

**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

SUBJECT: Report of actions taken by Planning Department Staff for the week ending March 28, 2008


Item 1: Newport Birch Plaza, LLC – Planning Director's Use Permit No. UP2007-025 (PA2007-216)
20072 SW Birch Street

The Planning Director approved the applicant's request to allow the change of 2,000 square feet from retail commercial use to medical office use. The building has 5,000 square feet of medical office use approved by previous use permit UP2004-037 (PA2004-218). The property owner will provide the minimum additional parking (2 spaces, if necessary) for the new medical office use as required by the Zoning Code. The property is located in the SP-7 (Santa Ana Heights Specific Plan) District. Also included in the application is a request for relief of development standards that apply to requirements for: a 6-foot tall slump stone wall at the rear property line; a non-view glass at the second floor windows facing the rear property line; and a rear yard screen planting/landscape.

Approved – March 26, 2008

Council District 4

Prepared and submitted by:



Javier S. Garcia, Zoning Administrator

APPEAL:

The decision of the Planning Director 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*)
Rick Dayton, PAC Development Committee Chairman (*e-mail*)



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

NOTICE OF PLANNING DIRECTOR'S ACTION

March 26, 2008

Newport Birch Plaza LLC
Attention: Michael Azar
20072 SW Birch Street
Newport Beach, CA 92660

**Approved
Application No.**

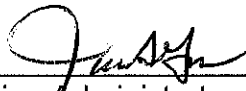
**Planning Director's Use Permit No. UP2007-025
(PA2007-216)**

Site Address

20072 SW Birch Street

On March 26, 2008, the Planning Director approved the above referenced application based on the findings and conditions in the attached action letter.

On behalf of David Lepo, Planning Director

By: 
Zoning Administrator Javier S. Garcia, AICP

JSG:jg/es

cc:
contact
Michael Azar
20072 SW Birch Street, Suite 290
Newport Beach, CA 92660

APPEAL: 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.



USE PERMIT NO. UP2007-025

(PA2007-216)

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. UP2007-025 (PA2007-216)

Applicant: Newport Birch Plaza LLC

Site Address: 20072 SW Birch Street

Legal Description: APN 439-352-18 and APN 439-352-19

Request as Approved:

To allow the change of 2,000 square feet from retail commercial use to medical office use. The building has 5,000 square feet of medical office use approved by previous use permit UP2004-037 (PA2004-218). The property owner will provide the minimum additional parking (2 spaces, if necessary) for the new medical office use as required by the Zoning Code. The property is located in the SP-7 (Santa Ana Heights Specific Plan) District. Also included in the application is a request for relief of development standards that apply to requirements for: a 6-foot tall slump stone wall at the rear property line; a non-view glass at the second floor windows facing the rear property line; and a rear yard screen planting/landscape. The applicant has voluntarily pledged to comply with the development requirements as described in the appendix of this approval letter.

DIRECTOR'S ACTION APPROVED – MARCH 26, 2008

In approving this application, the Planning Director analyzed the proposal with regard to compliance with the Land Use Element of the General Plan, Zoning Code Compliance (specifically, Chapter 20.44, Santa Ana Height Specific Plan Area, BP District regulations), proposed uses (excluded and area restricted), and the parking requirements. The discussion can be found in the attached appendix. In this case, the Planning Director determined that the proposal, with the limitation on the mix of uses and requirement to conform to the Zoning Code specified parking regulations (Chapter 20.66), would not be detrimental to persons, property or improvements in the neighborhood. In addition, the approval of the Use Permit amendment and compliance with the development standards of the specific plan as addressed herein is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code based on the following findings.

FINDINGS

1. The property is designated for "General Commercial Office" use by the Land Use Element of the General Plan and "Business Professional Office" use by the Santa Ana Heights Specific Plan Area Business Park District regulations. The proposed mix of uses proposed by this use permit is consistent with those designations.
2. This project has been reviewed, and it has been determined categorically exempt from the requirements of the California Environmental Quality Act under Class 1 (Existing Facilities) and Class 5 (Minor Alterations in Land Use Limitations).
3. The approval of Planning Director's Use Permit No. **UP2007-025 (PA2007-216)** 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:
 - Adequate on-site parking is provided and available for the existing and proposed mix of uses and additional spaces can be added, if determined necessary.
 - The proposed mix of general office, medical/dental office, and restricted retail uses will not create an intensification of trip-generation rates (298 trips as proposed) that requires a Traffic Phasing Ordinance Analysis. However, if in the future the mix of uses increases the trip-generation characteristics or exceeds the threshold limit of the Traffic Phasing Ordinance (currently 300 trips) then appropriate analysis will be required prior to authorization of such change or increase in the mix of uses and will require an amendment to this use permit.
4. The approval of Planning Director's Use Permit No. **UP2007-025 (PA2007-216)** is consistent with the purpose and intent of the Santa Ana Heights Specific Plan Area District based on the following reasons:
 - The proposed project is a well-planned business park and commercial development which is adequately buffered from the adjacent residential neighborhood. The relief of the development standards for: the 6-foot tall slump stone wall; non-view glass at the second floor windows; and required rear yard screen planting/landscape have been adequately satisfied by a combination of increased distance of the building from the rear property line, construction of the required slump stone wall, application of adhesive, non-view film to the second floor windows and enhancement of the existing number of vertical landscape elements within the rear yard setback area.
 - The business park and residential traffic are separated to the maximum extent possible since the subject property is located on a block that is bounded on the north, south, and west by Business Park designated properties and on the east by Residential Equestrian (REQ) designated properties.
 - The proposal that established a mix of proposed uses does not alter or diminish the overall aesthetic character of the community.

5. Compliance with all other applicable regulations of the Municipal Code, more specifically Chapter 20.66 Parking Requirements, will be required and enforced for the newly converted retail to medical floor area (2,000 square feet of medical office use requires two additional parking spaces be provided on site).

CONDITIONS

1. The development and mixture of permitted uses shall be in substantial conformance with the approved footage limitation plan.
2. This use permit shall supersede Use Permit No. UP2004-037 (PA2004-218), which limited the medical office use to 5,000 square feet, which is rendered null and void upon effectiveness of this approval.
3. The maximum square footage devoted to medical/dental use shall not exceed 7,000 square feet and the minimum area devoted to general office use shall not be less than 7,500 square feet. The square footage devoted to retail use shall not exceed 1,500 square feet, except when the total aggregate square footage devoted to retail and medical/dental use together shall not exceed 8,500 square feet (maximum of 7,000 medical use is included in that limitation).
4. The use permit authorizes medical/dental uses and retail uses as specified in this approval letter with the exception of the uses that have been identified and excluded within the appendix of this document, and any other uses which the Planning Director finds consistent with the purpose and intent of this use permit.
5. The timely completion of the following improvements shall occur within 60 days of the date of this approval: the installation of a 6-foot tall slump stone wall (building permit required) at the rear property line boundary with the REQ District; installation of adhesive, non-view glass film at the second floor windows facing the REQ District properties adjacent to the rear property line; and installation of additional two vertical screen planting/landscape elements within the rear yard setback area.
6. Within 60 days of this use permit approval, the applicant shall contact the Planning Department for an inspection to verify compliance with each of the above mentioned items. Failure to comply or show diligent pursuit of the above mentioned requirements shall result in this matter being forwarded to the Code Enforcement Division for administrative action, which may lead to citations and fines in accordance with the Municipal Code.
7. Any changes to the existing parking lot configuration shall be subject to further review by the City Traffic Engineer for the on-site parking, vehicular circulation, and pedestrian circulation systems.

8. All applicable parking requirements of Chapter 20.66 of the Newport Beach Municipal Code shall apply to the newly converted 2,000 square feet of medical office use (provide 2 additional parking space on site, if deemed necessary and required) and shall be enforced. All applicable FairShare Fee contributions for the converted retail to medical office use shall be appropriated and collected prior to or upon issuance of building permits in accordance with Municipal Code requirements.
9. Employees shall park on-site at all times.
10. No temporary "sandwich" signs, balloons, or similar temporary signs shall be permitted, either on-site or off-site, to advertise the proposed establishment, unless specifically permitted in accordance with the Sign Ordinance of the Municipal Code. Temporary signs shall be prohibited in the public right-of-way, unless otherwise approved by the Public Works Department in conjunction with the issuance of an encroachment permit or encroachment agreement.

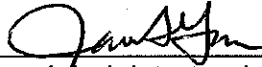
STANDARD CITY REQUIREMENTS:

1. All signs shall conform to the provisions of Chapter 20.44 and applicable sections of Chapter 20.67 of the Newport Beach Municipal Code, unless otherwise approved by the Planning Commission or the City Council in accordance with the provisions of the Municipal Code.
2. As specified by the Uniform Building Code, the facility shall be designed to meet exiting and fire protection requirements and shall be subject to review and approval by the Building Department.
3. The project shall comply with State Disabled Access requirements, including parking and related structures.
4. The Planning Director or the Planning Commission may add to or modify the conditions of this Use Permit approval, or 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.
5. 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.

