CITY OF NEWPORT BEACH
PLANNING DEPARTMENT ACTION REPORT

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM: David Lepo, Planning Director

SUBJECT: Report of actions taken by the Zoning Administrator, Planning Director and/or Planning Department staff for the week ending March 5, 2010.

ACTIONS TAKEN BY THE PLANNING DIRECTOR OR PLANNING DEPARTMENT STAFF

Item 1: Smasher Martial Arts – Use Permit No. UP2010-001 (PA2010-008)
3400 Irvine Avenue, Suites 201 & 202

A use permit to allow the establishment of a personal improvement service specializing in martial arts instruction with a maximum class size of twelve persons. The combined total of the subject suites is approximately 1,220 square feet in area. The commercial site provides a total of 104 parking spaces.

Approved – March 5, 2010 Council District 4

Item 2: Tesla Motors of Newport Beach – Use Permit No. UP2010-006 (PA2010-026)
1100 West Coast Highway

A use permit to allow the addition of service bays for the maintenance of electric vehicles at an existing Vehicle Sales, Limited establishment. This use permit amends and supersedes Planning Director's Use Permit No. 31.

Approved – March 1, 2010 Council District 3

David Lepo, Planning Director

APPEAL PERIOD: Modification Permit applications do not become effective until 14 days after the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code. Tentative Parcel Map, Condominium Conversion, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.

Email City Council
Planning Commission
David Lepo, Planning Director
Sharon Wood, Assistant City Manager
David Keely, Public Works Senior Civil Engineer
Code Enforcement Division

USE PERMIT ACTION LETTER

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

Application No.	**Use Permit No. UP2010-001 (PA2010-008)**
Applicant	**Ernie Reyes Jr.**
Site Address	**3400 Irvine Avenue, Suites 201 & 202** **Smasher Martial Arts**
Legal Description	**Lot 76 , Tract 0706**

On **March 5, 2010**, the Planning Director approved the following: A use permit to allow the establishment of a personal improvement service specializing in martial arts instruction with a maximum class size of twelve persons. The combined total of the subject suites is approximately 1,220 square feet in area. The commercial site provides a total of 104 parking spaces. The property is located in the APF (Administrative Professional Financial) D istrict. The approval i s based on the following findings and subject to the following conditions.

FINDINGS:

1. The Land Use Element of the General Plan designates the site as CO-G (General Commercial Office) and the Zoning Code designates the site as APF (Administrative Professional Financial), which allow for commercial uses. The personal improvement service, which specializes in martial arts instruction, is a commercial use consistent with the General Plan and Zoning Code designations.

2. The project is exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act under Class 1 (Minor Alteration of Existing Structures) of the Implementing Guidelines of the California Environmental Quality Act. This exemption allows for the operation, repair, maintenance and minor alteration of existing buildings. The proposed project is for a change in use and does not include any construction to the existing building.

3. The proposed location of the use is in accord with the objectives of the Zoning Code and the purposes of the district in which the site is located.

   Facts in support of finding:

   - The site is located in the APF (Administrative Professional Financial) District. This district is intended to provide areas which are predominantly offices, but which also accommodate support retail and service uses. The proposed

personal improvement service use is a permitted use in this district with the approval of a use permit and is consistent with the APF designation.

- Use permits are required for use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. The proposed personal improvement service does not present any conflicts with nearby uses including offices, a golf course, and retail sales. The use has been conditioned to limit potential negative noise and parking impacts by limiting the class sizes and hours of operation.

4. The proposed location of the use permit and the proposed 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; 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.

   Facts in support of finding:

   - The proposed personal improvement service use is consistent with the General Commercial Office (CO-G) land use designation of the General Plan, which is intended to provide for administrative, professional, and medical offices with limited accessory retail and service uses.

   - The hours of operation will be limited to between 6:30 a.m. and 9:00 p.m., Monday through Friday, and 8:00 a.m. and 4:00 p.m., Saturday.

   - The site is multi-tenant and provides a shared, surface parking lot containing 104 parking spaces. The gross floor area of the subject suite is approximately 1,220 square feet. The proposed use with limited class sizes will not require more parking than the base parking rate of 1 space per 250 square feet of gross floor area (5 spaces) attributable to the current office use. In other words, the proposed use as conditioned does not increase parking demand.

   - The potential noise impacts on the nearby office uses has been addressed by the requirement that the doors and windows remain closed during the business hours of the establishment. In addition, all instruction and practice sessions shall be confined to the interior of the building and not outside in the parking lot or exterior deck areas of the property. Additionally, Condition No. 8 requires the installation of noise attenuating materials to the interior surfaces of the tenant space if a significant noise nuisance is experienced by other tenants.

5. 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.

   Facts in support of finding:

   - The proposed personal improvement service facility is consistent with the legislative intent of Chapter 20.15 (Commercial Districts) of the Municipal Code. Section 20.15.020 requires approval of a use permit for personal improvement services in the APF District. No other specific conditions are required in the Zoning Code for the proposed use.

   - Chapter 20.66 (Off-Street Parking and Loading Regulations) of the Municipal Code requires one (1) parking space per 250 square feet of gross floor area, which is the same as the base parking rate which requires 5 parking spaces for this 1,220 square foot suite. The approval has been conditioned to limit the number of students and number of instructors to regulate the parking demand on the commercial building. Based on the limited class sizes, the parking demand can be adequately accommodated by the existing available pool of off-street parking.

