



CITY OF NEWPORT BEACH ZONING ADMINISTRATOR AGENDA

Newport Beach City Hall
100 Civic Center Drive, Newport Beach
Corona del Mar Conference Room (Bay E-1st Floor)
Thursday, March 27, 2014 – 3:30 p.m.

Brenda Wisneski, Zoning Administrator

Staff Members:

James Campbell, Principal Planner
Fern Nueno, Associate Planner
Benjamin M. Zdeba, Assistant Planner

A) CALL MEETING TO ORDER

B) MINUTES OF MARCH 13, 2014

C) PUBLIC HEARING ITEMS

**Item No. 1. Juliette Restaurant Expansion Minor Use Permit No. UP2013-029 (PA2013-248)
1000 Bristol Street North, Suites 11 and 12 Council District 3**

Summary: A Minor Use Permit for the expansion of an existing restaurant into an adjacent retail suite. The property is located in the PC-11 (Newport Place Planned Community) District.

Recommended
Action:

- 1) Conduct public hearing; and
- 2) Adopt Resolution No. ___ approving Minor Use Permit No. UP2013-029 subject to the recommended findings and conditions.

CEQA
Compliance:

The project is categorically exempt under Section 15301, of the State CEQA (California Environmental Quality Act) Guidelines - Class 1 (Existing Facilities).

**Item No. 2. Club Detox Minor Use Permit No. UP2014-003 (PA2014-023)
1040 Bayside Drive Council District 5**

Summary: A minor use permit to allow a Personal Services, Restricted use in conjunction with a Take-out Service, Limited Eating and Drinking Establishment use. The applicant proposes to provide sauna treatments, nutritional and lifestyle coaching, and an accessory use preparing and selling natural vegetable and fruit juices for both off- and on-site consumption with seating for four patrons. The proposed hours of operation are between 8:00 a.m. and 9:00 p.m., Monday through Friday, 9:00 a.m. and 6:00 p.m. on

This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least seventy-two (72) hours in advance of each regular hearing and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Zoning Administrator may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the Community Development Department at least forty-eight (48) hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible at 949-644-3200.

Saturday, and 10:00 a.m. and 4:00 p.m. on Sunday. The property is located in the CN (Commercial Neighborhood) District.

Recommended

- Action:
- 1) Conduct public hearing; and
 - 2) Adopt Resolution No. ____ approving Minor Use Permit No. UP2014-003 subject to the recommended findings and conditions.

CEQA

Compliance: The project is categorically exempt under Section 15301, of the State CEQA (California Environmental Quality Act) Guidelines - Class 1 (Existing Facilities).

**Item No. 3. Viewpoint Church Temporary Office Trailer Limited Term Permit No. XP2014-001 (PA2014-024)
3300 Newport Boulevard Council District 1**

Summary: Limited Term Permit for a temporary, modular office building to accommodate office and Sunday school activities for a proposed religious institutional use. Assembly uses will occur in the former City Council Chambers. The property is located in the PF (Public Facilities) District.

Recommended

- Action:
- 1) Remove from calendar

D) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Zoning Administrator. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Zoning Administrator has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

E) ADJOURNMENT

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

The agendas, minutes, and staff reports are available on the City's web site at: www.newportbeachca.gov/zoningadministrator and for public inspection in the Community Development Department, Planning Division located at 100 Civic Center Drive, during normal business hours. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

NEWPORT BEACH ZONING ADMINISTRATOR MINUTES
100 Civic Center Drive, Newport Beach
Corona del Mar Conference Room (Bay E-1st Floor)
Thursday, March 13, 2014
REGULAR HEARING
3:30 p.m.

A. CALL TO ORDER – The meeting was called to order at 3:30 p.m.

Staff Present: Brenda Wisneski, Zoning Administrator
Jason Van Patten, Planning Technician

B. MINUTES of February 13, 2014

Action: Approved

C. PUBLIC HEARING ITEM(S)

ITEM NO. 1	401 Iris Avenue Tentative Parcel Map No. NP2014-001 (PA2014-012) 401 Iris Avenue	CD 6
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Jason Van Patten, Planning Technician, provided a brief project description stating that the application was for a tentative parcel map for two-unit condominium purposes. He stated that the existing two-unit dwelling would be demolished and replaced with a new two-unit dwelling, and that the applicant did not request to waive any Title 19 subdivision standards. He clarified that the purpose of the Tentative Parcel Map was to create separate ownership units.

Applicant Leonard Stiles, on behalf of the property owner, acknowledged that he had reviewed the draft resolution and the required conditions.

The Zoning Administrator opened the public hearing.

One member of the public, a neighboring property owner, asked where vehicular access was taken from.

Mr. Van Patten indicated that the project was still being reviewed for a building permit but likely would have access taken from the alley.

A second member of the public, Jim Mosher, spoke and stated that he did not think the City had the authority to make findings of compliance with the Coastal Act. He then asked for clarification regarding conditions of approval 5, 13, and 16.

Mr. Van Patten responded by indicating that conditions were in place should the development take access through Bayside Park.

Zoning Administrator Wisneski clarified that the application was specifically for ownership purposes. A discussion then followed regarding location of the driveway and recordation of the map.

There were no other public comments.

The Zoning Administrator expressed agreement with the findings that had been made and acted to approve Tentative Parcel Map No. NP2014-001.

Action: Approved

D. PUBLIC COMMENTS ON NON-AGENDA ITEMS

One member of the public, Mr. Jim Mosher, stated that he was unclear as to whether or not the fee for a public hearing was waived under the Newport Dividend; at which time Zoning Administrator Wisneski responded letting him know that the process for a hearing requires a separate permit and a separate fee and that those fees are not being waived under the Newport Dividend.

Further, he expressed concern with Zoning Administrator Wisneski being present at the Planning Commission meeting where a prior Zoning Administrator Hearing item that was appealed will be presented, considering she is the one who made the decision to deny it initially.

E. ADJOURNMENT

The hearing was adjourned at 3:49 p.m.

The agenda for the Zoning Administrator Hearing was posted on March 7, 2014, at 1:50 p.m. in the Chambers binder and on the digital display board located inside the vestibule of the Council Chambers at 100 Civic Center Drive and on the City's website on March 7, 2014, at 2:15 p.m.

Brenda Wisneski, AICP, Zoning Administrator

DRAFT



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915

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CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

March 27, 2014

Agenda Item No. 1:

SUBJECT: Juliette Restaurant Expansion (PA2013-248)
1000 Bristol Street North, Suites 11 and 12
Minor Use Permit No. UP2013-029

APPLICANT: Fountainhead Restaurant, Inc., dba Juliette Kitchen + Bar

PLANNER: Fern Nueno, Associate Planner
(949) 644-3227, fnueno@newportbeachca.gov

ZONING DISTRICT/GENERAL PLAN

- **Zone:** PC-11 (Newport Place Planned Community)
- **General Plan:** CG (General Commercial)

PROJECT SUMMARY

The applicant requests a Minor Use Permit (Amendment No. 2 to UP1838) for the expansion of an existing restaurant. The business currently operates a restaurant in Suite 11 and operates a retail store in the front portion of Suite 12 that includes wine sales. The expansion of the restaurant would increase the net public area (seating area) into Suite 12 by 180 square feet and it will accommodate approximately 12 additional seats. The rear of the suite would remain office and storage use for the restaurant. A small portion (approximately 15 percent) of the floor area within Suite 12 would be devoted to accessory retail sales including wine sales. The restaurant currently operates with a Type 47 ABC license and no late hours (after 11:00 p.m.) are proposed as part of this application.

RECOMMENDATION

- 1) Conduct a public hearing; and
- 2) Adopt Draft Zoning Administrator Resolution No. _ approving Minor Use Permit No. UP2013-029 (Attachment No. ZA 1).

DISCUSSION

- The subject property is located in the Plaza Newport Shopping Center near Jamboree Road and State Route 73. The center includes a mix of general commercial uses such as restaurants, retail sales, personal services, and an urgent care center. The site is developed with four (4) multi-tenant commercial buildings and a surface parking lot with 222 spaces.
- Use Permit No. UP1838 was approved for Suite 11 by the Planning Commission in August 1977 to allow the establishment of a restaurant facility with incidental on-sale beer and wine. A minimum of one parking space for each 40 square feet of net public area was required. The staff report indicated the hours of operation would be from 11:00 a.m. to 9:00 p.m. daily, although no conditions of approval were adopted limiting the hours of operation.
- In August 1991, the City signed an ABC zoning affidavit for an upgrade of licensed privileges from the Type 41 License (beer and wine) to allow a Type 47 License (full liquor) for Suite 11, with a note stating “no changes in the operational characteristics.”
- In August 1993, the Planning Commission approved an amendment to Use Permit No. UP1838 allowing an expansion of the existing restaurant with a 480-square-foot outdoor dining area resulting in a total of 1,670 square feet of net public area. The Planning Commission waived the requirement for the provision of additional parking spaces, and established a condition of approval requiring a minimum of 30 parking spaces for the restaurant facility at all times. The hours of operation discussed in this staff report were 11:00 a.m. to 11:00 p.m. daily, and the applicant indicated the restaurant “may stay open later on Friday and Saturday nights.” However, no conditions of approval were adopted limiting the limited hours of operation.
- On April 13, 2013, the Community Development Director approved Staff Approval No. SA2012-008 (PA2012-033) determining substantial conformance with Use Permit No. UP1838 (Amended), allowing for the addition of a retail component to the existing restaurant in Suite 11 with an expansion into an adjoining tenant space (Suite 12), including alcohol sales.
- The restaurant use is typical for this type of shopping center development and the proposed expansion of the restaurant into Suite 12 with accessory retail wine sales is consistent with the CG General Plan Land Use Element category.
- Pursuant the PC-11 Development Plan Part II (Commercial), Section II (Permitted Uses), Group II (Commercial Uses), F (General Commercial), General Commercial sites allow for commercial uses such as retail, restaurant, hobby stores, professional services, offices, and other uses of similar nature. A retail store, including the sale of wine, is an allowed use within this district. A restaurant with no late hours is a general

commercial use that is allowed subject to the approval of a Minor Use Permit. Use Permit procedures are outline within Zoning Code Section 20.52.020 (Conditional Use Permits and Minor Use Permits).

- Other uses in the shopping center include restaurants, urgent care, hair and nail salons, mail services, health/fitness facility, and retail uses. The project is compatible with existing and allowed uses within the shopping center.
- The Police Department has reviewed the project and has no objection to the operation as described by the applicant.
- For most land uses, General Commercial Site 3 utilizes a blended parking requirement of one (1) space for every 250 square feet of net floor area. The parking requirement for restaurant uses is established by Use Permit. Suite 11 is required to provide 30 parking spaces pursuant to Use Permit No. UP1838 based on the interior net public area of 1,190 square feet. No parking was required for the 480-square-foot outdoor dining area due to its small size. Suite 12 is currently required to provide five parking spaces for the 1,200-square-foot retail sales use. The proposed restaurant expansion would result in an additional 180 square feet of net public area within Suite 12. The parking requirement for the restaurant is one (1) space for every 40 square feet of net public area; therefore, the expansion of the restaurant would require five parking spaces and the conversion of the retail sales use for the proposed expansion would not increase the parking requirement. The rear half of Suite 12 is used for storage and office for the restaurant and as such, it does not require parking. Approximately 15 percent of the floor area within Suite 12 that would remain devoted to retail sales would not require additional parking as it is accessory to the primary restaurant use.
- This Minor Use Permit supersedes Staff Approval No. SA2012-008 (PA2012-033), which will be null and void should this subject application be approved and exercised.
- Use Permit No. UP1838 (Amended), including all conditions of approval, is still in effect. Additional operational conditions of approval are included in the draft Resolution to ensure the proposed expansion is not detrimental to the community.
- As demonstrated in the attached draft Resolution, staff believes the proposed project meets the requirements of the Zoning Code and the findings for approval can be made.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15301, of the State CEQA (California Environmental Quality Act) Guidelines - Class 1 (Existing Facilities), which exempts minor alterations to existing facilities involving negligible expansion of use beyond that

existing at the time of the lead agency's determination. The proposed project is for a change of use for a tenant suite within an existing commercial building.

PUBLIC NOTICE

Notice of this application was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant and posted on the subject property at least 10 days before the scheduled hearing, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

APPEAL PERIOD

An appeal may be filed with the Director of Community Development within 14 days following the date of action. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

Prepared by:



Fern Nueno, Associate Planner

JC/fn

Attachments:	ZA 1	Draft Resolution
	ZA 2	Vicinity Map
	ZA 3	Applicant's Project Description
	ZA 4	Project Plans

Attachment No. ZA 1

Draft Resolution

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RESOLUTION NO. ZA2014-0##

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MINOR USE PERMIT NO. UP2013-029 (AMENDMENT NO. 2 TO USE PERMIT NO. UP1838) FOR AN EXPANSION OF A RESTAURANT FOR PROPERTY LOCATED AT 100 BRISTOL STREET NORTH, SUITES 11 AND 12 (PA2013-248)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by John Hughes, Fountainhead Restaurant, Inc., dba Juliette Kitchen + Bar, with respect to property located at 1000 Bristol Street North, Suites 11 and 12, and legally described as Parcel 1 of Resubdivision 0541 requesting approval of a Minor Use Permit.
2. The applicant requests a Minor Use Permit (Amendment No. 2 to UP1838) for the expansion of an existing restaurant. The business currently operates a restaurant in Suite 11 and operates a retail store in the front portion of Suite 12 that includes wine sales. The expansion of the restaurant would increase the net public area (seating area) into Suite 12 by 180 square feet and it will accommodate approximately 12 additional seats. The rear of the suite would remain office and storage use for the restaurant. A small portion (approximately 15 percent) of the floor area within Suite 12 would be devoted to accessory retail sales including wine sales. The restaurant currently operates with a Type 47 ABC license and no late hours (after 11:00 p.m.) are proposed as part of this application.
3. The subject property is located within the Newport Place Planned Community (PC-11) Zoning District that designates the site for General Commercial use, and the General Plan Land Use Element category is General Commercial (CG).
4. The subject property is not located within the coastal zone.
5. A public hearing was held on March 27, 2014, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project has been determined to be categorically exempt pursuant to the State California Environmental Quality Act (CEQA) Guidelines under Class 1 (Existing Facilities).