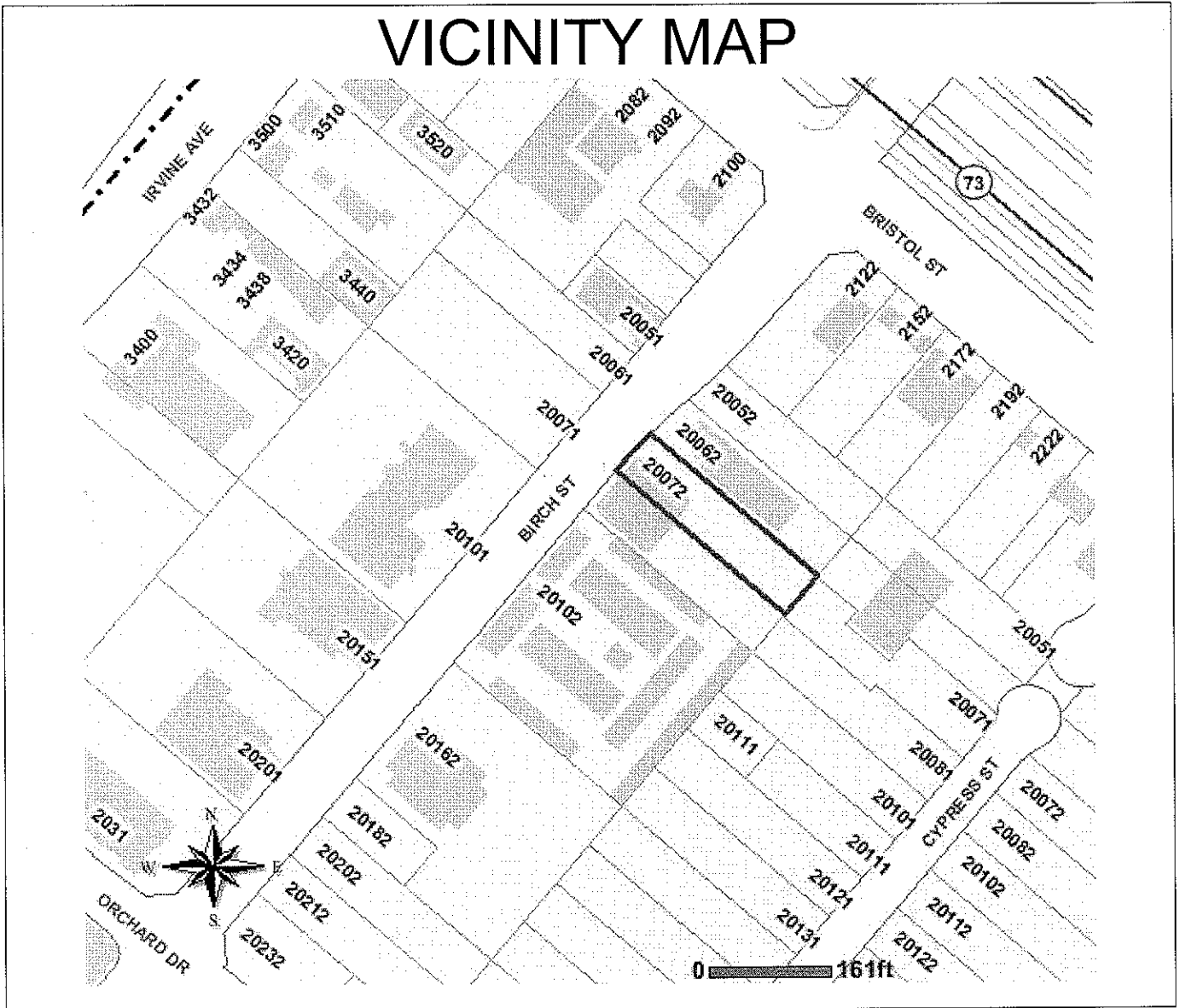
On behalf of Planning Director David Lepo,



Zoning Administrator Javier S. Garcia, AICP

- Attachments:
1. Vicinity Map
 2. Appendix
 3. Letter from Santa Ana Heights Project Advisory Committee dated March 14, 2008
 4. Letter of Justification and its attachments from the Applicant dated March 3, 2008
 5. Email from Applicant dated February 27, 2008
 6. Letter from Santa Ana Heights Project Advisory Committee dated February 22, 2008
 7. Floor Plans, Exterior Elevations, and Site Plan (Parking Plan Revision)

VICINITY MAP



Planning Director's Use Permit UP2007-025
Project No. PA2007-216

Site Address: **2072 SW Birch Street**

March 26, 2008

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APPENDIX

General Plan Compliance

The General Plan designates the property for General Commercial Office (CO-G). Per the Land Use Element (LUE), medical offices and retail commercial uses are allowed within the CO-G designation.

Discussion

The subject property is comprised of two parcels of land located on Birch Street, a parcel away from the General Commercial (GC) District of the Santa Ana Heights Specific Plan Area (SAH), and at the rear abuts the Residential Equestrian (REQ) District.

Medical, dental, and a limited range of retail uses are permitted within the BP zone subject to the approval of a Use Permit by the Planning Director. This approval allows the establishment of the above-referenced uses by separate review and approval by the Planning Director through Planning Department personnel, up to the maximum square footage authorized by this approval, without the necessity to file a new use permit application. Future uses would be reviewed by the Planning Department for compliance with all applicable codes and ordinances including the General Plan, the BP Zone, and parking requirements.

Zoning Compliance

The BP District of the Santa Ana Heights Specific Plan area is established to provide for the development and maintenance of professional and administrative offices, commercial uses, specific uses related to product development, and limited light industrial uses. Attention shall be given to the protection of the adjacent residential uses through regulation of building mass and height, landscape buffers, and architectural design features.

The following excerpt from the Zoning Code Section 20.44.050 lists the permitted uses allowed in the Business Park District of the Santa Ana Heights Specific Plan Area. As listed, each use requires the approval of a Use Permit issued by the Planning Director. The applicant's request will allow a limited mix of office, medical/dental, and retail uses with the establishment of maximum square footage for medical/dental and retail uses within the project (items a and b; portions of d, g, and i; and items j and k subject to review and approval by the Planning Director to determine compliance with the intent of this use permit). The request will also eliminate the necessity for future use permit applications for each individual retail and medical/dental office use that remains within the proposed footage limitations.

20.44.050 **Business Park District: SP-7 (BP)**

B. Principal Uses Permitted.

1. The following principal uses are permitted subject to the approval of a use permit by the Planning Director per Chapter 20.91:
 - a. Professional and administrative offices.
 - b. Financial institutions.
 - c. Civic and government uses.
 - d. Office-serving commercial uses, including restaurants, located within a building primarily devoted to office uses.
 - e. Communication transmitting, reception or relay facilities.
 - f. Public/private utility buildings and structures.
 - g. Blueprinting, reproduction and copying services.
 - h. Message, mail and delivery services.
 - i. Medical and dental offices.
 - j. Retail businesses.
 - k. Service businesses.

2. The following principal uses are permitted subject to the approval of a use permit by the Planning Commission per Chapter 20.91:
 - a. Restaurants subject to the following:
 - (1) not permitted adjacent to REQ lots.
 - (2) no live entertainment.
 - (3) no dancing.

 - b. Automobile rental agencies not permitted adjacent to REQ lots.
 - c. Commercial recreation.
 - d. Assembly of components or finished products.
 - e. Research, testing, and development laboratories.
 - f. Any other uses which the Planning Commission finds consistent with the purpose and intent of this district.

Proposed and Excluded Uses

The previous use permit authorized the list of uses (attached). Staff determined that the uses generally share similar traffic and parking demand characteristics. In addition, the uses have little or no use related impacts on neighboring commercial or residential properties.

Staff excluded some of the uses on the applicant's request list that have traffic or parking demand characteristics or use related impacts that could have an adverse effect on the neighboring commercial or residential uses. Those excluded uses are as follows:

Education learning center
Gyms, fitness, personal training, or other personal improvement facilities
Elder care center
Restaurant and fast food uses which would include:
Sandwich shops
Coffee shop

March 26, 2008

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- Juice bars
- Tea houses
- Floor covering with warehouse or storage
- Kitchen design and sales with warehouse and storage
- Limousine and vehicle rental (prohibited abutting the REQ District)

Therefore, it is recommended and this approval is conditioned so that the above-named uses are excluded from this authorization and will require additional review and approval of a Use Permit by the Planning Director or the Planning Commission, as applicable. Additionally, any use that is not included in the list of approved uses will also be subject to separate review and approval of a use permit or further determination by the Planning Director.

Proposed Use Limitations

In order to be consistent with the General Plan and the Santa Ana Heights Specific Plan Area regulations, staff has reviewed the implications of an established mix of general office, medical/dental office, and retail uses as described in the table below. The medical office use and the general office uses are expressed as maximum and minimum limitations in order to comply with the provisions of the Traffic Phasing Ordinance. The proposed use limitations will allow retail uses in excess of the 1,500 square feet listed, so long as the aggregate total square footage of retail and medical use together does not exceed 8,500 square feet. The Planning Department will monitor the individual tenant improvement plans issued by the Building Department to maintain the mix of uses within the permitted maximums or allowances.

Proposed Mixture of Uses

Retail (allowed in addition to max medical use)	1,500.00 square feet
Maximum Medical Office Allowed	7,000.00 square feet
General Office Minimum (minimum area required or to remain vacant)	7,500.00 square feet
General Office (Credited Conversion as a negative number)	-8,500.00 square feet

Santa Ana Heights Project Advisory Committee (SAHPAC) Comments

The SAHPAC has had an opportunity to review the proposed project and has no objections to increase the amount of medical office use from 5,000 to 7,000 square feet, which is consistent with the previously approved use permit.

It should be noted that the authority to review and approve a use permit is expressed in both the City's SAH Specific Plan Regulations (Chapter 20.44) and the former County version of the same document. The original use permit for the office building was approved by the County of Orange Planning Commission, and building permits were

issued by the County of Orange Building Department. The Committee was advised to contact the County of Orange Building Department with regard to compliance issues related to the development standards of the SAH Specific Plan Regulations.

The SAHPAC again raised issues related to development standards of the SAH Specific Plan that are nonconforming on the subject property. Those issues were raised previously and the County of Orange was not able to afford compliance to the development standards that remained outstanding. Consequently, the applicant has taken steps to meet with members of the PAC and has voluntarily pledged conformance with development standards as follows in his attached letter. The compliance steps include the construction of the slump stone wall at the rear property line, the application of adhesive non-view film to the second floor windows that face the rear property line, and the addition of two vertical planting/landscape elements within the rear yard setback area. Those compliance actions according to the applicant will be accomplished within 60 days of the date of this approval. A condition of approval to that effect has been included in this approval.

