

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

- TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION
- FROM: Kimberly Brandt, Community Development Director Brenda Wisneski, Deputy Community Development Director
- SUBJECT: Report of actions taken by the Zoning Administrator, Hearing Officer, and/or Planning Division staff for the week ending March 30, 2012

# ZONING ADMINISTRATOR ACTIONS March 28, 2012

Item 1: Coast Business Center Sign Program - Modification Permit No. MD2012-004 and Comprehensive Sign Program No. CS2007-002 (PA2012-010) 2121 E. Coast Highway

Action: Approved by Resolution No. ZA 2012-015 Council District 5

Item 2: Dove Street Sign Modification - Modification Permit No. MD2012-003 (PA2012-007) 1801 Dove Street

Action: Approved by Resolution No. ZA 2012-016 Council District 3

# COMMUNITY DEVELOPMENT DIRECTOR OR PLANNING DIVISION STAFF ACTIONS

Item 3: Campus Drive Staff Approval No. Staff Approval SA2012- 006 (PA2012-028) 3822 Campus Drive

Action: Approved

Council District 3

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

# **RESOLUTION NO. ZA2012-015**

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MODIFICATION PERMIT NO. MD2012-004 AND AN AMENDMENT TO COMPREHENSIVE SIGN PROGRAM NO. CS2007-002 FOR THE COAST BUSINESS CENTER BUILDING LOCATED AT 2121 EAST COAST HIGHWAY (PA2012-010)

THE ZONING ADMINSTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

- 1. An application was filed by Coast Business Center, with respect to the property located at 2121 East Coast Highway, requesting approval of a Modification Permit to amend an existing Comprehensive Sign Program.
- 2. The applicant requests a Modification Permit to amend an existing Comprehensive Sign Program to allow the addition of two wall signs on the southeast (Avocado Avenue) elevation of the Coast Business Center building. The signs will be located on the first and second floors on one of the 20-foot long fascias of the building and will have a maximum sign area of 30 square feet each. The building is occupied by multiple office use tenants. The existing sign program permitted the installation of multiple wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue and allowed for the retention of the freestanding monument sign located on the East Coast Highway side of the property.
- 3. The subject property is located within the OG (Office General) Zoning District and the General Plan Land Use Element category is CO-G (General Commercial Office).
- 4. The subject property is located within the Coastal Zone.
- 5. A public hearing was held on March 28, 2012, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

- 1. This project has been determined to be categorically exempt under the requirements of the California Environmental Quality Act, pursuant to Section 15311 (Class 11 Accessory Structures).
- 2. Class 11 exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

# SECTION 3. REQUIRED FINDINGS.

#### Modification Permit

In accordance with Section 20.52.050.E (Findings and decision) of the Newport Beach Municipal Code, the following findings and facts in support of the findings for a Modification Permit are set forth:

#### Finding

A. The requested modification will be compatible with existing development in the neighborhood.

#### Facts in Support of Finding

- 1. The subject property is located within the OG (Office General) Zoning District and the General Plan Land Use Element category is CO-G (General Commercial Office). This district is intended to provide for areas appropriate for administrative, professional, and medical offices with limited accessory retail and service uses. The existing commercial development and existing and proposed signage is consistent with this land use designation. The proposed signage is accessory to the primary use.
- 2. The property is developed with a two-story multi-tenant building that has multiple wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue. The proposed signage will add signage on one more of the 20-foot fascia elements facing Avocado Avenue. This signage will be compatible with the existing signage while improving the visibility and way finding of uses within the building.
- 3. The applicant requested the Modification Permit to allow greater flexibility for the sign area of the combination of wall signs on the building. Though the total sign area of these signs exceeds the maximum sign area permissible for any one elevation, the signs are in scale with the buildings/elevations on which they are located and allow for adequate identification of individual tenants within the multi-tenant commercial building.
- 4. The neighborhood includes properties with wall signs and additional tenant signs that provide visibility from the public right-of-way.
- 5. The illumination of signage is conditioned to prevent excessive glare spillage onto or visible from the adjacent right-of-way and any nearby properties

#### Finding

B. The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use.

#### Facts in Support of Finding

- 1. The property is developed with a two-story multi-tenant commercial building with several different fascia elements. Comprehensive Sign Program No. CS2007-002 allowed for wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue so that individual tenants within the building could utilize wall signage. The placement of the proposed signage would create a symmetry that does not exist with the current sign program. In addition, the additional signage will enhance the overall development of the site and provide adequate visibility and identification of the site and the mix of individual tenants within the building.
- 2. The proposed sign types and sign area are necessary due to the size and design of the building and the numbers of tenants within the development.

