

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 April 6, 2012

COMMUNITY DEVELOPMENT DIRECTOR OR PLANNING DIVISION STAFF ACTIONS

Item 1: Trillium Telecom, Inc. on behalf of AT&T Mobility – Telecommunications Permit

No. TP2011-016 (PA2011-171)

21474 Vista Ridge Road

Action: Approved Council District 7

Item 2: Verizon Wireless – Telecommunications Permit No. TP2011-021 (PA2011-221)

3233 Pacific View Drive

Action: Approved Council District 7

Item 3: New Port Theater Comprehensive Sign Program No. CS2012-003 (PA2012-022)

2905 E. Coast Highway

Action: Approved Council District 6

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.

Email Jon Lewis, Support Services Lt., NBPD (Telecom Permits)



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: Telecommunications Permit No. TP2011-016 (PA2011-171)

APPLICANT: Trillium Telecom, Inc.

LOCATION: 21474 Vista Ridge Road

LEGAL DESCRIPTION: Portion of Block 134 of Irvine's Subdivision

PROJECT REQUEST AND DESCRIPTION

Trillium Telecom, Inc. on behalf of AT&T Mobility has submitted an application requesting a Telecommunications Permit application to alter an existing, unmanned telecommunications facility. The alterations are as follows: 1) removal of four existing antennas to be replaced with eight new antennas; 2) installation of eight new remote radio units (RRUs), eight new tower-mounted amplifiers (TMAs), and two new surge suppressors at antenna level; 3) construction of a new custom-built equipment shelter at ground level; and 4) installation of one new GPS antenna. The property is located in the PC-52 (Newport Coast) District.

Photographic visual simulations depicting the existing and proposed conditions at the site have been prepared by the applicant and are included as Attachment No. CDD 3. A copy of the project site plan and elevations depicting the proposed project are attached as Attachment No. CDD 4.

ACTION: Approved with Conditions – April 4, 2012

In approving this application, the Community Development Director analyzed issues regarding compliance with Chapter 15.70 of the Newport Beach Municipal Code. This approval is based on the findings and subject to the following conditions attached to this report.

The Community Development Director determined in this case that the proposed wireless telecommunications facility ("telecom facility") meets the provisions of Chapter 15.70.

BACKGROUND

Prior to annexation to Newport Beach, the subject property was part of the County of Orange. The original AT&T wireless telecommunications facility was approved for installation by the Orange County Planning and Development Services Department in July, 2002. In July, 2006, the City approved Telecom Permit No. TP2006-004 permitting the modification of the existing AT&T (formerly Cingular) telecommunications facility with the installation of an additional panel antenna and the replacement of four equipment cabinets with two new equipment cabinets in a reconfigured location. Subsequently in October, 2010, the City approved Telecom Permit No. TP2010-008 which modified the existing facility by adding a four-foot wide microwave dish to the existing lattice tower.

APPEAL PERIOD

Telecommunications Facility applications do not become effective until 14 days after the date of action, during which time the applicant or any interested party may appeal the decision of the Community Development Director and division staff to the City Council by submitting a written appeal application to the City Clerk. For additional information on filing an appeal, contact the City Clerk at 949 644-3005.

On behalf of Kimberly Brandt, Community Development Director

KB/bmz

Attachments:

CD 1 Vicinity Map

CD 2 Findings and Conditions of Approval

CD 3 Photographic Simulations CD 4 Site Plan and Elevations

Vicinity Map

VICINITY MAP

21474 Vista Ridge Road



Telecommunications Permit No. TP2011-016 (PA2011-171)

Findings and Conditions of Approval

FINDINGS AND CONDITIONS OF APPROVAL TELECOMMUNICATIONS PERMIT NO. TP2011-016 (PA2011-171)

FINDINGS

- 1. The telecommunications facility as proposed meets the intent of Chapter 15.70 of the Newport Beach Municipal Code (NBMC), while ensuring public safety, reducing the visual effects of telecom equipment on public streetscapes, protecting scenic ocean and coastal views, and otherwise mitigating the impacts of such facilities for the following reasons:
 - The proposed telecom facility will not be detrimental to public health or safety because it is required to comply with the applicable rules, regulations and standards of the Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC).
 - The telecom facility is co-located with other carriers on an existing lattice tower. The co-location of telecom facilities on the project site limits the adverse visual effects of proliferation of facilities in the City.
 - Due to the location and design of the facility at Signal Peak in Newport Coast, the impacts to scenic ocean, coastal or public views are minimized.
- 2. The telecommunications facility as proposed conforms to the technology, height, location and design standards for the following reasons:
 - The telecom facility approved under this permit utilizes the most efficient and diminutive available technology in order to minimize the number of facilities and reduce the visual impact.
 - The alterations approved by the permit do not exceed the maximum height limit allowed in the PC-52 (Newport Coast Planned Community) Zoning District and do not increase the overall height of the existing project.
 - The proposed antennas for the telecom facility approved by this permit will be co-located with antennas for other carriers on the existing lattice tower and will be painted to match such that there is minimal visual impact.
 - The support equipment for the telecom facility will be placed within the new, enclosed equipment shelter.
- 3. This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 1 (Existing Facilities) because the project consists of alterations to an existing telecom facility.

CONDITIONS

- 1. The development shall be in substantial conformance with the approved plot plan, antenna and equipment plans, and elevations, except as noted in the following conditions.
- 2. A total of eight (8) new antennas, eight (8) new remote radio units (RRUs), eight (8) new tower-mounted amplifiers (TMAs), two (2) new surge suppressors at antenna level, and one (1) new GPS antenna shall be permitted as depicted on the approved plans and photographic simulations. The antennas shall be located on the existing lattice tower and shall be painted to match the existing equipment.
- 3. The related support equipment shall be located within the proposed, enclosed equipment shelter as depicted on the approved plans. Installation of future pertinent support equipment for the telecom facility may be allowed so long as it is installed within the same location and entirely screened from public view.
- 4. The proposed air conditioning units located on the new equipment shelter shall be painted to match the exterior of the cabinet.
- 5. Anything not specifically approved by this Telecom Permit is not permitted and must be addressed in a separate and subsequent Telecom Permit review.
- 6. The telecom facility approved by this permit shall comply with all applicable rules, regulations and standards of the Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC).
- 7. The telecom facility shall comply with all regulations and requirements of the Uniform Building Code, Uniform Fire Code, Uniform Mechanical Code and National Electrical Code. All required permits shall be obtained prior to commencement of the construction.
- 8. The telecom facility approved by the permit shall comply with any easements, covenants, conditions or restrictions on the underlying real property upon which the facility is located.
- 9. Any future facilities proposed by other carriers to be located within 1,000 feet from the subject property shall be approved to co-locate at the same site by the property owner or authorized agent, unless otherwise approved by the Planning Division.
- 10. <u>Prior to issuance of building permits</u>, a deposit of \$1,000 shall be paid to the City of Newport Beach. This deposit is required by the Planning Division to ensure preparation and submittal of the RF Compliance and Radiation Report, referenced in the above Condition. The deposit will be used to defray any and all fees associated with review of the report by an independent technical consultant,

- pursuant to Section 15.70.070 B-10 of the Telecom Ordinance. Any unused deposit fees will be refunded to the applicant upon determination of compliance with the approved frequency and FCC standards.
- 11. <u>Prior to issuance of building permits,</u> the applicant shall obtain a determination, in writing, from the Coastal Commission that the project as proposed is not a development under the California Coastal Act, or obtain Coastal Commission approval of the wireless telecommunications facility.
- 12. <u>Prior to the issuance of any building</u>, mechanical and/or electrical permits, architectural drawings and structural design plans shall be submitted to the City of Newport Beach for review and approval by the applicable departments. <u>A copy of this approval letter shall be incorporated into the drawings approved for the issuance of permits.</u>
- 13. No wireless communication facility shall interfere with the public safety radio communications system including, but not limited to, the 800 MHz trunking system. Should use of the subject telecom facility cause interference with the City's public safety radio equipment, the applicant shall diligently work with the City to resolve the problem.
- 14. The Telecom Facility shall operate only on those frequencies licensed to it by the FCC and in the FCC license-free radio spectrum.
- 15. The applicant recognizes that the frequencies used by the cellular facility located at 21474 Vista Ridge Road are extremely close to the frequencies used by the City of Newport Beach for public safety. This proximity will require extraordinary "comprehensive advanced planning and frequency coordination" engineering measures to prevent interference, especially in the choice of frequencies and radio ancillary hardware. This is encouraged in the "Best Practices Guide" published by the Association of Public-safety Communications Officials-International, Inc. (APCO), and as endorsed by the Federal Communications Commission (FCC).
- 16. Within 30 days after installation of the telecom facility, a radio frequency (RF) compliance and radiation report prepared by a qualified RF engineer acceptable to the City shall be submitted in order to demonstrate that the facility is operating at the approved frequency and complies with FCC standards for radiation. If the report shows that the facility does not so comply, the use of the facility shall be suspended until the facility is modified to comply and a new report has been submitted confirming such compliance.
- 17. The applicant shall provide a "single point of contact" in its Engineering and Maintenance Departments that is staffed and monitored 24 hours per day to ensure continuity on all interference issues, and to which interference problems may be reported. The name, telephone number, fax number, and e-mail address of the contact center (e.g. the "Network Operations Center") or person shall be

- provided to the Planning Division and Newport Beach Police Department's Support Services Commander prior to activation of the facility.
- 18. Appropriate information warning signs or plates shall be posted at the access locations and each transmitting antenna. In addition, contact information (e.g. a telephone number) shall be provided on the warning signs or plates to arrange for access to the roof top area. The location of the information warning signs or plates shall be depicted on the plans submitted for construction permits.
- 19. No advertising signage or identifying logos shall be displayed on the telecom facility except for small identification, address, warning and similar information plates. A detail of the information plates depicting the language on the plate shall be included in the plans submitted for issuance of building permits.
- 20. The Telecom Facility shall not be externally illuminated except for permitted night lighting only used when the site is being actively serviced by the applicant or as deemed necessary by the Newport Beach Police Department for security lighting. Tower lights and tower warning lights shall not be permitted unless specifically required by the FCC or the FAA and shown on the plans as approved by the City. The permitted night lighting shall be at the lowest intensity necessary for that purpose and such lighting shall be shielded so that the permitted night lighting does not shine on any nearby properties. Prior to the final of building permits, the applicant shall schedule an evening inspection by the Code Enforcement Division to confirm compliance with this condition.
- 21. The operator of the telecom facility shall maintain the facility in a manner consistent with the original approval of the facility.
- 22. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the applicant, current property owner or leasing agent.
- 23. The applicant shall insure that lessee or other user(s) shall comply with the terms and conditions of this permit, and shall be responsible for the failure of any lessee or other users under the control of the applicant to comply.
- 24. Any operator who intends to abandon or discontinue use of a telecom facility must notify the Planning Division by certified mail no less than 30 days prior to such action. The operator or property owner shall have 90 days from the date of abandonment or discontinuance to reactivate use of the facility, transfer the rights to use the facility to another operator, or remove the telecom facility and restore the site.
- 25. This telecom permit may be modified or revoked by the City Council should they determine that the facility or operator has violated any law regulating the telecom facility or has failed to comply with the requirements of Chapter 15.70 of the NBMC, or this telecom permit.

26.	This approval approval.	shall	expire	unless	exercised	within	24	months	from	the	date	of

Photographic Simulations

Exhibit 7.01



LA3051

PINNACLE TOWER-SIGNAL PEAK

7304 RIDGE PARK ROAD NEWPORT COAST CA 92657









ACCURACY OF PHOTO SIMULATION MAKED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



