



CITY COUNCIL AGENDA REPORT

MEETING DATE: JUNE 16, 2009

ITEM NUMBER: _____

**SUBJECT: APPEAL OF ZONING APPLICATION ZA-09-13
IN 'N OUT BURGER – 3211 HARBOR BOULEVARD**

DATE: JUNE 2, 2009

FROM: DEVELOPMENT SERVICES DEPARTMENT

**PRESENTATION BY: REBECCA ROBBINS, ASSISTANT PLANNER
KIMBERLY BRANDT, AICP, ACTING DIRECTOR**

FOR FURTHER INFORMATION CONTACT: REBECCA ROBBINS, (714)754-5609

RECOMMENDATION:

Uphold, reverse, or modify Planning Commission's action on Zoning Application ZA-09-13, a planned signing program for a new In 'n Out Burger.

BACKGROUND:

In 'n Out Burger proposed a planned signing program to replace the vacant Kaplan's Restaurant signage, located just northwest of the Harbor Boulevard and Gisler Street intersection.

On April 9, 2009, the Zoning Administrator approved ZA-09-13, consisting of a planned signing program to allow 454 square feet of signage for the drive-through restaurant; code permits a total of 924 square feet of combined sign area for the site. All of the signs proposed by the applicant comply with our Sign Ordinance with exception of the two freestanding signs on Harbor Boulevard.

The location of the two signs (**Signs A1 and A2**) are shown on Exhibit 1 in Attachment 2. **Sign A1** is considered a "freeway-oriented sign", and the applicant requested that the sign be 75 feet tall and 232 square feet in size (Exhibit 2, Attachment 2). The Code allows a maximum sign height of 32 feet and a maximum sign area of 230 square feet. The Zoning Administrator approved **Sign A1** at a reduced sign height of 65 feet and allowed the two additional square feet of sign area, based on the elevated freeway conditions adjacent to the project site and previous approvals for two other freeway-oriented signs at that height in the immediate area.

Sign A2 is a "monument sign" and its overall height and dimensions comply with Code (Exhibit 3, Attachment 2); however, Code does require a 150-foot separation between freestanding signs on the same property. Because the property has limited street frontage on Harbor Boulevard, it is not physically possible to provide the 150-foot separation between **Sign A1** and **Sign A2**. The Zoning Administrator approved **Sign A2** believing that the additional sign will not create visual clutter on Harbor Boulevard

because of the difference in height between **Sign A1** and **Sign A2** (65 feet versus 8 feet high).

On April 13, 2009, Planning Commission Chair Jim Righeimer requested review of the Zoning Administrator's approval.

On May 11, 2009, Planning Commission reversed the Zoning Administrator's decision and denied the planned signing program. Commission had concerns that even with the 65-foot height, the freeway-oriented sign was not visible from the I-405 Freeway until past the Harbor Boulevard off-ramps and was more for advertising than directional purposes. On May 18, 2009, In 'n Out filed an appeal of Planning Commission's denial.

The staff report prepared for the May 11, 2009 Planning Commission meeting is attached and is also available on-line at <http://www.ci.costa-mesa.ca.us/council/planning/2009-05-11/051109ZA0913Review.pdf>.

ALTERNATIVES CONSIDERED:

City Council may consider the following alternatives:

1. *Uphold Commission's action and deny the Zoning Application.* If denied, the applicant would need to amend the proposed sign plan to comply with our Sign Ordinance. Specifically, the applicant would need to:
 - a. Reduce the number of freestanding signs on Harbor Boulevard from two to one by eliminating **Sign A2**; and
 - b. Reduce the height and size of the one remaining freestanding sign (**Sign A1**) on Harbor Boulevard to a maximum height of 32 feet and maximum size 230 square feet.

All of the other signs proposed by the applicant comply with the Sign Ordinance, and once the revisions noted above are made, the Planning Division can approve all the signs "over the counter" and approval of a "planned signing program" would no longer be necessary.

2. *Reverse the Commission's action and approve the Zoning Application.* Council's approval would allow the applicant to deviate from the current Sign Ordinance for **Sign A1** and **Sign A2** and construct the proposed signage with the conditions of approval imposed by the Zoning Administrator. Council's approval may also include modifications to the applicant's original requests and/or to the conditions of approval.

ENVIRONMENTAL REVIEW:

If denied, pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a), CEQA does not apply to this project because it has been rejected and will not be carried out. If approved, this application has been deemed exempt from the provisions of the California Environmental Quality Act under Section 15311 for the construction of minor structures accessory to existing facilities.

FISCAL REVIEW:

This application does not require fiscal review

LEGAL REVIEW:

The City Attorney's Office has reviewed the resolution and approved it as to form.

CONCLUSION:

The Planning Commission found the proposed signage is not compatible with the neighborhood. Upholding the Commission's action on the planned signing program will require the applicant to comply with the current Sign Ordinance.



REBECCA ROBBINS
Assistant Planner



KIMBERLY BRANDT, AICP
Acting Development Svs. Director

DISTRIBUTION: City Manager
City Attorney
Deputy City Manager – Dev. Svs. Dir.
Public Services Director
City Clerk (2)
Staff (4)
File (2)

John Puente
13502 Hamburger Lane
Baldwin Park, CA 91706

June O'Connor
P.O. Box 1942
Newport Beach, CA 92649

Attachments:

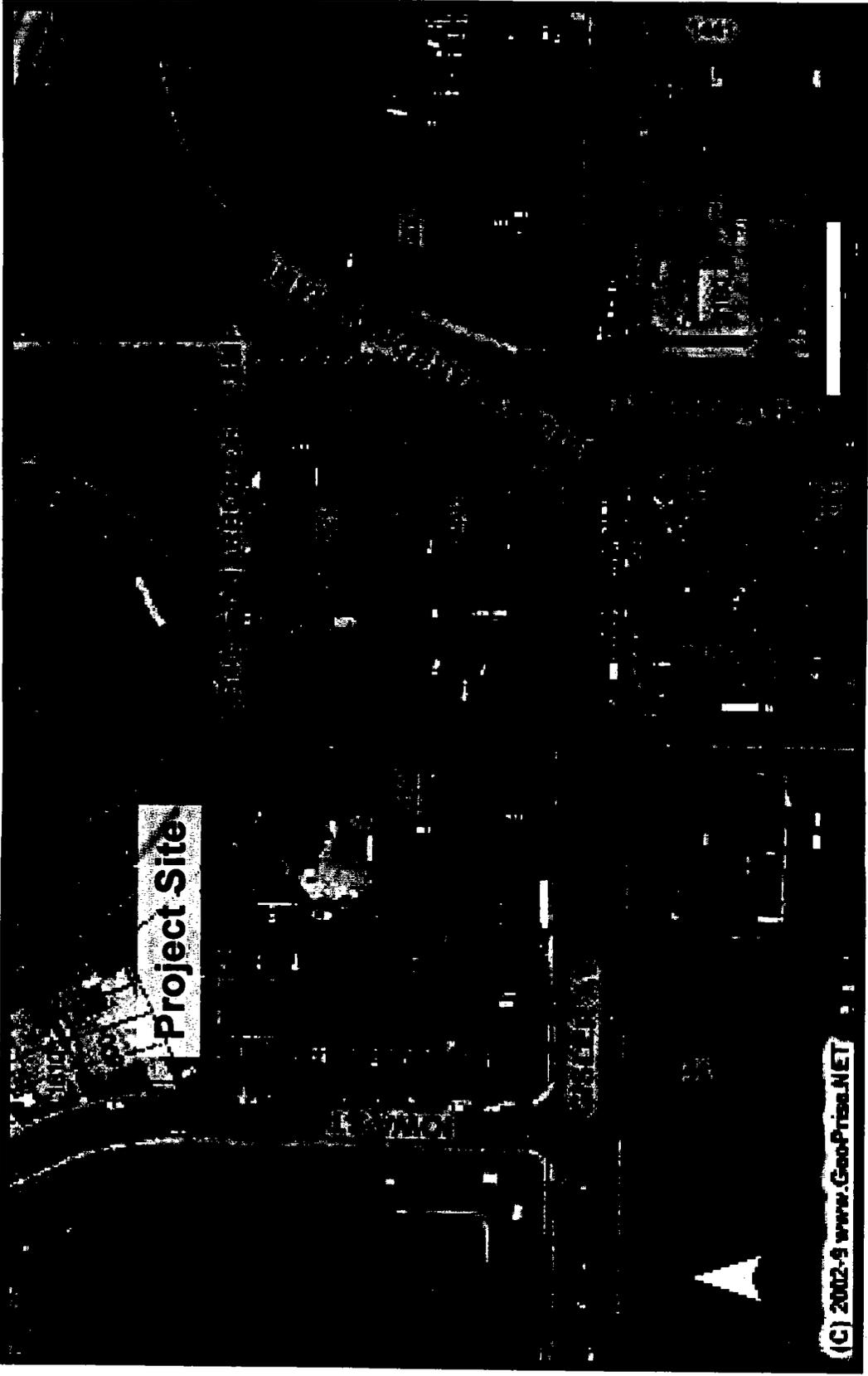
1. Location Map
2. Plans
3. Draft City Council Resolutions
4. Appeal form
5. Minutes of Planning Commission meeting
6. Planning Commission staff report
7. Planning Commission resolution
8. Planned Signing Program

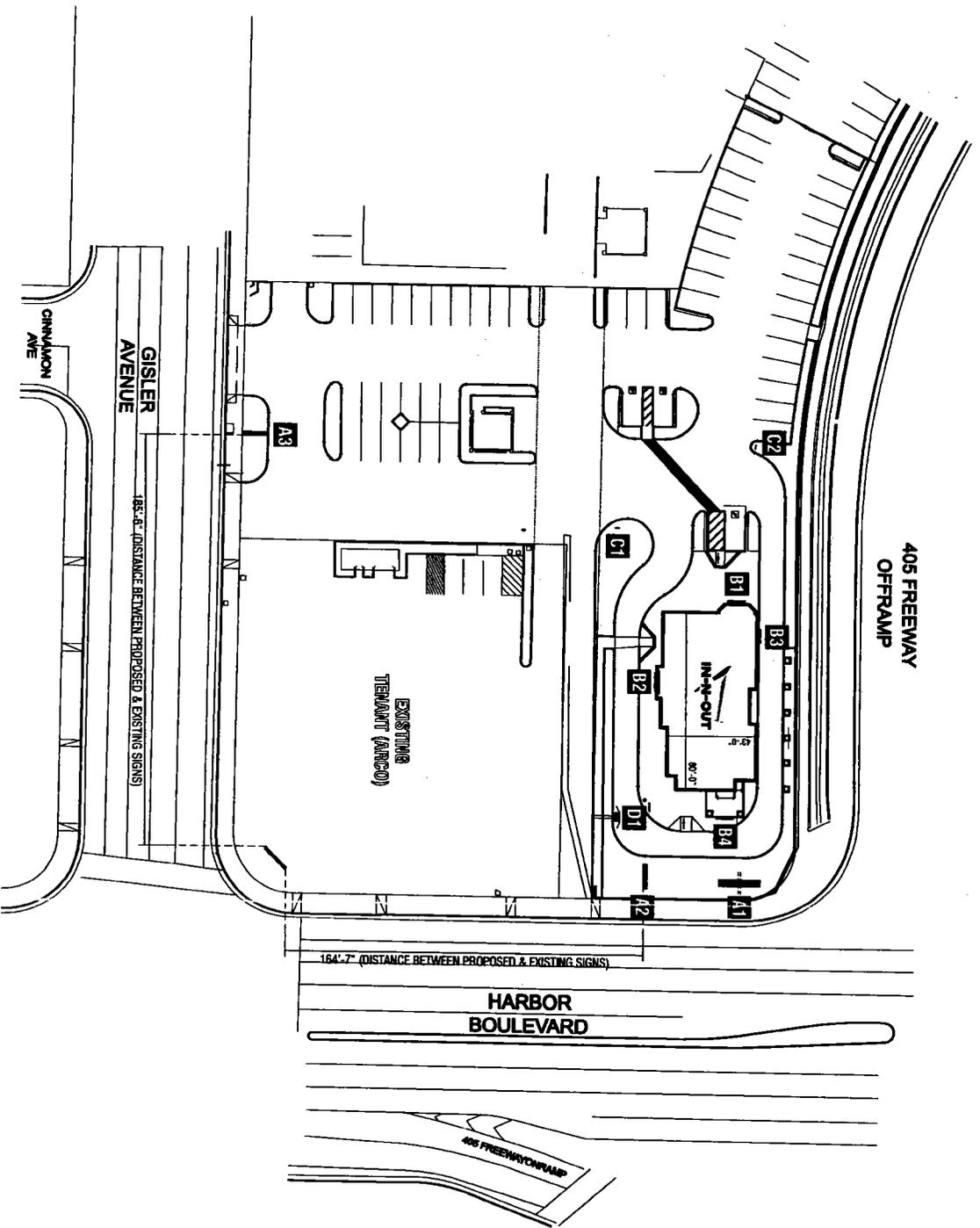
File: 061609ZA0913Appeal

Date: 060209

Time: 2:30 p.m.