2. Class 1 exempts minor alterations to existing facilities involving negligible expansion of use beyond that existing at the time of the lead agency's determination. The proposed project is for a change of use for a tenant suite within an existing commercial building.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.48.030 (Alcohol Sales) of the Newport Beach Municipal Code, the following findings and facts in support of the findings for a Use Permit are set forth:

Finding

- A. *The use is consistent with the purpose and intent of Section 20.48.030 (Alcohol Sales of the Zoning Code).*

Facts in Support of Finding

In finding that the proposed use is consistent with Section 20.48.030 (Alcohol Sales) of the Zoning Code, the following criteria must be considered:

- i. *The crime rate in the reporting district and adjacent reporting districts as compared to other areas in the City.*
 1. The proposed establishment is located within Reporting District 34, wherein the crime rate is higher than adjacent Reporting Districts (RDs) and the City. The adjacent RDs (33 and 36) have a lower crime rate as they are primarily developed with residential uses and have fewer commercial uses than RD34. Due to the high concentration of commercial land uses in the Airport Area, the crime rate is greater than in the adjacent primarily residential RDs; however, the Police Department does not consider the number significant given the type of development is located within RD34.
- ii. *The numbers of alcohol-related calls for service, crimes, or arrests in the reporting district and in adjacent reporting districts.*
 1. In 2013, there were 64 calls for service at 1000 Bristol Street North, one of which was for drunk driving in progress. The crime statistics are summarized in the table below:

Location	Calls for Service	Part I Crimes	Part II Crimes	DUI Arrests	Public Intoxication Arrests
1000 Bristol Street N	64	1	4	0	0
RD34	3985	93	180	28	14
RD33	1722	56	124	15	1
RD36	2958	66	86	19	3

2. Due to the high concentration of commercial uses, the calls for service, crimes, and number of arrests are greater than in adjacent primarily residential Reporting Districts.

The Police Department does not believe the crime rate is a concern because of the lack of residential uses and concentration of restaurants and commercial uses within the Airport Area (RD34).

- iii. The proximity of the establishment to residential zoning districts, day care centers, hospitals, park and recreation facilities, places of worship, schools, other similar uses, and any uses that attract minors.*
- 1. The Plaza Newport Shopping Center does not abut sensitive land uses and is separated from other uses by parking lots, roadways, and other commercial uses. The Airport Area allows for some mixed-use nearby, although no residential units have been developed to date. The proposed use is not located in close proximity to any residential districts, day care centers, park and recreation facilities, places of religious assembly, or schools.
- iv. The proximity to other establishments selling alcoholic beverages for either off-site or on-site consumption.*
- 1. The subject restaurant has the only active ABC licenses within the Newport Place Shopping Center (Type 47 – On-Sale General Eating Place and Type 58 – Caterer Permit). There are 32 active licenses within RD34.
- v. Whether or not the proposed amendment will resolve any current objectionable conditions.*
- 1. The existing restaurant does not have any current objectionable conditions. The project has been reviewed and conditioned to ensure that the purpose and intent of Section 20.48.030 (Alcohol Sales) of the Zoning Code is maintained and that a healthy environment for residents and businesses is preserved. The service of alcohol is intended for the convenience of customers dining at the restaurant. Operational conditions of approval relative to the sale of alcoholic beverages will help ensure compatibility with the surrounding uses and minimize alcohol related impacts.

In accordance with Section 20.52.020 of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

- B. The use is consistent with the General Plan and any applicable specific plan.*

Facts in Support of Finding:

- 1. The proposed use is designated as CG (General Commercial) within the Land Use Element of the General Plan, which is intended to provide a wide variety of commercial activities oriented primarily to serve citywide or regional needs. An eating and drinking establishment is a commercial use that serves local and regional needs and is consistent with the CG designation.

2. The subject property is not located within a Specific Plan area.

Finding:

- C. *The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.*

Facts in Support of Finding:

1. The site is located in the PC-11 (Newport Place Planned Community) Zoning District within General Commercial Site 3. Pursuant the PC-11 Development Plan Part II (Commercial), Section II (Permitted Uses), Group II (Commercial Uses), F (General Commercial), General Commercial sites allow for commercial uses such as retail, restaurant, hobby stores, professional service uses, and offices. Restaurants are an allowed use subject to approval of a Use Permit. Retail stores are an allowed use within this district. The proposed application does not present any conflicts with the purpose and intent of this district.
2. For most land uses, General Commercial Site 3 utilizes a blended parking requirement of one (1) space for every 250 square feet of net floor area. The parking requirement for restaurant uses is established by Use Permit. Suite 11 is required to provide 30 parking spaces pursuant to Use Permit No. UP1838 based on the interior net public area of 1,190 square feet. No parking was required for the 480-square-foot outdoor dining area due to its small size. Suite 12 is currently required to provide five parking spaces for the 1,200-square-foot retail sales use. The proposed restaurant expansion would result in an additional 180 square feet of net public area within Suite 12. The parking requirement for the restaurant is one (1) space for every 40 square feet of net public area; therefore, the expansion of the restaurant would require five parking spaces and the conversion of the retail sales use for the proposed expansion would not increase the parking requirement. The rear half of Suite 12 is used for storage and office for the restaurant and as such, it does not require parking. Approximately 15 percent of the floor area within Suite 12 that would remain devoted to retail sales would not require additional parking as it is accessory to the primary restaurant use.

Finding:

- D. *The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.*

Facts in Support of Finding:

1. General commercial uses are allowed in the vicinity, including retail sales, personal service, restaurant, and office uses. The subject suite is located among other commercial uses within a shopping center near Jamboree Road and State Route 73.

2. Suite 12 is 1,200 square feet and is located within a multiple-tenant commercial building. The shopping center is located within a commercial area with mixed-use allowed in the Airport Area and the John Wayne Airport nearby. The shopping center fronts Bristol Street North. Other uses in the shopping center include restaurants, hair and nail salons, mail services, health/fitness facility, and retail uses. The project is compatible with existing and allowed uses within the shopping center.
3. The existing multiple-tenant commercial building is not changing as a result of this project. The existing building design, location, and size previously used for commercial uses have not proven detrimental to the nearby residential uses. The site is developed with adequate shared parking and trash storage facilities.
4. The operational characteristics of the proposed establishment would be that of a typical restaurant that would serve residents, visitors, and employees, with accessory retail wine sales. The proposed use would not increase the parking requirement, have late hours of operation, nor create any adverse noise impacts outside of the establishment. The abutting properties are commercial and the abutting streets. Therefore, the operating characteristics would be compatible with the allowed commercial uses in the vicinity.

Finding:

- E. *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.*

Facts in Support of Finding:

1. The shopping center property is approximately 3.91 acres, and is developed with four (4) multiple-tenant commercial buildings and a surface parking lot with 222 spaces. The existing building and parking lot have functioned satisfactorily with the current configuration. The lot fronts Bristol Street North and has two (2) vehicular access points into and out of the shopping center.
2. The site is developed with an existing multiple-tenant commercial building that is not physically changing as a result of this project. The design, location, shape, and size have been suitable for the commercial uses on site. Adequate public and emergency vehicle access, public services, and utilities are provided within the existing property and the proposed project will not negatively affect emergency access.
3. The Public Works Department, Building Division, and Fire Department have reviewed the application. The project is required to obtain all applicable permits from the City Building and Fire Departments and must comply with the most recent, City-adopted version of the California Building Code.

Finding:

- F. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, nor endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

Facts in Support of Finding:

1. The proposed use is similar to and compatible with other commercial uses in the vicinity, and complements the retail sales and service uses in the immediate area. The use will serve nearby residents, employees, and visitors to the area.
2. The proposed use will not have late hours of operation or create any adverse noise impacts outside the establishment as no changes to the outdoor patio are authorized.
3. The proposed use will not impact parking within the shopping center as no additional off-street parking is required.
4. The Police Department has reviewed the project and has no objection to the operation as described by the applicant.
5. Compliance with the Municipal Code is required and will further ensure that the proposed use will not be detrimental.

DRAFT

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Minor Use Permit No. UP2013-029, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. This action shall become final and effective 14 days after the adoption of this Resolution unless within such time an appeal is filed with the Community Development Director in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.
3. This resolution supersedes Staff Approval No. SA2012-008 (PA2012-033), which upon vesting of the rights authorized by this Minor Use Permit, shall become null and void.

PASSED, APPROVED AND ADOPTED THIS 27TH DAY OF MARCH, 2014.

Brenda Wisneski, AICP, Zoning Administrator

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EXHIBIT "A"

CONDITIONS OF APPROVAL

1. All conditions of approval of Use Permit No. UP1838 (Amended) shall remain in effect.
2. The development shall be in substantial conformance with the approved site plan and floor plans stamped and dated with the date of this approval, except as modified by applicable conditions of approval.
3. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
4. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Use Permit.
5. This Minor Use Permit may be modified or revoked by the Zoning Administrator if determined that the proposed use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
6. Any change in operational characteristics, expansion in area, or other modification to the approved plans, shall require an amendment to this Minor Use Permit or the processing of a new Minor Use Permit.
7. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
8. The interior net public area shall be limited to a maximum of 1,400 square feet. The net public area of the outdoor dining area shall be limited to 480 square feet.
9. The hours of operation shall be limited to between 8:00 a.m. and 11:00 p.m., daily.
10. A minimum of one parking space for each 40 square feet of net public area, excluding outdoor dining, shall be maintained in the shared parking lot.
11. Approval does not permit the premises to operate as a bar, tavern, cocktail lounge or nightclub as defined by the Newport Beach Municipal Code, unless the Planning Commission first approves an amended Use Permit.
12. Food service from the regular menu must be available to patrons up to 30 minutes before the scheduled closing time.

13. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
14. No "happy hour" type of reduced price alcoholic beverage promotion shall be allowed except when offered in conjunction with food ordered from the full service menu. There shall be no reduced price alcoholic beverage promotions after 9:00 p.m.
15. Petitioner shall not share any profits or pay any percentage or commission to a promoter or any other person based upon monies collected as a door charge, cover charge, or any other form of admission charge, including minimum drink orders or the sale of drinks.
16. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records, which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. These records shall be kept no less frequently than on a quarterly basis and shall be made available to the Police Department on demand.
17. There shall be no on-site radio, television, video, film or other electronic media broadcasts, including recordings to be broadcasted at a later time, which include the service of alcoholic beverages, without first obtaining an approved Special Event Permit issued by the City of Newport Beach.
18. A Special Event Permit is required for any event or promotional activity outside the normal operational characteristics of this restaurant business that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.
19. There shall be no live entertainment allowed on the premises.
20. There shall be no dancing allowed on the premises.
21. Strict adherence to the maximum occupancy limits shall be required.
22. No games or contests requiring or involving the consumption of alcoholic beverages shall be permitted.
23. There shall be no exterior advertising or signs of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
24. All owners, managers, and employees selling alcoholic beverages shall undergo and successfully complete a certified training program in responsible methods and skills for selling alcoholic beverages. The certified program must meet the standards of the California Coordinating Council on Responsible Beverage Service or other

certifying/licensing body, which the State may designate. The establishment shall comply with the requirements of this section within 180 days of the issuance of the Minor Use Permit. Records of each owner's, manager's, and employee's successful completion of the required certified training program shall be maintained on the premises and shall be presented upon request by a representative of the City of Newport Beach.

25. The operator of the restaurant facility shall be responsible for the control of noise generated by the subject facility. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code.
26. No outside paging system or loudspeaker shall be utilized in conjunction with this establishment.
27. All trash shall be stored within the building or within dumpsters stored in the trash enclosure (three walls and a self-latching gate) or otherwise screened from view of neighboring properties, except when placed for pick-up by refuse collection agencies. The trash enclosure shall have a decorative solid roof for aesthetic and screening purposes.
28. Trash receptacles for patrons shall be conveniently located both inside and outside of the establishment, however, not located on or within any public property or right-of-way.
29. The exterior of the business shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter debris and graffiti from the premises and on all abutting sidewalks within 20 feet of the premises.
30. The applicant shall ensure that the trash dumpsters and/or receptacles are maintained to control odors. This may include the provision of either fully self-contained dumpsters or periodic steam cleaning of the dumpsters, if deemed necessary by the Planning Division. Cleaning and maintenance of trash dumpsters shall be done in compliance with the provisions of Title 14, including all future amendments (including Water Quality related requirements).
31. Prior to issuance of a building permit for any future renovations to the project site, a new approved reduced pressure backflow assembly will be required to protect the existing domestic water service, unless otherwise approved by the Public Works Department.
32. All exterior signs shall be in accordance with the approved development standards allowed for signs in Newport Place.
33. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m., daily, unless otherwise approved by the Community Development Director, and may require an amendment to this Minor Use Permit.

