



## Planning Commission Staff Report

Date: January 12, 2011  
Case No.: 8.238 SI VAR AMEND  
Type: Sign Variance Amendment  
Location: 490 East Sunny Dunes Road  
APN: 508-132-023  
Applicant: Sign-A-Rama  
General Plan: NCC (Neighborhood / Community Commercial)  
Zone: C-M (Commercial Manufacturing)  
From: Craig A. Ewing, Director of Planning Services  
Project Planner: David A. Newell, Associate Planner

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### **PROJECT DESCRIPTION:**

The proposed project is a request by Sign-A-Rama to remove all signage and install two new signs at the existing home improvement store located at 490 East Sunny Dunes Road. The project is being reviewed by the Planning Commission due to a wall sign in excess of fifty square feet, and a Variance amendment to the number of main signs.

### **RECOMMENDATION:**

That the Planning Commission approve sign designs and the amendment to sign variance request, Case 8.238 SI VAR AMEND, to allow a second main sign at 490 East Sunny Dunes Road.

### **PRIOR ACTIONS:**

On May 8, 1996, the Planning Commission approved a sign variance to allow a second main sign at 490 East Sunny Dunes Road.

On October 25, 2010, the Architectural Advisory Committee (AAC) reviewed the proposed sign variance amendment and by vote of 5-1-1 recommended approval, subject to the following recommendations:

1. Remove the two main wall signs on the east and west elevations on southerly portion of the building;
2. Red stucco behind main wall sign located on south elevation to be revised to match adjacent color of building;
3. Blade sign to be relocated above overhang on south elevation and may be enlarged to incorporate additional company names / logo;
4. Redesign blade sign to be reviewed by the AAC for final approval prior to issuance of sign permit;
5. Remove all six service signs proposed.

On December 20, 2010, the AAC reviewed the revised sign variance request and by a vote of 5-0 recommended approval, subject to the following recommended conditions:

1. There shall be a two to four inch reveal between the sign and the wall and overhang;
2. The reveal shall begin approximately six inches from the outermost top corner of the sign and end six inches above the bottom corner of the sign;
3. Remove house logo from the south façade.

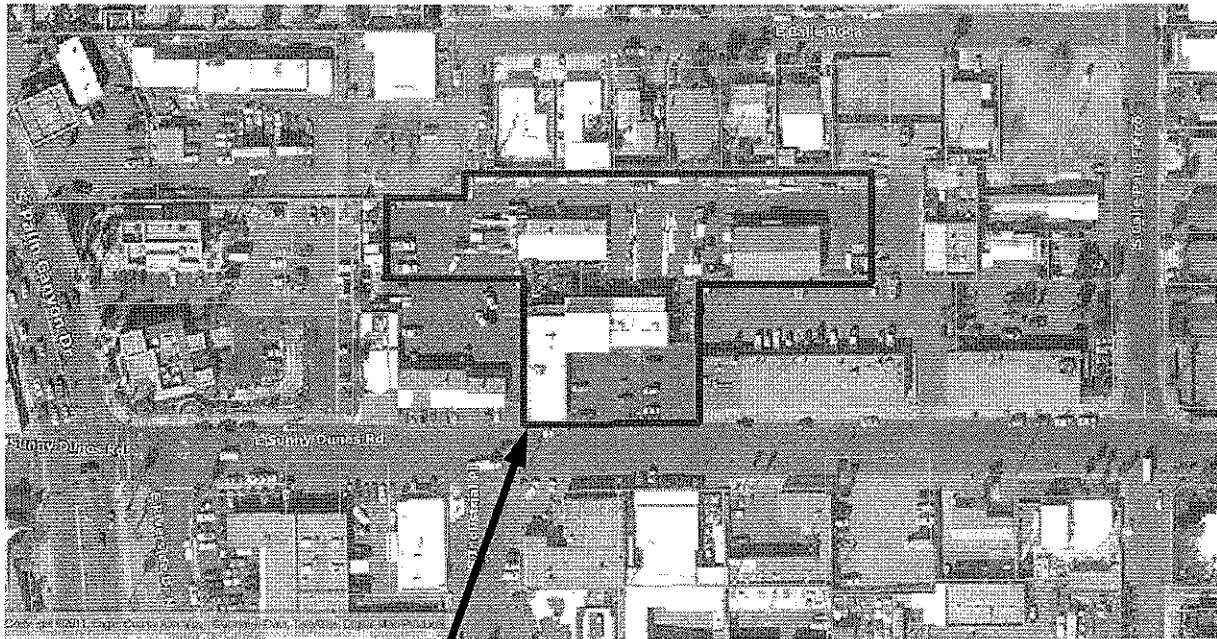
The applicant has agreed to the above conditions and staff has included these requirements in the draft conditions of approval.

