



Planning Commission Staff Report

Date: January 13, 2010
Case No.: SI 09-092
Type: Sign Permit
Location: 6600 North Indian Canyon Drive
APN: 669-091-017 & 669-091-018
Applicant: Del Taco, LLC
General Plan: RBC (Regional Business Center)
Zone: H-C (Highway Commercial)
From: Craig A. Ewing, AICP, Director of Planning Services
Project Planner: David A. Newell, Associate Planner

PROJECT DESCRIPTION:

The proposed project is a request by Desmond Wong of Del Taco, LLC to install one permanent freeway sign of approximately 146 square feet per face on an existing pylon sign located at 6600 North Indian Canyon Drive. The proposed signage is for a drive-through restaurant that was recently approved by the Planning Commission, which will be located at 6620 North Indian Canyon drive.

RECOMMENDATION:

That the Planning Commission approve freeway sign permit request, Case No. SP 09-092.

PRIOR ACTIONS:

On November 12, 2009, the Planning Commission reviewed a proposed drive-through restaurant building (Del Taco) at the site directly north of the subject property and voted 6-0-1 (Munger absent) to approve the project.

On November 9, 2009, the Architectural Advisory Committee (AAC) reviewed the proposed drive-through restaurant's freeway sign (located on the Chevron property) and voted 7-0 to recommend approval of the freeway sign as submitted.

BACKGROUND AND SETTING:

The subject site where the proposed freeway sign will be located is currently developed with a gas station (Chevron) and located at the northeast corner of North Indian Canyon Drive and Garnet Avenue. The proposed "Del Taco" freeway sign will be located directly beneath an existing "Chevron" freeway sign that is approximately sixty-five feet in height.

Table 1: The surrounding Land Uses are tabled below:

	Land Use	General Plan	Zoning
North	Vacant (Future Del Taco Restaurant)	RBC (Regional Business Center)	HC (Highway Commercial)
East	Vacant	RBC (Regional Business Center)	HC (Highway Commercial)
South	Retail Commercial	RBC (Regional Business Center)	HC (Highway Commercial)
West	Gas Station (Pilot)	RBC (Regional Business Center)	HC (Highway Commercial)

ANALYSIS:

Del Taco is proposing a sign that is approximately 146 square feet in size on the Chevron property located at 6600 North Indian Canyon Drive. Pursuant to Section 93.20.05(C)(11) of the PSZC, freeway oriented signs to be viewed primarily from the Interstate 10 and the Indian Canyon Drive intersection may be permitted by the Planning Commission on properties designated "Highway Commercial". These signs may list adjacent or nearby off-premises freeway-oriented businesses in the "Highway Commercial" zone and are subject to the following standards:

- *Must be located within 1,000 feet of the point of intersection of the freeway with the street served by ramps from the freeway.*

The existing pylon sign is approximately 350 feet from the point of intersection of the freeway with the street served by ramps from the freeway. (See photo on next page.)



- *The sign structure shall be located in such a manner so as not to adversely obscure the visibility of another existing sign structure from I-10.*

The pylon sign is an existing structure and the Del Taco sign is proposed to be placed below the existing "Chevron" sign and logo.

- *The distance between the lowest portion of the sign face and ground level shall not be less than one-half (1/2) the height of the sign structure.*

The top of the existing sign structure sign is approximately sixty-five feet in height. Staff has determined that the bottom of the Del Taco sign facer is approximately thirty-six feet above the ground and not less than one-half the height of the sign structure.

- *The area of each sign face shall not exceed one hundred fifty (150) square feet per business advertised.*

The subject sign is 146 square feet in size.

- *The text on freeway-oriented signs shall be limited to corporate logos or business names only. The minimum size letter in the text of the sign shall be one (1) foot in vertical or horizontal dimension, and the maximum size letter shall be three (3) feet.*

The text on the freeway-oriented signs includes the corporate logo, business name and operational information ("24HR DRIVE-THRU"). Staff does not support the operational

information and has included a project specific condition that this text be removed prior to issuance of building permit (See Condition No. PSP 1 in the draft resolution).

