

**CITY OF NEWPORT BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION ACTION REPORT**

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION
FROM: Kimberly Brandt, AICP, Community Development Director
SUBJECT: Report of actions taken by the Zoning Administrator, Planning Director and/or Planning Department staff for the week ending May 27, 2011

ACTIONS TAKEN AT MAY 25, 2011 ZONING ADMINISTRATOR HEARING

- Item 1: Westcliff Plaza Pylon Signs - Modification Permit No. MD2011-006 (PA2011-050)
1016 – 1150 Irvine Avenue

This item was continued to the June 15, 2011 Council District 3
Zoning Administrator Hearing.
- Item 2: Palmer Residence – Parcel Map No. NP2011-005 (PA2011-067)
320 and 320 ½ Larkspur Avenue

This item was approved. Council District 6
- Item 3: Whimsical Italian Gelato – Minor Use Permit No. UP2011-015 (PA2011-090)
3109 Newport Boulevard

This item was approved. Council District 1
- Item 4: Whitacre Residence – Minor Use Permit No. UP2010-021, Modification Permit No. MD2010-027, and Lot Merger No. LM2010-007 (PA2010-105 and PA2010-174)
101 15th Street

This item was approved. Council District 1

ACTIONS TAKEN BY THE PLANNING DIRECTOR OR PLANNING DEPARTMENT STAFF

- Item 5: Alternative Setback Determination – Staff Approval No. SA2011-011 (PA2011-104)
411 Begonia Avenue

This item was approved on May 27, 2011 Council District 6

On behalf of Kimberly Brandt, AICP, Community Development Director



James W. Campbell, Principal Planner

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 Dana Smith, Assistant City Manager
Leonie Mulvihill, Assistant City Attorney
David Keely, Public Works Senior Civil Engineer
Code Enforcement Division



COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
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ZONING ADMINISTRATOR ACTION LETTER

Application No. **Tentative Parcel Map No. NP2011-005 (PA2011-067)**
County Tentative Parcel Map No. 2011-112

Applicant **Nicholson Construction**

Site Address **320 and 320 ½ Larkspur Avenue**
Palmer Residence Parcel Map

Legal Description **The northeasterly 12 ½ feet of lot 20 and all of lot 22 in block 238, of Corona del Mar, in the City of Newport Beach, County of Orange, State of California, as per map recorded in book 3, pages 41 and 42 of maps, in the office of the county recorder of said County.**

On **May 25, 2011**, the Zoning Administrator approved the following: A parcel map for condominium purposes for a new, two-unit residential development. No modifications or waivers of Title 19 (Subdivision Code) development standards are proposed with this application. The property is located in the R-2 (Two-Family Residential) Zoning District.

FINDINGS

The Zoning Administrator determined in this case that the proposed parcel map is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 of Title 19:

1. **Finding:** That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.

Facts in Support of Finding:

- The proposed Parcel Map is for two-unit condominium purposes. An existing duplex was demolished and is being replaced with a new duplex. The residential density on the site will remain the same. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the current General Plan Land Use Designation of "Two-Unit Residential".

2. **Finding:** That the site is physically suitable for the type and density of development.

Facts in Support of Finding:

- The lot is regular in shape, has a slope of less than 20 percent, and is suitable for the development of two dwelling units.

3. **Finding:** That the design of the subdivision or the proposed improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision-making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

Facts in Support of Finding:

- 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 15 (Minor Land Divisions) which allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. The proposed parcel map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

4. **Finding:** That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Facts in Support of Finding:

- The proposed parcel map is for residential condominium purposes. All construction for the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 of the Municipal Code and Section 66411 of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

5. **Finding:** That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the decision-making body may approve a map if it finds that alternate easements, for access

or for use, will be provided and that these easements will be substantially equivalent to easements previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.

Facts in Support of Finding:

- The design of the development will not conflict with any easements acquired by the public at large for access through or use of property within the proposed development as there are no public easements located on the property.

6. **Finding:** That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.

Facts in Support of Finding:

- The property is not subject to the Williamson Act since the subject property is not considered an agricultural preserve and is less than 100 acres.
- The site is located in a residentially zoned area, and the existing and proposed development on the site is a residential use.

7. **Finding:** That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (a) there is an adopted specific plan for the area to be included within the land project; and (b) the decision-making body finds that the proposed land project is consistent with the specific plan for the area.

Facts in Support of Finding:

- The property is not a "land project" as defined in Section 11000.5 of the California Business and Professions Code.
- The project is not located within a specific plan area.

8. **Finding:** That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.

Facts in Support of Finding:

- The proposed Parcel Map and improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Department enforces Title 24 compliance through the plan check and inspection process.

9. **Finding:** That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.

Facts in Support of Finding:

- The proposed Parcel Map is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need. The residential density on the site will remain the same, which allows two units in the R-2 Zoning District. Therefore, the parcel map for condominium purposes will not affect the City in meeting its regional housing need.

10. **Finding:** That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.

Facts in Support of Finding:

- Wastewater discharge into the existing sewer system will remain the same and does not violate Regional Water Quality Control Board (RWQCB) requirements.

11. **Finding:** For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.

Facts in Support of Finding:

- The subject property is located within the Coastal Zone and is consistent with the newly certified Coastal Land Use Plan.
- Coastal Commission approval is required prior to recordation.

- The subject property does not provide direct access to any beaches, shoreline, coastal waters, tidelands, coastal parks or trails.

Conditions

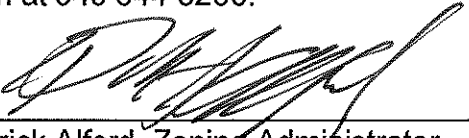
1. A parcel map shall be recorded. The map shall be prepared on the California coordinate system (NAD83). Prior to recordation of the map, the surveyor/engineer preparing the map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.**
2. Prior to recordation of the Parcel Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set **on each lot corner**, unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.
3. All applicable Public Works Department plan check fees, improvement bonds and inspection fees shall be paid prior to processing of the map by the Public Works Department.
4. Coastal Commission approval shall be obtained prior to the recordation of the Parcel Map.
5. All improvements shall be constructed as required by City Ordinance and the Public Works Department.
6. The existing broken and/or otherwise damaged concrete sidewalk panels, curbs, and gutter along the Larkspur Avenue frontage shall be reconstructed per City Standards.
7. All above ground improvements shall stay a minimum 5 feet clear of the alley.
8. Overhead utilities serving the site shall be undergrounded to the nearest appropriate pole in accordance with Section 19.28.090 of the Municipal Code unless it is determined by the City Engineer that such undergrounding is unreasonable or impractical.
9. All existing drainage facilities in the public right-of-way shall be retrofitted to comply with the City's on-site non-storm runoff retention requirements. The Public Works Inspector shall field verify compliance with this requirement prior to recordation of the parcel map.

10. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the public right-of-way fronting the development site shall be removed.
11. New sod or low groundcovers, type to be approved by the City, throughout the Larkspur Avenue parkway fronting the development site shall be installed.
12. Each unit shall be connected to its individual water meter and sewer lateral and cleanout.
13. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover.
14. Water meter and the sewer cleanout shall be located within the public right-of-way.
15. Each dwelling unit shall be served with an individual water service and sewer lateral connection to the public water and sewer systems, unless otherwise approved by the Public Works Department and the Building Department.
16. Each dwelling unit shall be served with individual gas and electrical service connection and shall maintain separate meters for the utilities.
17. All work conducted within the public right-of-way shall be approved under an encroachment permit issued by the Public Works Department.
18. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.
19. All on-site drainage shall comply with the latest City Water Quality requirements.
20. The existing city street tree along Larkspur shall be protected in place.
21. County Sanitation District fees shall be paid prior to issuance of any building permits, if required by the Public Works Department or the Building Department.
22. Arrangements shall be made with the Public Works Department in order to guarantee satisfactory completion of the public improvements if it is desired to record a parcel map or obtain a building permit prior to completion of the public improvements.
23. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L.

24. 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.
25. Two-car parking, including one enclosed garage space and one covered space, shall be provided on site for each dwelling unit per requirements of the Zoning Code.
26. In compliance with the requirements of Chapter 9.04, Section 901.4.4, of the Newport Beach Municipal Code, approved street numbers or addresses shall be placed on all new and existing buildings in such a location that is plainly visible and legible from the street or road fronting the subject property. Said numbers shall be of non-combustible materials, shall contrast with the background, and shall be either internally or externally illuminated to be visible at night. Numbers shall be no less than four inches in height with a one-inch wide stroke. The Planning Department Plan Check designee shall verify the installation of the approved street number or addresses during the plan check process for the new or remodeled structure.
27. Subsequent to recordation of the Parcel Map, the applicant shall apply for a building permit for description change of the subject project development from "duplex" to "condominium." **The development will not be condominiums until this permit is finalized.** The building permit for the new construction **shall not be finalized until after recordation of the Parcel Map.**
28. 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 320 and 320 ½ Larkspur Avenue Parcel Map for Condominiums including, but not limited to, the NP2011-005, (PA2011-067). 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.

29. This Parcel Map shall expire if the map has not been recorded within three years of the date of approval, unless an extension is granted by the Planning Director in accordance with the provisions of Section 19.16 of the Newport Beach Municipal Code.

APPEAL PERIOD: Tentative Parcel Map 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. For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

By: 
Patrick Alford, Zoning Administrator

PA/ems

Attachments:

- ZA 1 Vicinity Map
- ZA 2 Tentative Parcel Map

VICINITY MAP



Tentative Parcel Map No. NP2011-005
PA2011-067

320 and 320 1/2 Larkspur Avenue

TENTATIVE PARCEL MAP NO. 2011-112

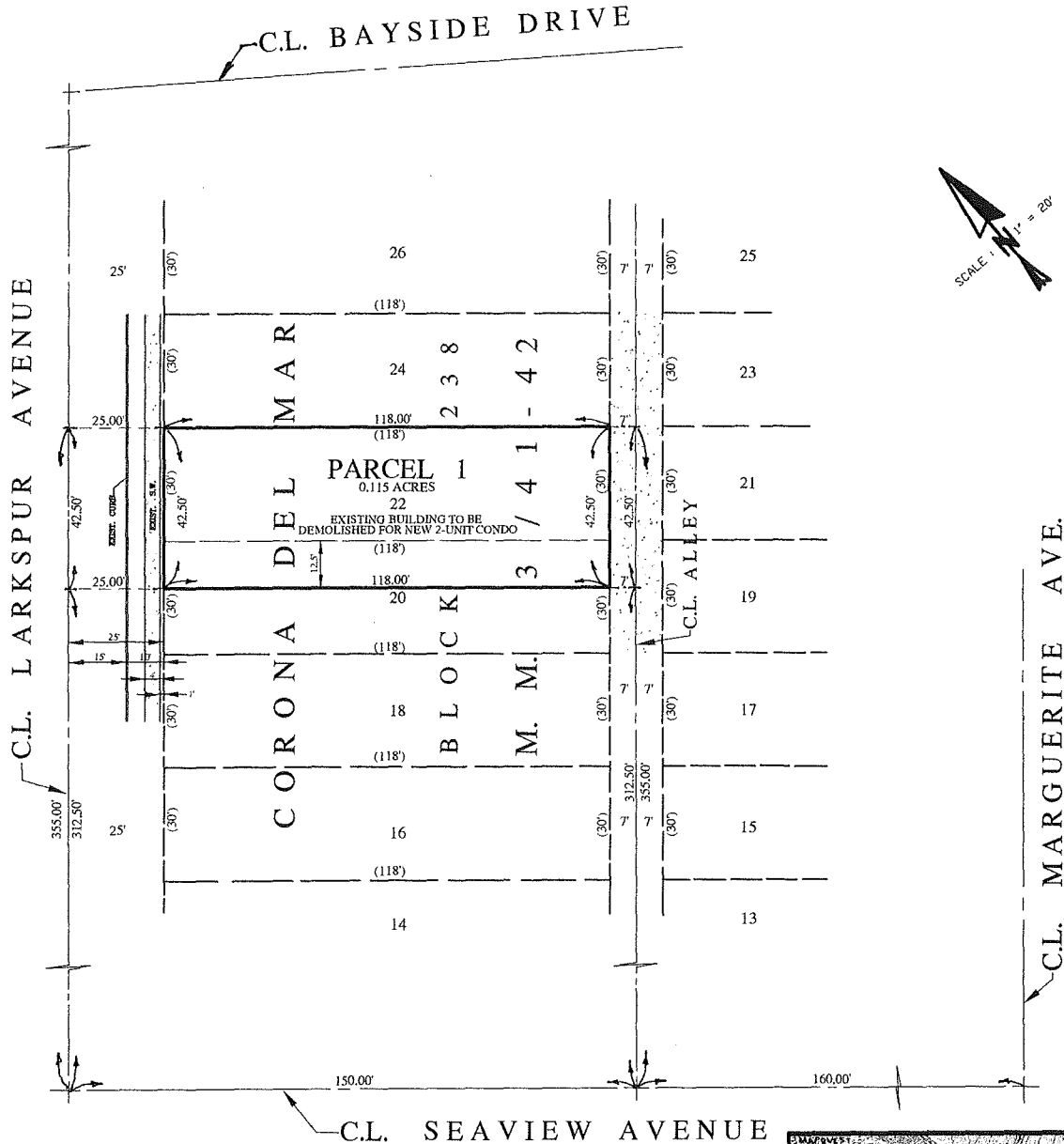
IN THE CITY OF NEWPORT BEACH, COUNTY
OF ORANGE, STATE OF CALIFORNIA.

BEING A SUBDIVISION OF THE NORTHEASTERLY 12 1/2 FEET OF LOT 20 AND ALL OF LOT 22
IN BLOCK 238 OF "CORONA DEL MAR", PER MAP RECORDED IN BOOK 3, PAGES 41 AND 42 OF
MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY.

PETE J. DUCA
R.C.E. 24668

1 PARCEL
0.115 ACRES
FOR CONDOMINIUM PURPOSES
2 UNITS

DUCA-McCOY, INC.
CIVIL ENGINEERS



PROPERTY OWNER:
NICHOLSON CONSTRUCTION COMPANY
4220 VON KARMAN AVENUE STE. 210
NEWPORT BEACH, CA 92660
(949) 756-8393

ENGINEER:
DUCA-McCOY
3840 E. COAST HIGHWAY
CORONA DEL MAR, CA 92625
(949) 675 4487

PETE J. DUCA R.C.E. 24668

Pete J. Duca 3-17-11

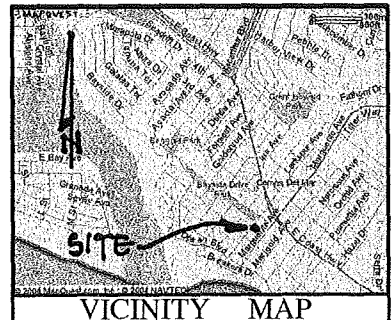
UTILITIES:

SEWER AND WATER:
CITY OF NEWPORT BEACH
3300 NEWPORT BLVD.
NEWPORT BEACH, CA 92663
(949) 644-3011

SOUTHERN CALIF. GAS. CO.
P.O. BOX 3334
ANAHEIM, CA.
(714) 835-0221

SOUTHERN CALIF. EDISON CO.
P.O. BOX 2307
SANTA ANA, CA.
(714) 835-5200

PACIFIC TELEPHONE CO.
2911 DAILMER
SANTA ANA, CA.
(714) 546-2842



TENTATIVE
PAR. MAP NO. 2011-112

PA2011-067 for NP2011-005
320 and 320 1/2 Larkspur Avenue
Nicholson Construction



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663

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ZONING ADMINISTRATOR ACTION LETTER

Application No. Minor Use Permit No. UP2011-015
(PA2011-090)

Applicant TP Designs

Site Address 3109 Newport Boulevard
Whimsical Italian Gelato

Legal Description Lots E, F, and H on Parcel Map, as per map filed in book 32, page 41 of Parcel Maps, in the office of the County Recorder in the County of Orange, together with that portion of Lake Avenue shown as Parcel "G" on said Parcel Map, vacated and abandoned by Resolution No. 1012 of the City Council of Newport Beach, recorded May 15, 1981 as Instrument No. 40308 in book 14079, page 939 of official records in the office of said County Recorder, also together with a portion of Section 28, Township 6 south, range 10 west, San Bernardino Meridian, as per Parcel Nos. 1, 2, and 3 of the official plat filed in the district land office August 4, 1980

On May 25, 2011, the Zoning Administrator approved the following: a minor use permit to allow the operation of a take-out service, limited eating and drinking establishment with six seats to occupy an existing retail space. The hours of operation are 7:00 a.m. to 11:00 p.m., daily. Alcohol sales is not permitted. The property is located in the CN (Commercial Neighborhood) District. The Zoning Administrator's approval is based on the following findings and subject to the following condition(s).

FINDINGS

1. **Finding:** This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines under Section 15301 Class 1 (Existing Structures).

Facts in Support of Finding:

- Class 1 exempts the repair, maintenance, or minor alteration of existing structures. The proposed project includes a change of the tenant and interior alterations to a suite within an existing retail building.

2. **Finding:** The use is consistent with the General Plan and any applicable specific plan.

Facts in support of finding:

- The General Plan land use designation for this site is 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 serve the needs of and maintain compatibility with residential uses in the immediate area. An eating and drinking establishment in the form of an Italian gelato shop is a consistent use within this land use designation. These uses can be expected to be found in this area and similar locations and are complementary to the surrounding commercial and residential uses.
- The establishment is similar to previous approved uses within the shopping center. With no late hours the take-out service, limited eating and drinking establishment is compatible with the land uses permitted within the surrounding neighborhood.
- The subject property is not part of a specific plan area.

3. **Finding:** The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.

Facts in support of finding:

- The Take-Out Service, Limited, Eating and Drinking Establishment classification is permitted upon the approval of a minor use permit if within 500 feet of a residential use within the CN Zoning District.
- The proposed Take-Out Service, Limited Eating and Drinking Establishment is provided sufficient parking consistent with Landing Shopping Center parking management program approved through Use Permit No. UP2010-002.
- The site is located in the CN (Commercial Neighborhood) Zoning District. The CN Zoning District is intended to provide for areas appropriate for a limited range of retail and service uses developed in one or more distinct centers oriented to serve primarily the needs of and maintain compatibility with residential uses in the immediate area. The proposed take-out service, limited eating and drinking establishment is consistent with land uses permitted by the CN Zoning District and meets all applicable use and development standards of the Zoning Code.
- The proposed Take-Out Service, Limited Eating and Drinking Establishment is anticipated to attract walk-up traffic due to its proximity to the residential properties surrounding the shopping center.

4. **Finding:** The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.

Facts in support of finding:

- The project will occupy an existing retail space in the recently renovated Landing Shopping Center.
- The proposed project is a Take-Out Service, Limited Eating and Drinking Establishment with six seats, sales for primarily off-site consumption, no late hours, and no alcohol service.

5. **Finding:** The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.

Facts in support of finding:

- The proposed Take-Out Service, Limited Eating and Drinking Establishment will be located within an existing retail space of the recently renovated Landing Shopping Center. The renovated center is designed to provide uses such as the gelato shop. The limited hours of operation and the no late hours ensure that the operating characteristics are physically suitable for the neighborhood.
 - Adequate public and emergency vehicle access, public services, and utilities are provided within the renovated shopping center with access provided from Newport Boulevard, 32nd Street and Balboa Boulevard.
 - The tenant improvements to the project site will comply with all Building, Public Works, and Fire Codes. All ordinances of the City and all conditions of approval will be complied with.
 - The limited menu and restriction on seating makes the proposed use unlikely to cause adverse impacts to traffic or the parking demand of the surrounding commercial uses.
6. **Finding:** Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, a safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

Facts in support of finding:

- Trash receptacles will be conveniently located within the space for patron use.

There are additional conditions that ensure trash receptacle and dumpster maintenance.

- The proposed Take-Out Service, Limited Eating and Drinking Establishment is considered to be similar in intensity to a retail establishment and will attract walk-up patrons from the surrounding retail uses and nearby residents.
- Pursuant to Chapter 20.70 (Definitions) of the Municipal Code, "Late Hour Operations" are defined as facilities that provide service after 11:00 p.m. any day of the week. The proposed project will be open from 7:00 a.m. to 11:00 p.m., daily which will minimize any potential noise impacts on nearby residential uses.
- The conditions imposed will reduce any possible detriment to the community by ensuring continued consistency with the intent and purpose of Section 20.48.090 (Eating and Drinking Establishments) of the Municipal Code.

Conditions

(Project specific conditions are listed in italics)

1. *The development shall be in substantial conformance with the approved site plan and floor plan, dated April 5, 2011, except as noted in the following conditions.*
2. This approval was based on the particulars of the individual case and does not in of itself or in combination with other approvals in the vicinity or Citywide constitute a precedent for future approvals or decisions.
3. A copy of this approval letter shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
4. 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.
5. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
6. The applicant is required to obtain all applicable permits from the City Building Division and Fire Department. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access requirements. Approval from the Orange County Health Department is required prior to the issuance of a building permit.
7. The applicant shall comply with federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Minor Use Permit.

8. This Minor Use Permit may be modified or revoked by the Zoning Administrator should they determine that the proposed use 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.
9. 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.
10. *Any addition of seats and/or stand-up counter space for customers shall be subject to the approval of an amendment to this use permit. Any patron seating or stand-up counter located outside of the facility on the subject property or on public property (including sidewalks, streets) is prohibited.*
11. *The number of seats shall be limited to a total of six (6).*
12. A covered wash-out area (36 inches wide by 36 inches deep by 6 feet high) for refuse containers and kitchen equipment shall be provided and shall drain directly into the sewer system, unless otherwise approved by the Building Director, Planning Division, and Public Works Director in conjunction with the approval of an alternative drainage plan. The washout area shall be specifically shown on the construction drawings submitted for building permits.
13. The facility shall be designed to meet exiting and fire protection requirements as specified by the California Building Code and shall be subject to review and approval by the Building Division.
14. The project shall comply with State Disabled Access requirements.
15. Public sanitation facilities shall be available to the general public (patrons) during regular business hours of the operation, unless otherwise approved by the Building Division.
16. *The hours of operation are limited to between the hours of 7:00 a.m. to 11:00 p.m., seven days a week; and any increase in the hours of operation shall be subject to the approval of an amendment to this use permit.*
17. Live entertainment and dancing shall be prohibited as a part of the regular operation, unless an amendment to this use permit or other required application is first approved in accordance with the provisions of the Municipal Code.
18. No outside paging or sound system shall be utilized in conjunction with this food service establishment.

19. Construction activities shall comply with Section 10.28.040 of the Municipal Code, which restricts hours of noise-generating construction activities that produce noise to between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday and 8:00 a.m. and 6:00 p.m. on Saturday. Noise-generating construction activities are not allowed on Sundays or Holidays.
20. On-sale alcoholic beverage service is not permitted. The establishment of on-sale alcoholic beverage service shall require the approval of an amendment to this Minor Use Permit, approval by the Police Department, and the approval from the State Department of Alcoholic Beverage Control.
21. All mechanical equipment shall be screened from view of adjacent properties and adjacent public streets, and shall be sound attenuated in accordance with Chapter 10.26 of the Municipal Code, Community Noise Control.
22. The operator of the facility shall be responsible for the control of noise generated by the subject facility including, but not limited to, noise generated by patrons, food service operations, and mechanical equipment. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Municipal Code.
23. The exterior of the establishment shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter, and debris from the premises and on all abutting sidewalks within 20 feet of the premises. Graffiti shall be removed within 48 hours of written notice from the City.
24. Trash receptacles for patrons shall be conveniently located both inside and outside of the proposed facility; however, they shall not be located on or within any public property or right-of-way.
25. The operator of the food service use shall be responsible for the clean-up of all on-site and off-site trash, garbage and litter generated by the use.
26. All trash shall be stored within the building or within public dumpsters provided for the convenience of businesses in the area, or otherwise screened from view of neighboring properties except when placed for pick-up by refuse collection agencies. The trash dumpsters shall have a top which shall remain closed at all times, except when being loaded or while being collected by the refuse collection agency. Pick-up of trash from the dumpsters shall occur at least once daily, or more as deemed necessary by the Planning Department.
27. The applicant shall maintain the trash dumpsters or receptacles so as to control odors which may include the provision of fully self-contained dumpsters or may include periodic steam cleaning of the dumpsters, if deemed necessary by the Planning Department. Trash generated by the establishment shall be adequately contained in sealed plastic bags to control odors prior to placement in the trash dumpster. Cleaning and maintenance of trash dumpsters shall be done in compliance with the provisions of

Title 14, including all future amendments (including Water Quality related requirements).

28. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m., daily, unless otherwise approved by the Planning Director, and may require an amendment to this Minor Use Permit.
29. Storage outside of the building shall be prohibited.
30. All signs and displays must conform to the City Municipal Code requirements.
31. No temporary "sandwich" signs, balloons or similar temporary signs shall be permitted, either on-site or off-site, to advertise the proposed eating and drinking establishment, unless specifically permitted in accordance with the Sign Ordinance of the Municipal Code.
32. 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.
33. A Special Event Permit is required for any event or promotional activity outside the normal operational characteristics of this restaurant business 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 Municipal Code to require such permits.
34. The facility shall comply with the provisions of Chapter 14.30 of the Municipal Code for commercial kitchen grease disposal, as determined by the Building department and the Utilities Department. A grease interceptor shall be provided on-site.
35. *Prior to any modifications to the ceiling that require the existing fire sprinklers to be altered, revised plans shall be submitted to the Fire Department.*
36. *A 2A10BC fire extinguisher shall be provided on-site and mounted on the wall and located in an accessible area.*
37. Should the business, subject to the Minor Use Permit conditioned herein, be sold or otherwise come under different ownership or a change in operators, any future owners, operators, or tenants shall be notified of the conditions of this approval by either the current business owner, property owner, or the leasing agent.
38. Minor Use Permit No. UP2011-015 shall expire unless exercised within 24 months from the end of the appeal period as specified in Section 20.91.050 of the Newport Beach Municipal Code.
39. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers,

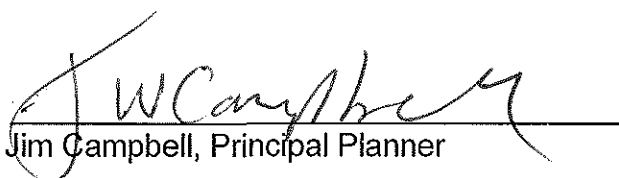
employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the **Whimsical Italian Gelato** including, but not limited to, the **Minor Use Permit No. UP2011-015 (PA2011-090)**. 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.

