

**P.C. RESOLUTION NO. 2021-720**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALABASAS APPROVING SIGN PROGRAM NO. 2021-001 AND MINOR SCENIC CORRIDOR PERMIT NO. 2021-003, FOR A SIGN PROGRAM FOR A HOTEL LOCATED AT 26400 RONDELL ST (APN: 2069-031-019), WITHIN THE COMMERCIAL RETAIL (CR) ZONING DISTRICT, SCENIC CORRIDOR (SC) OVERLAY ZONE AND LAS VIRGENES GATEWAY MASTER PLAN AREA.**

**Section 1. The Planning Commission has considered all of the evidence submitted into the administrative record which includes, but is not limited to:**

1. Agenda reports prepared by the Community Development Department.
2. Staff presentation at the public hearing held on June 17, 2021, before the Planning Commission.
3. The City of Calabasas Land Use and Development Code, General Plan, and all other applicable regulations and codes.
4. Public comments, both written and oral, received and/or submitted at or prior to the public hearing, supporting and/or opposing the applicant's request.
5. Testimony and/or comments from the applicant and its representatives submitted to the City in both written and oral form at or prior to the public hearing.
6. All related documents received and/or submitted at or prior to the public hearing.

**Section 2. Based on the foregoing evidence, the Planning Commission finds that:**

1. The applicant submitted an application for a sign program on April 22, 2021.
2. The project application and plans were reviewed by the Development Review Committee on April 30, 2021, with no comments.

3. The proposed sign program was reviewed by the Architectural Review Panel (ARP) on May 28, 2021, at a public meeting. The ARP recommended approval of the Sign Program to the Planning Commission.
4. On June 1, 2021, the application was deemed complete and the applicant was notified.
5. Notice of the June 17, 2021, Planning Commission public hearing was posted at Juan Bautista de Anza Park, the Calabasas Tennis and Swim Center, Gelson's market, Agoura Hills / Calabasas Community Center and at Calabasas City Hall.
6. Notice of the June 17, 2021, Planning Commission public hearing was provided to property owners within 500 feet of the property as shown on the latest equalized assessment roll.
7. Notice of the Planning Commission public hearing was mailed or delivered at least ten (10) days prior to the hearing to the project applicant.
8. The project site is currently zoned Commercial Retail (CR).
9. The land use designation for the project site under the City's adopted General Plan is Business-Retail (B-R).
10. The surrounding land uses around the subject property are zoned Hillside Mountainous (HM), Commercial Retail, and Open Space Development Restricted (OS-DR).
11. Notice of Planning Commission public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).

**Section 3. In view of all of the evidence and based on the foregoing findings, the Planning Commission concludes as follows:**

**FINDINGS**

Section 17.30.050(F) of the Calabasas Municipal Code allows the Planning Commission to approve and/or modify a sign permit, sign program or modification application in whole or in part, with or without conditions, only if the following findings are made:

1. *The proposed sign is permitted within the zoning district and, except as provided in subsection (D) of this section, complies with all applicable provisions of this chapter, and any other applicable standards;*

The proposed sign program is an allowed use within the Commercial Retail

(CR) zone. The purpose of the proposed sign program is to integrate signage into the architectural design of the hotel project and to ensure visibility of signs to the public. The proposed building mounted and monument signs conform to all applicable standards found within the Commercial Retail (CR) zone, such as height, location, lighting and size as stipulated in Section 17.30.080 of the CMC. Furthermore, the proposed signs conform to the size and design criteria of the Las Virgenes Gateway Master Plan. As a result, the proposed sign program meets the above finding.

2. *The sign is in compliance with Section 17.30.060 of the CMC;*

Section 17.30.060 contains sign design criteria to ensure signage will be consistent with on-site buildings and constructed and installed using high quality and durable materials. The proposed sign program establishes sign criteria that establish uniform standards that will provide adequate signage and be compatible with the predominant visual elements of the on-site structures. The sign program identifies the use of earth tone colors, painted aluminum materials, and low-voltage LED lighting that will complement the architecture of the building. Overall, the materials, texture, size, shape, height, and placement of the proposed sign program are consistent with the overall architectural style of the hotel, and are proportional to the size of the development. The City's Architectural Review Panel reviewed the sign program and found that the design of the signs complement the architectural style of the hotel, and recommended approval to the Planning Commission. Therefore, the sign program meets this finding.

Section 17.62.050(D) Calabasas Municipal Code allows the Planning Commission to approve development within the Scenic Corridor provided that the following findings are made:

1. *The proposed project design complies with the scenic corridor development guidelines adopted by the council;*

The Scenic Corridor Development Guidelines were designed to promote development that would add to the visual beauty of designated scenic corridors. Some of the guidelines include: interior and external lighting of signs should be kept to its absolute minimum and that all signage should be visually proportionate to the building façade and have balance and scale with the overall mass of the building.

