

**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 19, 2010

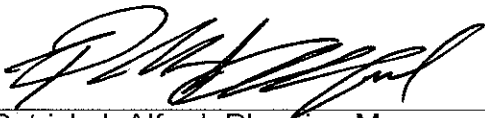
ACTIONS TAKEN BY THE PLANNING DIRECTOR OR PLANNING DEPARTMENT STAFF

Item 1: The Little Woman – Use Permit No. UP2010-003 (PA2010-025)
3238 East Coast Highway

Approved – March 19, 2010

Council District 3

On behalf of David Lepo, Planning Director:



Patrick J. Alford, Planning Manager

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.

Email City Council
Planning Commission
David Lepo, Planning Director
Sharon Wood, Assistant City Manager
David Keely, Public Works Senior Civil Engineer
Code Enforcement Division
Bryan Moore, NBPD
Sgt. John Freeman, NBPD



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. UP2010-003 (PA2010-025)**
Applicant **Lynne Anthony Campbell**
Site Address **3238 East Coast Highway**
 The Little Woman
Legal Description **N TR 1045 LOT 4**

On **March 19, 2010**, the Planning Director approved the following: A use permit to establish a take-out service, limited eating establishment. Seating or stand-up counter space for no more than six persons will be provided. The net public area shall not exceed 100 square feet. The property is located in the RSC (Retail Service Commercial) District. The approval is based on the following findings and subject to the following conditions.

FINDINGS

1. That the proposed location of the use is in accord with the objectives of this code and the purposes of the RSC (Retail and Service Commercial) District in which the site is located.
 - The proposed location of the use provides retail-commercial and food service use that will serve residents of and visitors to the City in accordance with the purpose of the commercial district.
2. That 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.
 - The take-out service, limited eating establishment is consistent with the "Corridor Commercial" General Plan designation because the eating establishment is a "neighborhood-serving retail" use that "foster(s) pedestrian activity."
 - The conditions of approval for this use permit will mitigate impacts from noise and debris associated with the proposed take-out service, limited eating establishment

3. That 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.
 - The standards required for take-out service, limited eating establishments pursuant to Section 20.82.040.B are incorporated into the conditions of approval.
4. The use will not contribute to a disproportionate number of take-out establishments in the area nor contribute to a land use mix that is inconsistent with the specific purposes of the RSC Zoning District in which it is proposed.
5. The site and structure are of sufficient size and design to accommodate the use and will not cause customer service queues, storage areas, or waste to encroach onto adjacent properties or public rights-of-way.

CONDITIONS

1. The subject eating establishment shall open for business no earlier than 10:00 a.m. and close no later than 8:00 p.m. daily. Any increase in the hours of operation shall require an amendment to this use permit.
2. On-sale for on-site consumption or the off-sale of alcoholic beverages shall be prohibited.
3. No live entertainment or dancing shall be provided.
4. The facility contains receptacles sufficient in size to accommodate all trash deposited by customers. Trash receptacles for patrons shall be conveniently located both inside and outside of the proposed facility, however, not located on or within any public property or right-of-way.
5. Trash generated by the business is stored on-site in an area screened from view to the public right-of-way and adjacent residences except when placed for pick-up. The operator of the eating establishment shall be responsible for the clean-up of all on-site and off-site trash, garbage and litter generated by the use.
6. The porch, railings, stand-up counter, walls, and other accessory structures shall not encroach into the public right-of-way unless an encroachment agreement or encroachment permit is approved by the Public Works Department and an amendment to this use permit is first approved by the Planning Director and the Building Department.
7. If a cooking line is added in the future, smoke and odor shall be controlled by exhaust fans, or other means, to the satisfaction of the Building Director; additionally, an amendment to this use permit will be required