#### Finding

C. The granting of the modification is necessary due to 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

- 1. The sign code allows one wall sign up to 1.5 times the linear frontage or 75 square feet maximum in sign area on the primary frontage and 50% of the primary for any secondary frontages. However, due to the design of the building and the mix of uses, one wall sign of this size does not provide adequate signage to identify individual tenants within the building.
- 2. Strict application of the Zoning Code limits the sign area of the combined signs on the building. The design and layout of the building as well as its multiple office use requires additional signage to ensure efficient way finding and to identify individual tenants within the building. The modification permit will allow signage that is in scale with the buildings and that provides adequate visibility from each of the frontages and the right-of-ways.

#### Finding

D. There are no alternatives to the modification permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public.

#### Facts in Support of Finding

1. The granting of a modification permit allows the additional signage and sign area necessary to ensure adequate visibility and identification of individual tenants within the building. No similar provision could be granted within the parameters of Section 20.42.120 (Comprehensive Sign Program) of the Zoning Code.

2. No foreseeable detriment will result from the approval of the modification permit as conditioned.

# Finding

E. The granting of the modification would not be detrimental to public health, safety, or welfare, to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code.

#### Facts in Support of Finding

- The existing signage on the building has not proven to be detrimental to public health, safety, or welfare to the occupants of the property, nearby properties, the neighborhood, or the City. The proposed signage is expected to enhance the overall development of the site by providing more tenants within the building signage; thereby providing better way finding and/or attracting new tenants to revitalize the area.
- 2. The signage is for commercial uses in a commercial area.

# Comprehensive Sign Program

Pursuant to Section 20.42.120 of the Zoning Code, approval of a Comprehensive Sign Program is required whenever a structure has more than three hundred (300) linear feet of frontage on a public street. In accordance with Section 20.67.120.E, a Comprehensive Sign Program shall comply with a number of standards. The following standards and facts in support of such standards are set forth:

# Standard:

A. The proposed sign program shall comply with the purpose and intent of this Chapter [Chapter 20.42: Signs], any adopted sign design guidelines and the overall purpose and intent of this Section [Section 20.42.120].

#### Facts in Support of Standard:

1. In compliance with the purpose and intent of the Sign Code, the proposed Sign Program provides the site and the uses within adequate identification without excessive proliferation of signage. Furthermore, it preserves community appearance by regulating the type, number, and size of signage.

#### Standard:

B. The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development when applicable.

Facts in Support of Standard:

- 1. The site is for use of multiple tenants and the signage has been designed integral with the design and character of the building.
- 2. The proposed signage will enhance the overall development of the site. It will add symmetry to the building and provide adequate identification of individual tenants within the building.
- 3. The signs are appropriately scaled to the buildings and are integrated with the design and scale of the existing architecture.

# Standard:

C. The sign program shall address all signs, including permanent, temporary, and exempt signs.

# Facts in Support of Standard:

1. The Sign Program submitted for the project addresses all project signage. Temporary and exempt signs not specifically addressed in the program shall be regulated by the provisions of Chapter 20.42.

### Standard:

D. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.

# Facts in Support of Standard:

- 1. The project site is for the use of multiple commercial tenants and has been designed to be effective for such a use.
- 2. It is not anticipated that future revisions will be necessary to accommodate constant changes in tenants or uses. However, flexibility has been incorporated into the Sign Program Matrix to allow minor deviations from the proposed signs.
- 3. Consistent with Chapter 20.42, the Community Development Director [or his/her designee] may approve minor revisions to the Sign Program if the intent of the original approval is not affected.

# Standard:

E. The program shall comply with the standards of this Chapter, except that deviations are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter.

Facts in Support of Standard:

- 1. The Sign Program requests deviation in area, number, and location of signs.
- 2. The sign code allows one wall sign up to 1.5 times the linear frontage or 75 square feet maximum in sign area on the primary frontage and 50% of the primary for any secondary frontages. However, due to the configuration of the building and the mix of uses, one wall sign of this size does not provide adequate signage to identify individual tenants within the building.
- 3. The signs are designed to be complementary to the buildings and the uses to which they relate and are harmonious with their surroundings.

#### Standard:

F. The Approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter.

#### Facts in Support of Standard:

1. The program does not authorize the use of new prohibited signs.

#### Standard:

G. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.

