

Planning Commission Staff Report

Date:

October 14, 2009

Case No.:

SP 09-005

Type:

Sign Program

Applicant:

O2 Architecture

Location:

1021-1079 South Palm Canyon Drive

APN:

513-300-060

General Plan:

NCC (Neighborhood Community Commercial)

Zone:

C-1 / R-3 (Retail Business Zone, Multiple-Family Residential

and Hotel Zone)

From:

Craig A. Ewing, AICP, Director of Planning Services

Project Planner:

Scott Taschner, Assistant Planner

PROJECT DESCRIPTION:

The applicant is seeking approval of a sign program for an existing commercial center located at 1021-1079 South Palm Canyon Drive. The applicant has indicated that all existing signs will be removed as part of the proposal, with the exception of the door signs which are part of the sign program.

RECOMMENDATION:

That the Planning Commission approve Case No. SP 09-005 to allow the implementation of a sign program for the Palm Canyon Square Commercial Center for the property located at 1021-1079 South Palm Canyon Drive, subject to the attached conditions of approval.

PRIOR ACTIONS:

On Monday, September 21, 2009 the sign program was reviewed by the Architectural Advisory Committee (AAC). The AAC had the following comments:

- The monument sign looks crowded.
- The AAC recommended that the font size of the "Palm Canyon Square" sign copy be reduced to a smaller size.
- The existing wall signs need to be removed upon approval of the sign program

The applicant has since addressed the first and second comment, and staff is working with the applicant regarding the third comment by the AAC.

BACKGROUND:

The subject property is within the Retail Business Zone & Multiple-Family Residential and Hotel Zone (C-1 / R-3) and is located near the southwest corner of South Palm Canyon Drive and West Mesquite Avenue. The property is surrounded by the following uses:

The surrounding Land Uses:

Table 1: Zone and Surrounding Land Uses:

	Zone	Land Use
North	C-2	Commercial (Vacant / Under Construction)
South	C-1	Commercial (Liquor Store)
East	C-1 / R-2	Commercial/Residential (Motel)
West	R-3	Commercial/Residential (Recreational Vehicle Park)

The six existing two-story buildings are situated on a lot approximately 59,242 square feet in size. The subject lot is L-shaped with the two ends providing access to West Mesquite Avenue and South Palm Canyon Drive. There are a total of six buildings on the site. Only two of the buildings have any frontage along South Palm Canyon Drive; while the remaining buildings are situated facing the rear parking lot area.

The buildings are generally rectangular in shape and have a smooth stucco trowel finish with both pitched roofs and flat roofs. The pitched roofs make use of red clay s-tiles. Many of the buildings are separated by walkways and stairways which provide pedestrian access to the upstairs tenant spaces and to the tenant spaces in-between the buildings and to the rear of the building.

ANALYSIS:

Pursuant to Section 93.20.05(C)(6) of the Palm Springs Zoning Code "a sign program may be approved which varies from the specific limitations of the sign ordinance if the

planning commission finds that 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; that 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; and that the approved program is compatible with the surrounding property and not contrary to the purpose of the sign ordinance."

The sign program proposes the following signage types:

Complex/Major Tenant Identification Monument Sign.

The proposed 16.75 square foot double-sided, non-illuminated sign proposes using a combination of 6 inch and 2 $\frac{1}{2}$ inch satin anodized raised letters for the tenant sign copy, and 3 inch satin anodized raised letters for the "Palm Canyon Square" sign copy. The sign will be constructed of finished aluminum with a base constructed with unfinished CMU block base.

2. Two (2) Pedestrian Directory Signs

The proposed 10.13 square foot double-sided, non-illuminated monument signs will use 3 inch satin anodized raised letters for the "Palm Canyon Square" sign copy and aluminum strips with 1 inch etched letters for the individual tenant sign copy/information. The sign will be constructed of finished aluminum with an unfinished CMU block base.

3. Individual Tenant Signs

The proposed door signs will be constructed of aluminum with acrylic faces. The proposed color of the frame is black white a combination of grey and white opaque backgrounds with white and black vinyl lettering.

The deviations from the Zoning Code which are being proposed as a part of the sign program are as follows:

- Installation of a complex/major tenant identification monument sign
- Installation of two (2) pedestrian directories, each at 10.13 square feet in size.

