negative implications because of its set back from Interstate 15; therefore, being neglected of road frontage along Interstate 15, the road frontage that properties with conventional layouts along Interstate 15 enjoy. Furthermore, due to the topographical slope issues that we have three (3) of the (6) six panels will not be viewed from the Freeway in the current position of the sign. Therefore, in order to effectively display retailers compared to adjacent commercial developments, the project would need to add an additional 20’ to the proposed existing pylon sign. This constraint supports the variance for Sign A1 exceed the height requirement for free-standing signs allowed for a project.”

The original variance and sign program approved by the County of Riverside placed both freestanding signs along the eastern edge of the property adjacent to Interstate 15, located within 20 feet of the Caltrans right-of-way. The shape of the site, while not perfectly rectangular, is regular enough to accommodate the proposed development without limitation. Consequently, staff does not believe that the size and shape of the project site creates a site limitation requiring a taller freestanding sign. The shape and building orientation that has been approved for the Wildomar Square Center, as well as the location of the approved freestanding signage are depicted in Figure 2 below. The shaded area to the left of the center is the location of the future road improvements for Clinton Keith Road. An enlarged version of Figure 2 is located in Attachment B.

In addition, the Applicant states that Wildomar Square is setback from the travel lanes of Interstate 15. While the project is partially set back from the freeway through lanes, the condition is ameliorated (in staff’s opinion) by the projects proximity to the interchange which allows clear visibility from the interstate, and easy access to the center via the interchange. The site conditions for Wildomar Square are nearly identical to the Bear Creek Village Center across Clinton Keith Road. With an earlier variance, the County of Riverside approved a 65-foot tall sign structure for the 150 square feet of allowable sign surface for Bear Creek Village. This taller sign is also located adjacent to Clinton Keith Road.
The previously approved 65-foot tall freestanding sign for Wildomar Square contains six signage panels (totaling 480 square feet) which are located between 20 and 50 feet above the ground surface. In contrast, the 65-foot tall sign at Bear Creek Village has its 150 square feet of signage located between 35 and 52 feet above the ground surface. Based upon field visits by staff, the Bear Creek Village freestanding sign is clearly visible from the freeway even though this sign is set back from the edge of the freeway. Pictures of the two freestanding signs for Bear Creek Village Center are included on the following page in Figure 3.

If Freestanding Sign “A-1” at Wildomar Square Commercial center consisted of only the top three panels totaling 240 square feet of signage area (or 160% of the amount of signage normally allowed by the Zoning Ordinance), the height of the top three panels would range from 35 to 50 feet above the ground surface. The height of these top three sign panels is very similar to signage for the adjacent Bear Creek Village Center. While the top half of the approved freestanding sign does not have visibility problems, the bottom three panels can be partially obscured depending on where the viewer is located. However, this visibility condition does not relate to the characteristics of the site. Instead, the visibility problem appears to have been created primarily by the Applicant’s request for, and the County’s approval of, three times the amount of signage area allowed by the Zoning Ordinance. In this scenario, the approved signage stretches over 46% of the sign’s height. In contrast, the 65-foot sign at Bear Creek Village has signage over 30% of its height.

The design of the shopping center also, albeit to a lesser extent, effects the visibility of Sign A-1 from northbound traffic because the mass of the building also blocks the bottom-most panels. However this condition is corrected by the second approved 65-foot tall freestanding sign (labeled A-2 on Figure 2) that will be fully visible to northbound traffic.
“b. The project site is at a lower elevation than the adjacent freeway (Interstate 15), which is where the signs are proposed. Since the site is 22’ lower than Interstate 15 it is being neglected of the same privileges that adjacent properties enjoy given the site’s topography. If the site was at grade with Interstate 15, the variance would not be required. Therefore, in order to effectively display retailers compared to adjacent commercial developments, the freestanding signs need to be 85’ in total height. This constraint supports the variance for Signs A1 exceed the approved maximum height by 20 feet for just A1.”

The original variance approved by the County of Riverside increased the maximum height of the Freestanding Sign “A-1” from 45 feet to 65 feet to address the difference in elevation between the site and Interstate 15. Since the approval of Variance 1827, the elevations of the project site, Interstate 15, and the Clinton Keith Road overcrossing have not changed. Consequently, it is staff’s opinion that any differences in elevation or location were previously addressed by Variance 1827 which was approved by the County of Riverside in 2008.

