

**CITY OF NEWPORT BEACH
ZONING ADMINISTRATOR HEARING
ACTION REPORT**

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM: Planning Department
Jim Campbell, Zoning Administrator
jcampbell@city.newport-beach.ca.us

SUBJECT: Report of the actions taken for the Zoning Administrator Hearing on
Thursday, March 12, 2009

Item 1: Lot Line Adjustment No. LA2009-001 (PA2009-003)
203, 901, 1105 Newport Center Drive

A lot line adjustment to adjust the lot line between three adjacent parcels within Fashion Island for the purpose of constructing a new commercial building. The original number of adjacent parcels will remain the same.

This item was approved.

Council District 5

Item 2: Modification Permit No. MD2008-052 (PA2008-210)
4040 Campus Drive

A modification permit to allow a 20-foot tall pole sign and a 10.2 square-foot projecting sign.

This item was removed from calendar.

Council District 4

Item 3: Modification Permit No. MD2009-004 (PA2009-017)
500-540 Superior Avenue

A modification permit to allow multi-tenant directory, directional, and kiosk signs to exceed the maximum sign area and height limitations of an existing Comprehensive Sign Program (CS2008-010).

This item was denied.

Council District 2

Item 4: Modification Permit No. MD2009-007 (PA2009-033)
3232 Clay Street

A modification permit to allow the construction of a second dwelling unit on the subject property with a cantilevered second-story structure that encroaches 2 feet 6 inches into the required 5-foot rear yard setback abutting the alley. The lot depth exceeds the 85-foot maximum depth required in order to permit second-story projections into the rear yard setback abutting an alley.

This item was approved.

Council District 2

Continued Item from 01/15/09 and 01/29/09

Modification No. MD2008-034 (PA2008-161)
430 Poppy Avenue

A modification permit to allow portions of a new single-family residence to encroach approximately 16 feet into required the front yard facing Second Avenue. The request also includes a 4 foot 7 inch encroachment of a portion of an elevated deck into the required 10-foot setback in the rear 20 feet of the side yard facing Poppy Avenue.

This item was approved on March 10, 2009

Council District 6



Jim Campbell, Zoning Administrator

APPEAL: The Zoning Administrator's decision may be appealed to the Planning Commission within 14 days of the action date. A \$1,810.00 filing fee shall accompany any appeal filed. No building permits may be issued until the appeal period has expired.

c: David Lepo, Planning Director (*e-mail*)
Sharon Wood, Assistant City Manager (*e-mail*)
David Keely, Public Works Senior Civil Engineer (*e-mail*)
Code Enforcement Division (*e-mail*)

- The general exception to the Class exemptions is not applicable in this case, since no significant environmental effects will result from this project because the traffic and parking impacts will not change from that which would result from the use of the original subdivision.
2. That the establishment, maintenance or operation of the use of the property or building will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City for the following reasons:
- The project site described in the proposal consists of legal building sites. The proposed lot line adjustment will move the interior lot lines between three legal lots.
 - Any land taken from one parcel will be added to the adjacent parcel and no additional parcels will result from the lot line adjustment.
 - The parcels proposed to be created by the lot line adjustment comply with all applicable zoning regulations and there will be no change in the land use, density, or intensity on the property.
 - The proposed lot width and lot size are consistent with the zoning requirements of Title 20 of the Newport Beach Municipal Code and the Newport North Planned Community District regulations.
 - Public improvements and infrastructure currently exist within the area; and the lot line adjustment, in and of itself, will not result in the need for additional improvements and/or facilities.

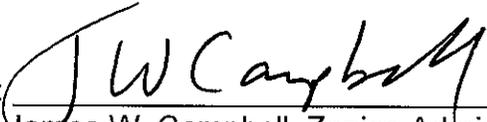
PROCEDURAL REQUIREMENTS

1. All applicable Public Works Department plan check fees shall be paid prior to review of the lot line adjustment and grant deeds.
2. The applicant shall revise exhibits to match bearing and distance table upon final submittal of the lot line adjustment to the City Surveyor.
3. Prior to recordation of the lot line adjustment, grant deeds indicating any changes in titles of ownership should be submitted to the Public Works Department for review and approval.
4. The lot line adjustment and grant deeds reviewed and approved by the Public Works Department should be filed concurrently with the County Recorder and County Assessor's Offices.
5. No building permits may be issued until the appeal period has expired, unless otherwise approved by the Planning Department.

6. 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.
7. Any party may appeal the decision of the Zoning Administrator to the Planning Commission within 14 days of the decision date. A \$1,810.00 filing fee must accompany the submitted appeal.

APPEAL PERIOD

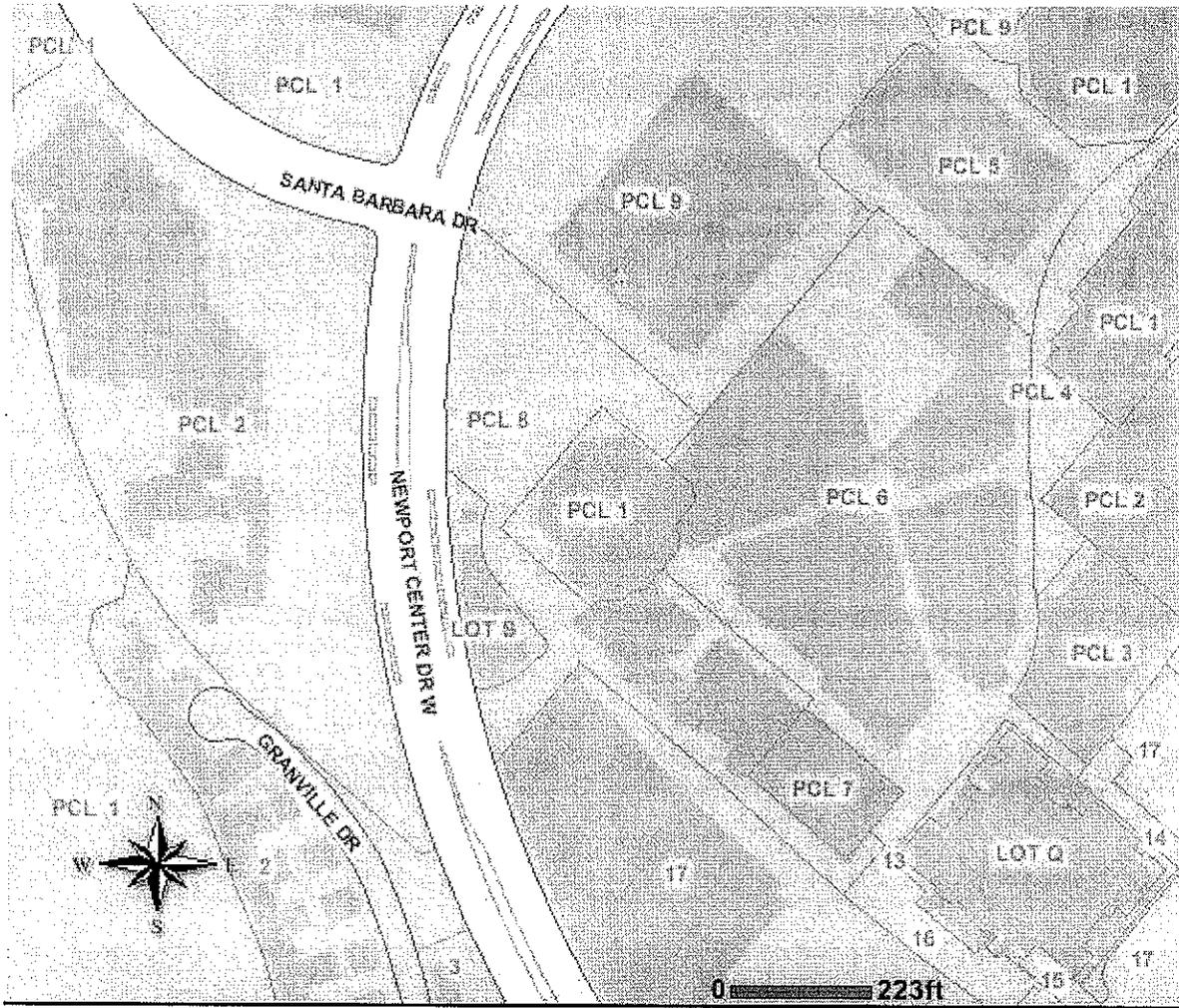
The Zoning Administrator's decision may be appealed to the Planning Commission within 14 days of the action date. A \$1,810.00 filing fee shall accompany any appeal filed. No building permits may be issued until the appeal period has expired.

By: 
James W. Campbell, Zoning Administrator

JC:ks

Attachments: Vicinity Map

VICINITY MAP



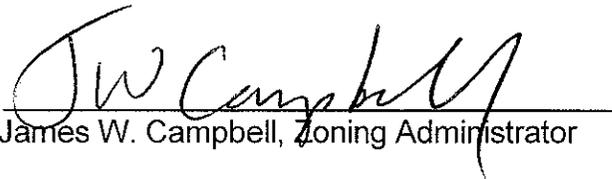
Lot Line Adjustment Permit No. LA2009-001
PA2009-003

203, 901, 1005 Newport Center Drive

4. Approval of new signs that do not comply with the zoning code would not be compatible with the neighborhood, and therefore, the granting of the application may be detrimental to the general welfare of the City and set a precedent for future requests.

APPEAL PERIOD

The Zoning Administrator's decision may be appealed to the Planning Commission within 14 days of the action date. A \$1,810.00 filing fee 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.**

