



**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, and/or Planning Division staff for the week ending July 27, 2012

**ZONING ADMINISTRATOR ACTIONS
JULY 25, 2012**

- Item 1: 408 E. Balboa Boulevard Parcel Map No. NP2012-006 (PA2012-061)
408 E. Balboa Boulevard
- Action: Approved by Resolution No. ZA2012-028 Council District 1
- Item 2: 601-701 Newport Center Drive Lot Line Adjustment No. LA2012-003 (PA2012-075)
601 and 701 Newport Center Drive
- Action: Approved by Resolution No. ZA2012-029 Council District 5

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

- Item 3: YMCA Substantial Conformance – Staff Approval No. SA2012-007 (PA2012-030)
2300 University Drive
- Action: Approved Council District 3

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

RESOLUTION NO. ZA 2012-028

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, APPROVING TENTATIVE PARCEL MAP NO. NP2012-006 FOR A PARCEL MAP FOR TWO-UNIT CONDOMINIUM PURPOSES. (PA2012-061)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by James Candelmo, representing the property owner, Wayne Diaz, with respect to property located at 408 E. Balboa Boulevard, and legally described as Lot 11, Block 3, of the Balboa Tract, in the City of Newport Beach, County of Orange, State of California, as per map recorded in Book 4, Page 11 of miscellaneous maps, in the Office of the County Recorder of said Orange County requesting approval of a Tentative Parcel Map.
2. The applicant requests a tentative parcel map for two-unit condominium purposes. No exceptions to the Title 19 (Subdivision Code) development standards are proposed with this application. The code required two-car parking per unit will be provided. The property was occupied by a mixed use building that contains commercial floor area and single-family residence that was demolished in February 2012 and will be replaced by a two-unit duplex currently under construction.
3. The subject property is located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential (RT).
4. The subject property is located within the Two-Unit Residential (RT-E) coastal zone category.
5. A public hearing was held on July 25, 2012, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. The project has been reviewed, and it qualifies for a categorical exemption pursuant to Section 15301 of the California Environmental Quality Act under Class Class 15 (Minor Land Divisions) of the Implementing Guidelines of the California Environmental Quality Act.
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is

in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. The proposed parcel map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

SECTION 3. REQUIRED FINDINGS.

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

Finding

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

Facts in Support of Finding

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

Finding

- B. *That the site is physically suitable for the type and density of development.*

Facts in Support of Finding

1. The lot is rectangular in shape, has a slope of less than 20 percent, and is suitable for two unit development.

Finding

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

Facts in Support of Finding

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

Finding

- D. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.*

Facts in Support of Finding

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

Finding

- E. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the decision-making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to easements previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.*

Facts in Support of Finding

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

Finding

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

Facts in Support of Finding

1. The property is not subject to the Williamson Act since the subject property is not designated as an agricultural preserve and is less than 100 acres.

Finding

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

Facts in Support of Finding

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

Finding

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

Facts in Support of Finding

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

Finding

- I. *That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the*

public service needs of the City's residents and available fiscal and environmental resources.

Facts in Support of Finding

1. The allowed residential density on the site will remain the same, which allows two units in the R-2 Zoning District. Therefore, the parcel map for condominium purposes will not affect the City in meeting its regional housing need.
2. The increase in units requires the payment of in-lieu fees for park dedication and housing.

Finding

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

Facts in Support of Finding

1. Wastewater discharge into the existing sewer system has been designed to comply with the Regional Water Quality Control Board (RWQCB) requirements.

Finding

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

Facts in Support of Finding

1. The subject property is located within the Coastal Zone and conforms to the Coastal Land Use Plan designation for two-unit residential, however it is not subject to public access requirements.

Finding

- L. That public improvements will be required of the Applicant per the Municipal Code and the Subdivision Map Act.*

Facts in Support of Finding

1. The project has been conditioned to require public improvements including reconstructing existing broken or otherwise damaged sidewalks, curbs, and gutters; and the planting of a tree.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Parcel Map No. NP2012-006 (PA2012-061), subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. This action shall become final and effective ten days after adoption of this Resolution unless within such time an appeal is filed with the Director of Community Development in accordance with the provisions of Title 19 Subdivisions, of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 25TH DAY OF JULY, 2012.

By:



Brenda Wisneski, AICP, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

1. A parcel map shall be recorded. The Map shall be prepared on the California coordinate system (NAD88). Prior to recordation of the Map, the surveyor/engineer preparing the Map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.**
2. Prior to recordation of the parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set On Each Lot Corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.
3. All improvements shall be constructed as required by Ordinance and the Public Works Department.
4. Prior to recordation of the parcel map an in-lieu park dedication and affordable housing fee shall be paid for the additional residential unit.
5. All existing overhead utilities shall be undergrounded in accordance with Section 19.28.090 of the Municipal Code.
6. All above ground improvements shall stay at a minimum 5-foot clear of the alley setback.
7. Each unit shall be served by its individual water meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover. Water meter and the sewer cleanout shall be located within the Public right-of-way.
8. An encroachment permit is required for all work activities within the public right-of-way.
9. All on-site drainage shall comply with the latest City Water Quality requirements.
10. A Public Works Department encroachment permit inspection is required before the Building Division permit final can be issued. At the time of Public Works Department inspection, if any of the existing public improvements surrounding the site is damaged, new concrete sidewalk, curb and gutter, and alley/street pavement will be required and

100% paid by the owner. Said determination and the extent of the repair work shall be made at the discretion of the Public Works Inspector.

11. Each dwelling unit shall be served with individual gas and electrical service connection and shall maintain separate meters for the utilities.
12. Disruption caused by construction work along roadways and by movement of construction vehicles shall be minimized by proper use of traffic control equipment and flagmen. Traffic control and transportation of equipment and materials shall be conducted in accordance with state and local requirements.
13. Fire sprinkler system is required per California Fire Code Section 903.2.8.
14. Smoke alarms shall be installed on the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms. In each room used for sleeping purposes and in each story within a dwelling unit.
15. In compliance with the requirements of Chapter 9.04, Section 901.4.4, of the Newport Beach Municipal Code, approved street numbers or addresses shall be placed on all new and existing buildings in such a location that is plainly visible and legible from the street or road fronting the subject property. Said numbers shall be of non-combustible materials, shall contrast with the background, and shall be either internally or externally illuminated to be visible at night. Numbers shall be no less than four inches in height with a one-inch wide stroke. The Planning Division Plan Check designee shall verify the installation of the approved street number or addresses during the plan check process for the new or remodeled structure.
16. Subsequent to recordation of the Parcel Map, the applicant shall apply for a building permit for description change of the subject project development from "duplex" to "condominium." **The development will not be condominiums until this permit is finalized.** The building permit for the new construction shall not be finalized until after recordation of the Parcel Map.
17. 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 408 East Balboa Boulevard Parcel Map including, but not limited to, the PA2012-061. 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.