PUBLIC NOTICE

Notice of this application was mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant and posted on the subject property at least 10 days prior to the decision date, consistent with the provisions of the Municipal Code.

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. For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

On behalf of Patrick Alford, Zoning Administrator

By: 
Jim Campbell, Principal Planner

PA/msw

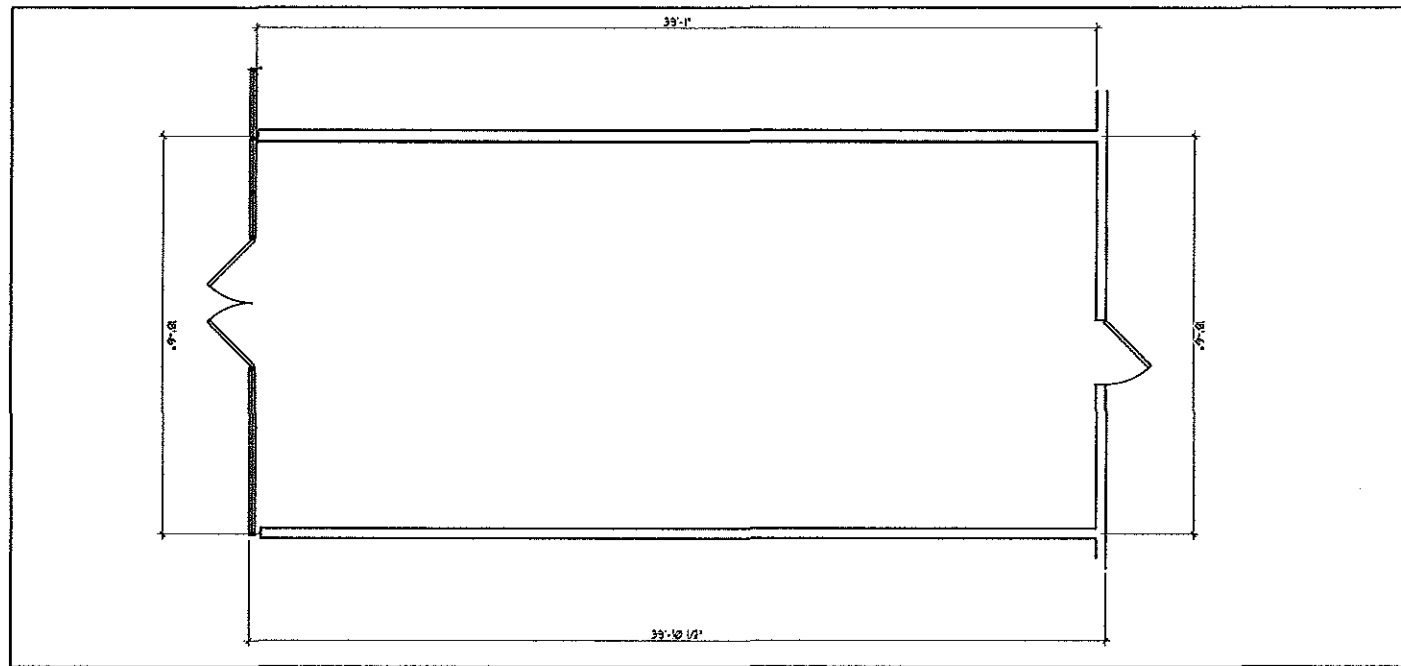
Attachments: Vicinity Map

VICINITY MAP



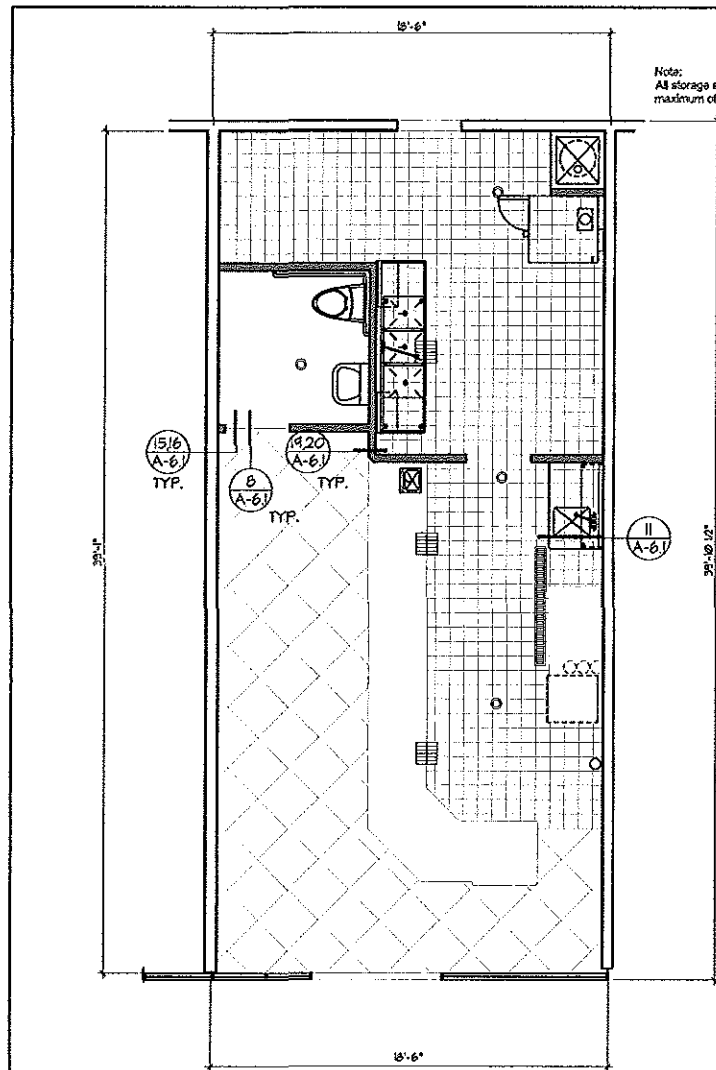
Minor Use Permit No. UP2011-015
PA2011-090

3109 Newport Boulevard



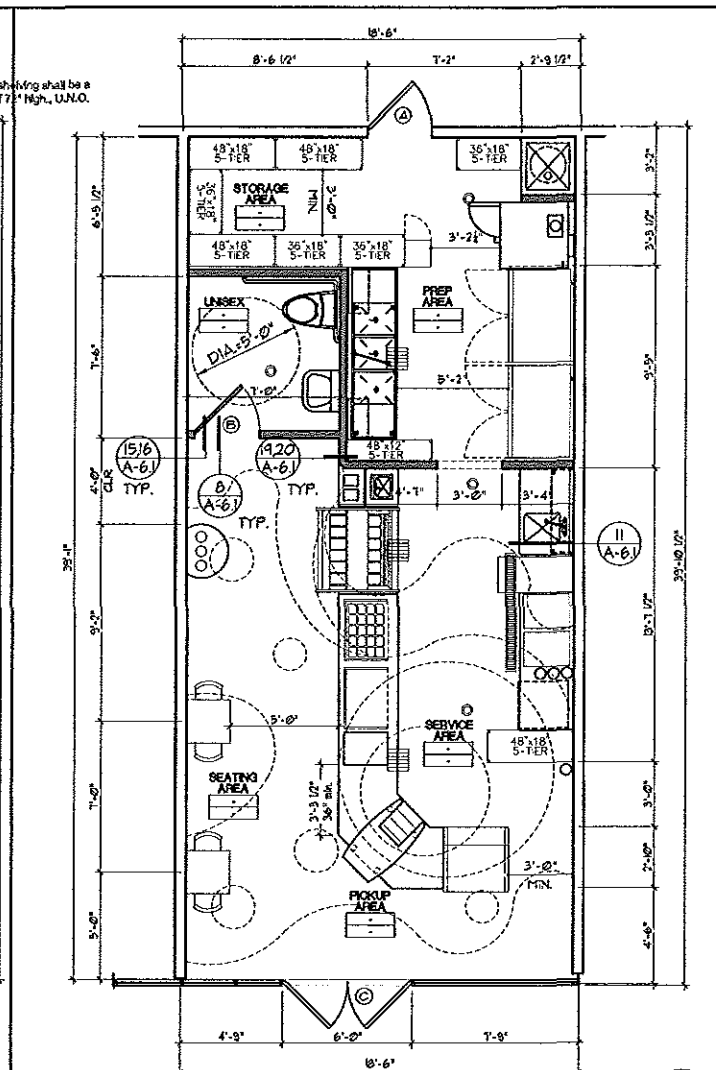
Existing Floor Plan

3



Finished Floor Plan

2



Tenant Improvement Floor Plan

1

GENERAL NOTES

- Erosion and Sediment Control Sediments from areas disturbed by construction shall be retained on site and stockpiles of soil shall be properly contained to minimize transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
- Construction Materials Control Construction-related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities or adjacent properties by wind or runoff. Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediments and pollutants.
- The Tenant will furnish and install tenant storefront address numbering in accordance with Building and Safety and L.A. County Fire Department requirements.
- This is a Tenant Improvement and the following applies:
 - Storefront
 - Flooring
 - Plumbing
 - Electrical Panel
 - Electrical receptacles

Not a Part of this Project

 - Restrooms
 - Gypsum Wallboard on the Demising Wall
 - Finished Ceiling System
 - Roll-Up Grill Door
 - Roof and Exterior Wall Insulation
 - HVAC unit, ducts, and registers.
 - Plumbing
 - Lighting, switching, and receptacles
- *Prior to stocking the store, the following shall be completed in order:
 - A completed safe path of travel is provided to inside the building.
 - The inside shall be completed and signed off by the B. Safety Inspector.
 - The Fire Department provided a release for stocking shelves.
 - The Building Inspector has the final word if it will be safe for employees to stock shelving in a construction site.
- INTERIOR SPACE

All materials installed shall be a minimum of Class B. Materials that do not meet the minimum Class B requirements, shall be provided with a coating of not less than 1/20\"/>
- MAINTENANCE
 - All materials installed on the storefront shall be a minimum of Class B.
 - Plastics shall not exceed 20 percent of the wall area facing the mall. (402.15.1)
 - Plastics shall not exceed a height of 36 inches except that if the sign is vertical then the height shall not exceed 66 inches and the width shall not exceed 36 inches. (402.15.2)
- EXIT DOORS
 - All required exit doors shall be not less than 32 inches wide (34\"/>
- ACCESSIBLE DRESSING ROOM
 - Minimum clear space within the room shall be 60\"/>
- HAZARDS
 - Provide 60\"/>
- KIOSK ENTRANCE
 - All required exit doors are to have a 32\"/>
- VERTICAL AND LATERAL DESIGN
 - The General Contractor shall Hire a Civil or Structural Engineer registered in the State of California to design seismic restraints for the following:
 - Refrigerators, freezers, and storage racks over 5'-0\"/>
 - Mechanical ductwork and roof mounted mechanical equipment.
 - Electrical cable trays (and/or) conduit runs.
 - Piping (and/or) sprinklers.
 - Seismic restraints shall be defined as bracing, struts, hangers and connections between the above items and the primary structure as required to provide lateral stability in the event of the code prescribed earthquake.
 - All bracing, struts, hangers and connections shall be designed in conformance with L. Chapters 13 & 15 of the California Building Code. Structural calculations and seismic restraint details shall be stamped and provided to the Building Inspector prior to inspection.
 - All appliances designed to be fixed in position shall be securely fastened in place. Refrigerators, freezers, stand up racks, etc. over 6 feet in height shall be secured if one of the following apply: (ASCE Chapters 13 & 15)
 - Exceeds height to width ratio of 1-1/2 : 1.
 - Center of gravity is located above mid-height.
- *The Tenant is required to make a separate submittal for their signage plans to the Building & Safety and secure a separate permit prior to installation. Exterior building signs require Planning Department approval. All electrical signs must bear U.L. labels.
- Only fire retardant wood and plywood are permitted in the Mall. This includes backing, etc. (503.1)
- SPRINKLER DRAWINGS TO BE SUBMITTED AND PERMITTED WITHIN TWO WEEKS FROM BUILDING PERMIT ISSUANCE.

INTERIOR FINISH SCHEDULE

Updated: 02/14/10

FLOORS	Mark	Location	Supplier	Material	Specification	Color	Finish	Lead Time
	OT-1	Kitchen, Storage, Service, W.C.	Dattile Corporation	Quarry Tile	Tot-Gray	Commercial Gray	Smooth	-
	OT-2	Kitchen Base					Cog's Base	-
	G-1	Retal, Restroom	Custom Building Products	Grout	Sand	New Toupe #185		-

WALLS	Mark	Location	Supplier	Material	Specification	Color	Finish	Lead Time
	WC-1	Retal Area	APA Color Labs	Wall Covering	3M	Multiple	Vinyl	-
	PL-1	Retal Area	Formica	Plastic Laminate	Horizontal	7759-43	Zebra wood	Matte
	SI-1	Condoments, POS	Stonestone	Solid Surfacing	Serra	Eros Stone	Matte	-
	W-1	Kitchen, Service, Storage & W.C.	Marite	FRP	P-100	White	Pebble	-
	W-2	Restroom	Dattile	ceramic tiles	T01- Varies	Varies	Smooth	-

COUNTERS	Mark	Location	Supplier	Material	Specification	Color	Finish	Lead Time
	SS-1	Counters	Stonestone	Solid Surfacing	Serra	Bronco Maple	Smooth / Flat	-

DECOR	Mark	Location	Supplier	Material	Specification	Color	Finish	Lead Time
	PA-1	Poster Wall	General Contractor	Formica	Plastic Laminate	7759-43	Zebra wood	Matte
		Wood Trim (Arch)	Winnax	Stain	1 Coat Stain 2 Coats Polyurethane	Zebra wood	Satin	-
		Floor Bases	General Contractor	Steel	RAL 9005	Black	Winkle	-
	OL-1	Quoting Line Top Posts	Approved National Account Vendor	Steel	1/2\"/>			
	MB	Interior Menu Board	LSI	Plastic	1 Panel Tall	Black Cabinet w/ Back Trim		-

CEILING	Mark	Location	Supplier	Material	Specification	Color	Finish	Lead Time
	P-2	Restrooms	Benjamin Moore	Paint on Drywall	1 Coat Primer 2 Coats	White #856	Flat Smooth	3-5 Days
	AC-1	Kitchen	U.S.G. Interiors	24x24 vinyl tile Non-perforated	CrimPlus #3270	White	Smooth	7-14 Days
	AG-1			15/16\"/>				
	AC-2	Retal, Dining		Broken Series	Rador CrimPlus #2220	Black	Matte	7-14 Days

INTERIOR NOTE:
 1. ALL FINISHES TO HAVE A FLAME SPREAD INDEX OF 76-200 AND SMOKE-DEVELOPED INDEX OF 0-450.
 2. BATHROOM FLOORS AND WALLS TO HAVE HARD, SMOOTH, NONABSORBENT FINISHES TO HEIGHT OF 48\"/>

Keynotes

◆ ALL WALL CORNER IN KITCHEN AREA TO HAVE PROTECTIVE CORNER GUARD, SEE DETAIL 6/A-6.3.

◆ 5/8\"/>

Door Schedule						
ITEM	QTY	SIZE	FRAME	MATERIAL	HARDWARE	REMARKS
(E)ⓐ	1	60T0	MTL	S.S. STEEL FINISH, HOLLOW MTL CORE	(E) HARDWARE	-
ⓑ	1	60T0	MTL	S.S. STEEL FINISH, HOLLOW MTL CORE	LOCK & MORTICE	-
ⓒ	1	60T0	ALUM	STOREFRONT	(E) HARDWARE	REPLACE (E) 60T0 See note 3

NOTE:
 1. EXIT DOORS SHALL BE OBTAINABLE FROM THE INSIDE WITHOUT USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT PER TITLE 24, 10043.
 2. EXIT access doors to have level hardware, which retracts both locks with a single operation (CBC 1008.1.8.6)
 3. Leaf containing flush bolt shall not have hardware unless it is the main entrance and remain open during business hours. (CBC 1008.1.9.3(3))
 4. All required exit doors shall be not less than 32 inches wide (34\"/>

Floor Plan Legend & Notes

- NEW 25 GA. 3 5/8\"/>
 - EXISTING METAL STUD WALL
- NOTE: 1. SEPARATE PERMIT(S) ARE REQUIRED FOR ELECTRICAL, PLUMBING AND MECHANICAL PERMITS MUST BE OBTAINED BY LICENSED CONTRACTORS. ELECTRICAL PLUMBING AND MECHANICAL PLANS ARE REQUIRED.
 2. REFER TO ADA HANDICAP DETAILS 1,2,3,4,7,8,9,13,14&18 ON SHEETS A-6.1.
 3. REFER TO DETAILS 11,15,16,19&20 FOR TYPICAL WALL FRAMING ASSEMBLY ON SHEETS A-6.1.

T.P. DESIGNS
 RESONANCE & COARCHITECTURE DESIGNS
 9966 Debiols Avenue,
 Fourth Valley, California 92708
 Tel. (949) 250-3380
 Email: TUANPHAM@TP-DESIGNS.COM

STAMP

Project Title

TENANT IMPROVEMENT

whimsical
 ITALIAN GELATO

@ "the Landing"
 Shopping Center

3109 Newport Boulevard, Newport Beach, CA

Revisions	No.	Description	Date
▲	BLDG SUBM		02/28/2011

Designed	TP
Drawn	TP
Checked	TP
Approved	TP
Date	02/28/2011
Submittal	02/28/2011
Scale	1/4\"/>
Sheet Title	

Floor plans, Schedules & Notes

Sheet Number

A-1.1

STAMP

I HEREBY CERTIFY THAT THESE PLANS HAVE BEEN PREPARED UNDER MY SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE, THEY COMPLY WITH ALL RULES, REGULATIONS AND ORDINANCES OF THE STATE OF CALIFORNIA RELATING TO STRUCTURES AND BUILDINGS.

Project Title

TENANT IMPROVEMENT

whimsical
ITALIAN GELATO

@ "the Landing"
Shopping Center

318 Newport Boulevard, Newport Beach, CA

No.	Description	Date
1	BLDG. SUBM.	02/28/2011

Designed TP
 Drawn TP
 Checked TP
 Approved TP

Date 02/28/2011

Submital 02/28/2011

Scale 1/4"=1'-0"

Reflected Ceiling Plan, Details, Schedules & Notes

Sheet Number
A-2.1

METAL SUSPENSION SYSTEMS FOR LAY-IN PANEL CEILING

- NO. 6 GALV. HANGER WIRES MAY BE USED FOR UP TO AND INCLUDING 4' x 4' GRID SPACING ALONG MAIN RUNNERS. BRACES WILL NOT BE PERMITTED IN ANY HANGER WIRE.
- PROVIDE NO. 6 GALV. HANGER WIRES AT THE ENDS OF ALL MAIN AND CROSS RUNNERS WITHIN 6" FROM THE SUPPORT OR WITHIN 4" OF THE LENGTH OF THE END TIE. WHICHEVER IS LEAST, FOR THE PERIMETER OF THE CEILING AREA.
- PROVIDE CROSS OR OTHER SUPPLEMENTARY SUPPORT MEMBERS AT CONNECTIONS TO MAIN HANGERS BRACES. PROVIDE ADDITIONAL HANGERS, STRUTS OR BRACES AS REQUIRED AT ALL CORNERS, BRACKETS, BOFFETS, OR DISCONTINUOUS AREAS. HANGER WIRES THAT ARE MORE THAN 1/2" OUT OF PLUMB ARE TO HAVE GALV. BRACING WIRES.
- CEILING GRID MEMBERS MAY BE ATTACHED TO NOT MORE THAN 2 ADJACENT WALLS. CEILING BRACING MEMBERS SHOULD BE FASTENED TO ONE WALL. IF WALLS RUN PERPENDICULAR TO CEILING BRACES, CEILING BRACES SHOULD BE TO THE WALL. BRACES SHOULD BE PERMITTED A MINIMUM OF 1/2" FROM CLEAR OF PANEL.
- AT THE PERIMETER OF THE CEILING AREA WHERE MAIN OR CROSS RUNNERS ARE NOT PERMITTED TO THE ADJACENT WALL, PROVIDE INTERSECTION BETWEEN RUNNERS AT THE FREE END TO PERMIT LATERAL SPREADING. A METAL STRUT OF 2x4 OR 2x6 W/ 4" POSTER MECHANICAL CONNECTION TO THE WALL IS TO BE USED. PROVIDE THE PERPENDICULAR DETACHMENT FROM THE WALL TO THE FIRST PARALLEL RUNNER IF 2' OR LESS. THIS DETACHMENT IS NOT REQUIRED.
- PROVIDE BRACES OF FOUR (4) GALV. BRACING BRACES PERMITTED NO MORE THAN 2' FROM EACH OTHER AT NOT MORE THAN 12" x 12" ON CENTER.

PROVIDE BRACING WIRES AT LOCATIONS NOT MORE THAN 6" FROM EACH PERIMETER WALL AND AT THE EDGE OF VERTICAL CEILING OFFSETS.

THE SLOPE OF H-RIB WIRES SHOULD NOT EXCEED AS PERMITTED FROM THE PLUMB OF THE CEILING AND SHOULD BE FAST WITHOUT CAUSING THE CEILING TO LIFT. BRACES IN BRACING WIRES ARE NOT TO BE PERMITTED WITHOUT SPECIAL APPROVAL.

- FASTEN HANGER WIRES WITH NOT LESS THAN 3/8" TURNS. FASTEN BRACING WIRES WITH 4 TIGHT TURNS WITHIN A DISTANCE OF 4" FROM THE END OF THE HANGER WIRE. BRACES SHOULD BE INSTALLED IN SUCH A MANNER THAT THE DIRECTION OF THESE BRACES IS AS CLOSE AS POSSIBLE WITH THE DIRECTION OF THE FORCE EXERTED ON THE WIRE.
- NOTE: THESE TURNS MADE BY ALLOWING WIRES BOTH ENDS HAVE BEEN DEFORMED OR BENT IN WRAPPING CAN HAVE THE TIGHT REQUIREMENT. BUT THE NUMBER OF TURNS SHOULD BE MAINTAINED AND BE AS TIGHT AS POSSIBLE.

SEPARATE ALL CEILING HANGING AND BRACING WIRES AT LEAST 6" AWAY FROM ALL UNEXPOSED DUCTS, PIPES, COOLING PIPES, ETC. IT IS ACCEPTABLE TO ATTACH LIGHT FIXTURES, SUCH AS BRASS ELECTRICAL CONDUITS, TO CEILING BRACES. ALL CONNECTIONS TO HANGER WIRES USING CONNECTORS ACCEPTABLE TO LOCAL BUILDING CODES.

HEAD OUTWORK ELECTRICAL, DETENTION TELEPHONE SERVICES, CORNERS, CURBS, DIRECTION, AND OTHER SERVICES SHOULD BE INSTALLED IN A CEILING SPACE. SHALL BE INDEPENDENTLY SUPPORTED AND APPROPRIATELY BRACED TO ELIMINATE ANY LATERAL FORCE OF THE CEILING MEMBER OR BRACING ELEMENTS.

- WHEN DUAL-ROW COFFERED AND GRID OR SHOT IN AND GRID ARE USED IN CONNECTION WITH CONCEALED LIGHTING, ALL LIGHT FIXTURES SHALL BE FIELD TESTED FOR 200 LB. OF TENSION. SHOT IN AND GRID IN CONNECTION WITH CONCEALED LIGHTING SHALL BE FIELD TESTED FOR 400 LB. OF TENSION. SHOT IN AND GRID IN CONNECTION WITH CONCEALED LIGHTING SHALL BE FIELD TESTED FOR 200 LB. OF TENSION. SHOT IN AND GRID IN CONNECTION WITH CONCEALED LIGHTING SHALL BE FIELD TESTED FOR 200 LB. OF TENSION. ALL ADJACENT JOINTS MUST BE TESTED. DUAL-ROW OR SHOT IN AND GRID MUST BE TESTED. DUAL-ROW OR SHOT IN AND GRID MUST BE TESTED. DUAL-ROW OR SHOT IN AND GRID MUST BE TESTED. SPECIAL APPROVAL MUST BE USED IN PRE-TESTED CONCRETE.
- ATTACH ALL LIGHT FIXTURES TO THE CEILING GRID RUNNERS TO RESIST A VERTICAL FORCE EQUAL TO THE WEIGHT OF THE FIXTURES.

ALL CONCEALED LIGHT FIXTURES HAVING A NOMINAL END DIMENSION OF 12" OR GREATER SHALL BE POSITIONED TO THE CEILING GRID RUNNERS AT THE END OF THE FIXTURE. WHEN CEILING GRID RUNNERS ARE ATTACHED THROUGH THE BULB OF THE CEILING GRID RUNNERS, EACH SCREW SHALL BE LOCATED WITHIN 3" OF THE END OF THE FIXTURE AND ATTACHED THROUGH THE BULB OF THE CEILING GRID RUNNERS. LIGHT FIXTURES HAVING LESS THAN A NOMINAL 12" END DIMENSION SHALL BE ATTACHED WITH ONE SELF-TAPPING SCREW AT THE CENTER OF EACH END OF THE FIXTURE. ALL ATTACHMENTS SHALL BE CAPABLE OF LA TRUSSALLY SUPPORTING THE WEIGHT OF THE FIXTURE. ALL FIXTURES REGARDLESS OF WEIGHT OR SIZE SHALL HAVE ATTACHING SCREWS OR BOLTS AND NOT BE ALLOWED TO BE USED IN PRE-TESTED CONCRETE.