CONDITIONS:

1. Except as noted in the following conditions, the development shall be in substantial conformance with the approved site and floor plan.

2. The number of persons on site shall be limited to a maximum of 15 persons, including students, instructors, and employees. Any increase in the class size shall be subject to the approval of an amendment to this use permit.

3. The hours of operation shall be limited to between 6:30 a.m. and 9:00 p.m., Monday through Friday, and 8:00 a.m. and 4:00 p.m., Saturday. Any increase in the hours of operation shall be subject to the approval of an amendment to this use permit.

4. Employees who drive to work shall park on site when at work.

5. The project must comply with the 2007 California Building Code.

6. The doors and windows shall remain closed at all times that the facility is open for business, except when people enter and exit the suite.

7. All instruction and practice sessions shall be confined to the interior of the building and shall not be conducted outside in the parking lot or exterior deck areas of the property.

8. The noise generated by the proposed use shall comply with the provisions of Chapter 10.26 of the Newport Beach Municipal Code. The operator of the facility shall be responsible for the control of noise generated on the subject facility. Pre-recorded music may be played in the tenant space. The Planning Director may require the installation of noise-abating material to the interior walls, ceilings, or floors that abut any neighboring tenant space which is adversely impacted by the noise generated by the personal improvement service use.

9. No outside paging system or sound system shall be utilized in conjunction with this establishment.

10. All signs shall conform to the provisions of Chapter 20.67 of the Municipal Code.

11. No temporary "sandwich" signs, balloons or similar temporary signs shall be permitted on-site or off-site to advertise the personal improvement service 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.

12. A Special Event Permit is required for any event or promotional activity outside the normal operational characteristics of this personal improvement service facility that would attract large crowds, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.

13. Should this business sell or otherwise come under different ownership, the current business owner, property owner, or leasing company shall notify the future owners or assignees of the conditions of the approval.

14. The Planning Director may add to or modify the conditions of approval for this use permit. In addition, he/she may 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.

15. 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 applicant or any interested party may appeal the decision of the Planning Director, Zoning Administrator, and department staff to the Planning Commission by a written request to the Planning Director within 14 days of the action date. A $3,070.00 filing fee shall accompany any appeal filed. For additional information on filing an appeal, contact the Planning Department at 949 644-3200.

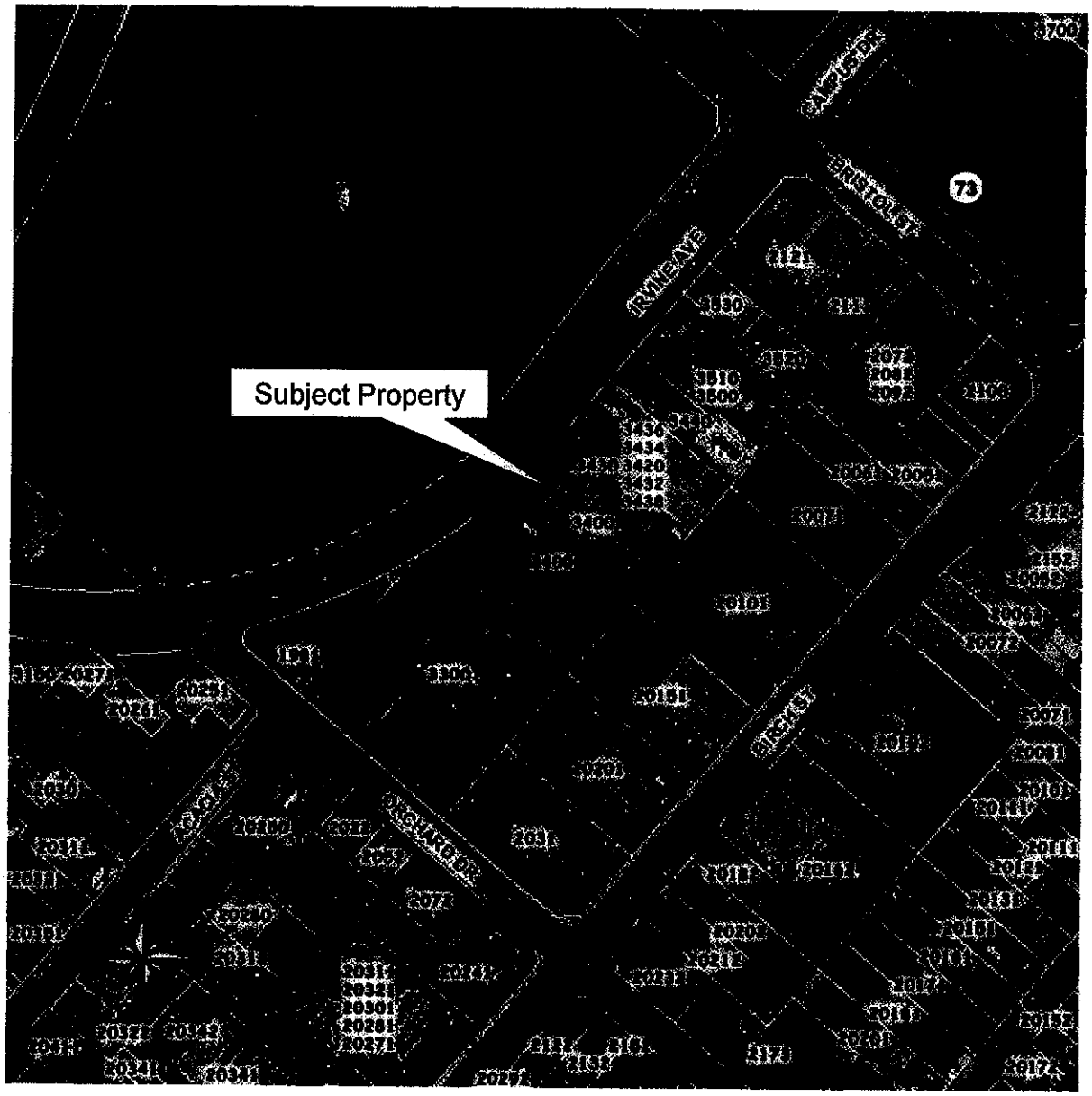
On behalf of David Lepo, Planning Director