- *Illumination shall be limited to internal lighting. All freestanding signs shall have underground utility service.*

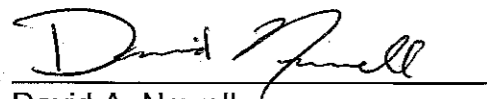
The proposed sign is internally illuminated and the project is conditioned to utilize underground utility service.

CONCLUSION:

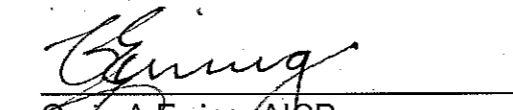
The AAC reviewed and recommended approval of the proposed sign to the Planning Commission. And with the recommended Conditions of Approval, the proposed sign will be consistent with the requirements of the Zoning Code. Therefore, staff recommends that the Planning Commission approve the proposed freeway sign.

ENVIRONMENTAL ANALYSIS:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is Categorical Exempt under Section 15061 (General Rule).



David A. Newell
Associate Planner

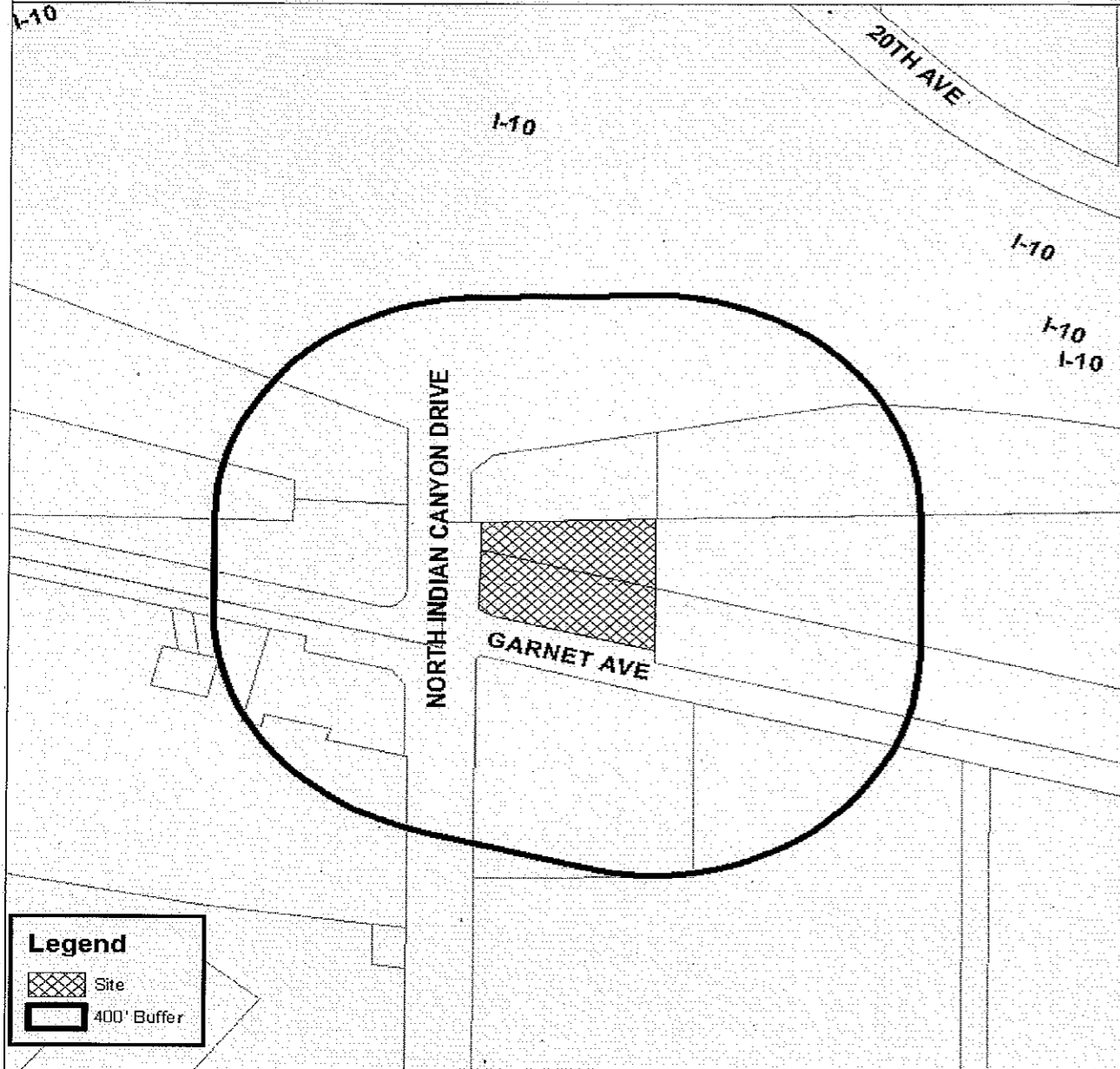
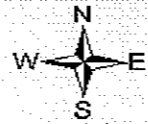