“c. Lastly, Exhibit B shall show that the A1 new proposed signage shall appear be roughly +/-8.5’ higher then the 65’ pylon sign at the Stater Brothers Center known as Bear Village Center located on the SWC [southwest corner] of Clinton Keith and Interstate 15.”

According to the available information, the statement “c” does not appear to be consistent with actual elevations. Using estimated base elevations and the heights of
the freestanding signs, the proposed 85-foot freestanding sign is expected to be approximately 18 feet taller than the adjacent 65-foot tall sign at Bear Creek Village. Considering how close these two signs will be to each other staff is not convinced that an 18-foot taller sign would appear to be only 8½ feet taller when both signs are located in close proximity to each other. In addition, the appearance of any reduction in height for the 85-foot tall sign, when viewed by southbound traffic, would be counter-balanced by the perception of an increase in the apparent height for northbound traffic (in comparison to the existing 65-foot sign). The actual elevational differences have been calculated using the information contained in Table 2 below. Staff believes that the approximate two-foot difference in the elevation between the Bear Creek Village and Wildomar Square sites is minor and does not justify an increase in the height of Freestanding Sign A-1.

<table>
<thead>
<tr>
<th>Table 2</th>
<th>Sign Height - Comparative Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Wildomar Square</td>
</tr>
<tr>
<td>Base Elevation</td>
<td>1,300 Feet¹</td>
</tr>
<tr>
<td>Height of Sign</td>
<td>85 Feet</td>
</tr>
<tr>
<td>Estimated Elevation of the Top of the Sign</td>
<td>1,385 Feet</td>
</tr>
<tr>
<td>Approximate Difference</td>
<td>+18 Feet</td>
</tr>
</tbody>
</table>

Data Sources:
1. Approximate proposed final grade elevation from the precise grading plan prepared for Wildomar Square.
2. Approximate elevation at the base of the freestanding sign as shown on Clinton Keith Interchange improvement plans.

CONCLUSION:

Staff recommends that the Planning Commission consider the proposed variance based upon the facts and findings in the staff report. As stated previously, it is City staff’s position that the County erred in making the original Variance findings to allow two signs at a height of 65 feet with surface areas of 480 square feet each. The County’s inappropriate approval of the earlier variance does not create a requirement for the City of Wildomar to do the same. The denial of this variance request by the City Planning Commission does not effect the previous approval of Variance 1827 by the County of Riverside.

The visibility problem described by the Applicant appears to have been created by a combination of factors that are unrelated to the characteristics of the site. The first factor is the previous request by the Applicant for three times the amount of signage allowed by the Zoning Ordinance. The County approved 480 square feet of signage area on each side of the sign. This condition results in signage area spreading farther down the sign than would not normally occur if the sign area conformed with the
requirements of the zoning ordinance. To fit 480 square feet of signage on each face of the sign results in some of the sign area extending below the height of the Clinton Keith Road overcrossing and the adjacent Wildomar Square buildings. The second factor is the design of the shopping center which placed the freestanding sign structure in its current location. As a result, staff is unable to make the necessary findings to allow Freestanding Sign “A-1” to be raised an additional 20 feet (40 feet above the 45-foot height limit contained in the Zoning Ordinance) to 85 feet and recommends that the Planning Commission deny the requested Variance based upon the information and findings contained in staff report. A copy of the draft Planning Commission resolution is contained in Attachment C.

However, if the Planning Commission wishes to approve the variance request, staff recommends that the Commission do the following: (1) provide specific details and information to City Staff on how the findings to approve the Variance are to be made, and (2) direct staff to return the project to the Planning Commission for approval at the next Commission meeting.

ENVIRONMENTAL ASSESSMENT:

The California Environmental Quality Act (CEQA) does not apply to projects which an agency disapproves (Section 15270 of the CEQA Guidelines). As a result, no environmental documentation has been prepared for this recommended denial.

FINDINGS:

Based upon the following analysis, the facts do not support the findings necessary to approve the proposed variance.

A. There are special circumstances applicable to the parcel of property, including size, shape, topography, location or surroundings, that the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification.