- CEILING ISOLATED AIR TERMINALS OR SERVICES SHALL BE POSITIVELY ATTACHED TO THE CEILING SUSPENSION MAIN RUNNERS OR TO CROSS RUNNERS WITH THE SAME CAPTURE CAPACITY AS THE MAIN RUNNER. AIR TERMINALS WITH A NOMINAL DIMENSION OF 24" OR LESS SHALL BE POSITIVELY ATTACHED TO THE CEILING GRID RUNNERS ON AT LEAST TWO OPPOSING SIDES WITH ONE SELF-TAPPING SCREW ON EACH SIDE. EACH SCREW SHALL BE LOCATED IN THE CENTER OF THE TERMINAL AND SHALL BE ATTACHED THROUGH THE BULB OF THE CEILING GRID RUNNERS. TERMINALS EXCESS OF 24" IN LENGTH SHALL BE ATTACHED WITH TWO SELF-TAPPING SCREWS ON EACH END OF THE TERMINAL. ALL AIR TERMINALS OR SERVICES MUST HAVE BLACK SAFETY RINGS AT EACH CORNER. ALL FLUSH OR RECESSED LIGHT FIXTURES AND AIR TERMINALS OR SERVICES HAVING 18" OR MORE MUST BE INDEPENDENTLY SUPPORTED BY NOT LESS THAN 2x4 GALV. WIRE EACH ATTACHED TO THE FIXTURE. AND TO THE STRUCTURE ABOVE REGARDLESS OF THE TYPE OF CEILING GRID SYSTEM USED.
- IF A 1/2" 2x4 WIRE FOLLOWING THEIR ATTACHMENT TO THE TERMINAL AREA MUST BE CAPABLE OF SUPPORTING 4 TIMES THE WEIGHT OF THE UNIT.
- ALL FIXTURES AND AIR TERMINALS OR SERVICES SUPPORTED ON CEILING GRID SYSTEMS MUST BE INDEPENDENTLY SUPPORTED BY NOT LESS THAN 2x4 GALV. WIRE EACH ATTACHED TO THE FIXTURE OR TERMINAL, AND TO THE STRUCTURE ABOVE.
- SUPPORT BRACING ISOLATED LIGHT FIXTURES BY AT LEAST TWO POSITIVE DEVICES EACH BRACING THE CEILING RUNNER AND WIRE. BRACES SHALL BE SUPPORTED FROM THE STRUCTURE ABOVE BY AT LEAST 2x4 GALV. WIRE OR CLAMPS THAT CONTACT ONLY TO THE RUNNER ARE NOT ACCEPTABLE.

PROVIDE ADDITIONAL SUPPORTS WHEN LIGHT FIXTURES ARE 6 FEET OR LONGER.

- SUPPORT PENDANT MOUNTED LIGHT FIXTURES DIRECTLY FROM THE STRUCTURE ABOVE WITH HANGERS WIRES OR CABLES PASSING THROUGH EACH PENDANT HANGER AND CAPABLE OF SUPPORTING 4 TIMES THE WEIGHT OF THE FIXTURE. SPECIAL DETAILS ARE NECESSARY FOR THIS CONNECTION.
- CONNECTION FROM CEILING GRID TO HEAVY DUTY COMPONENTS SHALL COMPLY WITH THE FOLLOWING SCHEDULE:

MANUFACTURER	MAIN RUNNER	CROSS RUNNER
ARMSTRONG	2501	734 G
CHANGING METALLO	300	806 G
DORAN CORPORATION	0105	0208 G
PODINOTER		0434 G
9 FOR 3 X 3 GRID USE 7350		
9 FOR 3 X 3 GRID USE 026		
9 FOR 3 X 3 GRID USE 036		

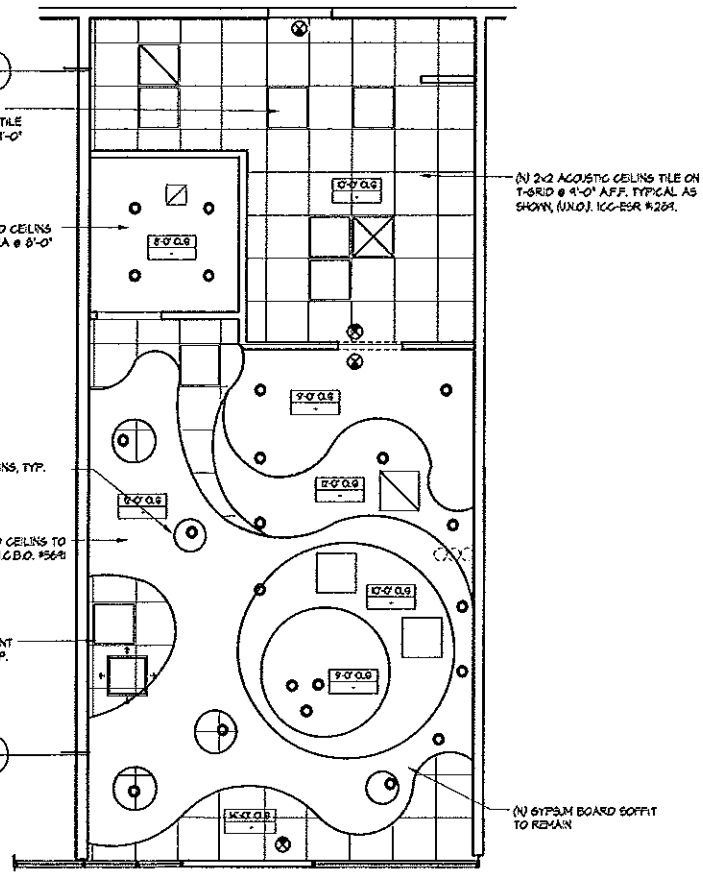
SUSPENDED GYPSUM BOARD CEILING SYSTEM

- VERTICAL HANGER WIRES ARE NO. 6 GALV. AND GALVANIZED, HOWEVER, CEILING IS NON-ACCESSIBLE, A NO. 6 GALV. WIRE MAY BE USED.
- MAIN RUNNERS ARE 1/2" CHANNELS ISQUIT MINIMUM 12" ROLLED.
- CROSS FLUSING MAY BE 7/8" 25 GA. GALVANIZED HOT SECTIONS AT 24" MAXIMUM OC.
- HANGERS SHOULD BE SADDLE-TIED AROUND MAIN RUNNERS TO DEVELOP THE FULL STRENGTH OF THE HANGERS.
- CROSS FLUSING SHOULD BE SADDLE-TIED TO THE MAIN RUNNERS WITH ONE STRAND OF NO. 6 OR TWO STRANDS OF NO. 8 GALV. WIRE.
- MAIN RUNNERS SHOULD BE BRACED BY LAPPING AND INTERLOCKING PLACES BY MINIMUM AND TIGHT NEAR EACH END WITH DOUBLE LOOPS OF NO. 6 GALV. WIRE.
- CROSS FLUSING SHOULD BE BRACED BY LAPPING AND INTERLOCKING THE ENDS BY MINIMUM AND TIGHT NEAR EACH END WITH DOUBLE LOOPS OF NO. 6 GALV. WIRE.

RCP NOTES

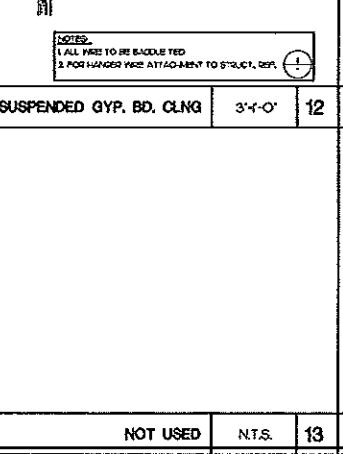
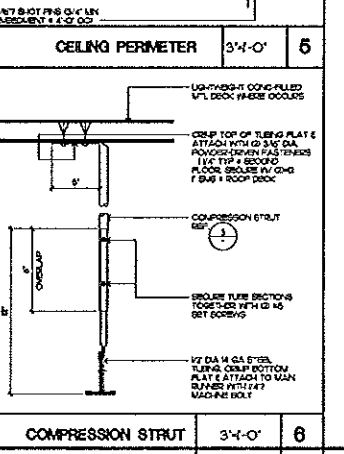
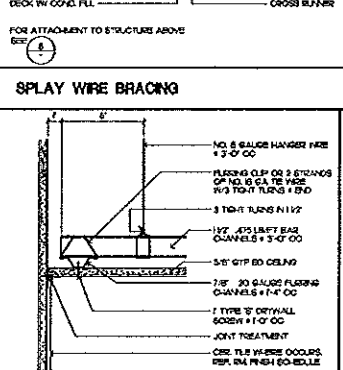
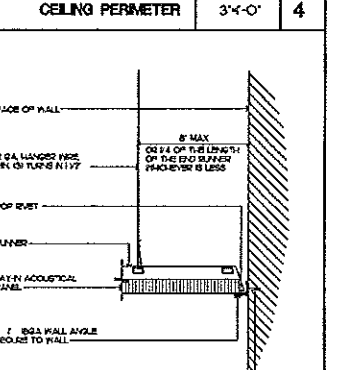
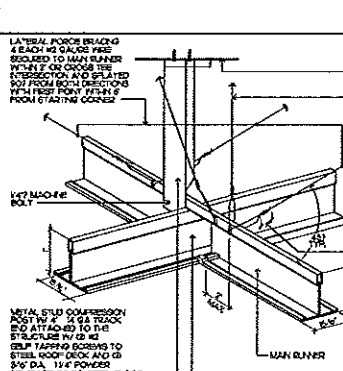
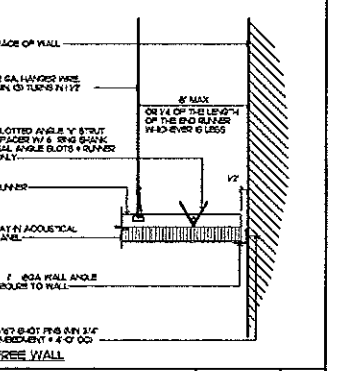
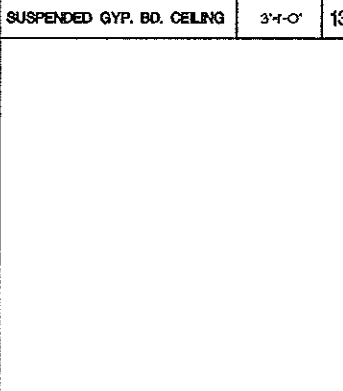
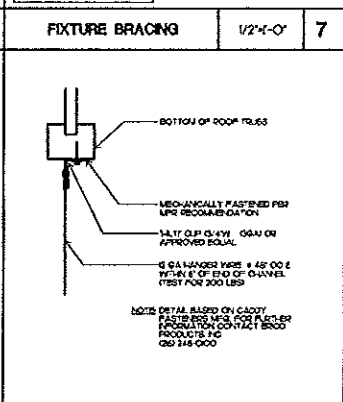
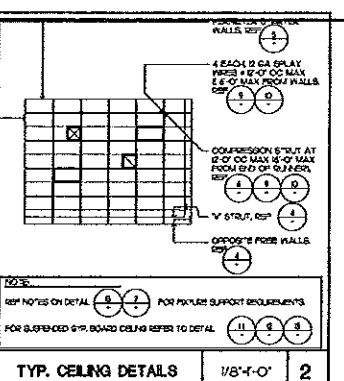
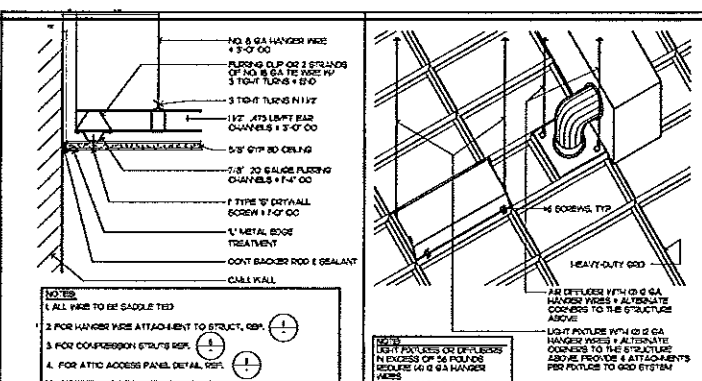
- REFER TO SHEET T-4 FOR ADDITIONAL NOTES, ABBREVIATIONS AND GENERAL SYMBOLS NOT LISTED BELOW.

EXISTING HVAC SYSTEM TO REMAIN (CONTRACTOR TO BALANCE AND REDISTRIBUTE)



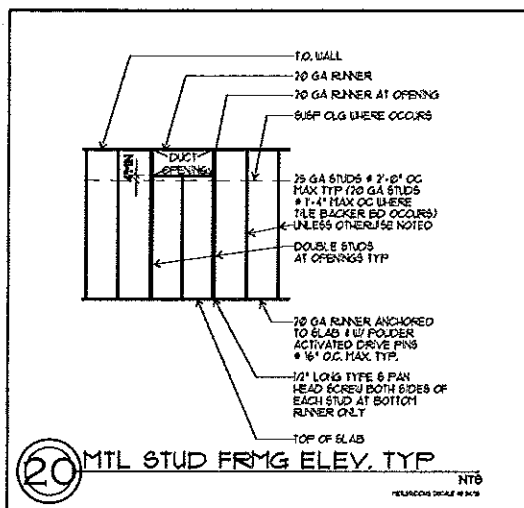
RCP PLAN LEGEND

- 2'x2' SUPENDED CEILING TILE
- 2'x4' MYLAR FINISHED SUPENDED CEILING TILE
- 6" GYPSUM BOARD CEILING
- 2'x2' FLOURESCENT FIXTURE
- 2'x4' SUPPLY AIR GRILLE
- 1'x2' SUPPLY AIR GRILLE
- 2'x2' RETURN AIR GRILLE
- 6" DIAMETER EXHAUST LIGHT
- ILLUMINATED EXIT LIGHTS AND 6'6" BACK UP BATTERY
- COMPRESSION STRUT
- PENDANT DOWN LIGHT

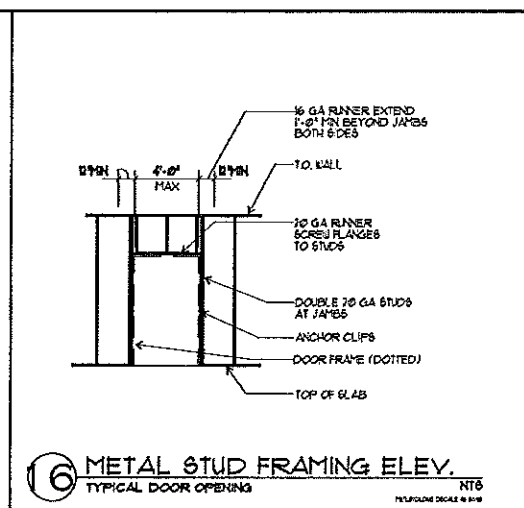


NOT USED N.T.S. 13

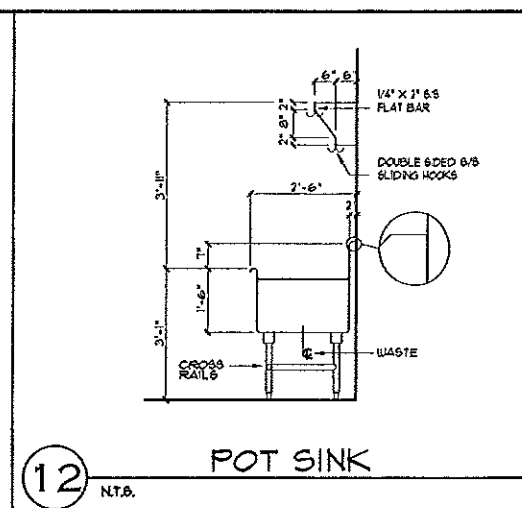
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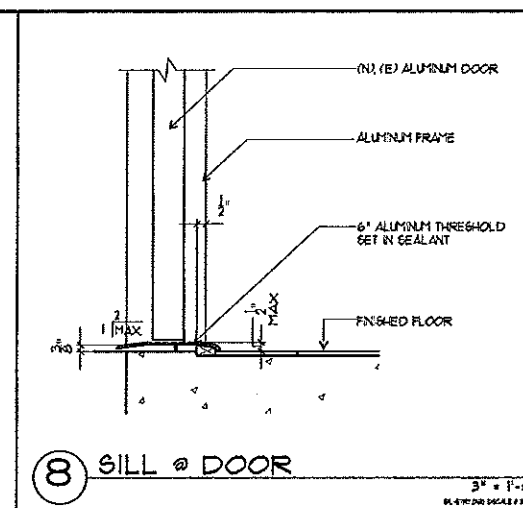
20 MTL STUD FRMG ELEV. TYP
NTB
REVISION SCALE 1/8\"/>



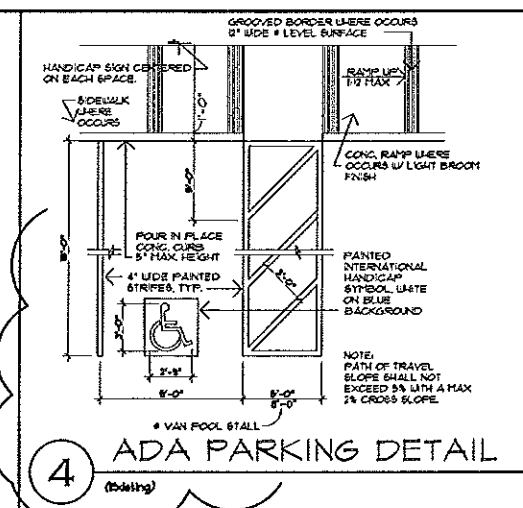
16 METAL STUD FRAMING ELEV. TYPICAL DOOR OPENING
NTB
REVISION SCALE 1/8\"/>



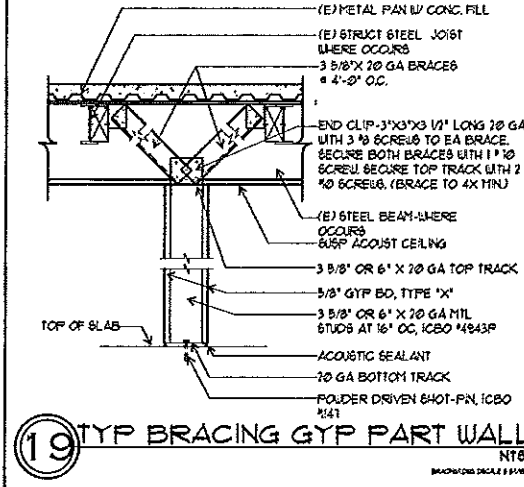
12 POT SINK
NTB



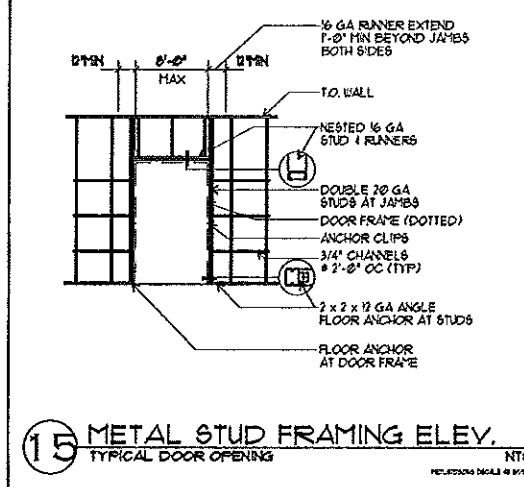
8 SILL @ DOOR
3\"/>



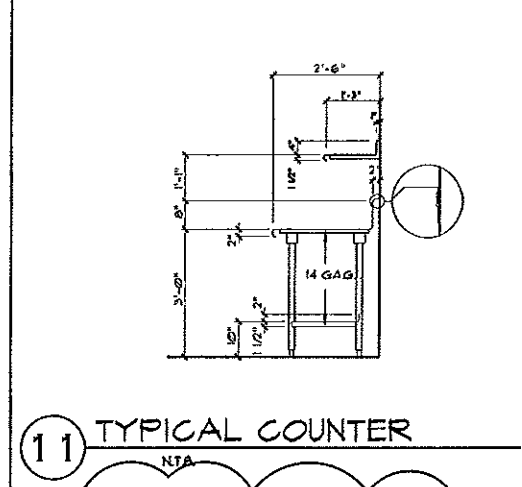
4 ADA PARKING DETAIL
(Existing)