By: 
James W. Campbell, Zoning Administrator

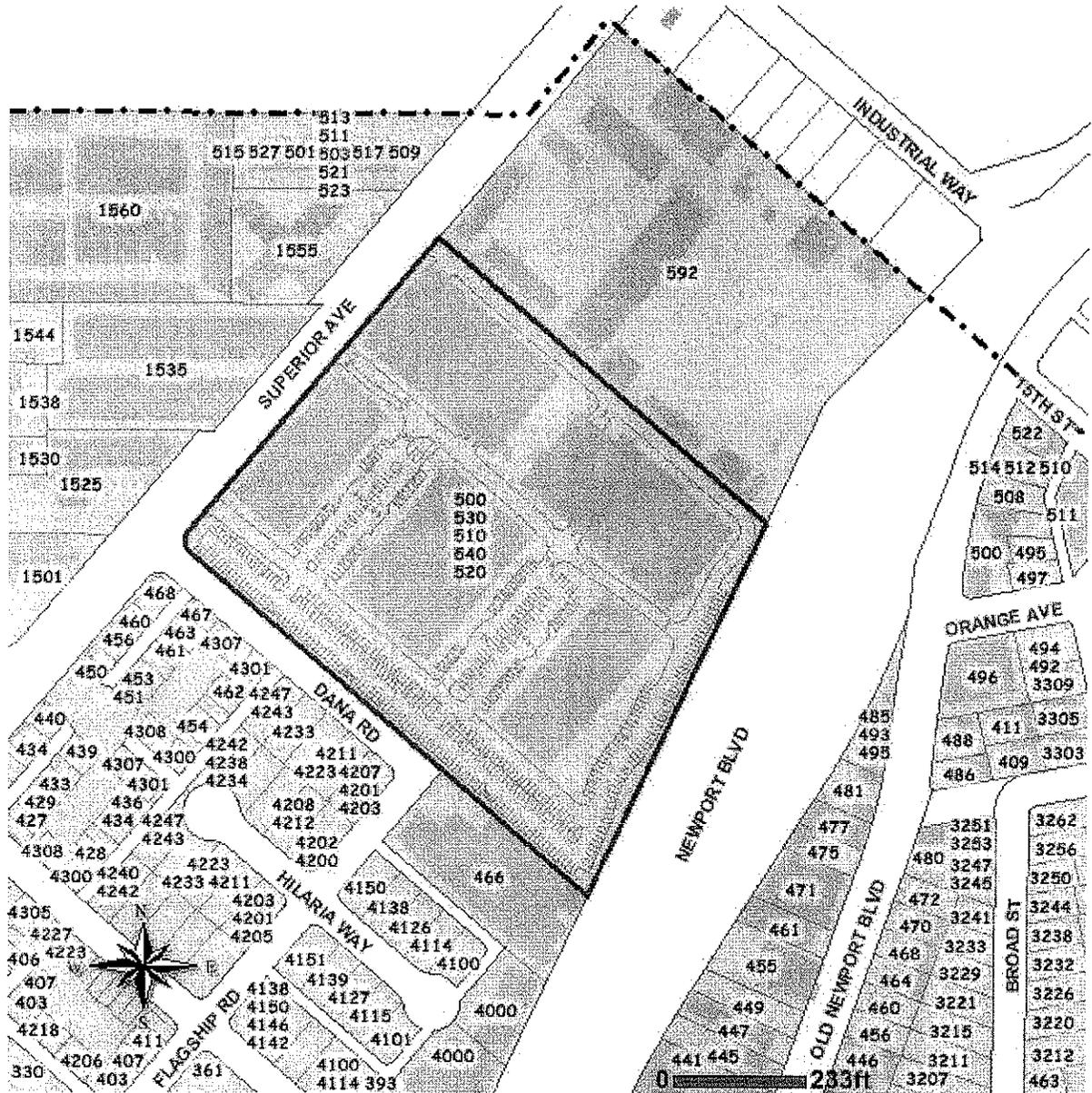
JC:ems

Attachments: Vicinity Map
Letter from David Fishman dated March 7, 2009
Comprehensive Sign Program (PA2008-196 for CS2008-010)

Appeared in Opposition: Rick Smith

Appeared in Support: Greg McClure, Bill Cadieux, and Bill Englund

VICINITY MAP



Modification Permit No. MD2009-004
PA2009-017

500-504 Superior Avenue

Steffen, Erin

From: David Fishman [dbf@universalprop.com]
Sent: Saturday, March 07, 2009 2:05 PM
To: Steffen, Erin
Subject: MD2009-004

Dear Ms. Steffen,
Thank you for clarifying the proposed modification permit # MD2009-004 to exceed maximum sign area and height limitations of the City's existing Comprehensive Sign Program.

I am an owner of 1501 Superior Avenue, an adjacent property.

Based on our conversation, I believe the City should enforce existing Code uniformly for all property owners. Either the applicant needs to: 1) demonstrate material hardship necessitating the need for a waiver, or 2) petition to change the Code itself.

Thank you,
David Fishman.

David Fishman
President
Universal Properties and Management, Inc.
129 W. Wilson Street, Suite 101
Costa Mesa, CA 92627
949-646-3800 ph
949-646-3801 fx



Comprehensive Sign Program No. CS2008-010
(PA2008-196)

PLANNING DEPARTMENT
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92663
(949) 644-3200; FAX (949) 644-3229

Staff Planner: Erin Steffen, Planning Technician
esteffen@city.newport-beach.ca.us
(949) 644-3234
Appeal Period: 14 days after decision date

APPLICATION: **Comprehensive Sign Program CS2008-010 (PA2008-196)**

APPLICANT: **William Cadieux on behalf of Newport Healthcare Center, LLC**

LOCATION: **500, 510, 520, 530, and 540 Superior Avenue**

Request and Authority:

Comprehensive Sign Program for an existing Medical/Commercial campus in accordance with the provisions of Section 20.67.030 (Sign Code) of the Newport Beach Municipal Code. The site is comprised of three buildings and two parking structures and the sign program addresses wall signs and address/identification signs for the buildings; a free standing site identification sign; signs on the parking structures; and tenant directory signs, site directional signs, temporary signs, and exempt signs located throughout the campus. Per section 20.67.120, flexibility is sought for the illumination of the tenant directory signs; for the area of walls signs; for the height and area of the site identification sign; and for the height and area directional signs. Flexibility is also sought for the number and location of building identification signs, tenant directory signs, and directional signs. Chapter 20.67 of the Newport Beach Municipal Code, specifically section 20.67.030(I), provides that the Zoning Administrator is required to review and approve a Comprehensive Sign Program whenever 3 or more separate tenant spaces are present on the same parcel and/or whenever a project or parcel has more than 300 linear feet of frontage on a public street. The property is located in the M-1-A (Controlled Manufacturing) District.

ACTION: **APPROVED January 20, 2009** - The Zoning Administrator approved the Comprehensive Sign Program as specified in the attached Table/Matrix.

FINDINGS

1. The Land Use Element of the General Plan designates the site for "Medical Commercial Office" which is intended to provide primarily for medical-related offices, other professional offices, retail, short-term convalescent, long-term care facilities, research labs, and similar uses. The medical/commercial center is consistent with this designation. The signs are 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). This class exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

3. The proposed sign program is consistent with the legislative intent of Title 20, Chapter 20.67 of the Newport Beach Municipal Code with regard to the sign regulations based on the following reasons:
- Chapter 20.67 of the Newport Beach Municipal Code requires comprehensive sign programs for large multi-tenant sites to establish a comprehensive and cohesive set of sign parameters while allowing flexibility to achieve a higher quality design presentation while avoiding inappropriate signage that could impact the neighborhood or City.
 - The sign program as presented and approved is consistent with the purpose and intent of Chapter 20.67 of the Newport Beach Municipal Code.
 - The height and area of all signs are within the limits of section 20.67.120(C).
 - The site is comprised of three, separate multiple-tenant buildings and several surface parking lots and two separate parking structures. Due to the amount of office space within three separate buildings and distributed configuration of parking, additional vehicle directional and tenant directory signs will provide greater convenience and safety for visitors to the site. The site will contain medical office uses including after hours urgent care (not an emergency room) and illumination of tenant directory signs and directional signs will assist visitors in identifying their destination during hours of darkness. These illuminated signs are separated from residential uses and will not present a negative impact on adjacent properties.
 - The proposed sign program, as conditioned, will not interfere with sight distance from any street, alley, or driveway.
 - The approved Comprehensive Sign Program will integrate all the project's signs into a single sign design theme that will create a unified architectural statement and limit signage and the overall size of signs on building wall facades.
 - There is a reasonable need for the number, location, type, and size of signs throughout the campus to provide adequate identification of the buildings and to direct pedestrian and vehicular traffic throughout the campus and to destination points.

CONDITIONS

1. The development shall be in substantial conformance with the approved plot plan and sign details, except as noted in the following conditions.
2. The area of the identification wall signs shall be measured by two perpendicular sets of parallel lines that surround the proposed sign copy area.
3. All signs are limited to the designated building facades and/or monument/ground sign locations and shall comply with the limitations specified in the Sign Table/Matrix included in this approval and the provisions of Chapter 20.67 of the Newport Beach Municipal Code (including Sections 20.67.060, 20.67.070, and 20.67.080).
4. All signage shall comply with the City's Line of Sight Standards STD-110-L. Signage within the 'Limited Use Area' shall be limited to 36" in height maximum.

5. Each illuminated sign shall be subject to a 30-day review period, during which time the Planning Director may determine that a reduction in illumination is necessary due to negative impacts on surrounding property or the community in general. In addition, all illuminated signs shall comply with the limitations specified in the Sign Table/Matrix included in this approval.
6. Temporary signs consistent with size, location, and area specified by the Sign Table/Matrix are allowed for a duration of one year from building permit approval or until the permanent signs are fabricated, whichever occurs first.
7. No permanent structures shall be constructed over existing public easements.
8. Anything not specifically approved by this Comprehensive Sign Program is prohibited. Revisions to the program may be approved by the Planning Director if the intent of the original approval is not affected. Revisions that substantially deviate from the original approval must be addressed in a separate and subsequent amendment to this Comprehensive Sign Program.
9. Any future revisions or changes to the signs approved by this Comprehensive Sign Program due to a change in the use or tenants of the building shall be reviewed and approved by the Planning Department, so long as the sign size, copy configuration and number of signs authorized by this approval does not substantially change or increase. The mandatory reduction or elimination of noncompliant wall signs shall be exercised as necessary, unless otherwise approved by an amendment to this approval or the approval of a modification permit.
10. 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.

STANDARD CITY REQUIREMENTS

1. A building permit shall be obtained prior to commencement of installation of the signs.
2. 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.
3. The Planning Director or the Planning Commission may add to or modify conditions of this approval, or revoke this approval upon a determination that any sign that is authorized by this approval has been altered beyond the parameters of the authorization and therefore beyond the justification.
4. This approval shall expire unless exercised within 24 months from the date of approval as specified in Section 20.93.050 (A) of the Newport Beach Municipal Code, unless an extension is approved prior to the expiration date of this approval, in accordance with Section 20.93.050 (B) of the Newport Beach Municipal Code.

APPEAL PERIOD

The decision of the Zoning Administrator may be appealed to the Planning Commission within 14 days of the date of the decision, in accordance with the provision of Section 20.95.050 of the Newport Beach Municipal Code. A filing fee of \$1810.00 shall accompany any appeal filed. No building permits may be issued until the appeal period has expired.

By JW Campbell
James Campbell, Zoning Administrator

JSG:es/rm

Attachments: Appendix
Sign Matrix/Table
Vicinity Map
Sign Details
Plot/Site Plan – Available in Project File

APPENDIX

Discussion

The applicant requests the approval of a Comprehensive Sign Program for the medical/commercial buildings and parking structures located at 500, 510, and 520; and 530 and 540 Superior Avenue, respectively. The program includes: wall signs and address/identification signs for the buildings; a free standing site identification sign; signs on the parking structures; and freestanding multi-tenant/business directory signs, directional signs, temporary signs, and exempt signs located throughout the campus. The Zoning Administrator has determined that the project sign program is consistent with the purpose and intent of the Sign Code Chapter 20.67 of the Newport Beach Municipal Code for the following reasons:

- The number, type, size, location, and area (as measured by two perpendicular sets of parallel lines that surround the proposed signs) of the signs comply with the regulations of Chapter 20.67 of the City of Newport Beach Municipal Code.
- The height and area of all signs are within the limits of section 20.67.120(C).
- The number and location of building identification, tenant directory, and directional signs will enhance the overall development of the project and be consistent with the provisions of the Sign Code.

Illuminated Signs

Since the project is adjacent to residential districts to the west and south and includes illuminated signs, each illuminated sign shall be subject to a 30-day review period. During this period the Planning Director may reduce illumination if necessary to alleviate nuisances attributable to sign lighting to surrounding properties or the community in general. In addition, all illuminated signs shall comply with the limitations specified in the Sign Table/Matrix included in this approval.

Temporary Signs

The use/installation of temporary signs consistent with the Sign Table/Matrix limitations is allowed for a duration of one year from building permit approval or until the permanent signs are fabricated, whichever occurs first.

