

**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  
**SUBJECT:** Report of actions taken by the Zoning Administrator and/or Planning Department staff for the week ending July 1, 2011

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**ACTIONS TAKEN AT JUNE 29, 2011 ZONING ADMINISTRATOR HEARING**

- Item 1: Mixed Use Development – Parcel Map No. NP2011-006 (PA2011-094)  
3388 Via Lido  
This item was approved. Council District 1
- Item 2: Sun Acupressure – Minor Use Permit No. UP2011-016 (PA2011-097)  
3933 Birch Street  
This item was removed from calendar. Council District 4
- Item 3: Masarik Senior Accessory Dwelling Unit – Minor Use Permit No. UP2011-019  
(PA2011-101)  
523 Aliso Avenue  
This item was continued to the 07/13/11 Council District 2  
Zoning Administrator Hearing.
- Item 4: La Pain Quotidien– Minor Use Permit No. UP2011-017 (PA2011-102)  
1103 A Newport Center Drive  
This item was approved. Council District 5
- Item 5: Temporary Modular Classrooms – Limited Term Permit No. XP2011-003  
(PA2011-100)  
798 Dover Drive  
This item was continued to the 07/13/11 Council District 3  
Zoning Administrator Hearing.

**ACTIONS TAKEN BY THE PLANNING DIRECTOR OR PLANNING DEPARTMENT STAFF**

- Item 6: Substantial Conformance – Staff Approval No. SA2011-013 (PA2011-112)  
2300 University Drive  
This item was approved on July 1, 2011 Council District 3

Item 7: Zoning Clearance – Staff Approval SA2011-016 (PA2011-127)  
7862 East Coast Highway

This item was approved on July 1, 2011

Council District 6

Item 8: Determination of Alternative Setback Location – Staff Approval No. SA2011-014  
(PA2011-116)  
3322 Seaview Avenue

This item was approved on July 1, 2011

Council District 6

On behalf of Kimberly Brandt, Community Development Director



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Patrick J. Alford, Planning Manager

APPEAL PERIOD: Modification Permit applications do not become effective until 14 days after the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code. Tentative Parcel Map, Condominium Conversion, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.

*Email* Kim Dominguez, NBPD  
Sgt. Chuck Freeman, NBPD



COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663  
(949) 644-3200 Fax: (949) 644-3229  
[www.newportbeachca.gov](http://www.newportbeachca.gov)

**ZONING ADMINISTRATOR ACTION LETTER**

**Application No.** Parcel Map No. NP2011-006 (PA2011-094)  
County Tentative Parcel Map No. 2011-105

**Applicant** Marshall Property & Development, LLC

**Site Address** 3388 Via Lido

**Legal Description** Parcel Book 60, Page 43, Parcel 1

On June 29, 2011, the Zoning Administrator approved the following: a parcel map for condominium purposes for a mixed-use development comprised of two residential condominium units and two floors of commercial condominium use within an existing commercial building. A modification to the Title 19 (Subdivision Code) development standards is requested to maintain a single sewer line connection and a single domestic water line connection to the City waiving the requirement for separate connections pursuant to Section 19.64.070 (Standards for Condominium Conversions) of the Newport Beach Municipal Code. The property is located in the MU-W2 (Mixed-Use Water Related) Zoning District.

**Findings**

The Zoning Administrator determined in this case that the proposed parcel map is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 of Title 19:

1. **Finding:** That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.

**Facts in Support of Finding:**

- The existing development has been approved by the City to allow a remodel of the commercial office building into a mixed-use development with two floors of commercial condominium use and two residential condominium units.
- The proposed application to allow separate condominium ownership of each unit will not result in an increase in density onsite.

- The proposed subdivision and improvements are consistent with the current General Plan Land Use Designation of "Mixed Use Water Related".
- The onsite development was approved through an interim-study overlay which establishes separate density and development standards for the proposed project.

2. **Finding:** That the site is physically suitable for the type and density of development.

**Facts in Support of Finding:**

- The proposed mixed-use condominium units are within an existing five-story commercial office building.
- A total of 14 parking spaces will be provided on-site and a minimum of 18 parking spaces will be provided at 500 32<sup>nd</sup> Street through an off-site parking agreement. The resulting 32 parking spaces for the nonresidential uses will be adequate for the proposed project and consistent with the requirements of the Via Lido Interim Study Overlay (PA2010-081) approved on October 21, 2010.
- Adequate residential parking will be provided through five onsite parking spaces.

3. **Finding:** That the design of the subdivision or the proposed improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision-making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

**Facts in Support of Finding:**

- 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 15 (Minor Land Divisions) which allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope

greater than 20 percent. The proposed parcel map is for condominium purposes for four units and is consistent with all of the requirements of the Class 15 exemption.

4. **Finding:** That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

**Facts in Support of Finding:**

- The proposed parcel map is for condominium purposes. All construction for the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 (General Improvement Requirements) of the Municipal Code and Section 66411 of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

5. **Finding:** That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the decision-making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to easements previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.

**Facts in Support of Finding:**

- The parcel map has been conditioned to maintain the existing utilities easement onsite.
- The design of the development will not conflict with any easements acquired by the public at large for access through or use of property within the proposed development as there are no public easements located on the property.
- Adequate lateral coastal access will be maintained through the pedestrian boardwalk adjacent to the project site along Newport Harbor.
- As conditioned in Resubdivision Number 433, adopted by Resolution Number 8249 on May 16, 1974, vertical access is required on the adjacent property to the east (3366 Via Lido).

- Vertical access is provided by way of an existing four-foot wide utilities easement along the northwestern property line of the opposite adjacent property (3400 Via Lido).

6. **Finding:** That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.

**Facts in Support of Finding:**

- The property is not subject to the Williamson Act since the subject property is not considered an agricultural preserve and is less than 100 acres.
- The existing land use is not agricultural and is located in an area zoned for mixed-use, and the existing commercial office building will be redeveloped into a mixed-use development.

7. **Finding:** That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (a) there is an adopted specific plan for the area to be included within the land project; and (b) the decision-making body finds that the proposed land project is consistent with the specific plan for the area.

**Facts in Support of Finding:**

- The property is not a "land project" as defined in Section 11000.5 of the California Business and Professions Code.
- The project is not located within a specific plan area.

8. **Finding:** That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.

**Facts in Support of Finding:**

- The proposed Parcel Map and improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The remodel of the existing building will be required to comply with Title 24 requirements through the plan check and inspection process.

9. **Finding:** That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code

regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.

**Facts in Support of Finding:**

- The proposed Parcel Map is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need in that the project has been conditioned such that in-lieu housing fees will be paid for two residential condominium units pursuant to Chapter 19.54 (Inclusionary Housing) of the Newport Beach Municipal Code.

10. **Finding:** That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.

**Facts in Support of Finding:**

- Wastewater discharge into the existing sewer system will be similar to the current wastewater discharge and does not violate Regional Water Quality Control Board (RWQCB) requirements.

11. **Finding:** For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.

**Facts in Support of Finding:**

- The subject property is located within the Coastal Zone and is consistent with the newly certified Coastal Land Use Plan.
- Coastal Commission approval is required for the parcel map prior to recordation and final of building permits to allow the description change to separate ownership units.
- The existing boardwalk along the easterly property line will be protected in place and maintained to provide public access for visitors to the coastal areas.

12. **Finding:** That public improvements will be required of the Applicant per the Municipal Code and the Subdivision Map Act.

- The project has been conditioned to include the required improvements.

**Conditions**

1. A parcel map shall be recorded prior to final of building permits to allow the description change to separate ownership units. The map shall be prepared on the California coordinate system (NAVD88). Prior to recordation of the map, the surveyor/engineer preparing the map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.**
2. Prior to recordation of the Parcel Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set on each lot corner, unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.
3. Prior to issuance of building permits, in-lieu housing fees for two residential condominium units shall be paid consistent with the fee amount in effect at the time of payment.
4. Prior to issuance of building permits, in-lieu park dedication fees for two condominium units shall be paid consistent with the fee amount in effect at the time of payment.
5. All applicable Public Works Department plan check fees, improvement bonds and inspection fees shall be paid prior to processing of the map by the Public Works Department.
6. Prior to recordation of the Parcel Map, the applicant shall obtain a determination, in writing, from the California Coastal Commission that the subdivision is not a development under the California Coastal Act, or obtain California Coastal Commission approval for the subdivision.
7. All improvements shall be constructed as required by City Ordinance and the Public Works Department.
8. A minimum 12-inch wide by 12-inch deep full-depth AC patchback is required against the new edge of gutter along the length of all curb and gutter access ramp reconstruction work. Tack coat all joint surfaces prior to patchback placement.

9. An encroachment permit is required for all work activities within public right-of-way.
10. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.
11. All on-site drainage shall comply with the latest City Water Quality requirements.
12. Per the attached waiver correspondence, one water meter will be installed per City Standard 503-L to service the site's domestic and irrigation demands. Each use type (domestic and irrigation) shall have a backflow assembly installed per City Standard 520-L-A. Once construction is complete, the City shall own and maintain the water service from the 12-inch water main to the front side of the Reduced Pressure Backflow Assembly, including the new water meter. The Association shall own and maintain the Reduced Pressure Backflow Assembly and all remaining water facilities.
13. Per the attached waiver correspondence, one sewer lateral with cleanout shall be installed per City Standard 406-L and will serve the site's wastewater demands. Once construction is complete, the City shall own and maintain the 6-inch wastewater lateral from the 15-inch sewer main to the sewer cleanout, to be located on the public side of the property line. The Association shall be responsible and maintain all remaining wastewater facilities.
14. New fire service shall connect to existing 12-inch water main along Via Lido. Line shall be protected with a Double Check Detector Assembly installed per City Standard 517-L. Once construction is complete, the City will own the fire line from the main up to the front side of the Double Check Detector Assembly, as well as the meter that is on the assembly. The Association shall be responsible and maintain the Double Check Detector Assembly and remaining water facilities.
15. No permanent structures shall be built over the 4-foot utilities easement along the Via Lido frontage.
16. The direct connection to the existing City catch basin located at the corner of Via Lido and Via Oporto shall be covered under an Encroachment Agreement. The applicant shall provide documentation of all approved permits as required by the Regional Water Quality Board.
17. Because Via Lido is part of the City's Moratorium List, work performed on said roadway will be subject to additional resurfacing requirements consistent with City Standard 105-L-F.
18. In compliance with the requirements of Chapter 9.04, Section 901.4.4, of the Newport Beach Municipal Code, approved street numbers or addresses shall

be placed on all new and existing buildings in such a location that is plainly visible and legible from the street or road fronting the subject property. Said numbers shall be of non-combustible materials, shall contrast with the background, and shall be either internally or externally illuminated to be visible at night. Numbers shall be no less than four inches in height with a one-inch wide stroke. The Planning Division shall verify the installation of the approved street number or addresses during the plan check process for the new or remodeled structure.

19. Subsequent to recordation of the Parcel Map, the applicant shall apply for a building permit for a description change of the subject project development from "office" to "mixed-use condominium units". The development shall not be condominiums until this permit is finalized. The building permit for the new construction shall not be finalized until after recordation of the Parcel Map.
20. 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 **3388 Via Lido Parcel Map** including, but not limited to, the **NP2011-006, (PA2011-094)**. 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.
21. This Parcel Map shall expire if the map has not been recorded within three years of the effective date of approval, unless an extension is granted by the Community Development Director in accordance with the provisions of Chapter 19.16 (Tentative Map Expiration and Extension) of the Newport Beach Municipal Code.

### **PUBLIC NOTICE**

Notice of this application was mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant and posted on the subject property at least 10 days prior to the decision date, consistent with the provisions of the Municipal Code.

**APPEAL PERIOD:** Tentative Parcel Map applications do not become effective until 10 days following the date of action, during which time a written appeal application may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code. For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

By:   
Jaime Murillo, Zoning Administrator

JM/bmz

Attachments:

ZA 1 Vicinity Map

ZA 2 Section 19.64.070 (Standards for Condominium Conversions) Waiver

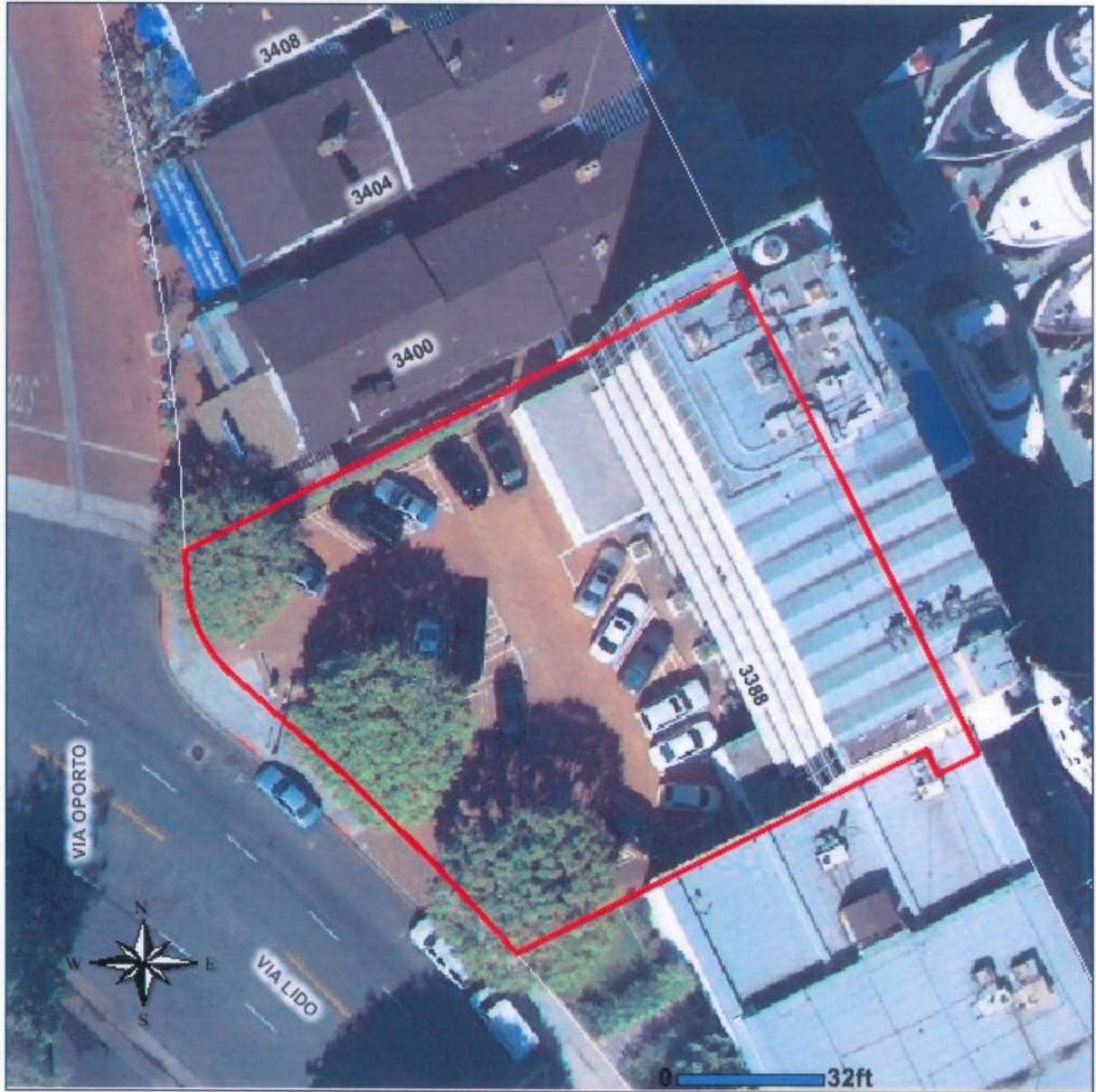
Correspondence

ZA 3 Tentative Parcel Map

# **Attachment No. ZA 1**

Vicinity Map

# VICINITY MAP



Parcel Map No. NP2011-006  
PA2011-094

**3388 Via Lido**

## **Attachment No. ZA 2**

Section 19.64.070 (Standards for  
Condominium Conversions) Waiver  
Correspondence

**MARSHALL**  

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**PROPERTY & DEVELOPMENT**

April 27th, 2011

Via email: [kcho@newportbeachca.gov](mailto:kcho@newportbeachca.gov)

Kathryne Cho  
Junior Engineer  
City of Newport Beach  
3300 Newport Blvd  
Newport Beach, CA 92658-8915

RE: Plan Check No. 2377-2010 – 3388 Via Lido

Dear Kathryne:

The letter is in response to your letter dated March 15<sup>th</sup>, 2011. The following outlines those items that require clarification or Owner's direction:

- 1) The Municipal Operations Department ("MOD") will allow one (1) 6-inch lateral connecting to the City's 15-inch sewer main along Via Lido to serve the site, provided that the proposed project incorporate four 4-inch wastewater laterals (2 on each side of the building) separating the residential and commercial uses.

*Owner confirms one (1) 6-inch lateral will be used and that the City shall own and maintain the 6 inch wastewater lateral from the 15-inch sewer main to the sewer cleanout, to be located on the public side of the property line. In addition, the Association will be responsible to maintain all remaining water and sewer facilities.*

- 2) Per the above mentioned letter, the property will be professionally managed by an Association. Therefore, the said Association will be considered the "Owner" of the property as it relates to the domestic water, fire water, and wastewater billing.

*This letter shall serve as confirmation that all utilities located in the Common Area will be the maintenance responsibility of the Association. Declarant (Bayfront Holdings, LP) is the owner in fee simple of the property. Declarant intends to establish a plan of condominium ownership where the term "Association Maintenance Manual" refers to the manual which will be prepared by Declarant or its consultants and provided to the Association, specifying obligations for maintenance of the Common Area and Association Property.*

*Common Area refers collectively to the (i) the Residential Common Area, and (ii) the Commercial Common Area. Any Utility Facilities serving more than one Unit wherever located are a part of Common Area, as will be shown on the Condominium Plan. The term "Utility Facilities" means all utility facilities including intake and exhaust systems, storm and sanitary*

*sewer systems, drainage systems, ducting systems for ventilation and utility services, domestic water systems, natural gas systems, heating and cooling systems, electrical systems, fire protection systems, and all other utility systems and facilities reasonably necessary to service an Improvement situated in, on, over and under the Project.*

*The Association shall have a non-exclusive easement over the Common Area for performing its duties and exercising its power described in the Governing Documents, and for performing repairs or maintenance of the Common Area.*

- 3) The Public Works and Municipal Operations Departments have no jurisdiction on private property. All private property inquiries shall be directed to the Building Department.

*Confirmed*

- 4) The MOD offers either Option A or Option B relating to water service installation.

*Owner has elected for Option B and understands that the size of meter shall be subject to the uniform plumbing and fire code.*

- ~~5) Comment noted~~

- 6) To ensure the Modification or Waiver will not be materially detrimental to the residents or tenants of the property or surrounding properties, provide documentation regarding the Association's responsibility and maintenance programs. Furthermore, the city will allow for one fire service connection to the building, which may have multiple owners in the future, with the understanding that the Association will be responsible for all fees and maintenance associated with the system. The fire line shall be protected with a Double Check Detector Assembly, at the expenses of the property owner. Once construction is complete, the City will own the fire line from the main up to the front side of the Double Detector Assembly, as well as the meter that is on the assembly. The Association shall be responsible and maintain the Double Check Detector Assembly and remaining water facilities.

*Please see response above in item #2 regarding Association responsibilities. Owner hereby confirms ownership and maintenance obligations as outlined.*

If you have any questions, please feel free to contact me at 949 838-0011.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Montgomery". The signature is stylized with a large, looped initial "M" and a trailing flourish.

Matt Montgomery

cc: David Keely, City of Newport Beach  
Sieglinde Pukke, S+D



# CITY OF NEWPORT BEACH

## PUBLIC WORKS DEPARTMENT

Stephen G. Badum, Director

March 15, 2011

Via email: [mm@marshallllc.com](mailto:mm@marshallllc.com)

Matt Montgomery  
Marshall Property & Development  
7040 Scholarship Irvine  
California, 92612

RE: Plan Check No. 2377-2010 – 3388 Via Lido

Dear Mr. Montgomery,

This letter is in response to your letter dated March 8, 2011, where your firm is requesting utilities waivers under Section 19.64.080 (Modification or Waiver of Conversion). Per the meeting between Municipal Operations Department and Public Works Department staff, see the following responses below:

1. The Municipal Operations Department will allow one 6-inch lateral connecting to the City's 15-inch sewer main along Via Lido to serve the site, provided that the proposed project incorporate four 4-inch wastewater laterals (2 on each side of the building), separating the residential and commercial uses. Once construction is complete, the City shall own and maintain the 6-inch wastewater lateral from the 15-inch sewer main to the sewer cleanout, to be located on the public side of the property line. The Association shall be responsible and maintain all remaining wastewater facilities.
2. Per the above mentioned letter, the property will be professionally managed by an Association. Therefore, the said Association will be considered the "Owner" of the property as it relates to the domestic water, fire water and wastewater billing.
3. The Public Works and Municipal Operations Departments have no jurisdiction on private property. All private property inquiries shall be directed to the Building Department.
4. The Municipal Operations Department offers the following options for the water service:

Option A: Each unit, including residential units, shall have an individual water service with a corresponding above ground Reduced Pressure Backflow

Assembly, at the cost of the property owner. Once construction is complete, the City shall own and maintain the water service from the 12-inch main up to the front side of each Reduced Pressure Backflow Assemblies, including water meters. The Association shall be responsible and maintain all Reduced Pressure Backflow Assemblies and remaining water facilities.

Option B: One large compound meter and corresponding above ground Reduced Pressure Backflow Assembly shall be installed within the existing utilities easement and connect to six sub-meters installed on private property, all at the cost of the property owner. Once construction is complete, the City shall own and maintain the water service from the 12-inch water main to the front side of the Reduced Pressure Backflow Assembly, including the compound meter. The Association shall own and maintain the Reduced Pressure Backflow Assembly and all remaining water facilities.

The City highly recommends Option A, however, if your firm so chooses to proceed with Option B, please be advised of some potential issues that may arise:

- If for any reason the Association is unable to pay the water bill in a timely manner, the City will be forced to shut off the city-owned compound meter, thereby shutting off water to all units on property.
- If a request is submitted for the City to shut off the water to fix a leak on property, the City will shut off the city-owned compound meter, thereby shutting off water to all units on property.
- If future owners desire to have a separate water service and meter, it shall be the Association's responsibility to apply for a new service with the Public Works Department via the Encroachment Permit process and bear all cost associated with the permit and work.

**Please provide a written response as to how your firm chooses to proceed with the water service installation.**

5. Comment noted.

6. To ensure that the Modification or Waiver will not be materially detrimental to the residents or tenants of the property or surrounding properties, provide documentation regarding the Association's responsibilities and maintenance programs.

Furthermore, the City will allow for one fire service connection to the building, which may have multiple owners in the future, with the understanding that the Association will be responsible for all fees and maintenance associated to this system. The fire line shall be protected with a Double Check Detector Assembly, at the expense of the property owner. Once construction is complete, the City will own the fire line from the main up to the front side of the Double Check Detector Assembly, as well as the meter that is on the assembly. The Association shall be responsible and maintain the Double Check Detector Assembly and remaining water facilities.

Should you have any questions you can reach me by email [kcho@newportbeachca.gov](mailto:kcho@newportbeachca.gov)  
or by phone (949) 644-3014.

Sincerely,

A handwritten signature in black ink, appearing to read 'K Cho', written in a cursive style.

Kathryne Cho  
Junior Engineer

cc: David Keely, Senior Civil Engineer (Public Works)  
George Murdoch, General Manager (Municipal Operations Department)

**MARSHALL**  

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**PROPERTY & DEVELOPMENT**

March 8, 2011

[Via email: kcho@newportbeachca.gov](mailto:kcho@newportbeachca.gov)

Kathryne Cho  
Junior Engineer  
City of Newport Beach  
3300 Newport Blvd  
Newport Beach, CA 92658-8915

RE: Plan Check No. 2377-2010 – 3388 Via Lido

Dear Cho:

This letter shall serve as a request for consideration under Section 19.64.080 (Modification or Waiver of Conversation) relating to the sewer requirements of the above reference project. The following outlines a basis for consideration to maintain one (1) main sewer line connection to the City.