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

RESOLUTION NO. ZA2012-029

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING LOT LINE ADJUSTMENT NO. LA2012-003 TO ADJUST THE BOUNDARIES OF PARCELS LOCATED AT 601 and 701 NEWPORT CENTER DRIVE (PA2012-075)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Stantec Consulting Services, Inc., representing the Irvine Company, with respect to properties located at 601 and 701 Newport Center Drive, and legally described as Parcel 5 of Parcel Map No. 86-399 and Parcel 1 of Parcel Map 67/2-3, respectively, requesting approval of a lot line adjustment.
2. The applicant proposes a lot line adjustment to allow the construction of an addition to the existing Neiman Marcus Department Store. The proposed lot line adjustment will move the interior lot lines to encompass area that lies between the existing buildings. Existing parking drive aisles or traffic circulation within the Fashion Island Regional Shopping Center will not be impacted. The lot line adjustment increases the area of the existing 1.568 acre, 601 Newport Center Drive parcel (Neiman Marcus Department Store) by 0.158 acres to 1.726 acres. The area of the existing 701 Newport Center Drive parcel (Bloomingdales Department Store) is 2.658 acres and the proposed lot line adjustment would decrease the size to 2.5 acres.
3. The subject property is located within the CR (Regional Commercial) Zoning District and the General Plan Land Use Element category is CR (Regional Commercial).
4. The subject property is not located within the coastal zone.
5. A public hearing was held on July 25, 2012 in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This Lot Line Adjustment has been determined to be categorically exempt under the requirements of the California Environmental Quality Act under Class 5 (Minor Alterations in Land Use Limitations). The project consists of minor alteration in land use limitations in areas with an average slope of less than 20 percent which does not result in any changes in land use or density. The Lot Line Adjustment will not result in the creation of a new parcel.

SECTION 3. REQUIRED FINDINGS.

Lot Line Adjustment

In accordance with Section 19.76.020.I of the Newport Beach Municipal Code, the following findings and facts in support of the findings for a lot line adjustment are set forth:

Finding

- A. *Approval of the lot line adjustment will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City, and further that the proposed lot line adjustment is consistent with the legislative intent of Title 19.*

Facts in Support of Finding

1. The proposal is consistent with the General Plan since the lots are for regional commercial retail and service uses, which are permitted uses in this area.
2. The adjusted lot lines of the subject parcels will not result in a development pattern which is inconsistent with the surrounding neighborhood.
3. Public improvements will be required of the Applicant per the Municipal Code and the Subdivision Map Act.
4. The proposed lot line adjustment is consistent with the purpose identified by Title 19. The subdivision is consistent with the General Plan, does not affect open space areas in the City, does not negatively impact surrounding land owners, lot purchasers, or residents, provides for orderly controlled growth within the City, provides adequate traffic circulation and utilities, will not negatively affect property values.

Finding

- B. *The number of parcels resulting from the lot line adjustment remains the same as before the lot line adjustment.*

Facts in Support of Finding

1. The project site described in the proposal consists of legal building sites including Parcel 5 of Parcel Map No. 86-399 and Parcel 1 of Parcel Map 67/2-3. The proposed lot line adjustment will move the interior lot lines between two legal lots.
2. The 0.158 acres taken from Parcel 5 of Parcel Map No. 86-399 will be added to Parcel 1 of Parcel Map 67/2-3 and no additional parcels will result from the lot line adjustment.

Finding

- C. *The lot line adjustment is consistent with applicable zoning regulations except that nothing herein shall prohibit the approval of a lot line adjustment as long as none of the resultant parcels is more nonconforming as to width, depth, and area than the parcels that existing prior to the lot line adjustment.*

Facts in Support of Finding

1. The proposed lot widths and lot sizes are consistent with the zoning requirements of Title 20 of the Newport Beach Municipal Code.
2. The parcels proposed to be created by the lot line adjustment comply with all applicable zoning regulations and there will be no change in allowed land uses, density, or intensity on the properties.
3. The existing and proposed development on the parcels will comply with the Zoning Code development standards.

Finding

- D. *Neither the lots as adjusted nor adjoining parcels will be deprived of legal access as a result of the lot line adjustment.*

Facts in Support of Finding

1. Adequate access to all of the reconfigured parcels is provided within the Fashion Island Regional Shopping Center.
2. That the design of the development will not conflict with any easements acquired by the public at large for access through or use of property within the proposed development.

Finding

- E. *That the final configuration of the parcels involved will not result in the loss of direct vehicular access from an adjacent alley for any of the parcels that are included in the lot line adjustment.*

Facts in Support of Finding

1. The final configuration of the parcels involved will not result in the loss of direct vehicular access from any street for any parcels included in the lot line adjustment. There are no alleys located within or near the subject parcels.

Finding

- F. *That the final configuration of a reoriented lot does not result in any reduction of the street side setbacks as currently exist adjacent to a front yard of any adjacent key, unless such reduction is accomplished through a zone change to establish appropriate street side setbacks for the reoriented lot. The Planning Commission and City Council in approving the zone change application shall determine that the street side setbacks are appropriate, and are consistent and compatible with the surrounding pattern of development and existing adjacent setbacks.*

Facts in Support of Finding

1. The final configuration of the parcels does not result in a requirement for revised setbacks since the lots are not proposed to be reoriented. The setbacks shall continue to apply to the realigned parcels per the Zoning Code development regulations in the same way that they did to the previous parcel configuration; therefore the lot line adjustment does not result in the reduction of any existing street side setbacks.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Lot Line Adjustment No. LA2012-003 subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. This action shall become final and effective ten (10) days after the adoption of this Resolution unless within such time an appeal is filed with the Director of Community Development in accordance with the provisions of Title 19 Subdivision Code, of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 25th DAY OF JULY, 2012.

By:



Brenda Wisneski, AICP, Zoning Administrator

EXHIBIT "A"

PROCEDURAL REQUIREMENTS

1. *Lot Line Adjustment No. LA2012-003 shall expire unless exercised within 24 months from the date of approval as specified in Section 20.54.060 of the Newport Beach Municipal Code, unless an extension is otherwise granted.*
2. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
3. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Use Permit.
4. 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 current business owner, property owner or the leasing agent.
5. Property corners shall be monumented by a licensed Land Surveyor or registered Civil Engineer authorized to perform surveying by the State Board of Civil Engineers and Land Surveyors (Pre-1982 with numbers prior to 33,966). Surveyor or Civil Engineer to submit a "Corner Record" or "Record of Survey" to the County Surveyor.
6. All applicable Public Works Department plan check fees shall be paid prior to review of the lot line adjustment and grant deeds.
7. Prior to recordation of the lot line adjustment, grant deeds indicating the changes in titles of ownership should be submitted to the Public Works Department for review and approval.
8. The lot line adjustment and grant deeds reviewed and approved by the Public Works Department should be filed concurrently with the County Recorder and County Assessor's Offices.
9. No building permits may be issued until the appeal period has expired, unless otherwise approved by the Planning Division.
10. All improvements shall be constructed as required by Ordinance and the Public Works Department.
11. 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 601-701 Newport Center LLA including, but not limited to, Lot Line Adjustment No. LA2012-003 (PA2012-075). 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.