Parking Requirement

Based on a review of the floor plans of the existing building, it has been determined that the project was constructed with a parking ratio of 1 space per 250 square feet of gross floor area. There are currently 64 on site parking spaces to serve the 15,625 gross square-foot building, resulting in one surplus parking space. Based upon current standards, off-street parking requirements for the uses proposed by this permit are as follows:

General Office Use	1 per 250 square feet of net floor area
Retail and Commercial Use	1 per 250 square feet of gross floor area
Medical and Dental Office Use	1 per 250 square feet of gross floor area

Based on current standards, the maximum possible parking ratio for the uses approved under this permit would be 1 space per 250 square feet of gross floor area. Since the building was constructed with a parking ratio of 1 space per 250 square feet of gross floor area, any possible combination of uses under this permit would be adequately parked. Future uses up to the 7,000 square foot allocation for medical/dental office use and 1,500 square feet of retail commercial will be reviewed by the Planning Department to ensure compliance with parking requirements.

The parking requirement for medical/dental office use has changed since the original use permit approval and may require the addition of two parking spaces for the newly converted 2,000 square feet of retail to medical office use. The final determination of the parking requirement will be verified at plan check when the requirements of all departments will be evaluated, including the floor area calculations by the Planning Department on scaled plans. If necessary, the applicant proposes to change the parking lot to increase the number of on-site parking spaces to meet the increased parking requirement and/or provide the required parking spaces.

Traffic Phasing Ordinance

The Traffic Phasing Ordinance requires that a traffic study be prepared for any project generating over 300 trips. The maximum trip-generating use that would be approved under this permit would be medical or dental office. The maximum amount of medical, dental, or service commercial retail that could theoretically be approved under this permit would be an aggregate of 8,500 square feet (maximum 7,000 square feet of medical use of that aggregate amount). Trips generated by the proposed project, based on the proposed mix, would not exceed the 300 trip threshold (298.25 ADT).

Option 1- February 22, 2008			
Retail	1,500.00	45	67.50
Reduced Retail	0.00	45	0.00
Maximum Medical Office	7,000.00	50	350.00
Added Medical Office	0.00	50	0.00
General Office Minimum	7,500.00		Remain as unchanged 0.00
General Office	8,500.00	14.03	Credit of altered footage 119.26
			Revised Increase in ADT 298.25

Based on revised trips stated above, a traffic study is not required since ADT increase is less than 300 trips.

Findings for Use Permit Approval

The primary function of a use permit is to ensure that the proposed use is compatible with surrounding land uses. Per section 20.91.035, the following findings must be made for approval of a Use Permit:

1. The proposed location of the use is in accord with the objectives of this code and purposes of the district in which the site is located.
 - *As stated above, the purpose of the BP zone is "to provide for the development and maintenance of professional and administrative offices, commercial uses, specific uses related to product development, and light industrial uses". All uses proposed under this permit are permitted uses in the BP zone subject to approval of use permit.*
2. The proposed use permit and the conditions under which it would be operated or maintained will be consistent with the General Plan and the purpose of the district in which the site is located and will not be detrimental to the public health, safety, peace, morals, comfort, or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to the properties or improvements in the vicinity or to the general welfare of the city.

- *The medical/dental office and limited range of retail uses proposed under this permit will have no significant impact on the health, safety or general welfare of persons residing or working in the district.*
 - *The additional medical/dental office and retail uses approved under this permit will be subject to the review and approval of the Planning Department and the Planning Director, where appropriate, to ensure that they will generate no significant impacts on persons or property in the vicinity.*
3. The proposed use will comply with the provisions of this code, including any specific condition required for the proposed use in the district in which it would be located.
- *As stated above, the uses approved under this permit satisfy all required conditions for the zone in which they are located and will comply with all provisions of the zoning code.*

**SANTA ANA HEIGHTS
PROJECT ADVISORY COMMITTEE**

Date: 03/14/08

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: PRR #2
CNB UP2007-025 20072 SW Birch Street, new medical use

Dear Mr. Garcia:

Barbara Venezia, PAC Chairman, and Mary Slouka, Gary Hall, and Rick Dayton from the PAC Development Committee had the opportunity to meet with the applicant, Michael Azar, at the property on Tuesday, 3/11/08. We discussed the following 3 non-compliant issues that needed to be addressed if PAC is to support this use permit for additional medical office area:

1. Rear block wall in compliance with Specific Plan detail
2. Rear setback landscaping
3. Non-view glazing for second floor windows facing the REQ properties to the rear.

In the site meeting, Mr. Azar said that he did not have a problem changing the pre-existing precision block masonry wall to approved slumped block wall. However, he asked that PAC aid him with the interaction with Mr. Fettucine, his neighbor directly to the rear, who wrote a letter to Mr. Azar when the wall was originally going to be built and asked that the wall not be built. Barbara told Mr. Azar that PAC would do that. The PAC members told Mr. Azar that for the sake of consistency along this BP/REQ line, and so as not to create a precedence of non-conformance with the requirement, PAC would still require that the wall be made to conform in order for PAC to support the use permit.

Regarding the required screen landscaping of trees from the landscape palette at 15' on center, it was apparent that the trees that are providing the landscape screening are actually on the neighbor's property. There are dense shrubberies adjacent to the existing block wall on the subject property, but these do not extend above the height of the wall. The PAC members present agreed that enforcement of the screen landscaping requirement was not something that PAC would require to support the use permit. At the north and south ends of the landscape setback, trees were planted by the applicant that are greater than the (1) required 24" box size. Mr. Azar told the PAC members that he didn't have a problem adding in some additional 15 gallon trees per the landscape palette. From this site visit it could not be determined whether the existing block wall footing could be re-used for the new block wall. If this is possible, the existing shrubberies should be able to remain in place. If a new property line footing is required, then these shrubberies would have to be removed, and hopefully replaced with new plants. The PAC members would hope that the existing concrete footing is a property line "L" footing and sufficient for the new wall.

Mr. Azar took the PAC members into the 2 second floor suites that have windows facing the REQ properties to the rear. It was evident that these windows have clear glazing. 10 of the 11 windows that face directly to the rear of the property (not including the windows on the diagonal walls) have a horizontal dividing bar at the required height for the non-view glazing. It appeared to PAC members that the plans may have called for non-view glazing in the lower part of the window, but clear glazing was actually installed. The PAC members told Mr. Azar that making the 11 windows that face directly to the REQ properties "non-view" would be something that PAC would insist upon in order to support the use permit. So as not to be a significant inconvenience to the existing tenants, the PAC members present felt that relief from full compliance with the regulation could be granted to allow the use non-view applied film on the existing clear glass, with the condition that if the film were ever removed, it would trigger a requirement to replace the existing clear glass with non-view glass. It should be noted that the tenant that the PAC members talked with while inspecting the windows did not feel that the non-view glass requirement would negatively impact them.

RE: PAC response letter to PRR #2
CNB UP2007-025 20072 SW Birch Street, new medical use
Date: 03/14/08
Page: 2/2

In conclusion, PAC supports the applicant's use permit application for a change in use of 2,000 SF of retail commercial space to medical office use, provided the applicant agrees to do the following:

1. Replace the existing rear wall with a new slumped block wall per the Specific Plan detail, height of wall to be 6 feet of highest adjacent grade.
2. Provide some additional 15 gal. trees from the Specific Plan landscape palette for screen tree landscaping in the rear 10' landscape area.
3. Provide non-view applied film to the 11 second floor windows directly facing the REQ district to the height of 6'-6" above floor level, or to the height of the existing horizontal dividing bar, should this be different from the required 6'-6". A condition for clear glass replacement with non-view glass should be imposed if the applied film is removed.

Thank you for the opportunity to review this project a second time.

Sincerely,

Rick 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
Michael Azar, Applicant

NEWPORT BIRCH PLAZA LLC

March 3, 2008

City of Newport Beach
Att: Planning Department
3300 Newport Blvd.
Newport Beach Ca, 92663

RECEIVED BY
PLANNING DEPARTMENT

MAR 04 2008

Re: Relief from the PAC General Rules and regulation on Wall and Windows
On Planning Director Use Permit UP2007-025

CITY OF NEWPORT BEACH

Dear Mr. Garcia

This letter serves as a letter of justification for relief from the use permit requirement on Santa Ana heights Association PAC Requirement mention on the latter dated Feb. 22, 2008 in response to posted notice of December 2007, and appeal date of Jan. 14, In reference to use permit no. 2004-037, and asking to enforce the rules of PAC on wall, window and landscape,

As we had brought up into the attention of County of Orange at process of obtaining final reviews and occupancy permit in 2003, and city of Newport Beach in numerous occasions (obtaining occupancy for whole building and almost any of our tenants). Please review the following answers and attached documents to relief or advise us to take any further actions to resolve this problem for once and all.

Newport Birch Plaza LLC intends to continue in keeping his standard of Excellency and respect of all citizen specially our neighbors in Santa Ana Heights in this regards I would like to bring your attention to followings:

1- **The Masonry Wall**, this wall was built by pervious owners Airport Parking!!?? as you see in attachment when in 2003 we tried to upgrade to colored block and increase the height, our backside neighbor did not allowed the contractor to perform the job because of deceiving the look of his new wood fence and increasing the height of the wall to higher than his wall. he accepted all responsibility. (please See attached Copy of contractors letter and Mr. Fettuccini's signature)

2- **Windows on Second floor facing rare yard.** in November 2003, Mr. Summers the PAC president and 2 other members visited the building and the concern was only the glass windows looking to back properties to be non view glasses, after touring the second floor and landscape and trees in the back they all agreed that it is not necessary because our building is over 200 feet away from our back side neighbor (our adjacent properties set backs are less than 50 feet) and it is completely obscured and blocked by almost 30 feet tall trees, and we never received and concern from neighbors or notices regarding this matter.

3- **Setback Landscape area;** our landscaping is designed by local landscape architect and built according to approved plans by association and county of orange and I do not understand any concern on set back or landscape please refer to plans and see attached pictures A-2-1 and A-3 we built and maintained the nicest land escaping

As you know our building is designed by belated Chris Colvin one of the nations pro environmentalist architects, who loved orange county served AIA as director and leaved in area, we build the most neighbor hood friendly building in the Santa Ana heights area, to value the beauty of our neighborhood and we will continue to respect our neighbors and understand their concerns, I am planning to join the next PAC meeting and will listen and follow their advises,

20072 S.W BIRCH ST. NEWPORT BEACH CA. 92660

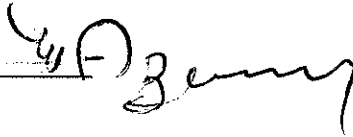
PHONE: 949/677-7011 FAX: 949/757-9465 WWW.BIRCHPLAZA.COM

We respectfully request that the City of Newport Beach grant the requested permit for the Newport Birch Plaza and Relief us from the use permit requirements by PAC based on above reasoning.