Location Map





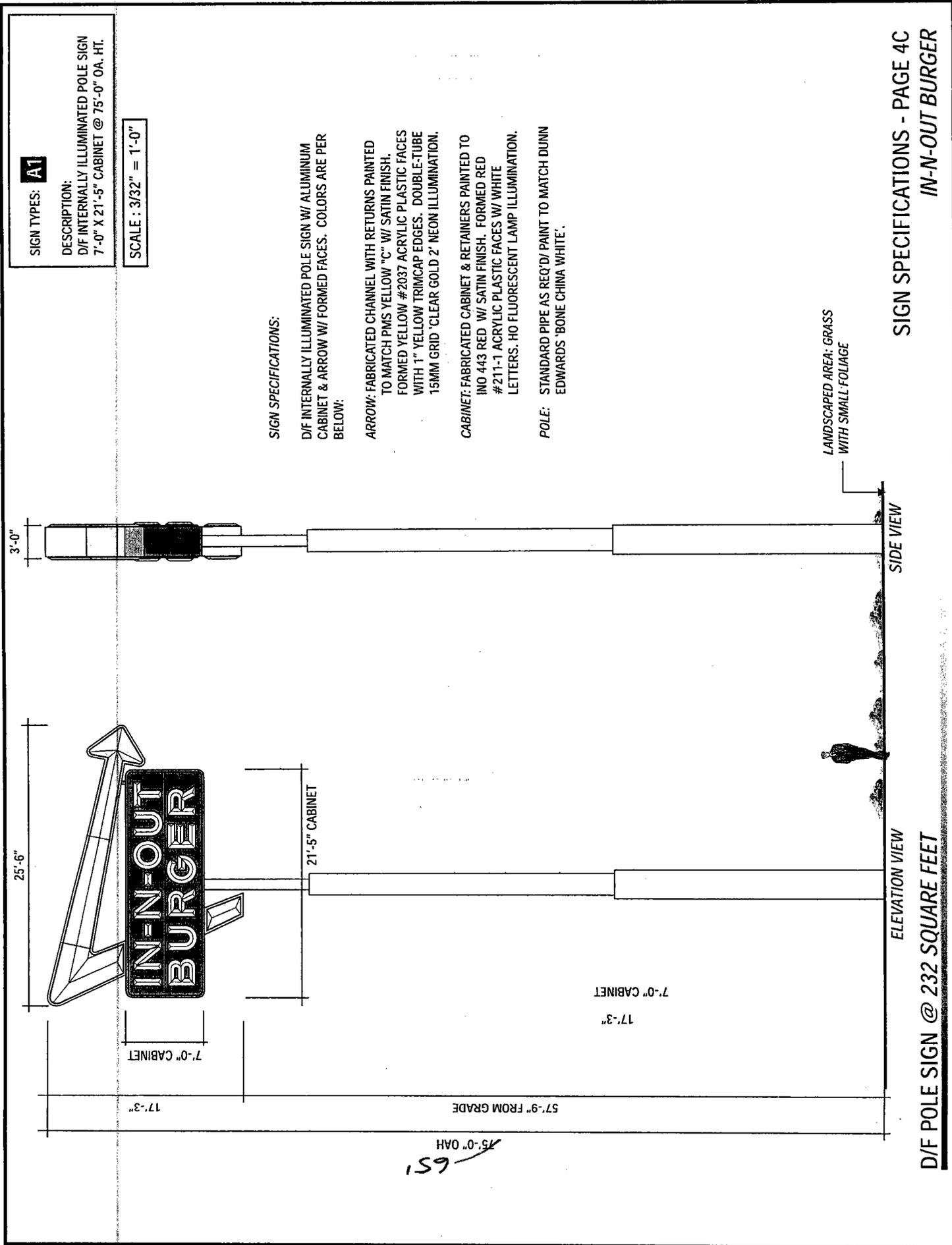
SITE PLAN
SCALE: 1" = 50'-0"

KEY

- A1** DE INTERNALLY ILLUMINATED POLE SIGN
9'-0" X 26'-5" CABINET @ 75'-0" O.A. HT.
(622.4 SQ. FT.)
- A2** DE INTERNALLY ILLUMINATED MONUMENT
SIGN: 3'-0" X 9'-0" @ 8'-0" O.A. HT. (71.2 SQ. FT.)
- A3** DE INTERNALLY ILLUMINATED MONUMENT
SIGN: 3'-0" X 9'-0" @ 8'-0" O.A. HT. (71.2 SQ. FT.)
- B1** S/F 6'-5 1/8" X 10'-6 1/8" INTERNALLY
ILLUMINATED WALL SIGN (45.7 SQ. FT.)
- B2** S/F 6'-3 1/8" X 10'-6 1/8" INTERNALLY
ILLUMINATED WALL SIGN (45.7 SQ. FT.)
- B3** S/F 4'-5 8/16" X 7'-5 9/8" INTERNALLY
ILLUMINATED WALL SIGN (22.2 SQ. FT.)
- B4** S/F 6'-3 1/8" X 10'-6 1/8" INTERNALLY
ILLUMINATED WALL SIGN (45.7 SQ. FT.)
- C1** S/F INTERNALLY ILLUMINATED DIRECTIONAL
DISPLAY (DRIVE THRU) 3.0 SQ. FT.)
- C2** S/F INTERNALLY ILLUMINATED DIRECTIONAL
DISPLAY (THANK YOU/DON'T ENTER) 3.0 SQ. FT.)
- D1** S/F INTERNALLY ILLUMINATED MENU
BOARD (12.8 SQ. FT.)



AERIAL VIEW OF LOT



SIGN TYPES: **A1**

DESCRIPTION:
D/F INTERNALLY ILLUMINATED POLE SIGN
7'-0" X 21'-5" CABINET @ 75'-0" OA. HT.

SCALE: 3/32" = 1'-0"

SIGN SPECIFICATIONS:

D/F INTERNALLY ILLUMINATED POLE SIGN W/ ALUMINUM CABINET & ARROW W/ FORMED FACES. COLORS ARE PER BELOW:

ARROW: FABRICATED CHANNEL WITH RETURNS PAINTED TO MATCH PMS YELLOW "C" W/ SATIN FINISH.
FORMED YELLOW #2037 ACRYLIC PLASTIC FACES WITH 1" YELLOW TRIMCAP EDGES. DOUBLE-TUBE 15MM GRID 'CLEAR GOLD 2' NEON ILLUMINATION.

CABINET: FABRICATED CABINET & RETAINERS PAINTED TO INO 443 RED W/ SATIN FINISH. FORMED RED #211-1 ACRYLIC PLASTIC FACES W/ WHITE LETTERS. HO FLUORESCENT LAMP ILLUMINATION.

POLE: STANDARD PIPE AS REQ'D/ PAINT TO MATCH DUNN EDWARDS 'BONE CHINA WHITE'.

LANDSCAPED AREA: GRASS WITH SMALL FOLIAGE

ELEVATION VIEW

SIDE VIEW

SIGN SPECIFICATIONS - PAGE 4C
IN-N-OUT BURGER

D/F POLE SIGN @ 232 SQUARE FEET

651
75'-0" OAH

SIGN TYPES: **A2 A3**

DESCRIPTION:
D/F INTERNALLY ILLUMINATED MONUMENT
SIGN. 3'-0" X 9'-0" @ 8'-0" O.A. HT.

SCALE: 3/8" = 1'-0"

SIGN SPECIFICATIONS:

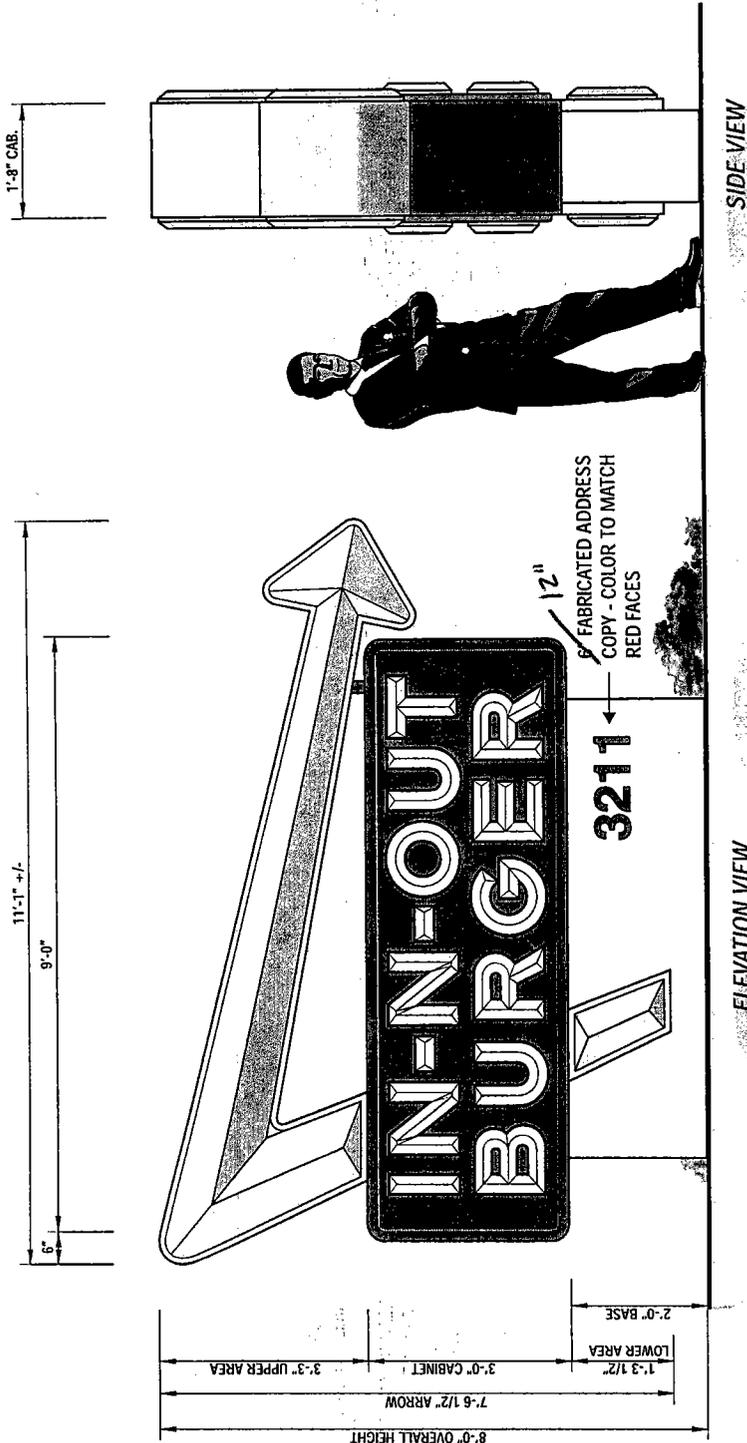
D/F INTERNALLY ILLUMINATED MONUMENT
SIGN W/ ALUMINUM CABINET & ARROW W/
FORMED FACES. COLORS ARE PER BELOW:

ARROW: FABRICATED CHANNEL WITH
RETURNS PAINTED TO MATCH PMS
YELLOW "C" W/ GLOSS FINISH.
FORMED YELLOW #2037 ACRYLIC
PLASTIC FACES WITH 1" YELLOW
TRIMCAP EDGES. DOUBLE-TUBE
15MM GRID 'CLEAR GOLD 2' NEON
ILLUMINATION.

CABINET: FABRICATED CABINET &
RETAINERS PAINTED TO MATCH INO
#95 RED LACRYL W/ GLOSS FINISH.
FORMED ACRYLIC FACES TO HAVE
SECOND SURFACE PAINTED
GRAPHICS. BACKGROUND COLOR
TO BE PAINTED INO 443 RED
(25% CLEAR). LETTER COLOR TO BE
PAINTED WHITE. HO FLUORESCENT
LAMP ILLUMINATION.

BASE: FABRICATED ALUMINUM BASE
PAINTED TO MATCH DUNN
EDWARDS "BONE CHINA" #514 W/
FINE TEXCOTE FINISH. LOWER END
OF ARROW TO BE FABRICATED INTO
BASE & ILLUMINATED AS REQUIRED.

LANDSCAPED AREA: GRASS
WITH SMALL FOLIAGE



D/F MONUMENT SIGN @ 43.1 SQUARE FEET (TYP. OF 2)

SIGN SPECIFICATIONS - PAGE 4E
IN-N-OUT BURGER

RESOLUTION NO. 09-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA TO UPHOLD THE PLANNING COMMISSION'S ACTION AND DENY ZONING APPLICATION ZA-09-13

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by John Puente authorized agent for property owner June O'Connor, with respect to the real property located at 3211 Harbor Boulevard, requesting a planned signing program for a drive-through restaurant to allow a 75-foot high freeway-oriented sign and a sign separation of approximately 42 feet for the freestanding signs along Harbor Boulevard in a C1 zone;

WHEREAS, the Zoning Administrator approved Planned Signing Program ZA-09-13 on April 9, 2009 with a modification to allow a maximum height of 65 feet for the freeway-oriented sign;

WHEREAS, Planning Commission Chair James Rigeimer requested a review of ZA-09-12 on April 13, 2009;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on April 27, 2009 and May 11, 2009, with Planning Commission denying the planned signing program on May 11, 2009;

WHEREAS, an appeal was filed on May 18, 2009 by the applicants;

WHEREAS, a duly noticed public hearing was held by the City Council on June 16, 2009.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the City Council hereby upholds the Planning Commission's action and **DENIES** Zoning Application ZA-09-13 with respect to the property described above.

PASSED AND ADOPTED this 16th day of June, 2009.

ALLAN R. MANSOOR
Mayor of the City of Costa Mesa

APPROVED AS TO FORM:

ATTEST:

City Clerk of the City of Costa Mesa

City Attorney

EXHIBIT "A"

FINDINGS (If denied)

- A. The planned signing program presented does not substantially comply with Costa Mesa Municipal Code Section 13-29(g)(8) in that:
1. The proposed signs are not consistent with the intent of the Sign Code.
 2. The proposed signs are not consistent with other existing signage in design and construction – taking into account sign style and shape, materials, letter style, colors, and illumination.
 3. The proposed signs are not compatible with the site and buildings they identify – taking into account materials, colors, and design motif.
 4. Approval would constitute a grant of special privilege or allow substantially greater visibility than what the standard sign provisions would allow.
- B. The Costa Mesa Planning Commission has denied ZA-09-13. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a), CEQA does not apply to this project because it has been rejected and will not be carried out.

