



**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 May 18, 2012

**COMMUNITY DEVELOPMENT DIRECTOR
OR PLANNING DIVISION STAFF ACTIONS**

Item 1: AT&T Mobility Telecommunications Permit No. TP2011-018 (PA2011-201)
1107 Jamboree Road

Action: Approved

Council District 4

Item 2: Von's Pavilion's Temporary Trailer Limited Term Permit No. XP2012-002
(PA2012-052)
3100 W. Balboa Boulevard

Action: Approved

Council District 1

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.

Jon Lewis, Support Services Lt., NBPD (*Telecom Permit*)



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. TP2011-018 (PA2011-201)

APPLICANT: AT&T Mobility

LOCATION: 1107 Jamboree Road

LEGAL DESCRIPTION: PC 1 & 2, Block 55

PROJECT REQUEST AND DESCRIPTION

At&t Mobility has submitted an application requesting a Telecommunications Facility Permit to replace six (6) existing antennas with six (6) new 4' panel antennas, arranged in three (3) sectors of two (2) antennas, within an existing architectural bell tower at the Hyatt Regency Hotel; and to add one GPS antenna to the exterior of the tower. The antennas are fully screened from view inside the bell tower. As with the existing GPS antenna the added GPS antenna on the exterior of the tower will be painted to match the exterior of the building. Additional and relocated equipment will be added inside a mechanical room within the building and within an existing rooftop enclosure. The existing rooftop enclosure is painted and textured to match the existing building and is not visible from the ground level surrounding the hotel. The property is located in the CV (Commercial Visitor-Serving) District.

The top of the new antennas within the tower measure 42-feet, 5-inches above ground level (AGL) within the existing bell tower which is 53.17 feet AGL. The bell tower height was approved as a part of an addition to the hotel in 2009. These heights are consistent with existing conditions.

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. The only change to the existing exterior conditions of the site is the added GPS antenna. A copy of the project site plan and elevations depicting the proposed project are attached as Attachment No. CDD 4.

ACTION: Approved with Conditions – May 16, 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

In 2008, Cingular Wireless received approval of a Telecom Permit to upgrade an existing wireless telecommunications facility. The facility was administratively approved on June 7, 2000, prior to the enactment of the city's Wireless Telecommunication Facilities Ordinance. The 2008 approval allowed 6 panel antennas and the replacement of the existing support equipment cabinet. The new antennas were fully screened from view inside the tower, and the replacement cabinet was painted and textured to match the existing building. The objective of the current request is to upgrade this facility.

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



Melinda Whelan
Assistant Planner

GR/msw

Attachments: CDD 1 Vicinity Map
CDD 2 Findings and Conditions of Approval
CDD 3 Visual Simulations
CDD 4 Site Plan and Elevations

Attachment No. CDD 1

Vicinity Map

VICINITY MAP

1107 Jamboree Road



Telecommunications Permit No. TP2011-018
(PA2011-201)

Attachment No. CDD 2

Findings and Conditions of Approval

**FINDINGS AND
CONDITIONS OF APPROVAL
TELECOMMUNICATIONS PERMIT NO. TP2011-018
(PA2011-201)**

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 approved by the permit does not exceed the height of the existing telecom facility that it is upgrading or the existing architectural bell tower which was previously approved as a part of an addition to the hotel.
 - The antennas for the telecom facility approved by this permit will be fully screened from view within the existing bell tower. The GPS antenna also will not be visible as it will be painted to match the exterior of the building.
 - The support equipment for the telecom facility will be within an existing mechanical room and an existing rooftop structure that is not visible from the ground level and therefore will not create any additional visual impact.

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 15302 Class 2 (Replacement or Reconstruction) for the following reason(s): consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

CONDITIONS

1. This approval supersedes the existing Telecom Permit No. TP2007-011.
2. The development shall be in substantial conformance with the approved plot plan, antenna and equipment plans, and elevations, dated March 12, 2012, except as noted in the following conditions.
3. This Telecom Permit approval is for the replacement of six (6) existing antennas with six (6) new 4' panel antennas, arranged in three (3) sectors of two (2) antennas, within an existing architectural bell tower at the Hyatt Regency Hotel; and to add one GPS antenna to the exterior of the tower. It includes additional and relocated equipment inside an existing mechanical room within the building and within an existing rooftop enclosure.
4. The new GPS antenna shall be painted to match the exterior of the building.
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. 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.

11. Prior to issuance of building permits, 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. 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.
13. The applicant shall not prevent the City of Newport Beach from having adequate spectrum capacity on the City's 800 MHz radio frequencies at any time.
14. Should interference with the City's Public Safety radio equipment occur, use of the telecom facility authorized by this permit shall be suspended until the radio frequency interference is corrected and verification of the compliance is reported.
15. The facility shall transmit at a frequency range of 869-880, 890-891.5, 1945-1965 and 740-746 MHz, and shall receive at a frequency range of 824-835, 845-846.5, 1865-1885 and 710-716 MHz. Any change or alteration to the frequency range shall require the prior review and approval of the Planning Division.
16. The applicant recognizes that the frequencies used by the cellular facility located at **1107 Jamboree 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).
17. 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.
18. The applicant shall provide a "single point of contact" in its Engineering and Maintenance Departments that is monitored 24 hours per day to insure continuity on all interference issues, and to which interference problems may be reported. The name, telephone number, fax number and e-mail address of that person shall be provided to the Planning Division and Newport Beach Police Department's Support Services Commander prior to activation of the facility.

19. 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.
20. 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.
21. The telecom facility shall not be lighted except as deemed necessary by the Newport Beach Police Department for security lighting. The night lighting shall be at the lowest intensity necessary for that purpose and such lighting shall be shielded so that direct rays do not shine on nearby properties. Prior to the final of building permits, the applicant shall schedule an evening inspection by the Code Enforcement Division to confirm compliance with this condition.
22. The operator of the telecom facility shall maintain the facility in a manner consistent with the original approval of the facility.
23. 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 either the applicant, current property owner or leasing agent.
24. 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.
25. 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.
26. The City reserves the right and jurisdiction to review and modify any telecom permit approved pursuant to Chapter 15.70 of the Newport Beach Municipal Code, including the conditions of approval, based on changed circumstances. The operator shall notify the Planning Division of any proposal to change the height or size of the facility; increase the size, shape or number of antennas; change the facility's color or materials or location on the site; or increase the signal output above the maximum permissible exposure (MPE) limits imposed by the radio frequency emissions guidelines of the FCC. Any changed circumstance shall require the operator to apply for a modification of the original telecom permit and obtain the modified telecom permit prior to implementing any change.

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.

Building Division

29. Seismic anchorage is required for roof-top equipment and will be reviewed during plan check by the Building Engineer.
30. Evaluation of roof is required for interior equipment units for vertical and lateral loads.
31. Hoistway venting shall be in compliance with Section 3004.1, 3004.2 and 3004.3.