Very truly yours,

Newport Birch Plaza , LLC

Michael Azar

A handwritten signature in black ink, appearing to read "Michael Azar", written over a horizontal line.



A-1 This Picture is Taken on 2/25/08 shows the back wall of property the only wall shared with residential at 20072 Cypress St. The height of the trees is average above 25 feet. The concrete wall is mostly covered by bushes.



A-2 Planter and set back is 15 feet and



A-2-1 Planter in set back is in place as you see in this picture.



A-3 Our set back from neighbor in the back is over 200 feet, our other Neighbors 20062 Birch and 20092 Birch's set back is less than 50 feet.



B-1 THIS PICTURE IS TAKEN ON March 3, 2008 FROM 2ND FLOOR WINDOW AS YOU SEE THE BACK WALL is about 200 feet away AND NEIBOR BEHIND IS TOTALLY SCREENED BY THE TREES.



B-2 Another Picture Taken on March 3, 2008 From 2nd Floor Window Please Pay Attention to left and right hand side both properties are about 50 feet away from back wall and there is no trees. To create privacy.



**BRIAN CLAYTON
CONCRETE AND MASONRY**

December 2nd, 2003

Re: Contract Change

Dear Mr. Azar,

Please be advise that your contract for building a new wall between your 20072 Birch street property and your south side neighbors was interrupted and halted for flowing reason;. Your south side neighbor Mr. John Fettucine owner of 20082, 20072, and 20062 Cypress street does not want his fence to be removed and his existing landscaping to be modified or even walked on it.

Please see the attached handwritten note from Mr. John Fettucine on this specific request. I have no other choice except canceling the job until your father instruction on this issue. All masonry material purchased on this contract to build the wall will be left in the site and not returnable by me at this time.

Brian Clayton
Concrete and Masonry
5761 E La Palma Ave. #231
Anaheim, Ca 92807
(714) 462-1157
Lic# 779739

Nov, 28, 2003

Mr. AZAR

With knowledge of the rules and regulations of
association and your obligation with your
contractor, I John Feticone, owner of
properties located on 20062, 20072, 20082 of
Cypress Street, object to construction of
any new wall behind my properties on cypress st.
which will cause removal of any of my existing
walls.

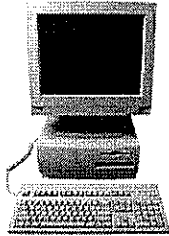
Brian Clayton

NOV, 28, 2003

Contractor for Mr. AZAR

John Feticone

Please File
in Legal Dept



Contact Us

Santa Ana Hts. PAC Information
2008. : Dec. 2004 Minutes

[email: bvontv@hotrange.com](mailto:bvontv@hotrange.com)

[Home](#)

[PAC Members](#)

[Links to County, Newport Beach, & Airport information sites](#)

[Project Area Map, Police Info, Code Enforcement and other Frequently Asked Questions](#)

[Kennel Area Info.](#)

December 7, 2004

6:30 p.m.

Pac Members in attendance: Roger Summers, Mary Slouka, Greg Carroll, Davis Stieve, Peter Macdonald, Barbara Venezia, Richard Moriarty, Rick Dayton, Harold Klassen

Excused: Gary Hall

Introduction: 5 minutes

Approval of October Minutes Richard makes a motion to approve the minutes and Mary Slouka seconds and the minutes are approved.

1. Introduction of Guests: Newport Beach Council Woman Leslie Daigle, Patrick Arciniega, Newport Beach City Engineer.
2. Chairman's Remarks There was a discussion to change our meeting site and Roger has looked into this and there really is not any other place in the area that would accommodate us. There is going to be a recommendation on the 14th of Dec. to the Board of Supervisor to appoint another PAC member to replace Jay Taylor. That person has met with the Supervisor and the appointment should be approved.

Public Comments (Non-Agenda Items): Limited to 3 minutes each

1: May Ranck : her concern is the nursery on Orchard. She claims they are bringing in trucks that are bringing in produce and the owner is sub leasing part of the property in the back and is growing cat grass. Richard says that he knows what he is doing and is perfectly within the zoning of the area. Also, on Old Kline Dr. the folks are complaining about lots of trucks being parked on the street. She is also concerned about the horse poop where the proposed Fire Dept is on Mesa Dr.

Jayne Jones: Talks about the official day of the horse on Dec. 11th. Here is the proclamation that was passed out to PAC Members: WHEREAS, The horse is a living link to the heritage and history of the State of California and the United States of America; and WHEREAS, Without horses, the economy, history, and character of the State of California and the United States of America would be

3. underground utility lines from east side to west side of Mesa Drive as a part of this project rather than tearing up Irvine Avenue at a later date to underground this section.

2. 20072 Birch Street (Azar office) is requesting a change in use permit to allow up to 4,000 SF retail space and up to 5,000 SF medical/dental space, with the remaining 7,000 SF to be office space. The building owner is working with City planning staff to compose a list of approved uses that could fit in these categories.

The committee responded to the City that we are not opposed to having any of the Principal Permitted Uses that are in the County version of the Specific Plan, but noted that the Specific Plan as incorporated into the City Zoning Code has different permitted uses. The committee is opposed to allowing these new uses without further discussion with City staff to understand why they were added and how they will affect the character of the Business Park.

3. 20280 Acacia Street, Suite 100 (Biosensors International) an existing R&D company needs to file a use permit for a proposed 4,077 tenant improvement expansion of their business. City planning staff is proposing allowing up to 5,000 SF of Principal Permitted Uses in the building without any use permit applications. The committee responded to city staff that PAC would like to see a use permit application for new construction projects in order to be able to review them, but saw no need for use permit applications for subsequent tenant improvement projects as long as the uses were on the Principal Permitted Use list as it appeared in the County version of the Specific Plan.

>From these last two reviews it has become apparent that the Zoning Code version of the Specific Plan has a number of changes from the County version. The committee is most concerned about the addition of

"retail uses" and "service uses" to the Business Park Principal Permitted Use list. The committee has responded to the City that we are very much opposed to having the Business Park become a General Commercial zone like we have on Bristol Street. We have asked for a complete list of the specific plan changes and a subsequent study session to review the changes with planning staff.

5. Fire Station – Dave Kiff (3 minutes)

The City has now purchased all the property and the Davis family will most likely stay there until the end of the year. There will be more meetings with the architect in the coming months.

6. Cypress Undergrounding Report – Patrick Arciniega (5 minutes)

Garcia, Jay

From: mike [mike@ocplaza.com]
Sent: Wednesday, February 27, 2008 12:05 PM
To: Garcia, Jay
Cc: 'Hisham Seify'
Subject: changing 2000 square feet at 20072 birch from retail to medical I
Attachments: birch plaza wall.pdf; birch plaza pictures for pac.pdf; Birch Medical Approval dec 2004 PAC.pdf

Dear Mr. Garcia , thank you for your time on our Monday Morning Meeting, and your advices we had responded on pointing to exact location of private fitness location and the size to Fern on Monday, in regards to Santa Ana Heights PAC letter,

I like to bring your attention to followings:

- 1- the masonry wall was built by pervious owners Airport Parking !!?? before we bought the lot.
- 2- on plans which was approved by PAC it was pointed as existing wall 1996, the only condition was we have to landscape and add plants and trees for privacy, which we did more than what requested (please see attached pictures A-1 A- 2)
- 3- as you see in attachment when we tried to upgrade to colored block in 2003 the backside neighbor did not allowed the contractor to perform the job he accepted all responsibility.
- 3-this building not only has been approved for compliance of all rules and regulation and codes but also received certificate of occupancy from county of orange, and also after annexation we had multiple check ups on making sure very detail is in accordance with city of Newport beach rules and regulations, we had to modify parking to comply with ADA and City of Newport Beach Rules,
- 4- in Nov. 2003, Mr.Summers the PAC president and 2 other members I thing Greg and Harold !!?? Visited the building and concern was opacqeing the glass windows, in the back they all agreed it is necessary because our building is over 200 feet away from our back side neighbor and it is completely obscured by almost 30 feet tall trees,
- 5- I do not understand any concern on set back or landscape please refer to plans and see attached pictures A-2-1 and A-3 we built and maintained the nicest land escaping.
- 6- please refer to minutes of December 2004 and highlightd area of approval we had gone through same process before with out any objection from PAC,

As you know our building is designed by blatted Chris Colvin one of the nations pro environmentalist architect , who loved orange county served AIA as director and leaved in Newport Beach we build the most neighbor hood friendly building in the area, to value the beauty of Santa Ana heights and back bay area, and we will continue to respect our neighbors and understand their concerns, I am planning to join their meeting and will listen and follow their advices, but at this time I do not want this to delay our long awaited use permit, and do not have any excuse to cause a delay on Dr. Saifi's desire to make Newport Beach a home for his well deserved practice.

Best regards

Michael Azar

**SANTA ANA HEIGHTS
PROJECT ADVISORY COMMITTEE**

Date: 02/22/08

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 UP2007-025 20072 SW Birch Street, new medical use

Dear Mr. Garcia:

The PAC Development Subcommittee has reviewed the PRR for Planning Director's Use Permit No. UP2004-037 that would allow the change in use of 2,000 SF from retail commercial use to medical office use at 20072 S.W. Birch Street. A previous use permit, UP2004-037, allowed for a maximum of 5,000 SF of medical use for this property. The applicant is proposing to add (2) parking spaces to meet the medical use parking requirement.

The applicant, Michael Azar, in the past has refused to make the building comply with SAH Specific Plan development criteria that was in effect at the time the building was built, but was not enforced by the County. The violations to development standards include a rear property line masonry wall that does not comply with the height, materials, or design as specified in the Specific Plan, a rear setback landscape area that contains none of the required screen landscaping, and second floor windows facing the rear yards of the REQ residential properties that do not have the required non-view glazing.

