

**CITY OF NEWPORT BEACH  
STAFF ACTION REPORT**

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM: Planning Department  
Javier Garcia, Zoning Administrator  
[jgarcia@city.newport-beach.ca.us](mailto:jgarcia@city.newport-beach.ca.us)

SUBJECT: Report of actions taken by Planning Department Staff for the week ending February 29, 2008

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Item 1: Pattison Sign Group on behalf of property owner The Perlmutter Family Partnership L.P.– Comprehensive Sign Program No. CS2007-011 (PA2007-223)  
2101 Dove Street

The Zoning Administrator approved the Comprehensive Sign Program for an existing commercial building in accordance with the provisions of Section 20.67.030 (Sign Code) of the Newport Beach Municipal Code. The building is freestanding and provides service facilities for on off site automobile dealership location (Land Rover/Jaguar). The property is located in the RSC (Retail Service Commercial) District.

Approved – February 29, 2008

Council District 4

Item 2: Enterprise Rent-A-Car Company of Los Angeles on behalf of property owner Vermeulen Properties #4 LLC – Planning Director's Use Permit No. UP2008-001 (PA2008-001)  
2230 Bristol Street

The Planning Director approved the applicants request to allow the establishment of a vehicle rental facility within an existing building formerly occupied by a vehicle repair use. The proposed Enterprise Rent-A-Car facility will generally pick up clients and transport them to the site or will otherwise deliver the rental vehicle to the patron at their residence, place of employment or other off-site location. On site vehicle pickup and transactions will take place at the proposed facility. The property is located in the SP-7 (Santa Ana Heights Specific Plan Area) District.

Approved – February 29, 2008

Council District 4

Item 3: A&F Stores, Inc. on behalf of property owner The Irvine Company Retail Properties – Accessory Outdoor Dining Permit No. OD2008-001 (PA2008-019)  
1260 Bison Avenue, Suite D-3

The Planning Director approved the applicants request to add outdoor dining to an existing full service restaurant. The 340 square foot outdoor dining area will include a trellis cover and awning. The area will accommodate approximately 12 tables and 24 seats. The hours of operation will be the same as the restaurant approved by Use Permit No. 3367 on December 7, 1989, 7 am to midnight, daily. The outdoor dining area addition will displace 2 surplus parking spaces. The property is located in the PC-5 (North Ford/San Diego Creek Planned Community) District.

Approved – February 28, 2008

Council District 4

Prepared and submitted by: -



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Javier S. Garcia, Zoning Administrator

APPEAL:

The decision of the Planning Director and Zoning Administrator may be appealed to the Planning Commission within 14 days of the action date. A \$600.00 filing fee shall accompany any appeal filed. No building permits may be issued until the appeal period has expired.

c: David Lepo, Planning Director (e-mail)  
Sharon Wood, Assistant City Manager (e-mail)  
David Keely, Public Works Senior Civil Engineer (e-mail)  
Kay Sims, Assistant Planner (e-mail)  
Sgt. Ron Vallercomp, Vice/Narcotics (e-mail)  
Code Enforcement Division (e-mail)  
Erin Steffen, Office Assistant (e-mail)  
Iris Lee, Public Works (e-mail)  
Evelyn Tseng, Revenue (e-mail)



**Comprehensive Sign Program No. CS2007-011**  
**(PA2007-223)**

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

Staff Planner: Jay Garcia, Zoning Administrator  
jgarcia@city.newport-beach.ca.us  
(949) 644-3206

Appeal Period: 14 days after decision date

**APPLICATION:** Comprehensive Sign Program CS2007-011 (PA2007-223)

**APPLICANT:** Pattison Sign Group on behalf of property owner The Perlmutter Family Partnership L.P.

**LOCATION:** 2101 DOVE STREET

**Request and Authority:**

Comprehensive Sign Program for an existing commercial building in accordance with the provisions of Section 20.67.030 (Sign Code) of the Newport Beach Municipal Code. The building is freestanding and provides service facilities for on off site automobile dealership location (Land Rover/Jaguar). Chapter 20.67 of the Newport Beach Municipal Code, specifically Section 20.67.030(I), provides that the Zoning Administrator may review and approve comprehensive sign programs for multi-tenant commercial buildings. The property is located in RSC (Retail Service Commercial) District.

**ACTION:** APPROVED – FEBRUARY 29, 2008 - The Planning Director approved the comprehensive sign program as presented and modified.

The Zoning Administrator determined in this case that the proposal would not be detrimental to persons, property or improvements in the neighborhood. The sign program, as approved, would be consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code based on the following findings:

**FINDINGS**

1. The Land Use Element of the General Plan designates the site for "Regional Commercial Office" land use. The commercial office building is consistent with this designation, and the sign program is accessory to the primary use.
2. After reviewing this project, it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 5 (Accessory Structures).
3. The proposed sign program is consistent with the legislative intent of Title 20 and Chapter 20.67 of the Newport Beach Municipal Code with regard to the sign regulations based on the following findings:

- Chapter 20.67 of the Newport Beach Municipal Code requires comprehensive sign programs in order to provide a means for increased latitude in the design and display of signage for all projects with multiple street frontages.
- The sign program as presented and approved is consistent with the purpose and intent of Chapter 20.67 of the Newport Beach Municipal Code.
- The proposed sign program, as conditioned, will not interfere with sight distance from any street, alley or driveway. The traffic directional sign is subject to review by the City Traffic Engineer.
- The subject property is a large parcel occupied by an automotive service facility providing support services for a dealership at an off site location. The approval of a sign program to allow more than three wall signs and traffic directional signs on the subject property is appropriate given the size and operational characteristics of the site.
- Due to the size of the subject property, there is a reasonable need for an increase in the number of wall signs to provide adequate identification to the service department area for each vehicle manufacturer.
- The subject property is located on Dove Street, between Campus Drive and Birch Street and is accessible from all three. Therefore, there is a reasonable need for a traffic directional sign to clearly identify the access drives during the hours of operation.
- The monument identification signs are located at the Campus Drive and Birch Street access points and limited to 5 feet maximum height and 12 square feet in sign area; and are located within the 15-foot front yard setbacks of Birch Street and Campus Drive. The Code does not specify a setback requirement for signs and staff, in conjunction with a comprehensive sign program, can approve the location of such signs.
- The approved sign program will integrate the new signs into a single unified and comprehensive program.
- The additional wall signs approved for the identification of the service department areas are minor in size and location and serve traffic directional purposes.

### **CONDITIONS**

1. The development shall be in substantial conformance with the approved plot plan and sign details (table matrix), except as noted in the following conditions.
2. The project or tenant identification wall signs shall be measured by two perpendicular sets of parallel lines that surround the proposed sign copy area or the sign cabinet, whichever is larger.
3. Wall signs visible from the public streets are limited to building facades and monument sign locations and shall comply with the limitations specified in the Sign Matrix/Table included as an attachment to this approval. The monument and wall signs may be internally or externally illuminated.

Anything not specifically approved by this Comprehensive Sign Program is prohibited. Revisions to the program may be approved by the Zoning Administrator if the intent of the original approval is not affected. Revisions that substantially deviate from the original approval must be addressed in a separate amendment and subsequent Comprehensive Sign Program review for Zoning Administrator's approval.

4. Any future revisions or changes to the signs approved by this sign program (per the attached Sign Program Inventory) due to a change in the automotive vehicle manufacturers represented by the dealership shall be reviewed and approved by the Planning Director, so long as the sign size, general location and number of signs does not increase. Any increase in the size or number of signs shall require an amendment to this application.
5. 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.
6. A building permit shall be obtained prior to commencement of installation of any signs.
7. All work performed within the public right-of-way shall be reviewed and approved by the Public Works Department under an encroachment permit/agreement if required.
8. The Zoning Administrator or the Planning Commission may add to or modify conditions of this approval, or revoke this approval upon a determination that any sign that is authorized by this approval has been altered beyond the parameters of the authorization and therefore beyond the justification.
9. This approval shall expire unless exercised within 24 months from the date of approval as specified in Section 20.93.055 of the Newport Beach Municipal Code, unless an extension is approved prior to the expiration date of this approval, in accordance with Section 20.93.055 (B) of the Newport Beach Municipal Code.

**APPEAL PERIOD**

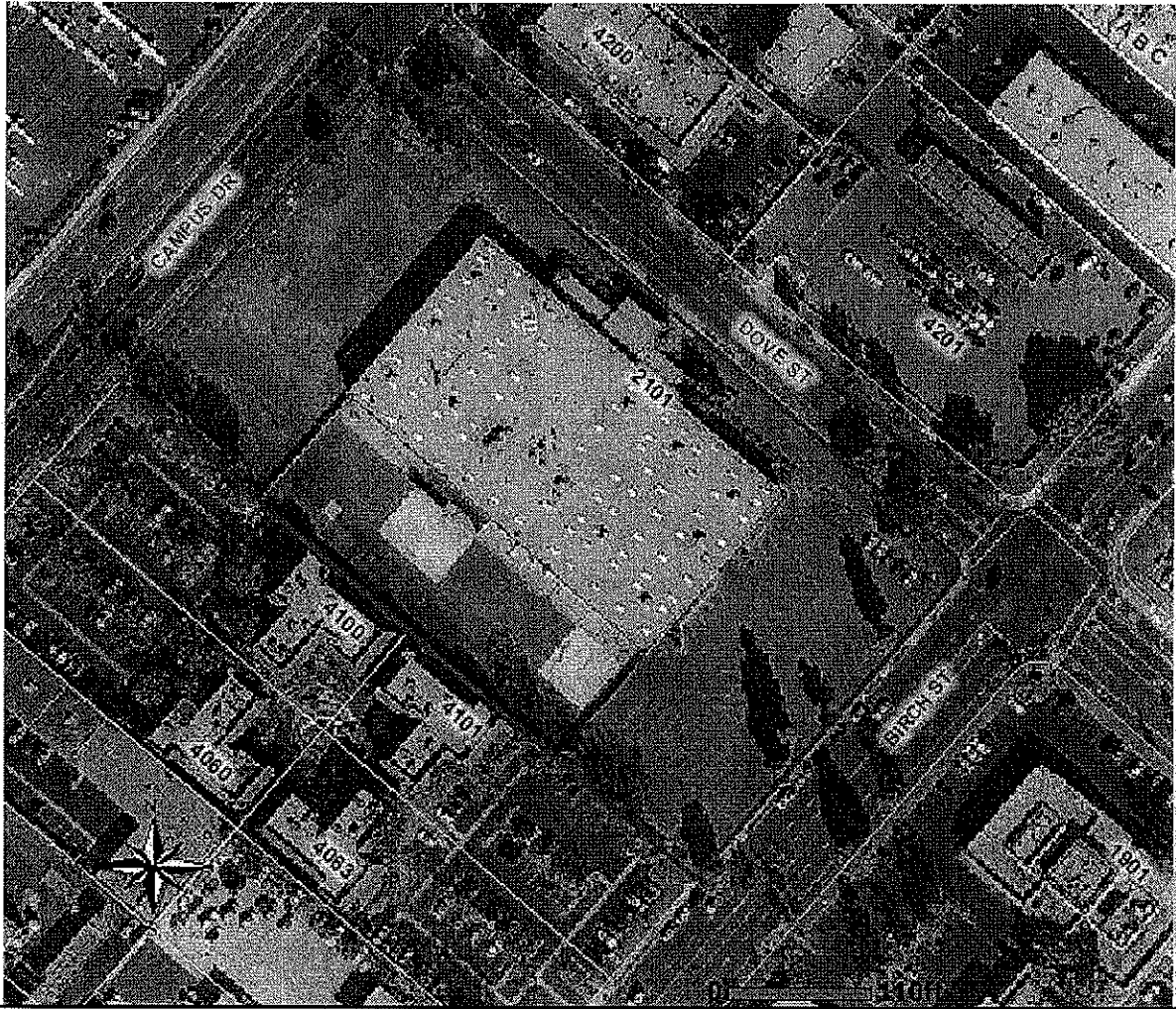
The decision of the Zoning Administrator may be appealed to the Planning Commission within 14 days of the date of the decision, in accordance with the provision of Section 20.95.050 of the Newport Beach Municipal Code. A filing fee of \$600.00 shall accompany any appeal filed. No building permits may be issued until the appeal period has expired. A copy of the approval letter shall be incorporated into the Building Department set of plans prior to issuance of the building permits or issuance of revised plans.