LA3051

PINNACLE TOWER-SIGNAL PEAK













LA3051

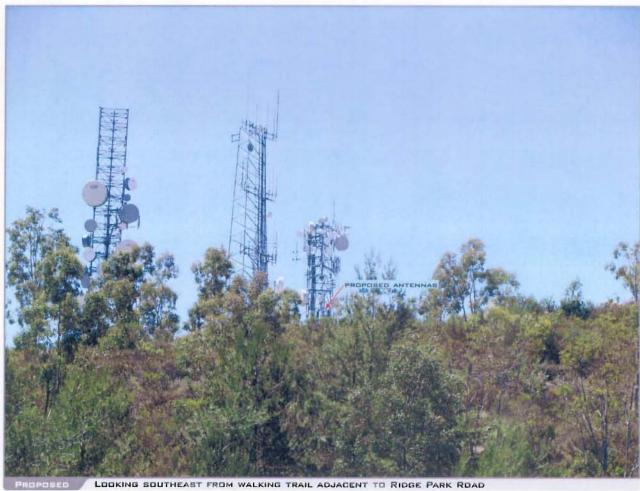
PINNACLE TOWER-SIGNAL PEAK











Site Plan and Elevations



RECEIVED BY COMMUNITY

FEB 0 3 2012

DEVELOPMENT & OF NEWPORT BER

LTE PROJECT SITE NUMBER: LA3051 SITE NAME: PINNACLE TOWER-SIGNAL PEAK

PROJECT INFORMATION DRAWING INDEX REV DIRECTIONS DRIVING DIRECTIONS FROM AT&T WIRELESS, CERRITOS AT&T PROPOSES TO MODIFY, OPERATE AND MAINTAIN AN EXISTING UNMANNED TELECOM FACILITY. LA-LA3051-T01 TITLE SHEET THE SCOPE WILL CONSIST OF THE FOLLOWING: REMOVE (4) EXISTING ANTENNAS AND REPLACE WITH (8) NEW ANTENNAS LA-LA3051-Z01 SITE PLAN START OUT GOING EAST ON PARK PLAZA DR TOWARD SHOEMAKER AVE, TURN LEFT ONTO ARTESIA BLVD, MERGE INSTALLATION OF (8) NEW RRUS, (8) NEW TMAS AND (2) NEW SURGE SUPPRESSORS AT ONTO CA-91 W, MERGE ONTO I-710 S TOWARD LONG BEACH, KEEP RIGHT TOWARD PIERS-F-J/QUEEN MARY, LA-LA3051-Z02 EQUIPMENT AREA LANS INSTALLATION OF NEW CUSTOM BUILT STRUCTURE AT GROUND LEVEL MERGE ONTO S HARBOR SCENIC DR, TURN RIGHT, TURN LEFT ONTO PIER J AVE, 1387 PIER J AVE IS ON THE LA-LA3051-Z03 **ELEVATIONS** 4. INSTALLATION OF (1) NEW GPS ANTENNA 21474 VISTA RIDGE ROAD SITE ADDRESS: LA-LA3051-Z04 **FLEVATIONS** NEWPORT BEACH, CA 92657 PREVIOUSLY KNOWN AS 7304 RIDGE PARK ROAD NEWPORT BEACH, CA 92657 PROPERTY OWNER: CROWN CASTLE VICINITY MAP 32 EXECUTIVE PARK, SUITE 100 IRVINE, CA 92614 CONTACT: TIFFANY HUGHES (949) 930-4350 BECHTEL COMMUNICATIONS AGENT: 6131 ORANGETHORPE AVE, 5TH FL BUENA PARK, CA 90620 SITE ACQ .: TRILLIUM CONSULTING, INC. 5912 BOLSA AVENUE, SUITE 202 HUNTINGTON BEACH, CA 92649 CONTACT: BETH BROUSSARD (714) 362-7012 **PROJECT** PARK SITE CONTACT: TIM MILLER (714) 799-2000 EXT. 314 ** NOTE: ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED AT&T WIRELESS 12900 PARK PLAZA DRIVE APPLICANT: IN ACCORDANCE WITH THE CURRENT EDITIONS OF THESE CODES, NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO CODE COMPLIANCE CERRITOS, CA 90703 1. 2010 CALIFORNIA ADMINISTRATIVE CODE (CAC) LATITUDE: 33' 36' 19.3" N 5. 2010 CALIFORNIA ENERGY CODE 2. 2010 CALIFORNIA BUILDING CODE (CBC), VOLUMES 1, AND 2 LONGITUDE: 117' 48' 41.2" W (2008 EDITION CALIFORNIA ENERGY COMMISSION (2009 EDITION INTERNATIONAL BUILDING CODE WITH 2010 BUILDING ENERGY EFFICIENCY STANDARDS) LAT/LONG TYPE: NAD 83 CALIFORNIA AMENDMENTS) 6. 2010 CALIFORNIA FIRE CODE (CFC) FLEVATION: 1156 8 AMSI 3. 2010 CALIFORNIA ELECTRICAL CODE (2009 EDITION OF INTERNATIONAL FIRE CODE WITH CITY OF NEWPORT BEACH JURISDICTION: (2008 EDITION NATIONAL ELECTRICAL CODE WITH 2010 CALIFORNIA 2010 CALIFORNIA AMENDMENTS) 478-161-16 APN 7. 2010 CALIFORNIA GREEN CODE 4. 2010 CALIFORNIA MECHANICAL CODE (CMC) 8. 2010 CALIFORNIA REFERENCES STANDARDS CURRENT ZONING: PC52 (NPC) (2009 EDITION IAPMO UNIFORM MECHANICAL CODE WITH 2010 PROPOSED USE: S-2 (TELECOMMUNICATION FACILITY) CALIFORNIA AMENDMENTS) at&t PINNACLE TOWER-SIGNAL PEAK 02/02/12 CITY PLANNING COMMENTS 2 **PACIFIC** LA3051 LTE PROJECT 12/22/11

WAS CREATED FOR BECHTEL CORPORATION UNDER AN AGREEMENT WITH AT&T MOBILITY. NO PART OF THIS BE REPRODUCED OR USED IN ANY FORM EXCEPT WITH THE WRITTEN PERMISSION OF AT&T MOBILITY OR BEC

ARCHITECTURE · ENGINEERING · CONSULTING 32 EXECUTIVE PARK, SUITE 110, IRVINE, CA 92614

PHONE: (949) 475-1000 FAX: (949) 475-1001

USID: 26949 21474 VISTA RIDGE ROAD NEWPORT BEACH, CA 92657







A&E DESIGN PACKAGE REVIEW STATUS

PERVISSION TO PROCEED DOES NOT CONSTITUTE ACCEPTANCE OR APPROVAL OF DESIGN DETAILS, CALCULATIONS, ANALYSES, TEST METHODS OR MATERIALS DEVELOPED OR SELECTED BY THE SUPPLIER AND DOES NOT RELIEVE SUPPLIER FROM FULL COMPLIANCE WITH CONTRACTUAL OBLIGATIONS

F DESIGN DEMATION FROM STANDARD

H A&E GENERATED CHANGE IN DESIGN

CM (AT&T)

I AT&T CHANGED SITE DESIGN

6 ONISSIONS

J OTHER

DATE: MARKET LEAD

PLANNING.

1 ACCEPTED - NO CONVENTS, PROCEED

A SAC INFORMATION WISSING/INCOMPLETE

C SITE OWNER REQUESTED CHANGES

E REVISED SITE DESIGN

REVIEWED BY: RE/PE

RE ENGINEER

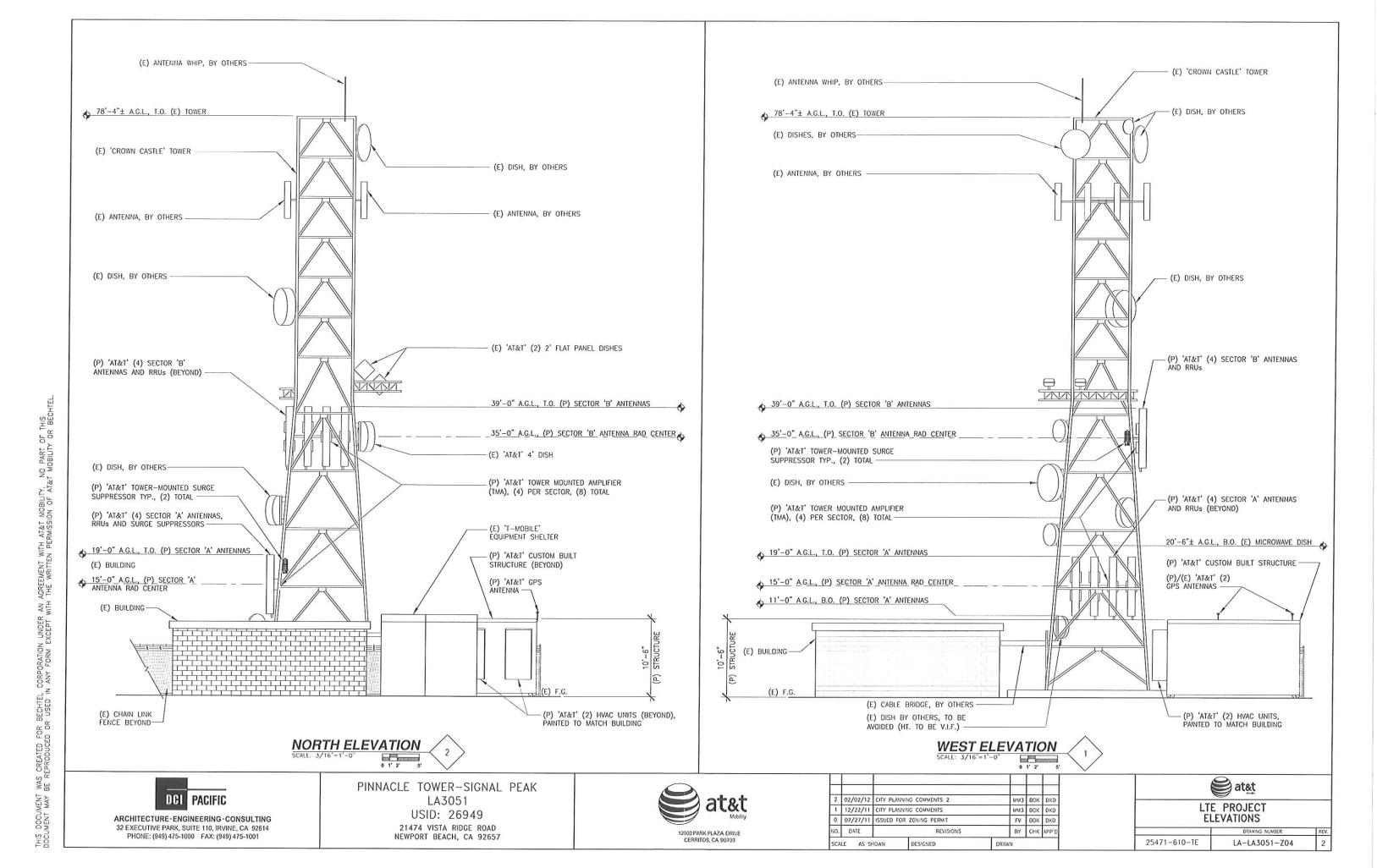
B ALE DID NOT FOLLOW DIRECTIONS PROVIDED

D DESIGN INPUT CHANGES I.E., RF, ZONING REQ'D

MPE COMPLIANCE

2 COMMENTS

THIS DOCUMENT WAS CREATED FOR BECHTEL CORPORATION UNDER AN AGREEMENT WITH AT&T MOBILITY. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR USED IN ANY FORM EXCEPT WITH THE WRITTEN PERMISSION OF AT&T MOBILITY OR BECHTEL.





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: Telecommunications Permit No. TP2011-021 (PA2011-221)

APPLICANT: Verizon Wireless

LOCATION: 3233 Pacific View Drive

LEGAL DESCRIPTION: Parcel No. 1, in the City of Newport Beach, County of Orange,

State of California, as shown on a Map filed in Book 7, Page 42 of Parcel Maps, in the office of the County Recorder of

Orange County, California

PROJECT REQUEST AND DESCRIPTION

Verizon Wireless has submitted an application requesting a Telecommunications Facility Permit application for the proposed installation of a new telecommunications facility. The installation of the unmanned facility includes the following: twelve (12) panel antennas as well as four (4) equipment cabinets, four (4) GPS antennas and (1) generator. The antennas will be screened within two proposed architectural cupolas atop of the existing building and the support equipment will be located within an enclosure on the ground that will be screened with landscaping. The property is located in the PI (Private Institutions) District.

No portion of the new telecom facility, including the additional screening, will extend above the maximum permitted height limit of 37 feet for a sloping roof. The center of the antennas will be approximately 30 feet, 6 inches above ground level (AGL). The top of the proposed antennas and screening will be approximately 33 feet AGL.

Photographic visual simulations depicting the existing and proposed conditions at the site have been prepared by the applicant and are included as Attachment No. CDD 3. A copy of the project site plan and elevations depicting the proposed project are attached as Attachment No. CDD 4.

ACTION: Approved with Conditions – April 4, 2012

In approving this application, the Community Development Director analyzed issues regarding compliance with Chapter 15.70 of the Newport Beach Municipal Code. This

approval is based on the findings and subject to the following conditions attached to this report.

The Community Development Director determined in this case that the proposed wireless telecommunications facility ("telecom facility") meets the provisions of Chapter 15.70.

APPEAL PERIOD

Telecommunications Facility applications do not become effective until 14 days after the date of action, during which time the applicant or any interested party may appeal the decision of the Community Development Director and division staff to the City Council by submitting a written appeal application to the City Clerk. For additional information on filing an appeal, contact the City Clerk at 949 644-3005.

On behalf of Kimberly Brandt, Community Development Director

By

Benjamin M. Zdeba, Planning Technician

KB/bmz

Attachments:

CD 1 Vicinity Map

CD 2 Findings and Conditions of Approval

CD 3 Photographic Simulations CD 4 Site Plan and Elevations

Vicinity Map

VICINITY MAP

3233 Pacific View Drive



Telecommunications Permit No. TP2011-021 (PA2011-221)

Findings and Conditions of Approval

FINDINGS AND CONDITIONS OF APPROVAL TELECOMMUNICATIONS PERMIT NO. TP2011-021 (PA2011-221)

FINDINGS

- 1. The telecommunications facility as proposed meets the intent of Chapter 15.70 of the Newport Beach Municipal Code (NBMC), while ensuring public safety, reducing the visual effects of telecom equipment on public streetscapes, protecting scenic ocean and coastal views, and otherwise mitigating the impacts of such facilities for the following reasons:
 - The proposed telecom facility will not be detrimental to public health or safety because it is required to comply with the applicable rules, regulations and standards of the Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC).
 - The telecom facility is located on an existing building, and any future proposed facility to be located within 1,000 feet of the existing facility shall be required to co-locate on the same site to limit the adverse visual effects of proliferation of facilities in the City.
 - Due to the location or design of the facility, there is no impact to public views.
- 2. The telecommunications facility as proposed conforms to the technology, height, location and design standards for the following reasons:
 - The telecom facility approved under this permit utilizes the most efficient and diminutive available technology in order to minimize the number of facilities and reduce the visual impact.
 - The telecom facility and associated screening approved by the permit does not exceed the maximum building height limit of 37 feet for a sloped roof allowed in the PI (Private Institutions) Zoning District, as specified in the Zoning Code.
 - The antennas for the telecom facility approved by this permit will be roofmounted and will be blended or screened from public view in a manner consistent with the architectural style, color and materials of the building to avoid adverse impacts to views from land or buildings at higher elevations.
 - The support equipment for the telecom facility will be placed within a proposed ground-mounted mechanical enclosure located on private property.

3. 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 Section 15303 Class 3 (New Construction or Conversion of Small Structures) because this class exempts installation of small equipment in small structures. The proposed project consists of the installation of roof-mounted panel and GPS antennas as well as ground-mounted support equipment at an existing development located on private property.

