



*CITY OF ROSEVILLE*  
*PLANNING DEPARTMENT STAFF REPORT*  
*PLANNING COMMISSION MEETING February 24, 2005*

Prepared by: Michael Isom, Associate Planner

**ITEM V-B:**      **CONDITIONAL USE PERMIT MODIFICATION – 200 NORTH SUNRISE AVENUE  
(AUTO MALL ELECTRONIC READER BOARD SIGN) – FILE #CUPMOD 04-12**

**REQUEST**

The Roseville Automall Association is seeking approval to replace the existing electronic reader board sign located adjacent to Interstate 80 with a new 1,082 square foot sign cabinet, including a 586 square foot light emitting diode (LED) reader board. The new sign is proposed to be 29.5 feet tall by 40.3 feet wide. The existing sign is 25 feet tall by 40 feet wide totaling 400 square feet overall, with a 300 square foot reader board.

Applicant: Damon Eberhart, Roseville Automall Association  
Property Owner: George McCabe, R&A Roseville

**SUMMARY RECOMMENDATION**

The Planning Department recommends that the Planning Commission:

- A. Adopt the Negative Declaration;
- B. Adopt the five (5) findings of fact for the Conditional Use Permit Modification; and,
- C. Approve the Conditional Use Permit Modification with twenty (20) conditions of approval.

**SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with all recommended conditions of approval.

**BACKGROUND**

The Roseville Automall currently owns and operates a 400 square foot electronic reader board sign adjacent to Interstate 80, approximately 500 feet south of Lead Hill Boulevard (see Attachment 1). The existing sign was approved by the City Council (on appeal) on April 21, 1998. According to the applicants, the reader board component of the sign is nearing the end of its designed life expectancy. The Roseville Automall Association is seeking City approval to replace the entire sign with a new 1,082 square foot sign cabinet, including a 586 square foot light emitting diode (LED) reader board. The existing reader board portion of the existing sign is 300 square feet.

The property on which the sign is located is approximately six acres in size. On June 19, 2003, the City's Design Committee approved a Design Review Permit on the property for the construction of a 21,891 square foot automobile dealership with associated lighting, customer parking, inventory parking for 213 vehicles, and landscaping. The Hyundai project has been designed to incorporate the existing reader board and associated easement. It's worth noting that the Sign Ordinance entitles Hyundai to its own freestanding sign, which can be placed on either roadway frontage or along the freeway. A grading permit has been issued for the Hyundai project, and work is currently underway.

The applicant indicates that the Roseville Automall is experiencing an increase in competition from other regional auto malls such as Elk Grove and Folsom and that increased freeway signage is necessary to maintain a competitive advantage.

## **ENTITLEMENT HISTORY**

The Project Review Commission (PRC) approved the original Automall Master Use Permit (MUP) on March 16, 1989. As a part of the MUP, a Planned Sign Permit Program (PSPP) and Sign Variance for two off-site directional signs along Interstate-80 were also approved. On February 19, 1992, the City Council granted final approvals for the Master Use Permit amendment and the Planned Sign Permit Program, and introduced the Sign Ordinance Amendment for first reading to allow for freeway visible promotional and directional signs.

On March 12, 1998, the Planning Commission approved a text change to the Automall Master Use Permit to specifically allow an electronic reader board. The text change also identified the Planning Commission as the approving authority for the design and details of Automall off-site freeway visible signs. At the March 12<sup>th</sup> hearing, the Planning Commission also approved a Conditional Use Permit Modification (File #CUPMOD 98-01) to allow the existing electronic reader board sign with a maximum height of 25 feet.

Activation of the electronic reader board in 1999 generated a significant volume of complaints regarding the sign's intensity. Reports were also received that traffic speeds on I-80 slowed while drivers read the advertisements on the sign. Staff is not aware of any recent complaints; however, the sign occasionally generates discussion and inquiries to the Planning Department.

