# MINUTES OF THE REGULAR MEETING OF THE REDEVELOPMENT DESIGN REVIEW COMMITTEE

COUNCIL CONFERENCE ROOM **FULLERTON CITY HALL** 4:00 PM Thursday August 14, 2008

The meeting was called to order at 4:17 p.m. by Chairman Hoban CALL TO ORDER:

**ROLL CALL:** COMMITTEE MEMBERS Chairman Hoban, Vice Chairman Cha,

Committee Members Daybell, and PRESENT:

Committee Member Silber

COMMITTEE MEMBERS Committee Member Lynch

ABSENT:

STAFF PRESENT: Planner Senior Eastman. Senior

Planner Allen, and Clerical Assistant

Muhaidly

MOTION made by Committee Member Daybell, SECONDED by MINUTES:

> Committee Member Silber and CARRIED unanimously by all voting members present, that the minutes of the regular meeting of July

24, 2008 be APPROVED AS WRITTEN.

## OLD BUSINESS:

None

#### **NEW BUSINESS:**

#### ITEM NO. 1

PRJ06-00452 - ZON06-00073 APPLICANT: LINDA LAURENZI AND TOPAZ FULLERTON, LLC AND PROPERTY OWNER: FREDRICKSON ENTERPRISES, INC.

A request to review a modification to the Checkers signage approved as part of the sign program for the previously approved 50,452 sq. ft. retail center in 5 buildings on a 4.51 acre property located at 1105, 1201, and 1207 S. Euclid Street and 1001 And 1035 W. Orangethorpe Avenue. (generally located on the northwest corner of Euclid Street and Orangethorpe Avenue in a Community Improvement District) (C-2 zone) (Categorically exempt under Section 15332 of CEQA Guidelines) (HAL)

Senior Planner Allen gave a brief overview of the project. She stated the sign program for this project has already been approved. She stated that the "Checkers" franchisee felt they needed to add interchangeable type letters to a portion of the approved signs to advertise price specials, new products, etc. The City Code does not prohibit interchangeable type signs. However, the City prefers not to approve these types of signs because they are not aesthetically pleasing and are inappropriate for most commercial uses. She stated that for a commercial use there are other alternatives to an interchangeable sign that convey the same message, such as window signs or a frame affixed to the building. The applicant feels the interchangeable signage is needed for the building.

The applicant is proposing an alternative: to keep the "Checkers" sign intact and to add a separate wall sign for interchangeable type. Staff believes that if there is a need to convey price specials or new products, there are many other signage alternatives that would be available to the franchise other than the interchangeable type signage. It is not necessary to sacrifice the aesthetic of the building or the site.

## Public Hearing opened.

Christopher Buckstein, Franchisee, stated that Checkers needs to convey a message of their specials and new products in order to compete with other fast-food establishments. He referenced the plans and stated that the Checkers building is faced with many limitations for advertisement. These limitations include: limited window space, City restrictions on signage, the restaurant's green screen, frontage on Euclid, and the bank located on Euclid and Orangethorpe (the bank hides the Checkers building from passing traffic). He stated that he is concerned that the Checkers building will not draw in enough traffic to compete in the market. Mr. Buckstein stated that other alternatives for marketing will be met in addition to signage; the Rally's restaurant (part of the "Checker" franchisee) in Tustin was shut down due to lack of promotion on the property, and he wanted to prevent this from happening to the Fullerton Checker's building. He stated that the recommendations from the City will be welcomed and considered, but doesn't think three lines of interchangeable, six-inch wording would be a problem to maintain and keep to the City's standards. He stated he has facility equipment (pressure washer and a storage unit for letters) that will enable him to maintain the signage. The applicant referenced the plans and stated his architect had provided alternatives to the interchangeable lettering. He stated he was fine with these alternatives, but his concern was getting something that would allow him to change the signage, not on a monthly or period basis, but immediately when a new message needs to be conveyed. Mr. Buckstein stated he does not think he will be able to compete in the market without the interchangeable signage. He also noted there is no dining room in the Checkers building, which makes the need to convey new products/specials to the public even greater.