CONDITIONS

- 1. The development shall be in substantial conformance with the approved plot plan, antenna and equipment plans, and elevations, except as noted in the following conditions.
- 2. A total of twelve (12) panel antennas and four (4) GPS antennas shall be permitted as depicted on the approved plans and photographic simulations. The antennas shall be located within the proposed screening on the roof. No external (visible) wiring or conduit shall be permitted on the building.
- 3. The related support equipment shall be located within the proposed mechanical enclosure as depicted on the approved plans. Installation of future pertinent support equipment for the telecom facility may be allowed so long as it is installed within the same location and entirely screened from public view.
- 4. The new mechanical enclosure and relocated shed shall be screened by landscaping as depicted on the approved plans. All support equipment shall be screened from public right-of-way.
- 5. The proposed Telco 2 foot by 3 foot box shall be relocated outside the sight distance triangle per City Standard STD-110-L.
- 6. The proposed pedestal shall be installed on private property.
- 7. Anything not specifically approved by this Telecom Permit is not permitted and must be addressed in a separate and subsequent Telecom Permit review.
- 8. The telecom facility approved by this permit shall comply with all applicable rules, regulations and standards of the Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC).
- 9. The telecom facility shall comply with all regulations and requirements of the Uniform Building Code, Uniform Fire Code, Uniform Mechanical Code and National Electrical Code. All required permits shall be obtained prior to commencement of the construction.

- The telecom facility approved by the permit shall comply with any easements, covenants, conditions or restrictions on the underlying real property upon which the facility is located.
- 11. Any future facilities proposed by other carriers to be located within 1,000 feet from the subject property shall be approved to co-locate at the same site by the property owner or authorized agent, unless otherwise approved by the Planning Division.
- 12. Prior to issuance of building permits, a deposit of \$1,000 shall be paid to the City of Newport Beach. This deposit is required by the Planning Division to ensure preparation and submittal of the RF Compliance and Radiation Report, referenced in the above Condition. The deposit will be used to defray any and all fees associated with review of the report by an independent technical consultant, pursuant to Section 15.70.070 B-10 of the Telecom Ordinance. Any unused deposit fees will be refunded to the applicant upon determination of compliance with the approved frequency and FCC standards.
- 13. <u>Prior to issuance of building permits,</u> the applicant shall obtain a determination, in writing, from the Coastal Commission that the project as proposed is not a development under the California Coastal Act, or obtain Coastal Commission approval of the wireless telecommunications facility.
- 14. Prior to the issuance of any building, mechanical and/or electrical permits, architectural drawings and structural design plans shall be submitted to the City of Newport Beach for review and approval by the applicable departments. A copy of this approval letter shall be incorporated into the drawings approved for the issuance of permits.
- 15. No wireless communication facility shall interfere with the public safety radio communications system including, but not limited to, the 800 MHz trunking system. Should use of the subject telecom facility cause interference with the City's public safety radio equipment, the applicant shall diligently work with the City to resolve the problem.
- 16. The Telecom Facility shall operate only on those frequencies licensed to it by the FCC and in the FCC license-free radio spectrum.
- 17. The applicant recognizes that the frequencies used by the cellular facility located at 3233 Pacific View Drive are extremely close to the frequencies used by the City of Newport Beach for public safety. This proximity will require extraordinary "comprehensive advanced planning and frequency coordination" engineering measures to prevent interference, especially in the choice of frequencies and radio ancillary hardware. This is encouraged in the "Best Practices Guide" published by the Association of Public-safety Communications Officials-International, Inc. (APCO), and as endorsed by the Federal Communications Commission (FCC).

- 18. Within 30 days after installation of the telecom facility, a radio frequency (RF) compliance and radiation report prepared by a qualified RF engineer acceptable to the City shall be submitted in order to demonstrate that the facility is operating at the approved frequency and complies with FCC standards for radiation. If the report shows that the facility does not so comply, the use of the facility shall be suspended until the facility is modified to comply and a new report has been submitted confirming such compliance.
- 19. The applicant shall provide a "single point of contact" in its Engineering and Maintenance Departments that is staffed and monitored 24 hours per day to ensure continuity on all interference issues, and to which interference problems may be reported. The name, telephone number, fax number, and e-mail address of the contact center (e.g. the "Network Operations Center") or person shall be provided to the Planning Division and Newport Beach Police Department's Support Services Commander prior to activation of the facility.
- 20. Appropriate information warning signs or plates shall be posted at the access locations and each transmitting antenna. In addition, contact information (e.g. a telephone number) shall be provided on the warning signs or plates to arrange for access to the roof top area. The location of the information warning signs or plates shall be depicted on the plans submitted for construction permits.
- 21. No advertising signage or identifying logos shall be displayed on the telecom facility except for small identification, address, warning and similar information plates. A detail of the information plates depicting the language on the plate shall be included in the plans submitted for issuance of building permits.
- 22. The Telecom Facility shall not be externally illuminated except for permitted night lighting only used when the site is being actively serviced by the applicant or as deemed necessary by the Newport Beach Police Department for security lighting. Tower lights and tower warning lights shall not be permitted unless specifically required by the FCC or the FAA and shown on the plans as approved by the City. The permitted night lighting shall be at the lowest intensity necessary for that purpose and such lighting shall be shielded so that the permitted night lighting does not shine on any nearby properties. Prior to the final of building permits, the applicant shall schedule an evening inspection by the Code Enforcement Division to confirm compliance with this condition.
- 23. The operator of the telecom facility shall maintain the facility in a manner consistent with the original approval of the facility.
- 24. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the applicant, current property owner or leasing agent.

- 25. The applicant shall insure that lessee or other user(s) shall comply with the terms and conditions of this permit, and shall be responsible for the failure of any lessee or other users under the control of the applicant to comply.
- 26. Any operator who intends to abandon or discontinue use of a telecom facility must notify the Planning Division by certified mail no less than 30 days prior to such action. The operator or property owner shall have 90 days from the date of abandonment or discontinuance to reactivate use of the facility, transfer the rights to use the facility to another operator, or remove the telecom facility and restore the site.
- 27. This telecom permit may be modified or revoked by the City Council should they determine that the facility or operator has violated any law regulating the telecom facility or has failed to comply with the requirements of Chapter 15.70 of the NBMC, or this telecom permit.
- 28. This approval shall expire unless exercised within 24 months from the date of approval.

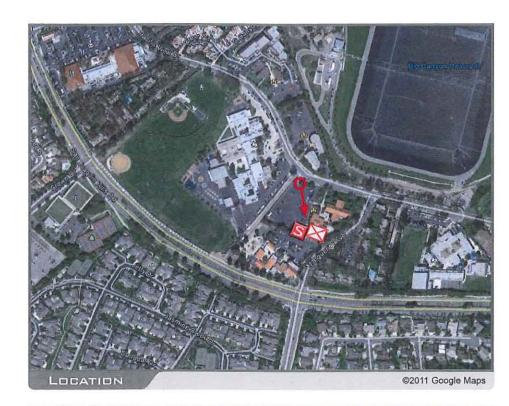
Photographic Simulations



SJ HILLS PARK

3233 PACIFIC VIEW DRIVE CORONA DEL MAR CA 92625











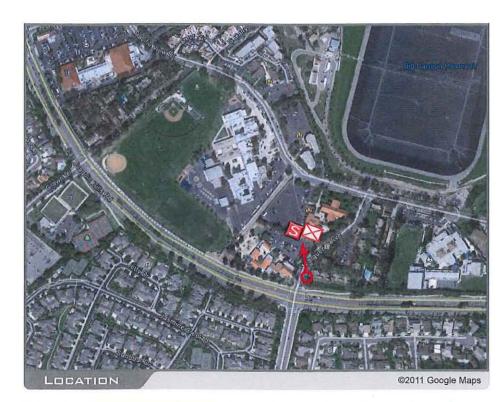
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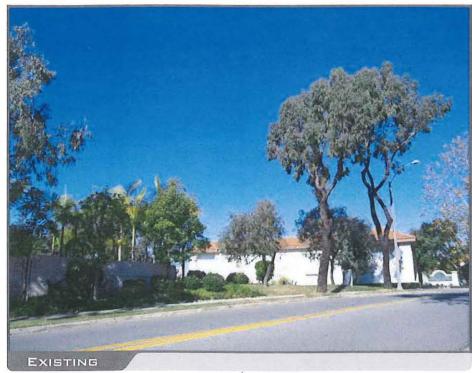


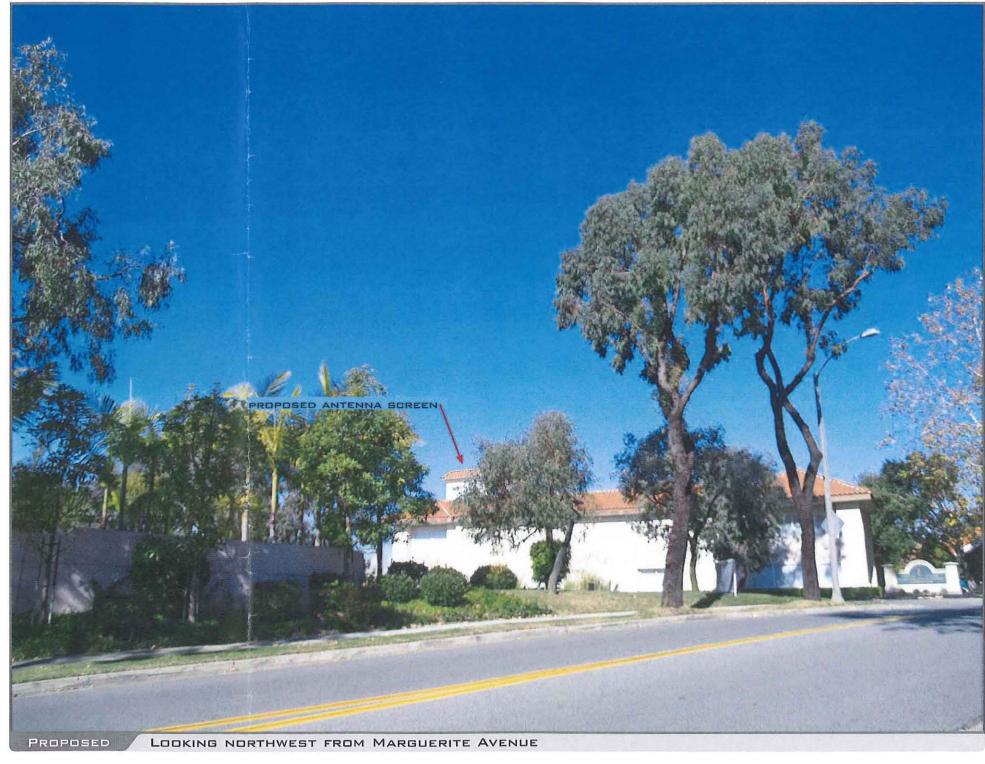
SJ HILLS PARK

3233 PACIFIC VIEW DRIVE CORONA DEL MAR CA 92625











SJ HILLS PARK

3233 PACIFIC VIEW DRIVE CORONA DEL MAR CA 92625





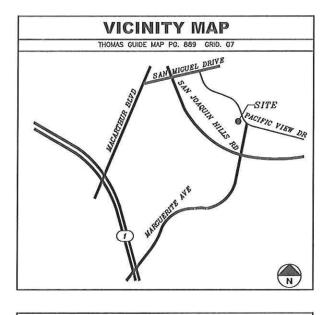




Site Plan and Elevations



SJ HILLS PARK 3233 PACIFIC VIEW DR. **CORONA DEL MAR, CA 92625**



DRIVING DIRECTIONS

STARTING FROM VERIZON WIRELESS IRVINE OFFICE:

- START OUT GOING SOUTHWEST ON SAND CANYON AVE TOWARD WATERWORKS WAY.
- MERGE ONTO 1-405 N.
- TAKE THE JAMBOREE RD EXIT, EXIT 7. TURN LEFT ONTO JAMBOREE RD.
- TURN SLIGHT LEFT ONTO MACARTHUR BLVD.
- TURN LEFT ONTO SAN JOAQUIN HILLS RD. TURN LEFT ONTO SAN MIGUEL DR.
- TURN RIGHT ONTO PACIFIC VIEW DR.
- 9. 3233 PACIFIC VIEW DR IS ON THE RIGHT.

GENERAL CONTRACTOR NOTES

CONTRACTOR SHALL VERIFY ALL PLANS WITH EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE CODES AS ADOPTED BY THE LOCAL GOVERNING CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE

PROJECT TEAM

ARCHITECT

SURVEYOR

FULSANG ARCHITECTURE INC.

3400 VIA OPORTO SUITE 204 NEWPORT BEACH, CA 92663

PHONE: (949) 838-4139

BERT HAZE & ASSOCIATES

3188 AIRWAY AVE #K1 COSTA MESA, CA 92626 CONTACT: BERT HAZE

PHONE: (714) 557-1567

CORE COMMUNICATIONS 2903-H SATURN STREET

PHONE: (714) 729-8404

PHONE: (714) 512-4770

BREA, CA 92821

PROJECT REPRESENTATIVE

CONTACT: CHRISTIE HOM (LEASING)

CONTACT: JULIA MALISOS (ZONING)

PROJECT DESCRIPTION

CONSTRUCTION OF AN UNMANNED WIRELESS CELL SITE FOR VERIZON WIRELESS.

PROJECT CONSISTS OF THE ADDITION OF (12) PANEL ANTENNAS AS WELL AS (4) EQUIPMENT CABINETS, (4) GPS ANTENNAS AND (1) GENERATOR WITHIN CMU WALL ENCLOSURE WITH CONNECTIONS AS REQUIRED FOR POWER AND TELCO SERVICES.