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: Staff Approval No. SA2012-007 (PA2012-030)

APPLICANT: Carlile Coatsworth Architects

LOCATION: 2300 University Drive

LEGAL DESCRIPTION Parcel Map Book 3, Page 35, Parcel 1

On July 25, 2012, the Community Development Director determined that the proposed installation of a portable building is in substantial conformance with previous approvals and Staff Approval No. SA2012-007. This approval is based on the findings and subject to the conditions included in this letter.

PROJECT SUMMARY

The applicant proposes the addition of a 950-square-foot re-locatable/portable building at the existing YMCA facility. The building will be used to expand existing uses and activity areas currently being utilized on the property, including a child care facility, a fitness room, and administrative offices.

ZONING DISTRICT/GENERAL PLAN

- **Zone:** PF (Public Facilities)
- **General Plan:** PF (Public Facilities)

I. BACKGROUND

The property is located within the PF (Public Facilities) Zoning District which permits Assembly/Meeting Facilities subject to a minor use permit. Use Permit No. UP1128, originally approved by the Planning Commission on October 6, 1966, established the use of the property as an Assembly/Meeting Facility and allowed a 32,500-square-foot building.

On April 16, 1968, the Planning Commission approved Use Permit No. UP1360 to allow the construction of a fenced swimming pool and diving pool.

On February 9, 1978, the Planning Commission approved an amendment to Use Permit No. UP1128 to cover the existing swimming pool with an air supported structure 24 feet in height and to change the allowed height of parking lot lighting fixtures to 18 feet whereas the original approval limited said height to 4 feet.

On May 5, 1983, the Planning Commission approved an amendment to Use Permit No. UP1128 to construct a 45,000-square-foot addition that includes youth and family fitness facilities, a gymnastics center, a child care center, offices, a community meeting center, and an illuminated rooftop jogging/exercise area.

On July 1, 2011, the Community Development Director determined a proposed 745-square-foot addition to the fitness area (310 square feet of storage and 435 square feet of exercise area) was in substantial conformance with the entitlements for the property.

The existing development consists of 14,852 square feet which is less than the allowed floor area approved by Use Permit No. UP1128 and subsequent amendments and approvals. The development currently maintains the required 20-foot front setback, 10-foot rear setback, and 4-foot side setbacks. The operation of the YMCA Facility includes uses such as fitness facilities, ancillary child care facilities, and administrative offices for the project.

II. PROPOSED CHANGES

The addition of a 950-square-foot building for use of (1) a child care facility, (2) a fitness room, and (3) administrative offices which will be located on a portion of a play yard. The proposed addition will not encroach into any required setback areas and is within the floor area ratio limits established by past discretionary approvals and the Zoning Code.

III. FINDINGS

Pursuant to Section 20.54.070, the Community Development Director may authorize minor changes to an approved site plan, architecture, or the nature of the approved use, without a public hearing, and waive the requirement for a new use permit application. This staff approval is based on the following findings and facts in support of the findings. In this case, the Director determined the proposed changes:

Finding:

A. Are consistent with all applicable provisions of this Zoning Code.

Facts in Support of Finding:

1. The PF (Public Facilities) Zoning District is intended to provide for areas appropriate for public facilities, including community centers, cultural institutions, government facilities, libraries, public hospitals, public utilities, and public schools.

Assembly/Meeting Facilities are allowed subject to a Minor Use Permit. The subject facility was established by Use Permit No. UP1128.

2. The proposed change does not impinge on required setbacks nor does it exceed the maximum floor area ratio authorized for the property by prior approvals.

Finding:

- B. Do not involve a feature of the project that was a basis for or subject of findings or exemptions in a negative declaration or Environmental Impact Report for the project.*

Facts in Support of Finding:

1. The proposed portable building does not change the use authorized by Use Permit No. UP1128 for which the findings were made.

Finding:

- C. Do not involve a feature of the project that was specifically addressed or was the subject of a condition(s) of approval for the project or that was a specific consideration by the applicable review authority in the project approval.*

Facts in Support of Finding:

1. The proposed portable building does not change the use authorized by Use Permit No. UP1128 and is consistent with all conditions of approval.

Finding:

- D. Do not result in an expansion or change in operational characteristics of the use.*

Facts in Support of Finding:

1. The minor addition of the portable building will not surpass the entitled floor area for the property as the previous use permit amendments allowed a much larger, 51,000-square-foot facility.
2. The proposed portable building will be located in an area similar to that approved by Use Permit No. UP3492 to allow establishment of a private elementary school.
3. The proposed portable building will be used for activities currently conducted on site and typical of a YMCA Facility.

- E. This project has been determined to be categorically exempt under the requirements of the California Environmental Quality Act under Class 1 (Existing Facilities).*

1. This class exempts projects in which the addition to an existing structure is less than 2,500 square feet.

IV. DETERMINATION

The Community Development Director has determined that this request is in substantial conformance with the entitlements granted by Use Permit No. UP1128 and is not a change and/or expansion of use. All findings and conditions of said use permit will remain in effect. A building permit will be obtained for the new structure and updated plans to reflect the changes will be retained in the use permit file.

V. CONDITIONS OF APPROVAL

1. The development authorized by this staff approval shall be in substantial conformance with the approved project plans.
2. All previous conditions of approval of Use Permit 1128 and its amendments shall remain in force.
3. A building permit shall be obtained prior to commencement of the construction.
4. The use of the building shall be limited to those typically associated with a YMCA and consistent with Use Permit No. UP1128 such as (1) a child care facility; (2) a fitness room; and (3) administrative offices.
5. Prior to issuance of building permits, Fair Share fees shall be paid consistent with the fee amount in effect at the time of payment.
6. A copy of this approval letter shall be incorporated into both the Building Division and field sets of plans prior to issuance of the building permits.
7. 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 YMCA Staff Approval including, but not limited to, Staff Approval No. SA2012-007 (PA2012-030). 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: 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. For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

On behalf of Kimberly Brandt, AICP, Community Development Director

By:



Benjamin M. Zdeba
Assistant Planner

GR/bmz

Attachments: CD 1 Vicinity Map
CD 2 Use Permit No. UP1128
CD 3 Use Permit No. UP1128 (A)
CD 4 Project Plans

Attachment No. CD 1

Vicinity Map

VICINITY MAP



Staff Approval No. SA2012-007
PA2012-030

2300 University Drive

Attachment No. CD 2

Use Permit No. UP1128

IF APPROVED, NOT EFFECTIVE
UNTIL 15 DAYS AFTER DATE

R-211 (Irvine)
USE PERMIT APPLICATION
Ord. No. 635
CITY OF NEWPORT BEACH
FILING FEE \$30.00

NO. 1128
DATE 4-15-1965

INSTRUCTIONS: (Read Carefully.) The applicant or his legal representative must be present at all public hearings. Fill out this application completely. It must be accompanied by five copies of a plot plan to scale, and with correct dimensions, showing in detail all boundaries, existing buildings, proposed alterations and additions. The applicant must sign conditions of Use Permit, if any, within thirty days after approval. Application shall be revoked if not used within eighteen months from date of approval.