**TABLE MATRIX
(PA2008-196 for CS2008-010)**

Comprehensive Sign Program
Hoag Health Care Center
500 – 540 Superior Avenue

500-540 Superior Blvd.	Primary Frontage Size limitations where applicable	Secondary Frontage Size limitations, where applicable
500 Building	Wall Sign Location: Superior Blvd/West Elevation Maximum Sign Area: 75 sq. ft.	Wall Sign Location: East Elevation Maximum Sign Area: 37.5 sq.ft.
510 Building	Wall Sign Location: West Elevation Maximum Sign Area: 75 sq. ft.	Wall Sign Location: East Elevation Maximum Sign Area: 37.5 sq.ft.
520 Building	Wall Sign Location: Newport Blvd./East Elevation Maximum Sign Area: 97.5 sq. ft.	Wall Sign Location: West Elevation Maximum Sign Area: 48.75 sq.ft.
Note: Wall signs shall be vertically equidistant from the top and bottom of the architectural feature it's placed upon		
Sign type	Number and Location	Size
A Large Freestanding Sign (L Shaped Structure)	Number: One Location: 540 Superior Blvd (SW Corner of Parking Structure)	Max height: 24 ft. Max width: 11 ft. Max area: 97.5 sq. ft. (for each face)
B Site Directional Sign	Various locations throughout the project site	Max Height: 4 ft. 8 in. Max Area: 3.9 sq. ft.
C Monument Sign - Address	Number: One Location: 500 Superior Avenue	Maximum Height: 24 in. Maximum Length: 8 ft. Minimum Letter Height: 12 in.
D Monument - Tenant Directory	Various locations throughout the project site	Maximum Height: 6 ft. Maximum Sign Area: 8 sq. ft.
E Projecting Sign - Parking Structure Identification	Number: One on each parking structure	Minimum Clearance: 8 ft. * Maximum Vertical Height: 10 ft. Maximum Horizontal Projection: 5 ft.
F Building Main Entrance Address/Identification	Various locations throughout the project site May be wall mounted, mounted on architectural projections, or other mounting approved by the Planning Department.	Maximum Height: 18 in Minimum Clearance: 8 ft. *
G Building Address Numbers	Various locations throughout the project site	Maximum Height: 24 in.
H Informational Kiosk	Various locations throughout the project site	Maximum Height: 6 ft. Maximum Sign Area: 8 Sq. ft.

**TABLE MATRIX (Continued)
(PA2008-196 for CS2008-010)**

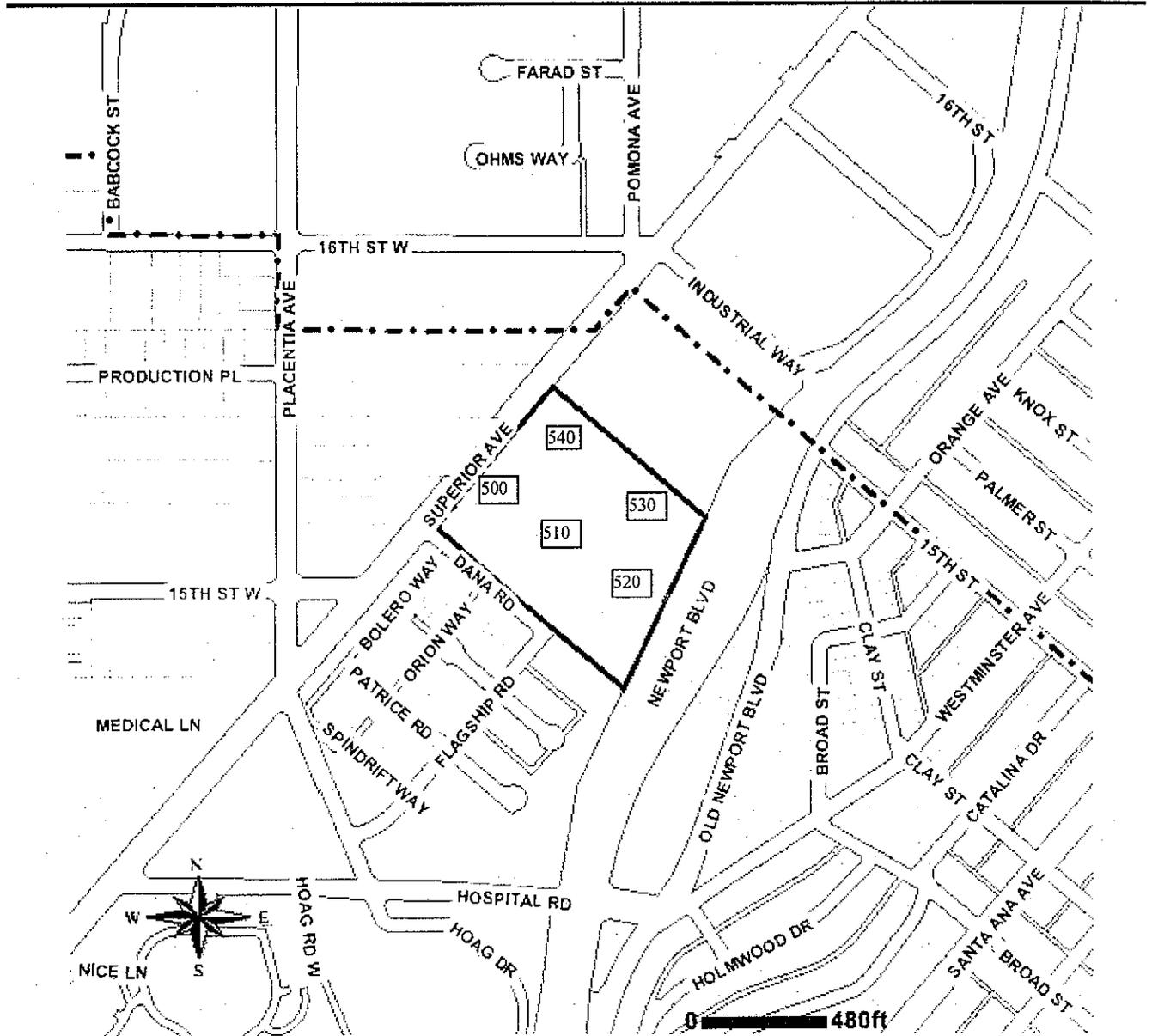
Comprehensive Sign Program
Hoag Health Care Center
500 – 540 Superior Avenue

Other	
Regulatory Signs	Various locations throughout the project site Subject to approval by the Planning, Public Works, and Building Departments
Temporary Signs	Various locations throughout the project site Shall comply with the limitations set for permanent signs, except temporary signs shall not be illuminated Allowed for a duration of one year from building permit approval or until the permanent signs are fabricated, whichever occurs first*

*Unless otherwise approved by the Planning and Building Departments.

NOTE: Minor changes in sign type, location, and sizes specified in this matrix may be approved by the Planning Director.

VICINITY MAP



Comprehensive Sign Program CS2008-010
PA2008-196

LOCATION: 500, 510, 520, 530, and 540 SUPERIOR AVENUE

500 Building - Wall Sign

**L5.01
Tenant Building
Letters**

SIGN TYPE: Dimensional can letters.

LOCATION: Refer to Message Schedule and Location Plan

SIZE: logo 29" dia. Dimensional letters 2" deep x 21" high approx. 18' long

AREA: 57 square feet

USE: Identification of tenant

TYPE: Non Illuminated Dimensional Letters

COLORS: Match CHOC Milk



3 Install Detail

1/2" aluminum
2"

- 2.1 sign illuminated
- 2.2 sign logo type
- 2.3 sign letter finish
- 2.4 sign letter color
- 2.5 sign letter size
- 2.6 sign letter font

2'-3" @

55' w/ ft.

-- Logo type art to be provided
color to be selected



20'-9"

2 Side View-Section

38" x 1'-0"

1 Structure Entrance ID

38" x 1'-0"

PA2008-196 for CS2008-010
500-540 SUPERIOR AVENUE
William Cadieux

en g l u n d D E S I G N A R K I S I N G

Hoag Health Center
Newport Beach, CA

Sign Type - CHOC Entry Identification

Dec. 17, 2008
Job #: RR00002
SHEET 1.7

Page 1 of 16

500, 510, + 520 Buildings

Wall Signs



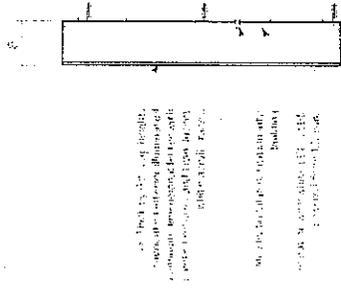
LS.011
Location 1-121
Building 520
Tenant name 48.75 sq.ft. max.
West Elevation



LS.021
Location 1-123
Building 510
Tenant name 97.5 sq.ft. max.
75 sq. ft.
West Elevation



LS.011
Location 1-124
Building 500
Tenant name 48.75 sq.ft. max.
37.5 sq. ft.
West Elevation



1. Thick face acrylic sign, 6" thick face interior illuminated dimensional letters with painted returns and translucent white acrylic faces on fabricated aluminum cabinet mounted to building.

3 Side View
1.7A PER TO MAP

2. Thick face acrylic sign, 6" thick face interior illuminated dimensional letters with painted returns and translucent white acrylic faces on fabricated aluminum cabinet mounted to building.

24"-0"

Tenant Name

2 Dimensional Letters LS.011
1.7A PER TO MAP 1.121

48"-0"

Tenant Name

1 Dimensional Letters LS.021
1.7A PER TO MAP 1.123

e n g i n e e r s d e s i g n w e r k s i n c .

King Health Center
Newport Beach, CA
Illuminated Dimensional Letters

Oct 17, 2005
Job # 1888002
SHEET 1.7A

LS.011 - L05.021
Building Identification

SIGN TYPE: Fabricated, 6" thick face interior illuminated dimensional letters with painted returns and translucent white acrylic faces on fabricated aluminum cabinet mounted to building.

LOCATION: Refer to Messagge Schedule and Location Plan

SIZE: 24" tall letters x 6" Deep

AREA: Determined by location

USE: Building Identification

TYPE: Dimensional letters on raceway cabinet

COLORS: White acrylic face with paint blue sides

520 Building - Wall Sign

**L3.01i
Building
Identification**

SIGN TYPE: Fabricated, 6" thick face interior illuminated dimensional letters with painted returns and translucent white acrylic faces.

LOCATION: Wall to Mustang Scribble and Takanami Plaza

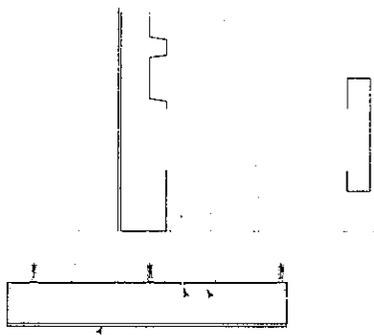
SIZE: 34 1/4" tall letters x 6" Deep

AREA: 97.5 square feet

USE: Building Identification

TYPE: Dimensional letters

COLORS: White acrylic face with paint blue returns



1. The sign is fabricated from 6" thick acrylic face with painted blue returns and translucent white acrylic faces. The sign is illuminated from the interior.

2. The sign is fabricated from 6" thick acrylic face with painted blue returns and translucent white acrylic faces. The sign is illuminated from the interior.