Vice Chairman Cha asked the applicant if he had looked into digital signs and if they were available in the size needed for the building. Mr. Buckstein stated that he had not looked into digital signage, but would not be opposed to the idea; however, digital signs may not be cost-effective. Chairman Hoban asked Senior Planner Allen if digital signage was an option in Code for the building. Senior Planner Allen answered affirmatively, but noted that digital signage would require a conditional use permit. Senior Planner Eastman clarified that staff might not support a digital sign any more than what is proposed. A digital reader board would be more inconsistent with the architecture of the building and create more of a distraction on the street. Vice Chairman Cha asked whether a small, open digital sign was an option. Senior Planner Eastman answered that a conditional use permit would be required.

Senior Planner Allen added that if the interchangeable signage was approved the developer agreed that, it would be the only interchangeable sign in the shopping center; however, staff feels that this regulation would be hard to control.

Committee Member Daybell stated that he frequently sees interchangeable signage for establishments such as gas stations, supermarkets, etc. He stated he was not opposed

to the interchangeable sign and asked the applicant's opinion on the difference between a Checkers interchangeable sign and a gas station sign. Mr. Buckstein stated that the interchangeable sign is as important to his business as a gas station reader board is to the gas station. Senior Planner Eastman clarified that State mandates gas stations have an interchangeable board to reflect the frequent change in gas prices.

Mr. Daybell asked if there was anything in the Municipal Code that prohibits interchangeable signs. Senior Planner Allen stated that the City Municipal Code is silent on the topic and does not specifically prohibit interchangeable text. Senior Planner Eastman stated that the City had approved interchangeable signage in the past for a few facilities, but received public comments on them, such as the letters are falling off and the sign is not readable. The signs become a maintenance issue for the City in time. Senior Planner Eastman also noted that if one person has changeable signs, then eventually more business will have this type of signage, which produces visual clutter and disorder. He stated that at this location there are some concerns with maintaining consistency with the shopping center and the shopping center design, which is one of the reasons why staff is not supporting the proposal.

Senior Planner Allen stated in the staff report there were exhibits reflecting a field survey staff had conducted. Staff observed local competitors' signage and found that none of these fast food establishments have interchangeable text. Senior Planner Allen also noted that no other local Checkers establishments had interchangeable signage.

Committee Member Daybell asked the applicant if other Checkers have interchangeable signage in Southern California. Mr. Buckstein replied that this type of signage was standard for the Checkers franchisee.

Committee Member Daybell asked the applicant where another Checkers was in Orange County that had interchangeable text. Mr. Buckstein stated that this building is the first Checkers location in Orange County, the others are Rally's, which Checkers owns.

Chairman Hoban asked the applicant what the changeable message related to, such as a particular type of sandwich or special. Mr. Buckstein stated that his menu and specials change frequently. Chairman Hoban asked how long the specials typically run for. Mr. Buckstein said specials typically run for a week or two at a time. Chairman Hoban stated that many other fast food restaurants run specials and new products but do not use interchangeable signage. He stated that most restaurants run specials as a framed, graphic posted in a window. Chairman Hoban stated that this interchangeable signage was not brought before the RDRC previously when the sign program was reviewed. He stated that even though the applicant was considering other options for signage, the alternatives are not included within the proposed signage plan. Chairman Hoban stated that he did not know if the proposed signage is as complete a package as the applicant was indicating, and it may need to be reviewed again a few months later. The applicant stated that from what he understands of the sign program, he can do other promotion on the property without having it being a condition in the sign program.

Committee Member Silber asked if the site was a drive-thru type set-up. Mr. Buckstein clarified that the site is a double-drive-through set-up. Committee Member Silber asked if there was an ordering location when approaching the drive-thru. Mr. Buckstein answered affirmatively. Committee Member Silber asked where the ordering location was. Senior Planner Allen referenced the plans and clarified the locations of the ordering and pick-up

windows. She stated that the ordering board is not shown on the plans. Committee Member Silber asked what the format was for the ordering board. Mr. Buckstein stated that the ordering board is four panels and the preview board is a three- panel board, which lists the combos; there is also a separate panel for drinks and a value-menu.

Senior Planner Allen asked if there was just one board per drive-thru. Mr. Buckstein stated that there is one order board and one preview board per drive-thru. Committee Member Silber asked if the ordering and menu boards were printed black text and the applicant answered affirmatively.

The applicant stated that he was assuming the menu boards were already approved over the counter and didn't need to bring them before the RDRC. Chairman Hoban asked if the menu board had previously come before the RDRC with the original signage plan. Senior Planner Allen stated she could not recall if it had, but menu boards have not always been brought before the RDRC because they don't have a place for signage; typically the building and project identification signs are reviewed. She stated that if the interchangeable signage on the separate sign was approved, as well as the additional wall panels the applicant wants to put up, the allotted sign area will likely be exceeded.