The project site has already received one variance from Riverside County on May 8, 2007, for increased sign height from 45-feet to 65-feet to compensate for the site’s 20-foot elevation difference below the level of the Clinton Keith Road overcrossing, as explained in more detail in the staff report. This previously approved increase in sign height was approved by Riverside County to compensate for the elevation of the overcrossing. Thus, any special locational or topographical circumstances have been addressed by the original increase of 20-feet in the maximum allowable sign height (from 45 feet to 65 feet). Finally, the elevation of the site, the Clinton Keith Road overcrossing, and the freeway have not noticeably changed since the first variance was granted. In addition, (as shown in Figure 2 of the staff report) the shape of the site is not perfectly rectangular, however, the shape of the site is regular enough to accommodate the proposed development. As such, the size and shape of the project site does not create a site limitation requiring a taller freeway sign.

Poor freeway visibility has not been created by the topographical or other land characteristics, but by the request of the applicant and by the design layout of the
shopping center. With Variance 1827, the County of Riverside approved a substantial increase in the allowable sign area from 150 square feet to 480 square feet. This increased sign area covers a larger portion of the sign structure than would normally occur with a 65-foot tall sign carrying 150 square feet of signage. If the freestanding sign for Wildomar Square carried 150 square feet of sign area, the signage would have been raised high enough to not be blocked by the building and would allow more of the signs to be visible from the freeway.

B. Granting of this variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

The approval of this proposed variance would constitute the approval of a special privilege by allowing taller freeway signage than the Zoning Ordinance allows and that was previously approved for the nearby shopping centers. The requested taller freestanding sign is nearly two times the height allowed by the Zoning Ordinance and twenty feet taller than the equivalent signage across Clinton Keith Road. Bear Creek Village center across Clinton Keith Road to the north of Wildomar Square was granted a variance for a sixty-five foot tall freestanding sign. Bear Creek Village sign has a similar visibility issue for northbound traffic on Interstate 15 as the Wildomar Square sign has for southbound traffic. The Bear Creek Village sign variance allowed a second freeway sign 45-feet taller than the 20-foot height allowed for a second freeway sign by the zoning ordinance for a total height of 65 feet. A surface area of 150 square feet was allowed for the sign rather than the 100 square feet allowed by the Zoning Ordinance for the second freeway sign.

At the present time, both centers have freestanding signs that are 65 feet in height. Wildomar Square has two 65-foot tall signs while Bear Creek Village has one 65-foot tall sign and one 45-foot tall sign. The allowable signage surface for each of the Wildomar Square signs is 480 square feet while the allowable signage surface for each freestanding sign at Bear Creek Village is 150 square feet. In addition, the shopping center to the east of Interstate-15 has a freeway sign which complies with the requirements of the Zoning Ordinance. There are no other signs in the area that are 85-feet in height. By the granting of this variance, a special privilege would be bestowed on this center that no one else in the area has receives.

ALTERNATIVES:

1. Approve the Variance in concept, provide specific details and information to City staff on how the findings are to be made, and direct that the project be returned for consideration by the Planning Commission at an upcoming meeting.

2. Provide Staff with Further Direction.
ATTACHMENTS:

A. Vicinity Map
B. Site Plan Enlargement
C. Planning Commission Resolution
D. Approved Sign Program
E. Applicant’s Variance Justification Letter
F. Wildomar Square Freestanding Signs
G. Photo Simulation Exhibits provided by the Applicant

Submitted by:

[Signature]
Gary E. Wayne
Planning Director
ATTACHMENT A

VICINITY MAP
ATTACHMENT B

SITE PLAN ENLARGEMENT
ATTACHMENT C

PLANNING COMMISSION RESOLUTION
RESOLUTION 09-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR DENYING VARIANCE APPLICATION NO. 08-0072 TO INCREASE THE HEIGHT OF FREE-STANDING SIGN “A-1” TO 85 FEET AT WILDOMAR SQUARE LOCATED SOUTH OF CLINTON KEITH ROAD, EAST OF HIDDEN SPRINGS ROAD, AND WEST OF INTERSTATE 15 AND KNOWN AS ASSESSORS PARCEL NUMBER 380-110-039

WHEREAS, David Horenstein representing, DH Wildomar, LLC, filed Variance Application No. 08-0072 on October 7, 2008 in a manner in accord with the City of Wildomar General Plan and Zoning Code;

WHEREAS, the Project was processed including, but not limited to, public notice in the time and manner prescribed by State and local law, including Ordinance No. 348 and California Environmental Quality Act (“CEQA”);

WHEREAS, the Planning Commission, at a regularly scheduled meeting, considered the Project and environmental review on April 15, 2009, at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to and did testify either in support or in opposition to this matter;

WHEREAS, at the conclusion of the Commission hearing and after due consideration of the testimony, the Commission recommended denial of the Application subject to and based upon the findings set forth hereunder;

WHEREAS, all legal preconditions to the adoption of this Resolution have occurred;

WHEREAS, that the above recitations are true and correct and are hereby incorporated by reference.

