

# CITY OF PALM SPRINGS

## DEPARTMENT OF PLANNING SERVICES

# **MEMORANDUM**

Date:

May 14, 2014

To:

Planning Commission

From:

Department of Planning Services

Subject:

LALITH CHANDRASENA FOR A SIGN VARIANCE TO INSTALL NINE (9) SIGNS ON FOUR SIDES OF AN EXISTING BUILDING AND EXCEED THE SIZE OF SIGNAGE ALLOWED ON EACH BUILDING FACE AT 6550 NORTH INDIAN CANYON DRIVE, ZONE H-C (CASE

8.258 SIGN VARIANCE).

#### **SUMMARY**

On April 23, 2014, the Planning Commission tabled the subject item and requested the applicant modify the proposal based on the following:

- 1. Establish a hierarchy of the product brands on the monument sign walls.
- 2. Eliminate the website and phone number from signage; focus more on the main business.
- 3. Temporary signs for grand opening will be allowed within the zoning code requirements.

The applicant has revised the project and eliminated the proposed monument sign walls on the south and west sides of the building. The signage will now be located on the west and south elevations of the existing building, as well on the existing double-sided, freestanding monument sign. No signage is proposed on the north or east elevations. In response to Commissioner comments, the applicant has modified the design as follows:

- 1. "Palm Springs Motorsports" sign has been eliminated from all four building elevations;
- 2. Wall signage has been reduced in area on the south and west elevations;
- 3. Signage reconfigured on the building;
- 4. The phone number and webpage was removed from the monument sign.

Staff has evaluated the new proposal against the sign ordinance below.

Permitted Signage				Proposed Signage	
Street Frontage	Business Lineal Frontage	Permitted Sign Quantity & Area	Elevation / Freestanding	Proposed Signage	Conforms
Indian Canyon Drive / I-10 Frwy	58 feet	1 sign at 87 sq. ft. (single sided)	South	3 signs totaling 26 sq. ft.	No, exceeds quantity
Garnet Ave	153 feet	1 sign at 69 sq. ft. (single sided)	West	3 signs totaling 85 sq. ft.	No, exceeds quantity and area
Freeway Signs	N/a	150 sq. ft. sign - 25 ft. height, except 50 ft. may be approved after flag test proving height is necessary for I-10 visibility - Letter size to be 1ft to 3ft in vertical or horizontal dimension - distance between lowest portion of sign face and ground shall not be less than ½ the height of sign structure	Existing Pylon	192 sq. ft. per side	No, exceeds area

Staff recommends approval of the proposal and attached a draft resolution of approval for the Planning Commission's consideration.

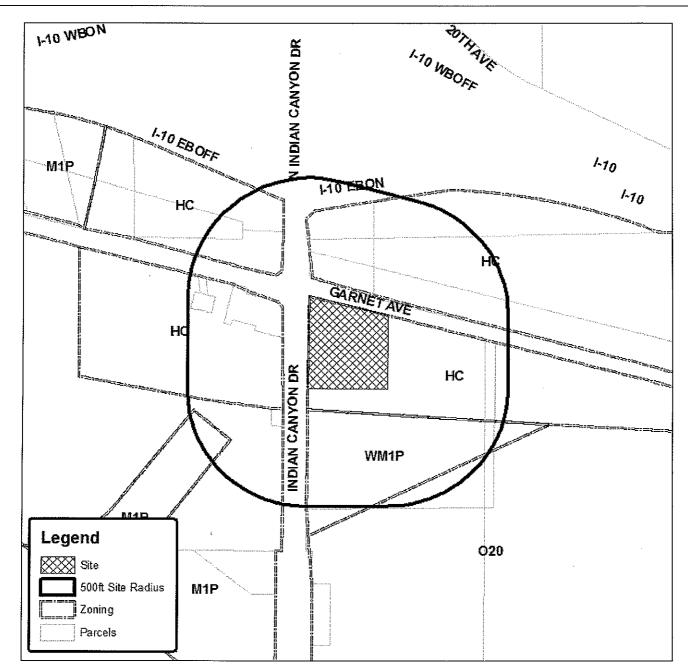
#### Attachment:

- 1. Vicinity Map with 500ft Site Radius
- 2. Draft Resolution
- 3. 4/23/2014 Draft Planning Commission Minutes
- 4. 4/23/2014 Staff Memorandum
- 5. Plans



# Department of Planning Services Vicinity Map





## CITY OF PALM SPRINGS

CASE NO: Sign Variance 8.258

APPLICANT: Lalith Chandrasena,

Palm Springs Motors /

Yamaha

<u>DESCRIPTION</u>: An application for a Sign Variance to install six signs on the exterior of an existing building and reface an existing double-sided pylon sign at 6550 North Indian Canyon Drive, Zone H-C.

#### RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING SIGN VARIANCE, CASE NO. 8.258 TO SECTION 93.20.05 OF THE ZONING CODE TO ALLOW VARIOUS IDENTIFICATION SIGNS AT THE COMMERCIAL PROPERTY LOCATED AT 6550 NORTH INDIAN CANYON DRIVE.

WHEREAS, Lalith Chandrasena ("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 to install nine signs on the exterior of an existing building and reface a double-sided pylon sign at 6550 North Indian Canyon Drive, Zone H-C, Section 23; and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider Sign Variance, Case No. 8.258, was given in accordance with applicable law for the Planning Commission meeting of April 23, 2014; and

WHEREAS, on April 23, 2014, a public hearing on the application was held by the Planning Commission in accordance with applicable law, and at this meeting the Commission tabled the item for further design considerations by the applicant; and

WHEREAS, on May 5, 2014, the Applicant submitted a revised proposal to install six signs on the building exterior and reface the existing monument sign; and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider Sign Variance, Case 8.258, was given in accordance with applicable law for the Planning Commission meeting of May 14, 2014; and

WHEREAS, the proposed project is considered a "project" pursuant to the California Environmental Quality Act (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:

<u>Section 1:</u> 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 commercial building is located on a single parcel adjacent to Indian Canyon Drive and Garnet Avenue. The site is within 1,000 feet of the Indian Canyon Drive and I-10 freeway interchange at a lower elevation than the nearby freeway. The strict application of the Zoning Code would deprive the subject property from providing adequate signage compared to other commercial properties in the area at a grade elevation closer to that of the freeway. Therefore, the variance is justified due to the site location and its surrounding.

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 request for three wall signs on two elevations and the reface of a monument sign is consistent with nearby development. Other highway commercial businesses in the area commonly have multiple signs with large pylons, including Jack in the Box, and Pilot Fuel Center located across the street to the west and northwest. Thus, the variance request does not grant special privileges to the applicant.

3) The granting of the variance will not be materially detrimental to the pubic 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.

<u>Section 2:</u> 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 subject property is located near the Interstate 10 interchange and sits at a lower elevation than the freeway. In addition, the new I-10 interchange configuration modified the bridge approach elevating North Indian Canyon Drive reducing visibility of the site from the freeway. Therefore, strict application of the regulations of the sign ordinance will not give adequate visibility to the signage.

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 the placement of three wall signs on two elevations and the reface of a monument sign. Like other buildings at the same intersection, the signage will contain names and logos of business identities contained within the building. The signs are proposed in strategic locations to provide adequate and effective identification while representing the least departure from the standards of the sign ordinance. Furthermore, the Architectural Advisory Committee voted favorably to recommend approval of the Sign Variance with one condition.

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

The use of corporate logos, colors, materials and the design of the signs are compatible with the building and adjacent highway commercial properties. The Architectural Advisory Committee voted favorably 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. 8.258, a sign variance to allow the installation of six new signs on building and reface the existing pylon sign at 6550 North Indian Canyon Drive, subject to the conditions set forth in the attached Exhibit A.

ADOPTED this 14th day of May, 2014.

