CITY OF NEWPORT BEACH PLANNING DEPARTMENT ACTION REPORT

TO:

CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM:

James W. Campbell, Acting Planning Director

SUBJECT:

Report of actions taken by the Zoning Administrator, Planning Director and/or

Planning Department staff for the week ending January 21, 2011

ACTIONS TAKEN BY THE PLANNING DIRECTOR OR PLANNING DEPARTMENT STAFF

Item 1:

Dancespot Newport - Use Permit No. UP2010-041 (PA2010-175)

1044 Irvine Avenue

This item was approved on January 20, 2011

Council District 3

Item 2:

Verizon Wireless - Telecom Permit No. TP2011-001 (PA2011-002)

3355 Via Lido

This item was approved on January 20, 2011

Council District 1

On behalf of James W. Campbell Acting Planning Director:

Patrick J. Alford, Planning Manager

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.

TELECOM APPEAL:

The applicant or any interested party may appeal the decision of the Planning Director to the City Council by a written request to the City Council within 14 days of the action date. A \$4,010.00 filing fee shall accompany any appeal filed. The City Council's action on appeals shall be final.

Email

Dana Smith, Assistant City Manager Leonie Mulvihill, Assistant City Attorney David Keely, Public Works Senior Civil Engineer Code Enforcement Division Jon Lewis, Support Services Lt., NBPD

PLANNING DIRECTOR ACTION LETTER



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

Application No.

Use Permit No. UP2010-041 (PA2010-175)

Applicant

TD Architects

Site Address

1044 Irvine Avenue Dancespot Newport

Legal Description

Lot 11, Tract 04824

On January 20, 2011, the Planning Director approved the following: A use permit to allow a dance/fitness studio in the Westcliff Plaza Shopping Center, which will provide dance and fitness classes for women and children. The hours of operation will be Monday through Friday 8:30 A.M. to 9:00 P.M. Saturday and Sunday 9:00 A.M. to 5:00 P.M. A break in classes will take place on weekdays during the hours of 12:00 P.M. to 4:00 P.M. However, this approval does not restrict hours of operation. The studio will consist of two classrooms, a kids room for day-care services, a lobby area, a locker room, and restroom facilities. The maximum number of students in any class will be 15. The maximum number of employees on-site during the operation will be 5, and will include: one (1) fitness instructor during each class, one (1) front desk receptionist, one (1) manager, and one (1) certified and licensed child-care worker. The property is located in the RSC (Retail, Service, Commercial) District. The application was received and deemed complete prior to the effective date for discretionary projects for the Zoning Code update (November, 2010) and has been processed pursuant to the regulations, standards, and findings of the previous Zoning Code. The update to the Zoning Code would allow this use subject to the approval of a minor use permit by the Zoning Administrator. The approval is based on the following findings and subject to the following conditions:

FINDINGS

Finding:

1. That the proposed location of the use is in accord with the objectives of the Zoning Code and the purpose of the district in which the site is located.

Facts in Support of Finding:

 Pursuant to the previous Zoning Code, the subject site is designated as RSC (Retail, Service, Commercial). Per Section 20.05.040, the proposed dance/fitness studio is defined as a personal improvement service, which is a commercial use permitted within the RSC Zoning District with approval of a use permit by the Planning Director (Section 20.15.020).

 Pursuant to the updated Zoning Code, the subject site is located within the CN (Commercial Neighborhood) District, and Section 20.20.020 classifies the proposed use as a "large" health/fitness facility (over 2,000 square feet), which is a permitted use within the CN District subject to approval of a minor use permit by the Zoning Administrator.

Finding:

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.

Facts in Support of Finding:

- The City's Land Use Element of the General Plan designates the site as CN (Neighborhood Commercial). The CN designation is intended to provide for a limited range of retail and service uses developed in one or more distinct centers oriented to primarily serve the needs of and maintain compatibility with residential uses in the immediate area. The proposed dance/fitness studio is consistent with this designation.
- The dance/fitness studio will be located within the Westcliff Plaza Shopping Center, which is located at the corner of Irvine Avenue and 17th Street. Although the shopping center abuts residential land uses to the North and East, the project site is separated from residential uses by parking lots, a roadway and other commercial uses.
- The Westcliff Plaza Shopping Center is currently developed with a total gross floor area of 111,377 square feet. As specified in Chapter 20.66 (Off-Street Parking and Loading Regulations) of the previous Zoning Code, the total number of parking spaces required for the shopping center based on the general commercial rate of one parking space per 250 square feet is 446 parking spaces (111,377/250 = 446 spaces). Because several of the existing uses on the property have additional parking requirements, the current parking demand for the entire shopping center is 508 spaces and 516 parking spaces are provided on site. There are adequate surplus parking spaces located on-site within the Westcliff Plaza Shopping Center to accommodate the additional parking demand of the proposed use.

Finding:

 That the proposed use will comply with the provisions of this Zoning 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 use has been conditioned to limit the maximum number of classes provided at any one time (two), the total number of students in each class (15), and the total number of employees on site at any one time (5 = one at the front desk, one in the child care area, and one manager on duty).
- The proposed hours of operation will be Monday through Friday 8:30 A.M. to 9:00 P.M. Saturday and Sunday 9:00 A.M. to 5:00 P.M. A break in classes will take place on weekdays during the hours of 12:00 P.M. to 4:00 P.M.
- The subject site (2,750 total gross square feet) is currently vacant. Per the previous Zoning Code standards, the previous retail use required 11 parking spaces (2,750/250 = 11). The previous Zoning Code states that the parking requirement for the proposed personal improvement service use (health/fitness club) is "as specified by use permit". Staff looked to the Zoning Code update for guidance in analyzing the parking demand for the proposed dance/fitness studio. The updated Zoning Code would classify the use as a "large" health/fitness facility (over 2,000 square feet of floor area) and would require 14 parking spaces: one (1) parking space per each 200 square feet of gross floor area (2,750/200 = 14). Staff determined that 14 spaces is a reasonable number to require for the proposed use given the project characteristics, parking supply, and mix of tenants at the shopping center.
- Since the shopping center provides surplus parking, the use has been conditioned to require 14 parking spaces for the proposed use and will conform to the requirements of the updated Zoning Code.

Finding:

4. The proposed project is in compliance with the California Environmental Quality Act (CEQA).

Facts in Support of Finding:

• This project qualifies for an exemption from environmental review pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the Implementing Guidelines of the California Environmental Quality Act (CEQA), which exempts the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. The project proposal involves minimal construction including minor interior alterations.

CONDITIONS

- Use Permit No. UP2010-2010-041 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, or an extension is otherwise granted.
- 2. The Planning Director may add to or modify conditions of approval to this Use Permit or revoke this Use Permit upon a determination that the operation, which is the subject of this use Permit, causes injury, or is detrimental to the health, safety, peace, comfort, or general welfare of the community.
- 3. The project shall be in substantial conformance with the approved plot plan, floor plan and elevations.
- The project and all tenant improvements must comply with the California Building Code and State Disabled Access requirements as determined by review and approval of the Building Department.
- The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use will be cause for revocation of this Permit.
- 6. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of this dance/fitness studio 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.
- 7. 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, provided exterior noise levels outlined below are not exceeded. The doors and windows of the dance/fitness studio shall remain closed at all times during periods when noise is generated by the proposed use. The noise generated by the proposed use shall comply with the provisions of Chapter 10.26 of the Newport Beach Municipal Code. The maximum noise level shall be limited to no more than depicted below for the specified time period unless the ambient noise level is higher:

	of 7:00	the hours AM and 0PM	of 10:00	the hours PM and DAM
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

- 8. The use shall be limited to a maximum two classes at any one time. Each class shall be limited to a maximum 15 students and one instructor. There shall be a maximum 30 students and 5 employees on-site at any one time during the operation.
- 9. Any increase in the number of clients or employees on site at any one time shall be subject to the approval of an amendment to this use permit.
- A total of 14 parking spaces shall be provided for the proposed health and fitness club.
- 11. 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.
- 12. 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.
- 13. All signs on the subject property shall be in conformance with the conditions of approval for the Comprehensive Sign Program as approved per Modification Permit No. MD2001-008 (PA2001-010) and the provisions of Chapter 20.67 of the Newport Beach Municipal Code.
- 14. Prior to issuance of building permits, the applicant shall submit to the Planning Department an additional copy of the approved architectural plans for inclusion in the use permit file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11-inches by 17-inches. The plans shall accurately depict the elements approved by this Planning Director's Use Permit and shall highlight the approved elements such that they are readily discernible from other elements of the plans.

15. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines. penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the "Dancespot" including, but not limited to, the UP2010-041 (PA2010-175). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

APPEAL PERIOD

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

On behalf of James W. Campbell, Acting Planning Director

Gregg Ramirez, Senior Planner

GR/ks

Attachments:

PD 1 Vicinity Map

PD 2 Site Plan and Floor Plan

PD 3 Westcliff Plaza Parking Summary

Attachment No. PD 1

Vicinity Map

VICINITY MAP



Use Permit No. UP2010-041 PA2010-175

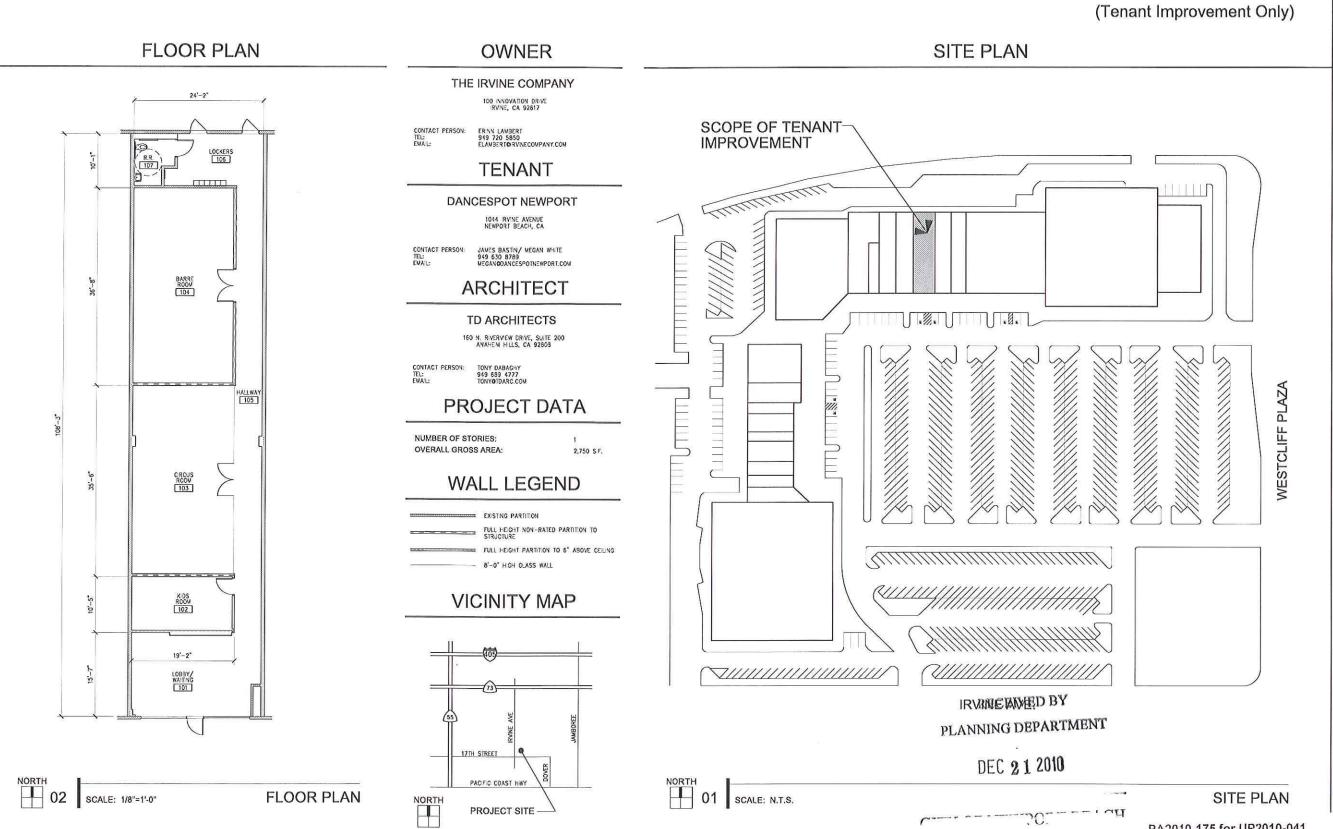
1044 Irvine Avenue

Attachment No. PD2

Site Plan and Floor Plan

DANCESPOT NEWPORT WESTCLIFF PLAZA

1044 IRVINE AVENUE NEWPORT BEACH, CA (Tenant Improvement Only)



PA2010-175 for UP2010-041 1044 Irvine Avenue TD Architects A0.1

TDARCHITECTS |

Attachment No. PD 3

Westliff Plaza Parking Summary

Westcliff Plaza Parking Study 06.01.10

Westcliff Parking - Includes Pilates Studio

					rounded up to
					next whole
suite tenant	use	sf 2	ratio	required	number
1000 Shell Oil Company	gas pad	2,000	UP 3193	-	2
1016 Bank of America	bank	7,200	0.004	28.80	29
1020 CVS #8881	retail pharmacy	23,594	0.004	94.38	95
1024 Crown Hardware	hardware	10,270	0.004	41.08	42
1036 Michael Nusskern	retail	2,200	0.004	8.80	9
1040 vacant	retail	2,420	0.004	9.68	10
1044 Dancespot Newport	personal imprvmt svcs	2,750	UP2010-041	13.66	14
1048 Newport Beach Business Center	postal services	2,028	0.004	8.11	9
1052 vacant	personal services	2,503	0.004	10.01	11
1058 Core Reform Pilates *	personal imprvmt svcs	1,300	UP2010-012	9.00	9
1062 Drapers & Damons #2	retail	3,737	0.004	14.95	15
1080 Ulta	beauty supply	11,235	0.004	44.94	45
1104 The Counter	full service	1,078	1/40	26.95	27
1104P The Counter patio	patio	120	0.025	3.00	3
1112 Pick-Up Stix #7121	take-out	1,400	UP3464	6.00	6
1116 Champagne	retail	975	0.004	3.90	4
1120 Chronic Tacos	small scale	1,300	UP 3171	6.00	6
1124 vacant	take out limited or retail	780	UP 2006-022	4.00	4
1126A Westcliff Cleaners	personal services	1,940	0.004	7.76	8
1128A Starbucks #Coffee 522 1	small scale	1,200	M3981	5.00	5
1130 Anthony's Shoe	personal services	975	0.004	3.90	4
1132 Newport Nails	personal services	1,035	0.013	12.94	13
1150 Ralphs #Fresh Fair #745	food & beverage	27,900	0.005	139.50	140
ATM1	-			0.00	1
	total	109,820	***		511
				existing on site	516

^{*1058} Irvine Avenue - six parking spaces @ 1/250 square feet plus three additional spaces required by this use permit

** Only parking spaces required on-site are noted in this table. Parking spaces waived under a discretionary approval are not calculated in this table.

***This is a leaseable footage representation and not gross floor area.

TELECOM PERMIT NO. TP2010-004 (PA2010-045)



Planning Department 3300 Newport Boulevard Newport Beach, CA 92663 (949) 644-3200; FAX (949) 644-3229

Staff Person:

Melinda Whelan (949) 644-3221

APPLICATION:

Telecom Permit No. TP2011-001 (PA2011-002)

APPLICANT:

Verizon Wireless

LOCATION:

3355 Via Lido

LEGAL DESCRIPTION:

Portion of Lots 4 and 5 including Portion of abandoned alley

adjacent, Tract 1117

PROJECT REQUEST AND DESCRIPTION

Verizon Wireless has submitted an application requesting to install a wireless telecom facility on an existing office building located at 3355 Via Lido for a temporary duration of approximately 12-14 months. The facility will be co-located with one other existing telecom facility on the building.

The project includes the installation of three panel antennas and one flat microwave panel antenna. The four antennas will be wall mounted on the exterior of the building and will be painted to match the color of the building. The support equipment is proposed to be located within the building in a vacant suite.

DIRECTOR'S ACTION: Approved with Conditions – January 20, 2011

In approving this application, the Planning Director analyzed issues regarding compliance with Chapter 15.70 (Wireless Telecommunication Facilities) of the Newport Beach Municipal Code (NBMC). This approval is based on the findings and subject to the conditions attached to this report.

The Planning Director determined in this case that the proposed project meets the provisions of Chapter 15.70 based on the following:

- The new telecom facility is co-locating with one existing telecom facility on the same structure, which is consistent with the provisions of Section 15.70.050 C (Co-Location Requirements) of the Wireless Telecommunications Ordinance.
- 2. The proposed antennas will be wall mounted on the building and will not exceed the maximum height of 55 feet allowed by Use Permit No. 315.

- 3. The proposed antennas will be painted to match the color of the building walls upon which they are mounted.
- 4. The coax cables which will run in a vertical direction on the building wall will be screened from view within a metal coax cable cover, which will be painted to match the building wall.
- 5. The support equipment will be located within the building in an existing vacant suite and will not be visible to the public.

BACKGROUND

The proposed site is intended to temporarily fill a coverage and capacity gap that will occur during the time the existing facility located at 3388 Via Lido is taken off air for a remodel of the building (approximately 12-14 months). The proposed temporary site is an existing commercial office building with many vacancies. An existing telecom facility operated and maintained by Sprint-Nextel is located on the building, which includes nine roof mounted panel antennas. The Sprint-Nextel installation was approved administratively prior to adoption of the Telecom Ordinance.