3 section
1/8" = 1'-0"

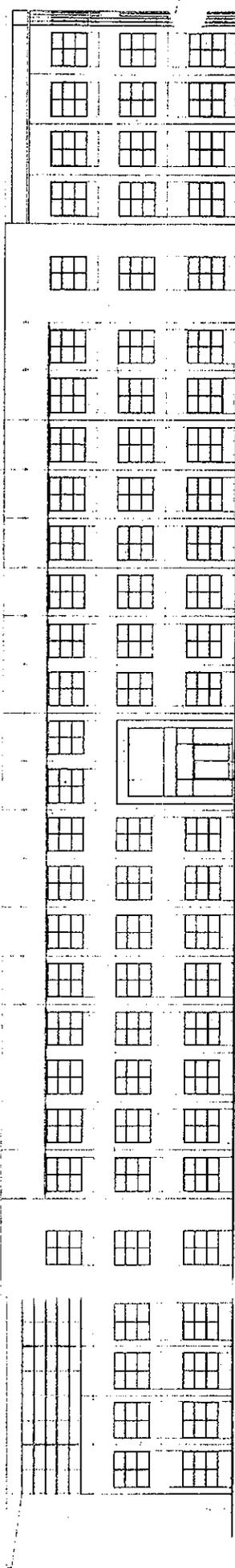
Hong Health Center

Square footage of copy
97.50

1 Option 1 - Dimensional Letters
1/8" = 1'-0"

Hong Health Center

2 Diametric View
1/8" = 1'-0"



4 Newport Blvd. Elevation
1/8" = 1'-0"

englund DESIGN ARCHITECTS INC.

Hong Health Center
Newport Beach, CA

Illuminated Dimensional Letters - Option 1

Dec 17 2008
JOB #: 886007
SHEET 1.06

M1.011
Large Monument
Site Identification

SIGN TYPE: Large two sided frame with open grid positioned in front of existing building corner with illuminated sign cabinets and numbers.

LOCATIONS: Refer to Messaggio Schickel and Treatment Plan

SIZE: 21' tall x 10' 11" wide x 12" deep cabinets, 6" sq. posts.

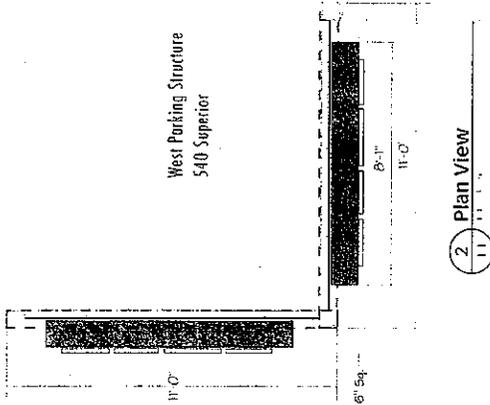
AREA: Cabinet Faces 88 Square feet

USE: Site, Service and address Identification

TYPE: Metal Frame with metal grid mesh to match existing site material. Aluminum sign cabinets with flush through illuminated name, illuminated address, dimensional numbers.

COLORS: Hoag Blue, Red, White and Silver

West Parking Structure
540 Superior

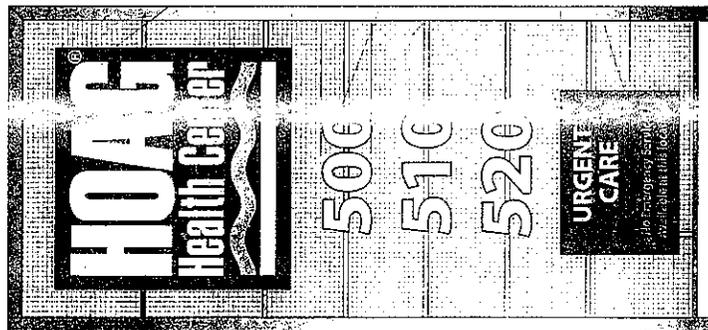


2 Plan View

Wire Mesh similar to parking lot finish

Illuminated Cabinet

Dimensional Letters



1 Elevation

Face illuminated channel letters and top 2" deep on 7" deep fluorescent illumination
 8'-1" x 8'-0" cabinet

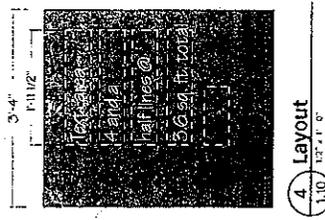
1'-9" dimensional letters 5" deep face illuminated with white painted returns and white LED's for aluminum. Use wire metal frame for supports and power letters and light...details.

2" high aluminum set on 2" x 1" aluminum frame...structure for 5" deep frame.

Two Face Blue sign cabinet
 Top: 4'-0" x 2'-2" H x 3'-0"
 "Urgent Care" in white flush thru letters
 12" tall x 9 1/2" high
 Bottom: 5'-6" W x 1'-0" H x 6" D
 Lower face less perforate cut rear illuminated with fluorescents

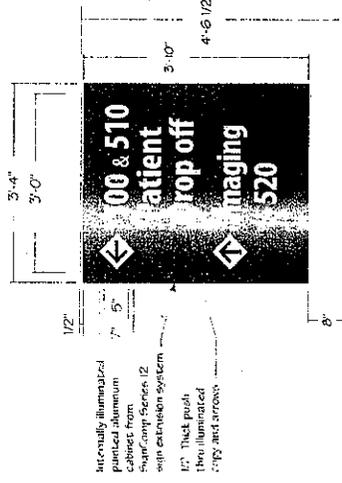


3 Install Detail



3 Plan View
1.10 12'-4" x 1'-0"

4 Layout
1.10 12'-4" x 1'-0"

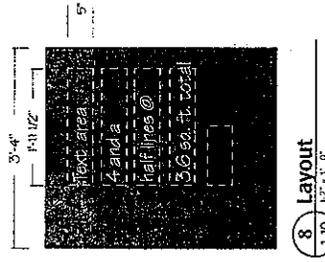


Internally illuminated painted aluminum cabinet from Sign Comp Series 12 with extension system
1/2" Thick push thru illuminated cap and arrows

1 Illuminated Directional
1.10 12'-4" x 1'-0"

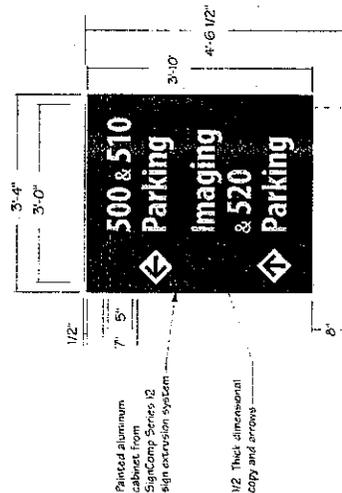
Gx6.03: Directional-Illuminated

SIGN TYPE: Illuminated Sign cabinet with Aluminum faces and push thru letters
LOCATIONS: Refer to Message Schedule and Location Plan
SIZE: 4'-8" tall x 3'-4" wide x 12" deep
AREA: Face: 6 Square feet
Text area: total 3.75 sq. ft.
USE: Directional information for vehicles and pedestrians
TYPE: Metal sign cabinet from Sign Comp Series 12 Extension System on base
COLORS: Face: Blue, White and Silver



7 Plan View
1.10 12'-4" x 1'-0"

8 Layout
1.10 12'-4" x 1'-0"



Painted aluminum cabinet from Sign Comp Series 12 with extension system
1/2" Thick dimensional cap and arrows

5 Non-Illuminated Directional
1.10 12'-4" x 1'-0"

Gx6.03: Directional-Non Illuminated

SIGN TYPE: Illuminated Sign cabinet with Aluminum faces and push thru letters
LOCATIONS: Refer to Message Schedule and Location Plan
SIZE: 4'-8" tall x 3'-4" wide x 12" deep
AREA: Face 12.6 square feet
Text area: total 3.75 sq. ft.
USE: Directional information for vehicles and pedestrians
TYPE: Metal sign cabinet from Sign Comp Series 12 Extension System on base
COLORS: Hoag Blue, White and Silver

6 Side View
1.10 12'-4" x 1'-0"

C

L1.01 Address Number Range

SIGN TYPE: cast in place low wall.

LOCATION: Refer to Issuance Schedule and Location Plan

SIZE: Address number range on cast concrete wall

AREA: 12" letters

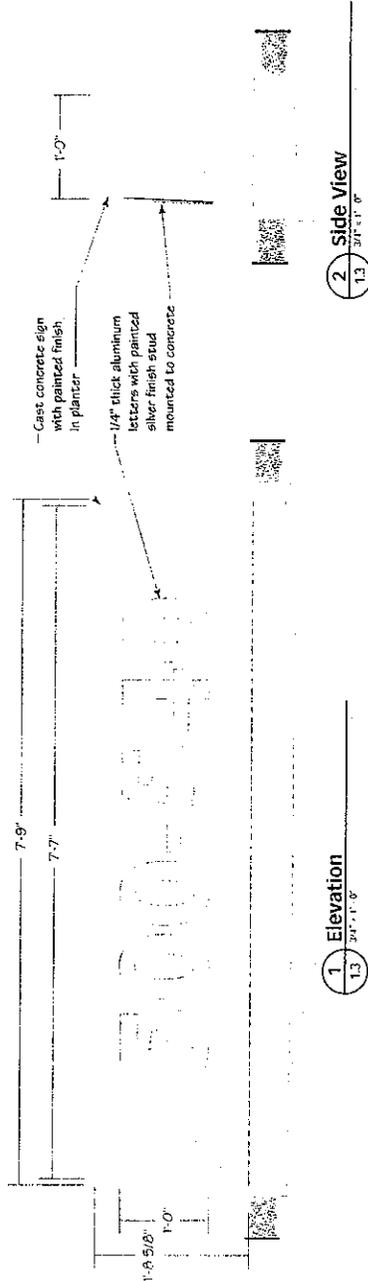
USE: Identification of address range.

TYPE: 6/16" cut letters with painted finish on cast concrete wall

COLORS: Concrete sign painted to match building accent color with silver epoxy



3 Install Detail
1.3 3/11/11



1 Elevation
1.3 3/11/11

2 Side View
1.3 3/11/11

Gx-5.011 Small Monument Tenant Directory

SIGN TYPE: Aluminum Sign cabinet with push through illuminated address numbers and building entry I.D.

LOCATIONS: Refer to Message Schedule and Location Plan

SIZE: 6'-0" tall x 4'-4" wide x 12" deep.

AREA: Tenant copy area 1.45 square feet per strip with 7 strips for a total of 10.15 square feet.

USE: Building entry identification and multi tenant listing in changeable strips.

TYPE: Metal sign cabinet from Signcomp Series T2 Extrusion System on support legs set in Tenant footing.

COLORS: Hong Blue, Green White and Silver

Copy area 1.45sq. per strip with 7 strips for a total of 10.15sq.