NOW THEREFORE, THE PLANNING COMMISSION FOR THE CITY OF WILDOMAR HEREBY RESOLVES AS FOLLOWS:

Section 1. Variance Findings. The Planning Commission, in denying the Project hereby makes the following findings as required by Section 17.196.010 of the City of Wildomar Municipal Code and Government Code Section 65906:

A. There are no special circumstances applicable to the parcel of property, including size, shape, topography, location or surroundings, and the strict application of this ordinance does not deprive such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification.

The project site has already received one variance from Riverside County on May 8, 2007, for increased sign height from 45-feet to 65-feet to compensate for the site’s 20-foot elevation difference below the level of the Clinton Keith Road overcrossing, as explained in more detail in the staff report. This previously approved increase in sign height was approved by Riverside County to compensate for the elevation of the overcrossing. Thus, any special locational or topographical circumstances have been addressed by the original increase of 20-feet in the maximum allowable sign height (from 45 feet to 65 feet). Finally, the elevation of the site, the
Clinton Keith Road overcrossing, and the freeway have not noticeably changed since the first variance was granted. In addition, (as shown in Figure 2 of the staff report) the shape of the site is not perfectly rectangular, however, the shape of the site is regular enough to accommodate the proposed development. As such, the size and shape of the project site does not create a site limitation requiring a taller freeway sign.

Poor freeway visibility has not been created by the topographical or other land characteristics, but by the request of the applicant and by the design layout of the shopping center. With Variance 1827, the County of Riverside approved a substantial increase in the allowable sign area from 150 square feet to 480 square feet. This increased sign area covers a larger portion of the sign structure than would normally occur with a 65-foot tall sign carrying 150 square feet of signage. If the freestanding sign for Wildomar Square carried 150 square feet of sign area, the signage would have been raised high enough to not be blocked by the building and would allow more of the signs to be visible from the freeway.

B. Granting of this variance would constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

The approval of this proposed variance would constitute the approval of a special privilege by allowing taller freeway signage than the Zoning Ordinance allows and that was previously approved for the nearby shopping centers. The requested taller freestanding sign is nearly two times the height allowed by the Zoning Ordinance and twenty feet taller than the equivalent signage across Clinton Keith Road. Bear Creek Village center across Clinton Keith Road to the north of Wildomar Square was granted a variance for a sixty-five foot tall freestanding sign. Bear Creek Village sign has a similar visibility issue for northbound traffic on Interstate 15 as the Wildomar Square sign has for southbound traffic. The Bear Creek Village sign variance allowed a second freeway sign 45-feet taller than the 20-foot height allowed for a second freeway sign by the zoning ordinance for a total height of 65 feet. A surface area of 150 square feet was allowed for the sign rather than the 100 square feet allowed by the Zoning Ordinance for the second freeway sign.

At the present time, both centers have freestanding signs that are 65 feet in height. Wildomar Square has two 65-foot tall signs while Bear Creek Village has one 65-foot tall sign and one 45-foot tall sign. The allowable signage surface for each of the Wildomar Square signs is 480 square feet while the allowable signage surface for each freestanding sign at Bear Creek Village is 150 square feet. In addition, the shopping center to the east of Interstate-15 has a freeway sign which complies with the requirements of the Zoning Ordinance. There are no other signs in the area that are 85-feet in height. By the granting of this variance, a special privilege would be bestowed on this center that no one else in the area has receives.

Section 2. Environmental Compliance. The California Environmental Quality Act (CEQA) does not apply to projects which an agency disapproves (CEQA Guidelines Section 15270).

