



COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915
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www.newportbeachca.gov

CITY OF NEWPORT BEACH
ZONING ADMINISTRATOR STAFF REPORT
December 23, 2013
Agenda Item No. 1

SUBJECT: Macy's Sign Modification - (PA2013-207)
101 Newport Center Drive
Modification Permit No. MD2013-020

APPLICANT: Irvine Company

PLANNER: Makana Nova, Assistant Planner
(949) 644-3249, mnova@newportbeachca.gov

ZONING DISTRICT/GENERAL PLAN

- **Zone:** PC-56 (North Newport Center)
- **General Plan:** CR (Regional Commercial)

PROJECT SUMMARY

A modification permit to add two major tenant signs to existing wall signage for a total of four wall signs for Macy's within Fashion Island, where the North Newport Center Planned Community Development Plan allows one sign per building elevation in areas that are visible from the public right-of-way. Two wall signs will be located on the south building elevation and two will be located on the east building elevation. The wall sign on the south elevation will provide an overall sign height of 6 feet 9 3/4 inches and the wall sign on the east elevation will provide an overall sign height of 6 feet 3/4 inches. Each wall sign will comply with the maximum 10-foot height limitation established by the North Newport Center Planned Community for major tenant signs.

RECOMMENDATION

- 1) Conduct a public hearing; and
- 2) Adopt Draft Zoning Administrator Resolution No. _ approving Modification Permit No. MD2013-020 (Attachment No. ZA 1).

DISCUSSION

- The Zoning Administrator held a public hearing on December 12, 2013, and continued the project to December 23, 2013 to allow additional time for the applicant to consider design and size alternatives for the requested signage on the east elevation.
- The applicant has revised the proposed wall sign for the east façade of the building in the following ways:
 - The proposed signs now consist of halo lit channel letters mounted to a backing to provide a cleaner appearance. The existing building surface material is an uneven redwood material placed horizontally and a background mounting would provide an even surface for the proposed signage.
 - The overall sign height on the east elevation has been reduced from 6 feet 9 3/4 inches to 6 feet 3/4 inches. The letter/logo height has been reduced from 4 feet 2 3/4 inches to a 3 foot 5 3/8-inch maximum letter/logo height. The background mounting area has been reduced from 8 feet 10 inches to 7 feet 6 inches in height.
 - As a result of the reduced sign size, the sign background has been reduced to 7-foot 6-inches in height by 24 feet 8 inches in width.
 - With the reduction in sign height, 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, further limiting visibility from Newport Center Drive.
- The applicant has provided updated project plans to accurately reflect the proposed sign materials and sizes.
- A photo example is provided of an existing wall sign mounted on the west façade of the building that is similar to the materials and type of the requested signage above the south and east entryways (Attachment No. ZA 4).

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15311, of the State CEQA (California Environmental Quality Act) Guidelines - Class 11 (Accessory Structures).

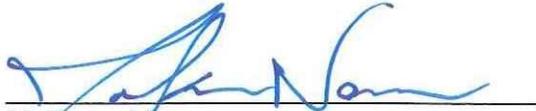
PUBLIC NOTICE

This item was continued to a date certain in the Zoning Administrator minutes from December 12, 2013. Notice for the December 12, 2013, hearing was published in the Daily Pilot, mailed to property owners within 300 feet of the property, and posted at the site a minimum of 10 days in advance of this hearing consistent with the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

APPEAL PERIOD:

An appeal may be filed with the Director of Community Development within 14 days following the date of action. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

Prepared by:



Makana Nova
Assistant Planner
GR/mkn

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|--------------|------|--|
| Attachments: | ZA 1 | Revised Draft Resolution |
| | ZA 2 | Draft Zoning Administrator Minutes from 12-12-2013 |
| | ZA 3 | Supplemental Project Description |
| | ZA 4 | West Façade Photo Example |
| | ZA 5 | Revised Project Plans |

