



**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 September 2, 2016

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

- Item 1: Uptown Newport Phase 1 - Jamboree Sidewalk Deferment – Staff Approval No. SA2016-010 (PA2016-125)  
Site Address: 4311 and 4321 Jamboree Road  
Action: Approved Council District 1
- Item 2: Director's Determination of Nonconforming Status of Encroachment DD2016-004 (PA2015-016)  
Site Address: 123 Marine Avenue  
Action: Recommendation to Apply for Extension of Time Council District 5
- Item 3: Comprehensive Sign Program No. CS2016-010 (PA2016-129)  
Site Address: 4000 MacArthur Boulevard  
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)

**COMMUNITY DEVELOPMENT DIRECTOR**  
**ACTION LETTER**

**Application No.**           **Staff Approval No. SA2016-010 (PA2016-125)**

**Applicant**               **TSG-Parcel 1, LLC.**  
                                  **Uptown Newport Jamboree, LLC.**  
                                  **TPG/TSG Venture 1 Acquisition, LLC.**

**Site Address**           **4311 Jamboree Road**

**Legal Description**   **Lots 1 through 4 of Tract Map No. 17763**

On **September 2, 2016**, the Community Development Director approved Staff Approval No. SA2016-010. This approval is based on the following findings and subject to the following conditions.

**PROJECT SUMMARY**

The applicant proposes an amendment to Condition No. 34 of Uptown Newport Tentative Tract Map No. NT2012-002 (TTM No. 17763), to delay completion of the public sidewalk reconstruction along the Jamboree Road frontage of the Uptown Newport Planned Community. The change would delay completion of the sidewalk from prior to the issuance of the first building permit, anticipated to be October 2016, to the occupancy of the first residential building or July 31, 2018, whichever comes first.

**ZONING DISTRICT/GENERAL PLAN**

- **Zone:** Uptown Newport PC (PC-58)
- **General Plan:** MU-H2 (Mixed Use District Horizontal 2)

**I. BACKGROUND**

On February 26, 2013, the City Council approved the Tentative Tract Map along with other entitlement applications for the Uptown Newport project, which consists of the removal of existing office and industrial uses in two primary phases and the construction of a mixed-use community consisting of 1,244 residential units, 11,500 square feet of neighborhood-serving retail space, and approximately two acres of park space.

Phase 1 development is underway that includes demolition of the existing single-story office building at 4311 Jamboree Road (the "Half Dome Building"), and development of the westerly portion of the property with up to 680 residential units, 11,500 square feet

of retail, one 1-acre park, and associated infrastructure including roads, sidewalks, utilities, and landscaping.

On January 14, 2016, the Community Development Director approved Minor Site Development Review No. SD2015-004, for the construction of 455 residential apartment units in two separate buildings, approximately 10,700 square feet of retail use, and a 50-foot wide paseo within Phase 1 of Uptown Newport Planned Community. The anticipated construction start for this initial component of Phase 1 is early October 2016.

As part of the Phase 1 development, the applicant is required to reconstruct the existing meandering sidewalk along the Jamboree Road frontage prior to the issuance of the first building permit in accordance to Condition 34 of the Tentative Tract Map.

## **II. PROPOSED CHANGES**

The applicant is proposing to delay the completion of the sidewalk reconstruction to on or before July 31, 2018, to coincide with the anticipated completion date of the apartment project. The applicant acknowledges that occupancy of the buildings might be later than this date and they have agreed to complete the sidewalk along the entire frontage by this date regardless. The delay would give the apartment developer needed time and the physical space to complete the shoring of the subterranean apartment garages and framing of the apartment buildings in proximity to the sidewalk improvements without potentially damaging the public sidewalk. The existing temporary sidewalk will remain and will provide pedestrian access across the project frontage.

## **III. FINDINGS**

Pursuant to Section 19.12.090 (Amendments to Approved Tentative Maps) of the Municipal Code, the Community Development Director may authorize minor amendments to approved tentative tract maps or any condition of approval thereon. This staff approval is based on the following findings and facts in support of the findings.

### Finding:

A. *No lots, unit, building sites, or structures are added to the project.*

### Facts in Support of Finding:

1. The requested amendment is to delay the reconstruction of sidewalk. No changes to the lots, number of units, building sites, or structures is proposed to Phase 1 development or to the overall apartment project.

### Finding:

B. *The changes involve no substantial change in lot configuration, street layout, improvements or conditions of approval.*

Facts in Support of Finding:

1. The requested amendment does not change the lot configuration, street layout, or proposed improvements. The change to Condition No. 34 only delays the reconstruction of sidewalk. The project will still be required to reconstruct the sidewalk in accordance with City standard designs to create a public sidewalk and bike path.

Finding:

- C. The changes are consistent with the intent of the original tentative map approval.*

Facts in Support of Finding:

1. The project approval, including the approval of the Tentative Tract Map, is for the development of a mixed-use residential development of up to 1,244 residential units, 11,500 square feet of retail commercial uses, and 2.05 acres of parklands. The project will be built in two separate phases with an approximately five to ten years gap in between the phase implementation.
2. The intent of requiring reconstruction of sidewalk prior to the first building permit is to ensure that there would be adequate pedestrian access and bike path provided and maintained for the Phase 1 development.
3. The proposed amendment will allow the public sidewalk to be reconstructed at a later date in order to allow the apartment developer needed time and workspace to complete the shoring of the subterranean apartment garages and framing of the apartment buildings along Jamboree Road frontage.
4. A 5-foot temporary sidewalk is in place for pedestrian access along the Jamboree Road frontage.

Finding:

- D. The resulting tentative map remains in conformity with this Subdivision Code, other applicable provisions of the Municipal Code and the Subdivision Map Act.*

Facts in Support of Finding:

1. The resulting tentative tract map will continue to allow the development of mixed-use residential community, which thereby remains consistent with the land uses, densities and intensities of the Planned Development Plan and General Plan Land Use designation, and other applicable provisions of the Municipal Code and Subdivision Map Act.

#### **IV. DETERMINATION**

The Community Development Director hereby determines that the proposed changes are minor in nature and are consistent with the criteria specified in Section 19.12.090 (Amendments to Approved Tentative Maps) of the Municipal Code that authorizes the approval of minor changes to the approved tentative maps by the Community Development Director.

Condition No. 34 of Tentative Tract Map NT2012-002 (TTM No. 17763) shall be amended as follows:

Lots E, F, G, H, I, J, K, L, U and R shall include a pedestrian and bicycle easement. The existing meandering sidewalk within the easement area shall be reconstructed consistent with City standard designs to provide a minimum 12-foot wide public sidewalk and bike path, ~~prior to the issuance of first building permit~~ **on or before July 31, 2018.**

#### **V. CONDITIONS**

1. 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 Uptown Newport Phase 1–Jamboree Sidewalk Deferment including, but not limited to, Staff Approval No. SA2016-010. 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.
2. A temporary sidewalk shall be maintained along the Jamboree Road frontage until completion of the new 12-foot public sidewalk and bicycle path.

**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 Kimberly Brandt, AICP, Community Development Director

By:

  
\_\_\_\_\_  
Rosalinh Ung  
Associate Planner

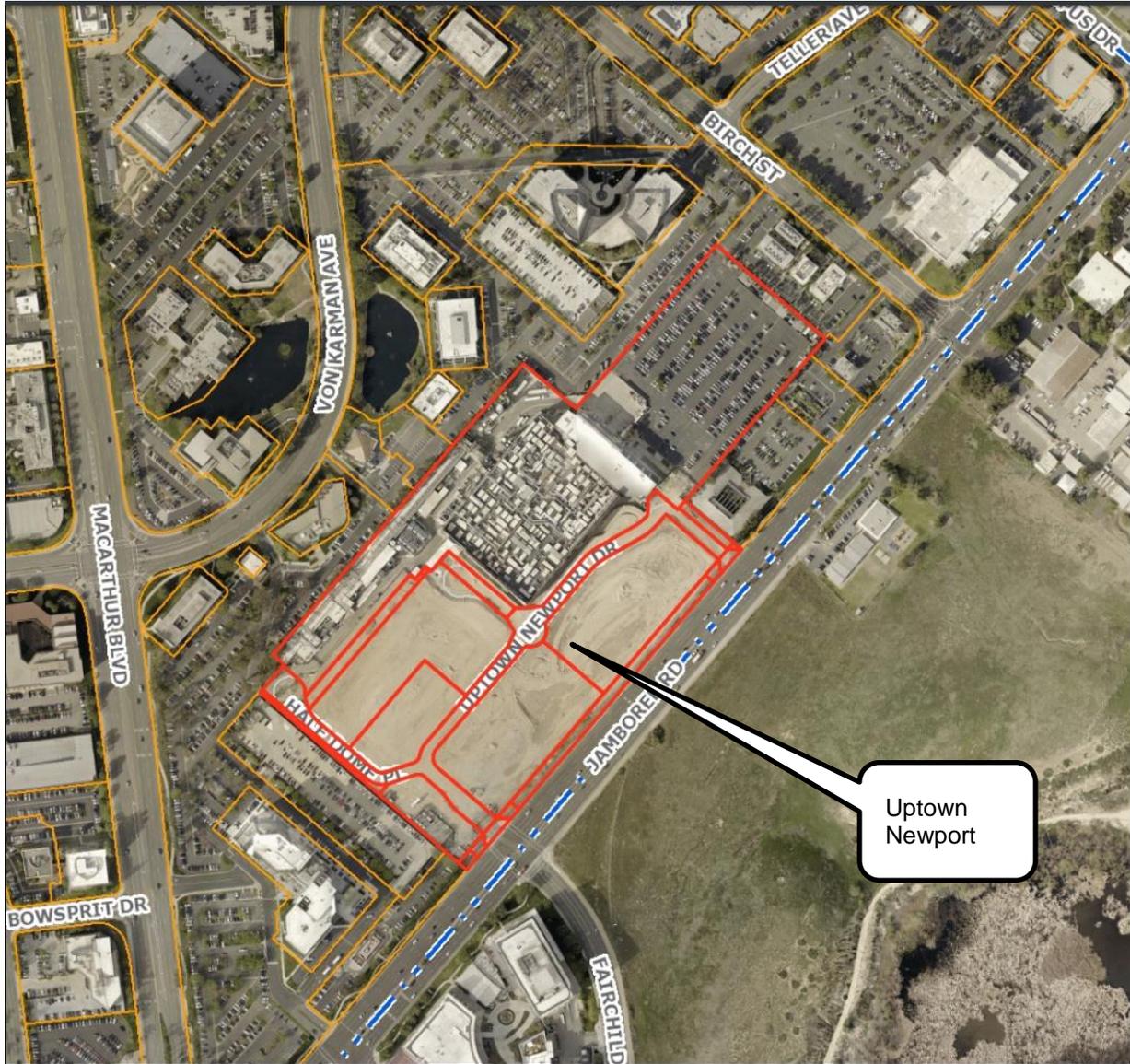
JC/ru

Attachment:     CD 1 Vicinity Map  
                      CD 2 Sidewalk Plan

# **Attachment No. CD 1**

Vicinity Map

# VICINITY MAP



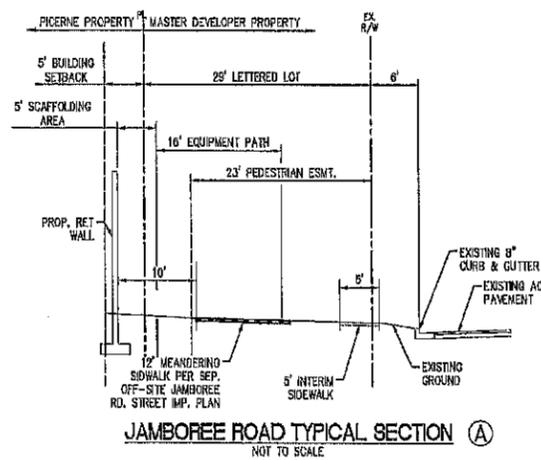
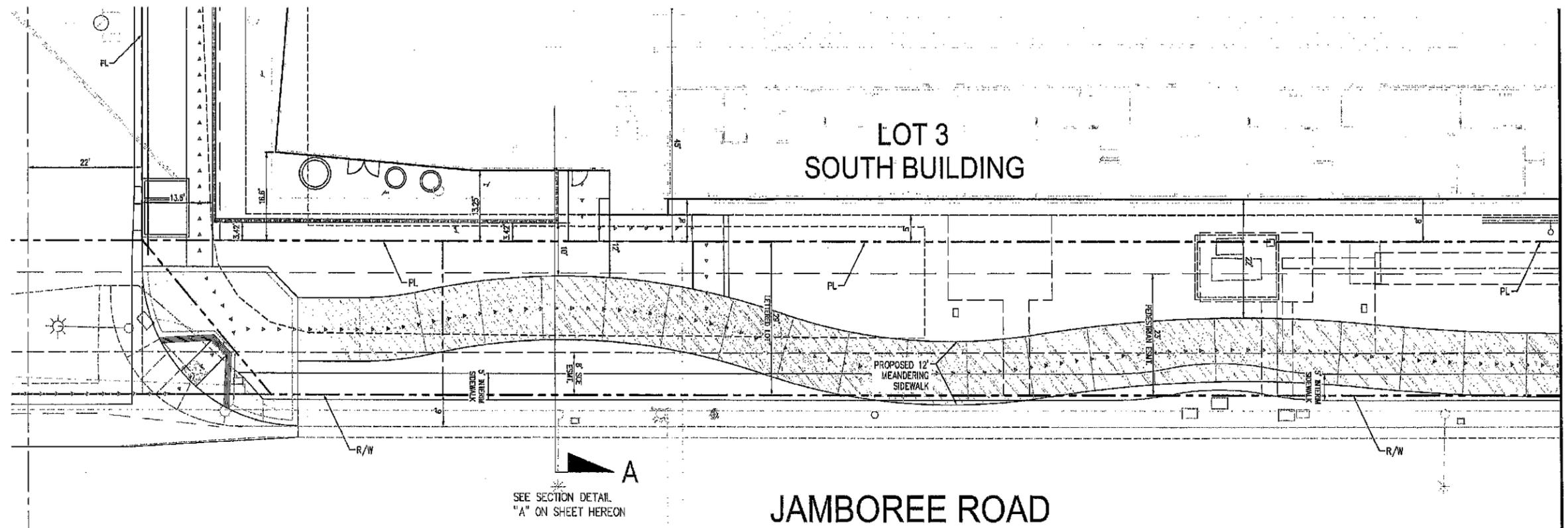
Staff Approval No. SA2016-010

PA2016-125

**4311 Jamboree Road**

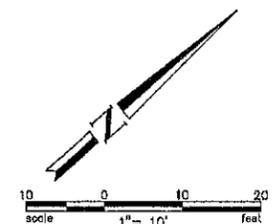
## **Attachment No. CD 2**

Sidewalk Plan



**LEGEND**

- BOUNDARY LINE
- ACCESSIBLE PATH OF TRAVEL



NO.	DESCRIPTION	DATE	BY
REVISIONS			



**DAVID EVANS AND ASSOCIATES INC.**

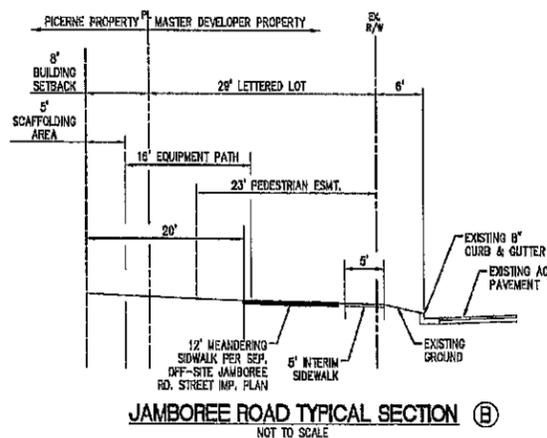
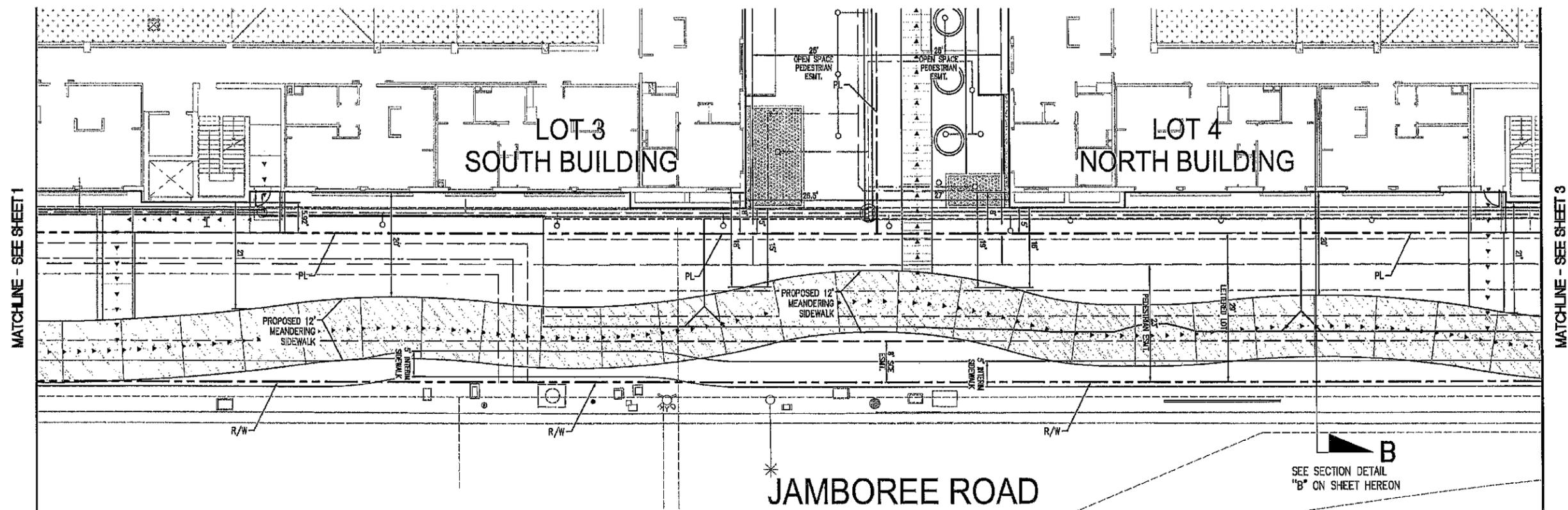
17782 17TH STREET SUITE 200  
TUSTIN CALIFORNIA 92780-1947  
PHONE: 714.696.4000

PREPARED UNDER THE SUPERVISION OF:

JOHN C. HOGAN R.C.E. 26229

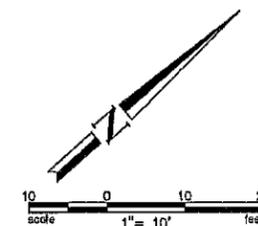
06/30/16

CITY OF NEWPORT BEACH			
UPTOWN NEWPORT PHASE 1 - TRACT 17763 - LOT 3 & 4			
DRAWN BY:	JCH	SCALE:	1"=10'
DESIGNED BY:	JCH	DATE:	06/30/16
CHECKED BY:	JCH	SHT NO.:	1 of 3
APPROVED BY:	CITY ENGINEER	DATE:	



**LEGEND**

- BOUNDARY LINE
- ACCESSIBLE PATH OF TRAVEL



Know what's below.  
Call 811 before you dig.

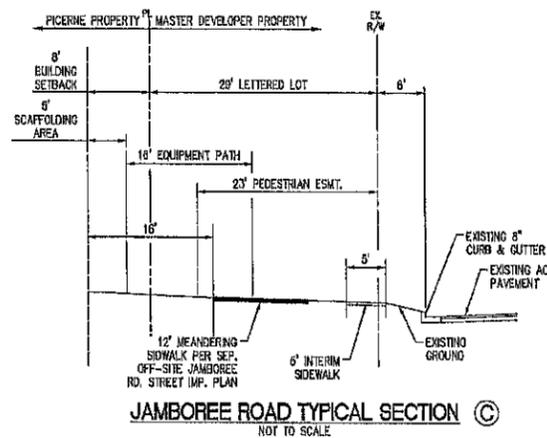
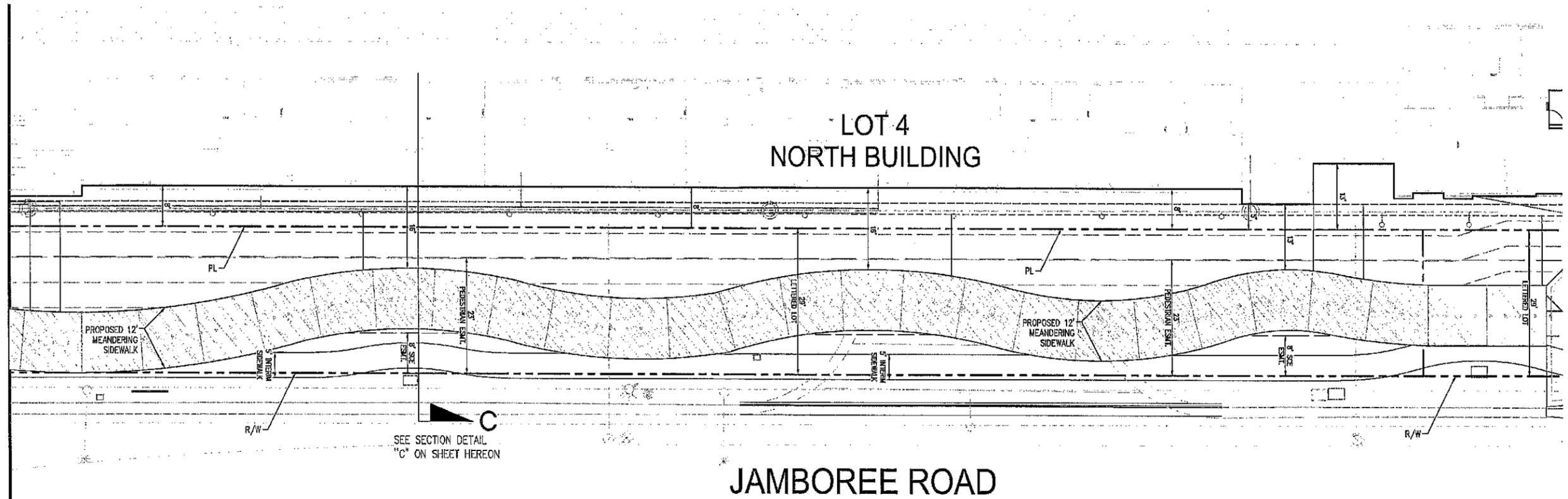
NO.	DESCRIPTION	DATE	BY



**DAVID EVANS AND ASSOCIATES INC.**  
 17782 17TH STREET SUITE 200  
 TUSTIN CALIFORNIA 92780-1947  
 PHONE: 714.696.4500  
 PREPARED UNDER THE SUPERVISION OF:  
 JOHN G. HOGAN I.L.C.E. 23929  
 DATE: 06/30/16

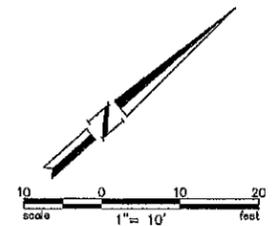
<b>CITY OF NEWPORT BEACH</b>	
<b>UPTOWN NEWPORT PHASE 1 - TRACT 17763 - LOT 3 &amp; 4</b>	
DRAWN BY:	SCALE: 1"=10'
DESIGNED BY:	DATE: 06/30/16
CHECKED BY: JOH	SHEET NO.: 2 OF 3
APPROVED BY:	DATE:

MATCHLINE - SEE SHEET 2



**LEGEND**

- BOUNDARY LINE
- ▲ ACCESSIBLE PATH OF TRAVEL



Know what's below.  
Call 811 before you dig.

NO.	DESCRIPTION	DATE	BY
REVISIONS			



**DAVID EVANS AND ASSOCIATES, INC.**  
17782 17TH STREET SUITE 200  
TUSTIN CALIFORNIA 92780-1847  
PHONE: 714.686.4500

PREPARED UNDER THE SUPERVISION OF:

JOHN C. HOZAM R.C.E. 28229

06/30/16  
DATE:

CITY OF NEWPORT BEACH

UPTOWN NEWPORT PHASE 1 - TRACT 17763 - LOT 3 & 4

DESIGNED BY:	JAMBOREE ROAD MEANDERING SIDEWALK LOCATION LOT 4 BUILDING LOCATION	SCALE: 1"=10'
CHECKED BY:	JCH	DATE: 06/30/18
APPROVED BY:	CITY ENGINEER	SHEET NO.:
		3 OF 3



August 30, 2016

Carol McDermott, AICP  
Founder & Principal  
Entitlement Advisors  
5000 Birch, Suite 400 East Tower  
Newport Beach, CA 92660

**Re: Director's Determination of Nonconforming Status of Encroachment on 123 Marine Avenue-  
DD2016-004**

Dear Ms. McDermott;

The property at 123 Marine Avenue is developed with a two-story, single-family residence and is zoned Two-Unit Residential, Balboa Island (R-BI). A restaurant and second-floor residential unit is located on the adjacent property at 127 Marine Avenue which is zoned Mixed Use-Water Related (MU-W2). The properties are owned by the same entity. In fact, the current property owner states that he was required to purchase both the properties because of the encroachment. An addition to the restaurant was previously completed which encroaches onto 123 Marine, shown in Attachment A. The City is unable to locate building permits for the building addition, however, aerial photos indicate the encroachment has been in place prior to 1989.

Subdivision Code Section 19.04.035 was amended in 2008 to prohibit the construction of structures across a property line. Historically, if parcels were owned by the same entity, then the exterior property lines were recognized. Today, several structures in the city straddle property lines. In 2001, building permits were issued for maintenance issues such as installing drywall, and replacing a door and lighting fixtures. The plans for the project depict the subject area extending beyond the property line which indicates the city was aware of the condition in 2001. See Attachment B.

Historic building records are not always complete. For this reason, the inability to locate a building permit does not necessarily render an improvement unpermitted. The aerial photos support the property owners claim that the structure has been in existence for several decades. Because of the evidence provided in the aerial photos and the permits which were issued to maintain the area in 2001, it is the Community Development Director's determination that the subject addition was lawfully established.

The restaurant addition is used for kitchen preparation and storage. As a non-residential use located on a residentially-zoned property, the use is considered nonconforming as defined in Zoning Code Section 20.38.030B, which states that the Director shall determine the nonconforming conditions of land uses.

"B. Nonconforming Use. Any use determined to have been lawfully established and maintained, but that does not conform to the use regulations or required conditions for the zoning district in which it is located

by reason of adoption or amendment of this Zoning Code or by reason of annexation of territory to the City, shall be deemed to be a nonconforming use.”

Nonconforming uses are subject to the abatement procedures detailed in Zoning Code Section 20.38.100 and shall be discontinued within one year unless an extension is granted by the Hearing Officer. Abatement extensions have been granted for as long as 10 years.

It is our recommendation that the property owner apply for an extension of time as soon as possible. If the Hearing Officer grants an extension, the structure may continue in its current condition provided required life safety and structural issues can be addressed. At the end of the extension period, the portion of the non-conforming use and structure located on 123 Marine Avenue would be required to be removed, unless another extension is applied for and is granted.

All decisions of the Community Development Director may be appealed to the Planning Commission pursuant to Zoning Code Chapter 20.64 (Appeals) within fourteen (14) days following the date of this decision, by any interested party.

Sincerely,

A handwritten signature in blue ink that reads "Kimberly Brandt". The signature is written in a cursive style and is positioned above a horizontal line.

Kimberly Brandt, AICP  
Community Development Director

**Attachments:**

- A. Site Plan
- B. 2001 Building Permit and Plans
- C. Zoning Code Section 20.38.100 Abatement Periods
- D. Aerial Photograph

**Attachment A**  
Site Plan



**Attachment B**  
2001 Building Permit and Plans



City of Newport Beach

Building Department

CIP Permit No: **B2001-1972**

PO Box 1768 Newport Beach, California 92658-8915 Permit Counter Telephone (949)644-3288 Inspection Requests Telephone (949)644-3255

Job Address: **127 MARINE AVE** Floor: Suite: Bldg: 1 Description of Work: **REMODEL REAR ENTRYWAY/DOOR/DRYWALL 1618-2001**

Inspector Area: **2 7** Legal Desc:
Owner: TOLL, THRESA & GEORGE Contractor: OWNER/BUILDER Architect:
Address: 1841 LERWER LN Address: Address:
Phone: 714/731-0423 Phone: State Lic:
Applicant: TOLL, THRESA & GEORGE Con State Lic: Engineer:
Address: 1841 LERWER LN Lic Expire: Address:
Phone: 714/731-0423 Bus Lic: Phone: State Lic:
Lic Exp Date: Phone: State Lic:

Inspector

Code Edition: 0 Workers' Compensation Insurance --
Type of Construction: Carrier:
Occupancy Group: Policy No:
Added/New sq.ft. Bldg: Expire:
Added/New sq. ft. Garage: Building Setbacks Rear: /
No of Stories: Front: /
No of Units: Left: /
Right: /

Issued: Use Zone: RSC
Receipt #: Parking Spaces:

FEES

Table with 4 columns: Fee Name, Amount, Fee Name, Amount. Includes Construction Valuation (\$2,300.00), Building Permit Fee (\$66.95), Plan Check Fee (\$48.20), Supplemental Fee (\$0.00), Investigation Fee (\$0.00), Clean Up Deposit (\$200.00), Energy Compliance (\$0.00), Fair Share (\$0.00), Microfilm (\$1.32), Excise Tax (\$0.00), Park Ded (\$0.00), SJH Trans (\$0.00), San Dist (\$0.00), Ca Seismic Safety (\$0.00), Disabled Review (\$0.00), Hazardous Mat (\$0.00), Add Fire Dep HMQ (\$0.00), Other Fee (\$0.00), Fire Department Plan Review Fee (\$0.00), Inspection Fee (\$0.00), Planning Department Counter Review (\$0.00), Zoning Plan Check (\$27.15), OverTime Plan Check Fee (\$0.00).

TOTAL FEE :\$343.62 TOTAL PAYMENT :\$48.20 TOTAL DUE: \$295.42

PROCESSED BY: [Signature]

OTHER DEPARTMENT: \_\_\_\_\_

ZONING APPROVAL: [Signature]

PLAN CHECK BY: [Signature]

FIRE APPROVAL: \_\_\_\_\_

APPROVAL-TO-ISSUE: [Signature]

GRADING APPROVAL: \_\_\_\_\_

WORK MUST BE STARTED WITH A PERIOD OF 180 DAYS FROM THE DATE OF VALIDATION OR THIS PERMIT BECOMES NULL AND VOID.

PUBLIC WORKS: \_\_\_\_\_

2-1084





City of Newport Beach

Building Department

ELECTRICAL Permit No: E2001-0961

PO Box 1768/3300 Newport Blvd, Newport Beach, California 92658-8915 Permit Counter Telephone (949)644-3288 Inspection Requests Telephone (949)644-3255

Job Address: 127 MARINE AVE Bldg: 1 Floor: Suite:

Description of Work: REMODEL REAR ENTRYWAY/DOOR/DRYWALL B2001-1972

Inspector Area: 27 Code Edit: 96 Legal Desc.:

INSPECTOR NOTES:

Owner: TOLL, THRESA & GEORGE Contractor:

Address: 1841 LERWER LN Address:

Phone: 714/731-0423 Phone:

Receipt #: Con. State Lic.:

Processed By: Lic Expire:

Bus. Lic.:

Lic. Exp Date:

FEE

Table with columns for New Construction, Receptacle/Switch/Outlets, Motors/Transformers (HP/KVA), and Temp Power Pole. Includes sub-categories like Residential, Multi-Family, Service, Signs, and Branch Circuit.

TOTAL: \$21.13

PAYMENT: \$0.23

BALANCE: \$20.90

LICENSED CONTRACTORS DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions code, and my license is in full force and effect.

License No.: Class: Contractor:

WORKERS' COMPENSATION DECLARATION I hereby affirm under penalty of perjury one of the following declarations:

I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the labor code, for the performance of the work for which this permit is issued.

I have and will maintain workers' compensation insurance, as required by Section 3700 of the labor code, for the performance of the work for which this permit is issued.

My workers' compensation insurance carrier and policy numbers is:

Carrier: Policy number: Expire:

This section need not be completed if the permit is for one hundred dollars (\$100) or less.

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the labor code, I shall forthwith comply with those provisions.

Date: Applicant Signature:

Warning: Failure to secure workers' compensation coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to one hundred

(\$100,000), in addition to the cost of compensation, damages as provided for in Section 3706 of the labor code, interest, and attorney's fees.