34. Storage outside of the building in the front or at the rear of the property shall be prohibited, with the exception of the required trash container enclosure.
35. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 20 Planning and Zoning of the Newport Beach Municipal Code.
36. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Juliette Restaurant Expansion including, but not limited to, the Minor Use Permit No. UP2013-029. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

DRAFT

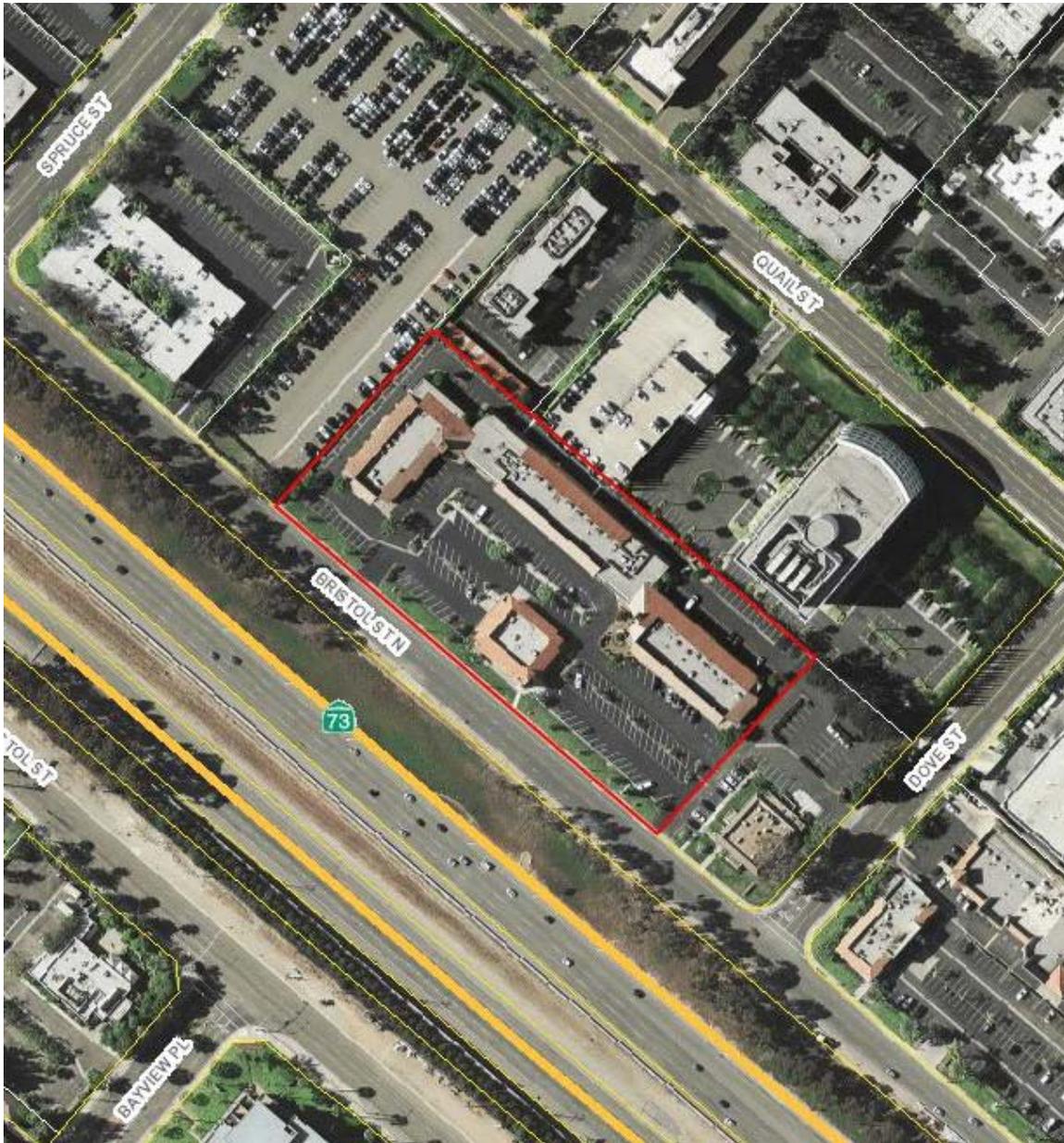
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Attachment No. ZA 2

Vicinity Map

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VICINITY MAP



Minor Use Permit No. UP2013-029
PA2013-248

1000 Bristol Street North, Suites 11 and 12

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Attachment No. ZA 3

Applicant's Project Description

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Applicant: Fountainhead Restaurant, inc. dba Juliette Kitchen + Bar
Request Approval of Conditional Use Permit (ABO) permitting the expansion of Type 47 On Sale General Eating Place License(beer, wine and distilled spirits) to adjoining suite(#12) of the existing Juliette Kitchen + Bar (formerly Tradition By Pascal) and commonly referred to as Suite 11).
Proposed Use: Restaurant With On-Sale Service of Beer, Wine & Distilled Spirits
Address: 1000 Bristol St. North, Ste.11&12, Newport Beach, CA 92660

PROJECT NARRATIVE

The proposed project is for the approval of Conditional Use Permit (ABO) permitting the expansion of Type 47 On-Sale General Eating Place License (beer, wine and distilled spirits) to adjoining suite(#12) of the existing Juliette Kitchen + Bar(formerly Tradition by Pascal and commonly referred to as suite 11) located in the airport area at 1000 Bristol Street, Suite 11&12, Newport Beach, CA 92660. The existing restaurant is "Juliette Kitchen + Bar" and is owned and operated by John Hughes and Juliette Chung. "Juliette Kitchen + Bar" is a full service casual fine dining restaurant.

This request is to permit the sale of beer, wine and distilled spirits for on-sale consumption in conjunction with the operations of the restaurant. Service of beer wine and distilled spirits is made for the convenience of patrons dining at the restaurant. The subject property is located within the airport area. The site is bounded by other commercial and office uses. There are no residents in the general area. The proposed restaurant will serve the local residents of the surrounding community, tourists and office workers.

The restaurant is open six(6) days a week. The current hours of operation are as follows:

Monday-Thursday 11:00 am to 10:00 pm
Friday 11:00 AM to 10:30pm
Saturday 4:00 pm to 10:30pm
Sunday (closed)

The restaurant currently seats 78 interior seats, eight(8) of which are bar seats in compliance with the current CUP. There are 12 additional patio seats on the outside dining patio, which are available for dining after 4:00 pm only.

Suite 12 is currently approved by the City of Newport Beach as a retail usage with a net public area of 100 SF and six(6) seats. The current parking requirement for Suite 12 is 5/1000 and translates to six(6) parking spaces for the Suite 12 which is 1,200 SF. Applicant is not requesting any additional seating for Suite 12.

Applicant's request for Approval of Conditional Use Permit (ABO) permitting the expansion of Type 47 On-Sale General Eating Place License shall not require any additional parking other than that which is currently granted for Suites 11 and 12, which is currently Juliette Kitchen + Bar (formerly Tradition by Pascal). The current parking requirement and approval for Suite 11 is thirty(30) parking stalls and Suite 12 is six(6) parking stalls.

The project will employ approximately 7 employees that would be on-site at one time.

The surrounding land uses are as follows:

North: Commercial/Office.
South: Commercial/Office.
East: Commercial/Office

APPLICANT: Fountainhead Restaurant, Inc. dba "Juliette Kitchen + Bar"
REQUEST: Approval of Condition Use Permit (ABO) permitting the expansion of Type 47 On-Sale General Eating Place License (beer, wine and distilled spirits) to adjoining suite (#12) of the existing Juliette Kitchen + Bar (formerly Tradition by Pascal and commonly referred to as suite 11).
PROPOSED USE: Restaurant With On-Sale Service of Beer, Wine and Distilled Spirits
ADDRESS: 1000 Bristol St. North, Ste 11&12, Newport Beach, CA 92660

USE PERMIT APPLICATION JUSTIFICATION

The proposed project is for the approval of Conditional Use Permit (ABO) permitting the expansion of Type 47 On-Sale General Eating Place License (beer, wine and distilled spirits) to adjoining suite (#12) of existing Juliette Kitchen + Bar (formerly Tradition by Pascal and commonly referred to as Suite 11) located at 1000 Bristol St. North, Suite 11 & 12, Newport Beach, CA 92660. The existing restaurant is "Juliette Kitchen + Bar" and is owned and operated by John Hughes and Juliette Chung. "Juliette Kitchen + Bar" is a full service casual fine dining restaurant. The applicant currently operates Suite 11 with a Type 47 On-Sale Beer, Wine and Distilled Spirits Eating Place alcoholic beverage license. The proposal request meets the requirements set forth in the City of Newport Beach Municipal Code.

BURDEN OF PROOF:

1. The use is consistent with the General Plan and any applicable specific plan;

Response: The proposed use as a restaurant with beer, wine and distilled spirits is consistent with the Newport Beach General Plan and provisions of the Municipal Code.

2. The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code;

Response: The proposed use as a restaurant with beer, wine and distilled spirits is permitted in the zoning district and is subject to all the regulations, conditions, policies or other requirements of the Municipal Code. No construction will be required. This is an existing restaurant that has a Type 47 On-Sale General Eating Place license (beer, wine and distilled spirits). All existing construction (tenant improvements) has been previously approved and inspected by the City of Newport Beach.

3. The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity:

Response: The proposed use is not inconsistent with the adjacent uses and will not materially affect the surrounding community or environment. The proposed project is ideally suited for the airport area and is not located near any residences. The approval of the request that serves the local community and tourism, will not adversely affect the public's health, safety, welfare nor will it jeopardize or endanger the public. It will not be detrimental to the use, valuation or enjoyment of surrounding property owners or residents.

4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities;

Response: The proposed site, an existing shopping center, is not inconsistent with the adjacent uses and will not materially affect the surrounding community or environment. The proposed site is ideally suited for the airport area and is not located near any residences. The approval of the request that serves the local community and tourism, will not adversely affect the public's health, safety, welfare nor will it jeopardize or endanger the public. It will not be detrimental to the use, valuation or enjoyment of surrounding property owners or residents.

5. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, nor endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

Response: The proposed use will contribute to the economic growth of the City as it will serve the local community and tourism. The proposed project will not adversely affect the public's health, safety, welfare nor will it jeopardize or endanger the public. It will not be detrimental to the use, valuation or enjoyment of surrounding property owners or residents.

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Attachment No. ZA 4

Project Plans

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Cafe' Juliette

1000 Bristol Street North
Suite 11 & 12
Newport Beach, CA 92660

- In the case of emergency, call xxxxxxxx at Work Phone xxxxxxxx or Cell Phone xxxxxxxx
- Sediment from areas disturbed by construction shall be retained on site using structural controls to the maximum extent practicable.
- Stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
- Appropriate BMP's for construction-related materials, wastes, spills shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
- Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to reduce or remove sediment and other pollutants.
- All construction contractor and subcontractor personnel are to be made aware of the required best management practices and good housekeeping measures for the project site and any associated construction staging areas.
- At the end of each day of construction actively all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.
- Construction sites shall be maintained in such a condition that an anticipated storm does not carry wastes or pollutants off the site. Discharges of material other than storm water only when necessary for performance and completion of construction practices and where they do not cause or contribute to a violation of any water quality standard, cause or threaten to cause pollution, contamination, or nuisance; or contain a hazardous substance in a quantity reportable under Federal Regulations 40 CFR Parts 117 and 302.
- Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, glues, limes, pesticides, herbicides, wood preservatives and solvents; asbestos fibers, point flakes or stucco fragments; fuels, oils, lubricants, and hydraulic radiator or battery fluids; fertilizers, vehicle/equipment wash water and concrete wash water; concrete, detergent or floatable wastes; wastes from any engine/equipment steam cleaning or chemical degreasing and superchlorinated potable water line flushing. During construction, permitted shall dispose of such materials in a specified and controlled temporary area on-site, physically separated from potential storm water runoff, with ultimate disposal in accordance with local site requirements.
- Dewatering of contaminated groundwater or discharging contaminated soils via surface erosion is prohibited—Dewatering of non-contaminated groundwater requires a National Pollutant Discharge Elimination System Permit from the respective State Regional Water Quality Control Board.
- Graded areas Monte permitted area perimeter drain away from the face of slopes at the conclusion of each working day. Drainage is to be directed toward desiring facilities.
- The permittee and contractor shall be responsible and shall take necessary precautions to prevent public trespass onto areas where impounded water creates a hazardous condition.
- The permittee and contractor shall inspect the erosion control work and insure that the work is in accordance with the approved plans.
- The permittee shall notify all general contractors, subcontractors, material suppliers, lessees, and property owners that dumping of chemicals into the storm drain system or the watershed is prohibited.
- Equipment and workers for emergency work shall be made available at all times during the rainy season. Necessary materials shall be available on site, and stockpiled at convenient locations to facilitate rapid construction of temporary devices when rain is imminent.
- All removable erosion protective devices shall be in place at the end of each working day when the 5-Day Pain Probability Forecast exceeds 40%.
- Sediments from areas disturbed by construction shall be retained on site using an effective combination of erosion and sediment controls to the maximum extent practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
- Appropriate BMP 's for construction-related materials, wastes, spills or residues shall be implemented and retained on site to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff.

DEFERRED SUBMITTAL LIST:

PLANS FOR MODIFICATION TO THE EXISTING FIRE SPRINKLER SYSTEM MUST BE SUBMITTED TO THE BUILDING DEPARTMENT FOR REVIEW PRIOR TO MAKING CHANGES TO THE SYSTEM.

PLANS FOR MODIFICATION TO THE EXISTING FIRE SUPPRESSION SYSTEM AT KITCHEN HOOD MUST BE SUBMITTED TO THE BUILDING DEPARTMENT FOR REVIEW PRIOR TO MAKING CHANGES TO THE SYSTEM.