### **BACKGROUND AND SETTING:**

The subject property is an approximately 1.46-acre site that is located on the north side of Sunny Dunes Road, halfway between South Palm Canyon Drive and South Calle Palo Fierro. The property is "T"-shaped and fully developed with three buildings, parking, outdoor storage and product display areas (see aerial on next page). The surrounding land uses, zones and general plan designations are shown in the table below.

**Table 1: Surrounding Land Uses, General Plan Designations and Zones**

	<b>Land Use</b>	<b>General Plan</b>	<b>Zoning</b>
North	Single- and multiple-family residential	MDR (Medium Density Residential)	R-2 (Limited Multi-family Residential)
East	Retail and commercial	NCC (Neighborhood / Community Commercial)	C-M (Commercial Manufacturing)
South	Commercial and light manufacturing	MU / MU (Mixed Use / Multi Use)	C-M (Commercial Manufacturing)
West	Commercial / Restaurants	TRC (Tourist Resort Commercial)	C-M (Commercial Manufacturing)



**SITE**

Currently, there are two main signs located on the east and west elevations of the building near the street front. A third main sign exists below the overhang at the front of the building, but never received a permit. The applicant proposes to remove all signage, including the large house logo, and install a double-sided main sign at the front of the building below the overhang (where the illegal sign is currently located) and a second main wall sign on the south elevation facing the parking lot.

**ANALYSIS:**

The Palm Springs Zoning Code (PSZC) allows commercial and industrial uses one main sign per street frontage. The subject property has one street frontage and would therefore be permitted one main sign. However, a variance was approved in 1996 allowing a second main sign for this property. Each of the main signs was approved at eighty-six square feet in size. The applicant would like to remove these signs and propose two different main signs at new locations.

The total area allowed for main signs is determined by a formula provided in Section 93.20.05(A)(2)(a) and 93.20.05(A)(2)(c) of the PSZC. The formula determines sign area by the amount of lineal frontage a business has facing a public right-of-way plaza, promenade, arcade or parking lot (in the case of shopping centers). For the first fifty feet of lineal frontage, a business is allowed fifty square feet of sign area. The PSZC states, "A single business having a lineal frontage in excess of fifty feet is allowed an additional one square foot of sign area for each four feet of frontage in excess of fifty

*(50) feet up to one hundred (100) feet, and an additional one (1) square foot of sign area for each eight (8) feet of frontage in excess of one hundred (100) feet.”* The subject property has a building frontage of approximately 138 lineal feet which would allow a main sign of 67.25 square feet.

The proposed double-sided projecting sign would be on the south elevation adjacent to the street and approximately thirty-one square feet in size. The proposed wall sign would be on the south elevation behind the parking lot and approximately 138.5 square feet in size. The total square footage of the two signs amounts to 169.5 square feet. The original sign variance approved two main signs that totaled 172 square feet in size; therefore, the proposed sign variance amendment is less than that which was approved in 1996 by the City.

### **REQUIRED FINDINGS:**

State law requires four (4) findings be made for the granting of a variance. Staff has analyzed the findings in order below:

- 1) Because of the special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

The subject property, as is it currently exists in its “T”-shaped configuration, has an unusual shape. This shape limits the exposure of buildings on the property that would normally have street frontage and additional signage. Therefore, strict application of the Zoning Code would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

- 2) Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.*

The variance granted will be for a second main sign. It will be located behind a parking lot and serve the main buildings and two other buildings that do not have street frontages. The overall size of both signs is not excessive for the size of the oddly property. Thus, the variance request does not grant special privileges to the applicant. A variance request has been granted previously at this location and the proposed request would allow a similar approval.

- 3) The granting of the variance will not be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.*

The proposed signs will be required to meet all necessary building and safety codes. The signs have been reviewed by the Architectural Advisory Committee for good design. Therefore, the granting of the variance will not affect the public health, safety, convenience or welfare and will not be injurious to property improvements in the same vicinity and zone.

- 4) *The granting of such variance will not adversely affect the general plan of the city.*

Staff has reviewed the policies of the general plan and has found no inconsistencies between the plan and the proposed signage.

