

REPORT TO PLANNING COMMISSION

To: Honorable Chairman and Members of the Planning Commission

From: Damaris Abraham, Planning Manager

Prepared by: Kevin Beery, Associate Planner

Date: September 20, 2022

Subject: Planning Application No. 2020-109 (Starbucks Riverside and Lakeshore) – A

request for approval of Sign Permit No. 2022-18 to construct one

freestanding center identification sign at 16831 Lakeshore Drive

Applicant: Kerry Batres, Inland Sign Co.

Recommendation

Adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING SIGN PERMIT NO. 2022-18 AND ASSOCIATED DESIGN REVIEW FOR THE CONSTRUCTION OF ONE 16'-8" HIGH FREESTANDING CENTER IDENTIFICATION SIGN AT 16831 LAKESHORE DRIVE (APN: 379-224-015).

Project Location

The project site is located at the intersection of Lakeshore Drive and Riverside Drive, more specifically 16831 Lakeshore Drive (APN: 379-224-015).

Background

On September 28, 2021, the City Council approved Tentative Parcel Map No. 38004, Conditional Use Permit No. 2021-03, and Commercial Design Review No. 2021-06 to allow a minor subdivision of the 1.09-acre project site into two (2) parcels and the construction of a new 893 square-foot Starbucks drive-through restaurant in an existing shopping center consisting of one multi-tenant building and parking areas. The Starbucks building is currently under construction and is expected to be complete by October 2022.

Project Description

This application proposes to install one (1) new 16'-8" tall freestanding center identification sign to advertise the existing on-site businesses and the new Starbucks restaurant. The sign would be located in the south portion of the site between the new drive-through lane and the sidewalk along Riverside Drive. The sign would contain two double-sided internally illuminated aluminum cabinets, non-illuminated acrylic building address numerals, and a non-illuminated acrylic City of Lake Elsinore insignia. The sign would be oriented perpendicular to Riverside Drive so that the sign faces would be directed toward traffic in both directions. The primary sign cabinet (6'x6') would be situated at the top of the pylon and contain a double-sided sign face displaying the Starbucks logo. The secondary sign cabinet would be situated below the primary cabinet and

contain five smaller double-sided sign faces displaying the branding of the other on-site businesses. The sign cabinets would be mounted on a 3' diameter aluminum pole finished with tan-colored textured stucco. The overall sign structure is proposed to be 16'-8" in height, 7'-0" in width, and 2'-4" in depth. The conditions of the project site surroundings are described in Table 1 below.

	EXISTING LAND USE	GENERAL PLAN	ZONING
Project Site	Commercial	General Commercial	General Commercial (C-2)
North	Commercial (Across Lakeshore Dr.)	General Commercial	Neighborhood Commercial (C-1)
South	Commercial (Across Riverside Dr.)	General Commercial	General Commercial (C-2)
East	Commercial (Across intersection)	General Commercial	Neighborhood Commercial (C-1)
West	Commercial	General Commercial	General Commercial (C-1)

Table 1 - Environmental Setting

Analysis

General Plan and Zoning Consistency

The General Plan designates the project site as General Commercial which "provides for retail, services, restaurants, professional and administrative offices, hotels and motels, mixed-use projects, public and quasi-public uses, and similar and compatible uses."

The project site is zoned C-2 General Commercial. The intent of the C-2 district is to "reserve appropriate locations consistent with the General Plan to accommodate a full range of retail stores, offices, personal and business service establishments offering commodities and services scaled to meet the needs of the residents of the entire City."

Because the project proposes the construction of a new sign to advertise approved on-site commercial businesses, the project conforms to the intent and purpose of the General Plan and zoning ordinance designations of the subject property.

Center Identification Sign Standards Consistency

One center identification sign per street frontage is permitted for integrated developments subject to the standards under LEMC Section 17.196.180.F. Table 2 indicates the consistency of the project with the applicable standards.

Development Standard	Consistency Analysis
The sign shall not exceed 30 square feet per 100 lineal feet of street frontage on which the sign is located; provided, however, that the maximum sign area shall not exceed 320 square feet per sign	CONSISTENT . The project site has approximately 290'-3" of street frontage (along Riverside Drive) which allows a maximum sign area of approximately 87 square feet. The proposed sign area is 54 square feet.

