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**To:** Zoning Administrator  
**Subject:** Additional Materials Received: Item No. 3a

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**From:** Sandie Haskell [<mailto:sandiehaskell@roadrunner.com>]  
**Sent:** Friday, February 07, 2014 12:47 PM  
**To:** Wisneski, Brenda; Whelan, Melinda; Petros, Tony; Hill, Rush; [edselich@newportbeachca.gov](mailto:edselich@newportbeachca.gov);  
[curryk@newportbeachca.gov](mailto:curryk@newportbeachca.gov)  
**Subject:** Fw: 441 Old Newport

*441 Old Newport, Newport Beach, CA 92663 Parking Modification Permit Request  
Project File No. PA2013-228  
Activity No. MD2013-023  
Zoning Administration meeting Thursday Feb. 13, 2014*

***Q: What does the Zoning Administrator do?***

*Answer: The Zoning Administrator conducts public hearings and renders decisions on **minor** discretionary applications. A "discretionary application" is one that requires the exercise of judgment on the part of the decision-maker, as opposite to a "ministerial application" where the decision-maker determines whether there has been conformity with fixed standards or objective measurements (e.g., building permits*

***Q: What is a Modification Permit?***

*Answer: A Modification Permit is a request for administrative relief from development standards of the Zoning Code such as to allow a building to encroach within a required setback. Other examples include: heights of walls, hedges or fences; distances between buildings; area, number and height of signs; roof signs and off-site signs; structural appurtenances or projections from buildings that encroach into front, side or rear yards; location of accessory buildings within setbacks; the construction or installation of chimneys, vents, rooftop architectural features in excess of permitted height limits; size or location of parking spaces or access to parking spaces; swimming pool and swimming pool equipment encroachments within setbacks; rooftop parking of automobiles in nonresidential districts; and minor alterations and improvements to nonconforming buildings. Deviations from provisions that regulate uses cannot be considered with a Modification Permit.*

*We do not believe the project at 441 meets the criteria described above (taken from the City of NB's website) as a **minor** alteration nor an instance of **minor** nonconformance. We believe this matter should come before the **PLANNING COMMISSION** for a full, in depth evaluation of this odd proposal (we cannot think of any other OFFICE/MEDICAL BUILDING in Newport Beach that has constructed industrial style parking to meet parking requirements in a non-industrial area). Before the city would **set a precedent** for using lifts to fulfill parking space requirements, we should think the **City Council** would want to study the proposal and have the Planning Commissions' input to consider the matter.*

*The applicant advertises his property claiming 14,309 square feet of "rentable" space.  
[http://www.ventureregroup.com/PropertyPDF/441\\_Old\\_Newport\\_Blvd.pdf](http://www.ventureregroup.com/PropertyPDF/441_Old_Newport_Blvd.pdf)*

*The remedy requested by the applicant - **parking lifts** - is definitely **not in keeping with the character of the neighborhood**. He also assumes that the neighboring professional building property owners would be happy with this unaesthetic approach to parking and that the employees and/or clients of the tenants will be comfortable with using the parking lifts and tandem parking. This parking scheme will be located between the curb and the actual building viewable from the street. If approved, this plan would require full-time parking attendants; how would that requirement be monitored and enforced?*

*The public notice states that "the project is categorically exempt under Section 15303 of CEQA...." Not sure why that is relevant.*

*We will be out of town when this meeting takes place and would like this notification to serve as a statement of our concerns and questions regarding this property application.*

*Richard and Sandra Haskell  
Business address: 415 & 455 Old Newport Road  
Newport Beach, CA  
Home address: 255 Evening Canyon Road  
Corona del Mar, CA*

*[http://qcode.us/codes/placercounty/view.php?topic=18-18\\_36-18\\_36\\_050&frames=on](http://qcode.us/codes/placercounty/view.php?topic=18-18_36-18_36_050&frames=on)*

*[http://www.newportbeachca.gov/PublicNotices/Zoning%20Administrator/02-13-14\\_441%20Old%20Newport%20Parking%20Modification\\_PA2013-228.pdf](http://www.newportbeachca.gov/PublicNotices/Zoning%20Administrator/02-13-14_441%20Old%20Newport%20Parking%20Modification_PA2013-228.pdf)*

*<http://www.codepublishing.com/CA/NewportBeach/?NewportBeach20/NewportBeach20.html>*

*[http://qcode.us/codes/placercounty/view.php?topic=18-18\\_36-18\\_36\\_050&frames=on](http://qcode.us/codes/placercounty/view.php?topic=18-18_36-18_36_050&frames=on)*