EXHIBIT "5"

### Sign Program: Holden Properties

April 28, 2009

Prepared for:
Holden Properties
7825 E. Florence Ave.
Downey, CA
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Prepared by:

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# Sign Program

### Addresses:

7815, 7815-A, 7823, 7825 Suite A, B & C East Florence Ave.

5.6N #09 25 Downey, CA

RECEIVED APR 2 7 2009

**PLANNING** 

Page 1 of 14

#### 1. GENERAL

#### 1.1. Purpose and Intent

The purpose of this Sign Program is to provide for adequate, aesthetically pleasing and uniform on-building signage for all Tenants. The signs shall conform with the provisions set forth by the Landlord (below), and The City of Downey, CA sign ordinance.

#### 1.2. Uncertainty of Sign Standards

If a situation arises that is not covered by this Sign Program, or there is ambiguity, the sign applicant is referred to the Landlord for clarification and determination. The Landlord shall then approve signage that best meets the intent of the Sign Program.

### 1.3. Compliance Requirement

No person shall erect, re-erect, construct, enlarge, move, improve, convert or equip any sign or structure, or cause or permit the same to be done contrary to or in violation of any of the provisions of this Sign Program. Conformance will be strictly enforced by the Landlord and the City of Downey, CA. All non-conforming or unapproved signs must be brought into conformance at the expense of the persons responsible for the installation of said signs.

#### 2. TENANT'S RESPONSIBILITIES:

- 2.1. The Tenant shall pay for and obtain all permits and/or licenses required by any city, county or other government authority with jurisdiction over the property. All signs and their installation must comply with all applicable laws, including, without limitation, all local building codes. The local sign ordinance shall be consulted for any items not covered in this Sign Program.
- 2.2. The Tenant's sign contractor shall be properly licensed and insured, and be responsible for the fulfillment of all requirements and specifications, completing the installation in a good and workman like manner, cleanup, patching and painting all surfaces damaged by them.
- 2.3. The Tenant is responsible for the cost of permitting, sign fabrication, installation and maintenance in its entirety.
- 2.4. At the end of the lease, the Tenant is responsible for the removal of the sign in its entirety, cleaning, patching and painting all surfaces damaged by it. The patched and painted wall shall match the texture and color of the building.

#### 3. LOCATION AND SIZE:

- 3.1. Signs shall be located on the building as illustrated in Exhibits 1 through 5.

  Architectural details of the building shall be taken into consideration when aligning the sign on the wall. The sign location and alignment is subject to Landlord's approval.
- 3.2. A maximum of two (2) signs on two different elevations shall be permitted per Tenant. Exhibits 2 through 5 illustrate details like maximum sign area, sign location, etc. on a per-Tenant bases.
- 3.3. Maximum sign area permitted per Tenant is described in Exhibit 6.
- 3.4. In addition, each Tenant shall be permitted to put their company's name, phone number and other pertinent information on the entry door(s) using cut-vinyl characters, or put the same information on a plaque next to the entry door(s). Maximum size is 2 square feet.

#### 4. COPY AND LOGO:

The "Copy and Logo" criteria for each sign shall be evaluated by the Landlord on an individual bases. Creativity is encouraged, as long as it meets the intent of this Sign Program. In general, the following applies:

- 4.1. Tenants shall display on their sign only their established logo, their established trade name and the products/services they provide (sub-line). Legal endings (e.g. Inc., LLC, Co., etc.) are discouraged.
- 4.2. Only one logo and trade name can be displayed per Tenant space.
- 4.3. Tenant's established logo and letter style (font) are subject to Landlord's approval.
- 4.4. Helvetica Condensed or Helvetica Bold fonts shall be used as a default when Tenant does not have an established letter style. See illustration, Exhibit 7.

#### 5. COLOR SELECTION:

A maximum of four colors are allowed: black (Matthews Paint color #: 2025, or equivalent), blue (2860), red (2793) and green (2030). Established colors in corporate logos are exempt from this requirement. All proposed color combinations are subject to Landlord's approval.

#### 6. CONSTRUCTION AND INSTALLATION:

- 6.1. All building signs shall be made out of individual, dimensional characters, plus logo.
- 6.2. For non-illuminated signs, formed/extruded/laser-cut/routed/etc. plastic or aluminum characters and logos are allowed (Gemini brand or similar). No foam or foam-backed letters/logos are permitted.
- 6.3. Illuminated signs ("channel-lit" signs) made out of individual characters are also allowed.
- 6.4. No "cabinet signs" nor painted signs are allowed.
- 6.5. Also see Exhibit 8, "Typical Sign Designs, Method of Construction, Method of Attachment" as examples of typical, allowable signs.

