

NEWPORT BEACH ZONING ADMINISTRATOR MINUTES
100 Civic Center Drive, Newport Beach
Corona del Mar Conference Room (Bay E-1st Floor)
Thursday, December 12, 2013
REGULAR HEARING
3:30 p.m.

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

Staff Present: Brenda Wisneski, Zoning Administrator
Makana Nova, Assistant Planner
Fern Nueno, Associate Planner
Rosalinh Ung, Associate Planner
Jason Van Patten, Planning Technician

B. MINUTES of November 27, 2013

Action: Approved

C. PUBLIC HEARING ITEMS

ITEM NO. 1 **Bowl of Heaven Minor Use Permit No. UP2013-025 (PA2013-218)**
1280 Bison Avenue, Suite B-11 **Council District 4**

Jason Van Patten, Planning Technician, provided a brief project description stating that the application was for a Minor Use Permit to allow a new take-out service limited, eating and drinking establishment in the Newport North Shopping Center. He stated that the proposed hours of operation were from 8 a.m. to 8 p.m., Monday through Saturday, and that no alcohol service or late hours were proposed. He indicated that parking would be provided in the shopping center parking lot. Mr. Van Patten also commented that conditions of approval included allowing for a maximum of six seats and hours of operation that extended until 11 p.m. daily in order to provide the establishment with future flexibility.

Applicant Robert Walsh, on behalf of Bowl of Heaven, stated that he had reviewed the draft resolution and the required conditions.

The Zoning Administrator opened the public hearing.

One member of the public, Jim Mosher, spoke and asked about the provision of restrooms for patrons given that seating may be provided.

Mr. Walsh indicated that the establishment did not intend on providing seating and that the project would comply with all Building Code requirements.

There were no other public comments.

The Zoning Administrator expressed agreement with the findings that had been made and acted to approve Minor Use Permit No. UP2013-025.

Action: Approved

ITEM NO. 2**Macy's Sign Modification Permit No. MD2013-020 (PA2013-207)****101 Newport Center Drive****Council District 5**

Makana Nova, Assistant Planner, provided a brief project description stating that the application was for a modification permit to allow two additional wall signs above the entryways on the south and east elevations of Macy's in Fashion Island Shopping Center. There are currently two additional smaller signs located above the entries at each of these facades. She stated that the building currently has two wall signs regulated under the North Newport Center Planned Community Text (PC) because only signs that are visible from the public right-of-way, Irvine Center Drive, are regulated under the development standards. She indicated that the applicant has provided an additional narrative justification and photographic exhibits to support the location of the proposed wall signs on the east elevation. Several of the photos demonstrate that the existing parking area landscaping blocks views of the existing signage from Newport Center Drive.

The Zoning Administrator indicated that after reviewing the staff report, she was not convinced that the signage was necessary on the east elevation because the existing signage on the north and east elevations is already adequately visible from the building entrance and along Newport Center Drive for approaching motorists. She indicated that the additional signage above the entrance could be excessive.

Applicant Tom Mathews, representing the Irvine Company, explained that the exhibits provided demonstrate that the existing signage is not visible from several locations along Newport Center Drive. The façade is inset at the entrance area from the location of the existing primary wall sign at the right side of the east elevation. Thus, the requested sign would provide wayfinding for pedestrians approaching the store entrance.

The Zoning Administrator asked the applicant to clarify the sign type and whether the proposed signage is an internally illuminated can sign or channel letters mounted to a backing.

Mr. Mathews indicated that the intent was to illuminate the background.

The Zoning Administrator indicated that a box around the signage would be less desirable and that further consideration of the signage materials would be appropriate.

Mr. Mathews requested that the item be continued to allow time to revise the requested signage based on the Zoning Administrator's comments and to provide additional clarification as to the requested sign type.

Ms. Nova clarified that the letter height was increasing from 1-foot 6-inches to 4-foot 3-inches for the signage above the entries.

The Zoning Administrator then opened the public hearing.

One member of the public, Jim Mosher, spoke and asked for clarification in the resolution regarding the proposed sign height versus the overall letter height identified in the findings for approval. He also testified that the existing smaller sized signage above the south entry is already readable from Newport Center Drive and that the larger existing sign is simply blocked by trees. Thus, the increase in size to the smaller sign would not help much. Finally, the PC Text allows one sign by right and the relocation of the big sign over the entrance would be a feasible alternative to the requested modification.

There were no other public comments.

The Zoning Administrator continued to express concern with the location and size of the requested wall sign along the east elevation.

The Zoning Administrator continued Modification Permit No. MD2013-020 (PA2013-207) to the Zoning Administrator Hearing on December 23, 2013 to allow the applicant to clarify the different design options and sign size.

Action: Continued to 12-23-13

**ITEM NO. 3 Block 500 Newport Center Drive Sign Modification No. MD2013-022 (PA2013-222)
500, 520, and 550 Newport Center Drive, Block 500 Newport Center Drive
Council District 5**

Rosalinh Ung, Associate Planner, provided a brief project description stating that the Modification Permit application requests one new monument sign (Sign Type A) within the Block 500 Planned Community (PC 46); repositioning of two allowed, but not constructed, monument signs within the Block 500 Sub-Area of the North Newport Center Planned Community (PC 56); and one additional landscape wall sign (Sign Type D) to be located within PC 56.

Ms. Ung stated that the proposed additional signs are appropriate, consistent with the sign criteria stated in PC 46 and PC 56, compatible with the surrounding development, and therefore is recommending approval of the application. Findings supporting approval are provided in the draft resolution.

Applicant Tom Mathews of CAA Planning, on behalf of the Irvine Company, stated that he had reviewed the draft resolution and the required conditions.