Attachment No. ZA 1

Revised Draft Resolution

RESOLUTION NO. ZA2013-0##

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MODIFICATION PERMIT NO. MD2013-020 FOR TWO ADDITIONAL WALL SIGNS LOCATED AT 101 NEWPORT CENTER DRIVE (PA2013-207)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Shawna Schaffner of CAA Planning, Inc., representing the property owner, The Irvine Company, with respect to property located at 101 Newport Center Drive, and legally described as Lot Q, Tract 6015 in the City of Newport Beach, County of Orange, California being a subdivision of portions of Blocks 55 and 93 of Irvine's subdivision per map thereof recorded in Book 1, Page 88 of Miscellaneous Record Maps, Records of Orange County, California, requesting approval of a modification permit.
2. The applicant proposes a modification permit to add two major tenant signs to existing wall signage for a total of four wall signs for Macy's within Fashion Island, where the North Newport Center Planned Community Development Plan allows one sign per building elevation in areas that are visible from the public right-of-way. Two wall signs will be located on the south building elevation and two will be located on the east building elevation. The wall sign on the south elevation will provide an overall sign height of 6 feet 9 3/4 inches (172 square feet in area) and the wall sign on the east elevation will provide an overall sign height of 6 feet 3/4 inches (126 square feet in area). Each wall sign will comply with the maximum 10-foot height limitation established by the North Newport Center Planned Community for major tenant signs.
3. The subject property is located within the Fashion Island Sub-Area of the PC-56 (North Newport Center) Zoning District and the General Plan Land Use Element category is CR (Regional Commercial).
4. The subject property is not located within the coastal zone.
5. A public hearing was held on December 12, 2013, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place, and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting. The item was continued to the December 23, 2013, Zoning Administrator hearing.
6. A public hearing was held on December 23, 2013, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. The project has been reviewed and qualifies for a Class 11 (Accessory Structures) categorical exemption pursuant to Title 14 of the California Code of Regulations (Section 15311, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act).
2. The proposed signs are incidental and accessory to the principal commercial use of the property and do not intensify or alter the use.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.52.050.E (Required Findings, Modification Permits) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

- A. The requested modification will be compatible with existing development in the neighborhood.*

Facts in Support of Finding:

- A-1. The subject property is located within the Fashion Island Sub-Area of the PC-56 (North Newport Center Planned Community) Zoning District and is developed with a 3-story department store, Macy's, that encompasses 1.76 acres of land and has two building frontages facing Newport Center Drive.
- A-2. The requested modification will allow the applicant to replace permanent wall signs at two sign locations. Only signs visible from the right-of-way are regulated in Fashion Island. Two wall signs are located above the entry to Macy's along the south and east building frontages. The existing 1-foot 6-inch wall signs above the entry are currently not regulated under the North Newport Center Planned Community because they are not visible from the adjacent right-of-way. The increased size and height of the signage at these locations will provide for added visibility in compliance with the letter/logo height limitations identified in the North Newport Center Planned Community.
- A-3. The location of the existing wall signage at the store entry locations is consistent with signage in this Zoning District and in the general vicinity. Fashion Island is the only regional shopping center in Newport Beach and the proposed signage will be appropriate in scale to the larger building facades within this center.
- A-4. The two additional major tenant signs are intended to call attention to the building entrances for pedestrians.

Finding:

- B. *The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use.*

Facts in Support of Finding:

- B-1. The building entrances are recessed and located behind pillars. The existing signage is smaller and not as readily visible to pedestrians. The larger scale signage will assist in wayfinding and call attention to the entrances.
- B-2. The parking lot that is adjacent to the building frontages is expansive, and the wall signs help to identify the store entrance to guests who have parked in this lot or are approaching along Newport Center Drive.
- B-3. Due to the location of and the height of the existing wall signs, an increase in letter height and sign area is appropriate to provide adequate site identification and visibility.

Finding:

- C. *The granting of the modification is necessary due to practical difficulties associated with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code*

Facts in Support of Finding:

- C1. A strict application of the sign standards established by the North Newport Center Planned Community would limit each building frontage to one wall sign. This would result in a less than optimal identification as a result of the physical scale of the existing buildings.
- C2. The general purpose and intent of the North Newport Center Planned Community as it pertains to signs is to provide each sign user with an opportunity for adequate identification while guarding against the excessive and confusing proliferation of signs.
- C3. The sign copy location for the proposed wall signs has been designed to accent the wall. The entries are recessed and signs must be sized to provide adequate visibility from parking areas and walkways. Enlarging the letter size above the entries is consistent with the intent and purpose of the regional shopping center in providing accessibility and visibility to surrounding owners, occupants, and the general public.
- C4. Signage on-site is limited to the approved signs. The approved signs will therefore prevent a proliferation of signage on-site.

Finding:

- D. *There are no alternatives to the modification permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public.*

Facts in Support of Finding:

- D-1 The alternative would be to maintain the existing sign configuration. The proposed signs will provide positive benefit to pedestrians to more easily identify the building entrances.
- D-2 Section 20.52.050 (Modification Permits) of the Zoning Code specifies that a modification permit may be granted to increase the allowed height, number, and area of signs. The size of the building warrants the increased size of the existing signs and will not detract from the building's exterior.
- D-3 All signs will be channel letters attached to existing walls and will be "halo" or back-lit, thereby eliminating any direct-illumination from the sign.
- D-4 The increased size of the wall signs will provide better visual direction for the public from the surrounding public roadways and from a greater distance without detracting from the development's overall aesthetic.

