



**CITY OF NEWPORT BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION ACTION REPORT**

**TO:** CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

**FROM:** Kimberly Brandt, Community Development Director  
Brenda Wisneski, Deputy Community Development Director

**SUBJECT:** Report of actions taken by the Zoning Administrator, and/or Planning Division staff for the week ending June 3, 2016

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**COMMUNITY DEVELOPMENT DIRECTOR  
OR PLANNING DIVISION STAFF ACTIONS  
(Non-Hearing Items)**

Item 1: Comprehensive Sign Program No. CS2016-003 (PA2016-050)  
Site Address: 149, 177, and 191 Riverside Avenue

Action: Approved

Council District 3

**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.



## 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](http://www.newportbeachca.gov)

## **ZONING ADMINISTRATOR ACTION LETTER**

<b>Application No.</b>	<b>Comprehensive Sign Program No. CS2016-003 (PA2016-050)</b>
<b>Applicant</b>	<b>Pacific Coast Architects</b>
<b>Site Address</b>	<b>149, 177, and 191 Riverside Avenue The Garden Comprehensive Sign Program</b>
<b>Legal Description</b>	<b>Portion of Lot F, Tract 919</b>

On **June 2, 2016**, the Zoning Administrator approved Comprehensive Sign Program No. CS2016-003 for a four-building property known as The Garden in accordance with the provisions of Chapter 20.42 (Sign Standards) of the Newport Beach Municipal Code. The intent is to integrate all of the project's signs, including project identifications signs, with the overall site design.

A Comprehensive Sign Program is required for a multi-tenant development that proposes eight (8) signs that comply with development standards and to allow the following deviations from the Zoning Code:

1. Ten (10) signs located on adjacent walls on the same building separated by a distance of less than thirty (30) feet where the Zoning Code requires a minimum separation of thirty (30) feet measured along the exterior walls of the building. Sign Nos. 1, 2, 6, 7, 8, 10, 11, 14, 18, and 19 as referenced on the Comprehensive Sign Program Matrix (Attachment No. ZA 2) and Project Plans (Attachment No. ZA 3) are approved with this deviation.
2. There are five (5) signs that are not compliant with the Zoning Code requirement that signs shall be located within the middle fifty (50) percent of the building or tenant frontage measured from lease line to lease line. Sign Nos. 6, 7, 8, 9, and 10 as referenced on the Comprehensive Sign Program Matrix (Attachment No. ZA 2) and Project Plans (Attachment No. ZA 3) are approved with this deviation.

The subject properties at 149 and 177 Riverside Avenue are located in the Mixed Use Mariner's Mile (MU-MM) Zoning District, are designated Mixed Use Horizontal (MU-H1) within the Land Use Element of the General Plan, and are designated Mixed Use Horizontal (MU-H) within the Coastal Land Use Plan. The subject property at 191 Riverside Avenue is in the Public Facilities (PF) Zoning District, is designated Public

Facilities (PF) within the Land Use Element of the General Plan, and is designated Public Facilities (PF) within the Coastal Land Use Plan.

This approval is based on the following findings and standards and subject to the following conditions.

### **FINDINGS AND STANDARDS FOR APPROVED SIGNS**

- A. *The project is exempt from environmental review under the requirements of the California Environmental Quality Act pursuant to Section 15311, Class 11 (Accessory Structures).*

#### **Facts in Support of Finding:**

1. Class 11 exempts minor structures accessory to existing commercial facilities, including signs. The proposed signs are incidental and accessory to the principal commercial use of the property and do not intensify or alter the use.

#### **Standard:**

- B. *The proposed sign program shall comply with the purpose and intent of this Chapter [Chapter 20.42], any adopted sign design guidelines, and the overall purpose and intent of this Section [Section 20.42.120 – Comprehensive Sign Program].*

#### **Facts in Support of Standard:**

1. A comprehensive sign program is required to deviate from development standards including sign location.
2. The proposed Comprehensive Sign Program complies with the purpose and intent of Newport Beach Municipal Code Chapter 20.42 (Sign Standards) because it provides the multi-tenant property with adequate identification while guarding against excessive proliferation of signage by requiring that signs be in substantial conformance with approved plans, which include no deviations in size or number of signs permitted by the Zoning Code. It preserves and enhances community appearance by regulating the type, size, location, quantity, and illumination of signs through conditions of approval and conformance with approved plans. Through said regulations, the Comprehensive Sign Program will enhance the safety of motorists and pedestrians by minimizing the distraction of signs as well as to protect the life, health, property, and general welfare of City residents and visitors.
3. The purpose of a comprehensive sign program is to integrate all of a project's signs into a unified plan. A comprehensive sign program provides a means for the flexible application of sign regulations for projects that require multiple signs in order to provide incentive and latitude in the design and display of signs, and to achieve, not circumvent, the purpose of Chapter 20.42. This approval