In the review for UP2004-037, PAC requested that the City enforce these code violations. That Use Permit was approved with no conditions that would require the building to be brought into compliance. Until such time as these code violations are addressed, the PAC Development Committee is not in favor of approval of any use permit that would allow this property special rights to deviate from the standard Business Park zoning criteria.

Once again, the Development Committee must ask the Planning Director to use this use permit application as a means to enforce compliance with these existing zoning code violations. If approved, this use permit should contain mandatory conditions that will bring the property into compliance.

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

ABBREVIATIONS

GENERAL NOTES

SHEET INDEX

A/C	AIR CONDITIONING	H.B.	HOSE BIB
ACOUS.	ACOUSTICAL	HBD.	HARD BOARD
A.D.	AREA DRAIN	H.C.	HOLLOW CORE
ADJ.	ADJUSTABLE, ADJACENT	HDR.	HEADER
AGGR.	AGGREGATE	HDWD.	HARDWOOD
AL.	ALUMINUM	HDWE.	HARDWARE
ALT.	ALTERNATE	HGT.	HEIGHT
APPROX.	APPROXIMATE	H.M.	HOLLOW METAL
ARCH.	ARCHITECTURAL, ARCHITECT	HORZ.	HORIZONTAL
ASPH.	ASPHALT	HR.	HOUR
BD.	BOARD	I.D.	INSIDE DIAMETER
BITUM.	BITUMINOUS	I.V.	INVERT ELEVATION
BLDG.	BUILDING	INSUL.	INSULATION
BLK.	BLOCK	INT.	INTERIOR
BLKG.	BLOCKING	JAN.	JANITOR
BH.	BEAM	JT.	JOINT
BOT.	BOTTOM	KIT.	KITCHEN
BRG.	BEARING	LAB.	LABORATORY
CAB.	CABINET	LAM.	LAMINATE
C.B.	CATCH BASIN	LAV.	LAVATORY
CEM.	CEMENT	LOUV.	LOUVER
CER.	CERAMIC	LT.	LIGHT
C.I.	CAST IRON	MAX.	MAXIMUM
C.G.	CORNER GUARD	M.C.	MEDICINE CABINET
CLG.	CEILING	MECH.	MECHANICAL
CLKG.	CAULKING	MEMB.	MEMBRANE
CLR.	CLEAR	MET.	METAL
CNTR.	COUNTER	MFR.	MANUFACTURER
C.O.	CASED OPENING	MIN.	MINIMUM
COL.	COLUMN	MIR.	MIRROR
CONC.	CONCRETE	MISC.	MISCELLANEOUS
CONN.	CONNECTION	MTD.	MOUNTED
CONSTR.	CONSTRUCTION	MUL.	MULLION
CONT.	CONTINUOUS	N	NORTH
CORR.	CORRIDOR	NAT.	NATURAL
CTR.	CENTER	N.I.C.	NOT IN CONTRACT
CTSK.	COUNTERSUNK	NO.	NUMBER
DBL.	DOUBLE	NOM.	NOMINAL
DEPT.	DEPARTMENT	N.T.S.	NOT TO SCALE
D.F.	DRINKING FOUNTAIN	O.A.	OVERALL
DET.	DETAIL	OBS.	OBSOLETE
DIA.	DIAMETER	O.C.	ON CENTER
DIM.	DIMENSION	O.D.	OUTSIDE DIAMETER
DISP.	DISPENSER	OFF.	OFFICE
DN.	DOWN	OPNG.	OPENING
D.O.	DOOR OPENING	OPP.	OPPOSITE
DR.	DOOR	PL.	PLATE
DWR.	DRAWER	PLS. LAM.	PLASTIC LAMINATE
D.S.	DOWN SPOUT	PLAS.	PLASTER
D.SP.	DRY STANDPIPE	PLYWD.	PLYWOOD
DWG.	DRAWING	FR.	PAIR
E.	EAST	PRCST.	PRECAST
E.A.	EACH	PT.	POINT
E.J.	EXPANSION JOINT	P.T.D.	PAPER TOWEL DISPENSER
EL.	ELEVATION	P.T.F.	PRESSURE TREATED DOUG. FIR
ELEC.	ELECTRICAL	PRTN.	PARTITION
ELEV.	ELEVATOR	P.T.R.	PAPER TOWEL RECEPTACLE
EMER.	EMERGENCY	Q.T.	QUARRY TILE
ENCL.	ENCLOSURE	R.	RISER
E.P.	ELECTRICAL PANEL BOARD	RAD.	RADIUS
EQ.	EQUAL	R.D.	ROOF DRAIN
EQUIP.	EQUIPMENT	REF.	REFERENCE
EXH.	EXHAUST	REFR.	REFRIGERATOR
EXIST.	EXISTING	REIN.	REINFORCED
EXPO.	EXPOSED	REQD.	REQUIRED
EXT.	EXTERIOR	REV.	REVERSE, REVISION
F.A.	FIRE ALARM	RGR.	REGISTER
F.D.	FLOOR DRAIN	RM.	ROOM
FND.	FOUNDATION	R.O.	ROUGH OPENING
F.E.	FIRE EXTINGUISHER	RWD.	REDWOOD
F.E.C.	F.E. CABINET	S	SOUTH
FIN.	FINISH	S.C.	SOLID CORE
FLUOR.	FLUORESCENT	S.C.D.	SEAT COVER DISPENSER
F.O.C.	FACE OF CONC.	SCHED.	SCHEDULE
F.O.F.	FACE OF FIN.	S.D.	SOAP DISPENSER
F.O.S.	FACE OF STUD	SECT.	SECTION
F.O.W.	FACE OF WALL	SH.	SHIELD
FRPF.	FIRE PROOFING	SHWR.	SHOWER
F.S.	FULL SIZE	SHT.	SHEET
FT.	FEET, FOOT	SH.	SIMILAR
FTG.	FOOTING	SPEC.	SPECIFICATION
FURR.	FURRING	SQ.	SQUARE
FUT.	FUTURE	SST.	STAINLESS STEEL
GAL.	GALVANIZED	SRV. SNK.	SERVICE SINK
G.B.	GRAB BAR	STA.	STATION
G.I.	GALVANIZED IRON	STD.	STANDARD
GL.	GLASS	STL.	STEEL
GND.	GROUND	STOR.	STORAGE
GR.	GRADE	STRL.	STRUCTURAL
GYP.	GYP-SUM	SUSP.	SUSPENDED
		SYM.	SYMMETRICAL
		T.B.	TOWEL BAR
		T.C.	TOP OF CURB
		TEL.	TELEPHONE
		T & G	TOUNGE & GROOVE
		THK.	THICKNESS
		T.P.	TOP OF PAVING
		T.P.D.	TOILET PAPER DISP.
		TRD.	TREAD
		T.V.	TELEVISION
		T.W.	TOP OF WALL
		TP.	TYPICAL
		UNF.	UNFINISHED
		U.N.O.	UNLESS NOTED OTHERWISE
		URIN.	URINAL
		VERT.	VERTICAL
		VEST.	VESTIBULE
		V.T.R.	VENT THROUGH ROOF
		W	WEST
		W/	WITH
		W.C.	WATER CLOSET
		WD.	WOOD
		W/O	WITH OUT
		WP.	WATER PROOF
		WSCCT.	WARRANTY
		WT.	WEIGHT
		W/W	W/IN W/IF W/IF MESH

DIVISION 1 GENERAL NOTES

- Code Requirements: All construction materials and installation shall comply with the latest edition of the Uniform Building Code (U.B.C.), Uniform Plumbing Code (U.P.C.), Uniform Mechanical Code (U.M.C.) and the National Electrical Code (N.E.C.) which are adopted by the local governing agency. All state and federal laws are applicable.
- Where any conflict occurs between the requirements of federal, state and local laws, codes, ordinances, rules and regulations, the most stringent shall govern.

Architectural Drawing and Specification Errors and Omissions:

The Contractor shall be held responsible for the results of any errors, discrepancies, or omissions which the Contractor failed to notify the Architect of before construction and/or fabrication of the work.
- The Contractor shall notify the Architect, in writing of any errors, discrepancies, or omissions in the Contract drawings and specifications before proceeding with construction.

The Contractor will be held responsible for the results of any errors, discrepancies, or omissions which the Contractor failed to notify the Architect of before construction and/or fabrication of the work.
- It shall be the responsibility of the Contractor to locate all existing utilities, whether shown hereon or not, and to protect them from damage. The Contractor shall bear all expense or repair or replacement of utilities or other property damaged by operations in conjunction with this work.
- Special Note:
Beware! If these general notes or specifications request shop drawings, samples, test sheets, color samples, etc. to be provided by the Contractor to the Owner or Architect for review and the Contractor ignores any of these submittals, the Contractor will be solely responsible for all replacement or rectification of incorrectly installed items.
- "Or Equal": The Contractor shall submit for the Architect's and owner's approval all materials or equipment which he/she considers "or equal" to that specified. No substitutions will be considered otherwise.
- The Architect will review and accept shop drawings and samples, for conformance with the design concept of the project only. The acceptance of a separate item shall not indicate acceptance of an assembly in which the item is a part.
- Working dimensions shall not be scaled from plans, sections, or details on any of the drawings. Larger scale detail drawings shall take precedence over smaller scale drawings, and noted dimensions shall take precedence over scaled dimensions.
- Approval of the Inspector does not acknowledge compliance with the plans and specifications. Any detail which fails to be clear or is ambiguous must be referred to the architect or engineer for interpretation or clarification.
- The design, adequacy, safety or erection of bracing, shoring, temporary supports and scaffolding is the sole responsibility of the contractor.
- The architect assumes no responsibility for completeness of plans for bid purposes prior to issuance of the building permit.
- The improvements shall be insured against loss by fire during the progress of the work by the owner.
- The term contractor and sub-contractor are used interchangeably throughout specification.
- All sub-contractors are subject to the general notes. The general contractor is to submit a list of sub-contractors which he is to use for the execution of the work.
- Sub-contractor shall at all times keep workman's compensation insurance in full force and effect. He shall also keep a complete record of social security tax payments made by him, and submit to the contractor full evidence that such payments have been made as required.
- Sub-contractors shall be responsible for the correctness of the work. Each sub-contractor is responsible for his own work until same has been completed and accepted and also for his own materials.
- All materials shall be of the best quality unless noted otherwise. All installations shall be performed in the best possible manner by skilled labor.
- The contractor shall safeguard the owner's property during construction and shall replace all damaged finish material and/or structural members.
- Materials Storage: All materials, machinery, and equipment shall be stored in a manner approved by Owner, in a place designated by Owner. Fire hazard shall be minimized by all reasonable means. Storage places shall be promptly vacated upon request by Owner and left in broom-clean condition.
- Schedule: Each Contractor shall start his work promptly, pursue it diligently, and complete it in accordance with Owner's building schedule. It is mutually understood that schedule is subject to change without notice as circumstances warrant.
- The contractor shall provide temporary water, power, toilet facilities and pedestrian protection as required by code and/or local ordinances.
- The Contractor shall take all necessary precautions to ensure the safety of the occupants and the workers at all times. Each Contractor shall be responsible for the job site safety and security of his materials, tools and equipment.
- All debris shall be removed from the premises and all areas shall be left in a clean (broom) condition at all times.

