



*CITY OF ROSEVILLE*  
*PLANNING DEPARTMENT STAFF REPORT*  
*DESIGN COMMITTEE MEETING AUGUST 18, 2005*

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Prepared by: Tricia Stewart, Assistant Planner

**ITEM III-B: PLANNED SIGN PERMIT PROGRAM & SIGN VARIANCE – 1206 ROSEVILLE PKWY, SUITE 100 – FILE # PSP 000023 & SV 05-03**

**REQUEST**

The applicant requests approval of a Sign Variance to allow three wall signs for corner tenants, where the existing sign program and Sign Ordinance allows two. Currently the complex consists of three pad buildings with associated parking and landscaping and a fourth building is planned for the future. The three existing buildings total 27,590 square feet, which includes a restaurant in one building and is slated for retail commercial in the other two. The application also includes a request to modify the Planned Sign Permit Program (PSPP) for the center.

Applicant: Site Enhancement Services, Ryan Kring  
Owner: Trey Gundlach, Evergreen Britannia Land Joint Venture

**SUMMARY RECOMMENDATION**

The Planning Department recommends that the Design Committee:

- A. Adopt the three findings of fact for denial of the Sign Variance;
- B. Deny the Sign Variance;
- C. Adopt the two findings of fact for denial of the PSPP; and
- D. Deny the PSPP

**SUMMARY OF OUTSTANDING ISSUES**

The applicant is not in agreement with Staff's recommendation. It is the applicant's position that a building with three elevations should be allowed three signs. The applicant feels that two signs on the building will not provide adequate visibility.

**BACKGROUND**

**Location:** The Creekside Plaza is located at 1206 Roseville Parkway, which is on the southeast corner of Galleria Boulevard and Roseville Parkway within the North Central Roseville Specific Plan (NCRSP) (see Vicinity Map – Attachment 1). Specifically, the shopping plaza is bordered on the north and east by Roseville Pkwy, the PG& E substation on the south and Galleria Blvd. to the west.

**Permit History:** On February 20, 2004 the Design Committee approved a Design Review Permit (DRP# 03-68) to construct a four (4) building shopping center totaling 31,650 square feet. The shopping center is partially constructed with building one completed and occupied, buildings two and three are under construction and a fourth building slated for construction in the future. The building suite (Suite 100) that Fidelity Investments will occupy is a corner space. The applicant has received approval for two wall signs to be placed on the north and south elevations (one facing Roseville Pkwy and the other facing the parking lot). The third sign is proposed to be placed on the west elevation facing the drive aisle into the parking lot (see Proposed Sign Locations – Attachment 2).

## **EVALUATION**

Since the PSPP is dependant on the Sign Variance for the additional wall sign this report will focus on the Sign Variance request. Staff does not support approval of the Sign Variance and therefore cannot support the amendment to the PSPP.

### *Sign Variance*

Creekside Plaza consists of four buildings and is defined as a building complex in the Sign Ordinance. The Sign Ordinance has specific provisions for the number of wall signs that can be placed on a building within a complex. Section 17.06.230(A4) states, “Uses that are neither major tenants nor freestanding pad buildings are permitted one wall sign; provided however, a use on a corner of the building is permitted two wall signs, provided each sign is located on a different side of the building and faces a public entrance, public street, or a parking lot.”

The applicant has submitted a justification letter (Attachment 3) that requests an additional wall sign because of the lack of visibility from Roseville Parkway. Section 17.78.060(B) of the Sign Ordinance requires that three findings be made in order to approve a Sign Variance. The required findings for a Sign Variance are listed below in ***bold italics***, followed by an evaluation.

- 1. There are exceptional or extraordinary circumstances or conditions applying to the land, building or signs involved which do not generally apply to other land, buildings or signs in the neighborhood.***

The Fidelity Investments tenant space is an inline tenant space located on the corner of the building allowing two wall signs that are currently approved. Typical inline tenants are allowed a single wall sign with a second sign permitted for corner tenants, as is the case for the Fidelity Investments. The applicant has requested a third sign, stating that orientation of the building is unique and in order for customers to locate the building safely a sign is needed on the fascia of the building facing the drive aisle. The proposed location of the sign on the west elevation is shown in Attachment 6. Additionally, the applicant believes that because the service Fidelity Investment offers is seasonal, customers are less likely to be familiar with the location of the business like customers would be with a service that they use on a regular basis.