APPEAL PERIOD

The applicant or any interested party may appeal the decision of the Planning Director to the City Council within 14 days of the action date. The City Council's action on appeals shall be final. A \$4,010.00 filing fee shall accompany any appeal filed. For additional information on filing an appeal, contact the City Clerk at 949 644-3005.

On behalf of Jim Campbell, Acting Planning Director

Melinda Whelan

Assistant Planner

Attachments: Vicinity Map

Findings and Conditions of Approval

Plans

VICINITY MAP

3355 Via Lido



TP2011-001 (PA2011-002)

FINDINGS AND CONDITIONS OF APPROVAL TP2011-001 (PA2011-002)

FINDINGS

- The telecommunications facility as proposed meets the intent of Chapter 15.70 of the Newport Beach Municipal Code (NBMC), while ensuring public safety, reducing the visual effects of telecom equipment on public streetscapes, protecting scenic ocean and coastal views, and otherwise mitigating the impacts of such facilities for the following reasons:
 - The proposed telecom facility will not be detrimental to public health or safety because it is required to comply with the applicable rules, regulations and standards of the Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC).
 - The telecom facility will be located on an existing building and will be a temporary telecom facility for the duration of a building remodel at the approved telecom site located at 3388 Via Lido. The approval will be conditioned with a 14-month time limit. The new telecom facility is colocating with one existing telecom facility on the same structure, which is consistent with the provisions of Section 15.70.050 C (Co-Location Requirements) of the Wireless Telecommunications.
 - There is no impact to public views based on the following: 1) The antennas will be wall-mounted on the existing building and will not exceed the height of the existing roofline; 2) The antennas will be painted to match the color of the wall upon which they are mounted; and, 3) The support equipment will be placed within the building and completely screened from view.
- The telecommunications facility as proposed conforms to the technology, height, location and design standards for the following reasons:
 - The telecom facility approved under this permit utilizes the most efficient and diminutive available technology in order to minimize the number of facilities and reduce the visual impact.
 - The telecom facility approved by the permit does not exceed the maximum building height limit of 55 feet allowed by the previously approved Use Permit No. 315.
 - The antennas for the telecom facility approved by this permit will be wallmounted on the existing building and will be painted to match the colors of the walls on which they are mounted.
 - The support equipment for the telecom facility will be placed within a vacant suite of the building.
- 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).

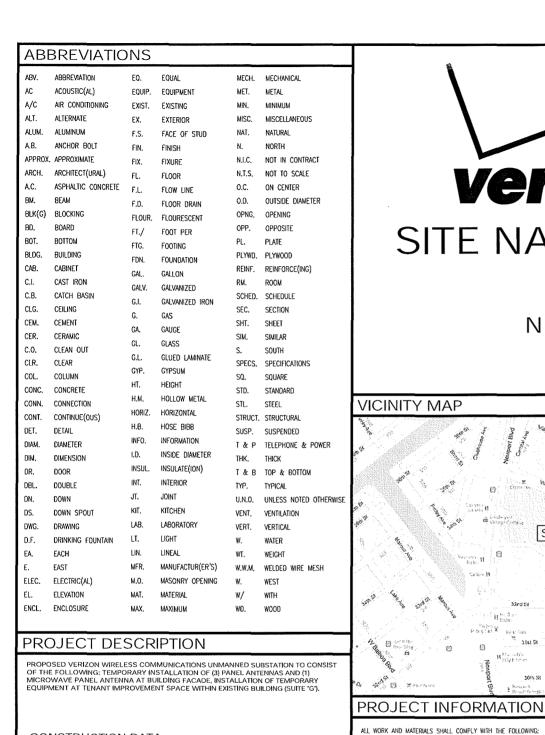
CONDITIONS

- 1. The development shall be in substantial conformance with the approved plot plan, antenna and equipment plans, and elevations, except as noted in the following conditions.
- 2. Anything not specifically approved by this Telecom Permit is not permitted and must be addressed in a separate and subsequent Telecom Permit review.
- 3. This approval is for a temporary use as a telecom facility for Verizon Wireless while the building at 3388 Via Lido is being remodeled. This approval shall expire 14 months from the effective date of this permit. Extensions may be requested in accordance with Section 20.54,060 B, of the NBMC.
- 4. The telecom facility approved by this permit shall comply with all applicable rules, regulations and standards of the Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC).
- 5. Any future facilities proposed by other carriers to be located within 1,000 feet from the subject property shall be approved to co-locate at the same site by the property owner or authorized agent, unless otherwise approved by the Planning Director.
- 6. The telecom facility shall comply with all regulations and requirements of the Uniform Building Code, Uniform Fire Code, Uniform Mechanical Code and National Electrical Code. All required permits shall be obtained prior to commencement of the construction.
- 7. Prior to the issuance of any building, mechanical and/or electrical permits, architectural drawings and structural design plans shall be submitted to the City of Newport Beach for review and approval by the applicable departments. A copy of this approval letter shall be incorporated into the drawings approved for the issuance of permits.
- 8. All four proposed antennas shall be painted to match the color of the wall upon which they are mounted.
- 9. All coax cables that are attached to the building walls shall be screened with a cable cover and painted to match the building.
- 10. Appropriate information and barriers such as warning signs, plates, or locks shall be posted or implemented at the access locations and at each transmitting antenna as recommended in Section 1.3 of the RF Site Compliance Report dated January 6, 2011, prepared by Site Safe RF Compliance Experts. In addition, contact information (e.g. a telephone number) shall be provided on the warning signs or plates to arrange for access to the roof top area. The location of

- the information warning signs, plates, or locks shall be depicted on the plans submitted for construction permits.
- 11. No advertising signage or identifying logos shall be displayed on the telecom facility except for small identification, address, warning and similar information plates. A detail of the information plates depicting the language on the plate shall be included in the plans submitted for issuance of building permits.
- 12. The facility shall transmit at a frequency range of 880-895; 1965-1985; 698-710; and 728-740 MHz, and shall receive at a frequency range of 835-850; 1885-1905; 728-740; and 776-787 MHz. Any change or alteration to the frequency range shall require the prior review and approval of the Planning Director.
- 13. The applicant recognizes that the frequencies used by the cellular facility located at 3355 Via Lido are extremely close to the frequencies used by the City of Newport Beach for public safety. This proximity will require extraordinary "comprehensive advanced planning and frequency coordination" engineering measures to prevent interference, especially in the choice of frequencies and radio ancillary hardware. This is encouraged in the "Best Practices Guide" published by the Association of Public-safety Communications Officials-International, Inc. (APCO), and as endorsed by the Federal Communications Commission (FCC).
- 14. The applicant shall not prevent the City of Newport Beach from having adequate spectrum capacity on the City's 800 MHz radio frequencies at any time.
- 15. Should it be determined that the telecom facility approved by this permit causes interference with the City's Public Safety radio equipment, use of the facility shall be suspended and Verizon shall work with the affected Department to correct the interference within two hours of the City's written or telephone notice to Verizon until the radio frequency is corrected and verification of the compliance is reported. If Verizon is unable to correct interference to the City's satisfaction, use of the facility shall remain suspended until they are able to do so.
- 16. Within 30 days after installation of the telecom facility, a radio frequency (RF) compliance and radiation report prepared by a qualified RF engineer acceptable to the City shall be submitted in order to demonstrate that the facility is operating at the approved frequency and complies with FCC standards for radiation. If the report shows that the facility does not so comply, the use of the facility shall be suspended until the facility is modified to comply and a new report has been submitted confirming such compliance.
- 17. The applicant shall provide a "single point of contact" in its Engineering and Maintenance Departments that is monitored 24 hours per day to insure continuity on all interference issues, and to which interference problems may be reported. The name, telephone number, fax number and e-mail address of that person shall be provided to the Planning Department and Newport Beach Police Department's Support Services Commander prior to activation of the facility.