Section 3. Planning Commission Actions. Based on the foregoing findings, the Planning Commission of the City of Wildomar hereby denies the requested Variance application No. 08-0072.
PASSED AND ADOPTED by the City of Wildomar Planning Commission on this 15th day of April, 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

______________________________   _____________________________
Sheryll Schroeder, City Clerk   Robert Devine, Chairman

APPROVED AS TO FORM:

______________________________
Thomas Jex, Assistant City Attorney

STATE OF CALIFORNIA  )
COUNTY OF RIVERSIDE  )
CITY OF WILDOMAR    )

I, Sheryll Schroeder, City Clerk of the City of Wildomar, do hereby certify that the foregoing Resolution No. 09-____ was duly adopted by the Planning Commission of the City of Wildomar at a meeting held on the 15th day of April, 2009, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

______________________________
Sheryll Schroeder, City Clerk
ATTACHMENT D

APPROVED SIGN PROGRAM
PROJECT DIRECTORY

OWNER: DAVID HORENSTEIN
D.H. HOLDINGS, INC.
7033 WEST SUNSET BLVD. SUITE 208
LOS ANGELES, CA 90028
TEL (231) 962-2888
CELL (949) 678-5866
FAX (231) 962-2818

ARCHITECT: BICKEL UNDERWOOD ARCHITECTURE
3600 BIRCH ST., STE 120
NEWPORT BEACH, CA 92660
TEL (949) 757-0411
FAX (949) 757-0511

SIGN CONSULTANT: ULTRASIGNS ELECTRICAL ADVERTISING
9025 BALBOA AVE., SUITE 150
SAN DIEGO, CA 92123
TEL (858) 569-1400
FAX (858) 569-1453

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9 TYPICAL PAD A

GROUND SIGNS

10 MULTI-TENANT PYLON A
11 MONUMENT B
12 GROUND SIGNAGE SITE PLAN
A. INTRODUCTION

The intent of this sign criteria is to provide the guidelines necessary to achieve a visually coordinated, balanced and appealing sign environment, harmonious with the architecture of the project, while maintaining provisions for individual graphic expression.

Performance of this sign criteria shall be rigorously enforced and any nonconforming sign shall be removed by the tenant or his sign contractor at their expense, upon demand by the owner.

Exceptions to these standards shall not be permitted without approval from the Landlord and will require approval of a modification to the sign program application by the county.

Accordingly, the Landlord will retain full rights of approval for any sign used in the center.

No sign shall be installed without the written Landlord approval and the required County permits.

B. GENERAL LANDLORD/TENANT REQUIREMENTS:

1. Each tenant shall submit to landlord for written approval, three (3) copies of the detailed shop drawings of this proposed sign, indicating conformance with the sign criteria herein outlined.

2. The landlord shall determine and approve the availability and position of a tenant name on any ground sign(s).

3. The tenant shall pay for all signs, related materials and installation fees (including final inspection costs).

4. The tenant shall obtain all necessary permits.

5. The tenant shall be responsible for fulfillment of all requirements of this sign criteria.

6. It is the responsibility of the Tenants sign company to verify all conduit and transformer locations and service access prior to fabrication.

7. Should a sign be removed, it is the Tenant’s responsibility to patch all holes and paint surface to match the existing color.
C. GENERAL SIGN CONSTRUCTION REQUIREMENTS:

1. All signs and their installation shall comply with all local building and electrical codes.

2. All electrical signs will be fabricated by a U.L. approved sign company, according to U.L. specifications and bear U.L. Label.

3. Sign company to be fully licensed with the County and State and shall have full Workman's Compensation and general liability insurance.

4. All penetrations of building exterior surfaces are to be sealed waterproof in color and finish to match existing exterior.

5. Internal illumination to be 30 milliamp neon, installed and labeled in accordance with the "National Board of Fire Underwriters Specifications".

6. Painted surfaces to have a semi gloss finish. Only paint containing acrylic polyurethane products can be used.

7. Logo and letter heights shall be as specified and shall be determined by measuring the normal capital letter of a type font exclusive of swashes, ascenders, and descenders.

8. All sign fabrication work shall be of excellent quality. All logo images and type-styles shall be accurately reproduced. Lettering that approximates type-styles shall not be acceptable. The Owner reserves the right to reject any fabrication work deemed to be below standard.

9. All lighting must match the exact specification of the approved working drawings. No exposed conduits or race ways will be allowed.