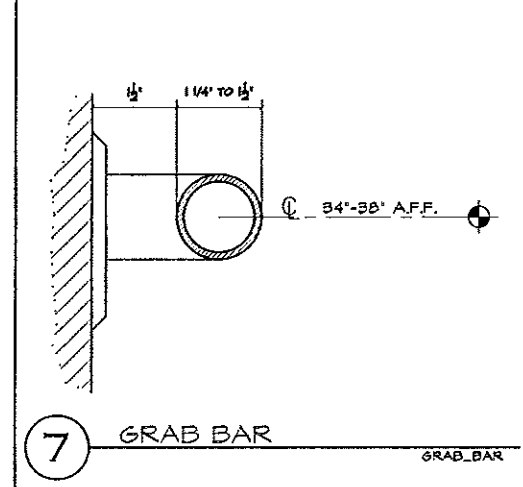
19 TYP BRACING GYP PART WALL
NTB
REVISION SCALE 1/8\"/>



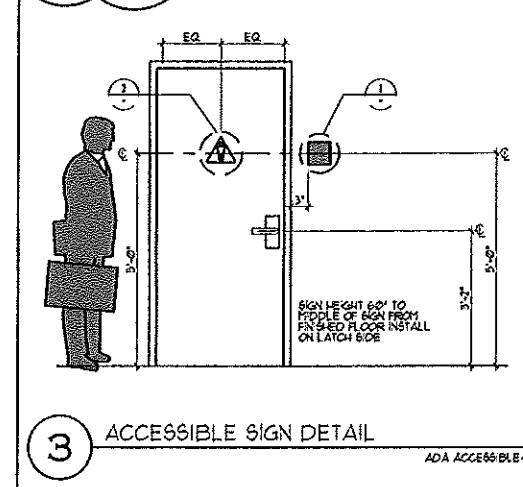
15 METAL STUD FRAMING ELEV. TYPICAL DOOR OPENING
NTB
REVISION SCALE 1/8\"/>



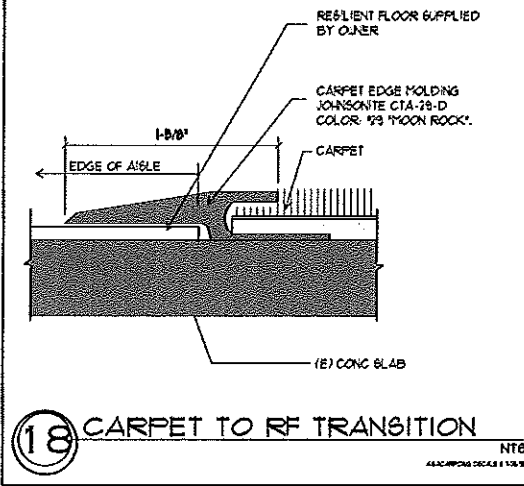
11 TYPICAL COUNTER
NTB



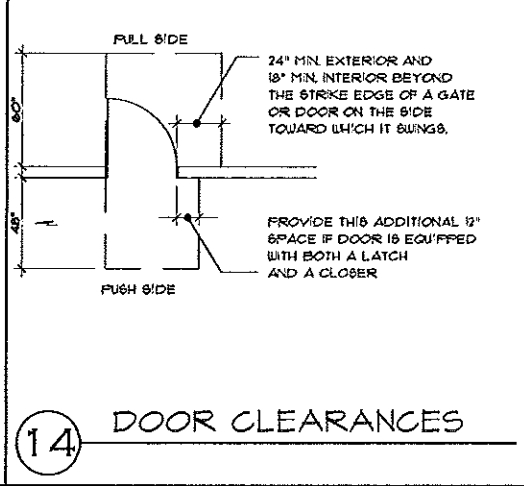
7 GRAB BAR
GRAB_BAR



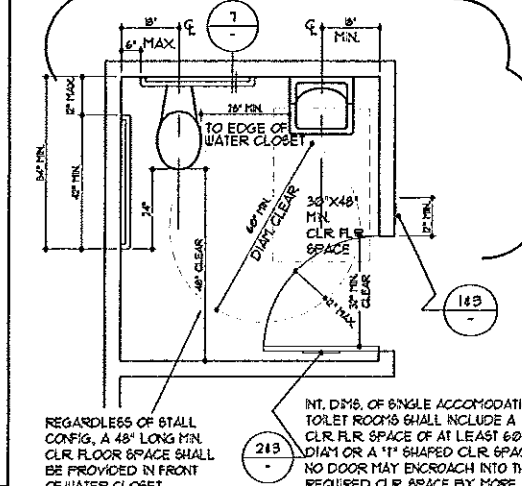
3 ACCESSIBLE SIGN DETAIL
ADA ACCESSIBLE SIGN



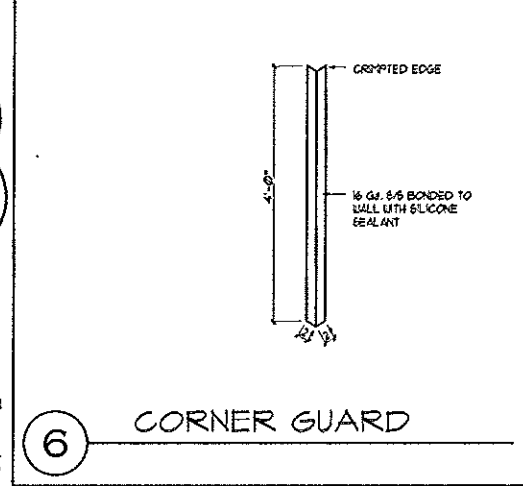
18 CARPET TO RF TRANSITION
NTB
REVISION SCALE 1/8\"/>



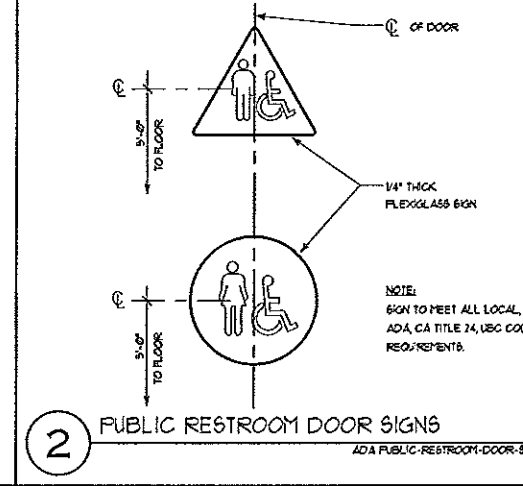
14 DOOR CLEARANCES



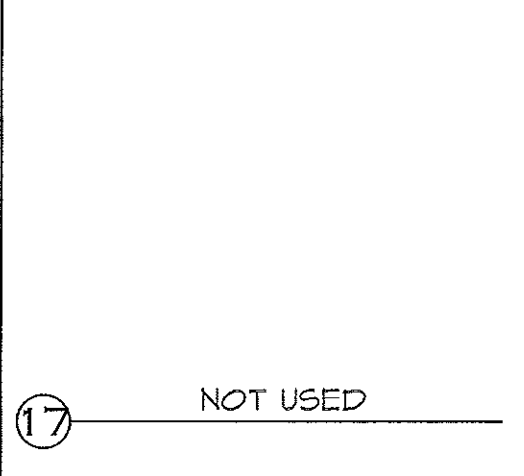
9 TYP. ADA TOILET GUIDELINES



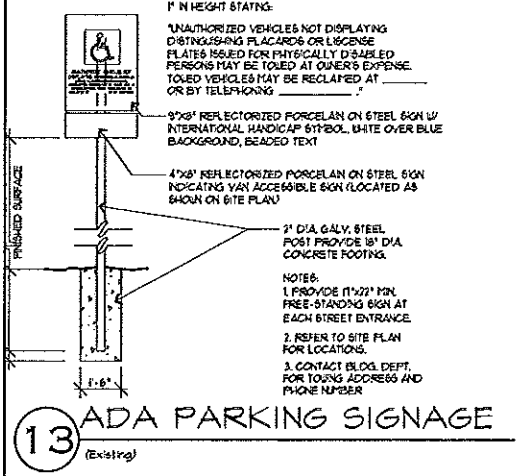
6 CORNER GUARD



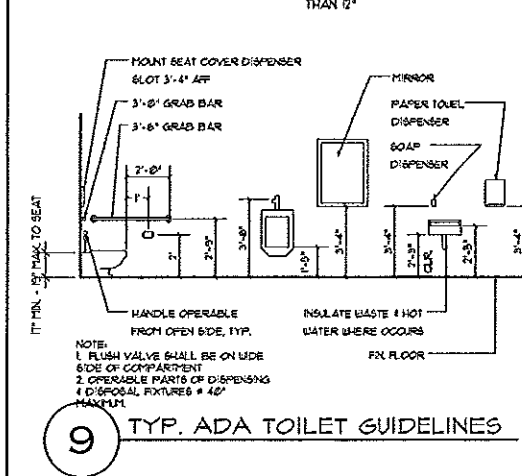
2 PUBLIC RESTROOM DOOR SIGNS
ADA PUBLIC RESTROOM DOOR SIGNS



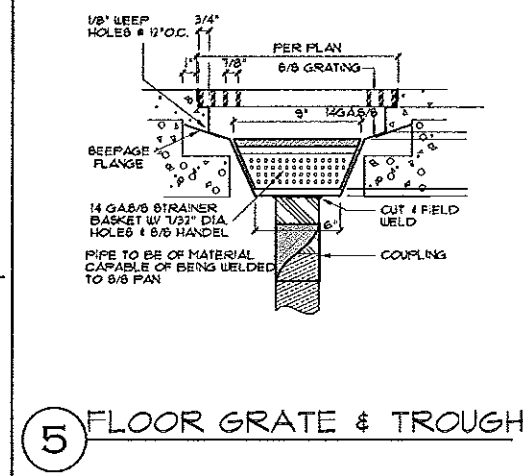
17 NOT USED



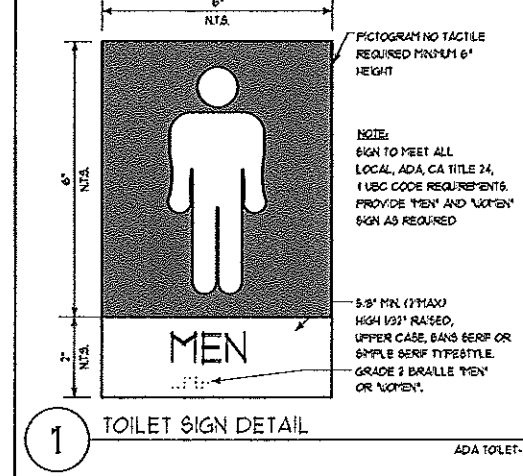
13 ADA PARKING SIGNAGE
(Existing)



9 TYP. ADA TOILET GUIDELINES



5 FLOOR GRATE & TROUGH



1 TOILET SIGN DETAIL
ADA TOILET SIGN

T.P. DESIGNS
RESIDENTIAL & COMMERCIAL DESIGNS
9966 Debris Avenue,
Foothill Valley, California 92708
Tel: (949) 250-3180
Email: TIAN@TIANHP-DESIGNS.COM

STAMP
I HEREBY CERTIFY THAT THESE PLANS HAVE BEEN PREPARED UNDER MY SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE, THE SAME COMPLY WITH ALL RULES, REGULATIONS AND ORDINANCES OF THE STATE OF CALIFORNIA RELATING TO STRUCTURES AND BUILDINGS

Project Title
TENANT IMPROVEMENT
whimsical ITALIAN GELATO
@ "the Landing" Shopping Center
109 Newport Boulevard, Newport Beach, CA

Revisions	Description	Date
1	BLDG SUBM.	02/28/2011

Designed	TP
Drawn	TP
Checked	TP
Approved	TP

Date	02/28/2011
Submital	02/28/2011
Scale	Varies

Sheet Title
Construction Details

Sheet Number
A-6.1
of



theLANDING
3100 W. BALBOA BLVD.
NEWPORT BEACH, CA

theLANDING
3100 W. BALBOA BLVD.
NEWPORT BEACH, CA

CATELLUS
ARCHITECTS
66 FRANKLIN ST., SUITE 200,
DANFORTH, CA 94607

OVERALL SITE PLAN

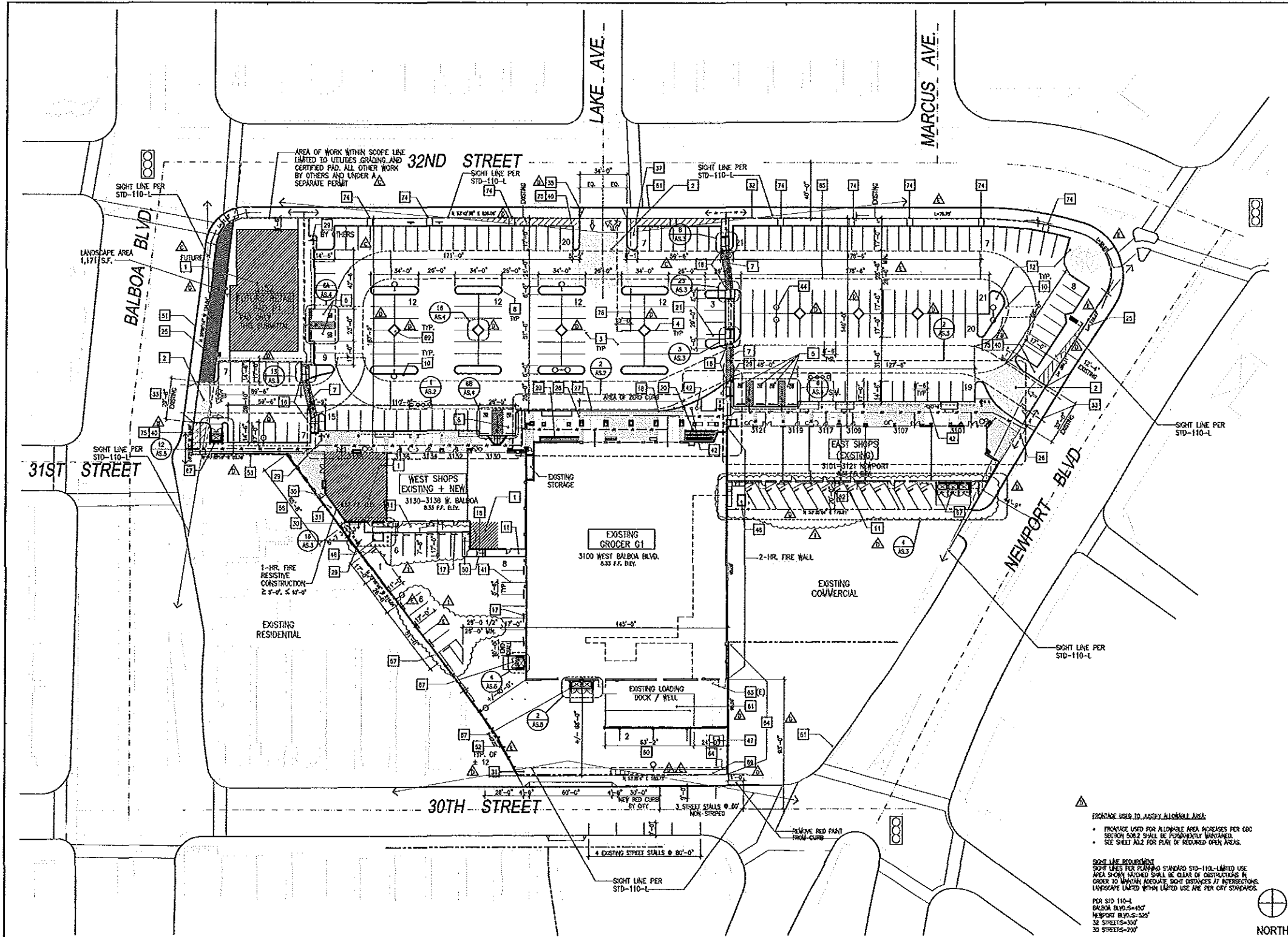
PLAN CHECK #: 0963-2010
A/C NO: 2010009
C/C PERMIT #: S-10-412

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DATE		BY
08-26-10	Per Check	
07-08-10	Per Set	
2008-1-18		Project Number
		Drawing Name
08-31-10		Per Date
08-01-10	COORDINATION	
08-25-10	PLAN CHECK	
08-01-10	COORDINATION	
08-13-10	PLAN CHECK	
08-31-10	PLAN CHECK	
10-12-10	OWNER REV	

SHEET
AS.1

- 1 NEW BUILDING AREA SHOWN CROSS-HATCHED
- 2 ENHANCED PAVING - CONCRETE PAVEMENT FULLY GROUTED WITH 2" CONCRETE BANDING AT PERIMETER - SEE CIVIL AND SOILS REPORT FOR REQUIRED BASE
- 3 NEW ASPHALT PAVING RESURFACING, REFER TO CIVIL DRAWINGS FOR ADDITIONAL INFORMATION. PROVIDE NEW PAVING SECTION AT DESIGNATED PLANTING LOCATIONS, LIGHT POLES AND AT BACKFILLED UTILITY TRENCHES PER CIVIL
- 4 NEW PARKING SPACE STRIPPA, REFER TO DETAIL 9/AS.4. ALL STRIPPA PER CITY STANDARD STD-805-L-A
- 5 ACCESSIBLE PARKING SPACE, REFER TO DETAIL 6/AS.4 CONDITION A
- 6 VAN ACCESSIBLE PARKING SPACE, REFER TO DETAIL 6/AS.4 CONDITION B
- 7 ACCESSIBLE ROUTE STRIPPA, REFER TO DETAIL 11/AS.4
- 8 NEW CONCRETE CURB, REFER TO CIVIL DRAWINGS
- 9 EXISTING CONCRETE CURB TO REMAIN
- 10 TIRE LINE CURB, REFER TO DETAIL 4/AS.4
- 11 CONCRETE PAVING - MEDIUM BROOM FINISH / GREY. SEE PLAN FOR SCORELINES AND EXPANSION JOINTS. SEE DETAILS 15/AS.4
- 12 LANDSCAPE AREA REFER TO LANDSCAPE DRAWINGS
- 13 ACCESSIBLE PATH OF TRAVEL SIGN LOCATION, REFER TO DETAIL 2/AS.4. LOCATE ALONG NOTED ADA PATH OF TRAVEL
- 14 ACCESSIBLE PARKING SIGNAGE, REFER TO DETAIL 7/AS.4
- 15 ACCESSIBLE PARKING SPACE SYMBOL, REFER TO DETAIL 8/AS.4
- 16 ACCESSIBLE CURB RAMP - SEE DETAIL 12/AS.4 AND / OR ENLARGED PLANS
- 17 WHEEL STOP LOCATION, REFER TO DETAIL 14/AS.4 AND 9/AS.4
- 18 TRUNCATED DOME PAVEMENT TILES, REFER TO DETAIL 21/AS.4
- 19 CONCRETE GROUTING PER DETAIL 9/AS.4
- 20 36" HIGH STAKEFAST GALV. COIL CORRAL WALL #1 CONCRETE CAP. SEE SECTION 6/AS.4
- 21 CART CORRAL, SEE SPECIFICATIONS
- 22 BENCH - SEE SPECIFICATIONS
- 23 CONCRETE PAVEMENT / SAND BASE-OLSEN BLEND
- 24 CURB BARRIERS EXISTING LENGTH OF WALL MUST BE 48" (TO CENTER) ABOVE SURFACE AND AT 33" (TO CENTER) ABOVE SURFACE. W/OUT CURB QUARD 2, BLACK
- 25 NEW MONUMENT SIGN - SEPARATE SUBMITTAL
- 26 EXISTING SIGN TO BE REMOVED
- 27 6" CURB
- 28 BRICK BANDING- ACME RED SLABSET FULL BRICK ON CONCRETE SUBSLAB. SEE DETAIL 23/AS.4
- 29 BIKE RACK - SEE SPECIFICATIONS AND DETAIL 25/AS.4
- 30 LOCKABLE BROWN IRON GATES - SEE DOOR SCHEDULE. NO PUBLIC ACCESS
- 31 5' REQUIRED SETBACK AT RESIDENTIAL ADJACENCY. NO PUBLIC ACCESS
- 32 EXISTING PROPERTY LINE
- 33 EXISTING DRIVE
- 34 PAINTED STOP STRIPPA SEE DETAILS 4 & 6/AS.3
- 35 NEW DRIVE APPROX PER CITY STANDARDS - CENTER ON LAKE AVENUE
- 36 SLOPING TRANSITION CURB
- 37 EXISTING D.O.C. TO REMAIN
- 38 NEW TRANSFORMER LOCATION WITH PROTECTIVE BOLLARDS. SEE SITE ELECTRICAL FOR ADDITIONAL INFORMATION
- 39 INTERSECTION LINE OF SITE PER PUBLIC BONS
- 40 ACCESSIBLE PARKING SIGNAGE PER DETAIL 27/AS.4
- 41 EXISTING PARKING SPACES TO BE RE-STRIPPED, REFER TO DETAIL 9/AS.4
- 42 EXISTING GREASE INTERCEPTOR, PROVIDE EXTENSION TO NEW MAN HOLE/ CLEANOUT HEIGHTS IN NEW HARDSCAPE
- 43 METAL HANDRAIL-SEE DETAIL 15/AS.4
- 44 NEW LIGHT POLE LOCATION, REFER TO DETAIL 1/AS.4 FOR CONCRETE BASE. REFER TO ELECTRICAL DRAWINGS FOR WIRE INFORMATION
- 45 LEVEL CLEAR LANDING PER REQUIREMENTS OF DETAIL 17/AS.4
- 46 NEW TRANSFORMER LOCATION, REFER TO ELECTRICAL DRAWINGS. PROVIDE 10' CLEAR FROM ACCESS SIDE OF ABOVE GRADE LANE
- 47 EXISTING TRANSFORMER LOCATION, REFER TO ELECTRICAL DRAWINGS
- 48 STOP SIGN LOCATION, REFER TO DETAIL 3/AS.4
- 49 DASHED LINE INDICATES 2' OVERHANG
- 50 H.C. ACCESSIBLE RAMP-SEE ENLARGED PLANS FOR CURB RAMP SEE DETAIL 12/AS.4
- 51 EXISTING FIRE HYDRANT LOCATION
- 52 4'-0" HIGH CONCRETE FILLED METAL PIPE BOLLARD WITH REFLECTORS @ THE TOP @ 6'-0" O.C. ALONG SOUTHWESTERN PROPERTY LINE AS SHOWN. SEE DETAIL 2/AS.4. SPACE TO AVOID BLOCKING EXISTING FENCE DOORS
- 53 36" HIGH NEW GREEN SCREEN WALL
- 54 NEW GAS METERS
- 55 RELOCATED GAS METERS
- 56 NEW 6'-0" HIGH PRECAST FENCE-"FENCE STONE" BY ARTISAN OR APPROVED EQUAL. DESIGN AND INSTALLATION BY MANUFACTURER'S WRITTEN RECOMMENDATION
- 57 EXISTING FENCING - METAL AND WOOD +/- 6'-0" HIGH TO REMAIN
- 58 NEW GREASE INTERCEPTOR, SEE PULLING PLANS
- 59 EXISTING GAS METER TO REMAIN
- 60 NEW 6'-0" HIGH GREEN SCREEN WALL
- 61 EXISTING LOADING DOCK / WELL
- 62 ENCROACH TO ADJACENT PROPERTY FOR ROADWAY PURPOSES
- 63 ELECTRICAL SIGNAGE
- 64 EXISTING BLOCK WALL +/- 6'-0" HIGH TO BE REPAIRED AND REFINISHED
- 65 DASHED LINE INDICATES FIRE APPARATUS ACCESS DRIVE
- 66 LANDSCAPE POT-SEE LANDSCAPE DRWS
- 67 NEW TRASH ENCLOSURES - SEE DETAILS SHEET AS.5
- 68 FUTURE PAID MAIL BY OTHERS, SEPARATE APPROVAL AND PERMIT
- 69 NEW LANDSCAPE PLANTER
- 70 PAINTED TRAFFIC APPROX PER DETAIL 23/AS.3
- 71 LIGHT POLE LOCATION-SEE ELECTRICAL DRAWINGS. SEE DETAIL 24/AS.5
- 72 4'-0" HIGH CONCRETE FILLED METAL PIPE BOLLARD, SEE 2/AS.4
- 73 6'-0" HIGH CONCRETE FENCE WITH PRECAST I-BEAM POSTS AT 5'-0" O.C.
- 74 ACCESS PATH-SEE LANDSCAPE DRWS
- 75 FIRE LANE ENTRANCE SIGN, SEE DETAIL 10/AS.4
- 76 UTILITY EASEMENT SEE CIVIL PLANS



OVERALL SITE PLAN

NOTES:

1. DESIGN SIGN LOCATIONS ARE SHOWN FOR DIAGNOSTIC PURPOSES ONLY. FINAL LOCATIONS MAY VARY.
2. NEW RETAIL AND BUILDING ARCHITECTURE TO BE SUBMITTED SEPARATELY. ARCHITECTURE SHALL ADHERE TO GENERAL THEME OF THE MAIN BUILDING RENOVATION.
3. ALL SITE GRADING FOR SIGNATURE SIGNAGE PROVIDED. ALL INTERFERE DETAILS ARE FOR CODE COMPLIANCE PURPOSES AND DO NOT REPRESENT SIGN DESIGN WITH AN EXCEPTION TO CDC CODE REVD CODE CONTENT

LEGEND

- AP ACCESSIBLE EGRESS UNOBSTRUCTED PATH OF TRAVEL - UNIMPROVED ACCESSIBLE (UNLESS NOTED OTHERWISE) WITH SLOPE NOT TO EXCEED 5% IN DIRECTION OF TRAVEL AND CROSS SLOPE NOT TO EXCEED 2%.
- SEE CIVIL SHEET 2 FOR ACTUAL DESIGN SLOPES ALONG THE PATH OF TRAVEL.
- INDICATES FIRE LINE - "NO PARKING" ON RED PAINTED CURB FOR NEWPORT BEACH CITY DEPARTMENT AND PER DETAIL 4/AS.4

LANDSCAPE AREA SUMMARY

FRONT PARKING AREA	
GROSS PARKING AREA	75,433 SF
PARKING LANDSCAPE AREA	3,184 SF
LANDSCAPE AREA RATIO	6.81%
OVERALL LANDSCAPE AREA	1/-11,450 SF

PARKING SUMMARY

PARKING REQUIRED 1/200 SF	240 STALLS
PARKING PROVIDED	235 STALLS
PARKING WAIVER APPROVED THROUGH UP2010-002 FOR A REDUCTION OF 5)	
ACCESSIBLE STALLS REQUIRED 7 (PER CDC TABLE 119-6)	
ACCESSIBLE STALLS PROVIDED	0 (INCLUDING ONE VAN)

SITE SUMMARY

GROVER 01 3100 (NET)	28,537 SF
SUITE 51 3108	2,063 SF
SUITE 52 3106	958 SF
SUITE 53 3104	1,003 SF
SUITE 54 3102	900 SF
SUITE 55 3100	2,318 SF
SUITE 56 3101	1,418 SF
SUITE 57 3103	781 SF
SUITE 58 3105	900 SF
SUITE 59 3107	738 SF
SUITE 60 3109	1,878 SF
SUITE 61 3111	1,200 SF
STORAGE	95 SF
PAD FT 3102 (REQUIRED)	4,000 SF
TOTAL FULL BUILD-OUT	47,916 SF

SITE AREA: 3.76 ACRES +/- 29.2%

GENERAL NOTES

LEGEND

LANDSCAPE AREA SUMMARY

PARKING SUMMARY

SITE SUMMARY

KEYNOTES

FROM: October 08, 2009
 PROJECT: 100-118 CATELLUS - BALBOA CENTER (100-118-AS1-SP-10)



theLANDING
3100 W. BALBOA BLVD.
NEWPORT BEACH, CA

**FAÇADE REMODEL
BLDG. EXPANSION
SITE IMPROVEMENTS**

CATELLUS
ARCHITECTS
66 FRANKLIN ST., SUITE 200,
OAKLAND, CA 94607

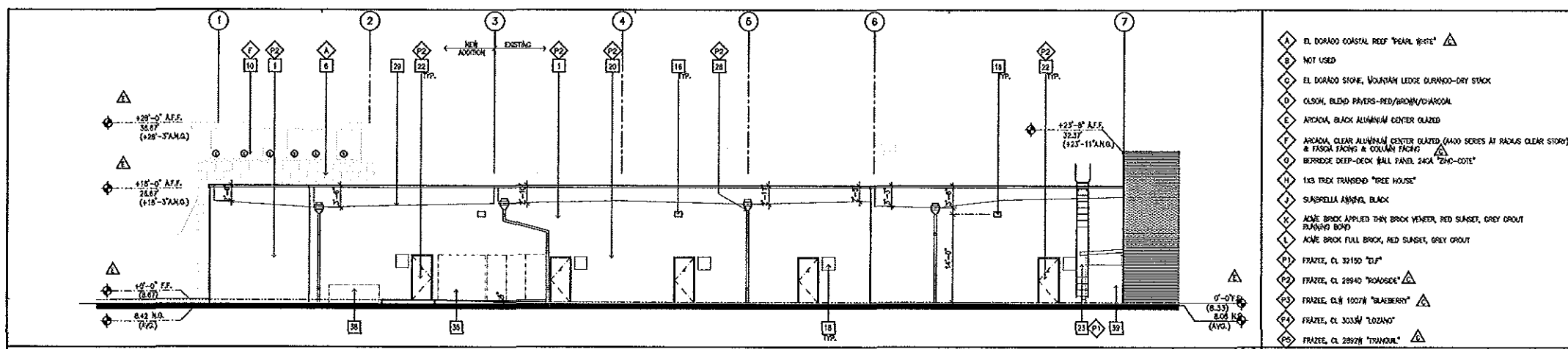
**EXTERIOR
ELEVATIONS**

PLAN CHECK #: 0983-2110
LIC NO: 2010009
OC PERMIT #: S-10-042

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DATE	BY	REVISION
06-26-10	PHL/CHT	PRELIMINARY
07-08-10	PHL/CHT	REVISED
09-15-10	PHL/CHT	REVISED
2008-1-15	PHL/CHT	REVISED
10-12-10	PHL/CHT	REVISED
08-01-10	PHL/CHT	REVISED
08-23-10	PHL/CHT	REVISED
08-01-10	PHL/CHT	REVISED
08-15-10	PHL/CHT	REVISED
08-31-10	PHL/CHT	REVISED
10-12-10	PHL/CHT	REVISED