By  \_\_\_\_\_  
Zoning Administrator Javier S. Garcia, AICP

JSG/rm

- Attachments: Vicinity Map  
Sign Details (Sign Matrix/Table)  
Site Plan

# VICINITY MAP



Comprehensive Sign Program CS2007-011  
(PA2007-223)

2101 DOVE STREET

**TABLE/MATRIX -SIGN PROGRAM  
JAGUAR/LAND ROVER AUTO CENTER  
2101 DOVE STREET**

| Sign Number | Dealer Name  | Sign Type   | Maximum Sign Size & Maximum Sign Area (Sq.Ft.)*   | Status |
|-------------|--|---|---|--------|
| 1           | Jaguar Land Rover<br>Newport Beach Service<br>Centre | Sign A –<br>Land Rover Oval                         | <u>Allowed:</u> Maximum vertical dimension, sign letters or logos, 30-inches.<br>Maximum area 12.5 square feet.<br>Minimum distance shall be 25 linear feet from the nearest wall sign.<br><br><i>Proposed-</i> 2'0" x 4'1"   | New    |
| 2           | Jaguar Land Rover<br>Newport Beach Service<br>Centre | Sign B –<br>Jaguar Leaper and Letters               | <u>Allowed:</u> Maximum vertical dimension, sign or logos, 30-inches.<br>Maximum area 12.5 square feet.<br>Minimum distance shall be 25 linear feet from the nearest wall sign.<br><br><i>Proposed-</i> 2' 6" x 4'2" (overall)  | New    |
| 3           | Jaguar Land Rover<br>Newport Beach Service<br>Centre | Sign C –<br>JLR Service Letters                     | <u>Allowed:</u> Maximum vertical dimension, sign or logos, 12-inches.<br>Maximum area 7 square feet.<br>Minimum distance shall be 25 linear feet from the nearest wall sign.<br><br><i>Proposed-</i> 1'0" x 6'3" (overall)  | New    |
| 4           | Jaguar Land Rover<br>Newport Beach Service<br>Centre | Signs D,E,F – Land Rover<br>Ovals                   | <u>Allowed:</u> Maximum vertical dimension, sign or logos, 50-inches.<br>Maximum area 33 square feet.<br>Minimum distance shall be 25 linear feet from the nearest wall sign.<br><br><i>Proposed-</i> 4'2" x 7'10" (overall)  | New    |
| 5           | Jaguar Land Rover<br>Newport Beach Service<br>Centre | Sign G –<br>Newport Beach Service<br>Centre Letters | <u>Allowed:</u> Maximum vertical dimension, sign or logos, 18-inches.<br>Maximum area 54 square feet.<br>Minimum distance shall be 25 linear feet from the nearest wall sign.<br><br><i>Proposed-</i> 18" x 36'0" (overall)   | New    |
| 6           | Jaguar Land Rover<br>Newport Beach Service<br>Centre | Signs H,I,J – Jaguar Leaper<br>and Letters          | <u>Allowed:</u> Maximum vertical dimension, sign or logos, 50-inches.<br>Maximum letter height 36-inches.<br>Maximum area 42 square feet.<br>Minimum distance shall be 25 linear feet from the nearest wall sign.<br><br><i>Proposed-</i> 4'-1/2" x 9'2" (overall)                                    | New    |
| 7           | Jaguar Land Rover<br>Newport Beach Service<br>Centre | Signs K,L – Ground<br>Monuments                     | <u>Allowed:</u> Maximum vertical dimension, sign or logos, 72-inches above ground includes base.<br>Maximum letter height 36-inches<br>Maximum area 75 square feet.<br>Minimum distance shall be 25 linear feet from the nearest wall sign.<br><br><i>Proposed-</i> 4'6" x 14'9" can (excluding base) | New    |

\* The maximum vertical dimension or letter height and maximum sign area represent the controlling limitations where listed.

February 29, 2008

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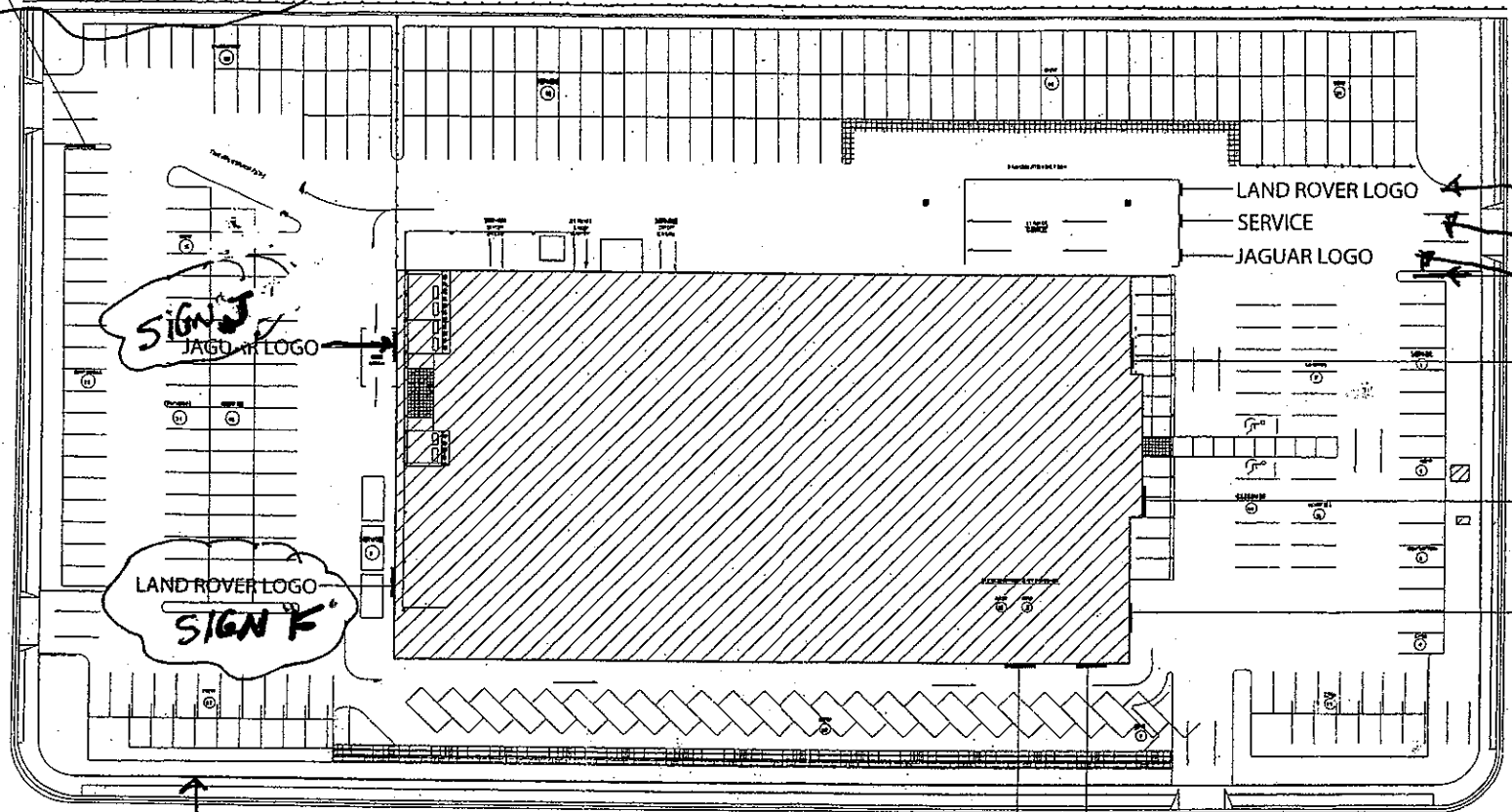
JAGUAR/LAND ROVER  
SERVICE MONUMENT

Signs "K"

**W** BRISTOL ST N

**S**  
BIRCH STREET

CAMPUS DRIVE



Sign J  
JAGUAR LOGO

LAND ROVER LOGO  
SIGN K

LAND ROVER LOGO  
SERVICE  
JAGUAR LOGO

Sign "B"

Sign "C"

Sign "A"

JAGUAR/LAND ROVER  
SERVICE MONUMENT  
SIGN L

LAND ROVER LOGO  
SIGN "D"

NEWPORT BEACH  
SERVICE CENTER LTRS  
SIGN "G"

JAGUAR LOGO  
SIGN "H"

Property Line

**M** DOVE STREET (QUAIL)

JAGUAR LOGO

Sign "I"

LAND ROVER LOGO

Sign "E"

PA2007-223 for CS2007-011  
2101 DOVE STREET  
Pattison Sign Group





## **USE PERMIT NO. UP2008-001**

(PA2008-001)

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

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

**Application:** Planning Director's Use Permit No. UP2008-001 (PA2008-001)

**Applicant:** Enterprise Rent-A-Car Company of Los Angeles

**Site Address:** 2230 Bristol Street

**Legal Description:** Parcel B of PM- 96-165

### ***Request as Approved:***

To allow the establishment of a vehicle rental facility within an existing building formerly occupied by a vehicle repair use. The proposed Enterprise Rent-A-Car facility will generally pick up clients and transport them to the site or will otherwise deliver the rental vehicle to the patron at their residence, place of employment or other off-site location. On site vehicle pickup and transactions will take place at the proposed facility. The property is located in the SP-7 (Santa Ana Heights Specific Plan Area) District.

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**DIRECTOR'S ACTION:** **APPROVED – FEBRUARY 29, 2008**

### **Application Request:**

In approving this Use Permit, the Planning Director analyzed issues with regard to parking standards and operation characteristics of the use. The detailed analysis can be found in the attached appendix. In consideration of that aspect, the Planning Director determined, in this case, that the proposal would not be detrimental to persons, property or improvements in the neighborhood. The Use Permit, as approved, would be consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code based on the following findings and conditions of approval.