- 18. Prior to issuance of building permits, a deposit of \$1,000 shall be paid to the City of Newport Beach. This deposit is required by the Planning Department to ensure preparation and submittal of the RF Compliance and Radiation Report, referenced in the above Condition. The deposit will be used to defray any and all fees associated with review of the report by an independent technical consultant, pursuant to Section 15.70.070 B-10 of the Telecom Ordinance. Any unused deposit fees will be refunded to the applicant upon determination of compliance with the approved frequency and FCC standards.
- 19. The applicant shall insure that lessee or other user(s) shall comply with the terms and conditions of this permit, and shall be responsible for the failure of any lessee or other users under the control of the applicant to comply.
- 20. 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 the applicant, current property owner or leasing agent.
- 21. The telecom facility approved by the permit shall comply with any easements, covenants, conditions or restrictions on the underlying real property upon which the facility is located.
- 22. The telecom facility shall not be lighted except as deemed necessary by the Newport Beach Police Department for security lighting. The night lighting shall be at the lowest intensity necessary for that purpose and such lighting shall be shielded so that direct rays do not shine on nearby properties. Prior to the final of building permits, the applicant shall schedule an evening inspection by the Code Enforcement Division to confirm compliance with this condition.
- 23. The operator of the telecom facility shall maintain the facility in a manner consistent with the original approval of the facility.
- 24. The City reserves the right and jurisdiction to review and modify any telecom permit approved pursuant to Chapter 15.70 of the Newport Beach Municipal Code, including the conditions of approval, based on changed circumstances. The operator shall notify the Planning Department of any proposal to change the height or size of the facility; increase the size, shape or number of antennas; change the facility's color or materials or location on the site; or increase the signal output above the maximum permissible exposure (MPE) limits imposed by the radio frequency emissions guidelines of the FCC. Any changed circumstance shall require the operator to apply for a modification of the original telecom permit and obtain the modified telecom permit prior to implementing any change.
- 25. This telecom permit may be modified or revoked by the City Council should they determine that the facility or operator has violated any law regulating the telecom facility or has failed to comply with the requirements of Chapter 15.70 of the NBMC, or this telecom permit.

Any operator who intends to abandon or discontinue use of a telecom facility 26. must notify the Planning Director by certified mail no less than 30 days prior to such action. The operator or property owner shall have 90 days from the date of abandonment or discontinuance to reactivate use of the facility, transfer the rights to use the facility to another operator, or remove the telecom facility and restore the site.



CONSTRUCTION DATA:

JURISDICTION

AREA OF IMPROVEMENT (NEW TOTAL LEASE AREA): CONSTRUCTION TYPE: OCCUPANCY CLASSIFICATION:

(25'-5" x 18'-10") 479 SQ. FT.

2010 BUILDING STANDARDS ADMINISTRATIVE CODE

2010 CALIFORNIA BUILDING CODE (C.B.C.) PART 2, TITLE 24, C.C.R.

2007 CALIFORNIA ELECTRICAL CODE (C.E.C.)

2007 CALIFORNIA MECHANICAL CODE (C.M.C.)

2007 CALIFORNIA PLUMBING CODE (C.P.C.)

2007 TITLE 19 C.C.R., PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS

AND ALL APPLICABLE CODES, LOCAL, CURRENT OSHA LAWS, T-24 ENERGY CONSERVATION, LISTS OF STANDARDS, AND DISABLED ACCESS REGULATIONS WHERE REQUIRED.

2007 CALIFORNIA FIRE CODE (C.F.C.)

PART 4, TITLE 24, C.C.R.

RM (MULTIPLE UNIT RESIDENTIAL) CITY OF NEWPORT BEACH

PROPRIETARY INFORMATION

NOT FOR USE OR DISCLOSURE OUTSIDE VERIZON WIRELESS EXCEPT UNDER WRITTEN AGREEMENT



SITE NAME: Newport Bay Relo

3355 VIA LIDO NEWPORT BEACH, CA 92633

NORTH

LEGAL DESCRIPTION

COORDINATES: 4

NAD 1983 GEODETIC COORDINATES AND ELEVATIONS WERE ESTABLISHED USING SURVEY GRADE "ASHTECH" G.P.S. RECEIVERS AND ASHTECH SURVEY GRADE PRECISION SOFTWARE

ORANGE COUNTY A.P.N. 423-112-03

0.80± ACRES PER ORANGE COUNTY ASSESSOR

LEGAL DESCRIPTION:

LOT 5 AND THOSE PORTIONS OF LOT 4 AND ALLEY OF TRACT NO. 1117, IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON MAP OF SAID TRACT, RECORDED IN BOOK 35 PAGE 48 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

THIS VICINITY MAP NOT TO SCAL SHEET INDEX VICINITY MAP PROJECT TEAM APPLICANT: VERIZON WIRELESS

15505 SAND CANYON AVE BUILDING D. FIRST FLOOR APPLICANT'S AGENT:

PLANCOM 250 EL CAMINO REAL TUSTIN, CALIFORNIA 92780

ARCHITECT: DERRA DESIGN, INC 250 EL CAMINO REAL, #216 TUSTIN, CA. 92780

APPROVALS

APPROVED BY

RF ENGINEER

SITE ACQ.

PM

COMMENTS:

MARSHALL PROPERTY & DEVELOPMENT CONTACT: MATT MONTGOMERY

DATE

INITIALS COMMENTS

BERT HAZE & ASSOC., INC. 3188 AIRWAY AVF., SUITE K1 COSTA MESA, CA. 92626

STRUCTURAL ENGINEER SHUCRI "CHUCK" YAGHI, P.E. 112 F. CHAPMAN AVE., SUITE D. ORANGE, CA. 92866 714-997-9120 CONTACT: CHUCK YAGHI, P.E

ELECTRICAL ENGINEER CD DESIGN GROUP
P.O. Box 11704
NEWPORT BEACH, CA 92658-1704 CONTACT: CHRIS KARJALA

MECHANICAL ENGINEER BPA, INC. 3 PETERS CANYON, STE. 100 IRVINE, CA 92606 PH: (949) 417-3900 CONTACT: ABBY BANERJEE

SHEET NUMBER	DESCRIPTION
T-1	TITLE SHEET
T-2	GENERAL NOTES
LS-1	TOPOGRAPHIC SURVEY
LS-2	TOPOGRAPHIC SURVEY
A-1	SITE PLAN
A-2.0	ROOF PLAN / ANTENNA SECTOR PLANS
A-2.1	EQUIPMENT ROOM PLANS
A-3	ELEVATIONS
A-4	ELEVATIONS
A-5	DETAILS

THE MAXIMUM NUMBER OF DIRECTIONAL CELLULAR ANTENNAS TO BE LOCATED IS THREE (3)

THE MAXIMUM NUMBER OF MICROWAVE ANTENNAS TO BE LOCATED IS ONE (1)

THE MAXIMUM NUMBER OF GPS ANTENNAS TO BE LOCATED IS ONE (1)

THE SIZE, HEIGHT, DIRECTION AND LOCATION OF ANTENNAS SHALL BE ADJUSTED TO MEET SYSTEM REQUIREMENTS AS NEEDED

ALL ITEMS, WHETHER EXISTING OR NEW, WHICH ARE WITHIN THE VERIZON WIRELESS LEASE AREA ARE TO BE APPROVED

SPECIAL INSPECTIONS

SPECIAL INSPECTION IS REQUIRED FOR THE WORK EPOXY BOLTS

NOTES

wireles **Verizon**

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REL(3355 VIA LIDO NEWPORT BEACH, CA TITLE SHEET CONSTRUCTION DOC ВАҮ WPORT

GENERAL NOTES REMODELING NOTES 7. DOWEL NEW INTO EXISTING SLABS W/#4 REBAR © 24" O.C. AND FOOTINGS W/DOWELS TO MATCH NEW REINF. SIZE/LOCATION. ENGINEERING NOTES JOB NO. SQ~3728~01 DATED DEC. 8, 2006 CONCRETE REINFORCING STEEL

1. EXCEPT WHERE MORE STRINGENT REQUIREMENTS ARE NOTED OR SHOWN ON THE PLANS, WORKMANSHIP & WATERIALS SHALL CONFORM TO THE LATEST EDITION OF THE CARE, LABL. OR LOCAL CODE

- 3. WORKING DIMENSIONS SHALL NOT BE SCALED FROM DRAWINGS.
- 4. ITEMS IDENTIFIED BY TRADE NAVES MAY BE SUBSTITUTED BY APPROVED EQUALS.
- 5. NOTES & DETAILS ON DRAWINGS SHALL PRECEDE THESE GENERAL NOTES

PROVIDE RED HEADS INTO EXISTING CONCRETE AT ALL SHEAR WALLS PER MFG. SPECIFICATIONS. SEE SHEAR WALL SCHEDULE FOR SIZE AND SPACING. 3. FROMDE SIMPSON ST-6224 BETWEEN NEW WALLS AND EXISTING WALLS AT THE DOUBLE TOP PLATE.

4. THE CONTRACTOR SHALL LOCATE ALL EXISTING LITUITIES WHETHER OR NOT SHOWN ON DRAWINGS AND PROTECT THEM FROM DAMAGE.

5. DO NOT CUT FOST TENSION SLABS, CONTRACTOR TO DETERMINE EXISTING CONDITIONS PRIOR TO START OF CONSTRUCTION.

THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS FOR FOOTINGS, BEAVS AND JOISTS, SIZES LOCATIONS ETC. AND SHALL NOTIFY THE ARCHITECT & ENGINEER OF ANY DISCREPANICES.

1, CONCRETE SLABS ON GRADE HAVE NOT BEEN DESIGNED BY THE STRUCTURAL ENGINEER.