Attachment No. CDD 3

Visual Simulations

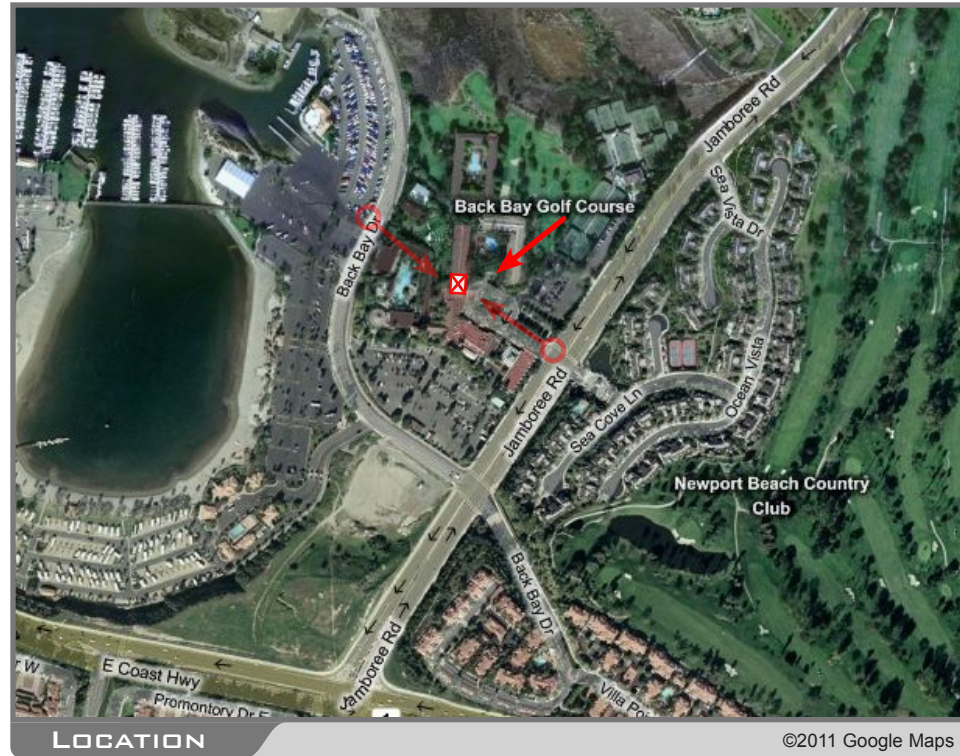


LAR 127 JAMBOREE/PCH

1107 1/2 JAMBOREE ROAD NEWPORT BEACH CA 92660



VIEW 1



LOCATION

©2011 Google Maps



PROPOSED

LOOKING SOUTHWEST FROM HOTEL GROUNDS



EXISTING

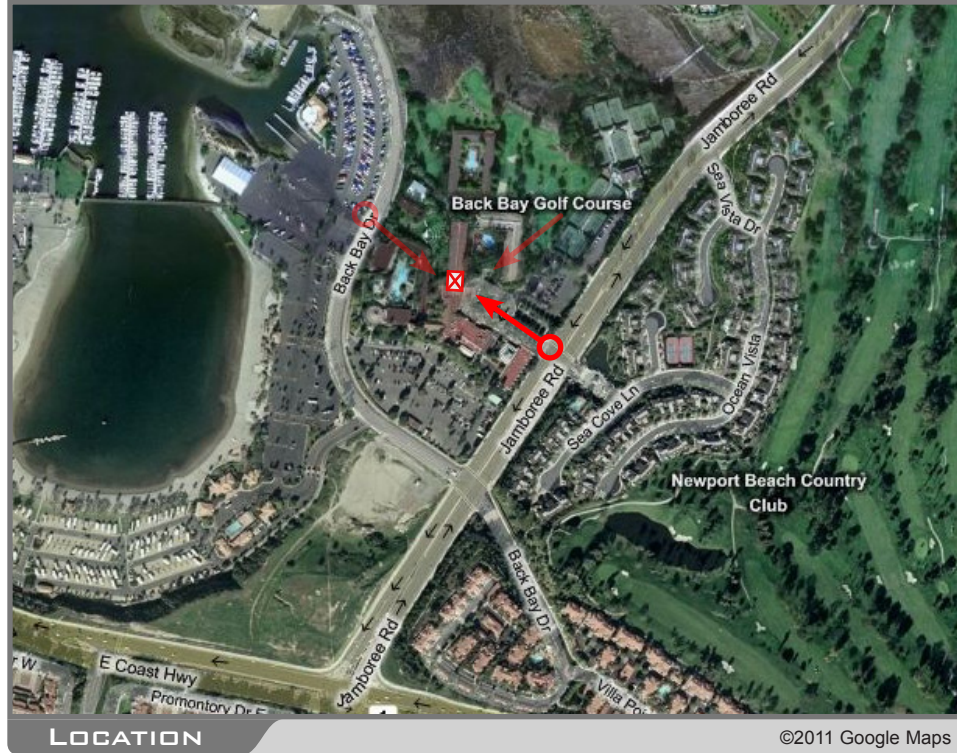


LAR 127 JAMBOREE/PCH



1107 1/2 JAMBOREE ROAD NEWPORT BEACH CA 92660

VIEW 2



LOCATION

©2011 Google Maps



PROPOSED REPLACEMENT ANTENNAS WITHIN BELL TOWER BEHIND EXISTING SCREENS



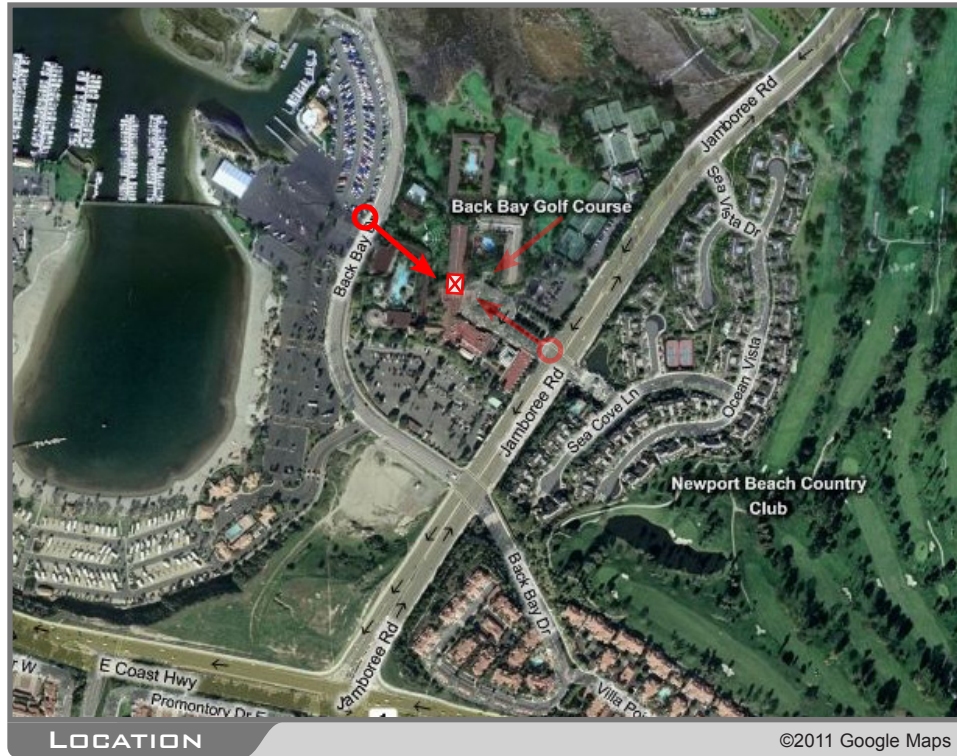
EXISTING

PROPOSED LOOKING NORTHWEST FROM ENTRANCE DRIVE



LAR 127 JAMBOREE/PCH

1107 1/2 JAMBOREE ROAD NEWPORT BEACH CA 92660



LOCATION

©2011 Google Maps



PROPOSED

LOOKING SOUTHEAST FROM BACK BAY DRIVE



EXISTING

Attachment No. CDD 4

Plans



LTE PROJECT

SITE NUMBER: LAR127

SITE NAME: JAMBOREE/PCH

A/E DESIGN PACKAGE REVIEW STATUS			
1 <input type="checkbox"/> ACCEPTED - NO COMMENTS, PROCEED			
2 <input type="checkbox"/> COMMENTS			
A <input type="checkbox"/> SAC INFO MISSING / INCOMPLETE	B <input type="checkbox"/> A/E DID NOT FOLLOW DIRECTIONS PROVIDED		F <input type="checkbox"/> DESIGN DEVIATION FROM STANDARD
C <input type="checkbox"/> SITE OWNER REQUESTED CHANGES	D <input type="checkbox"/> DESIGN INPUT CHANGES, ie., RF, ZONING REQUIRED		G <input type="checkbox"/> OMISSIONS
E <input type="checkbox"/> REVISED SITE DESIGN			H <input type="checkbox"/> A/E GENERATED CHANGE IN DESIGN
		I <input type="checkbox"/> CINGULAR CHANGED SITE DESIGN	J <input type="checkbox"/> OTHER
PERMISSION TO PROCEED DOES NOT CONSTITUTE ACCEPTANCE OR APPROVAL OF DESIGN DETAILS, CALCULATIONS, ANALYSIS, BEST METHODS, OR MATERIALS DEVELOPED OR SELECTED BY THE SUPPLIER AND DOES NOT RELIEVE THE SUPPLIER FROM FULL COMPLIANCE WITH CONTRACTUAL OBLIGATIONS.			
REVIEWED BY: (RE/PE)			
RF ENGINEER	SA	MARKET LEAD	CONSTRUCTION

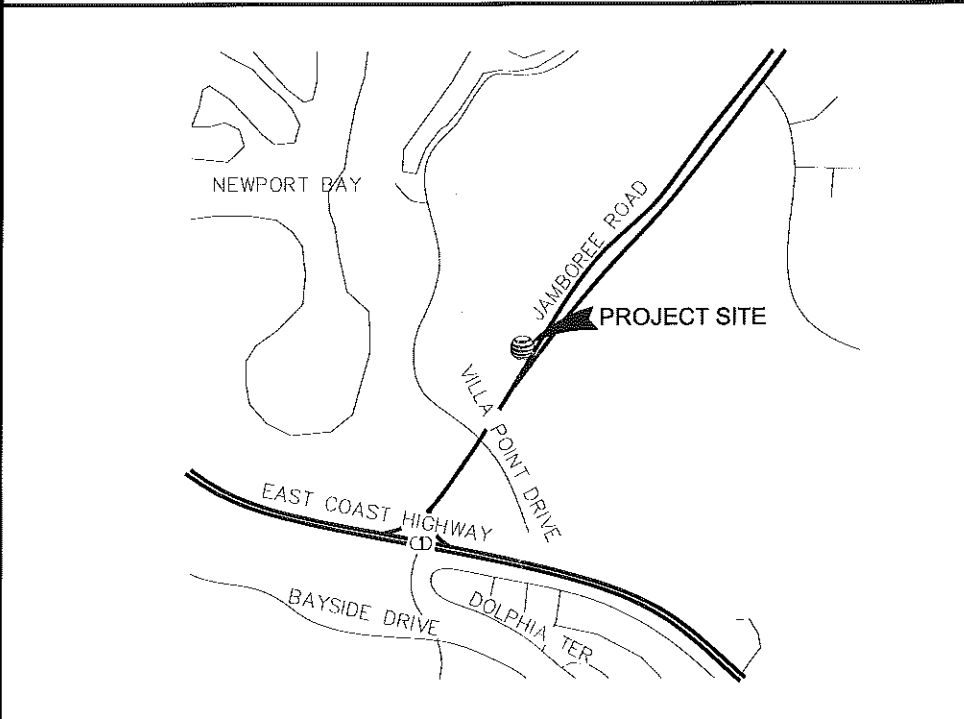
DRAWING INDEX	REV	DIRECTIONS	PROJECT INFORMATION
LA-LAR127-T01	TITLE SHEET	3	<p>SCOPE OF WORK: AT&T WIRELESS PROPOSES TO MODIFY AN EXISTING UNMANNED TELECOMMUNICATIONS FACILITY. THE SCOPE WILL CONSIST OF THE FOLLOWING:</p> <ul style="list-style-type: none"> • REMOVE (6) (E) 4'-0" ANTENNAS. • REPLACE WITH (6) (N) 4'-0" ANTENNAS. • INSTALL (1) (N) GPS ANTENNA. • INSTALL (3) (N) RRU'S. • INSTALL (3) (N) DC SURGE SUPPRESSORS. • INSTALL (N) FIBER RUNS. • INSTALL (N) DC RUNS. <ul style="list-style-type: none"> • INSTALL (1) (N) AT&T LTE RACK. • INSTALL (1) (N) ARGUS DCPP. • INSTALL (1) (N) RXAIT. • INSTALL (1) (N) EQUIPMENT CABINET. • PAINT ANY AND ALL EXPOSED CONDUIT, CABINETS, GPS DEVICE, ETC. TO MATCH (E) BUILDING.
LA-LAR127-Z01	SITE PLAN	3	
LA-LAR127-Z02	ANTENNA LAYOUT PLAN	3	
LA-LAR127-Z02.1	EQUIPMENT LAYOUT PLAN	3	
LA-LAR127-Z03	EAST AND WEST ELEVATIONS	3	
LA-LAR127-Z04	NORTH AND SOUTH ELEVATIONS	3	

DIRECTIONS

DRIVING DIRECTIONS FROM AT&T WIRELESS, CERRITOS

FROM THE AT&T WIRELESS CERRITOS OFFICE, TAKE THE CA-91 EAST TO THE I-5 SOUTH EXIT TOWARD SANTA ANA. TAKE THE CA-55 SOUTH EXIT TOWARDS NEWPORT BEACH. TAKE THE CA-73 SOUTH AND EXIT ON BRISTOL STREET TOWARDS JAMBOREE. TURN RIGHT ON JAMBOREE ROAD. AND GO FOR 3.0 MILES TO SITE.

VICINITY MAP



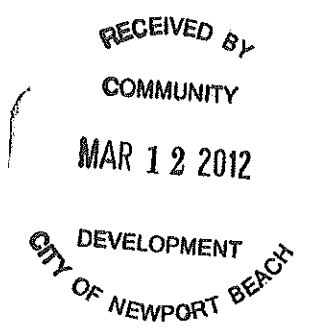
SITE ADDRESS: 1107 1/2 JAMBOREE ROAD
NEWPORT BEACH, CALIFORNIA 92660

PROPERTY OWNER: SUNSTONE JAMBOREE LESSEE, INC.
903 CALLE AMANECER, SUITE 100
SAN CLEMENTE, CA 92673

AGENT: BECHTEL TELECOMMUNICATIONS
6131 ORANGETHORPE AVENUE, 5TH FLOOR
BUENA PARK, CALIFORNIA 90620

APPLICANT: AT&T WIRELESS
12900 PARK PLAZA DRIVE
CERRITOS, CALIFORNIA 90703

LATITUDE: 33° 37' 02.94" N
LONGITUDE: 117° 53' 20.49" W
LAT/LONG TYPE: NAD 83
ELEVATION: 50' A.M.S.L.
JURISDICTION: CITY OF NEWPORT BEACH
A.P.N.: 440-132-41
CURRENT ZONING: CV (COMMERCIAL- VISITOR SERVING)
PROPOSED USE: TELECOMMUNICATION FACILITY
SITE ACQUISITION: TRILLIUM
FLO MEAD
5912 BOLSA AVENUE, #202
HUNTINGTON BEACH, CALIFORNIA 92649
PHONE: (714) 206-1781



12900 PARK PLAZA DRIVE
CERRITOS, CALIFORNIA 90703

BECHTEL CORPORATION
6131 ORANGETHORPE AVENUE, 5TH FL.
BUENA PARK, CALIFORNIA 90620

JRA
Jeffrey Rome & Associates, Inc.
Architecture & Telecommunications
1 San Joaquin Plaza, Suite 250
Newport Beach, California 92660
Phone: (949) 760-3929
Fax: (949) 760-3931

JAMBOREE/ PCH
SITE NO. LAR127
USID: 12486
1107 1/2 JAMBOREE ROAD
NEWPORT BEACH, CALIFORNIA 92660

3	03/12/12	REVISED PER CITY COMMENTS	MH	RN	JR
2	09/15/11	ISSUED FOR ZONING SUBMITTAL	MB	MAW	JR
1	08/31/11	REVISED PER RE-WALK	NR	MB	JR
0	01/26/11	ISSUED FOR ZONING SUBMITTAL	MB	JR	JR
A	12/6/10	ISSUED FOR ZONING REVIEW	MH	JR	JR
NO.	DATE	REVISIONS	BY	CHK	APP'D
SCALE: AS SHOWN		DESIGNED:	DRAWN:		