RESOLUTION NO. 09-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA TO REVERSE THE PLANNING COMMISSION'S ACTION AND APPROVE ZONING APPLICATION ZA-09-13

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by John Puente authorized agent for property owner June O'Connor, with respect to the real property located at 3211 Harbor Boulevard, requesting a planned signing program for a drive-through restaurant to allow a 75-foot high freeway-oriented sign and a sign separation of approximately 42 feet for the freestanding signs along Harbor Boulevard in a C1 zone;

WHEREAS, the Zoning Administrator approved Planned Signing Program ZA-09-13 on April 9, 2009 with a modification to allow a maximum height of 65 feet for the freeway-oriented sign;

WHEREAS, Planning Commission Chair James Righeimer requested a review of ZA-09-13 on April 13, 2009;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on April 27, 2009 and May 11, 2009, with Planning Commission denying the planned signing program on May 11, 2009;

WHEREAS, an appeal was filed on May 18, 2009 by the applicants;

WHEREAS, a duly noticed public hearing was held by the City Council on June 16, 2009.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the City Council hereby reverses the Planning Commission's action and **APPROVES** Zoning Application ZA-09-13 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa City Council does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Zoning Application ZA-09-13 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this

resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 16th day of June, 2009.

ALLAN R. MANSOOR
Mayor of the City of Costa Mesa

EXHIBIT "A"

FINDINGS (If approved)

- A. The planned signing program presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(8) in that:
1. The proposed signs, as modified by the conditions of approval, are consistent with the intent of the Sign Code and General Plan Land Use Objective LU-1B and LU-1C, by increasing the productivity and viability of the community's economic base and promoting development which contributes to community and neighborhood identity.
 2. The proposed signs, as modified by the conditions of approval, are consistent with other existing signage in design and construction – taking into account sign style and shape, materials, letter style, colors, and illumination.
 3. The proposed signs are compatible with the site and buildings they identify – taking into account materials, colors, and design motif.
 4. Approval does not constitute a grant of special privilege or allow substantially greater visibility than what the standard sign provisions would allow because both the amount of total sign area and freestanding sign area is less than Code allows. Additionally, the height of the freeway-oriented sign, as modified by the conditions of approval, allows comparable visibility to what Code permits due to the properties location next to an elevated portion of the I-405 freeway, is the same as approved for two other freeway-oriented signs in the area, and is only two square feet larger than allowed by Code. Lastly, the reduced separation between the two freestanding signs along Harbor Boulevard will not contribute to visual clutter because of the low-profile of the southern most freestanding sign verses the height of the freeway-oriented sign.
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15311 for Accessory Structures to existing commercial facilities.
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. Number, area, and height of all signs shall not exceed that outlined in the planned signing program approved for ZA-09-13; except as modified by condition of approval number 2.
2. The freestanding freeway-oriented pole sign shall not exceed 65 feet in height.
3. All newly installed signs shall be in conformance to the requirements and intent of this planned signing program, as well as other applicable Codes and regulations. Any sign not meeting the specific criteria outlined in the planned signing program will not be permitted.
4. Any modification, addition, or deletion to the approved planned signing program shall be reviewed by the Planning Division to determine if an amendment to the planned signing program is necessary.

CODE REQUIREMENTS

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- PIng. 1. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant obtains sign permits for the authorized construction and initiates construction. If the applicant is unable to obtain sign permits within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the zoning application.
- 2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance. The City's Sign Ordinance shall apply for all cases not specifically covered by this sign program.
- 3. Street address shall be displayed on both eight-foot high freestanding monument signs in a manner visible to the public street. Numerals shall be a minimum 12" in height with not less than 3/4" stroke and shall contrast sharply with the background.
- Bus. 4. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections will not be granted until all such licenses have been obtained.
- Lic.
- Bldg. 5. Comply with the requirements of the 2007 California Building Code.
- 6. Structural analysis by a California licensed engineer and electrical plan shall be submitted to the Building Division.
- Eng. 7. A Construction Access Permit and deposit of \$730 will be required by City of Costa Mesa, Engineering Division prior to start of any on-site work, necessary during construction for street sweeping and to guarantee replacement costs in case of damage to existing public improvements.
- 8. Signs shall be located so that foundations and overhangs are completely behind property lines. No part of any sign, foundation and appurtenance shall be allowed to encroach into the public right-of-way.
- Trans. 9. Locations of all new signs shall comply with Ground Sign Requirements to avoid obstructing visibility at drive approaches and corners.



RECEIVED
CITY CLERK

City of Costa Mesa

2009 MAY 18 AM 10:13

- Appeal of Planning Commission Decision/Rehearing - \$1,220.00
- Appeal of Zoning Administrator/Staff Decision - \$690.00

CITY OF COSTA MESA APPLICATION FOR APPEAL, REHEARING, OR REVIEW

Applicant Name* DOUG COOPER - GREENBERG FARROW
 Address 1920 MAIN STREET, SUITE 1150, IRVINE, CA 92614
 Phone 949 296 0450 Representing IN-N-OUT BURGER

REQUEST FOR: REHEARING APPEAL REVIEW**

Decision of which appeal, rehearing, or review is requested: (give application number, if applicable, and the date of the decision, if known.)

APPEAL OF ZA-09-13
PLANNING COMMISSION DECISION OF 5/11/09

Decision by: PLANNING COMMISSION

Reasons for requesting appeal, rehearing, or review:

IN-N-OUT REQUESTS THAT THE PLANNING COMMISSION'S DECISION, TO DENY THEIR PLANNED SIGN PROGRAM, BE EVER TURNED BY THE CITY COUNCIL AND THAT THE ZONING ADMINISTRATOR'S APPROVAL OF ZA-09-13 BE REINSTATED.

Date: 5/18/09

Signature: 

*If you are serving as the agent for another person, please identify the person you represent and provide proof of authorization.
 **Review may be requested only by Planning Commission, Planning Commission Member, City Council, or City Council Member

For office use only - do not write below this line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:
 If appeal, rehearing, or review is for a person or body other than City Council/Planning Commission, date of hearing of appeal, rehearing, or review:

outdoor seating within 10 feet of the drive-through lane; an administrative adjustment to allow a 12-foot landscape setback along Gisler Avenue (20 feet required); and a minor modification to allow a 16-foot setback along a portion of the Harbor Boulevard frontage (20 feet required), located at 3211 Harbor Boulevard, in a C1 zone. Environmental determination: exempt.

Principal Planner Willa Bouwens-Killeen stated that she received a request for a continuance to the Planning Commission meeting of May 11, 2009 from IN-N-OUT Burger.

The Chair asked if anyone wished to speak on this item that would not be able to attend the meeting of May 11.

Dennis Ashendorf, Costa Mesa, expressed concern regarding the project's severe traffic impact; the project possibly being wrong for this intersection; and the project's impact on Gisler Avenue. He asked that a very complete report from Transportation Services be prepared for this project.

No one else wished to speak and the Chair closed the public hearing.

MOTION: Continue to the Planning Commission meeting of May 11, 2009.

Moved by Commissioner Sam Clark, seconded by Commissioner Colin McCarthy.

The motion carried by the following roll call vote:

Ayes: Chair James Righeimer, Vice Chair James Fisler, Commissioner Sam Clark, Commissioner Colin McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

- 3. **Review of Zoning Administrator's approval of Zoning Application ZA-09-13, for John Puente, authorized agent for June O'Connor, for a Planned Signing Program for IN-N-OUT Burger Restaurant, located at 3211 Harbor Boulevard, in a C1 zone. Environmental determination:**

exempt.

MOTION: Continue to the Planning Commission meeting of May 11, 2009.

Moved by Commissioner Sam Clark, seconded by Commissioner Stephen Mensinger.

The motion carried by the following roll call vote:

Ayes: Chair James Rigeimer, Vice Chair James Fisler,
Commissioner Sam Clark, Commissioner Colin
McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

4. **Zoning Code Amendment CO-09-04, to prohibit any type of "commercial mascots," including sign spinners. Environmental determination: exempt.**

Principal Planner Willa Bouwens-Killeen stated that Planning staff has withdrawn this code amendment item so that it can be presented at a future joint study session with the City Council to get some guidance.

5. **Zoning Code Amendment CO-09-05, to modify the definition of "landscaping" in the Zoning Code (Title 13) and add the definition to the Property Maintenance Code (Title 20). Environmental determination: exempt.**

Principal Planner Willa Bouwens-Killeen stated that Planning staff has withdrawn this code amendment item so that it can be presented at a future joint study session with the City Council to get some guidance.

6. **Conditional Use Permit PA-09-09, for Peter Buffa, authorized agent for Penjoyan Family Trust, to allow live entertainment, consisting of singers with acoustic guitars and a karaoke machine, for a restaurant (Skosh Monahan's), located at 2000 Newport Boulevard, in a C1 zone. Environmental determination: exempt.**

Senior Planner Mel Lee reviewed the information in the staff report and responded to questions from the Commission

3. From the meeting of April 27, 2009, Review of Zoning Administrator's approval of Zoning Application ZA-09-13, for John Puente, authorized agent for June O'Connor, for a Planned Signing Program for IN-N-OUT Burger Restaurant, located at 3211 Harbor Boulevard, in a C1 zone. Environmental determination: exempt.

Principal Planner Willa Bouwens-Killeen reviewed the information in the staff report for Zoning Application ZA-09-12 and said that she and Transportation Services Manager Raja Sethuraman were available to answer any questions and Mr. Sethuraman would answer any traffic-related questions. Assistant Planner Rebecca Robbins reviewed the information in the staff report for Zoning Application ZA-09-13.

Mr. Sethuraman and Ms. Bouwens-Killeen responded to questions from the Commission regarding circulation of the site, drive-through lanes, turning radius, queuing, spillage onto Harbor Boulevard, Condition No. 3 and the northerly fence along I-405, and signage.

The Chair pointed out that he and Commissioner Mensinger both met with IN-N-OUT representatives.

Doug Couper of Greenberg Farrow, Architect, made a presentation and stated that he would like Condition No. 3 removed. He expressed concern regarding working with Caltrans, needing a variance, sidewalk access, allowable landscaping, and the uncertainty of costs involved. He also spoke about the 30' diameter turning radius and the queuing for traffic concerns.

Mr. Couper explained that he stands behind the Traffic Impact Assessment by Overland Traffic Consultants and said there will be no spillage of vehicles waiting for the drive-through onto public streets.

In reply to Commissioner Mensinger's question as to what his position is relating to the fence, Mr. Couper responded there are unknown costs involved. A discussion ensued between them, and including Mr. Sethuraman, regarding building a fence with pilaster supports and reciprocal maintenance agreements with Caltrans. John Puente, with IN-N-OUT, added that he could probably research and build that type of fence.

Vice Chair Fidler and Mr. Couper discussed the Harbor Boulevard entrance, the Gisler Avenue entrance, queuing, eliminating the Harbor Boulevard entrance, Vagabond Inn access, and concerns about the intersection.

Jason Piazza, Costa Mesa, said he is a huge fan of IN-N-OUT, but expressed concern regarding the location of the proposed restaurant and the resulting traffic on Harbor Boulevard. He stated he sent four letters to the owner and suggested

that Vagabond Inn buy this property. He pointed out there should be no drive-through at this location and made some comments about the current traffic problems at the Harbor Boulevard/Gisler Avenue intersection/I-405 freeway.

Kellie Newcombe, granddaughter of owner June O'Connor, read a letter from June O'Connor and said she believes IN-N-OUT will be an excellent tenant, but is concerned about moving forward based on the conditions. The Chair stated he has spoken with Ms. Newcombe.

Jim Kiech, June O'Connor's son-in-law, expressed concern regarding the additional financial responsibilities placed on the owner/family relating to fencing and landscaping on Caltrans property. Also, he said this vacancy has been a burden to the family. He emphasized that the 26 residences within 1/4 mile of the proposed restaurant are closer to the freeway than to the restaurant.

The Chair asked Mr. Couper to return to the podium to discuss Condition No. 3. Mr. Couper said he could not commit to that condition because of the hidden costs involved, but agreed to the remainder of the conditions.

The Chair pointed out that this project location is the entrance and gateway to the City and the applicant needs to pay for this development.

Mr. Couper said he could not accept Condition No. 3.

Ms. Newcombe noted the costs were too vague and said this would be a burden placed on the applicant and the owner's family.

Commissioner Mensinger stated the burden is on the applicant; the owner and applicant will need to negotiate this matter as well as Caltrans and the developer noting that Harbor Boulevard is a very important asset.

Commissioner Clark mentioned there were quite a few public correspondence items received; noted his concern regarding the number of cars in the queue; and agreed with the Chair and Commissioner Mensinger regarding Condition No. 3. He also noted his concerns with the long-term aesthetic impacts this project could have on this important gateway to the City.

Commissioner McCarthy mentioned that most of the comments were regarding the spillage of vehicles onto Harbor Boulevard and said the major obstacle is the queuing.

Commissioner Mensinger, Ms. Bouwens-Killeen, and Mr. Couper discussed the landscaping and proposed screening wall along the east interior property line. Mr. Couper noted he needs to talk to IN-N-OUT concerning these issues.

The Chair pointed out that he has met with IN-N-OUT and discussed signage, stating he sees no reason to have the 65' sign on the I-405, and the Gisler

Avenue sign concerns him. He also said he was not in favor of these signs. He suggested the sign be similar in size to the 7-11 sign across the street.

The Commissioners discussed the signage issue, specifically the project being over-signed; the 65' sign proposed for the I-405; and the large sign proposed for Gisler Avenue, on what they considered a residential street. They also discussed having a smaller sign for Gisler Avenue to direct customers.

MOTION: Approve Zoning Application ZA-09-13, a planned signing program, removing Sign A1, and bringing Sign A3 down to the approximate size of 6' tall by 5' wide, similar to the 7-11 sign.

Moved by Chair James Righeimer, seconded by Commissioner Colin McCarthy.

During discussion on the motion, the Chair said the 65' freeway sign will not be allowed for that type of business.