By: _____
James W. Campbell, Principal Planner

PJA/fn

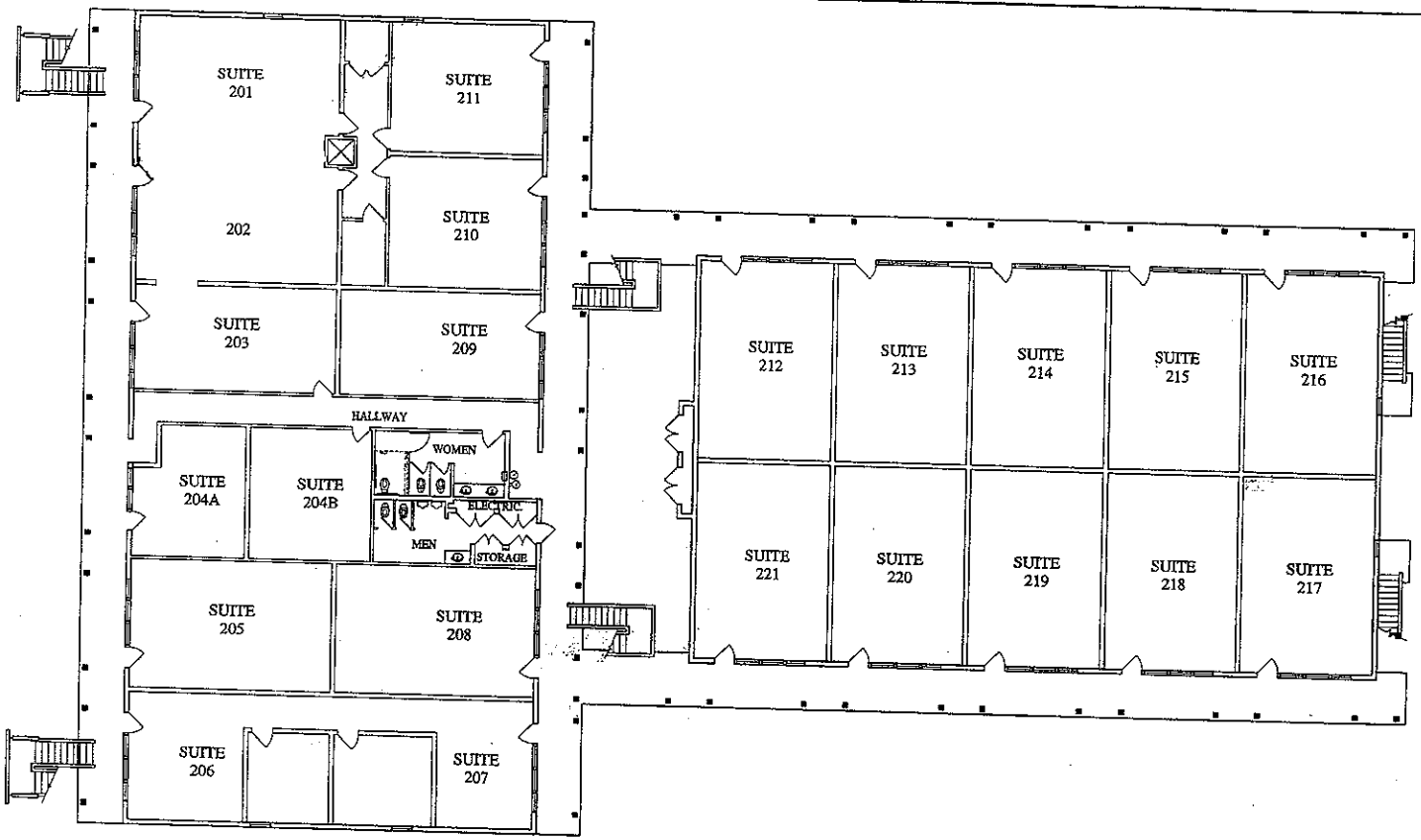
Attachments: PD 1 Vicinity Map
PD 2 Project Plans