Planning finds that the applicant has not demonstrated any unique or extraordinary circumstances to warrant approval of this request. The Fidelity Investments tenant space enjoys an immediate frontage along Roseville Parkway. Staff has visited the site and found no unique conditions at the site that impair passing motorists or pedestrians' views of the Fidelity Investments suite. From pictures taken at the site it can be seen that the location of the approved signs have visibility from Roseville Parkway (Attachment 4) and the parking lot (Attachment 5). From these pictures, it is evident that the Fidelity Investments suite has adequate frontage and visibility and no hardships or extraordinary circumstances apply to the property, building or signs. Based on the building's orientation, sign visibility, and sign locations there are no circumstances that would differentiate this building and signs from other corner tenants that warrant an increase in the number of permitted signs.

- 2. The granting of this variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.***

As noted above there are no unique circumstances that apply to this property, building or signs. The site enjoys visibility from Roseville Parkway and the parking lot. The site is not located in an area where there is a difference between the grades of the buildings and the adjacent streets. Further, the center is not in an area that is difficult to locate geographically.

The applicant believes however, that in order for the parcel “to reach its maximum potential in its zoning classification” that the Sign Variance and modification to the PSPP must be approved. The applicant explains that the third sign will allow for increased business and revenues, which in turn increases the tax revenue that is used by the City of Roseville.

Staff does not find the granting of this Sign Variance necessary for the enjoyment of property rights by the applicant. Presently the tenant enjoys the same property rights relating to signs as the other corner tenants within the center and throughout the City.

**3. *The granting of this variance will not materially and adversely affect the health, safety or welfare of persons in the neighborhood, nor be materially detrimental or injurious to property or improvements in the neighborhood.***

The applicant’s response to this finding is that the granting of the variance and PSPP modification will allow for an increase in traffic safety due to the third wall sign because drivers will be able to locate the business more easily which will result in fewer U-turns, abrupt stops and unnecessary driving maneuvers that could adversely affect the health, safety and welfare of persons in the neighborhood. Staff has discussed the traffic safety concern with engineering staff and they have found that the additional sign will not enhance vehicle safety.

Again, staff has found that because the tenant enjoys full frontage of Roseville Parkway that the third wall sign would be excessive and would allow for an unfair advantage over other businesses. The proposed Sign Variance deviates from the number of wall signs allowed for in-line tenants. However, given the number of other corner tenants in this center this request will allow a significant increase in the number of signs that may result in visual clutter. Staff examined the other suites (noting that a fourth building is yet to be constructed) and potential tenants that this request may affect and found that an additional five (5) to six (6) signs maybe permitted if the sign variance were approved. Staff arrived at this figure by counting the number of corner tenants who have more than two fascias on which to apply signs (including the fourth building to be constructed at a later date). Please see the attached site plan (Attachment 7) for building locations.

The Findings section of the Sign Ordinance, section 10.02.020(B), states, “where signs are not properly regulated, they contribute to visual clutter, confusion, aesthetic blight, and create an unpleasant impression.” Staff feels that while one additional sign may not constitute visual clutter or be distracting to motorists the signs would be out of character with other shopping centers in the in the area. The increase in the number of signs would also result in the granting of a special privilege not enjoyed by other buildings, business or persons in the area or the City.

The special privilege would create a competitive advantage to the applicant not shared by other buildings, businesses, and persons. The advantage has the potential to negatively affect the health and welfare of other businesses and persons in the area. The Sign Ordinance treats sign users uniformly creating a level playing field for all sign users; staff believes that the granting of this request would tilt the field unfairly. Staff is also concerned that an approval of this request may promote other similar requests that would result in a greater disparity in the application of sign standards.

