



Meeting Date

6/4/2012

AGENDA REPORT

Prepared By: Charles E. Wilson, Director of Community Development
Reviewed By: Cheryl Dyas, Director of Administrative Services / City Treasurer
Submitted By: Dennis Wilberg, City Manager

Agenda Title

Request by Colby Durnin of Kaleidoscope that the City Council initiate an Ordinance amending the City's sign regulations to create a new sign district with allowance for electronic signs and off-site advertising for Kaleidoscope and possibly a larger area.

Recommended Action

Provide direction to staff.

Executive Summary

At the January 3, 2012 City Council meeting, the Council received a presentation by Colby Durnin of Kaleidoscope regarding the improvements that have been made since their acquisition of the commercial center, and their conceptual plans for the next phase of the project's development. In addition, Mr. Durnin discussed proposed signage for the exterior of the building and entrances. The City Council referred the proposed signage for Kaleidoscope to the Planning and Transportation Commission. Attached is an excerpt from the January 3, 2012 City Council minutes.

Since the January 3, 2012 City Council meeting, Mr. Durnin has made several refinements to his sign program and he now says his proposed sign plan is ready for City review. The proposed sign plan includes large electronic signs and off-site advertising in the form of Ad Panels and LED Displays. Currently the City's sign code does not allow this type of signage, and there are no similar signs in south Orange County between Lake Forest and San Clemente. There is an electronic sign at the Irvine Auto Center. If allowed to proceed the City's sign regulations would need to be modified to permit this type of signage. The City Council's Economic Development Committee comprised of Councilmembers Trish Kelley and Dave Leckness had discussed the concept of electronic signage and off-site advertising at their January 25, 2012 Economic Development Committee meeting and expressed concerns with this type of signage. City Attorney Bill Curley will provide input at the June 4 City Council meeting on the legal and environmental aspects of allowing electronic signs and off-site advertising.

The Planning and Transportation Commission received a presentation from Mr. Durnin regarding the proposed sign program for Kaleidoscope at their May 14, 2012 meeting. At that meeting Jim Leach, South Orange County Regional Chamber of Commerce, and Reed Royalty, President of the Orange County Taxpayers Association, spoke in support of the sign program. The Commission was generally supportive in concept of the proposed Kaleidoscope sign plan but did have some concerns. By a 4 to 0 vote (Commissioner Malisos was absent), the Commission provided the following comments: 1) there needs to be a better understanding of the safety concerns of motorists with electronic and off-site signage with up-to-date information; 2) there needs to be a policy developed regarding signs, including electronic and off-site signs and the standards for these signs; 3) there needs to be direction from the City Council as to whether they want to create a new retail / entertainment / office sign district. If direction is given for the creation of a new sign district, including the accommodation of electronic signs and off-site advertising, the boundary of this new sign district should be limited to properties located within the former Mission Viejo Community Development Project Area. Attached is an excerpt from the draft May 14, 2012 Planning and Transportation Commission minutes.

At the June 4, 2012 City Council meeting, Mr. Durnin would like to provide a brief presentation updating the Council on his proposal and responding to questions. Upon conclusion of Mr. Durnin's presentation, the City Council should provide specific direction on whether or not the City's sign regulations should be amended to accommodate electronic signs and off-site advertising, and if in favor direct staff and the City Attorney to prepare an Ordinance.

Fiscal Impact:

Amount Requested \$N/A

Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)

Prog/Fund # **Category:** Pers. NO Optg. NO Cap. NO -or- CIP# **Fund#**

Previous Relevant Council Actions for This Item

January 3, 2012 – Presentation by Colby Durnin of Kaleidoscope.

Attachments

Attachment 1a - Excerpt from draft May 14, 2012 Planning and Transportation Commission Minutes.

Attachment 1 - Excerpt from January 3, 2012 City Council Minutes.

Attachment 2 - Sign Program packet for Kaleidoscope submitted by Colby Durnin.

Attachment 3 - Letter of explanation submitted by Colby Durnin.

Attachment 4 - Initial Study Questionnaire submitted by Colby Durnin.

Attachment 5 - Draft Ordinance submitted by Colby Durnin adding a new Division 4 to Chapter 9.29 of Title 9 to the Mission Viejo Municipal Code allowing the creation of Sign Districts.

Attachment 6 - Draft Ordinance submitted by Colby Durnin establishing the Central Business Sign District.

Attachment 7 - Draft Addendum to Form ODA 0049 Certification by Display Owner of Display within Redevelopment Project submitted by Colby Durnin.

Attachment 8 - Letter in support from James Leach, South Orange County Regional Chamber of Commerce.

Attachment 9 - Email in opposition from Dennis Ramsey.

Attachment 10 - Email from Commissioner Bill Ernisse regarding billboard study.

Attachment 11 - Email from Commissioner Bill Ernisse regarding driver distractions.

Attachment 12 - Colored aerial map of Mission Viejo Community Development Project Area.

Attachment 13 - Email from Colby Durnin regarding digital heat and power usage.

Attachment 14 - Email from Colby Durnin regarding various studies and ordinances / standards.

Attachment 15 - Email from Colby Durnin regarding lighting, power consumption, heat output, and operational analysis of the proposed Kaleidoscope digital LED displays.