AYES: NOES: ABSENT: ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Margo Wheeler, AICP Director of Planning Services PAULA AUPURN, spoke in reference to Item 1B, questioned if murals should be encouraged in the city and wondered if the same review process for public art will be applied to murals.

TIM O'GRADY, Davidson Communities, applicant, crarified that Item 2B is requested to be continued.

There being no further appearances public comments was closed.

#### 1. PUBLIC HEARINGS:

1A. LALITH CHANDRASENA FOR A SIGN VARIANCE TO INSTALL NINE (9) SIGNS ON FOUR SIDES OF AN EXISTING BUILDING AND EXCEED THE SIZE OF SIGNAGE ALLOWED ON EACH BUILDING FACE 6550 NORTH INDIAN CANYON DRIVE, ZONE H-C (CASE NO. 8.258 SIGN VARIANCE). (DN)

Associate Planner Newell presented the proposed project as outlined in the staff report.

The Commission requested clarification on the multiple signs in the surrounding area.

TED WOOD, Signarama, representing the applicant, brought up the numerous signs approved for projects in the area. He noted that the building is dilapidated and the applicant is proposing to build a sign wall to enhance the section of Garnet and Indian Canyon frontage.

LALITH CHANDRASENA applicant, explained the purpose of the signage is to attract freeway traffic and commented on the adjacent businesses that have multiple signage.

There being no further appearances the public hearing was closed.

Commissioner Roberts noted that because of the location and building setback the signs are appropriate to attract freeway traffic.

Vice-Chair Hudson commented that the existing building needs work and the sign wall is attractive. However, some improvements could be made to the walls to allow for better organization by stacking the sub-brand signs on the monument sign. The east and north sides are weak. He is not in favor of the monument sign with phone number and website.

Commissioner Klatchko noted that the sub-brand signs are three product lines handled by this business and would like to give the applicant the opportunity to come up with a more cohesive presentation. Chair Donenfeld commented that due to the nature of the environment a variance is appropriate; however, a better design is needed.

Commissioner Roberts recapped the Commission's comments:

- 1. Establish a hierarchy of the product brands on the monument sign walls.
- 2. Eliminate the website and phone number from signage; focus more on the main business.
- 3. Temporary signs for grand opening will be allowed within the zoning code requirements.

ACTION: Table to allow the applicant the opportunity to incorporate the Planning Commission's concerns.

Motion: Commissioner Roberts, seconded by Chair Donenfeld and unanimously carried 6-0-1 on a roll call vote.

AYES:

Commissioner Calerdine, Commissioner Klatchko, Commissioner

Lowe, Commissioner Roberts, Vice Chair Hudson and Chair Donenfeld,

ABSENT:

Commissioner Weremiuk

1B. CITY OF PALM SPRINGS TO CONSIDER AN AMENDMENT TO THE PALM SPRINGS ZONNG CODE (PSZC) SECTION 93:20 SIGNS, TO CHANGE THE DEFINITION OF SIGNS AND ADD A DEFINITION AND ADOPT REQUIREMENTS FOR MURALS (CASE 5.1335 ZTA). (MW)

Director Wheeler presented the proposed zone text amendment as outlined in the staff report.

Director Wheeler clarified that the mural application would go to the AAC for review of location and impact to the neighborhood and then proceeds to the Public Arts Commission for review of content.

Chair Donenfeld opened the public hearing and with no appearances coming forward the public hearing was closed.

Commissioner Klatchko commented that a mural attracts attention to the business in the building even if there is no name on it. He thinks the Planning Commission should be involved in the review process. He expressed concern with the change of ownership in de-registering and terminating the covenant. He prefers that it should run with the land and go through a process of termination.

Commissioner Roberts agreed that the Planning Commission should be included in the eview process.



# PLANNING COMMISSION STAFF REPORT

DATE:

April 23, 2014

SUBJECT:

LALITH CHANDRASENA FOR A SIGN VARIANCE TO INSTALL NINE (9) SIGNS ON FOUR SIDES OF AN EXISTING BUILDING AND EXCEED

THE SIZE OF SIGNAGE ALLOWED ON EACH BUILDING FACE AT 6550 NORTH INDIAN CANYON DRIVE, ZONE H-C (CASE NO. 8.258

SIGN VARIANCE).