1. 2300 University Dr
ORANGE COAST Y.M.C.A. 2630 Avon Street, Newport Beach 92660
Applicant Address
2. LOT 151 BLOCK 5 SECTION Irvine Sub TRACT 706 ZONE "U"
3. DATE OF HEARING May 6, 1965 TIME 8:00 A.M. P.M.
4. Application is hereby made for a Use Permit from Section 9103.81(a) to permit: _____

CONSTRUCTION OF A Y.M.C.A. BUILDING

*The Irvine Co. by
Raymond L. Watson*

There are 5 sheets attached to and made a part of this application. I hereby certify that the foregoing statements, maps, drawings, plans and specifications attached hereto are true and correct. If approved this Use Permit will not adversely affect persons residing or working in the neighborhood. I further consent to any permit issued in reliance thereon being null and void in the event they are not true and correct.

Earl C. Collins (Orange Coast Y.M.C.A.) 1918 Irvine Ave., Newport Beach 548-7274
Signature of Owner or Applicant Home Address Phone

FOR DEPARTMENTAL USE ONLY PLANNING COMMISSION ACTION
In accord with Section _____ a Use Permit is hereby _____ the above applicant subject to requirements of all governmental agencies having jurisdiction and subject to the following:
LEE JONES

The undersigned hereby agrees to all the above conditions.

Conley M. Davis
Signature of Grantee Executive Director

FINDINGS OF PLANNING COMMISSION: Upon a review of the evidence on file and testimony presented at the meeting the Commission found and determined that, under the circumstances of the particular case, a Y.M.C.A. building at this location would not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood and, therefore, recommended approval, subject to the conditions attached hereto and made a part hereof.

~~REMOVED~~
APPROVED - By City Planning Commission
on the 20 day of May 1965

Ray Y. Copefin
Ray Y. Copefin, Secretary
Newport Beach City Planning Commission

*Amended by P.C. 7-7-1966
see minutes of meeting attached.*

DENIED -
APPROVED - By the City Council on the
day of _____ 19____

Use Permit # 1128
Margery Schrouder, City Clerk
Newport Beach, California

*Plans approved by P.C.
Oct 6, 1966*

CONDITIONS - USE PERMIT NO. 1128

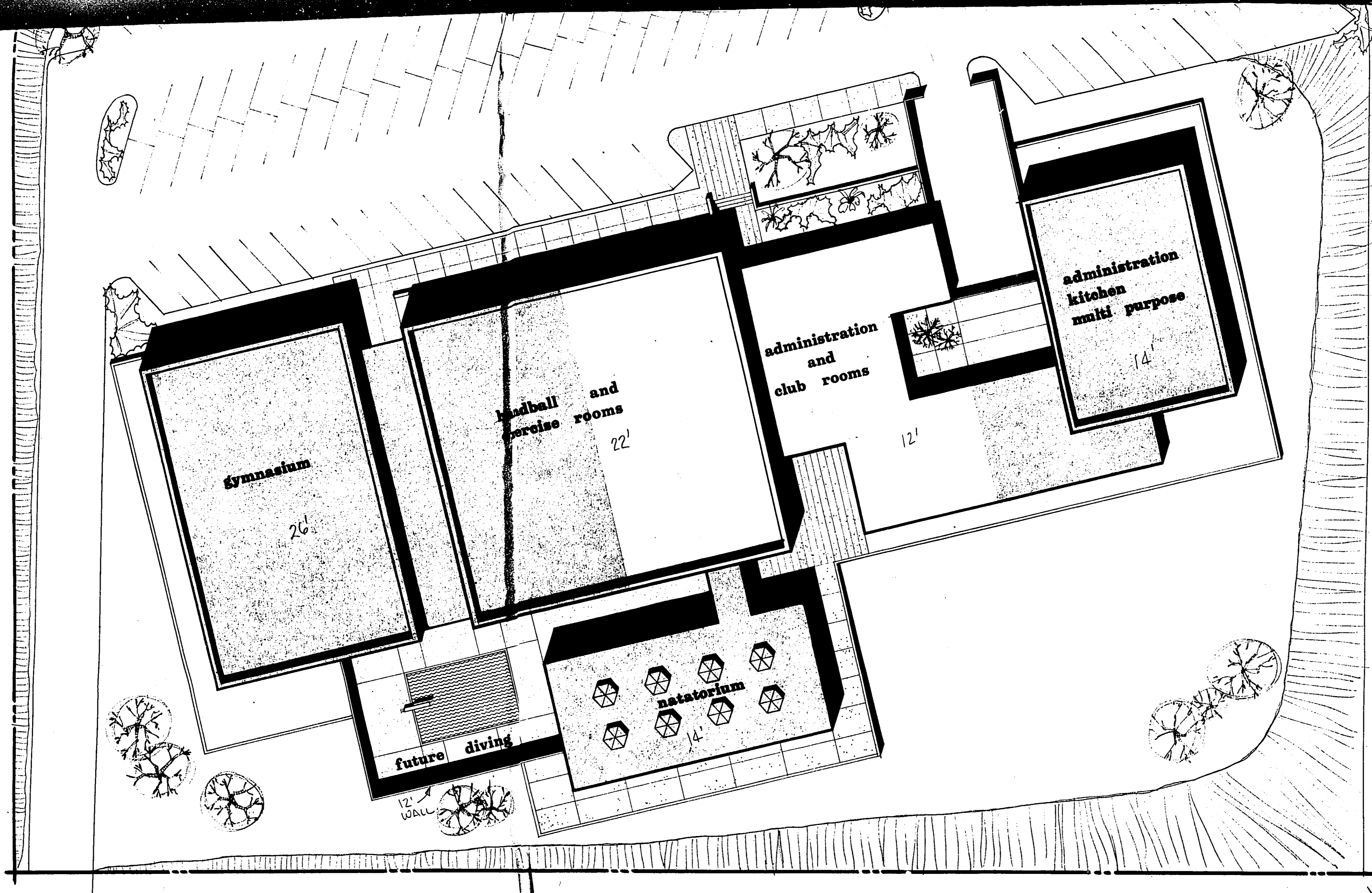
ORANGE COAST Y.M.C.A.

1. That layout be in accordance with plot plan submitted.
2. That there be no outdoor game courts or activities of a noisy nature without first obtaining a use permit.
3. That the parking lot adjoining the Anniversary Lane tract have a 5' retaining wall and that screen planting be incorporated as a sound barrier.
4. That parking lot lights be 4' or less in height and so directed that they will not disturb the adjoining residential areas.
5. That a masonry wall 4' in height, to meet the standards of the Public Works Department, be erected between the adjoining alley to the northwest and that appropriate landscaping be provided on both sides with maintenance to be provided by the Y.M.C.A.
6. That the entrance to the parking lot be adjoining the side alley.
7. The driveway to the east must be designed to adequately handle anticipated volume of traffic.
8. The building plans must be submitted to the Planning Commission, without charge, prior to issuance of a building permit.
9. A resubdivision map must be submitted to the Planning Commission.