Chairman Hoban asked if wall panels could be approved over the counter. Senior Planner Allen stated that wall panels could be approved over the counter, but it would have to be considered in the overall allowable signage area.

Committee Member Silber referenced the plans and asked if the sign was eight or nine feet off the ground in the first example and seven feet off the ground in the second example. Mr. Buckstein answered affirmatively.

Committee Member Silber asked what the operating restaurant hours were. Mr. Buckstein stated the store hours were 10am-12am Sunday through Thursday and 10am-2am Friday and Saturday, but the hours would adjust to the demand.

Chairman Hoban asked if the signage would be on the north and south elevations of the building. Senior Planner Allen stated that they would be on the east and west elevations and visible from Euclid and the interior of the site. Chairman Hoban asked if the interchangeable type was for the person driving up to the restaurant or meant to be seen from Euclid. The applicant stated the signs are meant to be seen from Euclid and from the parking lot.

The applicant stated that because there is no dining room in the Checkers restaurant, there is less time for customers to look at the menu. There is less available space to advertise due to lack of window frontage and the building's green screen. The interchangeable text is necessary to extend his messages to the public.

Vice Chairman Cha asked the applicant if he was not able to have interchangeable text, could he accept a one-piece sign that is in a weather proof box. Mr. Buckstein stated he can do one slat across the bottom, but a one-piece sign for all of the messages would be cost-prohibitive.

Chairman Hoban asked the applicant if he would walk away from the project if the interchangeable signs were not approved. The applicant stated that at this stage it would

be hard for him to walk away from the project, but also hard for him to stay in business without the interchangeable signs.

Senior Planner Eastman asked the applicant why the interchangeable text was not included in the previously approved sign program brought before the RDRC. The applicant replied that it was his mistake that it was not included.

Committee Member Silber referenced the plans and asked if the overhang covers the entire drive through along all four sides. Senior Planner Allen stated that the columns and overhang will just be at the pick-up windows. Senior Planner Allen stated that the building is essentially a rectangle and wings come over the drive through. The applicant provided Committee Member Silber with a drawing of the building.

Senior Planner Allen stated that with the proposed revisions, the interchangeable type will be under the overhang and not very visible to passers by.

Public hearing closed.

Committee Member Daybell stated that he did not mind the interchangeable text. The owner should be more concerned with maintenance of the sign than the City. If the sign is not maintained, it reflects poorly on the establishment. He stated he would support the applicant.

Chairman Hoban asked about the fast food building on Orangethorpe and Brookhurst and whether they had interchangeable text on the signs. Senior Planner Eastman stated that there are interchangeable signs in town, but typically they are for convenience stores, Rite-Aids and such. However, the public does frequently comment on the signs. One store with an interchangeable sign can lead to ten stores in the same area all using interchangeable text, which contributes to "sign pollution". Senior Planner Eastman stated that there are concerns with the precedent in the center of the Checkers building.

Committee Member Daybell stated there is a changeable sign for a Walgreens store on Raymond and Chapman and he does not find it offensive. He thinks the issue is being made bigger than it really is.

Committee Member Silber stated he wondered if the interchangeable sign will be effective and why the applicant wants to use interchangeable text when a more modern and compelling approach is available. If the sign is set low, it is vulnerable to mischief when the establishment is closed, and if set high, the sign it will be a challenge to change. Changeable sign panels or digital text would be more effective and the pricing for this medium should decrease. He stated that even movie theatres are going to start moving away from interchangeable text.

Committee Member Silber stated he is not in full favor of denying the changeable text just because there should be a rule prohibiting them. However, changeable text is not going to be the deciding factor in bringing people in to shop at Checkers. He stated he believed that the sign will be a nuisance and ineffective.

Vice Chairman Cha stated that there are many problems with changeable signs, such as missing letters, maintenance issues, etc. There can be ways to avoid this, and the Committee should present business owners with more open ideas. One option is to have

three lines of interchangeable text, covered in a weather proof box to prevent people from stealing letters and deterioration of the sign. There should be a compromise.

Committee Member Daybell asked Vice Chairman Cha if he was suggesting interchangeable text in a box. Vice Chairman Cha answered affirmatively and clarified that three strips of lettering should be in a box. Chairman Hoban asked if Vice Chairman Cha was suggesting a full strip at a time in the box and not individual letters. Vice Chairman Cha answered affirmatively and said it would give the business more freedom for advertisement, but would look nice. Committee Member Silber noted that these printed strips are also readily available.