8. The applicant is required to obtain all applicable permits from the City's Building and Fire Departments. The construction plans must comply with the most recent, City-adopted version of the California Building Code and all applicable state and federal laws.
9. Food preparation facilities or equipment in the subject tenant space, with the exception of refrigerated display and storage units or coolers, shall be prohibited unless an amendment to this use permit is approved by the Planning Director.
10. Food products sold at the subject tenant space shall not be delivered to the subject property using the public right-of-way unless delivered by a motor vehicle or similar enclosed transport. Loading, unloading, sale, and exchange of food products shall occur on the subject property.
11. A wash-out area for refuse containers and kitchen equipment is provided and the area drains directly into the sewer system unless the Building Director and Public Works Director approve alternative drainage;
12. Customer seating and/or stand-up counter space may be provided for a maximum of six persons on the front porch only, unless otherwise limited by the Building Department.
13. The net public area shall be limited to a maximum of 100 square feet exclusive of display areas, aisle ways, condiment tables, and the sales counter, as depicted on the approved plan.
14. No temporary "sandwich" signs, balloons or similar temporary signs shall be permitted on-site or off-site to advertise the proposed use, 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.
15. Storage outside of the building in the front or at the rear of the property shall be prohibited, with the exception of the required trash container enclosure.
16. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m., unless otherwise approved by an amendment to this use permit.
17. If this business is sold or otherwise comes under different ownership, the current business owner, property owner, or leasing company shall notify the future owners/assignees of the conditions of this approval.
18. An outside paging system shall not be utilized in conjunction with the subject eating establishment, unless otherwise approved by an amendment to this use permit by the Planning Director.

19. 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:


Location	Between the hours of 7:00AM and 10:00PM		Between the hours of 10:00PM and 7:00AM	
	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

20. The Planning Director or the Planning Commission may add to or modify conditions of approval for this use permit, 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.
21. This approval shall expire unless exercised within 24 months from the end of the appeal period, in accordance with Section 20.31.050 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 949 644-3201.

On behalf of David Lepo, Planning Director

By: 
Javier S. Garcia, AICP
Senior Planner

Attachments: PD 1 Vicinity Map
PD 2 Appendix
PD 3 Applicant's Project Description and
Sample Menu
PD-3 Project Plans

VICINITY MAP



Use Permit No. UP2010-003
PA2010-025

3238 East Coast Highway

APPENDIX

Parking

The proposed take-out service, limited eating establishment has the same parking requirement, one parking space per 250 square feet of floor area, as the existing office use. Additional parking spaces do not have to be provided for the conversion of the use from general retail to a food service limited establishment.

Project Description

The Little Woman, 3238 East Coast Highway, Corona del Mar, will be a Take-Out Service, Limited Establishment. The space will provide salads, sandwiches, beverages and snacks such as chips with counter service primarily for offsite consumption.

The Little Woman would be a great addition to the neighborhood. Corona del Mar has approximately 13,000 residents and attracts many times that number of visitors particularly in the summer and there are few take out options in town, none in the Little Woman block. The space has been used over the years as a Laundromat and as a catering company. The proposed location of The Little Woman is in accord with the objective of the Zoning Code as the address is zoned as Retail Service Commercial, there are three parking spaces available and the Pacific Coast Highway location invites walking traffic which is a stated goal of the Cdm Chamber of Commerce and the local BID.

The Little Woman is defined as a Take-Out Service, Limited Establishment based on the following per Section 20.05:

1. More than 30 percent of the transactions will be sales for off-site consumption
2. Customers will be served at a counter
3. No more than 6 seats will be provided
4. Net public area is less than 100 square feet

The Little Woman meets the additional required findings for Take-Out Service, Limited based on the following per Section 20.82:

1. The Little Woman will be the only take-out establishment on that block and the space will be used in the way that the district is zoned which is Retail Service Commercial.
2. The Little Woman will provide adequate space for customers to order and pay at the counter. The Little Woman space is part of a much larger office/storage space with ample area for storage and disposal of any waste or trash.
3. The Little Woman will have a program for controlling litter, spills and stains resulting from use on the site and adjacent areas as detailed below
 - a. Trash can available and emptied as needed
 - b. Little Woman counter employee will monitor any sidewalk litter and clean up
 - c. The Little Woman will subscribe to a recaptured steam cleaning service which already cleans the areas in front of and behind the adjacent properties on a monthly basis

grab & go

soup

seafood bisque. 4

soup of the day. 4

charcuterie

CHEESE PLATE

Four artisan cheeses - Humboldt Fog Goat, Brilliant Savarin, Hudson Valley Camembert & aged Gouda, with crunchy toasts, apples, walnuts, pear chutney & strawberry confiture. 18