The Commission considered a request from Conley M. Davies, Executive Director, Orange Coast Y.M.C.A. dated June 27, 1966 for clarification of and amendment to Use Permit No. 1128.

After discussion, Condition No. 3 which states "that the parking lot adjoining the Anniversary Lane tract have a 5' retaining wall and that screen planting be incorporated as a sound barrier" was amended by the deletion of the word "retaining"

Condition No. 5, stating "that a masonry wall 4' in height, to meet the standards of the Public Works Department, be erected between the adjoining alley to the northwest and that appropriate landscaping be provided on both sides with maintenance to be provided by the Y.M.C.A." was amended to permit "a 4' screen wall on top of the bank to within 20' of University Drive".



legend

1st increment

future



Use Permit # 1128
Pg. 1 of 6

ORANGE COAST Y. M. C. A.

AP ARCHITECTURE / PLANNING
 ELLEBROEL / KOTELES / FOX AND ASSOCIATES
 320 W. COAST HWY. NEWPORT BEACH CALIF. 946-0806

EXHIBIT "A"
 APPROVED BY PLANNING
 COMMISSION BY AMENDMENT
 TO U.P. 1128, JULY 7, 1966.
[Signature]
 Planning Associates
 7/12/66

Attachment No. CD 3

Use Permit No. UP1128 (A)

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Traffic Study (Continued Public Hearing)

Request to consider a Traffic Study in conjunction with a 45,000 sq. ft. addition to the YMCA facility.

AND

Use Permit No. 1128 (Amended) (Continued Public Hearing)

Request to amend a previously approved use permit that permitted the establishment of a YMCA facility in the R-1 District. The proposed amendment is a request to construct a 45,000 ± sq. ft. addition that includes youth and family fitness facilities, a gymnastics center, a child care center, offices, a community meeting center and an illuminated roof top jogging/exercise area. The proposal also includes a modification to the Zoning Code so as to allow a portion of the proposed building, an enclosed trash area, and a 6 foot wall to encroach into the required 20 foot front yard setback, a portion of the required parking spaces to be compact spaces, and to allow a wall mounted identification sign in excess of 2 sq. ft.; and the acceptance of an environmental document.

AND

Variance No. 1098 (Continued Public Hearing)

Request to allow a portion of the proposed addition to the Orange Coast YMCA to exceed the maximum allowable height in the 24/28 Foot Height Limitation District.

LOCATION: Parcel No. 1 of Parcel Map No. 3-35 (Resubdivision No. 215) located at 2300 University Drive, on the northerly side of University Drive, easterly of Tustin Avenue in the West Bay area.

ZONE: R-1

APPLICANT: Orange Coast YMCA, Newport Beach

OWNER: Same as applicant

Items No.
5, 6 & 7

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Agenda Items No. 5, 6 and 7 were heard concurrently, due to their relationship.

The public hearing opened in connection with these items and Mr. James de Boom, Executive Director for the Orange Coast YMCA, and resident of Newport Beach, appeared before the Commission. Mr. de Boom stated that the YMCA held an open house on April 30, 1983, to demonstrate the height of the proposed structure to all interested parties. He stated that one neighbor, one Planning Commissioner and several of the YMCA staff members attended the demonstration. He then submitted to the Planning Commission the invitations which were circulated to the surrounding neighborhood and a subsequent letter which was circulated which advised that the height of the proposed building would be reduced. He also submitted a petition containing approximately 93 signatures in support of the YMCA request and a petition containing 4 signatures opposed to the YMCA request.

Mr. de Boom delivered a slide presentation which depicted the existing facility and demonstrated with balloons, the reduced height of the proposed structure in relationship to adjacent properties, including Ms. Brown's residence, the Four Fours Condominium site, and Mesa Drive.

Mr. de Boom stated that they are now proposing to lower the height of the proposed structure by dropping the structure into the ground by approximately 30 inches which will cost approximately \$20,000.00. He stated that in order to lower the structure 49 inches into the ground, the cost would be approximately \$109,500.00. He stated that it would not be feasible to lower the structure 49 inches into the ground because extensive excavation and hauling of earth would be required, it would be located below the water line, water-proofing would be necessary, additional drainage, catch basin systems and additional handicapped ramping would have to be installed.

Mr. de Boom stated that the staff report indicates the revised heights in relationship to the originally requested heights. He stated that the proposed gymnasium parapet has been reduced to 28 feet and the roof has been reduced to 28 feet 10 inches. He stated that the corner extension has been reduced from 39 feet to 34 feet 10 inches.

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Mr. de Boom stated that the proposed heights are necessary in order to have a gymnasium facility that is usable for basketball and volleyball competition. He stated that the requested gymnasium height does not set a precedent for office buildings in the area.

In response to a question posed by Commissioner McLaughlin, Mr. de Boom stated that the revised roof height of 28 feet 10 inches, includes lowering the structure into the ground by approximately 30 inches. He stated that if the structure were to be lowered more than 30 inches, water-proofing of the gymnasium floor would continuously be a problem.

Commissioner McLaughlin asked why the corner extensions are essential to the design of the facility. Mr. de Boom stated that the corner extensions are necessary in order to break up the design of the flat roof for the running track.

Mr. Roy Knutson, resident of 2504 University Drive and an officer of the Four Fours Condominium Association, appeared before the Commission. Mr. Knutson expressed his concern with the traffic impacts which will be generated by the proposed expansion. He questioned the assumptions of the Traffic Study in general, and those relating to the intersection of Irvine Avenue and Santiago Drive. He further questioned the right turn lane solution on University Drive and stated that the traffic on University Drive will adversely impact the surrounding residential uses.

In response to a question posed by Mr. Knutson, Mr. Donald Webb, City Engineer, stated that the adjacent office condominium was included in the traffic counts and the ICU calculations of the Traffic Study.

Commissioner Goff asked Mr. Webb to comment on the assumptions for the intersection of Irvine Avenue and Santiago Drive/22nd Street. Mr. Webb stated that the assumptions do constitute a fine line, but that the analysis was performed under the same rules as apply to other developments.

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Ms. Cynthia Brown, resident of 2275 Golden Circle, located directly behind the YMCA, appeared before the Commission. Ms. Brown stated that she attended the open house and that the YMCA has responded to her concerns. However, she stated that the proposed expansion will adversely affect her residence and the value of her property. She stated that she has experienced security problems with her property and stated that she concurs with the proposed landscape plan for the back wall on her property. She suggested that the landscaping be heavy enough to prevent persons from gaining access to her property. She urged that the YMCA parking lot be required to be secured by a gate during non-business hours. She further expressed her concern with the height and the mass of the proposed facility.

In response to a question posed by Commissioner Winburn, Ms. Brown stated that her property is currently, sparsely landscaped on the back wall. Ms. Brown stated that the proposed landscaping plan should be able to give her privacy, yet be able to filter light through to her property.

