

**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 August 22, 2008

Item 1: Promotional Signs on behalf of property owner James Boy LLC – Comprehensive Sign Program CS2008-004 (PA2008-129)
2406 Newport Boulevard

The Zoning Administrator approved the Comprehensive Sign Program for the as-built installation of two second story signs that were installed without benefit of building permits. The application also includes minor face change to the existing freestanding sign on the Newport Boulevard side of the property and includes a requirement that any future change in the freestanding sign structure will comply with the sign code regulations of Chapter 20.67.

Approved – August 22, 2008

Council District 1

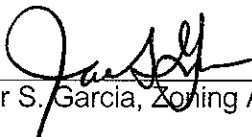
Item 2: Southern States University – Planning Director's Use Permit No. UP2008-048 (PA2008-137)
1601 Dove Street, Suite 105

The Planning Director approved the applicants request to allow the establishment of a private educational facility specializing in ESL and continuing education. The facility will provide three classrooms and four employees. The class size will vary from between 4 to 8 persons with overall classroom use of 24 students at peak times. The peak period for classes is in the evening and on weekends.

Approved – August 20, 2008

Council District 4

Prepared and submitted by: -



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 Vallercamp, 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. CS2008-004
(PA2008-129)

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 CS2008-004 (PA2008-129)**

APPLICANT: **Promotional Signs on behalf of property owner James Boys LLC**

LOCATION: **2406 NEWPORT BOULEVARD**

Request and Authority:

In accordance with provisions of Section 20.67.120 B-3, a comprehensive sign program is required to allow the installation of any wall signs to be located at or above the second story on a multi-story building. The Sign Code, Chapter 20.67 of the Newport Beach Municipal Code, specifically Section 20.67.120, provides that the Zoning Administrator may review and approve plans, applications or other information for consistency in accordance with Chapter 20.67. The property is located in the SP-6 (Cannery Village/McFadden Square Specific Plan Area) District.

ACTION: **APPROVED – AUGUST 22, 2008** - The Zoning Administrator approved the Comprehensive Sign Program as modified.

FINDINGS

1. The Land Use Element of the General Plan designates the site for "Retail and Service Commercial" land uses. The restaurant building is consistent with this designation. The signs are accessory to the primary commercial uses.
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 11 (Accessory Structures).
3. The proposed sign program is consistent with the legislative intent of Title 20, Chapter 20.67 of the Newport Beach Municipal Code with regard to the sign regulations based on the following reasons:
 - Chapter 20.67 of the Newport Beach Municipal Code requires comprehensive sign programs to provide a means for latitude in the design and display of signage for all projects.
 - 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 approved Comprehensive Sign Program will integrate existing and proposed wall signs and modify an existing monument/pylon sign (face change) into a single sign design theme that will create a unified architectural statement and provide limited signage on the building wall facades and the reduction of the overall size and number of signs on the building.
- There is a reasonable need for the number and size of signs to provide adequate identification of the establishment that face two different sides of the property.
- The face change to the monument sign is consistent with the development standards of the Newport Beach Municipal Code, specifically the Sign Code Chapter 20.67 and a substantial change to the monument/pylon sign will require compliance with the provisions of the Sign Code Chapter 20.67.


CONDITIONS

1. The development shall be in substantial conformance with the approved plot plan and sign details, except as noted in the following conditions.
2. The primary and secondary identification wall signs shall be measured by two perpendicular sets of parallel lines that surround the proposed sign copy area.
3. The monument sign shall be permitted to remain as is and any future change to the structure will be in compliance with the provisions of Chapter 20.67 of the NBMC.
4. Signs are limited to the designated building facades/monument sign locations and shall comply with the limitations specified in the Sign Table/Matrix included in this approval and the provisions of Chapter 20.67 of the Newport Beach Municipal Code (including Sections 20.67.060, 20.67.070, and 20.67.080).
5. Anything not specifically approved by this Comprehensive Sign Program is prohibited. Revisions to the program may be approved by the Planning Director if the intent of the original approval is not affected. Revisions that substantially deviate from the original approval must be addressed in a separate and subsequent amendment to this Comprehensive Sign Program.
6. Any future revisions or changes to the signs approved by this Comprehensive Sign Program due to a change in the use or tenants of the building may be reviewed and approved by the Planning Department, so long as the sign size, copy configuration and number of signs authorized by this approval does not substantially change or increase. The mandatory reduction or elimination of noncompliant wall signs shall be exercised as necessary.
7. 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.
8. A building permit shall be obtained prior to commencement of installation of the signs.

9. 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.
10. The Planning Director 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.
11. This approval shall expire unless exercised within 24 months from the date of approval as specified in Section 20.93.050 (A) of the Newport Beach Municipal Code, unless an extension is approved prior to the expiration date of this approval, in accordance with Section 20.93.050 (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.

By  _____
Zoning Administrator Javier S. Garcia, AICP

JSG/rm

Attachments: Appendix
Sign Matrix/Table
Vicinity Map
Site/Illustrative Plans

APPENDIX

Discussion

The subject facility requires the comprehensive sign program for the as-built installation of two second story signs that were installed without benefit of building permits. One wall sign faces Newport Boulevard and the other faces the bay side of the property. The application also includes minor face change to the existing freestanding sign on the Newport Boulevard side of the property and includes a requirement that any future change in the freestanding sign structure will comply with the sign code regulations of Chapter 20.67.

The Zoning Administrator has determined that the comprehensive sign program is consistent with the purpose and intent of the Sign Code Chapter 20.67 of the Newport Beach Municipal Code for the following reasons:

- The number, size and area (as measured by two perpendicular sets of parallel lines that surround the proposed signs) of the wall signs comply with the regulations of Chapter 20.67 of the NBMC.
- The number and location of walls signs (including the second story sign) and the limitations on the number, location and area is consistent with the provisions of the Sign Code.
- The existing project identification monument/pylon sign has been addressed and will be required to comply with the Sign Code when changed in the future.

Table Matrix

COMPREHENSIVE SIGN PROGRAM

CS2008-004 (PA2008-129)

2406 Newport Blvd
Newport Beach, CA 92660

Please Designate:

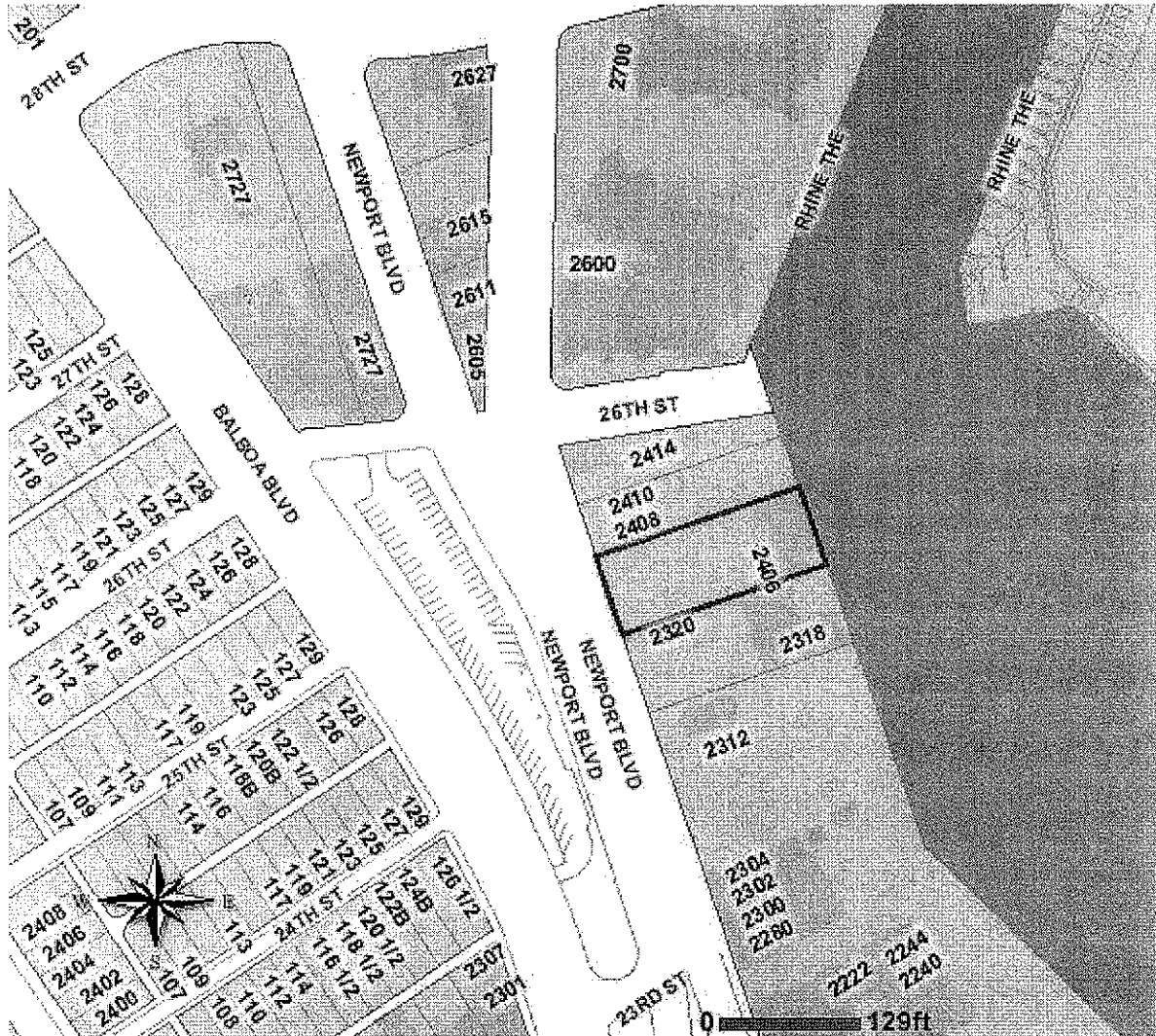
Street Frontage/parking lot frontage

- Frontages: A Newport Boulevard
B Waterside of the Property
C 3 sided pylon sign
D Door plaque

The signs are as-built as of this application submittal.

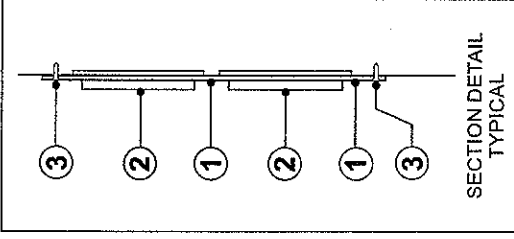
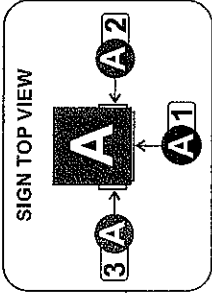
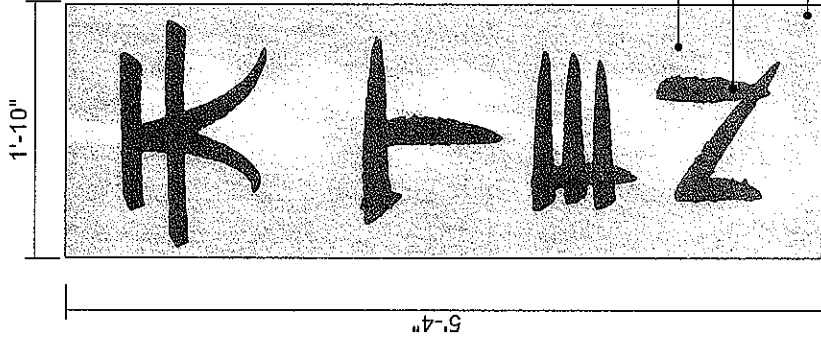
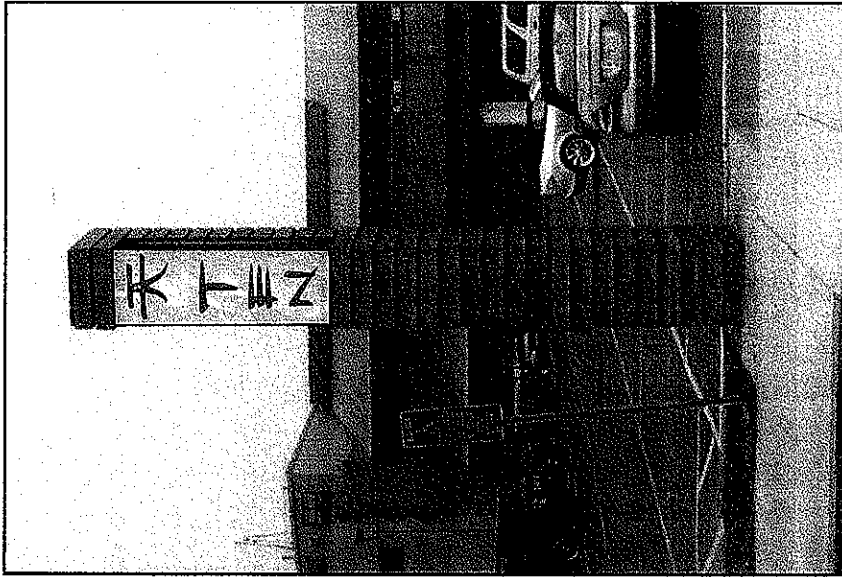
	Primary Frontage Size limitations where applicable	Secondary Frontage Size limitations, where applicable
Wall Signs	<p>Sign A - Newport Blvd 1.5 square feet/linear foot of store frontage or max area of <u>75</u> sq ft. Maximum vertical dimension, sign or logos, <u>96</u>-inches. Minimum distance shall be <u>30</u> linear feet from the secondary sign.</p> <p><i>83.50 square feet as proposed ONLY is located at the second floor level. This is an as-built condition.</i> The area as proposed in this table encompasses the two signs with two pairs of parallel lines (perpendicular to each other) and the area exceeds 75 s.f. due to the location of the cable mounted sign above the can sign. Future replacement of these two signs will be subject to Planning Department review and may require an amendment to the sign program.</p>	<p>Sign B - Water Side 50% of allowable primary sign allowance <u>37.5</u> sq ft. maximum. Maximum vertical dimension, sign or logos, <u>60</u> in. Minimum distance shall be <u>30</u> linear feet from the primary sign.</p> <p><i>25.7 s.f as proposed is located at the second floor level of the building elevation overlooking the water.</i></p>
Freestanding Pylon Sign	<p>Sign C - Newport Blvd Maximum vertical dimension 15 feet, width shall comply with the Sign Code ratio requirements based on height (Section 20.67.080 C and 20.67.070 B, Table 1). The maximum letter height is 24 inches and the maximum logo height is 36 inches.</p> <p>The existing pylon sign may be retained with a change of face of the existing sign panels. Future replacement of the sign structure shall comply with the above described requirements.</p>	
Other Signage (awning, blade, etc)	D- Door Plaque	

VICINITY MAP



Comprehensive Sign Program CS2008-004
PA2008-129

LOCATION: 2406 NEWPORT BOULEVARD



A1 SIGN FACE PANEL REPLACEMENT
 ONE (1) REQUIRED SCALE: 1" = 1'-0"

- 1 DISTRESSED ALUMINUM BACKGROUND
- 2 1/2" THICK PUSH-THRU CLEAR ACRYLIC WITH RED VINYL OVERLAY
- 3 METAL SCREWS

Promotional Signs
 20361 Hermans Circle - Lake Forest, CA 92630
 (949) 458-1000 PHONE (949) 458-3530 FAX

CLIENT:	TEN ASIAN BISTRO - NEWPORT BEACH
ADDRESS:	2406 NEWPORT BLVD - NEWPORT BEACH - CA
LOCATION:	NEWPORT BLVD & 26TH ST
DATE:	05-09-08
CONCEPT:	C6064
SALES:	DC
DRAWN BY:	CL
OPTION:	

