



Planning Commission Staff Report

Date: May 26, 2010

Case No.: SP 09-001 – El Paseo Building

Type: Sign Program - Amendment

Applicant: Christopher Anthony Antiques

Location: 800 North Palm Canyon Drive

APN: 505-285-014

General Plan: NCC (Neighborhood Community Commercial)

Zone: C-1 (General Commercial)

From: Craig A. Ewing, AICP, Director of Planning Services

Project Planner: Glenn Mlaker, AICP, Assistant Planner

PROJECT DESCRIPTION:

The applicant is seeking approval of a sign program amendment for an existing commercial building known as the El Paseo Building (Historic Class 1 Site # 27) located at 800 North Palm Canyon Drive. The proposed sign program amendment is for the placement of one 8.3 square foot internally-illuminated, acrylic-faced can sign to be affixed to the southwest corner of the building.

RECOMMENDATION:

That the Planning Commission approve a recommendation of the Historic Site Preservation Board sub-committee for Case No. SP 09-001 to allow an internally-illuminated, acrylic-faced can sign with a two (2) inch border to be affixed to the southwest corner of the building located at 800 North Palm Canyon Drive, subject to the attached conditions of approval. A determination regarding the sign area is discussed below.

PRIOR ACTIONS:

In April 1990, City Council adopted Resolution No. 17053, designating "The El Paseo Building" as a Class 1 historic site (#27).

On Tuesday, February 10, 2009 the HSPB reviewed a sign program for the El Paseo Building and voted 6-0 to approve with conditions.

On Wednesday, February 25, 2009 the Planning Commission reviewed the El Paseo building sign program and voted 7-0 to approve with conditions.

On April 12, 2010, the proposed sign program amendment was reviewed by the Architectural Advisory Committee (AAC) and restudied with the following comments:

1. Look at lighting the existing signs from either above or from below.
2. Does not support new light box on historic building.

On April 13, 2010, the proposed sign program amendment was reviewed by the Historic Sign Preservation Board (HSPB) and a motion was made to issue a certificate of approval based upon the following conditions:

1. Approve a wall sign at the southwest corner of the building.
2. Eliminate the existing Palm Canyon Drive non-illuminated sign.
3. The wall sign to be approved by the Planning Director.
4. The final sign design to be reviewed by the HSPB sub-committee.

On May 11, 2010, the HSPB sub-committee discussed the new proposal and made a recommendation. (see analysis below)

BACKGROUND:

The El Paseo Building located at 800 North Palm Canyon Drive, completed in *circa* 1926-1927 is a Mediterranean-Spanish style building constructed around a central courtyard. The courtyard which can be accessed through two passageways from either Palm Canyon Drive or Tamarisk Road serves as the entrances to the present retail shops. The building underwent a total restoration project in 2008-09. This restoration was an adaptive re-use to modernize the building to meet the requirements of today's retail tenants. The property is surrounded by the following uses:

Table 1: General Plan, Zone and Surrounding Land Uses:

	General Plan Designation	Zone	Surrounding Land Use
North	NCC (Neighborhood/Community Commercial)	C-1 (General Commercial)	Commercial
South	NCC (Neighborhood/Community Commercial)	C-1 (General Commercial)	Commercial

East	NCC (Neighborhood/Community Commercial)	C-1 (General Commercial)	Medium Density Residential
West	NCC (Neighborhood/Community Commercial)	C-1 (General Commercial)	Commercial

The El Paseo Building is presently occupied by art galleries, artists' lofts, antique furniture stores, and the main tenant Design Within Reach. Design Within Reach occupies the majority of the leasable space within the building. The sign program which was approved by the Planning Commission in February 2009 does make provisions for smaller tenants signage. The approved sign program provided for a variety of wall signs, window decals, blade signs and signs affixed to existing fritted panels. On the rear parking lot building wall, a future tenant directory sign was approved.

ANALYSIS:

Sign programs are required for all buildings with more than one (1) tenant. According to Section 93.20.10(C)(6) of the Palm Springs Zoning Code (PSZC), "*sign programs shall integrate with the architecture of the building complex, including such elements as size, color, location and construction material.*" A sign program may be approved which varies from the specific limitations of the sign ordinance.