10. Signs must be made of durable rust–inhibited materials that are appropriate and complimentary to the building.

11. Color coatings shall exactly match the colors specified on the approved plans.

12. Joining of materials (e.g., seams) shall be finished in way as to be unnoticeable. Visible welds shall be continuous and ground smooth. Rivets, screws, and other fasteners that extend to visible surfaces shall be flush, filled, and finished so as to be unnoticeable.

13. Finished surfaces of metal shall be free from canning and warping. All sign finishes shall be free from dust, orange peel, drips, and runs and shall have a uniform surface conforming to the highest standards of the industry.

14. In no case shall any manufacturer's label be visible from the street from normal viewing angles.

15. Exposed raceways are not permitted unless they are incorporated into the overall sign design.

16. Exposed junction boxes, lamps, tubing, or neon crossovers of any type are not permitted.
D. SIGNAGE SPECIFICATIONS:

The intent of this criteria is to encourage creativity to ensure the individuality of each tenant sign as opposed to similar sign design, construction, and colors repeated throughout the project.

The following types of construction will be allowed:

Acrylic face channel letters
Through face and halo channel letters
Reverse pan channel letters
Open pan channel letters
Push thru letters and logos in aluminum cabinets
Logo modules with applied vinyl graphics
Flat cut out dimensional shapes and accents
Metal screen mesh

The use of at least two types of the above to be incorporated into each sign design is encouraged.

The idea of using dissimilar materials and creating signs with varying colors, layers and textures will create an exciting and appealing retail environment.

The use of dimensional and layered icons is also encouraged.

Stacked copy is permitted

Ascending and descending shapes shall not be included in allocated square footage except for the area they occupy.

Tenant signs must meet the requirements of Ordinance 348.

Specifically, the following tenant sign areas are allowed.

**FRONT WALL SIGNS** - 10% of wall area square footage for Tenant’s lease area.

**SIDE WALL SIGNS** - 10% of wall area total for all signs.

**REAR WALL SIGNS** - 5% of wall area square footage for Tenant’s lease area.

Sign area available shall be calculated at maximum 1.5 square foot of sign area for each lineal foot of leased premises.

The sign width is 75% of leased frontage of tenant space or the architectural element of which the sign is placed, whichever is the smallest. Refer to following exhibits for maximum sign heights allowed.

Regardless of the allowable square footage allowance for a tenant sign, the display must be balanced and proportional to the area upon which it is installed, as determined by Owner or Owner’s Agent.

All tenants who have leased space adjacent to building storefront shall be allocated at least one sign for each building wall face.

Tenants who elect to place sign panels on a monument sign shall give up one wall sign for each two (2) panels (one on each side) or for any single-sided sign panel on each monument sign. In-line shops or end cap shops who only use two (2) wall signs may also have two (2) sign panels (one on each side) on a designated multi-tenant monument sign or freeway sign. Subject to availability and owner approval. In no case shall the combination of wall signs and monument signs exceed four (4) signs.
E. PROHIBITED SIGNS:

1. Signs constituting a Traffic Hazard
   No person shall install or maintain, or cause to be installed or maintained, any sign which simulates or imitates in size, color, lettering or design any traffic sign or signal, or which makes use of the words “STOP”, “LOOK”, “DANGER” or any words, phrases, symbols, or characters in such a manner as to interfere with, mislead or confuse traffic.

2. Signs in Proximity to Utility Lines:
   Signs which have less horizontal or vertical clearance from authorized communication or energized electrical power lines that are prescribed by the laws of the State of California are prohibited.

3. Primary & Secondary Signs painted directly on the building will not be permitted.

4. Wall signs may not project above the top of a parapet, the roof line at the wall, roof line or attached to the building.

5. There shall be no signs that are flashing, moving or audible.

6. Signs must be architecturally compatible with the entire center.

7. No sign shall project above or below the sign-able area. The sign-able area is defined in the attached Exhibit for minor and major tenants.

8. Vehicle Signs:
   Signs on or affixed to trucks, automobiles, trailers, or other vehicles which advertise, identify, or provide direction to a use or activity not related to its lawful activity are prohibited.

9. Light Bulb Strings:
   External displays, other than temporary decorative holiday lighting which consists of unshielded light bulbs are prohibited. An exception hereto may be granted by the Landlord when the display is an integral part of the design character of the activity to which it relates.