#### 7. APPROVAL PROCESS:

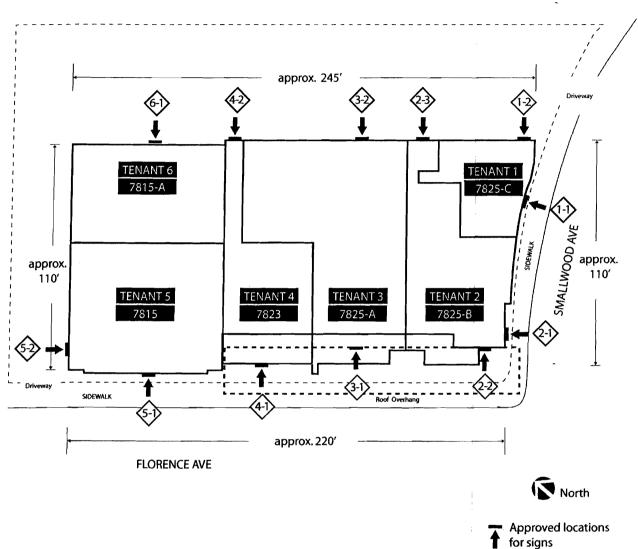
- 7.1. Tenant must obtain written Landlord approval first.
- 7.2. For Landlord approval, Tenant shall submit the following 4-fold (color copies):
  - Elevation view of the Tenant's space with proposed sign superimposed
  - Plot plan, indicating proposed sign location
  - Information on sign materials to be used, method of installation, and colors.
- 7.3. Landlord will return 3 copies to the Tenant with an approval and/or comments within two weeks.
- 7.4. Once Tenant has Landlord approval, Tenant's licensed contractor shall submit documents to the city, county and/or other governmental authority for plan check and permitting.
- 7.5. A sign permit must be obtained prior to initiating the manufacture and installation of the sign.

#### 8. REMEDIES:

If Tenant's sign violates any of the above criteria, Landlord shall request Tenant to remove the sign. Failure of Tenant to remove sign and repair the wall to its original condition within five (5) days will allow Landlord to remove the sign and repair the wall at Tenant's expense, and Tenant shall pay to Landlord the full amount of the cost and expenses so incurred by Landlord immediately upon Landlord's demand thereof.

### 9. EXHIBITS:

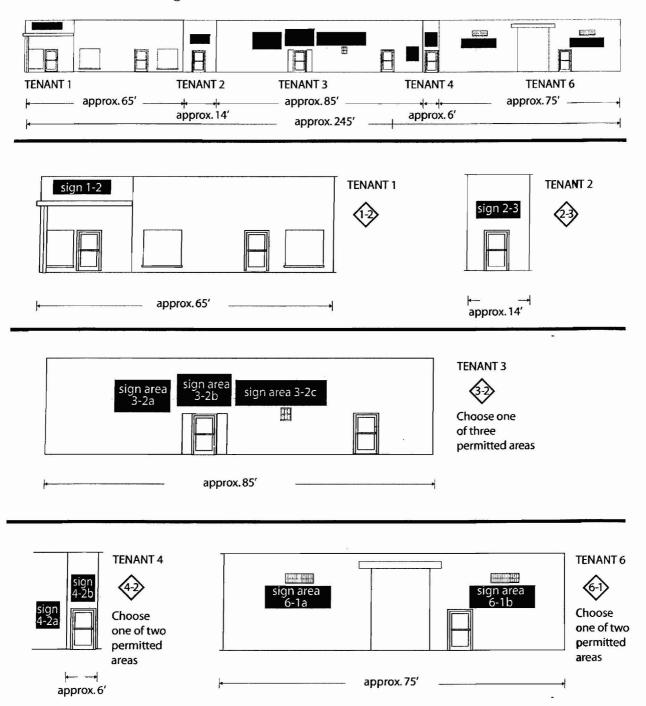
Exhibit 1: Permitted Sign Locations - Plot Plan



**Exhibit 2: Permitted Sign Locations - East Elevation** 



**Exhibit 5: Permitted Sign Locations - North Elevation** 



### **Exhibit 6: Maximum Sign Area Permitted**

### Tenant 1 – 7825 E. Florence Ave., Suite C

<u>Sign</u>	<u>Frontage</u>	Max. Sign Area
1-1	40 ft.	60 sqft.
1-2	60 ft.	90 sqft.
		A secondary wall sign shall not exc

A secondary wall sign shall not exceed 50% of the

allowable area of the primary wall sign.