PROJECT INFORMATION

PROJECT TITLE: CAFE JULIETTE RESTAURANT
PROJECT LOCATION: 1000 BRISTOL STREET NORTH SUITE 11 & 12 NEWPORT BEACH CA 92660

APN#: CG
ZONE: A-2 - M
OCCUPANCY GROUP: V-B
CONSTRUCTION TYPE: YES
SPRINKLERED: YES

SQUARE FOOTAGE:
EXISTING OCCUPANCY: RESTAURANT, RETAIL
PROPOSED OCCUPANCY: RESTAURANT, RETAIL

CODE SUMMARY

APPLICABLE CODES:
THE CALIFORNIA BUILDING CODE, 2010
THE CALIFORNIA MECHANICAL CODE (CMC), 2010 EDITION.
THE CALIFORNIA PLUMBING CODE (CPC), 2010 EDITION
THE CALIFORNIA ELECTRIC CODE (CEC), 2010 EDITION
AMERICAN WITH DISABILITIES ACT, ACCESSIBILITY GUIDELINES (ADAAG)
2008 CALIFORNIA BUILDING ENERGY EFFICIENT STANDARDS.
2010 CALIFORNIA FIRE CODE

SCOPE OF WORK:

- REMODEL OF EXISTING RESTAURANT.
- WALL OPENING INTO ADJACENT SPACE FOR RETAIL STORE.

TENANT

FOUNTAINHEAD RESTAURANT, INC.
1919 HELIOTROPE DRIVE
SANTA ANA, CA 92706
(714) 280-5404
JOHN HUGHES

ARCHITECT

RTA, INC.
P.O. BOX 1512
NEWPORT BEACH, CA 92659
(949) 650-9876
ATTN: BOB THORNTON

BUILDING OWNER

THE CALIFORNIA COMPANY, LSW, Ltd.
1603 EMERALD BAY
LAGUNA BEACH, CA 92651
(949) 497-5407 X 18
FAX (949) 376-2197

MP & E ENGINEER

JS ENGINEERING
705 LOS OLOVOS DR
SAN GABRIEL, CA 91775
(626) 497-0558

DRAWING INDEX

ARCHITECTURAL

CS COVER SHEET

A-0.1 AREA INCREASE PLAN
A-0.2 NOTES AND PLANNING APPROVAL
A-0.3 HANDICAP NOTES
A-1 DEMOLITION PLAN
A-2 PROPOSED CONSTRUCTION PLAN RESTROOM PLANS AND ELEVATIONS SEATING PLAN
A-3 RESTROOM PLAN AND ELEVATIONS REFLECTED CEILING PLAN
A-4 DETAILS
D-1 DETAILS
D-2 DETAILS

STRUCTURAL

A-1* PROJECT INFO.
A-2* KITCHEN LAYOUT PLAN
A-3* WALL OPENING PLAN

ELECTRICAL

E-1 PANEL SCHEDULE
E-2 ELECTRIC PLAN

MECHANICAL

M-1 MECHANICAL PLAN
M-2 ROOF PLAN
M-3 HOOD SHEET
M-4 DUCT DETAILS

PLUMBING

P-1 PLUMBING ISOMETRIC
P-2 PLUMBING PLAN

FLOOR AREA CALCULATIONS

OCCUPANCY LOAD CALCULATIONS PER SQUARE FOOT (2010) CBC

CAFE' JULIETTE RESTAURANT

AREA USE	OCCUPANCY LOAD FACTOR	SQUARE FOOT	NO. OF OCCUPANTS
DINING ROOM	1/15	1,016 SF.	68
BAR AREA	1/200	188 SF.	2
KITCHEN	1/200	756 SF.	4
RESTROOM	1/300	182 SF.	1
HALL	1/300	158 SF.	1
TOTAL		2,300 SF.	76 PERSONS

2 EXITS PROVIDED, EXITS LOCATED MORE THAN 1/3 DISTANCE APART

JULIETTE WINE RETAIL SPACE

AREA USE	OCCUPANCY LOAD FACTOR	SQUARE FOOT	NO. OF OCCUPANTS
RETAIL AREA	1/30	627 SF.	21
OFFICE	1/100	103 SF.	2
JANITOR CLO.	1/300	40 SF.	1
RESTROOM	1/300	55 SF.	1
STORAGE	1/300	375 SF.	2
TOTAL		1,200 SF.	27 PERSONS

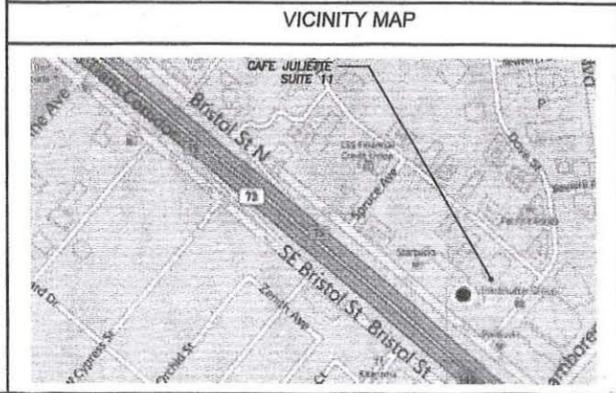
ONE REQUIRED EXIT PROVIDED.

PLUMBING FIXTURE COUNT PER CPC 2012 TABLE 4-1A

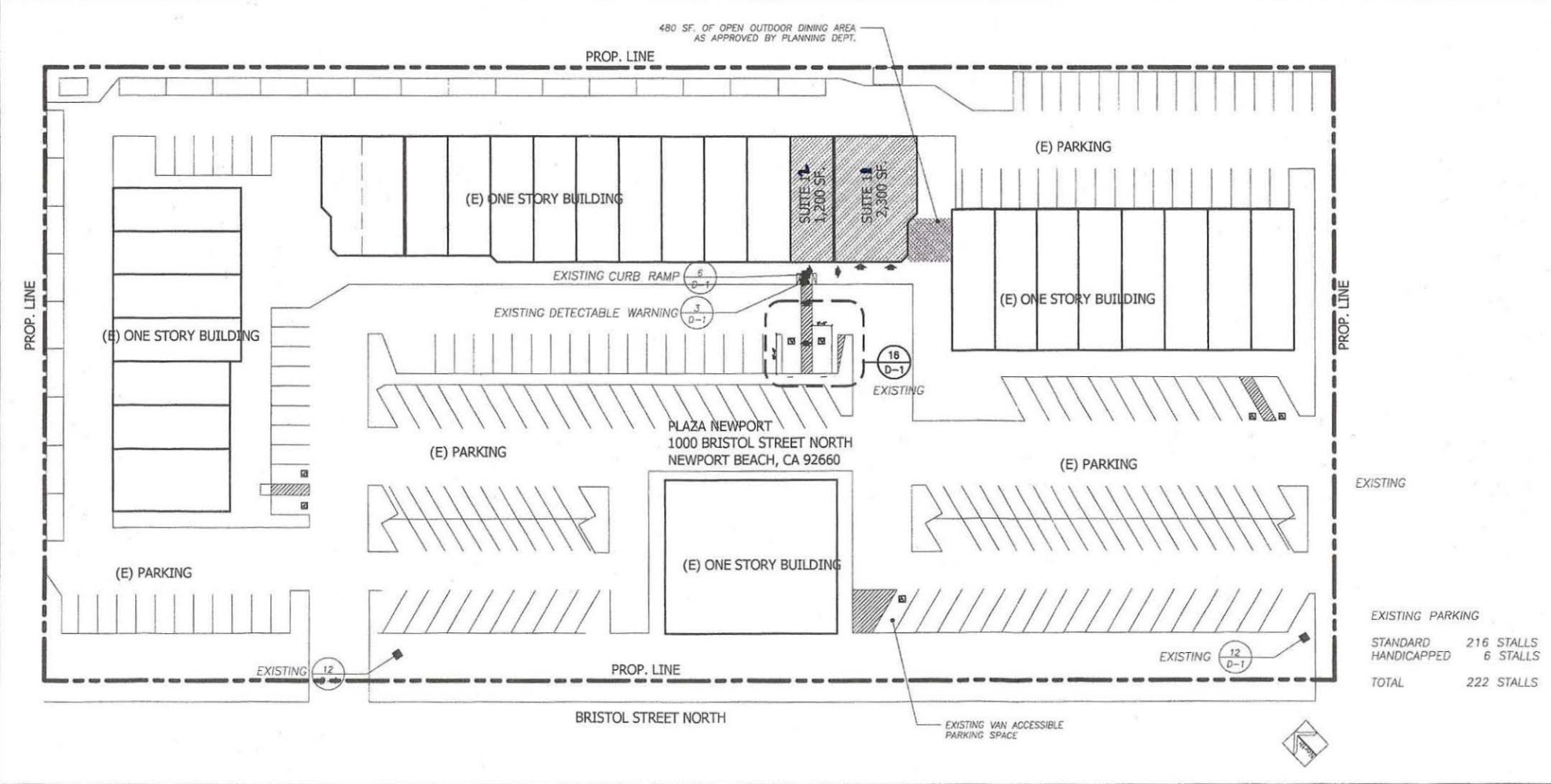
RESTAURANT: 2,300/30= 77 PERSONS
OUTDOOR: 480 / 30= 16 PERSONS
RETAIL: 1,200/200= 6 PERSON
TOTAL: 99 PERSONS

50 MEN AND 50 WOMEN

FIXTURES PROVIDED
MEN: 1 LAVATORY, 1 WATER CLOSET, 1 URINAL
WOMEN: 2 LAVATORY, 2 WATER CLOSET



SITE PLAN SCALE: 1"=30'-0"



EXISTING PARKING

STANDARD	216 STALLS
HANDICAPPED	6 STALLS
TOTAL	222 STALLS



Cafe' Juliette
1000 Bristol Street North
Suite 11 & 12
Newport Beach, CA 92660

COVER SHEET

REVISIONS	DATE



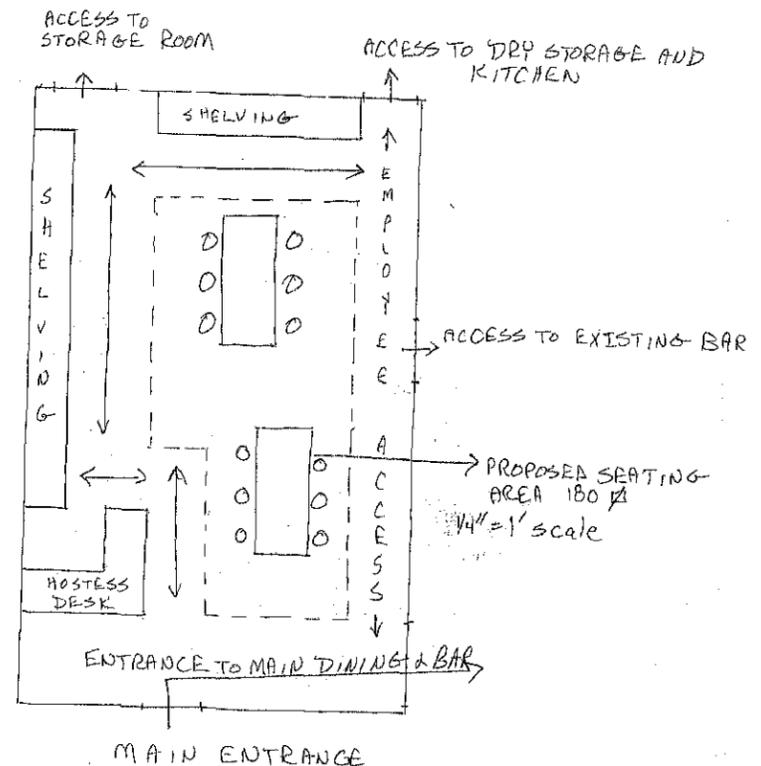
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PA2013-248 for UP2013-029
1000 Bristol Street North, Suite 11 & 12
Fountainhead Restaurant, Inc., dba Juliette Kitchen + Bar

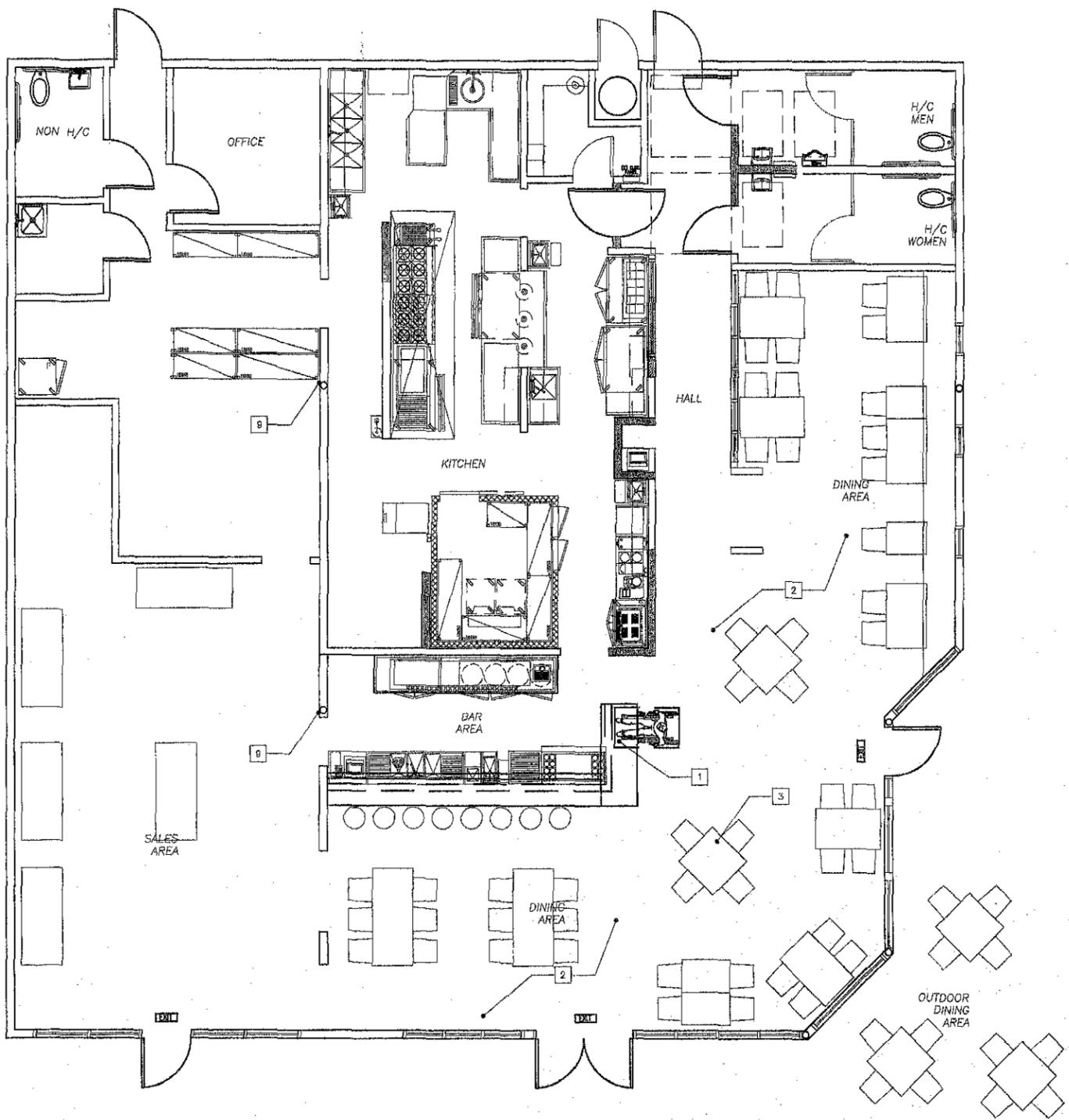
THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF RTA, INC. AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY AGREEMENT WITH RTA, INC. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB SITE. ANY DISCREPANCY SHALL BE BROUGHT TO THE NOTICE OF RTA, INC. PRIOR TO THE COMMENCEMENT OF ANY WORK.