PROJECT INFORMATION

APPLICANT/LESSEE

VERIZON WIRELESS 15505 SAND CANYON AVE. BUILDING 'D' 1st FLOOR IRVINE, CA 92618 24 HR EMERGENCY CONTACT PHONE: (949) 286-7000

PROPERTY OWNER

PROPERTY OWNER:

RECTOR, WARDENS & VESTRYMEN OF ST. MICHAEL

CONTACT PERSON:

FATHER PETER HAYNES

CONTACT NUMBER:

(949) 644-0463 EX.11

PROPERTY OWNER ADDRESS:

3222 PACIFIC VIEW, CORONA DEL MAR, CA 92625

PROPERTY INFORMATION

A.P.N .: LATITUDE 458-341-01

LONGITUDE

33' 36' 30.80" N 117' 51' 33.91" W

ELEVATION: JURISDICTION:

303 FEET A.M.S.L. CITY OF NEWPORT BEACH

CURRENT ZONING: OCCUPANCY TYPE:

PI B/U V-B

TYPE OF CONSTRUCTION: ADA REQUIREMENTS:

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION.

DISABLED ACCESS NOT REQUIRED. 2010 CBC SECTION 1103B EXCEPTION

RECEIVED BY COMMUNITY

MAR 07 2012

DEVELOPMENT OF NEWPORT

SHEET INDEX DESCRIPTION TITLE SHEET TOPOGRAPHIC SURVEY TOPOGRAPHIC SURVEY A-2 ENLARGED SITE PLAN & LEASE AREA PLAN ELEVATIONS A-4

COAX/ANTENNA SCHEDULE COAX CABLE ANTENNA SECTOR ANTENNA MAKE/MODEL AZIMUTH ENGTH SIZE ALPHA 60' 320' 85' TBD BETA 85' 7/8" 60' GAMMA TRD TBD GPS N/A

NOTE: CONSTRUCTION MANAGER TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATION, OR INSTALLATION OF CABLES, CHECK RF DATA SHEET.

APPROVAL					
LANDLORD: PROJECT MANAGER: CONSTRUCTION MANAGER: RF ENGINEER: SITE ACQUISITION:					
ZONING MANAGER: UTILITY COORDINATOR: NETWORK OPERATIONS:	9				

verizon wireless

15505 SAND CANYON AVE. BUILDING 'D' 1st FLOOR IRVINE, CA 92618

ULSANG **H**RCHITECTURE

3400 VA OPORTO, SUITE 204 NEWPORT BEACH, CA 92663 PHONE: (949) 838-4139

ISSUED FOR: ZONING REVIEW ISSUE DATE: 03/06/2012 PROJECT No. FA111001 DRAWN BY: TJ CHECKED BY: EF

SUBMITTALS.

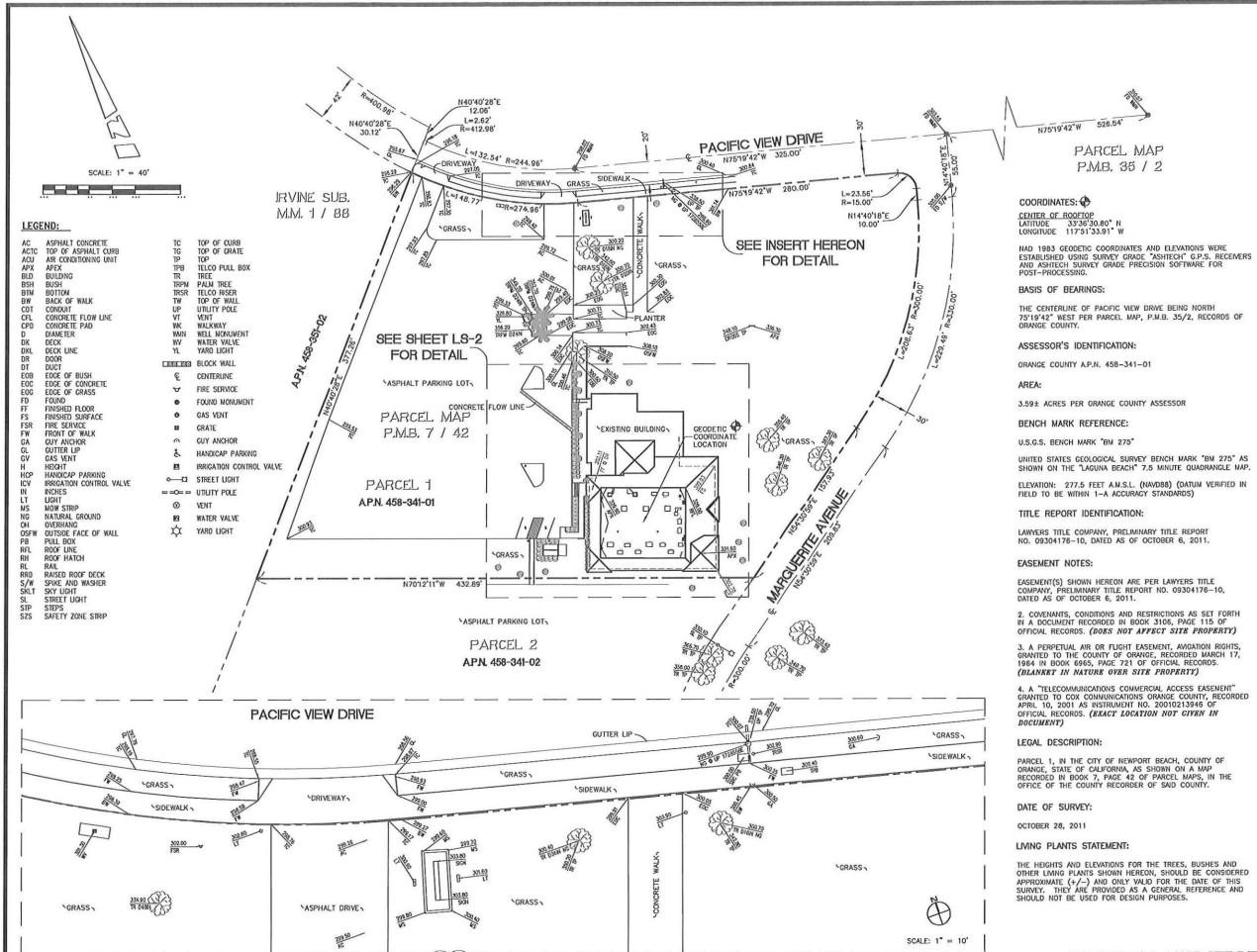
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REV.	DATE	DESCRIPTION	BY
0	11/09/11	ZONING REVIEW	TJ
1	11/10/11	CLIENT COMMENTS	TJ
2	11/17/11	CLIENT COMMENTS	TJ
3	11/17/11	SURVEY UPDATE	TJ
4	11/21/11	CLIENT COMMENTS	TJ
5	01/31/12	CITY COMMENTS	JM
6	03/06/12	CITY COMMENTS	JM

SJ HILLS PARK 3233 PACIFIC VIEW DR. CORONA DEL MAR, CA 92625

SHEET TITLE

TITLE SHEET

SHEET NUMBER



veri **zom**wireless

15505 SAND CANYON AVE. BUILDING 'D' 1st FLOOR IRVINE, CA 92618 PHONE (949) 286-7000

ULSANG

R C HIT E C T U R E

3400 VIA OPORTIO, SUITE 204
NEWPORT BEACH, CA 92663
PHONE: (949) 838-4139

SEAL



PREPARED BY:

Bert Hase

AND ASSOCIATES, INC.
LAND SURVEYING & MAPPING
3188 AIRWAY AVENUE, SUITE K1
COSTA MESA, CALIFORNIA 92626
714 557-1567 OFFICE
714 557-1568 FAX
JN. 801

SUBMITTALS

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REV.	DATE	DESCRIPTION	BY
1	11/03/11	ISSUED FOR REVIEW	RF
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SJ HILLS PARK 3233 PACIFIC VIEW DR CORONA DEL MAR, CA 92625

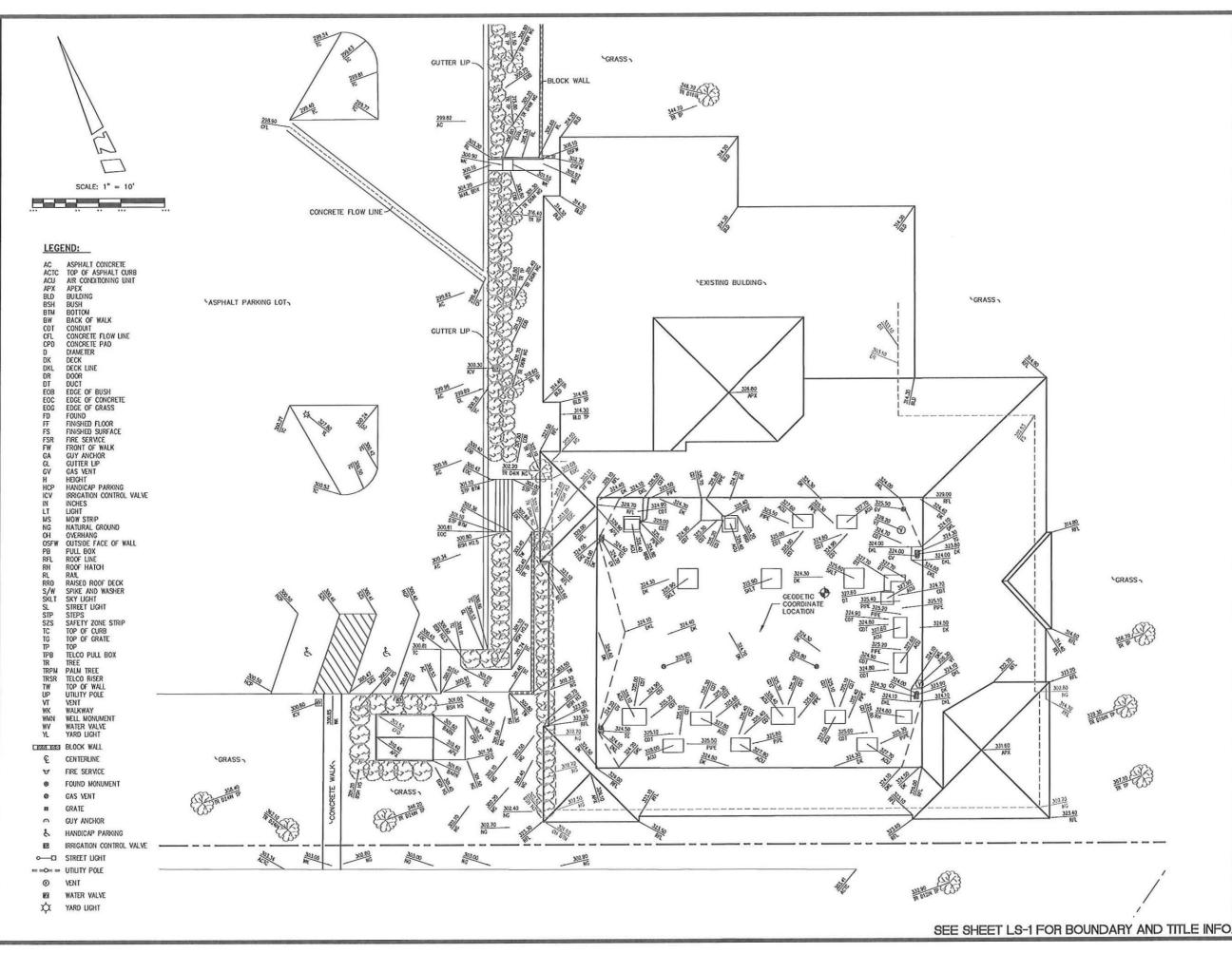
SHEET TITLE

TOPOGRAPHIC SURVEY

SHEET NUMBER

LS-1

SEE SHEET LS-2 FOR SITE DETAILS



veri **zom**wireless

15505 SAND CANYON AVE. BUILDING 'D' 1st FLOOR IRVINE, CA 92618 PHONE (949) 286-7000

ULSANG

R C HIT E C T U R E

3400 VIA OPORTO, SUITE 204
NEWPORT BEACH, CA 92663
PHONE: (949) 838-4139

SEAL



PREPARED BY:

BERT HASE

AND ASSOCIATES, INC.
LAND SURVEYING & MAPPING
3188 AIRWAY AVENUE, SUITE KI
COSTA MESA, CALIFORNIA 92626
714 557-1567 OFFICE
714 557-1568 FAX
JN. 801.227