Ms. Kay Weist, resident of 2499 Anniversary Lane, appeared before the Commission and stated that the YMCA provides a needed service for the entire community. She stated that the current YMCA facility needs expansion for their programs. She further stated that the traffic problems have expanded in all areas of the City, not just in the area of the YMCA.

Planning Director Hewicker referred to the Traffic Study and explained the sensitivity of the trip generation and the assignment of traffic to the intersection of Irvine Avenue and Santiago Drive. He stated that there are three separate tests which each intersection goes through in a Traffic Study. He stated that in this particular Traffic Study, it was determined that it passed the first test.

Mrs. Batham, resident of 20451 Upper Bay Drive, appeared before the Commission. Mrs. Batham expressed her concern with the height of the proposed facility and the proposed skylights. She referred to the mitigation measures and stated that when modifications are being considered for the proposed facility, the

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public should be notified of same. She further stated that the State of California requires that any counseling facility be sound attenuated to a level of 45 dba.

Ms. Ada Taylor, resident of 2514 University Drive, stated that she is in favor of the YMCA as an organization. However, she expressed her concern with the traffic impacts of the proposed expansion and the aesthetics of the project. She stated that the landscaping of the current facility needs improvement. She asked how the new conditions of approval relating to the landscaping plan will be enforced.

In response to a question posed by Ms. Taylor, Planning Director Hewicker discussed how landscaping conditions of approval are enforced by the City. He stated that a complaint or a violation can be reported to the City's Code Enforcement Officer which will follow up on the complaint.

Ms. Beverly Mullen, resident of 2031 Mesa Drive in Santa Ana Heights, stated that she is in favor of the YMCA, however, she is opposed to the proposed requests. She stated that the proposal is situated in the unique, ecologically sensitive Upper Bay area. She stated that the proposed signs would be offensive to the Upper Bay environment. She further expressed her concern with the excessive height of the proposed building and stated that it will be detrimental to the surrounding neighborhood. She stated that the structure should not be allowed to exceed the 28 foot height limit.

Mr. Dave Lorenzini, the architect for the project, stated that 97% of the perimeter of the parapet wall will be established at 28 feet in height above the grade. He stated that the corner extensions and railings will be approximately 7 feet above the parapet.

In response to a question posed by Commissioner Balalis, Ms. Mullen stated that she is opposed to the structure exceeding the 28 foot height limit. She stated that the corner extensions and open railings will be at a height of 35 feet, which is objectionable for a residential area. She stated that the running track should not be located on the proposed gymnasium.

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Ms. Marquerite Butler, resident of the Four Fours Condominium Association, stated that she is in favor of the proposed expansion of the YMCA facility. She expressed her concern with the height of the parapet, however, she stated that the YMCA has tried to conform to the concerns expressed by the residents.

Mr. Eli Elman, resident of Balboa Boulevard and President of the Y-Knots, a YMCA organization, appeared before the Commission. Mr. Elman stated that the residents of the City will be utilizing the expanded YMCA facility. He stated that the adjacent office condominium will generate three times the traffic than that of the YMCA facility. He stated that the YMCA facility will not generate a large volume of traffic during the peak traffic hours. He stated that the proposed expansion will enhance the community and not be detrimental to the community.

Mr. Michael Ashe, resident of 106 Via Xanthe and Chairman of the Board for the Orange Coast YMCA, appeared before the Commission. Mr. Ashe stated that the YMCA has worked hard to propose a viable project for the community. He stated that due to a lack of funds in 1965, the gymnasium could not be constructed at that time. He stated that the proposed height request is not unreasonable.

Mr. Sam Estonson, resident of 1770 West Balboa Boulevard, stated that the proposed expansion will allow him and his wife to utilize the facility at the same time during the evening hours, which will help to alleviate some of the traffic in the area.

Mr. Don Gilium, resident of 13272 Weymouth Court, expressed his concern with the future expansion of University Drive. Mr. Don Webb, City Engineer, stated that the length of the right turn lane will be approximately 100 feet in length at the maximum. He stated that the City's Local Coastal Plan does not provide for the extension of University Drive, however, the City's Circulation Element does provide for this. He stated that he can not say when, or if, this will happen. He also stated that he does not anticipate the widening of University Drive on the southerly side.

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Mr. David Tosh, resident of Corona del Mar, and the former Chairman of the Board for the Orange Coast YMCA, stated that he supports the proposed expansion for the YMCA facility.

Mrs. Patham reiterated that she is not opposed to the YMCA itself, but she is opposed to the proposed height of the facility. She stated that the City has stated that it will maintain a low profile on the bay and the beaches. She stated that the proposed lighting should be conditioned at four feet so as not to adversely affect the surrounding area.

Ms. Cynthia Brown reiterated that she is concerned with the height and the mass of the proposed structure. She suggested that the funds be raised in order to lower the structure further into the ground.

Mr. de Boom stated that the way in which the gymnasium has been designed, the corner extensions will not make the entire structure appear higher than the 28 feet. He referred to the landscape plan which also provides for the concerns expressed by Ms. Brown. He stated that they are also willing to increase the height of the block wall in the corner to 5 feet. He stated that the proposed expansion is needed in order to serve its members.

Mr. de Boom stated that they are in concurrence with Condition No. 29, which relates to the lighting system. He stated that parking lot lighting is necessary in order to ensure the safety and security of its members during the evening hours. He stated that the proposed signs are only 50 square feet in size which will be recessed into the wall and not illuminated. He reiterated that it would not be feasible to lower the structure further into the ground because water-proofing and the gymnasium floor would continuously be a problem.

Commissioner Winburn stated that many of the residents are opposed to the height of the corner extensions for the proposed gymnasium and asked why the running track is necessary, as proposed. Mr. David Harding, Associate Executive Director of the Orange Coast YMCA,

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explained that the organized jogging programs are geared towards persons who have undergone cardiac operations. He explained the importance that such programs must be monitored closely by members of the staff and held in a controlled environment. He stated that jogging around the existing dirt track or the gymnasium floor does not provide for a quality jogging program. Mr. de Boom stated that access to the running track will be controlled by electronic security cards.

In response to a question posed by Commissioner Balalis, Mr. Harding stated that the running track will be utilized by cardiac participants as well as other members of the YMCA interested in jogging fitness classes. Mr. Harding stated that the jogging fitness classes attract many participants, which is why the jogging track is necessary.

Commissioner Balalis asked if it would be feasible to construct the running track at ground level. Mr. de Boom stated that locating the running track around the pool would not be feasible with the amount of children utilizing the pool facilities.

Commissioner Balalis stated that if a cardiac participant were to experience problems, it would be difficult to transport the person to the lower level of the facility and to the hospital. Mr. Harding reiterated that a controlled environment is necessary in order for the staff to monitor the jogging participants, so that injuries are prevented.

Commissioner Balalis asked why the 7 foot high corner extensions are necessary, other than for architectural purposes. Mr. Harding stated that the corner extensions are necessary to prevent the runners from feeling as though they will run off of the rooftop. Commissioner Balalis asked if a minimum height of 42 inches would serve the same purpose. Mr. Harding stated that this may be acceptable, however, he stated that the height of the stairwell is at the height of the corner extensions which tie the building together.