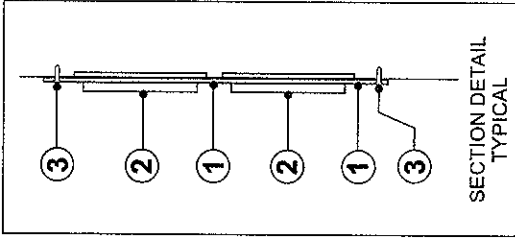
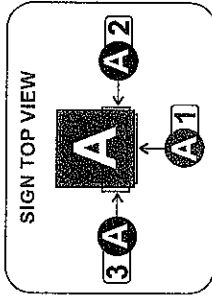
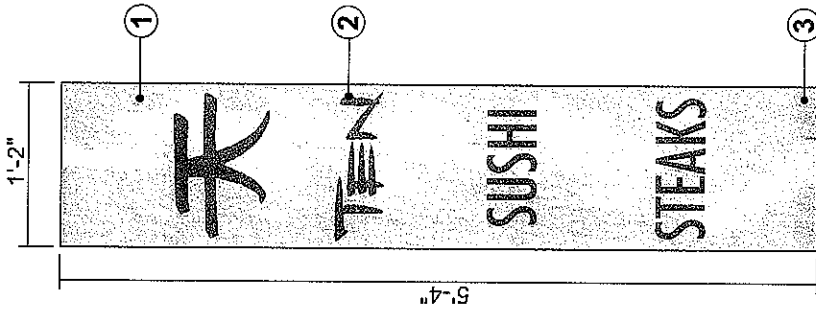
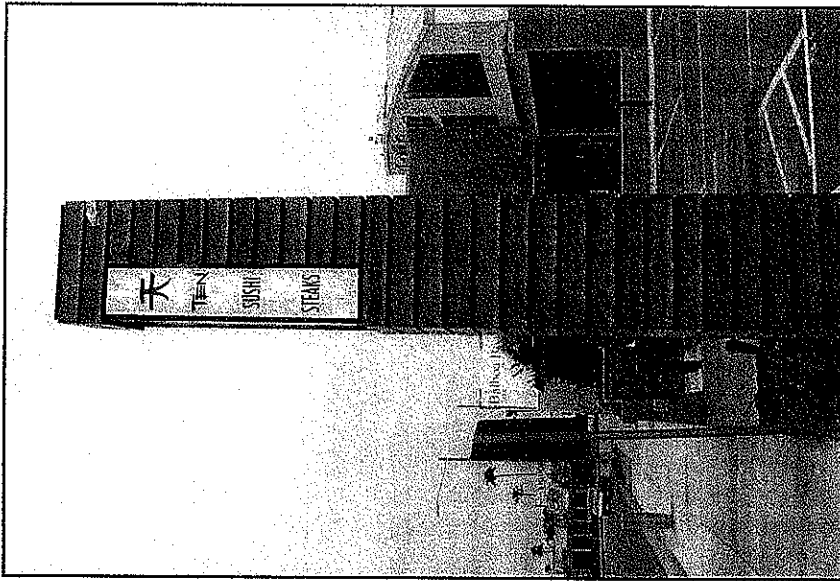
CUSTOMER / LANDLORD APPROVAL

SIGNATURE _____ DATE _____

NOTE: This is an original drawing, created by Promotional Signs, Inc. for the use of the National Electrical Contractors Association. This drawing is not to be used for any other project without the prior written consent of Promotional Signs, Inc. This includes proper grounding and bonding.

CONTRACT # 5

PA2008-129 for CS2008-004
 2406 NEWPORT BOULEVARD
 Promotional Signs



A 2 & 3

SIGN FACE PANEL REPLACEMENT

TWO (2) REQUIRED

SCALE: 1" = 1'-0"

- ① DISTRESSED ALUMINUM BACKGROUND
- ② 1/2" THICK PUSH-THRU CLEAR ACRYLIC WITH RED VINYL OVERLAY
- ③ METAL SCREWS

Promotional Signs
 20361 Hermans
 Circle - Lake Forest, CA 92630
 (949) 458-1000 PHONE (949) 458-3530 FAX

CLIENT:	TEN ASIAN BISTRO - NEWPORT BEACH
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LOCATION:	NEWPORT BLVD & 26TH ST
DATE:	05-09-08
CONCEPT:	C6064
SALES:	DC
DRAWN BY:	CL
OPTION:	

GUSTOMER / LANDLORD APPROVAL

SIGNATURE _____

DATE _____

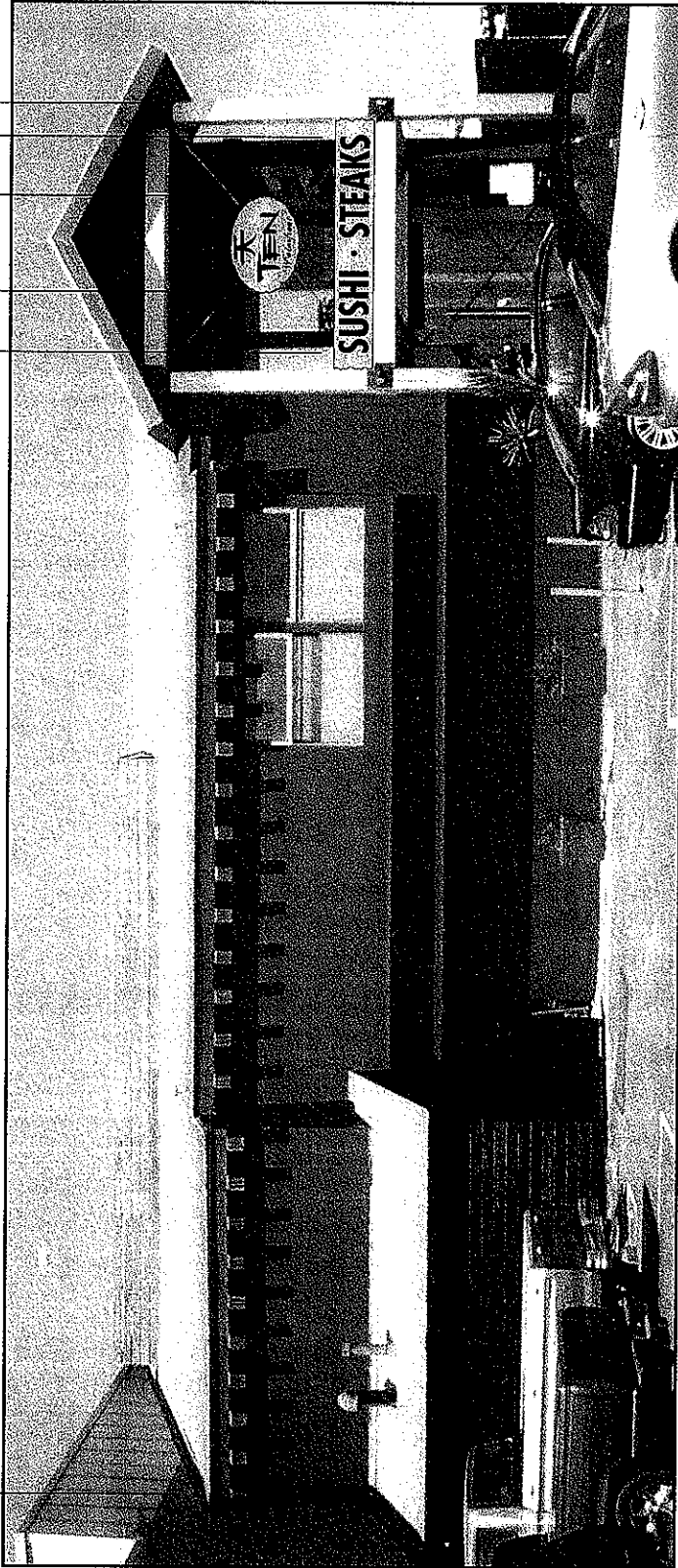
This sign is intended to be installed in accordance with the Code and/or other applicable proper grounding and bonding of the sign.
 Contractors Lic. #636512

NOTE: This is an original drawing, created by Promotional Signs. It is intended for your project being planned by you by Promotional Signs. It is not to be reproduced, copied or altered in any way without the express written consent of Promotional Signs.

REVISIONS	DATE
1	05/16/08 CL
2	05/21/08 CL
3	06/22/08 CL
4	05/27/08 CL
5	05/28/08 CL
6	06/02/08 CL

75'-0" FRONTAGE

11'-3"
5'-1"



83-48 *A*

B FRONT WALL SIGN ELEVATION

SCALE: NTS

Promotional Signs
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 (949) 458-1000 PHONE (949) 458-3530 FAX

CLIENT:	TEN ASIAN BISTRO - NEWPORT BEACH	SALES:	DC	DRAWING:	CL	OPTION:
ADDRESS:	2406 NEWPORT BLVD - NEWPORT BEACH - CA	CONCEPT:	C6064			
LOCATION:	NEWPORT BLVD & 26TH ST					
DATE:	05-09-08					

CUSTOMER / LANDLORD APPROVAL

 SIGNATURE

 DATE

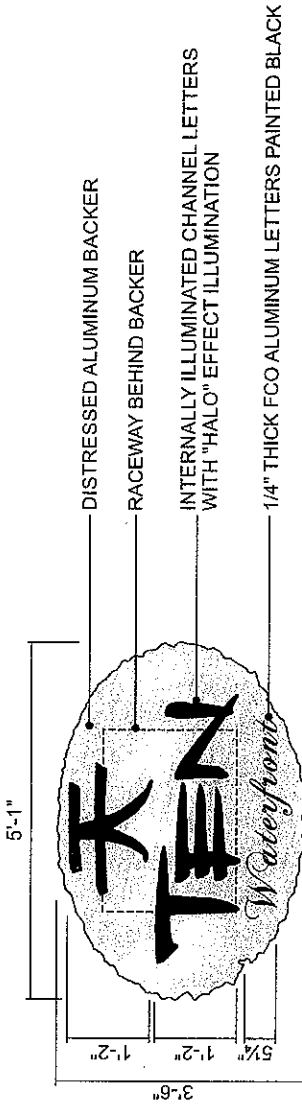
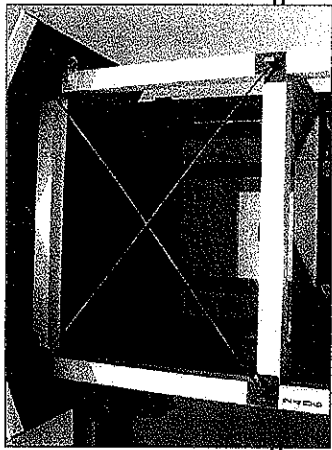
This sign is intended to be installed in accordance with the rules and regulations of the City of Newport Beach and the National Electrical Code and other applicable codes and regulations. It is to be properly installed and maintained in accordance with the manufacturer's instructions. The contractor is responsible for obtaining all necessary permits and approvals. The contractor is also responsible for obtaining all necessary approvals from the appropriate authorities. The contractor is also responsible for obtaining all necessary approvals from the appropriate authorities.