### **FINDINGS**

1. The property is designated for "Retail and Service Commercial" use by the Land Use Element of the General Plan and "General Commercial" land use by the Santa Ana Heights Specific Plan Area District regulations. The proposed use is consistent with those designations. The site is located in an area that is recently annexed to the City of Newport Beach and is subject to the City of Newport Beach project requirements.
2. After reviewing this project, it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 1 (Existing Facilities).

3. Under the circumstances of this case, the Planning Director's approval of Use Permit UP2008-001 will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the city for the following reasons:
- The proposed use is a support use for the residential, office and commercial uses in the area.
  - The automotive rental facility will have a parking demand similar to a typical retail use (a permitted use on the subject property). The anticipated peak demand periods will not generally conflict with the peak demands of the other uses on site or adversely affect the public on street parking in the area.
  - The noise impacts on the nearby residential uses have been addressed by the opening and closing hour restrictions and the noise wall required by the previous County of Orange approval of PA96-0022.

### **CONDITIONS**

1. The development shall be in substantial conformance with the approved plot plan, floor plans and elevations, except as noted below.
2. The paved parking areas on the subject property shall be resurfaced in areas of unusual wear. Also, the parking lot layout shall be prepared and the striping shall be marked with approved traffic markers or painted white lines (not less than 4 inches wide) and shall be approved by the City Traffic Engineer prior to the implementation of the subject request.
3. The vehicle storage area at the rear of the property shall be cordoned off from the public access way and shall be separate by a fence and operational gate for use by employees only. Employees shall not drive or transport rental vehicles through the adjacent residential neighborhood except in the particular case to deliver or pick up patrons in that area. Vehicles entering or exiting the property for delivery or pick up of patrons shall be from the Bristol Street or Cypress Street access drives only. The on-site parking, vehicular circulation and pedestrian circulation systems will be subject to further review by the City Traffic Engineer.
4. A minimum of seven independently accessible parking spaces shall be provided on-site for the customers and employees of the proposed auto rental facility at the front of the property or along the side property line. This number may be diminished to accommodate the installation of a required on-site handicap parking space on the subject property, unless otherwise waived by the Building Department. Customer parking in the storage lot at the rear or in the showroom is prohibited. In addition, the existing landscape within the sight line of the driveway entrances shall be maintained to not exceed 24 inches in height and shall be subject to further review by the City Traffic Engineer.

5. All mechanical equipment and trash areas shall be completely roofed and screened from Bristol Street, Cypress Street and adjoining properties. The slump stone block wall on the rear property line adjacent to the residential district shall be modified as a continuous wall (or two abutting walls) at least 6 feet tall and shall be completed prior to final of permits for the proposed use or implementation of this use permit.
6. All repair and service activities, including the storage of tires and other auto related parts or merchandise, shall be located inside the building only. Outdoor storage and overnight storage of vehicles is prohibited, except the vehicles that are in the process of being rented (which may be stored outside of the building on-site during regular business hours).
7. No vehicles waiting for delivery or pickup shall be stored on Bristol Street, Cypress Street, any other public street, public property or private property.
8. All employees shall park on-site at all times.
9. The daily hours of operation shall be limited to between 6:00 a.m. and 10:00 p.m. Use of noise generating mechanical equipment, including but not limited to compressors or impact wrenches, shall be prohibited to use between the daily hours of 8:00 a.m. and 8:00 p.m.
10. The facility shall comply with the Drainage Area Management Plan within the Orange County NPDES Storm Water Program. Prior to implementation of the outdoor storage of vehicles, the applicant or the property owner shall obtain written recommendations from the original preparer of the Revised Water Quality Management Plan to determine compliance with the clean urban runoff condition of this use permit; and complete the installation or implementation of those recommendations. This may include the introduction of additional on-site structural and/or non-structural BMP's (Best Management Practices) facilities or apparatus. Until or unless those recommendations are determined and implemented, the outdoor storage of vehicles shall be prohibited.
11. The applicant shall submit a plan detailing how the existing on-site runoff, within the paved area in front of the service building, will be retained on-site.
12. The existing area drain (located adjacent to the front parking spaces), which is connected to an existing curb drain that outlets to the Bristol Street gutter, shall be retrofitted to serve only as a storm overflow outlet.
13. Provisions shall be made for and around the existing trash enclosure along the rear of the property to prevent debris and polluted runoff (originating from the trash enclosure) from entering the public right-of-way. Please refer to the City's Building Department Guidelines as to how on-site runoff containment could be accomplished.

14. All improvements shall be constructed as required by Ordinance and the Public Works Department.
15. This use permit shall expire unless exercised within 24 months from the date of approval as specified in Section 20.80.090A of the Newport Beach Municipal Code.
16. The operator of the automotive 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. That is, the sound shall be limited to no more than depicted below for the specified time periods:

|   | Between the hours of<br>7:00 a.m. and 10:00 p.m.; | Between the hours of<br>10:00 p.m. and 7:00 a.m. |
|---|---|--|
| Measured at the property line of<br>commercially zoned property:  | 65 dBA  | 60 dBA   |
| Measured at the property line of<br>residentially zoned property: | 60 dBA  | 50 dBA   |

17. No outside paging system or sound system shall be utilized in conjunction with this establishment.
18. If this business is sold or otherwise comes under different ownership, the current business owner, property owner or the leasing company shall notify future owners or assignees of the conditions of this approval.
19. No temporary "sandwich" signs, balloons or similar temporary signs shall be permitted, either on-site or off-site, to advertise the automotive repair facility, unless specifically permitted in accordance with the Sign Ordinance of the Municipal Code. Temporary signs shall be prohibited in the public right-of-way.

**Standard City Requirements:**

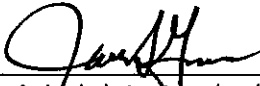
1. All signs shall conform to the requirements of the SP-7 Specific Plan Area District Regulations of the Newport Beach Municipal Code. Signs indicating "for sale" or "lease" shall not be permitted in the windshield of any vehicles/autos or elsewhere on the site. All signs shall conform to the provisions of Chapter 20.44 and Chapter 20.67 of the Municipal Code.
2. The Planning Director or the Planning Commission may add or modify the conditions of approval to this use permit, or recommend to the City Council the revocation of this use permit, upon a determination that the operation which is the subject of this use permit causes injury, or is detrimental to the health, safety, peace, morals, comfort, or general welfare of the community.

3. This approval shall expire unless exercised within 24 months from the end of the appeal period, in accordance with Section 20.91.050 of the Newport Beach Municipal Code.

**APPEAL PERIOD**

The decision of the Planning Director may be appealed by the applicant or any interested party to the Planning Commission within 14 days of the decision date. Any appeal filed shall be accompanied by a filing fee of \$600.00.

*On behalf of Planning Director David Lepo,*



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Zoning Administrator Javier S. Garcia, AICP

JSG/es/rm

Attachments: Appendix

Vicinity Map

Project Description Letter dated 12/28/07 and 02/01/08

Santa Ana Heights Project Advisory Committee Letter dated 02/27/08

Site Plan, Floor Plan and Elevations

Revised Site Plan – Trash Enclosure Relocated

## APPENDIX

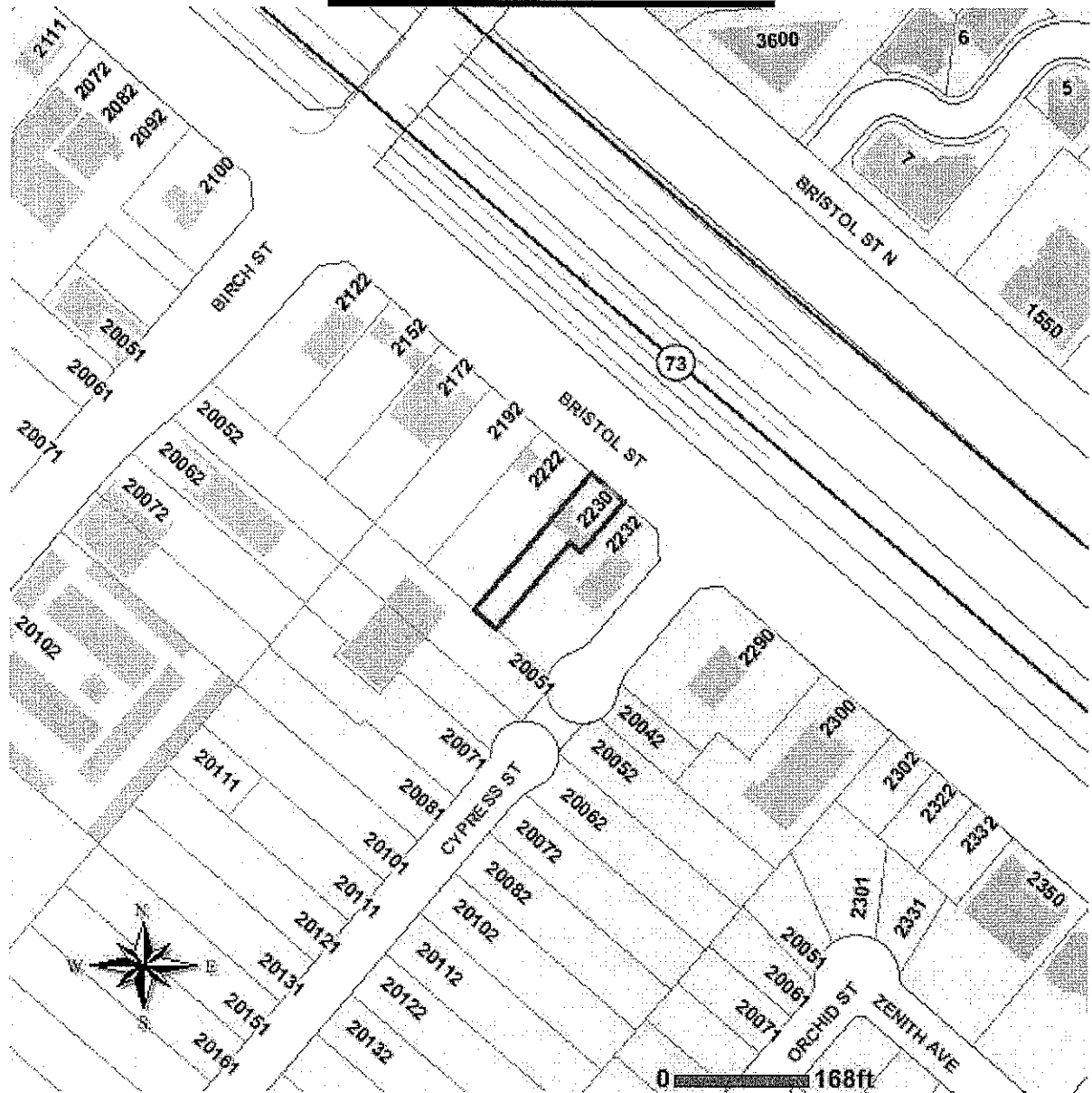
### Operation

The facility is described in the attached letter from the applicant and it is anticipated that the majority of customer parking will be at the front and side and that their car will not remain on site after the vehicle transaction has been completed.