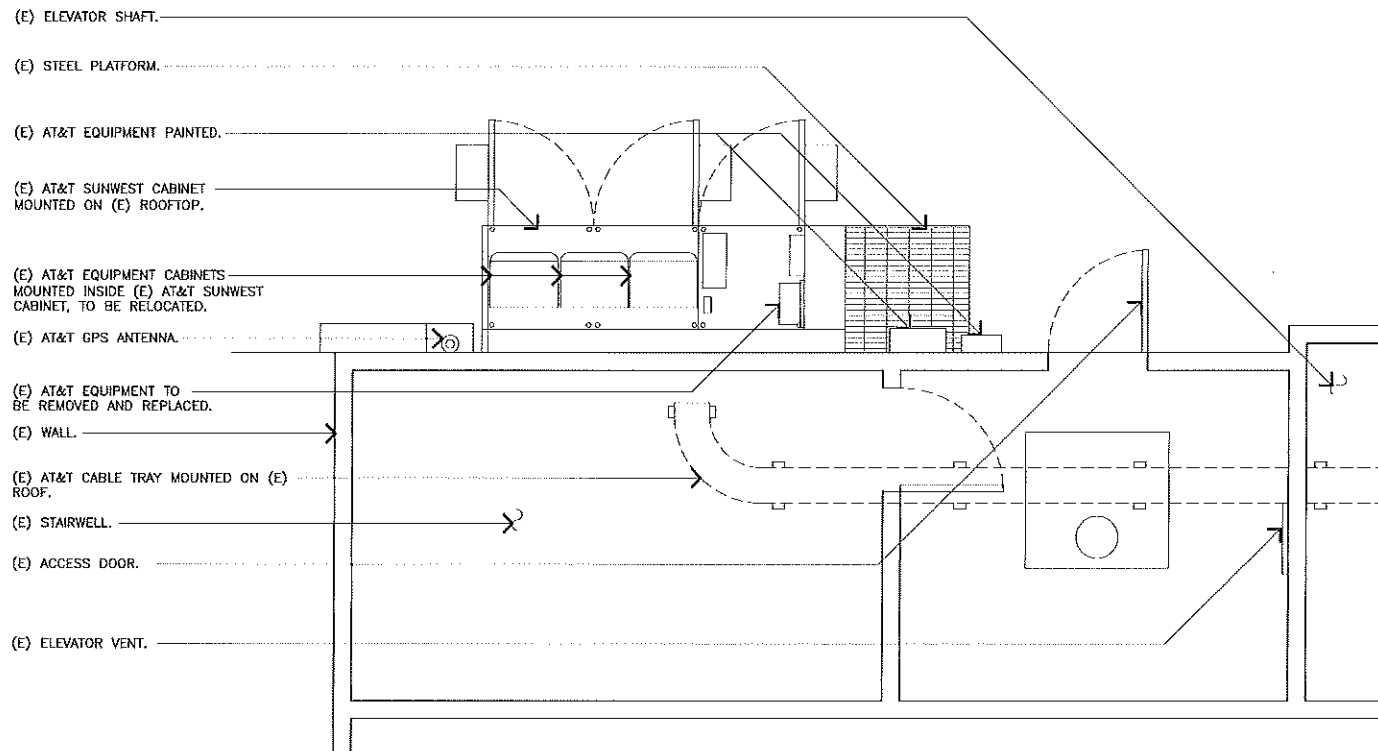


LTE PROJECT
TITLE SHEET

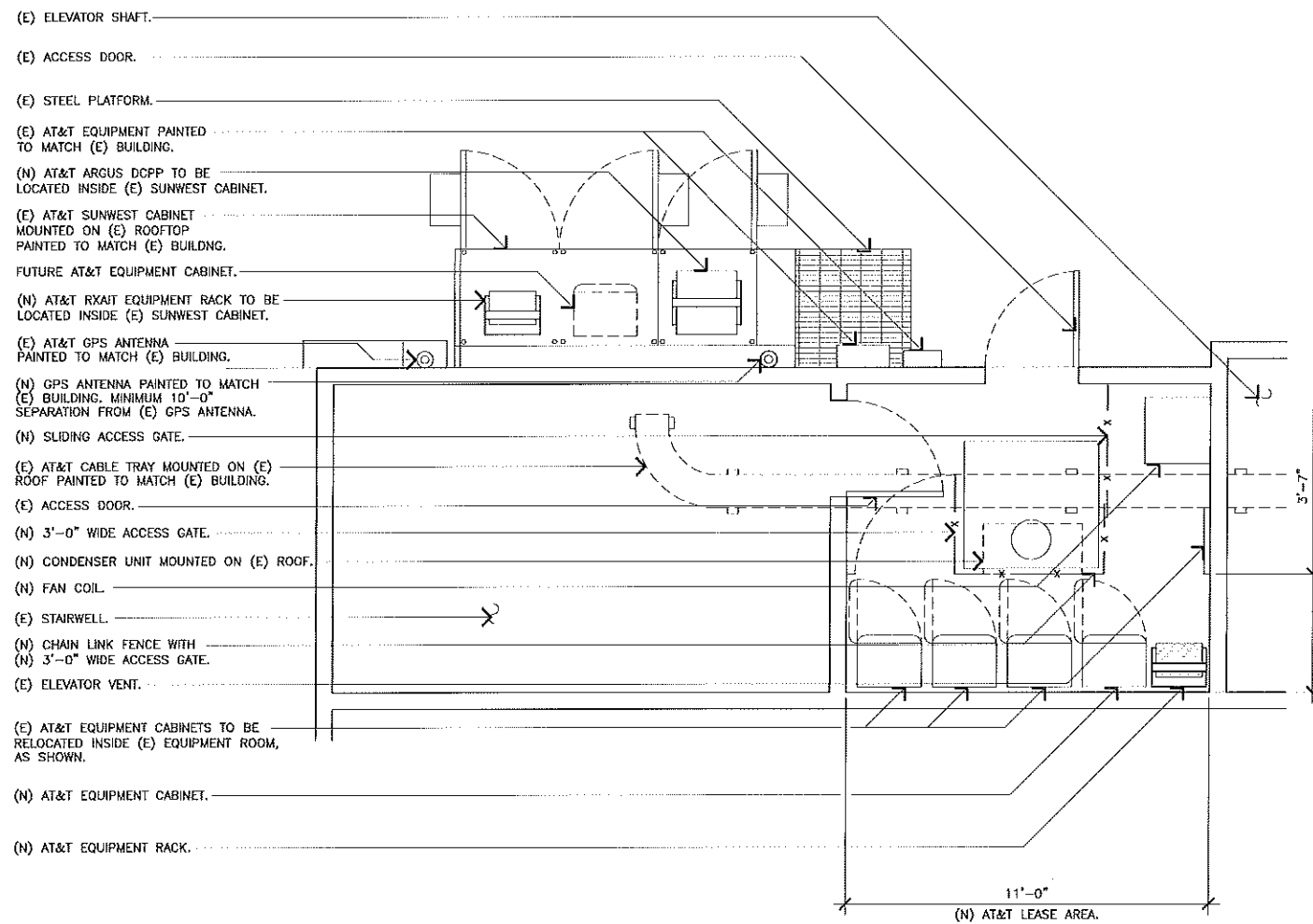
DRAWING NUMBER: LA-LAR127-T01
REV: 3

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NOTE:
1. (E) EQUIPMENT AREA TO REMAIN.



(E) EQUIPMENT LAYOUT PLAN

SCALE: 3/8"=1'-0"
0 1' 2' 3'

2

(N) EQUIPMENT LAYOUT PLAN

SCALE: 3/8"=1'-0"
0 1' 2' 3'

1



JAMBOREE/ PCH
SITE NO. LAR127
USID: 12486
1107 1/2 JAMBOREE ROAD
NEWPORT BEACH, CALIFORNIA 92660

3	03/12/12	REVISED PER CITY COMMENTS	MB	RN	JR
2	09/15/11	ISSUED FOR ZONING SUBMITTAL	MB	MW	JR
1	08/31/11	REVISED PER RE-WALK	NR	ME	JR
0	01/26/11	ISSUED FOR ZONING SUBMITTAL	MB	JR	JR
A	12/6/10	ISSUED FOR ZONING REVIEW	MB	JR	JR
NO.	DATE	REVISIONS	BY	CHK	APP'D
SCALE: AS SHOWN		DESIGNED:	DRAWN:		



at&t Mobility

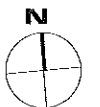
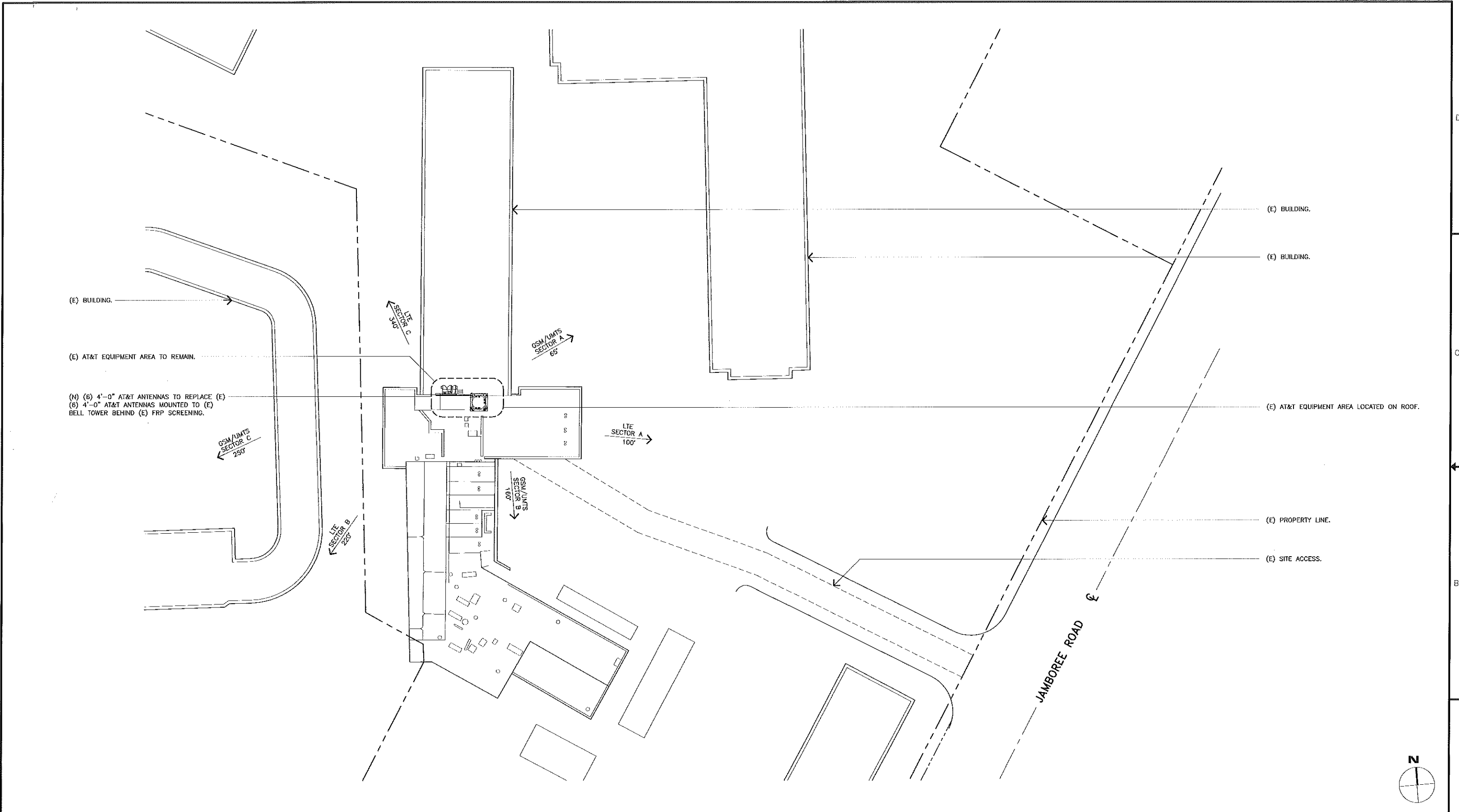
LTE PROJECT
EQUIPMENT LAYOUT PLANS