VICINITY MAP



Use Permit No. UP2010-001
PA2010-008

3400 Irvine Avenue, Suites 201 & 202



SECOND FLOOR PLAN

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

3400 IRVINE AVENUE

3400 IRVINE AVENUE
NEWPORT BEACH, CA 92660

NO.	ISSUE OR REVISION	DATE

FILE COPY

SHEET TITLE

2ND FLOOR PLAN

SCALE: AS SHOWN

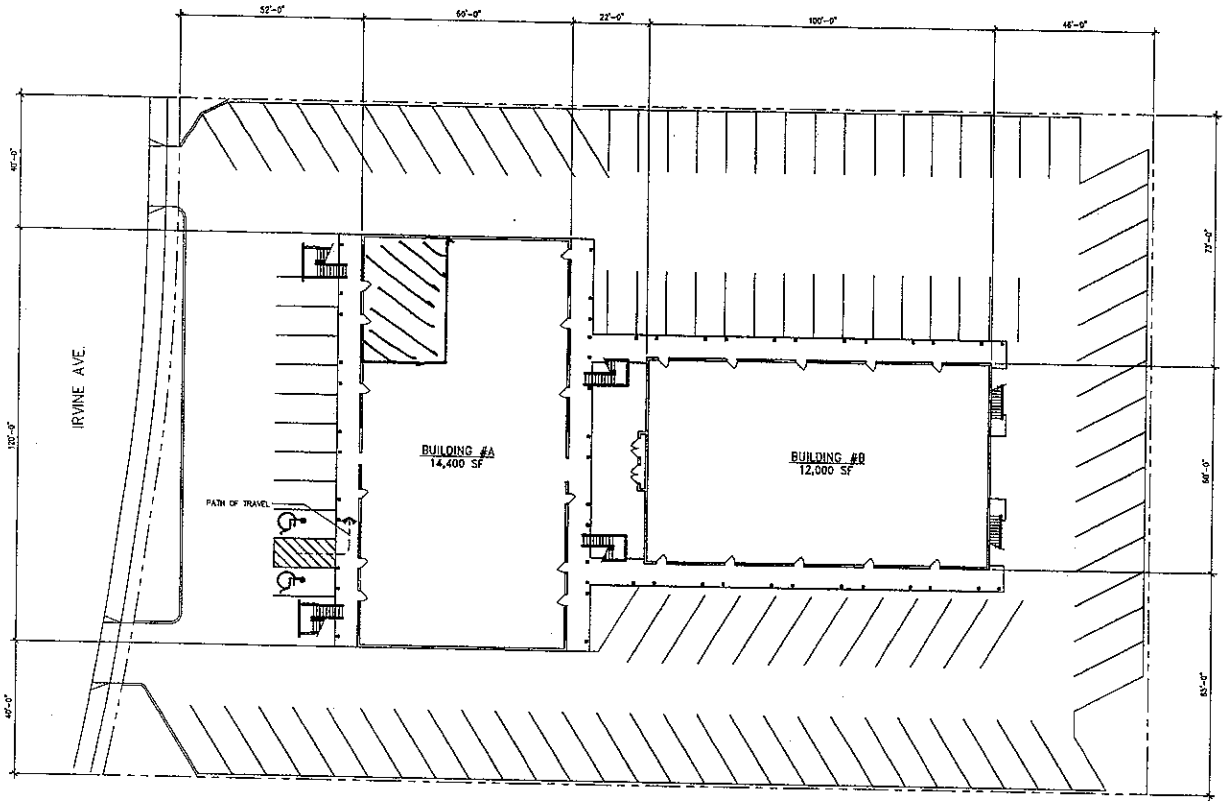
A - 2.1

APPROVED BY:

J W Campbell

☒ Planning Director ☐ Zoning Administrator
☐ Planning Commission ☐ City Council
☐ As Submitted ☐ As Modified
Refer to: ☐ Resolution ☒ Approval Letter
# of Pgs Approved: 2 Date: 3/5/10

PA2010-008 for UP2010-001
3400 Irvine Avenue, Suite 201 & 202
Ernie Reyes Jr.



SITE PLAN
SCALE: 1/16" = 1'-0"

BUILDING DATA

BUILDING DEPARTMENT:	CITY OF NEWPORT BEACH
BUILDING CODES:	2001 CALIFORNIA BUILDING CODE 2001 CALIFORNIA PLUMBING CODE 2001 CALIFORNIA MECHANICAL CODE 2001 CALIFORNIA ELECTRICAL CODE 2001 CALIFORNIA FIRE CODE
SITE ADDRESS:	3400 IRVINE AVENUE NEWPORT BEACH, CA 92660
BUILDING OCCUPANCY:	B
TYPE OF CONSTRUCTION:	V-N
SPRINKLERED:	YES
NUMBER OF STORIES:	TWO

PROJECT DATA

TENANT OCCUPANCY:

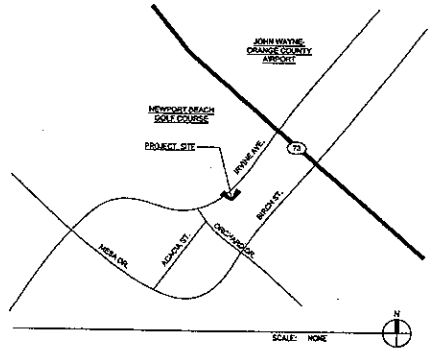
BUILDING A:	OFFICE (B)	14,400 S.F.
BUILDING B:	OFFICE (B)	12,000 S.F.
COVERED WALKWAY:		6,300 S.F.
TOTAL		32,700 S.F.