4'-4" 11'-0" 12" 1'-0" 8" 12"



4 Name Strip Detail
1.8 1'-0" 11'-0"



3 Plan View
1.8 17'-1 1/2" 4'-4"

Internally illuminated painted aluminum cabinet with hinged face from Signcomp Series T2 sign extrusion system

1/2" Thick push thru illuminated numbers

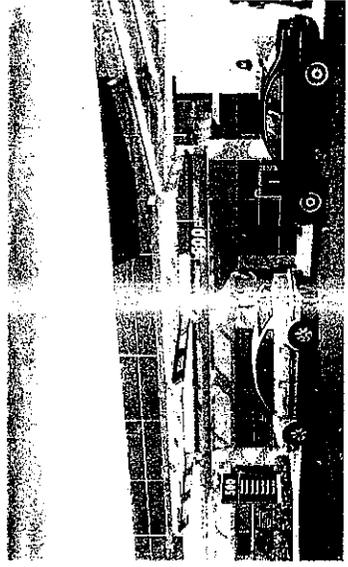
Fluorescent lighting

Insert Panel

Insert Divider

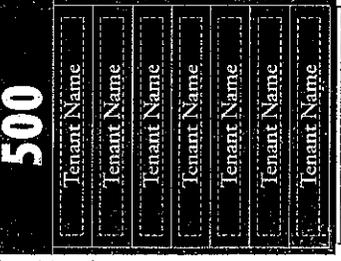
Insert Panel

5 Section
1.8 17'-1 1/2" 4'-4"



7 Install Detail
1.8 17'-1 1/2" 4'-4"

1/2" Thick push thru illuminated numbers



1 Elevation
1.8 17'-1 1/2" 4'-4"



2 Side View
1.8 17'-1 1/2" 4'-4"

Internally illuminated painted aluminum cabinet with hinged face from Signcomp Series T2 sign extrusion system

7 Changeable numeric strips with illuminated, maximum 4 1/2" cap height copy

Aluminum framing Signcomp sign extrusion system

Icon Health Center
Newport Beach, CA
Tenant Directory

Dec. 17, 2008
Job # 6860802
SHEET 1.8

**Gx-5.021
Small Monument
Tenant Directory**

SIGN TYPE: Aluminum Sign cabinet with push through illuminated address numbers and building entry I.D.

LOCATION: Refer to MESSANSI Schedule and Location Plan

SIZE: 6'-0" tall x 4'-4" wide x 12" deep.

AREA: Tenant copy area 1.45 square feet per strip with 3 strips for a total of 4.35 square feet.

USE: Building entry identification and multi tenant listing in changeable strips.

TYPE: Metal sign cabinet from SignComp Series 12 Extrusion System on support legs set in cement footing

COLORS: Hoag Blue, Green White and Silver

Copy area 1.450 per strip with 7 strips for a total of 5.800



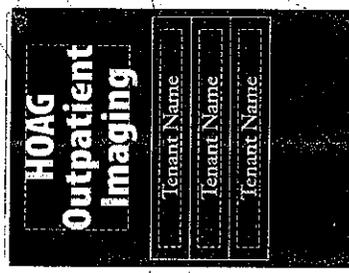
4 Name Strip Detail
1.9 1.7 x 1.0



3 Plan View
1.9 1.7 x 1.0



2 Side View
1.9 1.7 x 1.0



1 Elevation
1.9 1.7 x 1.0

Internally illuminated painted aluminum cabinet with hinged face from SignComp Series 12 sign extrusion system

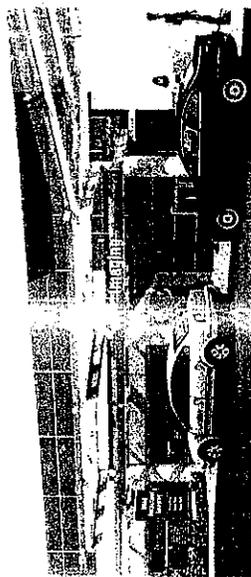
1/2 Thick push thru acrylic illuminated text

Fluorescent lighting

Insert Panel

Insert Divider

5 Section
1.9 1.7 x 1.0



7 Install Detail
1.9 1.7 x 1.0

Copy area 6.0

1/2 Thick push thru illuminated numbers

Internally illuminated painted aluminum cabinet with hinged face from SignComp Series 12 sign extrusion system

3 Changeable tenant strips with hinged maximum 4 1/2 cap height entry

Aluminum footing SignComp sign extrusion system

E

H1.01i Parking Structure I.D.

SIGN TYPE: Illuminated Sign
Cabinets

LOCATIONS: Refer to
Message Schedule and
Location Plan

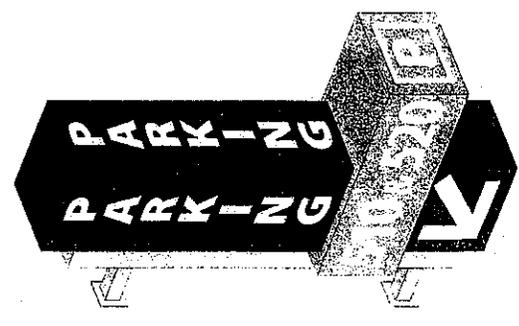
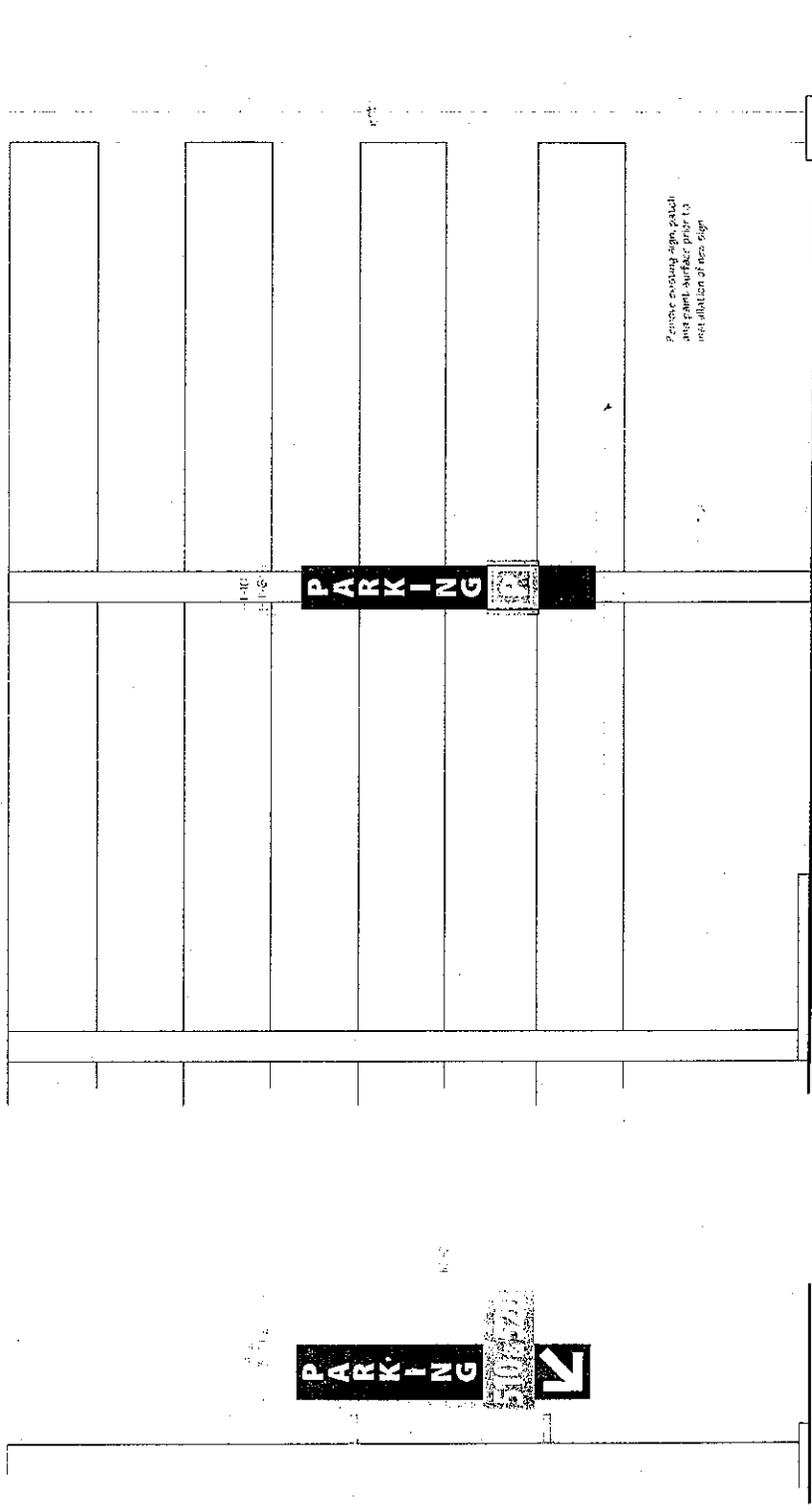
SIZE: 4'-2" wide x 10' high x
22" depth

AREA: 90.8 sq. ft. total for all
3 sides of sign

USE: Parking Structure Entry
Identification

TYPE: Aluminum sign cabinet
with aluminum faces and
push through letters

COLORS: Hoag Blue, Green,
and Silver, with White copy



2 Side View
1/11 1/8" = 1'-0"

1 Structure Entrance ID
1/11 1/8" = 1'-0"

3 Diametric View
1/11 NOT TO SCALE

e n g l a n d
DESIGN + PARKING

Hono Health Center
Hampden, MA
West Structure Entrance ID

Dec. 17, 2008
Job # 8800802
SHEET 1.11

11

H1.011 Parking Structure I.D.