- integrates all of the signs for the subject property while meeting the purpose and intent of Chapter 20.42 by providing adequate and appropriate tenant and site identification similar in design style while limiting the size and number of signs to that which is permitted by the Zoning Code. Flexibility is allowed regarding location of signs outside of the middle fifty (50) percent of building frontage and within thirty (30) feet of another sign on an adjacent wall of the same building. These deviations are applied consistently on the property to adequately identify tenants and are appropriate due to the design of the center.
4. Approval of this Comprehensive Sign Program includes deviations to the location of signs and allows the flexible application of the sign regulations to achieve a unified design theme that is integrated with the overall site design of the property. Deviations relating to sign location, including a minimum separation requirement and a requirement that signs be placed in the middle of a building/tenant frontage, are applied consistently across the property to ensure that tenants are appropriately identified. Additionally, the proposed sign placement is consistent with building design, architecture, and recent façade improvements.
  5. The Comprehensive Sign Program is consistent with the Citywide Sign Design Guidelines Manual because the proposed signs are designed to be compatible with and complement the façade improvements proposed for the buildings. To ensure the signs are placed on the renovated buildings only, a condition has been included that sign permits shall not be pulled prior to final of building permits associated with Plan Check No. 0828-2015. Additionally, all signs must be substantially compatible with the approved plans (Attachment No. ZA 3), which reflect the improvements.
  6. All signs are designed to effectively communicate a commercial message without creating sign clutter through the use of legible text. The sizes of the signs do not dominate the façade on which they are placed because all signs comply with Zoning Code requirements regarding size. Additionally, signs are appropriately located to identify the building and/or tenant entrances to pedestrians, as well as to vehicles traveling north and south on Riverside Avenue and east and west on Avon Street. Several of the individual tenant wall signs will not be visible from either Riverside Avenue or Avon Street because the signs will face the interior courtyard and parking areas.

Standard:

- C. *The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development where applicable.*

Facts in Support of Standard:

1. The three properties are developed with four buildings, one of them single-tenant and the other three multi-tenant. All buildings are accessible from Riverside Avenue and Avon Street. Tenant wall signs are designed to identify each tenant throughout the property. Site identification wall signs will identify the entire property to cars traveling on Riverside Avenue and Avon Street. All wall signs comply with the maximum size allowable for each sign type per the Zoning Code.
2. All wall signs relate visually to each other because they maintain consistency in location, area, thickness, illumination, and materials.
3. There are no proposed freestanding or projecting signs and therefore will not obstruct public views or interfere with sight distance from any street, driveway, or parking areas.

Standard:

- D. The sign program shall address all signs, including permanent, temporary, and exempt signs.*

Facts in Support of Standard:

1. The proposed Comprehensive Sign Program addresses all project signage. Temporary and exempt signs not specifically addressed in the sign program shall be regulated by the provisions of Chapter 20.42 (Sign Standards) of the Zoning Code.

Standard:

- E. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.*

Facts in Support of Standard:

1. The Comprehensive Sign Program has been designed to be effective for the commercial tenants that occupy the properties by providing sign opportunities for proper identification.
2. The Comprehensive Sign Program establishes allowed type, number, location, and area of signage with flexibility to accommodate any existing and future tenants.
3. It is not anticipated that future revisions to the Comprehensive Sign Program will be necessary to accommodate a change in tenant or use. However, the Community Development Director may approve minor revisions to the

Comprehensive Sign Program if the intent of the original approval is not affected.

Standard:

- F. The sign program shall comply with the standards of this Chapter [Chapter 20.42], except that deviations are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter [Chapter 20.42].*

Facts in Support of Standard:

1. The Comprehensive Sign Program allows for deviations regarding the location of signs. The approval conforms to all other standards of Zoning Code Chapter 20.42, and enhances the overall development by integrating all of the project's signs with the overall site and structure design into a unified statement. Signs are similar in design to one another and are designed to complement the improved facades of the buildings onsite.
2. There is a reasonable need for tenant sign Nos. 6, 7, 8, and 10 to be located within thirty (30) feet of other signs on adjacent walls of the same building as this will allow the tenant sign to be located close to the entrance of their suite in order to correctly identify the tenant location. Tenant signs with a greater separation may incorrectly label the entire building instead of the individual tenant space. Similarly, the allowance of these signs to be located outside of the middle fifty (50) percent of the building frontage prevents tenant signs from incorrectly labeling the entire building and allows for appropriate tenant identification.
3. There is reasonable need for site identification Sign No. 19 to be located within thirty (30) feet of another sign on an adjacent wall of the same building due to the small building frontage. This deviation in separation allows the sign to be appropriately located in the middle fifty (50) percent of the building frontage.
4. There is reasonable need for Sign No. 9 to be located outside of the required fifty (50) percent of the building frontage in order to ensure visibility and site identification to cars and pedestrians traveling south on Riverside Avenue, toward West Coast Highway.

Standard:

- G. The approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter [Chapter 20.42].*

Facts in Support of Standard:

1. The Comprehensive Sign Program does not authorize the use of prohibited signs.

Standard:

*H. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.*

Facts in Support of Standard:

1. The Comprehensive Sign Program contains no regulations affecting sign message content.

**CONDITIONS**

1. All proposed signs shall be in substantial conformance with the approved plans, Comprehensive Sign Program Matrix Table, and provisions of Chapter 20.42 of the Newport Beach Municipal Code, unless otherwise indicated in the following conditions.
2. Permits for new signs regulated by this Sign Program may not be pulled prior to the final of building permits associated with Plan Check No. 0828-2015.
3. Anything not specifically approved by this Comprehensive Sign Program is prohibited.
4. A building permit and/or sign permit shall be obtained prior to the installation of signs.
5. A copy of this letter shall be incorporated into the plan check sets of plans prior to issuance of building or sign permits.
6. Illuminated signs shall be regulated in accordance with the provisions of Section 20.42.070 of the Newport Beach Municipal Code. If, in the opinion of the Community Development Director, existing illumination creates an unacceptable negative impact on the surrounding land uses or sensitive habitat areas, the Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
7. Signs shall be maintained in a clean and orderly condition.
8. Any future revisions or changes to the signs approved by this Comprehensive Sign Program due to a change in the use or tenants of the building shall be reviewed and approved by the Planning Division, so long as the sign size, copy configuration, and number of signs authorized by this approval does not substantially change or increase. The mandatory reduction or elimination of signs shall be exercised as necessary. Revisions that would substantially deviate from the original approval shall require approval of a new or revised comprehensive sign program by the Zoning Administrator.