PROJECT SCOPE:

OWNER

CAMPUS PROPERTIES
2141 MESA DRIVE
NEWPORT BEACH, CA 92660
PHONE: (949) 252-8200 FAX: (949) 252-8221
CONTACT: JOHN JARVIS, OWNER
jonn.jarvis@cpi.com

VICINITY MAP



SCALE: NONE

3400 IRVINE AVENUE

3400 IRVINE AVENUE
NEWPORT BEACH, CA 92660

NO.	ISSUE OR REVISION	DATE

SHEET TITLE

SITE PLAN &
PROJECT DATA

DATE
SCALE: AS SHOWN
PROJECT NO.
DRAWN BY
SHEET NO.
A - 1.1

USE PERMIT ACTION LETTER

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

Application No.	**Use Permit No. UP2010-006 (PA2010-026)**
Applicant	**Tesla Motors of Newport Beach**
Site Address	**1100 West Coast Highway** **Tesla Motors of Newport Beach**
Legal Description	**TR 1210 LOTS 36 37 & 38 ALL**

On **March 1, 2010**, the Planning Director approved the following: A use permit to allow the addition of service bays for the maintenance of electric vehicles at an existing Vehicle Sales, Limited establishment. This use permit amends and supersedes Planning Director's Use Permit No. 31. The property is located in the RSC-MM (Retail and Service Commerial, Mariner's Mile Overlay) District. The approval is based on the following findings and subject to the following conditions.

FINDINGS:

1. The Land Use Element of the General Plan designates the site as CG (General Commercial) and the Zoning Code designates the site as RSC-MM (Retail and Service Commercial, Mariner's Mile Overlay), which allow for commercial uses. The proposed sale of automobiles, including storage and incidental maintenance, is consistent with the General Plan and Zoning Code designations.

2. The project is exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act under Class 1 (Existing Facilities) of the Implementing Guidelines of the California Environmental Quality Act. This exemption allows for minor alteration of existing buildings involving negligible or no expansion of an existing use. The proposed project involves interior alterations to an existing building to create service bays for the maintenance electric vehicles, which will be incidental to the existing Vehicle Sales, Limited establishment.

3. The proposed location of the use is in accord with the objectives of the Zoning Code and the purposes of the district in which the site is located.

   Facts in support of finding:

   - The site is located in the RSC-MM (Retail and Service Commercial, Mariner's Mile Overlay) District. This district is intended to provide areas that are predominantly retail in character, but which allow some service office uses. The Vehicle Sales, Limited, including storage and incidental maintenance, is

a permitted use in this district with the approval of a use permit by the Planning Director. Maintenance activities requiring pneumatic lifts are not permitted; however, maintenance will be limited to the serving of electric vehicles, which is significantly less intense than maintenance required on internal combustion engines and primarily involves electrical and computer systems diagnostics. In addition, pneumatic lifts will be prohibited and only hydraulic lifts will be permitted.

4. The proposed location of the use permit and the proposed 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; 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.

   Facts in support of finding:

   - The proposed project is consistent with the General Commercial (CG) land use designation of the General Plan, which is intended to provide for a wide variety of commercial activities oriented primarily to serve citywide or regional needs. The sale of automobiles with the proposed addition of service bays for the maintenance of electric vehicles will have a citywide and regional market.

   - The proposed project is consistent with the Retail and Service Commercial, Mariner's Mile Overlay District, which is intended to provide areas which are predominantly retail in character but which allow some service office uses. The sale of automobiles with the proposed addition of service bays for the maintenance of electric vehicles is a retail use.

   - Maintenance and repair will only be conducted on electric vehicles, which is less intense than maintenance and repair typically conducted on internal combustion engines.

   - The proposed project will be conditioned to minimize noise and other impacts generated on the site, including restricting maintenance and repair activities to the interior of the building, prohibiting the use of pneumatic lifts and air-powered tools, prohibiting outside paging systems, and prohibiting vehicle test drives on residential streets.

5. 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.

Facts in support of finding:

- The proposed Vehicle Sales, Limited, facility is consistent with the legislative intent of Chapter 20.15 (Commercial Districts) of the Municipal Code. Section 20.15.020 requires approval of a use permit by the Planning Director for Vehicle Sales, Limited establishments in the RSC-MM District. No other specific conditions are required in the Zoning Code for the proposed use.

- Compliance with all other applicable regulations of the Municipal Code will be required and enforced.

CONDITIONS:

1. This use permit supersedes Planning Director's Use Permit No. 31, which upon vesting of the rights authorized by this application shall become, null and void.

2. The development shall be in substantial conformance with the approved site plan and building elevations stamped and dated July 21, 1998 and the floor plans stamped and dated with the date of this approval (except as modified by applicable conditions of approval).

3. All activities associated with vehicle repair or maintenance shall only be conducted in service areas depicted on the approved floor plans.

4. Maintenance and repair shall only be permitted on electric vehicles and shall be limited to power train, brake, and cooling system fluid changes and suspension/chassis, tire, brake, vehicle electrics, and interior work.

5. Only hydraulic lifts shall be permitted. The use of pneumatic lifts shall be prohibited.

6. Only electric motor-powered tools shall be used in vehicle repair and maintenance activities. The use of air compressors, air wrenches or hammers, and similar tools shall be prohibited, with the exception of an air compressor for use with car washing equipment which shall be approved by the Planning Director in conjunction with a written operational description describing the location and specific use.