## **EVALUATION**

### **CONSISTENCY WITH SIGN ORDINANCE AND APPLICABLE PLANS**

It is City policy, as stated in the Sign Ordinance, to prohibit off-site signage because the City doesn't want to encourage a proliferation of off-site signs. However, with the previous approvals for the Automall off-site signs, it was acknowledged that the Roseville Automall was a unique project that required special signage.

This special signage included off-site freeway-visible signs, including the use of an electronic reader board. The decision to allow an off-site electronic reader board has already been made; therefore, this report focuses solely on the request to increase the size of the sign.

#### ***Sign Ordinance Consistency***

The Sign Ordinance specifically permits off-site signage for the Automall as follows:

*“Notwithstanding the provisions of this Title, each auto mall may erect and maintain two off-site freestanding, freeway visible signs. One may contain a reader board, the other shall be solely directional.”*

While the Ordinance permits the off-site signage, it does not contain specific design standards to evaluate against. Rather, the signs are to be reviewed on a case-by-case basis and approved by the Planning Commission, as is being done in this case.

#### ***Northeast Roseville Specific Plan Sign Guidelines***

The subject site is not located within the Northeast Roseville Specific Plan (NERSP) area; however, it is an Automall sign which is addressed on page 50 of the NERSP Sign Guidelines, also called the Olympus Pointe Signage Guidelines. The NERSP Sign Guidelines state that “Roseville Automall specifications are contained in the Roseville Automall CC & R's” and are otherwise exempt from the Olympus Pointe Sign Guidelines. Therefore, consistency with the NERSP Sign Guidelines is not required.

#### ***Roseville Automall Master Use Permit***

The Automall Master Use Permit (MUP) also has no specific standards for the design, location, or size of off-site freeway visible signage. The MUP (as amended in 1998) states that “the specific design and construction details for these signs, including their exact locations, must be approved by the Planning Commission prior to their construction.”

Since there are no prescriptive standards to evaluate the proposed sign against, staff has used the existing Automall sign as a baseline for comparison. The existing sign has been operating for six years, which has allowed the City (and others) to observe its operating characteristics over time.

**Location** - The new sign will occupy the same location as the existing sign. It is situated on the east side of Interstate 80, approximately 486 feet south of Lead Hill Road. The vacant parcel is bound on the east by North Sunrise Avenue and on the south by another vacant parcel (planned for Fry's Electronics). The sign is located at the southwest corner of the lot and is setback 30 feet from I-80, and 10 feet from the adjacent lot to the south (Aerial Photograph – Attachment 2). The sign cannot be located any closer to the I-80 right-of-way due to an existing 21” water transmission main that traverses the property parallel to the property line.

**Height** - The proposed height of the new sign is 29.5 feet. The proposed sign height would represent a four and a half (4.5) foot increase over the existing 25-foot tall sign. During review of this request, the Roseville Electric Department determined that a 29.5-foot tall sign will result in clearance conflicts with the 60kv power lines that traverse the property west of the sign, which would result in a safety hazard. Conflicts with these lines could potentially affect the City's ability to deliver electricity to customers nearby, so conflict avoidance is extremely important.

In order to avoid clearance conflicts with the City's power lines, staff recommends that the sign be restricted to a maximum of 25 feet in height (Condition 3). This can be accomplished by reducing the height of the sign base.

**Area** – The overall area of the proposed sign is 1,082 square feet, with 586 square feet dedicated to the electronic reader board. The existing sign is 400 square feet overall, with a 300 square foot reader board. A nine-foot diameter Automall logo is proposed on the sign cabinet, next to the reader board (see Exhibit A). The new sign (as proposed at 29.5 feet tall) represents a 271% increase in overall area. The reader board portion of the proposed sign represents a 195% increase over the existing reader board. Staff has prepared an exhibit illustrating the new sign's dimensions versus the existing sign (Attachment 6).

**Colors and Materials** – The proposed sign will be constructed of aluminum with a brushed silver finish, with blue and white logo colors (see Exhibit B). Other than its overall size and mass, staff does not have any concerns related to the sign's design, and believes it to be an improvement over the existing sign design.