Ms. Bouwens-Killeen pointed out that if the 65' freeway sign located less than 150' from the other sign on Harbor Boulevard is denied, the need for the signing program is removed and the applicant can obtain sign permits to build the 10' sign on Gisler Avenue because it is permitted by right. She explained that normally if the applicant wanted a 65'-high sign on the frontage, then an exchange could be that another sign might be reduced in size. She also explained the sign code information.

The Chair withdrew his motion and proceeded to make a new motion.

MOTION: Continue ZA-09-12 and ZA-09-13 to the Planning Commission meeting of June 8, 2009.

Moved by Chair James Righeimer.

During discussion on the motion, the Chair explained his reasons for continuing both items. A discussion ensued regarding the continued date and Ms. Bouwens-Killeen stated June 8 would be the continued date.

Commissioner McCarthy expressed his concerns with holding the project because of the sign issues. A discussion ensued regarding the project, sign entitlement, and a continuance.

Commissioner McCarthy stated he would not support the continuance.

Ms. Newcombe asked if she could return to the podium and pointed out that this was not fair to push back this project.

Commissioner Mensinger mentioned that this is the approval process; administrative adjustments are based on conditions; and you may not get the outcome you want. Mr. Couper agreed to the continued date of June 8.

A discussion ensued about asking if the smaller sign on Gisler Avenue would be agreeable to the applicant and the applicant did not agree. Commissioner McCarthy mentioned that he thought the applicant was being severely prejudiced.

Vice Chair Fisler agreed with Commissioner McCarthy and proceeded to make a motion. The Chair said he withdrew his motion to continue the items.

MOTION: Reverse Zoning Administrator's decision and denied Zoning Application ZA-09-13, by adoption of Planning Commission Resolution PC-09-20, based on the evidence in the record and the denial findings contained in Exhibit "A".

Moved by Vice Chair James Fisler, seconded by Commissioner Colin McCarthy.

Commissioner Clark inquired about the reverse signage request and there was a discussion.

The motion carried by the following roll call vote:

Ayes: Chair James Righeimer, Vice Chair James Fisler, Commissioner Sam Clark, Commissioner Colin McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

The Chair explained the appeal process.

2. From the meeting of April 27, 2009, Review of Zoning Administrator's approval of Zoning Application ZA-09-12, for John Puente, authorized agent for June O'Connor, for a minor conditional use permit for an IN-N-OUT Burger Restaurant open until 1:00 a.m. weekdays and 1:30 a.m. weekends with drive-through and outdoor seating within 10 feet of the drive-through lane; an administrative adjustment to allow a 12-foot landscape setback along Gisler Avenue (20 feet required); and a minor modification to allow a 16-foot setback along a portion of the Harbor Boulevard frontage (20 feet required), located at 3211 Harbor Boulevard, in a C1 zone. Environmental determination: exempt.

MOTION: Uphold Zoning Administrator's approval of Zoning Application ZA-09-12, by adoption of Planning Commission Resolution PC-09-21, based on the findings contained in Exhibit "A", subject to conditions in Exhibit "B", with additional Condition No. 21, adopted as follows:

CONDITIONS OF APPROVAL

21. To screen the ARCO station from off-site views, construct a 5- to 6-foot high decorative block wall along the interior east and south property lines, where permitted, under the direction of Planning staff.

Moved by Commissioner Colin McCarthy, seconded by Vice Chair James Fisler.

During discussion on the motion, Commissioner McCarthy invited Commissioner Mensinger to make a substitute motion relating to the conditions and Vice Chair Fisler suggested using City staff's wording. Vice Chair Fisler also expressed concern about the freeway exiting at that intersection.

In response to Commissioner Mensinger's question about the process for adding conditions to a motion, Deputy City Attorney Tom Duarte replied that the maker of the motion and the seconder need to agree.

Commissioner Mensinger discussed the area between IN-N-OUT and the Arco gas station, and placing a wall and landscaping as a visual separation. Both the maker of the motion and the seconder agreed.

As concerns the proposal to require a wall along the interior south and east property lines, the Chair, Commissioner Mensinger, Ms. Bouwens-Killeen, and Mr. Couper discussed maintaining the 2-way driveway; and referenced the Arco gas station property and the access agreement with the Arco gas station and the Vagabond Inn.

John Puente asked the Commissioners if landscaping could be used instead of a wall. He also brought up the issue of graffiti. Commissioner Mensinger commented on the advantages of having a wall and the Chair said he appreciates everyone working together on this project.

Vice Chair Fisler and Commissioner Mensinger discussed the placement of a wall and the softening effect of landscaping.

The motion carried by the following roll call vote:

Ayes: Chair James Righeimer, Vice Chair James Fisler, Commissioner Sam Clark, Commissioner Colin McCarthy, and Commissioner Stephen Mensinger

Noes: None.

Absent: None.

The Chair explained the appeal process.



PLANNING COMMISSION

AGENDA REPORT

VI. 3

MEETING DATE: MAY 11, 2009

ITEM NUMBER:

SUBJECT: REVIEW OF ZONING APPLICATION ZA-09-13
IN 'N OUT BURGER
3211 HARBOR BOULEVARD

DATE: APRIL 30, 2009

FOR FURTHER INFORMATION CONTACT: REBECCA ROBBINS, ASSISTANT PLANNER
714.754.5609

PROJECT DESCRIPTION

Planning Commission review of ZA-09-13, a planned signing program for a new In 'n Out Burger Restaurant, was continued from the April 27, 2009, Planning Commission meeting. The staff report prepared for the April 27, 2009 meeting, as well as the updated resolutions, are attached.

RECOMMENDATION

Uphold, reverse, or modify the Zoning Administrator's approval of the project.

Rebecca Robbins
REBECCA ROBBINS

Assistant Planner

Khanh Nguyen
KHANH NGUYEN

Acting Asst. Development Services Director

Attachments: 1. Draft Planning Commission Resolutions
2. Planning Commission staff report dated April 27, 2009

cc: Deputy City Manager - Dev. Svs. Director
Senior Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

John Puente
13502 Hamburger Lane
Baldwin Park, CA 91706

June O'Connor
P.O. Box 1942
Newport Beach, CA 92649

BACKGROUND

On April 9, 2009, the Zoning Administrator approved ZA-09-13, consisting of a planned signing program to allow 454 square feet of signage for a drive-through restaurant; code permits a total of 924 sq. ft. of combined sign area for the site. As part of the application, the applicant received an increase in allowable size (230 square feet permitted; 232 square feet approved) and height (32 feet permitted; 75 feet requested; 65 feet approved) of the freeway-oriented sign, and decrease in sign separation between the freestanding pole sign and the monument sign on the Harbor Boulevard frontage (minimum 150 feet separation required; approximately 42 feet separation approved). With the exception of these requests, the project complies with all applicable sign standards for commercially zoned properties.

On April 13, 2009 a review of the Zoning Administrator approval was requested by Planning Commission Chair James Righeimer. A full description and discussion of the project is contained within the Zoning Administrator's approval letter, which is attached (Attachment 3). Also attached is one letter received commenting on the project. (Attachment 4)

GENERAL PLAN CONSISTENCY

The planned signing program, as conditioned by the Zoning Administrator, meets General Plan Land Use Objective LU-1B and LU-1C by increasing the productivity and viability of the community's economic base and promoting development which contributes to community and neighborhood identity.

ALTERNATIVES

The Planning Commission may consider the following alternatives:

1. Uphold the Zoning Administrator's approval of the planned signing program. This would allow the planned signing program to be implemented.
2. Reverse the Zoning Administrator's approval of the planned signing program. The project could not deviate from the Sign Ordinance and a similar request could not be submitted for six months.
3. Modify the Zoning Administrator's approval of the project. The project could be constructed but as modified by the Planning Commission.

CONCLUSION

The Zoning Administrator determined that the intent of the Code is met since the signs allow comparable visibility to that permitted by Code and is consistent with existing signage in the area. Therefore staff recommends that the Zoning Approval be upheld.

- Attachments:
1. ~~Draft Planning Commission Resolutions~~
 2. Request for review
 3. Zoning Administrator's letter of April 9, 2009
 4. Comment letter
 5. ~~Location Map~~
 6. Plans

cc: Deputy City Manager - Dev. Svs.
Senior Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

John Puente
13502 Hamburger Lane
Baldwin Park, CA 91706

June O'Connor
P.O. Box 1942
Newport Beach, CA 92649

File: 042709ZA0913Review	Date: 041609	Time: 10:30 a.m.
--------------------------	--------------	------------------



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

April 9, 2009

John Puente
In-N-Out Burger
13502 Hamburger Lane
Baldwin Park, CA 91706

RE: PLANNED SIGNING PROGRAM ZA-09-13
3211 HARBOR BOULEVARD, COSTA MESA

Dear Mr. Puente:

Review of the planned signing program for the above-referenced property has been completed. The application, as described in the attached project description, has been approved, based on the findings and subject to the conditions of approval (attached). The decision will become final at 5 p.m. on April 16, 2009, unless appealed by an affected party (including filing of the necessary application and payment of the appropriate fee) or by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Rebecca Robbins, at (714) 754-5609 or rrobbins@ci.costa-mesa.ca.us.

Sincerely,

Kimberly Brandt

KIMBERLY BRANDT, AICP
Zoning Administrator

Attachments: Project description
 Findings
 ~~Conditions of approval~~
 ~~Approved conceptual plans~~

cc: Engineering
 Fire Protection Analyst
 Building Division



City of Costa Mesa

- Appeal of Planning Commission Decision - \$1070.00
- Appeal of Zoning Administrator/Staff Decision - \$670.00

APPLICATION FOR APPEAL, REHEARING, OR REVIEW

Applicant Name* In N Out Burger
 Address 3211 Harbor Blvd
 Phone _____ Representing _____

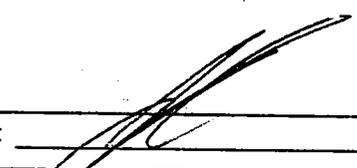
REQUEST FOR: REHEARING APPEAL REVIEW**

Decision of which appeal, rehearing, or review is requested: (give application number, if applicable, and the date of the decision, if known.)

ZA-09-12
ZA-09-13 ZA decision on April 9, 2009

Decision by: Zoning Administrator
 Reasons for requesting appeal, rehearing, or review:

Planning Commission Chair Jim Richeimer requests review of the two Zoning Administrator approvals noted above.

Date: 4-13-09 Signature: 

*If you are serving as the agent for another person, please identify the person you represent and provide proof of authorization.
 **Review may be requested only by Planning Commission, Planning Commission Member, City Council, or City Council Member

For office use only – do not write below this line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:
 If appeal, rehearing, or review is for a person or body other than City Council/Planning Commission, date of hearing of appeal, rehearing, or review:

PROJECT DESCRIPTION AND ANALYSIS

- The applicant requests a Planned Signing Program (PSP) for a fast food restaurant (In-N-Out Burger) located at 3211 Harbor Boulevard. The request involves:
 1. One, 232 square-foot freestanding pole sign, 75 feet in height
 2. Two, 43 square-foot monument signs, each 8 feet in height
 3. Four, 34 square-foot building signs
 4. Two, 3 square-foot directional signs
 5. One, 13 square-foot menu display
- Proposed deviations from the Sign Ordinance including the following:
 1. Maximum size and height of the freeway-oriented sign.
 2. Separation between freestanding signs on the same street frontage (Harbor Boulevard).

Freeway-Oriented Sign:

- Additional sign height is justified because the I-405 is elevated in the vicinity of this property. However, although a 75-foot height is proposed, a 65-foot high sign would allow comparable visibility to that enjoyed by the permitted 32-foot height when placed next to an on-grade freeway. Additionally, staff's modification to a 65-foot height is consistent with past planned signing program approvals for two other signs in this area; the Vagabond Inn at 3205 Harbor Boulevard and the Arco station at 3201 Harbor Boulevard.
- In exchange for allowing the increase in sign height and size (230 square feet permitted; 232 square feet proposed) for the freeway-oriented sign, the applicant is proposing freestanding signage that is significantly less than what the current sign code allows for the development, minimizing visual clutter. Additionally, code permits a total of 924 sq. ft. of combined sign area; 454 sq. ft. is proposed.

Freestanding Sign Separation:

- The separation between the freestanding pole sign and the monument sign on the Harbor Boulevard frontage is approximately 42 feet; Code requires a minimum 150 feet separation to minimize visual clutter.
- The proposed signs will not create visual clutter because the southerly freestanding monument sign will be low-profile (8 feet in height) and is intended for visibility along the Harbor Boulevard frontage. The freestanding pole sign (65 feet in height) is intended for visibility along the I-405 Freeway.

Additional Discussion:

- Address numerals, minimum 12 inches high with sharp contrast to the background, will be required to be placed on the eight-foot high monument signs proposed for both frontages.

Conclusion:

- Although deviations are requested, the intent of the Code is met since the signs, as modified by staff, allow comparable visibility to that permitted by Code while reflecting the properties location adjacent to an elevated freeway, allows the freeway-oriented sign to integrate with existing signage in the area, and are placed to reduce visual clutter.
- The proposed signage meets General Plan Land Use Objective LU-1B and LU-1C by increasing the productivity and viability of the community's economic base and promoting development which contributes to community and neighborhood identity.