Finding

- E. *The granting of the modification would not be detrimental to public health, safety, or welfare to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code*
- E-1 Approval of the application to increase the size of wall signs does not change the density or intensity of use. The signs will provide for adequate wayfinding for customers and visitors to Fashion Island. Due to the size of the development and the street presence of the existing building, the presence of four wall signs, two per frontage, with new signage up to 6 feet 10 inches in height along the south elevation and 6 feet 3/4 inches in height along the east elevation will not adversely affect or be detrimental to persons, property, or improvements in the neighborhood.
- E-2 There are no residential properties adjoining the subject property.
- E-3 The granting of the modification to provide relief is consistent with past approvals for size and placement of signs at similar locations that have demonstrated no detriment to the public health, safety, or welfare of occupants of the property, nearby properties, the neighborhood, or the City.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Modification Permit No. MD2013-020, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. This action shall become final and effective 14 days after the adoption of this Resolution unless within such time an appeal is filed with the Community Development Director in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 23rd DAY OF DECEMBER, 2013.

Brenda Wisneski, AICP, Zoning Administrator

DRAFT

EXHIBIT "A"**CONDITIONS OF APPROVAL****PLANNING**

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval. (Except as modified by applicable conditions of approval.)
2. Modification No. MD2013-020 (PA2013-207) shall expire unless exercised within 24 months from the date of approval as specified in Section 20.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code, unless an extension is otherwise granted.
3. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
4. 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.
5. The overall letter/logo height of the new wall sign on the south elevation shall be limited to 6 feet 10 inches in height and 172 square feet in area. The background shall be painted in a color to match the exterior building color.
6. The overall letter/logo height of the new wall sign on the east elevation shall be limited to 6 feet 3/4 inches in height and 126 square feet in area. The background shall be painted in a color to match the exterior building color.
7. This Modification Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or is materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
8. Any expansion in area, or other modification to the approved plans, shall require an amendment to this Modification Permit or the processing of a new modification permit.
9. A copy of the Resolution, including conditions of approval (Exhibit "A") shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
10. Prior to issuance of building permits, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Modification Permit file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only

and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Modification Permit and shall highlight the approved elements such that they are readily discernible from other elements of the plans.

11. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
12. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 20 Planning and Zoning of the Newport Beach Municipal Code.
13. 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 Macy's Sign Modification including, but not limited to, the Modification Permit No. MD2013-020 (PA2013-207). 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.

Building Division Conditions

14. The applicant is required to obtain all applicable permits from the City's Building Division and Fire Department. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access requirements.

Attachment No. ZA 2

Draft Zoning Administrator Minutes from
12-12-2013

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

Attachment No. ZA 4

West Façade Photo Example



Attachment No. ZA 3

Supplemental Project Description

Nova, Makana

From: Paul Shaver [pshaver@caaplanning.com]
Sent: Monday, December 16, 2013 12:50 PM
To: Nova, Makana
Cc: Shawna Schaffner
Subject: Macy's
Attachments: Revised Macy's Sign - East Location.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Makana,

Attached is the revised sign detail for the Macy's sign proposed for the East Elevation. Please note the following changes to the proposed sign

- The letter height has been reduced 8" from the previous height of 4'-0" to the now proposed 3'4".
- The sign height has been reduced 16" from the previous height of 8'-10" to the now proposed 7'6".
- The sign width has been reduced 4'-6" from the previous width of 29'-2" to the now proposed 24'8".
- The possibility of affixing the letters directly to the building surface was investigated but it was determined that mounting the letters on a backing provides a cleaner appearance. This is due to the fact that the existing building surface material is redwood placed horizontally and would provide an uneven surface.
- Finally, as a result of the reduction in the height of the sign, the sign will be would be mounted 1'4" lower on the building than previously proposed, which would further limit visibility from Newport Center Drive.

Regards,
Paul

Nova, Makana

From: Shawna Schaffner [sschaffner@caaplanning.com]
Sent: Tuesday, December 17, 2013 11:42 AM
To: Nova, Makana; Paul Shaver
Subject: RE: Macy's

Hi Makana –

The sign is lower because it is not as large. The sign placement remains 6' over the door – from the bottom of the sign – which means the top of the sign is 1'4" lower than the previous proposal.