#### *Additional Findings*

In addition to the findings required by state law, the sign ordinance stipulates three additional findings required for sign variances. Those findings are analyzed by staff below:

- 5) *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 "T"-shaped configuration of the subject property limits the amount of building frontage possible. The layout of the building includes an "L"-shaped building fronting Sunny Dunes Road and two buildings at the rear with no street frontage. Since the buildings at the rear do not have any street frontage due to the lot configuration and orientation and design of structures on the property, strict application of the sign ordinance regulations will not give adequate visibility to the signage. Therefore, additional signage is warranted.

- 6) *The approved signage 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 signage.*

The proposal includes two main signs for a large retail establishment on a 1.46-acre site. The blade sign will allow easy identification when driving along Sunny Dunes Road in either direction. The main wall sign identifies the front of the building and provides way-finding to the parking and general building entrance. These signs provide adequate visibility and effective signage while representing the least departure from the standards of the sign ordinance.

The contemporary materials and design of the signs are compatible with the building and adjacent properties. The Architectural Advisory Committee voted unanimously to recommend approval of the design.

*7) That the approved signage is compatible with the surrounding property and not contrary to the purpose of the sign ordinance.*

The contemporary materials and design of the signs are compatible with the building and adjacent properties. The Architectural Advisory Committee voted unanimously to recommend approval of the design. The proposal does not conflict with the purpose of the sign ordinance as described in Section 93.20.02(B) of the Zoning Code.

**CONCLUSION:**

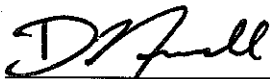
The proposal to allow a second main sign is necessary to improve the signage visibility for the large retail property. Staff recommends approval of the proposed design and Sign Variance, Case No. 8.238 – SI VAR AMEND.

**ENVIRONMENTAL ANALYSIS:**

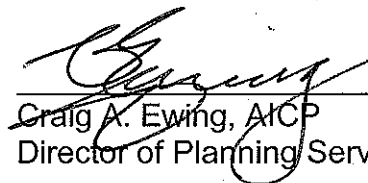
This request is categorically exempt as a Class 11 exemption from environmental review pursuant to Section 15311(a) (Accessory Structures) of the California Environmental Quality Act (CEQA) Guidelines.

**NOTIFICATION:**

A notice was mailed to all property owners within a four hundred foot radius of the subject property in accordance with state law.