Applicant's Submission

The applicant has submitted the following sign program amendment:

- Add one sign cabinet for the corner tenant with sign copy dimensions of 25" x 48" and a frame that extends two-inches beyond the cabinet on all signs.
 - Total sign area is 29" x 5" or 10.5 square feet total (as measured per Section 94.20.03.29).
 - The sign affixed to the southwest corner of the building to protrude four (4) inches from the wall with the bottom of the sign mounted at pedestrian eye level; five and one half foot above the ground.
 - The face of the sign to be constructed of a white acrylic face with vinyl graphics depicting the tenant logo.
 - The sign to be internally lit with LED lighting, with a total illumination not to exceed 60 watts.
- Removal of all existing window graphics.

Architectural Advisory Committee

On April 12, 2010, the Architectural Advisory Committee reviewed the request (which at that time did not include the proposed frame). The AAC recommended re-study:

- Look at lighting the existing signs from either above or from below.
- Does not support new light box on historic building.

Staff accepted the re-study action as a recommendation against the proposal presented to the Committee.

HSPB Review

The building is a Class 1 historic site and the sign program amendment is subject to Historic Site Preservation Board approval. On February 10, 2010, the Board reviewed

the proposal, which at that time did not include the proposed frame. Staff supported the amendment to allow revised signage for the tenant, but expressed concern with the use of an internally-illuminated can sign immediately adjacent to the sidewalk. The Board approved the amendment (5-0, two absences) subject to the following conditions:

To amend the sign program; to approve a wall sign with illumination at the south corner, eliminate the window sign, with the wall sign design to be approved by staff, following consultation with an HSPB sub-committee.

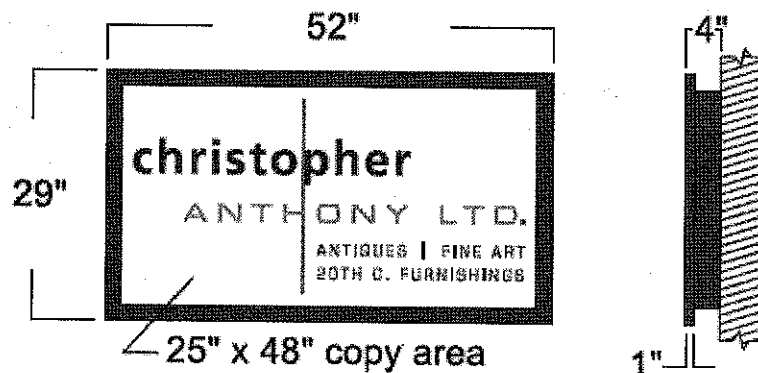
The size of the sign was discussed, but there was no consensus among Board members on acceptable dimensions. Subsequently, staff proposed a frame to extend beyond the sides of the metal can, allowing the sign to appear to "float" off the face of the wall. Staff met with the HSPB sub-committee on May 11, 2010 which supported the design concept, but recommended that the additional frame dimensions not exceed the original proposal of 25 x 48 inches. This would effectively reduce the sign copy area from 25 x 48 inches (8.3 square feet) to 21 x 44 inches (6.4 square feet).

Current Proposal

The request now before the Commission is based on the applicant's response to the comments of the HSPB and AAC:

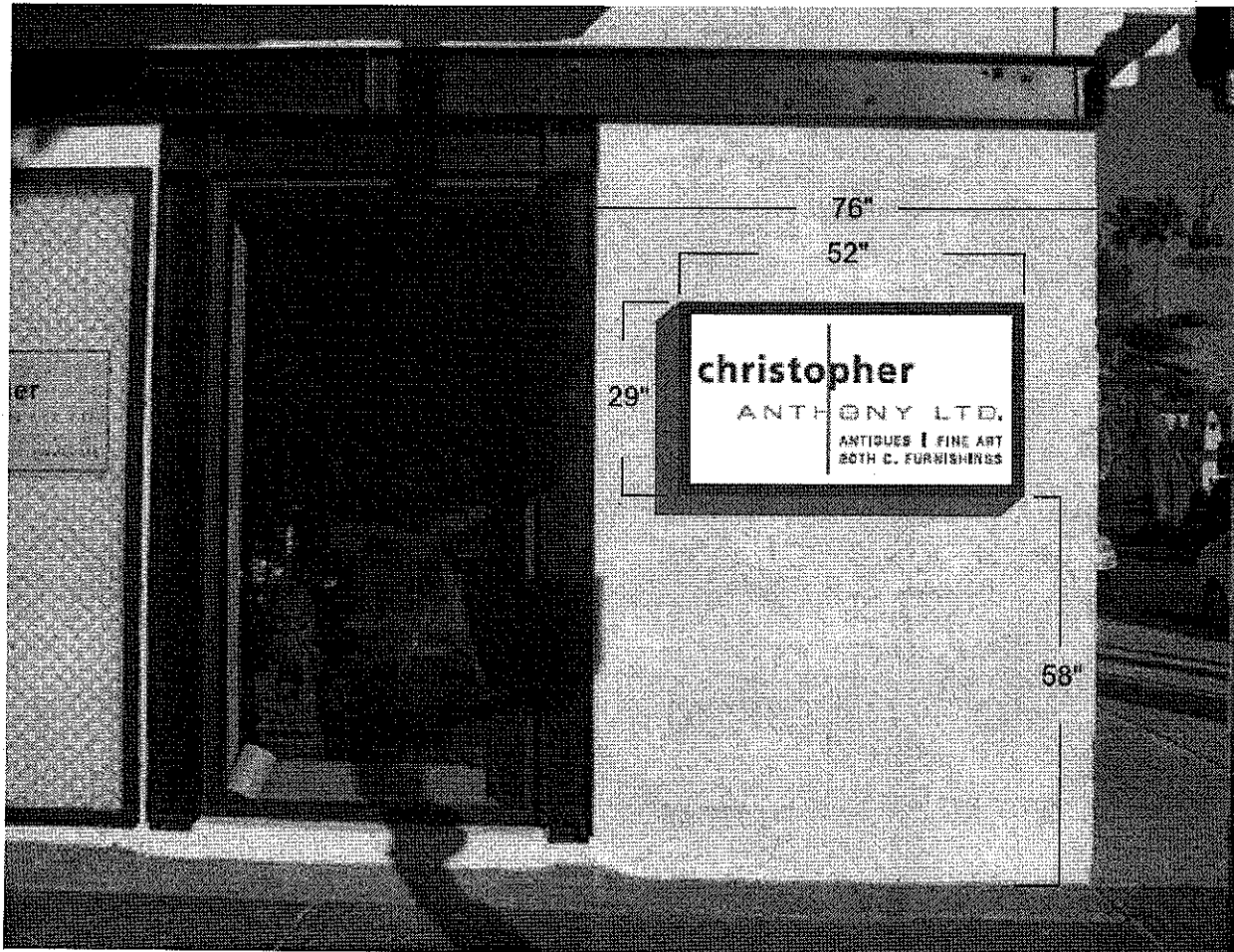
- One sign cabinet with sign copy dimensions of 25" x 48" and a frame that extends two-inches beyond the cabinet on all signs.
 - Total sign area is 29" x 52" or 10.5 square feet total (as measured per Section 94.20.03.29).
 - The sign affixed to the southwest corner of the building to protrude four (4) inches from the wall with the bottom of the sign mounted at pedestrian eye level; five and one half foot above the ground.
 - The face of the sign to be constructed of a white acrylic face with vinyl graphics depicting the tenant logo.
 - The sign to be internally lit with LED lighting, with a total illumination not to exceed 60 watts.
- Removal of all existing window graphics.

The sign would look something like this:



Internally illuminated sign cabinet, aluminum construction with ivory acrylic face & vinyl graphics. Internal illumination is low voltage white LED modules. (Approx. 72 modules = 60 watts) Face graphics are Brown and Green vinyl. Exterior cabinet & trim color is bronze.

It would appear on the building, as follows:



Staff remains concerned regarding the use of can signs; however, this proposal provides a creative way to mask the metal box through a two-inch wide extension of the frame. The small lettering and arrangement of the copy is attractive and professional in appearance. With the a sign that includes a changeable front panel, staff supports incorporating language within the sign program that would authorize the Director of Planning Services to approve future copy changes. The area of the sign must yet be determined; it was of concern to the HSPB but not resolved. The Commission must establish the sign size as part of the amendment.