ADDENDUM 'A'

JF JULIETTE KITCHEN + BAR
 1000 BRISTOL STREET NORTH, STE. 11 & 12
 NEWPORT BEACH, CA 92660
 714-280-5404



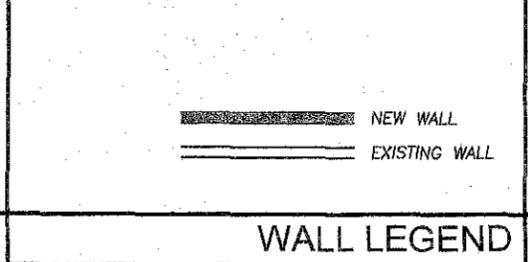
PROPOSED SEATING AREA FOR EATING AND DRINKING WITH EXISTING TYPE 47 LIQUOR LICENSE DURING THE HOURS OF 4 PM TO 11 PM SEVEN DAYS A WEEK, IN THE FRONT PORTION OF SUITE 12.



1 SEATING PLAN
 Scale: 1/4" = 1'-0"

GENERAL NOTES

ALL AISLES SERVING ONE SIDE ARE A MINIMUM OF 36" IN WIDTH.
 ALL AISLES SERVING BOTH SIDES ARE A MINIMUM OF 44" IN WIDTH.



- KEYED NOTES
- 1 ACCESSIBLE BAR AREA: 19" DEEP AND 27" HIGH MINIMUM KNEE SPACE, 36" LONG IN WIDTH AND NO MORE THAN 28" - 34" HIGH
 - 2 ALL AISLES SERVING ONE SIDE ARE A MINIMUM OF 36" IN WIDTH. ALL AISLES SERVING BOTH SIDES ARE A MINIMUM OF 44" IN WIDTH.
 - 3 HANDICAP ACCESSIBLE DINING TABLE WITH PLAQUE DESIGNATION. KNEE HEIGHT MIN. 27", 34" MAX. HEIGHT AND 30" MIN WIDTH.



Cafe Juliette
 1000 Bristol Street North
 Suite 11 & 12
 Newport Beach, CA 92660

SEATING PLAN

REVISIONS	
DATE	



SHEET
A-3
 32 OF

MAY 18 2011



COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915
(949) 644-3200 Fax: (949) 644-3229
www.newportbeachca.gov

**CITY OF NEWPORT BEACH
ZONING ADMINISTRATOR STAFF REPORT**

March 27, 2014
Agenda Item No. 2:

SUBJECT: Club Detox MUP - (PA2014-023)
1040 Bayside Drive
▪ Minor Use Permit No. UP2014-003

APPLICANT: Irvine Company

PLANNER: Benjamin M. Zdeba, Assistant Planner
(949) 644-3253, bzdeba@newportbeachca.gov

ZONING DISTRICT/GENERAL PLAN

- **Zone:** CN (Commercial Neighborhood)
- **General Plan:** CN (Neighborhood Commercial)

PROJECT SUMMARY

A minor use permit to allow a Personal Services, Restricted use in conjunction with a Take-out Service, Limited Eating and Drinking Establishment use. The applicant proposes to provide sauna treatments, nutritional and lifestyle coaching, and an accessory use preparing and selling natural vegetable and fruit juices for both off- and on-site consumption with seating for four patrons. The proposed hours of operation are between 8:00 a.m. and 9:00 p.m., Monday through Friday, 9:00 a.m. and 6:00 p.m. on Saturday, and 10:00 a.m. and 4:00 p.m. on Sunday.

RECOMMENDATION

- 1) Conduct a public hearing; and
- 2) Adopt Draft Zoning Administrator Resolution No. ZA2014-___ approving Minor Use Permit No. UP2014-003 (Attachment No. ZA 1).

DISCUSSION

- The subject tenant space is located within the Bayside Shopping Center. Adjacent uses include multi-family residential communities to the north and south, single-family residential properties to the east across Jamboree Road, and the Bayside Restaurant to the west.
- The proposed project includes sauna treatments, nutritional and lifestyle coaching, and an accessory use preparing and selling natural vegetable and fruit juices for both off- and on-site consumption with seating for four patrons. A day spa is classified as a Personal Services, Restricted use under Zoning Code Chapter 20.70 (Definitions) and requires the approval of a minor use permit in all commercial zoning districts. The on-site service and retail sale of juices is considered a Take-out Service, Limited Eating and Drinking Establishment use which also requires a minor use permit when proposed within 500 feet of a residential zoning district. In this case, the nearest residential zoning district is directly north of the project site (PC-12, Promontory Point).
- The proposed project will be located in a vacant tenant space formerly occupied by a beauty salon (Personal Service, General use) in the multi-tenant building of the shopping center. Access to the center is obtained through three separate driveways along Bayside Drive. The shopping center is developed with approximately 56,000 square feet of gross building area comprised of one large multi-tenant building and one smaller pad building. Existing uses within the shopping center include retail sales, personal services, restaurants, and a bank. The nearly 5-acre site is also developed with a 267-space parking area.
- The General Plan designates this site as Neighborhood Commercial (CN) and the Zoning Code designates the site as Commercial Neighborhood (CN). The CN designation is intended to provide for a limited range of retail and service uses developed in one or more distinct centers oriented to primarily serve the needs of and maintain compatibility with residential uses in the immediate area. The proposed project is consistent with this land use designation as it will provide an additional service within the Bayside Shopping Center to the nearby residential communities. The operation has also been conditioned to help ensure it maintains compatibility with both commercial and residential uses in the immediate area.
- The requested hours of operation are between 8:00 a.m. and 9:00 p.m., Monday through Friday, 9:00 a.m. and 6:00 p.m. on Saturday, and 10:00 a.m. and 4:00 p.m. on Sunday. Staff recommends allowing the establishment to operate between 8:00 a.m. and 9:00 p.m., daily to allow for greater flexibility.
- Although four seats are proposed at this time, staff recommends a condition of approval to allow up to six seats maximum, consistent with the seat allowance for a take-out service, limited eating and drinking establishment use.

- The Bayside Shopping Center utilizes a shopping center parking requirement consistent with Zoning Code Section 20.40.050 (Parking Requirements for Shopping Centers). Under this section, the shopping center may be parked at a rate of one parking space per every 200 square feet of gross floor area on the condition that it is less than 100,000 square feet in gross building area and has a limited amount of eating and drinking establishment uses. The change of use from a beauty salon to a day spa will not incur any additional parking space requirements.
- Staff believes the project is compatible with existing and allowed uses within the shopping center and surrounding area and that findings for approval can be made.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15301, of the State CEQA (California Environmental Quality Act) Guidelines - Class 1 (Existing Facilities). This exemption includes the ongoing use of existing buildings where there is negligible or no expansion of use. The proposed project involves interior improvements to an existing tenant space formerly occupied by a beauty salon to a new day spa and take-out service, limited eating and drinking establishment which is a negligible expansion of use.

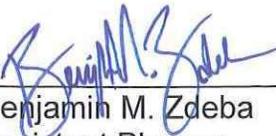
PUBLIC NOTICE

Notice of this application was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways), including the applicant, and posted on the subject property at least 10 days before the scheduled hearing, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

APPEAL PERIOD

An appeal may be filed with the Director of Community Development within 14 days following the date of action. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

Prepared by:



Benjamin M. Zdeba
Assistant Planner

GR/bmz

Attachments: ZA 1 Draft Resolution
 ZA 2 Vicinity Map
 ZA 3 Applicant's Project Description and Justification
 ZA 4 Club Detox Information Package
 ZA 5 Project Plans

Attachment No. ZA 1

Draft Resolution

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RESOLUTION NO. ZA2014-____

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MINOR USE PERMIT NO. UP2014-003 FOR A PERSONAL SERVICES, RESTRICTED USE AND RELATED TAKE-OUT SERVICE, LIMITED EATING AND DRINKING ESTABLISHMENT USE LOCATED AT 1040 BAYSIDE DRIVE (PA2014-023)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by the Irvine Company, with respect to property located at 1040 Bayside Drive, and legally described as Parcel 1 of Lot Line Adjustment No. LLA 98-06 requesting approval of a minor use permit.
2. The applicant proposes a minor use permit to allow a Personal Services, Restricted use in conjunction with a Take-out Service, Limited Eating and Drinking Establishment use. The applicant proposes to provide sauna treatments, nutritional and lifestyle coaching, and an accessory use preparing and selling natural vegetable and fruit juices for both off- and on-site consumption with seating for four patrons. The proposed hours of operation are between 8:00 a.m. and 9:00 p.m., Monday through Friday, 9:00 a.m. and 6:00 p.m. on Saturday, and 10:00 a.m. and 4:00 p.m. on Sunday.
3. The subject property is located within the Commercial Neighborhood (CN) Zoning District and the General Plan Land Use Element category is Neighborhood Commercial (CN).
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Neighborhood Commercial (CN).
5. A public hearing was held on March 27, 2014, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project has been determined to be categorically exempt pursuant to Title 14 of the California Code of Regulations (Section 15315, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act) under Class 1 (Existing Facilities). The Class 1 exemption includes the ongoing use of existing buildings where there is negligible or no expansion of use.

2. The proposed project involves interior improvements to an existing retail tenant space to establish a day spa and take-out service, limited eating and drinking establishment use and no expansion of gross floor area. Therefore, the project qualifies for a categorical exemption under Class 1.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.52.020.F (Findings and Decision) of the Newport Beach Municipal Code (NBMC), the following findings and facts in support of the Minor Use Permit are set forth:

Finding:

- A. *The use is consistent with the General Plan and any applicable specific plan.*

Facts in Support of Finding:

1. The General Plan Land Use designation for this site is CN (Neighborhood Commercial). The CN designation is intended to provide for a limited range of retail and service uses developed in one or more distinct centers oriented to primarily serve the needs of and maintain compatibility with residential uses in the immediate area. The proposed project is consistent with this land use designation as it will provide an additional service within the Bayside Shopping Center to the nearby residential communities. The operation has also been conditioned to help ensure it maintains compatibility with both commercial and residential uses in the immediate area.
2. The subject property is not part of a specific plan area.

Finding:

- B. *The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.*

Facts in Support of Finding:

1. The site is located in the Commercial Neighborhood (CN) Zoning District. This designation is intended to provide for areas appropriate for a limited range of retail and service uses developed in one or more distinct centers oriented to serve primarily the needs of and maintain compatibility with residential uses in the immediate area. The proposed personal services, restricted and take-out service, limited eating and drinking establishment uses provide a service to the neighboring residential areas.
2. Within Section 20.20.020 (Commercial Zoning Districts Land Uses and Permit Requirements) of the Zoning Code, the CN District allows personal services, restricted uses subject to the approval of a minor use permit. Take-out service, limited eating and drinking establishment uses are also required to obtain a minor use permit when proposed within 500 feet of a residential zoning district.

3. The Bayside Shopping Center utilizes a shopping center parking requirement consistent with Zoning Code Section (20.40.050 Parking Requirements for Shopping Centers). Under this section, the shopping center may be parked at a rate of one parking space per every 200 square feet of gross floor area on the condition that it is less than 100,000 square feet in gross building area and has a limited amount of eating and drinking establishment uses. The change of use from a beauty salon to a day spa with a take-out service, limited eating and drinking establishment use will not necessitate any additional parking space requirements.