The box is NOT illuminated. The letters will be halo lit consistent with the signs already in place.

Thanks!
Shawna

From: Nova, Makana [mailto:MNova@newportbeachca.gov]
Sent: Tuesday, December 17, 2013 11:39 AM
To: Paul Shaver
Cc: Shawna Schaffner
Subject: RE: Macy's

Hi Paul,

Thanks for sending this over. I have a couple of questions. You had mentioned in your description from yesterday that the sign location had been lowered on the façade. I did not see this reflected on the elevations. Also, have you had an opportunity to clarify whether the proposed signage is an internally illuminated box or channel letters?

Makana Nova | ASSISTANT PLANNER, AICP

Planning Division | City of Newport Beach
100 Civic Center Drive | Newport Beach, CA 92660
P. 949.644.3249 | F. 949.644.3203
mnova@newportbeachca.gov
www.newportbeachca.gov

From: Paul Shaver [mailto:pshaver@caaplanning.com]
Sent: Tuesday, December 17, 2013 10:44 AM
To: Nova, Makana
Cc: Shawna Schaffner
Subject: Macy's

Makana,

Per our conversation yesterday, please find attached the complete plan set for the signs at the East and South elevations including revised photo simulations for both elevations.

Best,
Paul

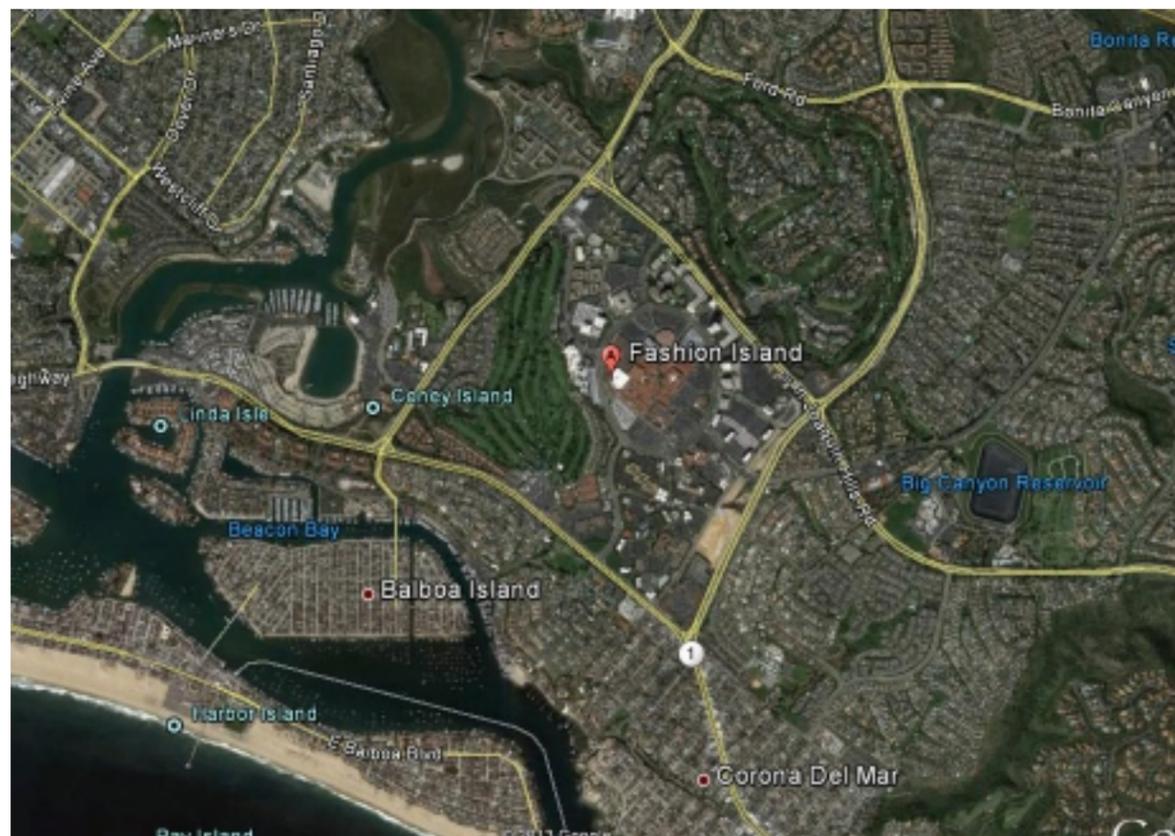
Attachment No. ZA 5

Project Plans

SIGN DRAWINGS FOR



FASHION ISLAND NEWPORT BEACH, CA



SITE LOCATION

BRITELITENEON
corporation

5514 SATSUMA AVENUE
NORTH HOLLYWOOD, CA 91601

PHONE 818.763.4798
FAX 818.763.5758

SCOPE OF WORK:

SOUTH ELEVATION:

BLN:

PROVIDE NEW 4'-0" HALO-LIT LETTERS
REMOVE EXISTING 1'-6" NON-ILLUM. LETTERS

G.C.:

PROVIDE NEW EIFS BACKGROUND.
PROVIDE ONE 120 V. /20 AMP CIRCUIT AT ACCESSIBLE REMOTE LOCATION BEHIND EIFS.
REPAIR HOLES LEFT FROM OLD SIGN

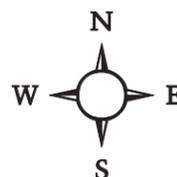
EAST ELEVATION:

BLN:

PROVIDE NEW 3'-4" HALO-LIT LETTERS
REMOVE EXISTING 1'-6" NON-ILLUM. LETTERS

G.C.:

PROVIDE NEW EIFS BACKGROUND.
PROVIDE ONE 120 V. /20 AMP CIRCUIT AT ACCESSIBLE REMOTE LOCATION BEHIND EIFS.
REPAIR HOLES LEFT FROM OLD SIGN



JOB NAME: 	DATE: 4-15-13	DRAWING #: 1 OF 6
ADDRESS: FASHION ISLAND NEWPORT BEACH, CA	DRAWN BY: AK	APPROVED BY:
	REVISED: 12-16-13	



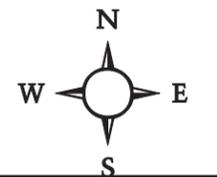
SOUTH ELEVATION
NEW 4'-0" LETTERS
AT ENTRY
(SEE PG. 3)

EXISTING 6'-0" SET OF
LETTERS TO REMAIN

NEW CONSTRUCTION

EXISTING 6'-0" SET OF
LETTERS TO REMAIN

EAST ELEVATION
NEW 3'-4" LETTERS
AT ENTRY
(SEE PG. 4)



1 LOCATION MAP

BRITELITENEON
corporation

5514 SATSUMA AVENUE
NORTH HOLLYWOOD, CA 91601

PHONE 818.763.4798
FAX 818.763.5758

JOB NAME: 

DATE: 4-15-13

DRAWING #: 2 OF 6

ADDRESS: FASHION ISLAND
NEWPORT BEACH, CA

DRAWN BY: AK

APPROVED BY:

REVISED: 12-16-13



EXISTING

SOUTH ELEVATION
 NEW 4'-0" HIGH FACE-LIT LETTERS MOUNTED
 NEW EIFS BACKGROUND-PAINTED TO MATCH
 EXISTING WOOD WALL
 REMOVE EXISTING 1'-6" NON-ILLUM. LETTERS

BRITELITENEON
 corporation

5514 SATSUMA AVENUE
 NORTH HOLLYWOOD, CA 91601

PHONE 818.763.4798
 FAX 818.763.5758

JOB NAME: 	DATE: 4-15-13	DRAWING #: 3 OF 6
ADDRESS: FASHION ISLAND NEWPORT BEACH, CA	DRAWN BY: AK	APPROVED BY:
	REVISED: 12-16-13	



EXISTING

EAST ELEVATION
 NEW 3'-4" HIGH FACE-LIT LETTERS MOUNTED
 NEW EIFS BACKGROUND PAINTED TO MATCH
 EXISTING WOOD WALL
 REMOVE EXISTING 1'-6" NON-ILLUM. LETTERS

*PER CITY REQUEST:
 LETTER HEIGHT WAS REDUCED 8" TO
 40" HIGH (83.3%) AND BACKGROUND
 ALSO WAS REDUCED BY 83.3% TO
 7'-4" X 24'-2"