DRAWING NUMBER: **LA-LAR127-Z02.1**

25471-610-TE

REV: 3

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SITE PLAN		SCALE: 1"=30'	0 15' 30'	1																																				
 12900 PARK PLAZA DRIVE CERRITOS, CALIFORNIA 90703	 BECHTEL CORPORATION 6131 ORANGETHORPE AVENUE, 5TH FL. BUENA PARK, CALIFORNIA 90620	 Jeffrey Rome & Associates, Inc. Architecture & Telecommunications 1 San Joaquin Plaza, Suite 250 Newport Beach, California 92660 Phone: (949) 760-3929 Fax: (949) 760-3931	JAMBOREE/ PCH SITE NO. LAR127 USID: 12486 1107 1/2 JAMBOREE ROAD NEWPORT BEACH, CALIFORNIA 92660	<table border="1" style="width: 100%; border-collapse: collapse; font-size: 8px;"> <tr> <td style="width: 5%;">3</td> <td style="width: 15%;">03/12/12</td> <td style="width: 55%;">REVISED PER CITY COMMENTS</td> <td style="width: 5%;">MB</td> <td style="width: 5%;">RN</td> <td style="width: 5%;">JR</td> </tr> <tr> <td>2</td> <td>09/15/11</td> <td>ISSUED FOR ZONING SUBMITTAL</td> <td>MB</td> <td>MAV</td> <td>JR</td> </tr> <tr> <td>1</td> <td>08/31/11</td> <td>REVISED PER RE-WALK</td> <td>NR</td> <td>MB</td> <td>JR</td> </tr> <tr> <td>0</td> <td>01/26/11</td> <td>ISSUED FOR ZONING SUBMITTAL</td> <td>MB</td> <td>JR</td> <td>JR</td> </tr> <tr> <td>A</td> <td>12/6/10</td> <td>ISSUED FOR ZONING REVIEW</td> <td>MB</td> <td>JR</td> <td>JR</td> </tr> <tr> <td>NO.</td> <td>DATE</td> <td>REVISIONS</td> <td>BY</td> <td>CHK</td> <td>APP'D</td> </tr> </table>	3	03/12/12	REVISED PER CITY COMMENTS	MB	RN	JR	2	09/15/11	ISSUED FOR ZONING SUBMITTAL	MB	MAV	JR	1	08/31/11	REVISED PER RE-WALK	NR	MB	JR	0	01/26/11	ISSUED FOR ZONING SUBMITTAL	MB	JR	JR	A	12/6/10	ISSUED FOR ZONING REVIEW	MB	JR	JR	NO.	DATE	REVISIONS	BY	CHK	APP'D
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			1	3																																				

6

5

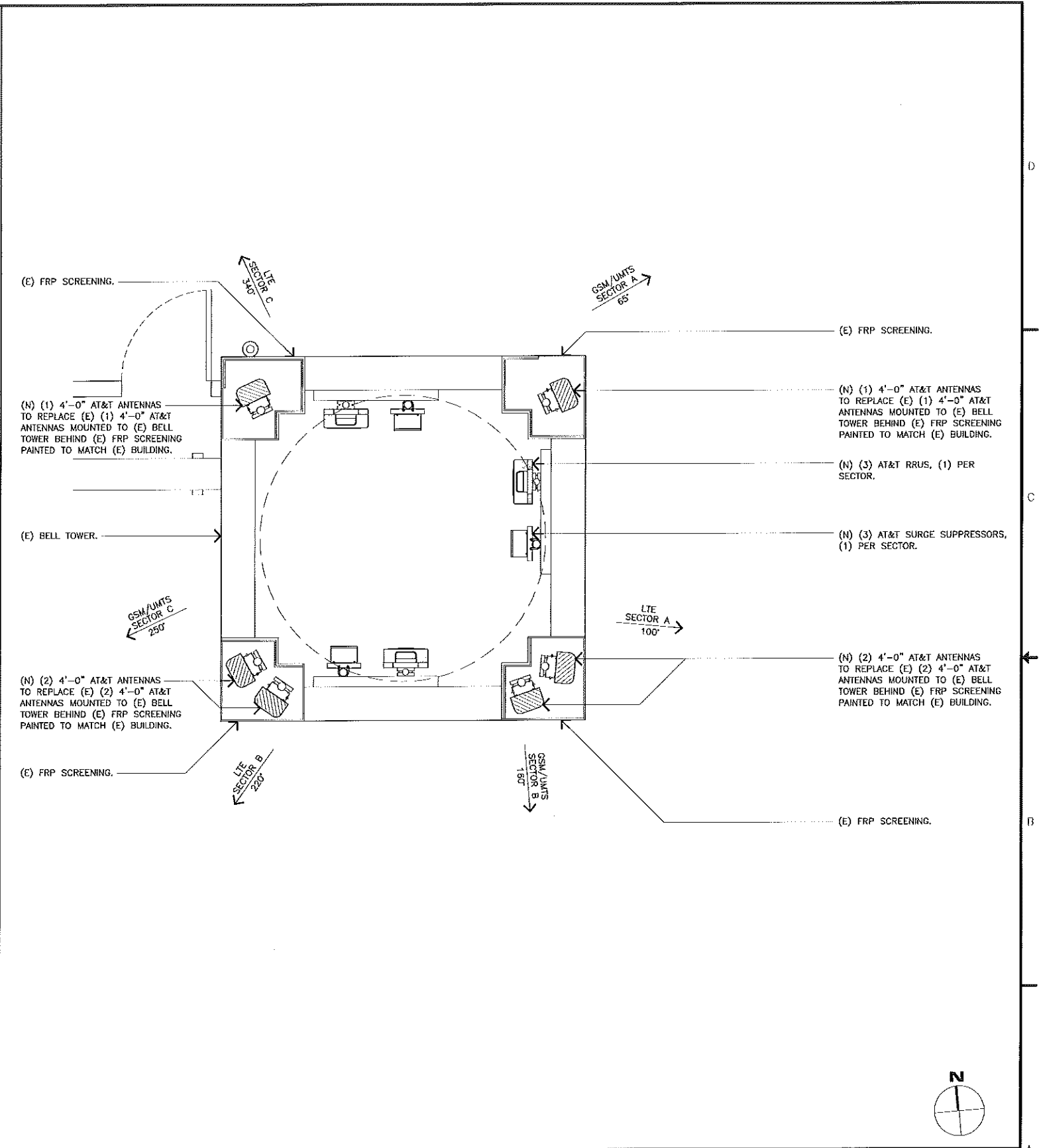
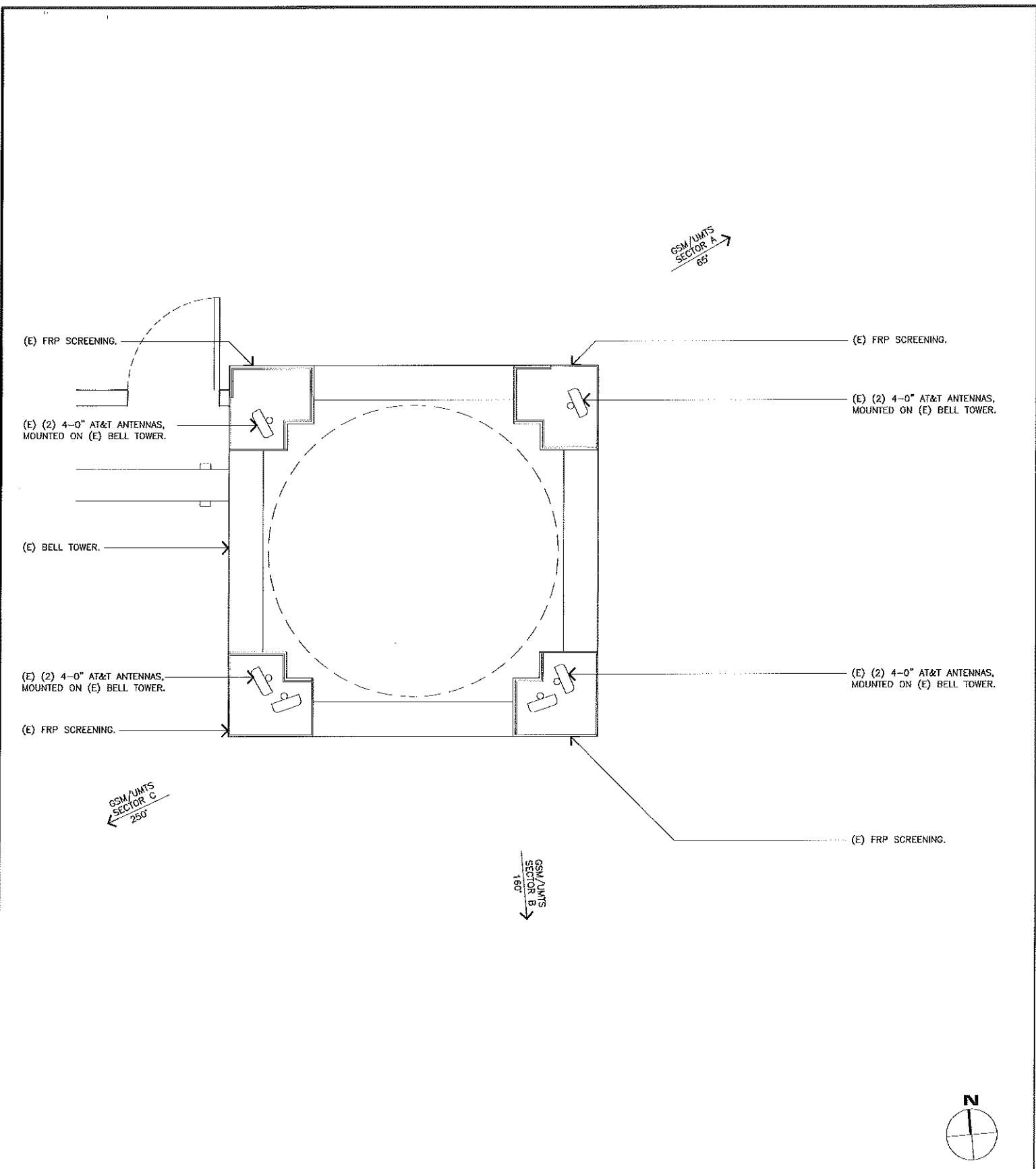
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3

2

1

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(E) ANTENNA LAYOUT PLAN SCALE: 1/2"=1'-0" 0 1' 2' **2**

(N) ANTENNA LAYOUT PLAN SCALE: 1/2"=1'-0" 0 1' 2' **1**

12900 PARK PLAZA DRIVE
CERRITOS, CALIFORNIA 90703

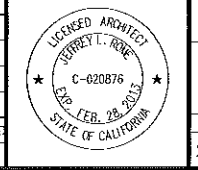
BECHTEL CORPORATION
6131 ORANGETHORPE AVENUE, 5TH FL.
BUENA PARK, CALIFORNIA 90620

Jeffrey Rome & Associates, Inc.
Architecture & Telecommunications
1 San Joaquin Plaza, Suite 250
Newport Beach, California 92660
Phone: (949) 760-3929
Fax: (949) 760-3931