1. Although the existing structure will remain, all sewer and wastewater lines will consist of new materials, including a new public sewer connection. Our design proposal is to incorporate two (2) sewer lines on each side of the building, separating the residential from the commercial. This would provide a total of four (4) new sewer lines. All lines would then converge to one lateral sewer line connecting to the City's sewer main. Overall, this proposal lessens the burden of having one (1) sewer line on each side of the servicing both uses, as originally designed.
2. The property will be professionally managed by an Association, allowing for a consistent maintenance program. All utilities within the Association property will be the responsibility of the Association.
3. Multiple utilities will be located in the parking area causing design constraints within the property. Attached, please find an exhibit showing the parking area and the multiple utilities within this limited area. Please note that the rectangle box depicted in the middle of the exhibit is an existing electrical vault. You will note that a conflict exist between the proposed waterlines and the vault. This conflict will be corrected by our engineers.
4. Based on the above site constraints we also would ask the City to consider our request to install one (1) backflow preventer between the water main and the six (6) water meters located in the center planter along Via Lido.
5. Introducing additional sewer lines increases the risk of leaks.
6. And lastly, the waiver will not be materially detrimental to the residents or tenant of the property or surrounding properties.

Thank you for your consideration. If you would like to meet to review the above, please feel free to give me a call at 949 838-0011.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Montgomery". The signature is fluid and cursive, with a large, stylized "M" and "G" at the end.

Matt Montgomery

cc: David Keely, City of Newport Beach  
Sieglinde Pukke, S+D

**Attachment No. ZA 3**

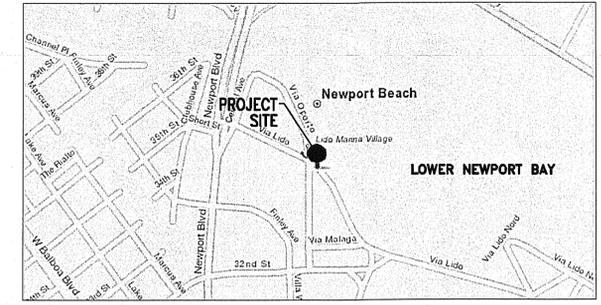
Tentative Parcel Map

# TENTATIVE PARCEL MAP 2011-105

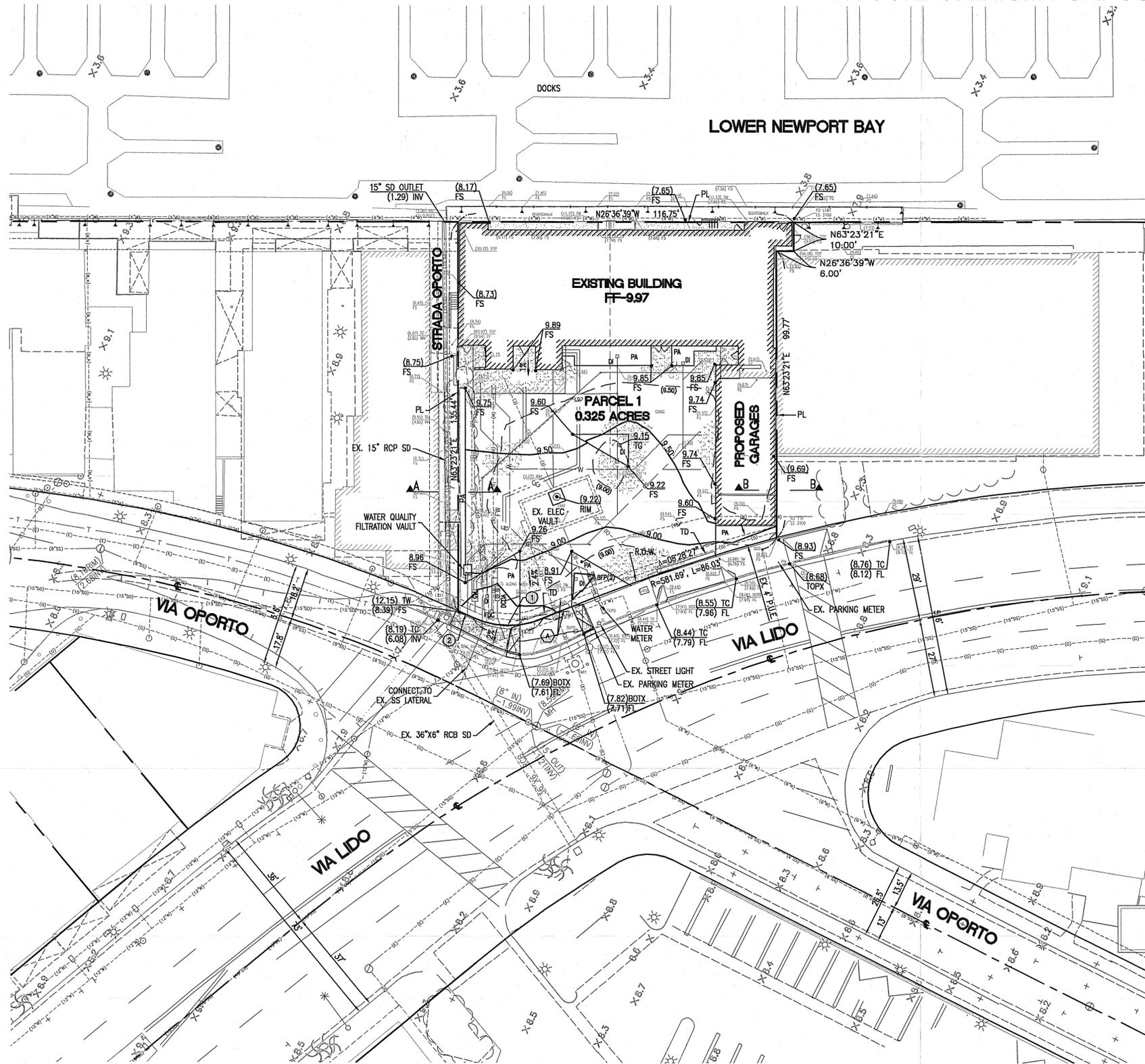
## 3388 VIA LIDO

### CITY OF NEWPORT BEACH

#### FOR CONDOMINIUM PURPOSES



VICINITY MAP  
N.T.S.



#### PROPERTY INFORMATION

SITE ADDRESS: 3388 VIA LIDO, NEWPORT BEACH, CA 92663  
 TOTAL GROSS ACREAGE: 0.325 ACRES  
 APN: 423-123-09  
 ZONING DISTRICT: MU-W2, MIXED-USE WATER RELATED

LEGAL DESCRIPTION:  
 PARCEL 1, AS SHOWN ON A MAP FILED IN BOOK 60, PAGE 43 OF  
 PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF  
 ORANGE COUNTY

#### EASEMENT NOTES:

EXISTING:  
 (A) AN EASEMENT FOR PUBLIC UTILITIES

#### ABBREVIATIONS

- CB CATCH BASIN
- CL CENTERLINE
- DI DRAINAGE INLET
- DRWY DRIVEWAY
- DW DOMESTIC WATER
- E EAST OR ELECTRICAL
- ELEC ELECTRICAL
- ESMT EASEMENT
- EX EXISTING
- FF FINISHED FLOOR
- FH FIRE HYDRANT
- FL FLOWLINE
- FS FINISHED SURFACE
- FW FIRE PROTECTION WATER
- G GAS
- INVERT
- N NORTH
- PA PLANTER AREA
- PL PROPERTY LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- R RADIUS
- S SOUTH
- SCD SEWER CLEANOUT
- SD STORM DRAIN
- SS SANITARY SEWER
- TC TOP OF CURB
- TD TRENCH DRAIN
- W WATER OR WEST
- WQ WATER QUALITY BMP

#### CURVE TABLE

	Δ	RADIUS	LENGTH
1	48°30'46"	30.00'	25.40'
2	00°36'48"	508.00'	5.44'

#### BUILDING SETBACKS

FRONT: 4 FEET  
 SIDE: 0 FEET  
 REAR: 10 FEET (EXISTING BUILDING ENCROACHES)

#### BUILDING HEIGHT

EXISTING NON-CONFORMING HEIGHT = 60'-0"  
 EXISTING NON-CONFORMING ELEVATOR OVERRIDE HEIGHT = 63'-10"

#### FLOOD ZONE INFORMATION

THE FLOOD ZONE DESIGNATION IS:  
 ZONE 'X' (AREAS OF 0.2% ANNUAL CHANCE FLOOD);  
 AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE  
 DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE  
 AREAS LESS THAN 1 SQ. MILE; AND AREAS PROTECTED  
 BY LEVEES FROM 1% ANNUAL CHANCE FLOOD)

COMMUNITY PANEL NO. 0605900381J  
 LAST REVISED DECEMBER 3, 2009

#### OWNER

BAYFRONT HOLDINGS, L.P.  
 9500 TOLEDO WAY #110  
 IRVINE, CA 92618

#### DEVELOPER

MARSHALL PROPERTY & DEVELOPMENT, LLC  
 7040 SCHOLARSHIP  
 IRVINE, CA 92612  
 PHONE: (949) 838-0011  
 CONTACT: MATTHEW MONTGOMERY

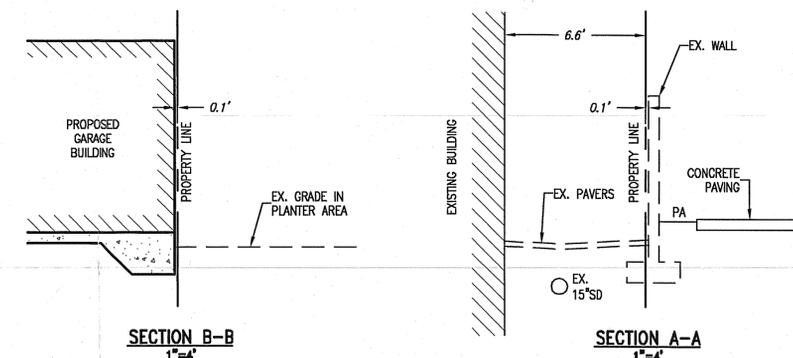
#### UTILITY PURVEYORS

AGENCY	TELEPHONE
CITY UTILITIES DEPT. (WATER, SEWER & STREET LIGHTING)	949.844.3011
SOUTHERN CALIFORNIA EDISON	800.855.4555
COX CABLE	949.720.2020
TIME WARNER CABLE	888.892.2253
CITY GENERAL SERVICES DEPT. (REFUSE COLLECTION & RECYCLING)	949.844.3066

RECEIVED BY  
 PLANNING DEPARTMENT

JUN 07 2011

CITY OF NEWPORT BEACH



SECTION B-B  
1"=4'

SECTION A-A  
1"=4'



SCALE: 1" = 20'



PLANS PREPARED BY:  
 C&W CONSULTING, INC.  
 18 TECHNOLOGY, SUITE 104  
 IRVINE, CALIFORNIA 92618  
 T. 949.700.0000  
 F. 949.700.0005  
 CIVIL ENGINEERING  
 LAND PLANNING & SURVEYING  
 CWC-INC.NET

REV.	DATE	DESCRIPTION	BY	CHK.	APPR.
<b>CITY OF NEWPORT BEACH</b>					
<b>DEPARTMENT OF PUBLIC WORKS</b>					
<b>APPROVAL</b>					
DESIGN	<b>3388 VIA LIDO</b>				
SAC	<b>TENTATIVE PARCEL MAP</b>				
OWN.					
SAC					
CHK.					
DAVID WEBB, CITY ENGINEER					DATE
R.C.E. _____ EXP. DATE _____					DWG. NO.

DATE PLOTTED: 06/07/2011 10:40:58 AM; PLOTTER: HP DesignJet 2450; PLOT SCALE: 1"=20'; PLOT SHEET: 1 OF 1



COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663  
(949) 644-3200 Fax: (949) 644-3229  
[www.newportbeachca.gov](http://www.newportbeachca.gov)

**ZONING ADMINISTRATOR ACTION LETTER**

**Application No.**                    **Minor Use Permit No. UP2011-017  
(PA2011-102)**

**Applicant**                         **Jessica Fougner – Le Pain Quotidien**

**Site Address**                    **1103 A Newport Center Drive, Fashion Island Shopping  
Center**

**Legal Description**            **Parcel 3 of Lot Line Adjustment (LLA) 2009-001**

On **June 29, 2011**, the Zoning Administrator approved the following: A minor use permit to allow alcoholic beverage service (Type 41, On-Sale Beer and Wine) in conjunction with a new specialty bakery/restaurant which will occupy a currently vacant retail space (3,382 gross square feet) and will include one outdoor dining patio (820 gross square feet) within the Fashion Island Shopping Center pursuant to the PC-56 (North Newport Center Planned Community) District regulations. The proposed hours of operation are 7:00 a.m. until 10:00 p.m. Monday through Wednesday, 7:30 a.m. until 11:00 p.m. Thursday through Saturday, and 8:00 a.m. until 10:00 p.m. on Sunday. The subject site is located in the PC-56 (North Newport Center Planned Community, Fashion Island sub-area) District. The Zoning Administrator's approval is based on the following required findings and subject to the following conditions.

**FINDINGS**

- A. **Finding:** *The project has been reviewed, and it qualifies for a categorical exemption pursuant to Section 15303 of the California Environmental Quality Act under Class 3 (New Construction or Conversion of Small Structures) of the Implementing Guidelines of the California Environmental Quality Act.*

**Facts in Support of Finding**

- A-1. The Class 3 exemption includes conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The proposed project will convert a previously retail tenant space located in an existing building within the Fashion Island Shopping Center to a specialty bakery/restaurant with an outdoor dining patio area. The existing tenant space will be remodeled with approval of a tenant improvement building permit that will include minor modifications to the existing storefront.

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

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

**Facts in Support of Finding**

- B-1. The project has been reviewed and conditioned to ensure that the purpose and intent of Section 20.48.030 (Alcohol Sales) of the Zoning Code is maintained and that a healthy environment for residents and businesses is preserved. The service of specialty beer and organic wine products is intended for the convenience of customers dining at the specialty bakery/restaurant. Operational conditions of approval recommended by the Police Department relative to the sale of alcoholic beverages will ensure compatibility with the surrounding uses and minimize any alcohol related impacts.

In accordance with Section 20.52.020.F of the Newport Beach Municipal Code, the following findings and facts in support of the findings for a use permit are set forth:

- C. **Finding:** *The use is consistent with the General Plan and any applicable specific plan;*

**Facts in Support of Finding**

- C-1. The General Plan land use designation for the Fashion Island Shopping Center is CR (Regional Commercial), which is intended to provide retail, entertainment, service and supporting uses that serve local and regional residents. The project is a specialty bakery/restaurant within the shopping center which will serve a selection of specialty beers and organic wines as part of the dining menu. This use is consistent with the General Plan CR (Commercial Regional) designation, which allows eating and drinking establishments as a commercial use.
- C-2. The project is similar to currently operating establishments within the shopping center with outdoor patios, no late hours and alcohol sales as part of the dining experience, and it will be compatible with the land uses permitted within the shopping center and surrounding area.
- C-3. The subject property is not part of a specific plan area.
- D. **Finding:** *The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code;*

**Facts in Support of Finding**

- D-1. The project site is located within the Fashion Island sub-area of the North Newport Planned Community (PC-56) Zoning District. Pursuant to Section II.A.1., Table 1 of the North Newport Center Planned Community District Regulations, the proposed specialty bakery/restaurant is an eating and drinking establishment use that is permitted by right within the Fashion Island sub-area. On-site alcohol sales are allowed in conjunction with this restaurants subject to with approval of a minor use permit by the Zoning Administrator.
- E. **Finding:** *The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity;*

**Facts in Support of Finding**

- E-1. The project site is located within an existing, vacant retail tenant space within the Fashion Island Shopping Center. The tenant space will be designed and developed for use as an eating and drinking establishment. The design, size, and operating characteristics both inside the facility and within the outdoor dining patio area will be similar to other eating and drinking facilities in the shopping center, and will be compatible with the surrounding uses within the shopping center.
- E-2. The proposed hours of operation and alcohol sales for the specialty bakery/restaurant will be 7:00 a.m. until 10:00 p.m. Monday through Wednesday, 7:30 a.m. until 11:00 p.m. Thursday through Saturday, and 8:00 a.m. until 10:00 p.m. on Sunday. A retail sales counter area will be located near the front of the facility. Wait staff will serve breakfast, lunch, and dinner within the indoor dining area and outdoor dining patio. Sales of alcohol will be in conjunction with the operation of the indoor dining area and outdoor dining patio areas.
- E-3. The operational conditions of approval recommended by the Police Department relative to the sale of alcoholic beverages (Attachment ZA-2 Police Department Report) have been included in the required conditions of approval, and will ensure compatibility with the surrounding uses and minimize alcohol related impacts.
- E-4. The project has also been conditioned to comply with the California Building Code, all requirements of the Alcoholic Beverage Control Department, and Health Department to ensure the safety and welfare of customers and employees within the establishment.
- F. **Finding:** *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities; and*

**Facts in Support of Finding**

- F-1. The project will be located within an existing, vacant retail tenant space on the second level within the Fashion Island Shopping Center facing a courtyard and near an escalator and stairway to the ground level. The tenant space will be redesigned and developed for use as an eating and drinking establishment. The design and size of the space, and operating characteristics both inside the facility and within the outdoor dining patio area will be similar to other eating and drinking facilities in the shopping center, and will be compatible with the surrounding retail and restaurant uses within the shopping center.
- F-2. Adequate public and emergency vehicle access, public services, and utilities are available within and provided to the tenants of the Fashion Island Shopping Center.
- F-3. The design of the tenant improvements proposed will comply with all Building, Public Works, and Fire Codes, and will be approved by the Orange County Health Department.
- G. **Finding:** *Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

**Facts in Support of Finding**

- G-1. The project, located within the Fashion Island Shopping Center, has been reviewed and includes conditions of approval to ensure that potential conflicts with the surrounding land uses are minimized to the greatest extent possible (see Conditions of Approval and Attachment ZA-2: Police Department Report). The operator is required to take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance within the facility, adjacent properties, or surrounding public areas, sidewalks, or parking lots of the shopping center, during business hours, if directly related to the patrons of the establishment surrounding residents.
- G-2. Due to its location within the Fashion Island Shopping Center, a regional shopping destination, the project will serve residents of the City of Newport Beach as well as visitors to the City.
- G-3. The on-site consumption of alcoholic beverages will be incidental to the specialty bakery/restaurant use. The quarterly gross sales of alcoholic beverages will not exceed the gross sales of food during the same period, per the conditions of approval. Alcoholic beverage service will be under the supervision of LEAD-trained employees.

- G-4. The use authorized by this permit is not a bar, tavern, cocktail lounge, nightclub or an establishment where live entertainment, recreational entertainment or dancing is provided. Prohibition of these uses or activities will minimize potential land use conflicts, nuisances and police intervention.
- G-5. The Fashion Island Shopping Center provides adequate parking within the surface parking lots and parking structures on site for the proposed project.
- G-6. The proposed use complies with the development standards for the North Newport Center Planned Community District. The proposed conditions of approval ensure that any potential conflicts with surrounding land uses are eliminated or minimized to the greatest extent possible.

#### CONDITIONS OF APPROVAL

1. The project shall be in substantial conformance with the approved site plan, floor plans, and elevations, except as noted below.
2. 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.
3. Any change in operational characteristics, expansion in area, or other modification to the approved plans, shall require an amendment to this Use Permit or the processing of a new Use Permit.
4. A copy of this approval letter including the findings and conditions shall be blue lined into the approved sets of plans.
5. The interior space of the specialty bakery/restaurant shall be limited to a gross floor area of 3,382 square feet. The outdoor dining area shall be used in conjunction with the related adjacent food establishment and shall be limited to a maximum floor area of 820 gross square feet.
6. The type of alcoholic beverage license issued by the California Board of Alcoholic beverage Control shall be a Type 41 in conjunction with the service of food as the principal use of the facility.
7. The hours of operation for the specialty bakery/restaurant including alcohol sales shall be limited to the following: 7:00 a.m. to 10:00 p.m., Monday through Wednesday, 7:30 a.m. to 11:00 p.m. Thursday through Saturday, and Sunday 8:00 a.m. to 10:00 p.m.
8. All activities within the outdoor dining area, including cleanup activities, shall cease at the specified closing hour and no later. Any increase in the hours of

operation shall be subject to the approval of an amendment to this Use Permit and may be subject to approval by the Zoning Administrator or Planning Commission.

9. Approval of this Use Permit (UP2011-017) for alcohol sales in conjunction with an eating and drinking establishment does not permit the premises to operate as a bar, tavern, cocktail lounge or nightclub as defined by the Municipal Code, unless a subsequent use permit is approved which supersedes this approval.
10. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
11. Food from the full service menu must be made available during any "happy hour" type of reduced price alcoholic beverage promotion. There shall be no reduced price alcoholic beverage promotion after 9:00 p.m.
12. Food service from the regular menu must be available to patrons up to thirty (30) minutes before the scheduled closing time.
13. Service of alcoholic beverages on the outdoor patio shall be restricted to waiter/waitress service and only to patrons seated at a table.
14. The outdoor patio shall be enclosed by a minimum 42 inch high planter/barrier wall with a secured gate for egress only.
15. All owners, managers and employees selling alcoholic beverages shall undergo and successfully complete a certified training program in responsible methods and skills for selling alcoholic beverages. The certified program must meet the standards of the California Coordinating Council on Responsible Beverage Service or other certifying/licensing body, which the State may designate. The establishment shall comply with the requirements of this section within 180 days of the issuance of the certificate of occupancy. Records of each owner's, manager's and employee's successful completion of the required certified training program shall be maintained on the premises and shall be presented upon request by a representative of the City of Newport Beach.
16. The alcoholic beverage outlet operator shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks and areas surrounding the alcoholic beverage outlet and adjacent properties during business hours, if directly related to the patrons of the subject alcoholic beverage outlet. If the operator fails to discourage or correct nuisances, the Zoning Administrator may review, modify or revoke this Use Permit in accordance with Chapter 20.68 of the Zoning Code.

17. A security plan shall be submitted for review to the Police Department and shall be approved prior to final of the building permits, unless the security plan is deemed not necessary by the Police Department.
18. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use will be cause for revocation of the Permit.
19. Should the alcohol license be transferred or the business be sold or otherwise come under different ownership, any future license holders, operators, owners, or assignees shall be notified in writing of the conditions of this approval by either the current licensee, business operator, business operator, or the leasing company. Future licensees, operators or assignees shall submit, within 30 days of transfer of the alcohol license, a letter to the Planning Division acknowledging their receipt and acceptance of the limitations, restrictions and conditions of approval of this Use Permit (UP2011-017, PA2011-102).
20. The applicant and/or operator shall not share any profits or pay any percentage or commission to a promoter or any other person based upon monies collected as a door charge, cover charge, or any other form of admission charge, including minimum drink orders or the sale of drinks.
21. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records, which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. These records shall be kept no less frequently than on a quarterly basis and shall be made available to the police Department on demand.
22. The applicant shall obtain sales tax registration and a business tax certificate shall be obtained prior to opening of the establishment.
23. There shall be no dancing and/or live entertainment allowed on the premises at any time.
24. No games or contests requiring or involving the consumption of alcoholic beverages shall be permitted.
25. No event by an outside entity or promoter shall be conducted within this facility unless in conjunction with the service of food.
26. Any event or activity staged by an outside promoter or entity, where the applicant, operator, owner or his employees or representatives share in any profits, or pay any percentage or commission to a promoter or any other person based upon money collected as a door charge, cover charge or any other form of admission charge is prohibited.

27. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.
28. Strict adherence to maximum occupancy limits is required.
29. The applicant shall post and maintain a professional quality sign (clearly visible on an outdoor patio gate/barrier), which designates the specific area where patrons may consume alcoholic beverages. The posted sign shall read, "no alcoholic beverages may be taken beyond this point."
30. There shall be no exterior advertising or signs of any kind, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
31. No temporary signs including, but not limited to "sandwich" signs or balloons shall be permitted, either on-site or off-site, to advertise the proposed food establishment, unless specifically permitted in accordance with the provisions of the North Newport Center Planned Community (PC-56) sign standards or Chapter 20.42 (Sign Standards) of the Zoning Code. Temporary signs shall be prohibited in the public right-of-way, unless otherwise approved by the Public Works, Department in conjunction with the issuance of an encroachment permit or encroachment agreement.
32. All proposed signs shall be in conformance with the provisions of the North Newport Center Planned Community (PC-56) sign standards or Chapter 20.42 (Sign Standards) of the Zoning Code.
33. The operator of the facility shall be responsible for the control of noise generated by the subject facility. Pre-recorded music may be played in the interior and patio dining areas, provided exterior noise levels outlined below are not exceeded. The noise generated by the proposed use shall comply with the provision of Chapter 10.26 of the Newport Beach Municipal Code. The maximum noise shall be limited to no more than depicted below for the specified time periods unless the ambient noise level is higher:

Location	Between the hours of 7:00AM and 10:00PM		Between the hours of 10:00PM and 7:00AM	
	Interior	Exterior	Interior	Exterior
Residential Property	45dBA	55dBA	40dBA	50dBA
Residential Property located within 100 feet of a commercial	45dBA	60dBA	45dBA	50dBA

property				
Mixed Use Property	45dBA	60dBA	45dBA	50dBA
Commercial Property	N/A	65dBA	N/A	60dBA

34. A covered wash-out area for refuse containers and kitchen equipment, with minimum useable area dimensions of 36-inches-wide by 36-inches-deep by 72-inches-high (6 feet), shall be provided inside the facility or outside of the tenant space in a readily accessible area within a portion of the screened area. If the wash-out area is provided outside of the tenant space, the enclosure shall have a raised curb or wall and closeable sides to contain the wash water generated by the use of the washout area. The wash-out area shall drain directly into the sewer system, unless otherwise approved by the Building Department and Public Works Department in conjunction with the approval of an alternative drainage plan. The washout area shall be specifically shown on the construction drawings submitted for building permits.
35. A grease collection device is required and shall be approved by the Building Division. The facility shall comply with the provisions of Chapter 14.30 of the Newport Beach Municipal Code for commercial kitchen grease disposal.
36. The project shall obtain Orange County Health Department approval prior to obtaining building permits.
37. Public sanitation facilities shall be available to the general public (patrons) during regular business hours of the operation, unless otherwise approved by the Building Department.
38. The area outside the establishment, including any public sidewalks or walkways or common walkways, shall be maintained in a clean and orderly manner. The operator of the food service establishment shall be responsible for the clean-up of all on-site and off-site trash, garbage, and litter generated by the use.
39. Trash receptacles for patrons shall be conveniently located both inside and outside of the proposed facility; however, they shall not be located on or within any public property or right-of-way.
40. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m., unless otherwise approved by the Planning Director in conjunction with an established delivery schedule.
41. All trash shall be stored within the building or within the dumpster provided for the convenience of businesses in the area or otherwise screened from view of neighboring properties, except when placed for pick-up by refuse collection agencies. The trash dumpster shall have a solid top, which shall remain closed

at all times, except when being loaded or while being collected by the refuse collection agency.

42. The applicant shall ensure that the trash dumpsters and/or receptacles are maintained to control odors. This may include the provision of either fully self-contained dumpsters or periodic steam cleaning of the dumpsters, if deemed necessary by the Planning Department. Cleaning and maintenance of trash dumpsters shall be done in compliance with the provisions of Title 14; including all future amendments (including Water Quality related requirements).
43. The applicant is required to obtain all applicable permits from the City Building and Fire Departments. The construction plans must comply with the most recent, City-adopted version of the California Building Code.
44. All exits shall remain free of obstructions and available for ingress and egress at all times. The facility shall be designed to meet exiting and fire protection requirements as specified by the California Building Code and shall be subject to review and approval by the Building Division.
45. All mechanical equipment (including roof-top equipment) shall be screened from view of adjacent properties and adjacent public streets and shall be sound attenuated in accordance with Chapter 10.26 of the Newport Beach Municipal Code, Community Noise Control, and shall comply with the height limitations of the designated Zoning District of the subject site.
46. The project construction plans shall comply with all applicable State Disabilities Access requirements. Tables and chairs for the outdoor dining shall not encroach into the required handicap access area specified on the approved detailed seating plan.
47. The project shall comply with the latest California Building Code requirements and tenant improvement plans shall be submitted to the Building Division as a part of the plan check review process to obtain all appropriate permits.
48. Prior to the issuance of Building permits, all fees assessed by the City in conjunction with the project shall be paid.
49. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
50. 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.

51. This Use Permit may be modified or revoked by the Zoning Administrator upon a finding of failure to comply with the conditions set forth in Chapter 20.48 of the Municipal Code, other applicable conditions and regulations governing the food establishment, or should they determine 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.
52. Use Permit No. UP2010-017 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 Zoning Code, unless an extension is otherwise granted.
53. 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 **Le Pain Quotidien Minor Use Permit including, but not limited to, Use Permit No. UP2011-017 (PA2011-102)**. 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.

## **PUBLIC NOTICE**

Notice of this application was mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant and posted on the subject property at least 10 days prior to the decision date, consistent with the provisions of the Municipal Code.

**APPEAL PERIOD:** Modification Permit applications do not become effective until 14 days after the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code. Tentative Parcel Map, Condominium Conversion, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach

Municipal Code. For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

By:   
\_\_\_\_\_  
Jaime Murillo, Zoning Administrator

JM/ks

Attachments: ZA-1 Vicinity Map  
ZA-2 Police Department Report  
ZA-3 Photos  
ZA-4 Plans

# **Attachment No. ZA 1**

Vicinity Map

## VICINITY MAP



Minor Use Permit No. UP2011-017  
PA2011-102

**1103 A Newport Center Drive**

**Attachment No. ZA 2**  
Police Department Report

**City of Newport Beach  
Police Department**

**M e m o r a n d u m**

June 2, 2011

**TO:** Kay Sims, Assistant Planner

**FROM:** Detective Bryan Moore

**SUBJECT:** Le Pain Quotidien, 1103 Newport Center Drive, Suite A, Use Permit No. UP2011-017 (PA2011-102).

At your request, the Police Department has reviewed the project application for *Le Pain Quotidien*, located at 1103 Newport Center Drive, Suite A, Newport Beach. The applicant requests a minor use permit to allow the on-site sale of alcohol from a specialty bakery within Fashion Island. The proposed specialty bakery is an eating and drinking establishment use that is permitted by right within the Fashion Island sub-area of the North Newport Center Planned Community.

The applicant will be applying for a Type 41 (Beer and Wine – Eating Place) license with the Department of Alcoholic Beverage Control.

I have included a report prepared by Crime Analyst Paul Salenko that provides detailed statistical information related to calls for service in and around the applicant's place of business. This report indicates that this location is within an area where the number of crimes is 131.90% higher than the average of all reporting districts in the City. This location is also within an RD that is over the Orange County per capita of ABC licenses.

**Applicant History**

Le Pain Quotidien is an environmentally-conscious restaurant with locations in 16 countries, including twelve locations in southern California. Le Pain Quotidien was started in 1990 in Brussels, Belgium, and offers specialty breads, pastries, sandwiches, soups and salads. They also include a limited selection of organic wine and beer. Le Pain Quotidien is a privately owned company that promotes responsible business practices that benefit the community and the environment.

**Police Activities and Calls for Service Data**

There was no notable police related activity at this location in the past year.

**Recommendations**

The Police Department has no objections to a proposed eating and drinking establishment at this location. We believe that the recommended conditions will

be sufficient to mitigate the issuance of an additional beer and wine license in this area.

**Signs and Displays**

Any signs or displays would need to conform to City requirements. There shall be no exterior advertising or signs of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs, which are clearly visible to the exterior, shall constitute a violation of this condition.

**Hours of Operation**

The proposed hours of operation are from 12 p.m. to 10 p.m., daily. These hours are consistent with other similar facilities in Fashion Island.

**Security**

The building and surrounding area is patrolled by Fashion Island Security.

**Employee Training**

Require all owners, managers, and employees selling alcoholic beverages to undergo and successfully complete a certified training program in responsible methods and skills for serving and selling alcoholic beverages.

**Additional Comments**

For the purposes of this application, staff may also want to consider establishing conditions that would require a Special Event Permit. A Special Event Permit may be required for any event or promotional activity outside the normal operational characteristics of the proposed operation. For example, events likely to attract large crowds, events for which an admission fee is charged, events that include any form of contract promoters, or any other activities as specified in the Newport Beach Municipal Code to require such permits.

**Other Recommended Conditions**

In addition, the Police Department has determined that the following conditions would be appropriate for the conditional use permit for the business:

1. Approval does not permit the premises to operate as a bar, tavern, cocktail lounge or nightclub as defined by the Newport Beach Municipal Code, unless the Planning Commission first approves a Use Permit.
2. No alcoholic beverages shall be consumed on any property adjacent the licensed premises under the control of the licensee.
3. Food from the full service menu must be made available during any "happy hour" type of reduced price alcoholic beverage promotion. There shall be no reduced price alcoholic beverage promotion after 9 p.m.

4. Petitioner shall not share any profits or pay any percentage or commission to a promoter or any other person based upon monies collected as a door charge, cover charge, or any other form of admission charge, including minimum drink orders or the sale of drinks.
5. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records, which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. These records shall be kept no less frequently than on a quarterly basis and shall be made available to the Police Department on demand.
6. There shall be no on-site radio, television, video, film or other electronic media broadcasts, including recordings to be broadcasted at a later time, which include the service of alcoholic beverages, without first obtaining an approved Special Event Permit issued by the City of Newport Beach.
7. There shall be no live entertainment allowed on the premises.
8. There shall be no dancing allowed on the premises.
9. No games or contests requiring or involving the consumption of alcoholic beverages shall be permitted.
10. Food service from the regular menu must be available to patrons up to thirty (30) minutes before the scheduled closing time.
11. Strict adherence to maximum occupancy limits is required.

**Alcoholic Beverage Control License**

Upon approval of the CUP, the ABC license will be conditioned as necessary to maintain the health, safety and welfare of the Community.

If you have any questions, please contact me at (949) 644-3725.



Detective Bryan Moore  
ABC Liaison/Vice/Intelligence



Craig Fox, Captain  
Detective Division Commander

# City of Newport Beach

## Police Department

### Memorandum

June 2, 2011

**TO:** Kay Sims, Assistant Planner

**FROM:** Paul Salenko, Crime Analyst

**SUBJECT:** Alcohol Related Statistics

At your request, our office has reviewed police services data for the **Le Pain Quotient at 1103 #A, Newport Center Drive**. This area encompasses our reporting district (RD) number 39 as well as part of Census Tract 630.08. This report reflects **City of Newport Beach** crime data for calendar year 2010, which is the most current data available.

#### Calls for Service Information

City wide there were approximately 65,807 calls for police services during this time, of which 5,067 were in RD39. A "call for service" is, *any contact of the police department by a citizen which results in the dispatching of a unit or causes the contacted employee to take some sort of action*, such as criminal investigations, alarm responses, traffic accidents, parking problems, and animal control calls, etc.

#### Crime Information

There were 5,845 crimes reported to the Newport Beach Police Department during this period. Of this total, 2,756 were Part One Crimes. Part One crimes are the eight most serious crimes (*Homicide, forcible Rape, Robbery, Aggravated Assault, Burglary, Larceny-theft, Auto Theft and Arson*) as defined by the FBI in the Uniform Crime Reports. The remaining 3,089 were Part Two crimes. The Part One crime rate for the entire city during this same period was 3,191.81 per 100,000 people. The national Part One crime rate was 3,465.52\* per 100,000 people.

Crimes	RD 39	Newport Beach	California*	National*
Part 1	178	2,884	1,184,073	10,639,369
Part 2	115	3,350	N/A	N/A
Part 1 Crime Rate	19,454.43	3,297.31	3,203.52	3,465.52

**The number of active ABC licenses in this RD is 47\*\***

**Per capita ratio 1 license for every 19 residents.**

This reporting district had a total of 352 reported crimes as compared to a City wide reporting district average of 152 reported crimes. This reporting district is 200 crimes over or 131.90% above the City wide reporting district average. This location is within an RD that is over the Orange County per capita average of ABC licenses\*\*.

### Arrest Information

There were 40 DUI arrests and 19 Plain Drunk arrest in this area during this same period as compared to 1,272 for the entire city. This RD amounts to 4.64% of the DUI/Drunk arrests made in the entire City. According to a recent national study by the Department of Justice, more than 36% of adult offenders convicted of crimes in 2009 had been drinking at the time of their arrest.

<b>Arrests (DUI/Drunk)</b>	<b>RD 39</b>	<b>Newport Beach</b>	<b>California*</b>	<b>National*</b>
	59	1,272	324,442	2,095,731
<b>Total Arrests</b>	<b>164</b>	<b>3,595</b>	<b>1,474,004</b>	<b>13,687,241</b>

### Additional Information

The Alcoholic Beverage Outlets ordinance states that the Planning Commission shall consider the crime rate in the adjacent reporting districts. The two adjacent reporting districts you requested are RD 44 and RD 43

<b>Crimes</b>	<b>RD 44</b>	<b>RD 43</b>
<b>Part 1</b>	130	29
<b>Part 2</b>	107	14
<b>Crime Rate</b>	2,205.93	2,580.83
<b>Arrests (DUI/Drunk)</b>	63	15
<b>Total Arrests</b>	163	33
<b>Calls For Service</b>	4,329	776
<b>Number of active ABC licenses</b>	27**	7**
<b>Per capita ratio<sup>1</sup> license for every</b>	218* residents	161* residents.

**Note:** It is important to remember that when dealing with small numbers any change greatly affects any percentage changes.

The population figure used for the Crime Rate was 86,252.

\*These numbers are from the 2009 Uniform Crime Reports, which is the most recent edition.

\*\*The **number of active ABC licenses** is the total of all types of licenses known to the police department as of the date of this document. As of June 30, 2009 the Orange County average of active, retail ABC licenses was 1 license for every 542 residents. (5,589 licenses and a population of 3,026,786)

If you are in need of any further assistance, please contact me at (949) 644-3791.

Paul Salenko  
Crime Analysis Unit

# **Attachment No. ZA 3**

Photos





**Attachment No. ZA 4**  
Plans





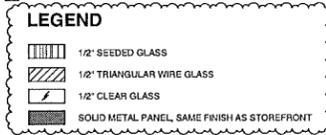
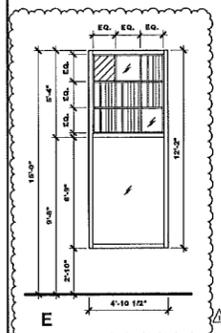
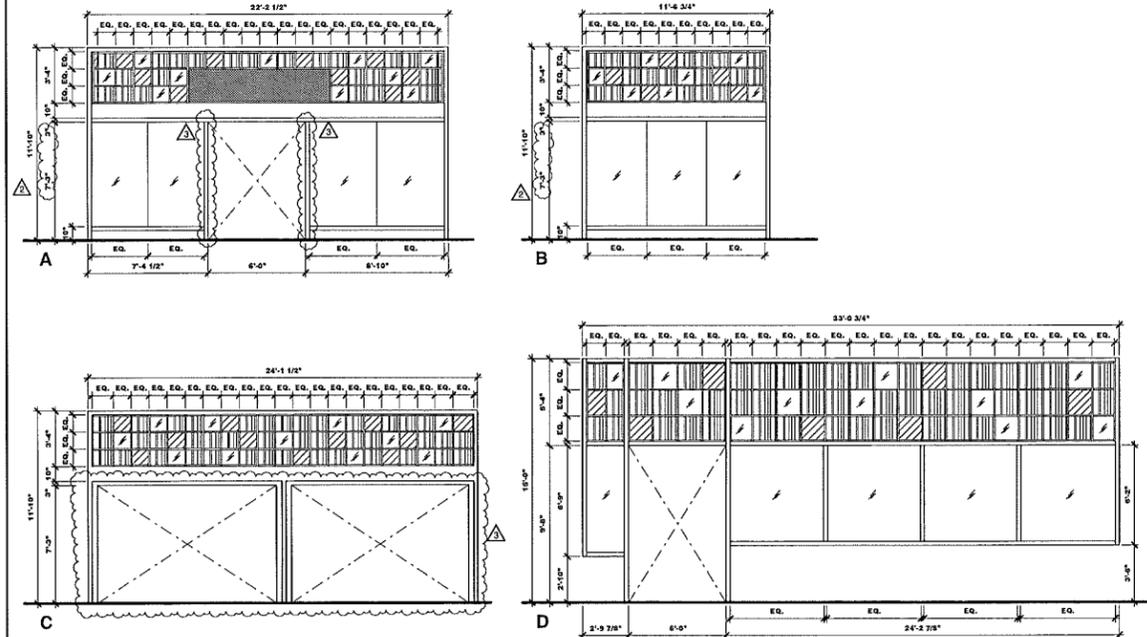