10. Banners, Pennants & Balloons Used for Advertising Purposes:
    Temporary flags, banners, or pennants, or a combination of same constituting an architectural feature which is an integral part of the design character of a project may be permitted subject to Municipal Code requirements, Landlord’s, and County approval.

11. Billboard Signs are not permitted.

12. The use of permanent sale sign is prohibited. The temporary use of these signs are limited to a thirty-day period and is restricted to signs affixed to the interior of windows which do not occupy more that 20% of the window area. Each business is permitted a total of not more than ninety (90) days of temporary window sale signs per calendar year.

F. ABANDONMENT OF SIGNS:

Any tenant sign left after thirty (30) days from vacating premises shall become the property of Landlord.

G. INSPECTION:

Landlord reserves the right to hire an independent electrical engineer at the Tenant’s sole expense to inspect the installation of all Tenant’s signs and to require the Tenant to have any discrepancies and/or code violations corrected at the Tenant’s expense.
SECTION A
New single faced internally illuminated Lexan faced channel letter display. Use standard aluminum construction with Matthews (or equivalent) semi gloss acrylic polyurethane finish. Faces use translucent Lexan with 3/4” trim cap to match face color, illuminate with 30 ma neon. Paint 5” deep returns to match face color or to match adjacent fascia color.

SECTION B
New single faced illuminated wall display. Use multi layered flat cut out 1/2” Sintra graphics with applied neon overlays. Flush mount Sintra to wall. Paint Sintra Matthews (or equivalent) semi gloss acrylic polyurethane. Use neon overlays with PK type housings.

SECTION C
New single faced internally illuminated Lexan faced channel letter display with through face and halo illumination. Use standard aluminum construction with Matthews (or equivalent) semi gloss acrylic polyurethane finish. Faces use Lexan with 3/4” trim cap to match face color, illuminate with 30 ma neon through face and halo. Paint returns to match face color or to match adjacent fascia color.

SECTION D
New single faced internally illuminated aluminum faced channel letter display with through face and halo illumination. Use standard aluminum construction with Matthews (or equivalent) semi gloss acrylic polyurethane finish. Route out where graphics occur and back up with Lexan. Illuminate with 30 ma neon through face and halo. Paint aluminum face and returns.

SECTION E
Same as “D” except route out where graphics occur and push through 1/2” clear plex with applied vinyl overlays. Note: All signs may utilize digital vinyl printing on faces of illuminated or non illuminated surfaces.
Wildomar Square

Wildomar Square

MAXIMUM 75% OF ADJACENT SURFACE LENGTH

SHOP TENANT

70% OF ADJACENT SURFACE HEIGHT OR 3'-0" MAX (WHICHEVER IS LESS)

Size:
- Front elevation: 1.5 square foot of sign area per linear foot of leased premises, maximum of 150 square feet per elevation
- Materials: Variety of types per sign criteria, three types of construction required
- Illumination: Yes
- Copy: Tenant name and/or logo
- Height: Seventy percent of adjacent surface length
- Typeface: Custom logo and type OK
- Colors: Custom colors OK
- Secondary signs: No

Typical Shop Tenant Elevation

Scale 3/32" = 1'-0"
**Wildomar Square Sign Criteria**

**Typical Pad Tenant Elevation**

- **Size:** 1.5 square foot of sign area per linear foot of leased premises, maximum of 250 square feet total per elevation.
- **Materials:** Variety of types per sign criteria, two types of construction required.
- **Illumination:** Yes.
- **Copy:** Tenant name and/or logo.
- **Height:** Seventy percent of adjacent surface.
- **Length:** Seventy-five percent of adjacent surface.
- **Typeface:** Custom logo and type OK.
- **Colors:** Custom colors OK.
- **Secondary Signs:** Yes (not to exceed 25% of total allowable sign area). Only major services/departments allowed. No advertising or slogans.

**Note:** If occupied by one (1) tenant only.
Wildomar Square

NEW DOUBLE FACED INTERNALLY ILLUMINATED MULTI TENANT PYLON

SCALE 3/32"=1'-0"

USE STANDARD ALUMINUM CONSTRUCTION WITH ANGLE FRAME AND STEEL PIPE SUPPORT INTO CEMENT FOOTING.

SEE ENGINEER'S SPECS FOR STRUCTURAL CALCULATIONS.