I hereby acknowledge that I have read this application, that the information given is correct, and that I am the owner, or duly authorized agent of the owner. I agree to comply with city and state laws regulating construction, and in doing the work authorized thereby, no person will be employed in violation of the labor code of the state of California relating to workmen's compensation insurance.

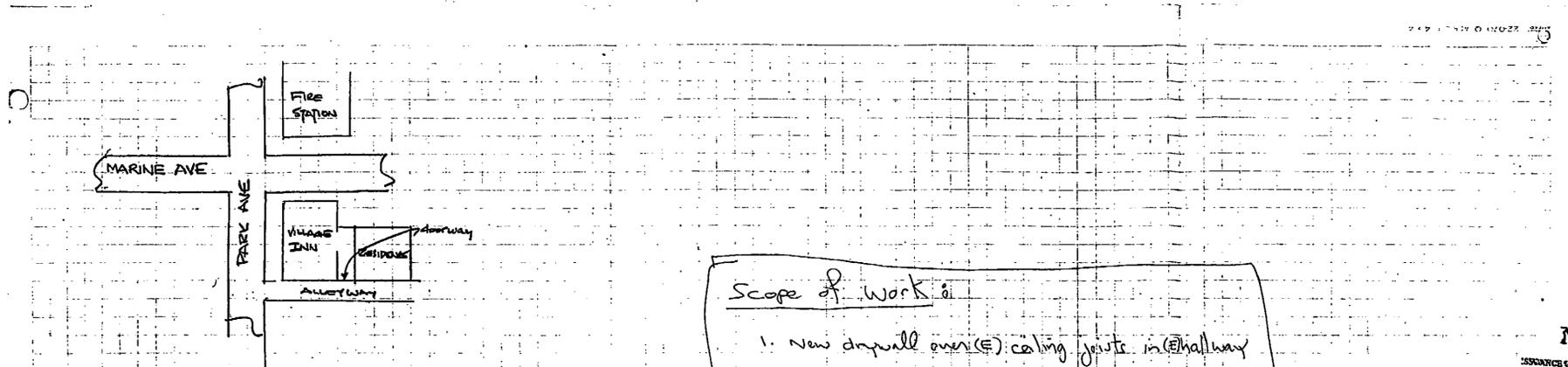
Permittee Name (Print) ROBERTA TOLL Address:

Signature of permittee: Roberta Toll Date: 7/30/01

Table with columns for Approvals and Inspector/Date. Includes items like Grounding Electrode, Underground, Underslab/Floor, Rough Conduit Walls, Rough Wiring Ceilings, Rough Service, Temp Power, Utility Co. Notified, and Final.

WORK MUST BE STARTED WITHIN A PERIOD OF 180 DAYS FROM THE DATE OF VALIDATION OR THIS PERMIT BECOMES NULL AND VOID.

Handwritten number 7 2884



- Scope of Work is:
1. New drywall over (E) ceiling joists in hallway
  2. replace alley screen door
  3. replace wood door at alley w/ metal door
  4. stucco patch around door
  5. replace light fixtures w/ new fl. fixture

**NOTICE**

ISSUANCE OF A BUILDING PERMIT BY THE CITY OF NEWPORT BEACH DOES NOT RELIEVE APPLICANT OF REQUIREMENT TO OBSERVE COVENANTS, CONDITIONS AND RESTRICTIONS WHICH MAY BE RECORDED AGAINST THE PROPERTY OR TO OBTAIN COMMUNITY ASSOCIATION APPROVAL OF PLANS. YOU SHOULD CONTACT YOUR COMMUNITY ASSOCIATION PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION AUTHORIZED BY THIS PERMIT.

CITY OF NEWPORT BEACH  
ENCROACHMENT PERMIT  
SHALL BE OBTAINED  
FOR ALL WORK WITHIN CITY  
EASEMENTS & RIGHTS OF WAY

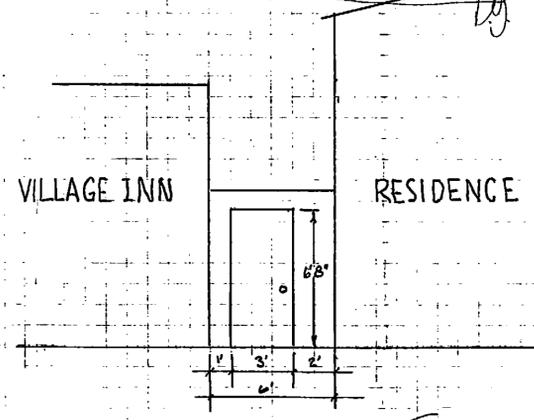
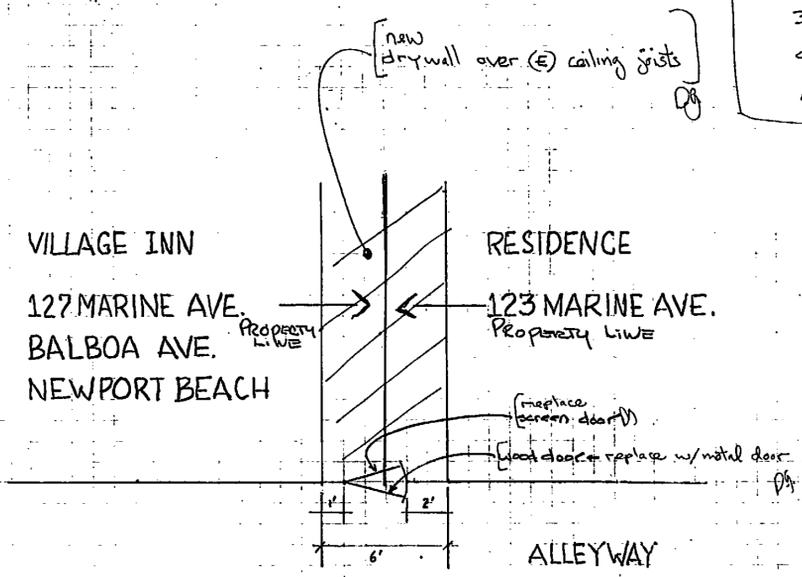
BUILDING DEPARTMENT  
CITY OF NEWPORT BEACH, CA

APPROVAL OF THESE PLANS DOES NOT CONSTITUTE EXPRESS OR IMPLIED AUTHORIZATION TO CONSTRUCT ANY BUILDING IN VIOLATION OF OR INCONSISTENT WITH THE ORDINANCES, PLANS AND POLICES OF THE CITY OF NEWPORT BEACH. THIS APPROVAL DOES NOT GUARANTEE THAT THESE PLANS ARE IN FULL COMPLIANCE WITH CITY, BUILDING AND ZONING ORDINANCES. PLEASE AND PROVIDE THE CITY OF NEWPORT BEACH RESERVES THE RIGHT TO REVOKE ANY PERMITS TO REPAIR THE BUILDING, STRUCTURE OR IMPROVEMENT AUTHORIZED BY THESE PLANS, BEFORE, DURING OR AFTER CONSTRUCTION, IF NECESSARY TO COMPLY WITH THE ORDINANCES, PLANS AND POLICES OF THE CITY OF NEWPORT BEACH.

APPLICANT'S ACKNOWLEDGMENT: *Robert Toll*

DEPARTMENT	EXAMINER	DATE
PUBLIC WORKS		
PLANNING		
ENGINEER		
PLUMBER		

APPROVAL TO ISSUE  
DATE: 6-26-01



Owner of 123 + 127 Marine is  
Jenny + Roberta Toll

Existing floorplan is the same as previous floorplan except that new door is not as wide as the previous door. The previous door is estimated from photographs to have been about 5' wide.

PLAN & ELEVATION OF  
DOOR REPLACEMENT AT  
THE VILLAGE INN

1/4" = 1'

June 25, 2001

PC#1618-2001  
1 of 1

**Attachment C**  
Zoning Code Section 20.38.100 Abatement Periods

## 20.38.100 Abatement Periods.

A. Nonconforming uses shall be abated and terminated upon the expiration of the periods of time identified in this section.

B. All Zoning Districts When No Structure Is Involved. Nonconforming uses of land located in any zoning district, Planned Community District, or specific plan district that do not involve the use of a structure shall be discontinued within one year of becoming nonconforming.

C. Residential Zoning Districts Involving a Structure. In residential zoning districts or in an area where residential uses are allowed in Planned Community Districts or specific plan districts, a nonconforming use of land involving a structure shall be discontinued as follows:

1. Abatement Period. A nonconforming use of land involving a structure in a residential zoning district shall be discontinued on the earliest date as follows:

a. Within one year; or

b. Upon the expiration of the term of a lease on the property. Any lease shall be the last lease entered into for the subject property prior to December 7, 2007; or

c. Upon the expiration of a current operating license that is required by State law.

2. Order of Abatement. Whenever the Director finds that any of the conditions exist that are identified in subsection (C)(1) of this section, the Director shall issue a written order of abatement to the property owners and all persons in possession of the property. The owner and/or person in possession shall comply within the time and in the manner stated in the order.

3. Exception. Multifamily and two-family residential uses located in residential zoning districts and in areas where residential uses are allowed in Planned Community Districts or specific plan districts that are nonconforming only in terms of their number of units or parking shall not be subject to abatement.

4. Extension of Abatement Period. Following the issuance of an abatement order by the Director, a property owner may request an extension of the abatement period in order to amortize the property owner's investment and to avoid a potential taking of property either under the procedure outlined in this subsection or under the procedure outlined in subsection (C)(5) of this section (Extension of Abatement Period for Residential Care Facility).

a. Application Requirements. An application for an extension of the abatement period shall be filed with the Department no later than ninety (90) days prior to the expiration of the abatement period as specified in this section. The application shall include the following information in addition to other information required by the Department:

- i. The length of the requested extension of the abatement period; and
- ii. Evidence in support of the findings included in subsection (C)(4)(c) of this section (Findings and Considerations).

b. Hearing Officer Hearing and Action.

- i. The Hearing Officer, as provided in Section [20.60.040](#) (Hearing Officer), shall be the review authority for applications for requests of extensions to abatement periods for nonconforming uses in residential zoning districts and in Planned Community Districts or specific plan districts where residential uses are allowed.
- ii. The Hearing Officer shall conduct a public hearing on the request in compliance with Chapter [20.62](#) (Public Hearings).
- iii. The Hearing Officer, by resolution, shall approve, conditionally approve, or deny the request for an extension to the abatement period. The resolution shall include: findings of fact; evidence presented of economic hardship arising from the abatement proceedings; the nonconformity's impact on the community; and other factors that may affect the length of the abatement period required to avoid an unconstitutional taking.

c. Findings and Considerations. In reviewing an application for an extension to the abatement period the Hearing Officer shall consider the following:

- i. Length of the abatement period in relation to the owner's investment in the use;
- ii. Length of time the use was operating prior to the date of nonconformity;
- iii. Suitability of the structure for an alternative use;
- iv. Harm to the public if the use remains beyond the abatement period; and
- v. Cost and feasibility of relocating the use to another site.

d. Notice to Owner. Following the hearing, the Department shall send a copy of the Hearing Officer's action to the owner of the property within ten (10) days following the date of the Commission's action.

e. Appeals. Refer to subsection (F) of this section.

5. Extension of Abatement Period for Residential Care Facility. The abatement period for a residential care facility may be extended upon approval of an application by the Director under one or both of the circumstances outlined below. An application for an extension under this subsection is separate and apart from an application for an extension under subsection (C)(4) of this section. A residential care facility may apply for an extension under either or both procedures:

a. When the owner or occupant has applied for a conditional use permit (Section [20.52.020](#)) or reasonable accommodation (Section [20.52.070](#)) in a timely manner and is diligently pursuing the applicable process, as determined by the Director; or

b. When the business owner or occupant is contractually obligated to continue the provision of a program or service for one or more persons so long as any existing contract provides for a normal and customary term for the provision of those services. No term shall exceed sixty (60) days.

D. Nonresidential Zoning Districts Involving a Structure.

1. Abatement Period. In nonresidential zoning districts, and in areas where residential uses are not allowed in Planned Community Districts or specific plan districts, a nonconforming use of land involving a structure shall be discontinued within ten (10) years after the Commission determines that the orderly termination of the nonconforming use is necessary to promote the health, safety, and general welfare and to comply with the provisions of the Zoning Code and goals and policies of the General Plan.

2. Order of Abatement. Whenever the Commission determines that the abatement of a nonconforming use is necessary in compliance with subsection (D)(1) of this section, the Director shall issue a written order of abatement to the property owners and all persons in possession of the property. The owners and/or persons in possession shall comply within the time and in the manner stated in the order.

3. Exceptions. The abatement period specified in subsection (D)(2) of this section shall not apply except in the following circumstances:

a. A different abatement period is specified in a Planned Community District or specific plan district; or

b. The use is located in a landmark structure that is subject to the provisions of Section [20.38.070](#) (Landmark Structures), in which case there shall be no abatement period.

4. Extension of Abatement Period. Following the issuance of an abatement order by the Director, a property owner may request an extension of the abatement period in order to amortize the property owner's investment and to avoid a potential taking of property.

a. Application Requirements. An application for an extension of the abatement period shall be filed with the Department no later than ninety (90) days prior to the expiration of the abatement period as specified in this section. The application shall include the following information in addition to other information required by the Department:

i. The length of the requested extension of the abatement period; and

ii. Evidence in support of the findings included in subsection (D)(4)(c) of this section (Findings and Considerations).

b. Commission Hearing and Action.

i. The Commission shall be the review authority for applications for requests of extensions to abatement periods for nonconforming uses in nonresidential zoning districts and in Planned Community Districts or specific plan districts where residential uses are not allowed.

ii. The Commission shall conduct a public hearing in compliance with Chapter [20.62](#) (Public Hearings).

iii. The Commission shall evaluate evidence presented of economic hardship arising from the abatement proceedings, the nonconformity's impact on the community, and other factors provided in subsection (D)(4)(c) of this section that may affect the length of the abatement period required to avoid an unconstitutional taking.

iv. The Commission shall approve, conditionally approve, or deny the request for an extension to the abatement period only as required to avoid an unconstitutional taking of property.

c. Findings and Considerations. In reviewing an application for an extension to the abatement period the Commission shall consider the following:

- i. Length of the abatement period in relation to the owner's investment in the use;
- ii. Length of time the use was operating prior to the date of nonconformity;
- iii. Suitability of the structure for an alternative use;
- iv. Harm to the public if the use remains beyond the abatement period;
- v. Cost and feasibility of relocating the use to another site; and
- vi. Other evidence relevant to the determination of whether an extension of the abatement period is required to avoid an unconstitutional taking of property.

d. Notice to Owner. Following the hearing, the Department shall send a copy of the Commission's action to the owner of the property within ten (10) days following the date of the Commission's action.

E. Enforcement. The City shall enforce the provisions of this chapter by civil action, utilization of the procedures in Chapter [20.68](#) (Enforcement), or any other proceedings or methods permitted by law.

F. Appeals.

1. Decisions of the Director, Zoning Administrator, Hearing Officer, or Commission may be appealed in compliance with the procedures established in Chapter [20.64](#) (Appeals).
2. Council hearings on appeals of the Hearing Officer's decision shall not be de novo and the City Council shall determine whether the findings made by the Hearing Officer are supported by substantial evidence presented during the evidentiary hearing. The City Council, acting as the appellate body, may sustain, reverse, or modify the decision of the Hearing Officer or remand the matter for further consideration. The remand shall include specific issues to be considered or a direction for a de novo hearing. (Ord. 2010-21 § 1 (Exh. A)(part), 2010)

**Attachment D**  
Aerial Photographs



Year 2014



Year 2001



Year 1989



## 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**

**Application No.**            **Comprehensive Sign Program No. CS2016-010 (PA2016-129)**  
**4000 MacArthur Boulevard Sign Program**

**Applicant**                **Sign Specialists Corporation**

**Site Address**            **4000 MacArthur Boulevard**

**Legal Description**    **Parcel 1 of Resubdivision No. 0570**

On **September 2, 2016**, the Zoning Administrator approved Comprehensive Sign Program No. CS2016-010. The sign program allows for the following signage and deviations:

1. Sign Number and Location. Modification Permit No. MD2003-097 (PA2003-232), previously authorized up to five tenant wall signs (Sign Type 3) in the locations currently proposed. Two of these walls signs were permitted up to 387 square feet in area. One of the five signs is swapped to the northern façade (Sign 3.B) from the existing approved location at the north facing façade (Sign 3.A). Two smaller tenant wall signs are proposed at the lower eyebrow levels of the buildings, including one at the entrance to the building on a new glass façade structure that is primarily intended for pedestrians as they enter the building.
2. Sign Type. Sign Types 1 and 2 establish locations for address signage on the building for which the PC-15 (Koll Center Planned Community) does not currently provide standards.

The applicant proposes a comprehensive sign program that includes permanent building identification, tenant wall signs, and address signage at an existing office building. The sign program is necessary because three or more permanent signs are proposed, the signs will exceed the number of signs allowed, and the location of the signs deviate from the Koll Center Planned Community sign standards. The applicant requests a total of two address signs, two building identification signs, and eight tenant walls signs.

This action incorporates Modification Permit No. MD2003-097 (PA2003-232) (Attachment No. ZA 2), which previously authorized the two signs that exceed what comprehensive sign program can approve. The building at 4000 MacArthur Boulevard has undergone renovations to accommodate new office tenants and improve building identification. The

unusual building shape creates the need for a comprehensive sign program to allow greater flexibility for the sign type, number, and location.

The subject property is located within the Office Site B sub-area of the PC-15 (Koll Center Planned Community) Zoning District and the General Plan Land Use Element category is MU-H2 (Mixed-Use Horizontal).

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

## **I. FINDINGS**

Pursuant to Section 20.42.120 (Comprehensive Sign Program) of the Zoning Code, approval of a Comprehensive Sign Program is required whenever three or more nonexempt signs are proposed for a single-tenant development and whenever signs are proposed to be located on or above the second story on a multi-story building. In accordance with Section 20.42.120.E (Comprehensive Sign Program: Standards), the following standards and facts in support of such standards are set forth:

### **Standard:**

- A. *The proposed sign program shall comply with the purpose and intent of this Chapter (Chapter 20.42: Sign Standards), 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. In compliance with the purpose and intent of the Sign Standards, the proposed Comprehensive Sign Program provides the site and the uses with adequate identification and way-finding without excessive proliferation of signage. Furthermore, it preserves community appearance by regulating the type, number, size, and design of signage in comprehensive and coordinated fashion.
2. The sign program establishes a sign type for address signage (Sign Type 1 and 2a) and allows for two larger address signs at each building entrance that exceed the limitations for exempt signage.
3. The sign program allows for two building identification signs (Sign Type 2b and 2c) and two additional tenant wall signs (Sign Types 4a and 4b) to be mounted at the lower eyebrow level on a new glass façade structure at the entrance to the building and on the southeastern corner of opposite building, which is visible from the parking area. These signs are intended to improve visibility and direct pedestrians as they enter the buildings.

4. The sign program allows for additional tenant wall signs (Sign Type 3) at the upper eyebrow of the office building as previously authorized under Modification Permit No. MD2003-097.
5. The proposed signs on the building are beneficial and can be viewed from a greater distance due to their location and placement on each building frontage. The location of the larger tenant wall sign along the eastern building frontage will improve the building and tenant visibility from Jamboree Road.

Standard:

- B. 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 when applicable.*

Facts in Support of Standard:

1. The signs have been designed to be integral with the design, scale, and architectural character of the buildings and other site improvements.
2. The proposed signage will enhance the overall development of the site. It will provide adequate identification of the site and will also improve the pedestrian experience.

Standard:

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

Facts in Support of Standard:

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

Standard:

- D. 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 is designed to be effective for future tenants of the building.

2. It is not anticipated that future revisions will be necessary to accommodate constant changes in tenants or uses. However, flexibility has been incorporated into the Sign Program Matrix to allow minor deviations from the proposed signs.
3. Consistent with Chapter 20.42 (Sign Standards), the Community Development Director [or his/her designee] may approve minor revisions to the Sign Program if the intent of the original approval is not affected.

Standard:

- E. The program shall comply with the standards of this Chapter, 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.*

Facts in Support of Standard:

1. The Comprehensive Sign Program incorporates the wall signage (Sign Type 3) previously allowed under Modification Permit No. MD2003-097 and requests deviation in the size, number, and location of signs prescribed in the PC-15 (Koll Center Planned Community) Zoning District. The signs are designed to be complimentary to the building's office use and are harmonious with the surrounding buildings and uses.
2. The sign program establishes a sign type for address signage (Sign Type 1 and 2a) and requests deviation in the size and location of these signs to allow for adequate visibility of the site at each entrance for pedestrians and vehicles locating the site.
3. The sign program establishes a sign type for building identification and tenant signage (Sign Types 2, 4a and 4b) on a new glass façade at the front entrance to the building facing MacArthur Boulevard and on the southeastern corner of opposite building, which is visible from the parking area. These lower signs provide help improve pedestrian and vehicle visibility as they approach the buildings.
4. Five of the tenant wall signs (Sign Type 3) were previously authorized through Modification Permit No. MD2003-097 (PA2003-232). Two of these tenant wall signs are authorized at 387 square feet in area. The location of one of the larger signs will be relocated so that the larger signage is mounted on the northern frontage facing Jamboree Road. This building frontage improves visibility as vehicles approach the building along Jamboree Road. The new location will help to maintain the rhythm of the existing signage and are mounted on the upper building eyebrow to more closely match the buildings architecture.

Standard:

- F. *The Approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter.*

Facts in Support of Standard:

1. The program does not authorize the use of any prohibited sign types.

Standard:

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

Facts in Support of Standard:

1. The program contains no regulations affecting sign message or content.

Finding:

- H. *This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15311 under Class 11 (Accessory Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.*

Facts in Support of Finding:

1. The Class 11 exemption includes on-premise signs. The Comprehensive Sign Program addresses all on-premise signage, which is ancillary to the existing office center use.

**II. CONDITIONS OF APPROVAL**

1. Comprehensive Sign Program No. CS2016-010 shall supersede Comprehensive Sign Program No. CS2015-002 (PA2015-013).
2. 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.)
3. Comprehensive Sign Program No. CS2016-010 shall expire unless exercised within 24 months from the date of approval as specified in Section 20.54.060 (Time Limits and Extensions) 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 Comprehensive Sign Program may be modified or revoked by the Zoning Administrator if 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. Locations of the signs are limited to the designated areas and shall comply with the limitations specified in the Sign Program Matrix included in Attachment ZA 2.
8. All signs must be maintained in accordance with Section 20.42.170 (Maintenance Requirements) of the Newport Beach Municipal Code.
9. A building permit shall be obtained prior to commencement of the construction and/or installation of the signs.
10. The signs visual character and mounting heights shall comply with the California Building 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 4000 MacArthur Comprehensive Sign Program including, but not limited to, Comprehensive Sign Program No. CS2016-010 (PA2016-129). 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 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. For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

On behalf of Patrick J. Alford, Zoning Administrator

By:



---

Benjamin M. Zdeba, AICP  
Associate Planner

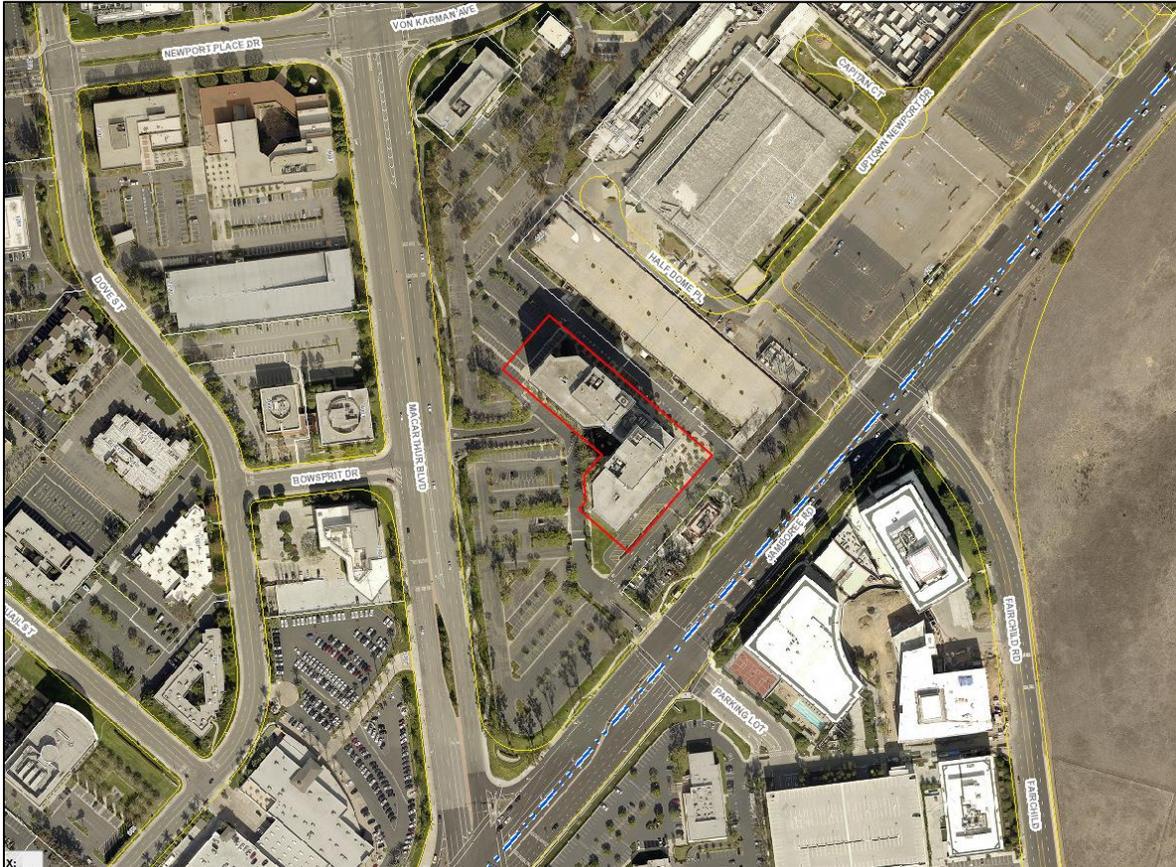
JC/bmz

Attachments:   ZA 1 Vicinity Map  
                  ZA 2 Modification Permit No. MD2003-097 (PA2003-232)  
                  ZA 3 Sign Program Matrix Table  
                  ZA 4 Project Plans

# **Attachment No. ZA 1**

Vicinity Map

# VICINITY MAP



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Comprehensive Sign Program No. CS2015-002  
(PA2015-013)

**4000 MacArthur Boulevard**

# **Attachment No. ZA 2**

Modification Permit No. MD2003-097 (PA2003-232)



CITY OF NEWPORT BEACH  
 COMMUNITY AND ECONOMIC DEVELOPMENT  
 PLANNING DEPARTMENT  
 3300 NEWPORT BOULEVARD  
 NEWPORT BEACH, CA 92658  
 (949) 644-3200; FAX (949) 644-3250



Application:  Modification Permit No.: MD2003-097  
 Accepted by: [Signature]

PA2003-232

PA2003-232 for MD2003-097  
 4000 MacArthur Boulevard  
 Conexant Systems, Inc.

PART I: Cover Page

Project Common Name (if applicable): \_\_\_\_\_

FEES: 1115.00  
\$1065.00

APPLICANT (Print): <u>CONEXANT</u> Mailing Address: <u>4000 MacArthur Blvd.</u> <u>Newport Beach, CA 92660</u> Phone: <u>(949) 483-4374</u> Fax <u>(949) 483-9068</u>	CONTACT PERSON (if different): <u>Dennis Stout</u> Mailing Address: <u>871 N. Maplewood St.</u> <u>Orange, CA 92867</u> Phone: <u>(714) 744-2845</u> Fax <u>(714) 744-5123</u>
Property Owner (if different from above): <u>Same</u> Mailing Address: _____ Phone: ( ) Fax ( )	

PROJECT ADDRESS: 4000 MacArthur Blvd.

Project Description and Justification (describe briefly) Install (1) internally  
illuminated channel letter type wall sign to match  
existing "Conexant" signs. The sign was removed from  
the building when Mindspeed installed their signs on "Mount  
Everest" building, leaving Conexant with NO ID on the  
South elevation -

PROPERTY OWNER'S AFFIDAVIT

(I) (We) CONEXANT SYSTEMS, INC. depose and say that (I am) (we are) the owner(s) of the property(ies) involved in this application. (I) (We) further certify, under penalty of perjury, that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of (my) (our) knowledge and belief.

Signature(s) [Signature]  
J.L. CISNEROS MANAGER, FACILITIES AND CORP. REAL ESTATE.

NOTE: An agent may sign for the owner if written authorization from the record owner is filed with the application.

*DISTRICT 44 - NO CH*

Work to be done: Install (1) illuminated wall sign to read: "CONEXANT"  
to match existing.

Existing Nonconformities: Building has 1 wall sign

Proposed Nonconformities: Additional wall sign exceeds size and number  
allowed in this zone.

Present Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_ Zone: \_\_\_\_\_

Code Requirement	Existing	Proposed
Front setback		
Right side setback		
Left side setback		
Rear setback		
Main building area		
Garage area		
Open space		
Parking spaces		
Building height		

Previous Modifications, Use Permits, Variances, etc.: \_\_\_\_\_

Legal Description of Property Involved (if too long, attach separate sheet)  
P BK 181 PG 13 PAR 4

**DO NOT COMPLETE APPLICATION BELOW THIS LINE, FOR PLANNING DEPT. USE ONLY:**

Indicate Previous Modification Permits, Use Permits, Variances, etc. \_\_\_\_\_

General Plan Designation PAID Zoning District: \_\_\_\_\_ Coastal Zone: YES or NO

**CITY OF NEWPORT BEACH**  
\*\*\*\*\*

Date Filed: OCT 07 2003 Fee Pd: 1115.00 Receipt No: PU 2-61520

Date Deemed Complete: \_\_\_\_\_ Hearing Date: \_\_\_\_\_  
CONEXANT ACCT.

Posting Date: \_\_\_\_\_ Mailing Date: \_\_\_\_\_

Modifications Committee Action: 10-22-03  Approved, Subject to Conditions  Denied (check one)  
(Date)

Planning Director Action \_\_\_\_\_

Date \_\_\_\_\_ Appeal \_\_\_\_\_

P.C. Hearing 11-20-03 - denied P.C. Action \_\_\_\_\_

Date 11-2-2003 - denied Appeal \_\_\_\_\_

C.C. Hearing 12-9-2003 - approved C.C. Action \_\_\_\_\_

CITY OF NEWPORT BEACH

RECEIVED

APPLICATION TO APPEAL DECISION OF THE PLANNING COMMISSION

Application No. PA 2003-232 MOD PERMITS NO. 2003-097'03 NOV 24 112:00

Name of Appellant or person filing: Jake Cisneros Phone: 919-483-9374

Address: 4000 MacArthur BL.

Date of Planning Commission decision: 11-20, 2003

Regarding application of: CONEXANT SYSTEMS, INC. for

(Description of application filed with Planning Commission) additional wall sign for Conexant at 4000 MacArthur Blvd. WEST TOWER.

Reasons for Appeal: The Building consists of two ten story Towers with five facades each. The addition of the proposed sign would not create a proliferation of signage in that you would never see more than two signs on the building at one time. The sign is necessary for proper ID for international customers approaching from LAX and San Diego Airports.

Signature of Appellant [Signature] Date 11/24/03

[Signature] CITY CLERK

FOR OFFICE USE ONLY

Date Appeal filed and Administrative Fee received: November 24, 2003.