Finding:

- C. *The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.*

Facts in Support of Finding:

1. The personal services, restricted and take-out service, limited eating and drinking establishment uses will occupy an existing 1,500-square-foot tenant space within the Bayside Shopping Center. The space will be improved with five sauna rooms, a small-scale kitchen, and a juice counter. Seating for up to four patrons is proposed; however, as conditioned a maximum of six seats are allowed within the establishment as a convenience to patrons of the accessory food service use.
2. The project is located within the Bayside Shopping Center. Nearby uses include residential, personal services, retail sales, eating and drinking establishments, and a bank. The operational characteristics of the project are primarily that of a day spa and are compatible with the residential and other commercial uses in the vicinity.
3. As conditioned, the allowed hours of operation are 8:00 a.m. to 9:00 p.m., daily, thereby limiting the likelihood of late night/early morning land use conflicts with nearby residences and businesses.

Finding:

- D. *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.*

Facts in Support of Finding:

1. The Bayside Shopping Center is approximately five acres and is developed with approximately 56,000 square feet comprised of one large multi-tenant building, one smaller pad building, and a parking lot area. The existing buildings and parking lot have functioned satisfactorily with the current configuration which allows vehicular access from three separate driveways along Bayside Drive.

2. Adequate public and emergency vehicle access, public services, and utilities are provided within the existing property and the proposed project will not negatively affect emergency access.

Finding:

E. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

Facts in Support of Finding:

1. The use will serve the surrounding commercial and residential community, as well as visitors to the area.
2. The operation has been conditioned with limited hours of operation to help minimize any potential detriment to the area.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Minor Use Permit No. UP2014-003, subject to the conditions set forth in Exhibit "A", which is attached hereto and incorporated by reference.
2. This action shall become final and effective 14 days after the adoption of this Resolution unless within such time an appeal is filed with the Community Development Director in accordance with the provisions of Title 20 (Planning and Zoning), of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 27TH DAY OF MARCH, 2014.

Brenda Wisneski, AICP, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval. (Except as modified by applicable conditions of approval.)
2. All proposed signs shall be in conformance with the approved Comprehensive Sign Program for the project site and provisions of Chapter 20.42 (Signs) of the Newport Beach Municipal Code.
3. Minor Use Permit No. UP2014-003 shall expire unless exercised within 24 months from the date of approval as specified in Section 20.54.060 of the Newport Beach Municipal Code, unless an extension is otherwise granted.
4. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
5. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Use Permit.
6. This Minor Use Permit may be modified or revoked by the Zoning Administrator if it is determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
7. The hours of operation for the establishment shall be limited to between the hours of 8:00 a.m. and 9:00 p.m., daily.
8. A maximum number of six seats may be provided inside the establishment.
9. The maximum number of employees working at any one time shall be four.
10. Any change in operational characteristics, expansion in area, or other modification to the approved plans, may require an amendment to this Minor Use Permit or the processing of a new use permit.
11. A copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
12. Prior to issuance of building permits, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Minor Use Permit file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only

and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Minor Use Permit and shall highlight the approved elements such that they are readily discernible from other elements of the plans.

13. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
14. Construction activities shall comply with Section 10.28.040 of the Newport Beach Municipal Code, which restricts hours of noise-generating construction activities that produce noise to between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday and 8:00 a.m. and 6:00 p.m. on Saturday. Noise-generating construction activities are not allowed on Sundays or Holidays.
15. No outside paging system shall be utilized in conjunction with this establishment.
16. All trash shall be stored within the building or within dumpsters stored in the trash enclosure (three walls and a self-latching gate) or otherwise screened from view of neighboring properties, except when placed for pick-up by refuse collection agencies. The trash enclosure shall have a decorative solid roof for aesthetic and screening purposes.
17. The exterior of the business shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter debris and graffiti from the premises and on all abutting sidewalks within 20 feet of the premises.
18. The applicant shall ensure that the trash dumpsters and/or receptacles are maintained to control odors. This may include the provision of either fully self-contained dumpsters or periodic steam cleaning of the dumpsters, if deemed necessary by the Planning Division. Cleaning and maintenance of trash dumpsters shall be done in compliance with the provisions of Title 14, including all future amendments (including Water Quality related requirements).
19. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m., daily, unless otherwise approved by the Director of Community Development, and may require an amendment to this Minor Use Permit.
20. Storage outside of the building in the front or at the rear of the property shall be prohibited, with the exception of the required trash container enclosure.
21. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.

22. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 20 (Planning and Zoning) of the Newport Beach Municipal Code.
23. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Club Detox MUP including, but not limited to, the Minor Use Permit No. UP2014-003 (PA2014-023). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.
24. The applicant is required to obtain all applicable permits from the City's Building Division and Fire Department. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access requirements. Approval from the Orange County Health Department is required prior to the issuance of a building permit.

DRAFT

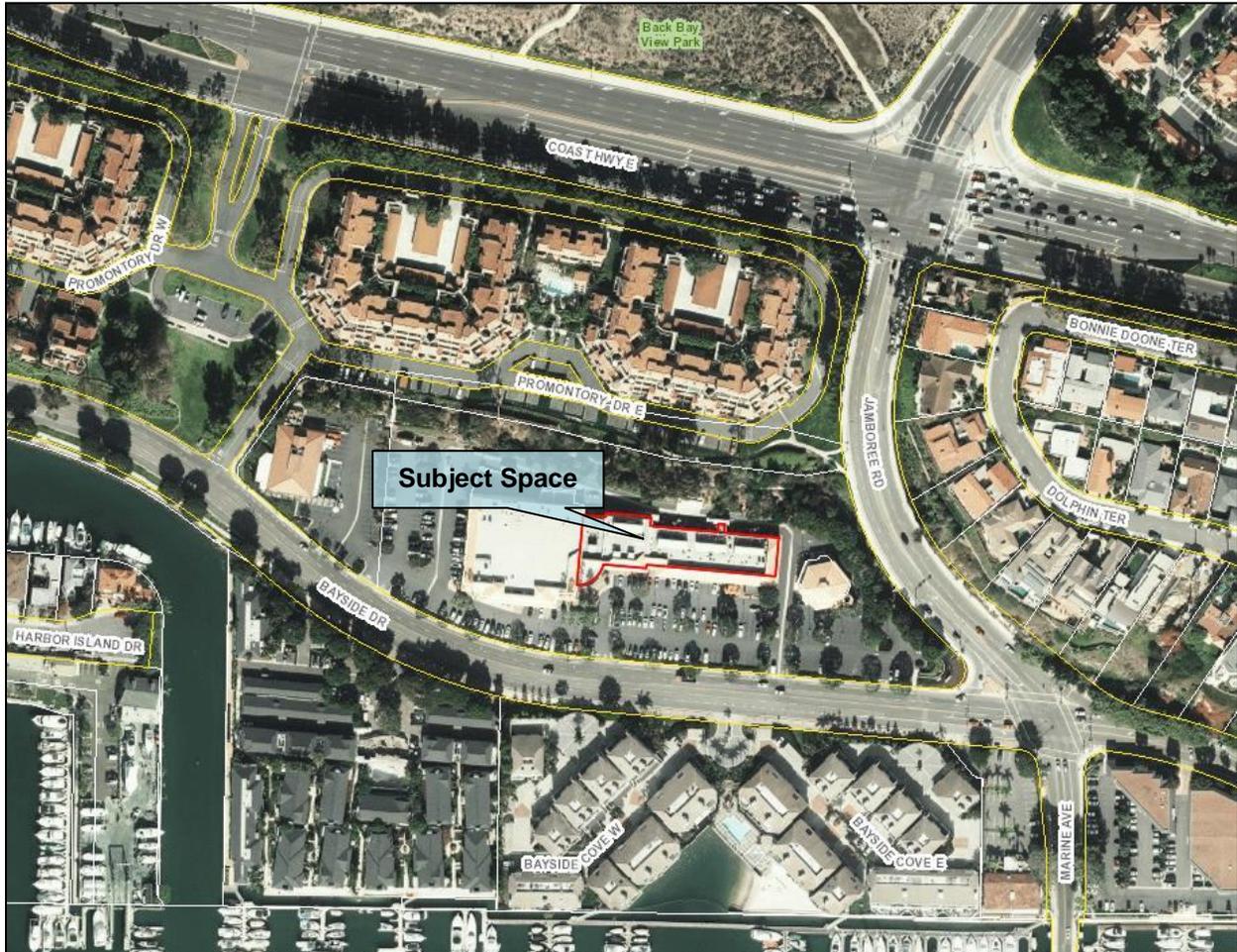
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Attachment No. ZA 2

Vicinity Map

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VICINITY MAP



Minor Use Permit No. UP2014-003
PA2014-023

1040 Bayside Drive

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Attachment No. ZA 3

Applicant's Project Description and
Justification

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CAA PLANNING

February 13, 2014

Ms. Brenda Wisneski
Deputy Community Development Director
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Subject: Minor Use Permit Application, 1040 Bayside Drive, Bayside Shopping Center

Dear Ms. Wisneski:

On behalf of Irvine Company, CAA Planning, Inc. (CAA) submits the enclosed Minor Use Permit application to allow a Personal Services – Restricted establishment with accessory retail sales, doing business as Club Detox to be located at 1040 Bayside Drive within the Bayside Shopping Center (Center).

Background

The space located at 1040 Bayside Drive is one of the inline spaces within the Center with an existing floor area of 1,500 square feet. The previous tenant was Salon L, a hair salon offering haircuts, hair styling, hair coloring, and bridal services with accessory retail sales of various hair products. The parking requirement for the Salon L was 8 spaces per the Zoning Code requirements for shopping centers (Section 20.40.050) which is 1 space/200 square feet of gross floor area.

Proposed Project

Club Detox will offer sauna treatments with accessory retail sales of natural juices as detailed below:

- Sauna treatments for members and walk-ins
- Nutritional/lifestyle coaching
- Retail sales of alkaline living water and natural vegetable and fruit juices which are prepared and bottled on site
- Retail sales of alkaline living water and natural vegetable and fruit juices prepared for on-site consumption with seating for four
- The hours of operation are M-F 8am-9pm, Sat 9am-6pm, Sun 10am-4pm

Additional information regarding the services offered at Club Detox can be found at their website <http://clubdetox.com>. Selected pages from the website are attached for your reference.

The only improvements at the site will be the tenant improvements inside the space. There will be no change in gross floor area. Therefore the parking requirement will remain at 8 spaces.



Ms. Brenda Wisneski
February 13, 2014
Page 2 of 2

The seating for on-site consumption is primarily for members availing themselves of the sauna and the nutritional/lifestyle coaching or to purchase bottled beverages to take off-site. Although walk-ins can purchase and consume beverages on-site, the primary function of the seating is accessory to sauna and the nutritional/lifestyle coaching.

We believe that the Zoning Administrator will be able to make the appropriate findings for approval the Club Detox. If you have any questions or concerns, please do not hesitate to contact me at 949-581-2888.

Sincerely,

CAA PLANNING, INC.

A handwritten signature in blue ink, reading "Shawna L. Schaffner". The signature is fluid and cursive.

Shawna L. Schaffner
Chief Executive Officer

Attachments: Minor Use Permit Application
Tenant Improvement Plans – 3 standard sets, 4 reduced sets, and CD
Authorization Letter
300' Radius Map and Mailing Labels
Club Detox Information Package

c: Ms. Paulette Alexander, Irvine Company Retail Properties

Attachment No. ZA 4

Club Detox Information Package

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clubDetox
 27932 La Paz Road, Suite C
 Laguna Niguel, CA 92677
 Orange County - 949-484-4322



Far Infrared Sauna

Juice Detox Programs

Alkaline Living Water

Food & Nutrition



GAIN ENERGY

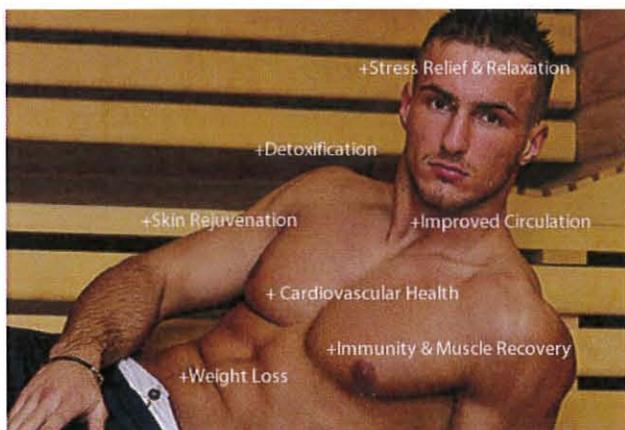


LOSE WEIGHT



PREVENT DISEASE

Far Infrared Sauna *Detoxification & Rejuvenation*



Very important component to achieve a complete cleanse. Stored toxins (if you live on this planet you absorb toxins on daily basis) cannot be processed nor disregarded by a human body itself.

These toxins cause major harm and damage (mimic chronic disease, damage DNA and endocrine system, harden arteries etc.). FIR sauna is the best natural technique to remove toxins from your body.

10% OFF
 For First Time
 Infrared Sauna
 Session!

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 Orange County - 949-484-4322

Your health & wellness
 is our success!™

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THE BENEFITS OF FAR INFRARED SAUNAS

- Detoxification (remove harmful poisons & pollutants from human system)
- Improved circulation (deliver needed oxygen & nutrients)
- Improve heart health
- Lose weight (burn 500-900 calories per session)
- Pain relief (rebuild & repair injured tissue)
- Slow down aging
- Improve skin condition
- Relax brain & eliminate stress

Packages	Price
Single	\$35
Package of 5	\$150
Package of 10	\$250
Pass	
Unlimited Monthly	\$299
Membership	
Silver Membership (includes: 2 sauna sessions per week, 8 sessions per month; 1 free 34oz alkaline living water upon sign up) \$287 value	\$99/month



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Far Infrared Sauna

Juice Detox Programs

Alkaline Living Water

Food & Nutrition



GAIN ENERGY

LOSE WEIGHT

PREVENT DISEASE

Juice Cleansing Programs

*Your health & wellness
is our success!™*

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Juice Cleanse

Our 100% natural, freshly squeezed juices provide highly concentrated vitamins, minerals, proteins, enzymes and phytonutrients. Never any sweeteners, additives or preservatives. Made only as Mother Nature created and intended to nourish and celebrate your health, energy & beauty. This is your supersized salad in a bottle.