2. THE VIERATIONAL EFFECTS OF MECHANICAL EQUIPMENT HAVE NOT BEEN CONSIDERED BY THE STRUCTURAL ENGINEER.

3. THE DESIGN, ACCOUNT WIS SWITTY OF EXECUTION, BRIGING SHERRING, ITEMPORARY SUPPORTS TICK. IS THE SOLD RESOURCED FOR THE OFFICE PROPERTY OF THE CONTRACTOR AS RESPONSIBLE FOR STREET, BY EXTRACTIONAL ENGAGERS, THE CONTRACTOR IS RESPONSIBLE FOR EXTRACTOR THE STREET, OF THE STREET, THE STREET OF THE STREET, THE STREET OF THE STREET, THE STREET OF CONSTRUCTION, THE ENGINEER SHALL NOT BE HELD RESPONSIBLE FOR FILLD RESPO

4. ALLOWABLE SOILS PRESSURE TO BE A MIRMUM OF 1500 PSF UNLESS A SOILS REPORT IS PROVIDED, SOILS IN THE BUILDING AREA & 5 FEET BEYOND SHALL BE COMPACIED TO A MIRMUM OF 930 RELAINE COMPACIED TO PER IBLG.

SOILS REPORT BY: GEOTECHNICAL SOLUTIONS INC.

STRUCTURAL SYMBOLS

INDICATES SHEAR WALL TYPE & LENGTH, SEE FOUNDATION & OR FRAMING PILM AND SHEAR WALL SCHEDULE FOR TYPE, SILL BOLTING, SHIG., ETC., NOTE: FOR SILL BOLTING, TEXTING FOOTINGS USE "RED HEAD WEDGE ALKOHOSE" (CC) ER-1372 THE SAME SIZE & SPACING AS SILL BOLTING (MIN 7 1/2" EWBED).

SEE HOLDOWN DETAILS AND TYPICAL WALL FRAMING FOR FURTHER POST SIZE REQUIREMENTS

POSTS ARE TO CONTINUE DOWN TO FOUNDATION.

FOUNDATION NOTES

1. SO'L BENEATH FOOTINGS AND SLABS SHALL GE COMPACTED PER I.B.C. (90%) RELATIVE COMPACTION MINIMUM.

THE SOILS ENGINEER SHALL INSPECT THE FOUNDATION FRICK TO POURING OF CONCRETE AND SHALL VERRY THE SOIL BEARING PRESSURE TO BE 1500 PSF MITH OR PER THE SOILS REPORT.

3. SLAB ON GRADE: 5 INCH. CONCRETE SLAB WITH #4 to 12" O/C E.W. & CENTER OF SLAB OVER 2 INCH. OF SAND OVER 10 MIL. VISQUEEN OVER COMPACTED SOLS

4. NO TRENCHES OR EXCAVATIONS FIVE FEET IN DEPTH OR GREATER INTO WHICH A PERSON SHALL BE REQUIRED TO DESCEND SHALL BE MADE WITHOUT PROPER PERMIT.

5. THE VINNUM BOLTING FOR SILL FLATCS TO FOUNDATION SHALL BE AS FOLICWS: 5/8" DAMETER ANCHOR BOLTS WITH 7" JUNI EVEROUENT IN CONCRETE WITH ASSACIAGE HOW GEARDOR THAN 1 FEET OLC. HOR TURTHER THAN 12" FROM CORNERS (UNI 2 BOLTS FER PECT). SEE THE FOUNDATION PLAN & SHEAR WALL SCHEDULE FOR FURTHER BOLTING EQUIPMENTS

PIPES OR DUCIS THAT EXCEED ONE THIRD THE SLAB OR CONC. WALL THICKNESS SHALL NOT BE PLACED IN STRUCTURAL CONC. UNLESS SPECIFICALLY DETAILED. SEE MECHANICAL AND/OR ELECTRICAL DRAWINGS FOR LOCATION OF SLEEVES, ACCESSORIES, ETC.

7. PIPES VAY PASS THRU STRUCTURAL CONG. IN SLEEVES, BUT SHALL NOT BE EMBEDDED THEREIN.

8. PROVIDE 3/4" CHAMFERS AT ALL EXPOSED CORNERS

9. SEE ARCHITECTURAL PLANS FOR WOLDS, GROOVES, ORNAVENTS CLIPS OR GROUNDS REQUIRED TO BE CAST IN CONCRETE, AND FOR LOCATIONS OF FLOOR FINISHES AND SLAB DEPRESSIONS. 10, LOCATION OF POUR JOINTS SHALL BE APPROVED BY THE STRUCTURAL ENGINEER.

1. UNLESS OTHERWISE NOTED ON PLANS CONCRETE SHALL BE TIPE V WITH A MINIMUM COMPRESSIVE STRENGTH OF 2500 PSI IN 28 DAYS, CEVENT SHALL CONFORM TO A.S.T.W. CX-150 FIRE & COURSE AGGREGATE SHALL CONFORM TO A.S.T.W. C33.

1. REINFORCHIG STEEL, #3 AND #4 GRADE 40, #5 AND LARGER GRADE 60 PER A.S.T.M. A615.

2. LOW HYDROGEN WELDING RODS SHALL BE USED FOR ALL WELDING OF REINFORCING BARS.

3, EARS NOTED AS "CONT "TYPICAL WALL REINFORCING AND VERTICAL COLUMN REINFORCING SHALL HAVE A MINIMUM SPLICE OF 50 BAR DIAMETERS LAP IN MASONRY OR 40 BAR DAWLETERS WINIMUM HI CONCRETE. 4. REINFORCING SHALL BE SPLICED ONLY AS SHOWN OR NOTED. OTHER SPLICES SHALL BE APPROVED BY THE STRUCURAL ENGINEER.

5. SPLICES IN ADJACENT HORIZONTAL WALL REINFORCING BARS SHALL BE STAGGERED 4 FEET UNLESS OTHER WISE MOTED.

7. ALL REINFORCING, ANCHOR BOLTS, AND OTHER INSERTS SHALL BE SECURED IN PLACE PRIOR TO PLACMENT OF CONCRETE OR GROUTING OF MASONRY.

9. NUMBER 5 OR LARGER REINFORCING BARS SHALL NOT BE RE-BENT WITHOUT APPROVAL OF THE STRUCTURAL ENGINEER.

STRUCTURAL STEEL

STRUCTURAL STEEL SHALL CONFORM TO STANDARD SPECIFICATION FOR STRUCTURAL STEEL FOR BRIDGES OR BUILDINGS A.S.T.W. AS72 GRADE 50 OR DUAL GRADE STEEL

2. FABRICATION SHALL COMPLY WITH THE LATEST AUS.C. SPECS. 3. ALL BOLTS FOR STEEL MEMBERS SHALL CONFORM TO A.S.T.V. A-307 UNLESS OTHERWISE NOTED.

4. High tensile Bolts where indicated on the plans or details shall be the friction type and there shall be. No paint, oil laquer or galvanzing between the contact. Surfaces, high tensile Bolts Shall conform to AST.W. A-325 or A-490.

5. PIPE COLUMNS SHALL CONFORM TO A.S.T.M. A-53 GRADE B 6, STEEL TUBE SHAPED MEMBERS SHALL CONFORM TO A.S.I.M. A-SO! OR A-500 GRADE B.

7. WHERE FINISH IS ATTACHED TO STRUCTURAL STEEL, PROVIDE HOLES FOR $1/2^{\circ}$ 0 WELDED STUDS AT 4 FEET O.C. FOR THE ATTACHMENT OF NALERS. SEE ARHITECTURAL DRAWINGS FOR FINISHES.

8. BEAM CONNECTIONS SHALL COMPLY WITH "FRAMED BEAM CONNECTIONS" ALS.C. PART 4, TABLE 1, USING 3/4" DIA. A307 BOLTS (M.B.). 9. OPEN WEB JOISTS SMALL COMPLY WITH THE STANDARDS OF "THE STEEL JOIST MASTRICE"

STRUCT, STEEL WELDING

 WELDING SHALL BE DONE BY THE ELECTRIC SHIELDED ARC PROCESS AND SHALL COMPLY WITH A.W.S. SPECIFICATIONS FOR WELDING AND FABRICATION. 2. WELDING SHALL BE PERFORMED BY CERTIFIED WELDERS WHO ARE APPROVED BY THE LOCAL AUTHORITY.

3. ALL FIELD WELDS SHALL HAVE CONTINUOUS INSPECTION PER 8C (1704.3.1) UNIESS OTHERWISE NOTED.

4. ALL BUTT WELDS SHALL BE FULL PENETRATION U.N.O.

5. A CERTIFICATE OF FABRICATION FROM THE SHOP PERFORMING WELDING OR A REPORT FROM THE SPECIAL INSPECTOR MUST BE FURNISHED TO THE JOB INSPECTOR PROR TO FRAMING APPROXIAL. 6. USE E7018 ELECTRODE W/201-# TOUGHNESS FACTOR.