David A. Newell  
Associate Planner



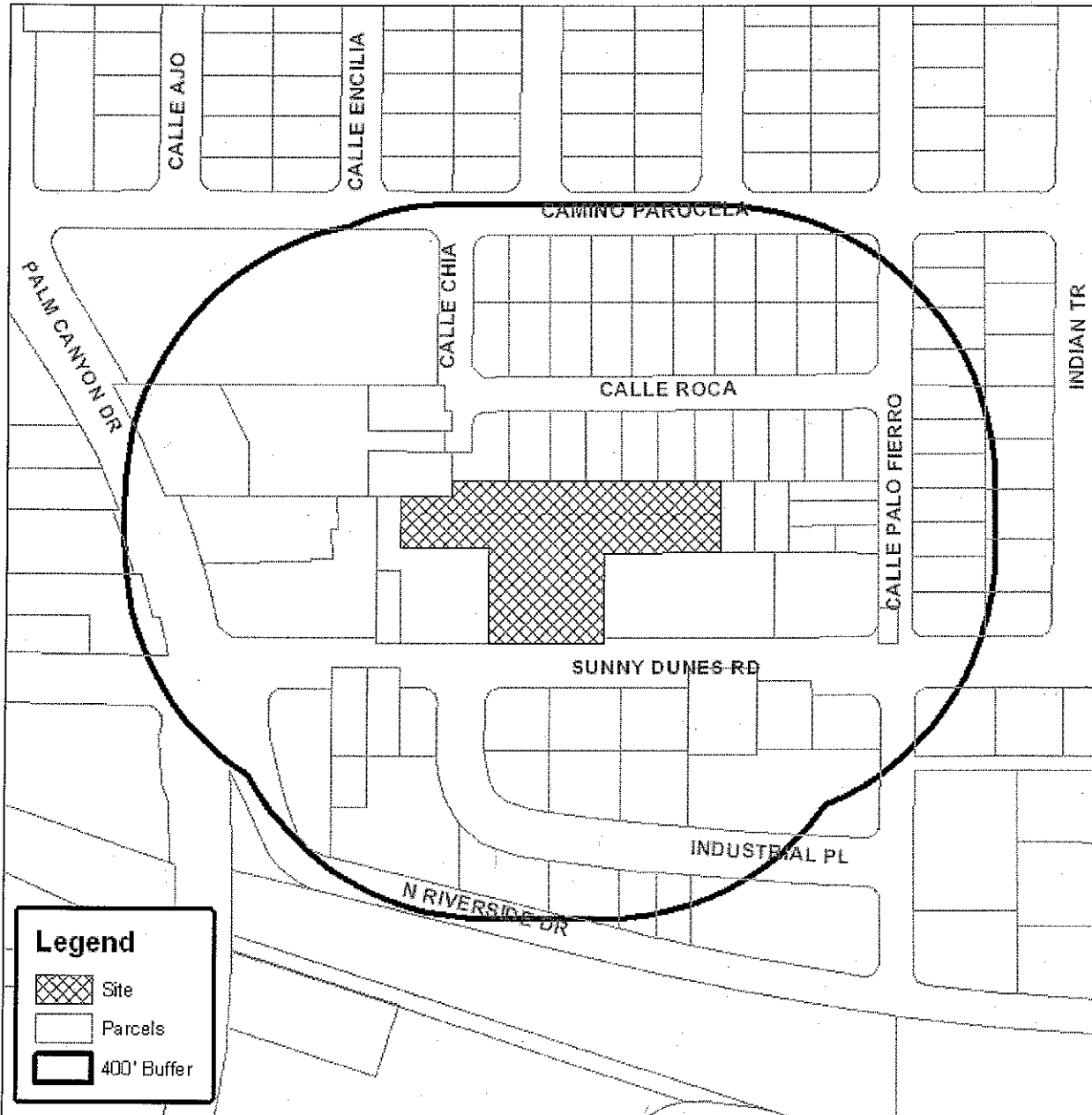
Craig A. Ewing, AICP  
Director of Planning Services

Attachments:




1. 400' Radius Map
2. Draft Resolution with Conditions of Approval
3. Sign Diagrams



# Department of Planning Services Vicinity Map



**Legend**

-  Site
-  Parcels
-  400' Buffer

## CITY OF PALM SPRINGS

**CASE NO.:** 8.238 SI VAR AMND

**APPLICANT:** Sign-A-Rama

**DESCRIPTION:** A request by Sign-A-Rama for an amendment to a sign variance for the "Do it Best" Builders Supply located at 490 East Sunny Dunes Road, Zone C-M, Section 23.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF PALM SPRINGS, CALIFORNIA,  
APPROVING SIGN VARIANCE AMENDMENT,  
CASE NO. 8.238 SI VAR AMEND, TO ALLOW A  
SECOND MAIN SIGN AT 490 EAST SUNNY DUNES  
ROAD.

WHEREAS, Sign-A-Rama ("Applicant") has filed an application with the City pursuant to Section 94.06.00 and Section 93.20.10(A)(4) of the Zoning Ordinance for a second main sign for the property located at 490 East Sunny Dunes Road, APN: 508-132-023, Zone C-M, Section 23; and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider Case No. 8.238 SI VAR AMEND was given in accordance with applicable law; and

WHEREAS, on January 12, 2011, a public hearing on the application was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is a Class III Categorical Exemption per Section 15303(e) (New construction of accessory structures).

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 requirements of Section 94.06.00(B), the Planning Commission finds:

- 1) *Because of the special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

The subject property, as is it currently exists in its "T"-shaped configuration, has an unusual shape. This shape limits the exposure of buildings on the property that would normally have street frontage and additional signage. Therefore, strict application of the Zoning Code would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.



- 2) *Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.*

The variance granted will be for a second main sign. It will be located behind a parking lot and serve the main buildings and two other buildings that do not have street frontages. The overall size of both signs is not excessive for the size of the oddly property. Thus, the variance request does not grant special privileges to the applicant. A variance request has been granted previously at this location and the proposed request would allow a similar approval.

- 3) *The granting of the variance will not be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.*

The proposed signs will be required to meet all necessary building and safety codes. The signs have been reviewed by the Architectural Advisory Committee for good design. Therefore, the granting of the variance will not affect the public health, safety, convenience or welfare and will not be injurious to property improvements in the same vicinity and zone.