### Parking Requirement

In accordance with the provisions of Chapter 20.66 Municipal Code, parking for an automotive rental facility is the same as a general retail commercial use, based on one space for each 250 square feet, is 7 parking spaces. Staff has required that the vehicle storage lot at the rear of the building be fenced off from access by the general public. There is adequate parking at the front of the property and along the side adjacent to the reciprocal ingress/egress easement that serves the subject property and the neighboring restaurant use.

# VICINITY MAP



Planning Director's Use Permit No. UP2008-001  
PA2008-001

**2230 Bristol Street**



December 28<sup>th</sup> 2007

## **2230 Bristol Ave, NPB. Project Description**

### **Business Description**

The Exotic Car Collection by Enterprise is a new specialty program of the main rental car division. The business operates in a similar fashion to the standard Enterprise model servicing "home city" customers for every type of rental from insurance and dealership replacement to business and retail rental. There are however, a few distinct differences.

Firstly, the vehicles are the higher echelon of the manufactures' offerings including Mercedes Benz, BMW, Porsche, Range Rover and Bentley to name a few. The vehicles are run as an independent fleet from those of the normal Enterprise network.

Secondly, this tier of vehicle commands a higher rental price and therefore a higher expectation for service. The service is very personalized and vehicles are often delivered to the customers' home or business. At the conclusion of the rental, the vehicle is collected or dropped at a neighboring Enterprise location (for customer convenience).

### **Why the project should be improved?**

We currently operate the Exotic Car Collection out of 2 prestigious zip codes with the view to adding a few more in southern California. Newport Beach is a natural fit.

Our new, modern trade dress and business model will bring an "upscale" perception to Bristol Street.

This "high end" segment of business is very small compared to general car rental. Therefore, the volume of rentals and traffic is subsequently small. It could almost be on par with an administrative hub.

2230 Bristol is centrally located for servicing the residents of Newport Beach as well as the surrounding Orange County neighbors. It allows immediate access to the freeways, main arteries, business and automotive districts. Further, we will use local vendors for supplies, auto repairs and refueling.

Finally, there is already an automotive rental trend on Bristol with Beverly Hills RAC, Enterprise, Thrifty RAC around the corner and Fletcher Jones' airport car park. Exotic Car Collection by Enterprise makes a nice, upscale addition.





February 1 2008

Mr. David Keely  
Public Works  
City of Newport Beach

**Description/ Narrative – Exotic Car Collection – 2230 Bristol**

Dear David,

Thank you for taking the time to review some of the items in question about customer and vehicle flow yesterday. I appreciate it. Allow me to expand on the 7 questions you posed.

To better frame the responses, imagine this location to be that of a luxury car showroom and administrative hub. Customers will see and know of us, perhaps stop in to look, but likely phone or contact us via the internet to arrange a rental. We will then deliver and collect the vehicles from the customer's homes or desired locations.

1. Number of vehicles stored: There will not be more than 8 to 10 vehicles on the premises at any one time. As this is not a typical rental location covering a small area, the existing Enterprise network of branches will be utilized to stage and store vehicles. This enables better logistics to deliver to customers in outer reaches of Orange County.
2. Customer parking: Customers will utilize the car park spaces at the front of the property. They will not have driving access to the storage and showcase area.
3. Customer circulation: Customers will turn right off of Bristol and right again into our front lot. Their vehicles will not be left on premises while renting a vehicle.
4. (5) Number of rentals per day: We anticipate 2 – 4 rentals per day (most off site) in the initial months of operation, graduating to about 8 – 12 at maturity (again, most off site). Most ingress and egress will be done by our employees.
6. Hours of operation: We will be open from 8am to 6pm, Monday through Friday and 9am to 2pm on Saturday and Sunday.
7. Number of employees: We will start with 2 – 3 employees and graduate to 4 – 5.

Should you have further questions, or would like me to expand on the above, please do not hesitate to contact me.

Sincerely,

**Luke de Kansky**  
Director of Sales and Marketing  
Exotic Car Collection

**SANTA ANA HEIGHTS  
PROJECT ADVISORY COMMITTEE**

Date: 02/27/08

Javier Garcia, AICP  
Senior Planner, City of Newport Beach  
3300 Newport Blvd.  
P.O. Box 1768  
Newport Beach, CA2-4048  
(949) 644-3206 fax: (949) 644-3229

RE: CNB UP2008-001 2230 Bristol Street, new vehicle rental facility

Dear Mr. Garcia:

The PAC Development Subcommittee has reviewed the PRR for Planning Director's Use Permit No. UP2008-001 that would allow for a vehicle rental facility, Enterprise Exotic Car Collection, within the existing building formerly occupied by a vehicle repair use, the Grease Monkey. The only concern that PAC would have with the proposed use is to be sure that drivers employed at this facility would not use east SAH residential streets to loop back to the facility on Bristol Street. Luke de Kansky, the agent for Enterprise, has assured PAC that their drivers would only enter the residential neighborhood if delivering a vehicle to an address in the neighborhood.

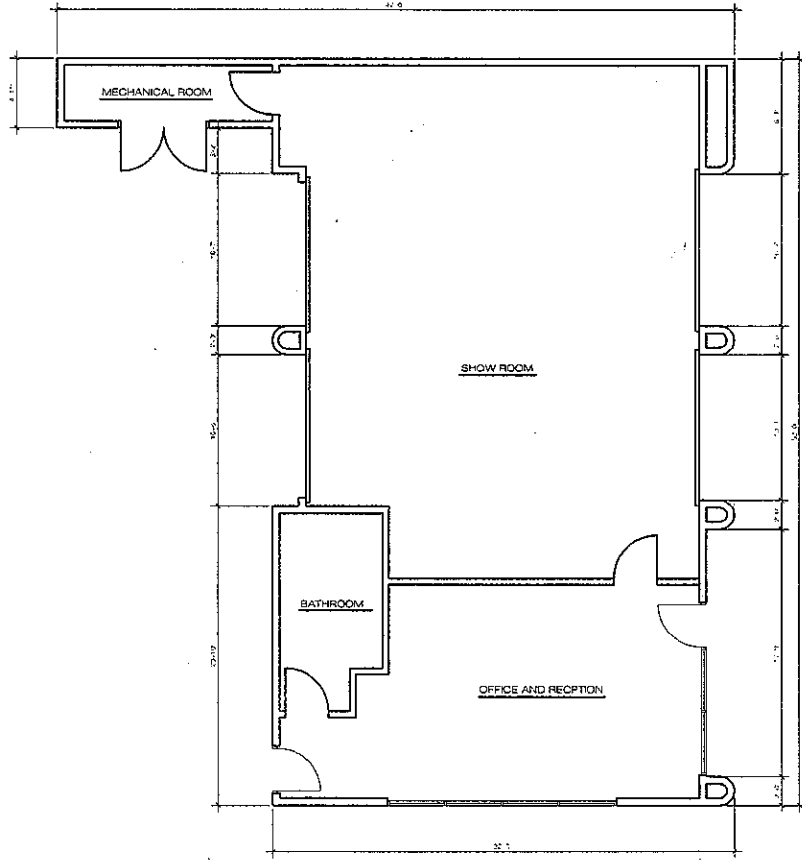
PAC recommends approval of this use permit. Thank you for the opportunity to review this project.

Sincerely,

Richard A. Dayton  
PAC Development Committee Chairman  
(949) 645-1717 fax: (949) 645-4243

cc. PAC Development Committee members  
Barbara Venezia, PAC Chairperson  
Dave Kiff, City of Newport Beach Assistant City Manager  
David Lepo, Planning Director

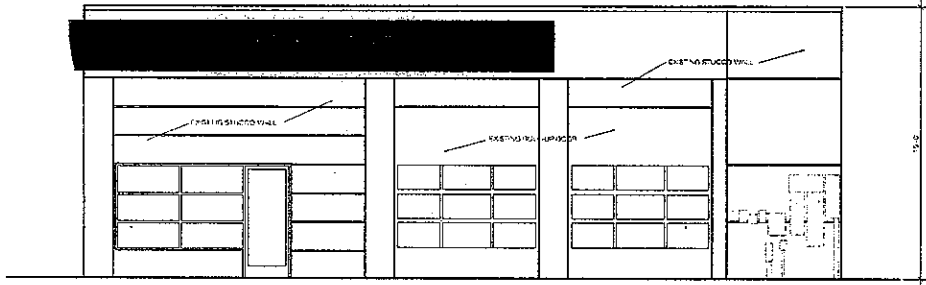




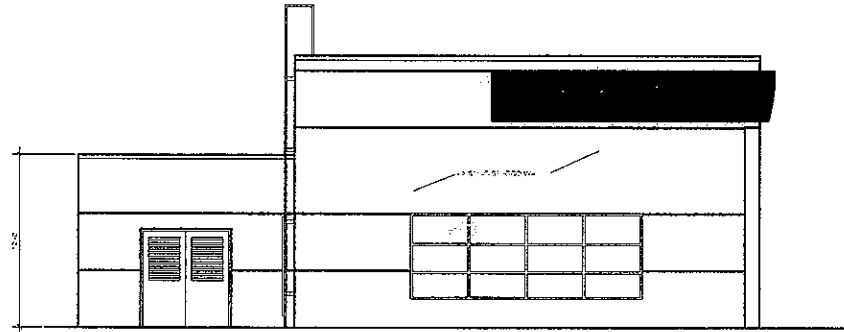
FLOOR PLAN

1/4" = 1'-0"

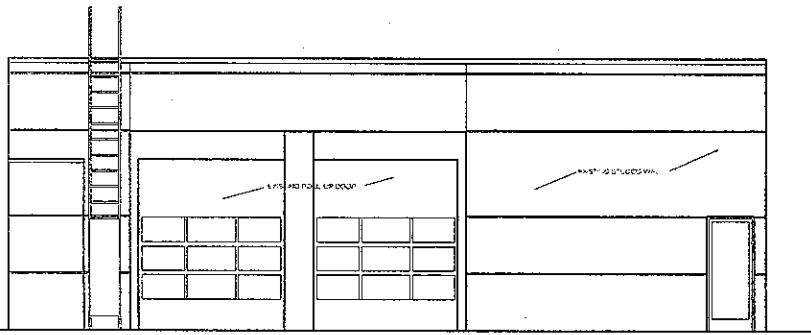




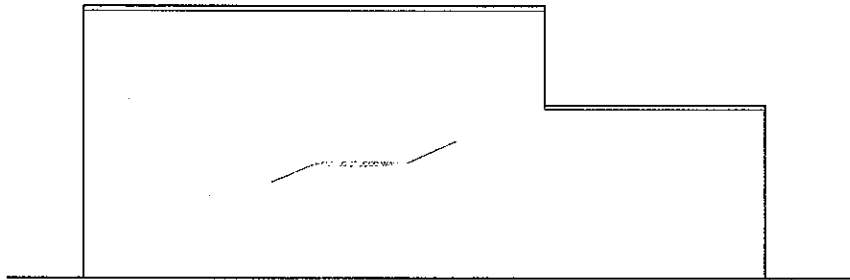
EAST ELEVATION  
12' - 0"