CHARCUTERIE

Foie Gras Mousse, Finocchiona & Buon Gusto salami, Parma Prosciutto, Hudson Valley Camembert, cornichon, pear chutney strawberry confiture & country mustard. 18

from the sea

CEVICHE

Halibut marinated in lime juice & cilantro with a tomato avocado twist and crunchy chips. 1/2 pint 9, pint 18.

between bread

ALBACORE SALAD SANDWICH

Fresh albacore with mayo, celery, tomatoes, crunchy lettuce and green tobasco. 6

CHICKEN SALAD SANDWICH

Shelton Farms roast chicken with mayo, walnuts and dried cranberries with crunchy lettuce. 6

PRIME RIB

Sliced thin & piled high with tomato and crunchy lettuce. 8

ROAST TURKEY BREAST

Sliced turkey with tomato and crunchy lettuce. 6

salad

FRENCH TWIST

Field greens & endive with pomegranate, almonds, dates, blueberries and grape tomatoes drizzled with pomegranate balsamic vinaigrette and finished with a fallen goat cheese soufflé and walnut cranberry croutons. 10

TOASTED SESAME SALMON

Salmon glazed with a touch of sesame soy on mixed greens with wontons and cucumber relish in a ginger soy vinaigrette. 12

BLACK CANYON

Mesquite grilled sirloin over mixed greens with red onion, marinated tomatoes, red & yellow pepper confetti tossed with caper vinaigrette & crumbled Maytag blue cheese. 12

ALBACORE SALAD

Fresh albacore with mayo, celery, marinated tomatoes & green tobasco on mixed greens with a balsamic drizzle. One scoop. 8 Two. 12

CHICKEN SALAD

Shelton Farms roast chicken with mayo, walnuts and dried cranberries on mixed greens with a balsamic drizzle. One scoop. 8 Two. 12

DIJON CHICKEN CAESAR

The QW's traditional garlicky, full egg, fresh parmesan and homemade crouton salad with mesquite grilled Dijon chicken and crunchy Asiago crisp. 11

QW COBB...NEW TWIST ON AN OLD FAVORITE

Mesquite chicken, bacon, tomato, lemonade apples, walnuts & Maytag blue tossed & lightly dressed in 1/2 & 1/2. 11

A COBB WITHOUT THE CHICKEN IS A CHOPPED. 8

made to order

between bread

GROWN UP GRILLED CHEESE

Everyone's secret favorite! Nutty, salty, decadent, cave aged Gruyere melted between golden brown grilled sourdough. 9

SWORDFISH TACOS

Mesquite grilled swordfish with cilantro coleslaw and a drizzle of chipotle wrapped up in a warm corn tortilla. 10

CUBAN REUBEN PANINI

Lean corned beef (lots), black forest ham (little), with Swiss, pickles, sauerkraut and whole grain Dijon grilled golden brown on marbled rye. 10

SOPRANO

Layers of dry Buon Gusto & Finocchiona salami, provolone, roasted red pepper and pickles topped with chopped tomato, lettuce, basil, garlic, olive oil & vinegar relish. 10

BRIE BAGUETTE

Brie, vine ripened tomatoes and fresh basil. 8

BBQ PULLED PORK

Rich roasted pork slathered with our pineapple, lime & tequila BBQ sauce on shepherd's bread. 10

the burgers

black angus sirloin or fresh ground turkey
handmade 8 oz burgers

- QW cheddar, pickles & 1000 island. 8
- CABO jack, avocado & 1000 island. 9
- PARIS brie, caramelized onion & truffle. 9
- MAYTAG a mound of melted Maytag blue. 9

fries & chips

- CRUNCHY CLASSIC with herb salt. 4
- TRUFFLE FRIES shaved truffle & truffle oil. 8
- GARLIC CHILE you can't eat just one! 5
- SWEET POTATO FRIES salty & sweet. 5
- POMMES FRITES super skinny, crispy crunchy. 6
- ASSORTED KETTLE CHIPS. 2

drinks

- ODWALLA JUICES
- ARIZONA TEAS & LEMONADE
- ASSORTED SOFT DRINKS
- EVIAN
- PERRIER

desserts

- WHITE CHOCOLATE MACADAMIA COOKIES
- CHOCOLATE CHUNK COOKIES
- FUDGY WALNUT BROWNIES

The Little Woman
sandwiches & stuff to go...

daily 10 am to 5 pm

3238 pch. cdm.