- 4) *The granting of such variance will not adversely affect the general plan of the city.*

Staff has reviewed the policies of the general plan and has found no inconsistencies between the plan and the proposed signage.

Section 2: In addition to the findings required by state law, the sign ordinance stipulates three additional findings required for sign variances. Pursuant to the requirements of Section 93.20.10(A)(4), the Planning Commission finds:

- 5) *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 "T"-shaped configuration of the subject property limits the amount of building frontage possible. The layout of the building includes an "L"-shaped building fronting Sunny Dunes Road and two buildings at the rear with no street frontage. Since the buildings at the rear do not have any street frontage due to the lot configuration and orientation and design of structures on the property, strict application of the sign ordinance

regulations will not give adequate visibility to the signage. Therefore, additional signage is warranted.

6) *The approved signage 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 signage.*

The proposal includes two main signs for a large retail establishment on a 1.46-acre site. The blade sign will allow easy identification when driving along Sunny Dunes Road in either direction. The main wall sign identifies the front of the building and provides way-finding to the parking and general building entrance. These signs provide adequate visibility and effective signage while representing the least departure from the standards of the sign ordinance.

The contemporary materials and design of the signs are compatible with the building and adjacent properties. The Architectural Advisory Committee voted unanimously to recommend approval of the design.

7) *That the approved signage is compatible with the surrounding property and not contrary to the purpose of the sign ordinance.*

The contemporary materials and design of the signs are compatible with the building and adjacent properties. The Architectural Advisory Committee voted unanimously to recommend approval of the design. The proposal does not conflict with the purpose of the sign ordinance as described in Section 93.20.02(B) of the Zoning Code.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case No. 8.238 – SI VAR AMEND, allowing a second main sign at 490 East Sunny Dunes Road, subject to the conditions set forth in the attached Exhibit A.

ADOPTED this 12<sup>th</sup> day of January, 2011.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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Craig A. Ewing, AICP  
Director of Planning Services

RESOLUTION NO. \_\_\_\_\_

**EXHIBIT A**

Case No. 8.238 SI VAR AMEND  
Do It Best Builders Supply

490 East Sunny Dunes Road

January 12, 2011

**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 Director of Building and Safety, 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. Signage Alterations. Alterations to the approved signage limited to repaints and regular maintenance shall require the approval of a new sign permit. All other alterations require the amendment to this variance.
- PSP 2. Signage Amortization. Permits approved shall be valid based on the sign amortization schedule in section 93.20.11 of the Palm Springs Zoning Ordinance.
- PSP 3. Existing Signage. Prior to final inspection of the approved signage, all previously approved signage on the east and west elevations must be removed and the wall surface must be repaired to its original condition.
- PSP 4. Illegal Signage. All non-approved signage must be removed as part of this approval.

**ADMINISTRATIVE CONDITIONS**

- ADM 1. Project Description. This approval is for the project described per Case 8.238 SI VAR AMEND, except as modified by the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans on file in the Planning Division, except as modified by the conditions below.