Hearing Date. An appeal shall be scheduled for a hearing before the City Council within thirty (30) days of the filing of the appeal unless both applicant and appellant or reviewing body consent to a later date (NBMC Sec. 20.95.060)

cc: Appellant Planning (Furnish one set of mailing labels for mailing) File

APPEALS: Municipal Code Sec. 20.95.050(B) Appeal Fee: \$455 pursuant to Resolution No. 2003-40 adopted on 8-12-03 (effective 8-13-03)

(Deposit funds with Cashier in Account #2700-5000)



**CITY OF NEWPORT BEACH**  
**ADMINISTRATIVE SERVICES**  
 3300 NEWPORT BLVD..  
 P.O. BOX 1768, NEWPORT BEACH, CA 92658-8915

# CASH RECEIPT

RECEIPT NUMBER: 02000064546

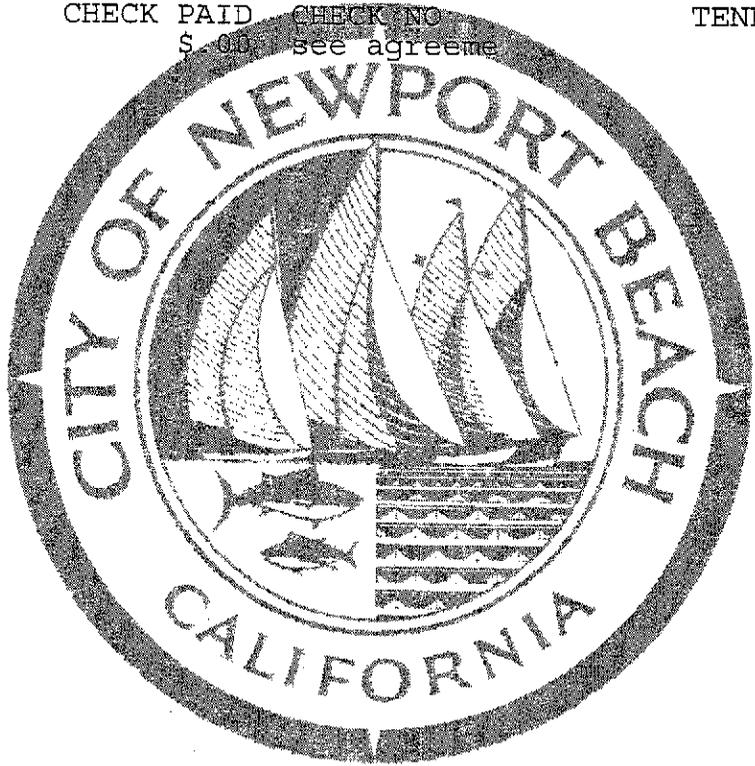
RECEIVED BY: PERRY2  
 TODAY'S DATE: 11/24/03

PAYOR: CONEXANT  
 REGISTER DATE: 11/24/03 TIME: 11:57:05

27005000 ZONING & SUBDIVISION FEES	\$455.00
0202229 ROCKWELL/CONEXANT SYS DEP	-\$455.00

TOTAL DUE: ----- \$0.00

CASH PAID	CHECK PAID	CHECK NO.	TENDERED	CHANGE
\$0.00	\$0.00	see agreeme	\$0.00	\$0.00



REC  
 TODA  
 2700  
 0203

REC  
 TODA  
 2700  
 0203

reading on January 13, 2004.

Council Member Heffernan asked if there were other such observation decks in the City. Program Administrator Trimble stated that he wasn't aware of any such decks on commercial buildings.

The motion carried by the following roll call vote:

Ayes: Heffernan, Rosansky, Adams, Bromberg, Webb, Mayor  
Ridgeway

Noes: None

Abstain: Nichols

Absent: None

Mayor Ridgeway opened the public hearing on the resolution.

Hearing no testimony, Mayor Ridgeway closed the public hearing on the resolution.

Motion by Council Member Bromberg to adopt Resolution No. 2003-75 amending the General Plan and Local Coastal Program.

The motion carried by the following roll call vote:

Ayes: Heffernan, Rosansky, Adams, Bromberg, Webb, Mayor  
Ridgeway

Noes: Nichols

Abstain: None

Absent: None

29. **APPEAL OF THE PLANNING COMMISSION DENIAL OF MODIFICATION PERMIT NO. 2003-097 TO ALLOW A FIFTH WALL SIGN - 4000 MACARTHUR BOULEVARD (PA2003-232) (CONEXANT SYSTEMS, INC. - APPLICANT).**

Modification Permit  
No. 2003-097/  
Conexant Systems,  
Inc.  
(68)

Mayor Pro Tem Adams announced that he would be recusing himself from the item due to his ownership of Conexant Systems, Inc. and Mindspeed common stock.

Mayor Ridgeway announced that he would also be recusing himself from the item for the same reason.

Planning Director Temple stated that the building currently has four signs, two on each of the two towers. Conexant has requested to install a third sign on one of the towers. She stated that the Modifications Committee approved the application based on the fact that the building is unique. The Planning Commission reversed the decision of the Modifications Committee and denied the application. Planning Director Temple stated that the Planning Commission felt that four signs were sufficient and that any visibility issues could be addressed by relocation of the existing signs.

Council Member Webb asked if the restrictions for a 200-foot sign were

the same for a one-story building as for a ten-story building. Planning Director Temple confirmed that the height of the building does not affect the restriction.

Council Member Rosansky asked if there are other buildings in the City that have three signs. Planning Director Temple stated that she was not aware of any.

Council Member Bromberg opened the public hearing.

Dennis Stout, representing Federal Sign and Conexant, stressed the fact that the building is unique. He stated that there are ten fascias that could be used for sign locations. Mr. Stout stated that Conexant needs approach visibility, and pointed out that there are no angles from the main arterials where two signs can be seen at once.

Hearing no further testimony, Council Member Bromberg closed the public hearing.

Motion by Council Member Heffernan to reverse the decision of the Planning Commission and approve the request by adopting the findings contained in the Modifications Committee approval letter.

The motion carried by the following roll call vote:

Ayes: Heffernan, Rosansky, Bromberg, Webb, Nichols

Noes: None

Abstain: Adams, Mayor Ridgeway

Absent: None

**30. MARINE AVENUE BUSINESS IMPROVEMENT DISTRICT:  
CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION  
CONFIRMING THE LEVYING OF ASSESSMENTS FOR FISCAL  
YEAR 2004.**

Res 2003-73  
Marine Avenue BID  
(27)

Mayor Ridgeway opened the public hearing.

Assistant City Manager Wood announced that no written protests have been received.

Hearing no testimony, Mayor Ridgeway closed the public hearing.

Motion by Council Member Bromberg to adopt Resolution No. 2003-73 confirming the Marine Avenue Business Improvement District Annual Report and levying the BID assessment for the 2004 calendar year.

The motion carried by the following roll call vote:

Ayes: Heffernan, Rosansky, Adams, Bromberg, Webb, Nichols,  
Mayor Ridgeway

Noes: None

Abstain: None

**CITY OF NEWPORT BEACH  
CITY COUNCIL STAFF REPORT**

**FILE COPY**

Agenda Item No. 29  
December 9, 2003

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** Gregg B. Ramirez, Associate Planner  
(949) 644-3219, [gramirez@city.newport-beach.ca.us](mailto:gramirez@city.newport-beach.ca.us)

**SUBJECT:** Appeal of the Planning Commission denial of Modification Permit No. 2003-097  
4000 MacArthur Boulevard  
(PA2003-232)

**APPLICANT:** Conexant Systems Inc.

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**ISSUE:**

Should the City Council approve Modification Permit No. 2003-232 to allow a fifth wall sign?

**DISCUSSION:**

**Background:**

On October 22, 2003, the Modifications Committee voted 3-0 to approve Modification Permit No. 2003-232. The applicant requested approval for the installation of a fifth tenant identification wall sign that is approximately 387 square feet in area on the west tower of the Conexant/Mindspeed building located at 4000 MacArthur Boulevard. The Koll Center Planned Community District Regulations allow signs on two facades per building and limit each sign to 200 square feet in area. The Modifications Committee believed the number of signs proposed is acceptable as the building is actually made up of two multi-story towers connected only by a single story common area. The building is more akin to two separate buildings which would be permitted to have two wall signs each. Additionally, the Committee believed that the request for the fifth sign is rational given that the Conexant tower has five facades and that the 387 square foot size of the proposed fifth sign is appropriate given the size and scale of the building and it is consistent with the existing Conexant signage. This item was called for review to the Planning Commission by Commissioner Kiser.

On November 20, 2003 the Planning Commission reversed the decision of the Modifications Committee by a 4-3 vote and denied the request for the additional wall sign. The Commission felt the building has adequate signage and that the additional sign would be excessive.

The applicant believes the additional sign would not create a proliferation of signage and that the additional signage is necessary to ensure site identification for customers coming from the Los Angeles and San Diego International Airports via Highway 73.

Attached to this report are the Modification Permit approval letter, the Planning Commission staff report (which includes findings for denial) and a copy of the draft minutes from the November 20, 2003 Planning Commission hearing.

Environmental Review:

This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 11 (Accessory Structures).

Public Notice:

Notice of this hearing was published in the Daily Pilot, mailed to property owners within 300 feet of the property, and posted at the site a minimum of 10 days in advance of this hearing consistent with the Municipal Code. Additionally, the item appeared upon the agenda for this meeting, which was posted at City Hall and on the city website.

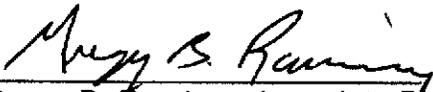
Alternatives:

The Council has the following options:

1. The Council can uphold the decision of the Planning Commission and deny the appeal.
2. The Council can reverse the decision of the Planning Commission and approve the request by adopting the findings contained in the attached Modifications Committee approval letter.

Prepared by:

Submitted by:

  
Gregg B. Ramirez, Associate Planner

  
Patricia L. Temple, Planning Director

Attachments:

- A. Planning Commission Staff Report
- B. Draft Minutes from Planning Commission Meeting of November 20, 2003
- C. Modifications Committee Approval Letter
- D. Appeal Application
- E. Project Plans

ATTACHMENT A

Planning Commission Staff Report

**CITY OF NEWPORT BEACH  
PLANNING COMMISSION STAFF REPORT**

Agenda Item No. 2  
November 20, 2003

**TO:** PLANNING COMMISSION

**FROM:** Gregg B. Ramirez, Associate Planner  
(949) 644-3219, [gramirez@city.newport-beach.ca.us](mailto:gramirez@city.newport-beach.ca.us)

**SUBJECT:** Call for review of the approval of Modification Permit No. 2003-097  
Conexant Signage  
4000 MacArthur Boulevard  
(PA2003-232)

**APPLICANT:** Conexant Systems Inc.

**FILE COPY**

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**BACKGROUND:**

On October 22, 2003, the Modifications Committee voted 3-0 to approve Modification Permit No. 2003-232. The applicant requested approval for the installation of a fifth tenant identification wall sign that is approximately 387 square feet in area on the west tower of the Conexant/Mindspeed building located at 4000 MacArthur Boulevard. The Koll Center Planned Community District Regulations allows signs on two facades per building and limits each sign to 200 square feet in area. This item was called for review by Commissioner Kiser.

The existing signage was approved by Modification Permit No. 5036 on February 16, 2000 which allows a total of four wall signs (two on each tower) each of which exceeds the 200 square foot maximum size. The two Conexant signs measure 387 square feet each while the two Mindspeed signs measure approximately 226 square feet each.

The proposed fifth wall sign will be located on the west tower of the building (Conexant) and bring the signage total to three "Conexant" signs in addition to the two "Mindspeed" signs on the east tower. The Modifications Committee believed the number of signs proposed is acceptable as the building is actually made up of two multi-story towers connected only by a single story common area. The building is more akin to two separate buildings which would be permitted to have two wall signs each. Additionally, the Committee believed that the request for the fifth sign is rational given that the Conexant tower has five facades and that the 387 square foot size of the proposed fifth sign is appropriate given the size and scale of the building and it is consistent with the existing Conexant signage.

Environmental Review:

This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 11 (Accessory Structures).

Public Notice:

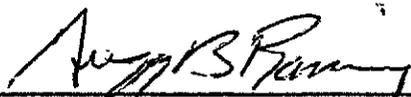
Notice of this hearing was published in the Daily Pilot, mailed to property owners within 300 feet of the property, and posted at the site a minimum of 10 days in advance of this hearing consistent with the Municipal Code. Additionally, the item appeared upon the agenda for this meeting, which was posted at City Hall and on the city website.

RECOMMENDATION:

Staff recommends that the Planning Commission uphold and affirm the decision of the Modifications Committee. If the Commission believes the proposed fifth sign is excessive in size or not appropriate for this location, the Commission has the following options:

1. The commission can reverse the decision of the Modifications Committee and deny the request.
2. The Commission has the option of modifying the project by approving a smaller sign.

Prepared by:



Gregg B. Ramirez, Associate Planner

Submitted by:



Patricia L. Temple, Planning Director

Exhibits:

1. Approval letter for Modification Permit No. 2003-097
2. Findings for Denial
- 3.. Project Plans



CITY OF NEWPORT BEACH

MODIFICATION PERMIT NO. MD2003-097  
(PA2003-232)

PLANNING DEPARTMENT  
3300 NEWPORT BOULEVARD  
NEWPORT BEACH, CA 92658  
(949) 644-3200; FAX (949) 644-3229

Staff Person: Javier S. Garcia, 644-3206  
Appeal Period: 14 days after approval date

October 22, 2003

Conexant Systems, Inc.  
4000 MacArthur Boulevard  
Newport Beach, CA 92660

**Application No:** Modification Permit No. MD2003-097  
(PA2003-232)

**Applicant:** Conexant Systems, Inc.

**Address of  
Property Involved:** 4000 MacArthur Boulevard

**Legal Description:** Parcel 1 of Parcel Map Book 114, Page 22

***Approved as Requested:***

Request approved to allow the installation of a fifth tenant identification wall sign that is approximately 387 square feet in area. The Koll Center Planned Community District Regulations limit walls signs to 200 square feet in area per sign, and to two facades per building. The request as approved will allow for a third wall sign that identifies Conexant as a major tenant as viewed by vehicles traveling northerly on Jamboree Road. The property is located in the PC (Koll Center Newport Planned Community) District.

The Modifications Committee, on October 22, 2003, voted 3 ayes and 0 noes to approve the application request based on the following findings and subject to the following conditions.

The Modifications Committee determined in this case that the proposal would not be detrimental to persons, property or improvements in the neighborhood and that the modification as approved would be consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code, and made the following findings:

**FINDINGS:**

1. The Land Use Element of the General Plan designates the site for "Administrative, Professional and Financial Commercial" uses and the existing structure is consistent with this designation. The signage is accessory to the primary use.

4. This approval was based on the particulars of the individual case and does not in and of itself or in combination with other approvals in the vicinity or Citywide constitute a precedent for future approvals or decisions.
5. In accordance with the provisions of Chapter 13 of the Newport Beach Municipal Code or other applicable section or chapter, additional street trees shall be provided and existing street trees shall be protected in place during construction of the subject project, unless otherwise approved by the General Services Department and the Public Works Department through an encroachment permit or agreement if required.
6. A building permit shall be obtained prior to commencement of the construction.
7. All work performed within the public right of way shall be reviewed and approved by the Public Works Department under an encroachment permit/agreement if required.
8. This approval shall expire unless exercised within 24 months from the date of approval as specified in Section 20.93.055 of the Newport Beach Municipal Code, unless an extension is approved prior to the expiration date of this approval, in accordance with Section 20.93.055 (B) of the Newport Beach Municipal Code.

The decision of the Committee may be appealed to the Planning Commission within 14 days of the date of the decision. A filing fee of \$915.00 shall accompany any appeal filed. No building permits may be issued until the appeal period has expired. A copy of the approval letter shall be incorporated into the Building Department set of plans prior to issuance of the building permits or issuance of revised plans.

MODIFICATIONS COMMITTEE

By Javier S. Garcia  
Javier S. Garcia, AICP, Senior Planner  
Chairperson

JSG:mem

Attachments: Vicinity Map

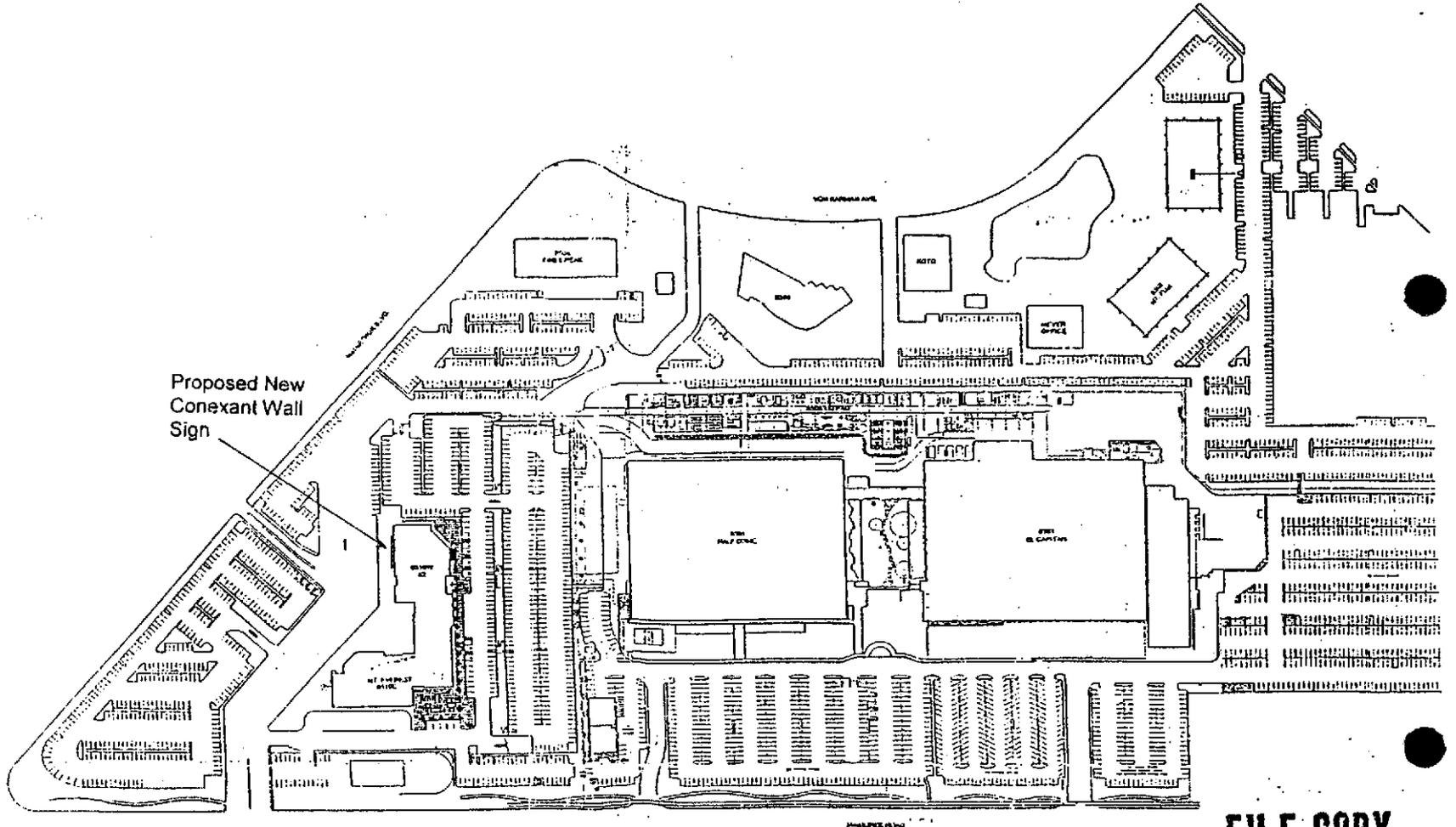
Appeared  
in Opposition: None

Appeared  
in Support: None

Findings for Denial  
Modification Permit No. 2003-097  
PA2003-232

The establishment, maintenance or operation of the proposed sign will, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood for the following reasons:

1. The proposed sign is inconsistent with the legislative intent of the Koll Center Planned Community development regulations, which limits the number of wall signs to two per building with a maximum of size of 200 square feet each.
2. The existing signage as approved by the two previous Modification Permit approvals is adequate for the site and the proposed additional sign will be excessive.



Proposed New  
Conexant Wall  
Sign

**FILE COPY**

PA2003-232 for MD2003-097  
4000 MacArthur Boulevard  
DATE OF MEETING - October 22, 2003



2" x 2" TUBE STEEL, PTD. #313 DK BRONZE (MATTE FIN.)

2'-2" +/-

2" x 2" TUBE STEEL, PTD. #313 DK BRONZE (MATTE FIN.)

EXISTING WINDOW DAVIT

TRAN. BOX

1'-4" +/- to top of the building

3/4" LIQUID-TIGHT EXPOSED & MTD. TO SQUARE TUBES & PTD. #313 DURANODIC BRONZE (MATTE FIN.)

### SIGN #3

**\*NOTE: EXACT DIMENSIONS WILL NEED TO BE SECURED TO DETERMINE MULLION & DAVIT SPACING**

**Please see Louie I. prior to beginning Cad Drawings, for specific details, dimensions. Once Cad Drawings are completed Louie needs to approve prior to the structure & signs being released to manufacturing.**

LETTER

2" x 2" TUBE STEEL #313 DURANODIC BRONZE (MATTE FIN.)

GLASS CURTAIN WALL & MULLIONS

1'-4" +/- to the bottom of the first horizontal mullion

SCALE: 1"=1'-0"

**FEDERAL HEALTH**  
SIGN COMPANY

Mark Webb

Federal Signs  
2150 Boggs Rd., Suite 140  
Duluth, GA 30096  
770-478-1621

D. REEVES

3/2/03

REVISIONS

REVISIONS

NOTES

CONEXANT  
4000 MacArthur Blvd.  
Newport Beach, CA.

CUSTOMER APPROVAL

This is a legal acknowledgment of the customer's approval of the design and construction of the sign. It is not to be used as a warranty or guarantee. It is to be used as a record of the customer's approval of the sign.

DATE

JOB NO.	
DATE	04 August, 2003
DWG NO.	2338887
SHEET	2 OF 3

7/23/03

ATTACHMENT B

Draft Minutes from Planning Commission  
Meeting of November 20, 2003

**HEARING ITEMS**

**SUBJECT: Conexant Sign, call for review (PA2003-232)  
4000 MacArthur Boulevard**

**ITEM NO. 2  
PA2003-232**

Permit the installation of a fifth tenant identification wall sign that is approximately 387 square feet in area. The Koll Center Planned Community District Regulations limit walls signs to 200 square feet in area per sign, and to two facades per building.

**Denied**

Commissioner Kiser noted the following:

- Called this item up because there would be excessive signage allowed for this building.
- This building has been accommodated in a number of adequate ways: a modification for four signs instead of two, a modification for the 'Mindspeed' signs that were over the PC Plan Standard maximum of 200 square feet; and modifications have been given for the two existing Conexant signs, each of which are 387 square feet instead of the 200 square foot maximum that the regulations allow.
- Presently there is 1,226 square feet of signage on four elevations of the building (two towers) that is considerably more than the 400 or 800 square feet that are allowed whether you consider this one building or two towers.
- It would be 1,613 square feet with the south elevation having two signs if this Modifications Committee decision was upheld.
- This would go beyond what is attractive and would start to look 'junky'.
- If the decision were to be upheld, then to be fair and responsible in our decision making the same allowance should be made for the other buildings in the airport area. If you are going to allow signage on three sides of a building, imagine what the airport area would look like with signage on three sides. It is too much.
- The property owner or tenant will have to chose with the two sides requirement, which two sides would look the best.
- The sign that is proposed to go up is one that Conexant already has and is the sign that was removed from the other tower when they also occupied that.
- There has to be an end point to the amount of signage allowed and this is the time to say no.
- To allow modification of what is in a PC District Regulation on an ad hoc basis is carried through to many of these modifications that end up legislating the signage of the Code on an ad hoc basis that leads to poor planning and decision making.

- If we were to change these regulations and allow more signage and with significant amount of square footage, then we should do it by the way of a modification to the Sign Code and in this case a PC District regulations and not piece meal.
- For these reasons, I believe we should vote to reverse the decision of the Modifications Committee and not allow the additional sign.

Commissioner Tucker noted his support of the Modifications Committee. The staff report says that the committee believed the request for the fifth sign is rational given that that the Conexant tower has five facades and that the 387 square foot size on the proposed fifth sign is appropriate given the size and scale of the building and it is consistent with the existing Conexant signage. I don't have the sense this was an erroneous decision. I don't have a problem with the decision.

Public hearing was opened.

Public hearing was closed.

Commissioner Eaton noted his support of Commissioner Kiser's comments. He suggested that he would advise the Conexant and Mindspeed to look at the placement of the existing signs and possibly re-distribute them. Two of them are not provided enough visibility and could get more if moved. I don't believe the applicant needs five signs.

Commissioner Selich noted his support of the Modifications Committee decision. The size of the property and size of the buildings, the Committee made some good statements in support of their decision.

Chairperson McDaniel noted his support of comments made by Commissioner Eaton. I am not sure the signs are placed well, as they are blocked by some of the trees. I support reversing the decision of the Modifications Committee.

**Motion** was made by Commissioner Kiser to reverse the decision of the Modifications Committee and deny the request if Modification Permit No. 2003-097 based on the findings for denial attached to the staff report.

Staff, at Commission inquiry, noted that if Conexant moved out of the building and another tenant moved in with different copy that was consistent with the size, they would have right to these sign locations.

**Ayes:** Eaton, Toerge, McDaniel and Kiser  
**Noes:** Cole, Selich and Tucker  
**Absent:** None  
**Abstain:** None

\*\*\*

**SUBJECT: Mariposa Restaurant at Neiman-Marcus (PA2003-229)  
 601 Newport Center Drive**

**ITEM NO. 3  
 PA2003-229**

Request for a Use Permit pursuant to the Alcoholic Beverage Outlet

**Approved**

ATTACHMENT C

Modifications Committee Approval Letter



CITY OF NEWPORT BEACH

MODIFICATION PERMIT NO. MD2003-097  
(PA2003-232)

PLANNING DEPARTMENT  
3300 NEWPORT BOULEVARD  
NEWPORT BEACH, CA 92658  
(949) 644-3200; FAX (949) 644-3229

Staff Person: Javier S. Garcia, 644-3206  
Appeal Period: 14 days after approval date

October 22, 2003

Conexant Systems, Inc.  
4000 MacArthur Boulevard  
Newport Beach, CA 92660

**Application No:** Modification Permit No. MD2003-097  
(PA2003-232)

**Applicant:** Conexant Systems, Inc.

**Address of  
Property Involved:** 4000 MacArthur Boulevard

**Legal Description:** Parcel 1 of Parcel Map Book 114, Page 22

***Approved as Requested:***

Request approved to allow the installation of a fifth tenant identification wall sign that is approximately 387 square feet in area. The Koll Center Planned Community District Regulations limit walls signs to 200 square feet in area per sign, and to two facades per building. The request as approved will allow for a third wall sign that identifies Conexant as a major tenant as viewed by vehicles traveling northerly on Jamboree Road. The property is located in the PC (Koll Center Newport Planned Community) District.

The Modifications Committee, on October 22, 2003, voted 3 ayes and 0 noes to approve the application request based on the following findings and subject to the following conditions.

The Modifications Committee determined in this case that the proposal would not be detrimental to persons, property or improvements in the neighborhood and that the modification as approved would be consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code, and made the following findings:

**FINDINGS:**

1. The Land Use Element of the General Plan designates the site for "Administrative, Professional and Financial Commercial" uses and the existing structure is consistent with this designation. The signage is accessory to the primary use.

2. This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 11 (Accessory Structures).
3. The modification to the Koll Center Newport Planned Community development standards as proposed would be consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is a logical use of the property that would be precluded by strict application of the zoning requirements for this District for the following reasons:
  - The site is comprised of two towers and each tower has a separate primary tenant so the proposed sign is a reasonable design solution for irregularly located structures.
  - The Conexant tower has five facades. The proposed sign, along with the existing signage, will allow drivers coming from any direction to identify Conexant as a major tenant of the site.
4. The modification to the Koll Center Newport Planned Community development standards as proposed will not be detrimental to persons, property or improvements in the neighborhood or increase any detrimental effect of the existing use for the following reasons:
  - The size of the signage is consistent with the existing Conexant wall signs.
  - The size of the signage is appropriate to the scale of the building.
5. The proposed sign will not affect the flow of air or light to adjoining residential properties because there are no residential properties in the area.
6. The proposed sign will not obstruct public views from adjacent public roadways or parks because there are no public views through or across the subject property that are affected by the proposed project.

**CONDITIONS:**

1. The development shall be in substantial conformance with the approved plot plan, floor plans and elevations, except as noted in the following conditions.
2. The "Conexant" sign shall not exceed 387 square feet, as measured within a rectangle per the Koll Center Newport Planned Community development standards.
3. Anything not specifically approved by this Modification Permit is not permitted and must be addressed in a separate and subsequent Modification Permit review.

4. This approval was based on the particulars of the individual case and does not in and of itself or in combination with other approvals in the vicinity or Citywide constitute a precedent for future approvals or decisions.
5. In accordance with the provisions of Chapter 13 of the Newport Beach Municipal Code or other applicable section or chapter, additional street trees shall be provided and existing street trees shall be protected in place during construction of the subject project, unless otherwise approved by the General Services Department and the Public Works Department through an encroachment permit or agreement if required.
6. A building permit shall be obtained prior to commencement of the construction.
7. All work performed within the public right of way shall be reviewed and approved by the Public Works Department under an encroachment permit/agreement if required.
8. This approval shall expire unless exercised within 24 months from the date of approval as specified in Section 20.93.055 of the Newport Beach Municipal Code, unless an extension is approved prior to the expiration date of this approval, in accordance with Section 20.93.055 (B) of the Newport Beach Municipal Code.

The decision of the Committee may be appealed to the Planning Commission within 14 days of the date of the decision. A filing fee of \$915.00 shall accompany any appeal filed. No building permits may be issued until the appeal period has expired. A copy of the approval letter shall be incorporated into the Building Department set of plans prior to issuance of the building permits or issuance of revised plans.

MODIFICATIONS COMMITTEE

By Javier S. Garcia  
Javier S. Garcia, AICP, Senior Planner  
Chairperson

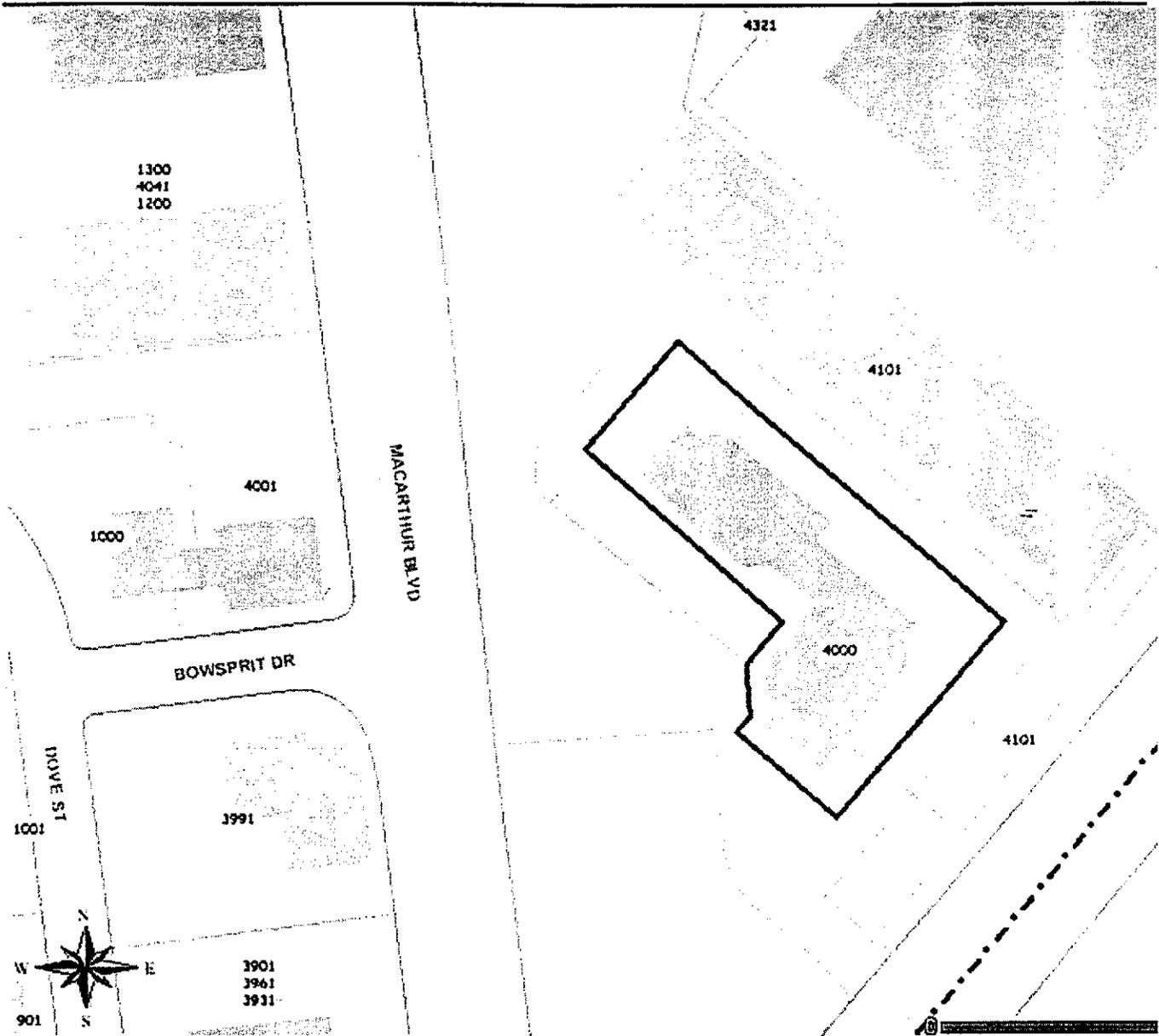
JSG:mem

Attachments: Vicinity Map

Appeared  
in Opposition: None

Appeared  
in Support: None

# VICINITY MAP



Modification Permit No. MD2003-097  
**PA2003-232**

4000 MacArthur Boulevard

ATTACHMENT D

Appeal Application

CITY OF NEWPORT BEACH

RECEIVED

APPLICATION TO APPEAL DECISION OF THE PLANNING COMMISSION

Application No. PA 2003-232 MOD PERMIT NO. 2003-09703 NOV 24 12:00

Name of Appellant or person filing: Jake Cisneros Phone: 949-483-9374

Address: 4000 MacArthur BL.