### **SIGN INTENSITY AND AESTHETIC CONSIDERATIONS**

Since the time the existing Automall sign was energized in 1999, concern has been expressed regarding the sign's appearance, intensity, and the potential hazard it creates for motorists driving on I-80. The Sign Ordinance does not contain a standard with which to regulate sign intensity. In other situations involving signs, the City has relied on the Community Design Guidelines, which generally prohibits off-site glare.

### ***Outdoor Advertising Act and Permit Requirements***

Signs located within 660 feet of a state highway are required to comply with the Outdoor Advertising Act (Business & Professions Code Section 5400 et seq.). The Outdoor Advertising Act contains specific standards related to freeway visible signage, including maximum area, maximum height, and brightness. The Outdoor Advertising Act is enforced by the California Department of Transportation (CalTrans) and is administered by CalTrans through a Department of Transportation Outdoor Advertising Permit. However, the Act does not prohibit local jurisdictions from adopting more stringent standards to regulate the operating characteristics (such as lighting or brightness) of advertising displays.

Similar to the existing reader board sign, the proposed sign will require a permit from CalTrans and must meet the minimum requirements contained in the Outdoor Advertising Act. Specifically, the sign will be required by CalTrans to comply with the brightness requirements outlined in the Act in that “the illumination thereon shall not be of such brilliance or so positioned as to blind or dazzle the vision of travelers on adjacent highways (Business and Professions Code Section 5403).”

The standard used by CalTrans for enforcing sign brightness reads as follows:

*“The brightness reading of an objectionable light source shall be measured with a 11/2-degree photoelectric brightness meter placed at the driver's point of view. The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source” (CVC 21466.5).*

It should be noted that the existing sign has been determined by CalTrans to meet the standard contained in Vehicle Code Section 21466.5. The proposed reader board will have nearly twice as much surface area, which could potentially result in an increase in sign intensity. Since the City's options for enforcing sign brightness are primarily limited to the Vehicle Code section cited above, it is important for the Planning Commission to take this into account when considering the request for a larger sign.

### ***Other Options for Restricting Sign Intensity***

Alternatives to enforcing sign brightness through the Outdoor Advertising Act are available. As noted above, the Act allows local jurisdictions to adopt more stringent standards. One option available for the Commission's consideration is to impose operational conditions addressing sign intensity on the Conditional Use Permit.

As designed, the new reader board sign would be approximately 20% brighter than the existing sign. The intensity is measured in nits, which are an international unit of luminous intensity per projected area (commonly per square meter) and are commonly used units to measure brightness levels of LED signs. According to information provided by the applicant, the existing sign's intensity was rated at 6,500 nits when it was first activated. Over time, the intensity of the sign has diminished, and is now estimated to emit 4,500 nits. The nighttime intensity of the existing sign at its brightest (white color) has been measured at approximately 950 nits by the sign contractor.

The applicant has worked with the sign contractor over time to avoid messages with white backgrounds, as white light tends to result in a perception of more intense brightness. According to the applicant, the new sign is designed to produce a maximum intensity of 6,400 nits. However, after the sign is properly color balanced, it is expected to produce 5,000 to 5,500 nits. According to the sign contractor, the LED signs can be programmed at any intensity level, from 1% to 100%.

The City of Folsom recently approved a new automall sign with an electronic reader board. The City of Folsom required that the sign operate at 80% intensity during the daytime, and 5% intensity at night.

According to the Folsom Planning Department, the sign is conditioned to operate at a maximum of 5,500 nits during the day (80%) and 350 nits at night (5%). The City also required that the reader board be recessed two inches to narrow the focus of light emanating from the sign and to reduce off-site glare impacts. The sign is expected to be constructed and operational by the end of February.

The Cal Expo sign is another example of a recent LED billboard in the region. According to the sign contractor, the Cal Expo sign is programmed for varying levels of brightness. During the day, the sign operates at 100% capacity (approximately 5,000 nits). As the evening progresses, the intensity is gradually reduced to its lowest setting of 5% capacity (approximately 500 nits).