JAMBOREE/ PCH
SITE NO. LAR127
USID: 12486
1107 1/2 JAMBOREE ROAD
NEWPORT BEACH, CALIFORNIA 92660

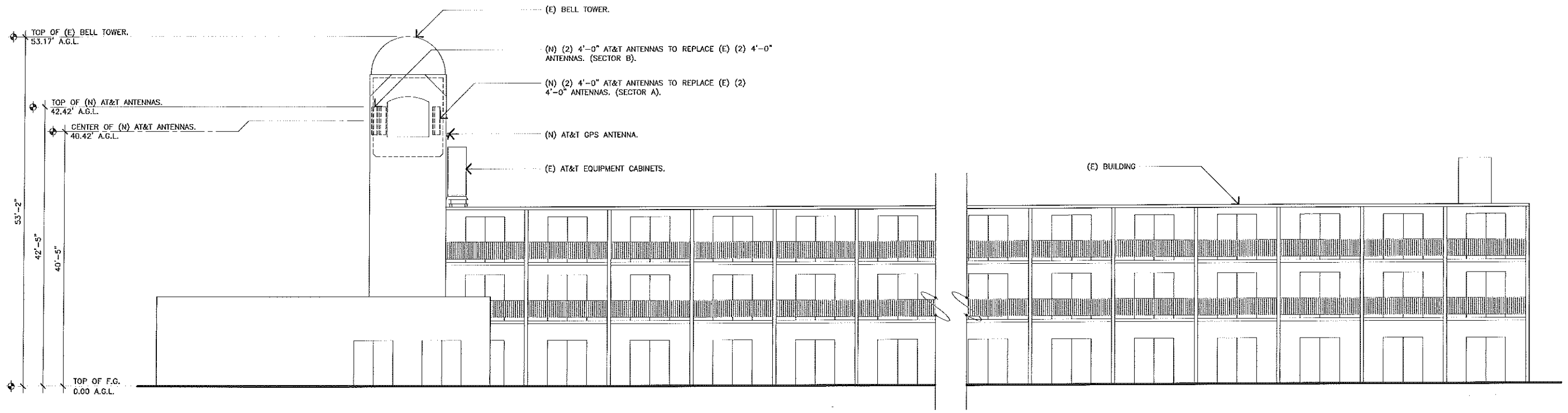
NO.	DATE	REVISIONS	BY	CHK	APP'D
3	03/12/12	REVISED PER CITY COMMENTS	MB	RN	JR
2	09/15/11	ISSUED FOR ZONING SUBMITTAL	MB	MW	JR
1	08/31/11	REVISED PER RE-WALK	NR	MB	JR
0	01/26/11	ISSUED FOR ZONING SUBMITTAL	MH	JR	JR
A	12/6/10	ISSUED FOR ZONING REVIEW	MB	JR	JR

SCALE: AS SHOWN DESIGNED: DRAWN: 2



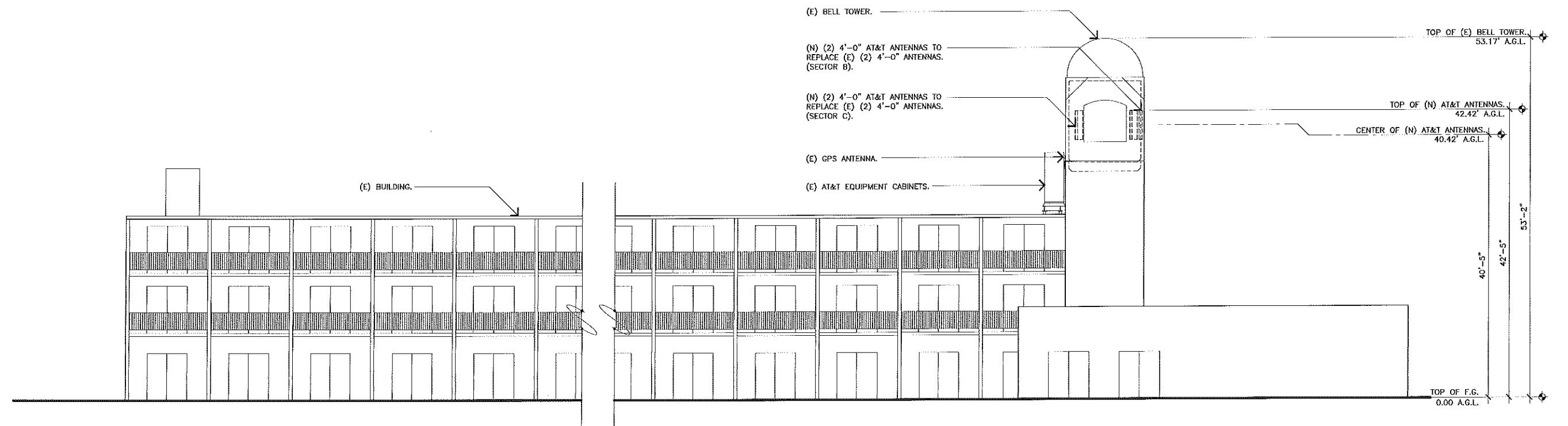
LTE PROJECT ANTENNA LAYOUT PLANS
DRAWING NUMBER: LA-LAR127-Z02
REV: 3

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EAST ELEVATION

SCALE: 1/8"=1'-0" 0 4' 8' **2**



WEST ELEVATION

SCALE: 1/8"=1'-0" 0 4' 8' **1**

12900 PARK PLAZA DRIVE
CERRITOS, CALIFORNIA 90703

BECHTEL CORPORATION
6131 ORANGETHORPE AVENUE, 5TH FL.
BUENA PARK, CALIFORNIA 90620

Jeffrey Rome & Associates, Inc.
Architecture & Telecommunications
1 San Joaquin Plaza, Suite 250
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Fax: (949) 760-3931

JAMBOREE/ PCH
SITE NO. LAR127
USID: 12486
1107 1/2 JAMBOREE ROAD
NEWPORT BEACH, CALIFORNIA 92660

3	03/12/12	REVISED PER CITY COMMENTS	MB	RN	JR
2	09/15/11	ISSUED FOR ZONING SUBMITTAL	MB	MW	JR
1	08/31/11	REVISED PER RE-WALK	NR	MB	JR
0	01/26/11	ISSUED FOR ZONING SUBMITTAL	MB	JR	JR
A	12/6/10	ISSUED FOR ZONING REVIEW	MB	JR	JR
NO.	DATE	REVISIONS	BY	CHK	APP'D
SCALE: AS SHOWN		DESIGNED:	DRAWN:		

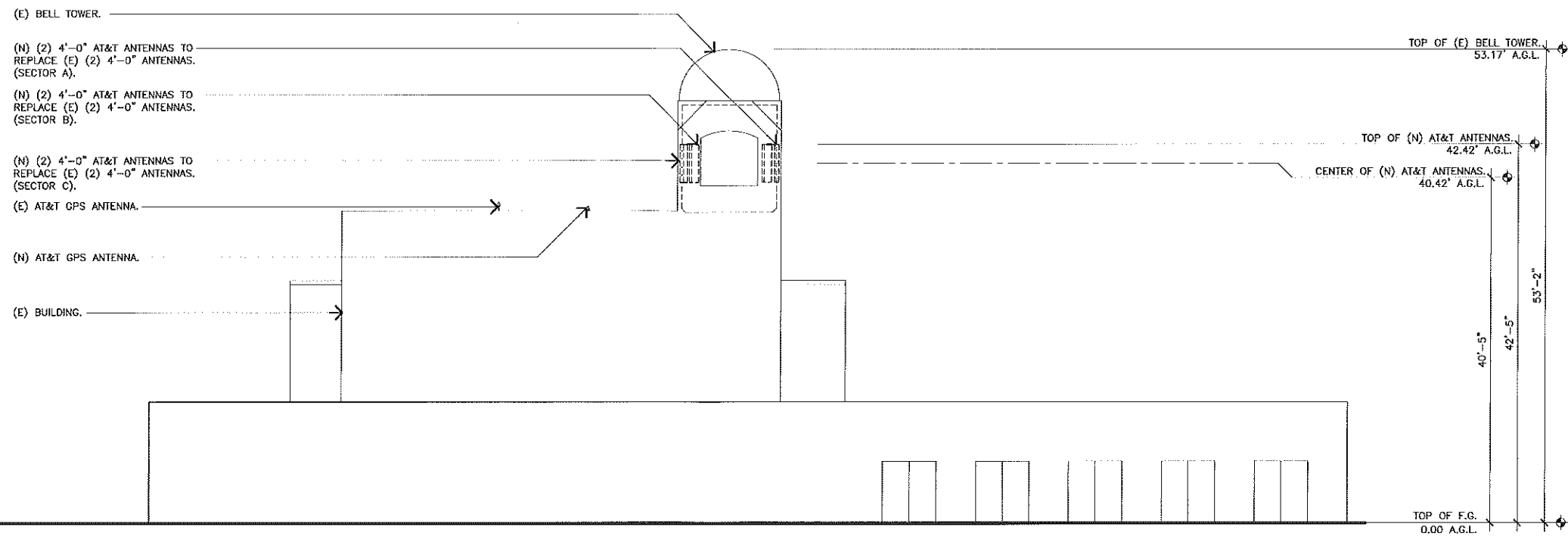


LTE PROJECT
EAST AND WEST ELEVATIONS

DRAWING NUMBER: **LA-LAR127-Z03**

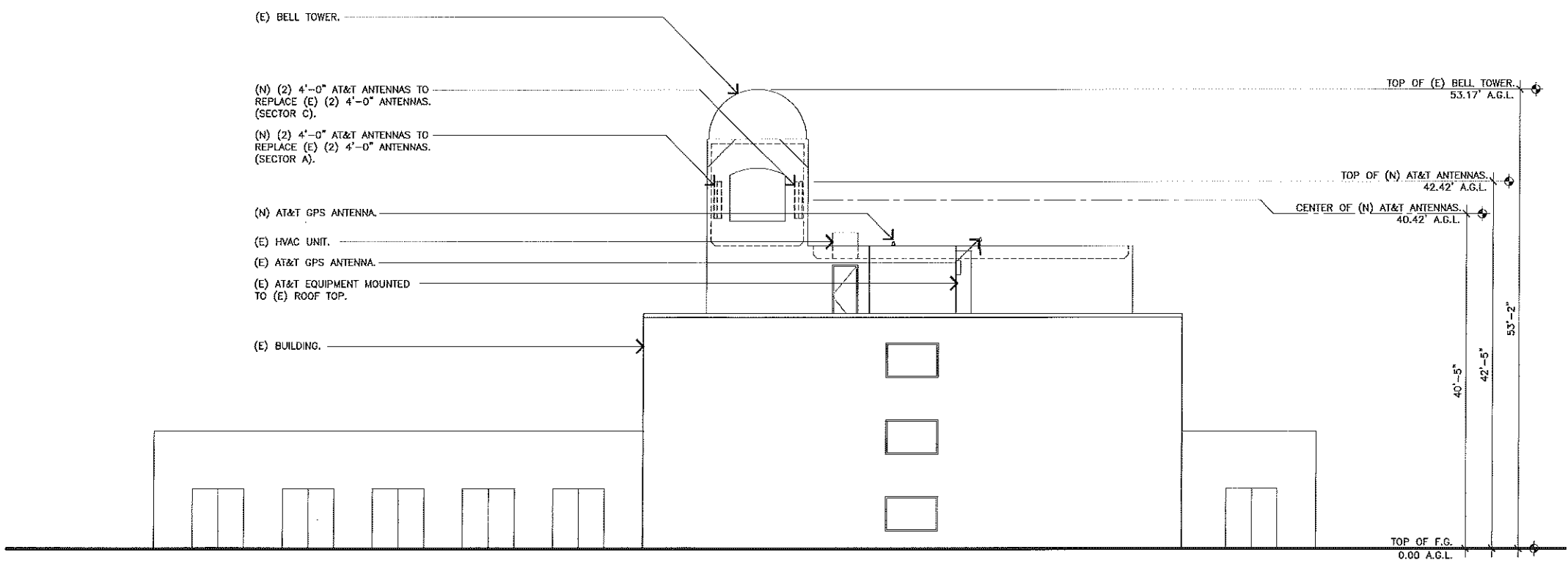
25471-610-TF

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SOUTH ELEVATION

SCALE: 1/8"=1'-0" 0 4' 8' **2**



NORTH ELEVATION

SCALE: 1/8"=1'-0" 0 4' 8' **1**

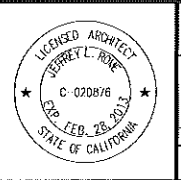
12900 PARK PLAZA DRIVE
CERRITOS, CALIFORNIA 90703

BECHTEL CORPORATION
6131 ORANGETHORPE AVENUE, 5TH FL.
BUENA PARK, CALIFORNIA 90620

JRA
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Architecture & Telecommunications
1 San Joaquin Plaza, Suite 250
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Fax: (949) 750-3931