Date of Planning Commission decision: 11-20, 2003

Regarding application of: CONEXANT SYSTEMS, INC. for

(Description of application filed with Planning Commission) additional wall sign for CONEXANT at 4000 MacArthur Blvd. WEST TOWER.

Reasons for Appeal: The Building consists of two ten story Towers with five facades each. The addition of the proposed sign would not create a proliferation of signage in that you would never see more than two signs on the building at one time. The sign is necessary for proper ID for international customers approaching from LAX and San Diego Airports.

Signature of Appellant [Signature] Date 11/24/03

[Signature] CITY CLERK

FOR OFFICE USE ONLY

Date Appeal filed and Administrative Fee received: November 24, 2003.

Hearing Date. An appeal shall be scheduled for a hearing before the City Council within thirty (30) days of the filing of the appeal unless both applicant and appellant or reviewing body consent to a later date (NBMC Sec. 20.95.060)

cc: Appellant Planning (Furnish one set of mailing labels for mailing) File

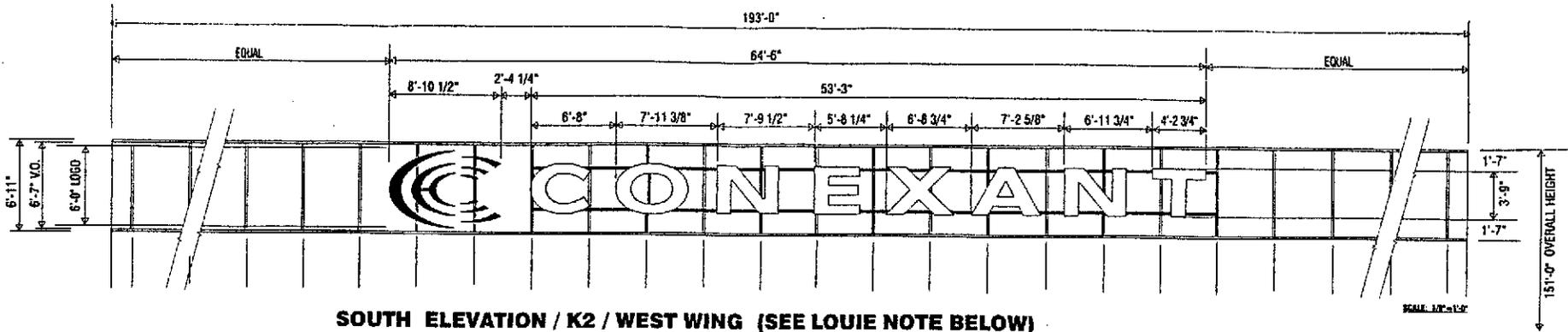
APPEALS: Municipal Code Sec. 20.95.050(B) Appeal Fee: \$455 pursuant to Resolution No. 2003-40 adopted on 8-12-03 (effective 8-13-03)

(Deposit funds with Cashier in Account #2700-5000)

ATTACHMENT E

Project Plans





**SIGN #3 NEW LOGO & LETTERSET**

\* MFG. & INSTALL ONE (1) SET OF INTER. ILLUM. PLEXIGLAS & LEXAN FACED CHANNEL LOGO & LETTERS \*

\*LOGO RETURNS\*: FAB. FROM ALUM. & PAINTED. T/M THE MULLION COLOR ON THE BUILDING. (#313 DURANODIC BRONZE MATTE FINISH).

\*LOGO FACES\*: 3/16" THICK CLEAR LEXAN W/ 3M #3630-33 RED TRANSLUCENT APPLIED TO THE INTER. SURFACES.

\*RETAINERS\*: 1" RED TRIM CAP (CLOSELY MATCHES PMS #485 RED).

\*ILLUMINATION\*: BY 15 MM CLEAR RED NEON TUBING (UTILIZING 60 M.A. TRANSFORMERS REMOTELY LOCATED).

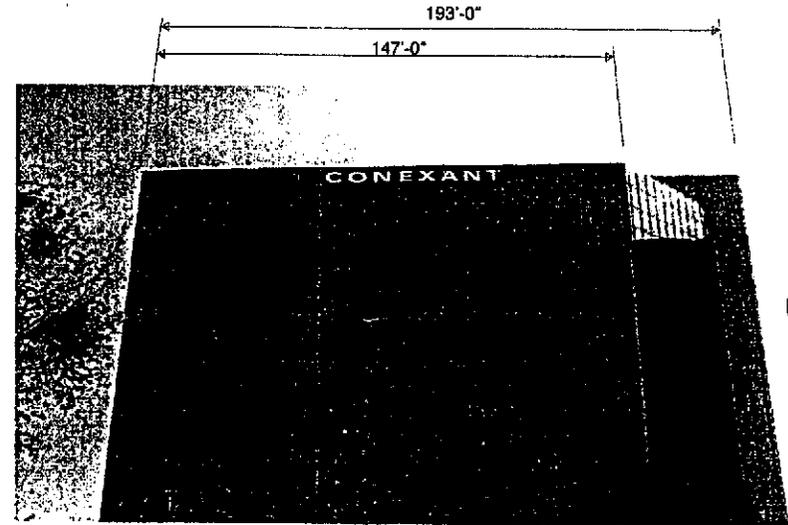
\*LETTER RETURNS\*: FAB. FROM ALUM. & PAINTED T/M THE MULLION COLOR ON THE BUILDING.(#313 DURANODIC BRONZE, MATTE FINISH).

\*LETTER FACES\*: 3/16" THICK #7328 WHITE PLEXIGLAS.

\*RETAINERS\*: 1" WHITE TRIM CAP.

\*ILLUMINATION\*: BY 15 MM #6500 BRIGHT WHITE ARGON TUBING (UTILIZING 60 M.A. TRANSFORMERS REMOTELY LOCATED).

\*NOTE: EXACT DIMENSIONS WILL NEED TO BE SECURED TO DETERMINE MULLION & DAVIT SPACING.



**SOUTH ELEVATION / K2 / WEST WING / Proposed Signage**  
 HEIGHT OF THE BUILDING IS 151'-0"  
 OVERALL LENGTH OF THE SOUTH ELEVATION IS 193'-0"



**Mark Webb**  
 ACCOUNT REP.  
 Federal Sign  
 2150 Boggs Rd., Suite 140  
 Duluth, GA 30096  
 770-476-1621  
**D. REEVES**  
 DRAWN BY

SENIOR PROJECT MGR \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
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REVISIONS \_\_\_\_\_  
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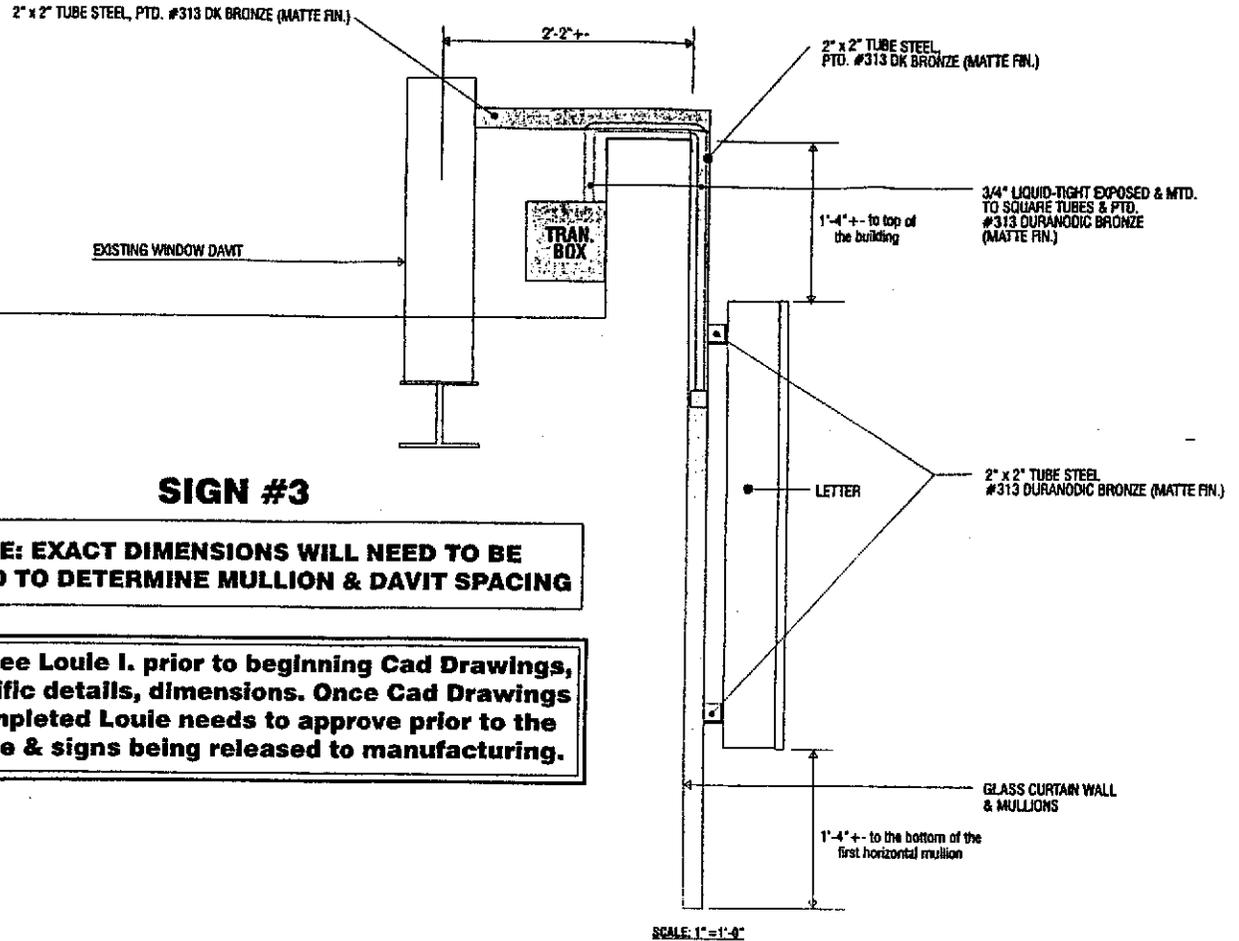
CONEXANT  
 4000 MacArthur Blvd.  
 Newport Beach, CA.

CUSTOMER APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_

This is an original, unpublished drawing submitted in connection with a project you are pursuing for you. It is not to be copied, reproduced, exhibited or shown to other parties without your organization's written permission of Federal Sign.

FILE NAME \_\_\_\_\_

JOB NO.	
DATE	04 August, 2003
DWG NO.	2338887
SHEET	1 OF 3



**SIGN #3**

**\*NOTE: EXACT DIMENSIONS WILL NEED TO BE SECURED TO DETERMINE MULLION & DAVIT SPACING**

**Please see Louie I. prior to beginning Cad Drawings, for specific details, dimensions. Once Cad Drawings are completed Louie needs to approve prior to the structure & signs being released to manufacturing.**



Mark Webb  
 ACCOUNT REP.  
 Federal Sign  
 2150 Boggs Rd., Suite 140  
 Duluth, GA 30096  
 770-476-1621  
 D. REEVES  
 DRAWN BY

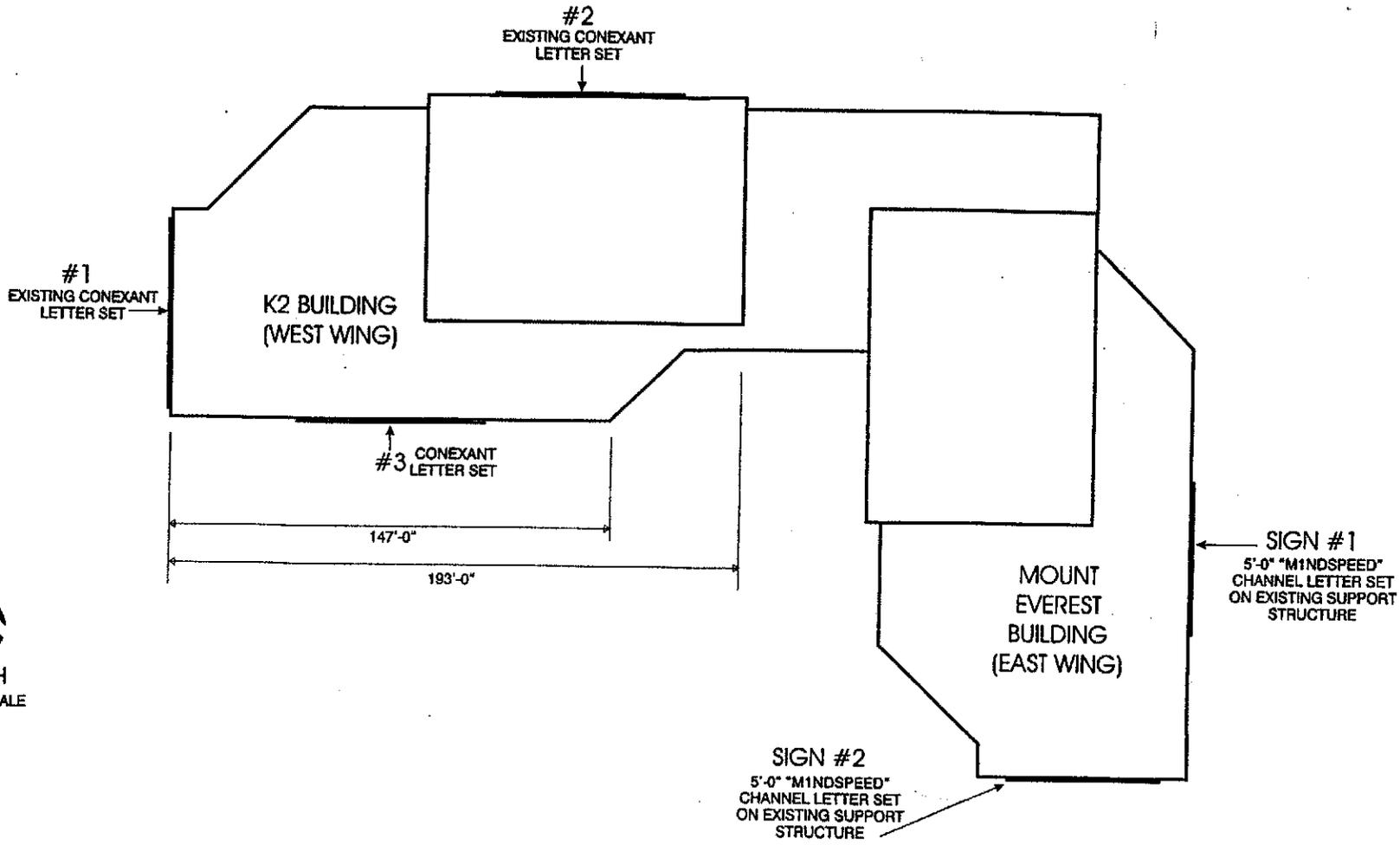
SENIOR PROJECT MGR  
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 REVISIONS

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CONEXANT  
 4000 MacArthur Blvd.  
 Newport Beach, CA.

CUSTOMER APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_  
This is an original, unpublished drawing submitted in connection with a proposal and any copying for you, or any use in any way, reproduction, exhibition or display is anyone outside your organization without the written permission of Federal Sign.  
 FILE NAME \_\_\_\_\_

JOB NO.	
DATE:	04 August, 2003
DWG NO.	2338887
SHEET	2 OF 3



Mark Webb  
ACCOUNT REP.  
Federal Sign  
2150 Boggs Rd., Suite 140  
Duluth, GA 30096  
770-478-1821  
D. REEVES  
DRAWS BY

SENIOR PROJECT MGR  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
REVISIONS

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\_\_\_\_\_  
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CONEXANT  
4000 MacArthur Blvd.  
Newport Beach, CA.

CUSTOMER APPROVAL  
DATE  
This is an original, unmodified drawing submitted in connection with a project we are planning for you. It is not to be copied, reproduced, exhibited or shown to anyone outside your organization without the written permission of Federal Sign.  
FILE NAME

JOB NO.	
DATE:	04 August, 2003
DWG NO.	2338887
SHEET	3 OF 3

**HEARING ITEMS**

**SUBJECT: Conexant Sign, call for review (PA2003-232)  
4000 MacArthur Boulevard**

**ITEM NO. 2  
PA2003-232**

**Denied**

Permit the installation of a fifth tenant identification wall sign that is approximately 387 square feet in area. The Koll Center Planned Community District Regulations limit walls signs to 200 square feet in area per sign, and to two facades per building.

Commissioner Kiser noted the following:

- Called this item up because there would be excessive signage allowed for this building.
- This building has been accommodated in a number of adequate ways: a modification for four signs instead of two, a modification for the 'Mindspeed' signs that were over the PC Plan Standard maximum of 200 square feet; and modifications have been given for the two existing Conexant signs, each of which are 387 square feet instead of the 200 square foot maximum that the regulations allow.
- Presently there is 1,226 square feet of signage on four elevations of the building (two towers) that is considerably more than the 400 or 800 square feet that are allowed whether you consider this one building or two towers.
- It would be 1,613 square feet with the south elevation having two signs if this Modifications Committee decision was upheld.
- This would go beyond what is attractive and would start to look 'junky'.
- If the decision were to be upheld, then to be fair and responsible in our decision making the same allowance should be made for the other buildings in the airport area. If you are going to allow signage on three sides of a building, imagine what the airport area would look like with signage on three sides. It is too much.
- The property owner or tenant will have to chose with the two sides requirement, which two sides would look the best.
- The sign that is proposed to go up is one that Conexant already has and is the sign that was removed from the other tower when they also occupied that.
- There has to be an end point to the amount of signage allowed and this is the time to say no.
- To allow modification of what is in a PC District Regulation on an ad hoc basis is carried through to many of these modifications that end up legislating the signage of the Code on an ad hoc basis that leads to poor planning and decision making.

- If we were to change these regulations and allow more signage and with significant amount of square footage, then we should do it by the way of a modification to the Sign Code and in this case a PC District regulations and not piece meal.
- For these reasons, I believe we should vote to reverse the decision of the Modifications Committee and not allow the additional sign.

Commissioner Tucker noted his support of the Modifications Committee. The staff report says that the committee believed the request for the fifth sign is rational given that that the Conexant tower has five facades and that the 387 square foot size on the proposed fifth sign is appropriate given the size and scale of the building and it is consistent with the existing Conexant signage. I don't have the sense this was an erroneous decision. I don't have a problem with the decision.

Public hearing was opened.

Public hearing was closed.

Commissioner Eaton noted his support of Commissioner Kiser's comments. He suggested that he would advise the Conexant and Mindspeed to look at the placement of the existing signs and possibly re-distribute them. Two of them are not provided enough visibility and could get more if moved. I don't believe the applicant needs five signs.

Commissioner Selich noted his support of the Modifications Committee decision. The size of the property and size of the buildings, the Committee made some good statements in support of their decision.

Chairperson McDaniel noted his support of comments made by Commissioner Eaton. I am not sure the signs are placed well, as they are blocked by some of the trees. I support reversing the decision of the Modifications Committee.

**Motion** was made by Commissioner Kiser to reverse the decision of the Modifications Committee and deny the request if Modification Permit No. 2003-097 based on the findings for denial attached to the staff report.

Staff, at Commission inquiry, noted that if Conexant moved out of the building and another tenant moved in with different copy that was consistent with the size, they would have right to these sign locations.

<b>Ayes:</b>	Eaton, Toerge, McDaniel and Kiser
<b>Noes:</b>	Cole, Selich and Tucker
<b>Absent:</b>	None
<b>Abstain:</b>	None

\*\*\*

**SUBJECT:** Mariposa Restaurant at Neiman-Marcus (PA2003-229)  
601 Newport Center Drive

**ITEM NO. 3**  
**PA2003-229**

Request for a Use Permit pursuant to the Alcoholic Beverage Outlet

**Approved**

**CITY OF NEWPORT BEACH  
PLANNING COMMISSION STAFF REPORT**

Agenda Item No. 2  
November 20, 2003

**TO:** PLANNING COMMISSION

**FROM:** Gregg B. Ramirez, Associate Planner  
(949) 644-3219, [gramirez@city.newport-beach.ca.us](mailto:gramirez@city.newport-beach.ca.us)

**SUBJECT:** Call for review of the approval of Modification Permit No. 2003-097  
Conexant Signage  
4000 MacArthur Boulevard  
(PA2003-232)

**APPLICANT:** Conexant Systems Inc.

**FILE COPY**

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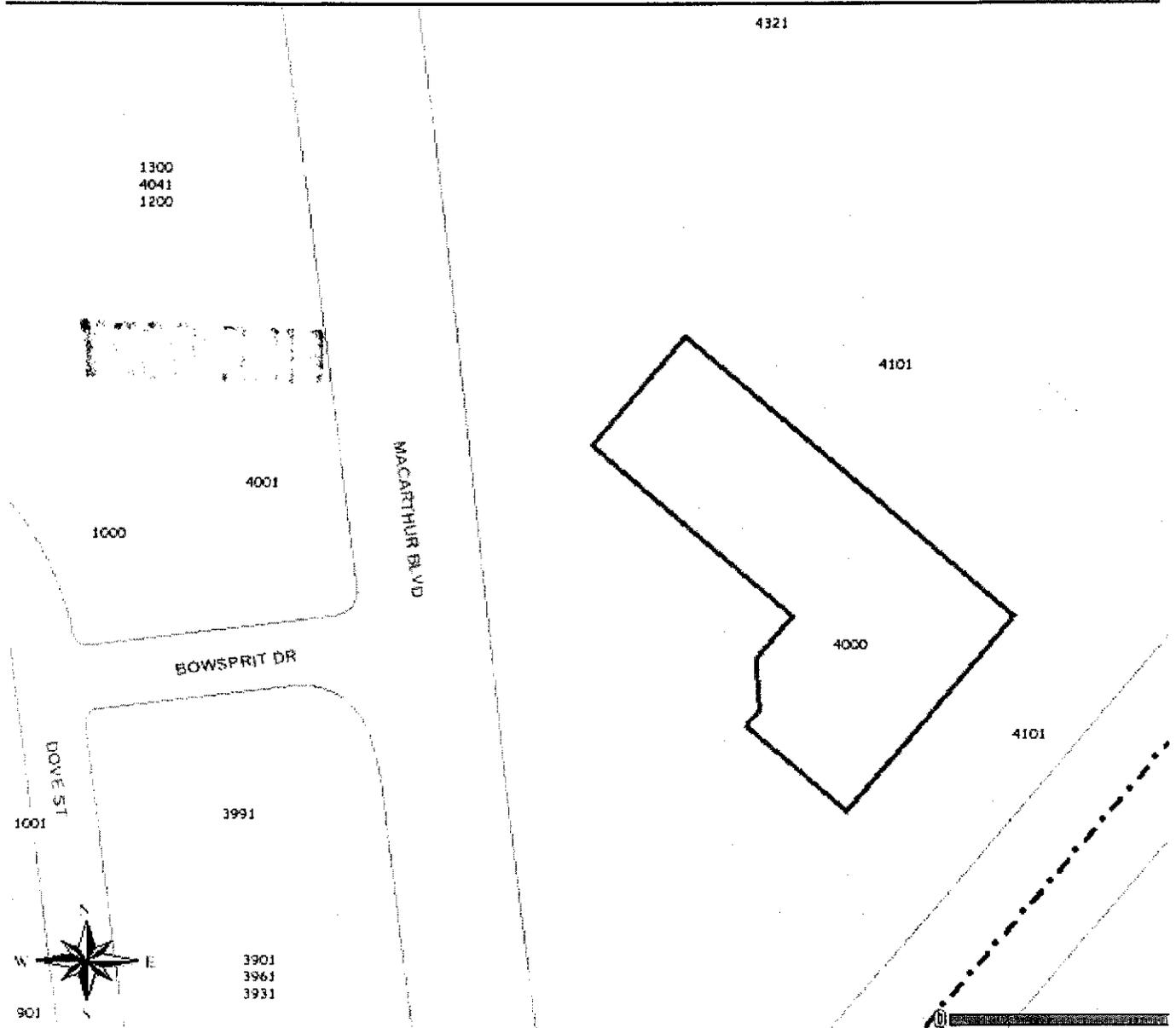
**BACKGROUND:**

On October 22, 2003, the Modifications Committee voted 3-0 to approve Modification Permit No. 2003-232. The applicant requested approval for the installation of a fifth tenant identification wall sign that is approximately 387 square feet in area on the west tower of the Conexant/Mindspeed building located at 4000 MacArthur Boulevard. The Koll Center Planned Community District Regulations allows signs on two facades per building and limits each sign to 200 square feet in area. This item was called for review by Commissioner Kiser.

The existing signage was approved by Modification Permit No. 5036 on February 16, 2000 which allows a total of four wall signs (two on each tower) each of which exceeds the 200 square foot maximum size. The two Conexant signs measure 387 square feet each while the two Mindspeed signs measure approximately 226 square feet each.

The proposed fifth wall sign will be located on the west tower of the building (Conexant) and bring the signage total to three "Conexant" signs in addition to the two "Mindspeed" signs on the east tower. The Modifications Committee believed the number of signs proposed is acceptable as the building is actually made up of two multi-story towers connected only by a single story common area. The building is more akin to two separate buildings which would be permitted to have two wall signs each. Additionally, the Committee believed that the request for the fifth sign is rational given that the Conexant tower has five facades and that the 387 square foot size of the proposed fifth sign is appropriate given the size and scale of the building and it is consistent with the existing Conexant signage.

## VICINITY MAP 4000 MacArthur Boulevard



### Modification Permit No. 2003-097 (PA2003-232)

Current Development:	Commercial
To the north:	Administrative, Professional and Financial Commercial
To the east:	Administrative, Professional and Financial Commercial
To the south:	Administrative, Professional and Financial Commercial
To the west:	Administrative, Professional and Financial Commercial

**Environmental Review:**

This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 11 (Accessory Structures).

**Public Notice:**

Notice of this hearing was published in the Daily Pilot, mailed to property owners within 300 feet of the property, and posted at the site a minimum of 10 days in advance of this hearing consistent with the Municipal Code. Additionally, the item appeared upon the agenda for this meeting, which was posted at City Hall and on the city website.

**RECOMMENDATION:**

Staff recommends that the Planning Commission uphold and affirm the decision of the Modifications Committee. If the Commission believes the proposed fifth sign is excessive in size or not appropriate for this location, the Commission has the following options:

1. The commission can reverse the decision of the Modifications Committee and deny the request.
2. The Commission has the option of modifying the project by approving a smaller sign.

Prepared by:



Gregg B. Ramirez, Associate Planner

Submitted by:



Patricia L. Temple, Planning Director

Exhibits:

1. Approval letter for Modification Permit No. 2003-097
2. Findings for Denial
- 3.. Project Plans

EXHIBIT NO. 1

Approval letter for Modification Permit No. 2003-097



**CITY OF NEWPORT BEACH**

**MODIFICATION PERMIT NO. MD2003-097**  
(PA2003-232)

PLANNING DEPARTMENT  
3300 NEWPORT BOULEVARD  
NEWPORT BEACH, CA 92658  
(949) 644-3200; FAX (949) 644-3229

Staff Person: Javier S. Garcia, 644-3206  
Appeal Period: 14 days after approval date

October 22, 2003

Conexant Systems, Inc.  
4000 MacArthur Boulevard  
Newport Beach, CA 92660

**Application No:** Modification Permit No. MD2003-097  
(PA2003-232)

**Applicant:** Conexant Systems, Inc.

**Address of  
Property Involved:** 4000 MacArthur Boulevard

**Legal Description:** Parcel 1 of Parcel Map Book 114, Page 22

**Approved as Requested:**

Request approved to allow the installation of a fifth tenant identification wall sign that is approximately 387 square feet in area. The Koll Center Planned Community District Regulations limit walls signs to 200 square feet in area per sign, and to two facades per building. The request as approved will allow for a third wall sign that identifies Conexant as a major tenant as viewed by vehicles traveling northerly on Jamboree Road. The property is located in the PC (Koll Center Newport Planned Community) District.

The Modifications Committee, on October 22, 2003, voted 3 ayes and 0 noes to approve the application request based on the following findings and subject to the following conditions.

The Modifications Committee determined in this case that the proposal would not be detrimental to persons, property or improvements in the neighborhood and that the modification as approved would be consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code, and made the following findings:

**FINDINGS:**

1. The Land Use Element of the General Plan designates the site for "Administrative, Professional and Financial Commercial" uses and the existing structure is consistent with this designation. The signage is accessory to the primary use.

2. This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 11 (Accessory Structures).
3. The modification to the Koll Center Newport Planned Community development standards as proposed would be consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is a logical use of the property that would be precluded by strict application of the zoning requirements for this District for the following reasons:
  - The site is comprised of two towers and each tower has a separate primary tenant so the proposed sign is a reasonable design solution for irregularly located structures.
  - The Conexant tower has five facades. The proposed sign, along with the existing signage, will allow drivers coming from any direction to identify Conexant as a major tenant of the site.
4. The modification to the Koll Center Newport Planned Community development standards as proposed will not be detrimental to persons, property or improvements in the neighborhood or increase any detrimental effect of the existing use for the following reasons:
  - The size of the signage is consistent with the existing Conexant wall signs.
  - The size of the signage is appropriate to the scale of the building.
5. The proposed sign will not affect the flow of air or light to adjoining residential properties because there are no residential properties in the area.
6. The proposed sign will not obstruct public views from adjacent public roadways or parks because there are no public views through or across the subject property that are affected by the proposed project.

**CONDITIONS:**

1. The development shall be in substantial conformance with the approved plot plan, floor plans and elevations, except as noted in the following conditions.
2. The "Conexant" sign shall not exceed 387 square feet, as measured within a rectangle per the Koll Center Newport Planned Community development standards.
3. Anything not specifically approved by this Modification Permit is not permitted and must be addressed in a separate and subsequent Modification Permit review.

4. This approval was based on the particulars of the individual case and does not in and of itself or in combination with other approvals in the vicinity or Citywide constitute a precedent for future approvals or decisions.
5. In accordance with the provisions of Chapter 13 of the Newport Beach Municipal Code or other applicable section or chapter, additional street trees shall be provided and existing street trees shall be protected in place during construction of the subject project, unless otherwise approved by the General Services Department and the Public Works Department through an encroachment permit or agreement if required.
6. A building permit shall be obtained prior to commencement of the construction.
7. All work performed within the public right of way shall be reviewed and approved by the Public Works Department under an encroachment permit/agreement if required.
8. This approval shall expire unless exercised within 24 months from the date of approval as specified in Section 20.93.055 of the Newport Beach Municipal Code, unless an extension is approved prior to the expiration date of this approval, in accordance with Section 20.93.055 (B) of the Newport Beach Municipal Code.

The decision of the Committee may be appealed to the Planning Commission within 14 days of the date of the decision. A filing fee of \$915.00 shall accompany any appeal filed. No building permits may be issued until the appeal period has expired. A copy of the approval letter shall be incorporated into the Building Department set of plans prior to issuance of the building permits or issuance of revised plans.