GRADING NOTES

1, A GRADING PERMIT SHALL BE OBTAINED PRIOR TO ANY GRADING. 2. ALL FILL ONE FOOT & GREATER SHALL BE CERTIFIED AND TESTED AS TO RELATIVE COMPACTION PER U.B.C.

3. ALL FILL SHALL BE COMPACTED IN ACCORDANCE WITH CHAPTER 18 SECTION 1803 OF THE LATEST ADOPTED EDITION OF THE LB.C. 4. ALL UTILITY TRENCH BACKFILLS SHALL BE IN ACCORDANCE WITH THE SOLS FROMER'S RECOMMENDATIONS.

1. MIN-MUM GRADIENTS ARE AS FOLLOWS: EARTH= 1% PAVING=.5% 2, POSITIVE DRAINAGE AWAY FROM STRUCTURES SHALL BE AS FOLLOWS: 2% MIN TO 21% MAX SWALES TO BE 3 FEET MIN AWAY FROM STRUCTURES.

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SYMBOLS

(LETTER)

CONSTRUCTION NOTES

- HOURS OF WORK: CONTRACTOR TO OBSERVE BUSINESS HOURS OF 8 A.M. TO 6 P.M., M F. ANY OTHER SPECIAL OR EXTENDED HOURS TO BE APPROVED BY OWNER REPRESENTATIVE. VERIEY LOCAL CODES AND ORDANCES FOR WORKING OUTSIDE OF SPECIFIED TIMES.
- STAGING/LOADING AREA: ALL WORK WILST BE ARRANGED TO AVOID INTERFERING WITH EXISTING TRAFFIC (PEDESTRIAN & MOTOR) AND BUSINESS. ALL EQUIPMENT & MATERIALS MUST BE STORED IN NEW EQUIPMENT ROOM ONLY, UNLESS PRIOR AGREEMENT IS MADE BETWEEN VERIZON WIRELESS
- CONTRACTOR SHALL READ, UNDERSTAND, & ADHERE TO ALL NOTES ON THESE DRAWINGS & ALL NOTES THROUGHOUT THIS SET OF CONSTRUCTION DOCUMENTS. ANY REQUIRED CHANGES AND/OR ADJUSTMENTS MUST BE MADE WITH THE PRIOR APPROVAL OF THE VERIZON WIRELESS PROJECT MANAGER AND THE ARCHITECT OR ENGINEER OF RECORD.
- PROTECT ALL SURFACES & MATERIALS IN AND ADJACENT TO EQUIPMENT ROOM. ALSO PROTECT, PRESERVE AND CLEAN ALL AREAS; INCLUSIVE OF PATHS OF TRAVEL, IN AND BETWEEN ALL AREAS
- 5. CONTRACTOR TO MAKE APPOINTMENT WITH BUILDING OWNER REPRESENTATIVE PRIOR TO ANY X-RAY & CORE DRILLING THAT MAY AFFECT OTHER TENANTS.