Staff has also reviewed sign ordinances of other communities to look for intensity standards. The City of Tukwila in Washington, for example, requires a maximum brightness level for electronic signs of 5,000 nits during daylight hours, and 500 nits between dusk and dawn. The City also requires an ambient light monitor to be installed that automatically adjusts the brightness level of the electronic sign based on ambient light conditions. So on overcast or poor weather days, the sign would automatically adjust to the ambient light level.

Similar to the existing sign, the new sign would be brightest when it is first activated. Over time, the intensity of the sign will diminish. Staff believes it is important to establish a maximum illumination level so that the sign is not exceedingly bright upon activation. Similar to the other signs observed and communities surveyed, staff recommends a daytime standard and nighttime standard be adopted as follows:

- The maximum brightness level for the electronic reader board sign shall not exceed 5,000 nits when measured from the sign's face at its maximum brightness, during daylight hours, and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn (Condition 4).

The 500-nit nighttime standard will result in a reduction in nighttime intensity from the existing sign intensity of 950 nits. To further reduce potential off-site glare and "sky glow" impacts, staff recommends that the face of the electronic reader board be recessed a minimum of two inches from the cabinet face. This requirement is reflected in Condition 5. The applicant is in agreement with both of these conditions.

Compliance with the illumination standard would be the responsibility of the applicant. Upon submittal of a sign permit application, a statement shall be provided from a qualified lighting or sign consultant indicating that the sign has been designed to comply with the illumination standard. Within one week following sign activation, a qualified lighting consultant/electrical engineer shall measure the sign intensity and ensure compliance with the lighting standard. Condition 7 reflects this requirement.

While maximum intensity standards will be established with this permit, the applicants have indicated that they are willing to work with staff to resolve any complaints that might be received regarding the sign's brightness.

**Regional Sign Comparison**

Several electronic reader boards have been approved/constructed within the greater Sacramento region, including Folsom, Fairfield, Petaluma, Vacaville, and Sacramento (Cal Expo). The size of these signs vary as follows:

Table 1

Location	Total Sign Area	Reader Board Area	Pedestal Area	Height
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Roseville (proposed)	1,082 s.f.	586 s.f.	197 s.f.	29.5'
Roseville (existing)	400 s.f.	300 s.f.	Pole Mounted	25'
Folsom	972 s.f.	586 s.f.	145 s.f.	45'
Cal Expo	976 s.f.	628 s.f.	Pole mounted	95'
Petaluma	921 s.f.	200 s.f.	Pole mounted	60'
Vacaville	1,836 s.f.	308 s.f.	Pole Mounted	54'
Fairfield	350 s.f.	Unknown	Pole/pillar mounted	55'

The City of Elk Grove has also been processing a request for a 75-foot tall, 500 square foot reader board sign. The City has held several hearings on the proposed sign and has raised several concerns related to the appearance of the sign and its overall size. The Elk Grove City Council ultimately continued the request off calendar in February of 2004. To date, no action on the sign has been taken.

As indicated in Table 1, the total area of the proposed sign is larger than the majority of signs approved throughout the region. However, the reader board component is similar in size to the sign recently approved in Folsom, as well as the Cal Expo sign. Cal Expo is not an automall, so the size of this sign is irrelevant when considering competitive advantage issues. The only comparable reader board will be located at the Folsom Automall.

**Static Directional Information on Sign**

The applicant indicates that the larger signs permitted by the jurisdictions noted above result in a competitive disadvantage to the Roseville Automall. The applicants also indicate that the Roseville Automall is at a further disadvantage because it is not directly visible from the freeway. The applicants indicate that the off site signage is necessary to direct people to take the Eureka Road exit to access the Automall. However, the existing and proposed signs do not display any static directional information (i.e., “Take the Eureka Road Exit”), and are limited primarily to advertisement of Automall-related uses, 3<sup>rd</sup> party advertisements, and some public service announcements. According to Automall representatives, 50% of the sign time is dedicated to advertising automall dealers and services, 45% of the sign time is sold to 3<sup>rd</sup> parties, and 5% is dedicated to non-profit groups and other public service announcements.