No sign shall exceed the height of the building with which it is associated	CONSISTENT . The respective height dimensions of the existing multitenant building and the Starbucks building are 19'-0" and 18'-6". The proposed sign height is 16'-8".
Signs shall reflect the architectural design of the building with which they are associated, and shall incorporate unifying features such as materials	CONSISTENT. The multitenant building features masonry siding painted with neutral, earth-tone colors and a mansard tile roof detail. The new Starbucks building design features a dark and tan stucco exterior with lap siding accents. The proposed sign will be finished with light stucco and feature dark aluminum cabinet framing. Therefore, the proposed sign will reflect the architectural design of the on-site buildings.
No portion of any sign or supporting structure shall be located closer than five feet to any property line, nor be located in such a manner as to constitute a hazard to pedestrian or vehicular traffic	CONSISTENT . The proposed sign will be setback 5'-0" from the nearest property line. The proposed sign will not constitute a hazard to pedestrian or vehicular traffic.
All freestanding signs shall include the address of the center in numerals and/or letters at least six inches high. Addresses shall not be obscured by landscaping or other obstructions	CONSISTENT. The new sign includes the site address in numerals at eight inches in height. The address will not be obstructed from view by landscaping or other design elements.
All freestanding signs shall be located in a planter area not less than 100 square feet in area with a minimum width of five feet	CONSISTENT. The proposed sign would be installed in a proposed planter area averaging 10' in width along the street frontage.
All freestanding center identification signs shall be subject to the review and approval of the Planning Commission subject to the provisions of LEMC 17.415.050	CONSISTENT. The Planning Division has referred this application to the Planning Commission for a public hearing and action. Planning Division Staff's design review evaluation and recommendation are provided in the following section of this report.

 Table 2 - Project Consistency with Center Identification Sign Standards

Design Review Findings

LEMC 17.415.050 provides that the Planning Commission must make the following findings before granting design review approval:

- 1. The project, as approved, will comply with the goals and objectives of the General Plan and the zoning district in which the project is located.
 - The project is located in the C-2 district and has a General Plan designation of General Commercial. The project will comply with the goals and objectives of the General Plan and the zoning district in which the project is located because the project proposes the project proposes the construction of a new sign to advertise approved on-site commercial businesses.
- 2. The project complies with the design directives contained in Section 17.415.050.F and all other applicable provisions of the LEMC.

The project complies with the design directives of LEMC 17.415.050, the commercial district sign standards of LEMC 17.196.180, and all other applicable provisions of the LEMC. The proposed design concept complements the quality of existing development because the proposed sign structure and materials are designed to match the on-site buildings. The structural base of the new sign would be finished with tan stucco to match the siding of the existing buildings. The sign cabinet would also share a similar color scheme with design elements of the on-site buildings.

3. Conditions and safeguards pursuant to Section 17.415.050.G.3 of the LEMC, including guarantees and evidence of compliance with conditions, have been incorporated into the approval of the Project to ensure development of the property in accordance with the objectives of Section 17.415.050.

In consultation with other applicable city departments, the Planning Division has reviewed the proposed project and is recommending the adoption of conditions of approval to ensure compliance with all provisions of the LEMC and other adopted policies and plans. The recommended conditions of approval will require the applicant to comply with building and engineering regulations and to obtain any necessary permits.

Environmental Determination

Staff determined that the project is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15311(a) (Accessory Structures) because the project involves the construction of an on-premise sign.

Exhibits

- A CDR Resolution
- B Conditions of Approval
- C Vicinity Map
- D Aerial Map
- E Design Review Package

RESOLUTION NO. 2022-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING SIGN PERMIT NO. 2022-18 AND ASSOCIATED DESIGN REVIEW FOR THE CONSTRUCTION OF ONE 16'-8" HIGH FREESTANDING CENTER IDENTIFICATION SIGN AT 16831 LAKESHORE DRIVE (APN: 379-224-015)

Whereas, Inland Signs Inc. has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2020-109 (Sign Permit No. 2022-18) and associated design review to construct one (1) new 16'-8" tall freestanding center identification sign to advertise the existing on-site businesses and the new Starbucks restaurant at 16831 Lakeshore Drive (APN: 379-224-015). The sign would be located in the south portion of the site between the new drive-through lane and the sidewalk along Riverside Drive. The sign would contain two double-sided internally illuminated aluminum cabinets, non-illuminated acrylic building address numerals, and a non-illuminated acrylic City of Lake Elsinore insignia. The primary sign cabinet (6'x6') would be situated at the top of the pylon and contain a double-sided sign face displaying the Starbucks logo. The secondary sign cabinet would be situated below the primary cabinet and contain five smaller double-sided sign faces displaying the branding of the other on-site businesses. The sign cabinets would be mounted on a 3' diameter aluminum pole finished with tan-colored textured stucco. The overall sign structure is proposed to be 16'-8" in height, 7'-0" in width, and 2'-4" in depth; and,