PROPERTY LINE DIMENSION LINE

& CENTERLINE

COLUMN LINE/

SECTION CUT

REVISION

ROOM NUMBER

- WINDOW NUMBER

FLOOR PLAN NOTE

-- DOOR NUMBER

WALL TYPE

LETTERS IN ONE DIRECTION NUMBER IN THE OTHER DIRECTION

SHEET WHERE SECTION IS DRAWN

SHEET WHERE DETAIL IS DRAWN

REVISION NUMBER WITH CLOUD AROUND REVISED AREA

WORK POINT, DATUM, POINT, OR CONTROL POINT

DETAIL REFERENCE

GRID LINE

A&C RE RF INT EE OPS



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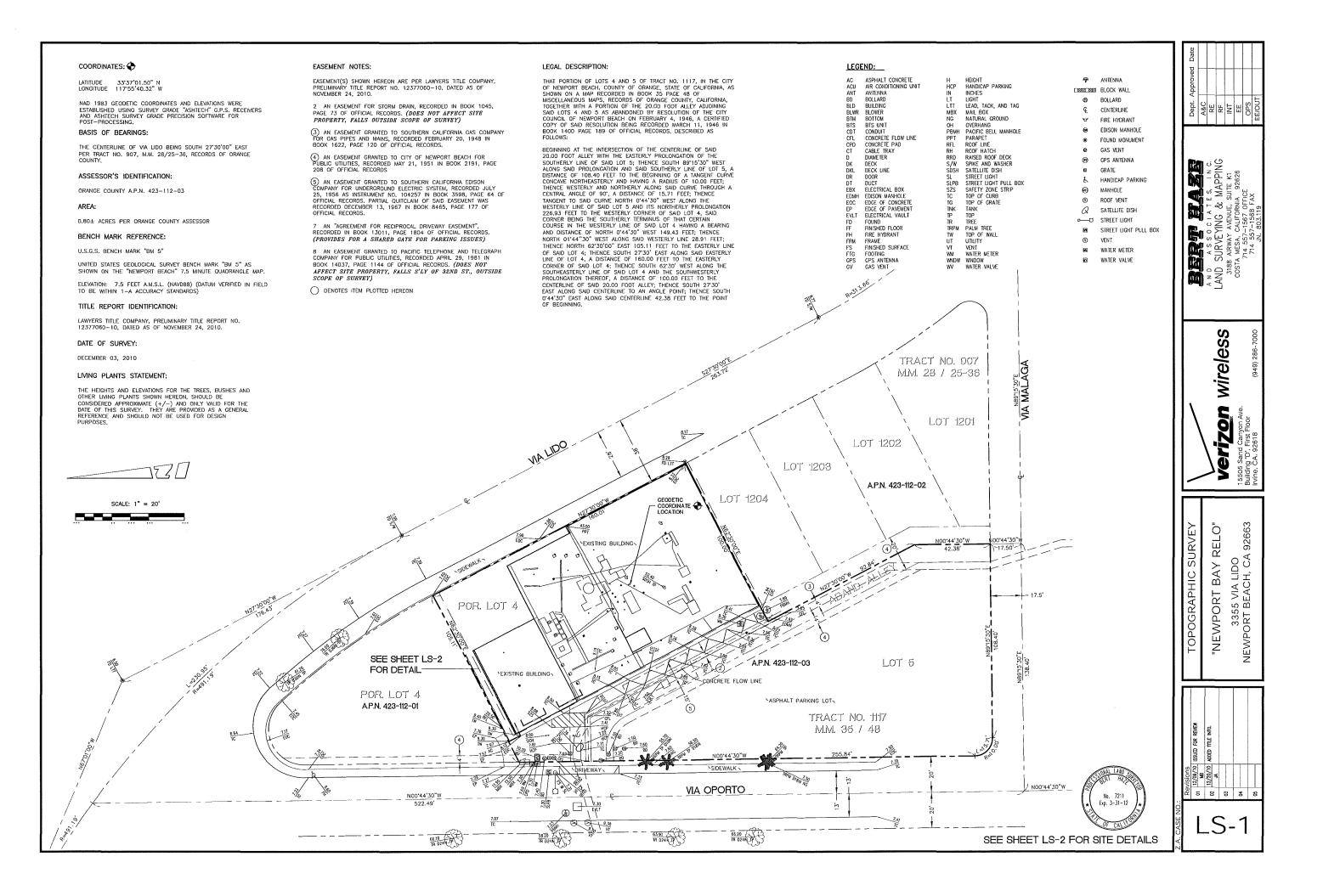
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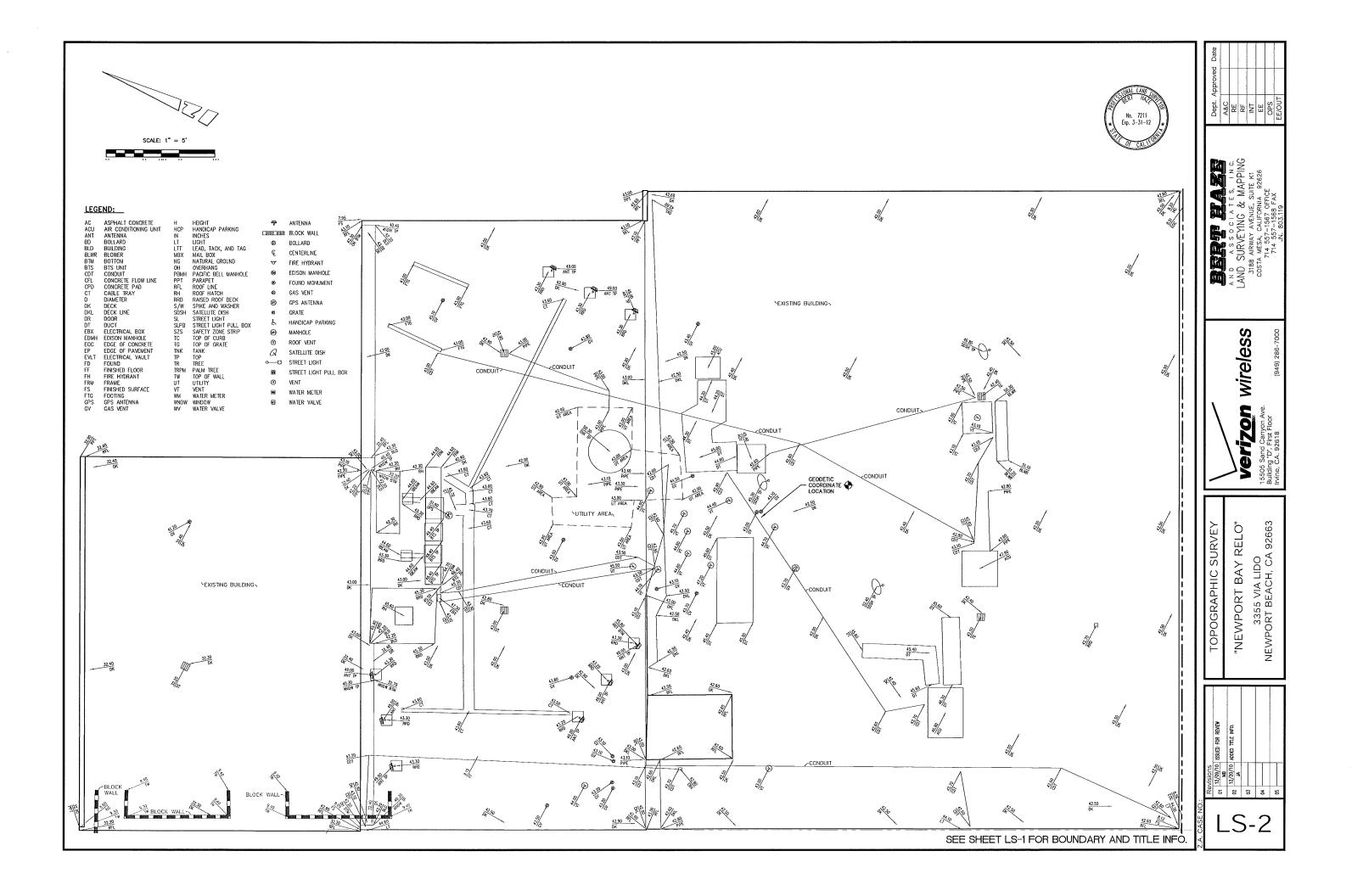
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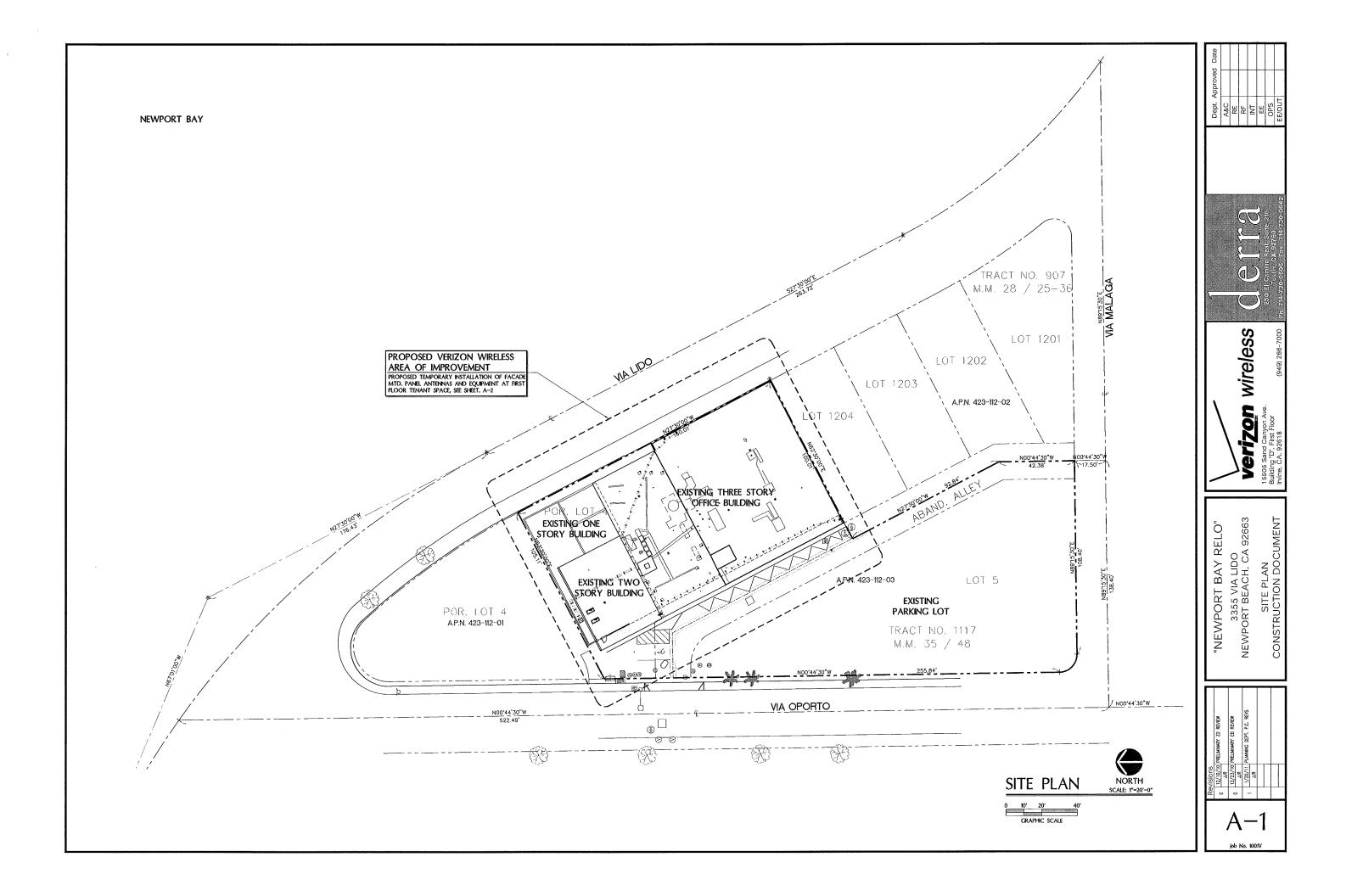
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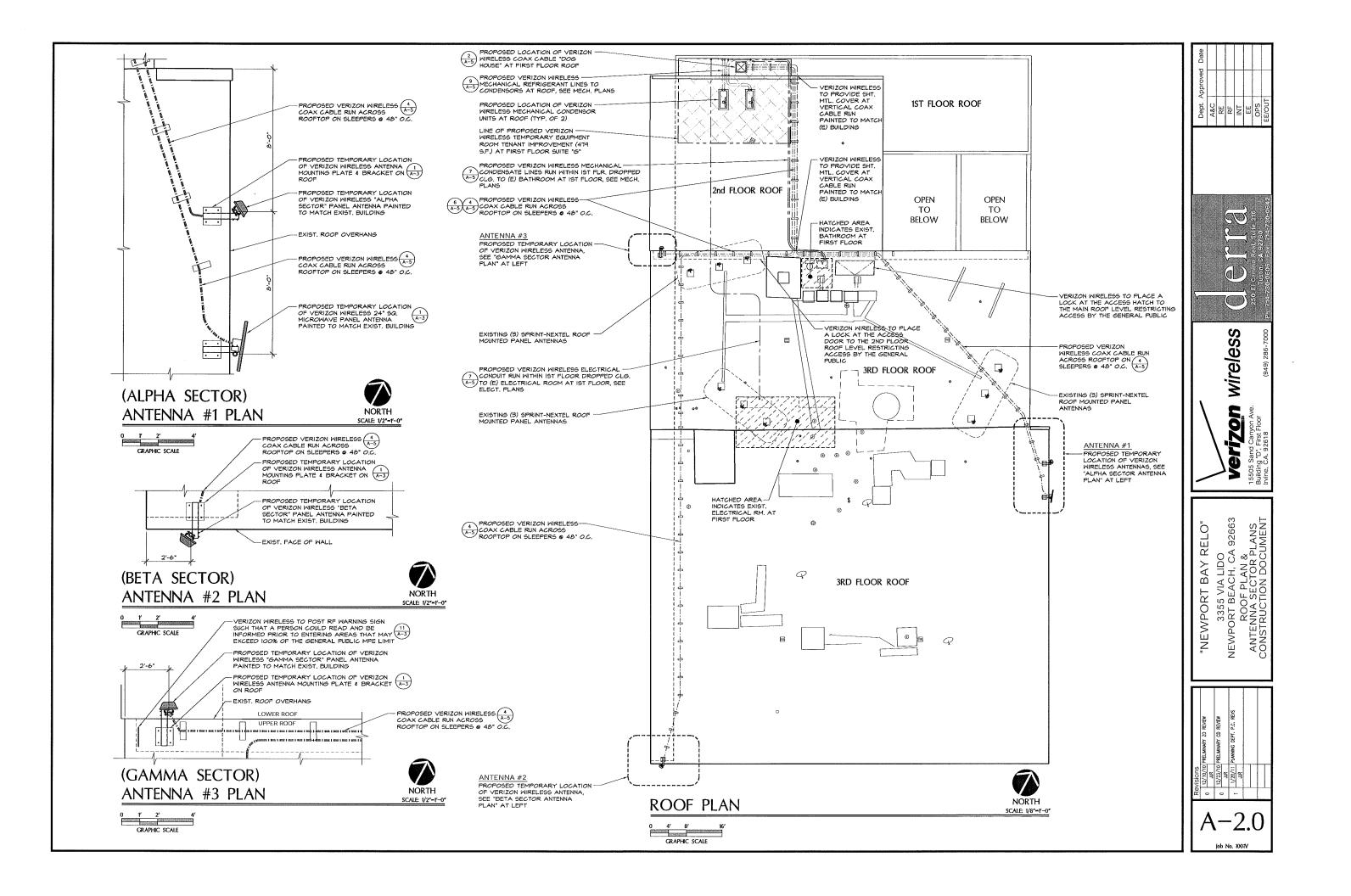
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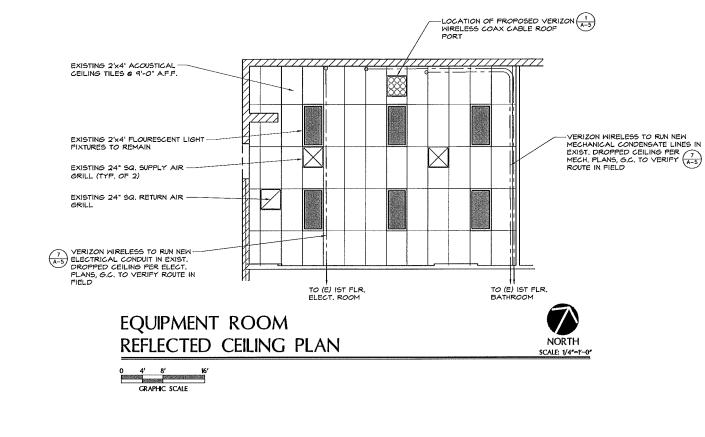
STRUCTURAL GENERAL NOTES