7. No outside paging system shall be utilized in conjunction with this establishment.

8. Test driving of vehicles shall be prohibited on all residential streets.

9. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.

10. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Use Permit.

11. 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.

12. This Use Permit may be modified or revoked by the City Council or Planning Commission should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.

13. Any change in operational characteristics, expansion in area, or other modification to the approved plans, shall require an amendment to this Use Permit or the processing of a new Use Permit.

14. Prior to the issuance of a building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Department.

15. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner, or the leasing agent.

16. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.

<u>Conditions carried over from Planning Director's Use Permit No. 31</u>

17. The vehicle display patio shall be elevated a minimum of 18 inches above existing natural grade, except as required to satisfy sight distance in accordance with City Standard 110-L. Additionally, the placement of vehicles in the raised vehicle display patio shall be located to provide sight distance in accordance with Standard 110-L for vehicles exiting the property.

18. All buildings and structures, including parking, shall be located outside of the 12-foot future street widening area unless an agreement, approved as to form and content by the Office of the City Attorney, is first approved by the Public Works Department and the Planning Director.

19. The project floor area shall be limited to a maximum of 11,043 gross square feet. Any increase beyond that approved shall be subject to the approval of an

amendment to this use permit or an application for a use permit approved by the Planning Commission, if required.

20. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code. The maximum noise shall be limited to no more than depicted below for the specified time periods unless the ambient noise level is higher:

	Between the hours of 7:00AM and 10:00PM		Between the hours of 10:00PM and 7:00AM	
Location	Interior	Exterior	Interior	Exterior
Residential Property	45dBA	55dBA	40dBA	50dBA
Residential Property located within 100 feet of a commercial property	45dBA	60dBA	45dBA	50dBA
Mixed Use Property	45dBA	60dBA	45dBA	50dBA
Commercial Property	N/A	65dBA	N/A	60dBA

21. Deliveries and trash collection shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m., daily. This includes a prohibition on the off-loading of vehicle sales inventory to the facility.

22. No windshield signs shall be permitted on vehicles located in the outdoor display patio area. Additionally, the use of banners, pennants, balloons, wind signs, moving signs, or flashing or animated electrical signs shall be prohibited.

23. All trash areas and mechanical equipment shall be screened on all sides and the top from view of neighboring properties.

24. The project shall be designed to eliminate light spillage and glare onto adjacent properties or uses. A lighting plan shall be prepared and signed by a licensed Electrical Engineer acceptable to the City with a letter from the engineer stating that, in his opinion, this requirement has been met. That prior to issuance of the certificate of occupancy or final of building permits, the applicant shall schedule an evening inspection by the Code Enforcement Division to confirm control of light and glare specified by this condition of approval. Signs and exterior lighting visible from the residential properties to the rear shall be turned off at 10:00 p.m.

25. Prior to the issuance of any grading or building permit, the applicant shall provide to the Planning Department, in conjunction with the lighting system plan, lighting fixture product types and technical specifications, including photometric site information. This plan will be used to determine the extent of light spillage or glare which can be anticipated by the project. This information shall be made a part of the building set of plans prior to issuance of the building permit.

26. Prior to issuance of grading and building permits, unless otherwise approved by the Planning Director and the Public Works Department, the applicant shall

prepare and submit a landscape and irrigation plan that shall be reviewed and approved by the Public Works Department and the Planning Director. The landscape plan shall include the following:

- a cluster of palms *(Washingtonia robusta,* 14-20 feet tall) flanking the vehicle display patio;
- a cluster of palms *(Washingtonia robusta,* 14-20 feet tall) on the west of the entry drive;
- a 30 inch high *Lingustrum* hedge across the front of the property, in front of the wrought iron fence and on either side of the entry drive, except as required to satisfy sight distance requirements;
- Turf or strong masses of groundcover planting on all ground level planter areas;
- Limited accent planting; and
- Planting at the rear shall be specifically identified on the landscape plan, with a recommendation of Bougainvillea or similar type plant species.

27. Prior to the issuance of the certificate of occupancy, the applicant shall schedule an inspection by the Code Enforcement Officer to verify completion and installation of the landscaping in accordance with the approved plan. The landscape plan for planting or irrigation lines located off-site on the bluff shall be reviewed and approved by the property owner of the slope area involved with a wet signature on the landscape plans prior to submittal.

28. All improvements shall be constructed as required by Ordinance and the Public Works Department.

29. That a minimum of 18 parking spaces shall be provided on-site. The final design of all on-site parking, vehicular circulation and pedestrian circulation systems shall be subject to the approval of the Traffic Engineer.

30. That the on-site parking lot shall remain available for employee and patron parking only. The parking or display of vehicles for sale or lease shall be prohibited in the off-street surface parking lot, with the exception of the raised vehicle display patio and the spaces located under the carport cover which may be used for the cleaning of vehicle inventory only.

31. Intersections of West Coast Highway and the private drive shall be designed to provide sight distance in accordance with Standard 11 O-L. Slopes, landscape, walls and other obstruction shall be considered in the sight distance requirements. Landscaping within the sight line shall not exceed twenty-four inches in height.

32. The existing drive approach shall be reconstructed along the West Coast Highway frontage to provide side flares and disabled access. The "X's" on the proposed drive approach shall be noted outside the drive opening. All work shall be completed under an encroachment permit issued by the California Department of Transportation.