REQUIRED FINDINGS:

Section 93.20.05(C)(6) stipulates three findings that are required for a sign program amendment to be approved that deviates from the strict provisions of the Sign Ordinance. Staff has analyzed the required findings in order below:

- 1) Due to the physical characteristics of the property and the orientation and design of the structures on the property, strict application of the regulations of the sign ordinance will not give adequate visibility to the signage.*

The El Paseo Building is oriented towards North Palm Canyon Drive and Tamarisk Road in the uptown district. The building is part of the Old Las Palmas Historic Business District and was designated an historic site in 1990. The original sign program was approved in 2009 with multiple sign types and locations on the building. The main tenant of the building possesses the majority of the signs approved by the original sign program. Secondary building tenant's signage as designated on the original sign program has been deemed inadequate by the applicant. The original sign program provided for two non-illuminated 5.8 square foot signs to be affixed to a fritted panel. The provision within the original sign program for no internal illuminated sign at the southwest corner of the building is a hardship as deemed by the applicant. Therefore, strict application of the Sign Ordinance may not provide for adequate and/or appropriate signage.

- 2) *The approved program will be compatible with the design of the property and will represent the least departure from the standards of the sign ordinance necessary for the effectiveness of the program.*

The sign program allows for architecturally compatible signs as the existing signage permits internally-illuminated blade signs. The proposed amendment to the sign program would allow an internally-illuminated can sign, with a frame extension to create a floating effect. Low wattage illumination (not to exceed 60 watts) would reduce the potential glare impacts on pedestrians, while providing sign visibility to motorists. Allowing staff approval of future change of copy will provide flexibility and efficiency.

- 3) *The approved program is compatible with the surrounding property and not contrary to the purpose of the sign ordinance.*

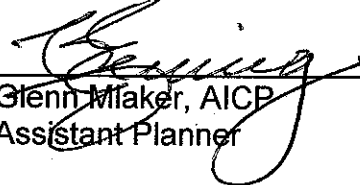
The stated purpose of the sign ordinance as provided by Section 93.20.02(B) "is to provide standards to safeguard life, health, property and the public welfare and to provide the means for adequate identification of business and other sign users by regulating and controlling the design, location and maintenance of all signs in the city". The sign program amendment is limited to one sign affixed to the southwest corner of the building. The original sign program has very specific design criteria, and the proposal, as conditioned, will provide one cabinet sign associated with the applicant's business which is compatible with not only the building, but the surrounding properties. The sign program amendment will not be contrary to the purpose of the sign ordinance.

CONCLUSION:

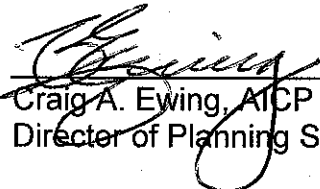
Staff has evaluated the application and the scope of work of the proposed sign program amendment against the Zoning Code's Sign Ordinance and finds that the proposed sign program amendment conforms to the Sign Ordinance. Staff recommends that the Planning Commission approve the recommendation of the HSPB sub-committee subject to the attached conditions of approval.

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt under Section 15311(a).