Staff supports the complex/major tenant identification monument sign and the two pedestrian directories due to the fact that the commercial complex currently does not have any identification along South Palm Canyon Drive and the fact that most of the tenant spaces either do not have any street frontage or do not have adequate visibility along South Palm Canyon Drive.

A complex identification sign may be approved as a part of an approved sign program, pursuant to Section 93.20.05(C)(7) of the Palm Springs Zoning Code, which states,

7. Complex Identification Signs.

In addition to main identification signs allowed under this chapter for individual businesses, a separate sign identifying a building or

complex of businesses may be allowed as part of an approved sign program (see Section 93.20.05(C)(6)). This sign shall not exceed twenty (20) square feet unless no individual tenant signs are included in the sign program, in which case the sign area may be based on the frontage formula. Such a sign may be freestanding.

The proposal for two 10.13 square foot pedestrian signs is not consistent with the specific limitations of the Sign Ordinance, which is quoted below. However, the two pedestrian signs could be allowed as a part of an approved sign program. Section 93.20.05(A)(3) states:

3. Pedestrian Sign Directory for Businesses within a Multi-Tenant Building.

Where a multi-tenant building has been developed, a sign directory may be allowed which will identify the building or complex and each of the businesses housed in the building or complex. The sign directory may be attached to the building or may be a monument sign. The building or complex identification sign shall not be larger than six (6) square feet per side, and the sign for the individual tenants shall be no larger than two (2) square feet per side.

Staff believes that allowing an additional pedestrian sign, and allowing the two pedestrian signs to be roughly 40% larger than what the code specifies, may be justified due to the layout of the property in relation to the parking area. The two pedestrian signs would help patrons to find the respective businesses more easily.

REQUIRED FINDINGS:

Section 93.20.05(C)(6) stipulates three findings that are required for a sign program 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 commercial complex is comprised of six buildings, two of which have frontage along South Palm Canyon. The remaining buildings do not have any street frontage; they face the parking area in the rear. Due to the fact that the majority of the buildings do not have street frontage and that the majority of the tenant spaces have very limited visibility, strict application of the Sign Ordinance may not provide for adequate and/or appropriate signage. The proposed complex/major tenant identification signage, the two pedestrian tenant directories, and the tenant door signage will allow for appropriate identification for the commercial center and its tenants. The proposed complex identification sign will allow for an increased presence of the commercial center along the South Palm Canyon Drive frontage, and the pedestrian tenant directories will allow for an increased visibility of businesses within the commercial complex and from the parking lot area. These directories will also serve to aide pedestrian traffic between the parking area and the tenant spaces.

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 architectural compatibility with the existing structures in commercial complex by placing the monument signs at the most appropriate locations on the property to serve both vehicular and pedestrian traffic. The proposed deviations from the Sign Ordinance, namely, the proposed complex identification sign and the two pedestrian directories will allow for an increased presence of the commercial center along the South Palm Canyon Drive frontage, and for an increased visibility for pedestrians from in the parking lot area. The pedestrian directories will serve to aide pedestrian traffic between the parking area and the tenant spaces.

In addition, the project proposes removing all of the existing building signs on the site, with the exception of the door signs which are part of the proposed sign program.

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 proposal, as conditioned, will provide a means to properly identify the Palm Canyon Square Commercial Center from the South Palm Canyon frontage and will provide the main tenants with an increased presence along the South Palm Canyon frontage. The proposed deviations from the Sign Ordinance would also facilitate a patron's ability to more easily locate the center, navigate to the parking area, and locate the respective businesses tenant space.

The Zoning Code's Sign Ordinance allows sign programs to vary from the specific limitations of the Ordinance if the planning commission finds that 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. Due to placement of the buildings on the site, and the fact that most of the tenant spaces do not have any street frontage along South Palm Canyon Drive, strict application of the sign ordinance would not give adequate visibility to the signage. The deviation from the sign ordinance will allow for a complex identification sign, with signage for major tenants, and two pedestrian directories to identify the Palm Canyon Square commercial center.

The project also proposes removing all of the existing building signs on the site, with the exception of the door signs which are part of the proposed sign program.

CONCLUSION:

Staff has evaluated the application and the scope of work of the proposed sign program against the Zoning Code's Sign Ordinance and finds that the proposed signage conforms to the Sign Ordinance, with the Planning Commission's approval of the sign program. Staff recommends that the Planning Commission approve the sign program 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).