SOUTH ELEVATION  
12' - 0"



WEST ELEVATION  
12' - 0"



NORTH ELEVATION  
12' - 0"

DATE: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 APPROVED BY: \_\_\_\_\_

Norman Chao Architect  
 2001 HARBOR BLVD. SUITE 1000, OAKLAND, CA 94612  
 510.438.1000 FAX: 510.438.1001

EXTERIOR ELEVATIONS

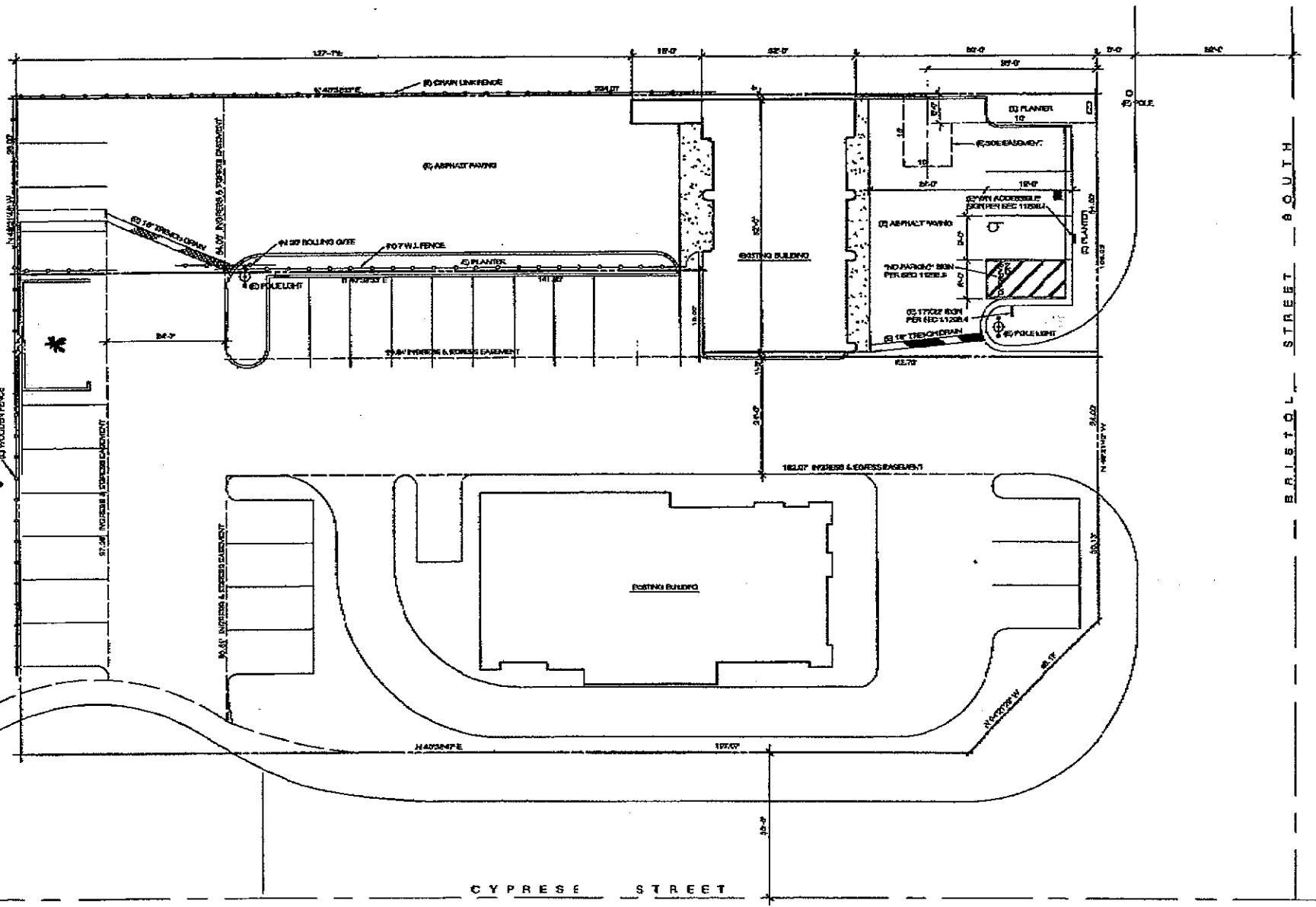
A LEASING OFFICE FOR  
**ENTERPRISE RENT-A-CAR**  
 2020 BRISTOL STREET, NEWPORT BEACH, CA 92660

DATE: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 APPROVED BY: \_\_\_\_\_

**A-3**

Trash Enclosure Relocated

Continuous block wall on rear property line required



SITE PLAN

1" = 10'-0"

PA2008-001 for UP2008-001  
2230 BRISTOL STREET  
Enterprise Rent-A-Car Company of Los Angeles



CITY OF NEWPORT BEACH

Accessory Outdoor Permit No. OD2008-001  
(PA2008-019)

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

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

**Application No:** Accessory Outdoor Dining Permit No. OD2008-001  
(PA2008-019)

**Applicant:** A&F Stores, Inc.

**Owner:** The Irvine Company Retail Properties

**Address of  
Property Involved:** 1260 Bison Avenue, Suite D-3

**Legal Description:** Portion of Lot 6, Tract 12309

---

### **Application Request**

Establishment of an accessory outdoor dining use in conjunction with an existing full service restaurant. The 340 square foot outdoor dining area will include a trellis cover and awning. The area will accommodate approximately 12 tables and 24 seats. The hours of operation of the restaurant will remain the same as approved by Use Permit No. 3367 on December 7, 1989 (7 am to midnight, daily), however, staff has recommend a closing hour of 11 pm for the outdoor dining area, daily. The outdoor dining area addition will displace two existing parking spaces; however, after parking lot reconfiguration only one parking space will be displaced. The shopping center currently has a surplus of approximately 70 parking spaces, based on the parking requirements of all uses on site. The property is located in the PC-5 (North Ford/San Diego Creek Planned Community ) District.

**ACTION:** APPROVED - FEBRUARY 28, 2008

The Planning Director determined in this case that the proposal would not be detrimental to persons, property or improvements in the neighborhood and that the accessory outdoor dining permit as approved is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code based on the following findings:

### **FINDINGS**

1. The Land Use Element of the General Plan designates the property for "General Commercial C-G" land use; and the proposed outdoor dining is accessory to an existing restaurant, a permitted use within that designation.

2. This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 1 (Existing Facilities).
3. The approval of this application will not, under the circumstances of this case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of the city for the following reasons:
  - Since the use is accessory to and an extension of the existing restaurant use, subject to all the findings and conditions of approval of Use Permit No. 3367 and its amendments, and not an independent use.
  - The proposed outdoor dining area is compatible with the surrounding land uses and its limited hours should prevent noise from adversely impacting the nearby residential uses since the proposal does not include any noise generating activities (i.e., entertainment or amplified sound/music).
  - The proposed accessory outdoor dining will not be located so as to result in a reduction of existing required parking spaces, although a portion of the surplus parking spaces (2 spaces) will be displaced.
  - The restrictions on the use of solid roof structures as applied to this approval are consistent with the intent and purpose of the accessory outdoor dining.
  - The proposal does not include any noise generating activities inside or outside of the facility (i.e., live entertainment is not authorized for the facility) and are specifically prohibited in the outdoor dining area by this approval.

### **CONDITIONS**

1. Development shall be in substantial conformance with the approved site plan and floor plan, except as noted in the following conditions.
2. The accessory outdoor dining shall be used in conjunction with the related adjacent food establishment and shall be limited to 340 sq. ft. maximum (gross area, 25 percent of the indoor net public area of 1,370 sq. ft.), unless an amendment to this application is approved to increase the area allowed.
3. Prior to issuance of building permits, the applicant shall submit to the Planning Department an additional copy of the approved architectural plans that depict the proposed outdoor dining and trellis/cover addition, parking lot changes and all existing parking (include row counts, handicap spaces, loading spaces and total parking numbers) in the shopping center for inclusion in this outdoor dining 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 permit and shall highlight the approved elements such that they are readily discernible from other elements of the plans.



4. The seating adjacent to the food use facility shall be limited to the area as delineated on the approved site plan only. The approved outdoor dining area shall be located on a solid surface in accordance with the approved floor plan or seating plan. The rail/fence or screen planting shall be a minimum of 42 inches tall unless otherwise required by the Public Works Department. The use of pavement markings to delineate the area is prohibited. Prior to implementation, the applicant shall call the Code Enforcement Division (at 949-644-3215) to schedule an inspection of the area enclosed by the specified rail/fence/screen planting.
5. Trash receptacles for patrons shall be conveniently located outside of the related food service facility to serve the accessory outdoor dining area. The operator of the food service use shall be responsible for the clean-up of all on-site and off-site trash, garbage and litter generated by the use.
6. The facility shall be designed to meet exiting and fire protection requirements as specified by the Uniform Building Code and shall be subject to review and approval by the Building Department.
7. The project shall comply with State Disabled Access requirements. Tables and chairs for the outdoor dining shall not encroach into the required handicap access area specified on the approved detail seating plan.
8. No outside paging system or sound system shall be utilized in conjunction with this outdoor dining establishment.
9. The operator of the restaurant facility shall be responsible for the control of noise generated by the subject facility. The use of outside loudspeakers, paging system or sound system shall be prohibited in the outdoor dining area or outside of the building. The noise generated by the proposed use shall comply with the provisions of Chapter 10.26 of the Newport Beach Municipal Code. Chapter 10.26 provides, in part, that the sound shall be limited to no more than depicted below for the specified time periods:

|   | Between the hours of<br>7:00 a.m. and 10:00 p.m. |                 | Between the hours of<br>10:00 p.m. and 7:00 a.m. |                 |
|---|--|-----------------|--|-----------------|
|   | <u>interior</u>                                  | <u>exterior</u> | <u>interior</u>                                  | <u>exterior</u> |
| Measured at the property line of<br>commercially zoned property:  | N/A  | 65 dBA          | N/A  | 60 dBA          |
| Measured at the property line of<br>residentially zoned property: | N/A  | 60 dBA          | N/A  | 50 dBA          |
| Residential property:   | 45 dBA   | 55 dBA          | 40 dBA   | 50 dBA          |


10. The applicant shall retain a qualified engineer specializing in noise/acoustics to monitor the sound generated by the outdoor dining activity to insure compliance with these conditions, if required by the Planning Director.