JAMBOREE/ PCH
SITE NO. LAR127
USID: 12486
1107 1/2 JAMBOREE ROAD
NEWPORT BEACH, CALIFORNIA 92660

3	03/12/12	REVISED PER CITY COMMENTS	MB	RN	JR
2	09/15/11	ISSUED FOR ZONING SUBMITTAL	MB	MW	JR
1	08/31/11	REVISED PER RE-WALK	NR	MB	JR
0	01/26/11	ISSUED FOR ZONING SUBMITTAL	MB	JR	JR
A	12/6/10	ISSUED FOR ZONING REVIEW	MB	JR	JR
NO.	DATE	REVISIONS	BY	CHK	APP'D
SCALE: AS SHOWN		DESIGNED:	DRAWN:		



LTE PROJECT
SOUTH AND NORTH ELEVATIONS

DRAWING NUMBER: **LA-LAR127-Z04**

25471-610-TE



COMMUNITY DEVELOPMENT

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. Limited Term Permit No. XP2012-002 (PA2012-052)
Applicant Pavilions Grocery Store
Site Address 3100 W. Balboa Boulevard
Von's Pavilion's Temporary Trailer
Legal Description Parcel 1 on Parcel Map No. 2009-135, as per map filed in book 371, pages 4 through 6 of Parcel Maps, in the office of the County Recorder in the County of Orange, California

On **May 17, 2012**, the Zoning Administrator approved the following: A limited term permit to allow a 40-foot electric refrigeration trailer to store ice for 6-day and 9-day durations within the loading dock at the rear of the Von's Pavilion's Grocery Store within The Landing Shopping Center. The trailer will be refrigerated between the hours of 7:00 a.m. and 9:00 p.m. to store ice for the Memorial Day (May 24, 2012 through May 30, 2012) and Independence Day (July 2, 2012 through July 11, 2012) holiday periods. The property is located in the CN (Commercial Neighborhood) District. The approval is based on the following findings and subject to the following conditions.

FINDINGS

1. **Finding:** This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 11 (Accessory Structures).

Facts in Support of Finding:

- Class 11 exempts the placement of seasonal or temporary use of items such as lifeguard towers, mobile food units, portable restrooms, or similar items. The proposed temporary facility will be placed within the rear of the shopping center for a temporary time period and will be accessory to an existing commercial development.
2. **Finding:** The operation of the limited duration use at the location proposed and within the time period specified would not be detrimental to the harmonious and orderly growth of the City, nor endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the requested limited duration use;

Facts in Support of Finding:

- The limited duration use will allow a temporary refrigeration trailer to store ice on-site for the Memorial Day and Independence Day holidays as conditioned.
 - The temporary trailer is electric and refrigeration will operate on-site between the hours of 7:00 a.m. and 9:00 p.m., May 24 through May 30, 2012 and from July 2 through July 11, 2012, to reduce the impact of noise to surrounding residents.
 - The trailer has been used at the subject property during holiday weekends in the past and the use has not proven detrimental.
 - Conditions of approval require the location of the trailer to be within the loading dock area which is more than 100 feet from the nearest residence and is below grade.
3. **Finding:** The subject lot is adequate in size and shape to accommodate the limited duration use without material detriment to the use and enjoyment of other properties located adjacent to and in the vicinity of the lot;

Facts in Support of Finding:

- The subject lot is approximately 3.75 acres in size. Based upon the site plan, there is adequate area to accommodate the proposed trailer and existing uses without impacting required parking or vehicle circulation.
 - The lot is bound by Balboa Boulevard to the west, Newport Boulevard to the east, 32nd Street to the north, and 30th Street to the south. The adjacent 30th Street serves as a buffer between the majority of nearby residential properties within the R-2 (Single-Unit Residential) Zoning District.
 - The approved temporary trailer location is across 30th street from a property that is currently utilized as a City parking lot.
4. **Finding:** The subject lot is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the limited duration use would or could reasonably be expected to generate;

Facts in Support of Finding:

- The subject lot has four direct driveway approaches taken from Newport Boulevard 30th Street, Balboa Boulevard, and 30th Street. The proposed temporary trailer location will not impede access, required parking, or truck access to the loading dock at the rear of the grocery store. There is no traffic issue anticipated.

- The limited duration use is a temporary parking refrigeration trailer for the grocery store to store ice during the holiday weekends when significant demand is anticipated.

5. **Finding:** Adequate temporary parking to accommodate vehicular traffic to be generated by the limited duration use would be available either on-site or at alternate locations acceptable to the Zoning Administrator; and

Facts in Support of Finding:

- The proposed limited duration use will not impact required parking spaces on-site and will not create additional parking demand since it will be utilized to stock ice for the grocery store. The public will not have direct access to the temporary refrigeration trailer.

6. **Finding:** The limited duration use is consistent with all applicable provisions of the General Plan, any applicable specific plan, the Municipal Code, and other City regulations.

Facts in Support of Finding:

- The General Plan land use designation for this site is CN (Neighborhood Commercial). The CN designation is intended to provide for a range of retail and service uses developed in one or more distinct centers oriented to serve the needs of and maintain compatibility with residential uses in the immediate area. The proposed use is accessory to the existing retail use, will be utilized for a limited duration on-site, and will not impede use of the site consistent with the CN designation.
- The site is located in the CN (Commercial Neighborhood) Zoning District. The CN zoning district allows temporary uses as specified within the Zoning Code and the proposed limited duration use is consistent with this designation.
- The site is not located within a specific plan area.

CONDITIONS

1. The development shall be in substantial conformance with the approved site plan except as noted in the following conditions.
2. Anything not specifically approved by this limited term permit is prohibited and must be addressed by a separate and subsequent review.
3. In accordance with the Zoning Code and Amendment No. 1 to Use Permit No. UP2010-002, the existing storage trailer located within the loading dock area is not

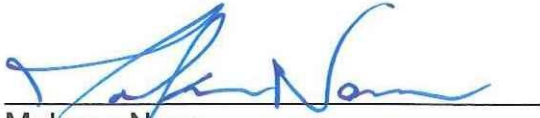
- permitted and shall be removed from the site before the temporary electric refrigeration trailer is stored on-site.
4. The temporary electric refrigeration trailer shall be located within the loading dock area in place of the existing storage trailer.
 5. The temporary electric refrigeration trailer shall be limited to the storage of ice for the grocery store. Alcohol and other store merchandise shall not be stored within the temporary trailer.
 6. The temporary refrigeration trailer is permitted on-site for a six-day duration from May 23, 2012 through May 30, 2012. Additionally, the temporary refrigeration trailer is permitted on-site for a nine-day duration from July 2, 2012 through July 11, 2012. Storage of a trailer on-site other than the dates specified is prohibited.
 7. Operation of the refrigeration unit within the temporary trailer shall be limited to the hours of 7:00 a.m. and 9:00 p.m.
 8. A maximum number of 235 parking spaces are required on-site and the temporary trailer shall not restrict access to any of these parking spaces, vehicle circulation, or truck access to the loading dock at the rear of the grocery store.
 9. The Limited Term Permit is for the operation of one temporary refrigeration trailer on-site for the hours and dates specified and does not authorize the use or operation of additional storage trailers on-site.
 10. 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 Von's Pavilion's Temporary Trailer including, but not limited to, the XP2012-002 (PA2012-152). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

APPEAL PERIOD: Limited Term 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.

On behalf of Brenda Wisneski, Zoning Administrator

Prepared by:



Makana Nova
Assistant Planner

BW/mkn

Attachments: CD 1 Vicinity Map
CD 2 Site Photo from 2011
CD 3 Site Plan

Attachment No. ZA 1

Vicinity Map

VICINITY MAP



Limited Term Permit No. XP2012-002
PA2012-052

3100 W. Balboa Boulevard

Attachment No. ZA 2

Site Photos





Site photo dated June 29, 2011 showing the proposed location of the Von's Pavilion's temporary refrigeration trailer.

Attachment No. ZA 3

Letters of Opposition

Nova, Makana

From: joe reiss [jreiss0@gmail.com]
Sent: Tuesday, May 15, 2012 8:47 PM
To: Nova, Makana
Cc: Wetherholt, Drew
Subject: Von's Pavillion

Mikana, It is completely unacceptable to put any additional trailers in the Von's parking lot. On a number of occasions myself and other neighbors have explained this to you and the Planning staff. Drew will outline again the neighborhood position. Please call Sean Whiskeman and he will tell you about all of the CUP violations we have complained to him about with regards to Von's. We have stopped talking to Von's because they ignore the neighborhood concerns. There is a reason a CUP was put into place and it should be followed. The reason Von's wants the trailer is to increase alcohol sales. Is that something the City wants to help support by creating a variance to the CUP. I hope not. We all know the history of the area. If this CUP is approved I am going to bring this before the City Council. I suggest you discuss this with them before you make this decision. Please tell Von's "NO" and if it is that important to them, then they should increase deliveries.
Joe

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COMMUNITY
MAY 16 2012
DEVELOPMENT
CITY OF NEWPORT BEACH

RECEIVED BY
COMMUNITY

MAY 16 2012

DEVELOPMENT
CITY OF NEWPORT BEACH

Nova, Makana

From: Wetherholt, Drew [Drew.Wetherholt@marcusmillichap.com]
Sent: Wednesday, May 16, 2012 11:47 AM
To: Nova, Makana
Cc: mhenn527@hotmail.com; Henn, Michael; Gardner, Nancy; Michael Toerge, Whiskeman, Brenda; Alford, Patrick; Campbell, James; nbpdchief@nbpd.org; Johnson, Jay; Sean Whiskeman
Subject: Pavilions Requested Permit/Application Memorial Day thru July 4th 2012
Attachments: Pavilions Beer Illegal Storage.jpg; Storage Trailer.JPG; Trucks parked all over.JPG; Truck Problems.jpg; Truck Blocking St Driveway.jpg

Makana:

Thank you for your time this afternoon and discussing the issues regarding the storage/refrigeration trailers behind Pavilions. Please submit this email to the appropriate parties or hearing officer for public record. Given the short notice, please understand that I am writing this on behalf of several neighbors as this continues to negatively impact our neighborhood and community.