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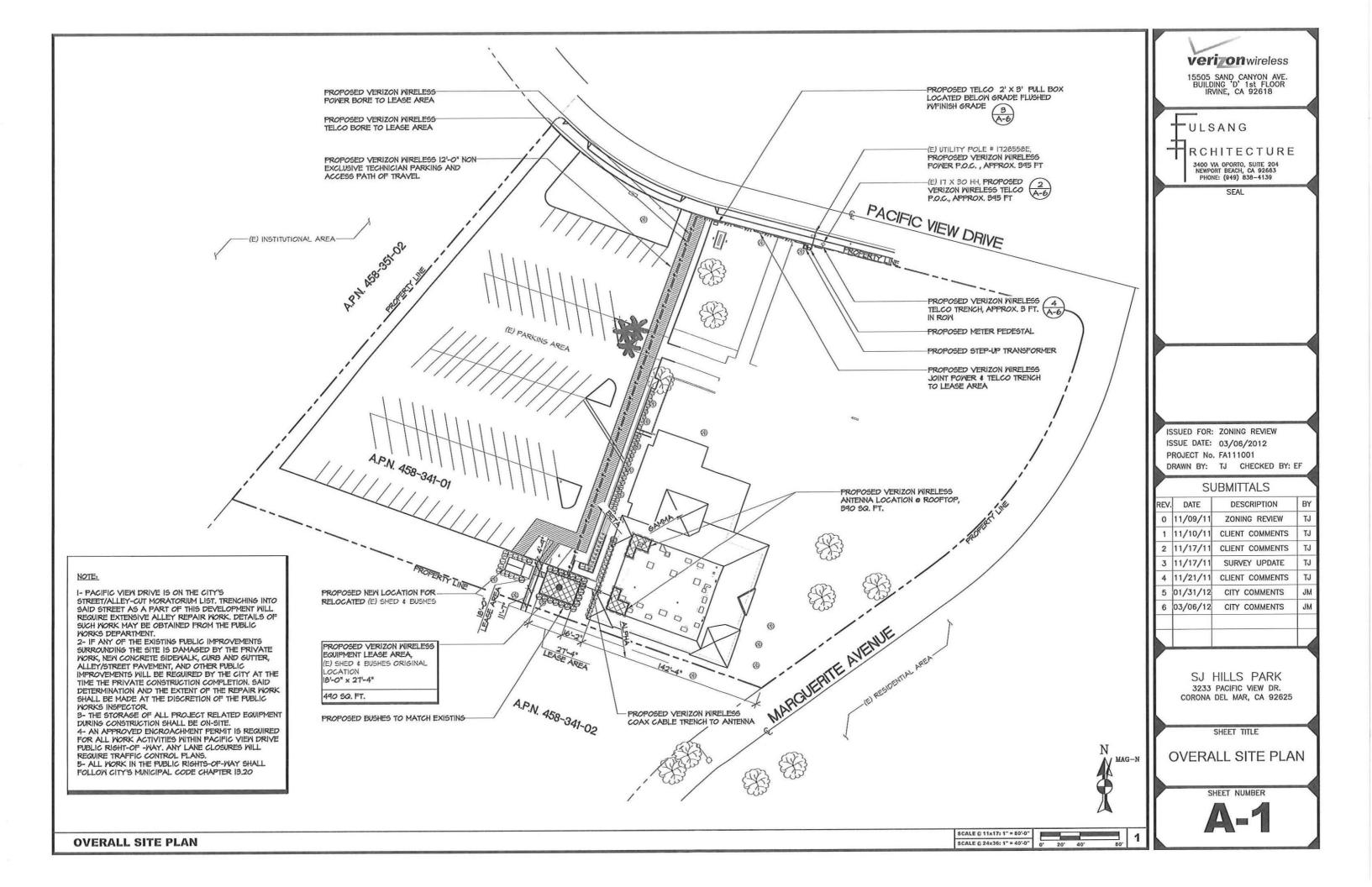
SJ HILLS PARK 3233 PACIFIC VIEW DR CORONA DEL MAR, CA 92625

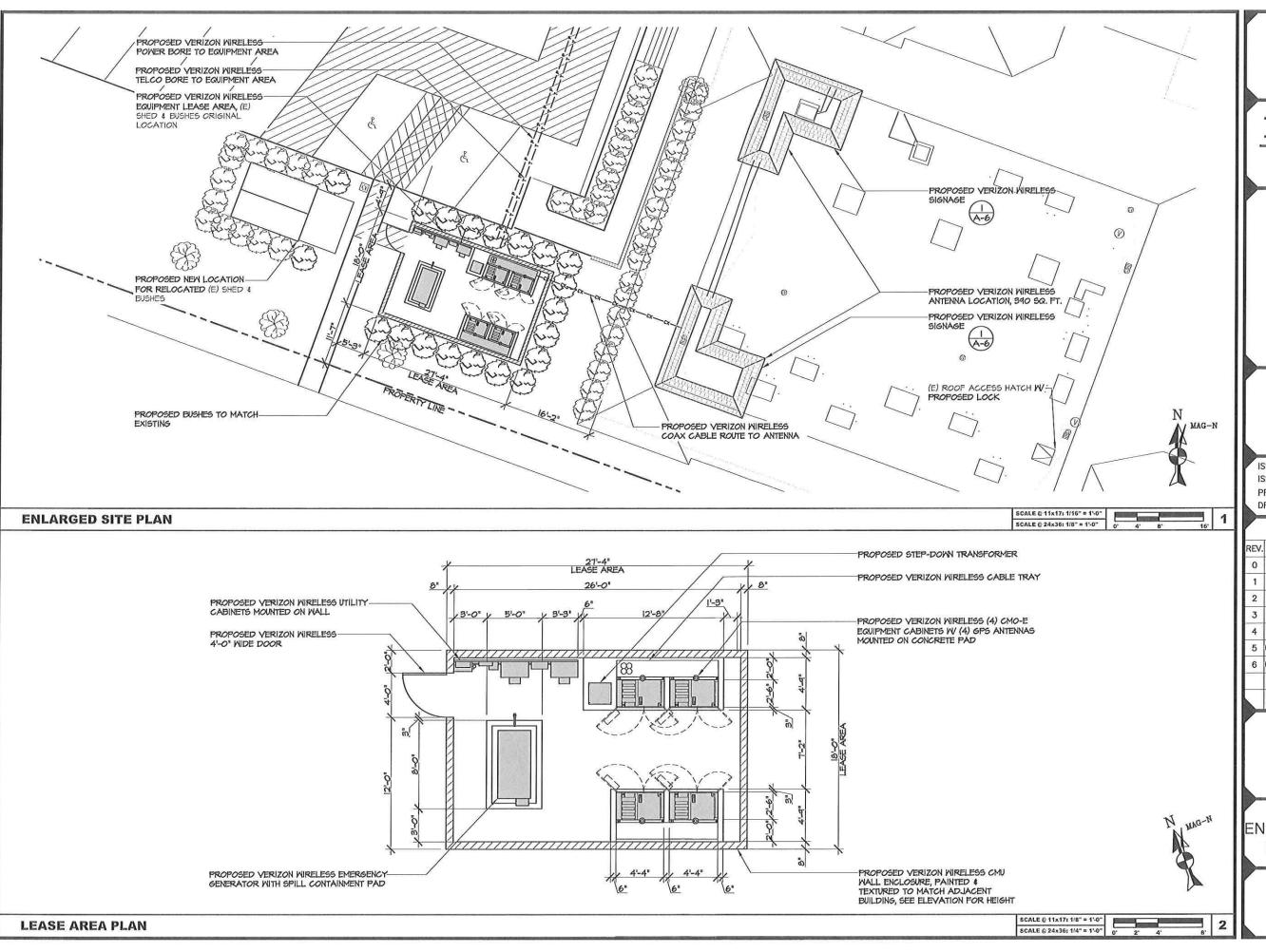
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TOPOGRAPHIC SURVEY

SHEET NUMBER

LS-2





verizonwireless

15505 SAND CANYON AVE. BUILDING 'D' 1st FLOOR IRVINE, CA 92618

ULSANG

R C H I T E C T U R E 3400 VA OPORTO, SUITE 204 NEWPORT BEACH, CA 92663 PHONE: (949) 838–4139

CEAL

ISSUED FOR: ZONING REVIEW
ISSUE DATE: 03/06/2012
PROJECT No. FA111001
DRAWN BY: TJ CHECKED BY: EF

SUBMITTALS

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3	11/17/11	SURVEY UPDATE	TJ
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6	03/06/12	CITY COMMENTS	JM
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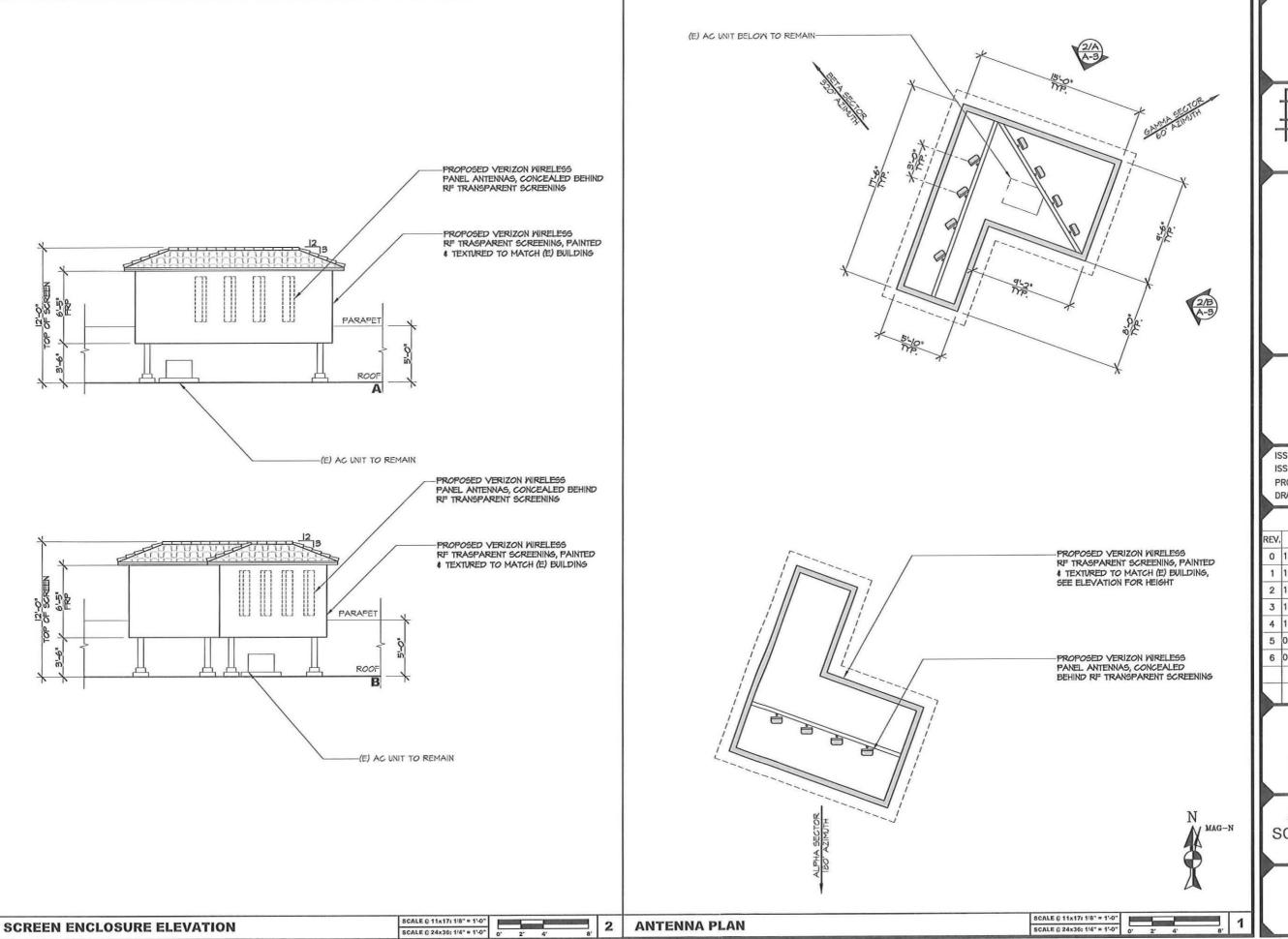
SJ HILLS PARK 3233 PACIFIC VIEW DR. CORONA DEL MAR, CA 92625

SHEET TITLE

ENLARGED SITE PLAN & LEASE AREA PLAN

SHEET NUMBE

A-2



verizon wireless

15505 SAND CANYON AVE. BUILDING 'D' 1st FLOOR IRVINE, CA 92618

ULSANG

RCHITECTURE

3400 VA OPORTO, SUITE 204 NEWPORT BEACH, CA 92663 PHONE: (949) 838-4139

SEAL

ISSUED FOR: ZONING REVIEW
ISSUE DATE: 03/06/2012
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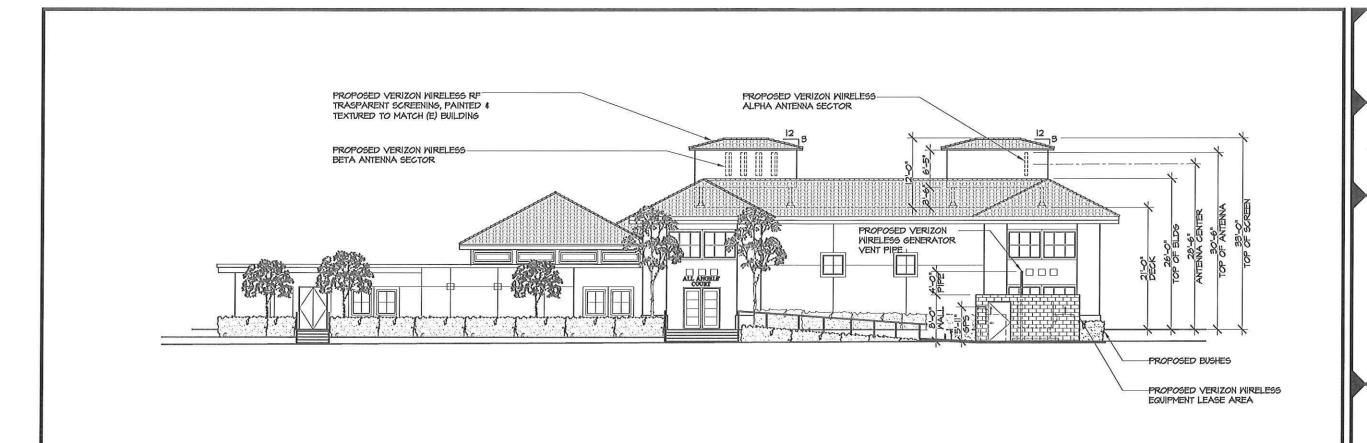
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6	03/06/12	CITY COMMENTS	JM

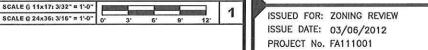
SJ HILLS PARK 3233 PACIFIC VIEW DR. CORONA DEL MAR, CA 92625

ANTENNA PLAN &
SCREEN ENCLOSURE
ELEVATION

SHEET NUMB

A-3





DRAWN BY: TJ CHECKED BY: EF

SUBMITTALS

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15505 SAND CANYON AVE. BUILDING 'D' 1st FLOOR IRVINE, CA 92618