Each Contractor, unless specifically exempted by the terms of the Contract Agreement, shall be responsible for cleaning up and removing from the job site all trash and debris not left by other Contractors. Owner will determine how soon after subcontractor completes each phase of his work that the trash and debris will have to be removed from the site.
- The Contractor shall provide all necessary blocking, packing and framing for light fixtures, electric unit, A.C. equipment, drapery or ceiling tracks and all other items requiring same.
- Contractor shall not break sets. The contract documents are complimentary. What is required by any one shall be as binding as if required by all.
- The general conditions of the contract for construction (AIA Document A201) is hereby made a part of these documents as if written in full.

FIRE DEPARTMENT NOTES:

FIRE DEPARTMENT FINAL INSPECTION REQUIRED. SCHEDULE ALL INSPECTIONS 2 DAYS IN ADVANCE BY CALLING 949-559-7537.

PROVIDE 2A 100% MINIMUM RATED FIRE EXTINGUISHERS TO BE LOCATED WITHIN 75 FEET TRAVEL DISTANCE FROM ALL AREAS OR AS DETERMINED BY THE FIRE INSPECTOR.

FIRE SPRINKLER SYSTEM PER NFPA STANDARD 13 SHALL BE PROVIDED. SUB-CONTRACTOR, WHEN SELECTED, SHALL SUBMIT PLANS TO FIRE AUTHORITY FOR APPROVAL.

PLANS FOR THE FIRE SPRINKLER ALTERATIONS SHALL BE SUBMITTED (3 COPIES) TO THE BUILDING DEPT. FOR APPROVAL PRIOR TO INSTALLATION.

PLANS SUBMITTED SHALL SHOW THE EXISTING FIRE SPRINKLER DESIGN DENSITY AND SQUARE FEET OF THE TENANT SPACE. PLANS BY SUB-CONTRACTOR.

"EXIT" SIGNS SHALL BE IN BLOCK LETTERS, MINIMUM OF (6) SIX INCHES HIGH WITH A STROKE OF NOT LESS THAN 3/4". FINISHANCE ON FACE OF SIGN SHALL BE 50 LITE.

WATER FOR FIRE PROTECTION PURPOSES AND AN ALL WEATHER ACCESS ROAD SHALL BE IN PLACE PRIOR TO ANY COMBUSTIBLE MATERIALS BEING PLACED ON SITE.

A LETTER OF INTENDED USE FOR THE STRUCTURE SHALL BE SUBMITTED TO AND APPROVED BY THE FIRE CHIEF PRIOR TO ISSUANCE OF A BUILDING PERMIT.

PLANS FOR ON SITE WATER SYSTEMS FOR FIRE PROTECTION SHALL BE APPROVED BY THE FIRE CHIEF PRIOR TO ISSUANCE OF A BUILDING PERMIT. SPRINKLER SYSTEMS TO BE PLACED IN STRUCTURES OF UNDETERMINED USE, THAT ARE PART OF THIS SYSTEM, ARE TO BE DESIGNED FOR MINIMUM ORDINARY HAZARD (GROUP 2) OCCUPANCIES WITH A DESIGN AREA OF 3,000 SQ. FT.

STORAGE, DISPENSING OR USE OF ANY FLAMMABLE OR COMBUSTIBLE LIQUIDS, FLAMMABLE AND COMPRESSED GASES AND OTHER HAZARDOUS MATERIALS SHALL COMPLY WITH UNIFORM FIRE CODE REGULATIONS.

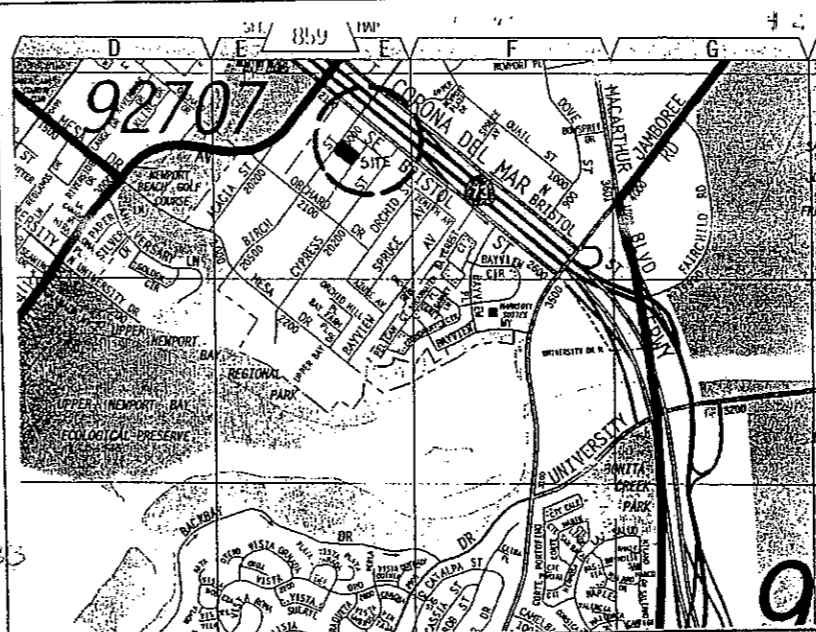
PLANS OF NEW OR MODIFICATIONS TO EXISTING FIRE PROTECTION, DETECTION ALARM OR MONITORING SYSTEMS AND HIGH PILED STORAGE SHALL BE APPROVED BY THE FIRE AUTHORITY PRIOR TO INSTALLATION.

BUILDINGS NOT APPROVED FOR HIGH-PILED COMBUSTIBLE STORAGE, MATERIALS IN CLOSELY PACKED PILES OR PALETS, OR IN BUNDLES, SHALL NOT EXCEED 12 FEET IN HEIGHT OR 6 FEET FOR GROUP A PLASTICS AND CERTAIN OTHER HIGH-HAZARD COMMODITIES. AREAS INTENDED FOR HIGH-PILED STORAGE SHALL COMPLY WITH UFC, ARTICLE B1.

PROJECT INFORMATION:

CONSTRUCTION TYPE: V-N
 OCCUPANCY: B
 SQUARE FOOTAGE AREA: FIRST FLR. 7,951 S.F.
 2ND FLR. 8,030 S.F.
 TOTAL 15,981 S.F.
 STORIES/HEIGHT: 2 STORIES/32'
 PARKING REQUIRED: 4 CARS/ 1,000 S.F. 15,981 S.F./1000 X 4 = 63.9
 PARKING PROVIDED: 64
 FIRE SPRINKLERS: YES, INSTALL PER O.C.F.A. & UFC STANDARDS
 SUB CONTRACTOR SHALL PROVIDE SHOP DRAWINGS.
 PROJECT DESCRIPTION:
 CONSTRUCT A TWO STORY, WOOD FRAMED, SHELL ONLY OFFICE BUILDING. WITH ON GRADE ON SITE PARKING FOR 64 CARS. SEE APPROVED USE PERMIT PA 98-0133. TENANT IMPROVEMENTS SHALL BE UNDER SEP. PERMITS.

VICINITY MAP



Load Factor Rentable = 15,981 / 13,256 = 1.1533

G1.1	GENERAL INFORMATION.
G1.2	ADA HANDICAP ACCESS NOTES.
G1.3	ADA HANDICAP ACCESS NOTES.
H03	ADA HANDICAP ACCESS GENERAL DETAILS.
A-1	SITE PLAN.
A-2	FIRST FLOOR PLAN.
A-3	SECOND FLOOR PLAN.
A-4	ROOF PLAN.
A-5	EXTERIOR ELEVATIONS.
A-6	ELEVATION & SECTION.
A-7	SECTION.
A-8	WALL SECTION DETAILS.
A-9	WALL SECTION DETAILS.
S-1	STRUCTURAL GENERAL INFORMATION.
S-2	STRUCT. TYP. DETAILS.
S-3	STRUCT. FOUNDATION PLAN.
S-4	STRUCT. SECOND FLOOR FRAMING PLAN.
S-5	STRUCT. ROOF PLAN.
S-6	STRUCT. DETAILS.
S-7	STRUCT. DETAILS.
S-8	STRUCT. DETAILS.
E-1	ELECTRICAL GENERAL INFORMATION.
E-2	ELEC. SCHEDULES.
E-3	ELEC. SITE PLAN.
E-4	ELEC. POWER PLANS.
E-5	ELEC. LIGHTING PLANS.
E-6	ELEC. ROOF PLAN.
M-1	MECHANICAL GENERAL INFORMATION.
M-2	MECH. FIRST FLOOR HVAC PLAN.
M-3	MECH. SECOND FLOOR HVAC PLAN.
M-4	MECH. ROOF HVAC PLAN.
M-5	MECH. T-24 CERT. OF COMPLIANCE.
P-1	PLUMBING GENERAL INFORMATION.
P-2	PLUMB. FIRST FLOOR PLAN.
P-3	PLUMB. SECOND FLOOR PLAN.
P-4	PLUMB. ROOF PLAN.
P-5	PLUMB. DETAILS.