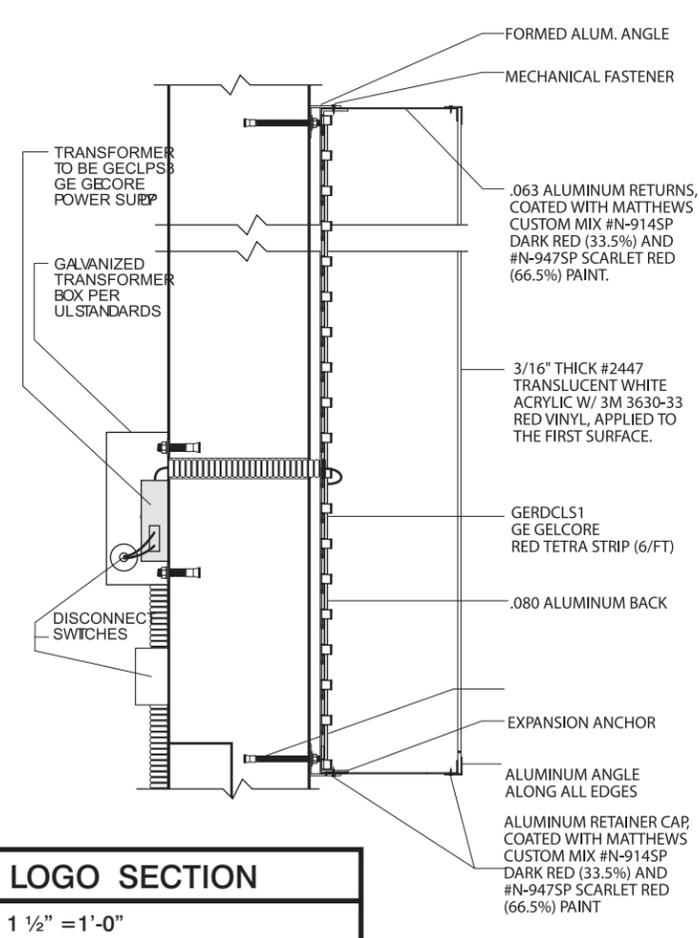
BRITE LITE NEON
 corporation

5514 SATSUMA AVENUE
 NORTH HOLLYWOOD, CA 91601
 PHONE 818.763.4798
 FAX 818.763.5758

JOB NAME: ★ macy's	DATE: 4-15-13	DRAWING #: 4 OF 6
ADDRESS: FASHION ISLAND NEWPORT BEACH, CA	DRAWN BY: AK	APPROVED BY:
	REVISED: 12-16-13	