FROM:

Department of Planning Services

#### SUMMARY

The Planning Commission will consider a Sign Variance to install nine signs on the exterior of an existing building and reface an existing double-sided pylon sign at 6550 North Indian Canyon Drive.

#### **RECOMMENDATION:**

Deny as proposed.

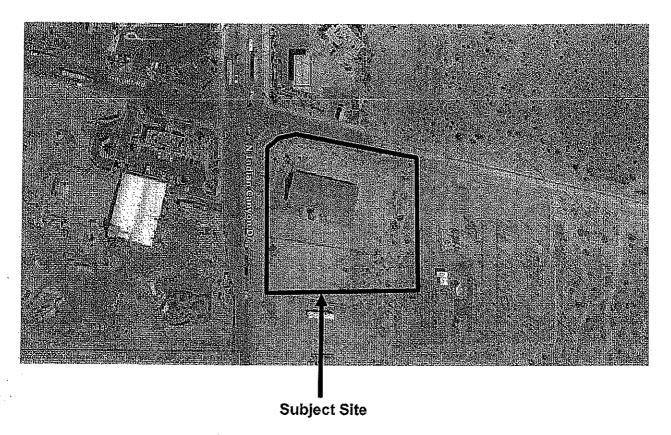
#### **ISSUES:**

- Sign Ordinance allows one main sign per street frontage (1 visible from Indian Canyon Drive and 1 from Garnet Avenue) and one additional sign within 1,000 feet of Interstate 10.
- Signage quantity and area exceed sign ordinance allowances.

#### **BACKGROUND:**

#ReleiteleilRelle	vant City Actions by Planning Fire Building etc. 15 15 15 16 16 17				
2/12/2014	Planning Commission granted approval of CUP to operate a motorcycle sale and repair dealership at 6550 N. Indian Canyon Drive.				
3/19/2014	Staff issued a permit for one sign of 36-sq. ft. on the west elevation stating the name of the business: "Palm Springs Motorsports".				
4/07/2014	The Architectural Advisory Committee rejected the proposal as presented and recommended approval of building signage as proposed on the west and south elevations only, if monument sign is eliminated.				

	Field Check
April, 2014	Staff visited the site to view existing conditions.



#### **ANALYSIS:**

General Plant Zoning			
Land Use Designation	Zoning	Use	Compliance
Regional Business Center	H-C (	Motorcycles	Yes by CUP.
		sales & repair	CUP approved by Planning
		-	Commission on 2/12/2014

The applicant is seeking a sign variance to install nine (9) signs on the building exterior and reface an existing double-sided monument / pylon sign. Signage includes a mix of cabinet signs and individual letters with logos.

In general, the sign ordinance allows one main sign per street frontage and additional signage if within 1,000 feet of a freeway interchange, which is the case for the subject property. A summary of permitted and proposed signage is shown in the table below.

Remitted Signage			Proposed Signage		
Street Frontage	Business Lineal Frontage	Permitted Sign Quantity & Area	Elevation / Freestanding	Proposed Signage	Conforms
Indian Canyon Drive / I-10 Frwy	58 feet	1 sign at 87 sq. ft. (single sided)	South	4 signs totaling 188 sq. ft.	No, exceeds quantity & area
Garnet Ave	153 feet	1 sign at 69 sq. ft. (single sided)	West	3 signs totaling 160 sq. ft.	No, exceeds quantity and area
Freeway Signs	N/a	150 sq. ft. sign - 25 ft. height, except 50 ft. may be approved after flag test proving height is necessary for I-10 visibility - Letter size to be 1ft to 3ft in vertical or horizontal dimension - distance between lowest portion of sign face and ground shall not be less than ½ the height of sign structure	Existing Pylon	192 sq. ft. per side	No, exceeds area
			North	1 sign at 36 sq. ft.	No, signage not permitted
			East	1 sign at 36 sq. ft.	No, signage not permitted

#### **REQUIRED FINDINGS:**

State law requires four (4) findings be made for the granting of a variance. These findings are listed below followed by an analysis of each.