33. The applicant shall demonstrate on the plan that vehicles parked in the display patio area are not within the limited use area as defined in City Standard 110-L.

34. The Edison transformer serving the site shall be located outside the sight distance planes as described in City Standard 110-L.

35. Disruption caused by construction work along roadways and by movement of construction vehicles shall be minimized by proper use of traffic control equipment and flagmen. Traffic control and transportation of equipment and materials shall be conducted in accordance with state and local requirements

36. Overhead utilities serving the site shall be undergrounded to the nearest appropriate pole in accordance with Section 19.24.140 of the Municipal Code unless it is determined by the City Engineer that such undergrounding is unreasonable or impractical.

37. The architectural site plan and the grading site plan shall match in every substantial respect prior to issuance of grading or building permits. The plans shall be revised to reflect the correct location of the trash enclosure, carport cover and the 18 required parking spaces.

38. That all signs shall conform to the provisions of Chapter 20.67 of the Municipal Code.

39. That the project shall comply with State Disabled Access requirements, including handicap parking requirements.

40. That 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.

41. That the Planning Director or the Planning Commission may add to or modify conditions to this approval, or revoke this approval upon a finding of failure to comply with the conditions set forth in this approval, the Municipal Code or other applicable conditions and regulations governing the establishment. Further, that if 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.

42. Use Permit No. 2010-006 shall expire unless exercised within 24 months from the date of approval as specified in Section 20.91.050 of the Newport Beach Municipal Code, unless an extension is otherwise granted.

APPEAL PERIOD

The applicant or any interested party may appeal the decision of the Planning Director, Zoning Administrator and department staff to the Planning Commission by a written request to the Planning Director within 14 days of the action date. A $3,070.00 filing fee shall accompany any appeal filed. For additional information on filing an appeal, contact the Planning Department at 949 644-3200.

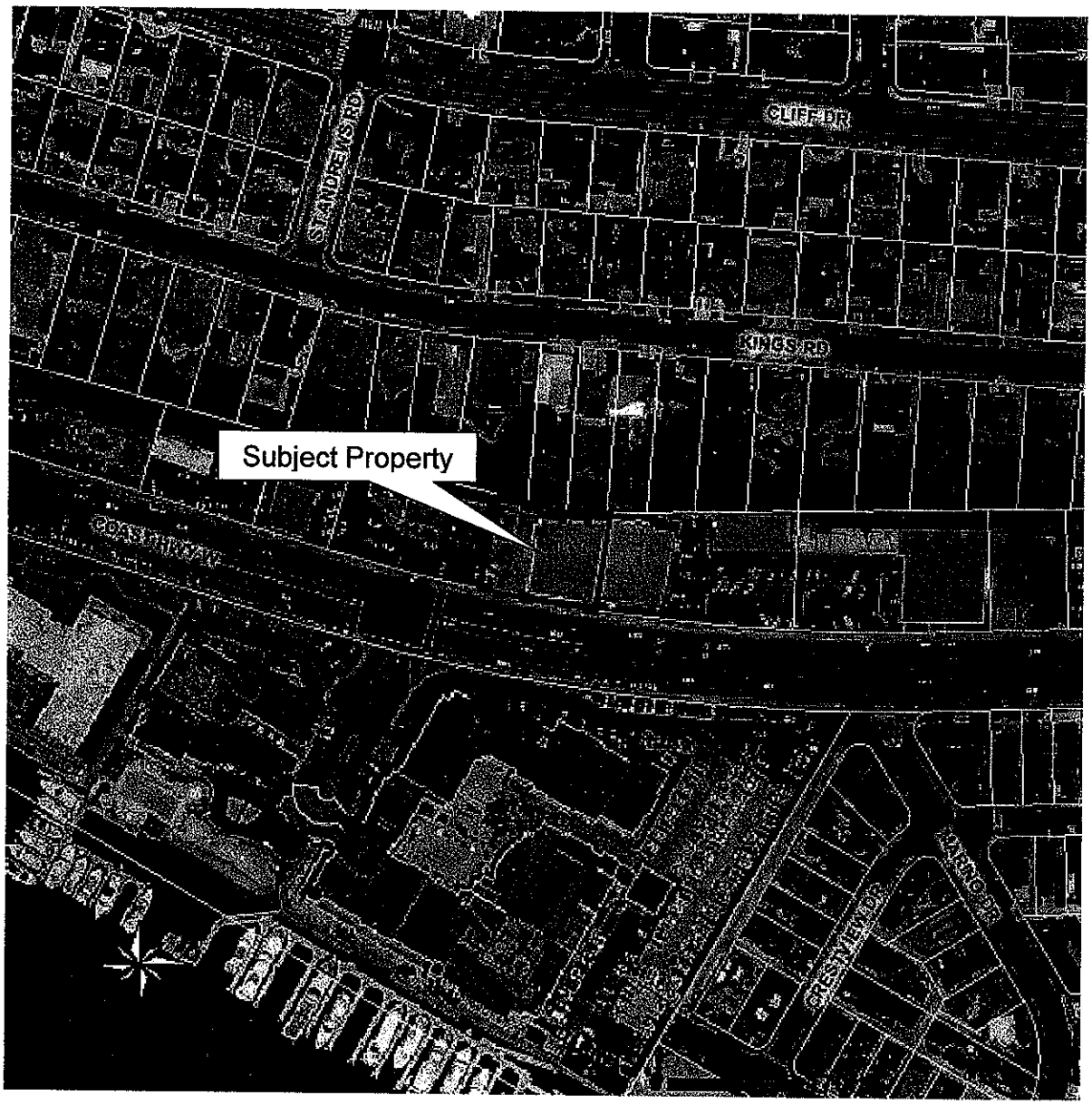
On behalf of David Lepo, Planning Director