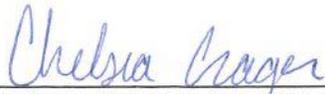
9. The Zoning Administrator may add to or modify conditions of this approval, or revoke this approval upon a determination that any sign that is authorized by this approval has been altered beyond the parameters of the authorization and therefore beyond the justification.
10. This approval shall expire 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 in Title 20, Planning and Zoning, of the Newport Beach Municipal Code.
11. 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 Garden Comprehensive Sign Program including, but not limited to, Comprehensive Sign Program No. CS2016-003 (PA2016-050). 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.

### **APPEAL PERIOD**

An appeal or call for review 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.

On behalf of Patrick J. Alford, Zoning Administrator

By:

  
\_\_\_\_\_  
Chelsea Crager, Assistant Planner

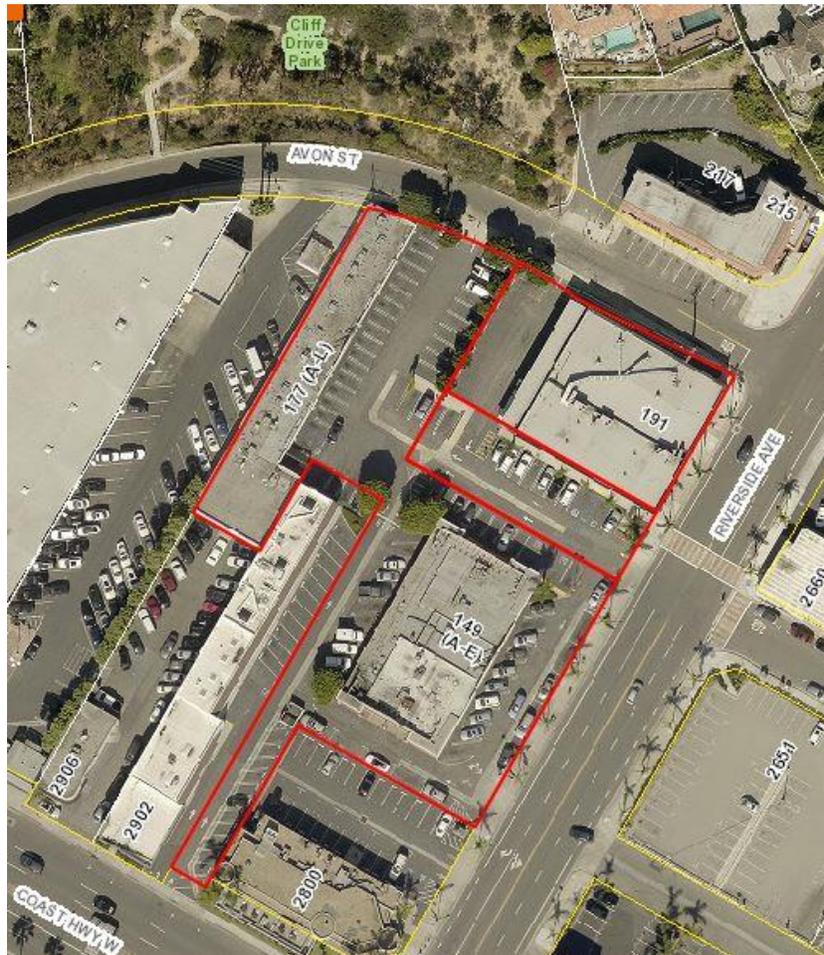
GBR/cc

Attachments: ZA 1 Vicinity Map  
ZA 2 Comprehensive Sign Program Matrix  
ZA 3 Project Plans

# **Attachment No. ZA 1**

Vicinity Map

## VICINITY MAP



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Comprehensive Sign Program No. CS2016-003  
PA2016-050

**149, 177, and 191 Riverside Avenue**

# **Attachment No. ZA 2**

Comprehensive Sign Program Matrix

**The Garden Comprehensive Sign Program Matrix  
As Amended by CS2016-003 (PA2016-050)**

Sign Number (As Referenced on Plans)	Quantity	Sign Type	Location	Sign Area (Square Feet)	Linear Frontage
1 <sup>1</sup>	1	Tenant Wall Sign (Primary Frontage)	Refer to plans – Suite A	73.50	49'
2 <sup>1</sup>	1	Tenant Wall Sign (Primary Frontage)	Refer to plans – Suite B	37.50	25'1"
3	1	Tenant Wall Sign (Primary Frontage)	Refer to plans – Suite C	34.50	23'
4	1	Tenant Wall Sign (Secondary Frontage)	Refer to plans – Suite C	17.25	66'
5	1	Project Identification Wall Sign (Secondary Frontage)	Refer to plans – Suite A	37.20	66'
6 <sup>1,2</sup>	1	Tenant Wall Sign (Secondary Frontage)	Refer to plans – Suite A	36.75	66'
7 <sup>1,2</sup>	1	Tenant Wall Sign (Secondary Frontage)	Refer to plans – Suite B	18.75	66'
8 <sup>1,2</sup>	1	Tenant Wall Sign (Primary Frontage)	Refer to plans – Suite J	73.50	92'
9 <sup>2</sup>	1	Project Identification Wall Sign (Primary Frontage)	Refer to plans – Suite J and Suite I	73.00	101'
10 <sup>1,2</sup>	1	Tenant Wall Sign (Secondary Frontage)	Refer to plans – Suite G	17.25	92'
11 <sup>1</sup>	1	Tenant Wall Sign (Primary Frontage)	Refer to plans – Suite G	34.75	25'3"
12	1	Tenant Wall Sign (Primary Frontage)	Refer to plans – Suite H	34.75	25'3"
13	1	Tenant Wall Sign (Primary Frontage)	Refer to plans – Suite I	34.75	25'3"
14 <sup>1</sup>	1	Tenant Wall Sign (Secondary Frontage)	Refer to plans – Suite J	36.75	25'3"
15	1	Tenant Wall Sign (Secondary Frontage)	Refer to plans – Suite D	36.75	22'11"
16	1	Tenant Wall Sign (Primary Frontage)	Refer to plans – Suite D	73.50	86'2"
17	1	Tenant Wall Sign (Primary Frontage)	Refer to plans – Suite E	40.25	43'3"
18 <sup>1</sup>	1	Tenant Wall Sign (Primary Frontage)	Refer to plans – Suite F	64.50	43'
19 <sup>1</sup>	1	Project Identification Wall Sign (Secondary Frontage)	Refer to plans – Suite F	37.20	27'