Our juice cleanse is all about vitamins, minerals, enzymes, proteins and phytonutrients in the highest concentration possible. Our juices are made fresh and to your order to provide the highest nutritional and enzyme quality. Nothing is ever sitting around for days waiting to be sold. There are never any sweeteners, additives or preservatives. Made only as Mother Nature created and intended to nourish your health, energy and beauty.

With juicing you receive beneficial enzymes which are found in raw foods. The enzymes have a vital role in converting food into body tissue and energy. They are also involved in the function of metabolism and increase the metabolic rate.

"There are many health benefits of drinking freshly juiced fruits and vegetables, and it's a great way to add nutrients from the fruits or vegetables that you normally wouldn't eat. Fruit and vegetable juices retain most of the vitamins, minerals and plant chemicals (phytonutrients) that would be found in the whole versions of those foods. These nutrients can help protect against cardiovascular disease, cancer and various inflammatory diseases, like rheumatoid arthritis. Valuable compounds called flavonoids and anthocyanins are abundant in a variety of fruits and vegetables and guard against oxidative cellular damage, which comes from everyday cellular maintenance and is exacerbated by exposure to chemicals and pollution." Dr. Oz

Juicing also ensures that the body is getting sufficient amounts of photochemicals, substances most powerful in fighting disease.

It is simply impossible to eat such high doses of vegetables and fruits (about 25-30lb per day) available in juice "feasting". Raw juicing not only eliminates the need for chewing but it minimizes body's digestive effort, since nutrients are absorbed into blood stream within minutes.

The available live enzymes are the horsepower for your body performing over thousand important life-supporting functions. They help repair our DNA, digest food and assimilate the nutrients within food just to mention a few. Dead processed and cooked food has few if any live enzymes because they die when heated above 118 degrees.



Click here for to start your body make-over today:
[Detox Programs & Pricing](#)

Our raw juice cleanse is a nutrient dense way to alkalize body and infuse cells with high dose of phytochemicals, which help fight and prevent disease. Eliminating solid foods allows body to conserve energy and utilize it for healing and restoration. Juice cleansing eliminates toxins, rebalances the body and eliminates inflammation. It clears the body of mucus and synthetic poisons to allow proper nutrient absorption and to balance your pH scale, letting the body be alkaline at 7.35. An alkaline environment means healthy body setting where disease simply has no chance to survive.

Not only does juicing provide nutritional benefits but it also accelerates recovery from illness. In fact, juicing with specific combinations of vegetables and fruits can target particular conditions and therefore, improve or alleviate symptoms.



clubDetox
27932 La Paz Road, Suite C
Laguna Niguel, CA 92677
Orange County - 949-484-4322






Far Infrared Sauna

Juice Detox Programs

Alkaline Living Water

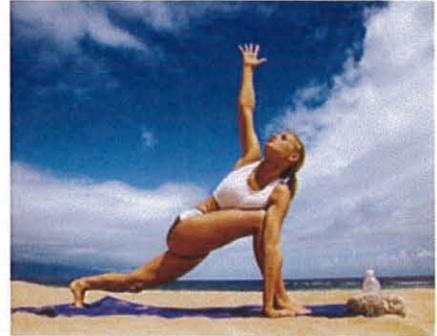
Food & Nutrition



GAIN ENERGY



LOSE WEIGHT



PREVENT DISEASE

Alkaline Living Water

*Your health & wellness
is our success!™*

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Our body consists of 70% of water, so, it makes sense that proper hydration is vital to our health and prosperity. Not all waters however are the same. Most tap water has been stripped out of important minerals. Its structure has been broken up through its long journey from the source and chemical contact.

Even your plastic-bottled water presents a danger as it might have absorbed harmful chemicals from its contact with plastic. When such water enters your body, it is toxic and thus, does not hydrate you properly and speeds up the aging process. It also contributes to weight and health problems. Your body seeks alkaline living water and that's what clubDetox delivers to you during your visit and also to your home.

34oz bottle of Alkaline Living water



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 Orange County - 949-484-4322



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Juice Detox Programs

Alkaline Living Water

Food & Nutrition



PURIFY



REJUVENATE



SCULPT

Food & Nutrition

We are what we eat

*Your health & wellness
 is our success!™*

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It matters what you put into your body. Your body is your temple and the biggest possession you will ever own. It is the only body you will have for this lifetime and it makes sense to treat it the best.

We would like to show you how to cook highly nutritional meals and use food as a medicine, to make every meal count in preventing chronic disease, lack of energy and weight issues. We combine nutritional science, love for cooking and healing effects of different foods to create beautiful delicious dishes. Through our planning you will never run out of ideas what to cook and our service will save you money with \$15 per day budget for family of four.

Each week we will provide weekly dinner recipes with a shopping list, nutritional value and how the specific dish heals. These recipes are carefully structured to provide all needed vitamins, minerals, enzymes, living proteins but also phytonutrients. Phytonutrients are vital compounds to protect your body from unwanted free radicals and oxidative effects leading into chronic disease such as cancer, diabetes, heart disease, ADD, ADHD, Alzheimer's and other ills.

Our recipes are easy to make and you don't need to worry about calorie, carbs nor fat count. The recipes are designed with fresh natural ingredients, which will turn into energy (unlike low calorie synthetic food turning into unwanted fat and eventually disease) to empower you rather than making you fat, sick and tired.

The cost for this recipe service is only \$4.99 per month. In order to make the cost this low we need certain amount of people to sign up. Please sign up and tell your friends. The initial \$4.99 set up fee will be applied towards your first month of the service once launched*. We hope we reach the needed audience and enable this great service very soon.

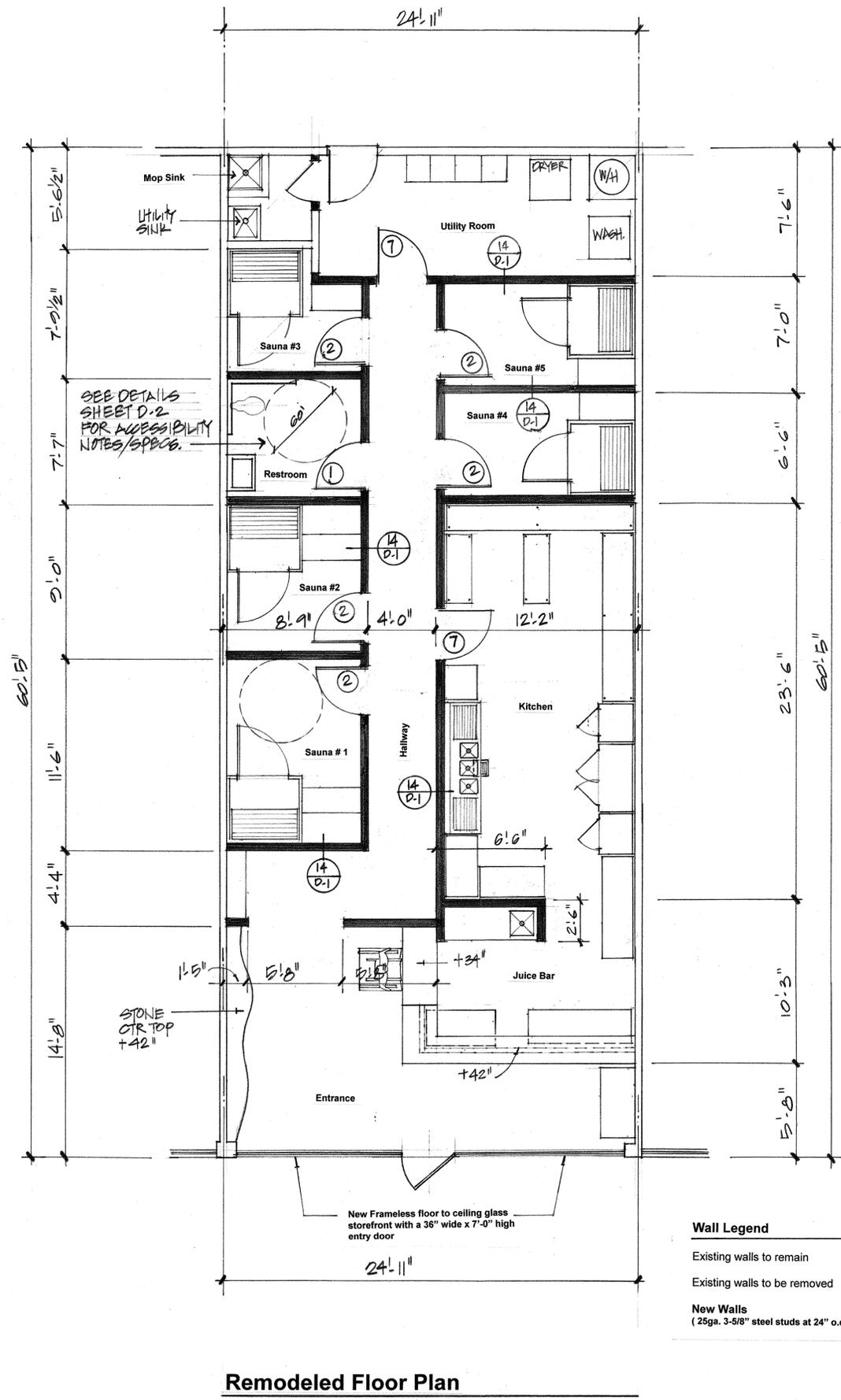
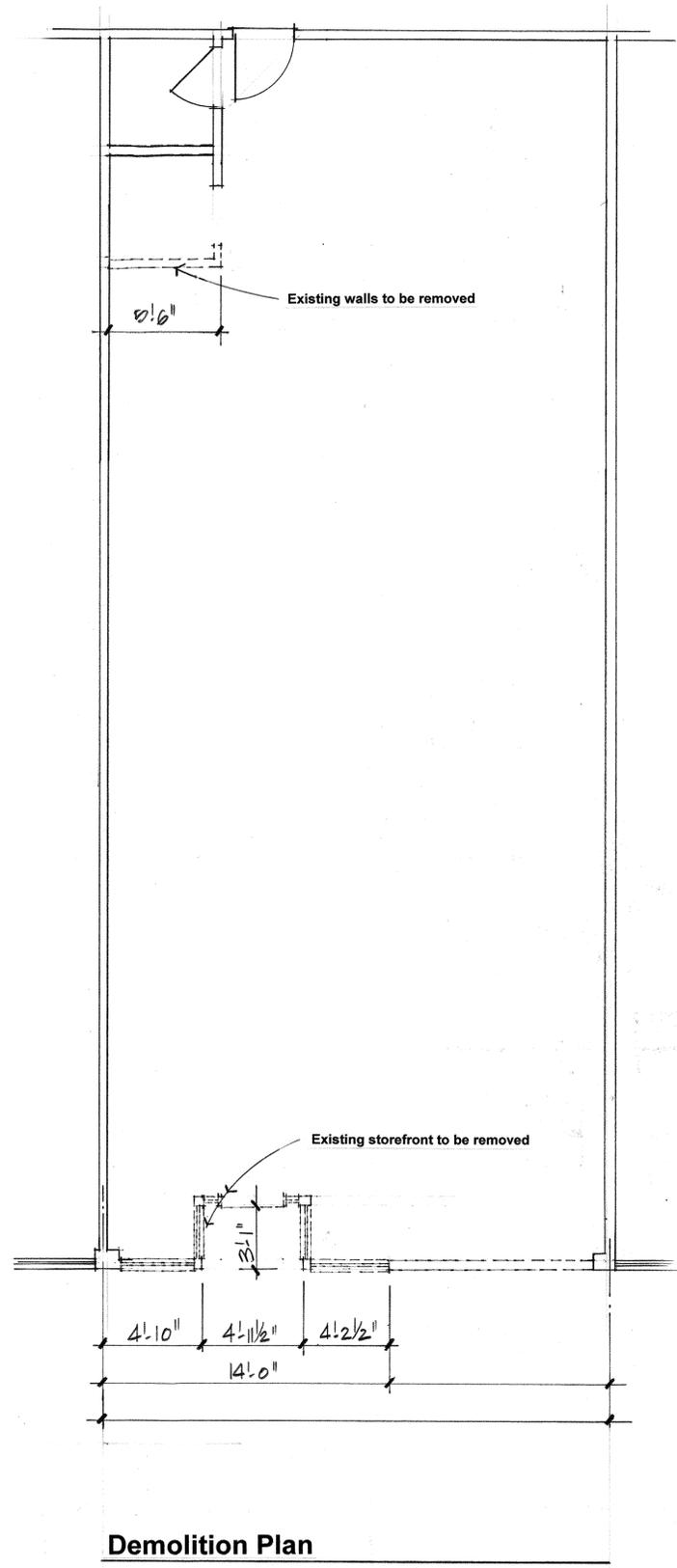
Let's heal our families and our community.

www.clubDetoxRecipes.com

Attachment No. ZA 5

Project Plans

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Wall Legend

Existing walls to remain

Existing walls to be removed

New Walls
(25ga. 3-5/8" steel studs at 24" o.c.)

REVISIONS	BY

Phillip Bennett Architect

Architecture
1238
Highway Park
San An, California 92705
Phone 714 937-4856 Fax 714 937-4976
e-mail pbaaarchitect@aol.com

Design
Planning

Project Club Detox T.L. Newport Beach, California

For Ms. Lenka Kichins 27832 La Paz Road Suite 'C' Laguna Niguel, California 92657

At Club Detox 1040 Bayside Drive Newport Beach, CA

Job

Date

Scale 1/4" = 1'-0"

Drawn P.B.