OWNER:
 MICHAEL AZAR,
 AZAR RAFIY
 PROJECT ADDRESS:
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 NEWPORT BEACH, CA 92660

PROJECT TEAM:

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STRUCTURAL ENGINEER:
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ELECTRICAL ENGINEER:
 CONSOLIDATED ENGINEERING
 DAVID LO
 26 COLDBROOK
 IRVINE, CA 92714
 949-651-9170

MECHANICAL / PLUMBING:
 ADVANCED ENVIRONMENTAL ENG
 PA2007-216 for UP2007-025
 20072 SW BIRCH STREET
 DATE OF MEETING: -

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DATE	JANUARY 20, 1999
PROJECT NUMBER	9807
DRAWN BY	CRG
CHECKED BY	
SCALE	1/8" = 1'-0"

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 SHEET TITLE
 GENERAL INFORMATION

WINDOW SCHEDULE

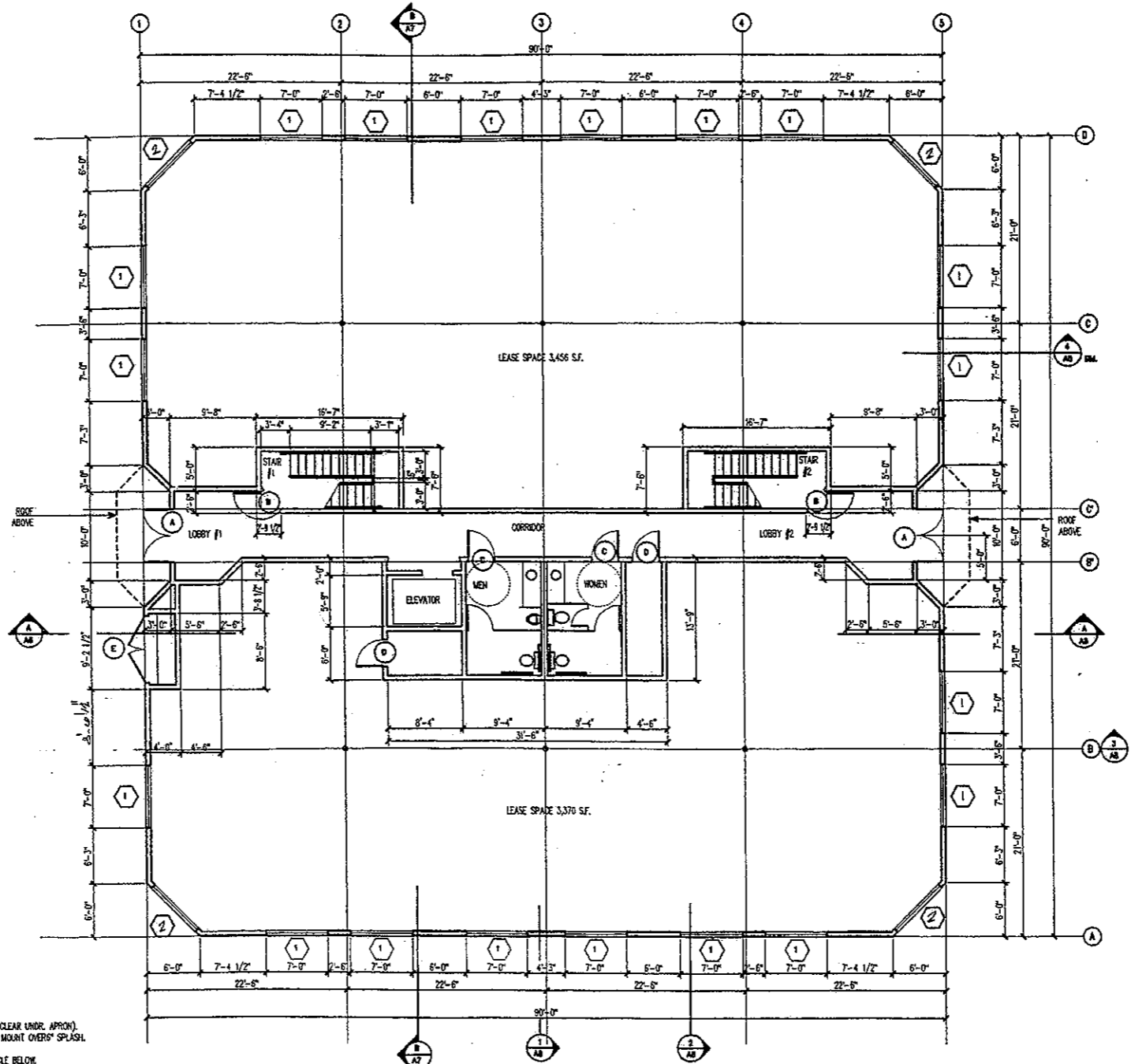
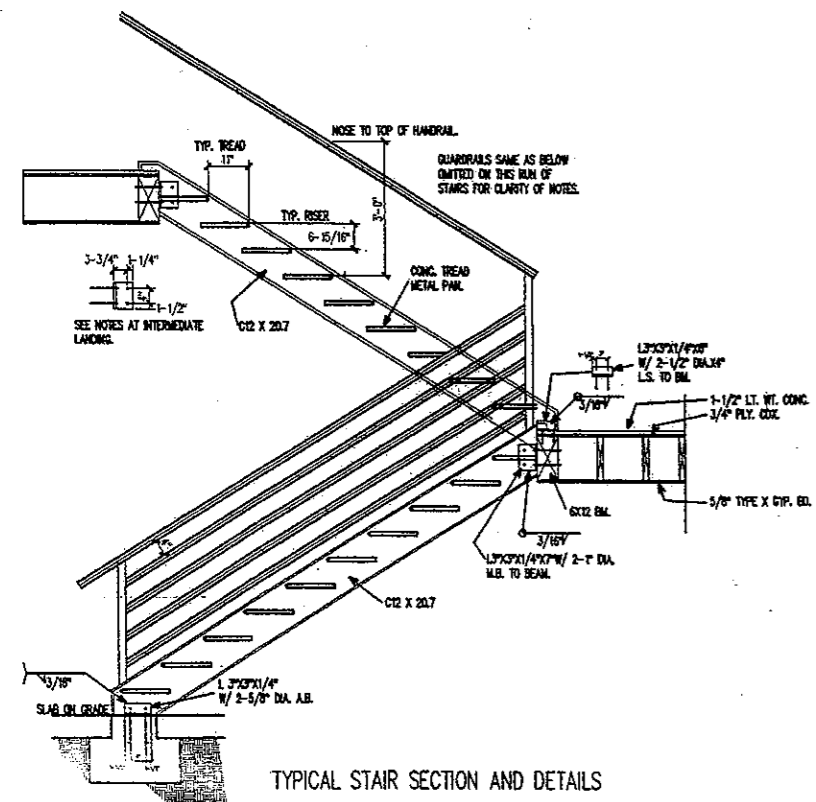
SYM.	WIDTH	HEIGHT	HDR. HT.	TYPE	FRAME	GLASS THK.	GLASS TYPE	COMMENTS
1	7'-0"	7'-0"	7'-0"	single glaze	mtl.	1/4"	clear	
2	7'-0"	4'-0"	7'-0"					
3	5'-0"	5'-0"	5'-0"					
4	2'-10"	2'-0"	2'-0"					Tempered glass

DOOR SCHEDULE

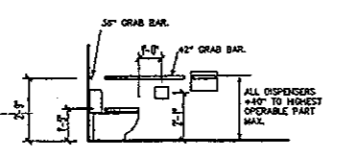
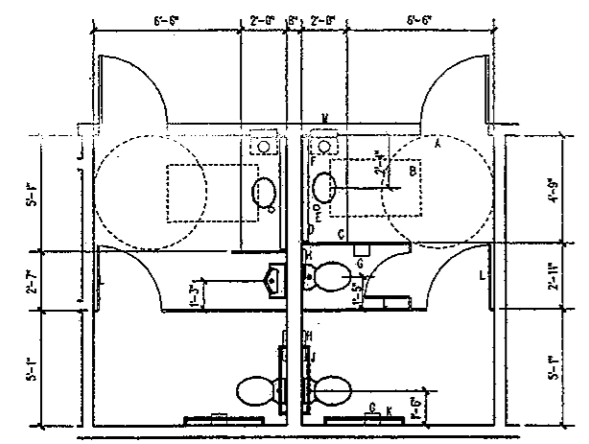
SYM.	WIDTH	HT.	THK.	MAT.	TYPE	FRAME	HRDWR	SILL	COMMENTS
A	6'-0"	7'-0"		MW/Glass	Pair	MS.	Per mfg.	Per mfg.	By arcadia, tempered glass.
B	3'-0"			Wood	Sngl.		A	2	20 min rated door, self closer
C	3'-0"				Sngl.		A	2	20 min rated door, self closer
D	3'-0"				Sngl.		B	2	20 min. door
E	6'-0"			Metal	Pair		B	2	

HARDWARE
 Schlage A53PD, Ventura Lever, 626 Satin Chromium Plated, Key Outside Push Button Inside
 Schlage A60PD, Ventura Lever, 626 Satin Chromium Plated, Key Outside, Inside Unlocked

THRESHOLD
 1. Reese saddle 4" S204B w/ Door Shoe DB595B
 2. Reese saddle 4" S204B



NOTE: PROVIDE BUILDING ADDRESS IN NUMBERS THAT ARE VISIBLE AND LEGIBLE FROM THE STREET.