11. The use of area heaters shall be approved by the Public Works Department, Building Department and the Fire Department prior to installation or use. The use of propane heaters and the storage of propane containers on the premises are prohibited, unless otherwise approved by the Fire Department.
12. Should this business 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 owner or the leasing company.
13. The hours of operation of the outdoor dining area is limited to between the hours of 7:00 am and 11:00 pm, daily; and any increase in the hours of operation shall be subject to the approval of an amendment to this application and may require approval of a Use Permit.
14. Alcoholic beverage service shall be prohibited in the outdoor dining areas, unless an amendment to the existing alcoholic beverage license is first amended by the Police Department and the California Department of Alcoholic Beverage Control to increase the licensed premises. Any substantial physical changes required (as determined by the Planning Department) to accommodate alcoholic beverage service shall be subject to the approval of the Planning Department and may require an amendment to this Outdoor Dining Permit.
15. All applicable conditions of approved Use Permit No. 3367 shall remain in force (copy on file in the Planning Department).
16. Should problems arise with regard to noise associated with the outdoor dining areas, the Planning Department shall require the removal of all or a portion of the outdoor dining area seating in the areas that contribute or cumulatively contribute to the noise problems or complaints.
17. Should problems arise with regard to tables, chairs or stools encroaching into the public right-of-way, public walkway or other common area pedestrian pathways, the Planning Department reserves the right to require the relocation of the railing/fence and removal of all or a portion of the outdoor dining area seating and/or the use of unitized table and chair construction.
18. Deliveries shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m., daily.
19. The Planning Department may add to or modify conditions of approval to this outdoor dining permit, or revoke this approval upon a finding of failure to comply with the conditions set forth in Chapter 20.82 of the Municipal Code or other applicable conditions and regulations governing the food establishment. The Planning Director or the Planning Commission may also revoke this permit upon a determination that the operation which is the subject of this approval causes injury, or is detrimental to the health, safety, peace, morals, comfort, or general welfare of the community.

**APPEAL PERIOD**

The Planning Director's decision may be appealed to the Planning Commission within 14 days of the action date. A \$600.00 filing fee shall accompany any appeal filed. No building permits may be issued until the appeal period has expired.

*On behalf of David Lepo, Planning Director*

By   
Zoning Administrator Javier S. Garcia, AICP

- Attachments:
- Appendix
  - Vicinity Map
  - Floor Plan Exhibit with Patio
  - Schematic Plan of Shopping Center Layout
  - Patio Details (3 pages)
  - Irvine Company Letter dated 02/22/08 with attachments of Site Plan showing existing and future parking stalls

## APPENDIX

### Discussion

The location of the proposed outdoor dining area is limited since the Planned Community District Regulations require a minimum 30 foot special landscape street setback adjacent to Bison Ave.

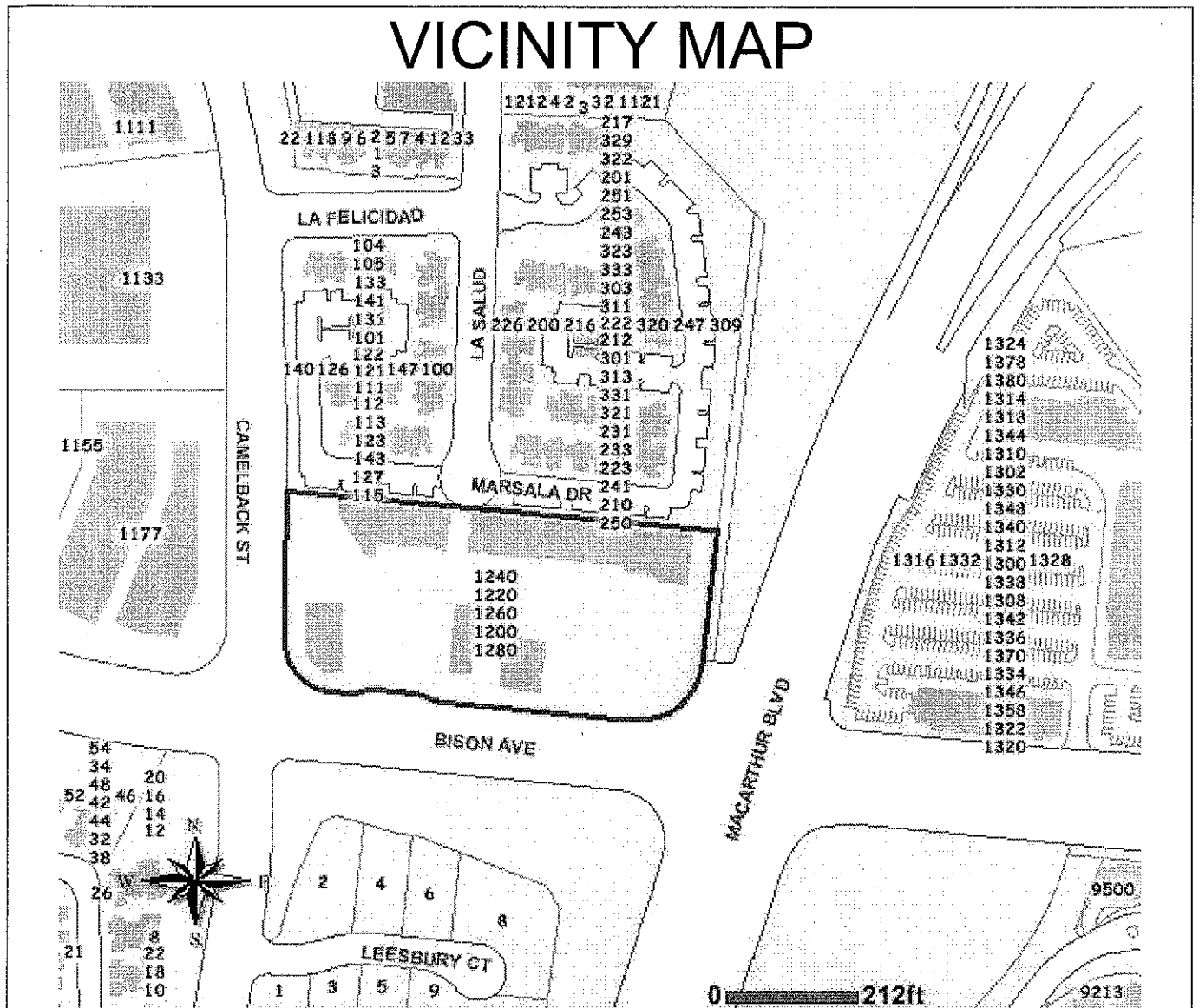
### Parking Requirement

In accordance with Chapter 20.82 of the Newport Beach Municipal Code, accessory outdoor dining requires no additional parking if it is less than 25% of the interior net public area. The subject facility complies with that requirement. Therefore, based on the recommended restrictions (maximum outdoor dining area of 340 square feet) and the parking characteristics of the use, adequate parking is provided on site to serve the proposed use.

### Restroom Facilities

The facility, as proposed, provides adequate public sanitation facilities with the provided interior separate sex restrooms in the existing building. Any increase in the interior seating may require an increase in the number of fixtures or provision of separate sex restrooms, as required by the Newport Beach Municipal Code and in compliance with the provisions of the Health Code (Orange County).

# VICINITY MAP



Outdoor Dining Permit No. OD2008-001  
(PA2008-019)

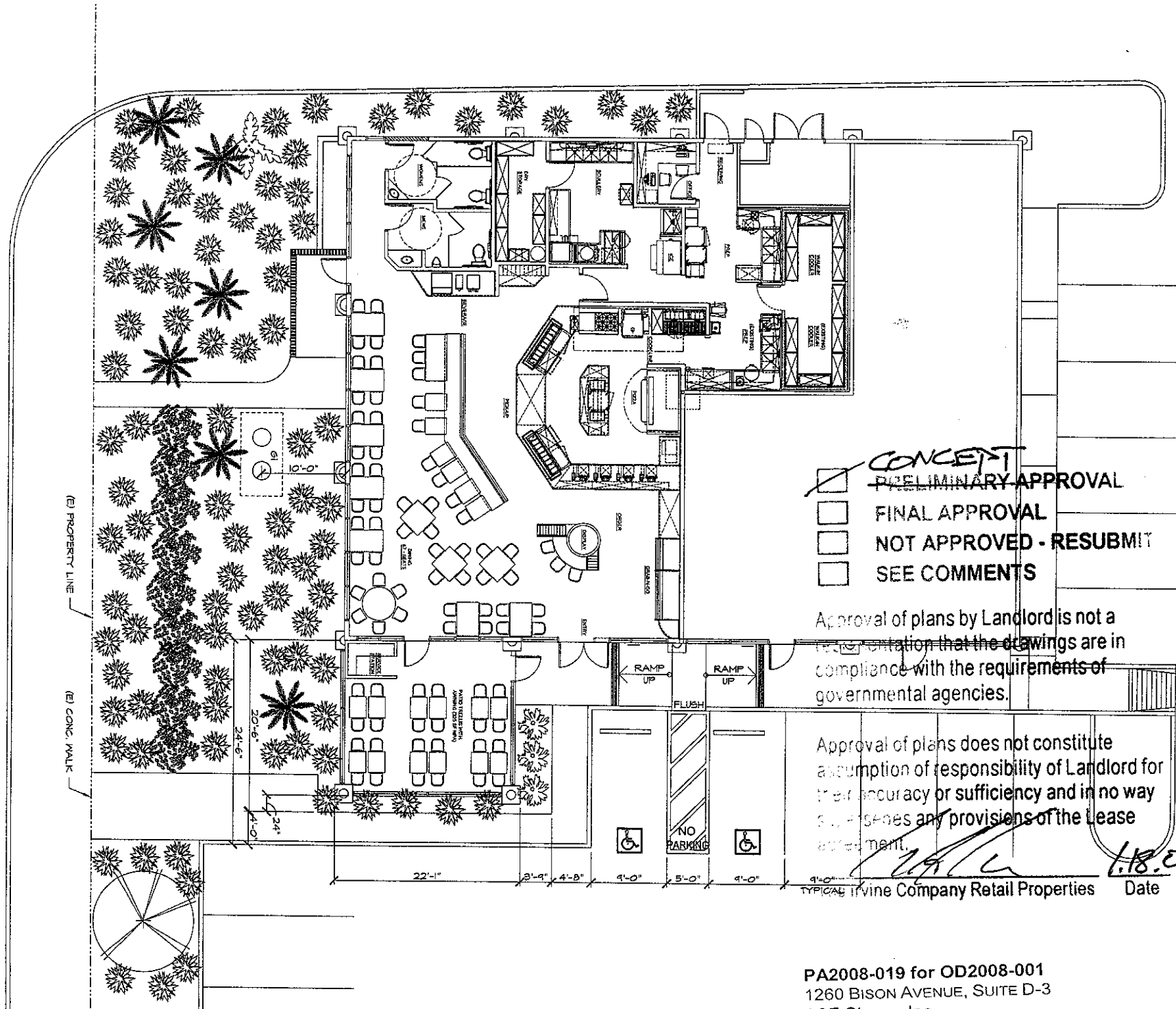
1260 Bison Avenue, Suite D-3

**C** FLOOR PLAN EXHIBIT WITH PATIO

1" = 15'-0"