Craig A. Ewing, AICP
Director of Planning Services

Attachments:

1. 400' Radius Map
2. Draft Resolution w/ Conditions of Approval
3. Sign Diagram



Department of Planning Services
Vicinity Map



Legend
[Hatched Box] Site
[Thick Black Circle] 400' Buffer

CITY OF PALM SPRINGS

CASE NO: SI 09-092

APPLICANT: Del Taco, LLC

DESCRIPTION: Application by Del Taco, LLC to install a freeway sign on an existing pylon sign located at 6600 North Indian Canyon Drive (Chevron), Zone H-C.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING CASE NO. SI 09-092, A PERMANENT FREEWAY SIGN OF 146 SQUARE FEET LOCATED AT 6600 NORTH INDIAN CANYON DRIVE.

WHEREAS, Del Taco, LLC ("Applicant") has filed an application with the City pursuant to Section 93.20.10 and 94.04.00 of the Palm Springs Zoning Code for a freeway sign located on an existing pylon sign at 6600 North Indian Canyon Drive (Chevron) for the proposed drive-through restaurant (Del Taco) to be located at 6620 North Indian Canyon Drive, Zone H-C, Section 23; and

WHEREAS, on January 13, 2010, a public meeting on the application 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 under Section 15061 (General Rule); 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.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case No. SI 09-092, a freeway sign totaling 146 square feet to be located on an existing pylon sign at 6600 North Indian Canyon Drive, subject to those conditions set forth in Exhibit A.

ADOPTED this 13th day of January, 2010.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig Ewing, AICP
Director of Planning Services

RESOLUTION NO. _____

EXHIBIT A

Case No. SI 09-092
Del Taco, LLC

6600 North Indian Canyon Drive

January 13, 2010

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. Text on Sign. Prior to issuance of building permit, the text "24HR DRIVE-THRU" shall be removed from both sides of the sign.

ADMINISTRATIVE CONDITIONS

ADM 1. Project Description. This approval is for the project described per Case No. SI 09-092, except as by these conditions.

ADM 2. Conform to all codes and regulations. 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 3. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.

ADM 4. Indemnification. 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 No. SI 09-092. 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 judgement or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 5. Maintenance and Repair. That the property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation sidewalks, bikeways, parkways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 6. Time Limit on Approval. Approval of this Conditional Use Permit, including Architectural Approval, shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 7. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Any utility service to the sign structure shall be installed underground.
- PLN 2. Approval shall be valid based on the sign amortization schedule in section 93.20.11 of the Palm Springs Zoning Ordinance.
- PLN 3. All signs must comply with Planning Commission conditions and Section 93.20.00 of the Palm Springs Zoning Ordinance.