As I understand it seems that Pavilions is requesting the additional of ANOTHER storage/refrigeration trailer behind the property facing our neighborhood from Memorial Day to the July 4th weekend. This type of permit should not be allowed to run for approximately a month. This is not acceptable and I would request that the City deny this application given the following:

1. NOISE- The neighborhood is tired of the noise that these refrigeration generator (electrical or otherwise) generate on the summer holiday weekends.
2. CUP VIOLATIONS- Number 37 of the conditions of approvals for the Landing project states, "Storage in parking and vehicle circulation areas adjacent to residentially-zone properties shall be prohibited. (reso. No. 1800)." The neighborhood has already been very gracious in allowing ONE storage trailer. The Landing doesn't need to look like a truck depot as the City is going through great efforts to improve the Peninsula with attractive redevelopments.
3. BLIGHT- The neighborhood already endures one truck trailer that is parked permanently in the truck well that is visible from both the street and the residences. Having an ADDITIONAL trailer there for most of the summer only adds to the problem. An additional trailer only gives the drunks and trouble-makers more places to hid, urinate, puke and fornicate. We already have a serious problem with this due to the drunken patrons coming from the nearby bars. Pavilions receives MULTIPLE, DAILY shipments and there should be no reason that they cannot bring in necessary merchandise/ice on a daily basis including the holiday weekends. You certainly do NOT see storage trailers at other grocery locations such as Corona del Mar, Newport Coast, Irvine and Costa Mesa- why the Newport Peninsula?
4. TRUCK ACCESS/PARKING- Truck space behind the store is already very limited. Parking an additional trailer greatly impacts where delivery trucks can park and how they access and leave the property. Please see the attached photos illustrating the presence of an additional storage/refrigeration from last year's July 4th severely impacting the ability to access/leave the property. Trucks are forced to park on the street and in front of the residences (CUP violations). Trucks then are forced to exit up our street (CUP violation). Trucks block access down our street and have even parked blocking my driveway (CUP violations, amongst other vehicle/fire/safety violations). Trucks are always parking/blocking the fire lane for the property.
5. ALCOHOL STORAGE- The main reason Pavilions wants the storage trailers is to increase alcohol sales. Pavilions stored beer and kegs in the storage trailer last 4th of July blatantly DISREGARDING the City and Planning Department ordinances/CUPs against storing alcohol outside the premises. (See attached photo of a Pavilions employee unloading a pallet of Corona beer from the temporary storage trailer.) If Pavilions needed additional storage they should have made provisions during their remodel. Let's also note that Pavilions more than doubled the liquor department at this location and, as such, should have made allocations for more ice storage if that was going to be a problem. The neighborhood should not have to bear the burden of Pavilions short-comings and poor planning. To the contrary, the neighborhood

has already dealt with many CUP violations from Pavilions and has attempted to resolve them with the property owner rather than immediately taking them to the City and Code Enforcement.

Does Pavilions wish to be an over-sized liquor store or a grocery store? District 15 is already severely negatively impacted by the related problems of too much alcohol and the police department has been overwhelmed with the resulting problems especially on Memorial Day and July 4th. Both the City and the City Council clearly are making efforts to improve these problems and yet the planning department wishes to approve this permit/application???

6. ALCOHOL ABUSE/NEGATIVE COMMUNITY IMPACTS- Pavilions lined all of their aisles with beer for last year's 4th and had a large trailer illegally storing beer/kegs in the back. It is obvious they went all-out to contribute to the party atmosphere in Newport that the City is trying to limit and control. It would be nice to see as much effort or more to support the family activities like the "4th is for Families Parade" rather than excessively contributing to the drunken debauchery that takes place on the Peninsula every 4th of July.

Additional negative community impacts/problems include:

- According to the police department the peninsula has the highest incidents of DUIs and drunk-driving when compared to the rest of the City.
- According to the OC Register article, "Some OC Cities Post Worst DUI Crash Rates," April 12, 2012, the City of Newport Beach (Group C cities) had the state's highest rates of crashes in which at least one driver had been drinking. (source California Office of Traffic Safety)". Newport ranked #1 out of 103 cities statewide.
- According to a Newport Beach Police Department press release dated February 17, 2012- "The Newport Beach Police Department is holding a checkpoint on northbound Newport Blvd. at Finley Avenue. The area was chosen because it has more DUI crashes than other places, and is near bars and restaurants, police said." This intersection is within approximately fifty yards of Pavilions.

For the last year our neighborhood has been "understanding" of some of the "growing pains" that Pavilions and the Landing has been going through. However, our neighborhood is not seeing any good faith in the actions regarding Pavilions or the CUP conditions. We have been extremely supportive of the Landing project and Pavilions but communication and the understanding of the concerns, issues and CUP conditions have been very limited. The neighborhood's position was made extremely clear last year to the City, Vons Companies, their real estate department and the Landing owners that these storage trailers are not welcomed. Also the continued saturation of our District with alcohol is not acceptable to the community nor should it be acceptable to the City with the additional liabilities it creates for the City.

Therefore, we would request denial of this permit/application and encourage the City to support this position.

Simply put; if Pavilions wants more ice/beer/product, then they should increase their shipments and deliveries.

Should you have any further questions or wish to discuss please do not hesitate to contact me. Thank you for your consideration.

Drew Wetherholt
30th Street Owner & Resident
949-466-6088

From: Wetherholt, Drew [mailto:Drew.Wetherholt@marcusmillichap.com]
Sent: Wednesday, June 29, 2011 9:45 AM

To: Sean Whiskeman; joe reiss
Subject: RE: Pavilions Request

Sean:

I'm a little disappointed- I got home last night only to be greeted by some disgruntled neighbors and now TWO storage trailers. As I had discussed before the neighborhood is not pleased with the trailers and will not tolerate a loud refrigeration trailer running all day during the 4th of July weekend. This clearly goes against your permit and CUP. I looked it up last night and Number 37 of your conditions of approvals states, "Storage in parking and vehicle circulation areas adjacent to residentially-zoned properties shall be prohibited. (Reso. No. 1800)" I told the neighbors that I would talk with you today before they call the city, code enforcement and Vons corporate.

Sean, I don't wish to be a pain-in-the-ass, but the residents really do not enjoy being subjected to a loud refrigeration trailer ALL WEEKEND LONG. The first trailer we were willing to over look as we thought it was storage for the on-going construction. Being this storage trailer is in the loading docks it currently impacts truck access and ingress/egress issues for the other delivery trucks. Yesterday, trucks are being forced to park along our house causing turning radius issues for the larger trucks trying to depart and arrive. The departing trucks proceeded to go over my front sidewalk and then went the wrong direction up 30th Street.

There are also many other CUP violations of which I'm getting flack about but we will discuss those later. I would prefer to address the trailer and these issues through you rather than the City. Your help would be appreciated.

While I understand that there will be some "growing" pains our neighborhood is NOT seeing any good faith in the actions regarding Pavilions or the CUP conditions. We have been extremely supportive of the Landing project and Pavilions but communication and the understanding of the concerns, issues and CUP conditions has been very limited.

I will follow-up to discuss in greater detail.

Thanks!

Drew Wetherholt
949-466-6088

From: Sean Whiskeman [mailto:swhiskeman@catellus.com]
Sent: Tuesday, June 28, 2011 9:41 AM
To: joe reiss
Cc: Wetherholt, Drew
Subject: Re: Pavilions Request

I'm here today and will be reviewing this with them at 1.30p. I will send you Dinny's contact info. separately.

On Jun 28, 2011, at 9:38 AM, "joe reiss" <jreiss0@gmail.com> wrote:

Hey Sean. We need to meet with someone from Von's. I am glad they have opened up discussion with you; however, they have not really with the neighborhood. If they put the truck and generator out there for the 4th weekend it will have a negative impact on the neighborhood if the generator is gas powered and runs all weekend. In the past neighbors have called the City on Albertson's because of noise complaints from the gas powered generator. Think about it, you are trying to enjoy a nice weekend at your house and you have to listen to a generator going off all weekend. They typically are very annoying.

On another note, I am still not satisfied with the storage behind the store. After the last email they cleaned everything up; however, now some of it is back and they have placed storage racks out along the back of the store. They are now starting to put items on the storage racks. This not

only looks terrible it becomes items for drunks and others to throw throughout the neighborhood. Albertson's was very good about this and did not store anything outside.

I think it would be good to get us the numbers for the people at Von's and the Property Mgt. so we can work through these issues.

Thanks Joe

On Mon, Jun 27, 2011 at 5:49 PM, Sean Whiskeman <swhiskeman@catellus.com> wrote: They want to still, but Drew was adamant. Do you have a thought? I thought it would be ok especially since the trucks would be off by 9pm. I was glad they approached us actually. IRS a sign that the communication channels are working. I will get you full contact information.

On Jun 27, 2011, at 4:06 PM, "joe reiss" <jreiss0@gmail.com> wrote:

ok...Drew and I are busy tomorrow....maybe we could meet Saturday to get some phone numbers and contact info... Did they decide on the two trucks they want to put out on the 4th weekend.....

On Mon, Jun 27, 2011 at 1:36 PM, Sean Whiskeman <swhiskeman@catellus.com> wrote:

In there tomorrow and then again Saturday. Leave tomorrow afternoon at 3.30pm fr the airport. Meetif with security, management company and Pavilions at 1.30pm. Happy to introduce you to them after.

On Jun 27, 2011, at 1:18 PM, "joe reiss" <jreiss0@gmail.com> wrote:

Sean are u available on Wed after 5pm....

On Fri, Jun 24, 2011 at 11:02 AM, Sean Whiskeman <swhiskeman@catellus.com> wrote:

Drew & Joe,

I've been asked by my counterpart at Pavilions if it would be ok to store a refrigeration trailer over the 4th Weekend as well as a small second trailer for dry goods. They are aware of the condition and also aware (from me) that this is an issue that the neighborhood was pretty insistent on during our early approvals. That said, I've attached a plan that they provided showing where they would have 2 trucks of which 1 will have a refrigeration unit. The refrigeration trailer will be turned off from 9pm to 7am during those nights.

If you are ok with this, I'm ok with this. I will also be down there during the 4th weekend and will monitor. The locations are as far from the homes as they can be, unlike in the past with Albertson's. Also, I'll be down there this Tuesday for Chipotle's opening and

happy to arrange a meeting with yourselves, Coreland (our Property Manager) and Pavilions store manager. That way, everyone can meet each other and begin an open line of communication.