The initial intent of allowing off-site signage for the Automall was to raise awareness of the Automall’s location and direct motorists how to get there. Over time, the emphasis of advertising the Automall and its location has given way to 3<sup>rd</sup> party advertising. Due to 1<sup>st</sup> Amendment issues, the City cannot regulate the copy contained in the messages displayed on the reader board. Therefore, it is difficult for the City to enforce any conditions regulating the percentage of sign time that is dedicated to the Automall, 3<sup>rd</sup> parties, or local non-profit groups.

If the Commission is inclined to support the request for a larger sign, staff recommends that the sign include static text mounted on the face of the sign cabinet with directions to “take the Eureka Road exit.” The addition of this directional text will help the proposed sign comply with the original intent of the Master Use Permit. The text could be tastefully designed below the Automall logo. Condition 6 addresses this requirement. The applicant is in agreement with this condition.

**Conditional Use Permit Modification Conclusion**

The Roseville Automall is an important economic contributor and is critically important to the fiscal health of the City. The Automall continues to be a significant source of sales tax generation, which provides a large percentage of discretionary funds that are allocated to programs such as youth

services and recreation programs. The Automall has proven to be a successful public/private venture that has benefited the residents of Roseville through taxes and fees collected through its operation. The Automall also continues to give back to the community through donations to charitable programs. A recent example is a five-year commitment by the Automall, beginning in 2005, to contribute \$50,000 annually to the REACH campaign.

The Automall is operating in a highly competitive environment, as new automalls have been constructed throughout the region. As previously mentioned, and as confirmed by the approval of the existing reader board sign, the Roseville Automall is at a disadvantage because it does not enjoy direct freeway visibility, and special signage is necessary to alert consumers of its presence.

With incorporation of the operational and design restrictions discussed above, staff believes adverse aesthetic impacts as a result of the new sign will be minimal. Staff recommends that the Planning Commission approve the Conditional Use Permit Modification with the operational conditions discussed in the staff report and conditions of approval.

### **ENVIRONMENTAL DETERMINATION**

An Initial Study and Negative Declaration have been prepared in accordance with the provisions of the CEQA Guidelines as the environmental document for this project (Exhibit A). The Initial Study and Negative Declaration were posted for a 20-day public review and comment period on February 4, 2005. The comment period closes on February 24, 2005. At the time this report was written, no comments had been received on the Initial Study / Negative Declaration.

### **RECOMMENDATION**

The Planning Department recommends that the Planning Commission take the following actions:

- A. Adopt the Negative Declaration;
- B. Adopt the five (5) findings of fact for the CONDITIONAL USE PERMIT MODIFICATION – 200 NORTH SUNRISE AVENUE (AUTO MALL ELECTRONIC READER BOARD SIGN) -- FILE # CUPMOD 04-12:
  - 1. *The proposed modification is consistent with the Roseville Sign Ordinance.*
  - 2. *The proposed Conditional Use Permit Modification is consistent with the objectives of the Roseville Automall signage program to provide an integrated system of on-site and off-site signs that combine high marketing effectiveness with integrated, tasteful design compatible with the City's signage guidelines.*
  - 3. *The Automall is a unique project that requires special signage.*
  - 4. *As conditioned, the new sign is in harmony with and visually related to the buildings and uses in the surrounding developments.*
  - 5. *As conditioned, the size of the new sign is appropriate and allows for adequate visibility from Interstate 80 and surrounding streets.*
- C. Approve the CONDITIONAL USE PERMIT MODIFICATION – 200 NORTH SUNRISE AVENUE (AUTO MALL ELECTRONIC READER BOARD SIGN) -- FILE #CUPMOD 04-12 subject to twenty (20) conditions of approval.