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(8) in that the proposed planned signing program as modified by staff, in that:
- a. The proposed amendment is consistent with the intent of the Sign Code and General Plan Land Use Objective LU-1B and LU-1C, by increasing the productivity and viability of the community's economic base and promoting development which contributes to community and neighborhood identity.
 - b. The proposed signs are consistent with other existing signage in design and construction – taking into account sign style and shape, materials, letter style, colors, and illumination.
 - c. The proposed signs are compatible with the site and buildings they identify – taking into account materials, colors, and design motif.
 - d. Approval does not constitute a grant of special privilege or allow substantially greater visibility than what the standard sign provisions would allow because both the amount of total sign area and freestanding sign area is less than Code allows. Additionally, the height of the freeway-oriented sign, as modified by staff, allows comparable visibility to what Code permits due to the properties location next to an elevated portion of the I-405 freeway, is the same as approved for two other freeway-oriented signs in the area, and is only two square feet larger than allowed by Code. Lastly, the reduced separation between the two freestanding signs along Harbor Boulevard will not contribute to visual clutter because of the low-profile of the southern most freestanding sign versus the height of the freeway-oriented sign.
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15311 for Accessory Structures to existing commercial facilities.
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

4/7/09

City of Costa Mesa
Planning Administrator

To Whom It May Concern:

I live at 1635 Iowa Street off of Gisler and Harbor and recently received the city notice regarding a new IN-N OUT burger for zoning application ZA-09-12, and ZA-09-13 at 3211 Harbor Boulevard. I want to express my concerns pertaining to the hours of walk up food service as well as the height of the sign.

First I do not think it is in the best interest of the community to have a fast food location that allows walk up service and outside dining past 10PM... during the week or on the weekends. The element of people that this will attract is not something that we should support in our community. If they have an inside dining area that people can park and eat inside I can understand, but being familiar with IN-N-OUT I realize an outside dining only area or walk up service past 10PM promotes an element that I would prefer not attract so close to my home and community that I have invested in.

While I love the food and will more than likely patron; I do not think a sign above our city code of 25 feet should be allowed just because it is near the freeway. If IN-N-OUT wants to advertise for freeway traffic they should do this with billboards and not continue the pattern of the Vagabond Inn, Car Max and Dennys that we as residents have to view every day. I can attest that it lowers my own view of the area I live in because it reflects the older neighborhoods and not a newer cleaner image of a nice neighborhood that I would hope we can move towards...

I feel very strongly the sign should remain at the approved city code height level of no more than 25 feet (32 ft at the most- height of existing sign), and walk up and outside dining should not be allowed after 10PM.

Please feel free to contact me with any questions...



Jason Martin
(949) 293-3185
1635 Iowa St #A Condo Owner
Costa Mesa 92626

CITY OF COSTA MESA
 Development Services Department
 Post Office Box 1200
 Costa Mesa, California 92628-1200

PROJECT NO. Review of Zoning Application ZA-09-13
DATE May 14, 2009

At its regular meeting of May 11, 2009, the Planning Commission recommended denial of Planning Application ZA-09-13 by adoption of Planning Commission Resolution PC-09-20. (5-0)

Planning Commissioner Chair Jim Righimer requests review of ZA-09-13, a planned signing program for a new In n Out Burger Restaurant.

This decision will become final unless appealed by 5 p.m., May 18, 2009 by the filing of the necessary form and fees with the City Clerk's office, located at 77 Fair Drive, Costa Mesa.

Should you have any questions concerning the enclosures or the Commissioner's decision, or should you wish to appeal the decision to the City Council, please contact project planner Rebecca Robbins @ 714-754-5609.

Sincerely,



KIMBERLY BRANDT
 Acting Development Services Director
 Acting Executive RDA Director

CC

File

John Puente
 13502 Hamburger Lane
 Baldwin Park, California 91706

June O Connor
 Post Office Box 1942
 Newport Beach, California 92649

PLANNED SIGNING PROGRAM FOR

IN-N-OUT BURGER

3211 HARBOR BLVD.
COSTA MESA, CA 92626

ZONING: C-1 LOCAL BUSINESS

(PROPERTY OWNER SIGNATURE AND APPROVAL
FOR SIGN PERMIT NOT REQUIRED)

FOR SIGN PERMIT NOT REQUIRED
MINOR CONDITIONAL USE PERMIT/
ADMINISTRATIVE ADJUSTMENT NO. 24-0213

Approval in Concept

SUBJECT TO CONDITIONS
CITY OF COSTA MESA
PLANNING DEPT.

BY: RF / KAS DATE: 4/9/09

PROPERTY OWNER & ADDRESS

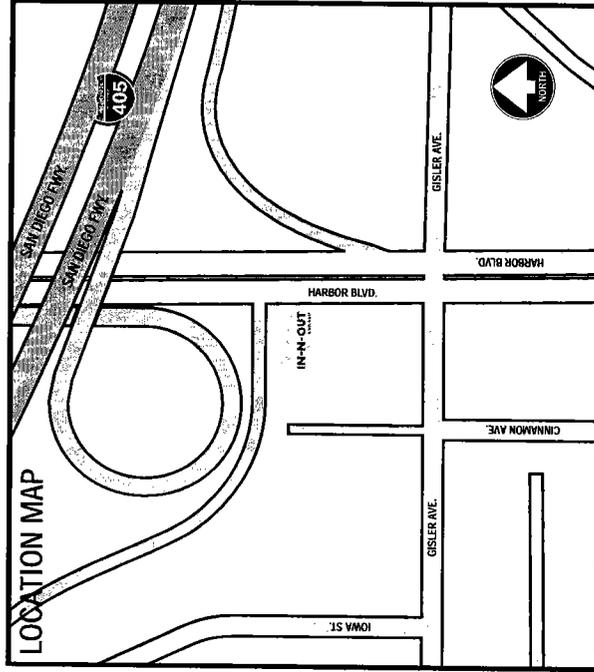
OWNER: JUNE LEE O'CONNOR
ADDRESS: 355 22ND ST.
COSTA MESA, CA 92627

PROGRAM DESIGNER



SIGNS & GRAPHICS
CNP SIGNS & GRAPHICS
4530 MISSION GORGE PLACE
SAN DIEGO, CA 92120

LOCATION MAP



TITLE PAGE - PAGE 1
IN-N-OUT BURGER

SIGN TYPE	DESCRIPTION	SIGN LOCATION				SIGN AREA (SQUARE FEET)	HT. CLEARANCE OF SIGN FROM THE GROUND (FEET)	HEIGHT OR LENGTH LIMITATIONS (FEET)	ILLUMINATION (Y/N)
		FREESTANDING	BUILDING	CANOPY	PROJECTING				
POLE SIGN A1	D/F INTERNALLY ILLUMINATED POLE SIGN	X				232 S.F.	57'-9"	75'-0" MAX. OAH	Y
MONUMENT SIGN A2 A3	D/F INTERNALLY ILLUMINATED MONUMENT SIGN	X				43.1 S.F.	8 1/2"	8'-0" MAX. OAH	Y
BUILDING SIGN B1 B2 B3 B4	S/F INTERNALLY ILLUMINATED WALL SIGN		X			33.8 S.F.	15'-6" (TYP. OF 4)	NONE; TYP. SIGNS PER I.N.O. STDS.	Y
DIRECTIONAL SIGN C1 B2	D/F INTERNALLY ILLUMINATED DIRECTIONAL SIGN	X				3.0 S.F.	1'-6"	3'-0" MAX. OAH	Y
MENU D1	S/F INTERNALLY ILLUMINATED MENU DISPLAY	X				12.8 S.F.	1'-11 3/4"	6'-5" MAX. OAH	Y
TOTAL:		6	4			324.7 S.F.			
TOTAL AREA OF ALL SIGNS:						472.2 S.F.			

1. MINIMUM / MAXIMUM SIZE OF TENANT SIGNS (INCLUDING LETTER HEIGHTS)

- MAXIMUM WALL SIGN (TYP. OF 4) - 45.7 SQUARE FEET OVERALL; 15" COPY HEIGHT
- NOTE: IN-N-OUT ONLY TENANT/ ALL SIGNS PER IN-N-OUT CORPORATE STANDARDS.

2. MINIMUM / MAXIMUM SIGN AREA FOR MONUMENT SIGNS

- MONUMENT SIGN ONLY PROPOSED IN ONE SIZE; 8 FEET OAH/ 71.2 SQUARE FEET
- NOTE: IN-N-OUT ONLY TENANT/ ALL SIGNS PER IN-N-OUT CORPORATE STANDARDS.

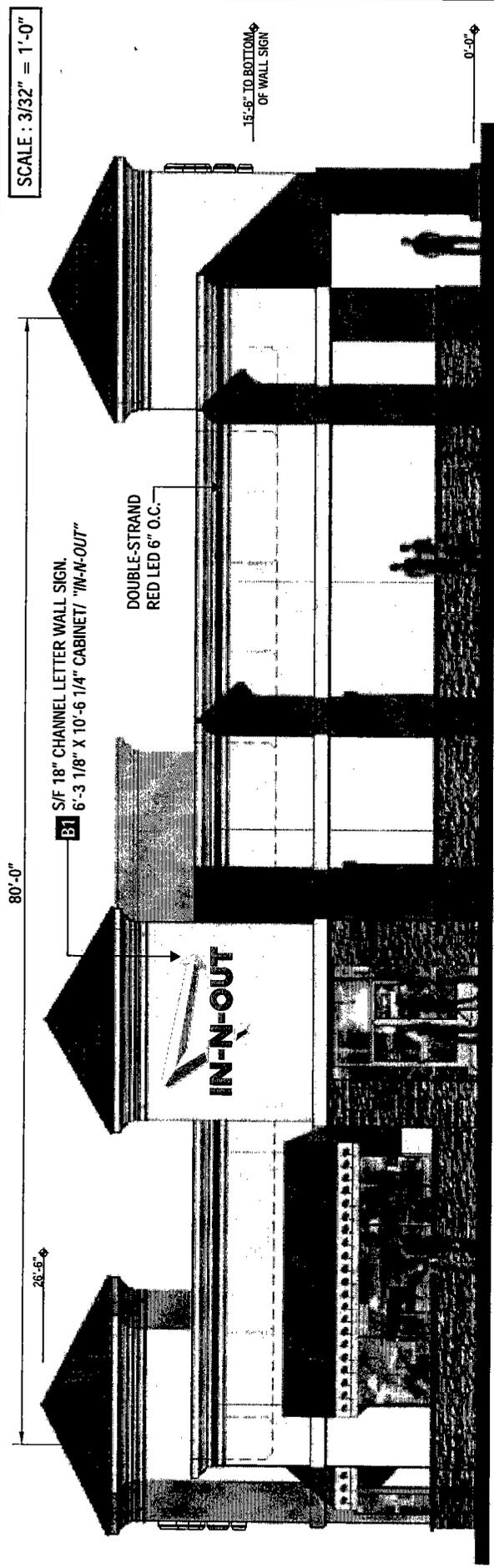
3. SPECIFICATIONS (REQ'D COLORS/ SIGN TYPE)

- COLORS PER IN-N-OUT STANDARDS ONLY (MATERIAL AND COLOR SPECIFICATIONS FOUND ON EACH PAGE - 3,4,5,6 & 7 - OF SIGN PROGRAM)
- ALL SIGNS TO BE INTERNALLY ILLUMINATED WITH FLUORESCENT OR NEON ILLUMINATION.

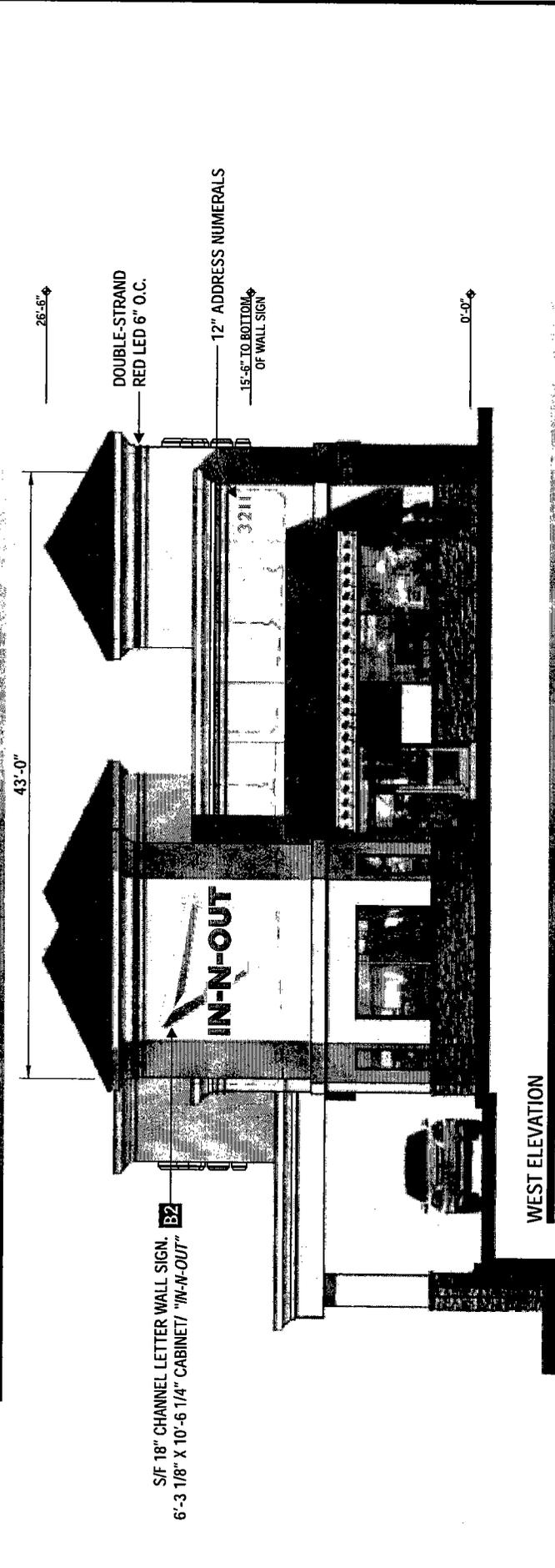
4. EXCLUSIONS/ PROHIBITED SIGNS

- NOTE: IN-N-OUT ONLY TENANT/ ALL SIGNS PER IN-N-OUT CORPORATE STANDARDS.