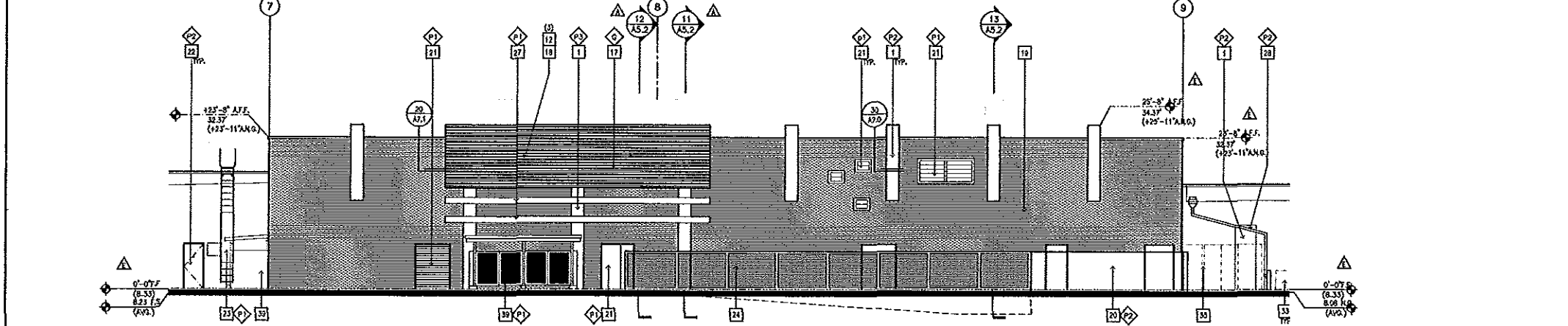
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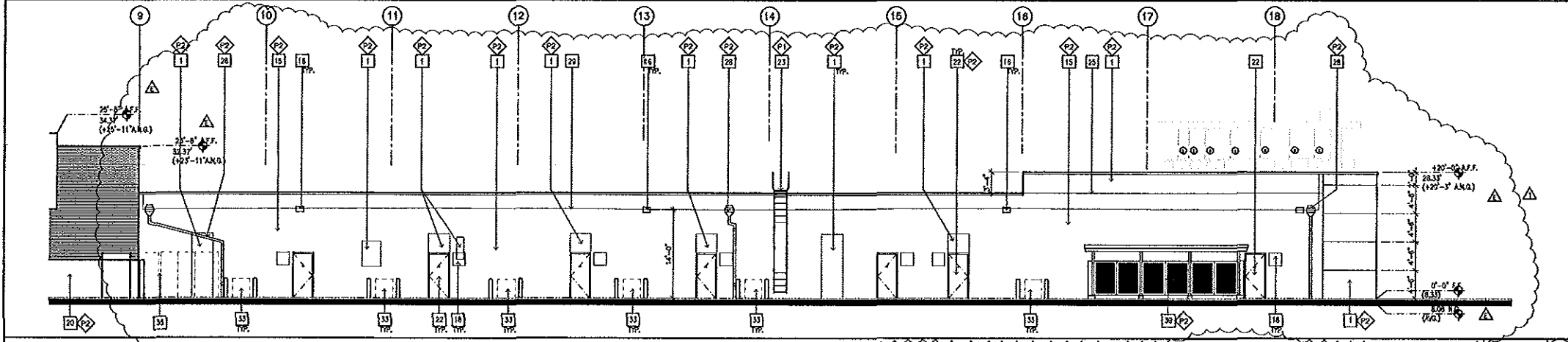
SOUTH ELEVATION-SHOPS WEST 1/8" = 1'-0" 5

FINISH LEGEND

- 1 PAINTED LIGHT SAND FLOUT FINISH EXTERIOR PLASTER 3 COAT SYSTEM
- 2 ADHERED THIN BRICK VENEER, SEE DETAIL 12/A2.2 (COLOR MATCH CAP FLASHING)
- 3 ADHERED STONE VENEER, SEE DETAIL 12/A2.2 (COLOR MATCH CAP FLASHING)
- 4 1/2" CLEAR ALUMINUM REVEALS IN PLASTER WALLS, SEE DETAIL 7/A2.2 LEFT UNPAINTED
- 5 CLEAR ALUMINUM GLAZING AT FASCIA OR COLUMN, SEE SECTIONS AND PLASTER PLANS FOR ADDITIONAL INFO.
- 6 GUT STONE VENEER, SEE DETAIL 12/A2.2
- 7 CLEAR GLAZING IN ANNOXED ALUMINUM STOREFRONT UNLS. REFER TO FLOOR PLAN AND DETAIL 12/A4.0 FOR INTERNATIONAL SYMBOL OF ACCESSIBILITY SIGNAGE LOCATIONS.
- 8 PROJECTING HORIZONTAL METAL CANOPY-PAINTED SEE DETAIL 11/12 & 12/A7.4
- 9 PRE-FINISHED HORIZONTAL WOOD SLAT WITH 1" SPACING ON 2x4 PRESSURE TREATED VERTICAL SLEEPERS AT 2'-0" O.C.
- 10 SPANDREL GLAZING IN ANNOXED ALUMINUM STOREFRONT
- 11 PAINTED METAL LOWER PANELS SEE DETAIL 2/A7.4
- 12 SQUARE POINT OF CONNECTION RECEIVERS PER DETAIL 6/10 & 12/A7.1, SEE ALSO REPORT # 18
- 13 CANVAS ANTI-GLASS 1/2" FIRE RESISTANT MATERIAL STRETCHED OVER PRE-FINISHED (BLACK) METAL FRAMES-SEE DETAIL 3/A7.4
- 14 PAINTED TUBE STEEL COLUMN
- 15 EXISTING EXTERIOR PLASTER WALL TO BE PATCHED/PAINTED
- 16 LIGHT FIXTURE-SEE ELECTRICAL DIAGS.
- 17 HORIZONTAL RIBBED PRE-FINISHED METAL WALL PANELS
- 18 TENANT SIGN LOCATIONS SUBJECT TO APPROVED SIGN PROGRAM-UNDER SEPARATE PERMIT
- 19 EXISTING BRICK WALL TO REMAIN-UNPAINTED-REPAIR, REPAINT EXISTING CAP FLASHING
- 20 EXISTING FINISHED OR UNFINISHED BLOCK WALLS TO BE CLEANED AND REPAINTED
- 21 EXISTING METAL DOOR/DOORHEAD DOOR AND WALL LOUVERS TO REMAIN -CLEAN AND RE-PAINT METAL PARTS AS REQUIRED
- 22 HOLLOW METAL DOOR AND FRAME -SEE DOOR SCHEDULE
- 23 NEW ROOF ACCESS UNDER -FANT SEE DETAIL 20/A7.3
- 24 NEW "GREEN SCREEN" METAL MESH SCREEN WALL AT EXISTING LOADING DOCK
- 25 PLASTER CONTROL JOINT-SEE DETAIL 1/A7.2
- 26 ADHERED THIN BRICK VENEER-SOLDER COURSE AT LINTL
- 27 PAINTED STEEL CHANNEL
- 28 PAINTED METAL DOWNSPOUT, COLLECTOR BOX AND HALL BRACKETS, SEE DETAIL 6/11/A7.3
- 29 LINE OF ROOF BEYOND
- 30 RECESSED HOSE END #1 STAINLESS STEEL COVER
- 31 ADDRESS SIGNAGE LOCATION-SIGNAGE BY OTHERS UNDER SEPARATE PERMIT, SIGNAGE TO MEET ALL APPLICABLE JURISDICTIONAL REQUIREMENTS. CONTRACTOR TO PROVIDE POWER TO LOCATION. MBOX BOX SHALL BE INSTALLED ON THE OUTSIDE OF THE BUILDING AT THE MAIN ENTRANCE 6'-0" ABOVE GRADE. LOCATION TO BE FIELD VERIFIED WITH NEWPORT BEACH FIRE DEPT.
- 32 GAS METER LOCATION
- 33 WATER METER LOCATION
- 34 ELECTRICAL EQUIPMENT/AREA ENCLOSED-FAST TO MATCH ADJACENT WALL COLOR
- 35 BREAK METAL OVER JAMB. SEE ENLARGED PLANS FOR ADDITIONAL INFORMATION
- 36 LOW WALL CURT CORRAL
- 37 EXISTING STOREFRONT TO REMAIN
- 38 TRASH ENCLOSURE-SEE ASS
- 39 GLASS ROLL-UP DOOR. SEE DOOR SCHEDULE (TEMPERED SAFETY GLAZING)
- 40 EXISTING CONC. CURB/PUNCH TO REMAIN
- 41 NEW CONC. PLUMB- 6" AT MARKET-4" ALL ELSE
- 42 ANL BY OTHERS-VERIFY OPENING WITH BOSTON RECOMMENDATION FROM MANUFACTURER, SEE DETAILS 29A30/7A10



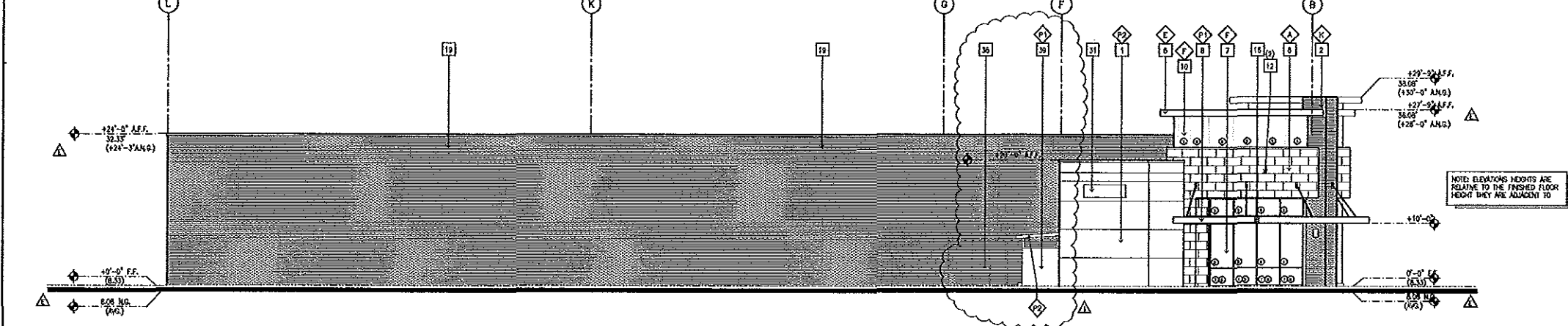
SOUTH ELEVATION-GROCEER 1/8" = 1'-0" 6



SOUTH ELEVATION-SHOPS EAST 1/8" = 1'-0" 7

KEYNOTES

- (E) EXISTING TO REMAIN
- (T) TEMPERED GLAZING (SAFETY)
- (D) DUAL GLAZING, 1" INSULATED
- (S) SPANDREL GLAZING, SANDBLASTED
- * ALL GLAZING AT SINGLE PANE CLEAR UNLESS NOTED AS DUAL.
- * ALL GLAZING TO MEET MIN. U-FAC 0.18 AND SHG 0.88 SINGLE METAL CLEAR PER TITLE-24 ENERGY COMPLIANCE OCCUPANCY.
- F.F. FINISHED FLOOR
- A.F.F. ABOVE FINISHED FLOOR
- N.G. NATURAL GRADE
- A.N.G. ABOVE NATURAL GRADE



EAST ELEVATION-SHOPS EAST & GROCEER 1/8" = 1'-0" 8

GENERAL NOTES

- ALL EXTERIOR EXPOSED METAL FLASHING, FLASHING, CONDENS., ECT. SHALL BE PAINTED TO MATCH ADJACENT BUILDING SURFACE.
- CONTRACTOR SHALL REMOVE THE ARCHITECT / PROJECT MANAGER A MANUAL OF 48 HOURS FROM TO APPLICATION OF EXTERIOR CEMENT PLASTER. THE ARCHITECT / PROJECT MANAGER SHALL FIELD VERIFY LOCATIONS OF EXPANSION JOINTS, CONTROL JOINTS, SCREENS, & FLASHING PRIOR TO CEMENT PLASTER APPLICATION.
- PROVIDE BLOCKING AND ELECTRICAL JUNCTION BOX AT ALL EXTERIOR SIGNAGE LOCATIONS - VERIFY EXACT LOCATIONS WITH THE APPROVED SIGNAGE PROGRAM - REFER TO ELECTRICAL PLANS.
- SAFETY GLAZING NOTE: EACH LIGHT OF SAFETY GLAZING MATERIAL INSTALLED IN HAZARDOUS LOCATIONS SHALL BE IDENTIFIED BY A PERMANENT LABEL THAT SPECIFIES THE LABELER, AND STATES THAT SAFETY GLAZING MATERIAL HAS BEEN UTILIZED IN SUCH CONDITIONS.
- * INDICATES TEMPERED GLASS - REFER TO STOREFRONT SCHEDULE, SHEET A1.0
- COORDINATION NOTE: PRIOR TO STARTING THE ENTIRE PROJECT CONTRACTOR TO APPLY SAMPLES OF ALL PAINT COLORS FOR THE PROJECT ON BUILDING(S), IN A LOCATION THAT BEST ILLUSTRATES THE INTENT OF THE COLOR SCHEME, CONTRACTOR TO NOTIFY OWNER AND ARCHITECT TO COME OUT TO THE JOB SITE AND INSPECT THE SAMPLES FOR FINAL APPROVAL OR REJECT THE SAMPLES AND PROPOSE ALTERNATES. IF ALTERNATES ARE PROPOSED, CONTRACTOR IS TO GO THROUGH SAME PROCESS UNTIL ARE APPROVED.
- * INDICATES SUGGESTED AREA/ZONE FOR PAINT WORK-UP
- CONTRACTOR IS NOT TO BUY AND OR APPLY ALL THE PAINT ESCOURED FOR THE PROJECT UNTIL SAMPLES ARE APPROVED BY OWNER AND ARCHITECT
- PLASTER FINISH NOTE: ALL CEMENT PLASTER APPLICATIONS AT BUILDING EXTERIOR SHALL BE 20/30 FINE SAND FLOUT FINISH UNLESS NOTED OTHERWISE.
- PLASTER FINISH TO BE PER SPECIFICATION ARCHITECT TO APPROVE SAMPLES IN 24" SQUARE-PROVIDE BY CONTRACTOR) PRIOR TO CONTRACTOR APPLYING FIRST PLASTER COAT(SUBROOM ONLY)
- GENERAL CONTRACTOR SHALL OBTAIN ARCHITECT'S APPROVAL ON PLACEMENT / LOCATION OF PLASTER CONTROL JOINTS PRIOR TO APPLICATION OF EXTERIOR PLASTER FINISH COAT.

FROM: JULY 09, 2010
PROJECT: 09-008-150 CATELLUS - BALBOA CENTER/CONV-150-151-BUILDING



ZONING ADMINISTRATOR ACTION LETTER

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

Application No. PA2010-105

- Use Permit No. UP2010-021
- Modification Permit No. MD2010-027

Applicant William Azzalino, AIA

Site Address 101 15th Street
Whitacre Residence

Legal Description Lots 1 and 2, Block 15, Section B

On May 25, 2011, the Zoning Administrator approved the following: A use permit application for an addition of up to 75 percent of the existing gross floor area and alterations of up to 75 percent of the existing structural elements of a nonconforming structure. The applicant also requested a modification permit to allow the proposed addition to encroach into the required five-foot side setback on the northerly side of the property and the required ten-foot rear setback. The site is developed with two (2) commercial structures adjacent to 15th Street and a residential structure to the rear. The applicant proposes an addition to the existing residence and the addition of a new dwelling unit above the commercial structures. Four-car parking is proposed to satisfy the residential parking requirements.

Ordinance 2010-21, which adopted the current Zoning Code, provides that discretionary and ministerial applications deemed complete prior to the effective date of the ordinance may be processed under the previous Zoning Code, provided they are found consistent with the General Plan. The application was submitted and deemed complete prior to the adoption of the current Zoning Code. Therefore, this project is being reviewed subject to regulations of the previous Zoning Code (1997 Zoning Code). The property is located in the within the MU-CV/15th Street Zoning District, however, the RSC-R (Retail and Service Commercial – Residential Overlay) District regulations from the 1997 Zoning Code apply to this project.

The Zoning Administrator determined in this case that the proposed Use Permit and Modification Permit are consistent with the legislative intent of the 1997 Zoning Code and is approved based on the following findings per Section 20.91.035, Section 20.62.040, and Section 20.93.030 and subject to the following conditions:

Findings

CEQA Compliance

1. The project is exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities) of the Implementing Guidelines of the California Environmental Quality Act. This exemption allows for the minor alteration of existing buildings and the addition of a new residential unit.

Use Permit

2. Finding: 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-R (Retail and Service Commercial – Residential Overlay) District of the 1997 Zoning Code. The intent of this district to provide areas which are predominantly retail in character but which allow some service office uses. The intent and purpose of the Residential Overlay district is to provide for the establishment of residential uses in commercial districts. The proposed mixed use project is a permitted use in this district. The existing eating and drinking establishment and retail surf shop meet the intent of the RSC district, and the existing and proposed residential units meet the intent of the R-Overlay District.
3. Finding: 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 existing commercial structures and residential units on site are consistent with the Mixed Use-Horizontal (MU-H4) land use designation of the General Plan, which applies to properties where it is the intent to establish the character of a distinct and cohesively developed district or neighborhood containing multi-family residential with clusters of mixed-use and/or commercial buildings. Mixed-use or commercial buildings are required on parcels at street intersections.

- The neighborhood is developed with commercial, residential, and mixed use properties. The subject property has been developed with mixed use for at least fifty years, and the addition of one (1) residential dwelling unit will not create any significant negative impacts.
 - The property abuts public rights-of-way of three sides; therefore, the addition is directly adjacent to only one (1) other property.
 - The proposed addition will provide the required parking for the residential units. The existing commercial structures are not being enlarged or intensified, so the parking demand is not being increased.
 - The proposed addition will conform to all other requirements of the 1997 Zoning Code, including height and square footage limitations.
4. Finding: 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 mixed-use project is consistent with the legislative intent of Chapter 20.15 (Commercial Districts) and Chapter 20.52 (Residential (R) Overlay District) of the 1997 Zoning Code. The proposed project meets the development standards of the RSC-R district in regards to minimum site area per unit, height limit, and minimum lot area.
 - The existing structures are nonconforming due to encroachments into the 10-foot rear alley setback and 5-foot northerly side setback, and due to insufficient parking for the commercial uses. The proposed remodel of the existing residential unit and the addition of a unit are in conformance with the standards of Chapter 20.62 (Nonconforming Structures and Uses) of the 1997 Zoning Code. Section 20.62.040 (Nonconforming Structures) allows for structural alterations and additions of up to 75 percent with the approval of a use permit.
 - The existing residential unit conforms with the parking requirements of the R-Overlay District of two (2) parking spaces per unit. The proposed construction includes the addition of two (2) parking spaces for a total of four (4) parking spaces, meeting the residential parking requirements. No addition is proposed to the commercial structures.
5. Finding: The cost of improvements to be made is minor in comparison to the value of the existing nonconforming condition.

Facts in support of finding:

- The cost of the addition and alterations in comparison to the value of the existing nonconforming condition is minor because although the cost of the remodel as proposed may be high, the existing mixed-use structure could not be rebuilt if it were to be demolished. In order to bring the existing buildings into conformance with the required setbacks, the removal of a significant portion of the residential living area and the retail surf shop would be necessary.
 - Per the County Assessor's records, the total value of the property was assessed at \$1,508,322 for the 2010 calendar year.
6. Finding: The cost of correcting the nonconforming condition would exceed the cost of the other alterations proposed.

Facts in support of finding:

- Correcting the nonconforming setbacks would require the removal of existing floor area from the residential structure and retail surf shop. The proposed alterations within the setback areas are only a minor portion of the entire project; therefore, the cost of the overall project is greater than the cost of the alterations within the setback areas.
 - Demolition and replacement of the structures could not be accomplished without approval of a parking waiver.
 - The City has no plans on file for the original construction. Based on information from the County of Orange, the existing structures were built in the 1920s.
7. Finding: Retention of the nonconforming condition is necessary to maintain reasonable use of the structure.

Facts in support of finding:

- Retention of the nonconforming parking for the commercial structures is necessary because a mixed-use structure similar to the existing development could not be built under current development standards. The number of parking spaces required for the amount of commercial floor area allowed on this site is a minimum of ten (10) spaces based on a parking ratio of one (1) parking space for every 250 square feet of gross floor area. The minimum allowed floor area for a commercial structure on this mixed-use property is 1,250 square feet, which would require a minimum of five (5) parking spaces. This site does not provide adequate space for a code-compliant parking lot with 5-10 parking spaces, in addition to the required residential parking.

- Retention of the nonconforming rear setback encroachment maintains the existing livable space within the structure. Removing the encroachments would result in one (1) less bedroom and reduced living area in the living room and master bedroom.

8. Finding: The addition and alteration does not increase the structure's inconsistency with the regulations of the Zoning Code.

Facts in support of finding:

- The proposed project includes the addition of two (2) parking spaces, satisfying the requirements for residential parking. The commercial structures are not being enlarged or intensified.
- The proposed addition and alterations will meet all other development standards for the RSC-R District, with the exception of the Modification Permit requests.
- The proposed construction is contained generally within the footprint of the existing structure.

Modification Permit

9. Finding: The granting of the application is necessary due to the practical difficulties associated with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code.

Facts in support of finding:

- The northerly side yard setback requirement of five (5) feet is due to the abutting property's Zoning designation of R-2 (Two-Unit Residential). The Zoning Code requires a side yard setback only because the abutting property is designated for residential use; however, the property to the north is developed with a mixed-use structure. This property is subject to abatement of the nonconforming mixed-use, but the property owner has applied for General Plan, Zoning Code, and Coastal Land Use Plan amendments to change the property to allow for mixed-use. If the amendment application is denied, then the property owner may request an extension on the abatement. Therefore, there is a possibility that the property will remain mixed-use for the foreseeable future.
- The additional dwelling unit is being proposed within the required setback in order for the wall to line up with the existing commercial structure on the first floor.

- The existing commercial structures and residential dwelling unit constitute a practical difficulty associated with the property as the only location available for the four-car parking is located within the side and rear yard setbacks.

10. Finding: The requested modification will be compatible with existing development in the neighborhood.

Facts in support of finding:

- The deviation from the Zoning Code requested through this application is compatible with the characteristics of the surrounding properties, many of which do not provide side yard or rear yard alley setbacks, either because of differing Zoning Code requirements or nonconforming encroachments.
- Other properties on the block contain similar mixed-use projects with commercial structures on the first floor and residential uses above.

11. Finding: The granting of such an application will not adversely affect the health or safety of persons residing or working in the neighborhood of the property and will not be detrimental to the general welfare or injurious to property or improvements in the neighborhood.

Facts in support of finding:

- The alley is approximately 25 feet wide and provides sufficient access for vehicles to park in the garages and carports. The 25-foot width is also adequate for circulation.
- The existing structures on site are built up to the northerly property line. The existing mixed-use structure to the north is also built on the property line, and this layout has not proven to be detrimental.
- The proposed encroachment into the alley setback is for the carports and a deck above. No new living area is proposed within the alley setback.

Conditions

1. The development shall be in substantial conformance with the approved plot plan, floor plans, and elevations, except as noted in the following conditions.
2. The guard rail for the deck adjacent to the alley shall be constructed with wrought iron, glass, or similar open or translucent material.
3. All signs shall conform to the provisions of Chapter 20.67 of the Municipal Code or any applicable comprehensive sign program that is in force for the subject property.

4. No temporary "sandwich" signs, balloons or similar temporary signs shall be permitted, either on-site or off-site, to advertise the proposed food establishment, unless specifically permitted in accordance with the Sign Ordinance of the Municipal Code. Temporary signs shall be prohibited in the public right-of-way, unless otherwise approved by the Public Works Department in conjunction with the issuance of an encroachment permit or encroachment agreement.
5. All trash shall be stored within the building or within public dumpsters provided for the convenience of businesses in the area, or otherwise screened from view of neighboring properties except when placed for pick-up by refuse collection agencies. The trash dumpsters shall have a top which shall remain closed at all times, except when being loaded or while being collected by the refuse collection agency.
6. The applicant shall maintain the trash dumpsters or receptacles so as to control odors which may include the provision of fully self-contained dumpsters or may include periodic steam cleaning of the dumpsters, if deemed necessary by the Planning Division. Trash generated by the establishment shall be adequately contained in sealed plastic bags to control odors prior to placement in the trash dumpster.
7. Anything not specifically approved by this Use Permit and Modification Permit is prohibited and must be addressed in a separate and subsequent review.
8. 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.
9. A building permit shall be obtained prior to commencement of the construction. The construction must meet all applicable Building Code requirements including parapets and guards and fire resistant construction, where required.
10. A copy of this approval letter shall be incorporated into the City and field sets of plans prior to issuance of the building permits.
11. Approval from the California Coastal Commission is required prior to issuance of a building permit.
12. Prior to issuance of building permits, the applicant shall provide a covenant for review and approval by the Office of the City Attorney as to form and content, that will address holding the site to no more than two (2) dwelling units. Once approved and properly executed, that document shall be forwarded to the City officials for recordation against the property with the County Recorder.
13. If any of the existing public improvements surrounding the site is damaged by private work, new concrete sidewalk, curb and gutter, street pavement, and other

public improvements will be required by the City at the time of private construction completion. Said determination and the extent of the repair work shall be made at the discretion of the Public Works inspector.

14. All work performed within the public right-of-way shall be reviewed and approved by the Public Works Department under an encroachment permit/agreement, if required.
15. Any nonstandard encroachment within the public right-of-way shall be removed, including any stairs or railings.
16. Each unit shall be served by separate water and sewer, and traffic grade lids shall be provided for each.
17. The applicant is responsible for all upgrades to the City's utilities as required to fulfill the project's demands, if applicable.
18. New and existing fire services shall be protected by a USC approved double check detector assembly and installed per STD-517-L, if required by the Fire Department.
19. New water services shall be installed per STD-502-L or STD-503-L, depending on the size.
20. New and existing commercial water meter(s) shall be protected by a USC approved reduced pressure backflow assembly and installed per STD-520-L-A.
21. New and existing sewer laterals shall have a cleanout installed per STD-406-L.
22. The project will need to meet fire flow requirements with the addition to the building. The City and field sets of plans shall show all existing and proposed fire hydrants located within 300 feet of the project.
23. Smoke alarms will be required in the R occupancies and shall be installed as per California Building Code Section 907.2.11.2 outside of each separate sleeping area in the immediate vicinity of bedrooms and in each room used for sleeping purposes.
24. For new construction, an approved carbon monoxide alarm shall be installed in dwelling units and in sleeping units within which fuel-burning appliances are installed, and in dwelling units that have attached garages.
25. The address will need to be placed on the street side of the building, as required by the Fire Department.