Scott Knox Taschner Assistant Planner eraig/A. Bwing, AICP

Director of Planning Services

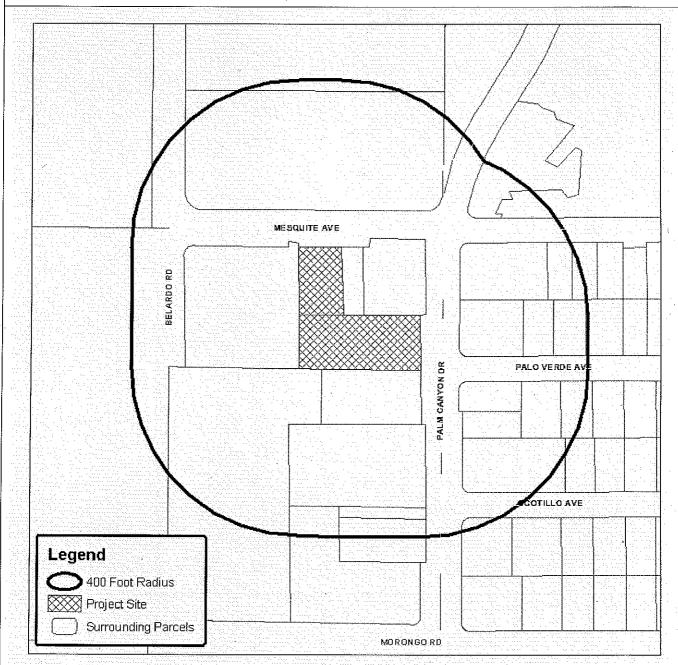
ATTACHMENTS:

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



Department of Planning Services Vicinity Map





CITY OF PALM SPRINGS

<u>CASE NO</u>: SP 09-005

APPLICANT: O2 Architecture

<u>DESCRIPTION:</u> Application for implementation of a sign program for the Palm Canyon Square commercial center located at 1021-1079 South Palm Canyon Drive. Zone C-1 / R-3, Section 22.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE SP 09-005, ALLOWING THE IMPLEMENTATION OF A SIGN PROGRAM FOR THE PROPERTY LOCATED AT 1021-1079 SOUTH PALM CANYON DRIVE, ZONE C-1 / R-3, SECTION 22.

WHEREAS, O2 Architecture, ("Applicant"), has filed an application with the City pursuant to Section 93.20.05(C)(6) of the Sign Ordinance for a sign program located at 1021-1079 South Palm Canyon Drive, Zone C-1 / R-3, Section 22; and

WHEREAS, notice of public meeting of the Planning Commission of the City of Palm Springs to consider Case No. SP 09-005 was given in accordance with applicable law; and

WHEREAS, on September 21, 2009, a public meeting on the application for an architectural recommendation was held by the Architectural Advisory Committee in accordance with applicable law; and

WHEREAS, on October 14, 2009, 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 Categorically 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:

<u>Section 1:</u> Pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt under Section 15311(a)(Accessory Structures).

<u>Section 2</u>: Section 93.20.05(C)(6) stipulates three findings that are required for a sign program to be approved that deviates from the strict provisions of the Sign Ordinance. The Planning Commission finds that:

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 commercial complex is comprised of six buildings, two of which have frontage along South Palm Canyon. The remaining buildings do not have any street frontage; they face the parking area in the rear. Due to the fact that the majority of the buildings do not have street frontage and that the majority of the tenant spaces have very limited visibility, strict application of the Sign Ordinance may not provide for adequate and/or appropriate signage. The proposed complex/major tenant identification signage, the two pedestrian tenant directories, and the tenant door signage will allow for appropriate identification for the commercial center and its tenants. The proposed complex identification sign will allow for an increased presence of the commercial center along the South Palm Canyon Drive frontage, and the pedestrian tenant directories will allow for an increased visibility of businesses within the commercial complex and from the parking lot area. These directories will also serve to aide pedestrian traffic between the parking area and the tenant spaces.