SCALE: 3/32" = 1'-0"

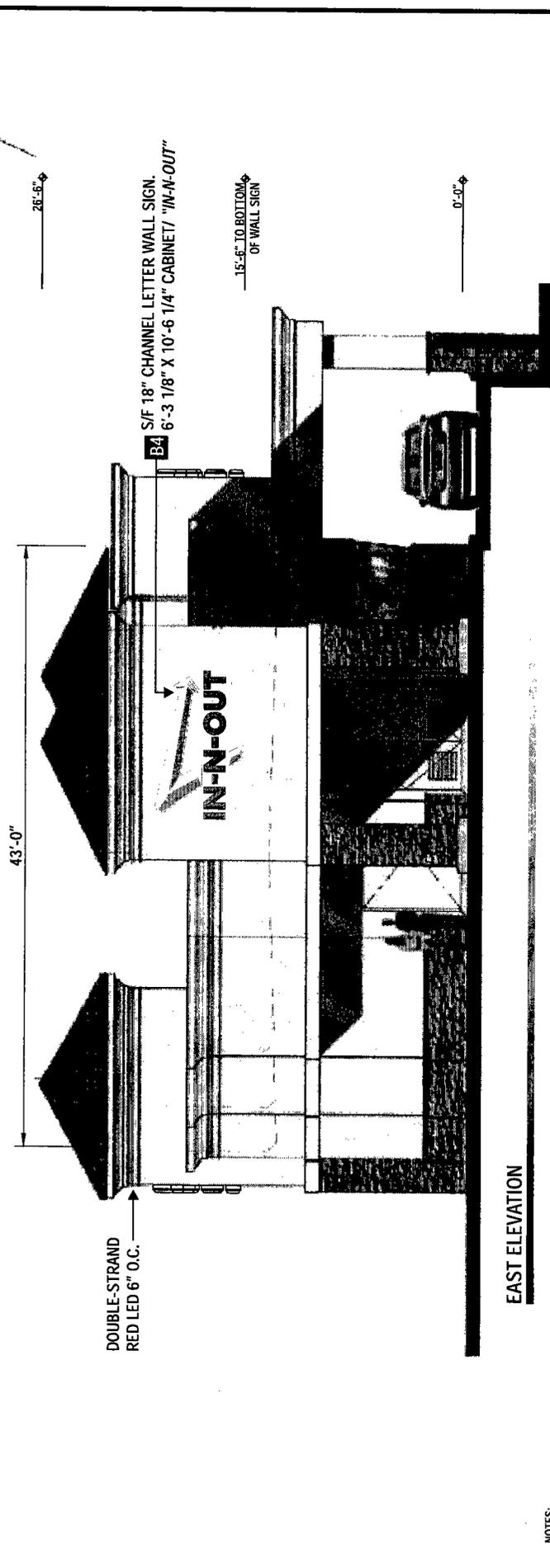
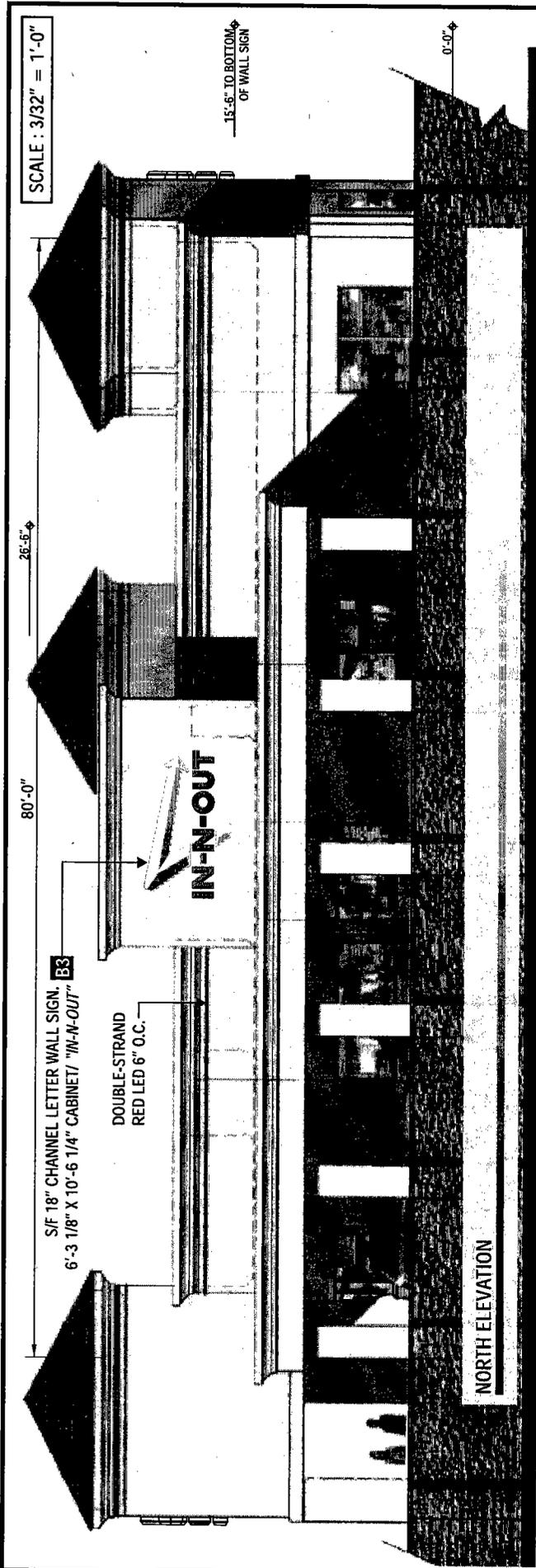


SOUTH ELEVATION



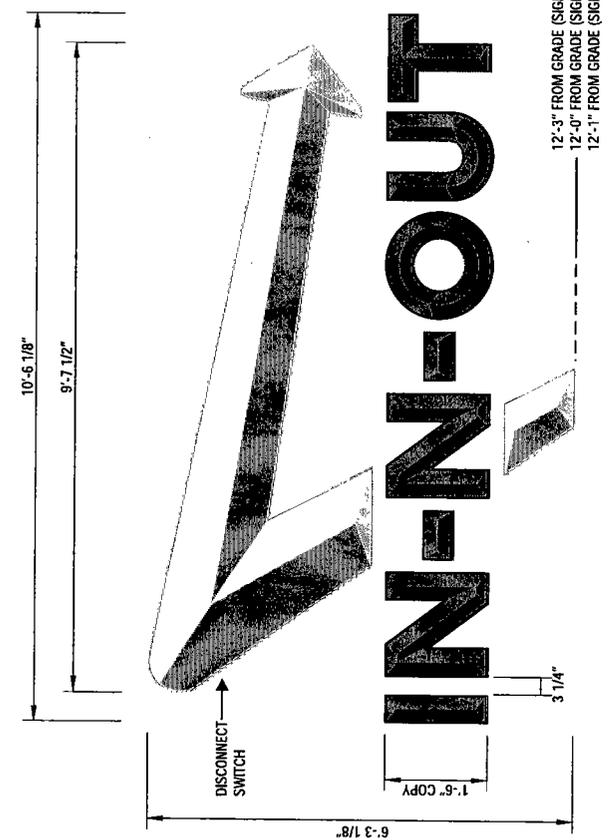
WEST ELEVATION

- NOTES:
1. PROVIDE DIMENSION OF THE ENTIRE BUILDING ELEVATION.
 2. PROVIDE LOCATION OF WALL SIGNS AND LOCATION CRITERIA (E.G. DIMENSIONS) INCLUDING HEIGHT ABOVE GROUND.
 3. FOR DEVELOPMENT WITH UNIQUE ARCHITECTURAL FEATURES REQUIRING CUSTOMIZED SIGN LOCATIONS, SHOW AS MANY ELEVATIONS AS NECESSARY USING PAGE NUMBERS 3A, 3B, ETC.
 4. ALL SIGN TYPES MAY BE SHOWN ON ONE SET OF ELEVATIONS.



ELEVATION PLAN - PAGE 3B
IN-N-OUT BURGER

- NOTES:
1. PROVIDE DIMENSION OF THE ENTIRE BUILDING ELEVATION.
 2. PROVIDE LOCATION OF WALL SIGNS AND LOCATION CRITERIA (E.G. DIMENSIONS) INCLUDING HEIGHT ABOVE GROUND.
 3. FOR DEVELOPMENT WITH UNIQUE ARCHITECTURAL FEATURES REQUIRING CUSTOMIZED SIGN LOCATIONS, SHOW AS MANY ELEVATIONS AS NECESSARY USING PAGE NUMBERS 3A, 3B, ETC.
 4. ALL SIGN TYPES MAY BE SHOWN ON ONE SET OF ELEVATIONS.



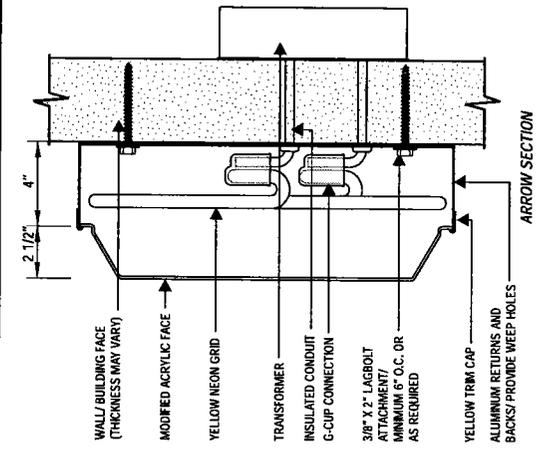
ELEVATION VIEW

SIGN SPECIFICATIONS:

- S/F INTERNALLY ILLUMINATED ALUMINUM CHANNEL SIGN DISPLAY WITH FORMED FACES & ARROW. COLORS ARE PER BELOW:
- ARROW: FABRICATED CHANNEL WITH RETURNS PAINTED TO MATCH "BONE CHINA" SP 514 BY DUNN EDWARDS W/ SATIN FINISH. FORMED YELLOW #2037 ACRYLIC PLASTIC FACES WITH 1" YELLOW TRIMCAP EDGES. DOUBLE-TUBE 15MM GRID 'CLEAR GOLD 2' NEON ILLUMINATION.
- COPY: FABRICATED CHANNEL WITH RETURNS PAINTED TO MATCH "BONE CHINA" SP 514 BY DUNN EDWARDS W/ SATIN FINISH. FORMED RED #211-1 ACRYLIC PLASTIC FACES W/ GOLD TRIMCAP EDGES. INSIDE OF CHANNEL LETTERS TO BE PRE-COATED RED ALUMINUM.

SIGN TYPES: B1 B2 B3 B4

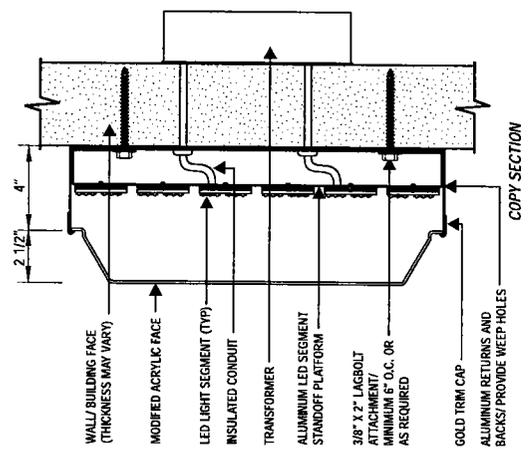
DESCRIPTION:
S/F 18" CHANNEL LETTER WALL SIGN.
6'-3 1/8" X 10'-6 1/4" CABINET/ "IN-N-OUT"



ARROW SECTION

SIDE VIEW

NOTE: ALL LIGHTING COMPONENTS TO BE UL LISTED. PROVIDE DISCONNECT SWITCH. ARROW TO BE ILLUMINATED WITH 15MM YELLOW NEON AS REQ'D/ RED LED ILLUMINATION FOR COPY (AS SHOWN).



COPY SECTION

SECTION & ATTACHMENT DETAIL

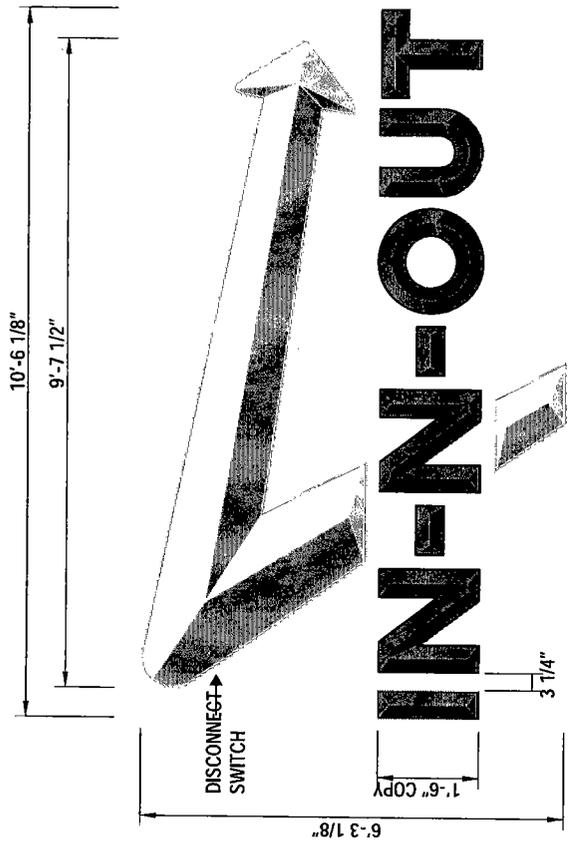
SCALE: NTS

S/F 6' X 10' ILLUMINATED WALL SIGN @ 33.8 SQ. FT.