Whereas, pursuant to Sections 17.196.180.F.8 (Signs in Commercial Districts) and 17.415.050 (Major Design Review) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying design review applications for freestanding center identification signs; and,

Whereas, the proposed project is exempt from the California Environmental Quality Act (Cal. Publ. Res. Code §§21000 et seq.: "CEQA") and CEQA Guidelines (14. Cal. Code Regs §§15000 et seq.) pursuant to CEQA Guidelines Section 15311(a) (Accessory Structures); and,

Whereas, on September 20, 2022 at a duly noticed Public Hearing, the Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

<u>Section 1</u>: The Commission has reviewed and analyzed the proposed project pursuant to the California Planning and Zoning Laws (Cal. Gov. Code §§ 59000 et seq.), the Lake Elsinore General Plan (GP), and the LEMC and finds and determines that the proposed project is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the GP and the LEMC.

<u>Section 2</u>: The Commission finds and determines that the project is categorically exempt from environmental review under the California Environmental Quality (CEQA) in accordance with CEQA Guidelines Section 15311(a) (Accessory Structures).

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<u>Section 3</u>: That in accordance with Section 17.415.050.G of the LEMC, the Commission makes the following findings regarding Planning Application No. 2020-109 (Sign Permit No. 2022-18):

1. The project, as approved, will comply with the goals and objectives of the General Plan and the zoning district in which the project is located.

The project is located in the C-2 district and has a General Plan designation of General Commercial. The project will comply with the goals and objectives of the General Plan and the zoning district in which the project is located because the project proposes the project proposes the construction of a new sign to advertise approved on-site commercial businesses.

2. The project complies with the design directives contained in Section 17.415.050.F and all other applicable provisions of the LEMC.

The project complies with the design directives of LEMC 17.415.050, the commercial district sign standards of LEMC 17.196.180, and all other applicable provisions of the LEMC. The proposed design concept complements the quality of existing development because the proposed sign structure and materials are designed to match the on-site buildings. The structural base of the new sign would be finished with tan stucco to match the siding of the existing buildings. The sign cabinet would also share a similar color scheme with design elements of the on-site buildings

 Conditions and safeguards pursuant to Section 17.415.050.G.3 of the LEMC, including guarantees and evidence of compliance with conditions, have been incorporated into the approval of the Project to ensure development of the property in accordance with the objectives of Section 17.415.050.

In consultation with other applicable city departments, the Planning Division has reviewed the proposed project and is recommending adoption of conditions of approval to ensure compliance with all provisions of the LEMC and other adopted policies and plans. The recommended conditions of approval will require the applicant to comply with building and engineering regulations and to obtain any necessary permits.

<u>Section 4</u>: Based upon the evidence presented and the above findings, the Commission hereby approves Planning Application No. 2020-109 (Sign Permit No. 2022-18).

Section 5: This Resolution shall take effect immediately upon its adoption.

Passed and Adopted on this 20th day of September, 2022.

Matthew Dobler, Chairman

PC Reso. No. 2022 Page 3 of 3	
Attest:	
Damaris Abraham Planning Manager	
STATE OF CALIFORNIA COUNTY OF RIVERSIDE CITY OF LAKE ELSINORE)) ss.)
Resolution No. 2022 was add	inager of the City of Lake Elsinore, California, hereby certify that pted by the Planning Commission of the City of Lake Elsinore, eld on September 20, 2022 and that the same was adopted by
AYES: NOES: ABSTAIN: ABSENT:	
	Damaris Abraham Planning Manager

CONDITIONS OF APPROVAL

PROJECT: PA 2020-109, SIGN 2022-18
PROJECT NAME: Starbucks Riverside and Lakeshore

PROJECT LOCATION: APN: 379-224-015

APPROVAL DATE: EFFECTIVE DATE: EXPIRATION DATE:

GENERAL

- 1. Planning Application No. 2020-109 (Sign Permit No. 2022-18) is a request for approval to construct one (1) new 16'-8" tall freestanding center identification sign to advertise the existing on-site businesses and the new Starbucks restaurant at 16831 Lakeshore Drive (APN: 379-224-015). The sign would be located in the south portion of the site between the new drive-through lane and the sidewalk along Riverside Drive. The sign would contain two double-sided internally illuminated aluminum cabinets, non-illuminated acrylic building address numerals, and a non-illuminated acrylic City of Lake Elsinore insignia. The primary sign cabinet (6'x6') would be situated at the top of the pylon and contain a double-sided sign face displaying the Starbucks logo. The secondary sign cabinet would be situated below the primary cabinet and contain five smaller double-sided sign faces displaying the branding of the other on-site businesses. The sign cabinets would be mounted on a 3' diameter aluminum pole finished with tan-colored textured stucco. The overall sign structure is proposed to be 16'-8" in height, 7'-0" in width, and 2'-4" in depth.
- 2. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Officials, Officers, Employees, Agents, and its Consultants (Indemnitees) from any claim, action, or proceeding against the Indemnitees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning approval, implementation and construction of Planning Application No. 2020-109 (Sign Permit No. 2022-18), which action is bought within the time period provided for in California Government Code Sections 65009 and/or 66499.37, and Public Resources Code Section 21167, including the approval, extension or modification of Planning Application No. 2020-109 (Sign Permit No. 2022-18) or any of the proceedings, acts or determinations taken, done, or made prior to the decision, or to determine the reasonableness, legality or validity of any condition attached thereto. The Applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by Indemnitees and costs of suit, claim or litigation, including without limitation attorneys' fees, penalties and other costs, liabilities and expenses incurred by Indemnitees in connection with such proceeding. The City will promptly notify the applicant of any such claim, action, or proceeding against the City. If the project is challenged in court, the City and the applicant shall enter into formal defense and indemnity agreement, consistent with this condition
- 3. Within 30 days of project approval, the applicant shall sign and complete an "Acknowledgment of Conditions" and shall return the executed original to the Community Development Department for inclusion in the case records.

PLANNING DIVISION

4. Sign Permit No. 2022-18 and its associated design review shall lapse and become void two (2) years following the date on which the design review became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the design review is issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the design review approval pursuant to subsections (1) and (2) of the Lake Elsinore Municipal Code (LEMC) Section 17.415.050(I). Notwithstanding conditions to the contrary, a design review granted pursuant to LEMC Chapter 17.415 shall run with the land for this two-year period, subject to any approved extensions, and shall continue to be valid upon a change of ownership of the site, which was the subject of the variance application.

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- 5. All Conditions of Approval shall be reproduced on page one of building plans prior to their acceptance by the Building and Safety Division, Community Development Department. All Conditions of Approval shall be met prior to the issuance of a Certificate of Occupancy and release of utilities.
- 6. All future development proposals shall be reviewed by the City on a project-by-project basis. If determined necessary by the Community Development Director or designee, additional environmental analysis will be required.
- 7. The applicant shall comply with the City's Noise Ordinance. Construction activity shall be limited to the hours of 7:00 AM to 5:00 PM, Monday through Friday, and no construction activity shall occur on Saturdays, Sundays, or legal holidays.
- 8. Any proposed minor revisions to approved plans shall be reviewed and may be approved by the Community Development Director. Any proposed substantial revisions to the approved plans shall be reviewed according to the provisions of the LEMC in a similar manner as a new application.
- 9. The owner acknowledges that the proposed location of the sign is within the ultimate right-of-way abutting the building site as shown on the General Plan. If for any reason the public right-of-way abutting the building site is to be widened and the City Engineer determines that the sign will encroach into the public right-of-way, the owner shall be responsible to remove or relocate the sign at the full expense of the owner unless an encroachment permit is validly issued. If the sign is removed or relocated for any reason, the owner shall apply for and obtain any required design review and zoning permits in effect at the time the application is filed.
- 10. Any nonconforming sign on the subject property shall be removed or made to conform to the zoning ordinance if any change, including change of face, is made to the sign pursuant to LEMC 17.196.070.
- 11. It shall be the responsibility of the property owner to have signs pertaining to enterprises or occupants that are no longer using a property removed or the sign copy obliterated within 30 days after the associated enterprise or occupant has vacated the premises pursuant to LEMC 17.196.090.
- 12. The sign shall not exceed the height of any building with which it is associated pursuant to LEMC 17.196.180.F.4.