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 architectural compatibility with the existing structures in commercial complex by placing the monument signs at the most appropriate locations on the property to serve both vehicular and pedestrian traffic. The proposed deviations from the Sign Ordinance, namely, the proposed complex identification sign and the two pedestrian directories will allow for an increased presence of the commercial center along the South Palm Canyon Drive frontage, and for an increased visibility for pedestrians from in the parking lot area. The pedestrian directories will serve to aide pedestrian traffic between the parking area and the tenant spaces.

In addition, the project proposes removing all of the existing building signs on the site, with the exception of the door signs which are part of the proposed sign program.

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 proposal, as conditioned, will provide a means to properly identify the Palm Canyon Square Commercial Center from the South Palm Canyon frontage and will provide the main tenants with an increased presence along the South Palm Canyon frontage. The proposed deviations from the Sign Ordinance would also facilitate a patron's ability to more easily locate the center, navigate to the parking area, and locate the respective businesses tenant space.

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The project also proposes removing all of the existing building signs on the site, with the exception of the door signs which are part of the proposed sign program.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case No. SP 09-005, subject to those conditions set forth in Exhibit A.

ADOPTED this 14th day of October, 2009.

AYES: NOES: ABSENT: ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP Director of Planning Services

Exhibit A

Case No. SP 09-005

Sign Program/Tenant Signage

Palm Canyon Square 1021-1079 South Palm Canyon Drive

October 14, 2009

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. Upon installation of the new monument sign(s), all existing building signs shall be removed, with the exception of the door signs which are part of the sign program
- PSP 2. Approval shall be valid based on the sign amortization schedule in section 93.20.11 of the Palm Springs Zoning Ordinance.
- PSP 3. All signs shall comply with the Uniform Building Code regulations.
- PSP 4. All non-approved signage must be removed as part of this approval.
- PSP 5. The Planning Services Department may require the reduction of light intensity and glare from any signage, or the removal of such signage, that poses a nuisance or harm.
- PSP 6. The decision of the Planning Commission may be appealed to the City Council pursuant to Chapter 2.05 of the Palm Springs Municipal Code.
- PSP 7. The applicant shall provide all tenants with a copy of the sign program and the Conditions of Approval for this project.

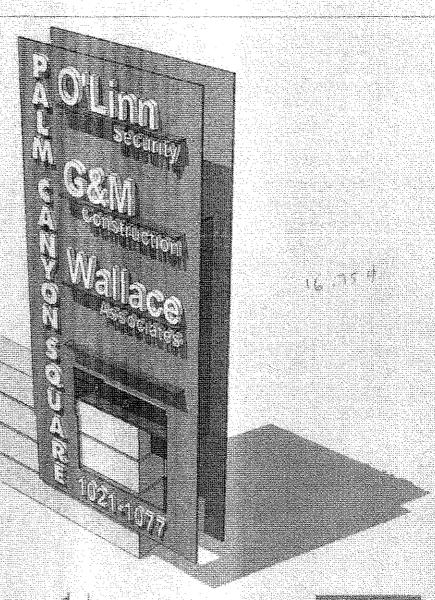
ADMINISTRATIVE

- 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 Case SP 09-005. 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.

BUILDING DEPARTMENT

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

END OF CONDITIONS





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PLANNING SERVICES DEPARTMENT