### Tenant 2 – 7825 E. Florence Ave., Suite B

<u>Sign</u>	<u>Frontage</u>	Max. Sign Area
2-1	70 ft.	105 sqft. **
2-2	50 ft.	75 sqft. **
2-3	14 ft.	21 sqft. **
		A secondary wall sign shall not exceed 50% of the
		allowable area of the primary wall sign. ** Maximum of
		two (2) signs on two different elevations are allowed for
		tenant 2.

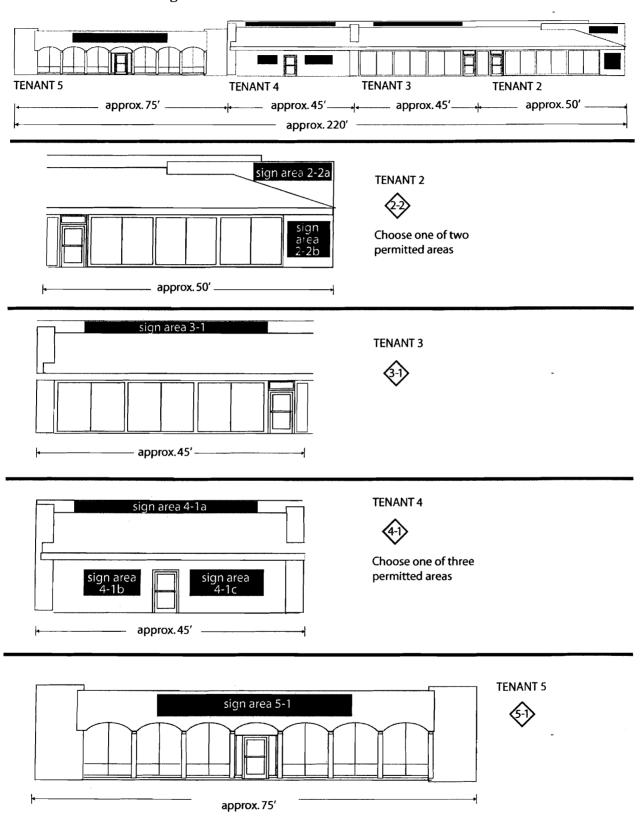
### Tenant 3 – 7825 E. Florence Ave., Suite A

<u>Sign</u>	<u>Frontage</u>	Max. Sign Area
3-1	45 ft.	67 sqft.
3-2	85 ft.	127 sqft.
		A secondary wall sign shall not exceed 50% of the
		allowable area of the primary wall sign.

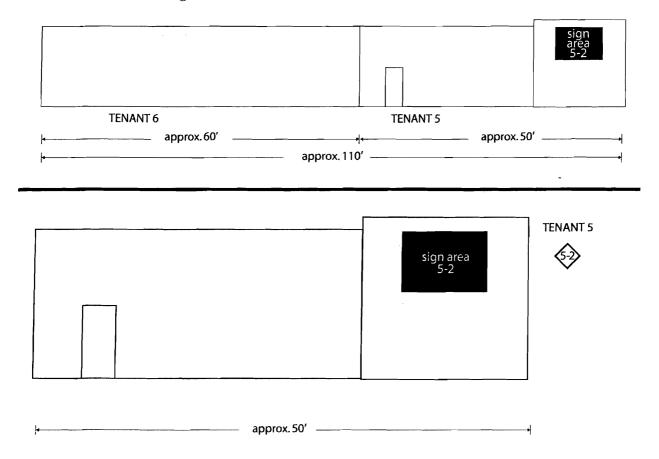
### Tenant 4 – 7823 E. Florence Ave.

<u>Sign</u>	<u>Frontage</u>	Max. Sign Area
4-1	45 ft.	67 sqft.
4-2	6 ft.	9 sqft.
		A secondary wall sign shall not exceed 50% of the
		allowable area of the primary wall sign.

**Exhibit 3: Permitted Sign Locations - South Elevation** 



**Exhibit 4: Permitted Sign Locations - West Elevation** 



### Exhibit 6: Maximum Sign Area Permitted (continued)

### Tenant 5 – 7815 E. Florence Ave.

 Sign
 Frontage
 Max. Sign Area

 5-1
 75 ft.
 112 sqft.

 5-2
 50 ft.
 75 sqft.

A secondary wall sign shall not exceed 50% of the

allowable area of the primary wall sign.

### Tenant 6 - 7815-A E. Florence Ave.

SignFrontageMax. Sign Area6-175 ft.112 sqft.