1. The project is approved as shown in Exhibits A – C, except as conditioned or modified below. (Planning)
2. This permit shall be valid for a period of two (2) years from this date and shall expire on **February 24, 2007** if a sign permit is not issued. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, that this approval shall be extended for no more than one year from **February 24, 2007**. (Planning)
3. The overall height of the sign shall not exceed 25 feet, and the area of the electronic reader board shall not exceed 586 square feet. (Planning, Electric)
4. The maximum brightness level for the electronic reader board sign shall not exceed 5,000 nits when measured from the sign's face at its maximum brightness, during daylight hours, and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn. (Planning)
5. The face of the electronic reader board shall be recessed a minimum of two inches from the cabinet face. (Planning)
6. The sign shall include static text mounted on the face of the sign cabinet with directions to "take the Eureka Road exit" or similar text to the satisfaction of the Planning Department. (Planning)
7. Upon submittal of a sign permit application, a statement shall be provided from a qualified lighting or sign consultant indicating that the sign has been designed to comply with the illumination standard identified in Condition 4. Within one week after the sign is activated, a qualified lighting consultant/electrical engineer shall measure the sign intensity at the sign face and confirm compliance with the lighting standard. Written verification of compliance shall be provided to the Planning Department within one week following sign activation. (Planning)
8. No signage shall be erected prior to the submittal and approval of a Standard Sign Permit application. (Planning)
9. All necessary permits/approvals must be obtained from Caltrans prior to Planning Department approval of the Sign Permit. A copy of the applicable Caltrans permit shall be submitted with the City Sign Permit application. (Planning)
10. The sign shall not be highlighted or illuminated with additional direct or indirect lighting, (e.g., floodlighting). (Planning)
11. The applicant shall utilize a graffiti-resistant paint or other suitable finish on the sign cabinet. (Planning, Police)
12. The new sign shall comply with City of Roseville Electric Department "Specifications for Commercial Construction" Page 11.1 "Clearance Requirements for Overhead conductors in proximity to Buildings (or structures). A minimum of 15' clearance must be maintained from the nearest conductor at maximum sag and sway. The developer/applicant shall submit documentation to Roseville Electric that the required clearances will be maintained. Any modification or relocation of existing electrical service shall be approved by Roseville Electric prior to issuance of Building permit. (Electric)
13. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstruction during construction and when the project is complete. (Electric)
14. The project is subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance project construction is exempt between the hours of seven a.m. and seven p.m. Monday through Friday, and between the hours of eight a.m. and eight p.m. Saturday and



Sunday. Provided, however, that all construction equipment shall be fitted with factory installed muffling devices and that all construction equipment shall be maintained in good working order. (Building)

15. Building permit plans shall comply with all applicable code requirements (Uniform Building Code - UBC, Uniform Mechanical Code - UMC, Uniform Plumbing Code - UPC, Uniform Fire Codes - UFC and National Electrical Code - NEC), California Title 24 and the American with Disabilities Act - ADA requirements, and all State and Federally mandated requirements in effect at the time of submittal for building permits (contact the Building Department for applicable Code editions). (Building)
16. Existing public facilities damaged during the course of construction shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (Engineering)
17. Applicant shall apply for and obtain an encroachment permit from the Engineering Department prior to any work conducted within the City right-of-way. (Engineering)
18. If the existing electrical service to the sign needs to be upgraded, any costs associated with upgrading the service to meet the new loads will be at the developers expense. (Electric)
19. The new electronic reader board sign shall not be placed any closer to the existing water main than the existing sign. (Environmental Utilities)
20. Advertisements that display moving images, flashing or intermittent light are prohibited in accordance with the Roseville Sign Ordinance and Business and Professions Code. (Planning)

### **ATTACHMENTS**

1. Vicinity Map
2. Aerial Photograph
3. Caltrans Standards for Off-Premise signs (B&P Code Section 5408.a & b)
4. Existing Sign Elevation
5. Photo Simulation of New Sign
6. Existing and New Sign Comparison Exhibit

### **EXHIBITS**

- A. Initial Study / Negative Declaration
- B. New Sign Elevations
- C. New Sign Details

<p><b>Note to Applicant and/or Developer:</b> Please contact the Planning Department staff at (916) 774-5276 prior to the Commission 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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