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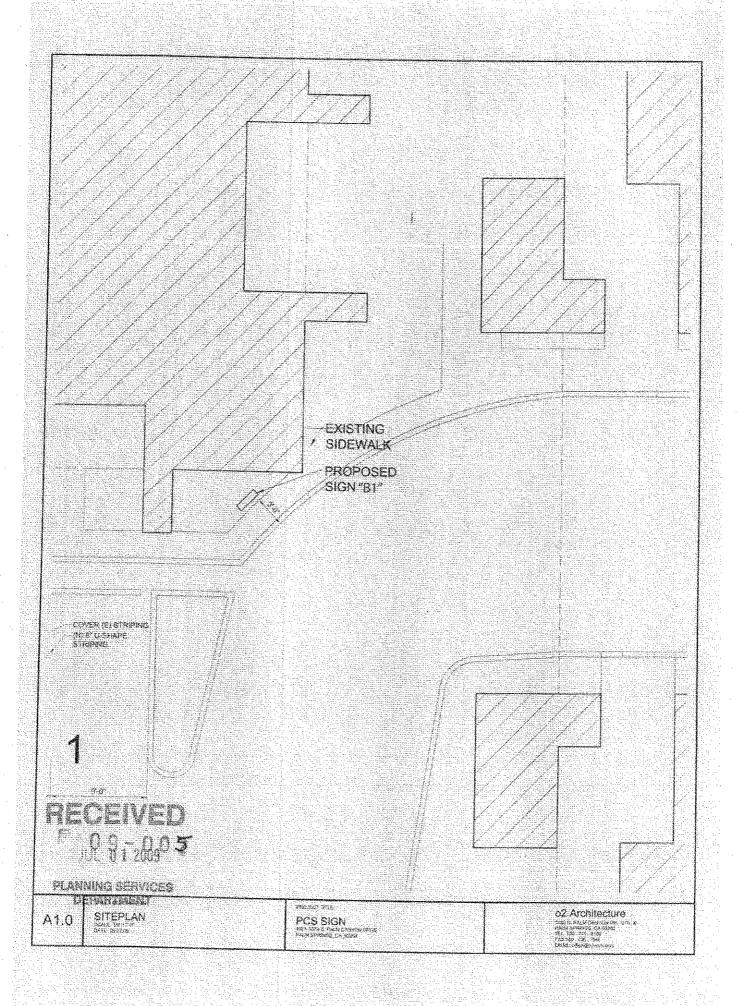
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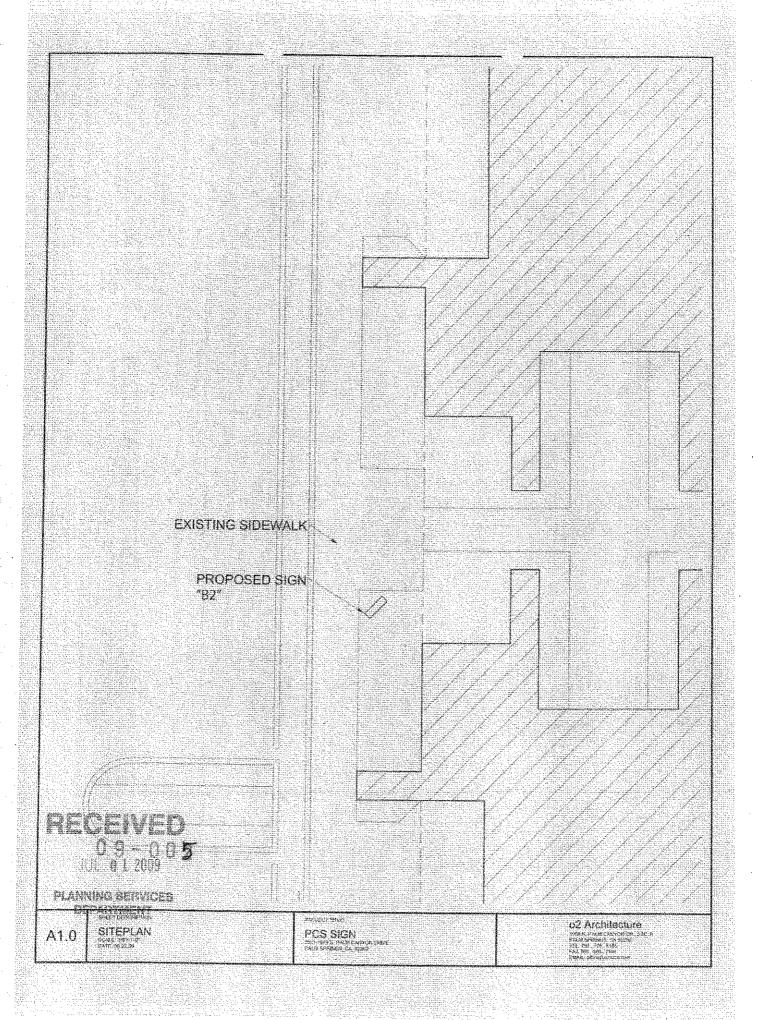
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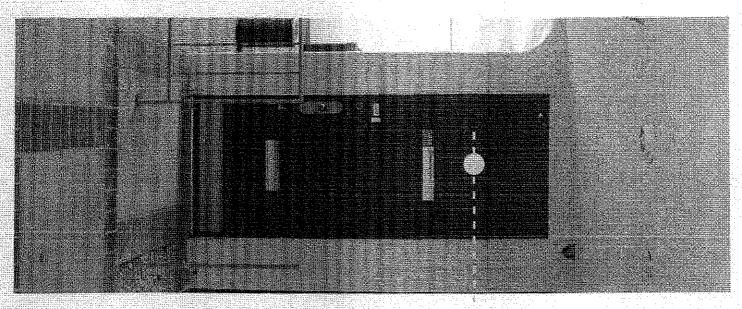
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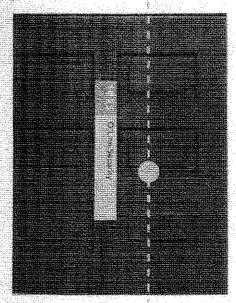
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Tenant Name in This Space