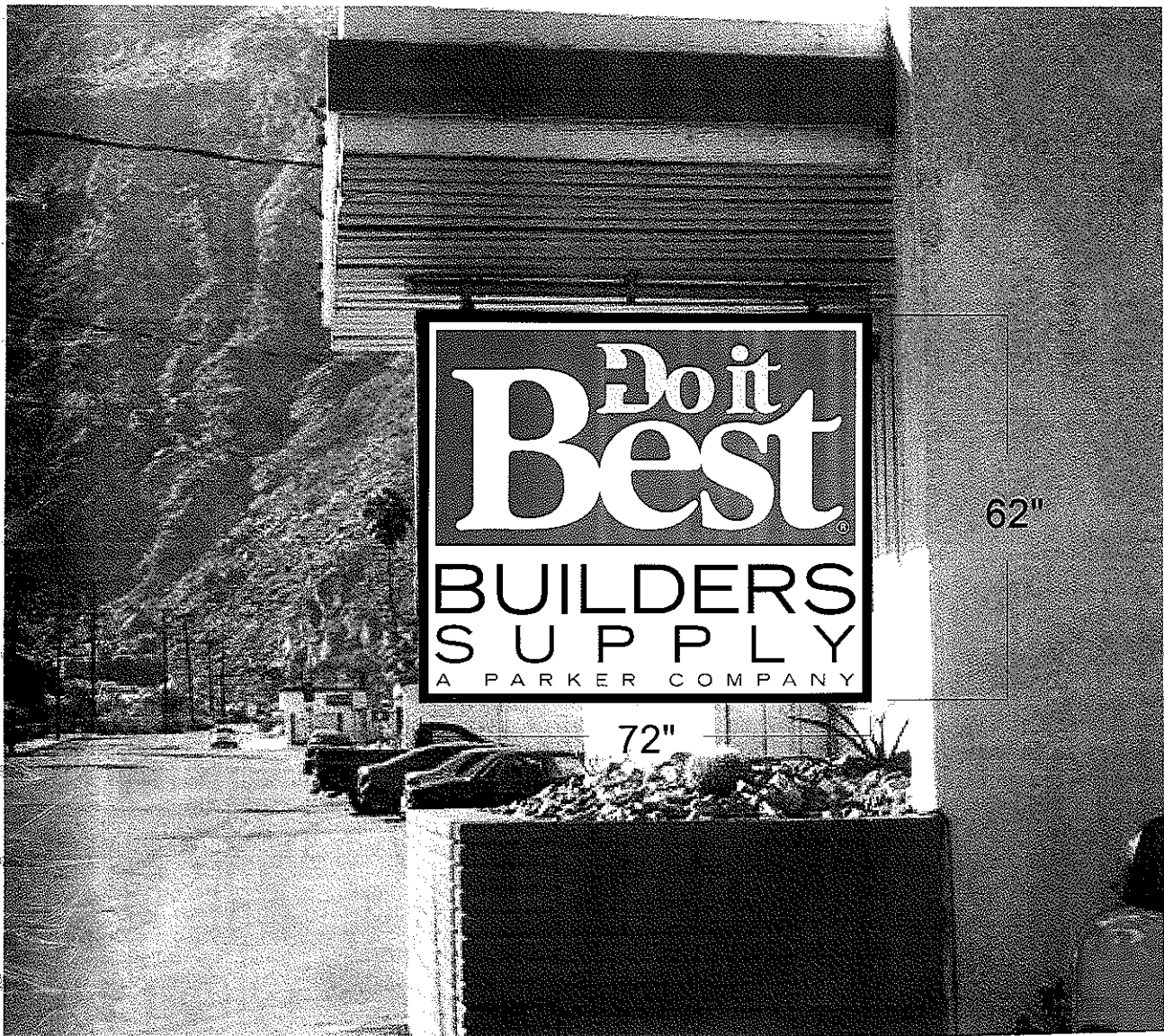
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. 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 Case SI 8.238 SI VAR. 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 6. Time Limit on Approval. Approval of the Sign Variance (SI VAR) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 7. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