Glenn M. Baker, AICP
Assistant Planner



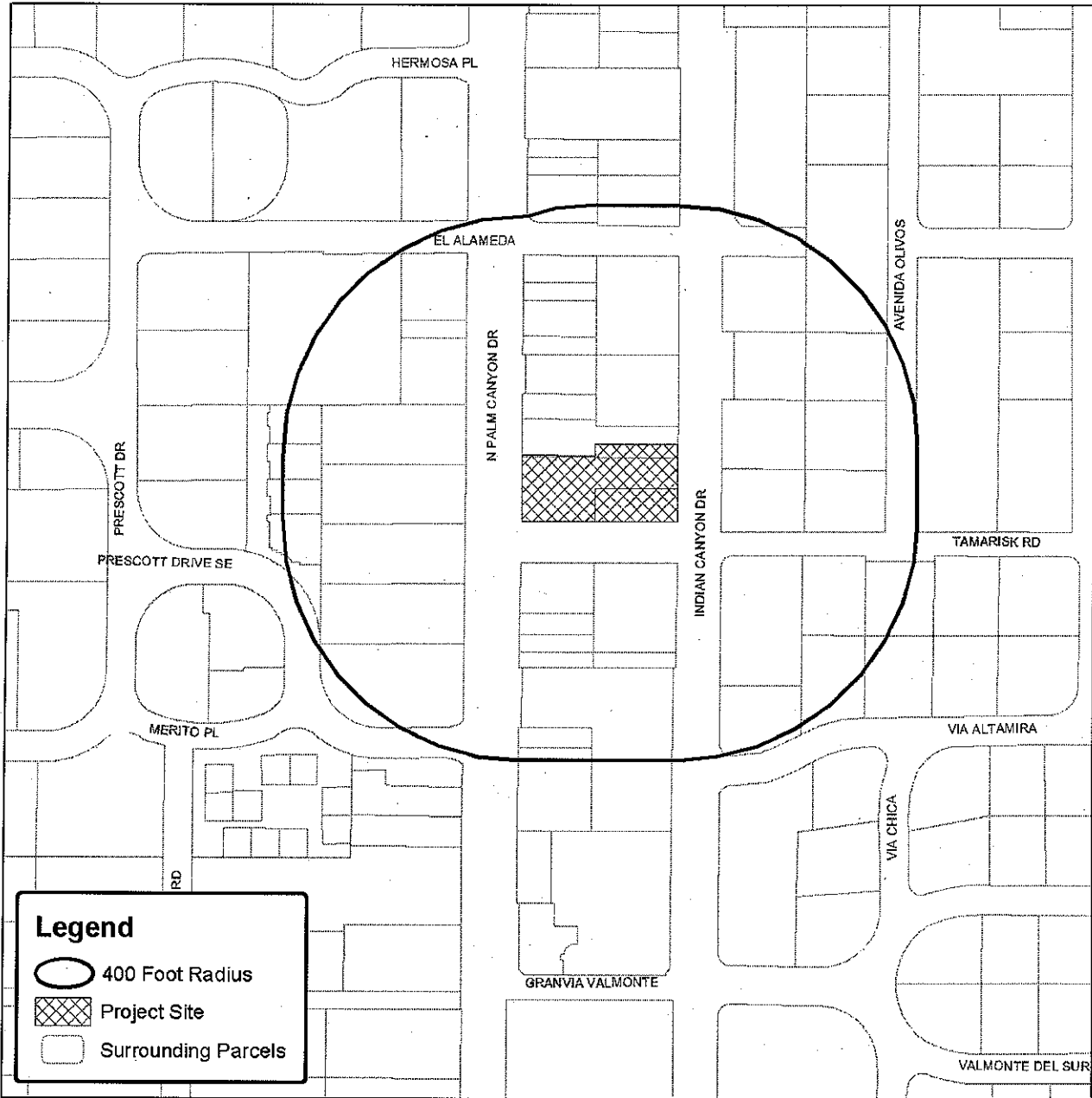
Craig A. Ewing, AICP
Director of Planning Services

ATTACHMENTS:

- 1) 400' Radius Map
- 2) Draft Resolution with Conditions of Approval
- 3) Proposed Sign
- 4) Original Sign Program
- 5) Site Photographs



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: SP 09-001 / HSPB # 27
Sign Program Amendment

APPLICANT: Christopher Anthony

DESCRIPTION: Sign program amendment for the El Paseo Building located at 800 North Palm Canyon Drive, Historic Site #27, Zone C-1, Section 10.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE SP 09-001, ALLOWING THE IMPLEMENTATION OF A SIGN PROGRAM AMENDMENT FOR THE PROPERTY LOCATED AT 800 NORTH PALM CANYON DRIVE, ZONE C-1, SECTION 10, APN 505-285-014.

WHEREAS, Christopher Anthony Antiques (the "Applicant"), has filed an application with the City pursuant to Section 93.20.09 of the Sign Ordinance for a sign program amendment located at 800 North Palm Canyon Drive, APN: 505-285-014, Zone C-1, Section 10; and

WHEREAS, notice of public meeting of the Planning Commission of the City of Palm Springs to consider an amendment to Case No. SP 09-001 was given in accordance with applicable law; and

WHEREAS, on April 12, 2010, a public meeting on the application for an architectural recommendation was held by the Architectural Advisory Committee (AAC) in accordance with applicable law at which meeting the AAC recommended restudy of the proposal; and

WHEREAS, on April 13, 2010, a public meeting on the application for architectural approval was held by the Historic Site Preservation Board (HSPB) in accordance with applicable law, at which meeting the HSPB approved the request, subject to conditions of approval; and

WHEREAS, on May 26, 2010, a public meeting on the application for architectural approval was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and has been determined to be Categorical Exempt as a Class 11 exemption (accessory structures) pursuant to Section 15311(a) of the CEQA Guidelines; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to the California Environmental Quality Act (CEQA), the

project is Categorically Exempt under Section 15311(a)(Accessory Structures).