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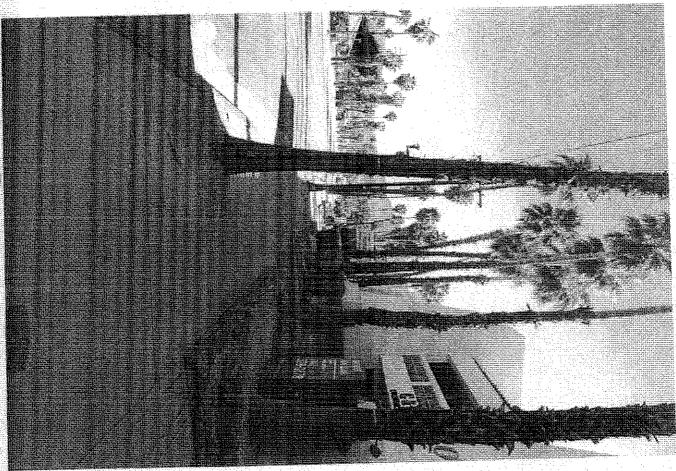
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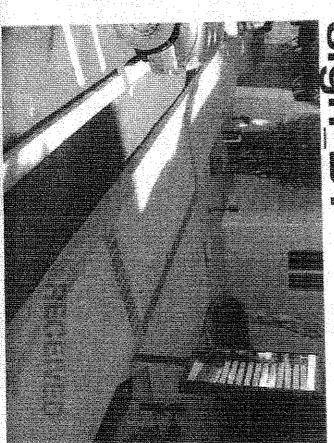
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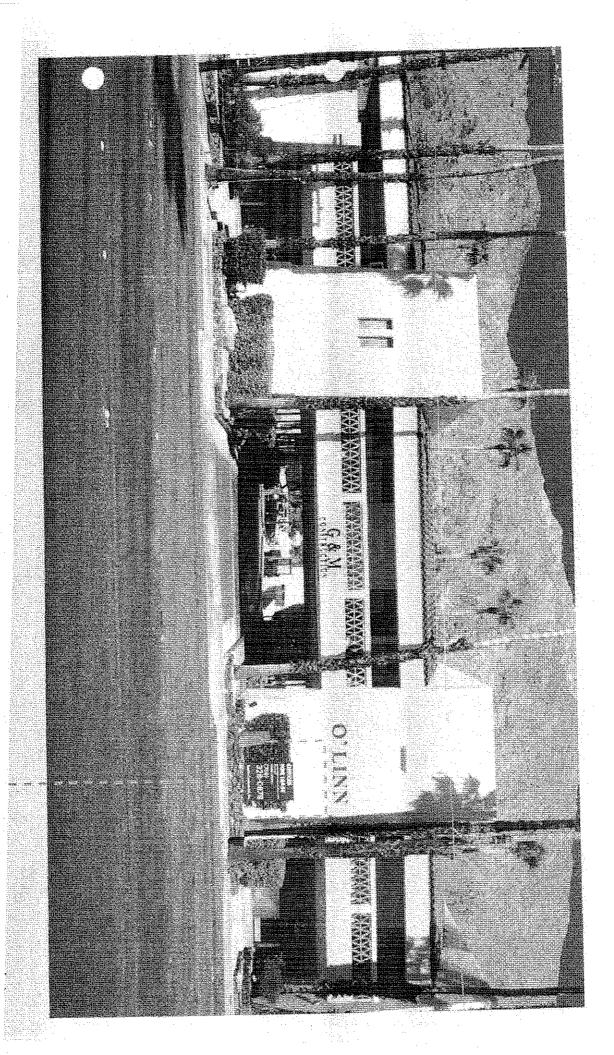
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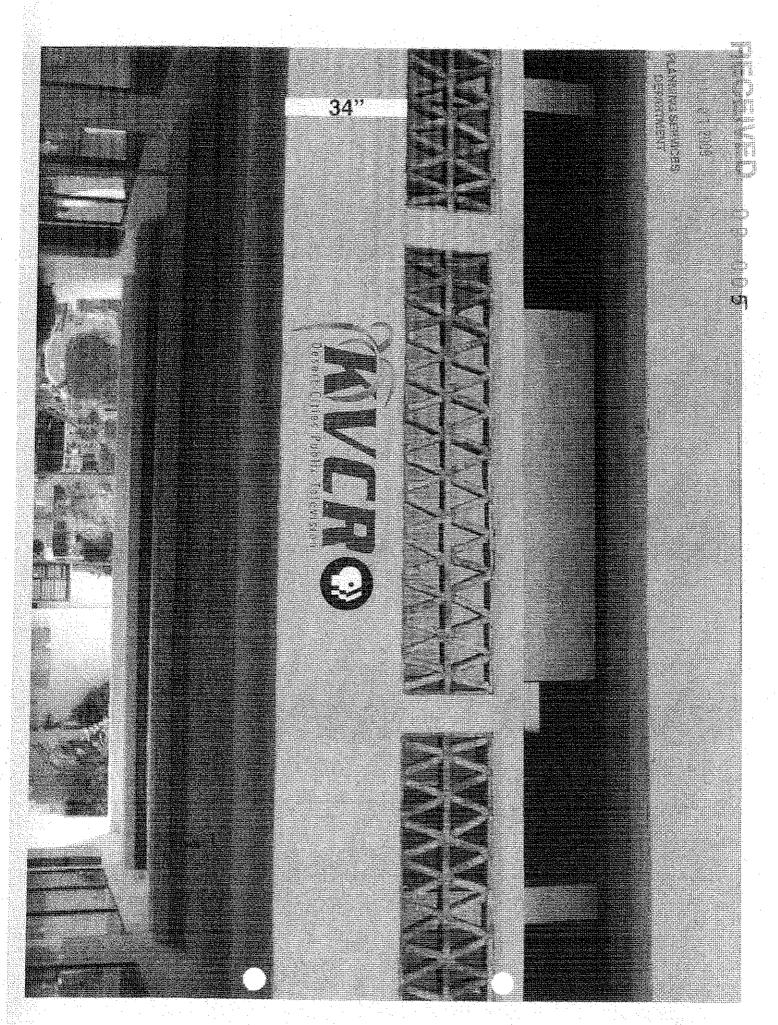