#### MODIFICATIONS COMMITTEE

By   
Javier S. Garcia, AICP, Senior Planner  
Chairperson

JSG:mem

Attachments: Vicinity Map

Appeared  
in Opposition: None

Appeared  
in Support: None

**EXHIBIT NO. 2**

**Findings for Denial**

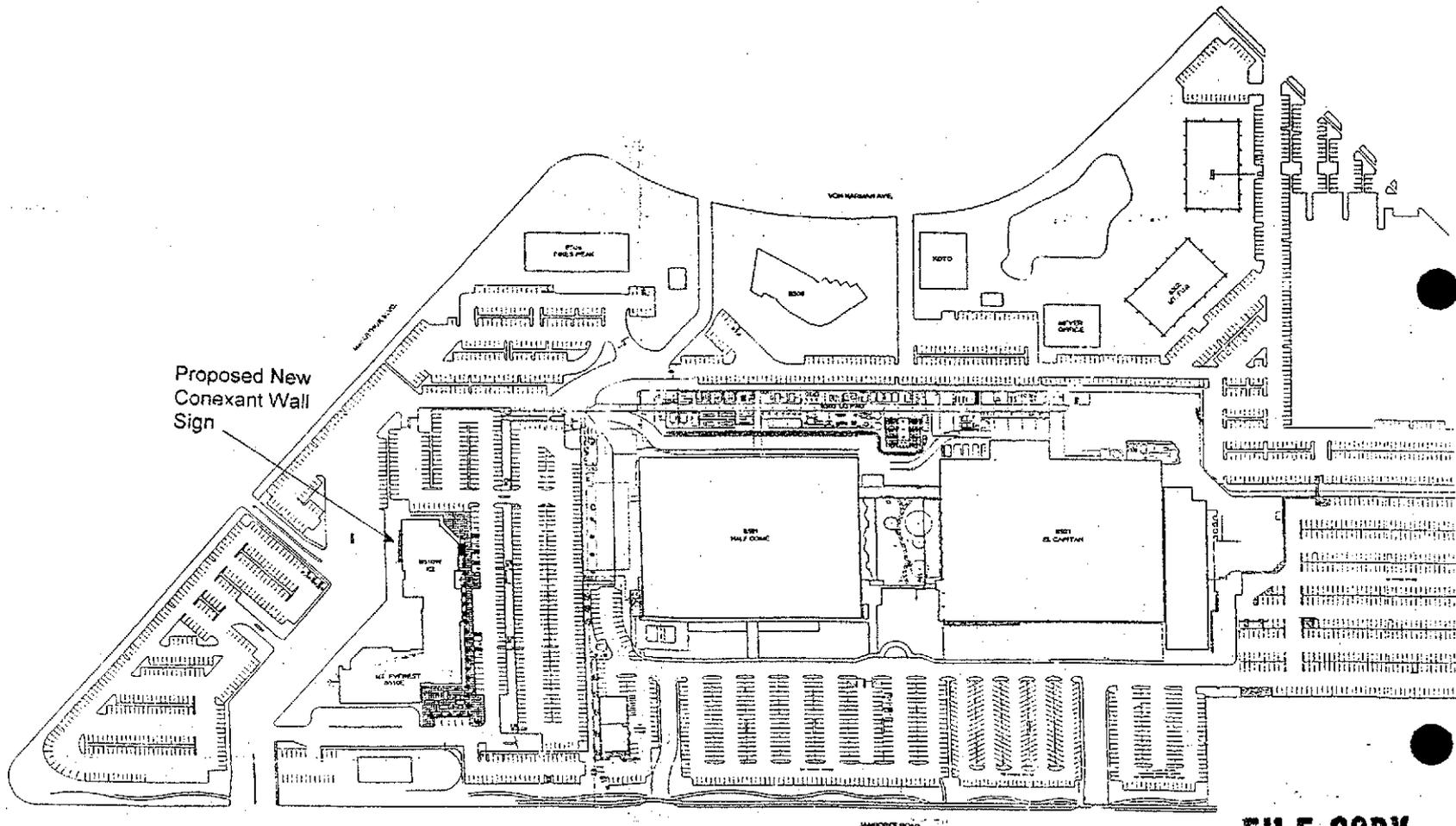
Findings for Denial  
Modification Permit No. 2003-097  
PA2003-232

The establishment, maintenance or operation of the proposed sign will, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood for the following reasons:

1. The proposed sign is inconsistent with the legislative intent of the Koll Center Planned Community development regulations, which limits the number of wall signs to two per building with a maximum of size of 200 square feet each.
2. The existing signage as approved by the two previous Modification Permit approvals is adequate for the site and the proposed additional sign will be excessive.

EXHIBIT NO. 3

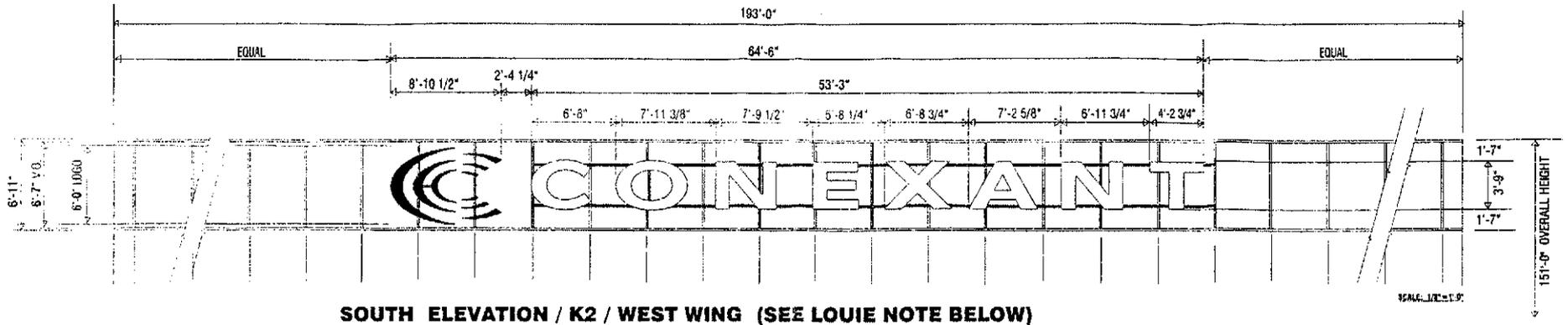
Project Plans



Proposed New  
Conexant Wall  
Sign

**FILE COPY**

PA2003-232 for MD2003-097  
4000 MacArthur Boulevard  
DATE OF MEETING - October 22, 2003



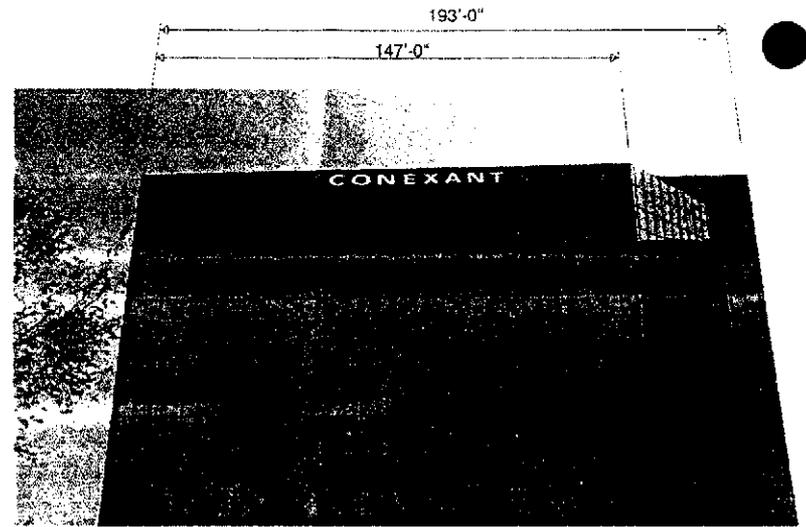
**SIGN #3 NEW LOGO & LETTERSET**

\* MFG. & INSTALL ONE (1) SET OF INTER. ILLUM. PLEXIGLAS & LEXAN FACED CHANNEL LOGO & LETTERS \*

"LOGO RETURNS": FAB. FROM ALUM. & PAINTED, T/M THE MULLION COLOR ON THE BUILDING. (#313 DURANODIC BRONZE MATTE FINISH).  
 "LOGO FACES": 3/16" THICK CLEAR LEXAN W/ 3M #3630-33 RED TRANSLUCENT APPLIED TO THE INTER. SURFACES.  
 "RETAINERS": 1" RED TRIM CAP (CLOSELY MATCHES PMS #485 RED).  
 "ILLUMINATION": BY 15 MM CLEAR RED NEON TUBING (UTILIZING 60 M.A. TRANSFORMERS REMOTELY LOCATED).

"LETTER RETURNS": FAB. FROM ALUM. & PAINTED T/M THE MULLION COLOR ON THE BUILDING. (#313 DURANODIC BRONZE, MATTE FINISH).  
 "LETTER FACES": 3/16" THICK #7328 WHITE PLEXIGLAS.  
 "RETAINERS": 1" WHITE TRIM CAP.  
 "ILLUMINATION": BY 15 MM #6600 BRIGHT WHITE ARGON TUBING (UTILIZING 60 M.A. TRANSFORMERS REMOTELY LOCATED).

\*NOTE: EXACT DIMENSIONS WILL NEED TO BE SECURED TO DETERMINE MULLION & DAVIT SPACING.



SOUTH ELEVATION / K2 / WEST WING / Proposed Signage  
 HEIGHT OF THE BUILDING IS 151'-0"  
 OVERALL LENGTH OF THE SOUTH ELEVATION IS 193'-0"



Mark Webb  
 FEDERAL SIGN  
 2150 Boggs Rd., Suite 140  
 Durham, NC 27706  
 770-476-1421  
 D. REEVES

OWNER: WEBB  
 DESIGN PROJECT: WEBB  
 REVISIONS

NOTES

CONEXANT  
 4000 MacArthur Blvd.  
 Newport Beach, CA.

CUSTOMER APPROVAL  
 DATE: 04 August, 2003  
 SIGN NO.: 2338887  
 SHEET 1 OF 3

JOB NO.	
DATE	04 August, 2003
SIGN NO.	2338887
SHEET	1 OF 3



2" x 2" TUBE STEEL, PTD. #313 DK BRONZE (MATTE FIN.)

2'-2" +-

2" x 2" TUBE STEEL  
PTD. #313 DK BRONZE (MATTE FIN.)

EXISTING WINDOW DAVIT

TRAN  
BOX

1'-4" +- to top of  
the building

3/4" LIQUID-TIGHT EXPOSED & MTD.  
TO SQUARE TUBES & PTD.  
#313 DURANODIC BRONZE  
(MATTE FIN.)

### SIGN #3

**\*NOTE: EXACT DIMENSIONS WILL NEED TO BE  
SECURED TO DETERMINE MULLION & DAVIT SPACING**

**Please see Louie I. prior to beginning Cad Drawings,  
for specific details, dimensions. Once Cad Drawings  
are completed Louie needs to approve prior to the  
structure & signs being released to manufacturing.**

2" x 2" TUBE STEEL  
#313 DURANODIC BRONZE (MATTE FIN.)

LETTER

GLASS CURTAIN WALL  
& MULLIONS

1'-4" +- to the bottom of  
the first horizontal mullion

SCALE: 1"=1'-0"

**FEDERAL  
HEATH**  
SIGN COMPANY

Mark Webb

ACCOUNT MANAGER

Federal Sign  
2150 Boggs Rd., Suite 140  
Duluth, GA 30096  
770-476-1621

D. REEVES

DRAWN BY

SENIOR PROJECT MGR

REVISIONS

NOTES

CONEXANT  
4000 MacArthur Blvd.  
Newport Beach, CA.

CUSTOMER APPROVAL DATE

This is an original, unapproved drawing submitted in  
connection with a contract. We are not liable for and do  
not accept any responsibility, expressed or implied, or  
in any way outside your responsibility without the  
written permission of Federal Sign.

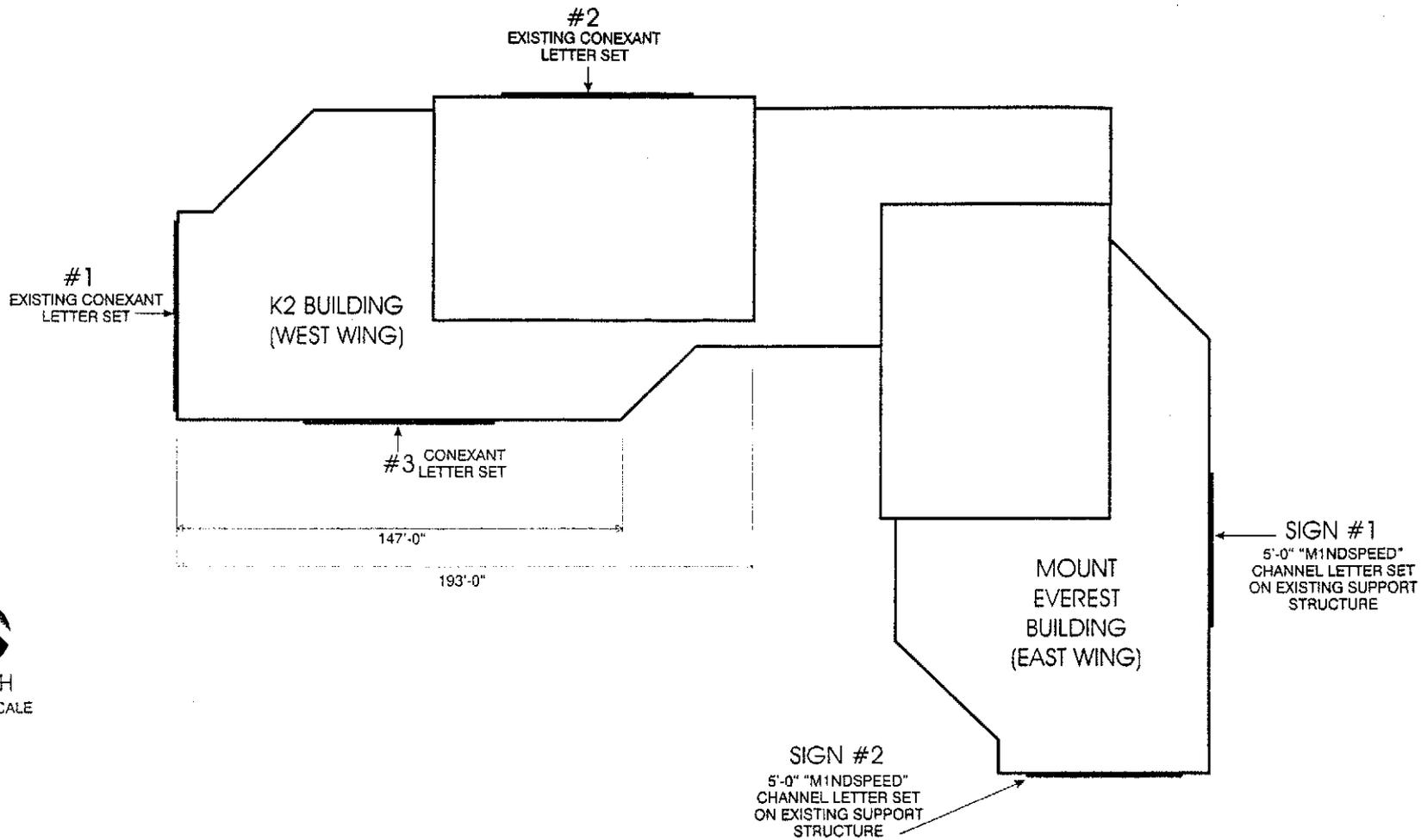
FILE NAME

JOB NO.

DATE: 04 August, 2003

DWG NO. 2338887

SHEET 2 OF 3



**FEDERAL HEATH**  
SIGN COMPANY

Mark Webb  
ACCOUNT REP  
Federal Sign  
2150 Boggs Rd., Suite 140  
Duluth, GA 30096  
770-476-1621  
D. REEVES  
DRAWN BY

SENIOR PROJECT MGR  
REVISIONS

NOTES

CONEXANT  
4000 MacArthur Blvd.  
Newport Beach, CA.

CUSTOMER APPROVAL  
DATE  
FILE NAME

JOB NO.	
DATE	04 August, 2003
DWG NO.	2338887
SHEET	3 OF 3



2. This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 11 (Accessory Structures).
3. The modification to the Koll Center Newport Planned Community development standards as proposed would be consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is a logical use of the property that would be precluded by strict application of the zoning requirements for this District for the following reasons:
  - The site is comprised of two towers and each tower has a separate primary tenant so the proposed sign is a reasonable design solution for irregularly located structures.
  - The Conexant tower has five facades. The proposed sign, along with the existing signage, will allow drivers coming from any direction to identify Conexant as a major tenant of the site.
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  - The size of the signage is consistent with the existing Conexant wall signs.
  - The size of the signage is appropriate to the scale of the building.
5. The proposed sign will not affect the flow of air or light to adjoining residential properties because there are no residential properties in the area.
6. The proposed sign will not obstruct public views from adjacent public roadways or parks because there are no public views through or across the subject property that are affected by the proposed project.

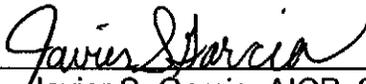
**CONDITIONS:**

1. The development shall be in substantial conformance with the approved plot plan, floor plans and elevations, except as noted in the following conditions.
2. The "Conexant" sign shall not exceed 387 square feet, as measured within a rectangle per the Koll Center Newport Planned Community development standards.
3. Anything not specifically approved by this Modification Permit is not permitted and must be addressed in a separate and subsequent Modification Permit review.

4. This approval was based on the particulars of the individual case and does not in and of itself or in combination with other approvals in the vicinity or Citywide constitute a precedent for future approvals or decisions.
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6. A building permit shall be obtained prior to commencement of the construction.
7. All work performed within the public right of way shall be reviewed and approved by the Public Works Department under an encroachment permit/agreement if required.
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MODIFICATIONS COMMITTEE

By   
Javier S. Garcia, AICP, Senior Planner  
Chairperson

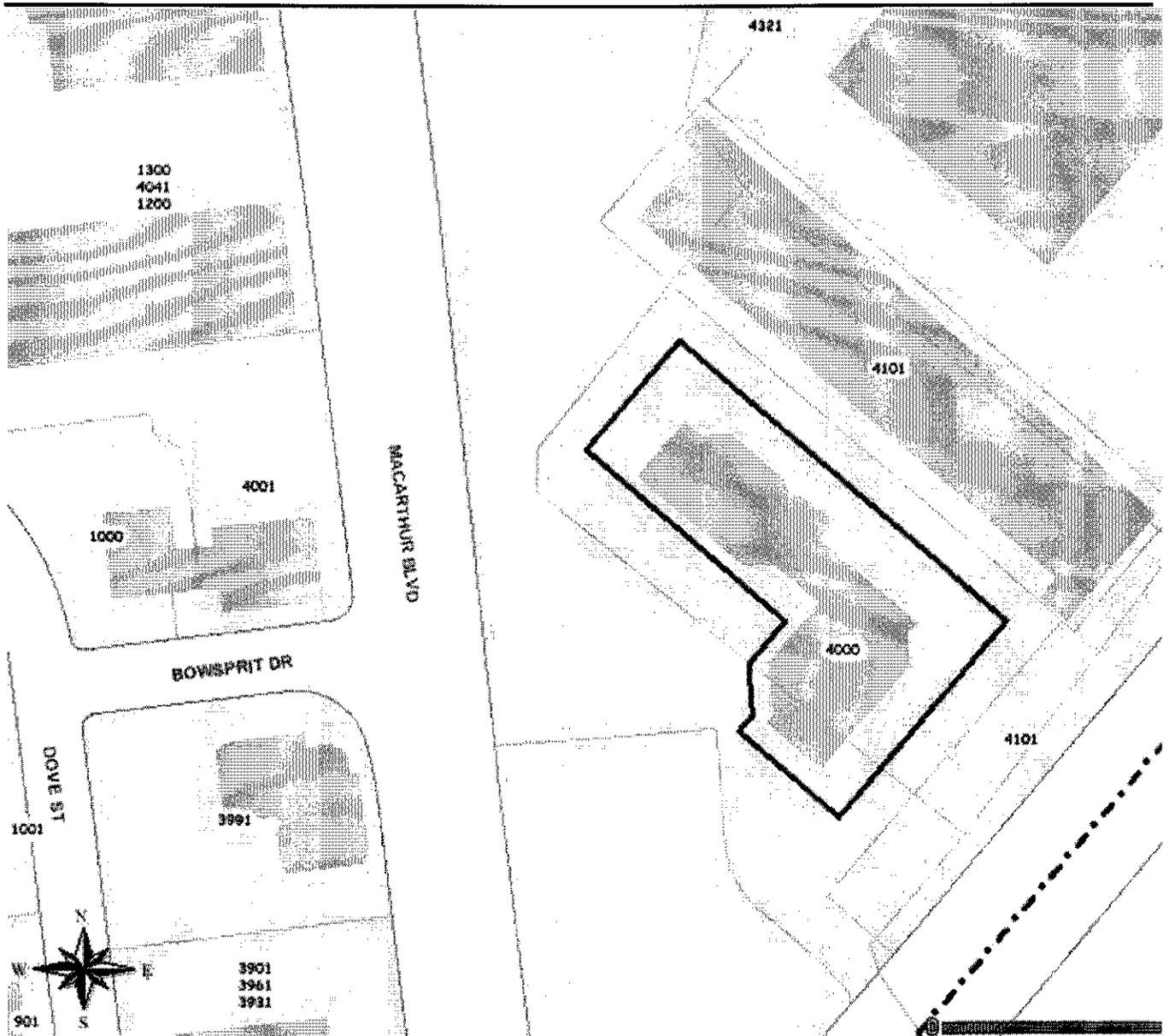
JSG:mem

Attachments: Vicinity Map

Appeared  
in Opposition: None

Appeared  
in Support: None

# VICINITY MAP



Modification Permit No. MD2003-097  
**PA2003-232**

4000 MacArthur Boulevard



PUBLIC NOTICE

**Modification Permit No. MD2003-097  
(PA2003-232)**

Notice is hereby given that **Conexant Systems, Inc.**, property owner, has requested a Modification of the Zoning Ordinance to permit the **installation of a fifth tenant identification wall sign that is approximately 387 square feet in area.** The **Koll Center Planned Community District Regulations limit walls signs to 200 square feet in area per sign, and to two facades per building.** The property is located in the **PC (Koll Center Newport Planned Community) District.**

Property located at: **4000 MacArthur Boulevard**

After reviewing this project, it has been determined that it is categorically exempt under the requirements of the California Environmental Quality Act under Class 11 (Accessory Structures).

**On Wednesday, October 22, 2003, at 3:00 p.m.,** a public hearing will be held by the Modifications Committee in the City Council Chambers at 3300 Newport Boulevard. All interested persons will be heard and all correspondence read at that time. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City, at, or prior to, the public hearing. The appeal period of 14 days will begin from that date, during which time any interested party or their authorized agent aggrieved of that decision may file a notice of appeal to the Planning Commission with a filing fee of \$915.00 to defray the cost of the appeal procedure.

For further information contact the Newport Beach Planning Department at (949) 644-3200.

**NOTE:** The expense of this notice is paid from a filing fee collected from the applicant.

427 222 01  
HUNTER ACQUISITION CO  
4041 MACARTHUR BLVD #350  
NEWPORT BEACH CA 92660

427 222 06  
PMC GENERAL PARTNERSHIP  
4001 MACARTHUR BLVD #300  
NEWPORT BEACH CA 92660

445 131 02  
ROCKWELL SEMICONDUCTOR  
SYSTEMS  
~~633 W 5TH ST~~ *duplicate*  
~~LOS ANGELES CA 90071~~

445 131 03  
ROCKWELL SEMICONDUCTOR  
SYSTEMS  
633 W 5TH ST *returned*  
LOS ANGELES CA 90071

445 131 04  
AETNA LIFE INSURANCE CO  
PO BOX 131074  
CARLSBAD CA 92013

445 131 15  
DEUTSCHE BANK AG  
5 PARK PLZ #1050 *returned*  
IRVINE CA 92614

445 131 26  
SANTA BARBARA BK & TRUST  
PO BOX 3170  
HONOLULU HI 96802 *ret*

445 131 28  
WHL 1976 T LLC  
4490 VON KARMAN AVE  
NEWPORT BEACH CA 92660

445 132 06  
SCHOLLE CORPORATION  
19402 JAMBOREE RD  
IRVINE CA 92715

445 132 18  
SPIEKER PROP  
2180 SAND HILL RD #200  
MENLO PARK CA 94025

CONEXANT  
ATTN: JAKE CISNEROS  
4000 MACARTHUR  
NEWPORT BEACH CA 92660

DENNIS STOUT  
871 N MAPLEWOD ST  
ORANGE CA 92867

# DBS

Dependable Business Services



## CERTIFICATION OF PROPERTY OWNERS

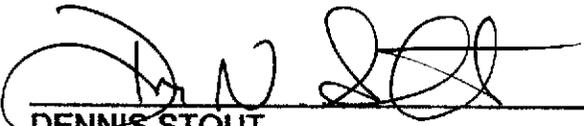
THE ATTACHED LIST REPRESENTS THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS LOCATED WITHIN 300 FEET OF THE EXTERIOR BOUNDARIES OF THE PROPERTY LOCATED AT:

4000 MacArthur

APN# 445-131-15

THIS INFORMATION WAS OBTAINED FROM METROSCAN, A DATA SOURCE, UTILIZING THE COUNTY ASSESSMENT ROLLS AND OTHER DATA SOURCES.

THE INFORMATION PROVIDED IS GENERALLY DEEMED RELIABLE, BUT IS NOT GUARANTEED.



DENNIS STOUT  
DEPENDABLE BUSINESS SERVICES, INC.

DATE 10-3-03

**Checklist for Categorizing  
Development and Significant Redevelopment Projects  
as Priority or Non-Priority**

Project File No.:	MD2003-097 for PA2003-232
Project Name:	Conexant Systems, Inc.
Project Location:	4000 MacArthur Boulevard
Project Description:	the installation of one internally illuminated channel letter type wall sign.

<b>PART A - Qualifying:</b>	Yes	No
1. Is this project a NEW Development?		✓
2. Is this project a SIGNIFICANT Redevelopment?		✓

**If you answered "NO" to both questions, STOP HERE. You do NOT need to fill out PART B.**

**If you answered "YES" to either question, please continue with PART B.**

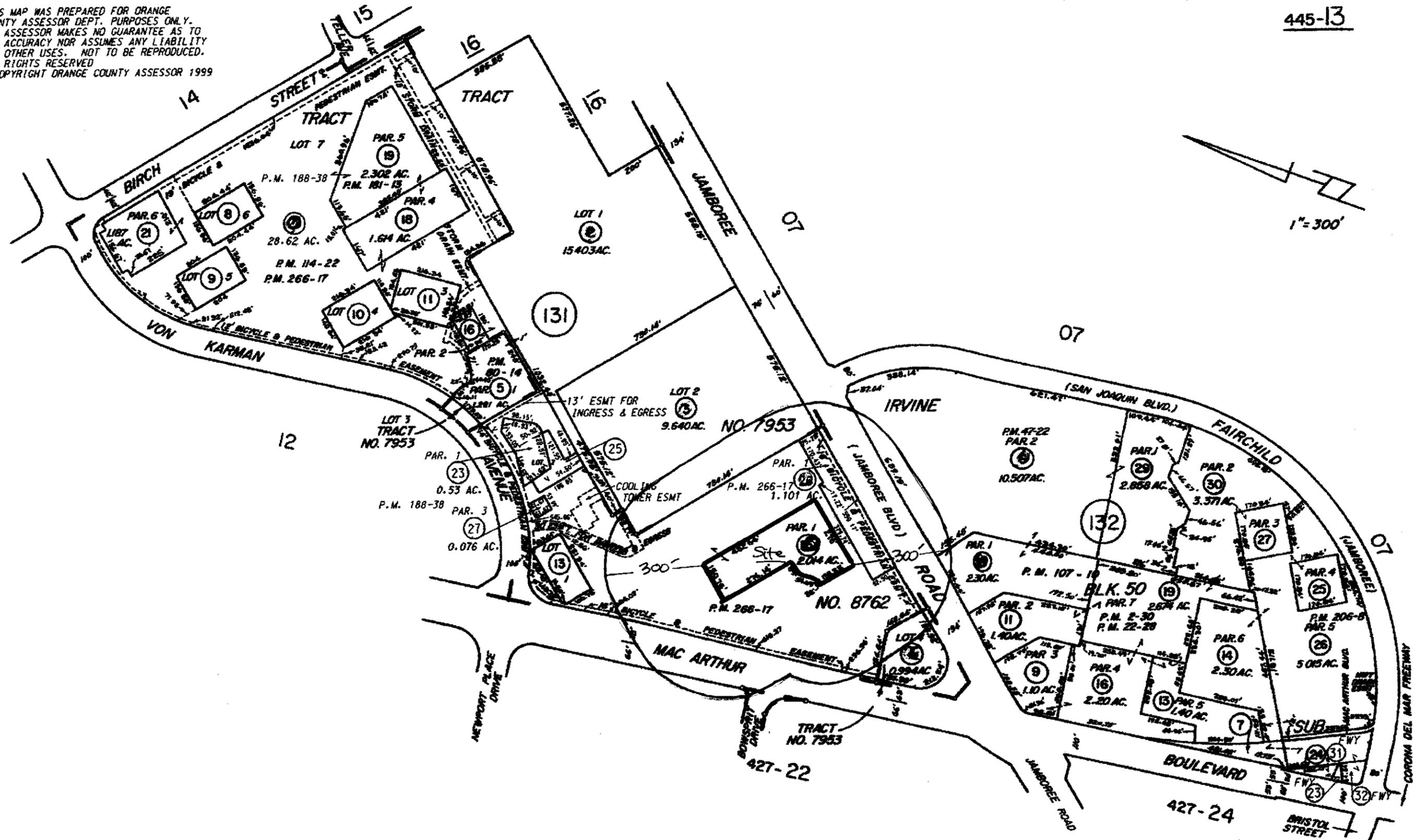
<b>PART B - Proposed Project Includes:</b>	Yes	No
1. Residential development of 10 units or more		
2. Commercial and industrial development greater than 100,000 square feet including parking areas		
3. Automotive repair shop (SIC codes 5013, 5014, 5541, 7532-7534, and 7536-7539)		
4. Restaurant where the land area of development is 5,000 square feet or more including parking areas ( SIC code 5812)		
5. Hillside development on 10,000 square feet or more, which is located on areas with known erosive soil conditions or where natural slope is 25 percent or more		
6. Impervious surface of 2,500 square feet or more located within, directly adjacent to (within 200 feet), or discharging directly to receiving water within Environmentally Sensitive Areas <sup>1</sup> .		
7. Parking lot area of 5,000 square feet or more, or with 15 or more parking spaces, and potentially exposed to urban runoff		
8. Is this a Priority Project? Determination: If ANY of the above are answered yes, it is priority		

<sup>1</sup> Environmentally Sensitive Areas include, but are not limited to, all Clean Water Act Section 303(d) impaired water bodies, areas designated as Areas of Special Biological Significance by the State Water Resources Control Board, water bodies designated with the RARE beneficial use by the State Water Resources Control Board, areas designated as preserves or equivalent under the Natural Community Conservation Planning Program, and any areas designated as Critical Aquatic Resources (CARS).