R C H I T E C T U R E

3400 VIA OPORTO, SUITE 204
NEWPORT BEACH, CA 92663
PHONE: (949) 838-4139

SEAL

ULSANG

REV.	DATE	DESCRIPTION	BY
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2	11/17/11	CLIENT COMMENTS	TJ
3	11/17/11	SURVEY UPDATE	TJ
4	11/21/11	CLIENT COMMENTS	TJ
5	01/31/12	CITY COMMENTS	JM
6	03/06/12	CITY COMMENTS	JM

SJ HILLS PARK 3233 PACIFIC VIEW DR. CORONA DEL MAR, CA 92625

SHEET TITLE

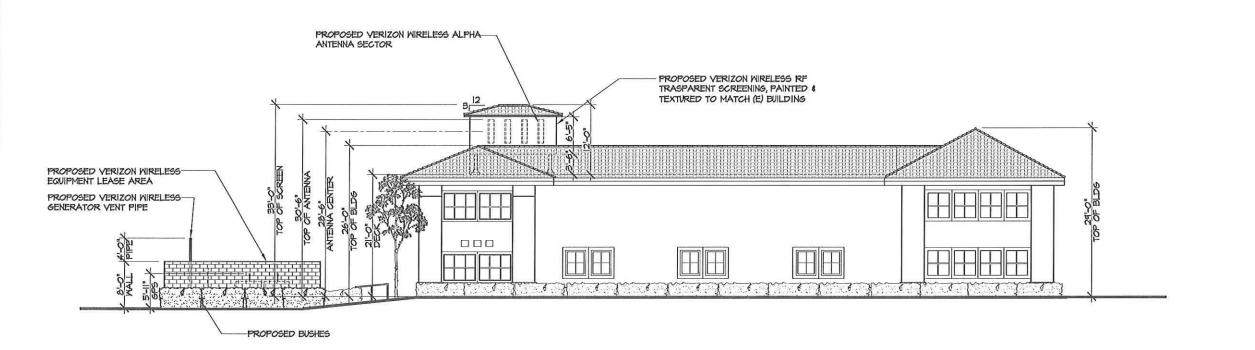
ELEVATIONS

SHEET NUMBER

A-4

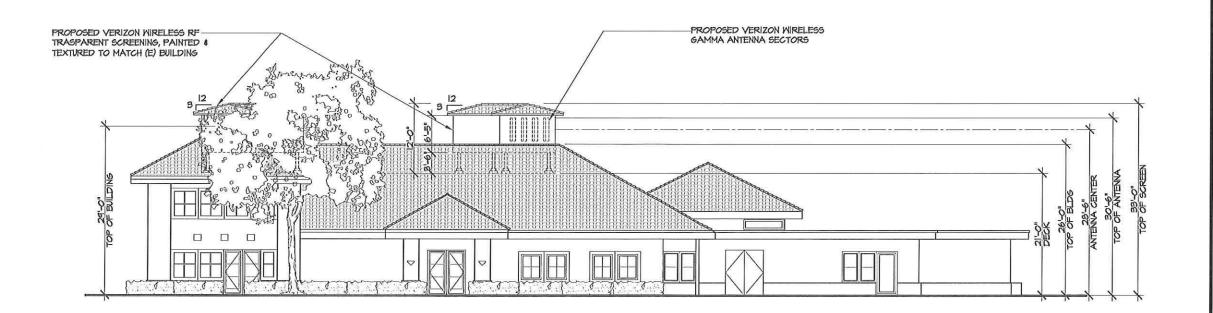
SCALE @ 11x17: 3/32" = 1'-0"

SCALE @ 24x36: 3/16" = 1'-0"



NORTHWEST ELEVATION

SOUTHWEST ELEVATION



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15505 SAND CANYON AVE. BUILDING 'D' 1st FLOOR IRVINE, CA 92618

ULSANG

R C H I T E C T U R E

3400 YA OPORTO, SUITE 204
NEWPORT BEACH, CA 92663
PHONE: (949) 838-4139

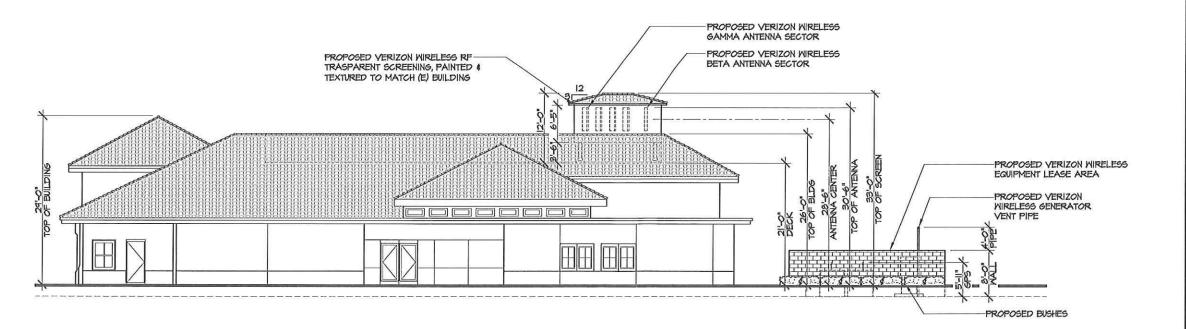
SEAL

SOUTHEAST ELEVATION

SCALE @ 11x171; 3/32" = 1'-0"

SCALE @ 24x361; 3/16" = 1'-0"

0' 3' 6' 9' 12'



ISSUED FOR: ZONING REVIEW
ISSUE DATE: 03/06/2012
PROJECT No. FA111001
DRAWN BY: TJ CHECKED BY: EF

SUBMITTALS

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REV.	DATE	DESCRIPTION	B
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4	11/21/11	CLIENT COMMENTS	To
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6	03/06/12	CITY COMMENTS	JA
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SJ HILLS PARK 3233 PACIFIC VIEW DR. CORONA DEL MAR, CA 92625

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ELEVATIONS

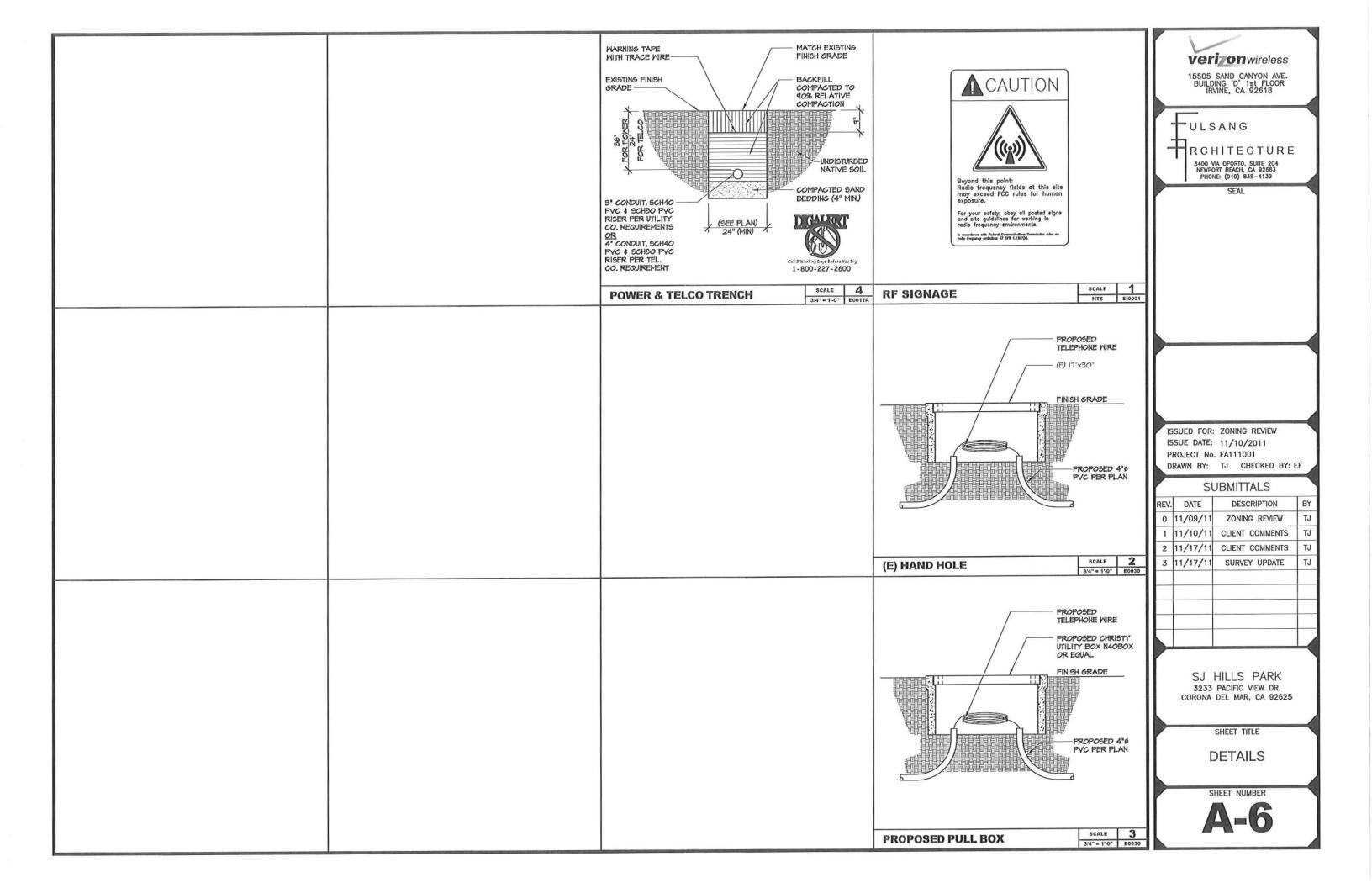
SHEET NUMBER

A-5

NORTHEAST ELEVATION

SCALE @ 11x17; 3/32" = 1'-0" SCALE @ 24x36; 3/16" = 1'-0"

0' 3' 6' 9' 12'





COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

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

ZONING ADMINISTRATOR ACTION LETTER

Application No. Comprehensive Sign Program No. CS2012-003 (PA2012-022)

Applicant Pand Realty, LLC

Site Address 2905 E. Coast Highway

New Port Theater Comprehensive Sign Program

Legal Description Lot 1, Block G, Tract 323, in the City of Newport Beach,

County of Orange, State of California, as shown on a map recorded in Book 14, Pages 40 and 41 of miscellaneous maps, records of Orange County, California. Excepting therefore the portion of the 14-foot alley abutting said Lot 1 on the southwest, vacated by the City of Newport Beach. Also excepting therefrom the following: beginning at the most westerly corner of said lot 1; thence northeasterly along the northwesterly line of said lot, a distance of 50 feet to a point; thence southeasterly along a line parallel with the rear or alley line of said lot and the prolongation thereof to its intersection with the southerly line of said lot; thence

westerly along the southerly line of said lot to its intersection with the rear or alley line of said lot; thence northwesterly along said rear or alley line of said lot to the point of

beginning.

On <u>April 2, 2012</u>, the Zoning Administrator approved the following: A comprehensive sign program for the New Port Theater that includes an existing projecting sign and two projecting digital marquee signs located along the East Coast Highway primary frontage. The property is located in the CC (Commercial Corridor) District. The approval is based on the following findings and subject to the following conditions.

FINDINGS

<u>Finding</u>

A. The project is exempt from environmental review pursuant to Section 15311, Class 11 (Accessory Structures).

Fact in Support of Finding

1. Class 11 includes construction or replacement of minor structures such as onpremise signs accessory to and appurtenant to existing commercial facilities. The proposed signage is incidental and accessory to the principal commercial use of the property and does not intensify or alter the use.

In accordance with Section 20.42.120 (E. Comprehensive Sign Program Standards) of the Newport Beach Municipal Code (NBMC), the following standards and facts in support of such standards are set forth:

<u>Standard</u>

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

Facts in Support of Standard

- 1. The Land Use Element of the General Plan designates the site for "Commercial Corridor" use, which is intended for a range of neighborhood retail and service uses along frontages that are designated to foster pedestrian activity. The renovated movie theater, which is adjacent to East Coast Highway, is consistent with this designation. The signs are accessory to the primary use.
- 2. A comprehensive sign program is required whenever a theater or cinema use requests to deviate from standards of Chapter 20.42 (Sign Standards). The Comprehensive Sign Program may allow marquee signs, brighter lights, and design features not otherwise authorized by Chapter 20.42 if the sign is generally consistent with the adopted sign design guidelines and the purposes of the chapter.
- 3. In compliance with the purpose and intent of Chapter 20.42 (Sign Standards), the proposed Comprehensive Sign Program, as modified, provides the use with adequate identification without excessive proliferation of signage. Furthermore, it preserves community appearance by regulating the type, number, design, and area of signage.

Standard

C. 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.

Fact in Support of Standard

- 1. The site is a renovated movie theater where the signs have been designed to improve visibility and to direct visitors to the property. The number and location of the signs will not contribute to an overabundance of signs that will have a detrimental effect on the neighborhood.
- 2. The current exterior architectural theme of the building is art moderne. The location of the existing projecting sign along East Coast Highway will continue to enhance the design and character of the building.
- 3. The new digital marquee signage is intended to promote economic viability for the property and the surrounding area through better sign visibility. Digital marquees are a typical and expected signage feature of movie theaters.
- 4. The proposed signage will not obstruct public views from adjacent roadways or parks because there are no public views through or across the subject property that are affected by the proposed project. State route 1 is identified as eligible for State Scenic Highway Designation. The location of the proposed signage is within Old Corona Del Mar, where urban development and the pedestrian character of this corridor contribute to the view along this stretch of East Coast Highway.
- 5. The signs will not interfere with sight distance from any street or driveway. The colors of the digital marquee signage have been limited so as not to interfere with vehicle and pedestrian traffic along East Coast Highway.
- 6. The primary frontage where signage will be located faces residential development to the east across East Coast Highway. Sign Type B, the digital marquee signage, will be set with a timer so that signage it is not illuminated after the last showing of the evening has begun or 12:00 midnight, whichever is earlier. The illumination shall remain off until 6:00 a.m. to minimize the effect of lighting on adjacent residential properties.