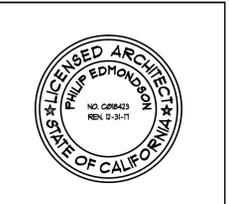
1. Sign is separated by a distance of less than thirty (30) feet from another sign on an adjacent wall of the same building.
2. Sign is not located within the middle fifty (50) percent of the building or tenant frontage measured from lease line to lease line.

Notes:

- a) Temporary Banner signs shall comply with Chapter 20.42 of the Zoning Code.
- b) All signs shall substantially conform to the approved set of plans.
- c) Pursuant to Section 20.42.120.F (Revisions to Comprehensive Sign Programs) of the Zoning Code, the Planning Director may approve minor revisions to the sign program if the intent of the original approval is not affected.
- d) All additional exempt signs shall comply with the standards prescribed in the Zoning Code

# **Attachment No. ZA 3**

Project Plans



**MARINER'S CENTER**  
 149 RIVERSIDE AVE.  
 177 RIVERSIDE AVE.  
 191 RIVERSIDE AVE.  
 NEWPORT BEACH, CA.

**SIGN PROGRAM**

OWNERS:  
 MARINER'S CENTER M2 LLC  
 2220 UNIVERSITY DR.  
 NEWPORT BEACH, CA. 92660  
 (949) 999-5111

**149, 177 & 191 TITLE SHEET SITE PLAN**

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**DATE**

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_____	PROJECT-NUMBER
_____	DWG-NAME
16 MAR 2016	PLOT DATE
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**SHEET**  
**A-1**

**LIST OF DRAWINGS:**

- ARCHITECTURAL:**  
 A-1 TITLESHEET/ SITE PLAN  
 A-2 149 EXTERIOR ELEVATIONS  
 A-3 177 EXTERIOR ELEVATIONS  
 A-4 191 EXTERIOR ELEVATIONS

**PROJECT DIRECTORY:**

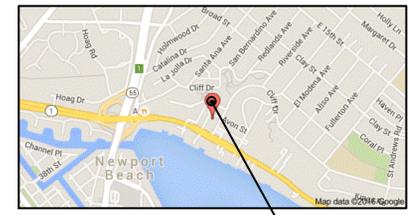
**ARCHITECT:** PACIFIC COAST ARCHITECTS  
 2600 NEWPORT BLVD., SUITE 114  
 NEWPORT BEACH, CA 92663  
 (949) 675-9468  
 ATTN: PHIL EDMONDSON

**BUILDING OWNER:** MARINER'S CENTER M2 LLC  
 2220 UNIVERSITY AVE.  
 NEWPORT BEACH CA. 92660  
 (949) 999-4545  
 ATTN: DANIEL WALKER