Staff Member Completing this Form: Javier Garcia

Date Form Completed: 10-1-03

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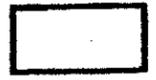
MARCH 1973

IRVINE SUB.  
 TRACT NO. 7953  
 TRACT NO. 8762  
 PARCEL MAPS  
 PARCEL MAPS

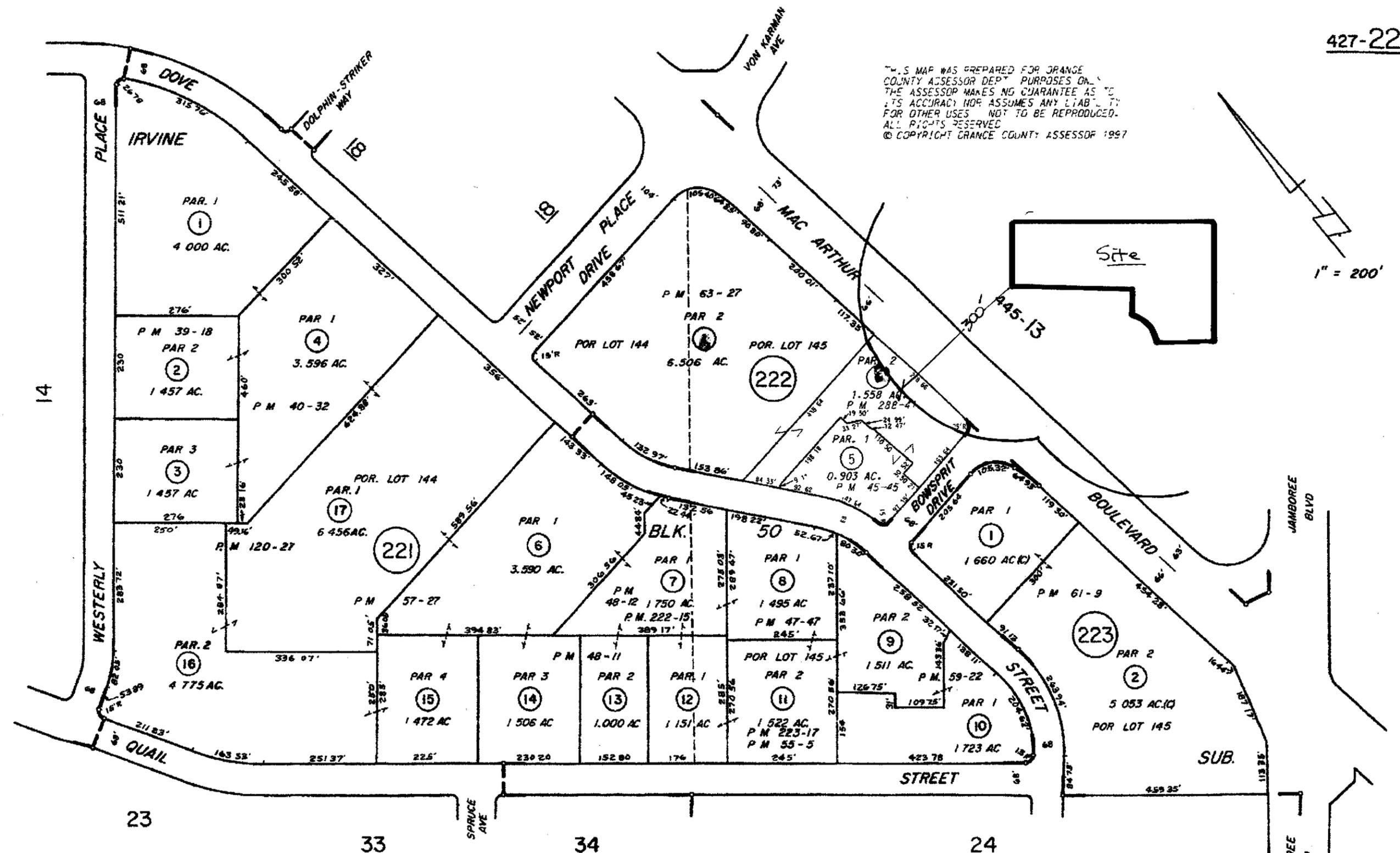
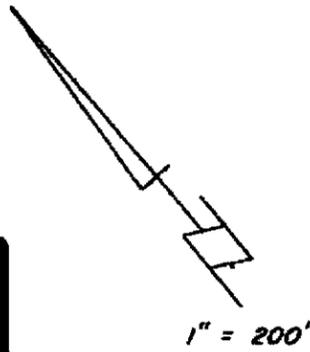
M.M. 1-88  
 M.M. 310-7 TO 11 INC.  
 M.M. 350-24, 25, 26  
 P.M. 47-22, 60-14, 107-10  
 P.M. 114-22, 181-13, 206-08, 188-38, 266-17

NOTE-ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP BOOK 445 PAGE 13 COUNTY OF ORANGE



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MARCH 1978

IRVINE SUB.  
TRACT NO. 7694 (STREETS ONLY)  
PARCEL MAP  
PARCEL MAP  
PARCEL MAP  
PARCEL MAP  
PARCEL MAP

M.M. 1-88  
M.M. 294-27, 28, 29  
P.M. 39-18, 40-32, 45-45  
P.M. 47-47, 48-11, 48-12  
P.M. 55-5, 57-27, 59-22  
P.M. 61-9, 63-27, 120-27  
P.M. 288-41

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP BOOK 427 PAGE 22 COUNTY OF ORANGE

**AS APPROVED BY**

PLANNING DIRECTOR ON (date)

As Submitted     As Modified, refer to:

MODIFICATIONS COMMITTEE ON (date)

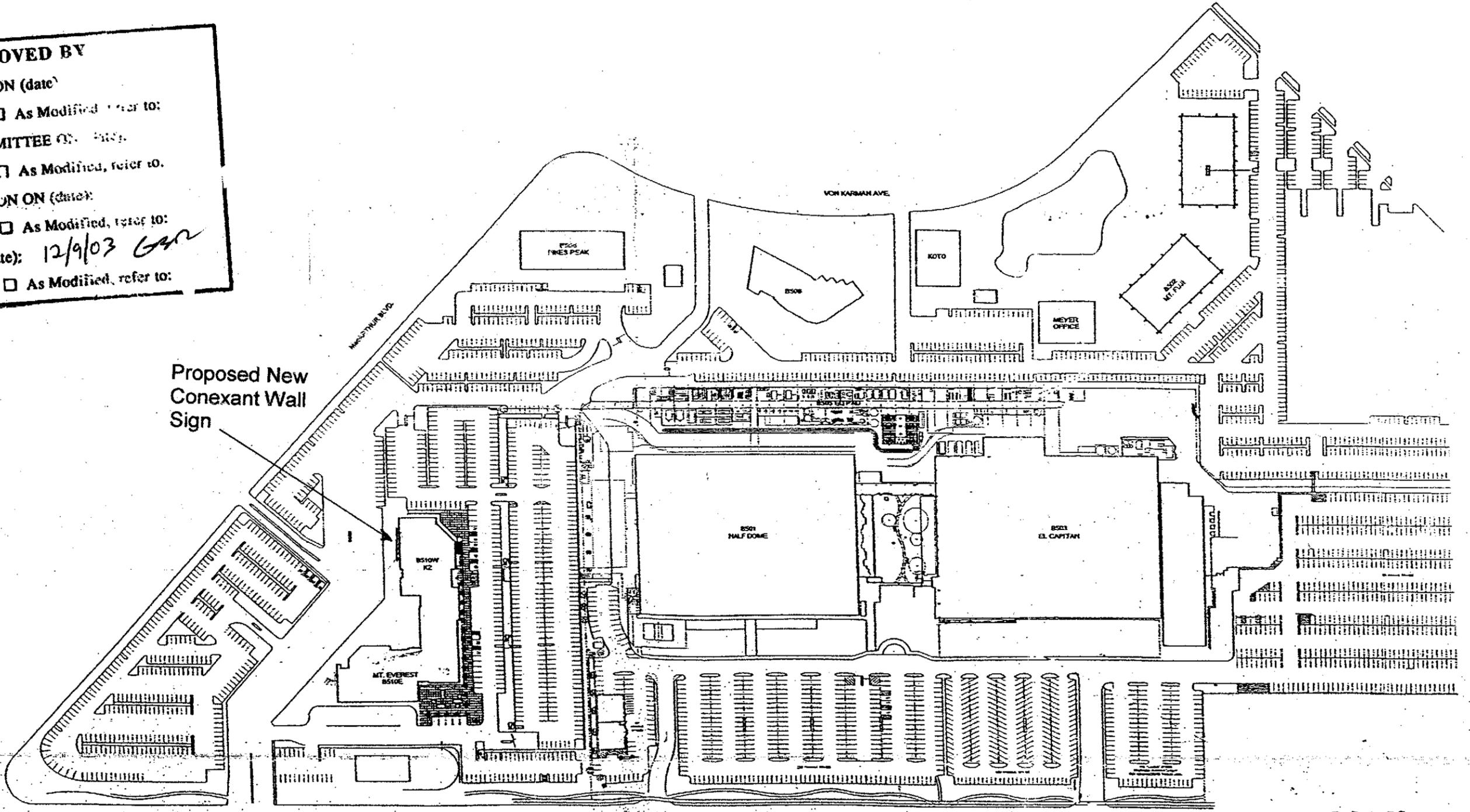
As Submitted     As Modified, refer to:

PLANNING COMMISSION ON (date)

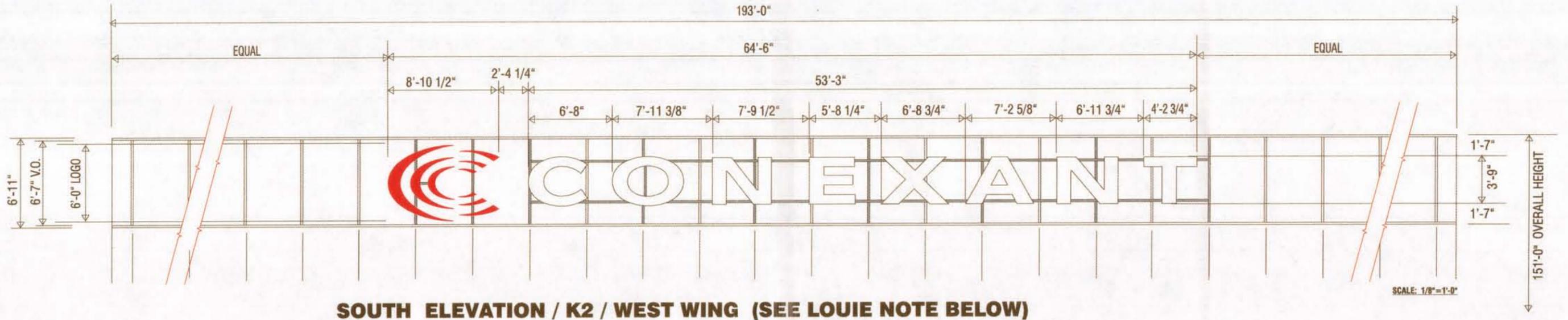
As Submitted     As Modified, refer to:

CITY COUNCIL ON (date): 12/9/03 *GAN*

As Submitted     As Modified, refer to:



**FILE COPY**



**SIGN #3 NEW LOGO & LETTERSET**

" MFG. & INSTALL ONE (1) SET OF INTER. ILLUM. PLEXIGLAS & LEXAN FACED CHANNEL LOGO & LETTERS "

"LOGO RETURNS": FAB. FROM ALUM. & PAINTED. T/M THE MULLION COLOR ON THE BUILDING, ( #313 DURANODIC BRONZE MATTE FINISH).

"LOGO FACES": 3/16" THICK CLEAR LEXAN W/ 3M #3630-33 RED TRANSLUCENT APPLIED TO THE INTER. SURFACES.

"RETAINERS": 1" RED TRIM CAP (CLOSELY MATCHES PMS #485 RED).

"ILLUMINATION": BY 15 MM CLEAR RED NEON TUBING (UTILIZING 60 M.A. TRANSFORMERS REMOTELY LOCATED).

"LETTER RETURNS": FAB. FROM ALUM. & PAINTED T/M THE MULLION COLOR ON THE BUILDING,(#313 DURANODIC BRONZE, MATTE FINISH).

"LETTER FACES": 3/16" THICK #7328 WHITE PLEXIGLAS.

"RETAINERS": 1" WHITE TRIM CAP.

"ILLUMINATION": BY 15 MM #6500 BRIGHT WHITE ARGON TUBING (UTILIZING 60 M.A. TRANSFORMERS REMOTELY LOCATED).

**\*NOTE: EXACT DIMENSIONS WILL NEED TO BE SECURED TO DETERMINE MULLION & DAVIT SPACING.**

**AS APPROVED BY:**

PLANNING DIRECTOR ON (date):

As Submitted     As Modified refer to:

MODIFICATIONS COMMITTEE ON (date):

As Submitted     As Modified, refer to:

PLANNING COMMISSION ON (date):

As Submitted     As Modified, refer to:

CITY COUNCIL ON (date): 12/4/03

As Submitted     As Modified, refer to:



**SOUTH ELEVATION / K2 / WEST WING / Proposed Signage**  
 HEIGHT OF THE BUILDING IS 151'-0"  
 OVERALL LENGTH OF THE SOUTH ELEVATION IS 193'-0"



**Mark Webb**  
 ACCOUNT REP.  
 Federal Sign  
 2150 Boggs Rd., Suite 140  
 Duluth, GA 30096  
 770-476-1621

**D. REEVES**  
 DRAWN BY

SENIOR PROJECT MGR

REVISIONS

NOTES

CONEXANT  
 4000 MacArthur Blvd.  
 Newport Beach, CA.

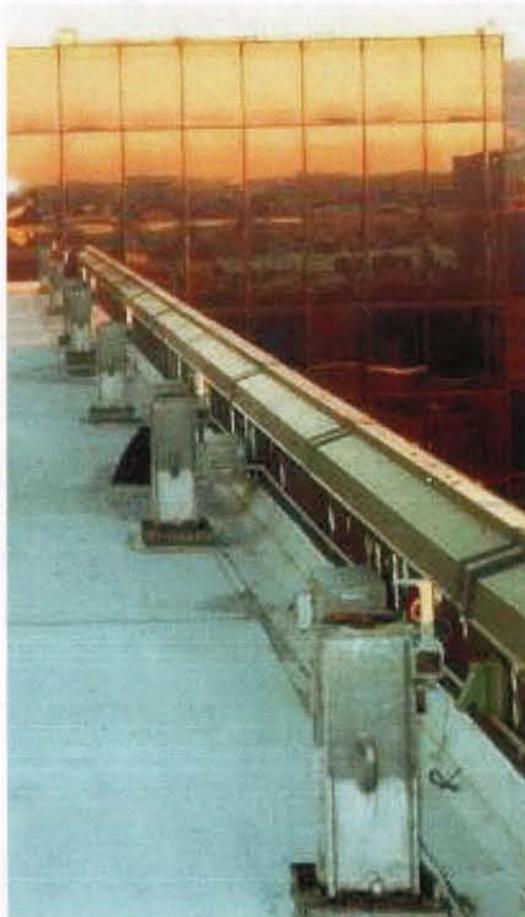
CUSTOMER APPROVAL

DATE

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FILE NAME

JOB NO.	-
DATE:	<b>04 August, 2003</b>
DWG NO.	<b>2338887</b>
SHEET	<b>1</b> OF <b>3</b>



2" x 2" TUBE STEEL, PTD. #313 DK BRONZE (MATTE FIN.)

2'-2" +/-

2" x 2" TUBE STEEL, PTD. #313 DK BRONZE (MATTE FIN.)

EXISTING WINDOW DAVIT

TRAN. BOX

3/4" LIQUID-TIGHT EXPOSED & MTD. TO SQUARE TUBES & PTD. #313 DURANODIC BRONZE (MATTE FIN.)

1'-4" +/- to top of the building

### SIGN #3

**\*NOTE: EXACT DIMENSIONS WILL NEED TO BE SECURED TO DETERMINE MULLION & DAVIT SPACING**

**Please see Louie I. prior to beginning Cad Drawings, for specific details, dimensions. Once Cad Drawings are completed Louie needs to approve prior to the structure & signs being released to manufacturing.**

2" x 2" TUBE STEEL #313 DURANODIC BRONZE (MATTE FIN.)

LETTER

#### AS APPROVED BY:

- PLANNING DIRECTOR ON (date):
  - As Submitted     As Modified, refer to:
- MODIFICATIONS COMMITTEE ON (date):
  - As Submitted     As Modified, refer to:
- PLANNING COMMISSION ON (date):
  - As Submitted     As Modified, refer to:
- CITY COUNCIL ON (date): 12/9/03
  - As Submitted     As Modified, refer to:

GLASS CURTAIN WALL & MULLIONS

1'-4" +/- to the bottom of the first horizontal mullion

SCALE: 1"=1'-0"



Mark Webb

ACCOUNT REP.  
Federal Sign  
2150 Boggs Rd., Suite 140  
Duluth, GA 30096  
770-476-1621

D. REEVES

DRAWN BY

SENIOR PROJECT MGR

REVISIONS

NOTES

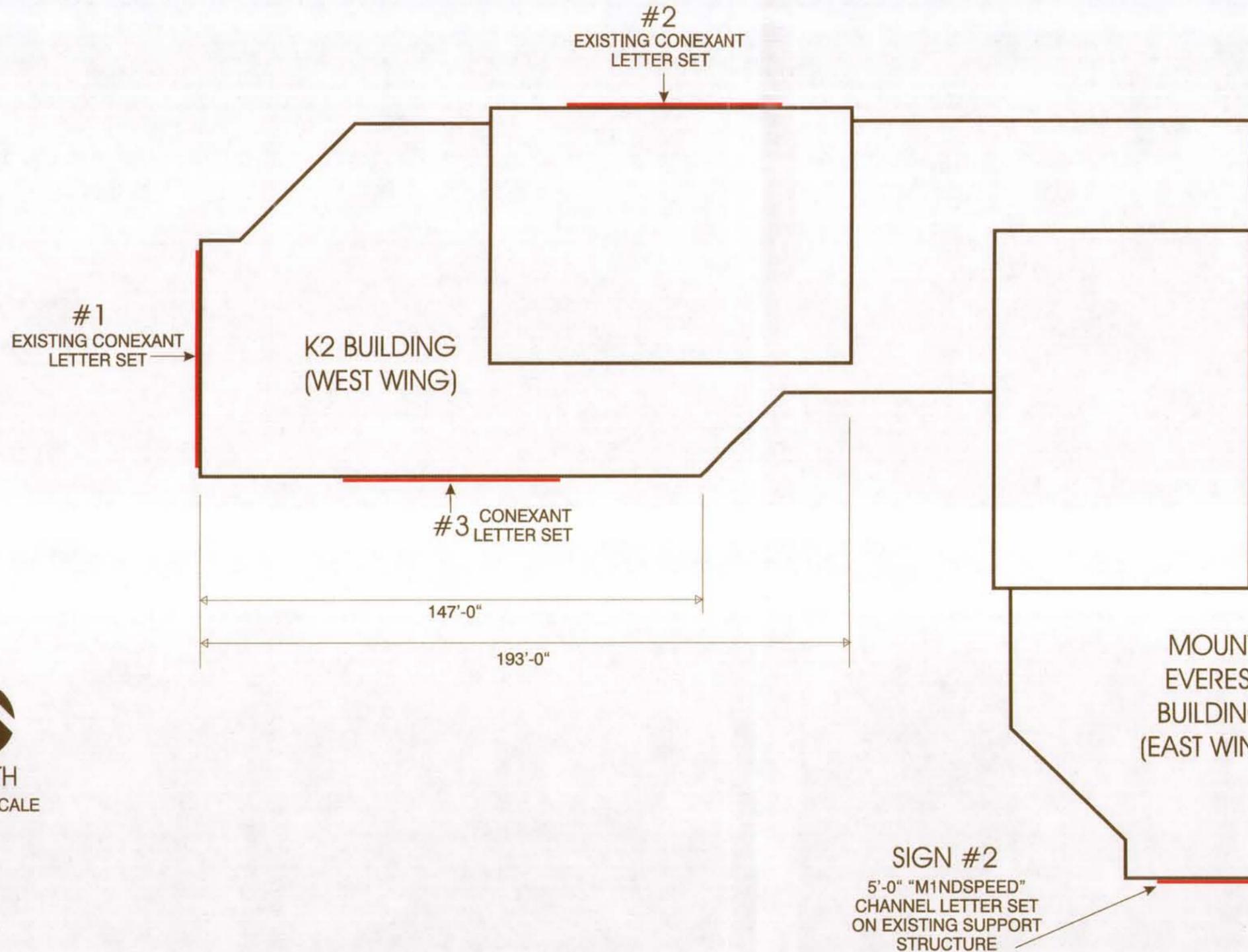
CONEXANT  
4000 MacArthur Blvd.  
Newport Beach, CA.

CUSTOMER APPROVAL

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FILE NAME

JOB NO.	-
DATE:	<b>04 August, 2003</b>
DWG NO.	<b>2338887</b>
SHEET	<b>2</b> OF <b>3</b>



**AS APPROVED BY:**

PLANNING DIRECTOR ON (date):  
 As Submitted     As Modified refer to:

MODIFICATIONS COMMITTEE ON (date):  
 As Submitted     As Modified, refer to:

PLANNING COMMISSION ON (date):  
 As Submitted     As Modified, refer to:

CITY COUNCIL ON (date): 12/6/03  
 As Submitted     As Modified, refer to:



Mark Webb  
 ACCOUNT REP.  
 Federal Sign  
 2150 Boggs Rd., Suite 140  
 Duluth, GA 30096  
 770-476-1621

D. REEVES  
 DRAWN BY

SENIOR PROJECT MGR

REVISIONS

NOTES

CONEXANT  
 4000 MacArthur Blvd.  
 Newport Beach, CA.

CUSTOMER APPROVAL

DATE

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FILE NAME

JOB NO.	-
DATE:	<b>04 August, 2003</b>
DWG NO.	<b>2338887</b>
SHEET	<b>3</b> OF <b>3</b>

# **Attachment No. ZA 3**

Sign Program Matrix

# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

SIGN TYPE	DESCRIPTION	SIGN LOCATION	MAX. QUANTITY	MAX. SIGN AREA	MAX. LETTER HEIGHT	MAX. HEIGHT OF SIGN ABOVE GROUND	LOGOS ALLOWED ILLUMINATION PERMITTED	LINEAR FRONTAGE OF BUILDING
1	CHANNEL LETTER ADDRESS	WALL	1	42 SQ FT	2'	N/A	YES	36'
2.A	VINYL ADDRESS	WALL	1	80 SQ FT	3'	N/A	NO	58'
2.B	VINYL BUILDING ID	WALL	1	21 SQ FT	1'-6"	N/A	NO	58'
2.C	VINYL BUILDING ID	WALL	1	21 SQ FT	1'-6"	N/A	NO	58'
3.B	TENANT	WALL	1	200 SQ FT	5'	N/A	YES	101'
3.C	TENANT	WALL	1	200 SQ FT	5'	N/A	YES	73'
3.D	TENANT	WALL	1	387 SQ FT	5'	N/A	YES	148'
3.F	TENANT	WALL	1	200 SQ FT	5'	N/A	YES	68'
3.G	TENANT	WALL	1	200 SQ FT	5'	N/A	YES	148'
4.A	TENANT VINYL ID	WALL	1	36 SQ FT	2'	N/A	NO	58'
4.B	TENANT	WALL	1	42 SQ FT	2'	N/A	YES	148'

Compliance Required:

- Temporary Banner Signs shall comply with the Chapter 20.42 of the Zoning Code.
- All signs shall substantially conform to the stamped and dated approved set of plans.
- Pursuant to section 20.42.120.F 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.
- All additional exempt signs shall comply with the standards prescribed in the Zoning Code.

# **Attachment No. ZA 4**

Project Plans



07.08.16

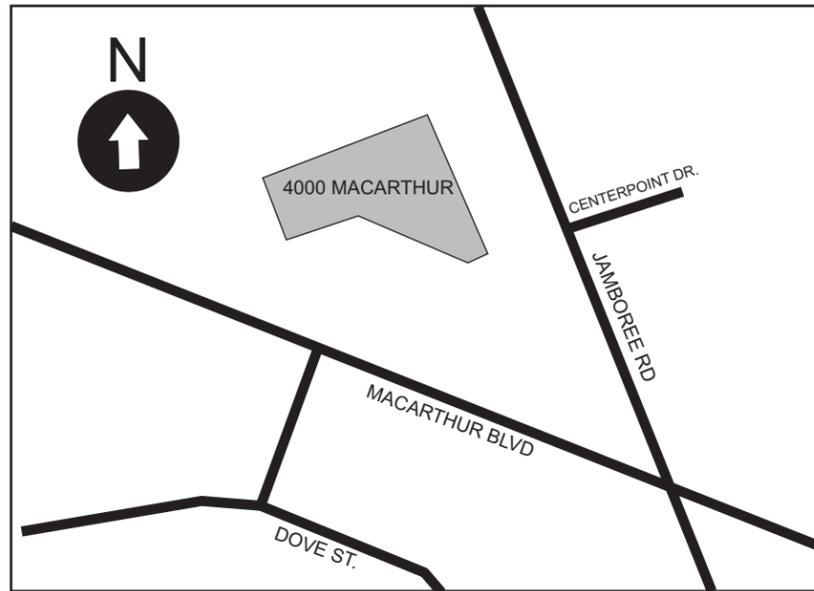
Prepared By :



Designer: Brendan Fox  
111 W. Dyer Rd., Unit F  
Santa Ana, CA 92707  
Contact: Sean Baldwin  
714.641.0064  
714.641.0065 fax  
sean.baldwin@signspecialists.com

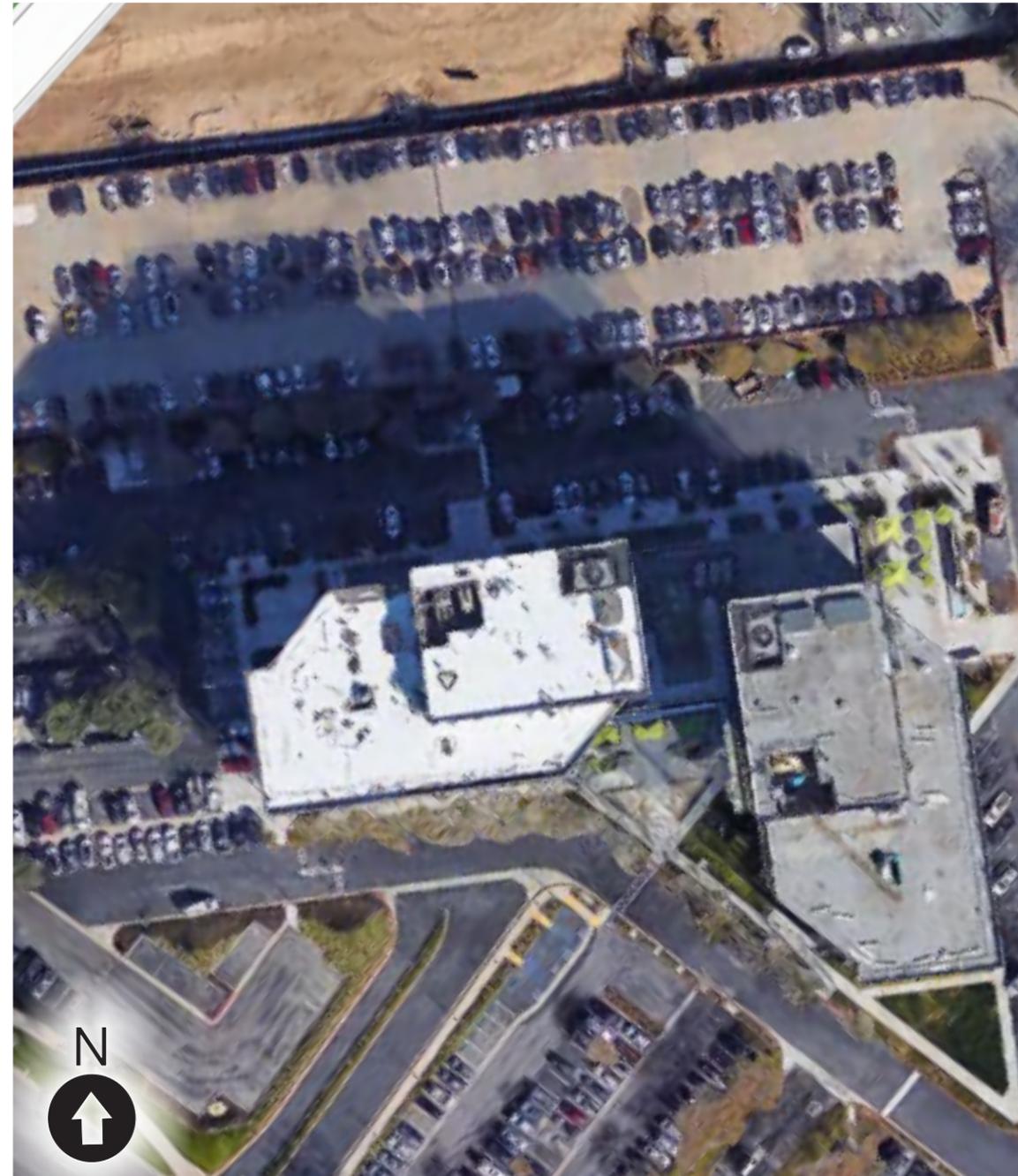
# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660



ADDRESS: 4000 MacArthur  
Newport Beach, CA 92660

PLANNING AREA:  
BUILDING STORIES:



# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

SIGN TYPE	DESCRIPTION	SIGN LOCATION	MAX. QUANTITY	MAX. SIGN AREA	MAX. LETTER HEIGHT	MAX. HEIGHT OF SIGN ABOVE GROUND	LOGOS ALLOWED ILLUMINATION PERMITTED	LINEAR FRONTAGE OF BUILDING
1	CHANNEL LETTER ADDRESS	WALL	1	42 SQ FT	2'	N/A	YES	36'
2.A	VINYL ADDRESS	WALL	1	80 SQ FT	3'	N/A	NO	58'
2.B	VINYL BUILDING ID	WALL	1	21 SQ FT	1'-6"	N/A	NO	58'
2.C	VINYL BUILDING ID	WALL	1	21 SQ FT	1'-6"	N/A	NO	58'
3.B	TENANT	WALL	1	200 SQ FT	5'	N/A	YES	101'
3.C	TENANT	WALL	1	200 SQ FT	5'	N/A	YES	73'
3.D	TENANT	WALL	1	387 SQ FT	5'	N/A	YES	148'
3.F	TENANT	WALL	1	200 SQ FT	5'	N/A	YES	68'
3.G	TENANT	WALL	1	200 SQ FT	5'	N/A	YES	148'
4.A	TENANT VINYL ID	WALL	1	36 SQ FT	2'	N/A	NO	58'
4.B	TENANT	WALL	1	42 SQ FT	2'	N/A	YES	148'

Compliance Required:

- Temporary Banner Signs shall comply with the Chapter 20.42 of the Zoning Code.
- All signs shall substantially conform to the stamped and dated approved set of plans.
- Pursuant to section 20.42.120.F 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.
- All additional exempt signs shall comply with the standards prescribed in the Zoning Code.