RESPONSIBILITY SCHEDULE

CONTRACT REQUIREMENTS	EXG	LL	T.G.C.	TE-NANT	NA	REMARKS
BIDDING						AS REQUIRED
LICENSES						AS REQUIRED (STATE & LOCAL)
PERMIT AND FEES	EXG					FILE BY THE G.C. PICKED UP BY THE G.C. FEES FOR T.O. BY G.C. BILL AS CHANGE ORDER
PERMITS/FEES/TAXES						FILE BY THE G.C. PICKED UP BY THE G.C. FEES FOR T.O. BY G.C. BILL AS CHANGE ORDER
CERTIFICATE OF INSURANCE						
PRE-CONSTRUCTION	EXG					
HAZARDOUS MATERIAL ABATEMENT						
DEMOLITION / CARTING						LL TO DELIVER VANILLA SHELL. GC IS RESPONSIBLE TO VERIFY DELIVERED CONDITIONS PRIOR TO CONSTRUCTION. NOTIFY ARCHITECT AND OWNER IF ANY ISSUE AND DISCREPANCY.
BARICADE						LL IS RESPONSIBLE AT TENANT'S EXPENSE GC TO COORDINATE IF NEEDED
TEMPORARY TELEPHONE / FAX						
TEMPORARY POWER / LIGHTS						LL to provide power source with a fall fee of \$300 to the job site. GC to include in pricing and be responsible for connections.
GENERAL	EXG					
CONTRACTOR SUBLIST						G.C. TO SUBMIT TO TENANT CONTACT
CLEANING, TRASH REMOVAL DURING PROJECT						AS REQUIRED
FIRE PROOFING						G.C. TO PROVIDE MAINTAIN ALL RATINGS AS REQUIRED FOR NEW CONSTRUCTION
FIRE EXTINGUISHERS						INSTALL AT LOCATIONS AS DIRECTED BY FIRE MARSHAL. (LOCATE EVERY 75 MN)
COORDINATE & SCHEDULE ALL TRADES						AS REQUIRED
ON-SITE SUPERVISION						100% OF PROJECT
TRAVEL, PHONE CALLS, LOGGING / MEALS						AS REQUIRED
FINAL CLEAN UP READY FOR OCCUPANCY						G.C. TO CLEAN SPACE INTO MOVE IN CONDITIONS
CERTIFICATE OF OCCUPANCY						G.C. TO SUBMIT TO TENANT CONTACT
FLOOR CONSTRUCTION	EXG					
COMPACTED FILL						
GRAVEL BASE						
VAPOR BARRIER						
CONCRETE SLAB						PATCH & REPAIR AS REQD. G.C. TO INSTALL NEW INFILLS AS INDICATED PER PLAN (FLUSH W/ EXIST)
EXPANSION JOINTS						
SLAB PREPARATION						PATCH & REPAIR AS REQUIRED, PROVIDE WATERPROOFING PER DETAILS
WATER PROOF MEMBRANE						IF APPLICABLE
POURED FLOORING / LEVELER						REFER TO DETAILS
CONDUIT TRENCHING / CORE DRILLING						MIN. (6") CONDUITS TO ALL CASHWRAPS LOCATIONS
CONCRETE PATCHING						AS REQUIRED
CALCIUM CHLORIDE MOISTURE TEST						
SLAB MOISTURE SEALING						
DEMISING PARTITIONS	EXG					
FIRE PROOFING / FIRE STOPPING						T.G.C. TO MAINTAIN AS REQUIRED PER CODE
METAL STUDS / BLOCK						T.G.C. TO MAINTAIN AS REQUIRED PER CODE
MASONRY						PATCH AND REPAIR EXISTING AS REQD
INSULATION						PATCH AS REQUIRED TO MAINTAIN REQUIRED "R" VALUES IF REQUIRED
GYPSUM BOARD						PROTECT/REPAIR DURING CONSTRUCTION
TAPING & SPACKLING						PATCH AND REPAIR AS REQD. TO MATCH EXISTING JOINTS FOR FINISH SCHEDULE. PROVIDE SEAL LANGUAGE GC TO PROVIDE PROTECTIVE TAPING LOCATIONS PER FLOOR PLAN. INSTALL LIP/ZIP/DOOR REFER TO F.L.R. PLAN A-2.1 & DOOR SCHED A-2.5
SERVICE / EXIT DOORS						
INTERIOR PARTITIONS	EXG					
METAL STUDS						SEE SHEET A-2.1
GYPSUM BOARD						PROVIDE WATER RESISTANT GYP. NO. AT ALL "WET" LOCATIONS. PROVIDE 5/8" TREATED PLYNG IN ALL WCMW WALL BEHIND GYP.
TAPING & SPACKLING						AS REQUIRED
INTERIOR GYP. BD WALLS						SEE CONSTRUCTION PLAN, SHEET A-2.1
RESTROOM WALLS						SEE CONSTRUCTION PLAN, SHEET A-2.1
LINSTRUT						AS REQUIRED
STRAPPING & BLOCKING						AS REQUIRED
WOOD & METAL GROUND						AS REQUIRED
INSULATION						AS REQUIRED
FIRE PROOFING						AS REQUIRED
OVEN ROOM GLAZED WALLS						
TAPING & SPACKLING						AS REQUIRED
DOORS, FRAMES AND HARDWARE						SEE SHEET A-2.1 & A-0.5
ENTRY VESTIBULE & PASS THRU MLLWORK WALLS						PROVIDED BY TENANT'S MLLWORK VENDOR
SOUND ATTENUATION						REFER TO SHEET A-2.1
STOREFRONT DOORS & WINDOWS	EXG					
STOREFRONT WINDOW GLAZING & FRAMING SYSTEM						
STOREFRONT DOOR, GLAZING FRAME, AND HARDWARE						
STOREFRONT SIGN						G.C. TO COORDINATE INSTALLATION WITH SIGN VENDOR. FINAL ELECTRICAL CONNECTION BY G.C.
STOREFRONT GOOSENECK LIGHTS (LAMP BODIES)						G.C. TO COORDINATE INSTALLATION WITH SIGN VENDOR.
OUTDOOR TABLES & CHAIRS						NEW OUTDOOR FURNITURE BY TENANT'S MLLWORK CONTRACTOR
SIGNAGE	EXG					
NON-ILLUMINATED SIGNS						
EMPLOYEE AND ROOM IDENTIFICATION PLATES						COORDINATE TYPE AND LOCATION WITH TENANT
CEILING	EXG					
GYPSUM BOARD - REST ROOMS						REFER TO CEILING PLAN
ACOUSTICAL CEILING @ KITCHEN & REST ROOM						REFER TO CEILING PLAN
OPEN DECK @ DINING AREA, OVEN ROOM						G.C. TO CLEAN AND SEAL EXIST. CEILING STRUCTURE. IF NOT ALREADY SEALED. PROVIDE SCREW VINYL ON THE UNDERSIDE OF INSULATION AND JOISTS PRIOR TO PAINTING.
INSULATION						IN REST ROOM WALL GO TO PATCH AND REPAIR EXISTING CEILING INSULATION AS REQD.
BLOCKING						FIRE RETARDANT, IF REQUIRED BY CODE
GYP. BD. AT ENTRY VESTIBULE						REFER TO CEILING PLAN
ACCESS PANELS/DOORS						REQUIRED FOR ALL EQUIPMENT, ELECTRICAL AND PLUMBING. COORDINATE WITH CEILING AND MECHANICAL PLANS & MLLWORK SHOP.
SOFFIT AT PASS THRU WALL						REFER TO CEILING PLAN & ELEVATIONS
FIRE STOPPING						SEAL ANY AND ALL PENETRATIONS AS REQUIRED. MAINTAIN ALL RATINGS
DOORS AND FRAMES	EXG					
STOREFRONT DOORS						G.C. TO CLEAN AS NECESSARY & PROTECT DURING CONSTRUCTION
REAR EGRESS DOORS						SEE DOOR SCHEDULE
OVEN ROOM DOUBLE DOORS						SEE DOOR SCHEDULE
OFFICE DOOR						SEE DOOR SCHEDULE
TRASH ROOM DOOR						SEE DOOR SCHEDULE
REST ROOM DOOR(S)						SEE DOOR SCHEDULE
BACK OF HOUSE DOORS						SEE DOOR SCHEDULE
WALL/FLOOR BUMPERS						FOR ALL DOORS
FLOORS	EXG					
FLOOR TRANSITIONS						SEE SHT. A-3.1 FOR DETAILS
EPOXY FLOORING						SEE FINISH SCHEDULE & FINISH FLOOR PLAN FOR LOCATION. INSTALL PER MANUFACTURER'S RECOMMENDATIONS
WOOD FLOORING						SEE FINISH SCHEDULE & FINISH FLOOR PLAN FOR LOCATION. INSTALL PER MANUFACTURER'S RECOMMENDATIONS
VINYL COMPOSITION TILE (VCT)						
PORCELAIN TILE FLOORING						SEE FINISH SCHEDULE & FINISH FLOOR PLAN FOR LOCATION. INSTALL PER MANUFACTURER'S RECOMMENDATIONS
CONCRETE FLOOR						G.C. TO CLEAN AND REMOVE ANY GLUE. PATCH AND REPAIR AS REQD.
TILE FLOORING IN FRONT OF STOREFRONT - BETWEEN STOREFRONT AND WALL EXTERIOR PAVERS						"LIP" - OWNER TO PROVIDE. G.C. TO DO TAKE OFF AND INSTALL.
WALLS & BASE	EXG					
VINYL BASE						SEE FINISH SCHEDULE
MARLETE (POP PANELS)						SEE FINISH SCHEDULE
PAINTING	EXG					
ALL DRYWALL						AS REQUIRED
MASONRY WALLS						IF REQUIRED IN STOCK ROOM
ACOUSTICAL CEILING						UNDERSIDE OF BUSPENDED SPECIALTY CANOPY
PLASTER/DRYWALL CEILING(S)						AS REQUIRED, SEE FINISH PLANS SHEET A-3.1 AND A3.2
DRYWALL PATCH AND SOFFITS						AS REQUIRED
VENTIAN PLASTER						SEE FINISH PLAN AND SCHEDULE
SPECIALTY	EXG					
KITCHEN STAR						
SLIDING DOORS						SEE DOOR SCHEDULE
TRIM/MOLDING						SEE FINISH SCHEDULE & ELEVATIONS
FIXTURE / FURNISHINGS	EXG					
BAKERY COUNTER / BAR AREA MLLWORK						SHOP DRAWINGS REQUIRED FOR APPROVAL. PROVIDE SHOP DRAWING & INSTALLATION. FURNISHED BY TENANT'S MLLWORKER. INSTALLED BY G.C. COORDINATE WITH TENANT'S MLLWORKER ON ALL ELECTRICAL REQUIRED AT BAKERY COUNTER
POS STATIONS						SEE FLOOR PLAN FOR LOCATIONS
RETAIL MERCHANDISE UNIT						FURNISHED BY TENANT'S MLLWORK VENDOR AND INSTALLED BY G.C.
BANQUETTES						FURNISHED BY TENANT'S MLLWORK VENDOR AND INSTALLED BY G.C.
FIXTURE / FURNISHINGS	EXG					
TABLES & CHAIRS						SEE FIXTURE PLAN FOR LOCATION
COMMUNAL TABLES						SEE FIXTURE PLAN FOR LOCATION
EXPO COUNTER						SEE FIXTURE PLAN FOR LOCATION
KITCHEN EQUIPMENT (REFRIGERATORS, OVENS, RANGE, ETC)						SEE FIXTURE PLAN FOR LOCATION. FINAL CONNECTION / WEP HOOK UP BY G.C.
STORAGE SHELVING						SEE FIXTURE PLAN FOR LOCATION
WALKIN BENCHES						SHOP DRAWINGS REQUIRED FOR APPROVAL. PROVIDE SHOP DRAWING & INSTALLATION. FINAL CONNECTIONS / WEP HOOK UP BY G.C.
WORK TABLES						SEE FIXTURE PLAN FOR LOCATION
DISH WASHING STATION						SEE FIXTURE PLAN FOR LOCATION
BREAK TABLE AND CHAIR						SEE FIXTURE PLAN FOR LOCATION
POS SYSTEMS & PRINTERS						SEE FIXTURE PLAN FOR LOCATION
MENU BOARDS/CHALK BOARDS						SEE FIXTURE PLAN FOR LOCATION
SAFE AT MANAGER'S OFFICE						SEE FIXTURE PLAN FOR LOCATION
BLACK BOX						SEE FIXTURE PLAN FOR LOCATION
TRASH/RECYCLING CANS						SEE FIXTURE PLAN FOR LOCATION
LAUNDRY BIN						SEE FIXTURE PLAN FOR LOCATION
EMPLOYEE COAT RACK						SEE FIXTURE PLAN FOR LOCATION
MECHANICAL	EXG					
MAIN TRUNK DUCTWORK						MODIFY AS INDICATED
HVAC UNITS/EQUIPMENT						SEE MECHANICAL DRAWINGS
DUCTWORK BRANCH LINES						MODIFY AS INDICATED
DAMPERS, DIFFUSERS, GRILLES						MODIFY AS INDICATED
HVAC CONTROLS						REINSTALL OR INSTALL NEW AT NEW LOCATIONS
BALANCE SYSTEM & SUPPLY REPORT						
EXHAUST PENETRATIONS, DUCT & FANS						SEE "M" SHEET FOR LOCATIONS & SCOPE
SMOKE DETECTORS (MECH-SYSTEM) (THERMOSTATS)						AS REQUIRED BY CODE
HOOD & ANGLE FILTERS						OWNER TO PROVIDE AND HANG HOOD. GC TO DO ALL CONNECTIONS. CHANGE FILTERS AT START AND END OF CONSTRUCTION.
ELECTRICAL	EXG					
SERVICE TO PREMISES - CONDUIT						CUT/EXTEND AS REQD.
SERVICE TO PREMISES - WIRE						
METER / METER BASE						
WIRING						SEE ELECTRICAL SHEETS FOR ALL REQUIRED EQUIPMENT
FLOOR DATA / RECEPTACLES						
FLOOR DATA / RECEPTACLE COVERS						
ELECTRICAL EQUIPMENT						REF. ELECTRICAL DWGS
TELEPHONE / DATA CONDUIT TO PREMISES / WIRE						LL TO PROVIDE CONDUIT TO PREMISES. GC TO PROVIDE WIRING. SEE ELECTRICAL DRAWINGS
TELEPHONE / DATA WIRE IN PREMISES / WIRE						GC TO PROVIDE CONDUIT AND WIRING / TERMINATE WITH DIRECTION OF OWNER
FINAL CONNECTION OF DATA LINES AT TERMINATION POINTS						GC TO PROVIDE CONDUIT AND WIRING / TERMINATE WITH DIRECTION OF OWNER
"P" BOX FOR TELEPHONE / DATA TERMINATION						
TELEPHONE / DATA FACE PLATE						
LIGHT FIXTURES						SEE SHEET A-1 AND ELECTRICAL DRAWINGS
EXTR-EMERGENCY LIGHTS						SEE SHEET A-1 AND ELECTRICAL DRAWINGS
SECURITY SYSTEMS - CHECKPOINT - WIRE FEED AND HOOKUP						GC TO PROVIDE CONDUIT AND PULL STRING AS REQUIRED. OWNER VENDOR TO INSTALL, WIRING AND TERMINATE. GC TO COORDINATE.
MUSIC SYSTEMS						
WALL LIGHT SWITCH / RECEPTACLES COVER PLATES						
LAMPS						
PA SYSTEM						
SIGN CONNECTION(S)						
CLOUTED CIRCUIT TELEVISION (C.T.V.) WIRING						GC TO PROVIDE CONDUIT AND PULL STRING AS REQUIRED. OWNER VENDOR TO INSTALL, WIRING AND TERMINATE. GC TO COORDINATE.
CABLE TELEVISION WIRE TO AND IN PREMISES						
UNDERGROUND CONDUIT(S)						
STOREFRONT SIGNAGE						UNDER SEPARATE PERMIT. LL APPROVAL PROCESS REQUIRED
FIRE PROTECTION	EXG					
SPRINKLER MAIN TO PREMISES						
SPRINKLER BRANCH LINES/ DROPS/HOS						
FIRE ALARM SYSTEM						USE LL VENDOR
FIRE EXTINGUISHERS						TO MEET CODE. INSTALL AS DIRECTED BY FIRE MARSHAL
SMOKE DETECTORS						TO MEET CODE
SHOP DRAWINGS FOR PERMIT						IF REQUIRED
PLUMBING	EXG					
SANITARY WASTE TO PREMISES						CUT/EXTEND AS REQD.
DOMESTIC SUPPLY TO PREMISES						CUT/EXTEND AS REQD.
VENT PIPES TO PREMISES						CUT/EXTEND AS REQD.
SUPPLY, VENT, WASTE PIPING						
WATER HEATER(S) / INSTANT						
FLOOR MOP SINK						
FIXTURES / EQUIPMENT						
ACCESSORIES						
FLOOR DRAIN						AS REQUIRED
DRIVE/VOID FOUNTAIN						
CONCRETE WORK AND UNDERGROUND PIPING						
POST CONSTRUCTION	EXG					
FINAL CLEANUP READY FOR OCCUPANCY						
CERTIFICATE OF OCCUPANCY						

PLUMBING	EXG	LL	T.G.C.	TE-NANT	NA	REMARKS
SANITARY WASTE TO PREMISES						CUT/EXTEND AS REQD.
DOMESTIC SUPPLY TO PREMISES						CUT/EXTEND AS REQD.
VENT PIPES TO PREMISES						CUT/EXTEND AS REQD.
SUPPLY, VENT, WASTE PIPING						
WATER HEATER(S) / INSTANT						
FLOOR MOP SINK						
FIXTURES / EQUIPMENT						
ACCESSORIES						
FLOOR DRAIN						AS REQUIRED
DRIVE/VOID FOUNTAIN						
CONCRETE WORK AND UNDERGROUND PIPING						
POST CONSTRUCTION	EXG					
FINAL CLEANUP READY FOR OCCUPANCY						
CERTIFICATE OF OCCUPANCY						
KEYED NOTES						
<p>EXG - EXISTING T.G.C. - TENANT GENERAL CONTRACTOR                      LL - LANDLORD G.C. - GENERAL CONTRACTOR                      F - FURNISH I - INSTALL                      REQD - REQUIRED NA - NOT APPLICABLE</p>						
<p>NOTE:                      THE RESPONSIBILITY SCHEDULE IS INTENDED TO BE USED AS A GUIDE ONLY, AND IS NOT ALL-INCLUSIVE. ALL PERSONS BIDDING WORK OR CONTRACTED FOR WORK ARE TO REVIEW THESE DOCUMENTS, THE LANDLORD CRITERIA AND THE EXCLUDED LEASE AGREEMENT, IN THEIR ENTIRETY. ALL ADDITIONAL MATERIALS, EQUIPMENT, LABOR, ETC.                      ANY ADDITIONAL ROOF PENETRATIONS MUST BE PERFORMED BY LANDLORD'S ROOFING CONTRACTOR AT TENANT'S EXPENSE (PLUMBING VENTS, ETC.) TENANT IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS. TENANT IS RESPONSIBLE FOR MAINTAINING INTEGRITY OF ALL FIRE RATED PARTITIONS. SUSPENSE FROM STRUCTURE IS UNACCEPTABLE. IF LOADS EXCEED CAPACITY OF EXISTING BARICADE A TENANT NAME BY LANDLORD. TENANT MAY PROVIDE BAR</p>						

WINDOW TYPES



**NOTE**  
 A. STOREFRONT DISPLAY CLEAR GLASS WILL CONSIST OF 1/2\"/>

WINDOW SCHEDULE

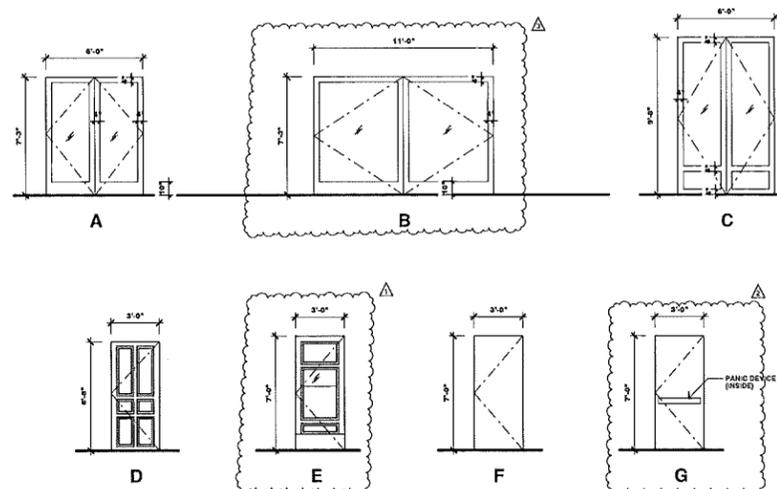
TYPE	SIZE			QUANTITY	DESCRIPTION	FRAME	FINISH	GLAZING	HARDWARE	REMARKS
	WIDTH	HEIGHT	THICK							
A	22'-2 1/2"	11'-10"	3"	1	STEEL FRAMED STOREFRONT	STEEL	RUST COLOR STEEL	SEE WINDOW TYPES FOR INFO		STEEL FINISH: HOT ROLL STEEL, SAND DOWN ANY HOT SPOT. USE SEALER AUTOMOTIVE CLEAR FLATTENER ADDITIVE (MORE MATTE THAN SHINY)
B	11'-6 3/4"	11'-10"	3"	1	STEEL FRAMED STOREFRONT	STEEL	RUST COLOR STEEL	SEE WINDOW TYPES FOR INFO		STEEL FINISH: HOT ROLL STEEL, SAND DOWN ANY HOT SPOT. USE SEALER AUTOMOTIVE CLEAR FLATTENER ADDITIVE (MORE MATTE THAN SHINY)
C	24'-0 1/4"	11'-10"	SEE ENLARGED PLAN	1	STEEL FRAMED STOREFRONT	STEEL	RUST COLOR STEEL	SEE WINDOW TYPES FOR INFO		STEEL FINISH: HOT ROLL STEEL, SAND DOWN ANY HOT SPOT. USE SEALER AUTOMOTIVE CLEAR FLATTENER ADDITIVE (MORE MATTE THAN SHINY)
D	33'-0 3/4"	15'-0"	3"	1	STEEL FRAMED STOREFRONT	STEEL	RUST COLOR STEEL	SEE WINDOW TYPES FOR INFO		STEEL FINISH: HOT ROLL STEEL, SAND DOWN ANY HOT SPOT. USE SEALER AUTOMOTIVE CLEAR FLATTENER ADDITIVE (MORE MATTE THAN SHINY)
E	4'-10 1/2"	12'-2"	3"	1	STEEL FRAMED STOREFRONT	STEEL	RUST COLOR STEEL	SEE WINDOW TYPES FOR INFO		STEEL FINISH: HOT ROLL STEEL, SAND DOWN ANY HOT SPOT. USE SEALER AUTOMOTIVE CLEAR FLATTENER ADDITIVE (MORE MATTE THAN SHINY)

NOTE: SHOP DRAWINGS FOR ARCHITECTS REVIEW

HARDWARE SCHEDULE

HARDWARE SET	ITEM	QUANTITY	MANUFACTURER	MODEL NO.	FINISH	REMARKS	
TYPE "1"	HINGES	1 1/2 PAIR	STANLEY	FBB191 - FULL MORTISE	SATIN BRONZE OIL RUBBED	HINGE SIZE IS DEPENDENT ON SIZE AND WEIGHT OF DOOR	
	LOCKSET	1	FALCON	D871	SATIN BRONZE OIL RUBBED	DEAD BOLT LOCK	
	KICK PLATE	1	DON-JO	DJ-90 8X30	SATIN BRONZE OIL RUBBED		
	PUSH PLATE	1	DON-JO	DJ-70	SATIN BRONZE OIL RUBBED	SEE NOTES/ ELEVATIONS FOR FULL MOUNTING REQUIREMENTS	
	PULL PLATE	1	DON-JO	DJ-7011	SATIN BRONZE OIL RUBBED		
	CLOSER	1	LCN	LCN 1070 SERIES	SATIN BRONZE OIL RUBBED	MUST CONFORM TO ADA DOOR SETTING REQUIREMENTS	
	DOOR STOP	1	STANLEY	DOMESTOP - FLOOR MOUNTED	SATIN BRONZE OIL RUBBED	STOP SIZE IS DEPENDENT ON SIZE AND UNDERCUT OF DOOR	
TYPE "2"	SILENCER	3	YVES	SR64 - METAL FRAME	SATIN BRONZE OIL RUBBED		
	HINGES	1 1/2 PAIR	STANLEY	FBB191 - FULL MORTISE	SATIN STAINLESS STEEL	HINGE SIZE IS DEPENDENT ON SIZE AND WEIGHT OF DOOR	
	LOCKSET	1	FALCON	D871	SATIN BRONZE OIL RUBBED	DEAD BOLT LOCK	
	STRIKE	1	FALCON	D/N 030106-000-70	SATIN BRONZE OIL RUBBED		
	LEVER	1	CORBIN RUSSWIN	AZD - ARMSTRONG	SATIN BRONZE OIL RUBBED	SEE NOTES/ ELEVATIONS FOR FULL MOUNTING REQUIREMENTS	
	LATCH	1	CORBIN RUSSWIN	STANDARD - SQUARE CORNER FLAT	SATIN BRONZE OIL RUBBED		
	STRIKE	1	CORBIN RUSSWIN	STANDARD - CURVED LIP	SATIN BRONZE OIL RUBBED		
TYPE "3"	CLOSER	1	LCN	LCN 1070 SERIES	SATIN BRONZE OIL RUBBED	MUST CONFORM TO ADA DOOR SETTING REQUIREMENTS	
	DOOR STOP	1	STANLEY	DOMESTOP - FLOOR MOUNTED	SATIN BRONZE OIL RUBBED	STOP SIZE IS DEPENDENT ON SIZE AND UNDERCUT OF DOOR	
	SILENCER	3	YVES	SR64 - METAL FRAME	GRAY		
	HINGES	4				CONTINUOUS PIANO HINGE AT BI-FOLD DOORS, GC TO SUBMIT SPEC FOR APPROVAL	
	DOOR PULL	2				PULLS AT BI-FOLD DOOR, GC TO SUBMIT SPEC FOR APPROVAL, MUST BE CLEANABLE	
	TYPE "4"	HINGES	1 1/2 PAIR	STANLEY	FBB191 - FULL MORTISE	SATIN STAINLESS STEEL	HINGE SIZE IS DEPENDENT ON SIZE AND WEIGHT OF DOOR
		LOCKSET	1	CORBIN RUSSWIN	CL3957	BHMA 626 - SATIN CHROMIUM PLATED	OFFICE FUNCTION
LEVER		1	CORBIN RUSSWIN	AZD - ARMSTRONG	BHMA 626 - SATIN CHROMIUM PLATED	SEE NOTES/ ELEVATIONS FOR FULL MOUNTING REQUIREMENTS	
LATCH		1	CORBIN RUSSWIN	STANDARD - SQUARE CORNER FLAT	BHMA 626 - SATIN CHROMIUM PLATED		
STRIKE		1	CORBIN RUSSWIN	STANDARD - CURVED LIP	BHMA 626 - SATIN CHROMIUM PLATED		
DEADBOLT		1	CORBIN RUSSWIN	DL3000	BHMA 626 - SATIN CHROMIUM PLATED		
CLOSER		1	LCN	LCN 1070 SERIES	STAINLESS STEEL		
TYPE "5"	SILENCER	3	YVES	SR64 - METAL FRAME	GRAY		
	HINGES	1 1/2 PAIR	STANLEY	FBB191 - FULL MORTISE	SATIN NICKEL FINISH	HINGE SIZE IS DEPENDENT ON SIZE AND WEIGHT OF DOOR	
	KICK PLATE	1	DON-JO	DJ-90 8X30	SATIN NICKEL FINISH	OFFICE FUNCTION	
	PUSH PLATE	1	DON-JO	DJ-70	SATIN NICKEL FINISH	SEE NOTES/ ELEVATIONS FOR FULL MOUNTING REQUIREMENTS	
	PULL PLATE	1	DON-JO	DJ-7011	SATIN NICKEL FINISH		
	CLOSER	1	LCN	LCN 1070 SERIES	SATIN NICKEL FINISH		
	DOOR STOP	1	STANLEY	DOMESTOP - FLOOR MOUNTED	SATIN NICKEL FINISH		