13. No portion of the sign or its supporting structure shall be located closer than five feet to any property line, nor be located in such a manner as to constitute a hazard to pedestrian or vehicular traffic pursuant to LEMC 17.196.180.F.4.

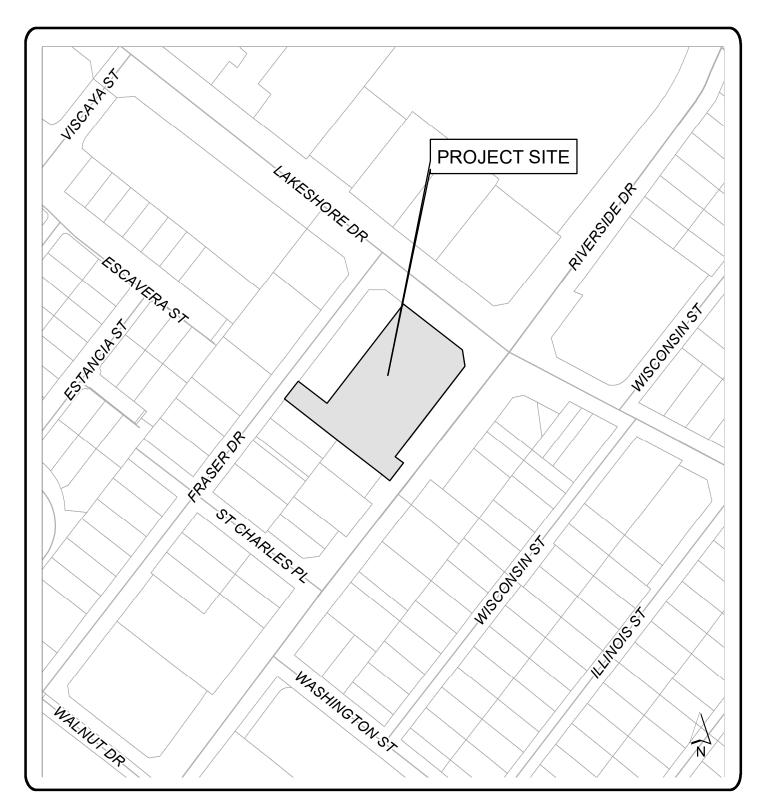
PC: September 20, 2022

- 14. The sign shall include the address of the center in numerals and/or letters at least six inches high and the address shall not be obscured by landscaping or other obstructions pursuant to LEMC 17.196.180.F.6.
- 15. The sign shall include City of Lake Elsinore insignia as identified in the sign design review package dated 08-23-2022.
- 16. All plans shall comply with all applicable requirements of the latest adopted building code adopted by the City.
- 17. The applicant shall pay all applicable fees at the time of building permit issuance.
- 18. If any of the conditions of approval set forth herein fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny or further condition issuance of all future building permits, deny revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.

I hereby state that I acknowledge receipt of the approved Conditions of Approval for the abovenamed project and do hereby agree to accept and abide by all Conditions of Approval as approved by the Planning Commission of the City of Lake Elsinore on <u>September 20, 2022</u>. I also acknowledge that all Conditions shall be met as indicated.

Date:	
Applicant's Signature:	
Print Name:	
Address:	
Phone Number:	