CHAMPAGNES KITCHEN

1-10-08



- ~~CONCEPT~~ PRELIMINARY APPROVAL
- FINAL APPROVAL
- NOT APPROVED - RESUBMIT
- SEE COMMENTS

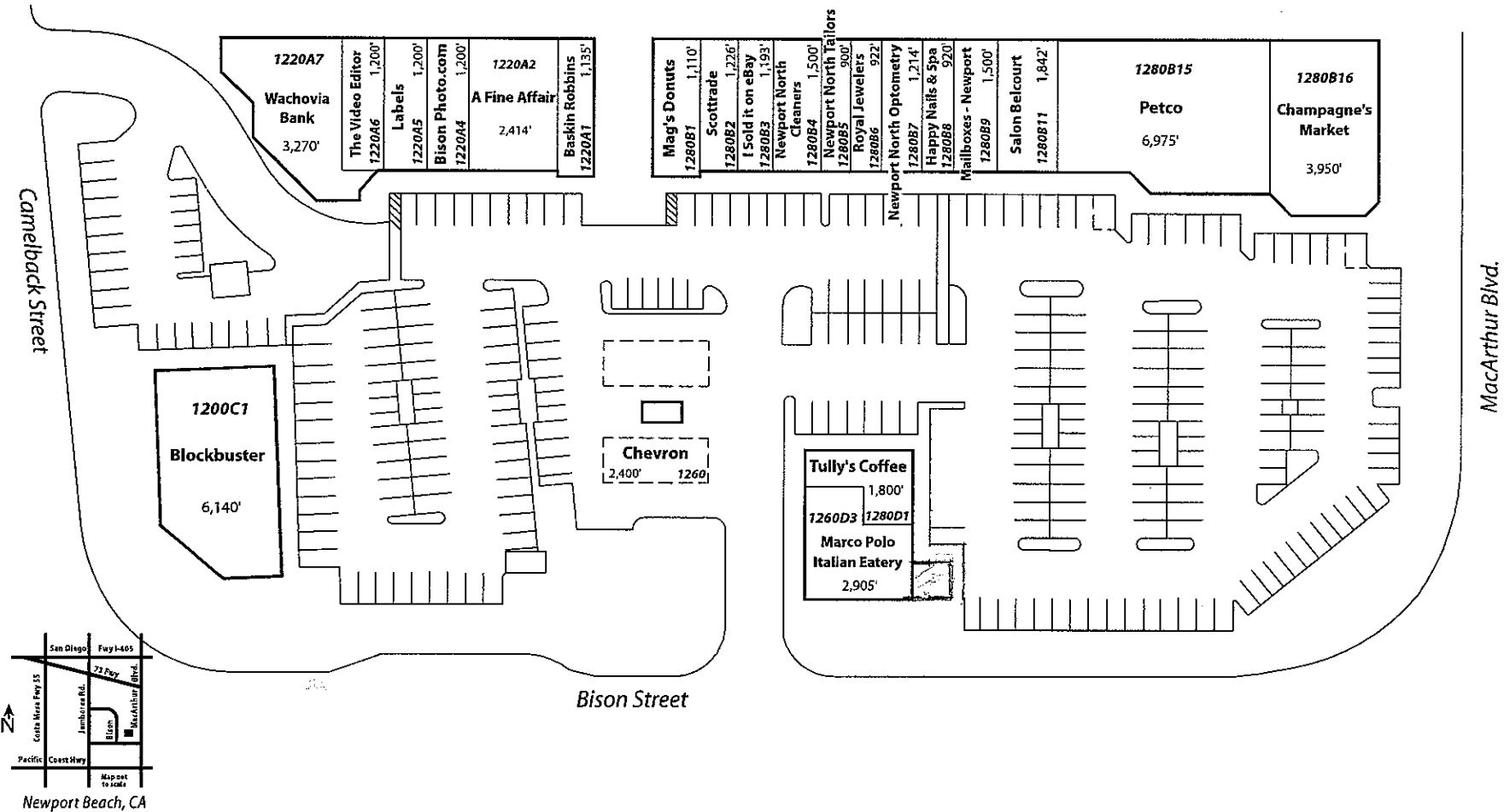
Approval of plans by Landlord is not a representation that the drawings are in compliance with the requirements of governmental agencies.

Approval of plans does not constitute assumption of responsibility of Landlord for their accuracy or sufficiency and in no way supersedes any provisions of the Lease agreement.

*[Signature]* 1.18.08  
 TYPICAL Irvine Company Retail Properties Date

# NEWPORT NORTH CENTER

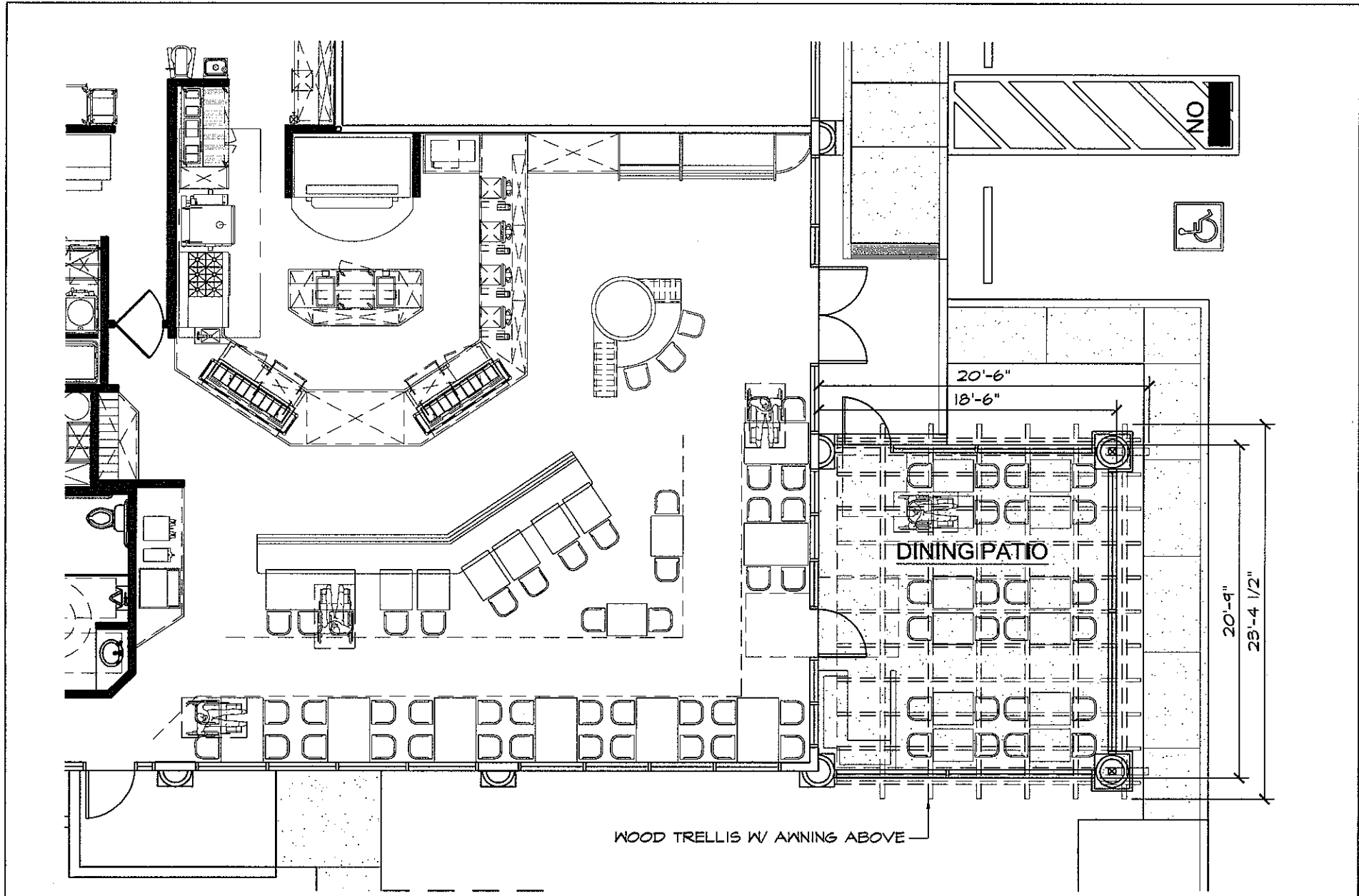
Newport Beach, California



This is a schematic plan intended only to show the general layout of the Shopping Center and the approximate location of the Premises. Landlord, at any time, may change the shape, size, location, number and extent of the improvements shown hereon, as well as any additional improvements. Landlord may eliminate, add or relocate any improvements to any portion of the Shopping Center, including, without limitation, buildings, parking areas or structures, roadways, curb cuts, temporary or permanent kiosks, displays or stands, and may add land to and/or withdraw land from the Shopping Center. Plan not to scale.



PA2008-019 for OD2008-001  
 1260 BISON AVENUE, SUITE D-3  
 A&F Stores, Inc.



**STUDIO | C**  
 architecture and planning

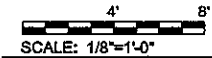
6125 Conventore Ct. E., Suite 200, San Diego, California 92121 (619) 588-0888 fax (619) 588-0888

**PATIO PLAN**

CHAMPAGNES KITCHEN  
 1260 BISON AVE.  
 NEWPORT BEACH, CA

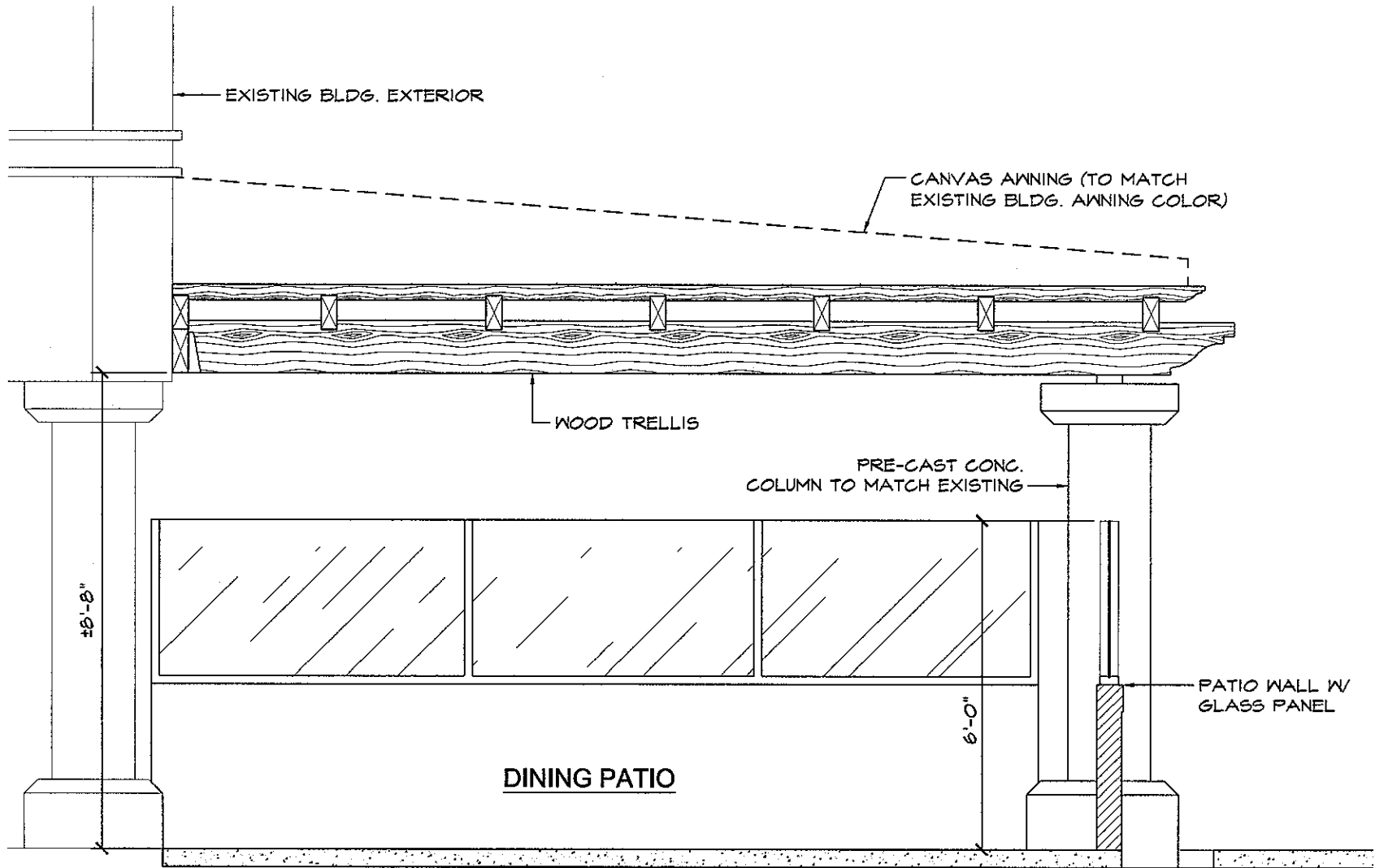
PA2008-019 for OD2008-001  
 1260 BISON AVENUE, SUITE D-3  
 A&F Stores, Inc.