Job 2012-22

Sheet 2

Of Sheets

REVISIONS	BY

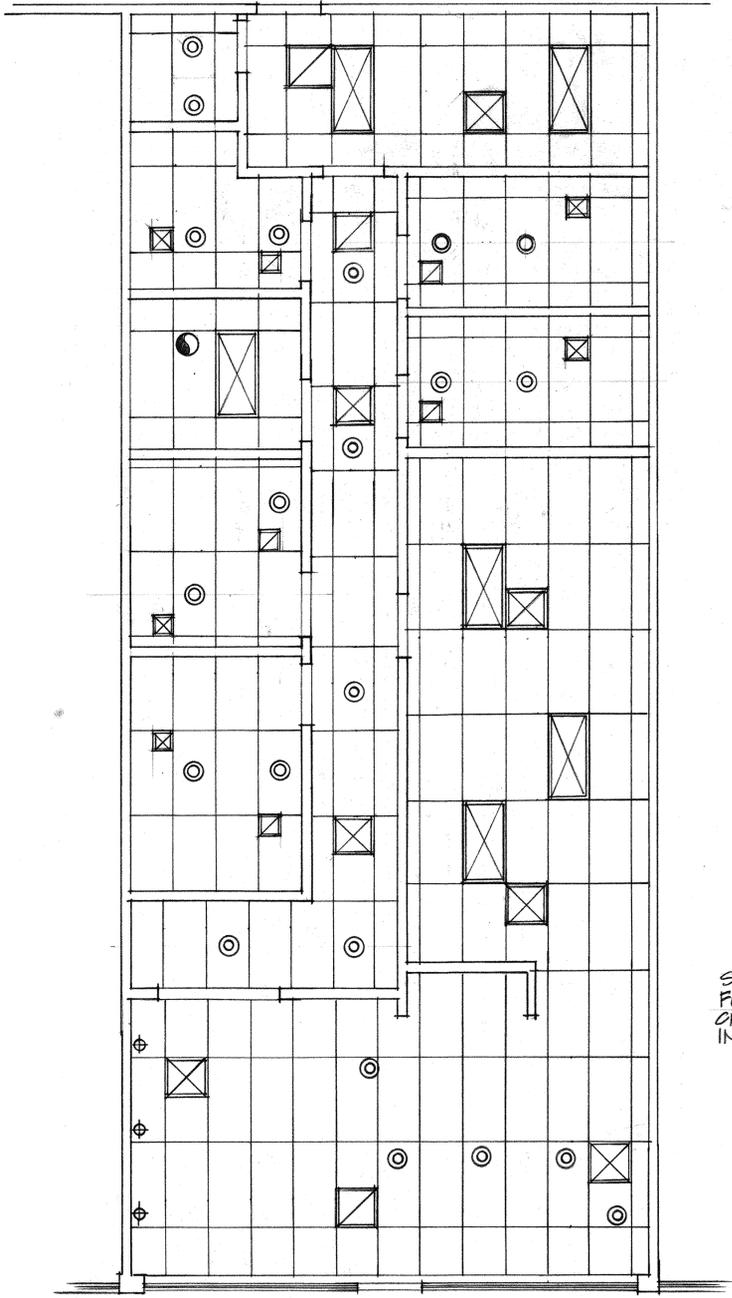
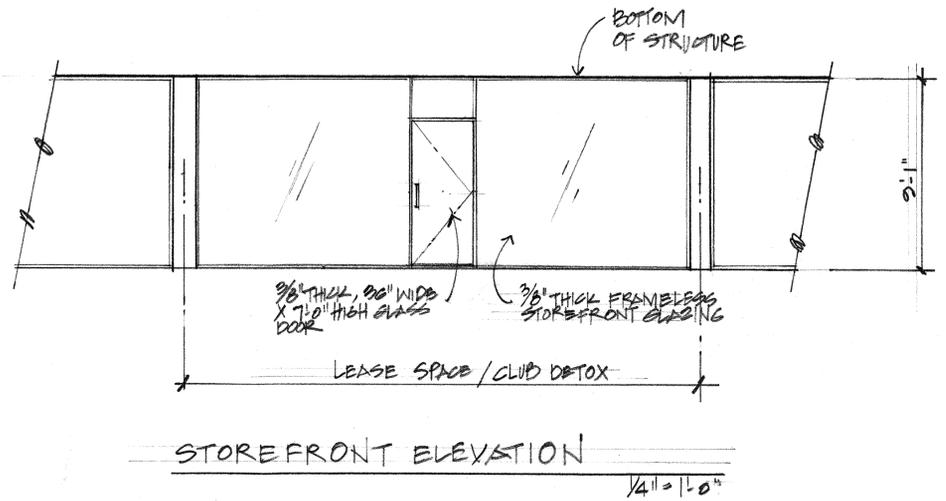
Phillip Bennett Architect
 Architecture * Design * Planning
 12381 Baja Panorama Santa Ana, California 92705
 Phone 714 997-4956 fax 714 997-4976
 e-mail pbarchitect@aol.com

Club Detox T.I. Newport Beach, California
 Ms Lenka Kolioma 949 290-4544
 27932 La Paz Rd. Suite C Laguna Niguel, California 92607
Club Detox 1040 Bayside Drive Newport Beach, CA

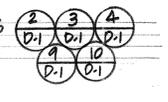
Project
 For
 At
 Job

Date
 Scale 1/4" = 1'-0"
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 Job 2013.22
 Sheet **3**
 Of Sheets

- Legend:**
-  Fluorescent light fixture 2' x 4'
 -  Recessed LED light fixture
 -  Pendant light fixture
 -  Supply Air Grill
 -  Return Air Grill
 -  Exhaust Fan



SEE DETAILS FOR T-BAR CEILING INSTALLATION



Reflected Ceiling Plan

Equipment Schedule

No.	Quantity	Description	Make and Model
1	1	Horizontal open display merchandiser	Turbo Air TOM-506
2	1	Juicer	Nutrifaster N450
3	1	Water filter system	Aqualiv
4	1	Food prep sink. See health dept. note #5	Kohler
5	1	Tea Brewer	Ceculware CH75N
6	1	3-compartment sink with dual integral drain boards. See Health dept. note #4	WEB
7	1	S.S. work table 6'-0" x 2'-6"	Custom
8	1	3-door reach in refrig. With glass doors	True T-72G
9	1	Existing 75 Gal gas wh	
10	5	Sauna cabin	Bosch AE-125
11	1	Dryer	Whirlpool GCEM290TQ
12	1	washer	Whirlpool GCAM279Q
13		Box style wall mounted locker	
14	1	12" x 12" hand sink See health dept. note #6	
15	2	18" wide x 48" long S.S. shelving (3-shelves high)	
16	4	18" wide x 60" long S.S. shelving (3-shelves high)	
17	2	30" wide single door reach-in freezer	

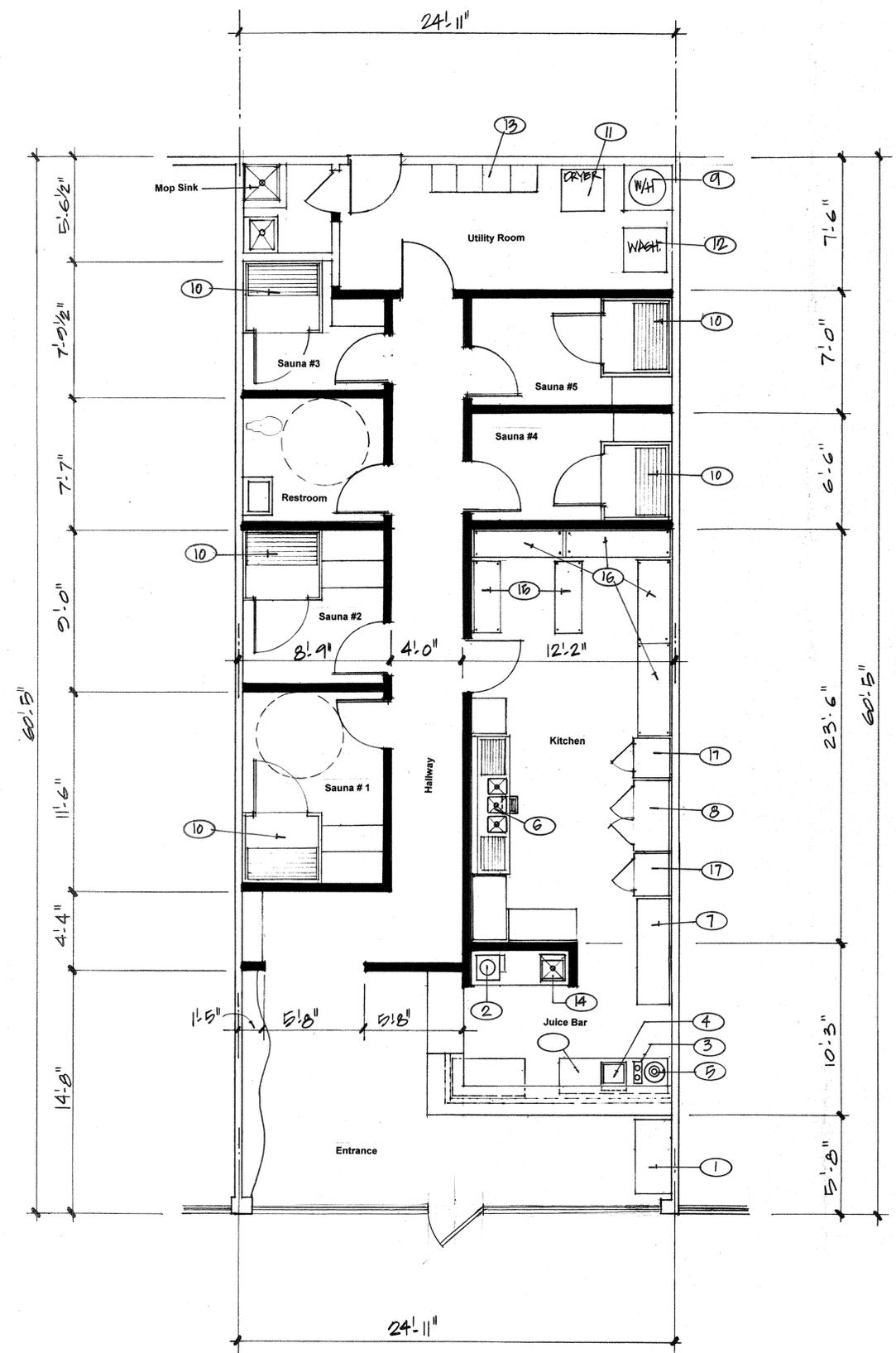
Health Dept. Notes :

- All equipment**, including shelving, must be supported by six (6) inch high easily cleanable legs, commercial castors, or completely sealed in position on a four (4) inch high continuously coved base or concrete curb.
- Storage shelving:** a shelving unit shall be a minimum 18" in depth and three (3) tiers high.
- Locker / Shelf / Pole:** Lockers must be installed on six (6) inch high, easily cleanable legs, cantilevered off the wall, or on a minimum four (4) inch high continuously coved curb or platform. L-angle legs are not acceptable.
- Utensil-washing facilities:** Provide a 3-compartment sink, with dual integrally installed, sloped stainless steel drain boards, round metal legs, and an eight (8) inch stainless steel backsplash, for washing kitchen utensils.

The minimum size for a three (3) compartment sink shall be 18" x 18" x 12" deep compartments with 18" x 18" drain boards or 16" x 20" x 12" deep with 16" x 20" drainboards.
- Food Preparation Sink:** the minimum requirements for a food preparation sink are: an NSF approved 18" x 18" x 12" single compartment stainless steel sink with an integral drain board, or an approved preparation table adjoining it. The liquid waste from the sink must drain into a floor sink via an indirect connection.
- Hand Sinks:** all hand washing facilities shall be supplied with warm water supplied through a mixing valve or combination faucet at a temperature of at least 100 degrees F. All other sinks shall supply hot water at a temperature of at least 120 degrees F.
- Janitorial Sink:** The janitorial sink must be securely attached to the wall. Support legs must be of smooth, easily cleanable construction. L-angle type legs are not acceptable. The rim of the sink must be no more than 30 inches above the floor. The flooring in the janitorial sink area must be continuous in design extending up walls/ toe kicks at least four (4) inches, forming a minimum 3/8" radius coved base as an integral unit.
- Chemical shelf & mop rack:** provide a chemical storage shelf and a mop rack in the janitorial area.

Sealed Concrete Floor Note:

Concrete floors are to be sealed with an approved clear, penetrating, grease, oil, and acid resistant sealer. Mfg. product information to be approved by Health Department prior to installation.
Contact: Nina Garcia -OCHD 714 433-6061



Equipment Plan

REVISIONS	BY

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Project **Club Detox T.I. - Newport Beach, California**
 For Ms Lenika Koloma
 At 27832 La Paz Road Suite 'C' Laguna Niguel, California 92607
 Job **Club Detox 1040 Bayside Drive Newport Beach, CA**

Date
 Scale **1/4" = 1'-0"**
 Drawn **P.B.**
 Job **2013-22**
 Sheet **4**
 Of Sheets



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

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CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

March 27, 2014

Agenda Item No. 3

SUBJECT: Viewpoint Church Temporary Office Building - (PA2014-024)
3300 Newport Boulevard
▪ Limited Term Permit No. XP2014-001

APPLICANT: Landworks Development Services, Tim Palmquist on behalf of
Viewpoint Church

PLANNER: James Campbell, Principal Planner
(949) 644-3210, jcampbell@newportbeachca.gov

This item has been removed from calendar. Should this application proceed forward, future notice will be provided.