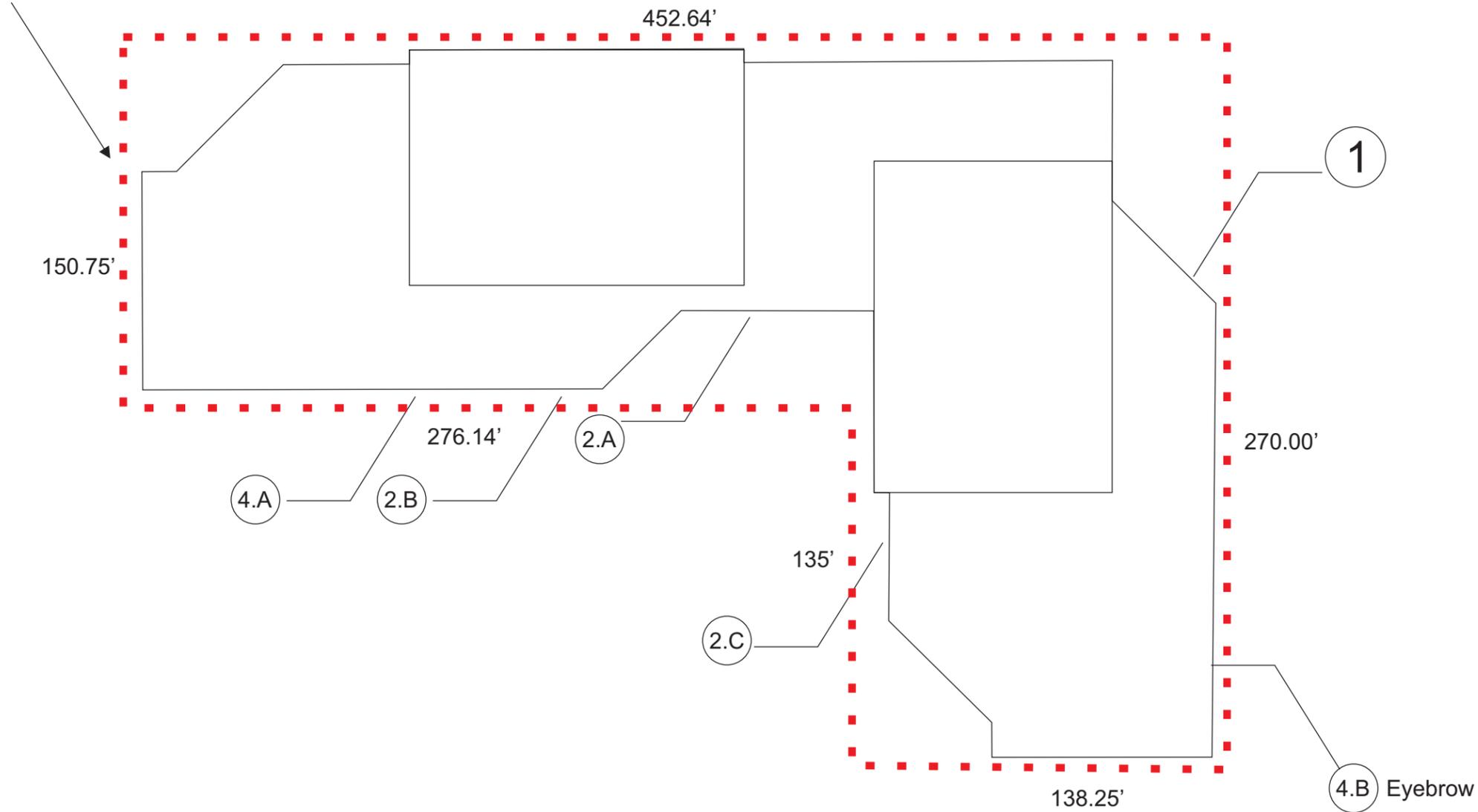
# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660



SIGN TYPE - Building Identification Signage

- LINEAR LENGTH OF BUILDING FRONTAGE
- PROPERTY LINES & MEASUREMENTS



# Sign Program

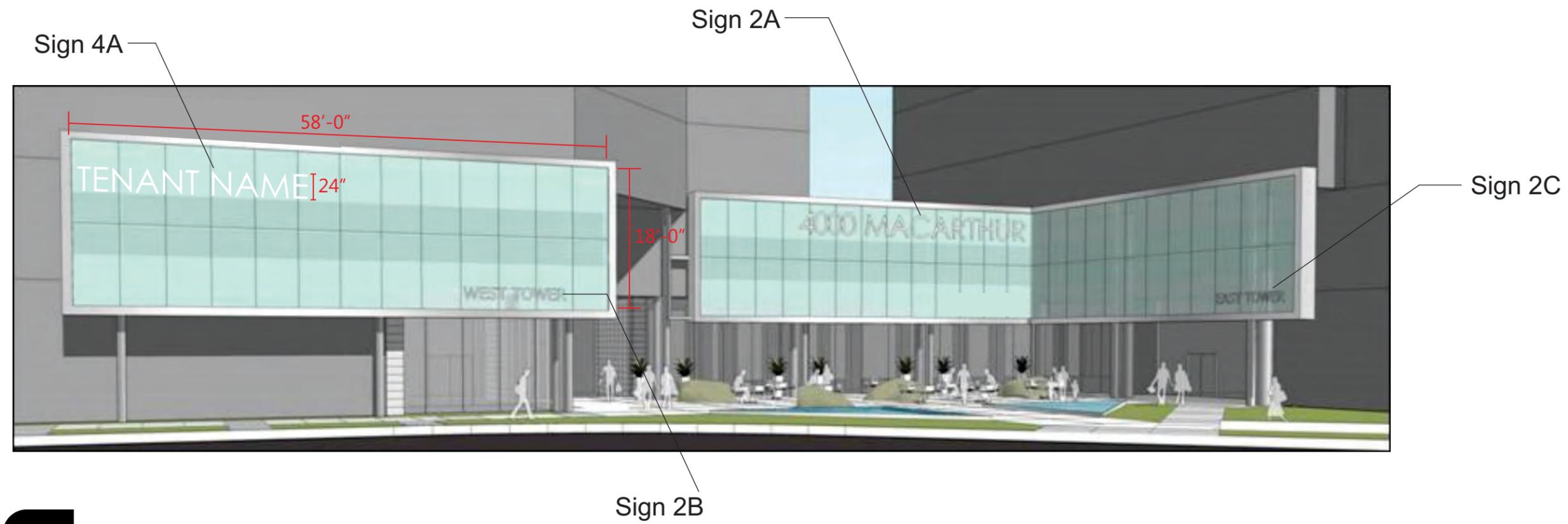
LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE 4 SPECIFICATIONS

TENANT NAME

## NOTES

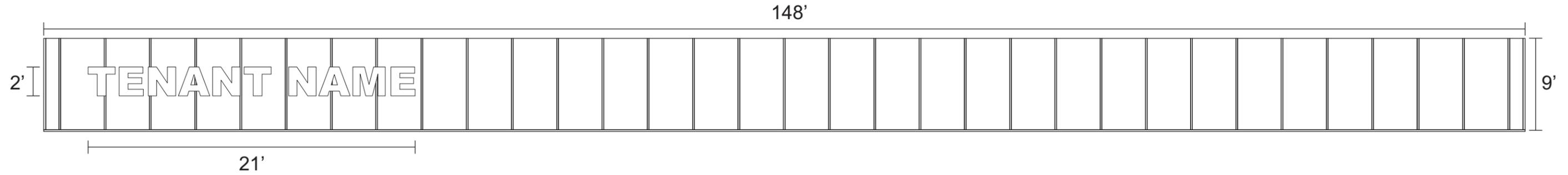
- Letter and Logo Specifications:
- 3M cast vinyl
  - Surface mounted to glass
  - Maximum Tenant SqFt of space 36 Sq Ft
  - This location will be the only authorized tenant location allowed by property management company.
  - All designs will be approved by property management prior to approval of the city and installation.



# Sign Program

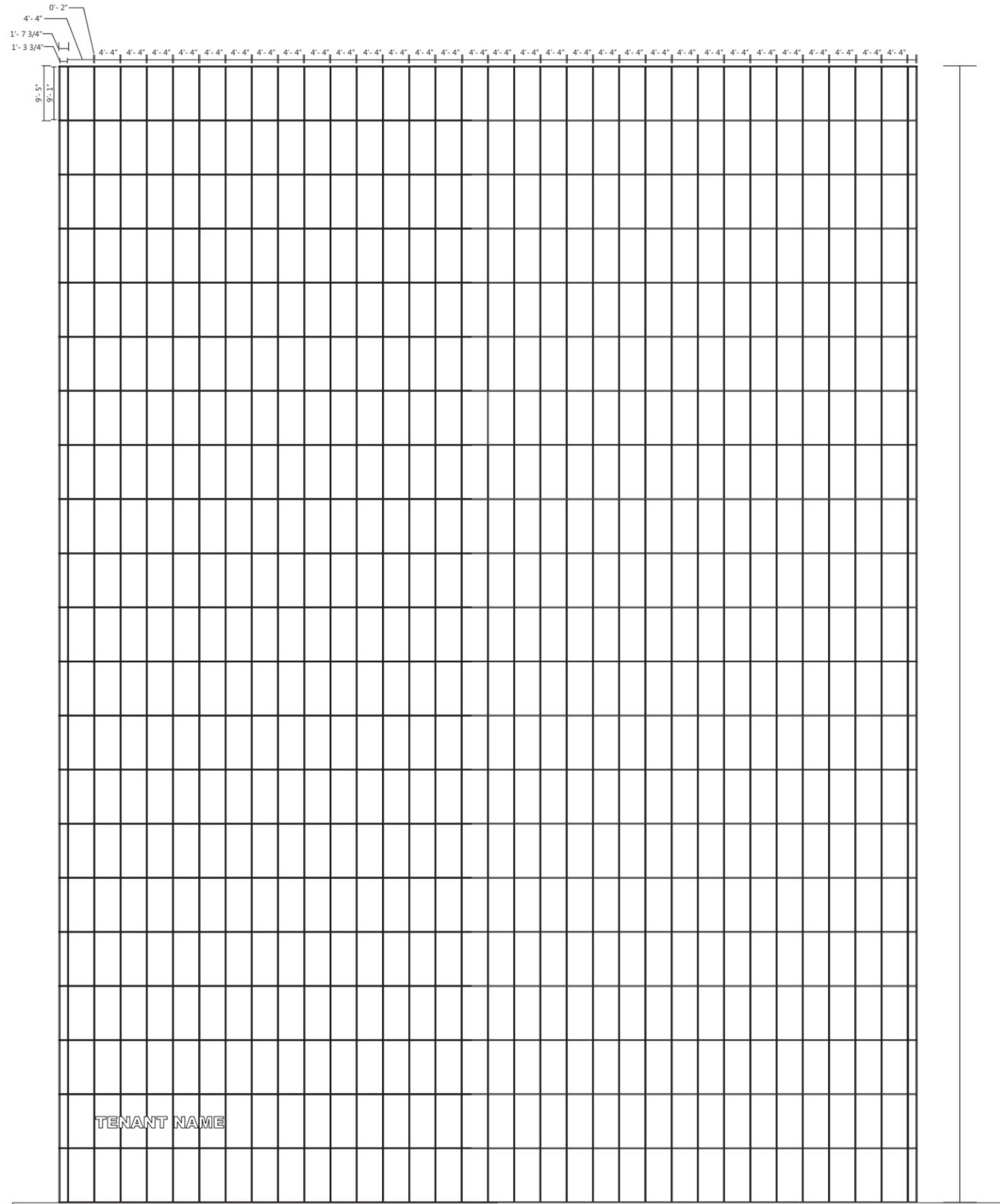
LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

LOCATION: 4.B - Eyebrow  
- LETTER RETURNS: (6" RETURN) FAB. FROM ALUM. & PAINTED COLOR: MATTHEWS PAINT (Silver)  
- LETTER FACES FOR ALL LETTERS WILL BE MANUFACTURED USING 3/16" WHITE LEXAN SIGN FACE WITH MATTE FINISH  
- ILLUMINATION: SLOAN LED IS THE PREFERRED VENDOR OR EQUIVALENT (5000K)



LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE 4.B - EYEBROW SIGN



# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE 4.B - EYEBROW SIGN

INTENT	TO IDENTIFY THE BUILDING TO PATRONS
FRONTAGE	JAMBOREE RD.
CONTENT	EAST TOWER
LOCATION	EAST SIDE OF BUILDING
QUANTITY	ONE
SIGN SIZE	LINEAR FRONTAGE: 42'-0"      MAXIMUM WIDTH: 40' MAXIMUM SIGN AREA: 42 SQFT      MAXIMUM HEIGHT: 2'
MATERIAL	SMOOTH, DURABLE, NON-WEATHERING SIGN. ALL HARDWARE SHALL BE OF NONFERROUS METALS.
ILLUMINATION	PERMITTED
LETTERSTYLE	PROJECT FONT
COLOR	WHITE



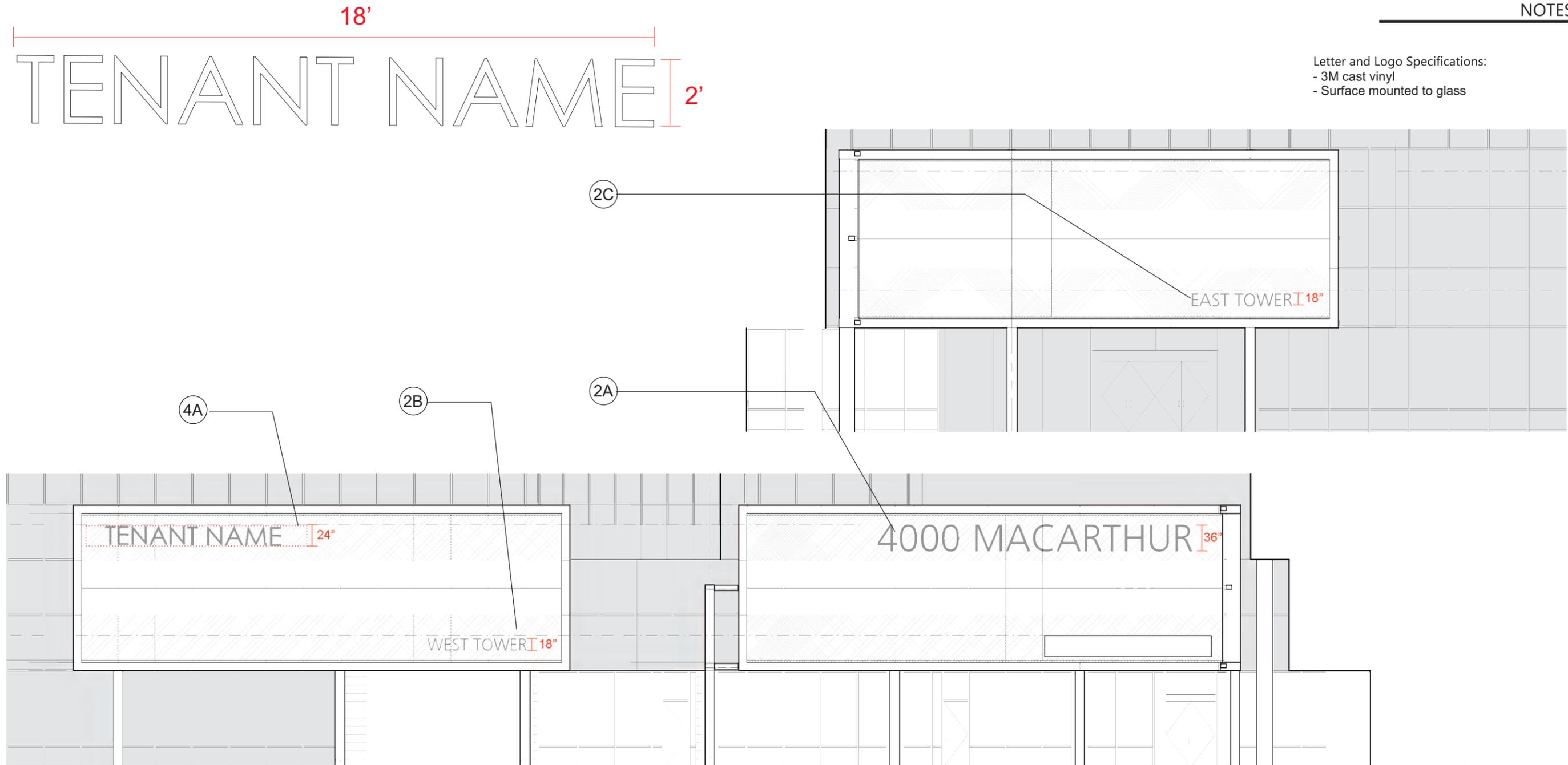
# Sign Program

## SIGN TYPE 4.A SPECIFICATIONS

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

### NOTES

- Letter and Logo Specifications:  
- 3M cast vinyl  
- Surface mounted to glass

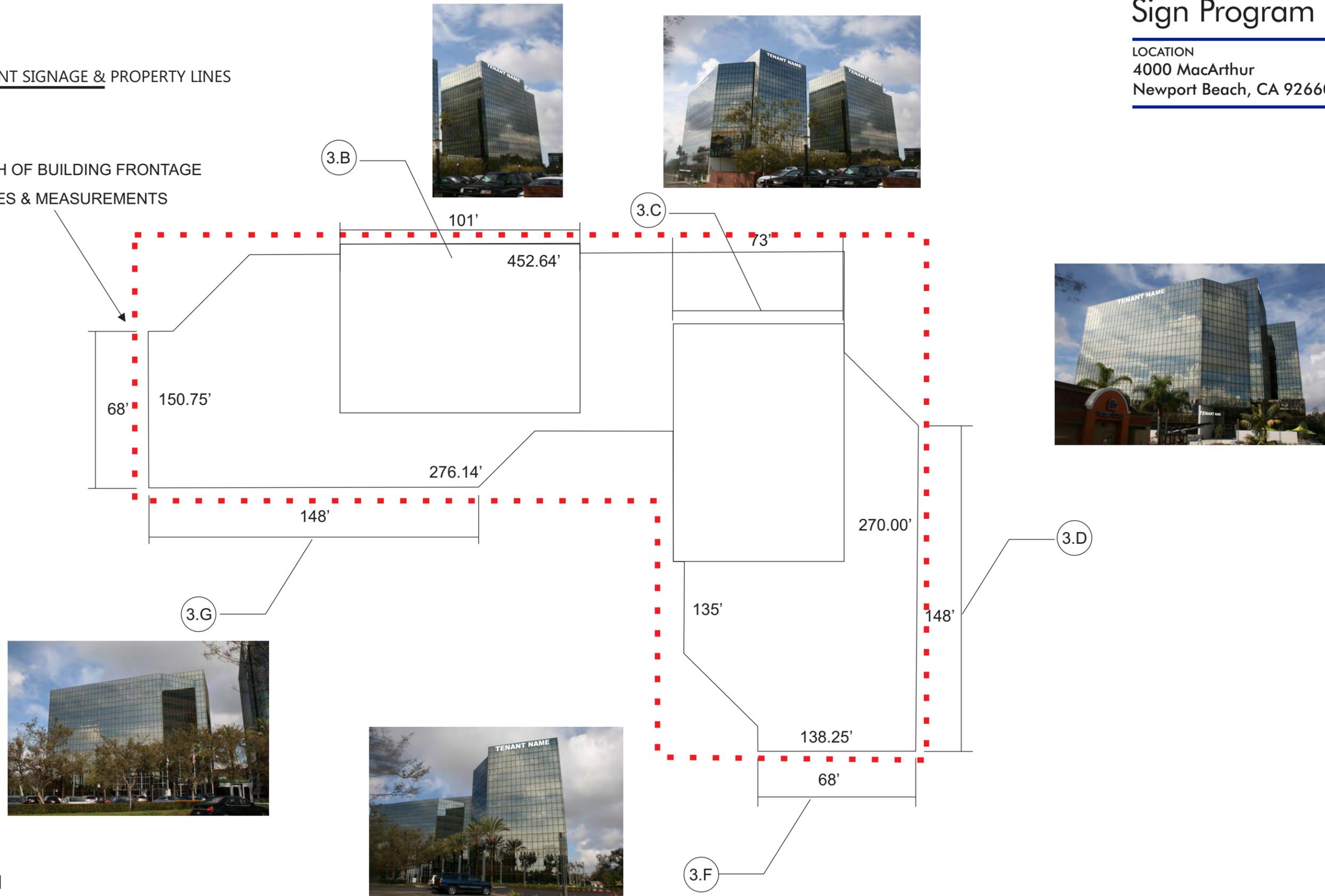


# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

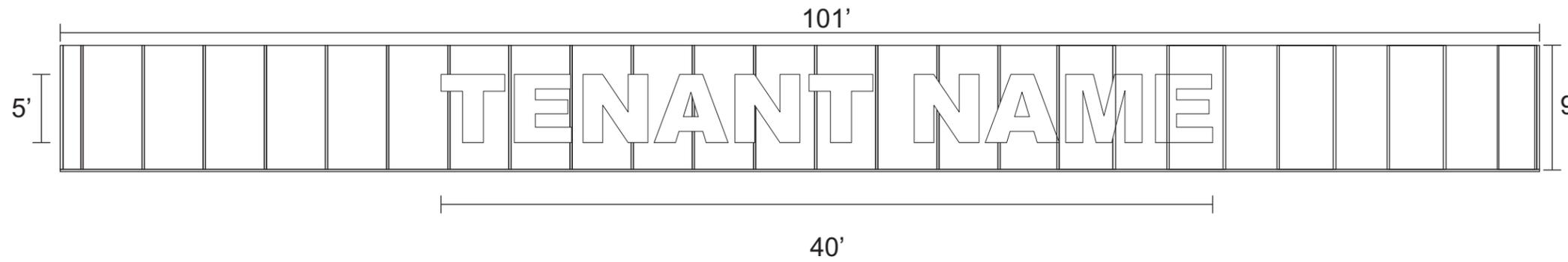
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- LINEAR LENGTH OF BUILDING FRONTAGE
- PROPERTY LINES & MEASUREMENTS

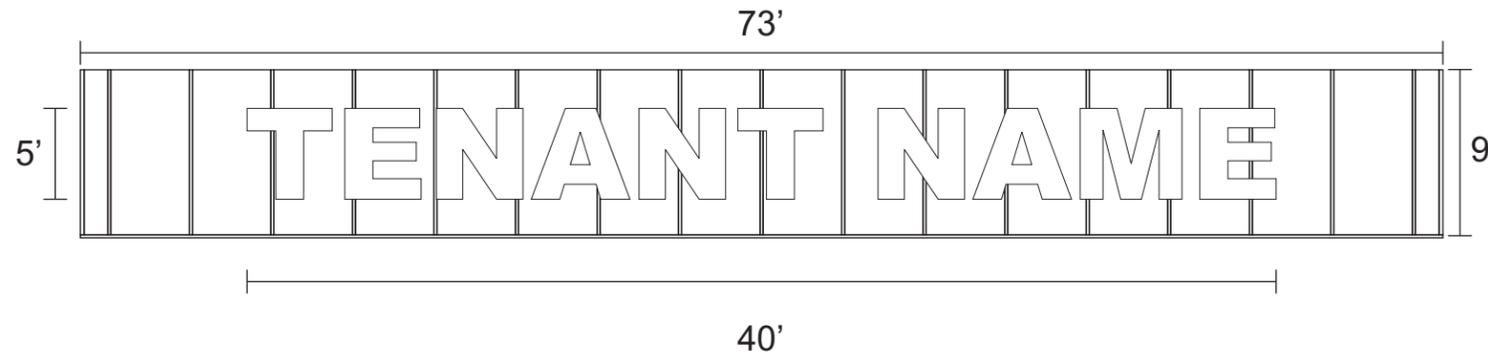


## SIGN TYPE - TENANT SIGNAGE

- LOCATION: 3.B
- LETTER RETURNS: (6" RETURN) FAB. FROM ALUM. & PAINTED COLOR: MATTHEWS PAINT (Silver)
  - LETTER FACES FOR ALL LETTERS WILL BE MANUFACTURED USING 3/16" WHITE LEXAN SIGN FACE WITH MATTE FINISH
  - ILLUMINATION: SLOAN LED IS THE PREFERRED VENDOR OR EQUIVALENT (5000K)

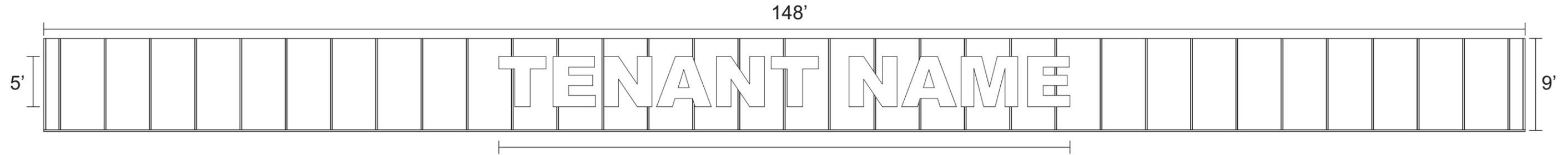


- LOCATION: 3.C
- LETTER RETURNS: (6" RETURN) FAB. FROM ALUM. & PAINTED COLOR: MATTHEWS PAINT (Silver)
  - LETTER FACES FOR ALL LETTERS WILL BE MANUFACTURED USING 3/16" WHITE LEXAN SIGN FACE WITH MATTE FINISH
  - ILLUMINATION: SLOAN LED IS THE PREFERRED VENDOR OR EQUIVALENT (5000K)

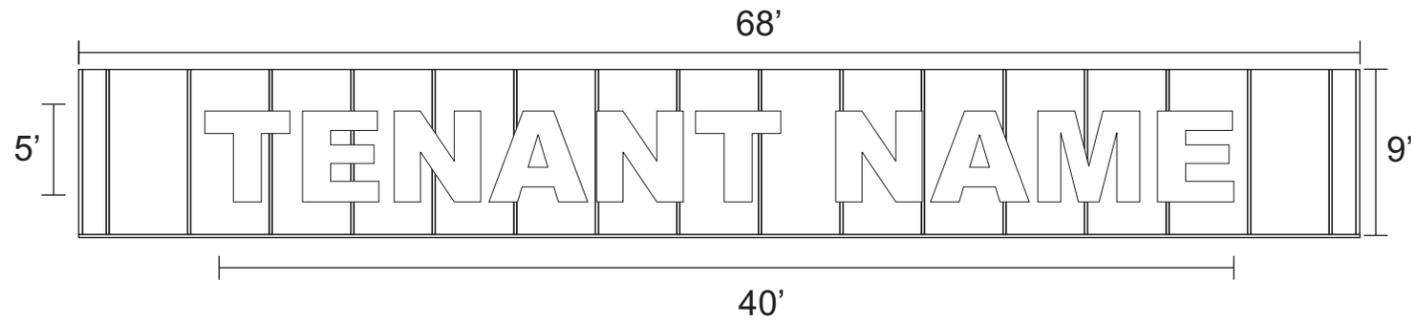


## SIGN TYPE - TENANT SIGNAGE

- LOCATION: 3.D
- LETTER RETURNS: (6" RETURN) FAB. FROM ALUM. & PAINTED COLOR: MATTHEWS PAINT (Silver)
  - LETTER FACES FOR ALL LETTERS WILL BE MANUFACTURED USING 3/16" WHITE LEXAN SIGN FACE WITH MATTE FINISH
  - ILLUMINATION: SLOAN LED IS THE PREFERRED VENDOR OR EQUIVALENT (5000K)



- LOCATION: 3.F
- LETTER RETURNS: (6" RETURN) FAB. FROM ALUM. & PAINTED COLOR: MATTHEWS PAINT (Silver)
  - LETTER FACES FOR ALL LETTERS WILL BE MANUFACTURED USING 3/16" WHITE LEXAN SIGN FACE WITH MATTE FINISH
  - ILLUMINATION: SLOAN LED IS THE PREFERRED VENDOR OR EQUIVALENT (5000K)

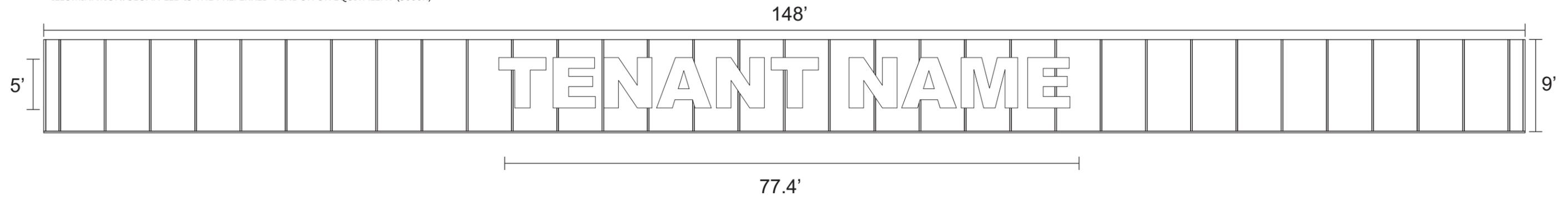


# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE - TENANT SIGNAGE

- LOCATION: 3.G
- LETTER RETURNS: (6" RETURN) FAB. FROM ALUM. & PAINTED COLOR: MATTHEWS PAINT (Silver)
  - LETTER FACES FOR ALL LETTERS WILL BE MANUFACTURED USING 3/16" WHITE LEXAN SIGN FACE WITH MATTE FINISH
  - ILLUMINATION: SLOAN LED IS THE PREFERRED VENDOR OR EQUIVALENT (5000K)



## STANDARDS AND SPECIFICATIONS

### Section 1) Sign Standards

A. Signs from the exterior of building may be lighted, but no signs or any other contrivance shall be devised or constructed so as to rotate, gyrate, blink or move in any animated fashion.

B. Signs shall be restricted to advertising only the person, firm, company or corporation operating the use conducted on the site or the products sold thereon.

C. A wall sign with the individual letters applied directly shall be measured by a rectangle around the outside of the lettering and/ or the pictorial symbol and calculating the area enclosed by such line.

### Group 1) Wall Signs

A) In no event shall an identification sign be placed on a wall comprise more than ten (10) percent of the area of the elevation upon which the sign is located. Said signs will be fixture signs. Signs painted directly on the surface of the wall shall not be permitted.

B) Approved tenant signage will consist of ONE (1) tenant sign to follow the specifications provide, unless given written approval by the property management company in advance or is directly identified in the lease agreement.

C) Property address 4000 MacArthur will be present on the north side of the building. The sign will be constructed by using a channel letter design with halo lighting to accent address at night.

D) Property address 4000 MacArthur will be present on the South side of the building along with identification for each of the two towers (EAST TOWER) (WEST TOWER) along with (NEWPORT BEACH) to assist visitors and clients with way-finding as they approach and travel on the busy roads that surround the building property.

### Section 2) Installation

A) Only pre qualified venders will be allowed to be contracted for work at 4000 MacArthur property. This will be to ensure only venders that are licensed and insured by the state are authorized in fabrication and installation. By using pre qualified venders the property will ensure only the highest level of service, product, and safety are attained.

B) When a Tenant Signage is to be removed and installed the qualified vender will give notice 10 working days prior to work giving tenants and property management company ample time to prepare area and facility of actions and services.

C) When work by qualified vender is to be done on property such as Service or Site Visit vender is required to notify property management company 2 days prior so security has time to prepare for visit and escorts can be arranged on property to ensure privacy and security are kept.

# Sign Program

---

LOCATION

4000 MacArthur

Newport Beach, CA 92660

---

## SIGN TYPE 1 - BUILDING ADDRESS SIGN

INTENT	TO IDENTIFY THE BUILDING TO PATRONS
FRONTAGE	JAMBOREE ROAD
CONTENT	4000 MACARTHUR
LOCATION	NORTH SIDE ENTRANCE TO BUILDING
QUANTITY	ONE
SIGN SIZE	21' X 24"
MATERIAL	SMOOTH, DURABLE, NON-WEATHERING SIGN. ALL HARDWARE SHALL BE OF NONFERROUS METALS.
ILLUMINATION	PERMITTED
LETTERSTYLE	PROJECT FONT
COLOR	SIGN COPY TO CONTRAST WITH BUILDING AND MUST BE APPROVED BY BUILDING ASSOCIATION.

## SIGN TYPE 2.A - BUILDING ADDRESS SIGN

INTENT	TO IDENTIFY THE BUILDING TO PATRONS
FRONTAGE	MACARTHUR BLVD
CONTENT	4000 MACARTHUR
LOCATION	SOUTH SIDE ENTRANCE TO BUILDING
QUANTITY	ONE
SIGN SIZE	40' X 2'
MATERIAL	HIGH GRADE 3M VINYL WITH UV PROTECTIVE COATING
ILLUMINATION	PROHIBITED
LETTERSTYLE	PROJECT FONT
COLOR	WHITE

# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE 1 - ADDRESS SIGN

SIGN SPECIFICATIONS:  
120v 20AMP  
24" HIGH LETTERING  
HALO LIT CHANNEL LETTERS  
4 MOUNTING BOLTS PER LETTER  
ANCHOR MOUNTED INTO 1/4" MARBLE

ELECTRICAL MOUNTED ACCESS PANEL WILL BE LOCATED  
INSIDE SUITE ON SECOND FLOOR.