#### Facts in Support of Standard:

1. The program contains no regulations affecting sign message or content.

SECTION 4. DECISION.

# NOW, THEREFORE, BE IT RESOLVED:

- 1. The Zoning Administrator of the City of Newport Beach hereby approves Modification Permit No. MD2012-004 and an amendment to Comprehensive Sign Program No. CS2007-002, subject to the conditions set forth in Exhibit A and the parameters denoted in Exhibit B, which are attached hereto and incorporated by reference.
- 2. Comprehensive Sign Program and Modification Permit applications do not become effective until 14 days following the date of action. Prior to the effective date, the applicant or any interested party may appeal the decision of the Zoning Administrator to the Planning Commission by submitting a written appeal application to the Community Development Director. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

Zoning Administrator Resolution No. ZA2012-015 Page 7 of 9

PASSED, APPROVED, AND ADOPTED THIS 28th DAY OF MARCH, 2012.

By: Brenda Wisneski, AICP Zoning Administrator

#### EXHIBIT "A"

#### CONDITIONS OF APPROVAL

- 1. This approval supersedes Comprehensive Sign Program No. CS2007-002 (PA2007-084).
- 2. The development shall be in substantial conformance with the approved site plan, details, and elevations, except if noted in the following conditions.
- 3. Locations of the signs are limited to the designated areas and shall comply with the limitations specified in the Sign Program Matrix included in Exhibit "B".
- 4. All signs must be maintained in accordance with Section 20.42.170 (Maintenance Requirements) of the Newport Beach Municipal Code.
- 5. Prior to issuance of building permits, the applicant shall submit to the Planning Department an additional copy of the approved architectural plans for inclusion in the Planning file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to <u>11 inches by 17 inches</u>. The plans shall accurately depict the elements approved by this Staff Approval and shall highlight the approved elements such that they are readily discernible from other elements of the plans.
- 6. A building permit shall be obtained prior to commencement of the construction and/or installation of the signs.
- 7. A copy of the conditions of approval shall be incorporated into the Building Department and field sets of plans prior to issuance of the building permits.
- 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 Coast Business Center Sign Program including, but not limited to Modification Permit No. MD2012-004 and Comprehensive Sign Program No. CS2007-002 and the determination that the project is exempt under the requirements of the California Environmental Quality Act. 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.

#### EXHIBIT "B"

#### SIGN PROGRAM MATRIX

SIGN TYPE AND	FRONTAGE DESIGNATION	
LOCATION	SIGN LIMITATIONS/RESTRICTIONS	
Wall Signs	East Coast Highway	
Major Tenants	- 50 ft fascia frontage element	
Primary Location	Maximum Area of 70 sq ft.	
A1 and A2;	Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height.	
	Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia.	
	Only major tenants may have a maximum of two signs, one each in the A or B	
	elevation/location.	
Wall Signs	East Coast Highway	
Major Tenants	- 80 ft fascia frontage element	
Secondary Location	Maximum Area of 50 sq ft.	
B1 and B2	Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height.	
	Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia.	
	Only major tenants may have a maximum of two signs, one each in the A or B	
Mall Cines	elevation/location.	
Wall Signs	East Coast Highway	
Minor Tenants	- 20 ft fascia frontage element	
C1, C2, D1 and D2	Maximum Area of 30 sq ft. Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height.	
	Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia.	
	Maximum of one sign for each minor tenant.	
Mall Cines	<b>C</b>	
Wall Signs	Avocado Avenue	
Minor Tenants	- 20 ft fascia frontage element	
E1, E2, F1*, and F2*	1.5 square feet/linear foot of fascia frontage or max area of 30 sq ft.	
	Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia.	
	Maximum of one sign for each minor tenant.	
Monument Sign	East Coast Highway	
Project	Existing 4-foot 6-inch tall by 23-feet 6-inches long	
Identification and	Internally or externally illuminated.	
Tenant Directory	Opaque background per sign panel with letters illuminated or halo-illuminated only.	
· · · · · · · · · · · · · · · · · · ·	Illuminated panel blank space background is prohibited.	
All window and	All building elevations	
other exempt signs	Removal of all signs (including window signs) in excess of the total allowance as	
in accordance with	necessary.	
Chapter 20.67		

NOTE: All proposed signs shall also be in conformance with the approved plans, Comprehensive Sign Program No. CS2007-002 and Modification Permit No. MD2012-001, approved March 28, 2012, and provisions of Chapter 20.42 of the Newport Beach Municipal Code, unless otherwise indicated. \*Signs denoted with an asterisk were added with approval of the Modification Permit.