Contractors, LLC
 #636512

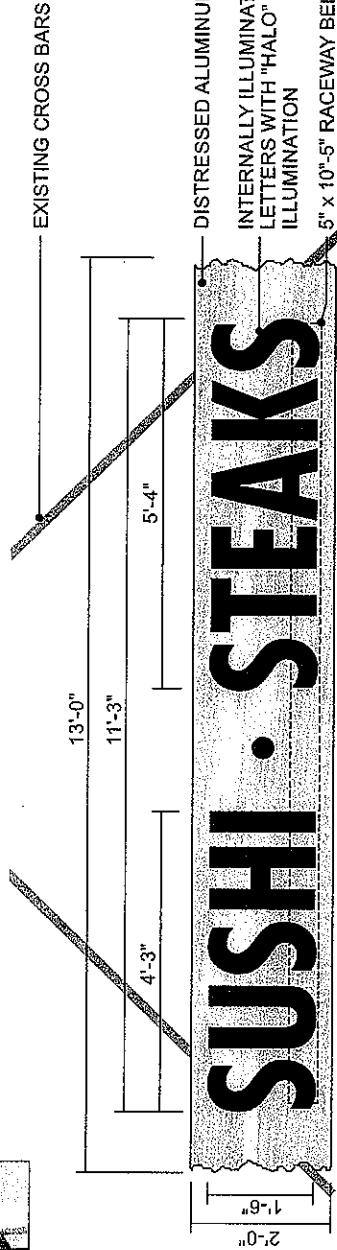
NOTE: This is an official drawing, created by Promotional Signs. It is intended for use only for the project being planned for you by Promotional Signs. It is not to be used for any other project, reproduction, rental or sublet without the express written consent of Promotional Signs.

REVISIONS:

2	05/16/08	CL
3	05/21/08	CL
4	05/22/08	CL
5	05/27/08	CL
6	05/28/08	CL
7	06/02/08	CL



NEW INTERNALLY ILLUMINATED CHANNEL LETTERS WITH "HALO" EFFECT ILLUMINATION - SCALE: 1/2" = 1'-0" [13.73 SQ. FT.]



NEW INTERNALLY ILLUMINATED CHANNEL LETTERS WITH "HALO" EFFECT ILLUMINATION

SCALE: 1/2" = 1'-0"
[14.37 SQ. FT.]

B NEW INTERNALLY ILLUMINATED CHANNEL LETTERS WITH "HALO" EFFECT ILLUMINATION _____ 28.1 SQ. FT.
ONE (1) SET REQUIRED

Promotional Signs
20361 Heimann
Circle - Lake Forest, CA 92630
(949) 458-1000 PHONE (949) 458-3530 FAX

CLIENT:	TEN ASIAN BISTRO - NEWPORT BEACH
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CONCEPT:	C6064
SALES:	DC
DRAWING:	CL
OPTION:	

CUSTOMER / LANDLORD APPROVAL
SIGNATURE
DATE

This sign is intended to be installed in accordance with the National Electrical Code and all applicable local codes and regulations. It is the responsibility of the contractor to ensure proper grounding and bonding of the sign.

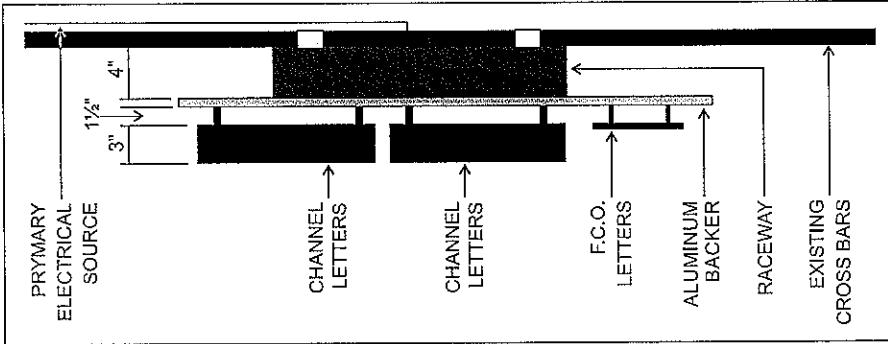
Contractors Lic. #636512

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REVISIONS:	2) 05/18/08 CL
	3) 05/21/08 CL
	4) 05/22/08 CL
	5) 05/27/08 CL
	6) 05/28/08 CL
	7) 06/02/08 CL
PAGE:	4 OF 9



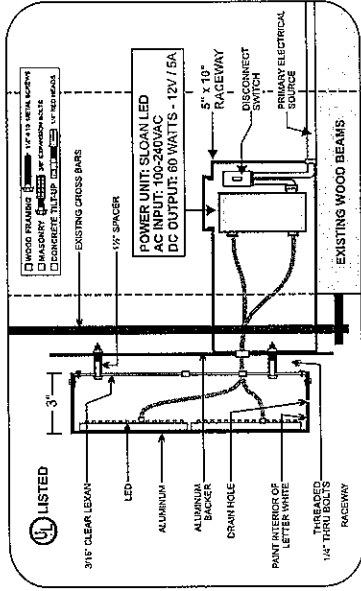
MANUFACTURE & INSTALL NEW INTERNALLY ILLUMINATED ILLUMINATED ALUMINUM CHANNEL LETTERS WITH "HALO" EFFECT ILLUMINATION. FACES & 3" RETURNS TO BE PAINTED BLACK. INTERNALLY ILLUMINATED WITH WHITE L.E.D. 3/16" CLEAR ACRYLIC PLASTIC BACK LENS. LETTERS TO BE PEGGED OFF 1 1/2" FROM ALUMINUM BACKER RACEWAY BEHIND BACKER TO BE PAINTED TO MATCH FASCIA



B
INDIVIDUAL CHANNEL LETTERS HALO ILLUMINATED

SUSHI · STEAKS

MANUFACTURE & INSTALL NEW INTERNALLY ILLUMINATED ALUMINUM CHANNEL LETTERS WITH "HALO" EFFECT ILLUMINATION FACES & 5" RETURNS TO BE PAINTED BLACK INTERNALLY ILLUMINATED WITH WHITE L.E.D. 3/16" CLEAR ACRYLIC PLASTIC BACK LENS LETTERS TO BE PEGGED OFF 1 1/2" FROM ALUMINUM BACKER RACEWAY BEHIND BACKER TO BE PAINTED TO MATCH FASCIA



Promotional Signs
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Circle - Lake Forest, CA 92630
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LOCATION:	NEWPORT BLVD & 26TH ST
DATE:	05-09-08
CONCEPT:	C6064
SALES:	DC
DRAWN BY:	CL
OPTION:	

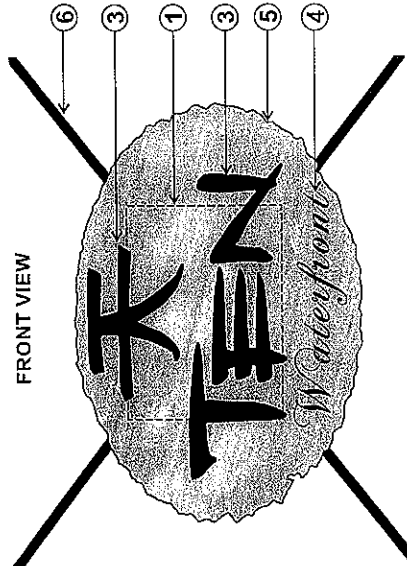
CUSTOMER / LANDLORD APPROVAL
SIGNATURE _____ DATE _____

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code (NEC) and all applicable local codes. This includes proper grounding and bonding of the sign.
Contractors Lic. #636512

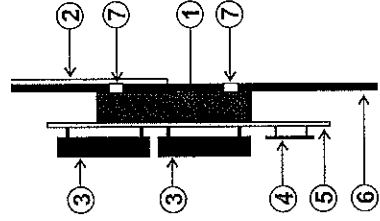
NOTE: This is an original drawing. Please do not reproduce or use in connection with any other project without the written approval of the sign manufacturer. All dimensions are in inches unless otherwise specified.