#### **BUILDING DEPARTMENT CONDITIONS**

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

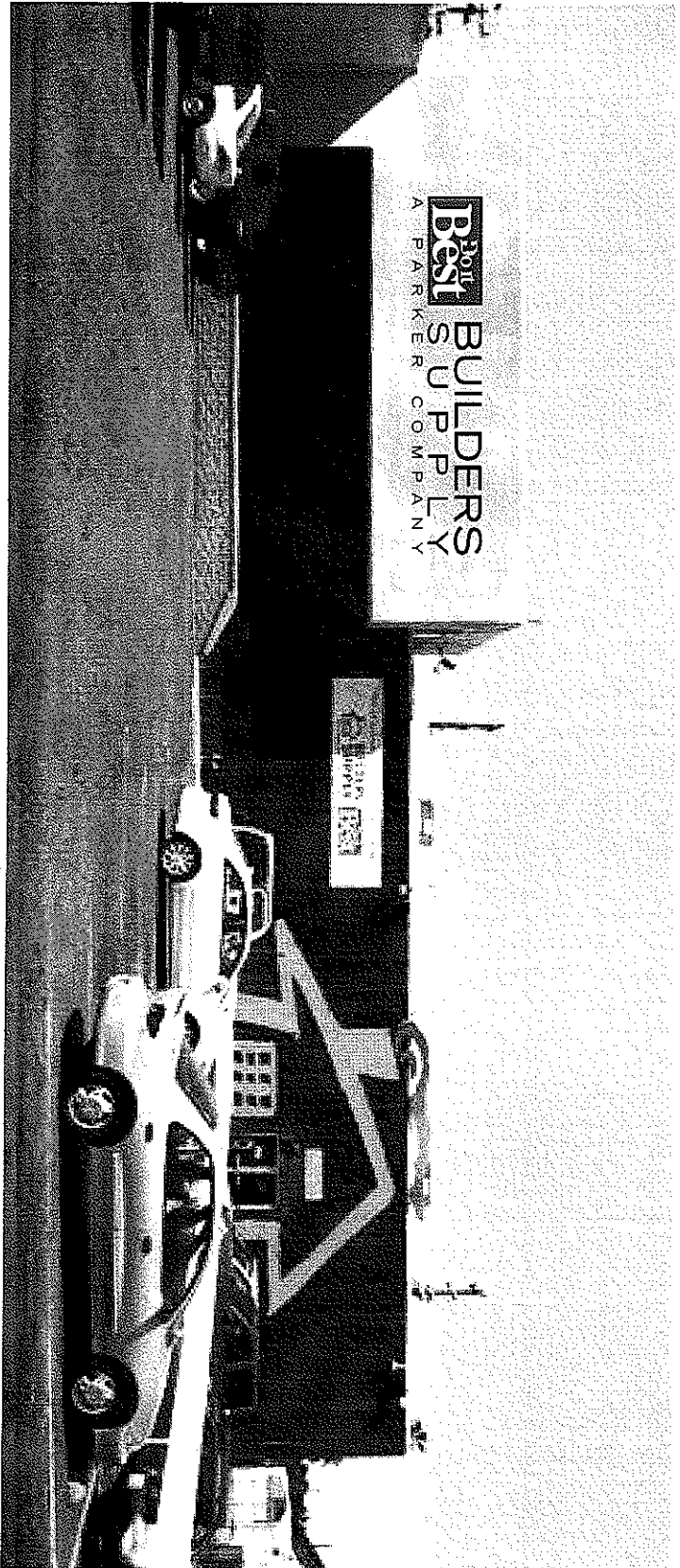
<b>SIGN*A*RAMA</b> 41945 BOARDWALK, STE. L PALM DESERT, CA 92211 P H 760.776.9907 F X 760.776.9844	<b>Date: 11-19-10</b> <b>Job# Q20279B</b> <b>Designer: FH</b>	YOUR SIGNATURE ACKNOWLEDGES FULL APPROVAL OF DESIGN CONTENT AND LAYOUT, RELEASING SIGN*A*RAMA FROM RESPONSIBILITY IN REGARD TO INCORRECT DESIGN 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.
<b>SIZE</b> as indicated		<b>COLORS</b> BLACK / WHITE / RED / YELLOW
<b>MATERIAL</b> Aluminum / Acrylic		APPROVAL SIGNATURE _____ DATE _____

Double-sided internally illuminated (H.O. fluorescent) aluminum sign cabinet with white acrylic face and printed graphics/copy. Overall sign area is 31 square feet.



<b>SIGN * A RAMA</b>		YOUR SIGNATURE APPROVES THE APPROVAL OF DESIGN CONTENT AND LAYOUT. RESERVING SIGNATURE FROM RESPONSIBILITY IN REGARD TO THE DESIGN AND CONSTRUCTION OF THE SIGN. THE APPROVAL IS NOT TO BE APPLIED AS CLOSE AS POSSIBLE TO THE ORIGINAL DESIGN. THE APPROVAL IS TO BE APPLIED AS CLOSE AS POSSIBLE TO THE ORIGINAL DESIGN. THE APPROVAL IS TO BE APPLIED AS CLOSE AS POSSIBLE TO THE ORIGINAL DESIGN.	
41945 BOWDWIN, STE. 1 PALM DESERT, CA 92211 TEL: 760.776.9844 FAX: 760.776.9844	Date: 11-19-10 Job#: Q20279A Designer: FH	APPROVAL SIGNATURE _____	DATE _____
SIZE: 88' indicated	MATERIAL: Aluminum / Acrylic / Neon	COLORS: BLACK / WHITE / RED / YELLOW	

Illustrated & non-illustrated signage. "BUILDERS SUPPLY" is daylight acrylic faced neon channel letters. "A PARKER COMPANY" is 1/2" thick black acrylic non-illuminated dimensional letters. The logo is a single-sided 1/2" thick blue acrylic non-illuminated dimensional letter. The sign is 138.4 square feet. Overall sign area is 138.4 square feet.



**RECEIVED**

NOV 22 2010

PLANNING SERVICES  
DEPARTMENT