Chairman Hoban stated that interchangeable text is not a good look; it is not modern or as effective as it could be. All the other fast food establishments are at a higher standard with full colored poster sized slicks posted in a window or in a display cabinet. That is the cost of doing business. He stated that he believed interchangeable text will downgrade the building. He stated he is not questioning the business's ability to maintain the letters, but more so the other business's that will want to put up these types of signs next. He stated he does not want to see the City go in this direction with signage and is not in support of the interchangeable text. It would be a better idea to invest in side panels for the walls. He stated he supports staff's recommendation to deny the project.

Vice Chairman Cha stated digitally printed strips covered by a weather proof box should be a requirement and put into writing. This way the business can have more freedom with signage. Committee Member Silber stated he doesn't think having interchangeable text to compliment the theme of the building is essential to the success of the business. He stated he would support staff's recommendation to deny the project and also suggested the City should ask the Planning Commission to consider having a City wide rule regarding this type of signage.

Committee Member Daybell stated that maybe this project should be continued because he would like to see Vice Chairman Cha's idea explored.

Chairman Hoban asked Committee Member Daybell if he should ask the applicant if he would like more time to add other considerations to his plans. Committee Member Daybell answered affirmatively.

Chairman Hoban asked the applicant if he would like to continue the project so he may revise his plans.

The applicant stated that it sounds like he will not get the independent letter panels approved. He stated he was open to the Committee's ideas, but is also fearful of the impact the printing costs will have on his business.

Chairman Hoban asked the applicant if he would like the Committee to continue the project so he can have some time to think about his options. Mr. Buckstein stated that he had reviewed the cost of the whole printed strips versus the individual lettering, and found the cost for the whole strips to be too expensive.

Committee Member Daybell asked Chairman Hoban if he was suggesting the applicant post framed panels on the sides of the building versus interchangeable lettering. Senior Planner Allen noted that there was an example in the staff report of a Burger King with

framed panels for advertisement. Chairman Hoban stated that these framed posters are effective and give consistency from store to store. Chairman Hoban stated that although he understands the applicant's reluctance to purchase the printed posters, many businesses use these framed panels for advertisement and it is effective for them. The interchangeable lettering does not set a good precedence for the other establishments in the center.

Committee Member Daybell asked if the Committee should continue the project. Senior Planner Allen stated that the applicant probably wants a determination on the building sign itself due to the construction time for the wall sign; if the decision is that the applicant is amenable to doing wall posters, then staff can review plans and the project does not need to come back to the RDRC.

Committee Member Silber asked if it was a matter of approving the sign program with the exception of the interchangeable text. Senior Planner Allen clarified that the sign without the interchangeable text had already been approved as part of the sign program. Chairman Hoban clarified that the RDRC has to make a decision on the amendment to the sign program.

The applicant asked if it mattered if his establishment had a separate ground lease. Chairman Hoban stated that it did not matter; the Committee wants Checkers to look appropriate for the center and the approved sign program was for the entire site.

Chairman Hoban stated they needed to make a motion.

Committee Member Daybell stated he moved to support staff's recommendation with the addition that the applicant advertise with something similar to the Burger King panels shown in the Staff Report. Chairman Hoban asked Committee Member Daybell if he wanted to condition the panels, because it can be approved over the counter. Committee Member Daybell answered affirmatively. Senior Planner Eastman clarified that if there was a sign panel condition, the project would come back to the RDRC. Committee Member Daybell stated that he did not want the project to have to come back. Senior Planner Eastman clarified that Committee Member Daybell's motion was to deny the project and give staff direction to review the plans.

MOTION by Committee Member Daybell, SECONDED, by Vice Chairman Cha, to DENY the project. Motion passed unanimously.

Senior Planner Eastman explained the ten-day appeal process.

### **MISCELLANEOUS ITEMS:**

None

#### **PUBLIC COMMENT:**

No public comments.

## **STAFF/COMMITTEE COMMUNICATION:**

None

<b>MEETINGS:</b>
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Senior Planner Eastman gave a brief overview of recent City Council, and Planning Commission actions.

# **ADJOURNMENT:**

Meeting adjourned at 5:07 P.M.

Respectfully Submitted,

Nadia Muhaidly Clerical Assistant