REVISIONS	DATE	BY
1	05/16/08	CL
2	05/21/08	CL
3	05/22/08	CL
4	05/27/08	CL
5	05/28/08	CL
6	06/02/08	CL

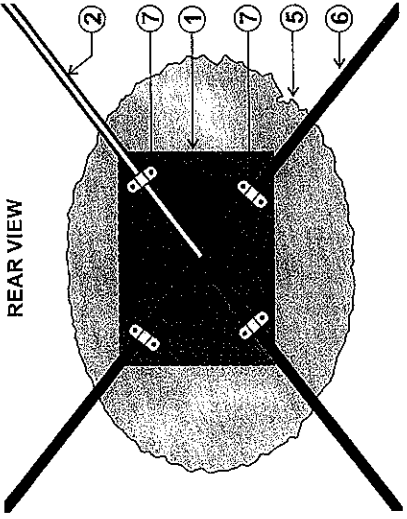
FRONT VIEW



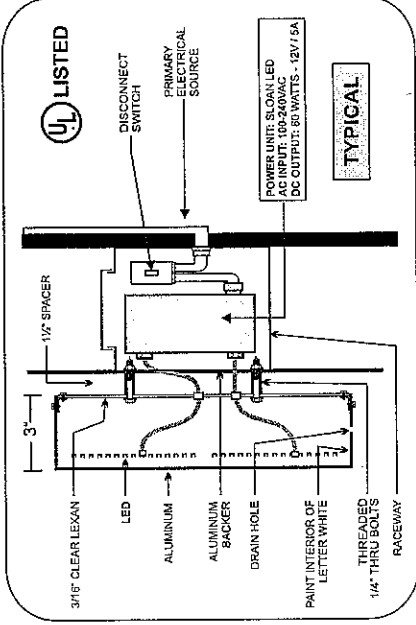
SIDE VIEW



REAR VIEW



- ① RACEWAY BEHIND BACKER
- ② PRIMARY ELECTRICAL SOURCE
- ③ CHANNEL LETTERS
- ④ F.C.O. LETTERS
- ⑤ ALUMINUM BACKER
- ⑥ 1" DIA. CROSS STEEL BARS
- ⑦ CUSTOM BRACKETS (FOUR REQ.)



B SECTION DETAIL

Promotional Signs
 20361 Hermans
 Circle - Lake Forest, CA 92630
 (949) 458-1000 PHONE (949) 458-3530 FAX

CLIENT:	TEN ASIAN BISTRO - NEWPORT BEACH
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CONCEPT:	C6064
SALES:	DC
DRAWN BY:	CL
OPTION:	

CUSTOMER / LANDLORD APPROVAL

 SIGNATURE

 DATE

The sign is warranted to be installed in accordance with the requirements of applicable local codes and all other applicable local codes. This includes but is not limited to the following and the sign shall be installed in accordance with the specifications on drawing are approved.

Contractors Lic. #635512

REVISIONS:

2	05/16/08	CL
3	05/21/08	CL
4	05/22/08	CL
5	05/27/08	CL
6	05/28/08	CL
7	06/02/08	CL

7'-2"



REAR WALL SIGN ELEVATION

SCALE: NTS

Promotional Signs
20361 Hermans
Circle - Lake Forest, CA 92630
(949) 458-1000 PHONE (949) 458-3530 FAX

CLIENT:	TEN ASIAN BISTRO - NEWPORT BEACH
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LOCATION:	NEWPORT BLVD & 26TH ST
DATE:	05-09-08
CONCEPT:	C6064
SALES:	DC
DRAWN BY:	CL
OPTION:	

CUSTOMER / LANDLORD APPROVAL

SIGNATURE

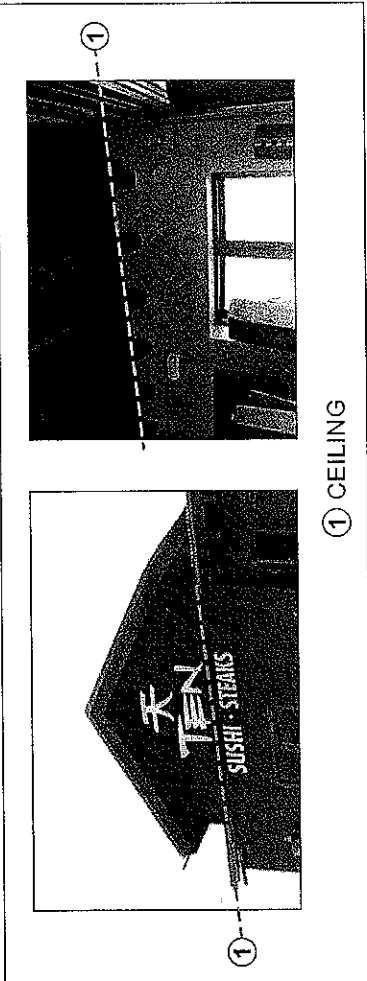
DATE

This sign is intended to be installed in accordance with the requirements of Article 16.02 of the Municipal Code and/or the applicable local ordinance. The installer must follow proper sign setting and bonding standards.
Contractors, Inc.
#636512

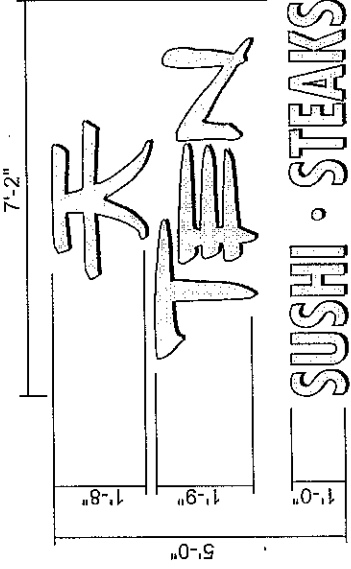
NOTE: This is an original drawing, created by Promotional Signs. It is intended for use as a permit application and is not to be used for any other purpose. The sign must be installed in accordance with the applicable local ordinance and the requirements of Article 16.02 of the Municipal Code. The sign must be installed in accordance with the requirements of Article 16.02 of the Municipal Code. The sign must be installed in accordance with the requirements of Article 16.02 of the Municipal Code.

REVISIONS:
1 05/16/08 CL
2 05/21/08 CL
3 05/22/08 CL
4 05/27/08 CL
5 05/28/08 CL
6 06/02/08 CL

PAGE: 7 OF 9



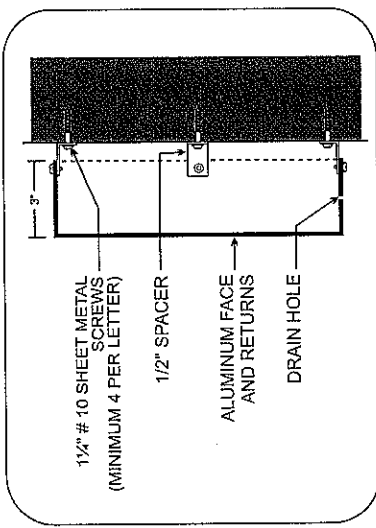
① CEILING



35.85
25.7 SQ. FT.
SCALE: 3/8" = 1'-0"

C NEW NON-ILLUMINATED REVERSE CHANNEL LETTERS
ONE (1) SET REQUIRED

MANUFACTURE & INSTALL NEW NON-ILLUMINATED REVERSE CHANNEL LETTERS
LETTERS TO BE FABRICATED FROM MINIMUM 0.063 ALUMINUM WITH MINIMUM 0.090 ALUMINUM FACES
FACES AND 3" DEEP RETURNS TO HAVE BRUSHED ALUMINUM FINISH
LETTERS TO BE INSTALLED PIN-MOUNTED
1/2" OFF BUILDING FASCIA USING ALUMINUM SPACERS.