By: J W Campbell
James W. Campbell, Principal Planner

PJA/pja

Attachments: PD 1 Vicinity Map
PD 2 Project Floor Plans

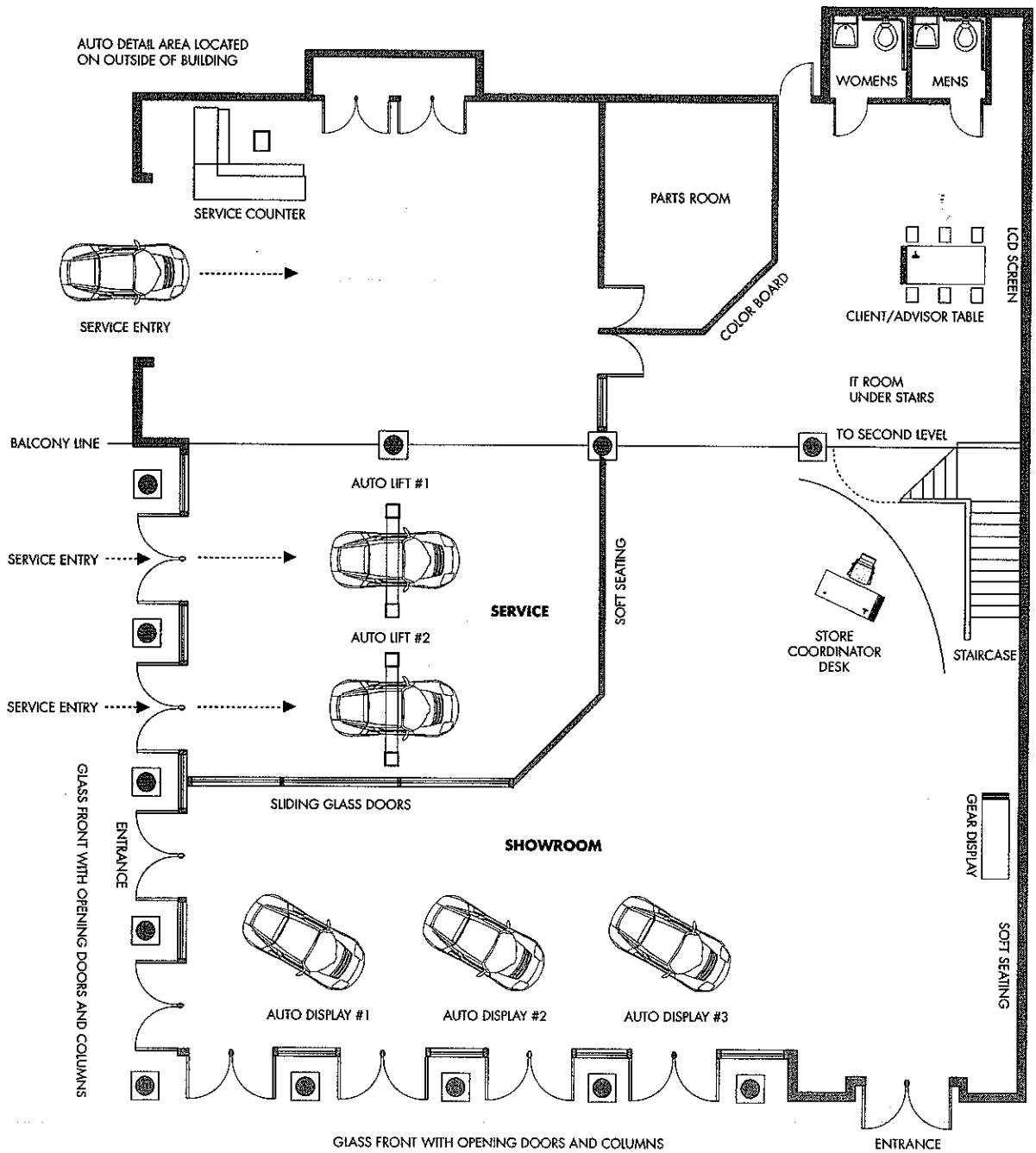
VICINITY MAP



Use Permit No. UP2010-006
PA2010-026

1100 West Coast Highway

Tesla PA 2010-026



APPROVED BY:

J W Campbell

☐ Planning Director ☒ Zoning Administrator
☐ Planning Commission ☐ City Council

☐ As Submitted ☐ As Modified

Refer to: ☐ Resolution ☒ Approval Letter

# of Pgs Approved: 1 Date: 3 / 1 / 2010

FIRST LEVEL OPTION B

NEWPORT BEACH FLOORPLAN

PLEASE NOTE: FLOORPLAN FOR CONCEPT PURPOSES ONLY. DIMENSIONS MAY VARY AND ALL ELEMENTS MUST BE VERIFIED BY ARCHITECT PRIOR TO CONSTRUCTION.

REVISED 02/19/10