SIGN TYPE: Illuminated Sign cabinets

LOCATIONS: Refer to Message Schedule and Location Plan

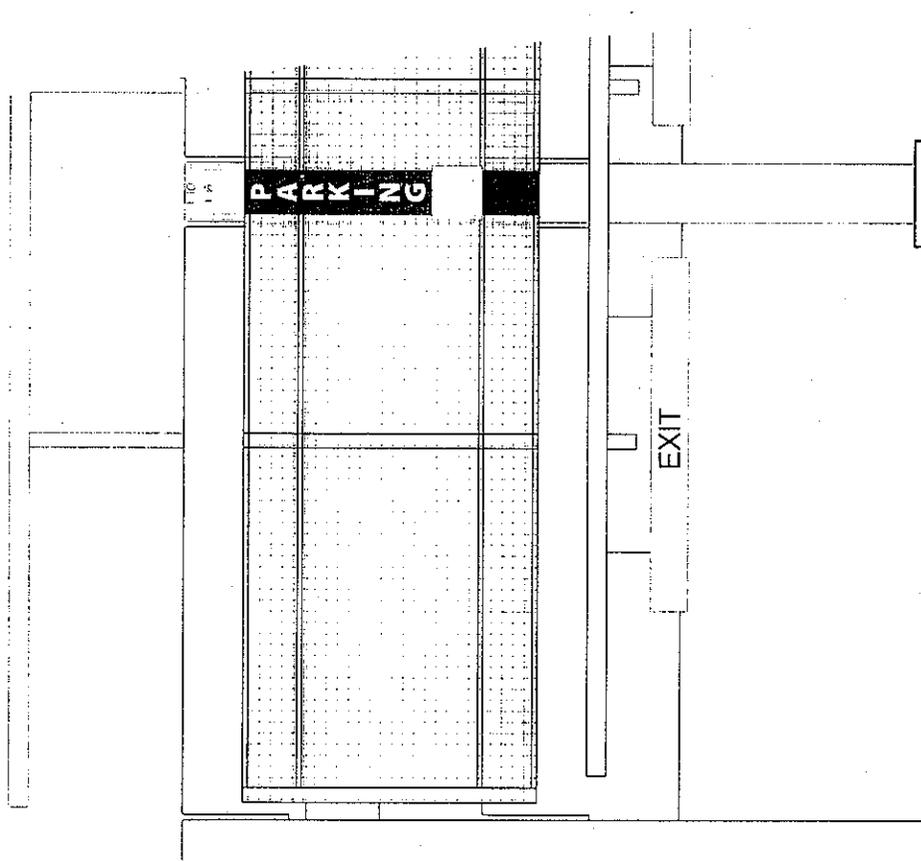
SIZE: 4'-2" wide x 10' high x 22" deep

AREA: 90.8 sq. ft. total for all 3 sides of sign

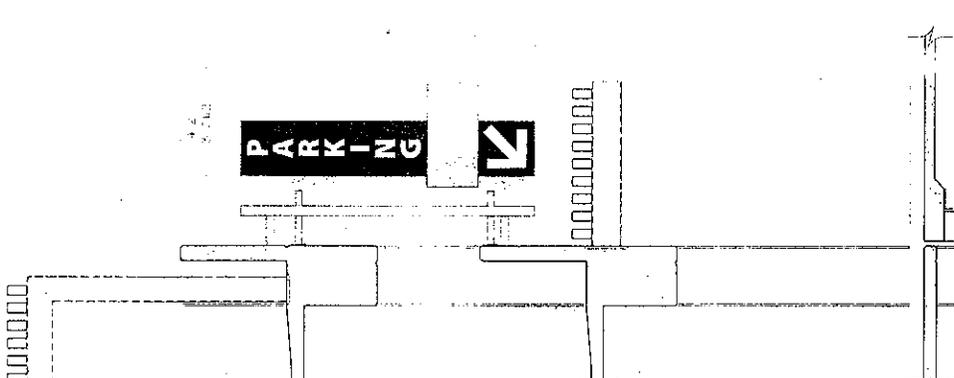
USE: Parking Structure Entry Identification

TYPE: Aluminum sign cabinet with aluminum faces and push through letters

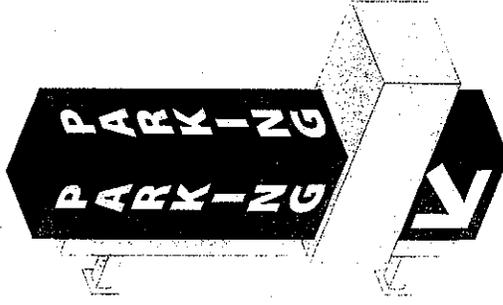
COLORS: Hoag Blue, purple and Silver, with White text



1 Structure Entrance ID
1/12 1/4" = 1'-0"



2 Side View
1/12 1/4" = 1'-0"



3 Diametric View
1/12 1/4" = 1'-0"

Hoag Health Center
Newport Beach, CA
East Structure Entrance Id

Dec. 17, 2008
Job #: 080902
SHEET 1.12

**L3.01, L3.02
Building Entrance
Address**

SIGN TYPE: Non illuminated metal dimensional letters on rail pendant hung from canopy

LOCATIONS: Refer to Message Schedule and Location Plan

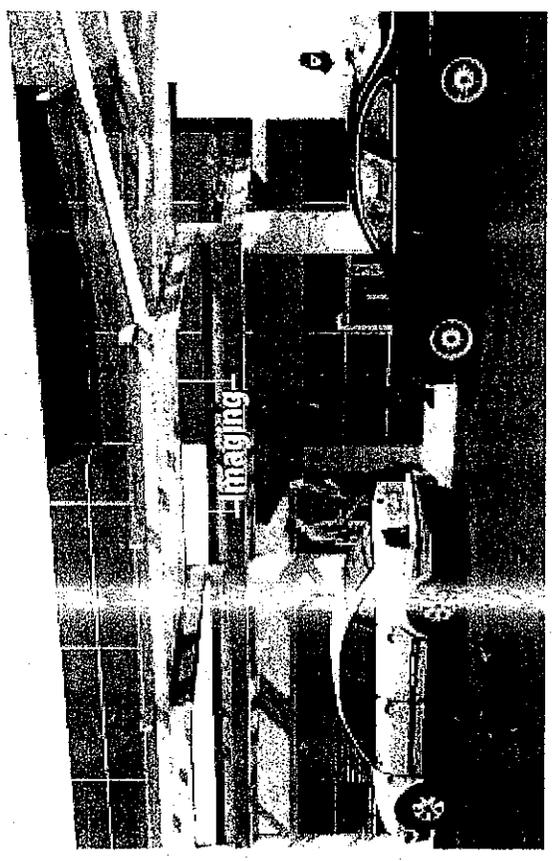
SIZE: 15" tall letters x 4" Deep

AREA: 2.9 sq. ft. & 6.2 sq. ft.

USE: Building entry identification

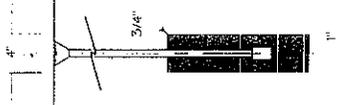
TYPE: Dimensional letters

COLORS: Letters: Minor polished faces with flite returns. Frame: Silver Rose Metallic.



3 Plan View
1/05 1" = 1'-0"

5 Ins. Detail
1/05 1/8" = 1"



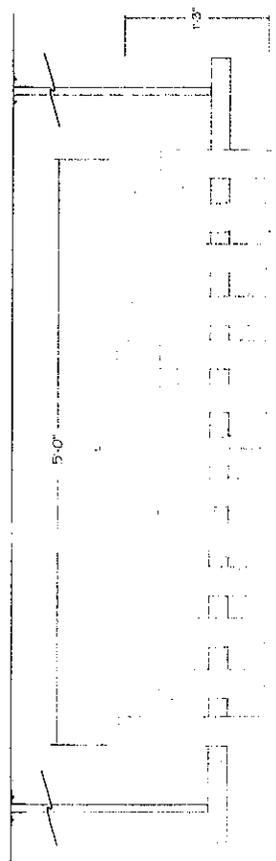
Aluminum dimensional address letters with minor polished faces and 4" x 4" x 1/2" painted supports bar installed onto canopy frame with mechanical fasteners.

Final location to be field verified prior to installation.

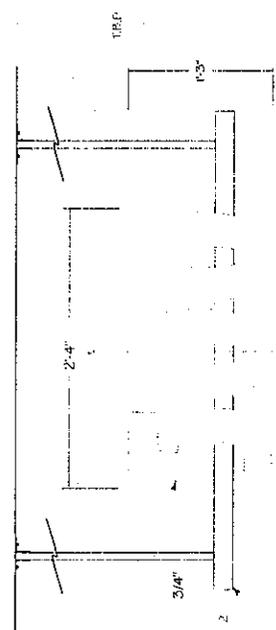
Fabricated aluminum supports for dimensional letters. Horizontal supports: 2" x 1" tube with 3/4" x 3/4" vertical hang bar

2 Side View
1/05 1" = 1'-0"

4 Te. Layout L3.02
1/05 1" = 1'-0"



1 Elevator-Entrance Address L3.01
1/05 1" = 1'-0"



L2.01i Building Address Numbers

SIGN TYPE: Illuminated
Dimensional Numbers per
Newport Beach Fire Marshall

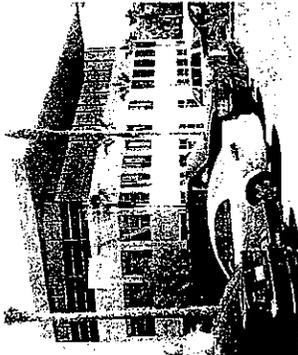
LOCATIONS: Refer to
Message Schedule and
Location Plan

SIZE: 12" tall letters x 1"
Deep

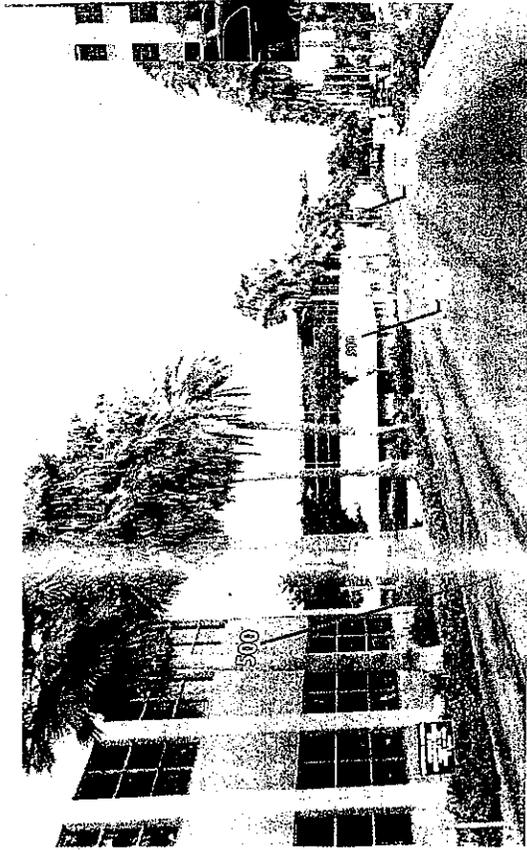
USE: Building Address
Identification

TYPE: Dimensional numbers

COLORS: Rear illuminated
white face with blue sides



5 Locations-Building 520
1.0x Not to Scale



4 Locations-South Viewway
1.0x Not to Scale



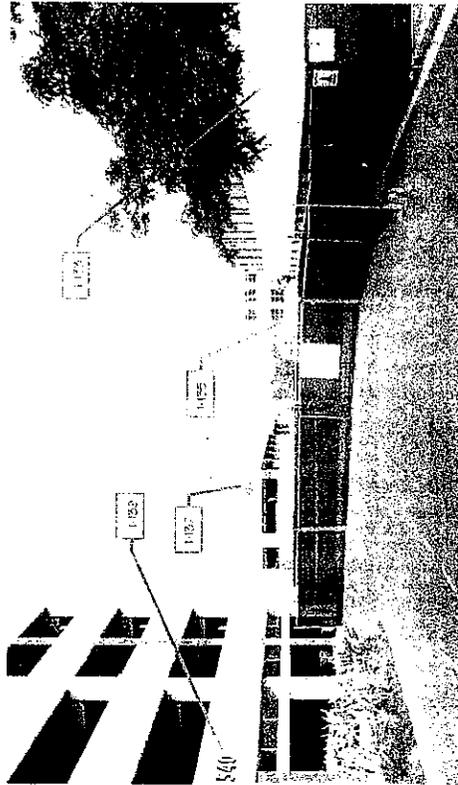
3 Diametric View
1.0x Not to Scale



Elevation
1.0x Not to Scale



2 Side View
1.0x Not to Scale



6 Locations-Main Street
1.0x Not to Scale

H

K1.011 Double Sided Pedestrian Kiosk

SIGN TYPE: illuminated cabinet with double sided case.