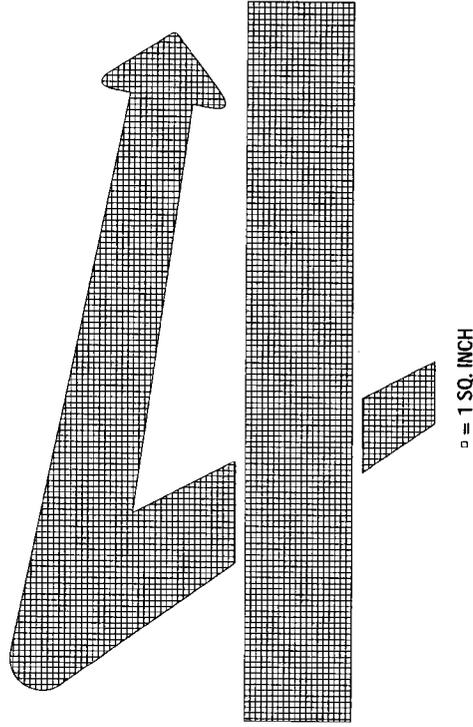
SCALE: 3/8" = 1'-0"

SIGN TYPES: B1 B2 B3 B4

DESCRIPTION:
S/F 18" CHANNEL LETTER WALL SIGN.
AREA CALCULATION



ELEVATION VIEW



SQUARE FOOTAGE	
UPPER ARROW:	15.6 SQ FT
LETTERS:	16.9 SQ FT
LOWER ARROW:	1.3 SQ FT
33.8 SQUARE FEET TOTAL AREA	

S/F 6' X 10' ILLUMINATED WALL SIGN @ 33.8 SQ. FT.

SCALE: 3/8" = 1'-0"

SIGN TYPES: **A1**

DESCRIPTION:
D/F INTERNALLY ILLUMINATED POLE SIGN
7'-0" X 21'-5" CABINET @ 75'-0" OA. HT.

SCALE : 3/32" = 1'-0"

SIGN SPECIFICATIONS:

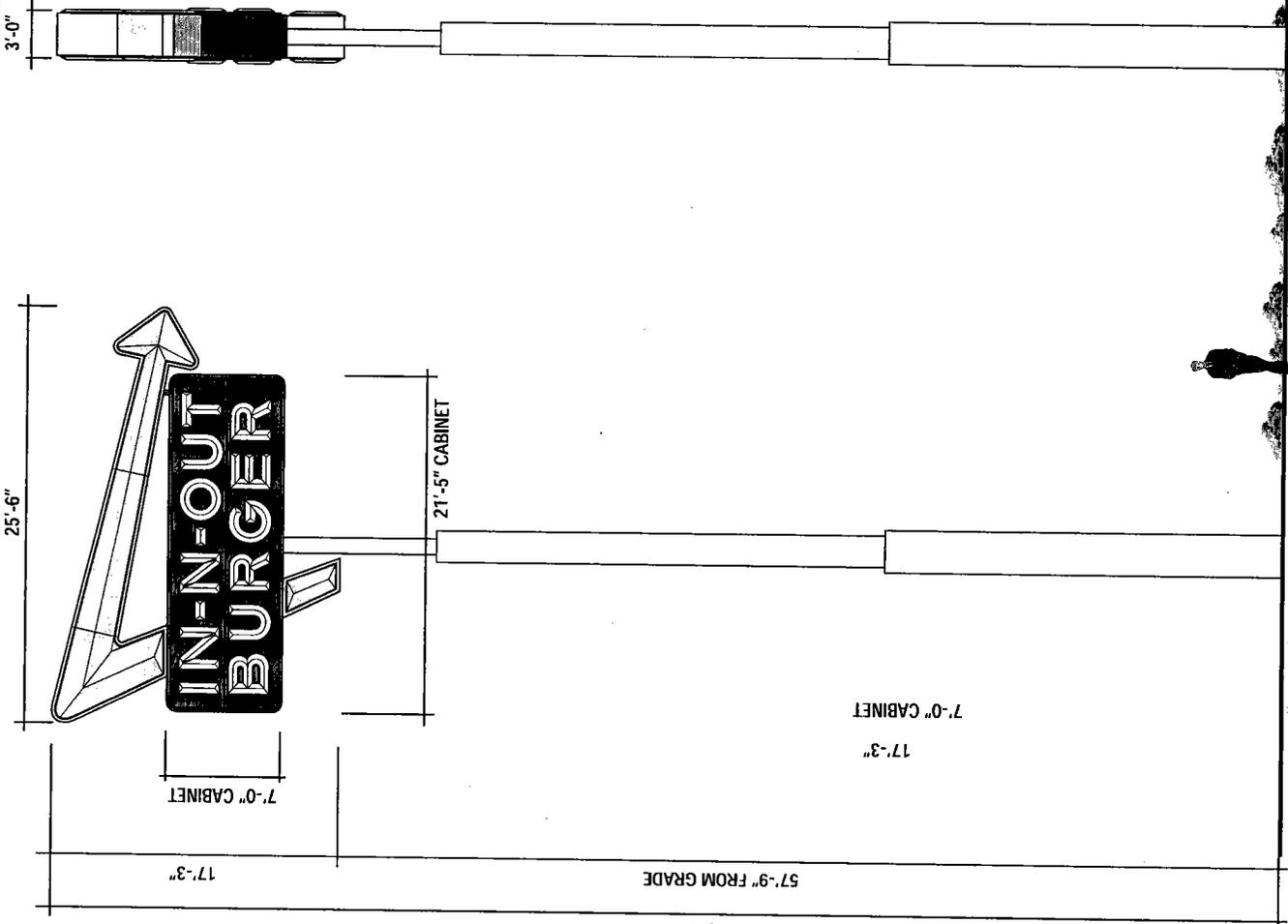
D/F INTERNALLY ILLUMINATED POLE SIGN W/ ALUMINUM CABINET & ARROW W/ FORMED FACES. COLORS ARE PER BELOW:

ARROW: FABRICATED CHANNEL WITH RETURNS PAINTED TO MATCH PMS YELLOW "C" W/ SATIN FINISH. FORMED YELLOW #2037 ACRYLIC PLASTIC FACES WITH 1" YELLOW TRIMCAP EDGES. DOUBLE-TUBE 15MM GRID 'CLEAR GOLD 2' NEON ILLUMINATION.

CABINET: FABRICATED CABINET & RETAINERS PAINTED TO INO 443 RED W/ SATIN FINISH. FORMED RED #211-1 ACRYLIC PLASTIC FACES W/ WHITE LETTERS. HO FLUORESCENT LAMP ILLUMINATION.

POLE: STANDARD PIPE AS REQ'D/ PAINT TO MATCH DUNN EDWARDS 'BONE CHINA WHITE'.

LANDSCAPED AREA: GRASS WITH SMALL FOLIAGE



SIDE VIEW

ELEVATION VIEW

SIGN SPECIFICATIONS - PAGE 4C
IN-N-OUT BURGER

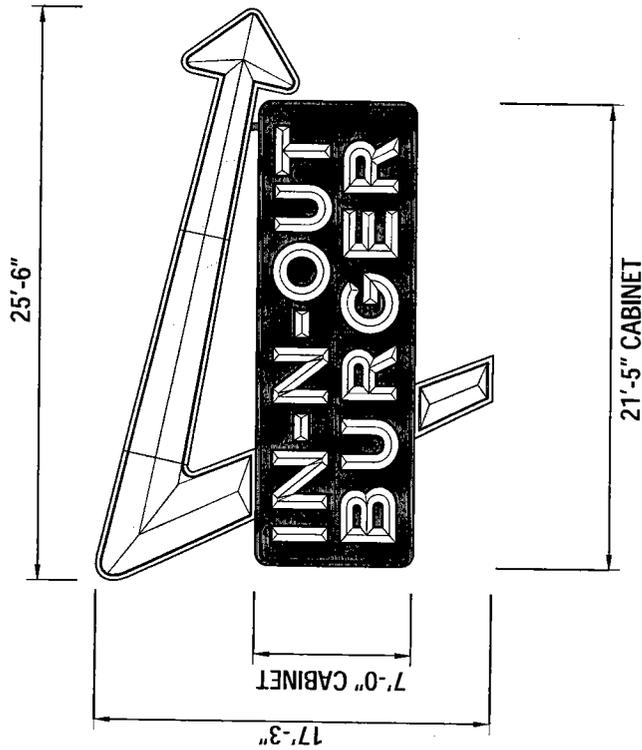
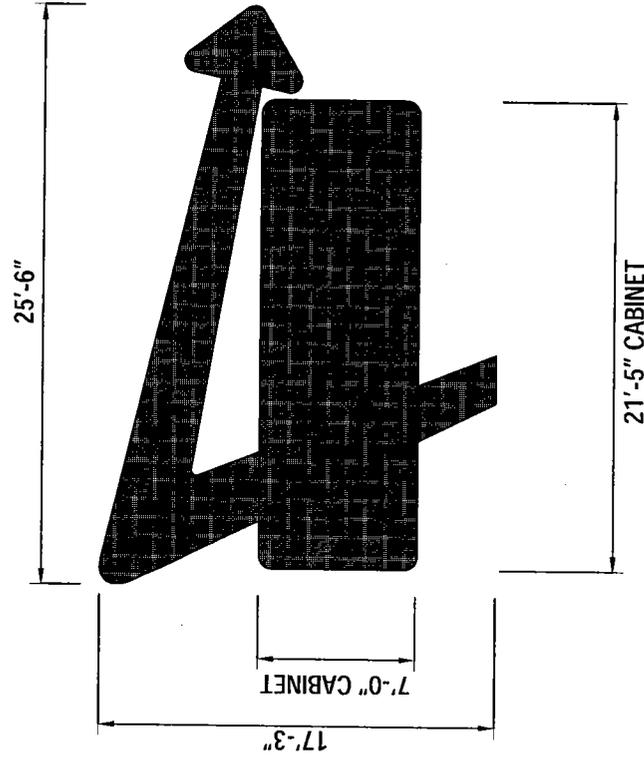
D/F POLE SIGN @ 232 SQUARE FEET

75'-0" OAH

SIGN TYPES: **A1**

DESCRIPTION:
D/F INTERNALLY ILLUMINATED POLE SIGN
AREA CALCULATION

SCALE: 1/8" = 1'-0"



SQUARE FOOTAGE

UPPER ARROW: 78.5 SQ FT

CABINET: 145.7 SQ FT

LOWER ARROW: 7.8 SQ FT

232 SQUARE FEET TOTAL AREA

D/F POLE SIGN @ 232 SQUARE FEET

SIGN SPECIFICATIONS - PAGE 4D
IN-N-OUT BURGER

SIGN TYPES: **A2** **A3**

DESCRIPTION:

D/F INTERNALLY ILLUMINATED MONUMENT SIGN, 3'-0" X 9'-0" @ 8'-0" OA. HT.

SCALE: 3/8" = 1'-0"

SIGN SPECIFICATIONS:

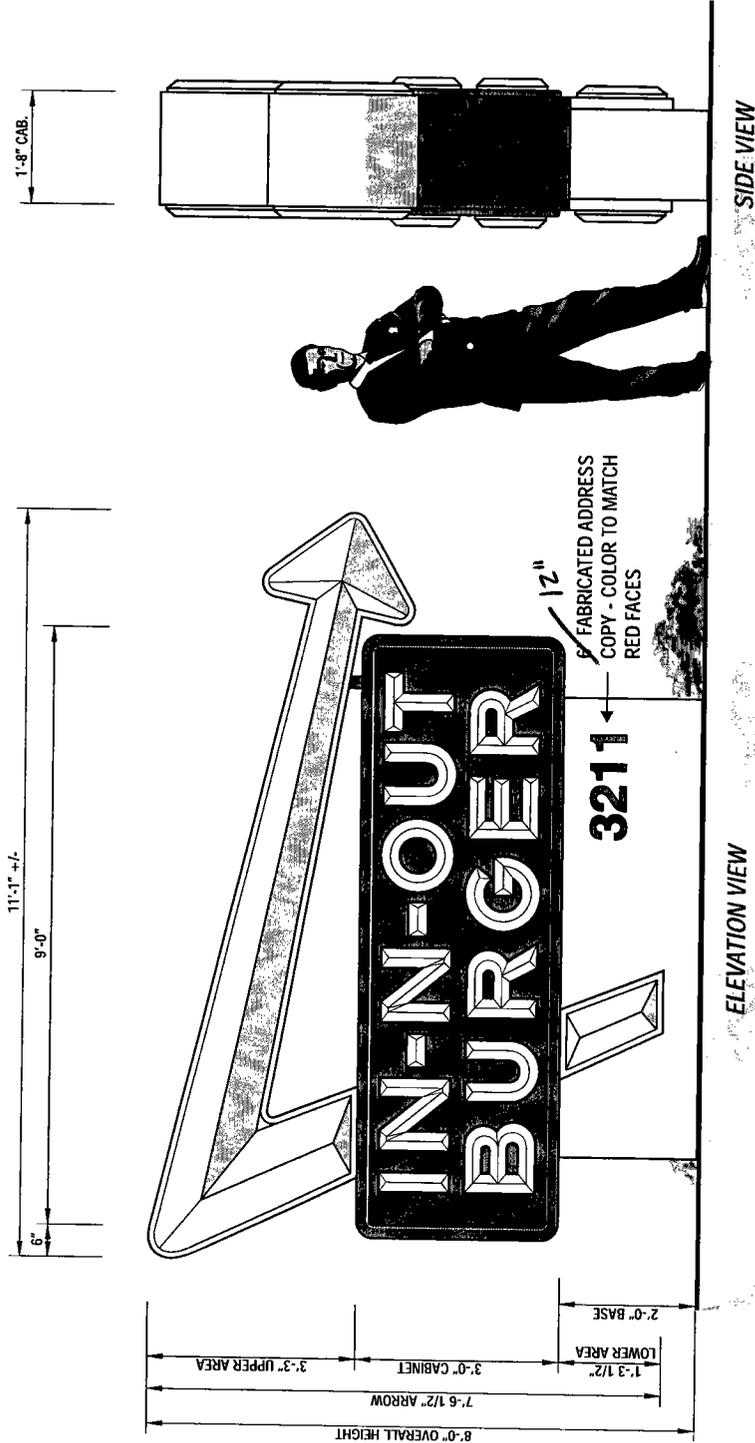
D/F INTERNALLY ILLUMINATED MONUMENT SIGN W/ ALUMINUM CABINET & ARROW W/ FORMED FACES. COLORS ARE PER BELOW:

ARROW: FABRICATED CHANNEL WITH RETURNS PAINTED TO MATCH PMS YELLOW "C" W/ GLOSS FINISH. FORMED YELLOW #2037 ACRYLIC PLASTIC FACES WITH 1" YELLOW TRIMCAP EDGES. DOUBLE-TUBE 15MM GRID 'CLEAR GOLD 2' NEON ILLUMINATION.