Section 2: Section 93.20.05(C)(6) stipulates three findings that are required for a sign program amendment to be approved that deviates from the strict provisions of the Sign Ordinance. Staff has analyzed the required findings in order below:

- 1) *Due to the physical characteristics of the property and the orientation and design of the structures on the property, strict application of the regulations of the sign ordinance will not give adequate visibility to the signage.*

The El Paseo Building is oriented towards North Palm Canyon Drive and Tamarisk Road in the uptown district. The building is part of the Old Las Palmas Historic Business District and was designated an historic site in 1990. The original sign program was approved in 2009 with multiple sign types and locations on the building. The main tenant of the building possesses the majority of the signs approved by the original sign program. Secondary building tenant's signage as designated on the original sign program has been deemed inadequate by the applicant. The original sign program provided for two non-illuminated 5.8 square foot signs to be affixed to a fritted panel. The provision within the original sign program for no internal illuminated sign at the southwest corner of the building is a hardship as deemed by the applicant. Therefore, strict application of the Sign Ordinance may not provide for adequate and/or appropriate signage.

- 2) *The approved program will be compatible with the design of the property and will represent the least departure from the standards of the sign ordinance necessary for the effectiveness of the program.*

The sign program allows for architecturally compatible signs as the existing signage permits internally-illuminated blade signs. The proposed amendment to the sign program would allow an internally-illuminated can sign, with a frame extension to create a floating effect. Low wattage illumination (not to exceed 60 watts) would reduce the potential glare impacts on pedestrians, while providing sign visibility to motorists. Allowing staff approval of future change of copy will provide flexibility and efficiency.

- 3) *The approved program is compatible with the surrounding property and not contrary to the purpose of the sign ordinance.*

The stated purpose of the sign ordinance as provided by Section 93.20.02(B) "is to provide standards to safeguard life, health, property and the public welfare and to provide the means for adequate identification of business and other sign users by regulating and controlling the design, location and maintenance of all

signs in the city". The sign program amendment is limited to one sign affixed to the southwest corner of the building. The original sign program has very specific design criteria, and the proposal, as conditioned, will provide one cabinet sign associated with the applicant's business which is compatible with not only the building, but the surrounding properties. The sign program amendment will not be contrary to the purpose of the sign ordinance.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case No. SP 09-001 sign program amendment, subject to those conditions set forth in Exhibit A.

ADOPTED this 26th day of May, 2010.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services

Exhibit A

Case No. SP 09-001

Amendment to Sign Program

El Paseo Building
800 North Palm Canyon Drive

May 26, 2010

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

PROJECT SPECIFIC CONDITIONS

- PSP 1. The sign program amendment is for one internally-illuminated rectangular metal can sign with an acrylic sign face, containing the copy as presented in plans, dated April 5, 2010
- PSP 2. The size of the sign shall not exceed xx" by xx" with a two (2) inch wide frame; sign face equaling xx square feet.
- PSP 3. Sign to be mounted at least 58 inches from the bottom of the sign to the sidewalk.
- PSP 4. Maximum internal illumination of the sign shall not exceed 60 watts.
- PSP 5. Changes to the copy of the can sign may be approved by the Director of Planning Services.
- PSP 6. Existing non-illuminated sign on fretted panel facing North Palm Canyon Drive to be removed.
- PSP 7. All signs shall comply with the Uniform Building Code regulations.
- PSP 8. All non-approved signage must be removed as part of this approval.

- PSP 9. The applicant shall provide all tenants with a copy of the sign program and all Conditions of Approval for this project.
- PSP 10. Any portable free-standing signs shall comply with Palm Springs Zoning Code Section 93.20.09(B)(5).

ADMINISTRATIVE

- ADM 1. The proposed development of the premises shall conform to all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, or any other City Codes, ordinances and resolutions which supplement the zoning district regulations.
- ADM 2. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning sign program amendment Case SP 09-001. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
- ADM 3. The decision of the Planning Commission may be appealed to the City Council pursuant to Chapter 2.05 of the Palm Springs Municipal Code.