**Exhibit 7: Default Letter Style (Font)** 

**HELVETICA CONDENSED** 

ABCDEFGHIJK LMNOPQRSTU VWXYZ abcdefghijklmn opqrstuvwxyz 0123456789 **HELVETICA BOLD** 

ABCDEFGHIJK LMNOPQRSTU VWXYZ abcdefghijklmn opqrstuvwxyz 0123456789

Exhibit 8: Typical Sign Designs, Method of Construction, Method of Attachment (Examples Only)



Downey Dental Solutions 7825 Florence Ave, Downey, CA **Sign 1-1** - East Elevation

Stock, Formed Plastic letter installed directly on wall with studs and contractor silicone

Fonts: Times Bold, 8", 15", and 24"

Helvetica Light, 6"

Color: Green, 2030

Overall size: 2'-9" x 8'-8" (24 sq ft)

Max. allowed: 60 sq ft

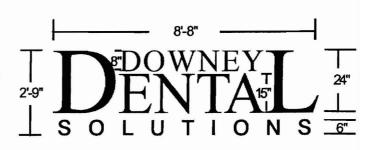
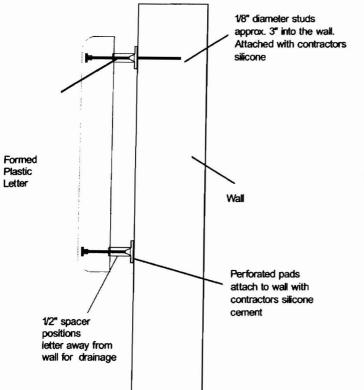




Exhibit 8: Typical Sign Designs, Method of Construction, Method of Attachment (Examples Only) (Continued)

METHOD OF ATTACHMENT: Combination pad and stud mount with 1/2" spacers from wall









# City of Downey

**FUTURE UNLIMITED** 

June 12, 2009

Mr. Greg Holden Holden Properties 7825 Florence Avenue Downey, CA 90240

Re:

SIGN NO. 09-23 - A REQUEST TO APPROVE A PLANNNED SIGN PROGRAM TO REGULATE THE SIZE, LOCATION AND APPEARANCE OF SIGNS WITHIN A MULTI-TENANT BUILDING ON PROPERTY LOCATED AT 7815-7825 FLORENCE AVENUE, DOWNEY

#### **APPLICATION IS APPROVED**

Dear Mr. Holden:

During their regular meeting on June 3, 2009, the Planning Commission held a public hearing to consider Signs Case No. 09-23, regarding your request for approval of a Planned Sign Program for your multi-tenant building, on property located 7815-7825 Florence Avenue in Downey. After receiving factual data and testimonies during the public hearing, the Planning Commission approved your application.

I attached a copy of Resolution No. 2586, which reflects the Commissions actions, including the conditions of approval imposed upon your project and an approved, stamped set of the Olden Properties Sign criteria. The decision of the Commission will become final after 15 days following the hearing date, June 18, 2009, unless someone submits a written appeal along with the appropriate filing fee to the Downey City Clerk's Office.

Please call me at (562) 904-7153, if you have any questions or comments regarding this matter.

Sincerely.

DOWNEY PLANNING DIVISION

William E. Dayis // Acting City Planner

Cc: Bernd Wannenwetsch

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#### **RESOLUTION NO. 09-2586**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING SIGN NO. 09-23, REGARDING A PLANNNED SIGN PROGRAM TO REGULATE THE SIZE, LOCATION AND APPEARANCE OF THE SIGNS WITHIN A MULTI-TENANT COMMERCIAL SHOPPING CENTER ON PROPERTY LOCATED AT 7815-7825 FLORENCE AVENUE AND ZONED C-1/PB (NEIGHBORHOOD COMMERCIAL/PARKING BUFFER)

THE PLANNING COMMISSION OF THE CITY OF DOWNEY DOES RESOLVE AS FOLLOWS:

**SECTION 1.** The Planning Commission of the City of Downey does hereby find, determine and declare that:

- A. An application was filed by Berndt Wannenwetsch, (authorized agent for the property owner Greg Holden, and hereinafter referred to as "Applicant"), requesting approval of Signs Case No. 09-23, regarding a Planned Sign Program for Holden Properties commercial building at 7815-7825 Florence Avenue, zoned PB and C-1 (Parking Buffer and Neighborhood Commercial)
- B. On May 22, 2009, notice of the pending public hearing was mailed to all property owners within 500' of the subject site. Additionally, the public notice was published in the *Long Beach Press-Telegram* on May 22, 2009; and.
- C. The Planning Commission held a duly noticed public hearing on June 3, 2009, and after fully considering all oral and written testimony, facts, and opinions offered at the aforesaid public hearing, adopted Resolution No. <u>09-2586</u>, approving Sign Case No. 09-23, adopted this resolution, subject to conditions of approval (Exhibit A).