#### **RESOLUTION NO. ZA 2012-016**

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, APPROVING MODIFICATION PERMIT NO. MD2012-003 TO AMEND THE COMPREHENSIVE SIGN PROGRAM TO ALLOW BUILDING #18 TO CONSTRUCT THREE WALL SIGNS LOCATED AT 1801 DOVE STREET (PA2012-007)

THE ZONING ADMINSTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

- 1. An application was filed by Blake Signs, with respect to property located at 1801 Dove Street, and legally described as Parcel No. 14 of Page 1, Parcel Map Book 364, requesting approval of a modification permit.
- 2. The applicant proposes a modification permit to amend the existing comprehensive sign program (MD2008-030) for the Hangars business complex to allow Building #18 to have three (3) new wall signs that will exceed the permitted letter/logo height and maximum square footage.
- 3. The subject property is located within the Professional & Business Office Site 9 of the Newport Place Planned Community and the General Plan Land Use Element category is General Commercial Office (CO-G).
- 4. The subject property is not located in the Coastal zone.
- 5. A public hearing was held on March 28, 2012, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

- 1. The project has been reviewed, and it qualifies for a categorical exemption pursuant to Section 15311 of the California Environmental Quality Act under Class 11 (Accessory Structures) of the Implementing Guidelines of the California Environmental Quality Act.
- 2. Class 11 includes construction or replacement of minor structures such as on-premise signs accessory to (appurtenant to) existing professional and commercial facilities. The proposed wall signs are incidental and accessory to the principal use of the property and does not intensify or alter the use.

#### SECTION 3. REQUIRED FINDINGS.

#### Modification Permit

In accordance with Section 20.52.050 E. (Required Findings, Modification Permits) of the Newport Beach Municipal Code (NBMC), the following findings and facts in support of the finding for a Modification Permit are set forth:

#### Finding

A. The requested modification will be compatible with existing development in the neighborhood.

#### Fact in Support of Finding

- The subject property is located within the Professional & Business Office Site 9 of the Newport Place Planned Community and the General Plan Land Use Element category is CO-G (General Commercial Office). Professional & Business Office Site 9 is intended to provide administrative, professional, and medical offices with limited accessory retail and service uses. The existing professional and business office complex is consistent with this land use designation. The proposed signage is accessory to the primary use.
- 2. The proposed walls signs are designed to be proportional to the dimensions of the building elevations and are compatible in size and design with other wall signs on the commercial-designated neighboring properties and in the surrounding commercial area.
- 3. The proposed wall signs do not constitute or contribute to a significant proliferation of signs which would be inconsistent with the neighborhood character.

#### Finding

B. The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use.

#### Fact in Support of Finding

1. The granting of the modification is necessary due to the physical improvements made to the building elevations. The applicant is requesting slighter larger signage on the east, north and south elevations in order for the new signage to be proportional with the newly renovated building.

#### Finding

C. The granting of the modification is necessary due to 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.

### Fact in Support of Finding

1. The granting of a modification is necessary in this case to allow larger and more visible signage on the east, north and south elevations. The comprehensive sign program was originally created to provide signage for the light industrial uses located within the entire complex. As the complex is slowly evolving into a more business-like environment with corporate offices and professional uses as permitted by the Newport Place Planned Community, wall sign allowance for these tenants is no longer adequate. The larger wall signs will provide greater convenience to patrons and motorists in locating the subject property.

#### Finding

D. There are no alternatives to the Modification Permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public.

#### Fact in Support of Finding

- 1. An alternative to the modification permit would require an amendment to the Newport Place Planned Community Development Plan. However, the proposed wall signs are consistent with the intent of the Planning Community and Zoning Code, which is to promote the commercial development of the site by providing adequate wall signage for building identification purposes and improving way-finding to this location.
- 2. The proposed wall signs are a logical design solution to identify main business tenants occupying the subject property. The wall signs will be in scale with the existing development, complement its surroundings and will not be detrimental to the surrounding neighborhood or to the general public.

#### Finding

E. The granting of the modification would not be detrimental to public health, safety, or welfare to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code.

#### Fact in Support of Finding

- 1. The wall signs will be constructed on private property and will neither change the density or intensity of the existing commercial use nor affect the flow of light or air to adjoining properties.
- 2. The wall signs are not excessive in height, area, or length and they will not significantly diminish the individual building elevations to which they will be located on. The wall signs are adequately designed to promote public convenience by making the building identification more visible to motorists driving on Dove Street and within the Newport Commerce complex.