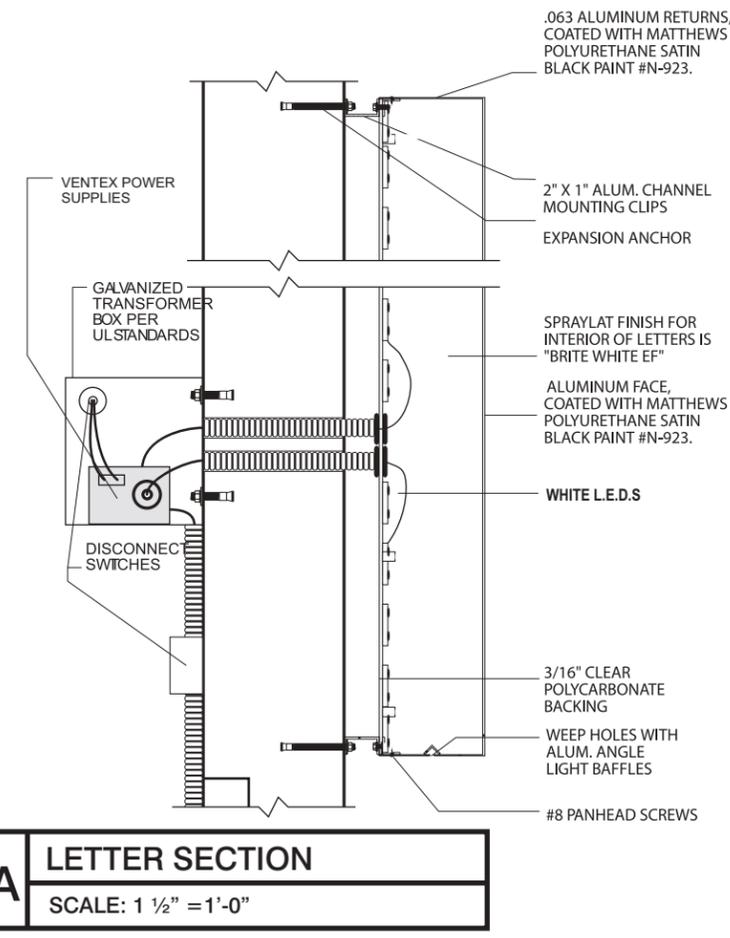
LAYOUT OF SIGN ON NEW EIFS BACKGROUND
TYPICAL FOR ALL 4 ENTRIES



8 STAR LOGO SECTION
SCALE: 1 1/2" = 1'-0"

STAR LOGO

7" DEEP FABRICATED .063 ALUMINUM RETURNS WELDED TO .080 ALUMINUM BACKS.
ALL EXPOSED ALUMINUM TO BE COATED WITH MATTHEWS CUSTOM MIX #N-9145P DARK RED (33.5%) AND #N-947SP SCARLET RED (66.5%) PAINT.
FACES TO BE 3/16" THICK #2447 TRANSLUCENT WHITE ACRYLIC W/ 3M 3630-33 RED VINYL, APPLIED TO THE FIRST SURFACE.
LOGO TO HAVE FABRICATED ALUMINUM RETAINER CAP PAINTED TO MATCH RETURNS.
ILLUMINATION PROVIDED BY GEL-CORE RED LEDS (SIX PER FOOT) POWERED BY REMOTE POWER SUPPLY.
LOGO MOUNTED TO WALL SURFACE USING FORMED ALUM. ANGLES AND PANHEAD MECHANICAL FASTENERS.



8A LETTER SECTION
SCALE: 1 1/2" = 1'-0"

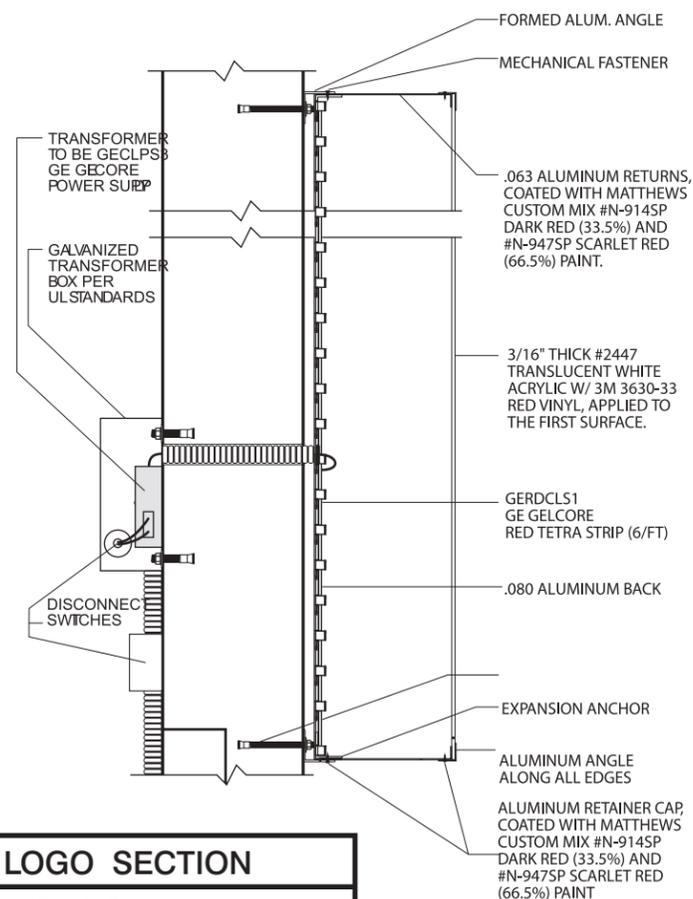
FRONT VIEW
SCALE: 1/4" = 1'-0"

LETTERSET

5" DEEP FABRICATED .063 ALUMINUM RETURNS WELDED TO .125 ALUMINUM FACES.
ALL EXPOSED ALUMINUM TO BE COATED WITH MATTHEWS POLYURETHANE SATIN BLACK PAINT #N-923.
LETTERS TO HAVE 3/16" THICK CLEAR POLYCARBONATE BACKS MECHANICALLY FASTENED TO RETURNS.
LETTERS TO STAND OFF WALL 2" MAXIMUM TO ALLOW FOR SILHOUETTE



LAYOUT OF SIGN ON NEW EIFS BACKGROUND
TYPICAL FOR ALL 4 ENTRIES



8 STAR LOGO SECTION
SCALE: 1 1/2" = 1'-0"

STAR LOGO

7" DEEP FABRICATED .063 ALUMINUM RETURNS WELDED TO .080 ALUMINUM BACKS.