Facility Name: \_\_\_\_\_  
Date revised: \_\_\_\_\_  
Signage Administrator: \_\_\_\_\_  
Tenant Name: \_\_\_\_\_  
Tenant Number: \_\_\_\_\_  
Signature of Tenant \_\_\_\_\_  
Signature of (Facility Name) \_\_\_\_\_

## SIGN TYPE 2.B - BUILDING DIRECTIONAL SIGN

INTENT	TO IDENTIFY THE BUILDING TO PATRONS
FRONTAGE	MACARTHUR BLVD
CONTENT	WEST TOWER
LOCATION	SOUTH SIDE ENTRANCE TO BUILDING
QUANTITY	ONE
SIGN SIZE	14' X 1'-6"
MATERIAL	HIGH GRADE 3M VINYL WITH UV PROTECTIVE COATING
ILLUMINATION	PROHIBITTED
LETTERSTYLE	PROJECT FONT
COLOR	WHITE

## SIGN TYPE 2.C - BUILDING DIRECTIONAL SIGN

INTENT	TO IDENTIFY THE BUILDING TO PATRONS
FRONTAGE	MACARTHUR BLVD
CONTENT	EAST TOWER
LOCATION	SOUTH SIDE ENTRANCE TO BUILDING
QUANTITY	ONE
SIGN SIZE	14' X 1'-6"
MATERIAL	HIGH GRADE 3M VINYL WITH UV PROTECTIVE COATING
ILLUMINATION	PROHIBITTED
LETTERSTYLE	PROJECT FONT
COLOR	WHITE

# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

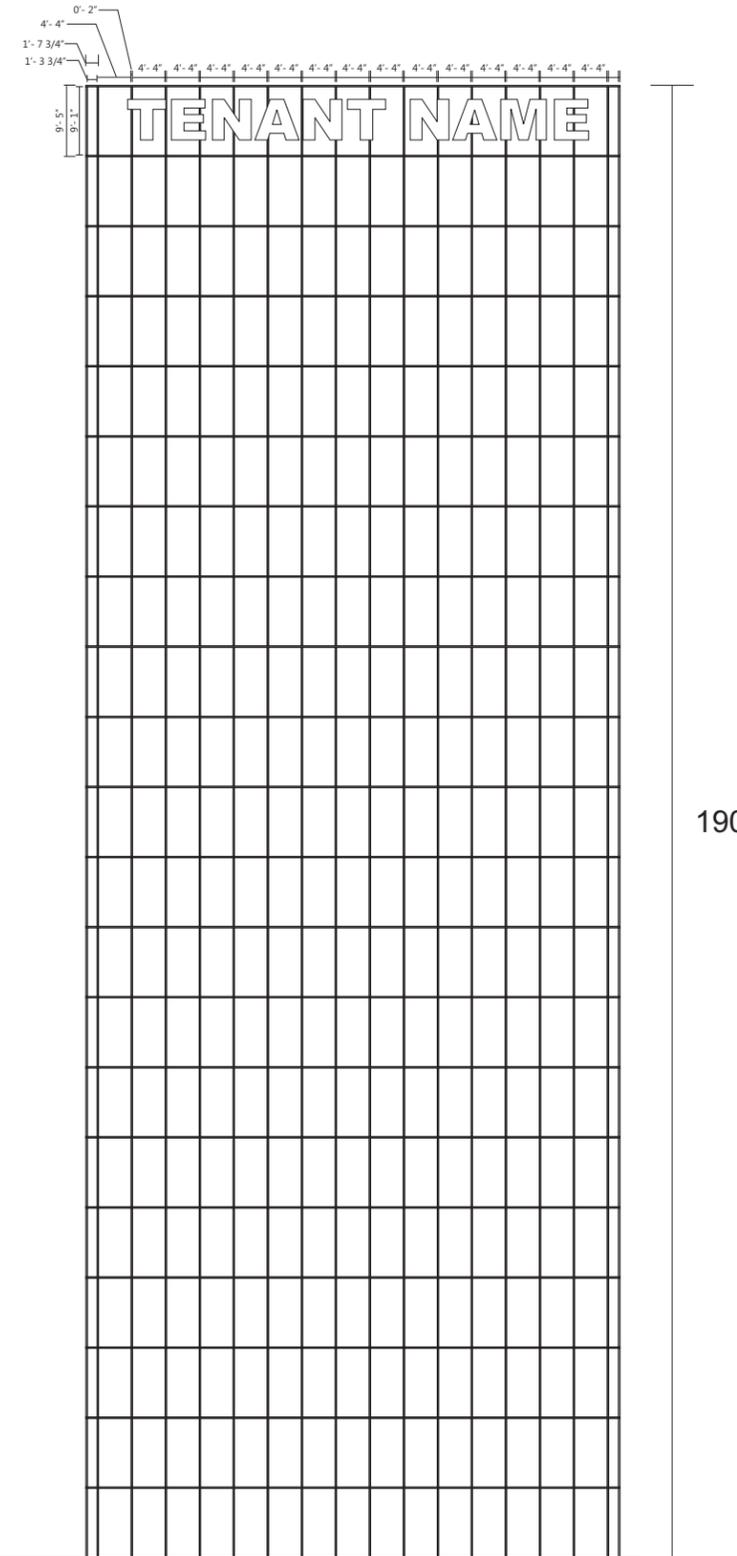
## SIGN TYPE 3.B - TENANT SIGN

LOCATION: 2' WILL BE ALLOWED FROM THE TOP OF THE LETTERING AND LOGO AND 2' WILL BE ALLOWED FROM THE BOTTOM OF LETTERING AND LOGO INFORMATION WHICH MAKES THE SIGN APPEAR TO BE ADVERTISEMENT, SUCH AS TRADEMARK OR REGISTRATION ARE PROHIBITED.

INDIVIDUAL LETTERS AND LOGOS ONLY. NO CABINET SIGNS OR CLOUD SIGNS. RACEWAYS ARE PROHIBITED



Facility Name: \_\_\_\_\_  
Date revised: \_\_\_\_\_  
Signage Administrator: \_\_\_\_\_  
Tenant Name: \_\_\_\_\_  
Tenant Number: \_\_\_\_\_  
Signature of Tenant: \_\_\_\_\_  
Signature of (Facility Name): \_\_\_\_\_



# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE 3.B - TENANT SIGN

INTENT	TO IDENTIFY THE BUILDING TO PATRONS
FRONTAGE	MACARTHUR BLVD
CONTENT	WEST TOWER
LOCATION	SOUTH SIDE ENTRANCE TO BUILDING
QUANTITY	ONE
SIGN SIZE	LINEAR FRONTAGE: 68'-0"      MAXIMUM WIDTH: 40' MAXIMUM SIGN AREA: 200 SQFT      MAXIMUM HEIGHT: 5'
MATERIAL	SMOOTH, DURABLE, NON-WEATHERING SIGN. ALL HARDWARE SHALL BE OF NONFERROUS METALS.
ILLUMINATION	PERMITTED
LETTERSTYLE	PROJECT FONT
COLOR	WHITE



# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE 3.C - TENANT SIGN

INTENT	TO IDENTIFY THE BUILDING TO PATRONS
FRONTAGE	MACARTHUR BLVD
CONTENT	EAST TOWER
LOCATION	NORTH SIDE ENTRANCE TO BUILDING
QUANTITY	ONE
SIGN SIZE	LINEAR FRONTAGE: 73'-0"      MAXIMUM WIDTH: 40' MAXIMUM SIGN AREA: 200 SQFT      MAXIMUM HEIGHT: 5'
MATERIAL	SMOOTH, DURABLE, NON-WEATHERING SIGN. ALL HARDWARE SHALL BE OF NONFERROUS METALS.
ILLUMINATION	PERMITTED
LETTERSTYLE	PROJECT FONT
COLOR	WHITE



# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

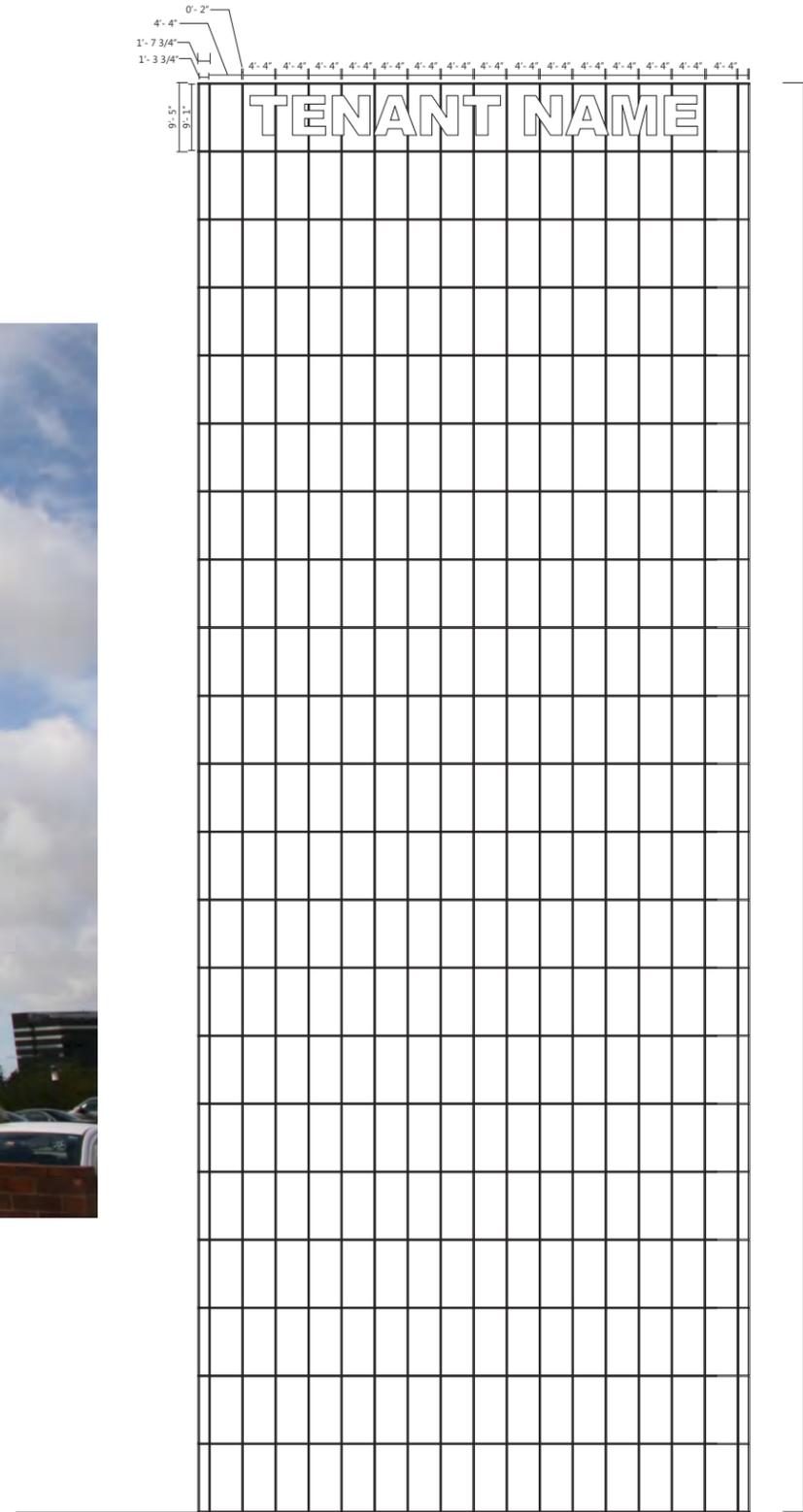
## SIGN TYPE 3.C - TENANT SIGN

LOCATION: 2' WILL BE ALLOWED FROM THE TOP OF THE LETTERING AND LOG AND 2' WILL BE ALLOWED FROM THE BOTTOM OF LETTERING AND LOGO INFORMATION WHICH MAKES THE SIGN APPEAR TO BE ADVERTISEMENT, SUCH AS TRADEMARK OR REGISTRATION ARE PROHIBITED.

INDIVIDUAL LETTERS AND LOGOS ONLY. NO CABINET SIGNS OR CLOUD SIGNS. RACEWAYS ARE PROHIBITED



Facility Name: \_\_\_\_\_  
Date revised: \_\_\_\_\_  
Signage Administrator: \_\_\_\_\_  
Tenant Name: \_\_\_\_\_  
Tenant Number: \_\_\_\_\_  
Signature of Tenant: \_\_\_\_\_  
Signature of (Facility Name): \_\_\_\_\_

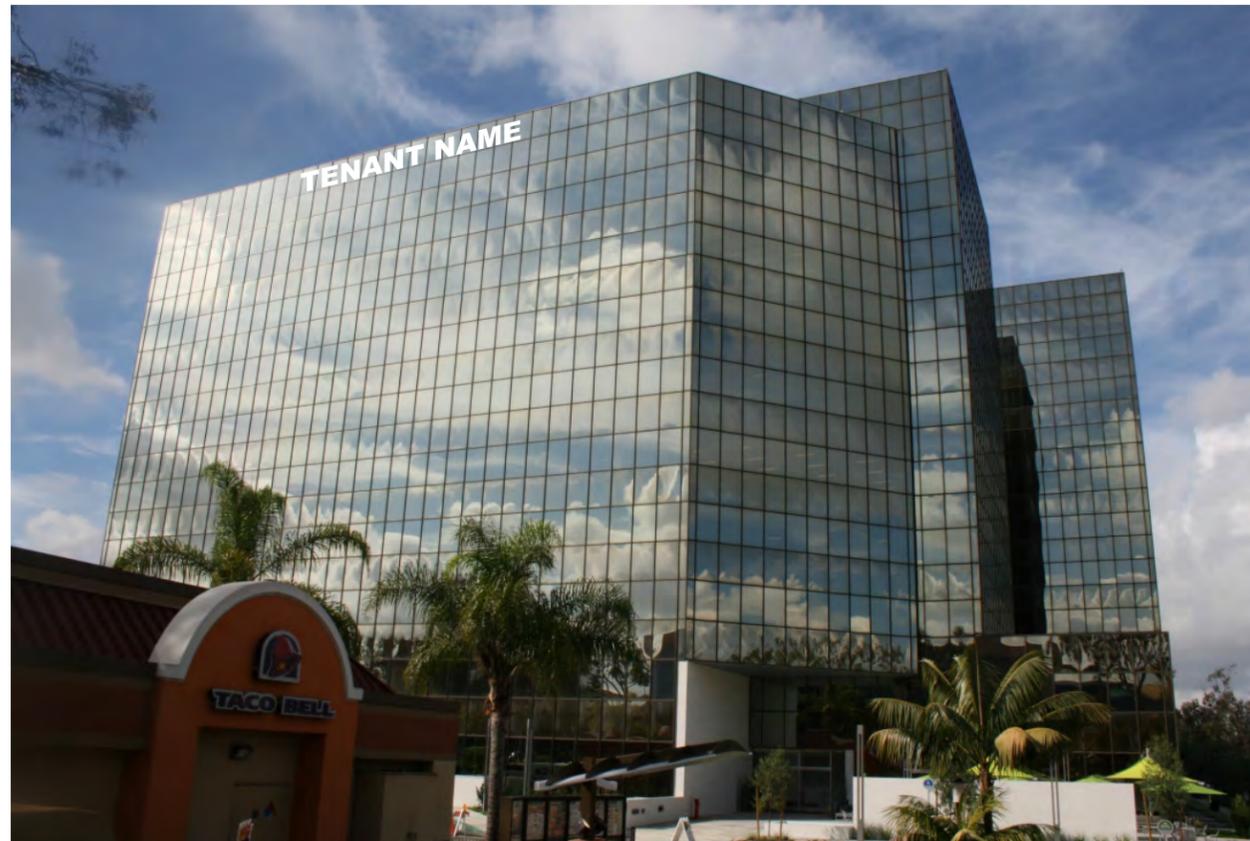


SIGN TYPE 3.D - TENANT SIGN

INTENT	TO IDENTIFY THE BUILDING TO PATRONS
FRONTAGE	JAMBOREE RD.
CONTENT	EAST TOWER
LOCATION	EAST SIDE ENTRANCE TO BUILDING
QUANTITY	ONE
SIGN SIZE	LINEAR FRONTAGE: 148'-0"      MAXIMUM WIDTH: 77.4' MAXIMUM SIGN AREA: 387 SQFT      MAXIMUM HEIGHT: 5'
MATERIAL	SMOOTH, DURABLE, NON-WEATHERING SIGN. ALL HARDWARE SHALL BE OF NONFERROUS METALS.
ILLUMINATION	PERMITTED
LETTERSTYLE	PROJECT FONT
COLOR	WHITE

# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

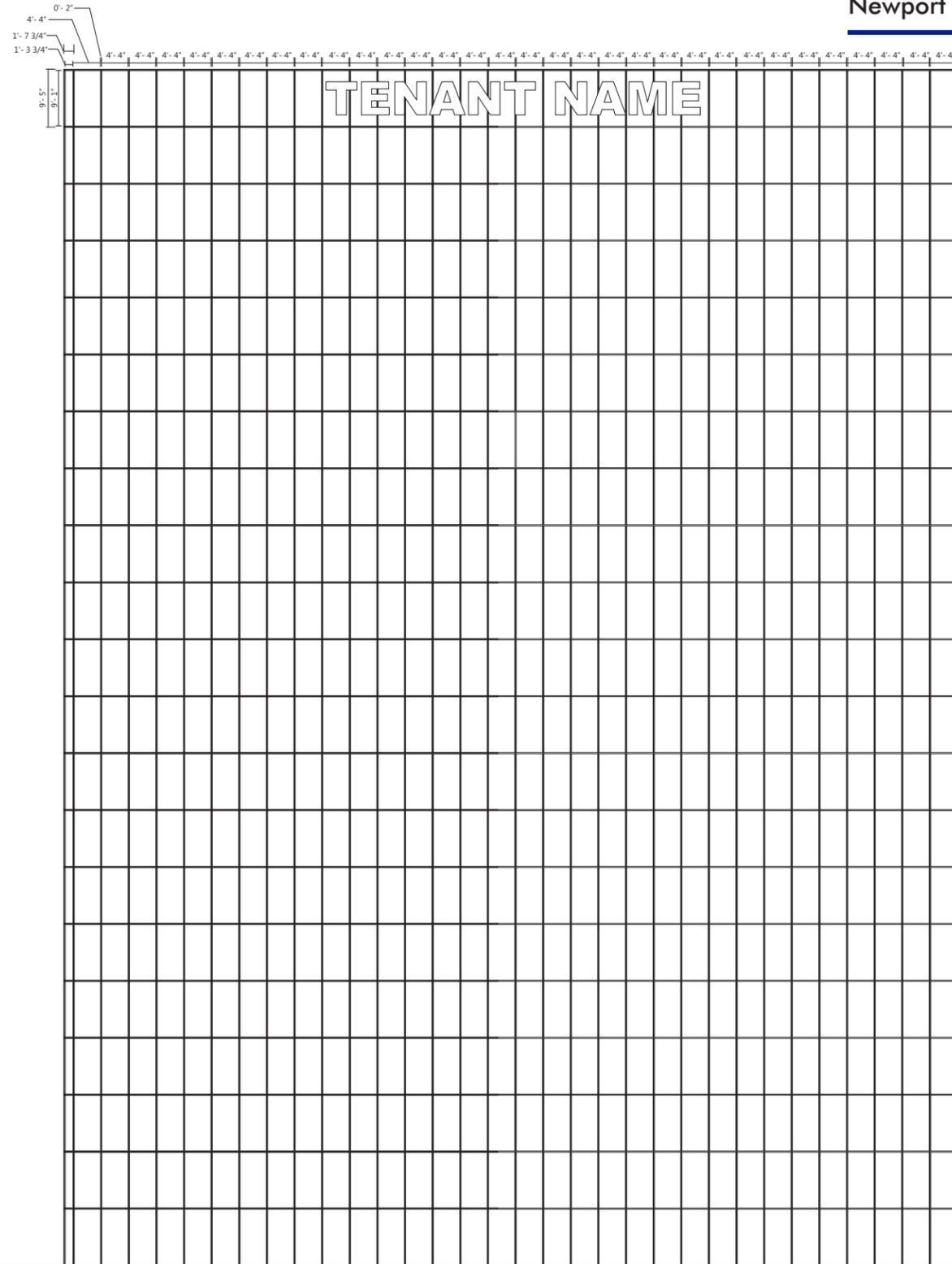


LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE 3.D - TENANT SIGN

LOCATION: 2' WILL BE ALLOWED FROM THE TOP OF THE LETTERING AND LOG AND 2' WILL BE ALLOWED FROM THE BOTTOM OF LETTERING AND LOGO INFORMATION WHICH MAKES THE SIGN APPEAR TO BE ADVERTISEMENT, SUCH AS TRADEMARK OR REGISTRATION ARE PROHIBITED.

INDIVIDUAL LETTERS AND LOGOS ONLY. NO CABINET SIGNS OR CLOUD SIGNS. RACEWAYS ARE PROHIBITED



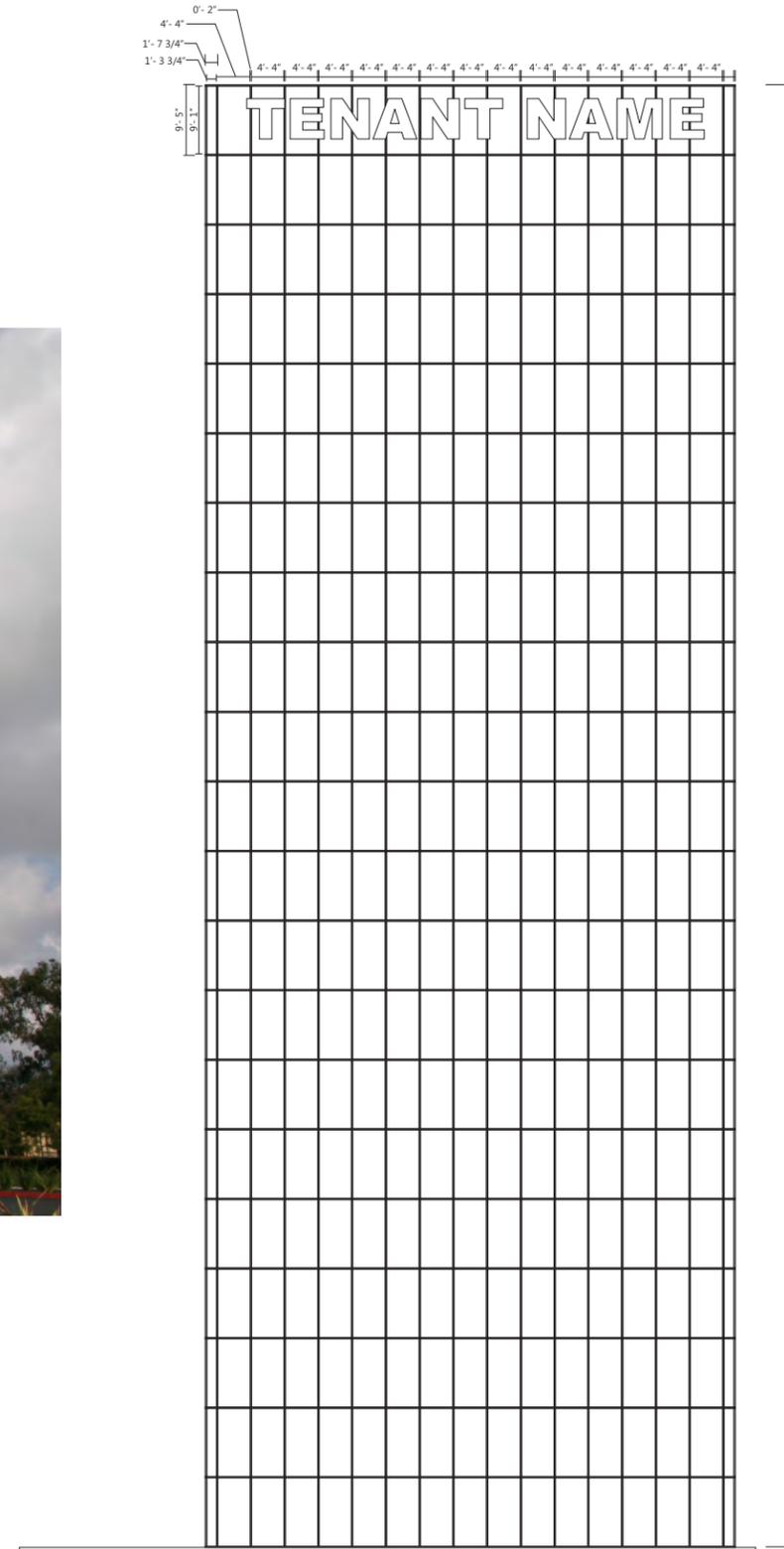
Facility Name: _____
Date revised: _____
Signage Administrator: _____
Tenant Name: _____
Tenant Number: _____
Signature of Tenant: _____
Signature of (Facility Name): _____

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE 3.F - TENANT SIGN

LOCATION: 2' WILL BE ALLOWED FROM THE TOP OF THE LETTERING AND LOG AND 2' WILL BE ALLOWED FROM THE BOTTOM OF LETTERING AND LOGO INFORMATION WHICH MAKES THE SIGN APPEAR TO BE ADVERTISEMENT, SUCH AS TRADEMARK OR REGISTRATION ARE PROHIBITED.

INDIVIDUAL LETTERS AND LOGOS ONLY. NO CABINET SIGNS OR CLOUD SIGNS. RACEWAYS ARE PROHIBITED



# Sign Program

LOCATION  
 4000 MacArthur  
 Newport Beach, CA 92660

## SIGN TYPE 3.F - TENANT SIGN

INTENT	TO IDENTIFY THE BUILDING TO PATRONS
FRONTAGE	MACARTHUR BLVD
CONTENT	EAST TOWER
LOCATION	SOUTH SIDE ENTRANCE TO BUILDING
QUANTITY	ONE
SIGN SIZE	LINEAR FRONTAGE: 68'-0"      MAXIMUM WIDTH: 77.4' MAXIMUM SIGN AREA: 200 SQFT      MAXIMUM HEIGHT: 5'
MATERIAL	SMOOTH, DURABLE, NON-WEATHERING SIGN. ALL HARDWARE SHALL BE OF NONFERROUS METALS.
ILLUMINATION	PERMITTED
LETTERSTYLE	PROJECT FONT
COLOR	WHITE



# Sign Program

LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE 3.G - TENANT SIGN

INTENT	TO IDENTIFY THE BUILDING TO PATRONS
FRONTAGE	MACARTHUR BLVD
CONTENT	WEST TOWER
LOCATION	SOUTH SIDE ENTRANCE TO BUILDING
QUANTITY	ONE
SIGN SIZE	LINEAR FRONTAGE: 148'-0"      MAXIMUM WIDTH: 77.4' MAXIMUM SIGN AREA: 387 SQFT      MAXIMUM HEIGHT: 5'
MATERIAL	SMOOTH, DURABLE, NON-WEATHERING SIGN. ALL HARDWARE SHALL BE OF NONFERROUS METALS.
ILLUMINATION	PERMITTED
LETTERSTYLE	PROJECT FONT
COLOR	WHITE

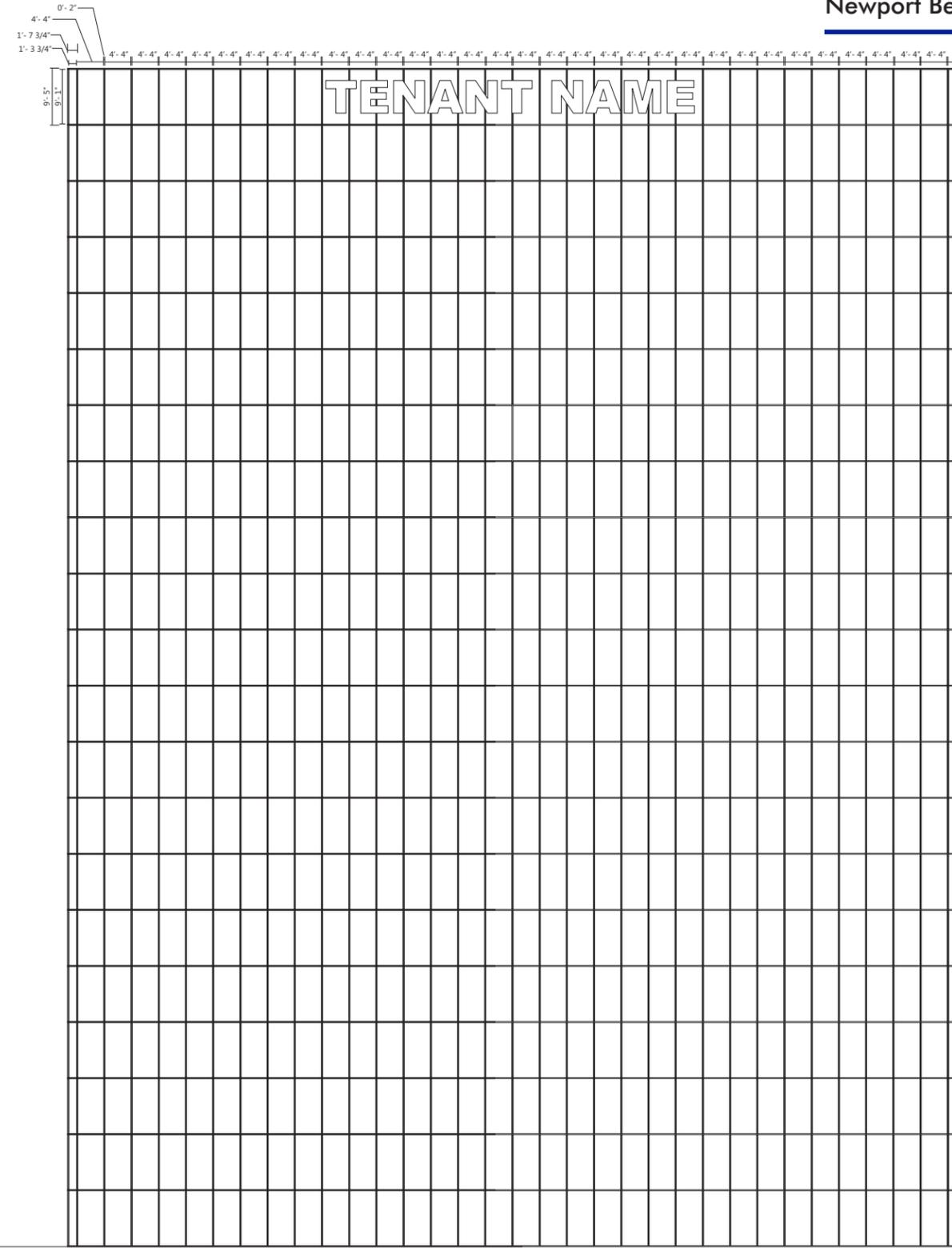


LOCATION  
4000 MacArthur  
Newport Beach, CA 92660

## SIGN TYPE 3.G - TENANT SIGN

LOCATION: 2' WILL BE ALLOWED FROM THE TOP OF THE LETTERING AND LOG AND 2' WILL BE ALLOWED FROM THE BOTTOM OF LETTERING AND LOGO INFORMATION WHICH MAKES THE SIGN APPEAR TO BE ADVERTISEMENT, SUCH AS TRADEMARK OR REGISTRATION ARE PROHIBITED.

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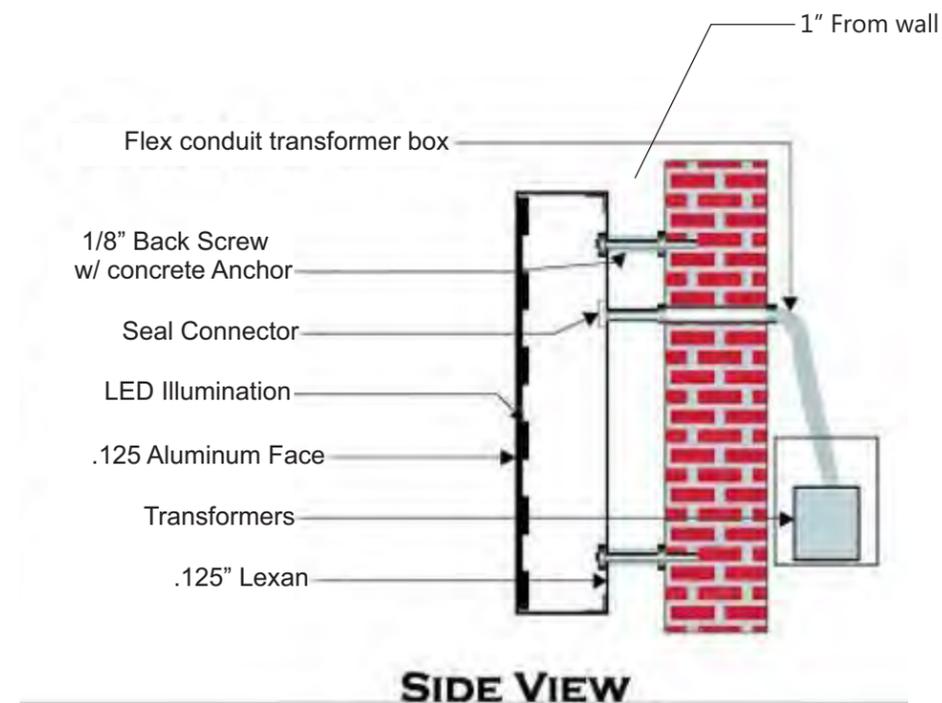
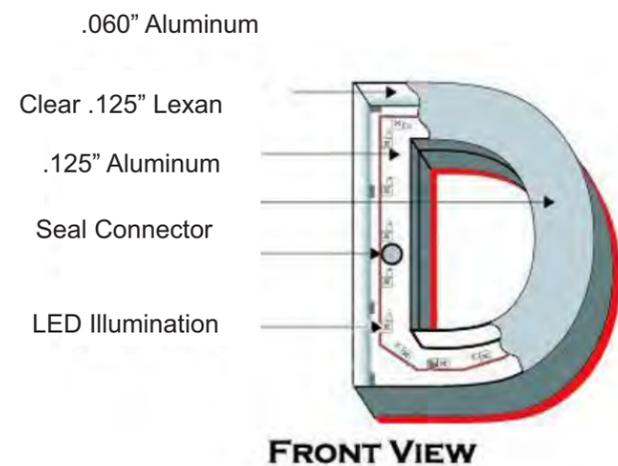


21'  
4000 MACARTHUR 2'

### NOTES

- Letter and Logo Specifications:
- 6" Returns on Letters and Logo
  - Letters Painted color picked by client
  - White LED's will provide Halo Lighting Effect

### EXAMPLE OF LETTER BUILD



SIGN TYPE 2 SPECIFICATIONS

LOCATIONS

2A 40' 2'

4000 MACARTHUR

2B 14' 18"

WEST TOWER

2C 14' 18"

EAST TOWER

4.A 2'

TENANT NAME

## SIGN TYPE 3 SPECIFICATIONS

TBD"  
TENANT NAME 5'

## NOTES

- Letter and Logo Specifications:
- 6" Returns on Letters and Logo
  - Letters Painted color picked by client
  - White LED's will provide Halo Lighting Effect

### EXAMPLE OF LETTER BUILD

EXAMPLE IS FOR FABRICATION  
REFERENCE ONLY AND IS NOT  
,MEANT TO BE USED FOR  
FABRICATION.

