

# CITY OF ROSEVILLE PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT DESIGN COMMITTEE MEETING DECEMBER 15, 2005

Prepared by: Wayne Wiley, Assistant Planner

ITEM III-B: SIGN VARIANCE - 200 NORTH SUNRISE AVENUE - HYUNDAI OF ROSEVILLE - FILE# SV-000016

## **REQUEST**

The applicant requests approval of a Sign Variance to allow a second monument sign that is proposed at 30 feet in height where the Sign Ordinance allows one freestanding sign at a maximum height of 15 feet.

Applicant - Carl Cook, Pacific Neon Company Owner - Barry Frieder, Planet Automotive

#### **SUMMARY RECOMMENDATION**

The Planning Department recommends that the Design Committee:

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

# **SUMMARY OF OUTSTANDING ISSUES**

The applicant is not in agreement with Staff's recommendation. It is the applicant's contention that an additional monument sign at 30' in height should be allowed. The applicant feels that the existing signs do not provide adequate identification and requests approval for a second monument sign to front Interstate 80. (Exhibit 1)

# **BACKGROUND**

The subject property is located at 200 North Sunrise Avenue within the Infill Area of the City of Roseville. Located on the northwest corner of Sunrise Avenue and Lead Hill Boulevard the subject site is adjacent to Interstate 80. (Attachment 1) Previous Sign Permits associated with the site are as follows:

- December 22, 1998 Approval of a Sign Permit (SP 98-126) to install one 25' x 40' electronic signboard. A Sign Variance was approved for the Roseville Auto Mall monument sign- the sign does not advertise Hyundai;
- August 17, 2005 Approval of a Sign Permit (SP-000479) to install a total of three wall signs; two
  wall signs on the East Elevation facing North Sunrise and one wall sign on the South Elevation
  visible from Interstate 80;
- August 25, 2005- Approval of a Sign Permit (SP-000485) to install one post and panel address sign; and
- September 15, 2005 Approval of a Sign Permit (SP-000495) to install a 7' x 10' monument sign at the southeast corner of the property.

## **EVALUATION**

The Sign Ordinance has specific provisions for freestanding monument signs. Section 17.06.120 states that a maximum of one freestanding sign is allowed per parcel or lot, and that the maximum height for freestanding signs shall not exceed 15'. The proposed Sign Variance deviates from the number of monument signs allowed and exceeds the maximum height requirement by 15'. The applicant has submitted a justification letter (Attachment 2) that requests an additional monument sign due to the lack of visibility from Interstate 80. It is Staff's position that the Hyundai of Roseville has sign identification that is equivalent to other businesses in the area and therefore cannot support approval of a Sign Variance.

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 applicant has noted the property's elevated grade and substantial setback from the freeway as cause for the additional monument sign. Additionally, the applicant believes that a 30-foot tall sign is necessary in order to provide visibility over the existing 25-foot tall Roseville Auto Mall reader board. The site enjoys visibility from North Sunrise Avenue and Lead Hill Boulevard and is not located in an area where there is a difference between the grades of the buildings and the adjacent streets. Furthermore, the building is not in an area that is difficult to locate geographically. Staff has visited the site and found no unique conditions at the site that impair passing motorists or pedestrians' views of the subject site.

From pictures taken at the site, it can be seen that the building is visibility from North Sunrise Avenue (Attachment 3 & Attachment 4), Lead Hill Boulevard (Attachment 5) and from the parking lot (Attachment 6). In addition, the sign on the south elevation is visible from Interstate 80 (Attachment 7). From the attached pictures, it is evident that the Roseville of Hyundai 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, sign locations, and amount of signage, there are no circumstances that would differentiate this building and its signs from other 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.

The applicant has also noted that retail businesses have the right to display signage to promote the location and existence of their business. As a stand-alone use, Hyundai is permitted one freestanding sign and an unlimited number of wall signs, provided the sign area does not exceed 200 square feet. Hyundai previously installed their allowed freestanding sign and approximately 100 square feet of wall sign area. Given the visibility of the building from adjacent streets and the highway, Staff believes that it is appropriate to consider additional wall signs. An additional 100 square feet of wall sign area would be permitted, and the north and west elevations of the building could adequately accommodate the additional signs.

Staff does not find the granting of this Sign Variance necessary for the enjoyment of property rights by the applicant. Furthermore, the applicant has viable alternatives for additional signs that conform to the Sign Ordinance. Presently the tenant enjoys the same property rights relating to freestanding signs as other tenants throughout the City and the granting of this request would constitute a special privilege not available to other sign users.

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.

Because the tenant enjoys frontage along North Sunrise Avenue and Lead Hill Boulevard, and has an existing free standing sign, the second monument sign would be excessive and would allow for an unfair advantage over other businesses.

Section 10.02.020(B) of the Sign Ordinance states, "where signs are not properly regulated, they contribute to visual clutter, confusion, aesthetic blight, and create an unpleasant impression." The additional monument sign would increase visual clutter and would be out of character with other sites in the area. The proposed Sign Variance would also result in the granting of a special privilege not enjoyed by other buildings, businesses or persons within the City.

If granted, this 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; granting this request would tilt the field unfairly. In addition, Staff is 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.

### **CONCLUSION**

The subject property and the project site currently have a total of three wall signs, two monument signs and one post and panel address sign. The denial of the Sign Variance for Hyundai of Roseville will maintain a level playing field for other businesses and sign users within the City as it relates to freestanding signs. Given the goals of the Sign Ordinance and past Design Committee actions, Staff does not support the current request.

#### **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 200 North Sunrise Avenue Hyundai of Roseville File# SV-000016:
  - 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 200 North Sunrise Avenue Hyundai of Roseville File# SV-000016

# **ATTACHMENTS**

- 1. Vicinity Map
- 2. Letter from Applicant
- 3. Photo from North Sunrise Avenue Perspective I
- 4. Photo from North Sunrise Avenue Perspective II (South Elevation)
- 5. Photo from Lead Hill Boulevard Perspective (North Elevation)
- 6. Photo from Parking Lot Perspective (East Elevation)
- 7. Photo from Interstate 80 perspective (South Elevation)

#### **EXHIBITS**

- A. Site Plan
- B. Proposed Monument Sign Elevation

Note to Applicant and/or Developer: 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.