BUILDING DEPARTMENT

- BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

END OF CONDITIONS

SIGN*A*RAMA

41945 BOARDWALK, STE. L
 PALM DESERT, CA 92211
 PH 760.776.9907
 FX 760.776.9844

Date: 4-29-10**Job#: Q17962****Designer: FH**

YOUR SIGNATURE ACKNOWLEDGES FULL APPROVAL OF DESIGN CONTENT AND LAYOUT. RELEASING SIGN'A*RAMA FROM RESPONSIBILITY IN REGARD TO INCORRECT DESIGN AND INFORMATION. THE COLORS SHOWN ARE ONLY REPRESENTATIVE OF ACTUAL PMS COLOR CALL OUTS. FINAL COLOR WILL BE MATCHED AS CLOSE AS POSSIBLE, COMMENSURATE WITH MATERIALS USED. THIS DESIGN IS PROPRIETARY PROPERTY AND MAY NOT BE USED WITHOUT THE EXPRESSED WRITTEN CONSENT OF SIGN'A*RAMA.

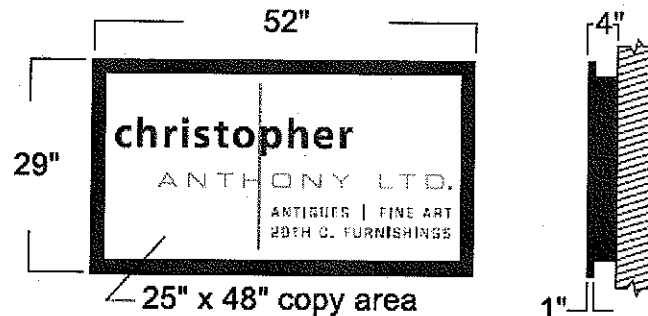
SIZE 29" x 52" x 4"**COLORS** Bronze / Ivory / Brown / Green**MATERIAL** Aluminum / Acrylic / Vinyl

