Zoning Administrator
Agenda Item

October 16, 2013

TO: **Rick Otto,**
Zoning Administrator

THRU: **Leslie Aranda Roseberry,**
Planning Manager

FROM: **Anne E. Fox,**
Contract Staff Planner

SUBJECT

Variance No. 2231-13 – Big 5 Sporting Goods, 2445 North Tustin Street

SUMMARY

The applicant proposes to refurbish the exterior of the existing building including the removal and replacement of the existing wall sign. The new sign would exceed the limitations stipulated in the Tustin Street Design Standards for the measurement of individual letter height of 18 inches and the overall measurement of the sign height of 24 inches.

RECOMMENDED ACTION

Staff recommends the Zoning Administrator approve Variance No. 2231-13.

AUTHORIZATION/GUIDELINES

Section 17.10.040.D of the Orange Municipal Code (OMC) establishes that the Zoning Administrator has the authority to review and make determinations on applications for a Variance to waive sign requirements.

PUBLIC NOTICE

On October 4, 2012, the City posted the subject property and sent a Public Hearing Notice to a total of 168 property owners/tenants within a 300-foot radius of the project site, and persons specifically requesting notice.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15311 (Class 11 Accessory Structures) in that the

project involves the replacement of minor accessory structures, which includes on-premise signs. Public review is not required for categorically exempt projects.

PROJECT BACKGROUND

Applicant:	Dan Lorenzon, Loren Electric Sign Corporation
Property Owner:	Howard J. Privett
Property Location:	2445 North Tustin Street
Existing General Plan Land Use Element designation:	General Commercial (GC)
Existing Zoning Classification:	Limited Business District – Tustin Redevelopment Project Area (C-TR)
Old Towne:	Not Applicable
Specific Plan/PC:	None
Site Size:	27,007 square feet (0.62 acre)
Circulation:	Two driveways take access from Tustin Street – the City's Master Plan of Arterial Highways classifies Tustin Street as a Primary Arterial (Augmented) with 100 feet of right-of-way.
Existing conditions:	The site is developed with an existing 9,900 square foot, single-story commercial structure with a 320 square foot wall sign; 22 parking spaces; a 22-foot high, 126 square-foot, double-sided, freestanding sign; and related landscaping.
Surrounding land uses and Zoning:	North, south, and west – properties are developed with commercial uses and are zoned C-TR. East - A condominium development zoned R-3 (A) Residential Multi-Family Single Story Overlay.
Previous Applications/Entitlements:	None.

PROJECT DESCRIPTION

Submitted plans show the removal of the existing 320 square foot (five-foot high by 64-foot long) wall sign and replacing it with a new wall sign with an overall measurement of 108 square feet in conjunction with a comprehensive store-front façade remodel, approved under the newly adopted Administrative Design Review process. The modifications to the storefront add a new tower element centered over the building entrance. The tower element provides a new sign area and eliminates the prior sign "band" that ran 60% of the length of the building storefront. The proposed sign is comprised of individually illuminated channel letters and has two lines of copy resulting in an overall sign height of 61 inches; with the words "Big" measuring 33 inches high, "5" measuring 38 inches high, and "Sporting Goods" on the second line measuring approximately 18 inches high. The existing sign consisted of white letters on a dark blue background all of which comprised the sign area, while the proposed sign is individually illuminated channel letters without any corporate background color. The letters would be affixed to wall area that is finished to match the color and materials of the other portions of the building.

APPLICATION(S) REQUESTED/REQUIRED FINDINGS

Findings for a Variance: OMC Section 17.10.040 (E) requires the Zoning Administrator to make the following findings for granting a Variance:

1. That because of special circumstances applicable to the subject property, including size, shape, topography, locations or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification; and

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

ANALYSIS/STATEMENT OF THE ISSUES

Issue 1: Individual Letter Height

The Tustin Street Design Standards limits the height of the individual letters within main wall signs to a maximum of 18 inches regardless of whether the business is located on a single parcel, within a stand-alone building, or is part of a series of in-line tenants. Such restrictions on letter height are typically applied to in-line tenants within a shopping center as part of an adopted Sign Program where there is a desire to have a cohesive design and style. OMC Chapter 17.36 – Sign Regulations does not contain any limitation on individual letter heights for commercially zoned properties. Big 5 Sporting Goods is a commercial business within a stand-alone building and parcel located along Tustin Street and does not have an adopted Sign Program nor is there a requirement to have a Sign Program. Therefore, although the individual letter heights being proposed are more than double the stated limit, 183% and 211% of the standard, this is an unique circumstance for a stand-alone building and parcel, and where strict interpretation places the business at a disadvantage with similar situations and businesses within commercially zoned properties located elsewhere in the City.

Issue 2: Overall Sign Height

The Tustin Street Design Standards and OMC Section 17.36.080.B. both limit the area of a wall sign to a ratio of one square foot per lineal foot of the building's frontage. However, the Tustin Street Design Standards further restricts the overall height of a wall sign to a maximum of 24 inches regardless of the overall height of the building façade it is affixed to. OMC Section 17.36.080.C. requires a 2:3 proportionate relationship for a wall sign to the building's height, limiting the overall sign height to a size no greater than two-thirds (67%) of the vertical surface on which it is located. This is to insure that there is sufficient space at both the top and bottom of the sign. The overall height of the remodeled portion of the building measures 17 feet, 8 inches, and the height of the area of the façade that the sign is proposed to be affixed measures 9 feet (108 inches). Two-thirds of the height of this sign area would calculate to approximately 71 inches and the proposed sign has an overall height of 61 inches. Therefore, although the overall

height of the proposed sign is more than double the stated limit, or 254% of the standard, the sign provides a proportionate relationship to the building façade with sufficient spacing above and below the sign in a similar manner to other business identification signs located on buildings within commercially zoned parcels elsewhere in the City, without resulting in a special privilege.

ADVISORY BOARD RECOMMENDATION

The Staff Review Committee (SRC) considered Variance No. 2231-13 on August 14, 2013 and recommended that the proposal proceed to the Zoning Administrator for action.

ATTACHMENTS/EXHIBITS

Attachments to Report:

1. Draft Zoning Administrator Action Letter with recommended conditions
2. Vicinity Map

Exhibits provided to the Zoning Administrator:

A. Submitted Plans and Exhibits dated September 3, 2013

cc: Daniel Lorenzon
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