Promotional Signs
20361 Hermans
Circle - Lake Forest, CA 92630
(949) 458-1000 PHONE (949) 458-3530 FAX

CLIENT:	TEN ASIAN BISTRO - NEWPORT BEACH
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LOCATION:	NEWPORT BLVD & 26TH ST
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CONCEPT:	C6064
SALES:	DC
DRAWN BY:	CL
OPTION:	

CUSTOMER / LANDLORD APPROVAL
SIGNATURE _____ DATE _____
#636512

This sign is intended to be installed in accordance with the requirements of Article 12.02 of the California Building Code and other applicable local codes. This includes, but is not limited to, the following: and bearing the sign.
Contractors Lic. #636512

REVISIONS:
2 05/16/08 CL
3 05/21/08 CL
4 05/22/08 CL
5 05/27/08 CL
6 05/28/08 CL
7 06/02/08 CL



SITE PLAN SCALE: NTS

PAGE: 9 OF 9

- REVISIONS:
- 2 05/19/08 CL
 - 3 05/21/08 CL
 - 4 05/22/08 CL
 - 5 05/27/08 CL
 - 7 06/20/08 CL

NOTE: This is an original drawing created by Promotional Signs, created by Promotional Signs, created by Promotional Signs. This drawing is intended for use in connection with a project being planned by you. It is not to be used for any other purpose. No liability is assumed by Promotional Signs for any errors or omissions on drawings or on drawings not approved.

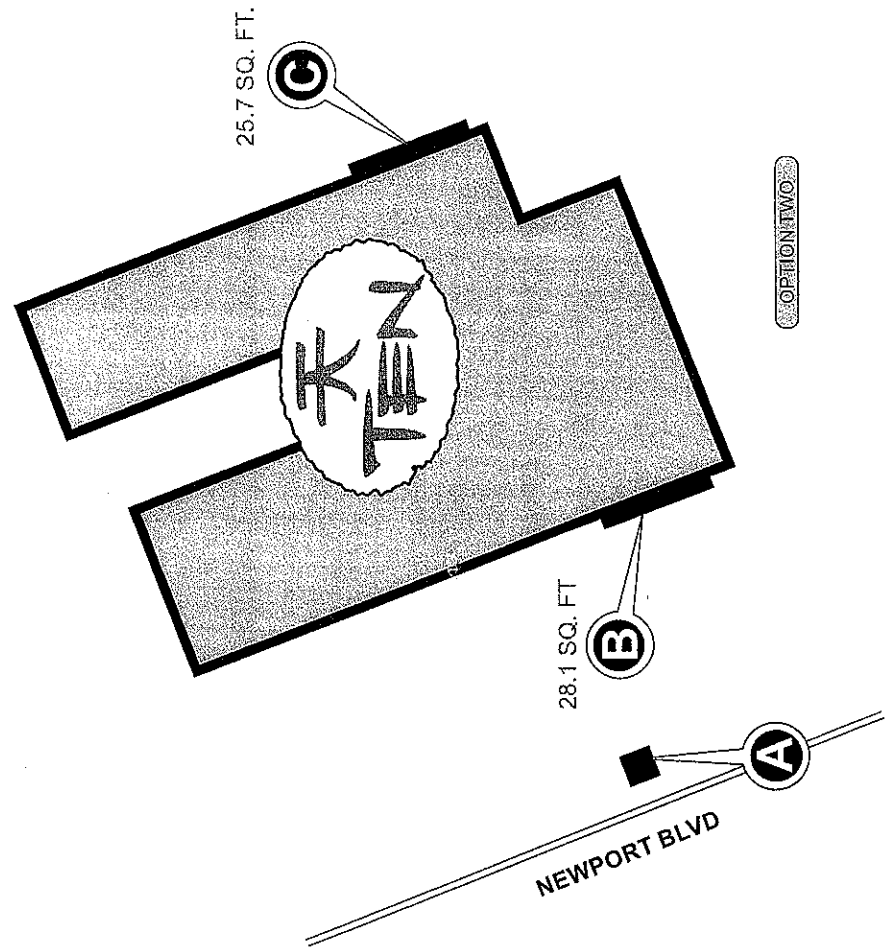
This sign is intended to be used in accordance with the requirements of Article 699 of the Municipal Electrical Code of the City of Newport Beach, California. This includes proper grounding and bonding of the sign. Contractors, Inc. #636512

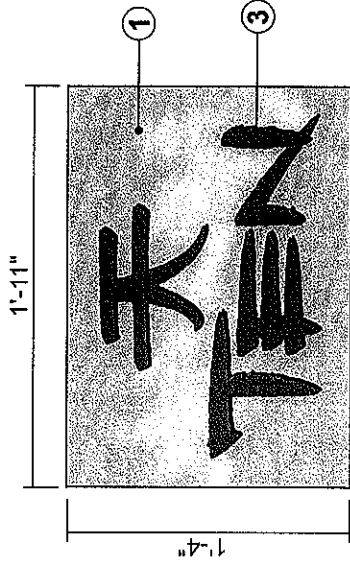
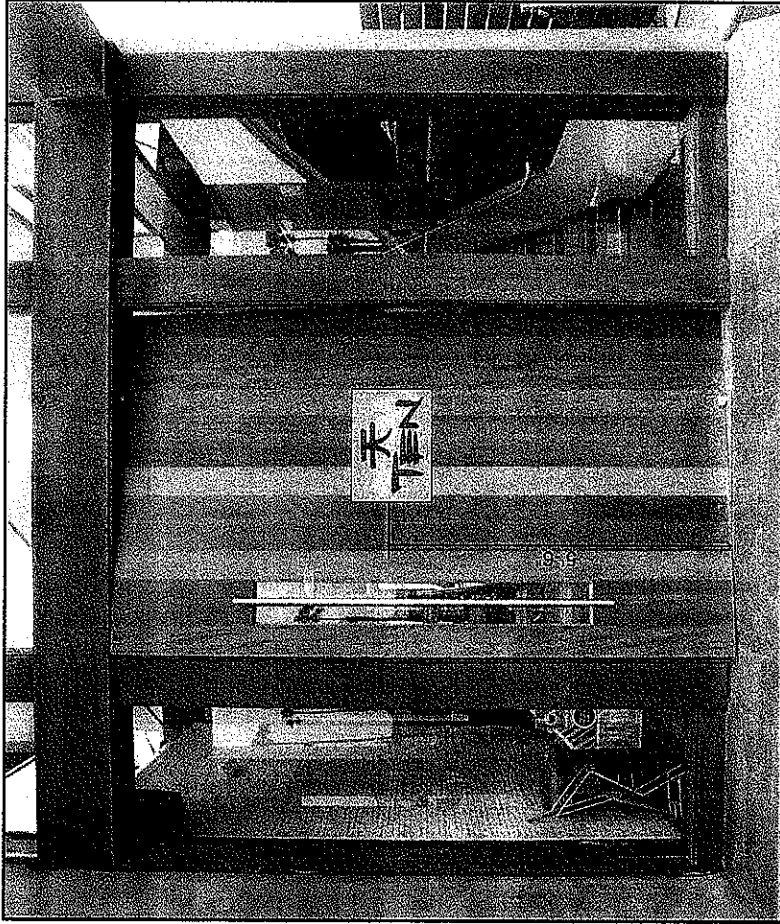
CUSTOMER / LANDLORD APPROVAL

SIGNATURE _____ DATE _____

CLIENT:	TEN ASIAN BISTRO - NEWPORT BEACH
ADDRESS:	2406 NEWPORT BLVD - NEWPORT BEACH - CA
LOCATION:	NEWPORT BLVD & 26TH ST
DATE:	05-09-08
CONCEPT:	C6064
SALES:	DC
DRAWN BY:	CL
OPTION:	

Promotional Signs
 20361 Hermans
 Circle - Lake Forest, CA 92630
 (949) 458-1000 PHONE (949) 458-3530 FAX





D NEW NON-ILLUMINATED ALUMINUM DOOR SIGN

ONE (1) REQUIRED

SCALE: 1 1/2" = 1'-0"

- ① DISTRESSED ALUMINUM BACKGROUND
- ② INDIVIDUAL NON-ILLUMINATED FLAT CUT OUT 1/4" THICK ALUMINUM PAINTED RED ATTACHED TO EXISTING DOOR WITH DOUBLE SIDED TAPE

Promotional Signs
 20361 Hermansia
 Circle - Lake Forest, CA 92630
 (949) 458-1000 PHONE (949) 458-3530 FAX

CLIENT:	TEN ASIAN BISTRO - NEWPORT BEACH
ADDRESS:	2406 NEWPORT BLVD - NEWPORT BEACH - CA
LOCATION:	NEWPORT BLVD & 26TH ST
DATE:	05-09-08
CONCEPT:	C6064
SALES:	DC
DRAWN BY:	CL
OPTION:	

CUSTOMER / LANDLORD APPROVAL

SIGNATURE _____
 DATE _____

This sign is intended to be installed in accordance with the provisions of the National Electrical Code and/or other applicable codes. The sign is intended to be installed in accordance with the provisions of the National Electrical Code and/or other applicable codes. The sign is intended to be installed in accordance with the provisions of the National Electrical Code and/or other applicable codes.