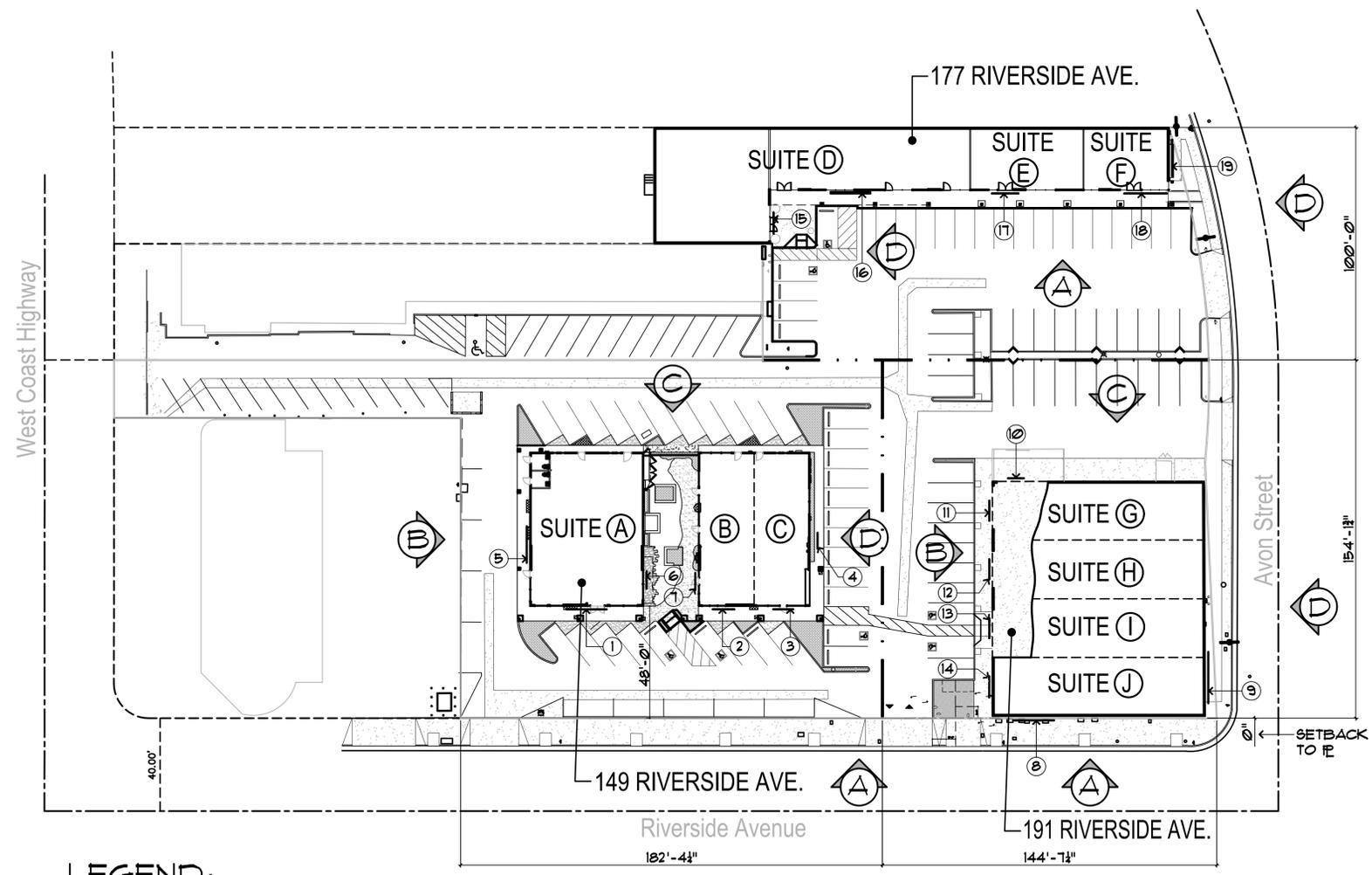
**PROJECT DESCRIPTION:**

SIGN PROGRAM BETWEEN OWNER AND CITY OF NEWPORT BEACH, CA. AT THE ADDRESSES OF 149, 177 AND 191 RIVERSIDE AVE., NEWPORT BEACH, CA.

**VICINITY MAP**  NTS



PROJECT LOCATION:  
 149, 177 AND 191 RIVERSIDE DRIVE



**LEGEND:**

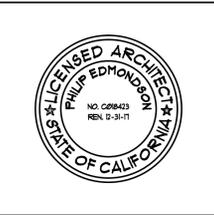
○ = SEQUENTIAL NUMBERS FOR WALL SIGNAGE.  
 SEE ELEVATIONS FOR SIGN LOCATIONS AND SIZE.

**SITE PLAN**

RIVERSIDE AVENUE



SCALE 1/32" = 1'-0"



**MARINER'S CENTER**  
 149 RIVERSIDE AVE  
 171 RIVERSIDE AVE.  
 191 RIVERSIDE AVE.  
 NEWPORT BEACH, CA.

**SIGN PROGRAM**

OWNERS:  
 MARINER'S CENTER M2 LLC  
 2220 UNIVERSITY DR.  
 NEWPORT BEACH, CA. 92660

(949) 999-5111

**149 BUILDING EXTERIOR ELEVATIONS**

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**DATE**

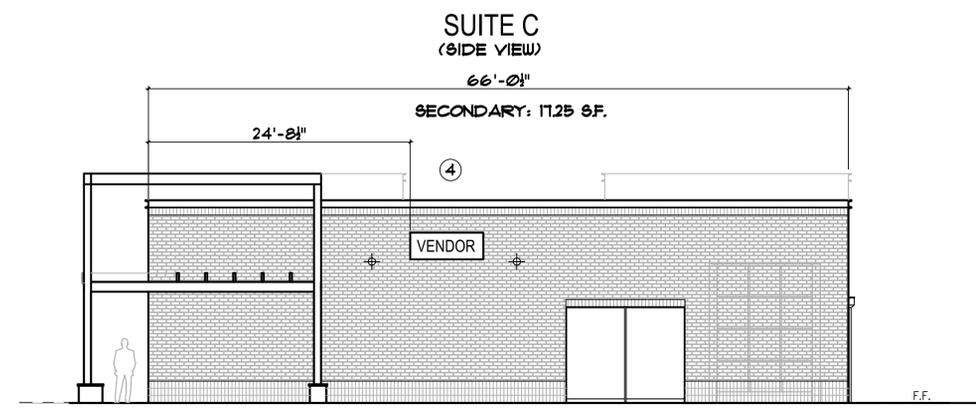
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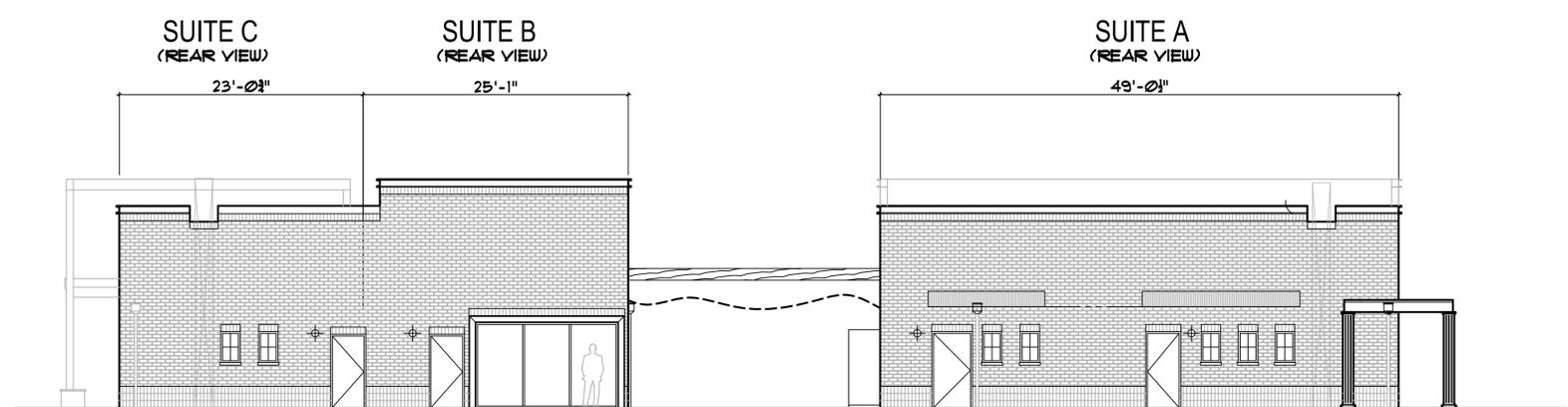
**A-2**