DOOR TYPES



DOOR SCHEDULE

NO.	DESCRIPTION	TYPE	REMARKS	FINISH	TRANS. DETAIL	HEAD/JAMB	HARDWARE & ACCESSORIES
1	ENTRY/EXIT	A	(2) 3'-0" X 7'-3" WITH 1/2" TEMP. CLEAR GLASS STEEL FRAME AND DOOR TO MATCH STOREFRONT FINISH. PROVIDE SIGN FOX THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED.	PUSH: MATCH STOREFRONT FINISH PULL: MATCH STOREFRONT FINISH	01/A8.3	07/A8.3	1. INSIDE DOOR PUSH: MANUFACTURER - "BRASS ACCENTS" BAI-A06-P0240-613 - BRASS ACCENTS DOOR PUSH PLATE - 3" X 12" (OIL RUBBED BRONZE) 2. OUTSIDE DOOR PULL: MANUFACTURER - "BRASS ACCENTS" BAI-A06-P0241-613 - BRASS ACCENTS DOOR PULL & PLATE - 3" X 12" (OIL RUBBED BRONZE) 3. HINGES/LOCKSET/KICK PLATE/CLOSER/DOOR STOP SILENCER: SEE HARDWARE SCHEDULE TYPE 1
2	ENTRY (QTY: 2 PAIRS)	B	(2) 5'-6" X 7'-3" DOUBLE DOOR, WITH 1/2" TEMP. CLEAR GLASS STEEL FRAME DOUBLE DOOR, STEEL FRAME AND DOOR TO MATCH STOREFRONT FINISH.	PUSH: MATCH STOREFRONT FINISH PULL: MATCH STOREFRONT FINISH	01/A8.3	07/A8.3	1. PANIC HARDWARE ON EACH DOOR - SPEC: T.B.D. DARK FINISH 2. SELF CLOSER 3. OUTSIDE DOOR PULL: MANUFACTURER - "BRASS ACCENTS" BAI-A06-P0241-613 - BRASS ACCENTS DOOR PULL & PLATE - 3" X 12" (OIL RUBBED BRONZE) 3. HINGES/LOCKSET/KICK PLATE/CLOSER/DOOR STOP SILENCER: SEE HARDWARE SCHEDULE TYPE 1
3	OVEN ROOM DOOR	C	6'-0" X 9'-8" WITH 1" TEMP. CLEAR GLASS DOUBLE DOOR, STEEL FRAME AND DOOR TO HAVE CLEAR COAT OF PAN STEEL	RUST COLOR STEEL FINISH SEE DESCRIPTION OF STOREFRONT IN THE WINDOW SCHEDULE	04/A8.3	SIM. 07/A8.3	1. INSIDE DOOR PUSH: MANUFACTURER - "BRASS ACCENTS" BAI-A06-P0240-613 - BRASS ACCENTS DOOR PUSH PLATE - 3" X 12" (OIL RUBBED BRONZE) 2. OUTSIDE DOOR PULL: MANUFACTURER - "BRASS ACCENTS" BAI-A06-P0241-613 - BRASS ACCENTS DOOR PULL & PLATE - 3" X 12" (OIL RUBBED BRONZE) 3. HINGES/LOCKSET/KICK PLATE/CLOSER/DOOR STOP SILENCER: SEE HARDWARE SCHEDULE TYPE 1
4	KITCHEN DOOR	E	0'-1 3/4" X 3'-0" X 7'-0" DUAL ACTION SWING WOOD FRAME, DOOR, HARDWARE AND WOOD TRIM TO BE PROVIDED BY MILLWORKER AND INSTALLED BY GC.	PUSH: P2 DOOR, P2 FRAME PULL: P2 DOOR, P2 FRAME	05/A8.3	12/A8.1	DOOR PROVIDED BY MILLWORKER, INSTALLED BY GC. DOOR MUST HAVE NO LATCH NOR CLOSER.
5	LOCKERS DOOR	F	0'-1 3/4" X 3'-0" X 7'-0" HOLLOW METAL DOOR, 2" METAL FRAME	PUSH: P2 DOOR, P2 FRAME PULL: P2 DOOR, P2 FRAME	08/A8.3	08/A8.1	HARDWARE TYPE 5
6	OFFICE DOOR	F	0'-1 3/4" X 3'-0" X 7'-0" HOLLOW METAL DOOR, 2" METAL FRAME	PUSH: P2 DOOR, P2 FRAME PULL: P2 DOOR, P2 FRAME	08/A8.3	08/A8.1	HARDWARE TYPE 5 - PROVIDE KEY ENTRY - THUMBTURN DEADBOLT - FINISH: SATIN NICKEL
7	ELECTRICAL ROOM DOOR	F	0'-1 3/4" X 3'-0" X 7'-0" HOLLOW METAL DOOR, 2" METAL FRAME	PUSH: P2 DOOR, P2 FRAME PULL: P2 DOOR, P2 FRAME	08/A8.3	08/A8.1	HARDWARE TYPE 5
8	ELECTRICAL ROOM/ SERVICE DOOR	EXISTING	EXISTING DOOR TO REMAIN AS IS. (E) 1-HOUR FIRE RATING TO REMAIN	PUSH: P2 DOOR, P2 FRAME PULL: P2 DOOR, P2 FRAME	(E)	(E)	(E) GC TO EXAMINE HARDWARE CONDITION. REPLACE OR REPAIR AS REQUIRED. PANIC HARDWARE REQ'D.
9	RESTROOM DOOR	EXISTING	EXISTING DOOR TO REMAIN AS IS. (E) 1-HOUR FIRE RATING TO REMAIN	PUSH: P2 DOOR, P2 FRAME PULL: P2 DOOR, P2 FRAME	(E)	(E)	DOOR CLOSER, REPLACE HARDWARE AS REQUIRED
10	EXIT DOOR	G	(E) DOOR TO REMAIN, REPAINT	PUSH: P2 DOOR, P2 FRAME PULL: MATCH (E) CORRIDOR FINISHES	09/A8.3	(E)	GC TO EXAMINE HARDWARE CONDITION. REFINISH/ REPLACE AS REQUIRED. KICK PLATE: TYPE 5. PANIC HARDWARE REQ'D.
11	RESTROOM DOOR	D	0'-1 3/4" X 3'-0" X 6'-8" 6 PANEL MOLDED PRIMED BI-FOLD DOOR. MANUFACTURER JELD-WEN @ THE HOME DEPOT. DOOR AND HARDWARE TO BE PROVIDED AND INSTALLED BY GC.	PUSH: P9 DOOR, P9 FRAME PULL: P9 DOOR, P9 FRAME	06/A8.3	12/A8.1	HARDWARE TYPE 1
12	RESTROOM DOOR	D	0'-1 3/4" X 3'-0" X 6'-8" 6 PANEL MOLDED PRIMED BI-FOLD DOOR. MANUFACTURER JELD-WEN @ THE HOME DEPOT. DOOR AND HARDWARE TO BE PROVIDED AND INSTALLED BY GC.	PUSH: P9 DOOR, P9 FRAME PULL: P9 DOOR, P9 FRAME	06/A8.3	12/A8.1	HARDWARE TYPE 1

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 Email: info@valerioarchitects.com



PROJECT  
**LE PAIN QUOTIDIEN**  
**FASHION ISLAND**  
 1103 NEWPORT CENTER DR.  
 NEWPORT BEACH, CA 92660

Date	DESCRIPTION
05/28/11	PERMIT SET
05/04/11	PLAN CHECK/CLL COMMENTS
05/13/11	BID ADDENDUM 1
05/08/11	HEALTH DEPART. PLAN CHECK COMMENTS

Door Schedule  
 Hardware Schedule  
 Window Schedule

Date Modified: 03/18/11  
 Date Created: 03/15/11  
 Scale: N/A  
 Project No: 853-10-84  
 Drawn By: JL  
 CAD File: 853-A0.5-SCHEDULES

**A0.5**



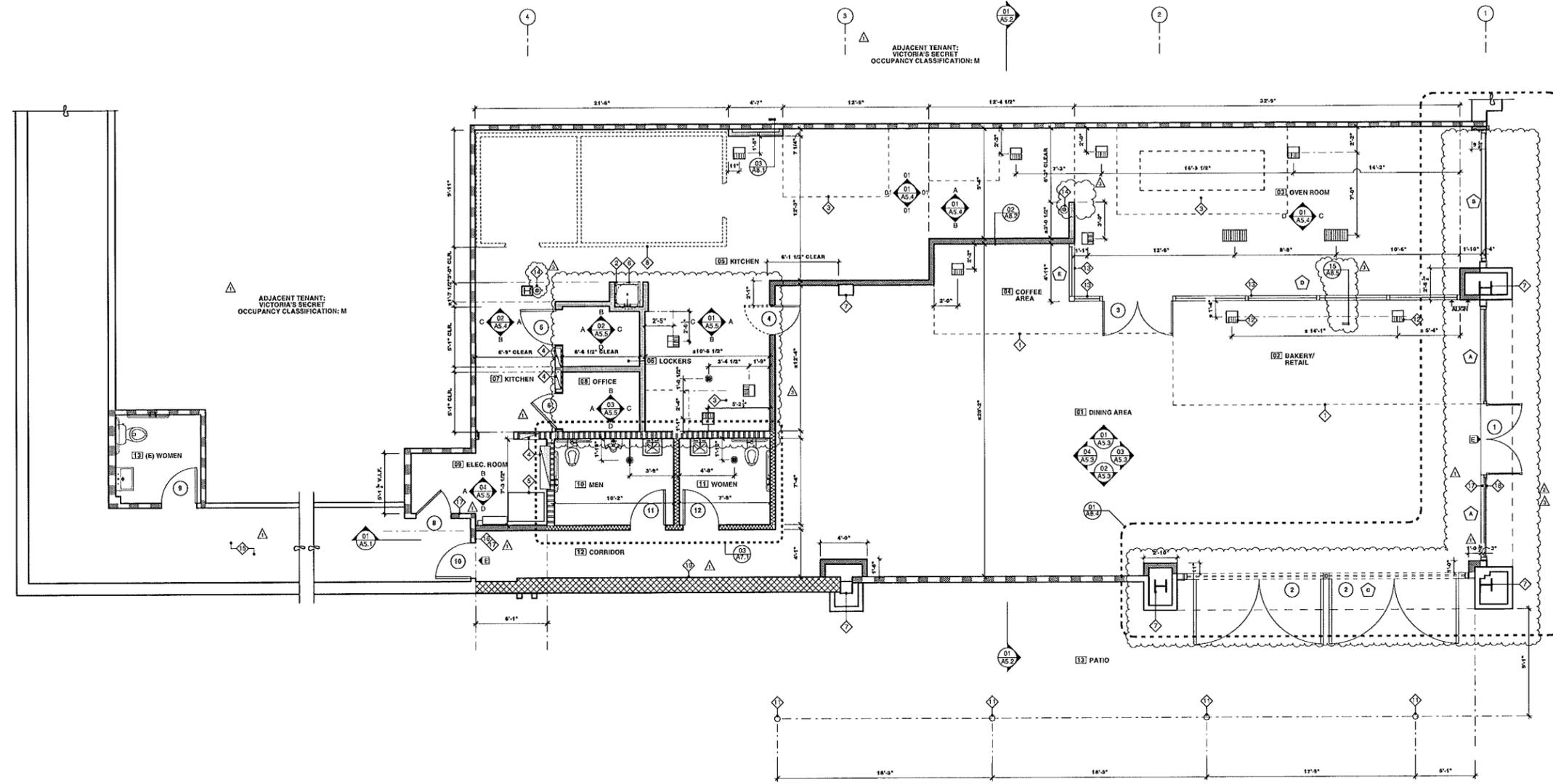






PROJECT

**LE PAIN QUOTIDIEN**  
FASHION ISLAND  
1103 NEWPORT CENTER DR.  
NEWPORT BEACH, CA 92660



Date	DESCRIPTION
03/21/11	PERMIT SET
05/04/11	PLAN CHECK/LL COMMENTS
05/13/11	BID ADDENDUM 1
06/08/11	HEALTH DEPART. PLAN CHECK COMMENTS

**KEY NOTES**

- LINE OF SOFFIT ABOVE, FOR CEILING HEIGHT SEE SHEET A3.1
- MOP SINK, SEE PLUMBING DRAWINGS FOR DETAIL
- LINE OF HOOD ABOVE
- ELECTRICAL PANEL
- ELECTRICAL TRANSFORMER
- WATER HEATER ABOVE, SEE DETAILS 07 & 08/A8.1
- (E) STRUCTURAL COLUMN
- LINE OF WALK-IN COOLER
- WD, CURB BY G.C. VERIFY EXACT DIM. OF CABINETRY AND COUNTER ABOVE W/ MILLWORK CONTRACTOR
- MENU BOARD PROVIDED BY MILLWORK CONTRACTOR
- ELECTRICAL SUPPLY FOR PATIO UMBRELLAS, SEE ELECTRICAL DWGS
- FLOOR SINK TO BE CENTERED W/ OPEN SPACE @ MILLWORK
- PONY WALL BELOW GLASS, SEE INTERIOR ELEVATIONS
- PROVIDE PORTABLE FIRE EXTINGUISHER AT LOCATION INDICATED - IT MUST BE NOT LESS THAN 2A OR 2-A10BC WITHIN 75 FEET TRAVELING DISTANCE TO ALL PORTIONS OF THE BUILDING ON EACH FLOOR, ALSO DURING CONSTRUCTION, PROVIDE FIRE EXTINGUISHERS AS REQUIRED BY FIRE DEPARTMENT FIELD INSPECTOR
- (E) 1-HOUR FIRE RATED EXIT PASSAGEWAY
- SIGN INDICATING WOMEN'S RESTROOM @ PASSAGEWAY AVAILABLE FOR PUBLIC USE

- TACTILE EXIT SIGN, SEE DETAIL 08/A0.8
- INTERNATIONAL SYMBOL OF ACCESSIBILITY COMPLY TO CBC 1117B, 5.8.1.2 & 1172 B.3
- (N) DRY WALL FURRING

**SHEET NOTES**

- VERIFY ALL OVERALL DIM. OF STORE, LOCATION OF (E) COLUMNS AND (E) WINDOWS. PLEASE NOTIFY ARCHITECT IN CASE OF ANY DISCREPANCY
- REFER TO SHEET A0.1, A0.2, A0.3 & A0.4 FOR GENERAL NOTES AND REQUIREMENTS
- SEE SHEET A0.2 FOR FINISH NOTES
- SEE PLUMBING DRAWINGS FOR FLOOR SINK/FLOOR DRAIN INFORMATION
- ALL DIM. FOR LOCATION FLOOR SINKS AND MOP SINKS ARE FROM THE INTERIOR WALLS OF (E) STRUCTURE TO CENTER LINE OF FIXTURES. CONTRACTOR SHALL FIELD VERIFY BUILDING DIMENSIONS BEFORE BEGINNING CONSTRUCTION AND COMMUNICATE WITH ARCHITECT FOR RESOLUTION IN CASE OF ANY DISCREPANCY
- TENANT AND TENANT'S GENERAL CONTRACTOR IS REQUIRED TO REMOVE ANY PREVIOUS PLUMBING AND ELECTRICAL SUSPENDED WAFFLE SLAB STUB THROUGH (I.E. FLOOR DRAINS, FLOOR SINKS, PLUMBING WASTE & VENT LINES, ELECTRICAL CONDUIT, ETC) AND PATCH/SEAL/REPAIR THE SUSPENDED SLAB TO A PAINTED AND WATER TIGHT CONDITION AT TENANT'S EXPENSE. IT IS THE TENANT'S RESPONSIBILITY TO ENSURE THAT THERE ARE NO LEAKS THROUGH THE SUSPENDED SLAB FROM THEIR PREMISE TO THE PREMISE UNDERNEATH.
- BARRICADES CANNOT BE REMOVED UNTIL LANDLORD'S TENANT COORDINATION HAS PROVIDED WRITTEN APPROVAL THAT STOREFRONT MODIFICATION WORK IS COMPLETE AND THE WORK IS ACCEPTED AND APPROVED AND THE TENANT IS PREPARED TO OPEN FOR BUSINESS.
- INSULATION TO EXISTING UNDERSIDE OF THE ROOF STRUCTURE FOR ALL DEMISING WALLS BY TENANT'S GENERAL CONTRACTOR.

- ANY SECURITY OR OTHER EQUIPMENT LOCATED IN THE MAIN ENTRY AREA MUST BE INSTALLED IN MANNER THAT IS CONCEALED FROM PUBLIC VIEW. ALL SECURITY DEVICES AND SYSTEMS SHALL BE INTEGRATED WITHIN THE STOREFRONT DESIGN AND FINISHES. FREESTANDING SENSOR PEDESTALS ARE PROHIBITED.
- MAXIMUM OCCUPANT LOADS SHALL BE POSTED IN EACH DINING & WAITING AREA. SEE SHEET A0.1 FOR MAXIMUM OCCUPANCY LOAD CALCULATIONS.
- INDOOR MAXIMUM OCCUPANT LOAD IS 55. OUTDOOR MAXIMUM OCCUPANT LOAD IS 55. SEE SHEET A0.1 FOR CALCULATIONS.

**LEGEND**

- REFER TO KEY NOTES
- EXIT SIGN ABOVE
- REFER TO DOOR SCHEDULE. SEE SHEET A0.5
- PORCELAIN FLOOR SINK FOR INDIRECT DRAIN, SEE DETAILS 05 & 06/A8.1
- FLOOR DRAIN. SLOPE FLOOR 1/4" PER FT.
- REFER TO WINDOW SCHEDULE. SEE SHEET A0.5
- (E) CONSTRUCTION TO REMAIN
- (E) DEMISING WALL TO UNDERSIDE OF STRUCTURE, GO TO VERIFY IN FIELD 1-HOUR FIRE RATED CONSTRUCTION. IF NOT, GO TO PROVIDE (2) LAYERS OF TYPE 'X' GYP. BR. OR (E) STUDS FOR 1-HOUR FIRE RATED ASSEMBLY
- FULL HEIGHT WALL. SEE DETAIL 01/A8.1 (3/8" MTL. STUB W/ 3/8" GYP. BD. EA. SIDE)
- PARTIAL HEIGHT WALL. SEE DETAIL 02/A8.1 (3/8" MTL. STUB W/ 3/8" GYP. BD. EA. SIDE)
- INSULATED WALL. SEE DETAIL 02/A8.1 (3/8" MTL. STUB W/ 3/8" GYP. BD. EA. SIDE)
- PLUMBING / ELECTRICAL WALL. SEE DETAIL 02/A8.1 (3/8" MTL. STUB W/ 3/8" GYP. BD. EA. SIDE)
- WINDOW STOREFRONT
- LEASE LINE
- (E) CMU WALL

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**Floor Plan Partition Wall**

Date Modified:	03/21/11
Date Created:	02/28/11
Scale:	1/4"=1'-0"
Project No.:	853-10-04
Drawn By:	JL
CAD File:	853-A2.1-A3.1-A4.1-D2.1



















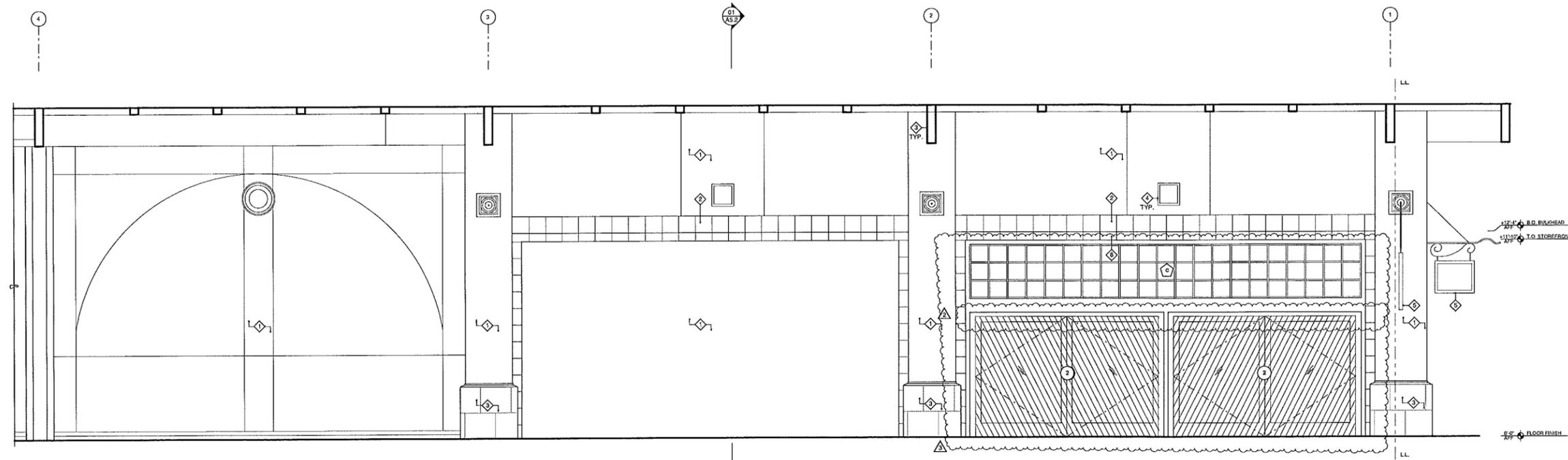




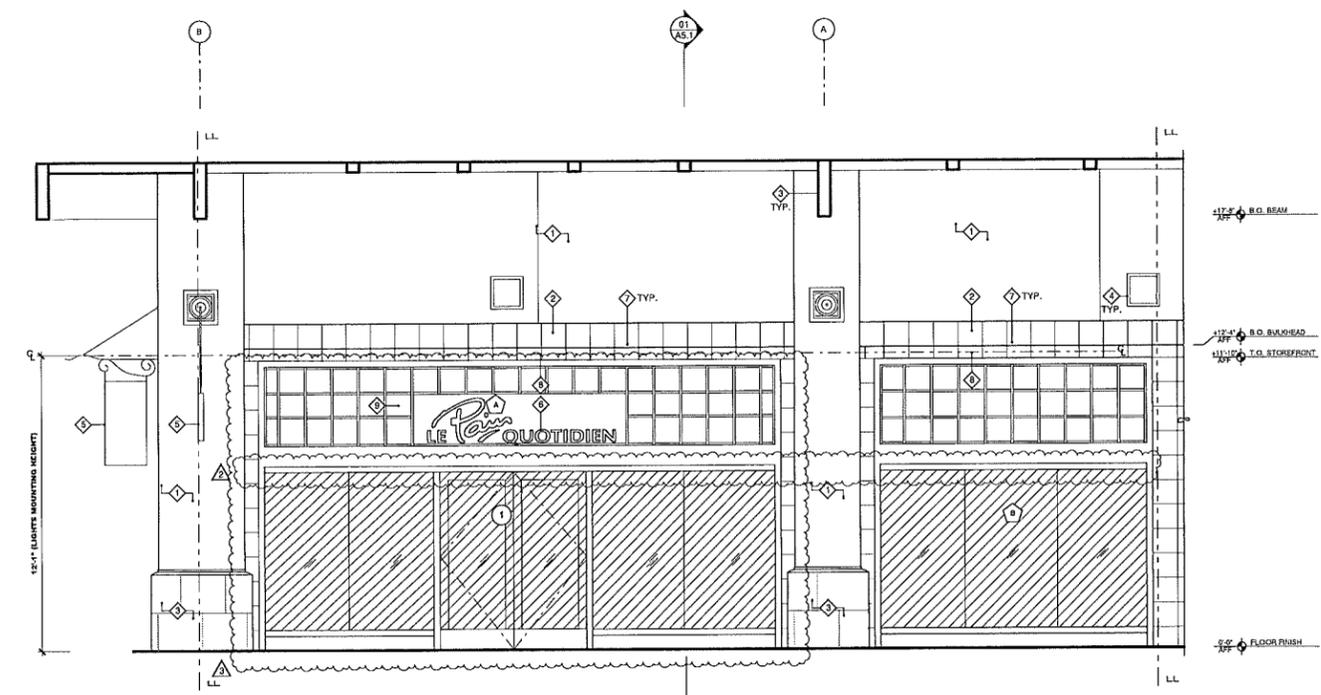


PROJECT

**LE PAIN QUOTIDIEN**  
FASHION ISLAND  
1103 NEWPORT CENTER DR.  
NEWPORT BEACH, CA 92660



01 EAST ELEVATION



02 NORTH ELEVATION

Date	DESCRIPTION
03/29/11	PERMIT SET
05/04/11	PLAN CHECK/LL COMMENTS
05/13/11	BID ADDENDUM 1
06/08/11	HEALTH DEPART. PLAN CHECK COMMENTS

KEY NOTES	LEGEND
<ol style="list-style-type: none"> <li>(E) STUCCO</li> <li>(E) STONE TILE FINISH</li> <li>(E) STRUCTURAL BEAM</li> <li>(E) DECORATIVE MEDALLION</li> <li>LPO BLADE SIGN, UNDER SEPARATE PERMIT</li> <li>LPO SIGN, UNDER SEPARATE PERMIT</li> <li>GOOSENECK LIGHT FIXTURE, SEE ELECTRICAL DWGS</li> <li>TILE FINISH AT RECESS AROUND NEW STOREFRONT, TO MATCH (E)</li> <li>SOLID METAL PANEL SAME FINISH AS STOREFRONT</li> </ol>	<p>(A) REFER TO WINDOW SCHEDULE. SEE SHEET A0.5</p> <p>(I) REFER TO DOOR SCHEDULE. SEE SHEET A0.5</p> <p>GLAZING MUST BE 1/2" TEMPERED GLASS EACH PANEL TO BE MARKED BY MANUFACTURER</p>
	<p><b>SHEET NOTES</b></p> <p>A. ALL SIGNAGE WORK IS UNDER SEPARATE PERMIT</p> <p>B. STOREFRONT DISPLAY CLEAR GLASS WILL CONSIST OF STAFFRIFE ULTRA-CLEAR GLASS (LOW-IRON CONTENT GLASS, CLEAR GLASS). LOW-IRON GLASS IS CLEARER THAN STANDARD IRON CONTENT GLASS AND THEREFORE WILL MAXIMIZE THE VISUAL BRIGHTNESS AND CLARITY AT THE DISPLAY WINDOWS BY ELIMINATING THE GREEN TINT THAT NORMALLY OCCURS WITH STANDARD IRON CONTENT GLASS.</p>

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Interior Elevations

Date Modified:	03/21/11
Date Created:	03/09/11
Scale:	3/8"=1'-0"
Project No.:	853-18-04
Drawn By:	JL
CAD File:	853-A6.1-ELEV PERMIT

**A6.1**







COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663  
(949) 644-3200 Fax: (949) 644-3229

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

**COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER**

**Application No.**            **Staff Approval No. SA2011-013 (PA2011-112)**

**Applicant**                **Dayton Associates Architects, Inc.**

**Site Address**            **2300 University Drive**  
                                  **Substantial Conformance with Use Permit No. 1128 (A)**

**Legal Description**      **Parcel Map Book 3, Page 35, Parcel 1**

On **July 1, 2011**, the Community Development Director determined that modifications to an existing Assembly/Meeting Facility are in substantial conformance with Use Permit Number 1128 (A), approved February 9, 1978. The modifications include a 435-square-foot addition to an existing fitness room, a 310-square-foot addition of a storage room adjacent to the existing fitness room, and improvements to the existing rear outdoor deck including a 650-square-foot fabric shade cover. The property is located in the PF (Public Facilities) Zoning District. The Community Development Director's approval is subject to the following finding and conditions:

**Findings**

1. **Finding:** This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines under Section 15301 Class 1 (Existing Facilities).