**SECTION 2.** The Planning Commission further finds, determines and declares the environmental impact of the proposed development has been reviewed and has been found to comply with the California Environmental Quality Act (CEQA) and is categorically exempt from CEQA, pursuant to Guideline Section No. 15301 (Class 1, Existing Facilities).

**SECTION 3.** Having considered all of the oral and written evidence presented to it at said public hearings, the Planning Commission further finds, determines and declares that:

A. The proposed sign is permitted within the zone and it complies with all applicable provisions of this chapter, the General Plan, and any other applicable standards.

The west thirty feet of the subject property is zoned PB (Parking Buffer) and serves as a parking area. The commercial building is located on the remainder of the site that is zoned C-1 (Neighborhood Commercial), which permits the use of wall signs. The proposed Planned Sign Program limits the signs to appropriate walls signs for each tenant. It is staff's opinion that the proposed sign program complies with the all applicable provisions of Chapter 6 (Signs) of the Downey Municipal Code, and the sign standards contained in the Downtown Plan for Downtown Downey.

B. The sign is in proper proportion to the structure or site on which it is located.

The Planned Sign Program addresses the unique design of the buildings on site by providing standards for determining primary and secondary signs, and the locations for these signs. It is staff's opinion that the wall signs will be in proper proportion the building facades.

C. The sign materials, color, texture, size, shape, height, and placement are compatible with the design of the structure(s), property, and neighborhood of which it is a part.

As noted in the previous finding, it is staff's opinion that the Holden Properties Sign Program will promote building signage that is compatible with the buildings and the site.

D. The sign's illumination is at the lowest reasonable level as determined by the City Planner, which ensures adequate identification and readability, and is directed solely at the sign or is internal to it.

The sign program proposes requirements for non-illuminated and illuminated signs. It states that illuminated signs shall be illuminated internally with neon bulbs to reduce the brightness of the sign. In addition to this standard, staff has recommended a condition of approval to include provision for the use of internal LED strands to illuminate the signs. These lighting sources are set at the minimum standards needed to ensure that there is adequate readability of the signs.

E. The sign is not detrimental to the public interest, health, safety, or welfare.

It is staff's opinion that all wall mounted signs are set at a sufficient height such that they will not create a detrimental impact to the public interest, health, safety, and/or welfare.

F. The sign complies with Section 9624, Lighting and Design Standards.

All signs internally illuminated signs on site will comply with Municipal Code Section 9624.

**SECTION 4.** Based upon the findings set forth in Sections 1 through 3 of this Resolution, the Planning Commission of the City of Downey hereby approves Sign No. 09-23, subject to conditions of approval attached hereto as Exhibit A, which are necessary to preserve the health, safety and general welfare of the community and enable the Planning Commission to make the findings set forth in the previous sections. The conditions are fair and reasonable for the accomplishment of these purposes

**SECTION 5.** The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of June. 2009

Terry Lambros
Terry Lambros, Chairman
City Planning Commission

#### PLANNNED SIGN PROGRAM (SIGN) NO. 09-23 EXHIBIT A - CONDITIONS

- 1) The approval of Sign Case No. 09-23 (Planned Sign Program) approves the location, color, and size of all signs at the Holden Properties building at 7815-7825 Florence Avenue, Downey, as provided per Exhibit "B".
- 2) Approval of this Planned Sign Program shall not be construed to mean any waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Downey Municipal Code shall apply.
- 3) The City Planner is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
- 4) All conditions of approval Sign Case No. 09-23 shall be complied with before the Planned Sign Program becomes valid.
- 5) Prior to the issuance of any building permit for a sign, said sign shall comply with this Planned Sign Program, with exception of window signs and non-permit signs, which shall comply with the requirements of the Downey Municipal Code.
- 6) The following changes shall be incorporated into the Planned Sign Program.
  - a) Provisions shall be included to allow LED strings to illuminate the signs internally.

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Resolution No. 09-2586 Downey Planning Commission

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Downey at a regular meeting thereof held on the 3rd day of June, 2009 by the following vote, to wit:

AYES:

COMMISSIONERS: Morales, Kiefer, Vasquez, Murray, Lambros

NOES: ABSENT: COMMISSIONERS: None COMMISSIONERS: None

Theresa Still

Theresa Still, Secretary
City Planning Commission