Commissioner Goff asked if it would be feasible to locate the running track in an area of the site which is currently set aside for landscaping. Mr. Harding stated that most of the landscaped areas will include

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parking spaces and sidewalks. He stated that locating the running track in these areas would not provide for a controlled atmosphere. He stated that there is no contiguous, unobstructed area on the site in which the running track could be located. He stated that restriping the parking lot would not be feasible or resolve the problem.

Mr. de Boom stated that in order to make the project more viable, they would be willing to reduce the corner extensions to the height of the railing. Chairman King stated that Harbor View Hills overlooks the running track at The Sporting House and to his knowledge, there have been no complaints received from the adjacent residential uses regarding the running track.

In response to a question posed by Commissioner McLaughlin, Planning Director Hewicker stated that the open railing is illustrated on the plans as being an open pipe railing with horizontal members approximately one foot apart.

Planning Director Hewicker stated that the heights for the various zone classifications are generally determined by the types of uses which would normally be found in the zones. He stated that uses such as churches, governmental buildings and institutional uses are permitted in residential zones, subject to securing a use permit. He stated that there are no different regulations for greater height limits which apply to such uses. However, he stated that such uses are generally not designed as that of residential uses.

Planning Director Hewicker stated that the proposed 50 square foot signs are one-fourth of the size of a sign which would automatically be permitted in a commercial district.

Planning Director Hewicker stated that it has been demonstrated at this facility in the past, that parking lot lighting at 4 feet in height is not feasible. He stated that current parking lot lighting technology can provide higher lighting for security which would be more compatible with the surrounding residential uses.

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In response to a question posed by Commissioner Goff, Mr. Webb stated that reduction of the corner extensions to the height of the railing, reduces the height of the building from 35 feet to 31 feet 6 inches.

In response to a question posed by Commissioner McLaughlin, Planning Director Hewicker stated that the use permit has been conditioned so that there will be no illumination of the proposed signs.

Commissioner Kurlander asked if a 5 foot high wall would be required where the 4 foot high wall currently exists. Planning Director Hewicker stated that adding one foot to the existing wall could be a problem in matching the brick and mortar. He stated that in some instances, a wall becomes more unsightly when brick and mortar are added at a later date.

Commissioner Kurlander stated that a higher wall may be necessary for security purposes for the surrounding residential uses. Chairman King stated that an alternative would be to intensify the density of the landscaping at this particular location.

In response to a question posed by Commissioner Kurlander, Planning Director Hewicker stated that time limitations are not imposed upon Traffic Study approvals. He stated that the City's Traffic Phasing Ordinance procedures would have to be amended in order to do so. He stated that uses such as churches and institutions rely upon private donations for their construction, which makes it impractical to guarantee the time frame in which the project will be completed.

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Motion
All Ayes

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TRAFFIC STUDY

Motion was made for approval of the Traffic Study, subject to the following findings and condition, which MOTION CARRIED;

FINDINGS:

1. That a Traffic Study has been prepared which analyzes the impact of the proposed project on the circulation system in accordance with Chapter 15.40 of the Newport Beach Municipal Code and City Policy S-1.
2. That the Traffic Study indicates that the project-generated traffic will be greater than one percent of the existing traffic during the 2.5 hour peak period on any leg of the critical intersections, and will add to an unsatisfactory level of traffic service at critical intersection which will have an Intersection Capacity Utilization of greater than .90.
3. That the Traffic Studies suggest a circulation system improvement which will improve the level of traffic service to an acceptable level at all critical intersections.
4. That the proposed project, including circulation system improvements will neither cause nor make worse an unsatisfactory level of traffic service on any "major", "primary-modified" or "primary" street.

CONDITION:

1. That prior to the occupancy of the proposed project the circulation system improvements described in the Traffic Study dated April 1983 on Page 10 prepared by JEF Engineering, Inc., shall have been accomplished unless subsequent project approvals require modifications thereto. (The ultimate design of the intersection shall be subject to the approval of the City Traffic Engineer).

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Motion
All Ayes

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USE PERMIT NO. 1128 (AMENDED)

Motion was made for approval of Use Permit No. 1128 (Amended), subject to the following findings and conditions, with Condition No. 21 to be amended to reflect that the YMCA will intensify the landscaping adjacent to the Anniversary Lane Tract; and increase the wall and landscaping at the northwesterly corner of the site where the foot traffic is occurring which will preclude persons from gaining access at this location; Condition No. 34 be amended to include the wording, "permanent" amplified paging systems; Condition No. 36 be amended to reflect that the programs shall be modified by the YMCA in a manner approved by the Planning Department; and, an additional condition which would reflect that a gate be provided across the driveway to close off the parking lot during the non-business hours, which MOTION CARRIED:

FINDINGS:

1. That an Initial Study and Negative Declaration have been prepared in compliance with the California Environmental Quality Act, and that their contents have been considered in the decisions on this project.
2. That based on the information contained in the Negative Declaration, the project incorporates sufficient mitigation measures to reduce potentially significant environmental effects, and that the project will not result in significant environmental impacts.
3. The project will comply with all applicable City and State Building Codes and Zoning requirements for new building applicable to the district in which the proposed project is located, except those items requested in conjunction with the proposed modifications.
4. That the proposed use is consistent with the Land Use Element of the General Plan, and is compatible with surrounding land uses.

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5. The project lot size conforms to the Zoning Code area requirements.
6. The Police Department has indicated that it does not contemplate any problems.
7. Adequate off-street parking and related vehicular circulation are being provided in conjunction with the proposed development.
8. The proposed number of compact car spaces constitutes 19 percent of the parking requirements which is within limits generally considered acceptable by the City Traffic Engineer.
9. The approval of Use Permit No. 1128 (Amended) will not, under the circumstances of this case be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing and working in the neighborhood or be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the City.

CONDITIONS:

1. That development shall be in substantial conformance with the approved plot plan, floor plans, revised elevations and sections, except as noted below.
2. That all mechanical equipment and trash areas shall be screened from University Drive and adjoining properties.
3. That all improvements be constructed as required by Ordinance and the Public Works Department.
4. That vehicular access be provided to the existing storm drain easement access road located at the northeasterly corner of the parcel to the satisfaction of the Public Works Department.
5. That the on-site vehicular and pedestrian circulation systems be subject to further review by the Public Works Department.