**Facts in Support of Finding:**

- The Class 1 exemption includes the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use.
  - The proposed project is a minor addition to an existing facility and an expansion to improve area devoted to fitness activities and existing outdoor activities.
2. **Finding:** That the proposed addition is in accord with the objectives of the Newport Beach Municipal Code (NBMC), Use Permit Number 1128(A), and the purposes of the district in which the site is located.

**Facts in Support of Finding:**

- The property is located within the PF (Public Facilities) Zoning District which permits Assembly/Meeting Facilities subject to a minor use permit.
- Use Permit Number 1128, approved by the Planning Commission on October 6, 1966 established the use of the property as an Assembly/Meeting Facility.
- The project currently maintains the required 20-foot front setback, 10-foot rear setback, and 4-foot side setbacks.
- The proposed addition will not encroach into any required setback areas.
- The proposed modifications will expand the existing fitness facility by adding 435 square feet in floor area and 310 square feet for storage to serve the fitness activity area.
- The proposed 650-square-foot fabric shade cover over the existing concrete deck will not change or alter the existing use and conforms to the height limit for the PF (Public Facilities) Zoning District.
- The proposed 745-square-foot addition and 650-square-foot fabric shade cover are a minor expansion of use and activity areas and are within the spirit and intent of Use Permit No. 1128 (A).

**Conditions**

1. The development authorized by this staff approval shall be in substantial conformance with the approved project plans.
2. All previous conditions of approval of Use Permit 1128 and its amendments shall remain in force.
3. A building permit shall be obtained prior to commencement of the construction.
4. Prior to issuance of building permits, Transportation Corridor fees and Fair Share fees shall be paid consistent with the fee amount in effect at the time of payment.
5. A copy of this approval letter shall be incorporated into both the Building Division and field sets of plans prior to issuance of the building permits.
6. 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 **Substantial Conformance with Use Permit No. 1128 (A)** including, but not limited to, the **Staff Approval No. SA2011-013 (PA2011-112)**. 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:** The applicant or any interested party may appeal the decision of the Planning Division to the Planning Commission by a written request to the Director of Community Development within 14 days of the action date. For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

On behalf of Kimberly Brandt, Community Development Director

By:   
Benjamin M. Zdeba, Planning Technician

KB/bmz

Attachments: CD 1 Vicinity Map  
CD 2 Use Permit No. 1128 (A)  
CD 3 Plans

**Attachment No. CD 1**  
Vicinity Map

# VICINITY MAP



Staff Approval No. SA2011-013  
PA2011-112

**2300 University Drive**

## **Attachment No. CD 2**

Use Permit Number 1128 (A)

USE PERMIT APPLICATION  
CITY OF NEWPORT BEACH

No. 1128 (Commercial)  
Application Rec'd by M. J.  
Fee: \$260.00

Department of Community Development  
Zoning and Ordinance Administration Division  
3300 Newport Boulevard  
Phone (714) 673-2110

Applicant (Print) Orange Coast YMCA Phone 642-9920

Mailing Address P.O. Box 2567, Newport Beach CA 92660

Property Owner Same Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

Address of Property Involved 2300 University Drive Newport Beach  
CA 92660

Purpose of Application (describe fully) 1) to add on Air structure to  
enclose the large swimming pool at the YMCA during the months  
November thru April. 2) To install 10 parking lot lights no  
higher than 18 feet.

Zone R-1 Present Use YMCA

Legal Description of Property Involved (if too long, attach separate sheet)

OWNER'S AFFIDAVIT

(I) ~~we~~ James L. DeBoon 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 furnished are in all respects true and correct to the best of (my)  
~~our~~ knowledge and belief.



Signature(s) James L. DeBoon

NOTE: Applicant must sign for the owner if written authorization from the  
record owner is filed with the application.

DO NOT COMPLETE APPLICATION BELOW THIS LINE

Date Filed 1-27-78 Fee Pd. 260.00 Receipt No. 33721  
Hearing Date 2-7-78 Publication Date \_\_\_\_\_  
Posting Date 1-26-78 Mail Date 1-26-78

P. C. Action Pool cover only was approved conditionally

Date 2/9/78 Appeal \_\_\_\_\_  
C. C. Hearing \_\_\_\_\_ C. C. Action \_\_\_\_\_  
Date \_\_\_\_\_

Use Permit # 1128A

- AGEE
- BALALIS
- CORAS
- FREDERICKSON
- HAIDINGER
- HEATNER
- HUMMEL

# City of Newport Beach

February 9, 1978

ROLL CALL

INDEX

Item #4

USE PERMIT  
NO. 1128  
(AMENDED)

PARTIALLY  
APPROVED  
CONDI-  
TIONALLY

Request to amend a previously approved use permit that permitted the establishment of a Y.M.C.A. facility on the site. The proposed development consists of covering an existing swimming pool with an air supported structure 24 feet ± in height. Furthermore, parking lot lights not exceeding 18 feet ± in height are proposed where the original approval permitted said fixtures not to exceed 4 feet in height.

Location: Parcel No. 1 of Parcel Map 3-35 (Resubdivision No. 211) located at 2300 University Drive, on the north-easterly side of University Drive, easterly of Irvine Avenue, adjacent to the Anniversary Estates residential development.

Zone: R-1

Applicant: Orange Coast Y.M.C.A.

Owner: Same as Applicant

Public hearing was opened in connection with this matter.

Jim deBoom, Executive Director of the Orange County Y.M.C.A., resident of 1743 Bayport Drive, Newport Beach, appeared before the Commission in connection with this matter and concurred with the staff report and recommendations. He commented on their desire to install the pool cover as soon as possible in order to facilitate the use of the pool during the remaining cold months ahead. He also commented on the need for the parking lot lights because of the safety factor involved. He answered questions of the Commission relative to this request.

Steven Abaum, 2269 Golden Circle, appeared before the Commission in opposition to the request for the 18 foot high lights in the parking lot because they will shine into his bedrooms and illuminate his entire back yard.

Cynthia Brown, 2275 Golden Circle, appeared before the Commission in opposition to the proposed parking lot lights because of the illumination which will

COMMISSIONERS

- AGEE
- BALALIS
- COKAS
- FREDERICKSON
- HAIDINGER
- HEATHER
- HUNNELL

# City of Newport Beach

MINUTES

February 9, 1978

ROLL CALL

INDEX

Motion  
All Ayes

X

intrude on the adjacent properties.

There being no others desiring to appear and be heard, the public hearing was closed.

Following discussion, motion was made that Planning Commission remove the issue of parking lot lights from the calendar until such time as a final plan has been developed as to the type and location of the lighting fixtures, at which time the issue will be readvertised for public hearing; and with respect to the pool cover, that Planning Commission make the following findings:

1. That the proposed use is consistent with the Land Use Element of the General Plan and is compatible with surrounding land uses.
2. The project will not have any significant environmental impact, providing that adequate provisions are made to sound attenuate the electric motor for the air supported structure over the swimming pool from adjoining residential properties.
3. The approval of Use Permit No. 1128 (Amended) will not, under the circumstances of this case be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing and working in the neighborhood or be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the City.

and approve installation of the pool cover consisting of an air supported structure, subject to the following conditions:

1. That development shall be in substantial conformance with the approved plot plan and elevations.
2. That the motors for the proposed air supported structure shall be sound attenuated in such a manner as to achieve a maximum sound level of 55 dBA at the northwesterly side and rear property lines of the site. An accoustical engineer shall certify to the Department of Community Development that the required sound attenuation has been achieved.

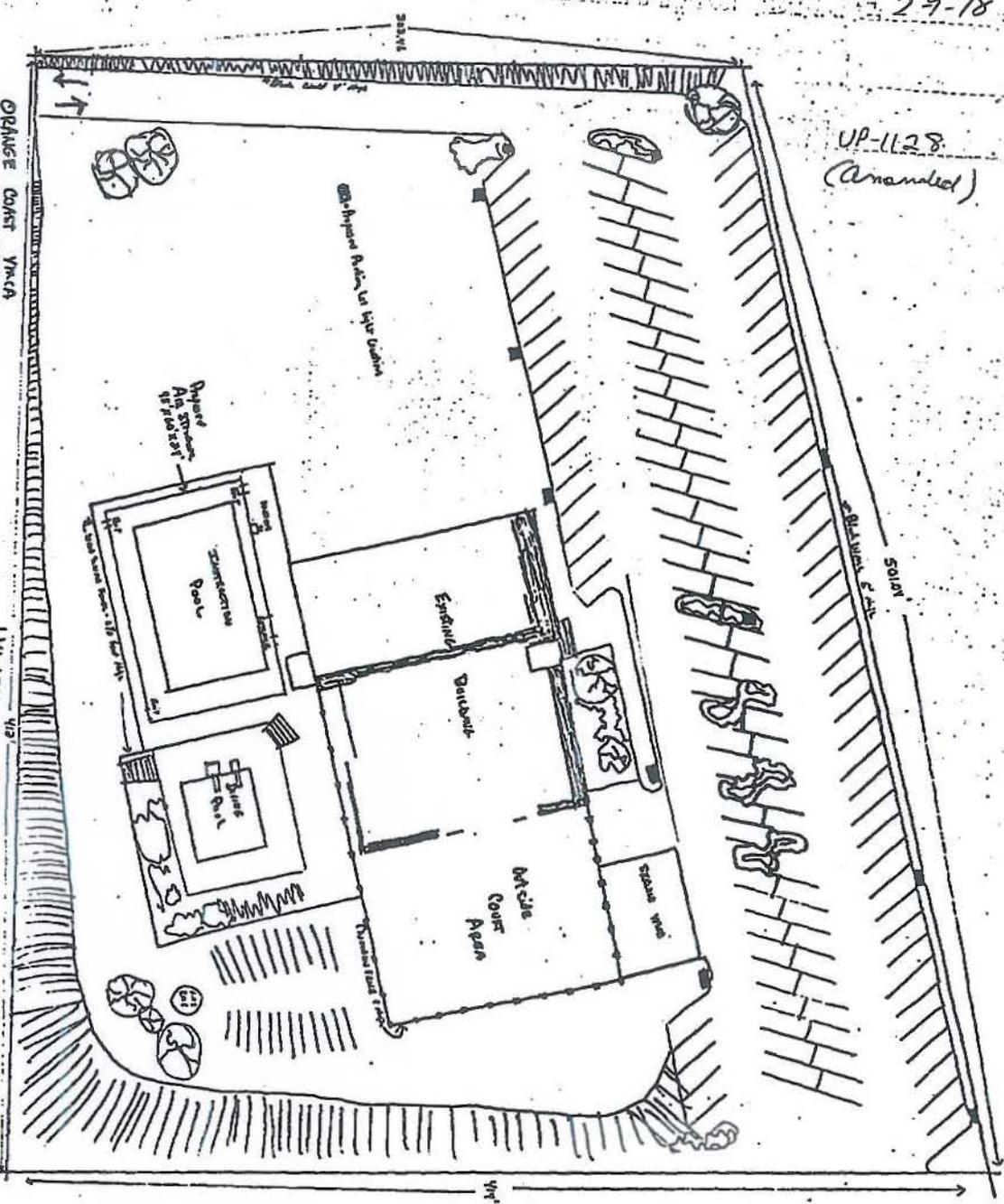
REVISION DATE 2-9-78

UP-1128  
(Amended)

ORANGE COAST YACHT  
2300 UNIVERSITY DRIVE  
NEWPORT BEACH, CA  
572-9110  
The A. B. B. Construction

UNIVERSITY DRIVE

1/8" = 1'-0"  
NORTH

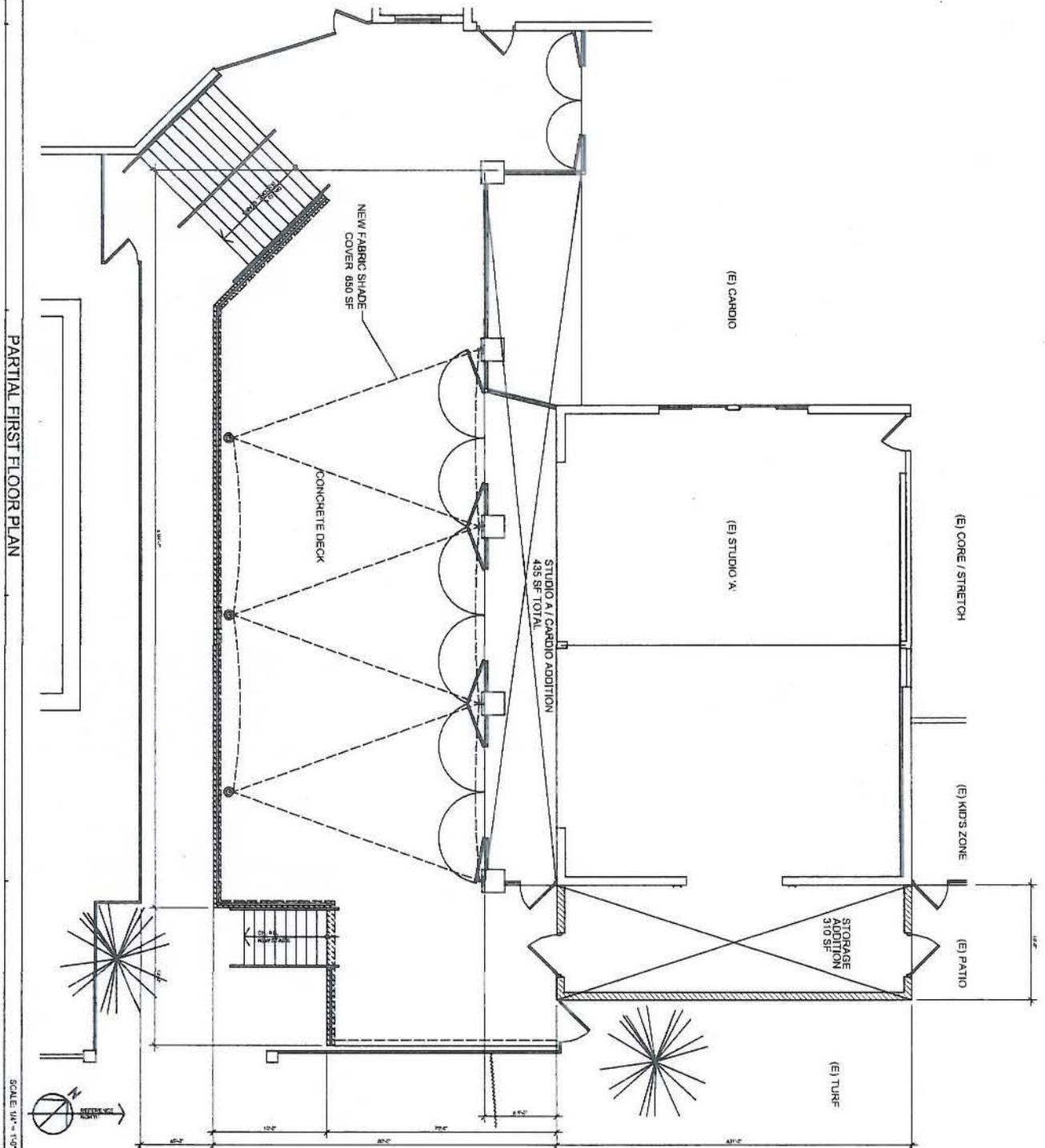


USE PERMIT NO. 1128 (AMENDED)

**Attachment No. CD 3**  
Plans



PARTIAL FIRST FLOOR PLAN



SCALE: 1/4" = 1'-0"

DATE:	05/02/11	REV.	DATE	DESCR.	REV.	DATE	DESCR.
DRAWN BY:		▲			▲		
CHKD. BY:		▲			▲		
SHEET:		SHEET DESCRIPTION:					
A-2		PARTIAL FLOOR PLAN					
OF SHEETS		JOB NUMBER: DAA11107					

ADDITION/ DECK IMPROVEMENTS  
FOR:  
CENTRAL ORANGE COAST YMCA  
2300 UNIVERSITY DRIVE  
NEWPORT BEACH, CA 92660

**DAYTON ASSOCIATES - ARCHITECTS**

2630 SILVER LANE  
NEWPORT BEACH, CA 92660  
(949) 648-1717 FAX: (949) 645-4243

- ◆ ARCHITECTURE
- ◆ PLANNING
- ◆ INTERIORS





## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663

(949) 644-3200 Fax: (949) 644-3229

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

### ZONING CLEARANCE

**Application No.**           **Staff Approval No. SA2011-116 (PA2011-127)**

**Applicant**               **Curzon Hospitality, Inc.**

**Site Address**           **7862 East Coast Highway**  
**Zoning Clearance for Tamarind of London**

**Legal Description**   **Tract Number 15942, Portion of Lot 1 and Tract Number**  
**15810, Portion of Lot HH**

On July 1, 2011, the Community Development Director approved a changed plan pursuant to County of Orange Zoning Code Section 7-9-150 (Discretionary Permits and Procedures). The Director's decision was based on the following information and analysis.

#### **I. NATURE OF PROJECT**

The applicant wishes to occupy and alter the floor plan for the subject tenant space formerly occupied by Sage on the Coast restaurant.

#### **II. BACKGROUND**

Crystal Cove Promenade Retail Center is located on the inland side of Pacific Coast Highway between Crystal Cove Point and Reef Point Drive. Planning Application Number 98-0101 was approved by the County of Orange Planning Commission on September 22, 1998, and included construction and operation of a retail business center at this location with 125,000 square feet of floor area on an 18-acre site in portions of Planning Areas 3B and 14 of the Newport Coast Planned Community (NCPD). On October 3, 2000, County of Orange Current Planning Services Division approved a changed plan (CP00-0058) which allowed the 3,045-square-foot restaurant and 1,000-square-foot outdoor dining use to occupy a portion of Retail Building A-1. In 2001, the City of Newport Beach (City) annexed 7,799 acres of property known as the Newport Coast, including Crystal Cove. The Cooperative Agreement between the City and the County, dated October 9, 2009, stated that because the annexed area was subject to the California Coastal Act, State law provided that the County would retain jurisdiction to issue coastal development permits for the Coastal Zone Area, and that the City would assume land use authority over any Planning Area within twelve (12) months after the Planning Area is fully improved. The transfer of land use authority for this tract occurred on March 18, 2009.

Although the land use authority was transferred to the City of Newport Beach, the Newport Coast Planned Community is governed by Newport Coast Planned Community Text and the County of Orange Zoning Code. As such, pursuant to County of Orange Zoning Code Section 7-9-150 (Discretionary Permits and Procedures) a changed plan or substantial conformance analysis must be conducted for changes to a previously approved project. Pursuant to County of Orange Code Section 7-9-150.3.h (Processing Procedures), a changed plan is defined as Plans that are changed from that approved by the approving authority may be submitted to the Director. If the Director determines that the proposed changed plan is a minor amendment of no significant effect, and complies with the spirit and intent of the original approving action, he or she may approve the changed plan without further compliance with section 7-9-150.

### **III. PROPOSED CHANGED PLAN**

The subject Zoning Clearance has been reviewed by Kimberly Brandt, Community Development Director, and the determination has been made that the proposed restaurant and changes are in substantial conformance with the original approval action by the County of Orange Planning Commission. The proposed changes are as follows:

- Remodel the exterior of the existing, covered outdoor dining area by replacing the fabric roof covering with a new fabric awning cover, adding two decorative fire bowl fixtures to the abutting garden area, installing one interior-facing and one exterior-facing fountain-wall water feature, adding accordion door fixtures facing the garden area, and constructing a new 8-foot-high wall on the boundary of the outdoor dining area closest to the adjacent residential area.
- Alter the interior floor plan of the existing restaurant space by relocating the alcohol and beverage service counter area to the outdoor dining area and replacing it with a tandoor station.

The proposed changes are in compliance with the Orange County Zoning Code, the Newport Coast Planned Community regulations and the existing entitlement for this commercial center.

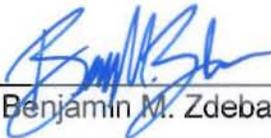
### **IV. CONDITIONS**

1. The development authorized by this staff approval shall be in substantial conformance with the approved project plans.
2. All previous conditions of approval of County of Orange Planning Application Number 98-0101 and its subsequent changed plans shall remain in full force and effect.

3. The proposed establishment shall remain a restaurant and is not authorized as a bar, tavern, cocktail lounge, nightclub or commercial recreational entertainment venue.
4. Hours of operations for the proposed restaurant and outdoor dining area shall be limited to between 11:00 a.m. and 11:00 p.m., daily.
5. Any change in operational characteristics, hours of operation, expansion in area, or other nonmaterial modification to the approved plans which changes the use characteristics of the project shall require an additional staff approval application.
6. The area adjacent to the outdoor dining area labeled as "Existing Garden Area" shall remain landscaped and shall not contain any seating or standing area for patrons of the proposed restaurant.
7. The operator of the facility shall be responsible for the control of noise generated by the subject facility. The noise generated by the proposed use shall comply with the provisions of Chapter 10.26 of the Newport Beach Municipal Code.
8. No background music shall be allowed on the outdoor dining area.
9. Lighting shall be in compliance with applicable standards of the Zoning Code. Exterior on-site lighting shall be shielded and confined within site boundaries. No direct rays or glare are permitted to shine onto public streets or adjacent sites or create a public nuisance. "Walpak" type fixtures are not permitted.
10. A building permit shall be obtained prior to commencement of the construction.
11. A copy of this approval letter shall be incorporated into both the Building Division and field sets of plans prior to issuance of the building permits.
12. 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 **Tamarind of London Zoning Clearance** including, but not limited to, the **Staff Approval No. SA2011-016 (PA2011-127)**. 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:** The applicant or any interested party may appeal the decision of the Planning Division to the Planning Commission by a written request to the Director of Community Development within 14 days of the action date. For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

On behalf of Kimberly Brandt, AICP, Director

By:   
Benjamin M. Zdeba, Planning Technician

KB/bmz

Attachments: CD 1 Vicinity Map  
CD 2 Tamarind Consistency Analysis by Recuperero & Associates, Inc.  
CD 3 Plans

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**Attachment No. CD 1**  
Vicinity Map

# VICINITY MAP



Staff Approval No. SA2011-016  
PA2011-127

**7862 East Coast Highway**

## **Attachment No. CD 2**

Tamarind Consistency Analysis by  
Recupero & Associates, Inc.



RECUPERERO & ASSOCIATES, INC.

ESTABLISHED 1973

June 22, 2011

Mr. James Campbell, Principal Planner  
Mr. Benjamin Zdeba, Planner  
Community Development  
City of Newport Beach,  
3300 Newport Boulevard  
Newport Beach, CA 92663

BY HAND DELIVERY AND ELECTRONIC MAIL

**Re: Substantial Conformance Analysis for Tamarind Restaurant, 7862 East Coast Highway, Newport Beach, CA located within Crystal Cove Promenade**

Dear Mr. Campbell and Mr. Zdeba:

Thank you for taking time to meet with representatives of Tamarind Restaurant (Tamarind), the Irvine Company and me last Friday, June 17, 2011.

Please accept this application and substantial conformance analysis for administrative staff approval of the proposed Tamarind use at Crystal Cove Promenade. Attached to this letter are the following documents for your consideration:

- City of Newport Beach Planning Permit Application executed by the property owner;
- Reduced size Architectural sheets showing the vicinity/site plan and floor plan layout, and building elevations;
- A check made out to the City of Newport Beach in the amount of \$844.00;

**A. Use Description**

The proposed use is a high-end, full service lunch and dinner restaurant. Tamarind is an internationally-renowned dining facility, with its primary location in London, England, specializing in the elegant tandoor oven-style cuisine of North West India. Tamarind has won several top international honors including the Michelin Star (2001-2010), among others. More information on the dining experience one may expect at Tamarind can be found at <http://www.tamarindrestaurant.com>.