Planning Application No. 2020-109 APN: 379-224-015 VICINITY MAP

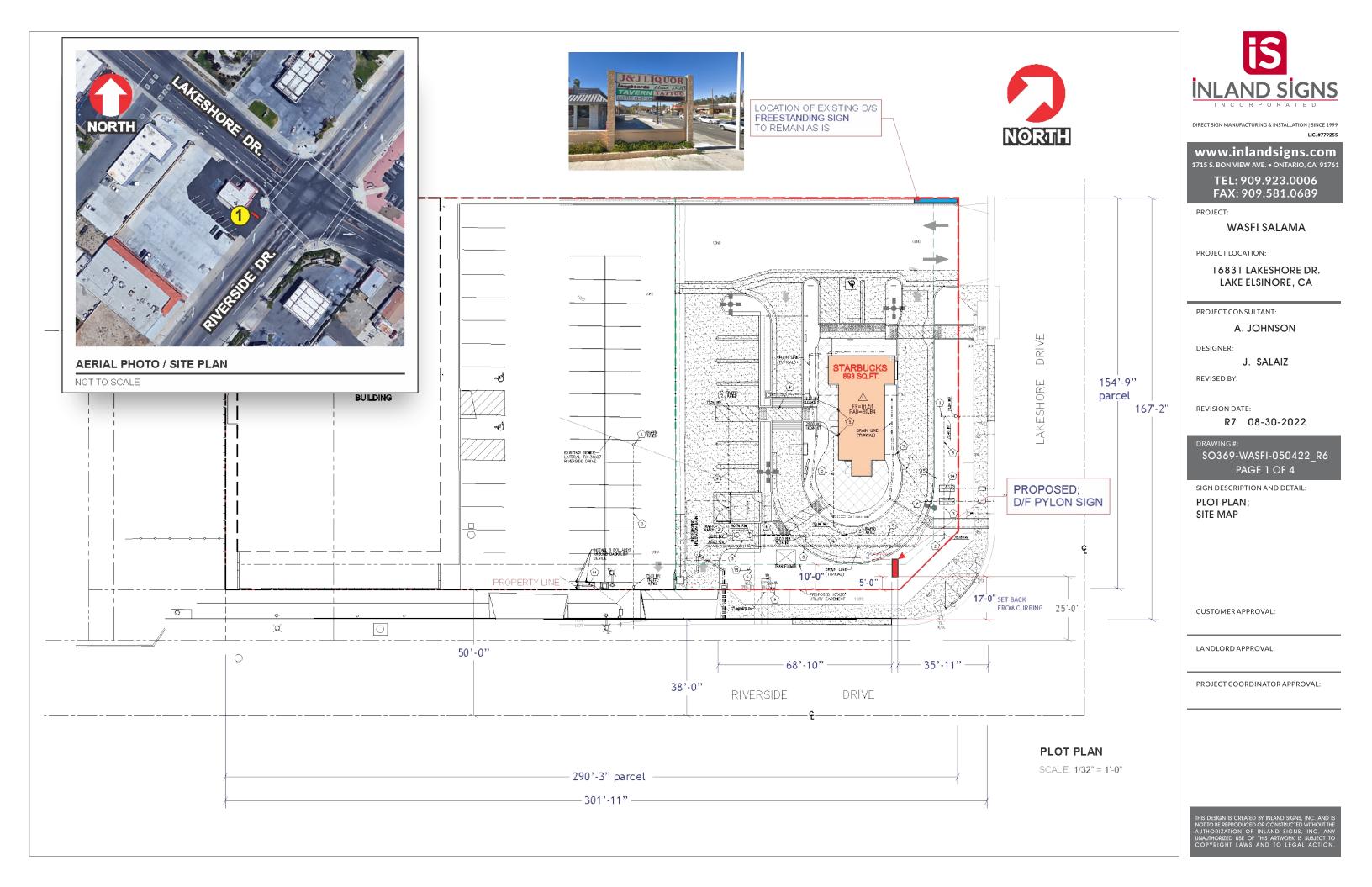


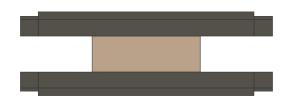


Planning Application No. 2020-109 APN: 379-224-015 AERIAL MAP





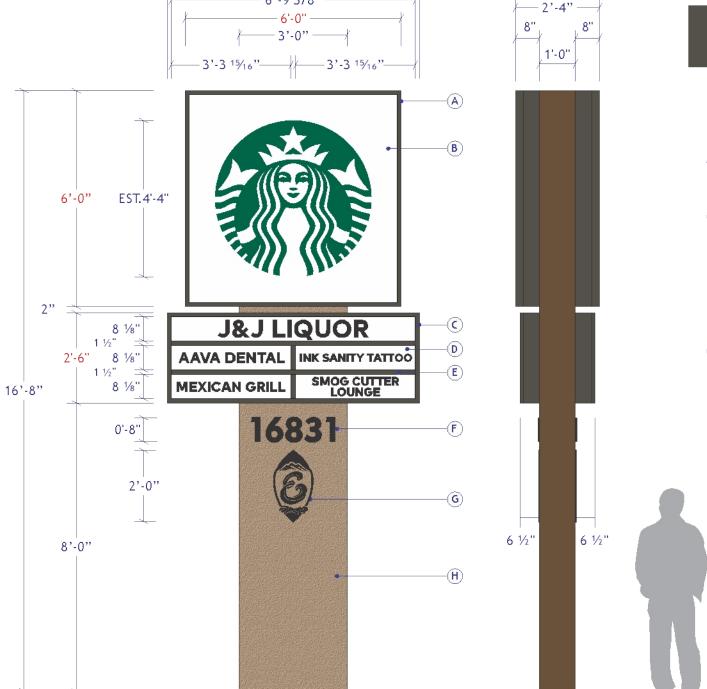




- 7'-0"