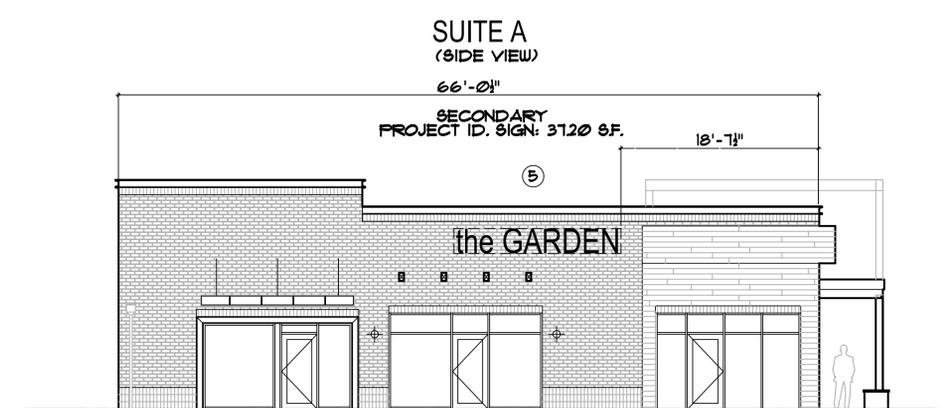
**EAST (VIEW A)**  
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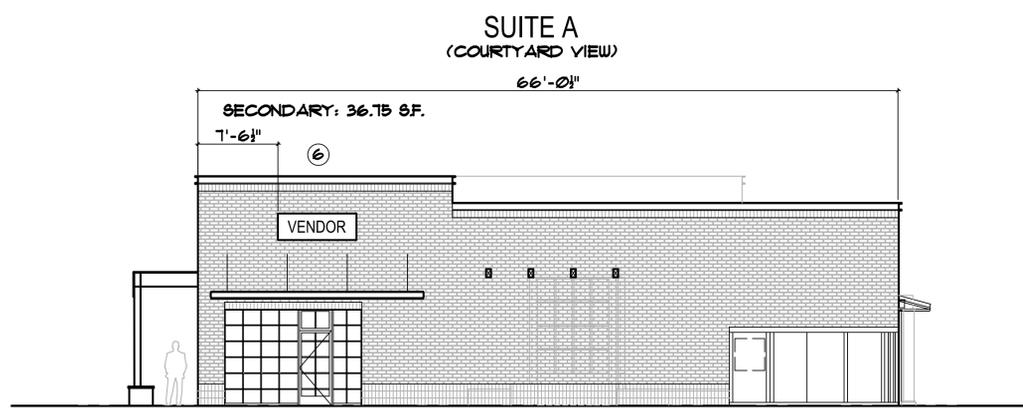
**NORTH (VIEW D)**  
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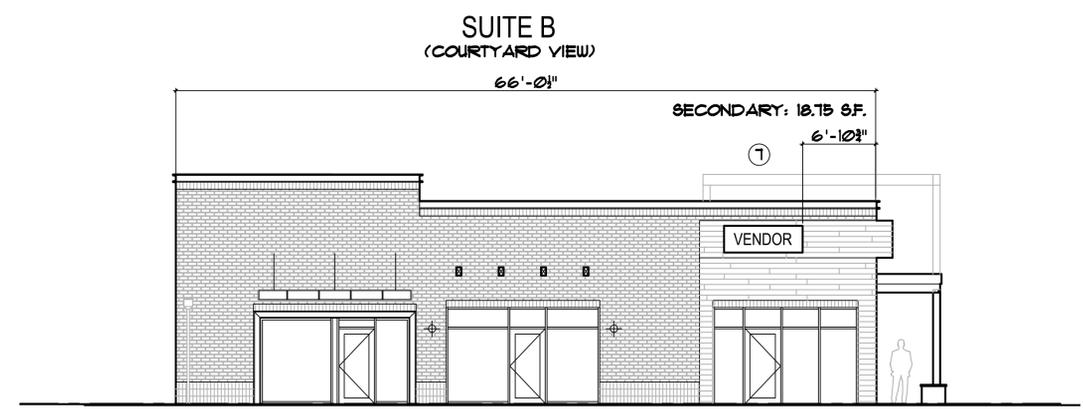
**WEST (VIEW C)**  
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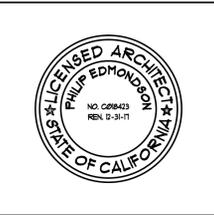
**SOUTH (VIEW B)**  
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**COURTYARD NORTH (VIEW D)**  
 SCALE = 1/8" = 1'-0"