Construction, Inc.
 #636512

NOTE: This is an original drawing created by Promotional Signs. It is intended for use as a guide for the manufacturer. The manufacturer is responsible for the accuracy of the product being produced for use by the manufacturer. It is not to be used for any other purpose without the express written consent of the manufacturer. The manufacturer is responsible for the accuracy of the product being produced for use by the manufacturer. It is not to be used for any other purpose without the express written consent of the manufacturer.

REVISIONS:

2	05/16/08	CL
3	05/21/08	CL
4	05/22/08	CL
5	05/27/08	CL
6	05/28/08	CL
7	06/02/08	CL



USE PERMIT NO. UP2008-048

(PA2008-137)

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. UP2008-048 (PA2008-137)

Applicant: Southern States University

Site Address: 1601 Dove Street, Suite 105

Legal Description: Parcel 1, PM- 39/18

Request as Approved:

To allow the establishment of a private educational facility specializing in ESL and continuing education. The facility will provide three classrooms and four employees. The class size will vary from between 4 to 8 persons with overall classroom use of 24 students at peak times. The peak period for classes is in the evening and on weekends. The property is located in the PC-11 (Newport Place Planned Community) District.

DIRECTOR'S ACTION: **APPROVED – AUGUST 20, 2008**

Application Request

The Planning Director in approving this application analyzed the proposal with regard to parking requirements and hours of operation. The detailed analysis can be found in the attached appendix. In consideration of those aspects, 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 use permit as approved would be consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code, and made the following findings:

FINDINGS

1. The property is designated "MU-H2" for "Mixed Use – Horizontal Commercial" use by the Land Use Element of the General Plan. The instructional facility is 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 Planning Director's Use Permit No. UP2008-048 (PA2008-137) 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:

- The proposed use is a support use for the residential, office and commercial uses in the area.
- The facility, based on its limited class size during general business hours, will have a parking demand that can be adequately accommodated by the existing available pool of parking. The anticipated peak demand periods will not generally conflict with the peak demands of the other remaining commercial office uses on-site.

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 class size and hours of operation of the facility shall be limited as follows and any increase in the class size or hours of operation shall be subject to the approval of an amendment to this use permit:

Hours:	Facility: between 9:00 a.m. and 10:00 p.m. daily	Classes: One-on-one instruction and an average class size of 8-12 persons (no more than 24 persons maximum) during the day before 5:00 p.m. and Maximum number of persons after 5:00 p.m. as authorized by the Building Department based on occupancy requirements and the Building Code. (any combination of students and instructors)
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3. That at least one parking space for each 250 sq. ft. of gross floor area shall be provided and maintained for the proposed facility during the operation (4 spaces minimum).
4. Employees shall park on-site at all times.
5. If this business is sold or otherwise comes under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current business owner, property owner or leasing company.
6. No temporary "sandwich" signs, balloons or similar temporary signs shall be permitted, either on-site or off-site, to advertise the educational 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, unless otherwise approved by the Public Works Department in conjunction with the issuance of an encroachment permit or encroachment agreement.

STANDARD CITY REQUIREMENTS

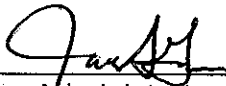
1. All signs shall conform to the provisions of the Newport Place Planned Community District Regulations and Chapter 20.67 of the Municipal Code and shall only advertise and identify the primary use of the facility.

2. The project shall comply with State Disabled Access requirements.
3. 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.
4. The Planning Director or the Planning Commission may add to or modify conditions of approval to this use permit, or recommend to the City Council the revocation of 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: Appendix
Vicinity Map
Applicant's Project Description
Site Plan and Floor Plan

APPENDIX

Off-Street Parking

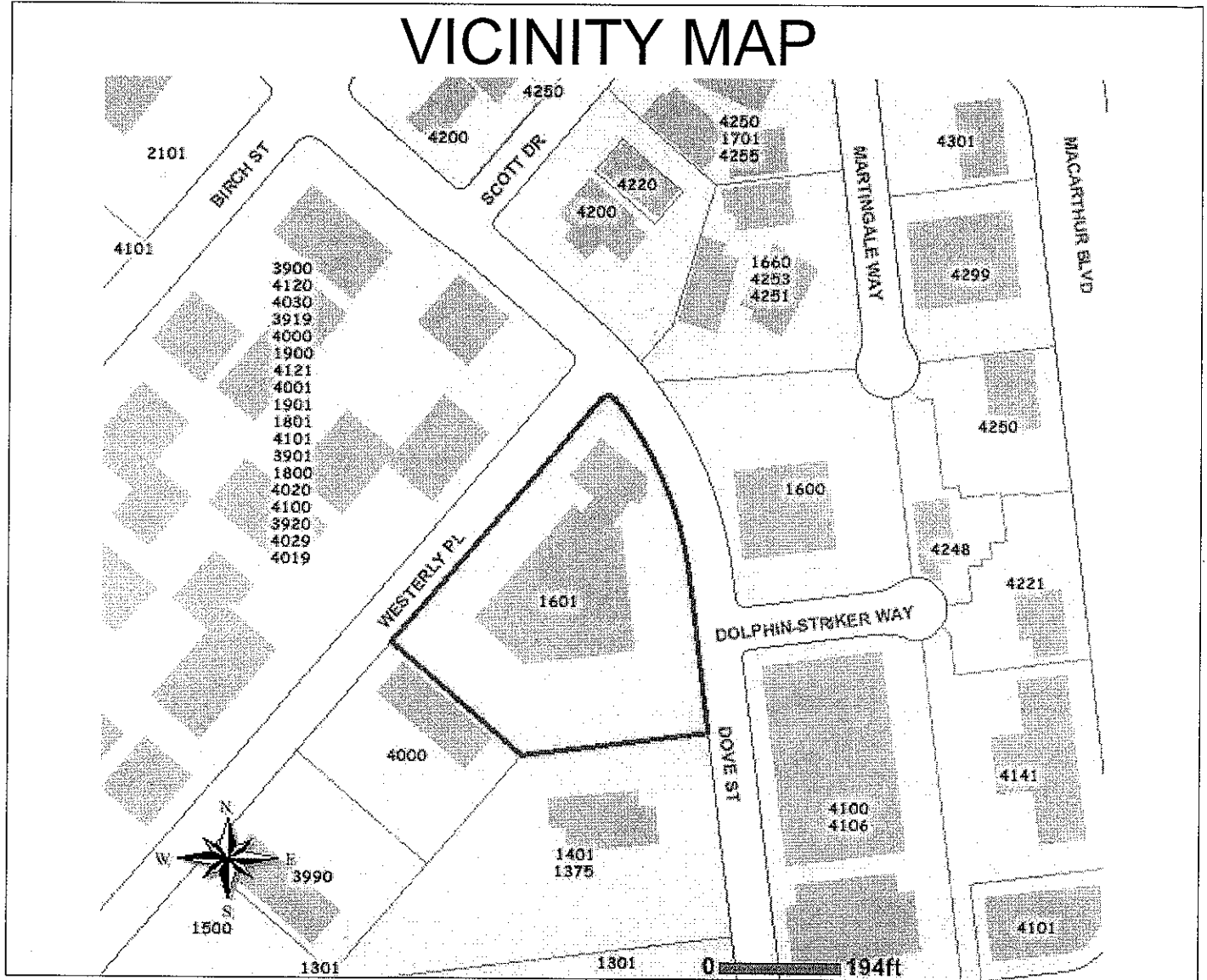
The commercial office building center in which the project is proposed provides 271 on-site parking spaces. Observations of the site have consistently found a surplus of parking at various times during the business day. This may be attributed to the varying types of commercial office uses that occupy the building and their varying hours of peak demand.

The Zoning Ordinance does not establish a specific off-street parking requirement for private instructional or educational facilities. Staff has recommended and the applicant has agreed to limit the daytime sessions to class size with an average of 8-12 persons during the daytime hours. After 5:00 p.m. the instruction sessions may be increased to a total of 24 persons or more in the tenant space for all activities. The pool of available parking for the commercial building will adequately accommodate the class sizes proposed.