6'-9 3/8"

PLAN VIEW



54 SQ.FT.

SIDE VIEW

COLOR SCHEDULE;





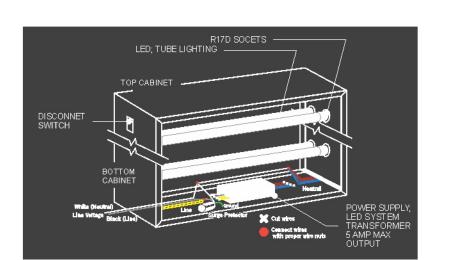




PROPOSED BUILDING; RENDER

- A. ALUMINUM CABINET- INFERNALLY ILLUMINATED; 8" DEEP W/ 2 5/8" X 1 5/16" RETAINERS. PAINTED TO MATCH SHERWIN WILLIAMS Sw7084 "URBAN BRONZE"
- B. WHITE ACRYLIC FACES; DONE BY OTHERS
- C. ALUMINUM CABINET- INFERNALLY ILLUMINATED; 6 1/2" DEEP W/ 1 1/8" X 1 5/16" RETAINERS.

 PAINTED TO MATCH SHERWIN WILLIAMS Sw7084 "URBAN BRONZE"
- D. WHITE ACRYLIC FACES; DECORATED W/ 3M TRANSLUCENT VINYL FILM.
 TENANT COPY AND COLORS TBD. VECTOR ARTWORK NEEDED IF AVAILABLE.
- E. 1 1/2" DIVIDER BARS. PAINTED TO MATCH SHERWIN WILLIAMS SW 7084 "URBAN BRONZE"
- F. 1/2" FLAT CUT OUT ACRYLIC ADDRESS NUMBER. PAINTED BLACK. ADHERED TO POLE COVER W/ VHB ADHESIVE TAPE & CONSTRUCTION GRADE SILICONE.
- G. 1/4" FCO ACRYLIC; BLACK. MOUNTED FLUSH TO POLE COVER W/ VHB ADHESIVE TAPE & SILICONE.
- H. ALUMINUM POLE COVER. CLADDING PAINTED TO MATCH
 OMEGAFLEX; LIGHT STUCCO FINISH #9241 "AUTUMN" & SIDES PAINTED TO MATCH
 SHERWIN WILLIAMS SW9115 "COWBOY BOOTS".



TYPICAL CABINET SECTION DETAIL; N.T.S.

INLAND SIGNS

DIRECT SIGN MANUFACTURING & INSTALLATION | SINCE 1999

www.inlandsigns.com
1715 S. BON VIEW AVE. • ONTARIO, CA 91761

TEL: 909.923.0006 FAX: 909.581.0689

PROJECT:

WASFI SALAMA

PROJECT LOCATION:

16831 LAKESHORE DR. LAKE ELSINORE, CA

PROJECT CONSULTANT:

A. JOHNSON

DESIGNER:

J. SALAIZ

REVISED BY:

REVISION DATE:

R7 08-30-2022

orawing#: SO369-WASFI-050422_R6 PAGE 2 OF 4

SIGN DESCRIPTION AND DETAIL:

DOUBLE FACED ILLUMINATED PLYON SIGN

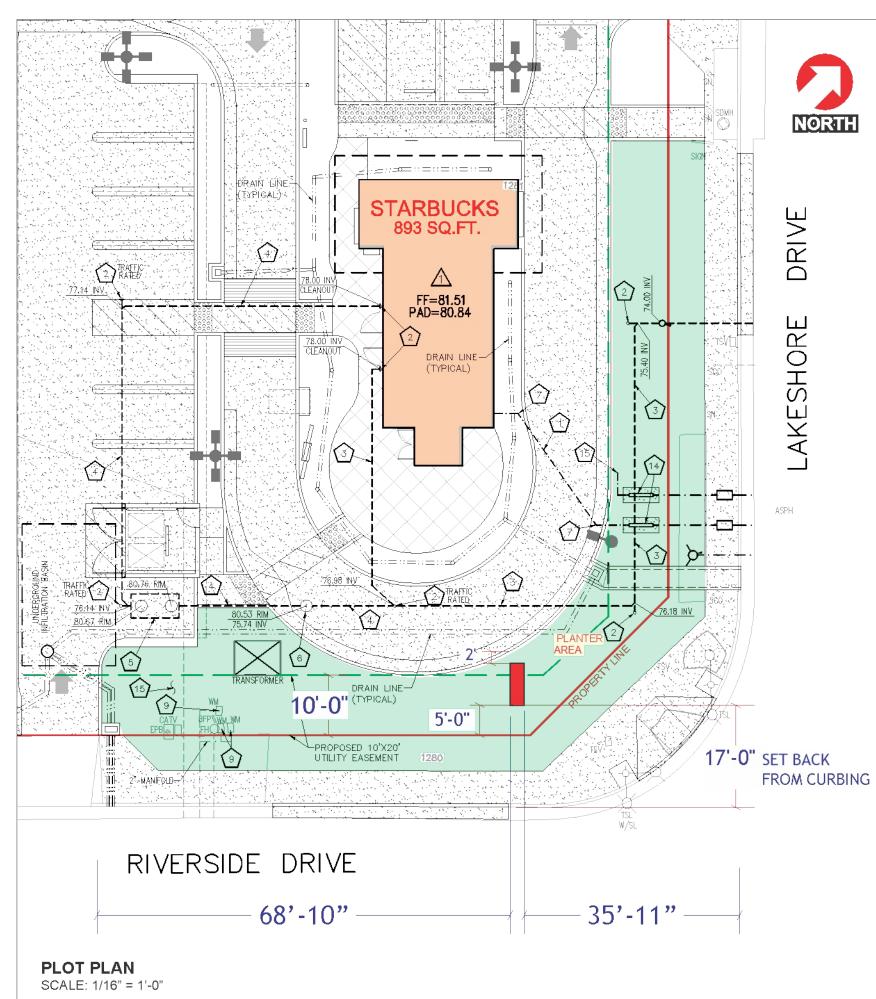
CUSTOMER APPROVAL:

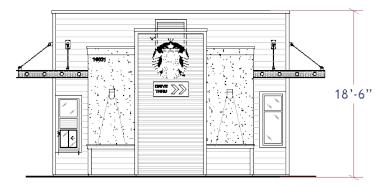
LANDLORD APPROVAL:

PROJECT COORDINATOR APPROVAL:

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DOUBLE FACED; ILLUMINATED PYLON SIGN





STARBUCKS BLDG OVERALL HEIGHT- SOUTH ELEVATION

SCALE: 3/32" = 1'-0"



EXISTING BUILDING; SOUTH EAST ELEVATION

NOT TO SCALE



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TEL: 909.923.0006 FAX: 909.581.0689

PROJECT:

WASFI SALAMA

PROJECT LOCATION:

16831 LAKESHORE DR. LAKE ELSINORE, CA

PROJECT CONSULTANT:

A. JOHNSON

DESIGNER:

J. SALAIZ

REVISED BY:

REVISION DATE:

R7 08-30-2022

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SIGN DESCRIPTION AND DETAIL:

PLOT PLAN

CUSTOMER APPROVAL:

LANDLORD APPROVAL:

PROJECT COORDINATOR APPROVAL:

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PROPOSED SIGN PLACEMENT

SCALE: 1/16" = 1'-0"



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TEL: 909.923.0006 FAX: 909.581.0689

PROJECT:

WASFI SALAMA

PROJECT LOCATION:

16831 LAKESHORE DR. LAKE ELSINORE, CA

PROJECT CONSULTANT:

A. JOHNSON

DESIGNER:

J. SALAIZ

REVISED BY:

REVISION DATE:

R7 08-30-2022

SO369-WASFI-050422_R6 PAGE 4 OF 4

SIGN DESCRIPTION AND DETAIL:

SIMIULATED RENDER STREET VIEW OF SIGN

CUSTOMER APPROVAL:

LANDLORD APPROVAL:

PROJECT COORDINATOR APPROVAL:

THIS DESIGN IS CREATED BY INLAND SIGNS, INC. AND IS NOT TO BE REPRODUCED OR CONSTRUCTED WITHOUT THE AUTHORIZATION OF INLAND SIGNS, INC. ANY UNAUTHORIZED USE OF THIS ARTWORK IS SUBJECT TO