26. Required vertical and horizontal occupancy separation must be met as per California Building Code Section 508.2.5.1.
27. As per California Fire Code Section 903.2.8, an automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area, as required by the Fire Department.
28. Exit hardware on new doors shall comply with California Fire Code Section 1008.1.9.3, as required by the Fire Department.
29. 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 Whitacre Residence including, but not limited to, Use Permit No. UP2010-021 and Modification Permit No. MD2010-027. 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.
30. This approval shall expire unless exercised within 24 months from the approval date, as specified in Section 20.93.050 (A) of the 1997 Zoning Code. Prior to the expiration date of this approval, an extension may be approved in accordance with Section 20.93.050 (B) of the 1997 Zoning Code. Requests for an extension must be in writing.

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 \$4,333.00 filing fee shall accompany any appeal filed. For additional information on filing an appeal, contact the Planning Department at 949-644-3200.

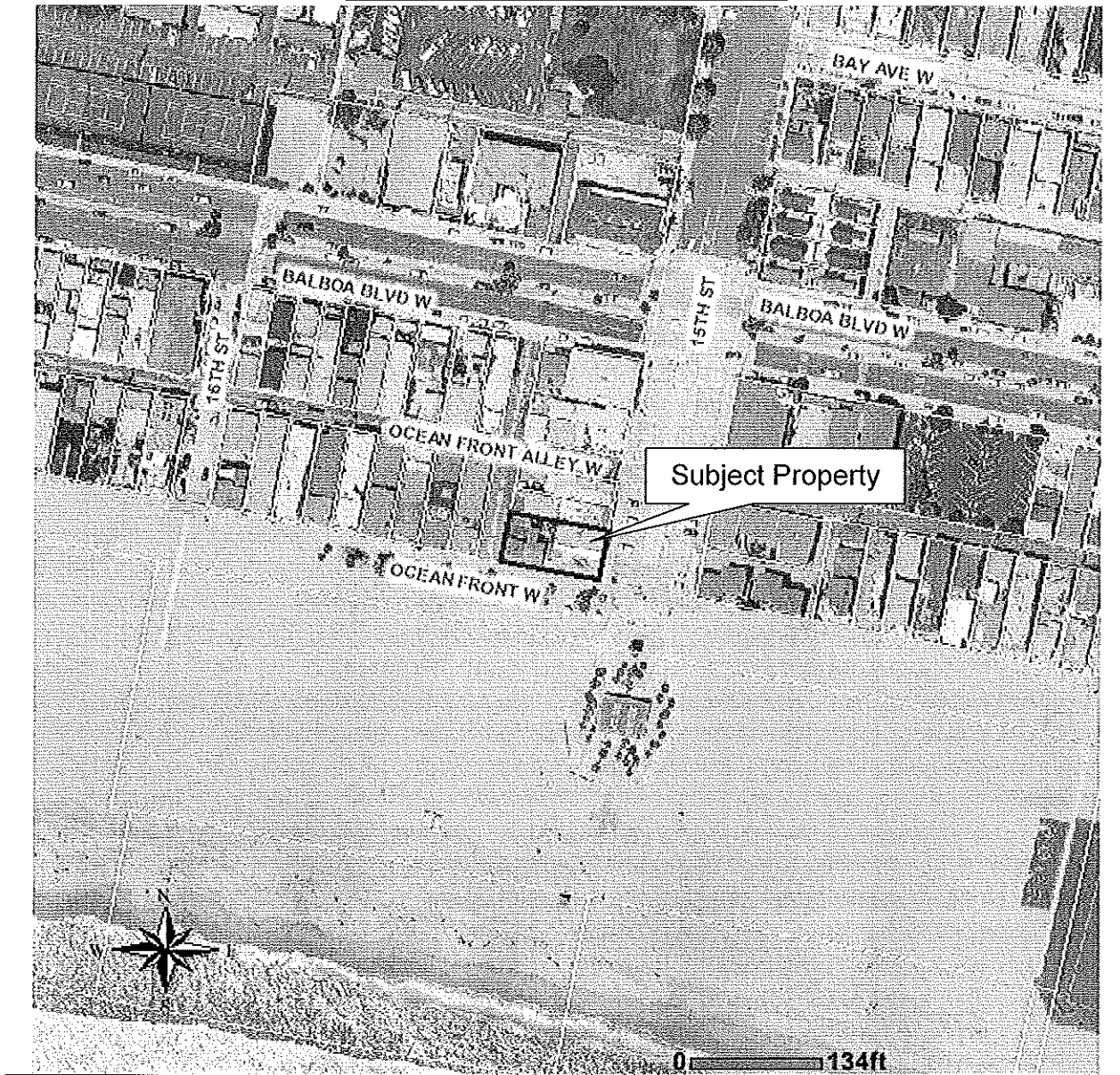
By: 

Patrick Alford, Zoning Administrator

PA/fn

Attachments: Vicinity Map
Project Plans

VICINITY MAP



Use Permit No. UP2010-021
Modification Permit No. MD2011-027
PA2010-105

101 15th Street



ARCHITECTURE / INTERIOR DESIGN
242 Fort Wilby Road
Newport Beach, CA 92660
Phone 949-863-1033 Fax 949-782-4444

CLIENT

RUTHIE WHITACRE RESIDENCE

101 - 103 15th STREET Balboa, CA

Lots 1 & 2 in Block 15 of Section 8, Newport Beach, CA, as shown on a map recorded in Book 4, Page 27 of Misc. Maps, Records of Orange County.

PROJECT

MIXED-USE COMMERCIAL/RESIDENTIAL SECOND FLOOR ADDITIONS NEW GARAGE (1 CAR) AND NEW CARPORT (1 CAR)

THE DRAWINGS AND SPECIFICATIONS ARE PROPERTY OF WILLIAM AZZALINO ARCHITECT AND SHALL NOT BE USED ON ANY OTHER PROJECT EXCEPT BY THE WRITTEN AGREEMENT WITH WILLIAM AZZALINO ARCHITECT. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER THE SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB SITE. ANY DISCREPANCIES SHALL BE BROUGHT TO THE NOTICE OF WILLIAM AZZALINO ARCHITECT PRIOR TO COMMENCEMENT OF ANY WORK OR ERRORS AND COSTS ARISING THEREFROM ARE CONTRACTOR'S SOLE RESPONSIBILITY.

GROUND FLOOR DEV'D PLAN
GROUND FLOOR PLAN

SHEET TITLE

IMPORTANT WARNING - USE OF THESE PLANS
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PROJECT NUMBER

09-101104

DATE

6-11-10

SCALE

REVISIONS

11-17 City Comments

12-28 City Comments

4

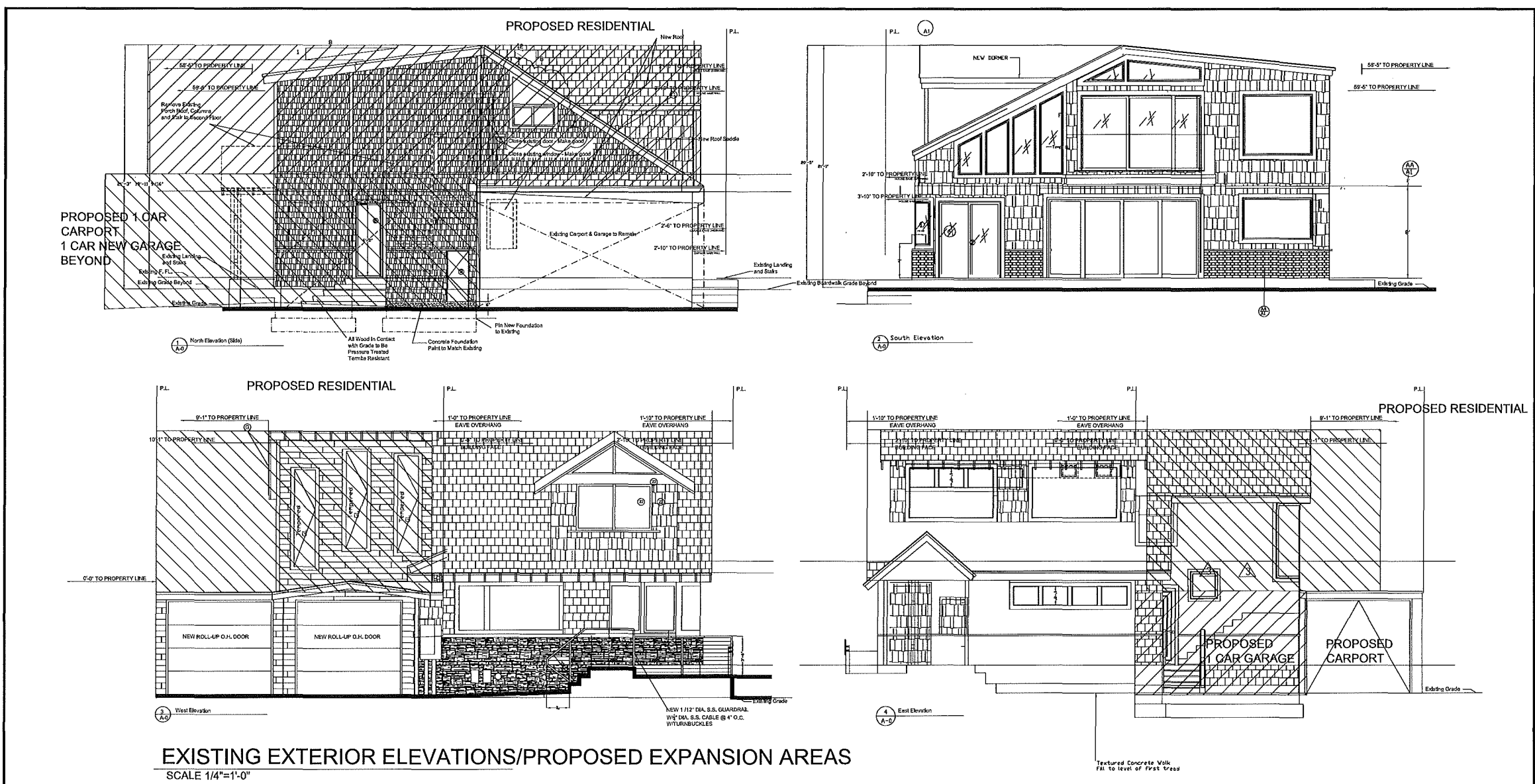
6

3

SHEET NUMBER

A-0

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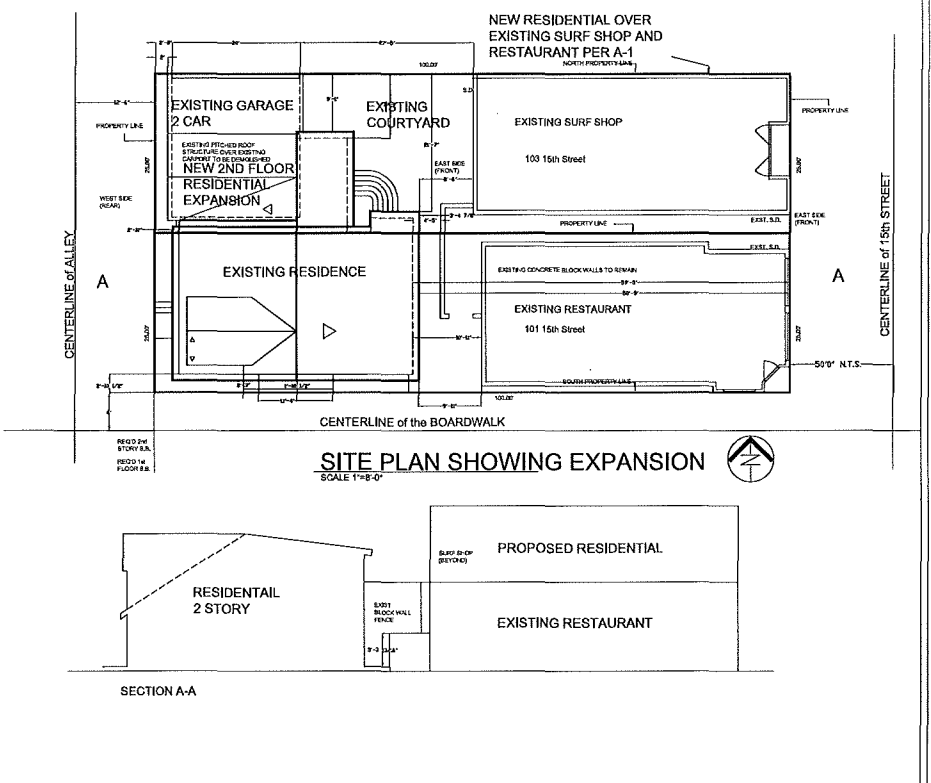


EXISTING EXTERIOR ELEVATIONS/PROPOSED EXPANSION AREAS
SCALE 1/4"=1'-0"

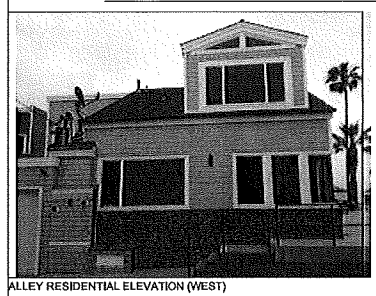
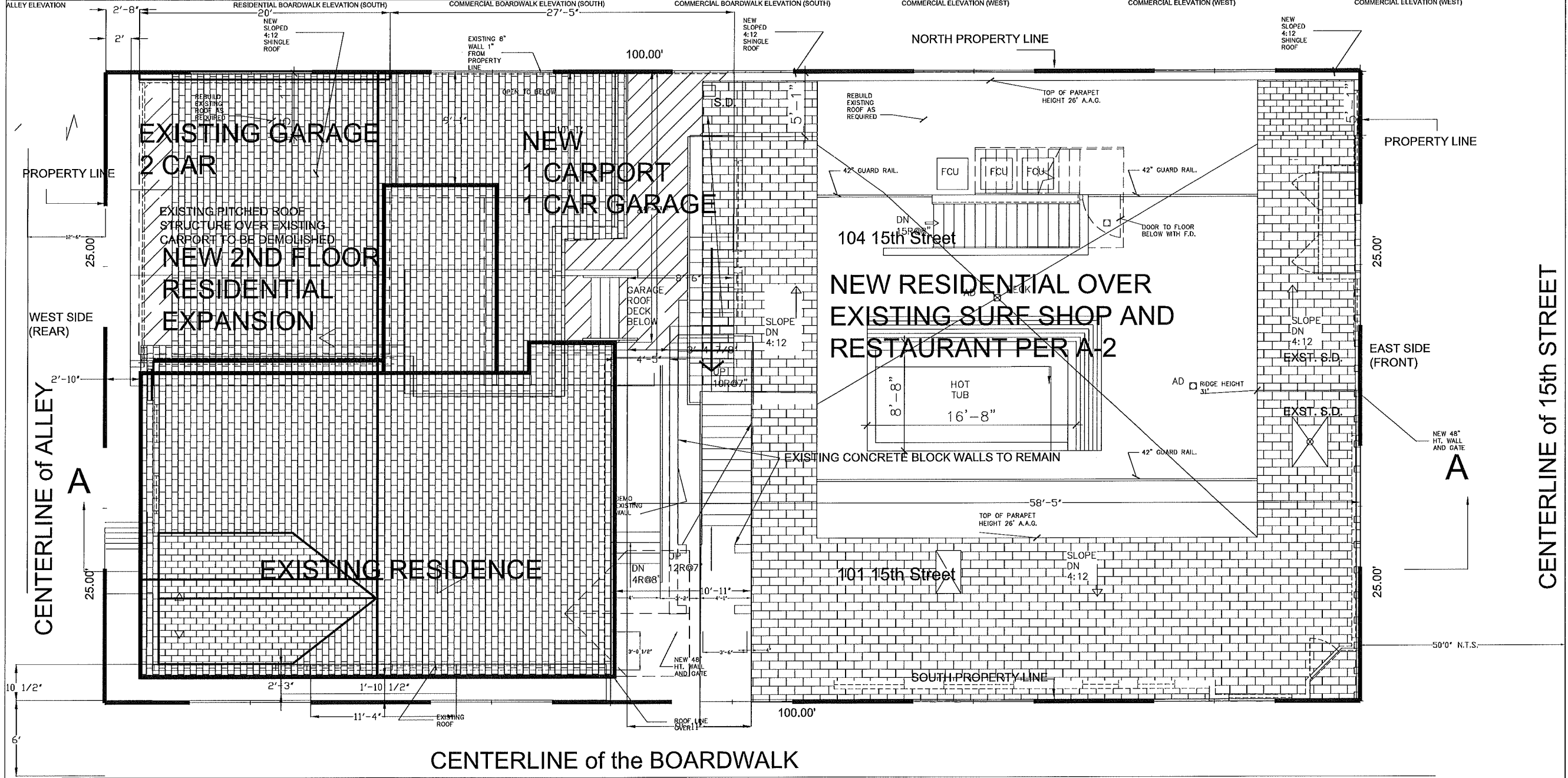
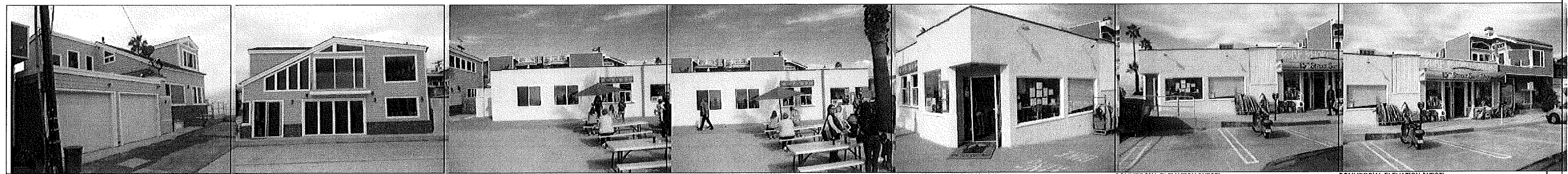
	Existing Development	Proposed Development	Zoning Code Requirement
Lot Area (sf)	5,000 sf (2 lots)	5,000 sf	2,000sf
Lot Width (ft)	50'-0" (2@25')	50'-0"	25'
Lot Depth (ft)	100'-0"	100'-0"	-
Setback Yards			
Front (ft)	0'-0"	0'-0"	0'-0"
Side (ft) - North	0'-0"	5'-0"	5'-0"
Side (ft) - South	0'-0"	0'-0"	0'-0"
Rear (ft)	3'-10"	3'-10"	10'-0" 1st Flr/ 6'-0" 2nd Flr
Gross Floor Area (sf) Limited to 75% structural alterations	2,358 sf commercial 589 sf garage 1,042 sf residential 1st floor 602 sf residential 2nd floor 4,591 sf Total GFA 3,443 sf - 76% alterations	2,358 sf commercial - ex 485 sf garage level 920 sf residential - existing 1st floor 1,262 sf residential - 2nd floor 2,305 sf residential - 2nd floor 7,330 sf Total GFA 4,972 sf Residential	2,500 sf commercial 5,000 sf residential 4 cars - 2 residential ex. garage 1 carport new 1 garage new
Floor Area Ratio	47.16% commercial 9.18% garage 34.98% residential	47.16% commercial 13.12% garage 60.20% residential alterations	.5 Comm, 1.0 res,
Building Coverage (%)	60.82%	77.50%	-
Building Height (ft)	21'-1"	28' mid, 31' roof	26' flat/mid. of 31' roof
Landscaping (%)	39.18%	35.46%	-
Paving (%)	1.28%	1.28%	-
Parking	2 Cars Residential	4 Cars Residential	2 per unit residential
Number of Employees	3	3	-
Number of Seats	0	0	-
Dwelling Units	1 - Grade & Second Floor	2 Units	1 - Grade+ 2nd Fl. 1 - Second Floor

EXTERIOR MATERIAL SCHEDULE

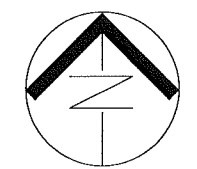
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100	WOOD Siding



PA2010-105 for UP2010-021 MD2010-027
101 15th Street
William Azzalino, AIA



SITE / ROOF PLAN
 SCALE 1/4" = 1'-0"



CLIENT
 OF ANGLIO, ESQ.
 TRUTH WITHIN THE RESIDENCE
 101 - 103 15th STREET Balboa, CA

PROJECT
 RENOVATION AND EXPANSION OF RESIDENCE
 ADDITION OF SECOND FLOOR
 EXPANSION OF GARAGE

KEY MAP
 THE DRAWINGS AND SPECIFICATIONS ARE PROPERTY OF WILLIAM AZZALINO ARCHITECT AND SHALL NOT BE USED ON ANY OTHER PROJECT EXCEPT BY THE WRITTEN AGREEMENT WITH WILLIAM AZZALINO ARCHITECT. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER THE SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB SITE. ANY DISCREPANCIES SHALL BE BROUGHT TO THE NOTICE OF WILLIAM AZZALINO ARCHITECT PRIOR TO COMMENCEMENT OF ANY WORK OR ERRORS AND COSTS ARISING THEREFROM ARE CONTRACTOR'S SOLE RESPONSIBILITY.

SHEET TITLE
 SITE/ROOF PLAN

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PROJECT NUMBER
 01-101104

DATE
 01-30-10

SCALE
 0' 1' 2' 3' 4' 5'

- REVISIONS
- △ 11-18 City Comments
 - △ 12-28 City Comments
 - △ 01-31/11 City Comments Rev.
 - △ 02-25/11 City Comments Rev.
 - △
 - △
 - △

SHEET NUMBER
A-0.1
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CLIENT

RUTH WITACRE RESIDENCE
 101 - 103 15th STREET Balboa, CA

Lots 1 & 2 in Block 15 of
 Section B, Newport Beach, CA,
 as shown on a map recorded in
 Book 4, Page 27 of Misc. Maps,
 Records of Orange County.

PROJECT

KEY MAP

THE DRAWINGS AND SPECIFICATIONS
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 ON ANY OTHER PROJECT EXCEPT
 BY THE WRITTEN AGREEMENT WITH
 WILLIAM AZZALINO ARCHITECT.
 WRITTEN DIMENSIONS SHALL TAKE
 PREFERENCE OVER THE SCALED
 DIMENSIONS AND SHALL BE
 VERIFIED ON THE JOB SITE. ANY
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 TO THE NOTICE OF WILLIAM AZZALINO
 ARCHITECT PRIOR TO COMMENCEMENT
 OF ANY WORK OR ERRORS AND COSTS
 ARISING THEREFROM ARE
 CONTRACTOR'S SOLE RESPONSIBILITY.

SHEET TITLE

GROUND FLOOR PLAN

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 IN COMPLIANCE WITH CALIFORNIA BUSINESS AND PROFESSIONS
 CODE SECTION 26100 AND 26101 AND THE STATE OF CALIFORNIA
 CONSTRUCTION WITH THESE DOCUMENTS FOR ANY OTHER USE.

PROJECT NUMBER

01-101104

DATE

01-30-10

SCALE

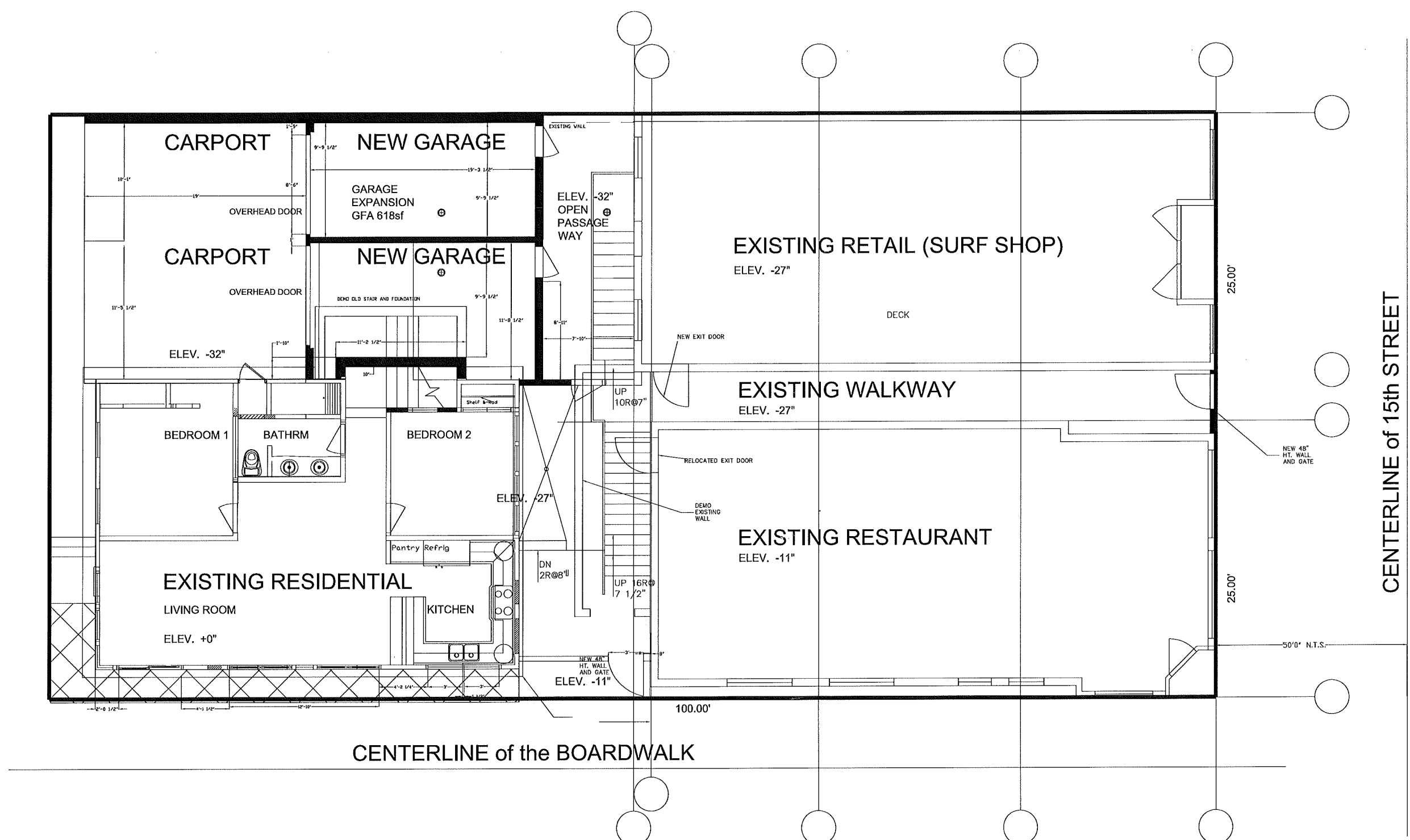
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REVISIONS

- △ 11-18 City Comments
- △ 12-28 City Comments
- △ 01-31/11 City Comments Rev
- △ 02-25/11 City Comments Rev

SHEET NUMBER

A-1
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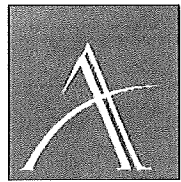


GROUND FLOOR PLAN
 SCALE 1/4" = 1'-0"

LEGEND
 ———— PROPERTY LINE
 ———— EXISTING WALL
 ———— NEW WALL



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WILLIAM AZZALINO ARCHITECT
ARCHITECTURE / INTERIOR DESIGN
3401 Park Valley Place
Newport Beach, CA 92660
Phone 949-903-4133 Fax 714-722-1144

CLIENT

JOE ANGELO, ESCO
RUTH VITACRE, RESIDENCE
101 - 103 15th STREET Balboa, CA
Lots 1 & 2 in Block 15 of
Section 8, Newport Beach, CA,
as shown on a map recorded in
Book 4, Page 27 of Misc. Maps,
Records of Orange County.