Standard

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

Fact in Support of Standard

1. The proposed Comprehensive Sign Program addresses all project signage. Temporary and exempt signs not specifically addressed in the sign program shall be regulated by the provisions of the Chapter 20.42 (Sign Standards) of the Zoning Code.

Standard

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

Fact in Support of Standard

- 1. The sign program is for the New Port Theater and has been designed to be effective for the movie theater tenant that will occupy the building.
- 2. The Comprehensive Sign Program establishes type, number, design, and area of signage to accommodate the existing and future tenants on-site.
- 3. It is not anticipated that future revisions of the Comprehensive Sign Program will be necessary to accommodate changes in tenants or uses. However, the Community Development Director may approve minor revisions to the sign program if the intent of the original approval is not affected.

Standard

F. The program shall comply with the standards of this Chapter [Chapter 20.42], 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 [Chapter 20.42].

Fact in Support of Standard

- 1. A comprehensive sign program can allow for deviations with regards to theater or cinema uses. This Comprehensive Sign Program allows for deviations with regard to the total number, type, sign area, height, and location of signs permitted. The applicant has requested deviations to allow two 60-square-foot digital marquees (Sign Type B) along the primary frontage. The size of the signage is not abrupt in scale to the 35-foot height or 77.5-foot linear frontage of the building. The proposed digital marquees will be located within the middle 50 percent of the primary frontage where a changeable copy marquee was previously located for the theater.
- 2. Allowing the deviations for the existing projecting sign (Sign Type A) location on the East Coast Highway frontage is merited, given the orientation and architectural design of the building. Section 20.38.070 (Landmark Structures) of the Zoning Code allows the applicant to utilize the existing façade, provided the exterior architectural features are restored to substantially their original condition.
- 3. The building faces East Coast Highway. The proposed sign locations allow for maximum visibility to passing vehicles and pedestrians.
- 4. The number of permanent wall signs is reasonable given the use of the structure, the size, and location of the building on the property.

<u>Standard</u>

G. The approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter [Chapter 20.42].

Fact in Support of Standard

- 1. The proposed digital marquee signs (Sign Type B) have been conditioned so that the text displayed will not be animated and will not rotate, flash, blink, or scroll. Therefore, the sign will generally be consistent with the purpose of Chapter 20.42 (Sign Standards) of the Zoning Code.
- 2. The existing projecting sign (Sign Type A) utilizes an existing design feature of the movie theater façade and is permitted per Section 20.38.070 (Landmark Structures) of the Zoning Code.

Standard

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

Fact in Support of Standard

1. The Comprehensive Sign Program contains no regulations affecting sign message or content.

CONDITIONS

- 1. All proposed signs shall be in substantial conformance with the approved plans, Comprehensive Sign Program Matrix Table, and provisions of Chapter 20.42 of the Newport Beach Municipal Code, unless otherwise indicated in the following conditions.
- Signs are limited to the designated building facades, street frontages, and regulations specified in the Comprehensive Sign Program Matrix Table included in this approval and the provisions of Chapter 20.42 of the Newport Beach Municipal Code.
- 3. The sign area shall be measured by two perpendicular sets of parallel lines that surround the proposed sign copy area.
- 4. A building and electrical permit shall be obtained prior to commencement of installation of the signs. All work shall comply with the current codes. Installation plans including, but not limited to, sign weights, and attachment details shall be provided for the Building Division at plan check review.

- 5. A copy of this letter shall be incorporated into the plan check sets of plans prior to issuance of the building permits.
- 6. If any of the existing public improvements surrounding the site are 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.
- 7. Prior to building permit final, an encroachment agreement shall be obtained for all permanent non-standard encroachment over the public right-of-way, including but not limited to, signs, overhangs, facades, etc.
- 8. The full-color RGB Video Board background shall be black and the lettering shall be white. A portion of the background may also include a blue background as an accent. To avoid any confusion with passing motorists, the sign shall not include green, red, or yellow/amber colors. Any deviation to the approved colors shall be approved by the Community Development and the Public Works Departments prior to implementation.
- 9. The applicant shall install an automatic dimming feature for night-time use. It is recommended that a timer feature be used rather than a photo-cell since a City streetlight is located on the southeast corner of East Coast Highway and Heliotrope Avenue.
- 10. Sign Type B, the digital marquee signage, will be set with a timer so that signage is not illuminated beginning 20 minutes after the last showing of the evening has begun or 12:00 midnight, whichever is earlier. The sign shall remain off until 6:00 a.m. to minimize the effect of lighting on adjacent residential properties.
- 11. All signs shall be illuminated in accordance with the provisions of Section 20.42.070 of the Newport Beach Municipal Code. If, in the opinion of the Director, existing illumination creates an unacceptable negative impact on surrounding land uses or sensitive habitat areas the Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
- 12. Sign Type A, the existing projecting sign, shall not encroach more than 5 feet into the public right-of-way.
- 13. Sign Type B, the digital marquee signs, shall not be animated. The sign display shall be static, limited to text only. The sign shall not encroach more than 3 feet into the public right-of-way and the height shall be limited to 4 feet in height.
- 14. The final location of signs shall be reviewed by the City Traffic Engineer and shall conform to City Standard 110-L to ensure that adequate vehicular sight distance is provided.
- 15. The signs shall be maintained in a clean and orderly condition.

- 16. The Community Development Director may approve revisions to the Comprehensive Sign Program if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require approval of a new/revised Comprehensive Sign Program by the Zoning Administrator.
- 17. Any future revisions or changes to the signs approved by this Comprehensive Sign Program due to a change in the use or tenants of the building shall be reviewed and approved by the Planning Division, so long as the sign size, copy configuration and number of signs authorized by this approval does not substantially change or increase. The mandatory reduction or elimination of signs shall be exercised as necessary.
- 18. The Zoning Administrator may add to or modify conditions of this approval, or revoke this approval upon a determination that any sign that is authorized by this approval has been altered beyond the parameters of the authorization and therefore beyond the justification.
- 19. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.
- 20. 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 New Port Theater Comprehensive Sign Program including, but not limited to, the Comprehensive Sign Program No. CS2012-003 (PA2012-022). 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.

On behalf of Brenda Wisneski, Zoning Administrator,

By:

Makana Nova, Assistant Planner

BW/mkn

Attachments: CDD 1 Vicinity Map

CDD 2 Comprehensive Sign Program Matrix Table

CDD 3 Site Photos CDD 4 Project Plans

Attachment No. ZA 1

Vicinity Map

VICINITY MAP



Comprehensive Sign Program No. CS2012-003 PA2012-022

2905 E. Coast Highway

Attachment No. ZA 2

Comprehensive Sign Program Matrix Table



Comprehensive Sign Program Matrix Worksheet

Community Development Department Planning Division 3300 Newport Boulevard, Newport Beach, CA 92663 (949)644-3204 Telephone I (949)644-3229 Facsimile www.newportbeachca.gov COMMUNITY
MAR 27 2012

Please 1.	-	nd fill in the table below: age/parking lot frontage	OF NEWPORT BER
	Frontages:	A Coast Highway (East)	ON MEMbo.
	_	B Heliotrope Avenue	
		C	
		D	

- 2. In the table below designate frontages for each tenant space, as primary or secondary (street, parking lot, building elevation, other) and designate maximum number of signs per tenant.
- 3. Area limitations, maximum vertical or horizontal dimensions, and maximum logo area or vertical or horizontal dimensions per sign.
- 4. Project identification signs, wall, monument or pylon with area and vertical and horizontal dimensions.

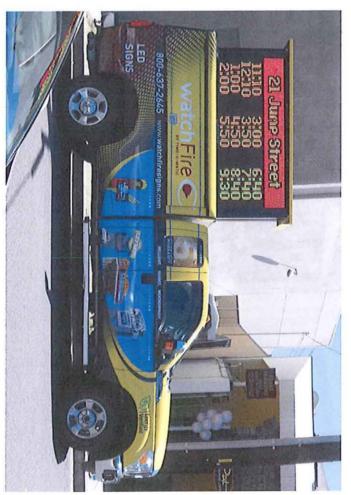
Site and Suite No. or Building Address Assign as necessary	Primary Frontage (E. Coast Hwy.) Size limitations where applicable	Secondary Frontage (Heliotrope Ave.) Size limitations, where applicable
2905 Coast Hwy E., Sign Type B (digital marquee)	Maximum area of 60 square feet (per sign); vertical dimension 4 feet, horizontal dimension 15 feet, maximum of two (2) signs for this frontage, projection into right-of-way of 3 feet maximum.	No secondary frontage.
2905 Coast Hwy E., Sign Type A (projecting sign)	Maximum area of 75 square feet (partially illuminated); text height of 18 feet, text width of 4 feet 2 inches, logo height of 9 feet, projection into right-of-way of 5 feet maximum. Minimum distance to secondary sign of 8 feet. A maximum of one sign (two-sided) is permitted for this frontage.	No secondary frontage.
Other Signage (window, address)	Address Sign: in order to comply with Newport Beach Fire Department regulations, Owner will provided a lighted number within its property line on the E. Coast Hwy. frontage stating "2905." The total aggregate address sign area shall not exceed seventy-two (72) square inches or a height of eight inches.	No secondary frontage.
	Window: Owner may place movie posters and other announcements upon the glass within its property line on the E. Coast Hwy. frontage. Owner may also have menus and informational displays within the lobby that may be seen from the sidewalk, but would not be placed upon the window. Window signage shall not occupy more than 20 percent of each window area.	
	NOTE: <u>All</u> additional exempt signs shall comply with standards prescribed in the Zoning Code.	

Attachment No. ZA 3

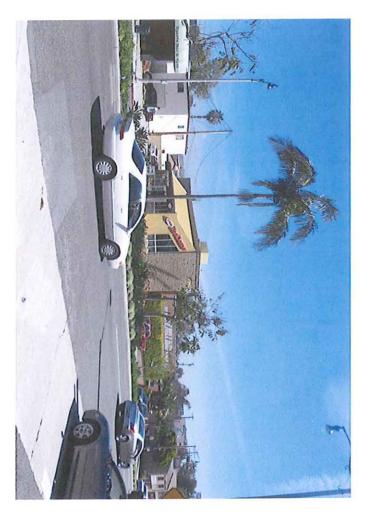
Site Photos

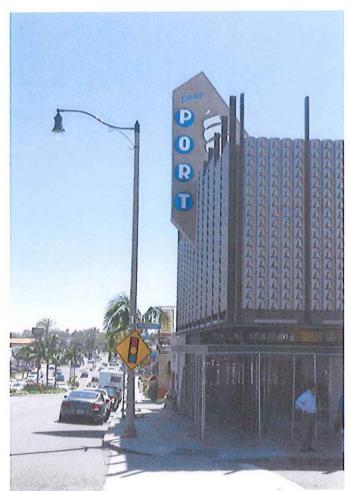




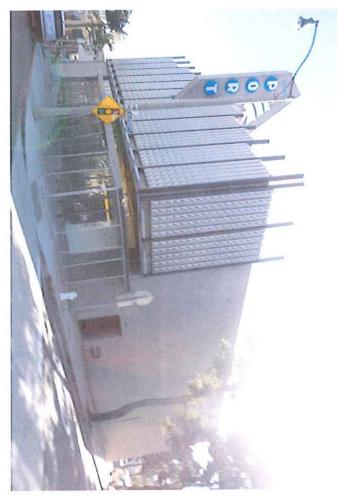












Attachment No. ZA 4

Project Plans



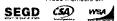
BORDNA DEL MAR



10980 Boatman Avenue Stanton, CA 90680 Phone: 1.800.743.6942 Fax: 714.761.2451

signsandse.vicesco.com

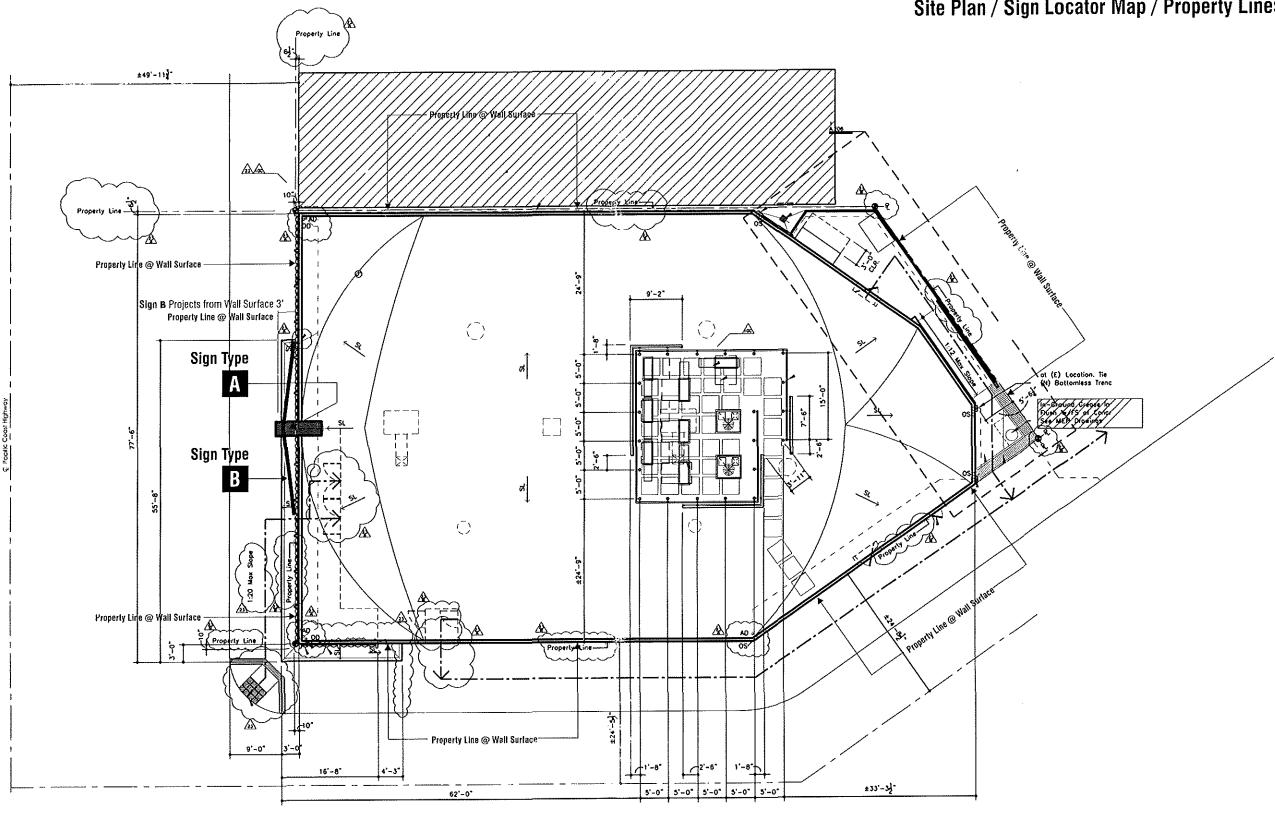






Drawing Number: 1949 г9

Project Address: **Port Theater** 2905 East Coast Hwy Corona Del Mar, CA 92625





10980 Boatman Avenue Stanton, CA 90680 Phone: 1.800.743.6942 Fax: 714.761.2451

signsandservicesco.com

SEGD (SA) WSA

Representative: Matt DeRuyter

Design Creation Date: 01.13,2011

Designer's Name: Randy Scheffer

Design Revisions:

- 9 03.06.2012 RCS / Add Permitting Info & Site Plan
- 6 02.01.2012 MJD / Remove PORT Letters
- 7 02.02.2012 RCS / Add Attachment & Electical
- 8 02.16.2011 RCS / Modify Sign Size & Text

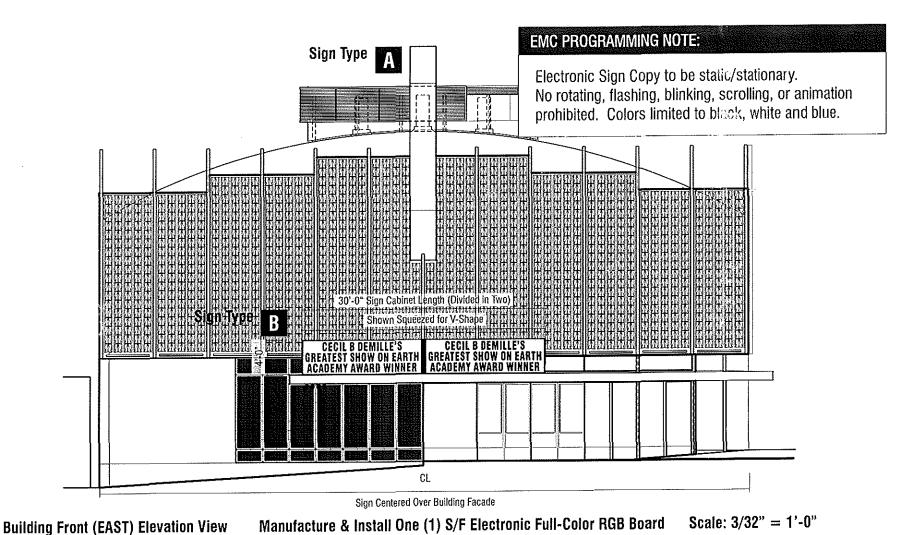
Customer Approvai:
Signature:
Date Signed:
Landlord Approval:

Date Signed:

Drawing Number: 1949 r9

Project Address: 2905 East Coast Hwy Corona Del Mar, CA 92625

Page: 02 of 06

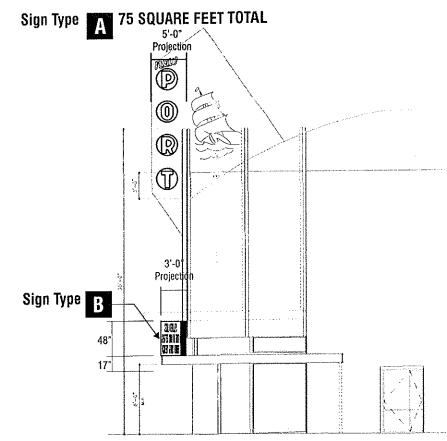


30'-0" Sign Cabinet Length (Divided in Two / 15'-0" Each) (Shown Unfolded)

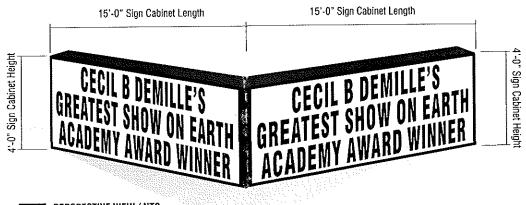
CECIL B DEMILLE'S CECIL B DEMILLE'S GREATEST SHOW ON EARTH GREATEST SHOW ON EARTH ACADEMY AWARD WINNER | ACADEMY AWARD

ELEVATION VIEW (SHOWN UN-SQUEEZED) NTS (60 SQUARE FEET PER SIGN CABINET) (120 SQUARE FEET TOTAL) Sign Type B

Front & Side Elevations / Showing Entire Scope of Signage Proposal



Building Side (NORTH) Elevation View Scale: 3/32" = 1'-0"



Sign Type B

PERSPECTIVE VIEW / NTS



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SEGD (SA) WSA



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Representative:

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Customer Approval: Signature Date Signed: Date Signed:

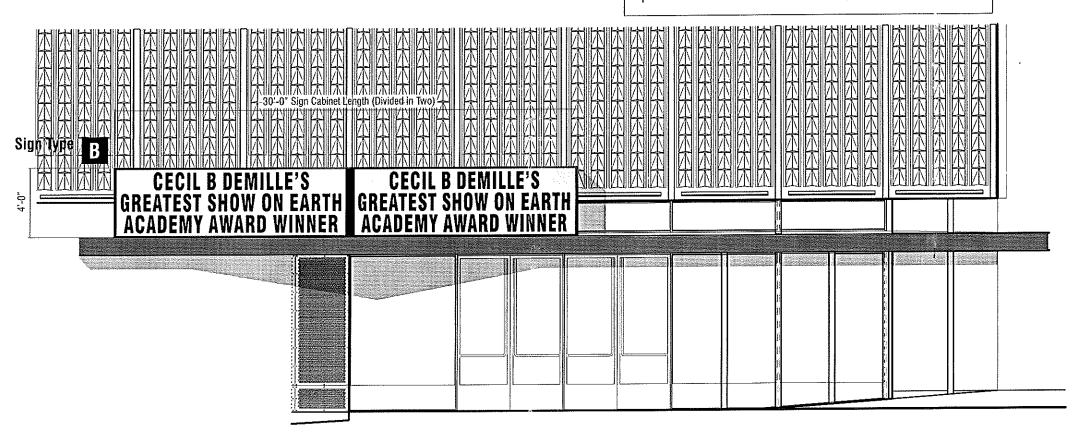
Drawing Number: 1949 г9

Project Address: 2905 East Coast Hwy Corona Del Mar, CA 92625

Page: 03 of 06

EMC PROGRAMMING NOTE:

Electronic Sign Copy to be static/stationary. No rotating, flashing, blinking, scrolling, or animation prohibited. Colors limited to black, white and blue.



Building Front (EAST) Elevation View

Manufacture & Install One (1) S/F Electronic Full-Color RGB Board

Scale: 3/16" = 1'-0"



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SEGD (SA) WSA





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> Designer's Name: Randy Scheffer

Design Revisions:

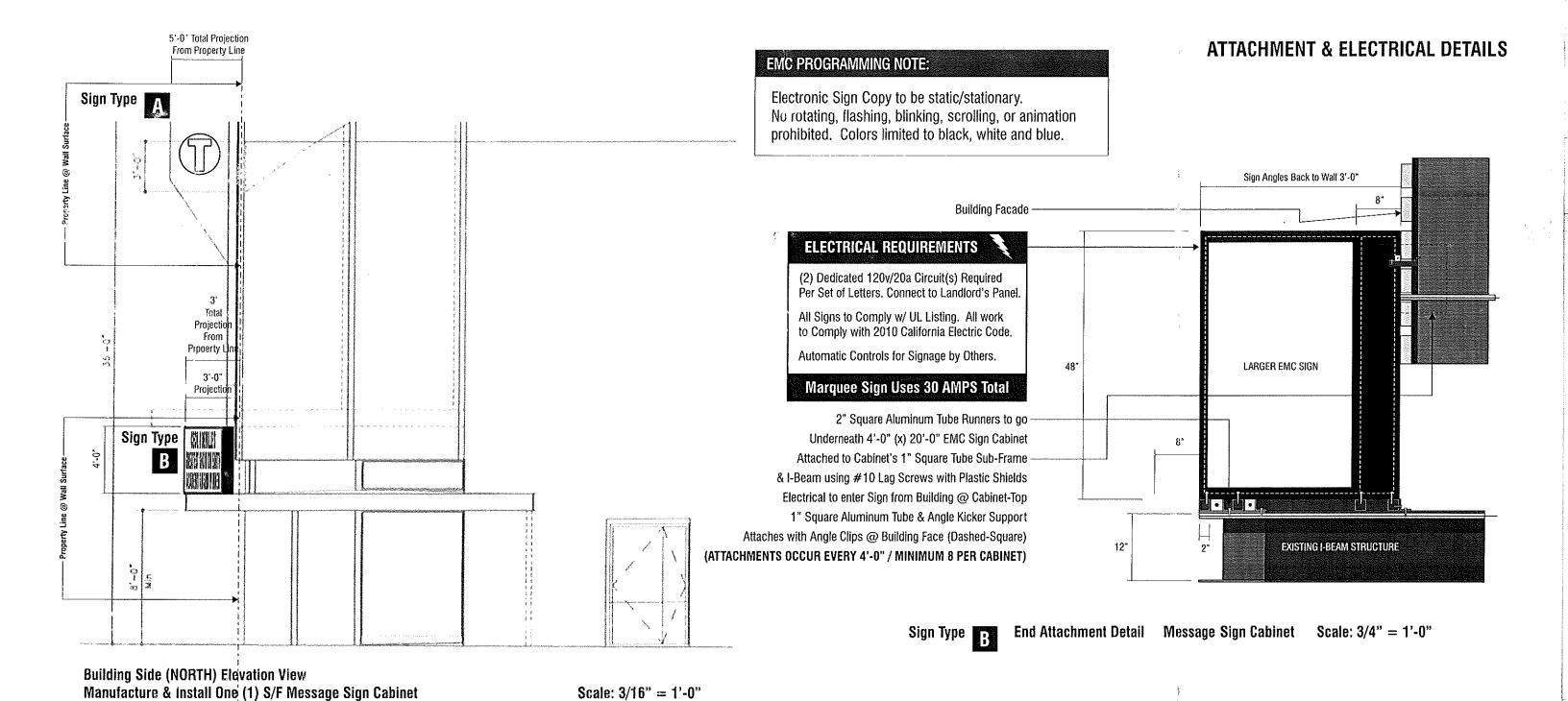
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Date Signed:	
Landlord Approval:	
Signature:	
Date Signed:	

Drawing Number: 1949 г9

Project Address: 2905 East Coast Hwy Corona Del Mar, CA 92625

Page: 04 of 06





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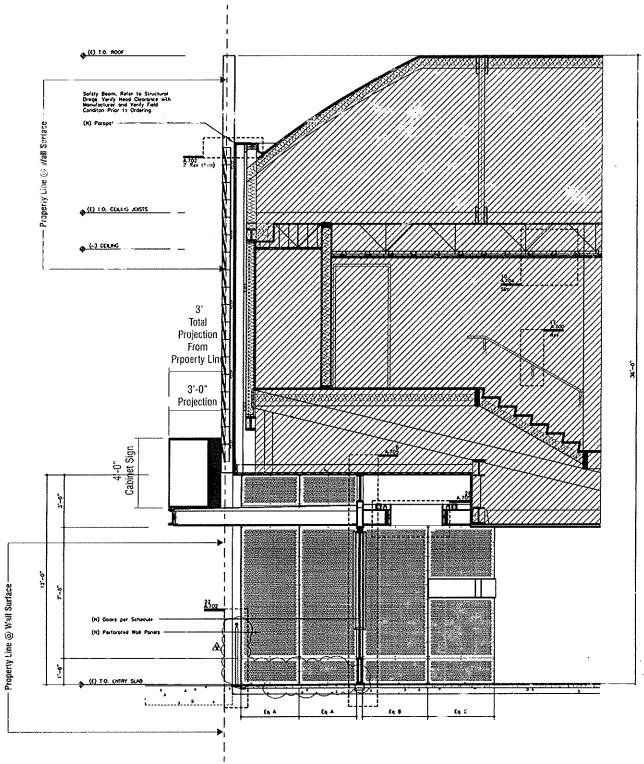
8 02.16.2011 RCS / Modify Sign Size & Text

Customer Approval:		
Signature:		
Date Signed:		
	1	
Landlord Approval:		
Signature:		
Date Signed:		

Drawing Number: 1949 г9

Project Address: 2905 East Coast Hwy Corona Del Mar, CA 92625

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Building Side (NORTH) Elevation View Manufacture & Install One (1) S/F Message Sign Cabinet

Scale: 3/16" = 1'-0"



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SEGD (SA

mem	pers or:	
<u>a</u>)	WSA	

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Page: 06 of 06