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 is located within the H-C (Highway Commercial) zone. This zoning requires each property be a minimum of two acres in size and two feet in width and depth. The subject site is approximately 2.64-acres in size and about 320 feet wide by 338 feet deep. The parcel is generally square in shape, flat in topography and located on the corner of Indian Canyon Drive and Garnet Avenue, which are designated as Major and Secondary Thoroughfares by the General Plan Circulation element, respectively. Other commercial properties are located on the other three corners of the intersection. Therefore, as it relates to the subject site's size, shape, topography, location or surroundings, the strict application of the zoning code would not deprive the

subject site of signage enjoyed by other properties in the vicinity under identical zone classification. Staff <u>cannot</u> recommend approval of this finding.

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 subject parcel is located in a zone of similar lots of similar size and with similar commercial structures built as the subject parcel. It may be considered a grant of special privilege to increase sign quantity and sign area as follows:

- 3 additional signs and 116% sign area increase on the west elevation,
- 2 additional signs and 132% sign area increase on the south elevation,
- Allowing a main sign on the north and east elevations when signage on these elevations is not permitted under the sign ordinance; and
- 28% increase in area on the pylon.

Staff cannot recommend approval of this finding.

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. Staff can recommend approval of this finding.

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. Staff can recommend approval of this finding.

## Additional Findings

In addition to the findings required by state law, the sign ordinance stipulates three additional findings required when approving sign variances.

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 subject site is a corner lot with two street frontages. It is within 1,000 feet of the I-10 / Indian Canyon Drive interchange. Both of these merit additional signage under the zoning code.

The existing structure on-site is roughly 58 by 153 feet in size. The building is located within 100 feet of both Indian Canyon Drive and Garnet Avenue.

Thus, strict application of the sign ordinance regulations would provide adequate visibility to signage, since the building located on the property and its physical characteristics are typical for commercial buildings. Staff <u>cannot</u> recommend approval of this finding.

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.

See response to No. 2 above.

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

The use of logos, colors, materials and the design of the signs are compatible with the building and adjacent highway commercial properties. The Architectural Advisory Committee voted favorably to recommend approval of the design with building signage as proposed on the west and south elevations only, and if monument sign is eliminated. The proposal does not conflict with the purpose of the sign ordinance as described in Section 93.20.02(B) of the Zoning Code.

## **ENVIRONMENTAL DETERMINATION:**

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

Planning Commission Staff Report
April 23, 2014 -- Page 6
Case 8.258 Sign Variance -- Palm Springs Motorsports / Yamaha

#### **NOTIFICATION:**

Notification of this public hearing was sent to property owners within a 500 foot radius of the subject parcel. As of the writing of this report, staff has not received any correspondence from the public.

David A. Newell

Associate Planner

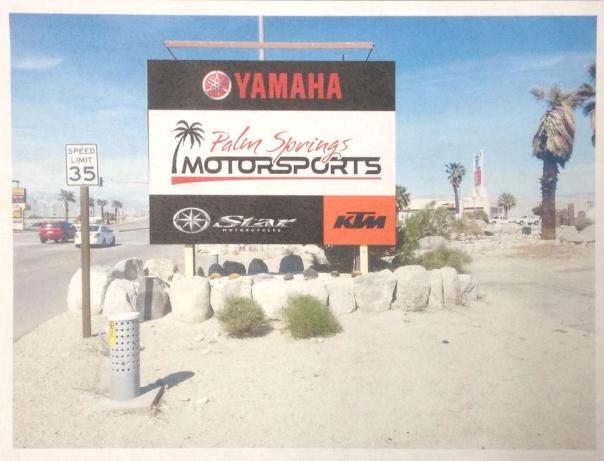
M. Margo Wheeler, AICP

Director of Planning Services

ttachments:

- **Wicinity Map**
- 2. Dreft Resolution
- 3. 4/07/20 Praft AAC Minutes (excerpt)
- 4. Applicant lette.
- 5. Site Photographs
- 6. Proposed building signate

(2 Qty.) 144" X 192" Finished 13oz Vinyl Banner



RECEIVED

MAY 0 5 2014

PLANNING SERVICES
DEPARTMENT

## SIGN \* A \* RAMA

41-945 Boardwalk, Ste. L Palm Desert CA. 92211 PH 760-776-9907 • FX 760-776-9844 Contractor's Lic # 830131 C45, C61/D42

Workers Comp. # 1938807

City Lic. # 97005491

Customer:
Palm Springs Motor Sports
Address:
6550 N. Indian Canyon Dr.
Palm Springs, CA 92262

Telephone: 760-xxx-xxxx
Fax: 760-xxx-xxxx
North & South ELEVATION

Palm Springs, CA 92262 North & South ELEVATION No.: 65830 Rev.: 1

Dwg. No.: 65830 Date: 05-05-14

Designer: JT Salesperson: TW

Jobsite: Same Customer Approval:

Landlord Approval:

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.



Date: 05-02-14 Job#: Q33358-west Salesperson: TW Graphic Artist: JT Proof: 2

COMMENSURATE WITH MATERIALS USED THIS DESIGN IS PROPRIETARY PROPERTY AND MAY NOT SE USED WITHOUT THE EXPRESSED WRITTEN CONSENT OF SIGN A-RAMA.

APPROVAL SIGNATURE

SIZE

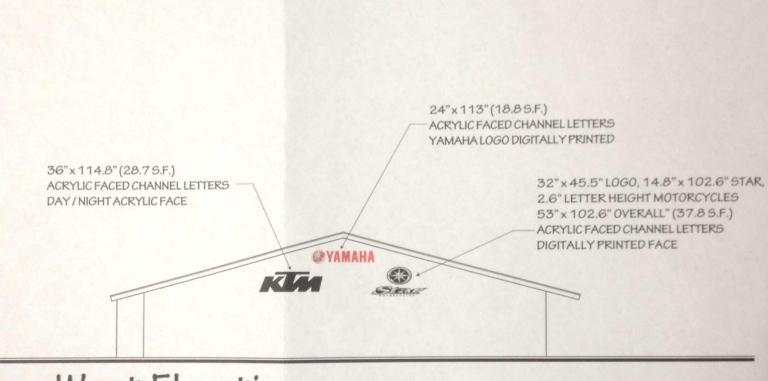
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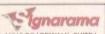
West Elevation

RECEIVED

MAY 0.5 201

PLANNING SERVICES

85.3 + total



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

Date: 05-02-14 Job#: Q33358-SOUTH Salesperson: TW Graphic Artist: JT Proof: 3

YOUR SIGNATURE ACKNOWLEDGES FULL APPROVAL OF DESIGN CONTENT AND LAYOUT, RELASING SIGN-A-RAMA FROM RESPONSIBILITY IN RECARR TO THE OFFICE OF THE COLORS SHOWN ARE ONLY 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-4-RAMA.

APPROVAL SIGNATURE

SIZE

PER DRAWING

COLOR

PER DRAWING

MATERIAL

PER DRAWING

16" x 22.8" LOGO, 7.4" x 51.3" STAR, 1.25" LETTER HEIGHT MOTORCYCLES 26.5" x 51.3" OVERALL" (9.4 S.F.) ACRYLIC FACED CHANNEL LETTERS DIGITALLY PRINTED FACE

17" YAHAMA, 20" LOGO 20" X 94.2" OVERALL (13.1 S.F.) ACRYLIC FACED CHANNEL LETTERS YAMAHA LOGO DIGITALLY PRINTED



South Elevation

- 12.0" X 38.3" OVERALL (3.2 S.F.) ACRYLIC FACED LIGHT BOX DAY / NIGHT ACRYLIC RECEIVED

MAY 0 5 200

PLANNING SERVICE DEPARTMENT

76 + total