PROJECT

RENOVATION AND
EXPANSION OF RESIDENCE
ADDITION OF SECOND FLOOR
EXPANSION OF GARAGE

KEY MAP
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DIMENSIONS AND SHALL BE
VERIFIED ON THE JOB SITE. ANY
DISCREPANCIES SHALL BE BROUGHT
TO THE NOTICE OF WILLIAM AZZALINO
ARCHITECT PRIOR TO COMMENCEMENT
OF ANY WORK. OMISSIONS AND COSTS
ARISING THEREFROM ARE
CONTRACTOR'S SOLE RESPONSIBILITY.

SHEET TITLE

SECOND FLOOR PLAN
MIXED USE BUILDING - RESIDENTIAL

IMPORTANT WARNING - USE OF THESE PLANS
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SEAL SECTION SHALL BE USED ONLY IN
CONNECTION WITH THE PROJECT AND NO LICENSE IS GRANTED
OR EXTENDED TO ANY OTHER USE.

PROJECT NUMBER

01-101104

DATE

01-30-10

SCALE

0 1 2 3 4 5 6'

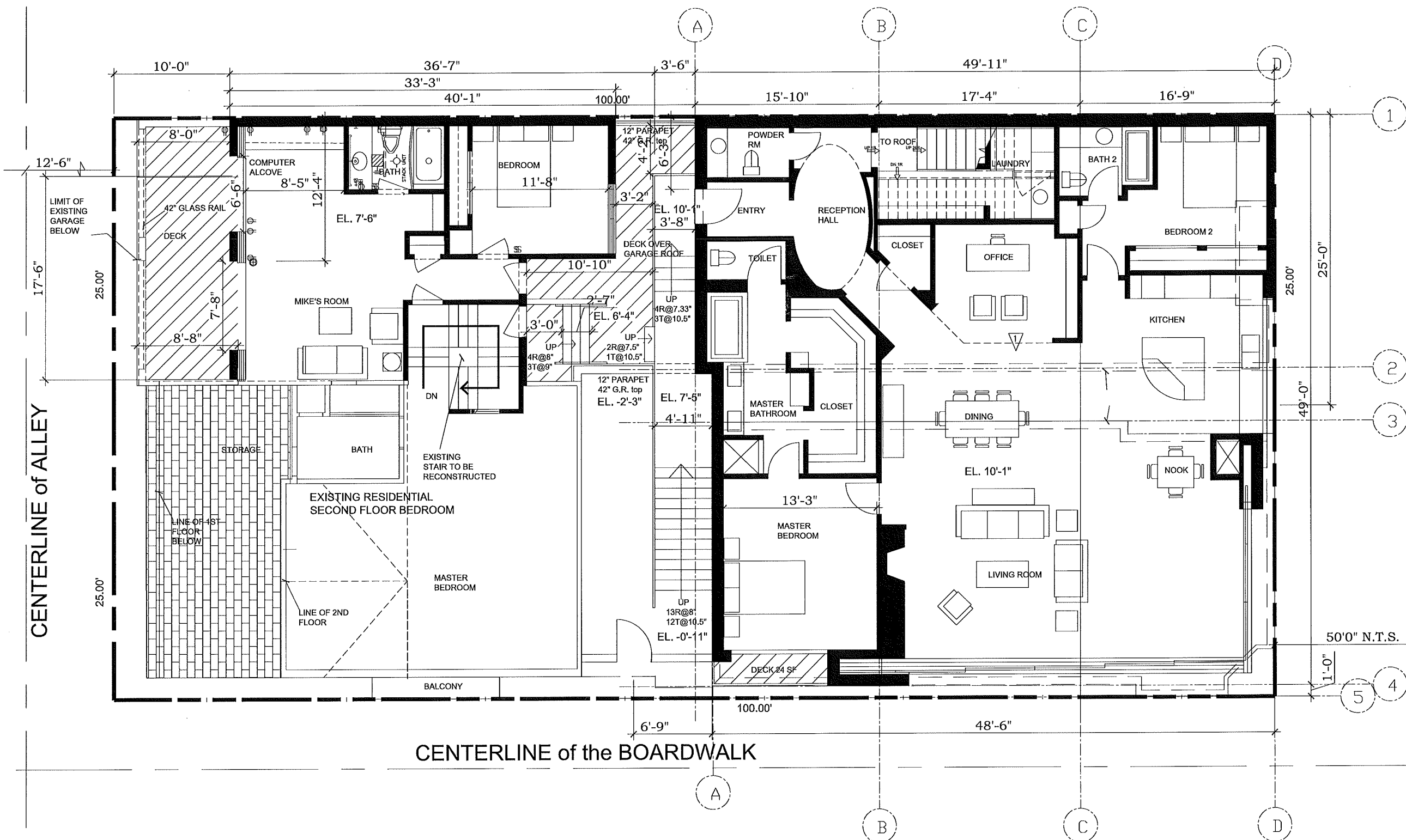
REVISIONS

- △ 11-18 City Comments
- △ 12-28 City Comments
- △ 01-31/11 City Comments Rev.
- △ 02-25/11 City Comments Rev.
- △
- △
- △

SHEET NUMBER

A-2

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SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"



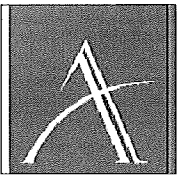
- LEGEND**
- — — — — PROPERTY LINE
 - — — — — EXISTING WALL
 - — — — — NEW WALL

CENTERLINE of 15th STREET

CENTERLINE of ALLEY

CENTERLINE of the BOARDWALK

50'0" N.T.S.



WILLIAM AZZALINO ARCHITECT
ARCHITECTURE / INTERIOR DESIGN
2401 First Colony Place
Newport Beach, CA 92660
Phone 949-263-4333 Fax 949-728-4141

CLIENT

RUTH WITHCRE RESIDENCE
101 - 103 15th STREET Balboa, CA
Lots 1 & 2 in Block 15 of
Section B, Newport Beach, CA,
as shown on a map recorded in
Book 4, Page 27 of Misc. Maps,
Records of Orange County.

PROJECT

KEY MAP

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SHEET TITLE

BOARDWALK ELEVATION
RESIDENTIAL WEST ELEVATION
RESIDENTIAL EAST ELEVATION

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PROJECT NUMBER

01-101104

DATE

01-30-10

SCALE

0 1' 2' 4' 8'

REVISIONS

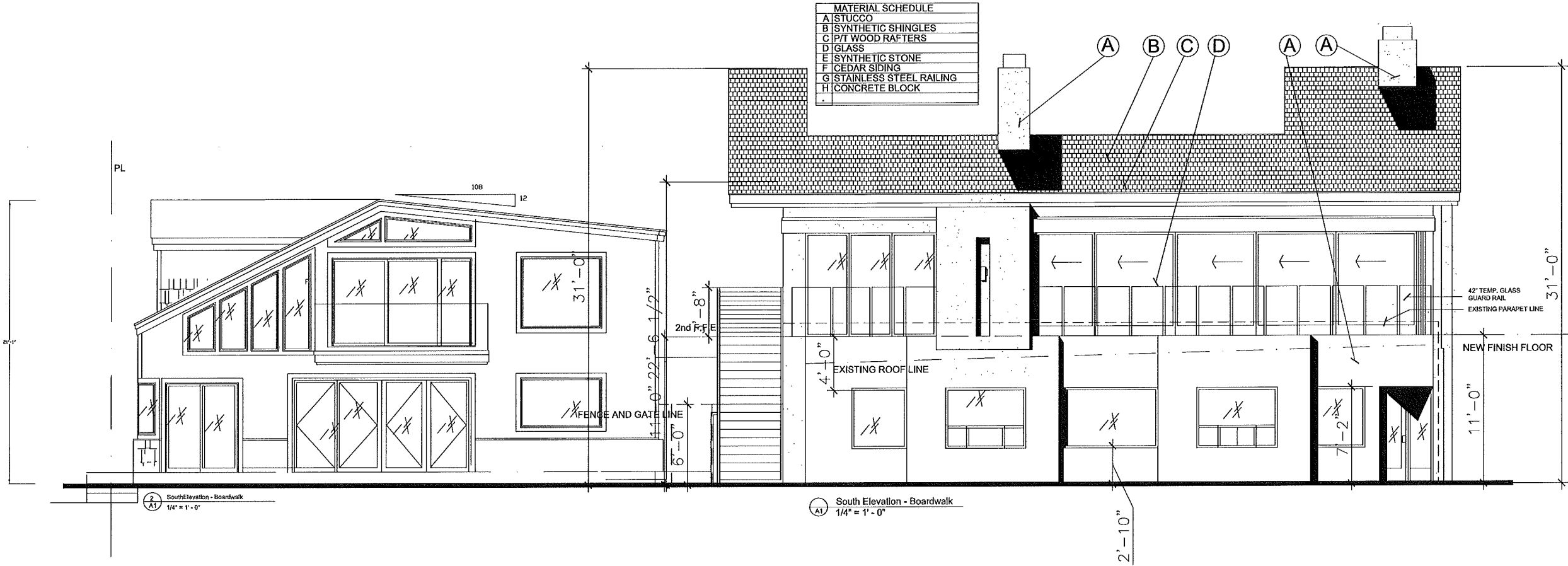
- △ 11-18 City Comments
- △ 12-28 City Comments
- △ 01-31/11 City Comments Rev.
- △ 02-25/11 City Comments Rev.
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SHEET NUMBER

A-3.1

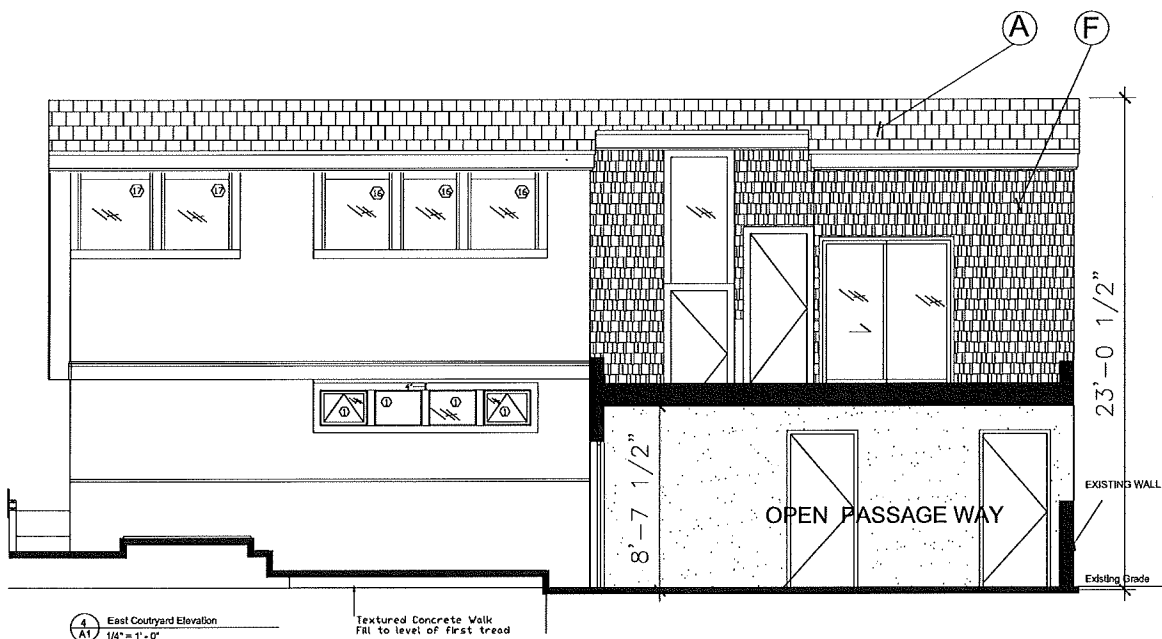
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MATERIAL SCHEDULE	
A	STUCCO
B	SYNTHETIC SHINGLES
C	C/T WOOD RAFTERS
D	GLASS
E	SYNTHETIC STONE
F	CEDAR SIDING
G	STAINLESS STEEL RAILING
H	CONCRETE BLOCK



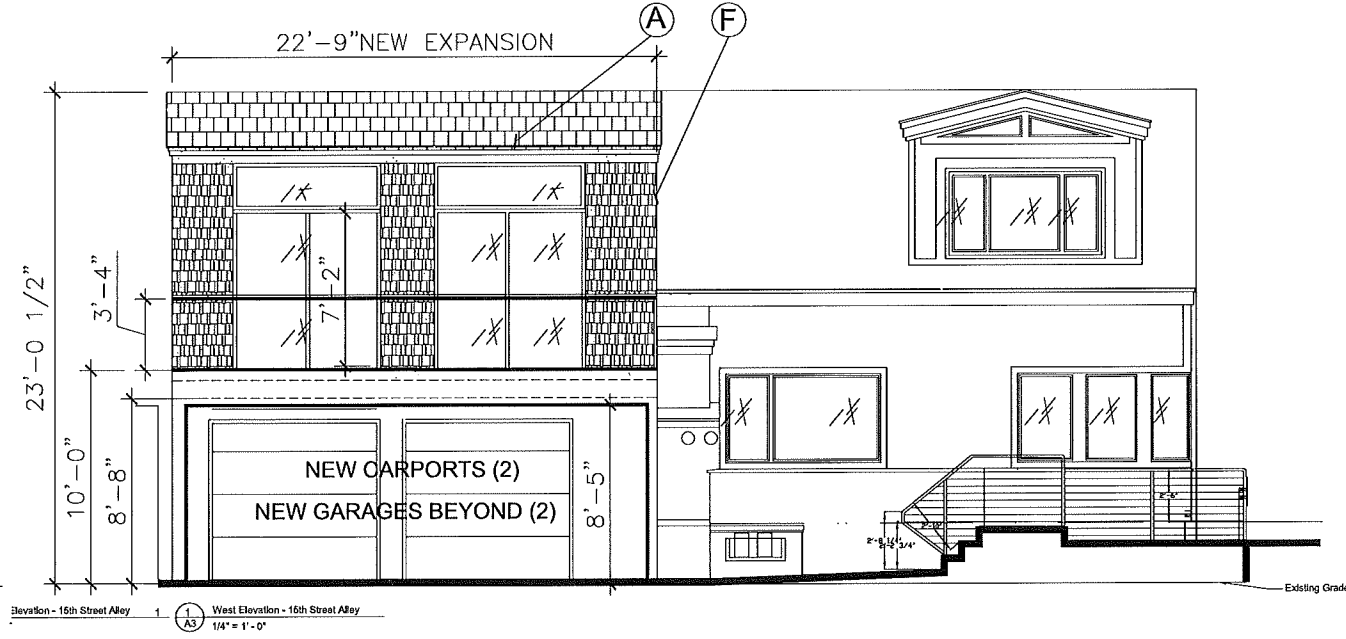
2
A1 South Elevation - Boardwalk
1/4" = 1'-0"

2
A1 South Elevation - Boardwalk
1/4" = 1'-0"



4
A1 East Courtyard Elevation
1/4" = 1'-0"

Textured Concrete Walk
FRI to level of first tread



1
A3 West Elevation - 16th Street Alley
1/4" = 1'-0"

Existing Grade



WILLIAM AZZALINO ARCHITECT
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Phone 949-952-1322 Fax 949-723-0144

CLIENT

RUTH WITHACRE RESIDENCE
101 - 103 15th STREET Balboa, CA

Lots 1 & 2 in Block 15 of
Section 8, Newport Beach, CA,
as shown on a map recorded in
Book 4, Page 27 of Misc. Maps,
Records of Orange County.

PROJECT

KEY MAP

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SHEET TITLE

MIXED USE:
WEST ELEVATION
SOUTH ELEVATION
EAST ELEVATION
NORTH ELEVATION

IMPORTANT WARNING - USE OF THESE PLANS
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PROJECT NUMBER

01-101104

DATE

01-30-10

SCALE



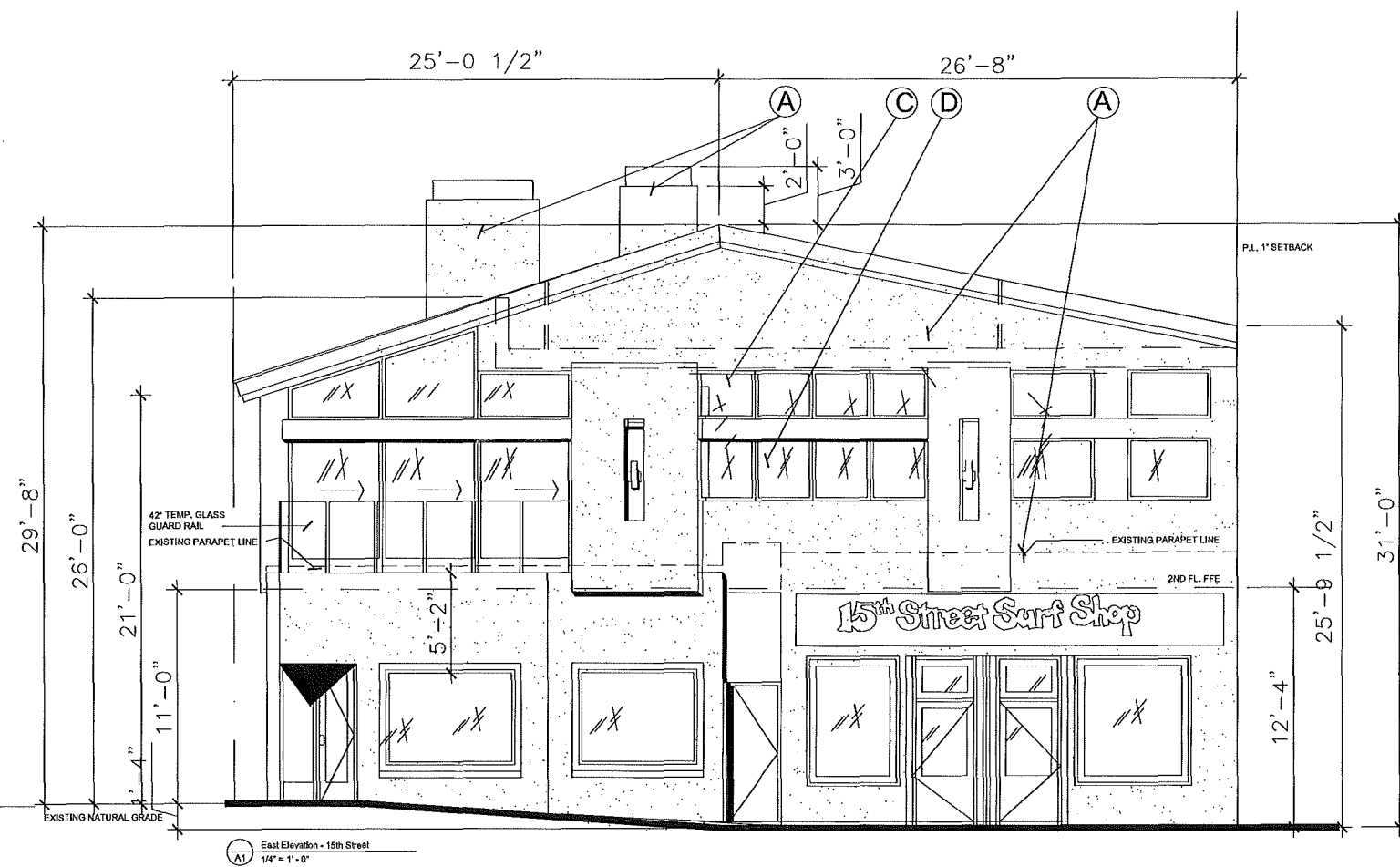
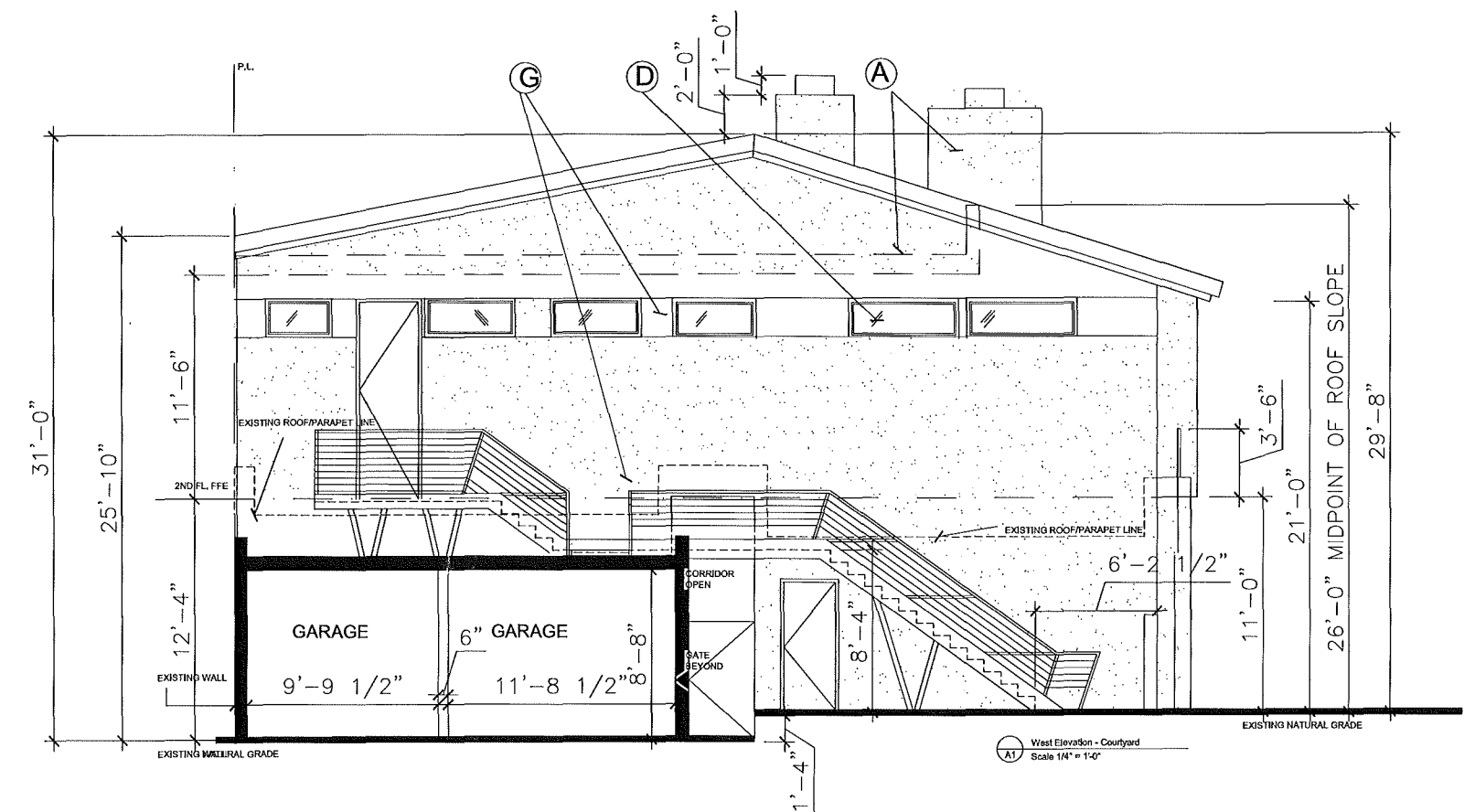
REVISIONS

- △ 11-18 City Comments
- △ 12-28 City Comments
- △ 01-31/11 City Comments Rev.
- △ 02-25/11 City Comments Rev.
- △
- △
- △