#### SECTION 4. DECISION.

#### NOW, THEREFORE, BE IT RESOLVED:

- 1. The Zoning Administrator of the City of Newport Beach hereby approves Modification Permit No. MD2012-003, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
- 2. Comprehensive sign program (MD2008-030) for the Hangars shall be amended as provided in Exhibit "B", with all other provisions of the existing sign program remaining unchanged and in full force and effect.
- 3. Modification Permit applications do not become effective until 14 days following the date of action. Prior to the effective date, the applicant or any interested party may appeal the decision of the Zoning Administrator to the Planning Commission by submitting a written appeal application to the Community Development Director. For additional information on filing an appeal, contact the Planning Division at (949)644-3200.

#### PASSED, APPROVED AND ADOPTED THIS 28TH DAY OF MARCH, 2012.

Brenda Wisneski, AICP, Zoning Administrator

# EXHIBIT "A"

### CONDITIONS OF APPROVAL

- 1. The number, size and location of the wall signs shall comply with the limitations specified in the Sign Program Matrix included in Exhibit "B".
- 2. The building address sign shall not exceed eight (8) inches in height.
- 3. Prior to issuance of building permits, the applicant shall submit to the Planning Department an additional copy of the approved architectural plans for inclusion in the Modification Permit file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to <u>11 inches by 17 inches</u>. The plans shall accurately depict the elements approved by this Modification Permit and shall highlight the approved elements such that they are readily discernible from other elements of the plans.
- 4. A building permit shall be obtained prior to commencement of the construction and/or installation of the signs.
- 5. A copy of this approved resolution shall be incorporated into the Building Department and field sets of plans prior to issuance of the building permits.
- 6. 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 Dove Street Sign including, but not limited to, Modification Permit No. MD2012-003 (PA2012-007). 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.

EXHIBIT "B"

# Table MatrixCOMPREHENSIVE SIGN PROGRAM (MD2008-030) PA2008-110

1800 – 1900 Quail Street 3900 – 4120 Birch Street 3901 – 4121 Westerly Place 1801 -1901 Dove Street Newport Beach, CA 92660

# **TABLE 1: Includes Frontage Designation and Size Limitations**



NOTES:

• Amendments to this program may be conducted by a written staff approval, unless otherwise required by the Zoning Administrator.



COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION 3300 Newport Boulevard, Building C, Newport Beach, CA 92663 (949) 644-3200 Fax: (949) 644-3229 www.newportbeachca.gov

# COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER

Application No.	Staff Approval SA2012- 006 (PA2012-028)
Applicant	John Mahoney, Mahoney & Gran
Site Address	3822 Campus Drive Campus Drive Staff Approval
Legal Description	Lot 9 of North Tract 3201

On <u>March 29, 2012</u>, the Community Development Director approved the following: The extension of a wall to allow for the addition of a 30-square-foot wall sign.

# I. Project Description

The applicant proposes to install a 30-square-foot wall sign on new wall extension. The new wall extension will be 5 feet high and placed on top an existing 3-foot high base (overall height 8 feet); and will extend six feet from the existing building.

# II. Background

The building is occupied by multiple office uses and currently has no wall signage. The sign code indicates that wall signs shall be located within the middle 50 percent of the building or tenant frontage, unless the Director waives this requirements where it can be clearly demonstrated that it several limits proper sign placement. The applicant requests the location as proposed because it is the least intrusive to the property and motorists and provides project identification from Campus Drive. The property is located in the OA (Office Airport).

#### III. Determination

The addition of the wall sign with the wall extension is a minor addition. The determination has been made that the proposed sign is in substantial conformance with the Zoning Code standards and is consistent with the purpose and intent of the sign regulations. The proposed sign will give identity to the building and will provide incentive for potential tenants. A building permit will be obtained for the new sign.

Campus Drive Staff Approval March 29, 2012 Page 2

#### APPEAL PERIOD

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

On behalf of Kimberly Brandy, Community Development Director

By:

Erin Steffen, Planning Technician

GR/ems

Attachments:	Vicinity Map	
	<b>Project Plans</b>	

Campus Drive Staff Approval March 29, 2012 Page 3

# VICINITY MAP



Staff Approval No. SA 2012-006 (PA2012-028)

# 3822 Campus Drive