LOCATIONS: Refer to Message Schedule and Location Plan

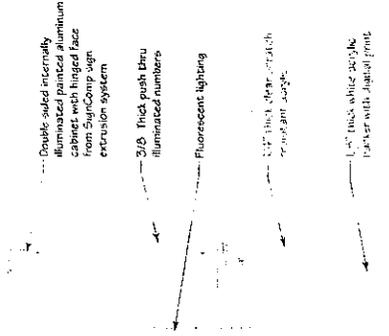
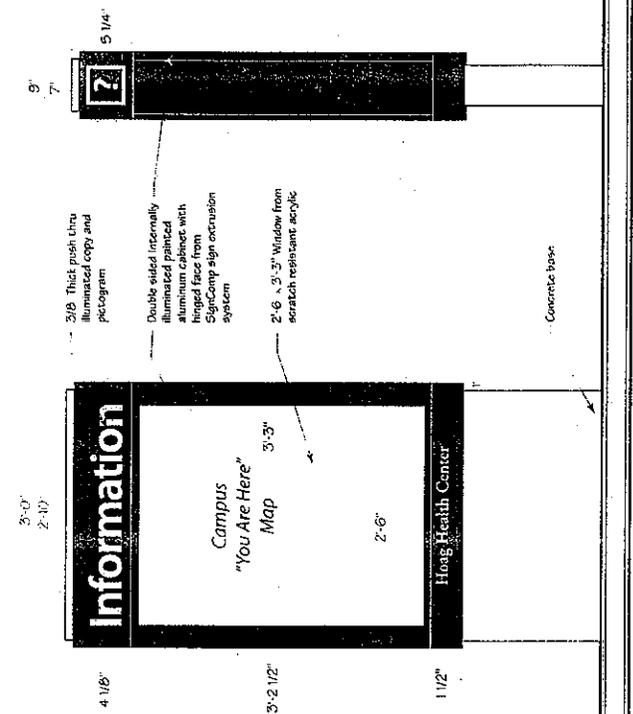
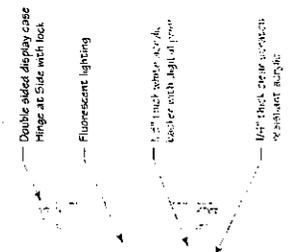
SIZE: 3'-6" wide x 6'-0" high x 9" deep

AREA: 13.25 sq.ft.

USE: Display Site Information

TYPE: Double sided cabinet internally illuminated with two locking doors/windows with clear scratch resistant acrylic. Metal supported legs set in sidewalk area.

COLORS: paint Hoag Silver with white push thru letters. Silver legs



2 Side View
1.13

1 Elevation
1.13

4 Section
1.13

3 Section
1.13

Rev. 12.2008
Job #: 898002
SHEET 1.13

Hoag Health Center
Newport Beach, CA
Pedestrian Kiosk

enelund DESIGN J R K S I N G

H

K1.021 Single Sided Pedestrian Kiosk

SIGN TYPE: illuminated cabinet with single sided case.

LOCATIONS: Refer to Message Schedule and Location Plan

SIZE: 3'-6" wide x 7'-2" high x 9" deep

AREA: 25 sq.ft.

USE: Display Site information

TYPE: Single sided cabinet internally illuminated with one locking door/windows with clear scratch resistant acrylic. Metal supported legs set near sidewalk area.

COLORS: paint Hoag Blue with white push thru letters. Silver base.

Fluorescent lighting

1-5/8" Single white acrylic binder with digital print

Single sided display case hinges at Side with lock
1-5/8" Thick clear scratch resistant acrylic

Single sided internally illuminated painted aluminum cabinet with hinged face from SignComp sign extrusion system

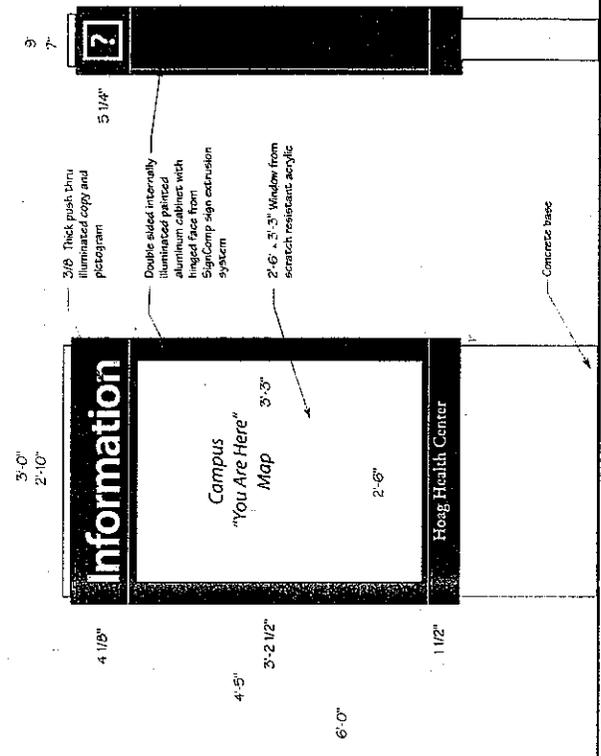
3/8" Thick push thru illuminated numbers

Fluorescent lighting

1-5/8" Thick clear scratch resistant acrylic

1-5/8" Thick white acrylic binder with digital print

3 Section
1.14
1/4" = 1'-0"



1 Elevation
1.14
1/4" = 1'-0"

2 Side View
1.14
1/4" = 1'-0"

4 Section
1.14
1/4" = 1'-0"

I

1'-0" 4"

3 Plan View
2.1 3/4" x 1' 0"

Painted aluminum cabinet with reflective vinyl graphics

1'-6"

NO PARKING IN RED ZONES

FIRE LANE

This is a Non-Smoking Campus

Private Parking

UNAUTHORIZED VEHICLES
PROHIBITED FROM PARKING IN RED ZONES
VIOLATORS WILL BE TOWED AT THE VIOLATOR'S RISK
BUSINESS HOURS: MONDAY - FRIDAY 8:00 AM - 5:00 PM
SUNDAY 10:00 AM - 4:00 PM
HOURS OUTSIDE THESE TIMES WILL BE TOWED AT THE VIOLATOR'S RISK
FOR MORE INFORMATION, CONTACT THE UNIVERSITY OF CALIFORNIA
OFFICE OF PUBLIC SAFETY
CUC 236244

1" cap, etc.
Myriad Pro Bold
Semi-Condensed

NO Van Accessible Parking Available In West Garage

EXAMPLE: A PERSON WITH A PHYSICAL DISABILITY WHO IS USING A VAN TO ACCESS A FACILITY OR SERVICE AT A UNIVERSITY OF CALIFORNIA CAMPUS WILL BE TOWED AT THE VIOLATOR'S RISK. THE UNIVERSITY OF CALIFORNIA OFFICE OF PUBLIC SAFETY WILL BE CONTACTED BY TELEPHONE AT 916.434.2888.

Single-sided one piece 1/8" (th.) aluminum panel painted to match Dark Blue and Metallic Accent. All copy to be engineer grade reflective vinyl to match white, blue and red. Font: Adobe Garamond Pro SemiBold Myriad Pro Bold Mount to wall or Column

1 RX-7.02
2.1 3/4" x 1' 0"

e n g i n e e r D E S I G N W I T H R I S K I N M I N D

2" x 3/4" Tube



5 Plan View (typical)
2.1 3/4" x 1' 0"

1'-6"
1'-2"

Hoag Health Center

P

Delivery Parking Only

One piece 1/8" (th.) aluminum panel painted to match Dark Blue and Metallic Accent. All copy to be engineer grade reflective vinyl to match white, blue and red. Font: Adobe Garamond Pro SemiBold Myriad Pro Bold

3" x 2" (deep) aluminum post, painted to match Metallic Accent.

Aluminum sleeve to allow for quick change/breakaway. Secured with stainless steel bolts. Fender to be engineered by fabricator

Concrete base with 6" wide x 4" deep 1/2" round metal landscape edging to protect sign from damage by lawn maintenance. Do not use stone bed if sign is located in hand-scrape or planter beds. Depth of base per local code.

4 RX-1.01
2.1 3/4" x 1' 0"

Hoag Health Center
Newport Beach, CA
Regulatory Signs Reg 7, & Reg 1

Dec 17, 2008
Job #: 808002
SHEET 2.1

- The granting of this application is necessary due to the practical difficulties associated with redesigning and reconstructing the project, which is currently under construction, to conform to the strict application of the standards of the Zoning Code.
 - The orientation of the existing single-family residence on the subject property renders a physical hardship to provide adequate second floor living space for a detached second dwelling unit.
4. In accordance with the provisions of Chapter 20.93, the requested modification will be compatible with existing development(s) in the neighborhood for the following reason:
- The deviation from the Zoning Code requested by this application is reasonable due to the characteristics of the surrounding properties which allow similar encroachments per the standards of the Zoning Code.
 - The properties across the alley have cantilevered second-story structures similar to the encroachment proposed by this application.
 - The adjacent nonconforming property to the south currently encroaches five feet into the required 5-foot rear alley setback at the first and second floor.
 - The requested encroachment is compatible with existing development in the neighborhood since the requested encroachment continues to provide adequate access through the alley per the Public Works Department.
5. In accordance with the provisions of Chapter 20.93, the granting of this Modification Permit will not adversely affect the health or safety of persons residing or working in the neighborhood of the property and not be detrimental to the general welfare or injurious to property or improvements in the neighborhood based on the following:
- The proposed project does not hinder access for vehicles at the first and second floor.
 - The cantilevered structure will not be detrimental because it overhangs two feet six inches into the rear alley setback which is consistent with encroachments permitted by right on other properties throughout the City.

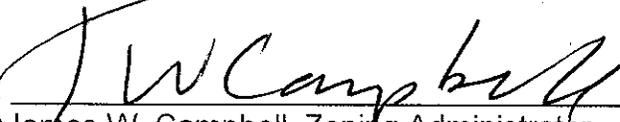
CONDITIONS

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. Anything not specifically approved by this Modification Permit is prohibited and must be addressed in a separate and subsequent Modification Permit review.
3. 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.

4. Prior to issuance of building permits, the applicant shall submit to the Planning Department an additional copy of the approved architectural plans for inclusion in the Modification Permit file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11-inches by 17-inches. The plans shall accurately depict the elements approved by this Modification Permit and shall highlight the approved elements such that they are readily discernible from other elements of the plans.
5. A building permit shall be obtained prior to commencement of the construction.
6. A copy of this approval letter shall be incorporated into the Building Department and field sets of plans prior to issuance of the building permits.
7. If any of the existing public improvements surrounding the site is damaged by private work, new concrete sidewalk, curb and gutter, street pavement, and other public improvements will be required by the City at the time of private construction completion. Said determination and the extent of the repair work shall be made at the discretion of the Public Works inspector.
8. 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.
9. This approval shall expire unless exercised within 24 months from the approval date, as specified in Section 20.93.050 (A) of the Newport Beach Municipal Code. Prior to the expiration date of this approval, an extension may be approved in accordance with Section 20.93.050 (B) of the Newport Beach Municipal Code. Requests for an extension must be in writing.

APPEAL PERIOD

The Zoning Administrator's decision may be appealed to the Planning Commission within 14 days of the action date. A \$1,810.00 filing fee shall accompany any appeal filed. No building permits may be issued until the appeal period has expired.

By: 
James W. Campbell, Zoning Administrator

JWC:mn/rm

Attachments: Vicinity Map

Appeared in Opposition: None

Appeared in Support: None



MODIFICATION PERMIT ACTION LETTER

PLANNING DEPARTMENT
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92663
(949) 644-3200 FAX (949) 644-3229

Application No.	Modification No. MD2008-034 (PA2008-161)
Applicant	Planet Design Inc.
Site Address	430 Poppy Avenue
Legal Description	TR 673 LOT 44 BLK B NWLY1/2(AND NWLY1/2 LOTS 45 AND 46 BLK B

On March 10, 2009, the Zoning Administrator approved the application request to allow portions of a new single-family residence to encroach approximately 16 feet into required the front yard facing Second Avenue. The request also includes a 4 foot 7 inch encroachment of a portion of an elevated deck into the required 10-foot setback in the rear 20 feet of the side yard facing Poppy Avenue. The property is located in the R-1 District. The Zoning Administrator's approval is based on the following findings and subject to the following conditions.