VERIFY EXACT LOCATION OF SIGN PRIOR TO INSTALLATION.

(5) 20 amp circuits at 120v or (3) at 277v

COLOR PALETTE

HC-67
HC-42
HC-174
WALNUT SOUTHERN LEDGE STONE #3CS0227
VERIFY
VERIFY
WHITE PLEX #7338

SIMULATED NIGHT VIEW
NEW DOUBLE FACED INTERNALLY ILLUMINATED MULTI TENANT MONUMENT DISPLAY

(2) 20 amp circuits at 120v or (1) at 277v
ATTACHMENT E

APPLICANT'S VARIANCE JUSTIFICATION LETTER
Variance Justification from the Applicant

“Variance No. 1827 is a proposal to exceed the number of signs, the height of the signs, and the surface area permitted pursuant to Section 19.4.a of Ordinance No. 348 for on-site free-standing advertising signs. The variance proposes to install two (2) 65’ high Pylon Signs both on the project site’s easterly boundary (adjacent to Interstate 15). Per Section 19.4.a of Ordinance No. 348, only one (1) free-standing sign is permitted on the same street (2 are proposed), the total height of the free standing sign shall not exceed 45’ (65’ proposed), and the total display area per sign shall not exceed 150 sq. ft. (480 sq. ft. proposed per sign for a total of 960 sq. ft.). This was approved on April 22nd, 2008.

16. Section 18.27.a of Ordinance No. 348 states the basis for a variance. Variances from the terms of this ordinance may be granted when, because of special circumstances applicable to a parcel of property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification. A variance shall not be granted for a parcel of property which authorizes a use or activity that is not otherwise expressly authorized by the zone regulation governing the parcel of property, but shall be limited to modifications of property development standards.

The following are justifications for the proposed variance:

a. The proposed signage exceeds the requirements of Variance No. 1827 which allows for (2) two 65’ freestanding pylon signs.

The commercial center proposes to exceed this requirement by increasing (1) one of the Pylon Signs to 85’ closest to Clinton Keith and Interstate 15. on the project site’s easterly boundary (adjacent to Interstate 15). The commercial center is oddly shaped and is situated in a deep hole relative to other portions of the Shopping Center; In addition, due to Cal Trans right of way closer to the sign location being dedicated to Cal-Trans, the current location of the sign has further negative implications because of its set back from Interstate 15; therefore, being neglected of road frontage along Interstate 15, the road frontage that properties with conventional layouts along Interstate 15 enjoy. Furthermore, due to the topographical slope issues that we have three (3) of the (6) six panels will not be viewed from the Freeway in the current position of the sign. Therefore, in order to effectively display retailers compared to adjacent commercial developments, the project would need to add an additional 20’ to the proposed existing pylon sign. This constraint supports the variance for Signs A1 exceed the height requirement for free-standing signs allowed for a project.

b. The proposed signage exceeds the requirements of Variance No. 1827 which allows for (2) two 65’ freestanding pylon signs.

The project site is at a lower elevation than the adjacent freeway (Interstate 15), which is where the signs are proposed. Since the site is 22’ lower than Interstate 15 it is being neglected of the same privileges that adjacent properties enjoy given the site's topography. If the site was at grade with Interstate 15, the variance would not be required. Therefore, in order to effectively display retailers compared to adjacent commercial developments, the freestanding signs need to be 85’ in total height. This constraint supports the variance for Signs A1 exceed the approved maximum height by 20 feet for just A1.

c. Lastly, Exhibit B shall show that the A1 new proposed signage shall appear be roughly +/-8.5’ higher then the 65’ pylon sign at the Stater Brothers Center known as Bear Village Center located on the SWC of Clinton Keith and Interstate 15.”
ATTACHMENT F

WILDOMAR SQUARE FREESTANDING SIGNS
ATTACHMENT F

Approved 65-foot Freestanding Sign

Proposed 85-foot Freestanding Sign
ATTACHMENT G
APPLICANT’S VISUAL SIMULATION EXHIBITS
PYLON SIGNS

Exhibit A

WILDOMAR SQUARE
CLINTON KEITH ROAD & HIDDEN SPRINGS ROAD @ INTERSTATE 15
WILDOMAR, RIVERSIDE COUNTY, CALIFORNIA