As shown on the *Enlarged Floor Plan* (Sheet A1.1) (attached) Tamarind is proposed to occupy the existing 3,045 square-foot interior space, and a 1,000 square-foot outdoor covered dining area. The proposed use:

- Incorporates the existing building footprint and maintains the existing square useable footage of the former Sage restaurant space;
- Has operating hours from 11 a.m. to 11 p.m. (and closes two hours earlier than the adjacent Javier's Restaurant or Mastro's lounge); and
- Utilizes solid height wall along the boundary of the patio closest to the existing residential units, identified on the attached *Enlarged Floor Plan* (Sheet A1.1) plans as item 7, "New CMU Wall."

The proposed intensity and use of this space is substantially identical to the former Sage Restaurant in this location. The facility will be "Food Service with no late hours<sup>1</sup>" and does not constitute a "bar, nightclub or lounge" as defined by Newport Beach Municipal Code 20.70.020. The restaurant will incorporate operational standards intended to ensure that it does not offend either the existing entitlement or the City noise ordinance. Accordingly, the owner consents to the City of Newport Beach conditioning this approval on the closure of the outdoor dining patio at 11 p.m.

In terms of controls for the sale of alcoholic beverages, this is a high-end restaurant with full service waiter/waitress tableside dining service. The Restaurant operator is concurrently processing an application through the California Department of Alcohol & Beverage Control Department and will be required to comply with the training and licensure obligations implemented by the State.

#### **B. Consistency Analysis**

The use of this former restaurant space as proposed substantially conforms to the existing entitlement.

Crystal Cove Promenade Shopping Center (Crystal Cove) was entitled through the 1996 Newport Coast Planned Community (PC-52) and Local Coastal Program (LCP). In 1998 the County of Orange (County) approved the relevant Coastal Development Permit (CDP) as Planning Application 98-0101 which provided for the construction and operation of a retail business center with 125,000 square feet of floor area on the 18-acre site.

In 2001, the City of Newport Beach (City) annexed 7,799 acres of property known as the Newport Coast, including Crystal Cove. The Cooperative Agreement between the City and the County, dated October 9, 2009, stated that because the annexed area was subject to the

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<sup>1</sup> This is defined as "closing at or before 11 p.m." in the Municipal Code.



California Coastal Act, State law provided that the County would retain jurisdiction to issue coastal development permits for the Coastal Zone Area, and that the City would assume land use authority over any Planning Area within twelve (12) months after the Planning Area is Fully Improved. "Fully Improved" is defined as the time when "the County has issued certificates of occupancy (or similar evidence that all structures have received all inspections and fully comply with all laws such that there is no further condition to occupancy) for all development permitted in any Planning Area pursuant to the Development Approvals and Development Plan." The County records suggest that the transfer for land use authority purposes for this tract occurred on or about March 18, 2009.

The proposed continued use of this restaurant space does not implicate the Coastal Zone entitlement/LCP in any regard, and indeed is consistent with the existing County entitlement for the space. The last entitlement addressing the Tamarind location is Changed Plan CP06-0026 processed by the County. It has no specific limitations on the use of restaurants in this space, and indeed confirms that the former Sage restaurant had entitlement for 1,000 square feet of "Outdoor Dining."

The proposed use is also consistent with both a) the LCP's designation of the Center in the LCP as "Tourist Commercial", and b) the City's General Plan designation as Visitor Serving Commercial.

### **C. Conclusion**

We believe, the proposed use of the project site as a restaurant is consistent with the existing entitlement for this restaurant space. We would be pleased to provide further information for your consideration upon request, or meet at a time convenient to you to discuss this application. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Recupero".

Michael Recupero  
RECUPERO AND ASSOCIATES, INC.

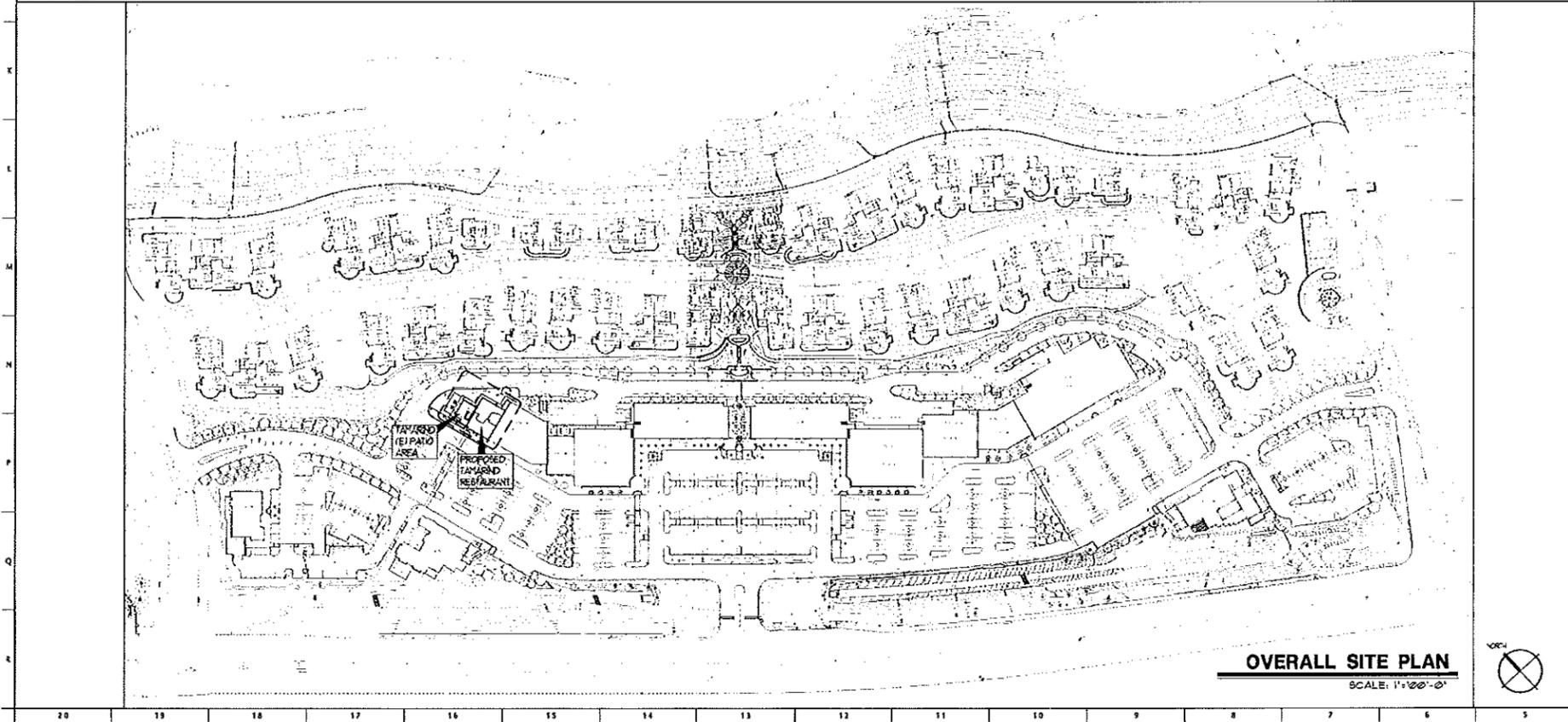
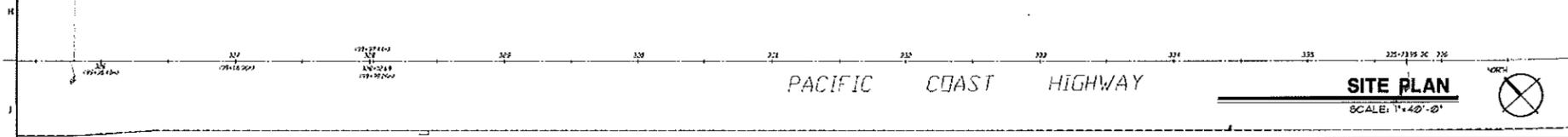
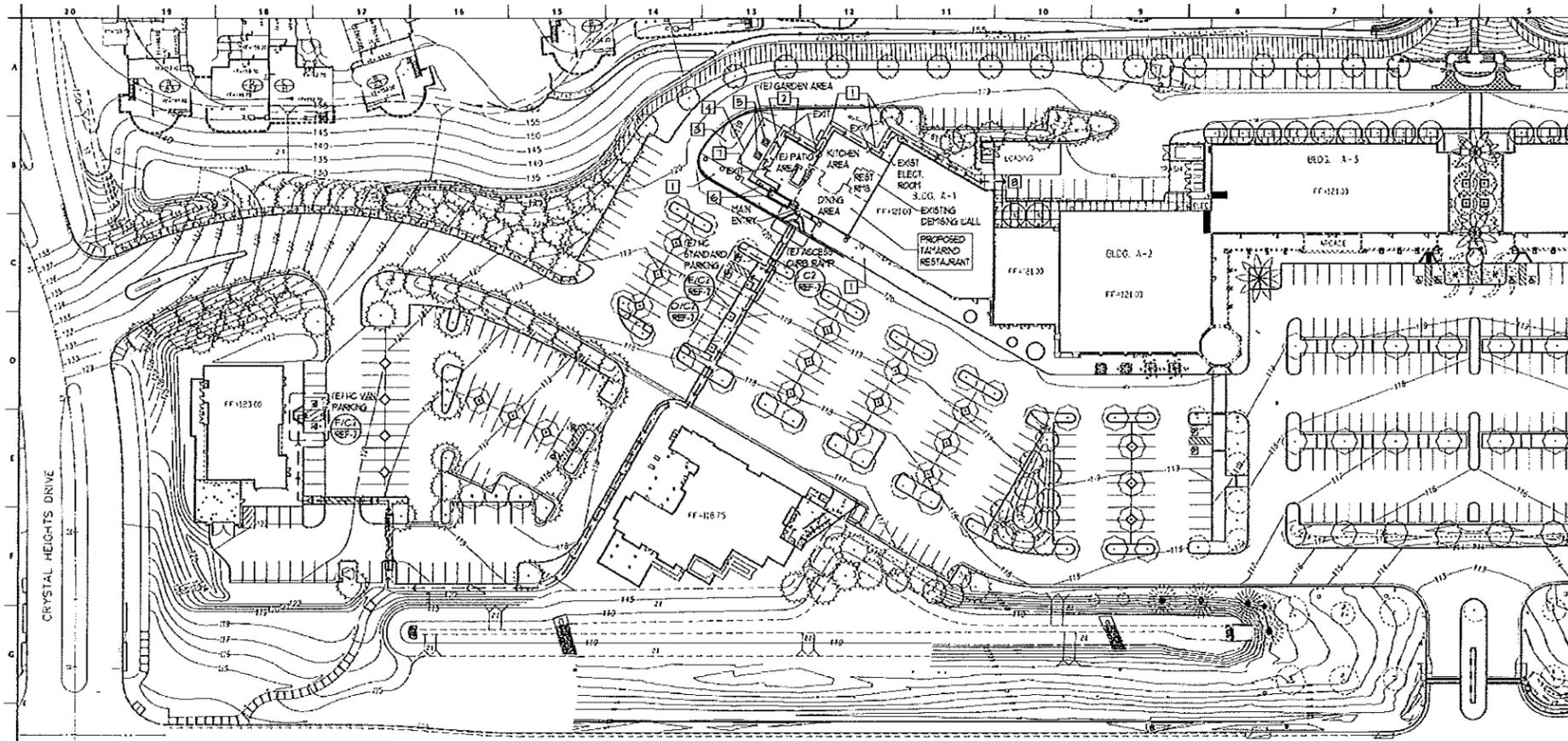
#### Attachments:

- Site Plan (Sheet ST-1)
- Enlarged Floor Plan (Sheet A-1.1)
- Building Sections (Sheet A-5.0)
- Check #13278 in the amount of \$844.00

CC: Gene Lawless, Fessel International  
Paulette Alexander, Irvine Company

---

**Attachment No. CD 3**  
Plans



**KEY NOTES**

- 1 EXISTING CONCRETE SIDEWALK
- 2 NEW CONCRETE SIDEWALK, SLOPE IN EACH DIRECTION, (2% MAX. SLOPE) REFER TO FLOOR PLAN SHEET A11
- 3 EXISTING PLAYERS AREA
- 4 EXISTING CHAIN LINK FENCE
- 5 NEW FIRE PIT, REFER TO SHEET A11
- 6 NEW WATER FEATURE, REFER TO SHEET A11
- 7 EXISTING MASONRY WALL
- 8 EXISTING ZERO CURB LINE

**GENERAL NOTES**



**STEVEN LANGFORD ARCHITECTS, INC.**  
 1751 EAST GARRY AVENUE  
 SANTA ANA, CA. 92705  
 PH: 949.833.9088  
 FAX: 949.833.9189

ARCHITECTURE • INTERIORS • DESIGN

**PROJECT**

**TAMARIND  
 T.J. RESTAURANT**  
 CRYSTAL COVE PROMINADE  
 7862 E. COAST HWY.  
 NEWPORT BEACH, CALIFORNIA

**ISSUE DATES**

NO.	DATE	DESCRIPTION
01-01	04/20/11	ISSUE FOR PERMITS
01-02	05/10/11	ISSUE FOR PERMITS
01-03	05/10/11	ISSUE FOR PERMITS

THE USER'S SOLE RESPONSIBILITY IS TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED ON THIS SHEET AND TO OBTAIN ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES. STEVEN LANGFORD ARCHITECTS, INC. IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. © STEVEN LANGFORD ARCHITECTS, INC. 11/11/11

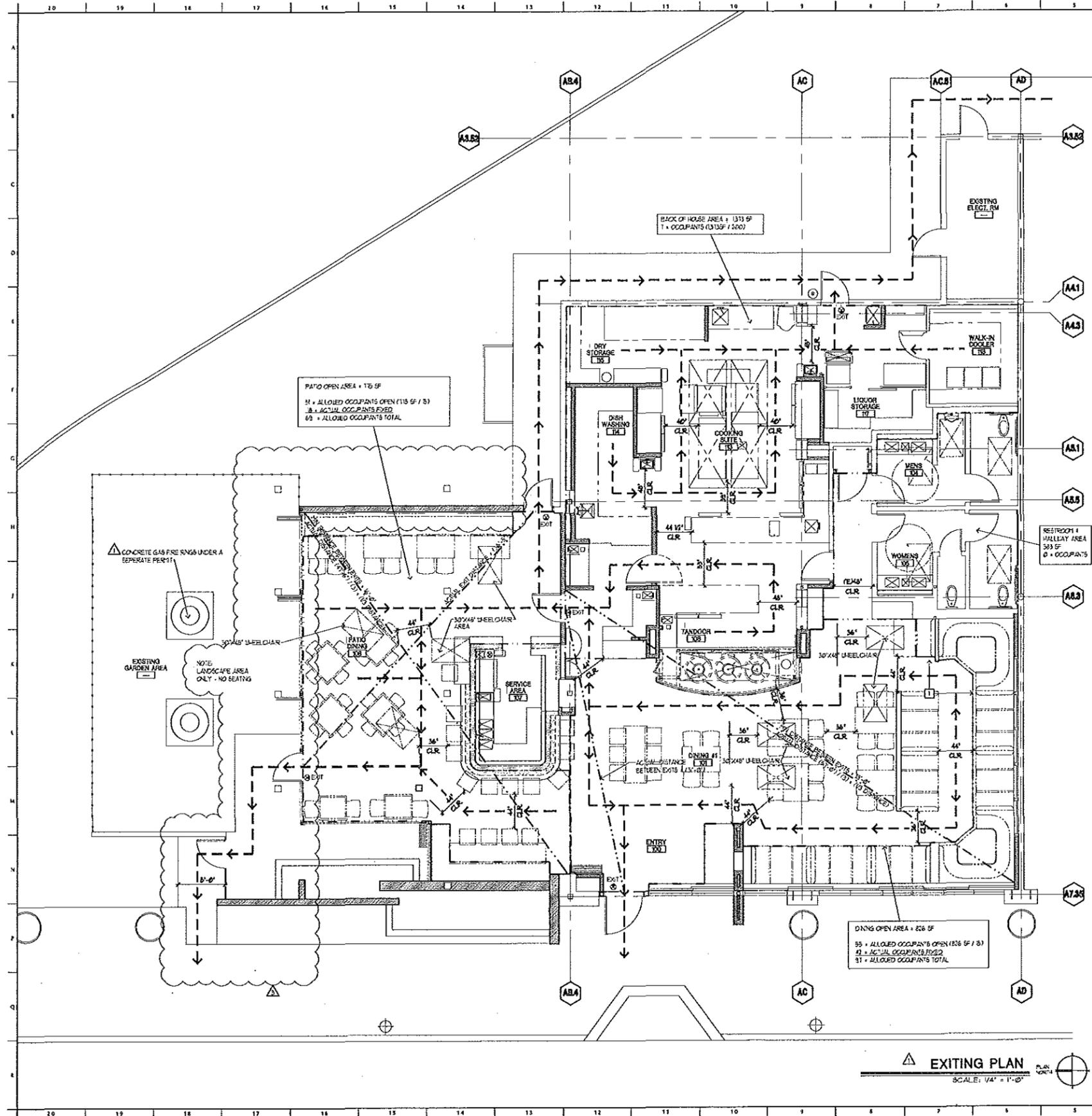
PROJECT NO. 10-034  
 DATE

SHEET TITLE

**SITE PLAN**

**ST-1**

PA2011-127 for SA2011-016  
 7862 East Coast Highway  
 Curzon Hospitality, dba Tamarind of London



**KEY NOTES**

- 1. EDGE OF BOOTH PLATFORM RAISED 6" HIGH
- 2. 36" HIGH X 48" HIGH UNDERLAP SPACE WITH 18" HIGH CLEARANCE SPACE AND 36" HIGH CLEARANCE SPACE BEHIND UNDERLAP LOCATION. TABLE TOPS AT THIS LOCATION SHALL BE 28" HIGH TO 30" HIGH UNDER 18" HIGH DEEP. SEE 2007 EDITION SECTION 1224.1. NO DOOR BUNGAS INTO CLEAR FLOOR SPACE FOR USER CHAIR

**GENERAL NOTES**

- 1. ALL ITEMS ARE NEW UNLESS NOTED AS EXISTING
- 2. ALL DIMENSIONS SHOWN ARE TAKEN FROM CENTER OF 5/8" UNLESS OTHERWISE NOTED
- 3. GENERAL CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS WHICH WILL REMAIN AND NOTIFY ARCHITECT WITH ANY DISCREPANCIES THEREOF
- 4. SEE OVERALL FLOOR PLAN FOR SEATING TABULATION SHEET F-1 AND ACCESSIBLE TABLE LOCATIONS
- 5. LOCATE ALL FIRE EXTINGUISHER PER FIRE DEPARTMENT REQUIREMENTS
- 6. ALL BUILDING ENTRANCES THAT ARE ACCESSIBLE TO AND USABLE BY PERSONS WITH DISABILITIES AND AT EVERY MAJOR JUNCTION ALONG OR LEADING TO AN ACCESSIBLE ROUTE OF TRAVEL SHALL BE IDENTIFIED WITH A SIGN DISPLAYING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY, AND WITH ADDITIONAL DIRECTIONAL SIGNS, AS REQUIRED, TO BE VISIBLE TO PERSONS ALONG APPROACHING PEDESTRIAN LANE
- 7. REFER TO SHEET A-6-D FOR DOOR DETAILS
- 8. PROVIDE SEATING SPACES FOR PEOPLE USING WHEELCHAIRS, AT LEAST ONE SPACE PER 10 SEATING OCCUPANTS, WITH NO LESS THAN ONE SPACE OF EACH TYPE (TABLE BOOTH COUNTERS, IN DINING AND THE PATIO AREAS). ACCESSIBLE SEATING SHALL BE INTEGRATED THROUGHOUT ALL SEATING AREAS AND NOT CLUSTERED IN ONE AREA OR ROOM

**DINING SEATING AREAS**  
 DINING AREA: 11,315 SF  
 RESTROOM & HALLWAY AREA: 583 SF  
 11,898 SF TOTAL  
 118 SEATING SPACES  
 118 SEATING SPACES PER 100 SF

**PLUMBING FIXTURE CALCULATIONS**

RESTROOM PLUMBING FIXTURE CALCULATIONS BASED ON:  
 1. 100% OF THE 118 OCCUPANTS  
 2. 100% OF THE 118 OCCUPANTS  
 3. 100% OF THE 118 OCCUPANTS  
 4. 100% OF THE 118 OCCUPANTS  
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 17. 100% OF THE 118 OCCUPANTS  
 18. 100% OF THE 118 OCCUPANTS  
 19. 100% OF THE 118 OCCUPANTS  
 20. 100% OF THE 118 OCCUPANTS

**SYMBOL LEGEND**

- > PATH OF EGRESS
- [ ] KEYNOTE
- RECESSED MOUNTED CLEAR ACRYLIC BLADE EXIT SIGN REFER TO ELECTRICAL DRAWINGS
- DOOR NO. - SEE SHEET A-6-D  
 "00" = ROOM NUMBER  
 "E" = EXISTING
- △ REVISION NUMBER



**STEVEN LANGFORD ARCHITECTS, INC.**  
 1761 EAST GARRY AVENUE  
 SANTA ANA, CA. 92705  
 PH: 949.833.9066  
 FAX: 949.833.9159

**PROJECT**

**TAMARIND T.I. RESTAURANT**  
 CRYSTAL COVE PROMENADE  
 7862 E. COAST HWY.  
 NEWPORT COAST, CALIFORNIA

**ISSUE DATES**

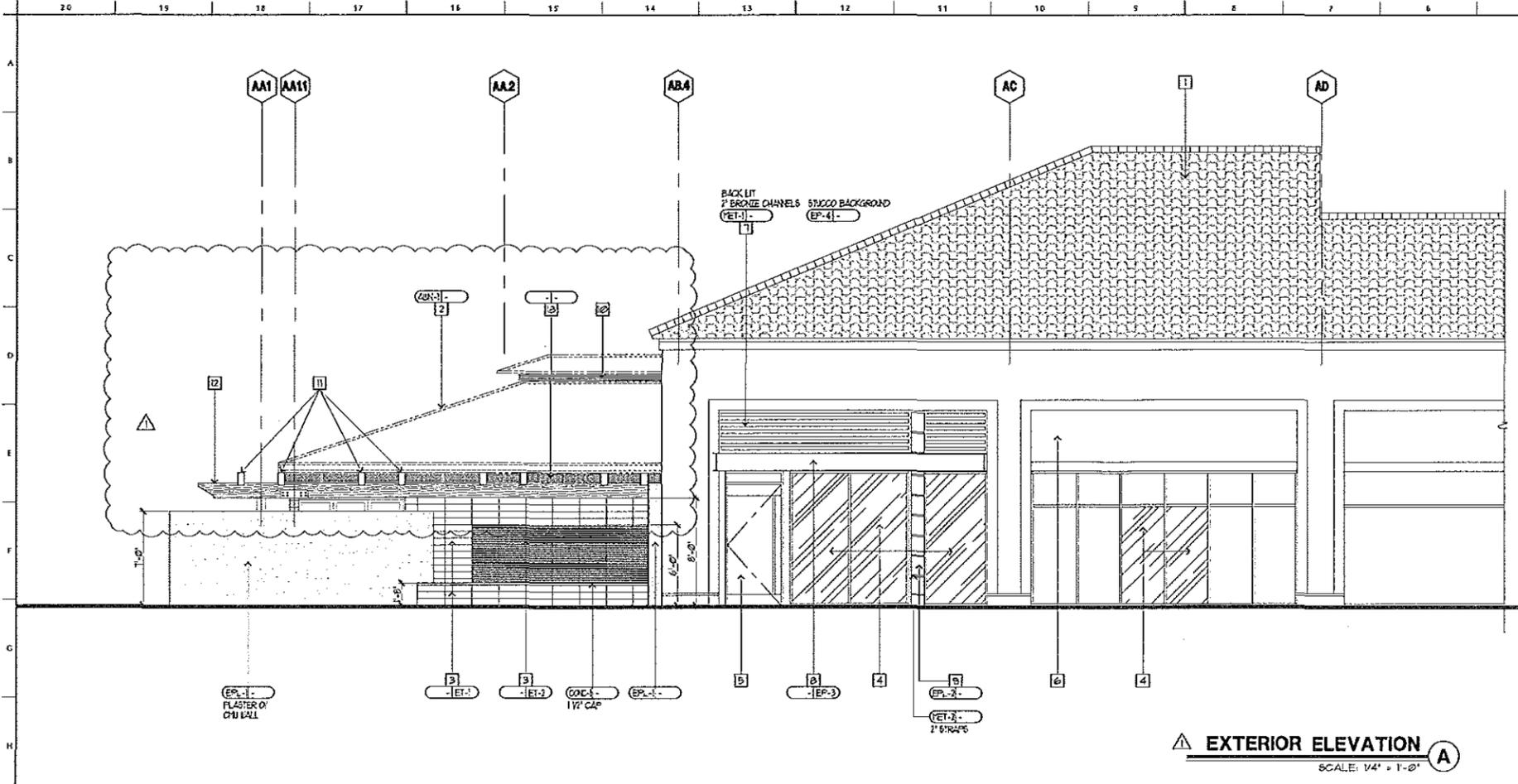
NO.	DATE	DESCRIPTION
01	05-04	BUILDING HEALTH & SAFETY
02	05-24	BUILDING - NO FC BASE
03	06-24	CLIENT REVISIONS
04	06-24	BUILDING - 300 FC BASE