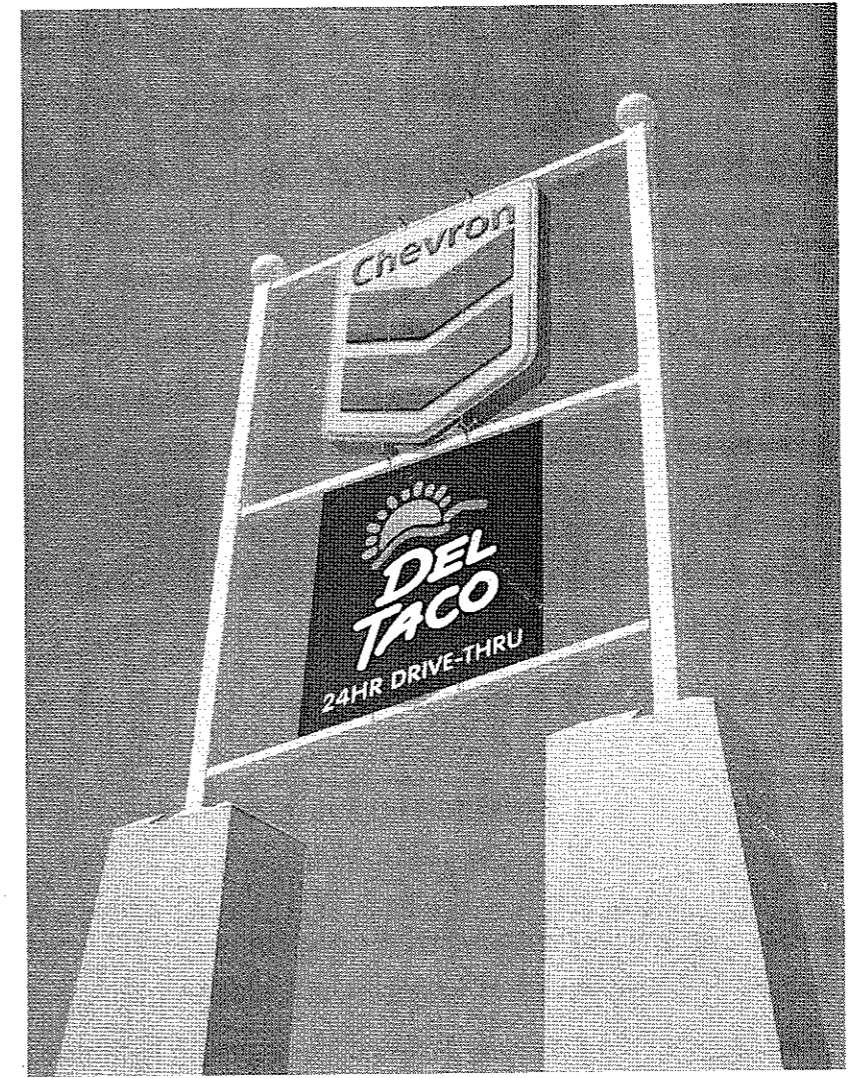
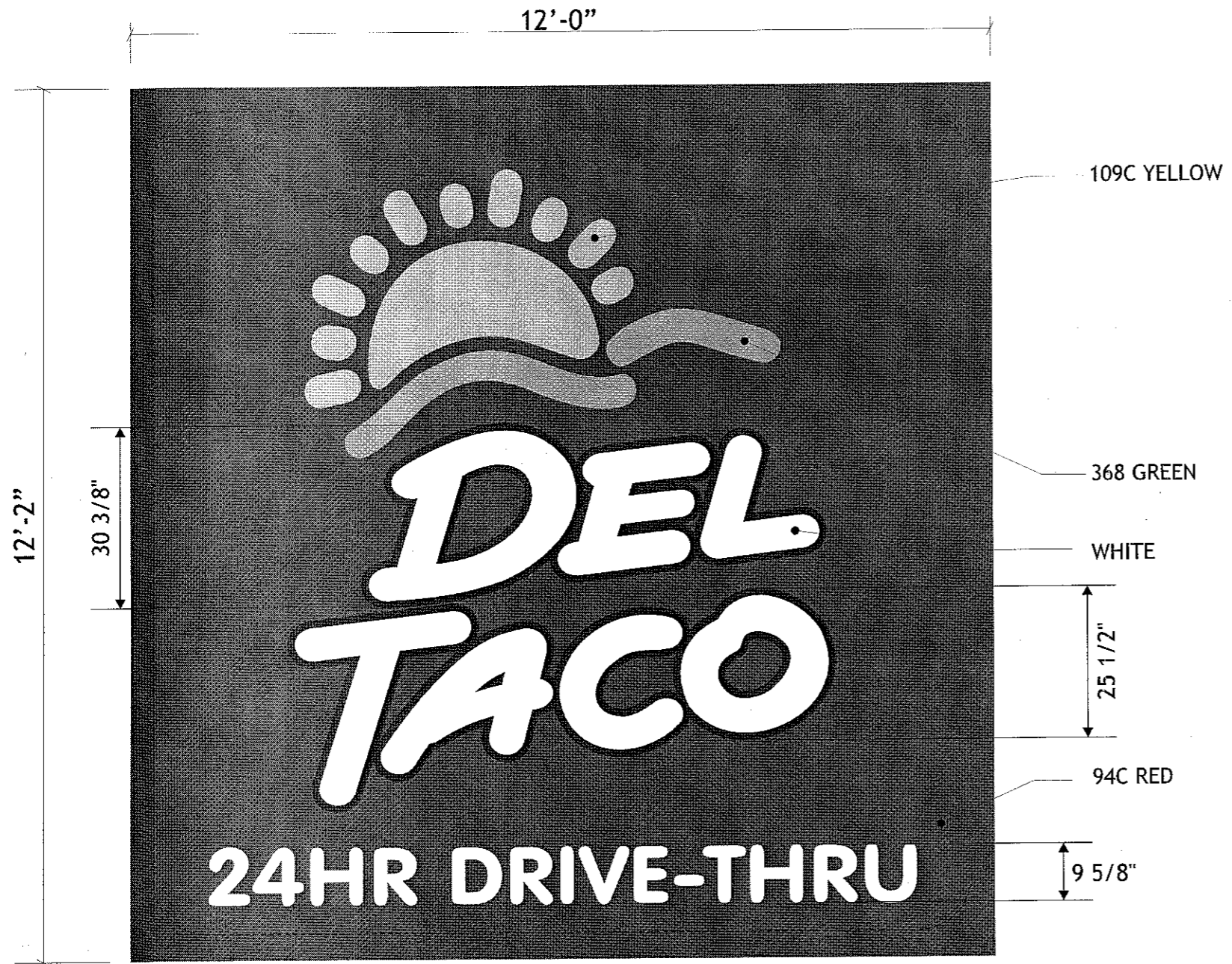
PLN 4. All signs must comply with the Uniform Building Code regulations.

PLN 5. All non-approved signage must be removed as part of this approval.

BUILDING DEPARTMENT CONDITIONS

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






END OF CONDITIONS



EXISTING CONDITION

SPECIFICATIONS

FACE - FORMED U.V. POLYCARBONATE W/ EMBOSSED COPY
DECORATED SECOND SURFACE

- C1  PMS 109C YELLOW
- C2  PMS 194C RED
- C3  PMS 368C GREEN
- C4  WHITE COPY
- C5  BLACK COPY OUTLINE

N8 REPLACEMENT FACE

Scale: 1/2" = 1'-0"



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9 OF 10

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REVISION DATE:
12/28/2009

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