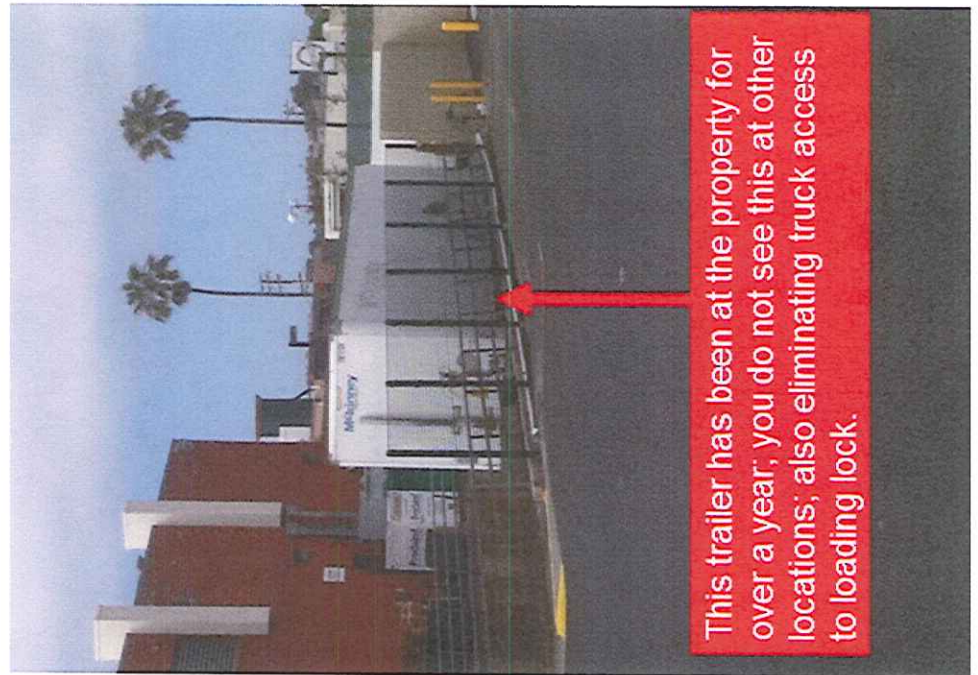
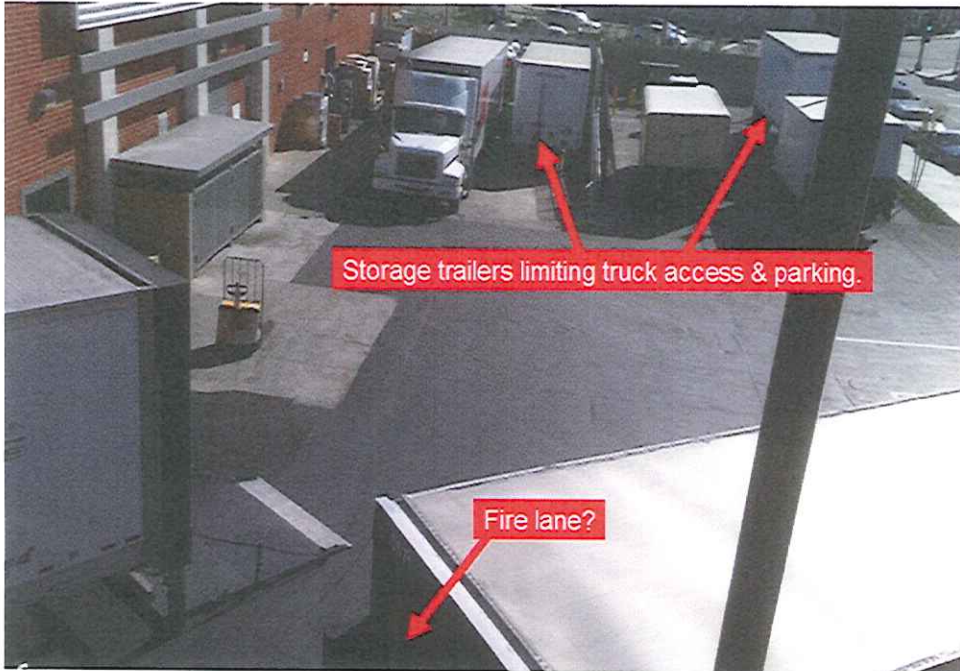
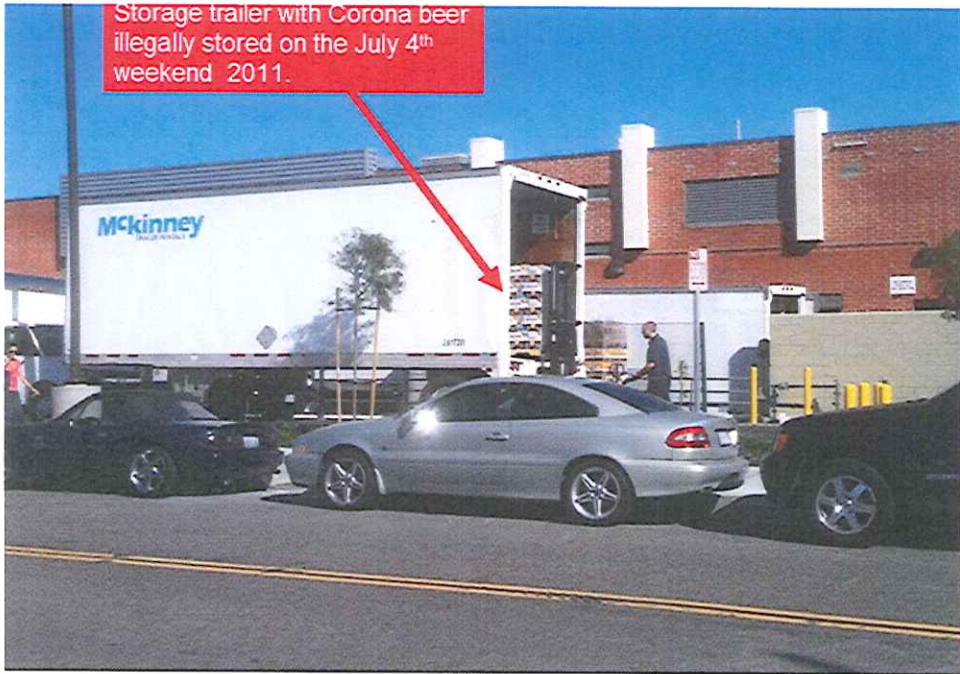
Let me know about your thoughts on the two trailers.

SW

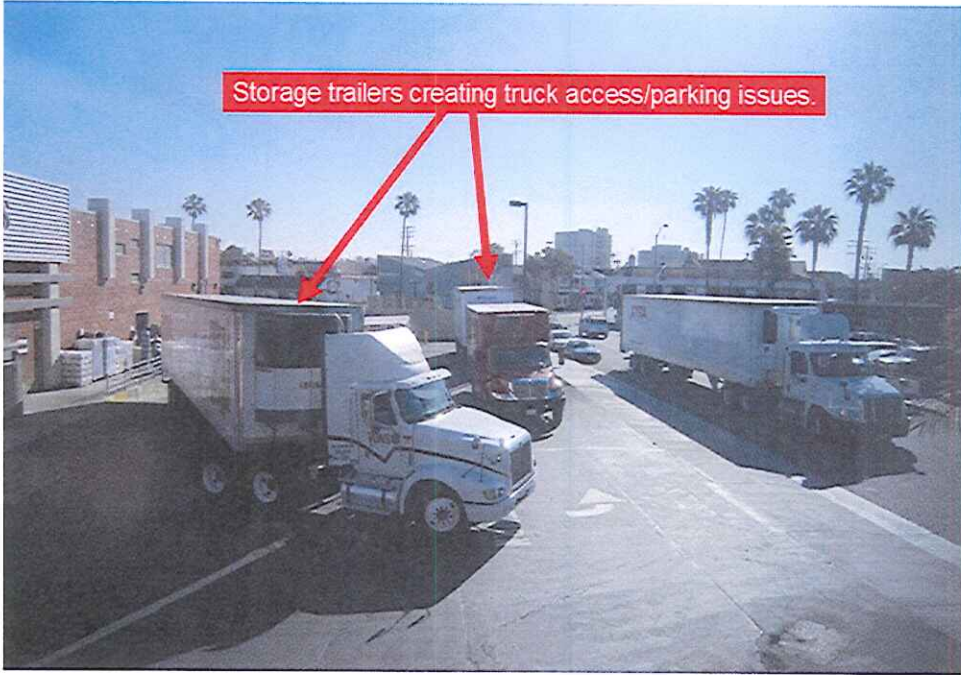
Sean Whiskeman
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Oakland, CA, 94607
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Fx: 510-869-3424
www.catellus.com

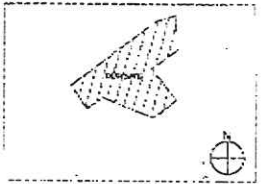
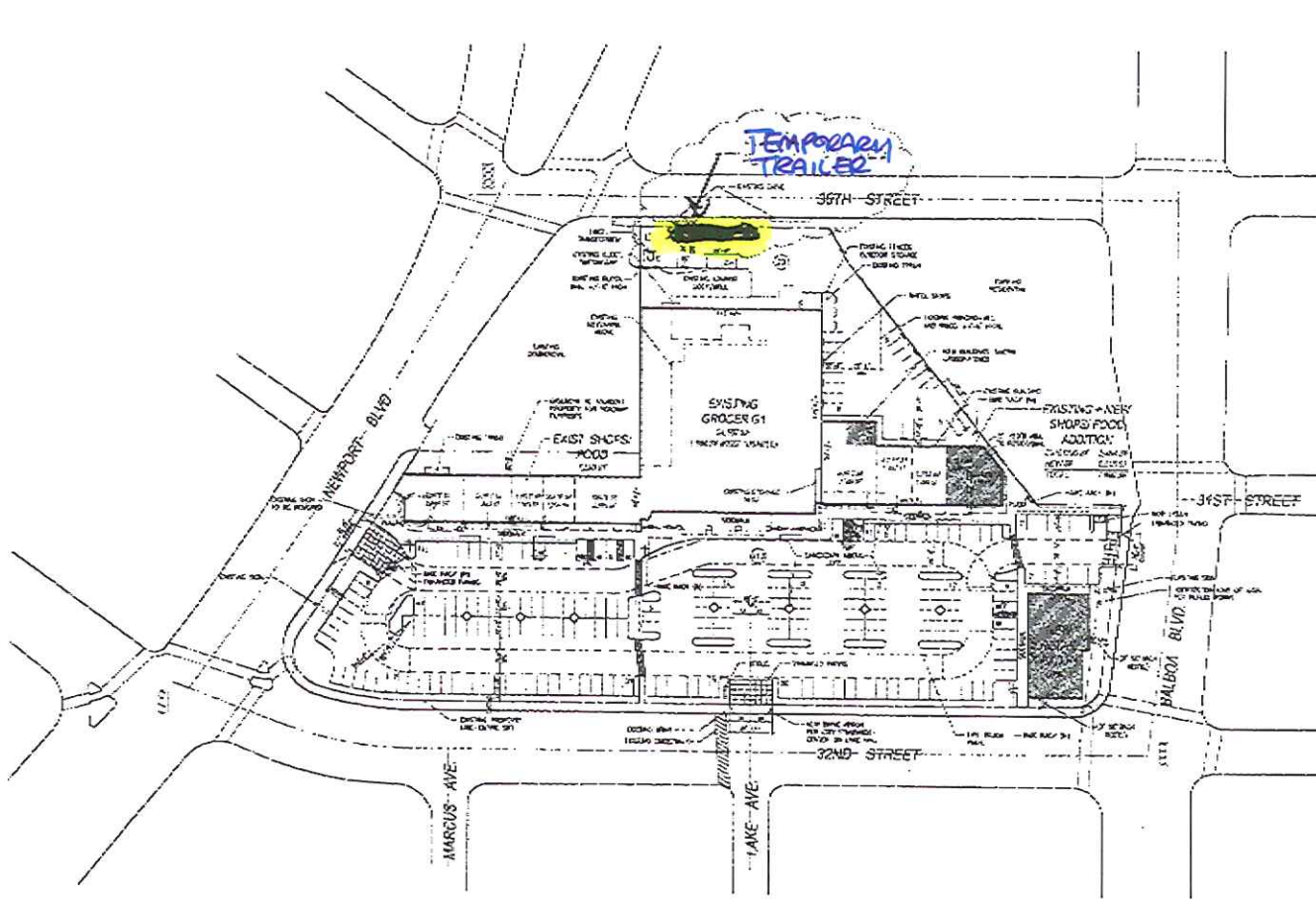


Storage trailers creating truck access/parking issues.



Attachment No. ZA 4

Site Plan



VICINITY MAP

PROJECT ADDRESS:
 1001 WEST NEWPORT BLVD
 NEWPORT BEACH, CA 92660

SITE SUMMARY

DESCRIPTION	AMOUNT
EXISTING GROCER	28,000 SF
EXISTING SHOPS	1,000 SF
EXISTING FOOD	1,000 SF
EXISTING TOTAL	29,000 SF
NEW SHOPS	1,000 SF
NEW FOOD	1,000 SF
NEW TOTAL	2,000 SF
TOTAL	31,000 SF

SITE LANDSCAPE SUMMARY

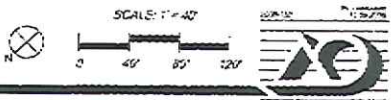
PLANTING AREAS	1,500 SF
LANDSCAPE MATERIALS	1,500 SF

NEW CAR TRIPS SUMMARY

NEW CAR TRIPS PER DAY: 25
 (BASED ON 100% OCCUPANCY)

NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

SITE PLAN



BALBOA CENTER NEWPORT BEACH, CA



ARCHITECTS ORANGE
 143 NORTH ORANGE ST. ORANGE, CALIFORNIA 92668 714.639.8603