*PSPP*

The PSPP amendment is dependent upon the Sign Variance therefore; if the Committee does not find grounds for approval and denies the Sign Variance then the PSPP should also be denied.

The applicant is asking for one additional wall sign for all corner tenants within the shopping center. The request for a PSPP amendment would affect one section of the original PSPP (See Exhibit A). Staff has evaluated the increase in the number of signs above, in the variance section of this report.

## **CONCLUSION**

Staff has been unable to identify any unique circumstances that affect the Creekside Plaza or the Fidelity Investments suite. The standard for two wall signs for corner tenants is a long standing standard that has been applied to retail centers throughout the City.

The Design Committee denied a request similar to the Fidelity Investments project on September 16, 2004. The request was for a PSPP modification and Sign Variance for the Union Bank tenant located in the Highland Crossing Shopping Center at 1020 Pleasant Grove Blvd in the NCRSP area. The Union Bank is a corner tenant that requested approval of a third wall sign on the tower element of the building located on the fascia. The applicant for the Union Bank project believed that a building with three fascias should be allowed three signs and felt that their existing signs on the building did not provide adequate visibility, much like the case with Fidelity Investments. The project was denied based on the same evaluation and findings described above.

The denial of the PSPP Modification and Sign Variance for Fidelity Investments will maintain a level playing field for other businesses and sign users within the City. Given the goals of the Sign Ordinance, other adjacent buildings sign criteria, past Design Committee actions and direction on sign variances from the Design Committee, staff cannot support the current request. The Sign Variance would in fact grant a special privilege not enjoyed by other properties in the NCRSP, and the City of Roseville.

## **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt pursuant to Section 15311(a) of the California Environmental Quality Act (CEQA) Guidelines, which exempts on-premise signs.

## **RECOMMENDATION**

The Planning Department recommends that the Design Committee take the following actions:

- A. Adopt the three findings of fact for denial of the Sign Variance – NCRSP Parcel 37, Creekside Plaza, Fidelity Investments – File #SV 05-03:
  1. *For the reasons cited in the staff report, there are no exceptional or extraordinary circumstances or conditions applying to the land, building or signs involved which do not generally apply to other land, buildings or signs in the neighborhood.*
  2. *For the reasons cited in the staff report, the granting of this variance is not necessary for the preservation and enjoyment of substantial property rights of the applicant.*
  3. *For the reasons cited in the staff report, the granting of this variance will materially and adversely affect the health, safety or welfare of persons in the neighborhood, and be materially detrimental or injurious to property or improvements in the neighborhood.*
- B. Deny the Sign Variance – NCRSP Parcel 37, Creekside Plaza, Fidelity Investments – File #SV 05-03.
- C. Adopt the two findings of fact for denial of the Planned Sign Permit Program - NCRSP Parcel 37, Creekside Plaza, Fidelity Investments – File #PSP-000023:

1. *For the reasons cited in the staff report, the planned sign permit program is not consistent with the provisions and intent of the Roseville Sign Ordinance; and*
2. *For the reasons cited in the staff report, the planned sign permit program would not be in harmony with, and visually related to the buildings within the planned sign permit program and the surrounding development.*

D. Deny the Planned Sign Permit Program (Exhibit A) - NCRSP Parcel 37, Creekside Plaza, Fidelity Investments – File #PSP-000023.

### **ATTACHMENTS**

1. Vicinity Map
2. Proposed Sign Locations
3. Letter from Applicant
4. Picture of Bldg from Rsvl. Pw.
5. Picture of Bldg from Parking Lot
6. Picture of Bldg from West Drive Aisle
7. Creekside Plaza Site Plan

### **EXHIBITS**

- A. Proposed PSPP
- B. Sign Exhibit (Facing Roseville Pkwy)
- C. Sign Exhibit (Facing Parking Lot)
- D. Sign Exhibit (Proposed Sign at Drive Aisle)

<p><b>Note to Applicant and/or Developer:</b> Please contact the Planning Department staff at (916) 774-5276 prior to the Design Committee meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.</p>
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