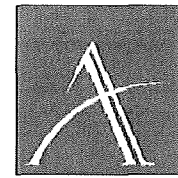
SHEET NUMBER

A-3.2

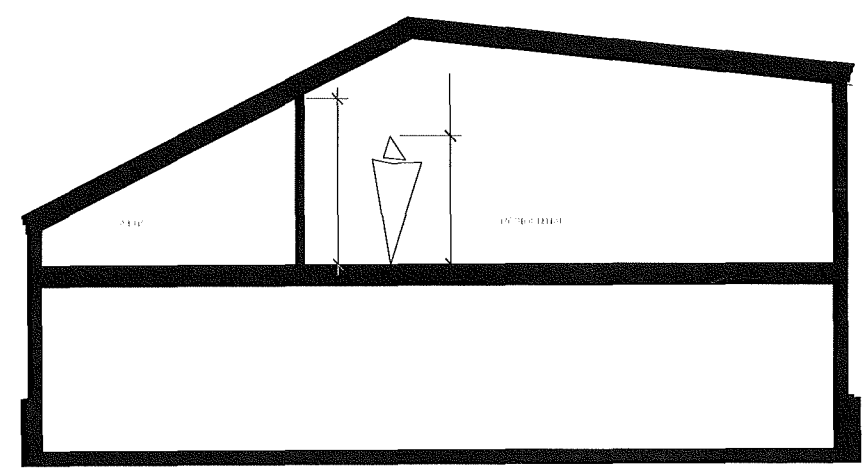
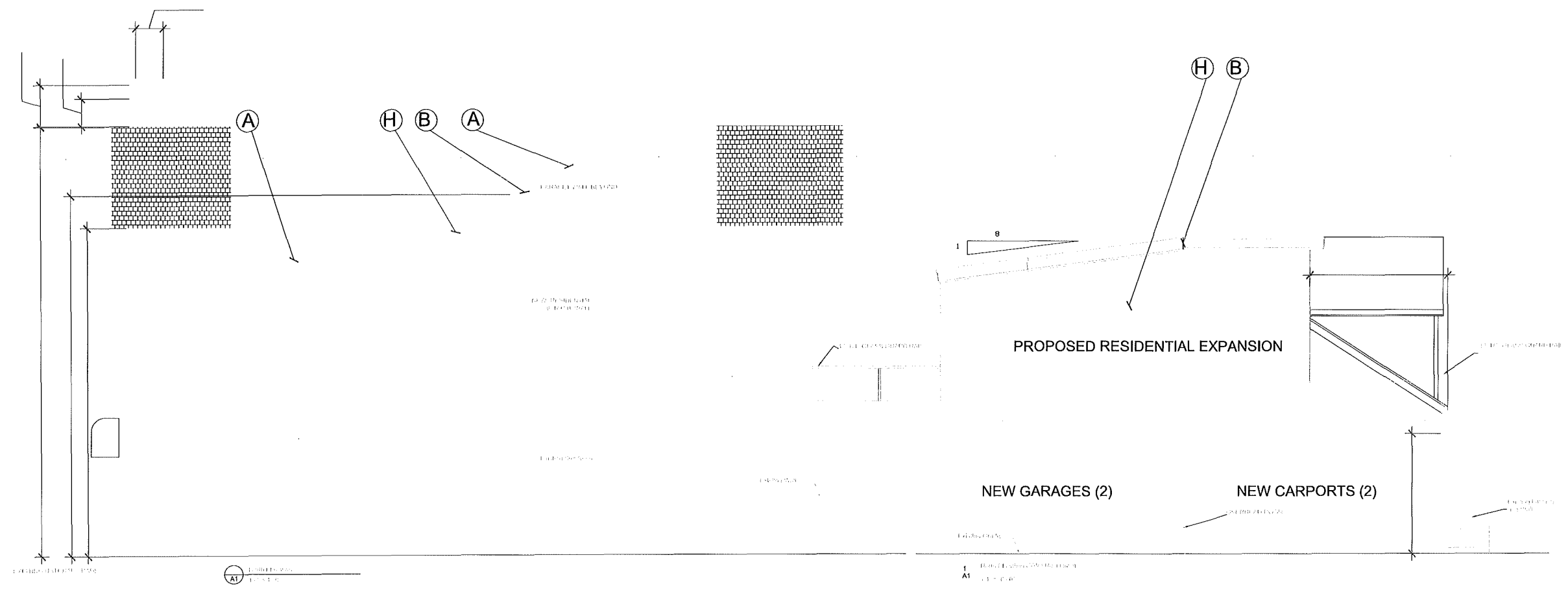
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ARCHITECTURAL
FIRM



NO. 101-101104

DATE: 01-30-10

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

PROJECT: RESIDENTIAL EXPANSION

CLIENT: [REDACTED]

ARCHITECT: [REDACTED]

NO. 101-101104

DATE: 01-30-10

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

PROJECT: RESIDENTIAL EXPANSION

CLIENT: [REDACTED]

ARCHITECT: [REDACTED]

NO. 101-101104

DATE: 01-30-10

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

PROJECT: RESIDENTIAL EXPANSION

CLIENT: [REDACTED]

ARCHITECT: [REDACTED]

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DATE: 01-30-10

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

PROJECT: RESIDENTIAL EXPANSION

CLIENT: [REDACTED]

ARCHITECT: [REDACTED]

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DATE: 01-30-10

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PROJECT: RESIDENTIAL EXPANSION

CLIENT: [REDACTED]

ARCHITECT: [REDACTED]

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DATE: 01-30-10

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

PROJECT: RESIDENTIAL EXPANSION

CLIENT: [REDACTED]

ARCHITECT: [REDACTED]

NO. 101-101104

DATE: 01-30-10

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

PROJECT: RESIDENTIAL EXPANSION

CLIENT: [REDACTED]

ARCHITECT: [REDACTED]

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DATE: 01-30-10

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

PROJECT: RESIDENTIAL EXPANSION

CLIENT: [REDACTED]

ARCHITECT: [REDACTED]

NO. 101-101104

DATE: 01-30-10

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

PROJECT: RESIDENTIAL EXPANSION

CLIENT: [REDACTED]

ARCHITECT: [REDACTED]

NO. 101-101104

DATE: 01-30-10

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

PROJECT: RESIDENTIAL EXPANSION

CLIENT: [REDACTED]

ARCHITECT: [REDACTED]



WILLIAM AZZALINO ARCHITECT
 ARCHITECTS / INTERIORS
 2407 Port 1 Wharf Plaza
 Newport Beach, CA 92660
 Phone 949-903-4033 Fax 949-702-4144

CLIENT

JOE ANGELO, ESQ.
 RUTH VITARESE RESIDENCE
 101 - 103 15th STREET, Balboa, CA

Lots 1 & 2 in Block 15 of
 Section 8, Newport Beach, CA,
 as shown on a map recorded in
 Book 4, Page 27 of Misc. Maps,
 Records of Orange County.

PROJECT

RENOVATION AND
 EXPANSION OF RESIDENCE
 ADDITION OF SECOND FLOOR
 EXPANSION OF GARAGE

KEY MAP

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 OF ANY WORK OR ERRORS AND COSTS
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SHEET TITLE

AREA - ANALYSIS
 SECOND FLOOR PLAN
 MIXED USE BUILDING - RESIDENTIAL

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PROJECT NUMBER

01-101104

DATE

01-30-10

SCALE



REVISIONS

- △ 11-18 City Comments
- △ 12-28 City Comments
- △ 01-31/11 City Comments Rev
- △ 02-25/11 City Comments Re
- △
- △
- △

SHEET NUMBER

A-A
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ZONING ADMINISTRATOR ACTION LETTER

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

Application No. **Lot Merger No. LM2010-007 (PA2010-174)**
Applicant **Joe Angelo**
Site Address **101 15th Street**
 Whitacre Lot Merger
Legal Description **Lot s 1 and 2, Block 15, Section B**

On **May 25, 2011**, the Zoning Administrator approved the following: A lot merger application to combine two lots into one lot for mixed-use development. The lots are each developed with one commercial structure and an existing residential structure is built across the interior property line towards the rear of the lots. Lots 1 and 2 are each approximately 25 feet wide by 100 feet deep. The combined lot would be 5000 square feet in area. The property is located in the RSC-R (Retail and Service Commercial – Residential Overlay) District.

Ordinance 2010-21, which adopted the current Zoning Code, provides that discretionary and ministerial applications deemed complete prior to the effective date of the ordinance may be processed under the previous Zoning Code, provided they are found consistent with the General Plan. The application was submitted and deemed complete prior to the adoption of the current Zoning Code. Therefore, this project is being reviewed subject to regulations of the previous Zoning Code. The approval is based on the following findings and subject to the following conditions:

Findings

1. Finding: The proposed project is in conformance with the California Environmental Quality Act.

Facts in Support of Finding:

- The project qualifies for an exemption from environmental review pursuant to Section 15315 (Class 15 Minor Land Divisions) of the Implementing Guidelines of the California Environmental Quality Act (CEQA), which exempts the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was

not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

2. Finding: Approval of the merger will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City, and further that the proposed lot merger is consistent with the legislative intent of this title.

Facts in Support of Finding:

- The project site described in the proposal consists of legal building sites. The proposed lot merger will remove the interior lot line between two legal lots.
 - The lot merger to combine two existing parcels will not result in the creation of additional parcels.
 - The resulting parcel created by the lot merger complies with all applicable zoning regulations and there will be no change in the land use, density or intensity on the property.
 - The lot merger, in and of itself, will not result in the need for additional improvements and/or facilities.
3. Finding: The lots to be merged are under common fee ownership at the time of the merger.

Facts in Support of Finding:

- The lots to be merged are both owned by the Whitacre Revocable Living Trust.
4. Finding: The lots as merged will be consistent or will be more closely compatible with the applicable zoning regulations and will be consistent with other regulations relating to the subject property including, but not limited to, the General Plan and any applicable Coastal Plan or Specific Plan.

Facts in Support of Finding:

- The merged lot will be more closely compatible with the applicable zoning district regulations and other regulations relating to the subject property. The Zoning Code requires a minimum 2,000 square feet for RSC lots and the resulting lot will be 5,000 square feet in area. The Zoning Code requires a minimum 25-foot lot width and the resulting corner lot will be approximately 50 feet wide. The current Zoning Code requires 5,000 square feet in area and 40 feet in width.

5. Finding: Neither the lots as merged nor adjoining parcels will be deprived of legal access as a result of the merger.

Facts in Support of Finding:

- Neither the merged lot nor the adjoining parcel will be deprived of legal access as a result of the merger as vehicular access to and from the subject property and nearby properties will remain unchanged with access from the street and alley.
6. Finding: The lots as merged will be consistent with the surrounding pattern of development and will not create an excessively large lot that is not compatible with the surrounding development.

Facts in Support of Finding:

- The development pattern of the Balboa Peninsula area consists of lots of variable widths and sizes. Although the resulting 5,000-square-foot lot would be larger than the lots along this specific block of West 15th Street, it would not be not excessively large when compared with other lots in in the area.

In accordance with Section 19.08.030 of the Municipal Code (Waiver of Concurrent Parcel Map), the Zoning administrator approved a waiver of the parcel map requirement since no more than three lots are eliminated.

7. Finding: That the proposed division of land complies with requirements as to area, improvement and design, flood water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and other applicable requirements of Title 19 and Title 20 of the Newport Beach Municipal Code and the General Plan.

Facts in Support of Finding:

- The proposed division of land complies with requirements as to area, improvement and design, flood water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and other applicable requirements of Title 19 and Title 20 of the Newport Beach Municipal Code and the General Plan.

CONDITIONS

1. All applicable Public Works Department plan check fees shall be paid prior to review of the lot merger and grant deeds.
2. Prior to recordation of the lot merger, grant deeds indicating the changes in titles of ownership should be submitted to the Public Works Department for review and approval.

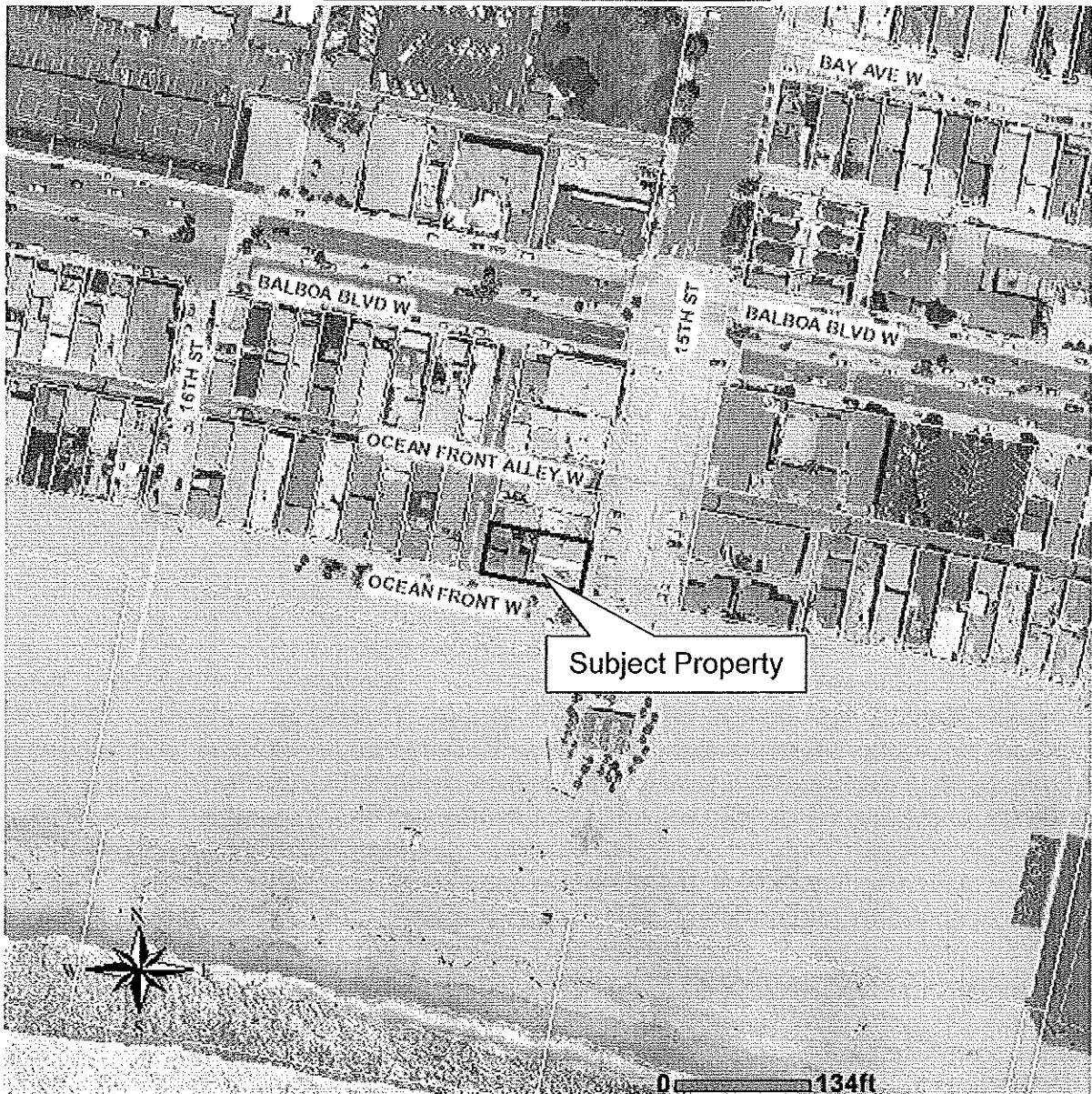
3. The lot merger and grant deeds reviewed and approved by the Public Works Department should be filed concurrently with the County Recorder and County Assessor's Offices.
4. In conformance with the California Coastal Act, Coastal Commission approval shall be obtained prior to the recordation of the lot merger.
5. Prior to final of the building permit for the any new construction on the properties, the Planning Division shall verify Coastal Commission approval of the lot merger and recordation of the document with the County Recorder.
6. No building permits may be issued until the appeal period has expired, unless otherwise approved by the Planning Division.
7. This approval shall expire unless exercised within 24 months from the date of approval as specified in Chapter 20.93 of the Newport Beach Municipal Code.
8. 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 Ruthe Whitacre Residence Lot Merger including, but not limited to, the Lot Merger No. LM2010-007. 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: 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. For additional information on filing an appeal, contact the Planning Department at 949-644-3200.

By: 
Patrick Alford, Zoning Administrator

PA/fn
Attachments: Vicinity Map
Lot Merger Exhibit

VICINITY MAP



Lot Merger No. LM2010-007
PA2010-174

101 15th Street

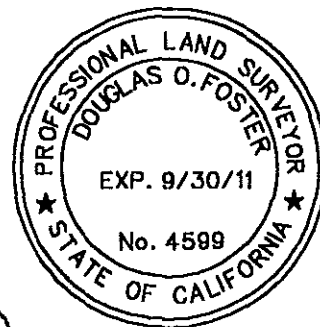
EXHIBIT "A"
CITY OF NEWPORT BEACH
LOT MERGER NO. LM _____ - _____

(LEGAL DESCRIPTION)

OWNERS	EXISTING PARCEL AP NUMBER	PROPOSED PARCELS REFERENCE NUMBERS
JOSEPH ANGELO AS TRUSTEE OF THE WHITACRE IRREVOCABLE TRUST	047-211-28	1

PARCEL 1:

LOTS 1 AND 2 IN BLOCK 15 OF SECTION B, IN THE CITY OF NEWPORT BEACH,
COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 4,
PAGE 27 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER
OF SAID COUNTY.

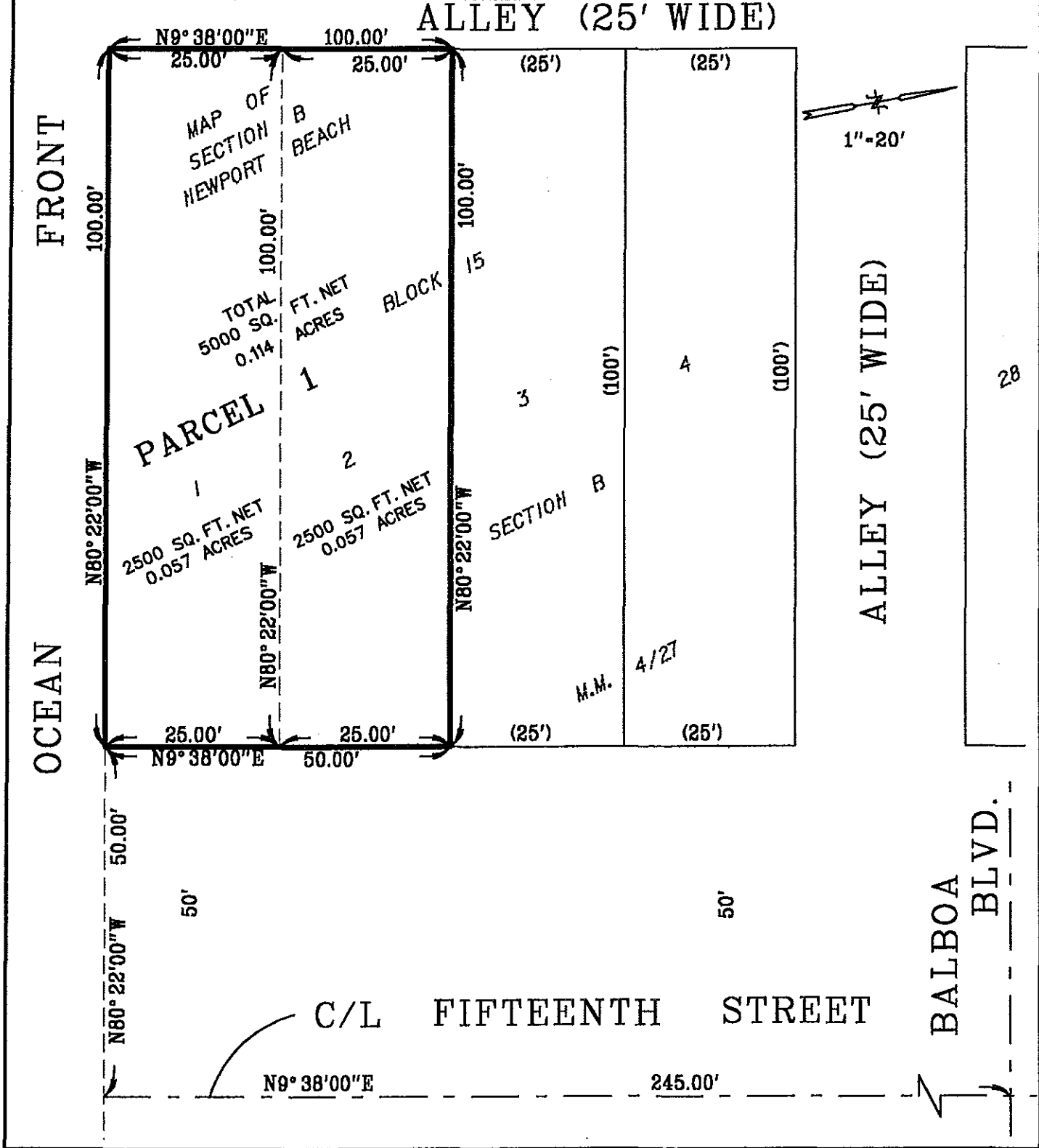


Douglas O. Foster

DOUGLAS O. FOSTER P.L.S. 4599

EXHIBIT "B"
CITY OF NEWPORT BEACH
LOT MERGER NO. LM _____
 (MAP)

OWNERS	EXISTING PARCEL AP NUMBER	PROPOSED PARCELS REFERENCE NUMBERS
JOSEPH ANGELO AS TRUSTEE OF THE WHITACRE IRREVOCABLE TRUST	047-211-28	1





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

Director Determination of Alternative Setback Area Locations
Staff Approval No. SA2011-011 (PA2011-104)

Address: 411 Begonia Avenue Date: 05/27/2011

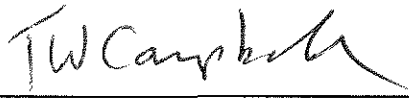
Section 20.30.110 C (Setback Regulations and Exceptions – Alternative setback area location)

In cases where the orientation of an existing lot and the application of the setback area are not consistent with the character or general orientation of other lots in the vicinity, the Director may redefine the location of the front, side, and rear setback areas to be consistent with surrounding properties. The reorientation of setback areas is not applicable to the bluff overlay district.

Pursuant to this section, the Acting Planning Director established the following alternative setbacks for 411 Begonia Avenue:

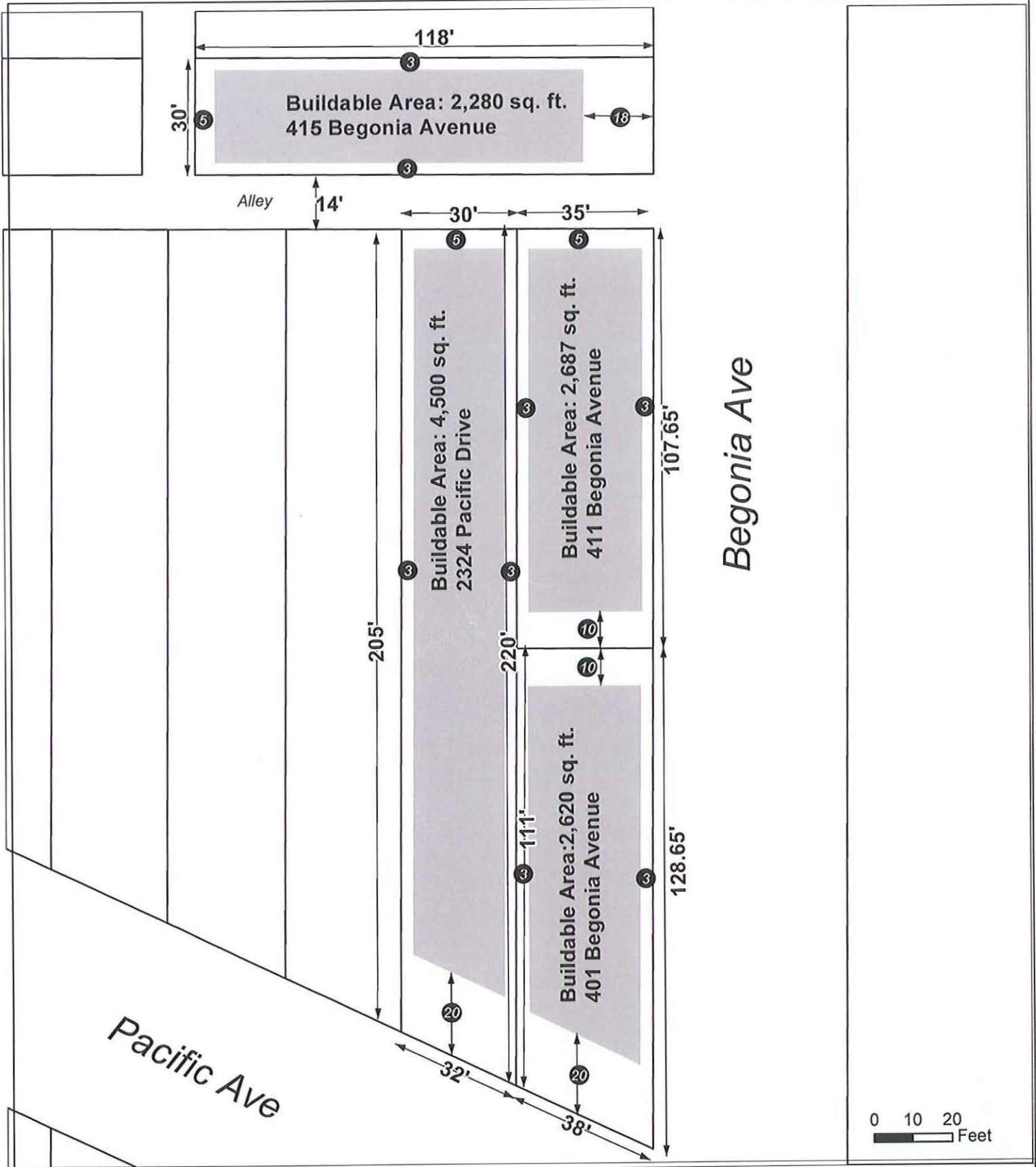
Yard	Setback	Description
Front	3'	Begonia Avenue
Side	5'	Alley Setback
Side	10'	Adjacent to 401 Begonia Avenue
Rear	3'	Adjacent to 2324 Pacific Drive
Other		

Kimberly Brandt, AICP
Community Development Director,

By: 

James W. Campbell, Principal Planner

Attachments: Plans showing setbacks and buildable area



411 Begonia Ave
 PA2011-104
 Director Determination of
 Alternative Setback Area Locations