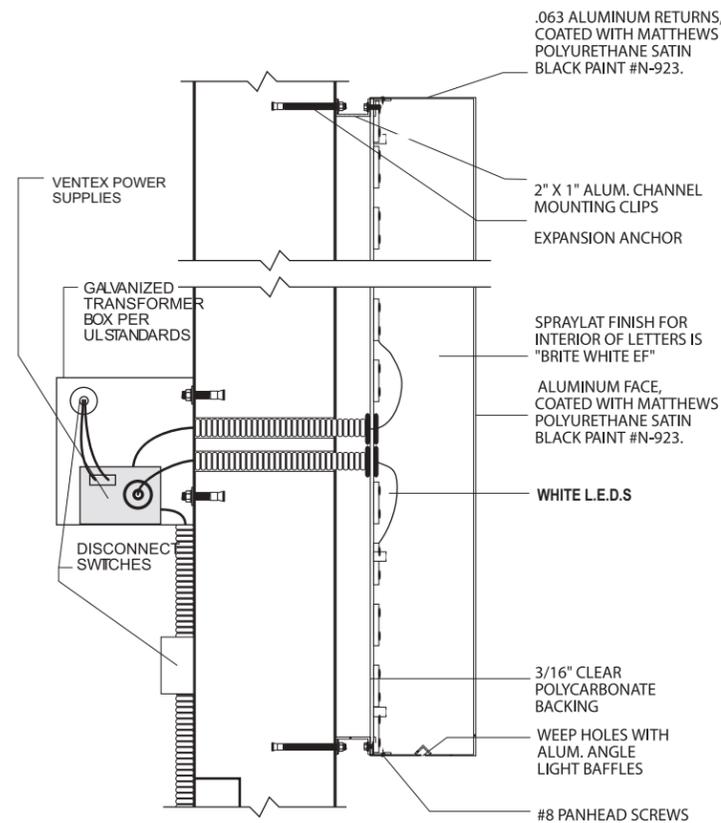
ALL EXPOSED ALUMINUM TO BE COATED WITH MATTHEWS CUSTOM MIX #N-9145P DARK RED (33.5%) AND #N-947SP SCARLET RED (66.5%) PAINT.

FACES TO BE 3/16" THICK #2447 TRANSLUCENT WHITE ACRYLIC W/ 3M 3630-33 RED VINYL, APPLIED TO THE FIRST SURFACE.

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LOGO MOUNTED TO WALL SURFACE USING FORMED ALUM. ANGLES AND PANHEAD MECHANICAL FASTENERS.



8A LETTER SECTION
SCALE: 1 1/2" = 1'-0"

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

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LETTERS TO STAND OFF WALL 2" MAXIMUM TO ALLOW FOR SILHOUETTE

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

increase of sign area of 20.7X and 16.3X. While I would agree that the existing entry signs (apparently added without a modification permit and in violation of PC-56) seem small and out of scale with the building, the proposed increase seems excessive to me.

6. Condition of Approval #2 seems a less precisely worded version of Condition #12. I would suggest deleting #2.

~~Item 2. Bari Studio Minor Use Permit (PA2013-230)~~

1. Facts in Support of Finding C.3 says the project “*is oriented towards the parking lot away from the residential uses.*” The orientation of the project plans provided in Attachment ZA 6 is difficult to follow, and the statement may be correct with respect to the entry areas (which I think are shown to the left) but I have the impression that Exercise Studios A & B are designed to have windows (on the right) looking out over San Joaquin Hills Road towards Big Canyon. It is unclear if they are large enough to be readily visible from there.
2. Facts in Support of Finding D.1, at the end of the fourth line, refers to the overall project area as a “shopping center.” My impression is it is not a shopping center.
3. Facts in Support of Finding D.1 concludes by saying “*the Director **may** reduce parking requirements when a parking lot is upgraded for ADA compliance.*” Has the Director in fact done that? Or does Attachment ZA 4 mean the Director has delegated the authority to make this decision to an Assistant Planner?
4. Regarding Condition of Approval #9, which limits the use “*to a maximum of three employees and 24 patrons,*” I have no personal familiarity with fitness centers, but my understanding is that patrons often work out with “personal trainers.” Is this ratio of 3 employees to 24 patrons adequate? Or are trainers not regarded as employees? If not, are trainers counted towards the 24 patrons allowed?
5. One might also note that Condition 9 could be read to say there is no limit on the number of occupants outside the hours stated. I would suggest rephrasing it to say: “9. *The use shall be limited to the business hours of 6:00 a.m. to 8:00 p.m. with a maximum of three employees and 24 patrons at any time.*”
6. In Condition 11, to clarify the concern about noise outside the unit, it might be preferable: “*The operator of the facility shall be responsible for the control of noise generated **on by** the subject **facility use.** ...*”
7. The suite numbers shown on the first sheet of the “Tenant Improvement Drawings” in Attachment ZA 6, and repeated in the “Parking Summary” on handwritten page 20, differ substantially from the tenant addresses shown on the City’s GIS map (including not only a different arrangement of the numbers within the building, but a “2115” where the GIS shows “2123”). Do the GIS designations need to be corrected?