**COURTYARD SOUTH (VIEW B)**  
 SCALE = 1/8" = 1'-0"

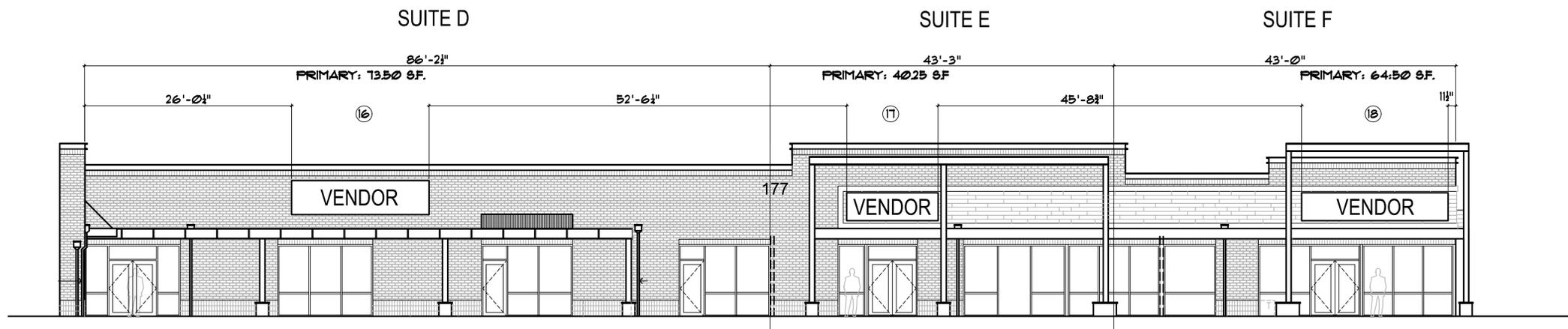


**MARINER'S CENTER**  
 149 RIVERSIDE AVE  
 171 RIVERSIDE AVE.  
 191 RIVERSIDE AVE.  
 NEWPORT BEACH, CA.

**SIGN PROGRAM**

OWNERS:  
 MARINERS CENTER M2 LLC  
 2220 UNIVERSITY DR.  
 NEWPORT BEACH, CA. 92660

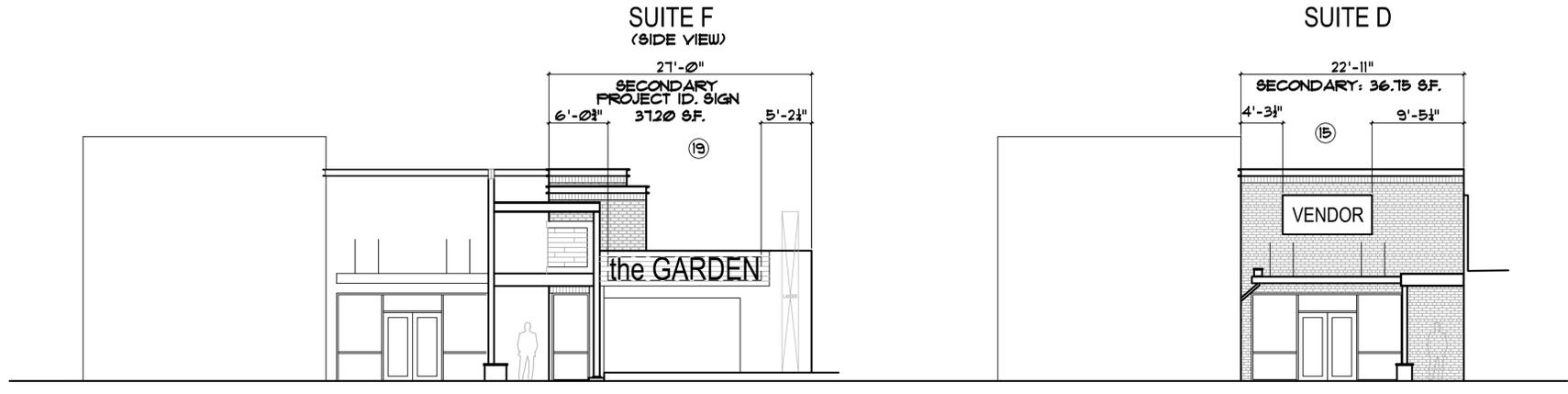
(949) 999-5111



**EAST** (VIEW A)  
 SCALE = 1/8" = 1'-0"

**177 BUILDING EXTERIOR ELEVATIONS**

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**NORTH** (VIEW D)  
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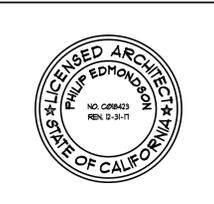
**PARTIAL NORTH** (VIEW D)  
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16 MAR 2016	PLOT DATE
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**A-3**



**MARINER'S CENTER**  
 149 RIVERSIDE AVE.  
 171 RIVERSIDE AVE.  
 191 RIVERSIDE AVE.  
 NEWPORT BEACH, CA.

**SIGN PROGRAM**

OWNERS:  
 MARINERS CENTER M2 LLC  
 2220 UNIVERSITY DR.  
 NEWPORT BEACH, CA. 92660

(949) 999-5117

**191 BUILDING EXTERIOR ELEVATIONS**

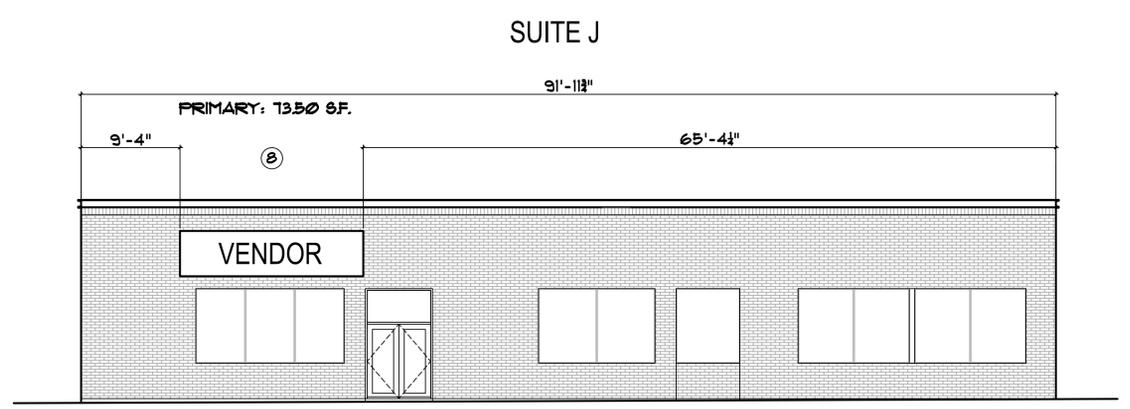
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**DATE**