APPROVAL SIGNATURE _____

DATE _____

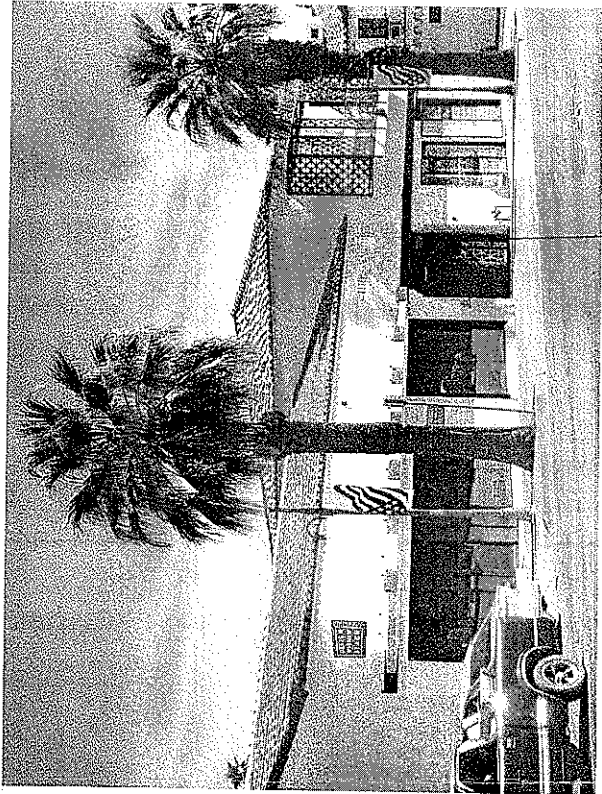


WEST ELEVATION

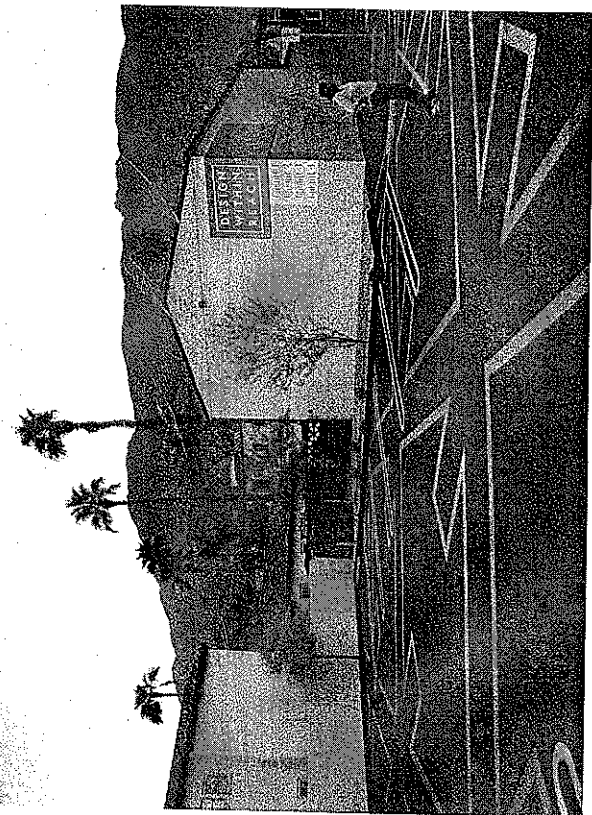


Internally illuminated sign cabinet, aluminum construction with white acrylic face & vinyl graphics. Internal illumination is low voltage white LED modules. (Approx. 72 modules = 60 watts) Face graphics are Brown and Green vinyl. Exterior cabinet & trim color is bronze.

0707.04



PHOTOMONTAGE OF DWR SIGNAGE ON PALM CANYON DRIVE
NO SCALE 2



PHOTOMONTAGE OF DWR SIGNAGE & BUILDING DIRECTORY ON INDIAN CANYON DRIVE
NO SCALE 3

EL PASO BUILDING
Master Signage Plan
& DWR Tenant Signs
8010 Palm Canyon Drive
Palm Springs, CA 92262

PLANNING SERVICES
DEPARTMENT

RECEIVED

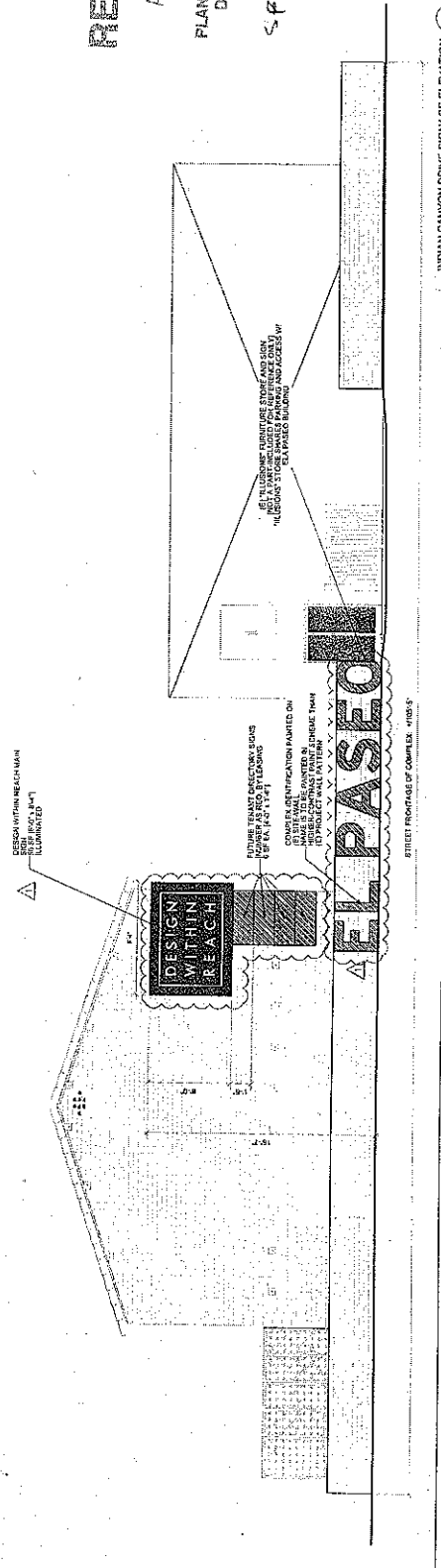
APR 05 2010

PLANNING SERVICES
DEPARTMENT

SI-09-001

SIGNAGE SUBMITTAL
Elevations

SI-3



INDIAN CANYON DRIVE SIGNAGE ELEVATION
SCALE: 1/8" = 1'-0"