By conditioning the building-mounted sign and monument signs to comply with the lighting ordinance, the proposed sign lighting will be kept to a minimum. By limiting the size of the building mounted sign to less than 5 square feet, and the monument sign to less than 50 square feet, the proposed signage is proportional to the three-story hotel. Therefore, the proposed project meets this finding.

- 2. The proposed project incorporates design measures to ensure maximum compatibility with and enhancement of the scenic corridor;*

The City's design standards require signage to be compatible with the predominant visual elements of on-site structures. In this case, the subject site is located within the Las Virgenes Gateway Master Plan. The design guidelines of the Las Virgenes Gateway Master Plan are intended to ensure maximum compatibility with other developments along Las Virgenes Road and the Ventura Freeway Scenic Corridor. By utilizing a rustic stone base and aluminum channel letters painted bronze, the proposed sign design and criteria is compatible with the Las Virgenes Gateway Master Plan. Furthermore, the Architectural Review Panel reviewed the proposed sign program and recommended approval to the Planning Commission. Given these circumstances, the proposed project meets this finding.

- 3. The proposed project is within an urban scenic corridor designated by the General Plan, and includes adequate design and landscaping, which serves to enhance and beautify the scenic corridor;*

The applicant is proposing a new sign program in order to accommodate the installation of signs for a three-story hotel. The proposed changes are compatible with the on-site structures as well as other signs on the subject site and comply with the requirements of Section 17.30.080 of the CMC. However, because no physical site development is proposed, additional landscaping is not part of this application. As a result, the proposed project meets this finding.

- 4. The proposed structures, signs, site development, grading, and/or landscaping related to the proposed use are compatible in design, appearance, and scale, with existing uses, development, signs, structures, and landscaping of the surrounding area;*

The proposed sign program does not alter the existing building or façade, which has been designed to be compatible with the existing uses and development of the surrounding area. All signs would be subject to the City's lighting ordinance in order to ensure lighting levels will be kept to a minimum. As a result, the proposed sign program meets this finding.

**Section 4. In view of all of the evidence and based on the foregoing findings and conclusions, the Planning Commission hereby approves Sign Program 2021-001 and Minor Scenic Corridor Permit 2021-003 subject to the following agreements and conditions:**

## **I. INDEMNIFICATION AGREEMENT**

The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this Sign Program and Minor Scenic Corridor Permit, or the activities conducted pursuant to this Sign Program and Minor Scenic Corridor Permit. Accordingly, to the fullest extent permitted by law, Rondell Hotel LLC, and its representative(s), or its successors shall defend, indemnify and hold harmless the City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of this Sign Program and Minor Scenic Corridor Permit, or the activities conducted pursuant to this Sign Program and Minor Scenic Corridor Permit. Rondell Hotel LLC, and its representative(s), or its successors shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

## **II. CONDITIONS OF APPROVAL**

### **Community Development Department / Planning Division**

1. All signs shall be installed in conformance with the approved sign program on file with the Planning Division. A sign permit, issued in compliance with the approved sign program, shall be required prior to the installation of each new sign.
2. This approval shall be valid for one year from the date of adoption of the resolution. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI - Land Use and Development Permits.
3. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance, development agreement, or other regulation applicable to any development or activity on the subject property. Failure of the applicant to cease any development or activity not in full compliance shall be a violation of these conditions. Any violation of the conditions of approval may result in the revocation of the permits.

4. This grant shall not be effective for any purposes until the applicant and the owner of the property involved (if other than the applicant) have filed, with the office of the Community Development Department an affidavit recorded with the County of Los Angeles stating the applicant and the owner are aware of and agree to accept all conditions of approval.
5. All lighting shall be installed and maintained in compliance with Section 17.27 of the CMC. The property owner shall work cooperate with the Director to adjust lighting levels as necessary in the field, after installation.
6. Violation of any of the conditions of this permit shall be cause for revocation and termination of all rights there under.
7. Temporary "a-frame" signs shall not be permitted at any time.

**Section 5. All documents described in Section 1 of PC Resolution No. 2021-720 are deemed incorporated by reference as set forth at length.**

PLANNING COMMISSION RESOLUTION NO. 2021-720 PASSED, APPROVED AND ADOPTED this 17<sup>th</sup> day of June, 2021.

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Wendy Fassberg  
Chairperson

ATTEST:

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Maureen Tamuri  
Community Development Director

APPROVED AS TO FORM:

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City Attorney  
Matthew T. Summers

Planning Commission Resolution No. 2021-720, was adopted by the Planning Commission at a regular meeting held June 17, 2021, and that it was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED

“The Secretary of the Planning Commission shall certify the adoption of this Resolution, and transmit copies of this Resolution to the applicant along with proof of mailing in the form required by law and enter a copy of this Resolution in the book of Resolutions of the Planning Commission. Section 1094.6 of the Civil Code of Procedure governs the time in which judicial review of this decision may be sought.”