Page 1 of 3



FEB. 25, 2008





**STUDIO | C**  
 architecture and planning

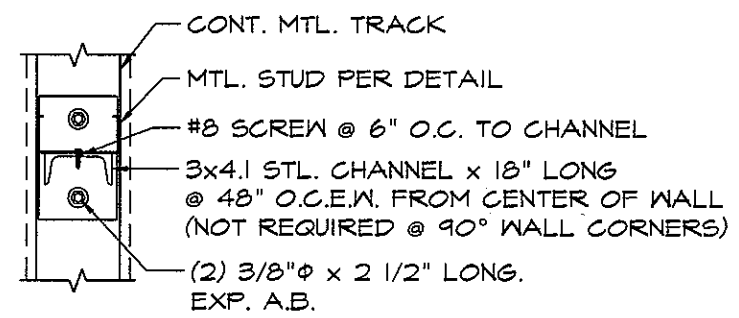
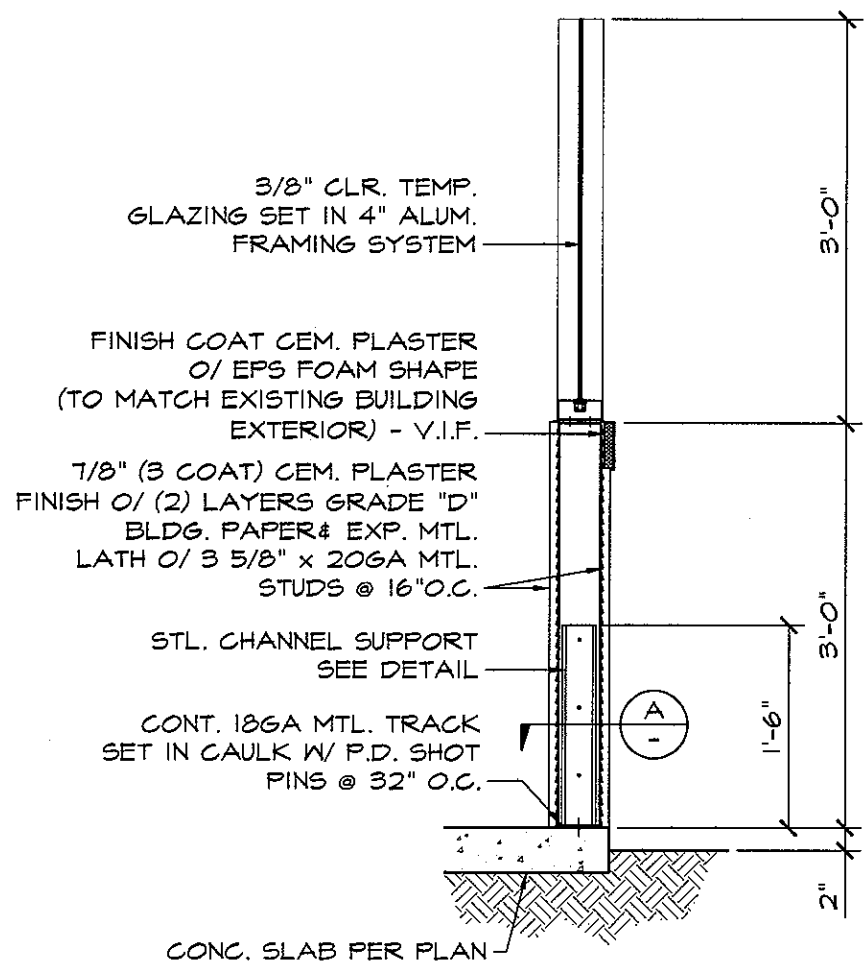
6125 Oceanview Ct. E., Suite 200, San Diego, California 92121 (619) 595-0059 fax: (619) 595-0058

SECTION THRU PATIO

CHAMPAGNES KITCHEN  
 1260 BISON AVE.  
 NEWPORT BEACH, CA

1.33' 2.67'  
 SCALE: 3/8"=1'-0"

FEB. 25, 2008



**SECTION "A"**  
N.T.S.



**THE IRVINE COMPANY  
RETAIL PROPERTIES**

February 22, 200

Rand McDevitt  
Champagne's Deli & Kitchen  
1280 Bison Avenue, Suite B-16  
Newport Beach, CA 92660

via USPS /Email (w/Attachments)

**RE: Champagne's Sun Roast Kitchen – Parking Spaces  
Newport North Center**

Dear Rand:

Attached are site plan sections showing existing and future parking stalls pursuant to the planned patio installation for Champagne's Sun Roast Kitchen at Newport North retail center. Champagne's Deli will closing at their current location and relocating to where Marco Polo currently exists, along with a new, open air patio servicing the premise from the existing parking field.

The patio installation results in the loss of three existing parking stalls in front of the existing Marco Polo space. However, an existing accessible stall will be converted into a regular stall, and a loading zone will also be converted into a regular stall (see attached), the total of which results in the loss of only 1 stall once the patio is installed.

Two new accessible stalls will be added at the new location, thus no existing handicap stalls will be lost after patio installation.

Please contact me with questions regarding the above.

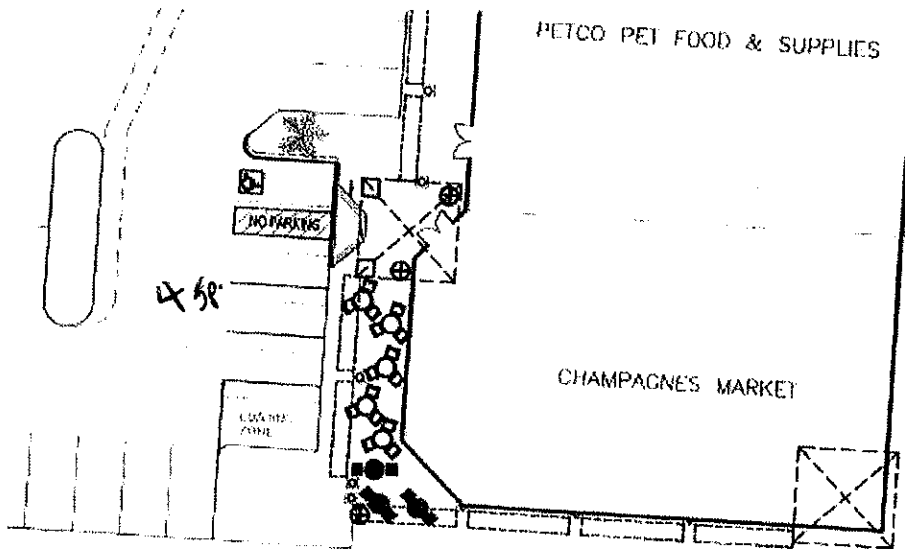
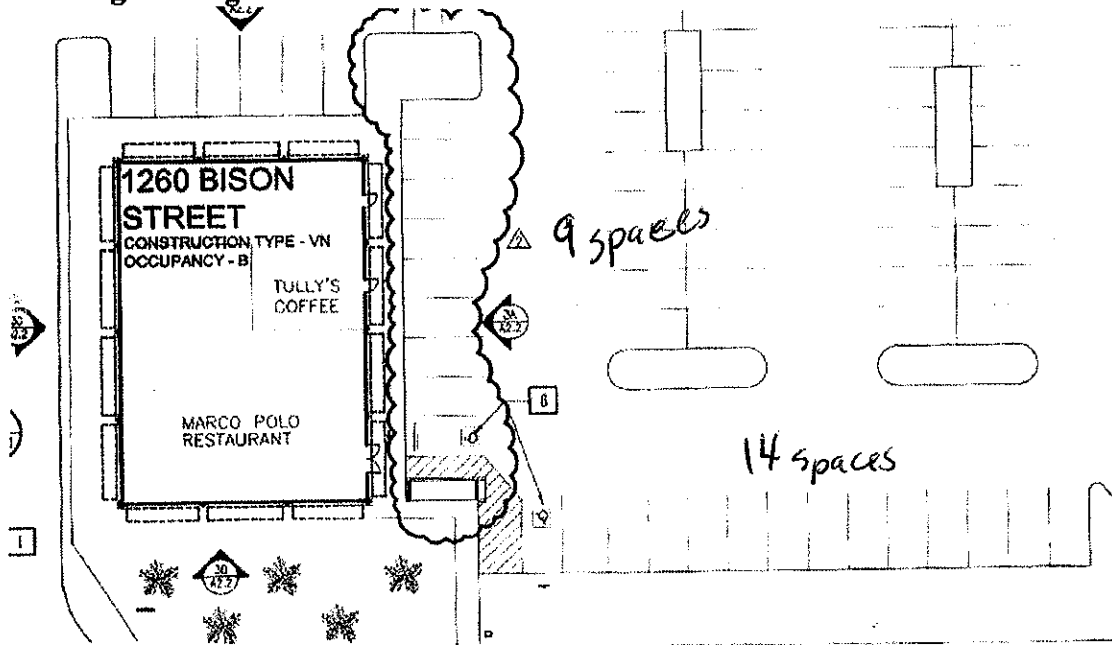
With Best Regards,  
The Irvine Company Retail Properties

  
Gary Hepburn  
Senior Manager, Tenant Coordination

cc: Julie Garcia, The Irvine Company Retail Properties

PA2008-019 for OD2008-001  
1260 BISON AVENUE, SUITE D-3  
DATE OF MEETING - February 22, 2008

Existing Parking



# Revised Parking