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DATE	JANUARY 20, 1999
PROJECT NUMBER	9807
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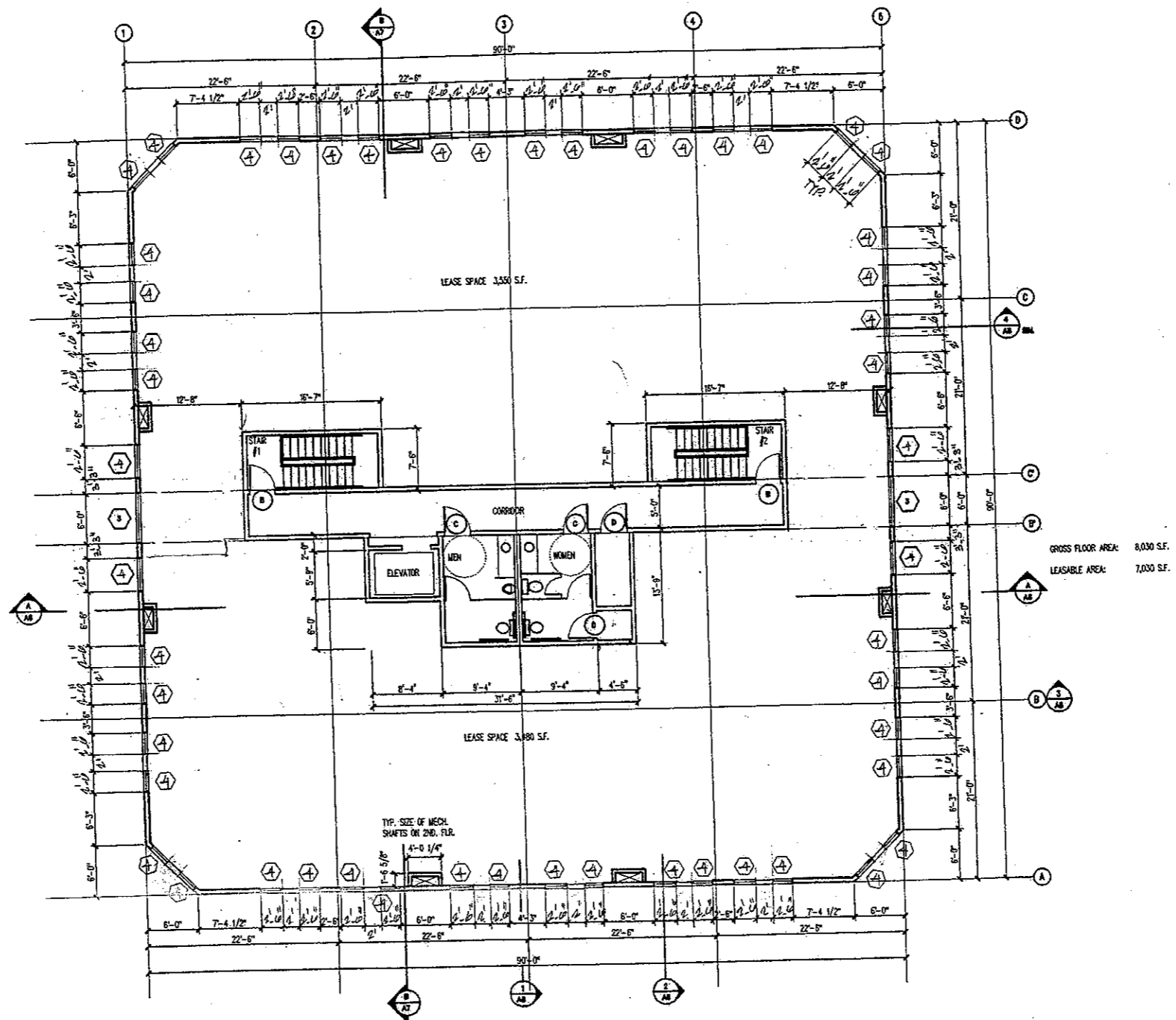
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	FIRST FLR.	SECOND FLR.	TOTALS
GROSS FLOOR AREA:	7,951 SF.	8,030 SF.	15,981 SF.
TOTAL LEASABLE AREA:	6,826 SF.	7,030 SF.	13,856 SF.
LEASABLE/GROSS SF.	85.8%	87.5%	86.7%

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SHEET TITLE
 FIRST FLOOR PLAN

SHEET NUMBER
 A-2



GROSS FLOOR AREA: 8,030 S.F.
 LEASABLE AREA: 7,000 S.F.

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DATE	JANUARY 20, 1999
PROJECT NUMBER	5807
DRAWN BY	CRG
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SCALE	1/8"=1'-0"

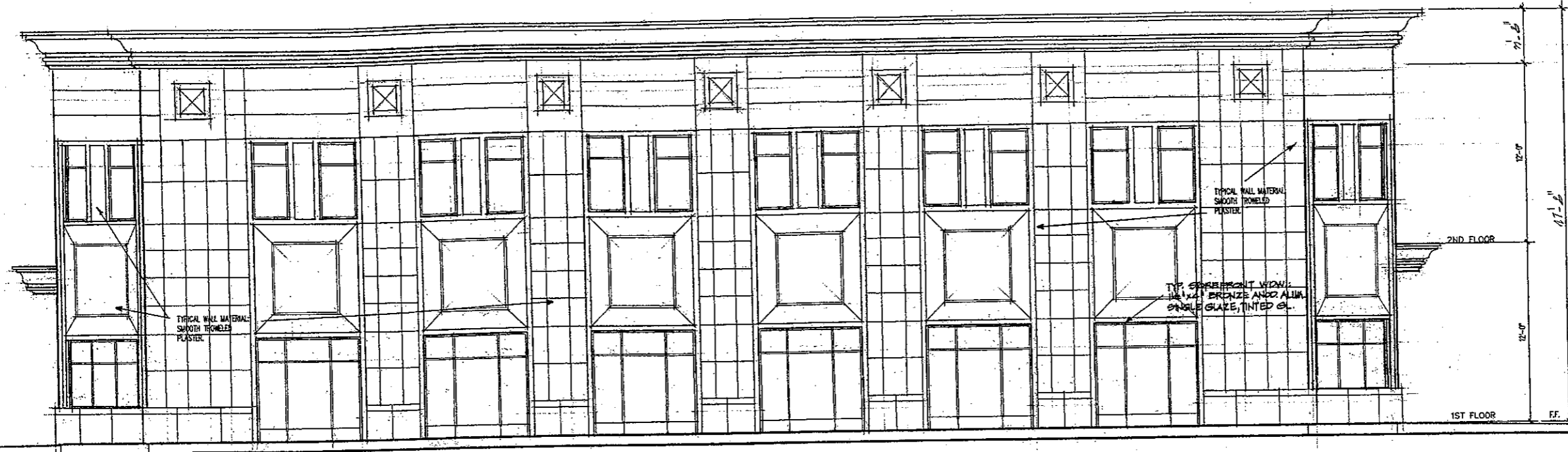
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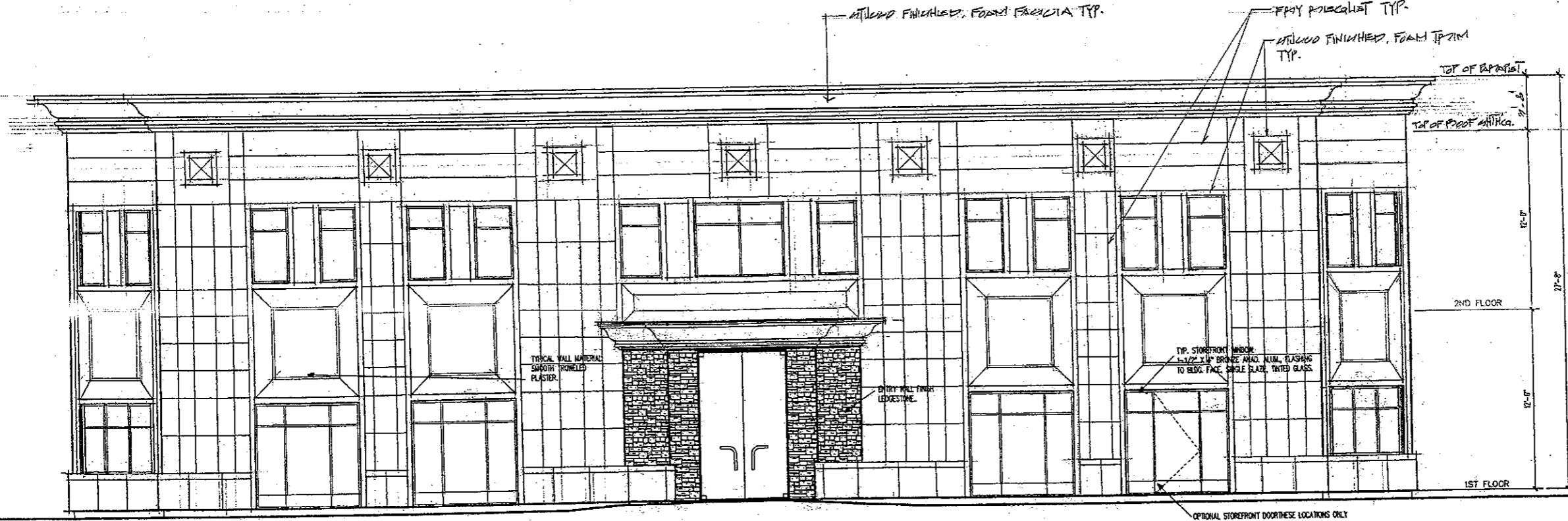
SHEET TITLE
SECOND FLOOR PLAN

SHEET NUMBER
A-3

TYP. WALL:
 7/8" CSA. PLAS. OVER METAL LATH OVER 2 LAYERS #10 PAPER
 FLASHING AROUND WINDOWS, LETY SEAL TAPE, 6" 20 MIL. PLASTER
 STUCCO FR. SHWF BY LA-HARRA STUCCO, COLORS TO BE SELECTED.



NORTH ELEVATION (SOUTH SIM)



LEDGESTONE BY:
 CULTURED STONE, 800-225-7462
 NATURAL PRO-FIT LEDGESTONE
 INSTALL PER MFG. SPEC.

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DATE	1/20/99
PROJECT NUMBER	9807
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SCALE	1/4"=1'-0"

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 SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NUMBER

A-5