PROJECT NO. 10-034  
 DATE

**SHEET TITLE**  
**OCC LOAD & EXITING FLOOR PLAN**

**A-1.0**

**EXITING PLAN**  
 SCALE: 1/4" = 1'-0"  
 PLAN COPY



**EXTERIOR ELEVATION A**  
SCALE: 1/4" = 1'-0"

**KEY NOTES**

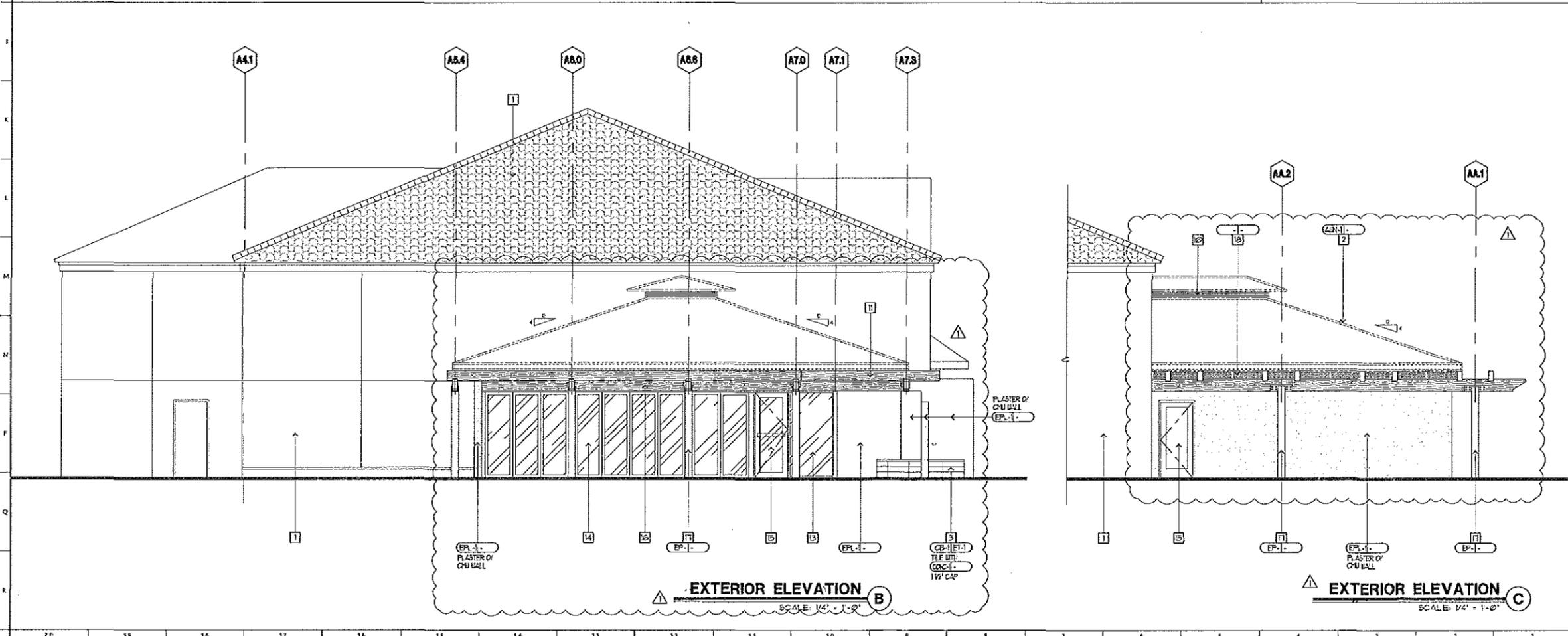
- 1 EXISTING BUILDING
- 2 NEW METAL FRAMED CANVAS ROOF (NIC) - BY AJING COMPANY
- 3 NEW WATER FEATURE WITH TILE FINISH
- 4 NEW WINDOW SYSTEM TO MATCH EXISTING
- 5 NEW CUSTOM DOOR AT MAIN ENTRY, SEE DOOR SCHEDULE
- 6 EXISTING FABRIC AWNING TO REMAIN
- 7 NEW REVERSE CHANNEL LOUVERS
- 8 NEW ENTRY AWNING WITH METAL FINISH
- 9 NEW WALL WITH TILE AND METAL TRIM FINISH SEE DETAIL -1A-B-
- 10 ROOF VENT (NIC) - BY AJING COMPANY
- 11 NEW TRELLIS BEAM TO MATCH EXISTING - REFER TO CEILING PLAN
- 12 NEW BEAM TO MATCH EXISTING - REFER TO CEILING PLAN
- 13 NEW ALUMINUM STOREFRONT WINDOW SYSTEM
- 14 NEW PATIO FOLDING DOORS, SEE DOOR SCHEDULE
- 15 NEW PATIO EXIT DOOR, SEE DOOR SCHEDULE
- 16 NEW FLUSH WOOD BEAM HEADER TO MATCH EXISTING
- 17 EXISTING TUBE STEEL PATIO COLUMN
- 18 NEW SCREEN WITH BRONZE MESH (NIC) - BY OTHERS

**GENERAL NOTES**

1. ALL ITEMS ARE NEW UNLESS NOTED AS EXISTING
2. ALL DIMENSIONS SHOWN ARE TAKEN FROM CENTER OF STUD UNLESS OTHERWISE NOTED.
3. GENERAL CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS UPON ULL, REVEAL AND NOTIFY ARCHITECT WITH ANY DISCREPANCIES THEREOF.
4. SEE SHEET A-6.1 FOR FINISH MATERIAL INDEX.

**SYMBOL LEGEND**

- (A) WINDOW TYPE - SEE WINDOW SCHEDULE
- (I) KEYNOTE
- (MATERIAL) MATERIAL FINISH - SEE MATERIAL SHEET INDEX



**EXTERIOR ELEVATION B**  
SCALE: 1/4" = 1'-0"

**EXTERIOR ELEVATION C**  
SCALE: 1/4" = 1'-0"



**STEVEN LANGFORD ARCHITECTS, INC.**

1751 EAST GARRY AVENUE  
SANTA ANA, CA 92705

PH: 949.833.9086  
FAX: 949.833.9159

ARCHITECTURE • INTERIORS • DESIGN

**PROJECT**

**TAMARIND T.I. RESTAURANT**  
CRYSTAL COVE PROMINADE  
7862 E. COAST HWY.  
NEWPORT BEACH, CALIFORNIA

**ISSUE DATES**

NO.	DATE	DESCRIPTION
01-01		BUILDING - 04/18 - W/PC
01-02		BUILDING - 04/18 - SEE

THE DRAWINGS, BEING NO BASIS FOR CONTRACT, ARE TO BE USED ONLY FOR THE PROJECT SPECIFIED ON THIS SHEET AND ARE THE SOLE PROPERTY OF STEVEN LANGFORD ARCHITECTS, INC. THEY ARE NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF STEVEN LANGFORD ARCHITECTS, INC.

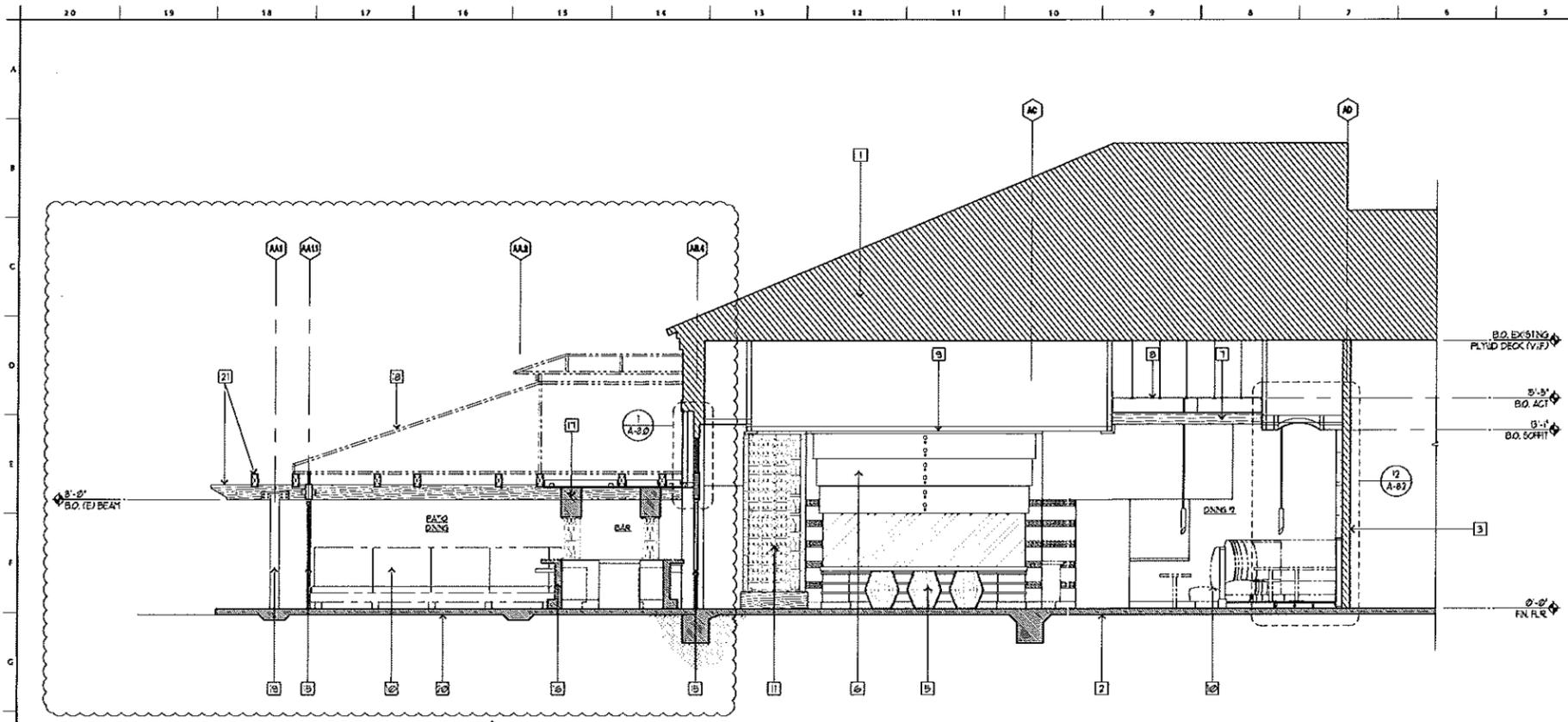
PROJECT NO. 10-034

DATE

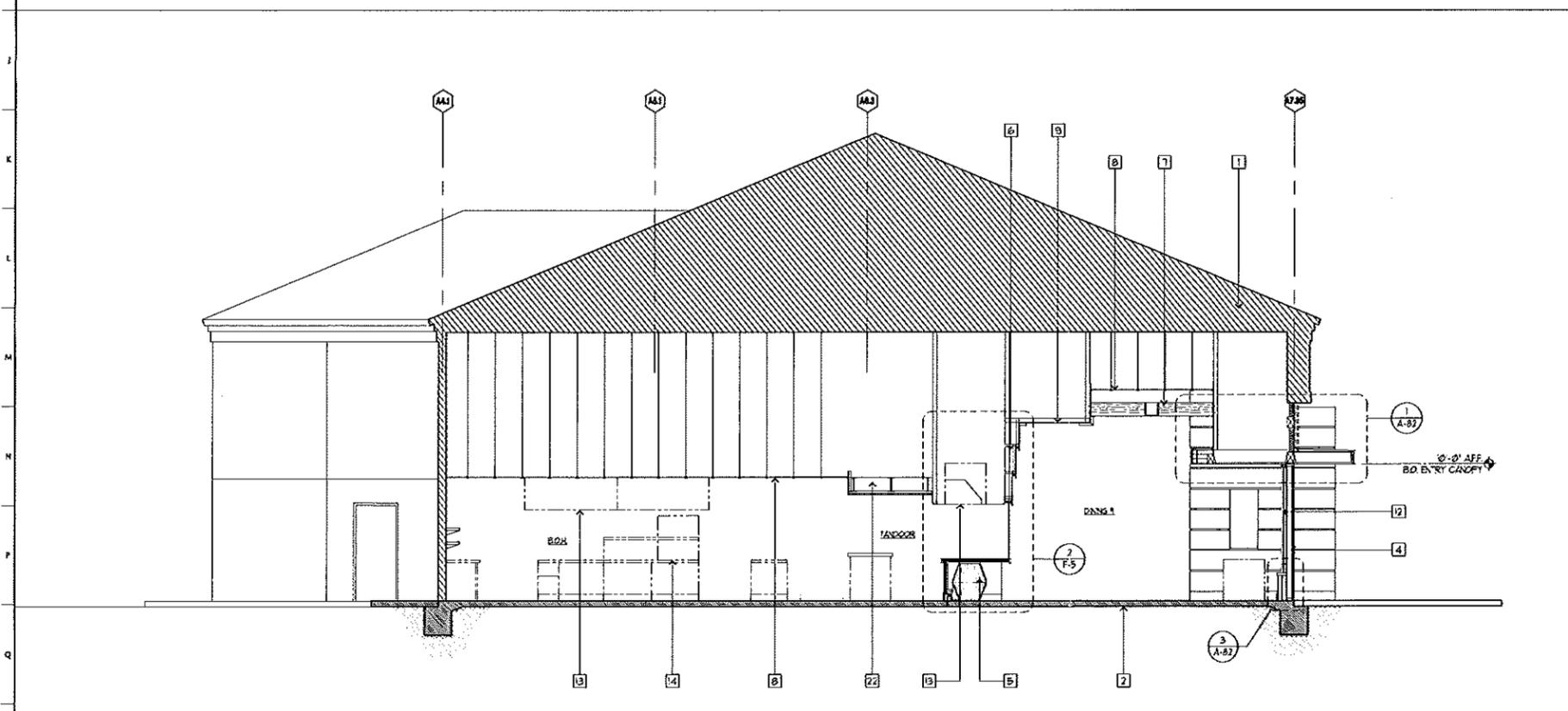
SHEET TITLE

**EXTERIOR ELEVATIONS**

**A-4.0**



**BUILDING SECTION A**  
SCALE: 1/4" = 1'-0"



**BUILDING SECTION B**  
SCALE: 1/4" = 1'-0"

**KEY NOTES**

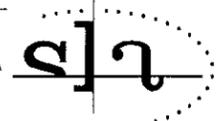
- 1 EXISTING ROOF STRUCTURE
- 2 EXISTING CONCRETE FLOOR SLAB AND FOOTING
- 3 EXISTING DECKING WALL
- 4 ALUMINUM STOREFRONT WINDOW SYSTEM - REFER TO WINDOW SCHEDULE SHEET A-6.0
- 5 TANDOOR OVENS - REFER TO KITCHEN DRAWINGS
- 6 GORFIT WITH LED STRIP LIGHTING - SEE SHEET A-1.0
- 7 BUILT-UP FALSE WOOD BEAM - SEE DETAIL 61A-83
- 8 SUSPENDED T-BAR CEILING - DETAILS FT, 8.1 15A-82
- 9 GYP. BO. GORFIT - SEE SHEET A-1.0
- 10 CUSTOM BOOTH SEATING - SEE SHEET F-1
- 11 CUSTOM LINE DISPLAY - SEE SHEET F-4
- 12 CUSTOM SLIDING WOOD SCREEN - SEE SHEET F-1
- 13 EXHAUST HOOD - REFER TO KITCHEN DRAWINGS
- 14 FOOD SERVICE EQUIPMENT - REFER TO KITCHEN DRAWINGS
- 15 FOLDING DOORS - SEE DOOR SCHEDULE, SHEET A-6.0
- 16 CUSTOM PATIO BAR DIE WALL AND COUNTER - SEE SHEET F-3
- 17 CUSTOM BAR LIQUOR DISPLAY - SEE SHEET F-3
- 18 FABRIC ROOF OF METAL FRAME BY OTHERS - N.C.
- 19 EXISTING TUBE STEEL COLUMN
- 20 NEW PATIO CONCRETE SLAB
- 21 EXISTING PATIO BEAMS
- 22 EXISTING WIDE FLANGE BEAMS

**GENERAL NOTES**

- 1. ALL ITEMS ARE NEW UNLESS NOTED AS EXISTING.
- 2. ALL DIMENSIONS SHOWN ARE TAKEN FROM CENTER OF GRID UNLESS OTHERWISE NOTED.
- 3. GENERAL CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS WHICH WILL REMAIN AND NOTIFY ARCHITECT WITH ANY DISCREPANCIES THEREOF.

**SYMBOL LEGEND**

- 1 KEYNOTE
- △ REVISION NUMBER
- ☁ REVISION CLOUD



**STEVEN LANGFORD ARCHITECTS, INC.**

1751 EAST GARRY AVENUE  
SANTA ANA, CA. 92705

PH: 949.833.9088  
FAX: 949.833.9159

ARCHITECTURE • INTERIORS • DESIGN

**PROJECT**

**TAMARIND  
T.I. RESTAURANT**  
CRYSTAL COVE PROMenade  
7862 E. COAST HWY.  
NEWPORT BEACH, CALIFORNIA

**ISSUE DATES**

NO.	DATE	DESCRIPTION
05-14	05-14	BIDDING / EA-14 - W/PC
06-14	06-14	BIDDING - NO PC GSE
06-14	06-14	CLIENT REVISIONS

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF ALL EXISTING STRUCTURE AND UTILITIES AND NOTIFY ARCHITECT WITH ANY DISCREPANCIES THEREOF. THIS DOCUMENT IS THE PROPERTY OF STEVEN LANGFORD ARCHITECTS, INC. AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF STEVEN LANGFORD ARCHITECTS, INC.

PROJECT NO. 10-034

DATE

**SHEET TITLE**

**BUILDING SECTIONS**

**A-5.0**

PA2011-127 for SA2011-016  
7862 East Coast Highway  
Curzon Hospitality, dba Tamarind of London





COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
3300 Newport Boulevard, Building C, Newport Beach, CA 92663  
(949) 644-3200 Fax: (949) 644-3229  
[www.newportbeachca.gov](http://www.newportbeachca.gov)

**DIRECTOR DETERMINATION OF ALTERNATIVE SETBACK AREA  
LOCATIONS**

SA2011-014 (PA2011-116)

**Date:** July 1, 2011

**Site address:** 3322 Seaview Avenue

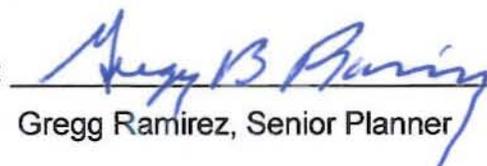
Section 20.30.110 C (Setback Regulations and Exceptions – Alternative setback area location):

*In cases where the orientation of an existing lot and the application of the setback area are not consistent with the character or general orientation of other lots in the vicinity, the Director may redefine the location of the front, side, and rear setback areas to be consistent with surrounding properties. The reorientation of setback areas is not applicable to the bluff overlay district.*

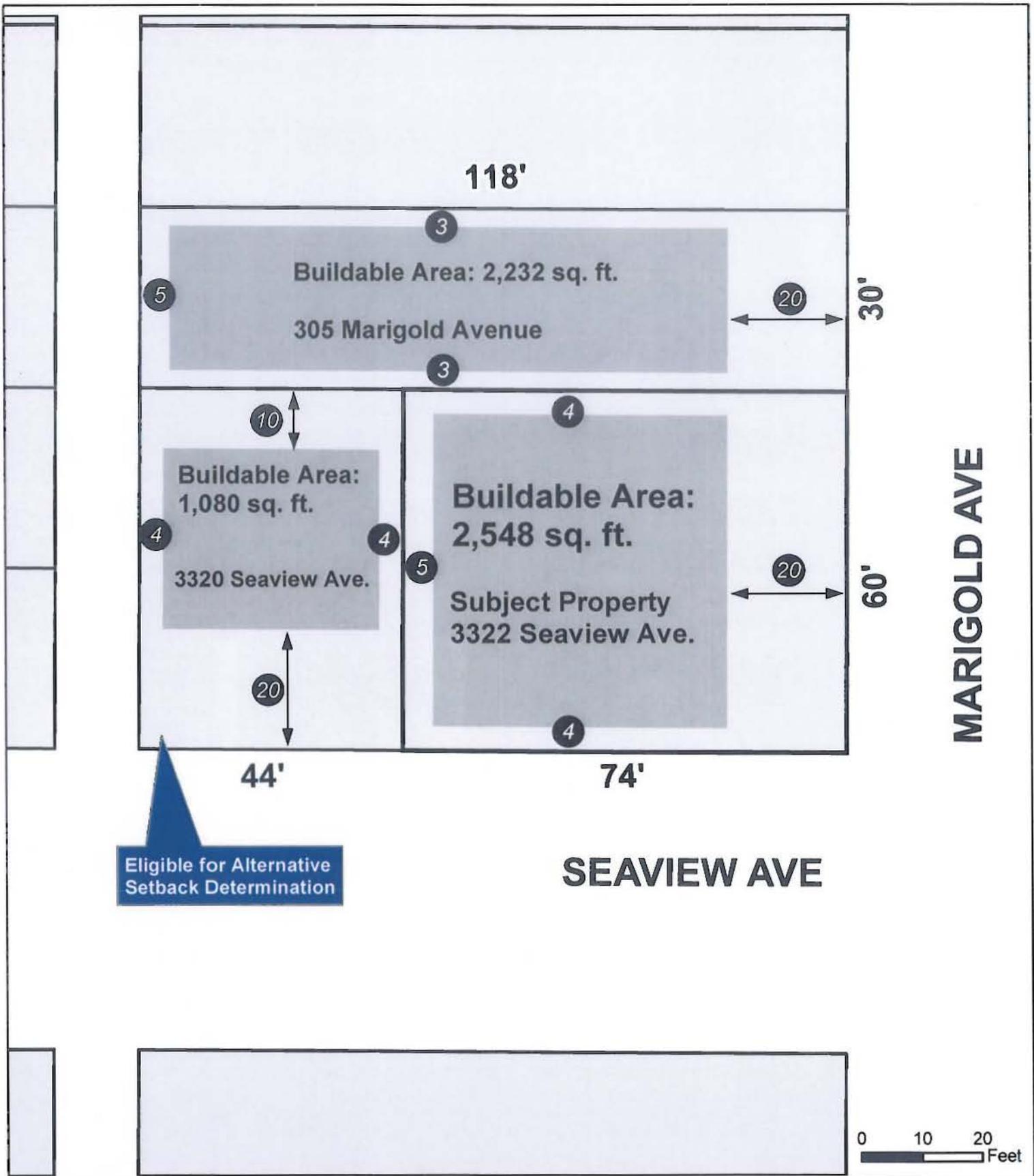
Pursuant to this section, the Community Development Director established the following alternative setbacks:

Yard	Setback	Description
Front	20'	Marigold Avenue
Side	4'	adjacent to Seaview Avenue
Side	4'	adjacent to 305 Marigold Avenue
Rear	5'	opposite front (Marigold Avenue)

On behalf of Kimberly Brandt, Community Development Director

By:   
Gregg Ramirez, Senior Planner

Attachment: Alternative Setback Exhibit



**Eligible for Alternative Setback Determination**

**SEAVIEW AVE**



3322 Seaview Avenue  
 PA2011-116  
 Director Determination of  
 Alternative Setback Area Locations