FINDINGS

1. The Land Use Element of the General Plan designates the site for "Single-Family Residential" use. The proposed single-family residence is consistent with this designation.
2. There is uncertainty in the Zoning Code regarding required setback yards on reversed corner lots. The Districting Maps identify the depths of front setback yards, which would appear to establish front yard setback on the street side lot line on a reversed corner lot, as defined by the Zoning Code. This ambiguity has resulted in inconsistent application of setback standards over time, as evidenced in several approved modification permits, variances, and building permits.

The setbacks on the Districting Maps were originally created in 1943 by Ordinance No. 525 as front yard setbacks and the true intent behind the method of establishing them is unknown as no records exist explaining the rationale. It is generally believed that the setbacks were established based upon existing development patterns as a method of providing relief from the 20-foot front yard setback, established in 1936 by Ordinance No. 440, which was the first Zoning Ordinance for the City of Newport Beach.

Subsequent to the establishment of front yard setbacks by the Districting Maps, definitions for lot lines and setback areas and their minimum depth changed over time. Specifically, Ordinance No. 97-9 contained Zoning provisions that redefined setback areas, lot lines and defined a "reversed corner lot" where the shorter property line abutting a street is a front yard and the longer property line abutting the street is a side yard. The depth of this side yard is similar to the minimum depth for typical interior lots; however, the rear 20 feet of the side yard was the same depth as the depth of the front yard of the adjacent key lot [Section 20.10.030 (G)].

Section 20.10.030 (G) as established by Ordinance No. 97-9 has remained unchanged since its adoption in 1997 and it remains effective today. Furthermore, this standard dates back the Ordinance 635, which adopted the 1950 Zoning Code. The conflict with this section and the Districting Map has been discussed by the Planning Commission in the context of two separate Modification permits and the Commission reached disparate results. Due to inconsistent application of the Zoning Code in these regards, it is important to clarify this issue by identifying the most appropriate standard that will lead to consistent application of these provisions of the Zoning Code.

The definitions contained in Chapter 20.03 and Section 20.10.030 (G) are specific in their treatment of reversed corner lots and if Districting Map setback were to prevail, Section 20.10.030 (G) would be rendered inapplicable, and therefore, this interpretation would be inappropriate. Maintaining a Districting Map setback for a reversed corner lot is also burdensome given that these front yard setbacks coupled with a 10-foot rear yard setback leave little buildable area and Section 20.10.030 (G) provides a significant measure of relief. Therefore, these specific provisions prevail over maintaining a Districting Map front yard setback.

The Districting Map Setback does provide a method for maintaining neighborhood continuity and character. It would maintain the setback abutting the street as a front yard setback thereby avoiding the possibility of 6-foot high fences or walls being constructed at the street property line, which can create a negative aesthetic. With this being said, care should be taken in the design of the homes and improvements within the street side yard of a reversed corner lot to promote neighborhood continuity and character. Homes can be designed with a functional front yard with a front door with accessory structures, fences and walls no higher than 42 inches from the grade when the neighboring homes on the block that face the same street are developed similarly. Homes can also be designed with vehicular access from the shorter street side when that block face is also developed similarly.

The setbacks for 430 Poppy Avenue are:

Front, Second Avenue – 20 feet

Rear, opposite Second Avenue – 10 feet

Side, Poppy Avenue – 4 feet with the rear 20 feet of said setback 10 feet

Side, opposite Poppy Avenue – 4 feet

3. The granting of this application is necessary due to practical difficulties associated with the property that with strict application of required setbacks of the Zoning Code results in a physical hardship that is inconsistent with the purpose and intent of the Zoning Code. Redeveloping the site compliant with the 20-foot front yard setback and reversed corner street side setback deprives the property owner of the ability to develop consistent with neighboring lots that have similar setbacks. Strict application of required setbacks would force the property owner to design a residence with a front yard facing Second Avenue and a 4-foot side yard facing Poppy Avenue, which is inconsistent with the character of the neighborhood where front yards face Poppy Avenue and Second Avenue is developed as a side yard.
4. The requested Modification Permit to allow portions of the proposed residence to encroach approximately 16 feet within the 20-foot front yard setback along Second Avenue is compatible with the abutting development that provides a 4-foot setback. Additionally, buildings developed in the adjacent block to the west also are developed with similar setbacks. The requested modification to allow a small portion of a deck to encroach within the rear 20 feet of the Poppy Avenue side yard setback does not significantly change the development pattern of the neighborhood and therefore it is compatible with the area.
5. The granting of this Modification Permit will not adversely affect the health or safety of persons residing or working in the neighborhood of the property and not be detrimental to the general welfare or injurious to property or improvements in the neighborhood for the following reasons:
 - The proposed encroachments within the front yard are predominately single-story and would occupy slightly less than 30% of the required setback area. The proposed second level balcony above the garage is small when compared to the entire encroachment requested and it is setback further from Second Avenue than the garage providing building modulation and architectural interest. The design increases the garage when compared to existing conditions setback. The encroachment maintains the side yard setback and is setback 14 feet from Poppy Avenue.
 - The elevated deck encroachment within the reversed corner side yard setback is less than 20 square feet in area, less than 15 feet above grade, setback approximately 16 feet from the abutting neighbor and setback 5.5 feet from Poppy Avenue. The guardrails for the encroaching deck will be open helping reduce the mass of the structure thereby maintaining a more open design. Lastly, the elevated deck is not covered which would increase the mass of the encroachment.
 - The overall design and siting of the proposed residence provides additional open area within the required street side setback facing Poppy Avenue. The increased setback area and the building modulation and articulation proposed provides a sufficient offset to the encroachments proposed and it maintains the neighborhood character by creating an aesthetically pleasing street elevation and a functional front yard that faces the primary street (Poppy Avenue). Maintaining the open nature of the Poppy Avenue side setback is necessary to ensure that no detriment to the neighborhood is created, and therefore, accessory structures and landscaping shall not exceed 42 inches in height.

6. The project is exempt from the requirements of the California Environmental Quality Act pursuant to Section 15303 of the Implementing Guidelines of the California Environmental Quality Act, Class 3 (New Construction or Conversion of Small Structures) since the scope of work is a new single-family residence in a non-environmentally sensitive area.

CONDITIONS

1. The development shall be in substantial conformance with the approved plot plan, floor plans and elevations. No decrease in setbacks or significant reduction in opens areas or open space provided outside the proposed building volume shall be permitted. The height of accessory structures and landscaping located within the entire side yard area between the proposed building and the Poppy Avenue (excepting eaves and minor architectural projections) shall be limited to 42-inches in height. The elevated deck encroachment shall have open railings and shall not be covered or enclosed.
2. If any of the existing public improvements surrounding the site is damaged by private work, new concrete sidewalk, curb and gutter, street pavement, and other public improvements will be required by the City at the time of private construction completion. Said determination and the extent of the repair work shall be made at the discretion of the Public Works inspector.
3. All existing City street trees shall be protected-in-place during construction, unless otherwise allowed to be replaced pursuant to City regulations.
4. All non-standard encroachments within the public right-of-way shall be removed. This includes but is not limited to low walls, brick pavers, and potted plants. The applicant shall install new sod or low groundcovers of a type approved by the City throughout the Second Avenue parkway adjacent to the development site, unless otherwise waived or modified by the Public Works Department.
5. The driveway approach shall be narrowed so that the driveway bottom aligns with the westerly edge of the garage opening. A "driveway plug" shall be provided and designed per City Standard STD 165-L.
6. All work performed within the public right-of-way shall be reviewed and approved by the Public Works Department under an encroachment permit/agreement as determined by the Public Works Department.
7. Prior to issuance of building permits, the applicant shall submit to the Planning Department a copy of the final revised architectural plans clearly identifying the location and extent of all approved setback encroachments. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11-inches by 17-inches. The plans shall accurately depict the elements approved by this Modification Permit and shall highlight the approved elements such that they are readily discernible from other elements of the plans.

8. A building permit shall be obtained prior to commencement of the construction.
9. A copy of this approval letter shall be incorporated into the Building Department and field sets of plans prior to issuance of the building permits or issuance of revised plans.
10. Anything not specifically approved by this Modification Permit is prohibited and must be addressed in a separate and subsequent Modification Permit review and approval.
11. This approval shall expire unless exercised within 24 months from the approval date, as specified in Section 20.93.050 (A) of the Newport Beach Municipal Code. Prior to the expiration date of this approval, an extension may be approved in accordance with Section 20.93.050 (B) of the Newport Beach Municipal Code. Requests for an extension must be in writing.

APPEAL PERIOD

The Zoning Administrator's decision may be appealed to the Planning Commission within 14 days of the action date. A \$1,810.00 filing fee shall accompany any appeal filed. No building permits may be issued until the appeal period has expired.

By: 
James W. Campbell, Zoning Administrator

Attachments: Vicinity Map
Letter of Opposition – R. Little, 416 Poinsettia Avenue

Appeared in Opposition: 427 Hazel Street, property owner

Appeared in Support: None

Savan, Chris

From: Little, Richard [Richard.Little@meus.mea.com]
Sent: Tuesday, January 27, 2009 1:44 PM
To: Savan, Chris
Subject: Modification permit MD2008-034 (PA2008-161) 430 Poppy Ave CDM

Dear Mr/Ms Savan,

I write regarding the captioned public notice about encroachment by 430 Poppy Ave. which I received as the owner of 416 and 416B Poinsettia Ave., CDM.

I want to be on record as OPPOSED to granting a waiver or relief from the Zoning Code provisions for setbacks at this property. These Code setbacks preserve the quality and character of the unique CDM neighborhood. I had to comply with all of them when I rebuilt my duplex in 2005 and there is no valid reason that Dr. Vu should not also comply on his property with the setbacks of the Zoning Code. His request will result in an ugly, massive virtually zero lot line structure out of proportion with the scale and mass of the rest of the street, and will create a blight on the charm of the CDM village atmosphere. His requested encroachments will occupy 50% of the Zoned setback on both streets. Frankly, I find this outrageous. If the Zoning Administrator grants this relief, where will it end? What rational basis will there be to deny all future similar encroachment requests? CDM eventually will be entirely zero lot line McMansions, not exactly the optimum image for the City of Newport Beach nor for the quality of life of residents.

Although I cannot attend the hearing on Jan. 29th, please make this email part of the opposition record.

Please contact me if you want more information.

Thank you,

Richard J. Little
Phone: 714.220.4603

Note: This email, and any attachment to it, may contain information that is proprietary, attorney/client privileged or confidential or that may be otherwise legally exempt from disclosure and is intended only for the individual(s) or entity to which it is addressed. No confidentiality or privilege is waived or lost by any error in transmission. If you are not the named recipient, or the employee or agent responsible for delivering it to the intended recipient, you are not authorized to read, print, retain, copy, disclose or distribute this email or any part of it. If you have received this email in error, please return it immediately to the sender, delete it and all copies from your system, and destroy any hard copies of this communication. Thank you.