The Zoning Administrator opened the public hearing.

One member of the public, Jim Mosher, commented on the size of the proposed monument signs and whether they are compatible with the other existing signs within the North Newport Center. He also commented on the locations of these signs and whether or not they would be in compliance with the sight distance requirement even though there is a condition of approval for such.

There were no other public comments.

The Zoning Administrator stated that there are new developments within the North Newport Center area and the size of the proposed monument signs is appropriate and consistent with the existing signs in the area. The Planning Community development standards allowed a maximum size and height of this sign type and the proposed monument signs are smaller than what are allowed. The Zoning Administrator expressed agreement with the findings that had been made and acted to approve Modification Permit No. MD2013-022.

Action: Approved

**ITEM NO. 4 Harbor View Shopping Center Comprehensive Sign Program No. CS2013-013 and Modification Permit No. MD2013-018 (PA2013-201)
1610-1666 San Miguel Drive and 2500 San Joaquin Hills Road CD 7**

Fern Nueno, Associate Planner, provided a brief project description stating that the request was for wall, monument, vehicle-oriented directional, and exempt signs. Ms. Nueno described the project setting, including the location of the buildings, drive aisles, and parking areas. She further described the request for the Modification Permit, the project description, and sign matrix. She stated that staff believed the proposed project would result in improved vehicle and pedestrian circulation and the signs would be compatible with the neighborhood; and therefore, Ms. Nueno recommended approval of the application based on the facts in support of the required findings within the draft resolution. In response to a question by Zoning Administrator Wisneski, Ms. Nueno noted that the approval would allow flexibility for the proposed shopping center identification monument sign locations at one of two drive aisles on both San Joaquin Hills Road and San Miguel Drive, with a maximum of three signs.

Applicant Tom Mathews of CAA Planning, on behalf of the Irvine Company, commented on the flexibility of the sign program that would allow for changes to the project consistent with sight distance and setback requirements.

Ms. Nueno stated that the gas station tenant is considering a remodel and commented on how the proposed project would affect it. Mr. Mathews stated that they would follow-up with the gas station tenant on the proposed signs.

The Zoning Administrator opened the public hearing.

A member of the public, Mr. Jim Mosher, commented that he was pleased with the more human scale for the proposed sign size compared to other monument signs. He asked if the proposed sign program would replace an existing program. Mr. Mosher mentioned the sign copy included "Irvine" mistakenly instead of "Newport Beach."

Ms. Nueno noted that this sign program is the first for the shopping center and is not replacing an existing program.

There were no other public comments and the public hearing was closed.

Action: Approved

D. PUBLIC COMMENTS ON NON-AGENDA ITEMS

A member of the public, Mr. Jim Mosher, inquired about audio recordings missing from the City website; most specifically Zoning Administrator recordings. The Zoning Administrator referred Mr. Mosher to the City Clerk's office.

E. ADJOURNMENT

The hearing was adjourned at 4:00 p.m.

The agenda for the Zoning Administrator Hearing was posted on December 6, 2013, at 3:34 p.m. in the Chambers binder and on the digital display board located inside the vestibule of the Council Chambers at 100 Civic Center Drive and on the City's website on December 6, 2013, at 3:20 p.m.

Brenda Wisneski, AICP, Zoning Administrator

Dec. 23, 2013, Zoning Administrator Agenda Comments

Comments submitted by: Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229)

Suggested corrections to passages in *italics* are shown in **strikeout underline** format.

Item B: Minutes of December 12, 2013

Page 2, paragraph 4 from end: “*He also testified that the existing smaller sized signage above the south entry is already readable from Newport Center Drive and that the **larger smaller** existing sign is simply blocked by trees **from some angles**. Thus, the increase in size to the smaller sign would not help much.*”

Page 3, Item 3, last paragraph: “*The **Planning Planned** Community development standards allowed a maximum size and height of this sign type and the proposed monument signs are smaller than what are allowed.*”

~~**Item 1. Macy’s Sign Modification Permit (PA2013-207)**~~

- ~~1. As indicated in my oral testimony at the December 12 hearing, the signs that already exist over the south and east entries appear to violate the Fashion Island sign standards in the PC-56 Planned Community Development Plan since they are readily visible from Newport Center Drive, and only one wall sign visible from the public rights of way is allowed on each building elevation.~~
- ~~2. As also indicated, the problem that is being addressed (confusion regarding where the entrances are, created by existing large wall signs in wrong location), and the need for a modification permit, would seem to be avoided simply by relocating the single allowed large wall sign to a position over the entrance. In my opinion a single sign could be mounted high up on the entryway pillars, like a permanent banner.~~
- ~~3. If a modification permit *is* granted to allow signs over the entryway facades, in addition to the large existing signs (said to be in confusing locations), I am unable to see why two different sizes of the same design are being proposed, with the sign over the south entry larger than the sign over the east entry.~~
- ~~4. The bullet point on page 2 of the staff report saying “*the top of the proposed wall sign on the east elevation has been lowered to a height that is 1-foot 4-inches above the main entrance doors to the building*” is difficult to correlate with the simulations of the south and east entries provided in Attachment ZA 5, which indicate the *bottom* of both new entryway sign backgrounds will *start* 6 feet above the entry doors. The *tops* of the proposed sign backgrounds appear to be 13 to 15 feet above the doors.~~
- ~~5. If the 1-foot 6-inch dimension for the existing entry signs quoted in the resolution in Facts in Support of Finding A-2 corresponds to the proposed new 6 feet 10 inches and 6 feet 3/4 inches dimensions cited in Conditions of Approval #5 and #6, then the proposed increase in letter height for these signs is 4.55X and 4.04X, corresponding to an~~