Hours of Operation

The proposed hours of operation should not present any adverse traffic or parking impacts on the other on-site uses since there is a large pool of available parking to serve the building.

VICINITY MAP

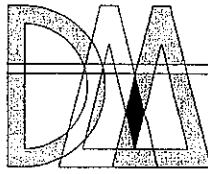


Planning Director's Use Permit UP2008-048
Project No. PA2008-137

Site Address:

1601 Dove Street, Suite 105

PA2008-137 for UP2008-048
1601 DOVE STREET, SUITE 105
Southern States University



DAYTON ASSOCIATES-
ARCHITECTS

2900 Silver Lane Newport Beach, CA 92660
949 / 645-1717 Fax: 949 / 645-4243

RECEIVED BY
PLANNING DEPARTMENT

Date: 06/30/08

JUL 02 2008

Javier Garcia, AICP
Zoning Administrator, City of Newport Beach
3300 Newport Blvd.
Newport Beach, CA 92663

CITY OF NEWPORT BEACH

RE: Conditional Use Permit for educational use at existing business complex:
Southern States University
1601 Dove Street, Suite 105
Newport Beach, CA 92660

Dear Mr. Garcia:

Southern States University is a private postsecondary educational institution. SSU has locations in San Diego and Newport Beach. At the Newport Beach location at 1601 Dove Street, Suite 105, the suite size is 1,943 SF. No tenant improvements have been required to facilitate the SSU operations in this existing tenant space. The previous tenant, Tepper Technologies, was a vocational school. There are three (3) classrooms. There are currently four (4) SSU faculty and staff members. SSU is open for classes Monday through Thursday, 9:00 AM – 12:00 PM, and Saturdays, 9:00 AM – 6:00 PM. Only staff members are present on Fridays, 8:00 AM – 5:00 PM.

SSU offers classes in English language and Business Administration. SSU meets the State of California Private Postsecondary and Vocational Education Reform Act (1998) stringent requirements and has been awarded "Institutional Approval", the highest educational status by the State of California. For more information regarding SSU, please visit the website below:

<http://www.ssu-usa.org>

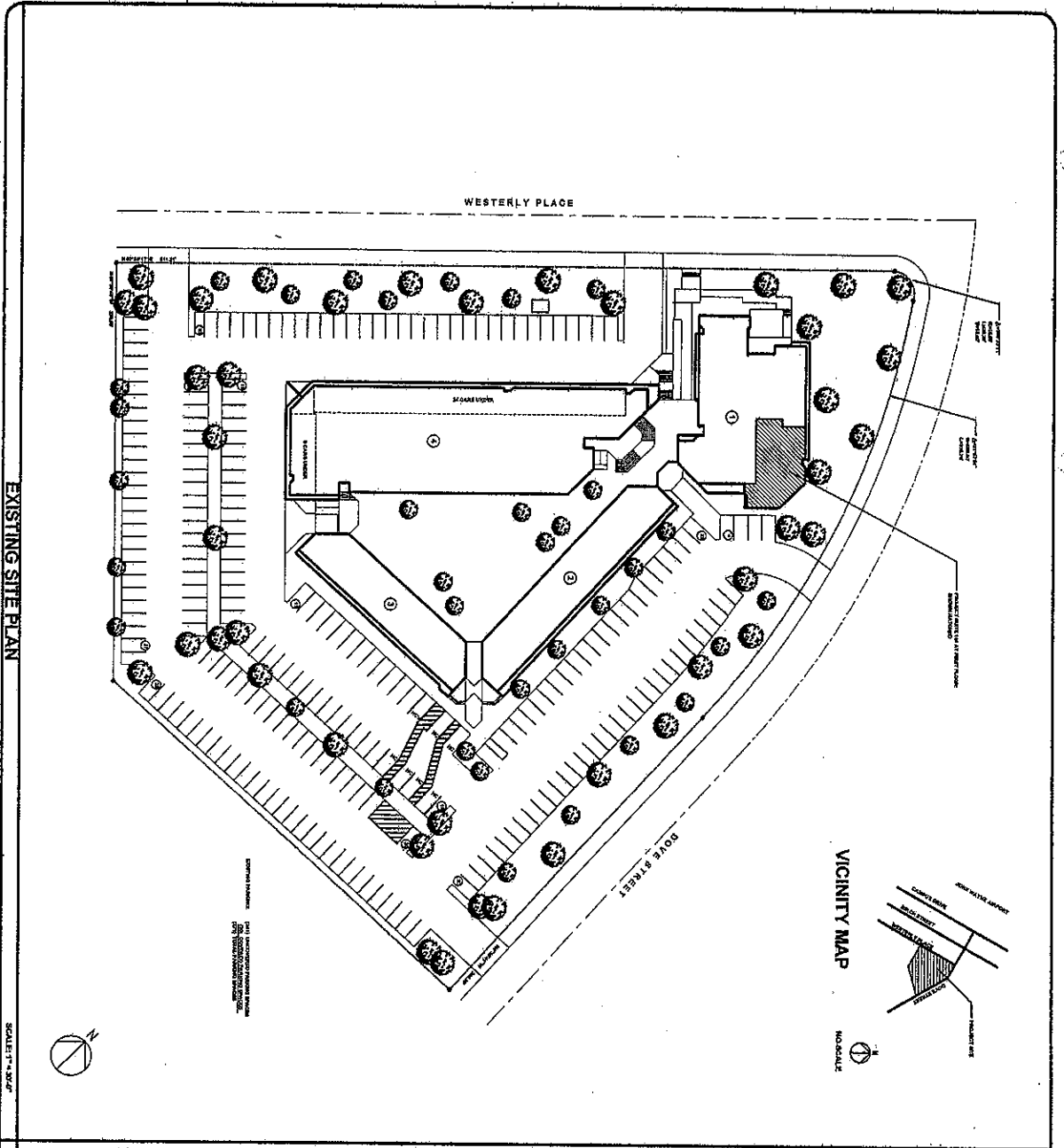
SSU operations do not pose a parking problem for the existing office complex. On any given day and time there are available parking spaces among the existing 271 parking spaces on the property. Many of the SSU classes are held at times when the other general office tenants are not at peak parking demand. It is estimated that the peak faculty/staff and student parking demand will not exceed 24 parking spaces.

We request that, after review of the application materials, the Planning Director grant approval of Conditional Use Permit to SSU. Should you have any questions or concerns regarding this application, please do not hesitate to contact me.

Sincerely,

Richard A. Dayton
California Licensed Architect C-14287
CUP processing agent for Southern States University

cc. Denise Mastro, Kevin Heinz, Southern States University



EXISTING SITE PLAN

SCALE: 1/8" = 1'-0"

NOTES

PROJECT INFORMATION:
 PROJECT: SOUTHERN STATES UNIVERSITY
 LOCATION: 1601 DOVE STREET, NEWPORT BEACH, CA 92660
 ARCHITECT: DAYTON ASSOCIATES - ARCHITECTS
 PROJECT NO.: 04-0116
 SHEET NO.: SD-1 OF 2
 DATE: 04/2008

GENERAL NOTES:
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE AND ALL APPLICABLE ORDINANCES.
 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE AND ALL APPLICABLE ORDINANCES.
 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE AND ALL APPLICABLE ORDINANCES.
 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE AND ALL APPLICABLE ORDINANCES.
 6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA SAFETY CODE AND ALL APPLICABLE ORDINANCES.
 7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL CODE AND ALL APPLICABLE ORDINANCES.
 8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA HEALTH CARE CODE AND ALL APPLICABLE ORDINANCES.
 9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA EDUCATION CODE AND ALL APPLICABLE ORDINANCES.
 10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA LABOR CODE AND ALL APPLICABLE ORDINANCES.

PA2008-137 for UP2008-048
 1601 DOVE STREET, SUITE 105
 Southern States University

DATE	DATE/NO	REV	DATE	DEOR.	REV	DATE	DEOR.

DRAWN BY: RAD
 CHECKED BY:
 SHEET: **SD-1**
 OF 2 SHEETS

SHEET DESCRIPTION:
EXISTING SITE PLAN
 JOB NUMBER: DAA 08116

CONDITIONAL USE PERMIT
 FOR:
SOUTHERN STATES UNIVERSITY
 1601 DOVE STREET, SUITE 105
 NEWPORT BEACH, CA 92660

DAYTON ASSOCIATES - ARCHITECTS

2806 SILVER LAKE
 NEWPORT BEACH, CA 92660
 (949) 848-1717 FAX: (949) 848-4242

ARCHITECTURE
 PLANNING
 INTERIORS

Richard A. Dayton
 NO. C 14287
 RIDG 80100
 STATE OF CALIFORNIA