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Buster Lawrence General Engineering Contractor

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PLANNING SERVICES DEPARTMENT

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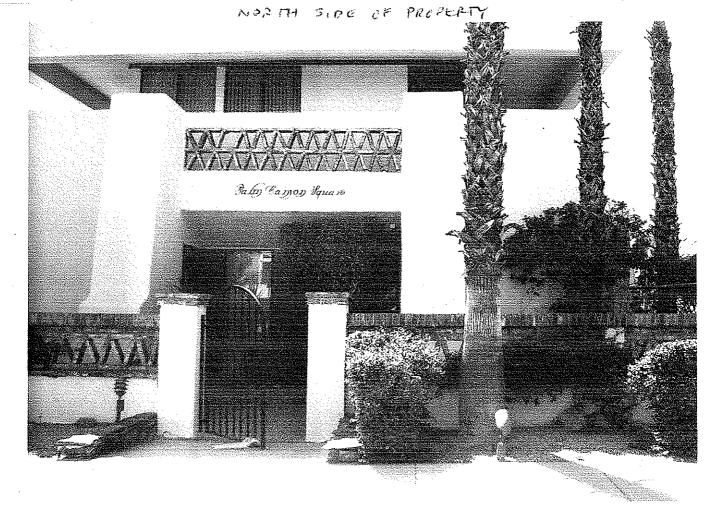
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PLANNING SERVICES

DEPARTMENT

SP 09-005





09-005 PLANNING SERVICES DEPOSITIONS





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