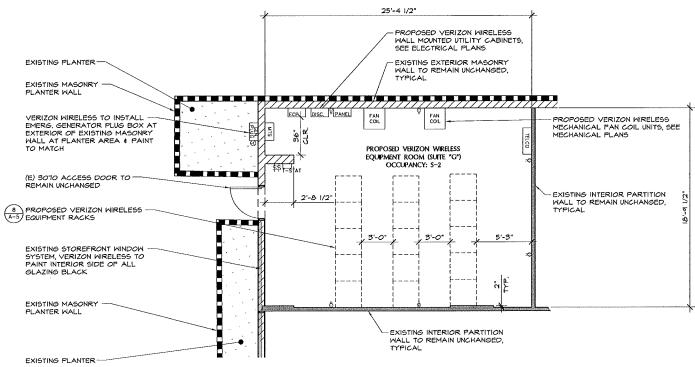












EQUIPMENT ROOM FLOOR PLAN



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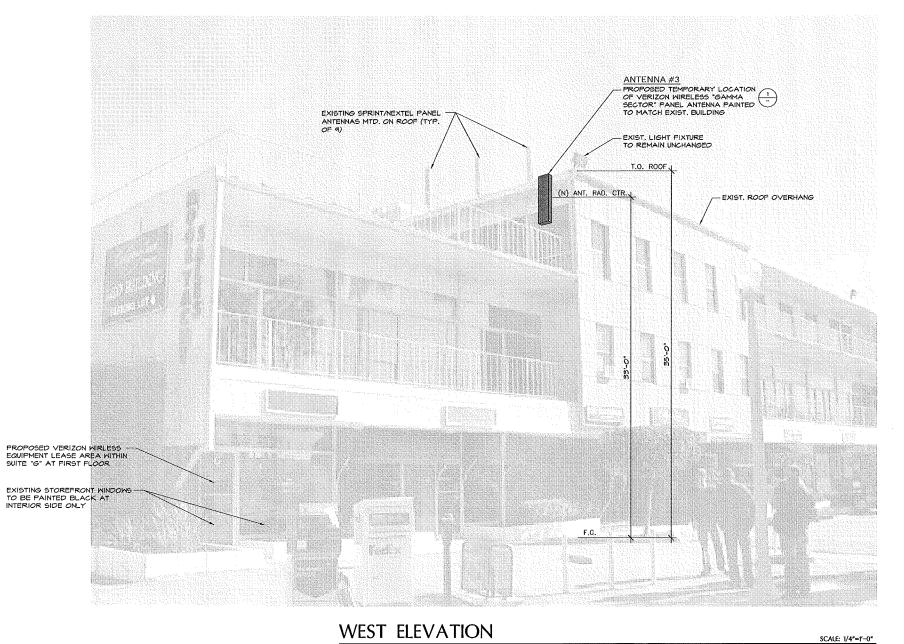
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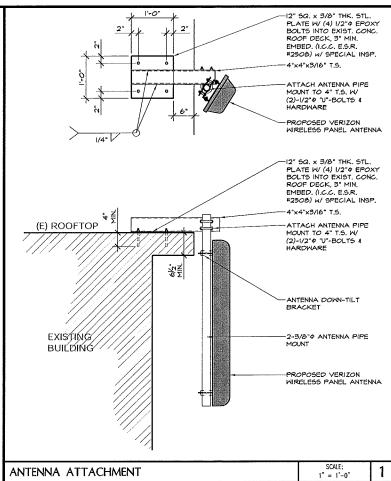
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٠	12/10/10 PRELIMINARY ZD REVIEW	NARY ZD REVIEW
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NORTH SCALE: 1/4"≈1'-0"

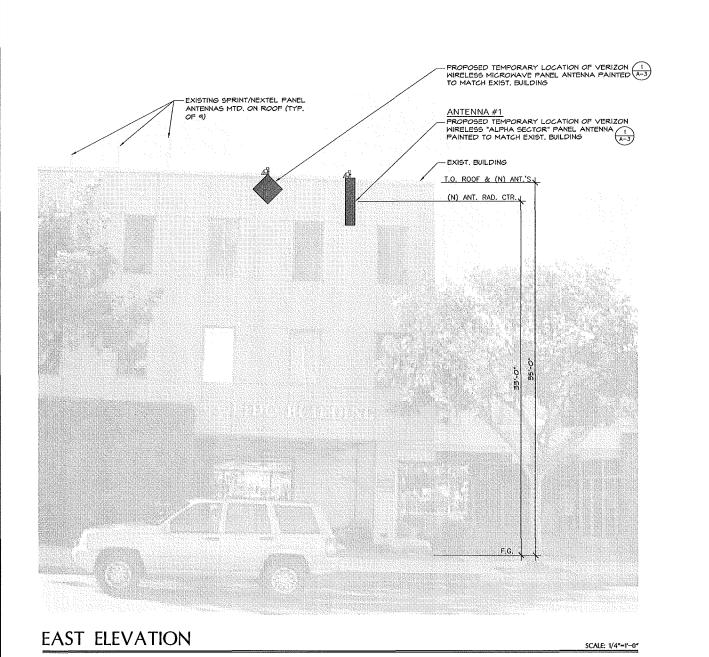


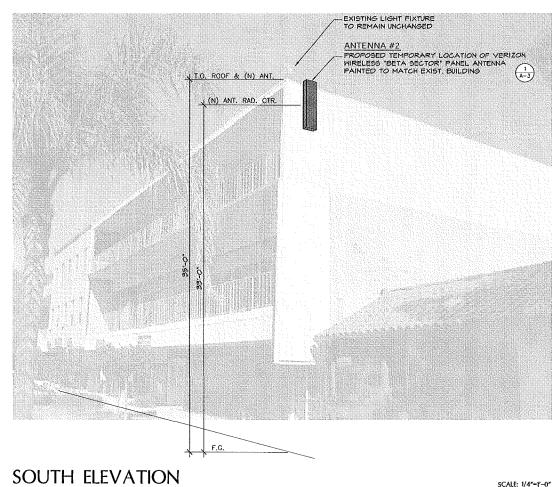




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SCALE: 1/4"=1'-0"

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"NEWPORT BAY RELO" 3355 VIA LIDO NEWPORT BEACH, CA 92663 ELEVATIONS CONSTRUCTION DOCUMENT

Job No. 1001V