CABINET: FABRICATED CABINET & RETAINERS PAINTED TO MATCH INO #95 RED LACRYL W/ GLOSS FINISH. FORMED ACRYLIC FACES TO HAVE SECOND SURFACE PAINTED GRAPHICS. BACKGROUND COLOR TO BE PAINTED INO 443 RED (25% CLEAR). LETTER COLOR TO BE PAINTED WHITE. HO FLUORESCENT LAMP ILLUMINATION.

BASE: FABRICATED ALUMINUM BASE PAINTED TO MATCH DUINN EDWARDS "BONE CHINA" #514 W/ FINE TEXCOTE FINISH. LOWER END OF ARROW TO BE FABRICATED INTO BASE & ILLUMINATED AS REQUIRED.

LANDSCAPED AREA: GRASS WITH SMALL FOLIAGE



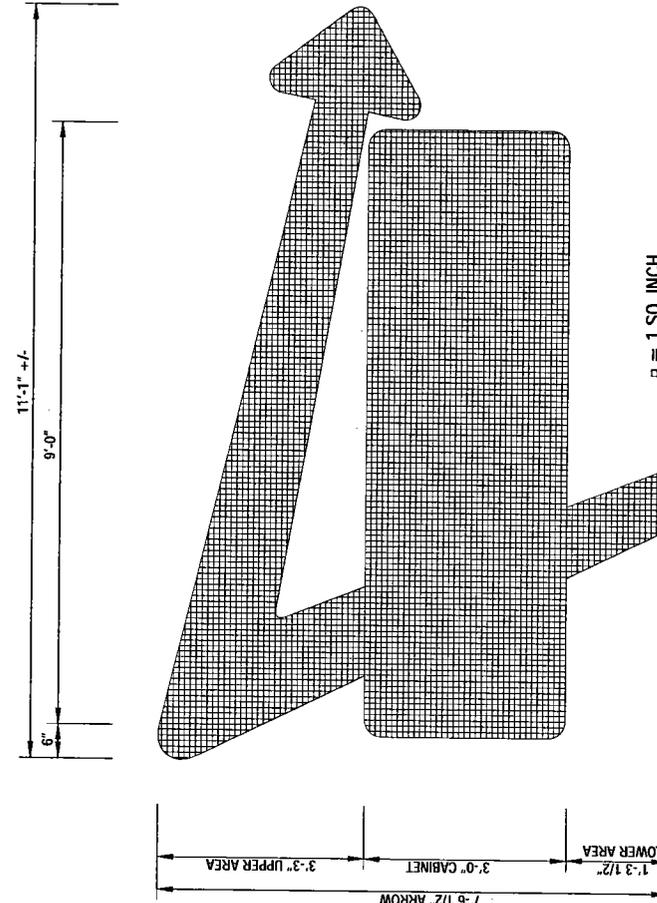
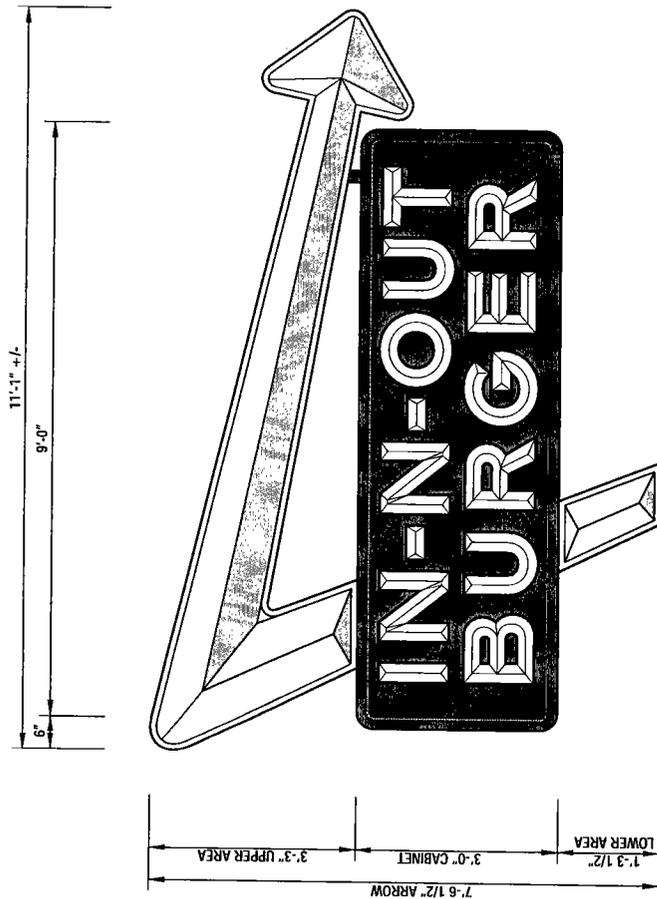
D/F MONUMENT SIGN @ 43.1 SQUARE FEET (TYP. OF 2)

SIGN SPECIFICATIONS - PAGE 4E
IN-N-OUT BURGER

SIGN TYPES: **A2** **A3**

DESCRIPTION:
D/F INTERNALLY ILLUMINATED MONUMENT
SIGN AREA CALCULATION

SCALE: 3/8" = 1'-0"



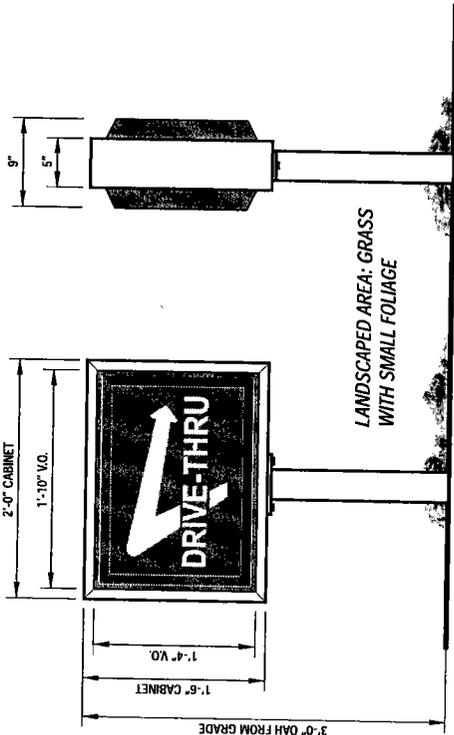
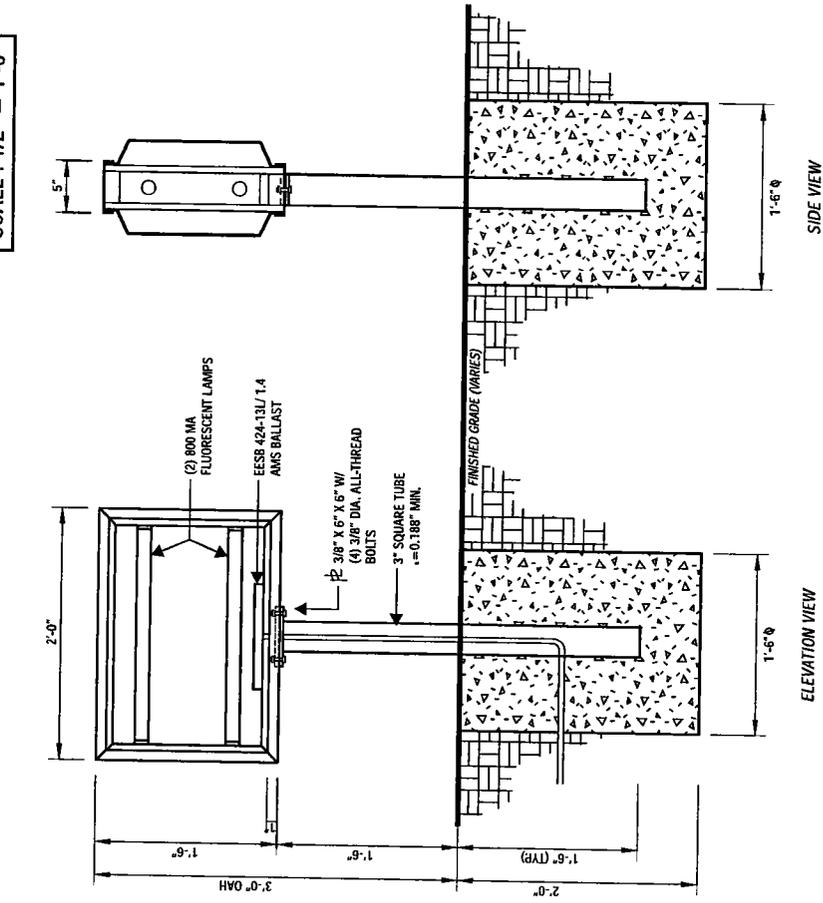
SQUARE FOOTAGE	
UPPER ARROW:	14.9 SQ. FT.
CABINET:	26.7 SQ. FT.
LOWER ARROW:	1.5 SQ. FT.
43.1 SQUARE FEET TOTAL AREA	

D/F MONUMENT SIGN @ 43.1 SQUARE FEET (TYP. OF 2)

SIGN TYPES: **C1** **C2**

DESCRIPTION:
D/F INTERNALLY ILLUMINATED DIRECTIONAL
DISPLAY

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



ELEVATION VIEW

SIDE VIEW



SIGN SPECIFICATIONS:

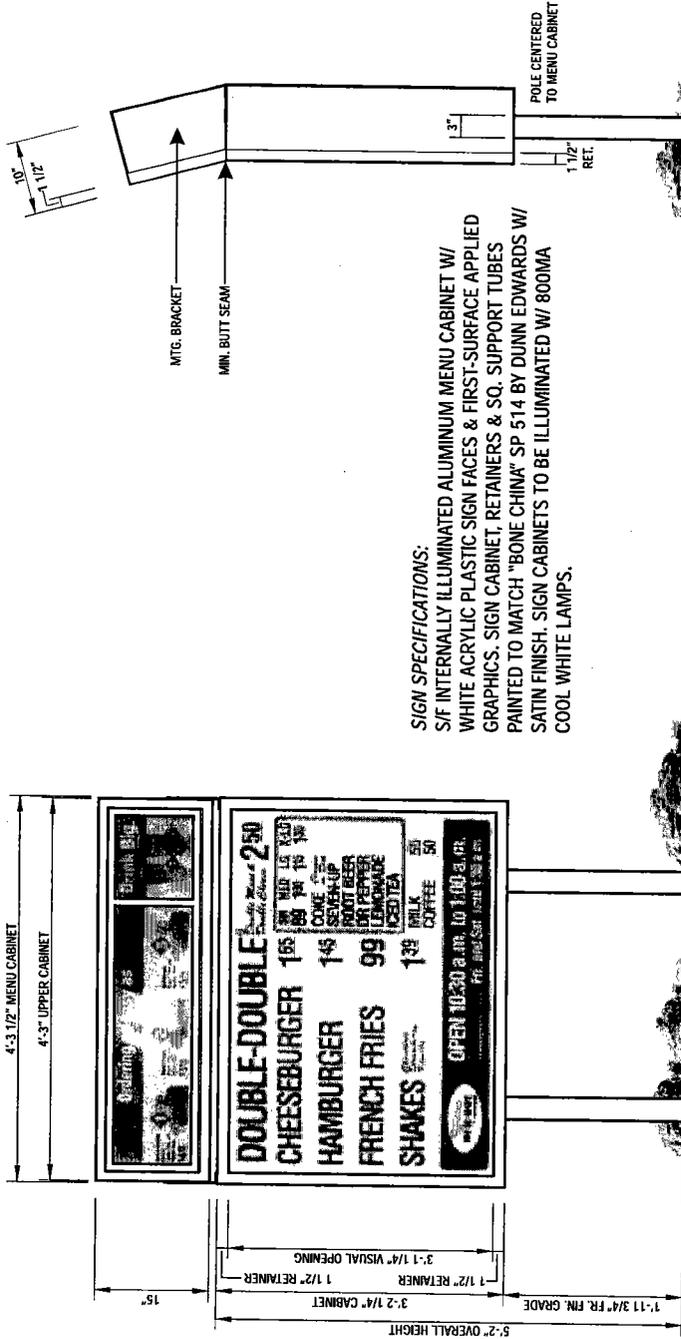
D/F INTERNALLY ILLUMINATED ALUMINUM DIRECTIONAL CABINET W/ FORMED FACES & ARROW. SIGN CABINET, RETAINERS PAINTED TO MATCH "BONE CHINA" SP 514 BY DUINN EDWARDS W/ SATIN FINISH. FORMED ACRYLIC PLASTIC FACES TO HAVE SECOND-SURFACE PAINTED GRAPHICS. BACKGROUND COLOR TO BE PAINTED INO 443 RED (25% CLEAR). LETTER COLOR TO BE PAINTED WHITE. ARROW TO BE PAINTED INO 413 YELLOW (25% CLEAR) - AS APPLIES. SIGN CABINETS TO BE ILLUMINATED W/ 800MA COOL WHITE LAMPS.

D/F INTERNALLY ILLUMINATED DIRECTIONAL SIGNS @ 3.0 SQUARE FEET

SIGN TYPES: **D1**

DESCRIPTION:
S/F INTERNALLY ILLUMINATED MENU BOARD.

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



S/F INTERNALLY ILLUMINATED MENU BOARD @ 12.8 SQUARE FEET

SIGN SPECIFICATIONS - PAGE 4H
IN-N-OUT BURGER