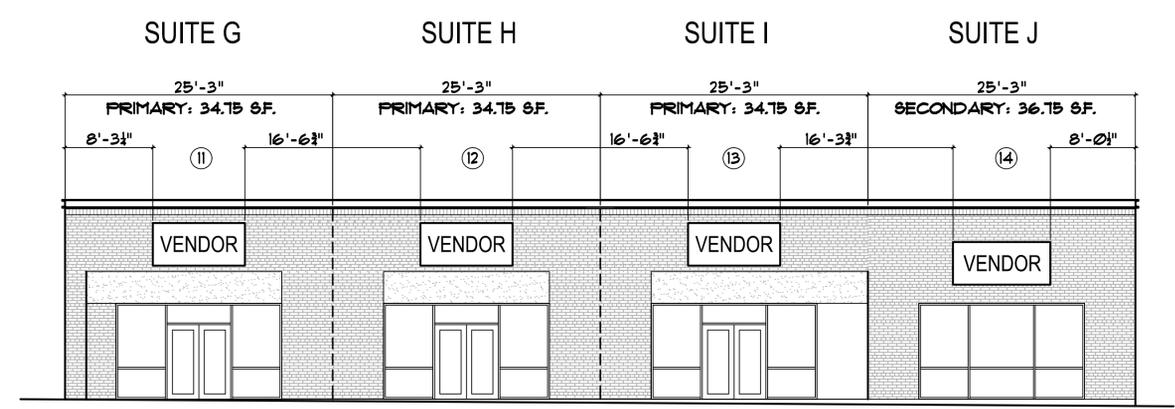
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_____	PERMIT
_____	PROJECT-NUMBER
_____	DWG-NAME
16 MAR 2016	PLOT DATE
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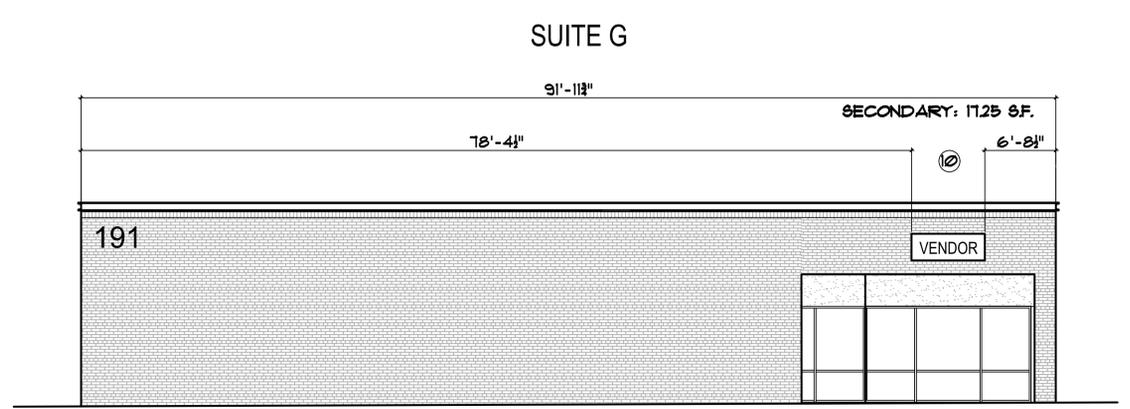
**A-4**



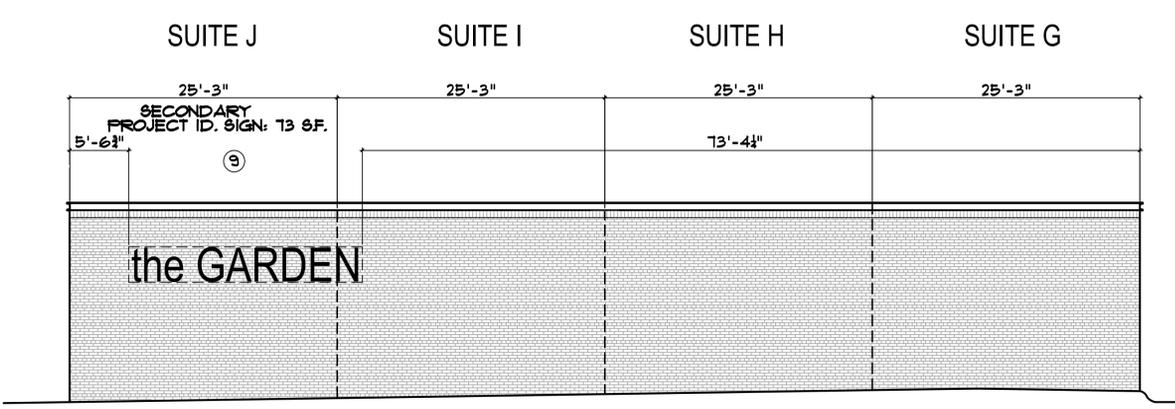
**EAST (VIEW A)**  
 SCALE = 1/8" = 1'-0"



**SOUTH (VIEW B)**  
 SCALE = 1/8" = 1'-0"



**WEST (VIEW C)**  
 SCALE = 1/8" = 1'-0"



**NORTH (VIEW D)**  
 SCALE = 1/8" = 1'-0"