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6. That the existing deteriorated drive apron and gutter on the University Drive frontage be replaced under an encroachment permit issued by the Public Works Department.
7. That prior to the issuance of a building permit, the applicant shall demonstrate to the satisfaction of the Planning Department and the Public Works Department, that sewer facilities will be available for the project at the time of occupancy.
8. That arrangements be made with the Public Works Department to guarantee satisfactory completion of the public improvements.
9. That a master plan of sewer, water and storm drain facilities be prepared and approved by the Public Works Department prior to issuance of any building permits.
10. Development of site shall be subject to a grading permit to be approved by the Building and Planning Departments.
11. That a grading plan, if required, shall include a complete plan for temporary and permanent drainage facilities, to minimize any potential impacts from silt, debris, and other water pollutants.
12. The grading permit shall include, if required, a description of haul routes, access points to the site, watering, and sweeping program designed to minimize impact of haul operations.
13. An erosion, siltation and dust control plan, if required, shall be submitted and be subject to the approval of the Building Department and a copy shall be forwarded to the California Regional Water Quality Control Board, Santa Ana Region.
14. The velocity of concentrated run-off from the project shall be evaluated and erosive velocities controlled as part of the project design.

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15. That grading shall be conducted in accordance with plans prepared by a Civil Engineer and based on recommendations of a soil engineer and an engineering geologist subsequent to the completion of a comprehensive soil and geologic investigation of the site. Permanent reproducible copies of the "Approved as Built" grading plans on standard size sheets shall be furnished to the Building Department.
16. That erosion control measures shall be done on any exposed slopes within thirty days after grading or as approved by the Grading Engineer.
17. A landscape and irrigation plan for the project shall be prepared by a licensed landscape architect. The landscape plan shall integrate and phase the installation of landscaping with the proposed construction schedule. (Prior to the occupancy of any structure, the licensed landscape architect shall certify to the Planning Department that the landscaping has been installed in accordance with the prepared plan).
18. The landscape plan shall be subject to the review of the Parks, Beaches and Recreation Department and approval of the Planning Department.
19. The landscape plan shall include a maintenance program which controls the use of fertilizers and pesticides.
20. The landscape plan shall place heavy emphasis on the use of drought-resistant native vegetation and be irrigated with a system designed to avoid surface runoff and over-watering.
21. The landscape plan shall place heavy emphasis on fire-retardant vegetation. The final landscape plan shall be designed so as to intensify the landscaping for screening purposes, adjacent to the Anniversary Lane Tract, and to increase the wall and landscaping at the northwesterly corner of the site where the foot traffic is occurring, so as to preclude persons from gaining access at this location.

Allen
Balais
Goff
King
Kurlander
McLaughlin
Winburn

City of Newport Beach

ROLL CALL

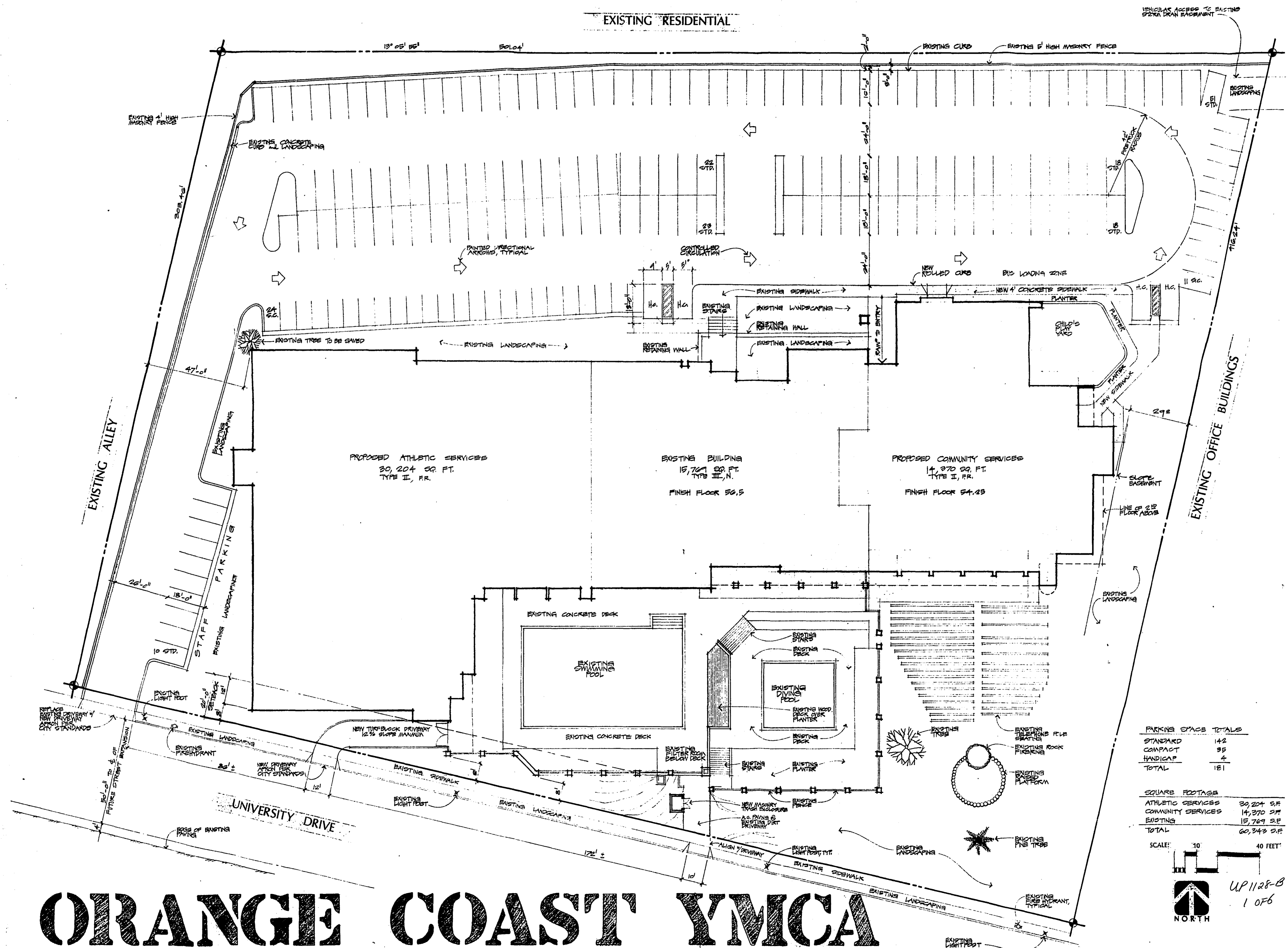
INDEX

- 22. Landscaping shall be regularly maintained free of weeds and debris. All vegetation shall be regularly trimmed and kept in a healthy condition.
- 23. That any roof top or other mechanical equipment shall be sound attenuated in such a manner as to achieve a maximum sound level of 55 Dba at the property line.
- 24. That any mechanical equipment and emergency power generators shall be screened from view and noise associated with said installations shall be sound attenuated to acceptable levels in receptor areas. The latter shall be based upon the recommendations of a qualified acoustical engineer, and be approved by the Planning Department.
- 25. That all buildings on the project site shall be equipped with fire suppression systems approved by the Fire Department.
- 26. That all access to the buildings be approved by the Fire Department.
- 27. That fire vehicle access, including the proposed planter islands, shall be approved by the Fire Department.
- 28. Final design of the project shall provide for the incorporation of water-saving devices for project lavatories and other water-using facilities.
- 29. That the lighting system within the structure and in the off-street parking lot shall be designed and maintained in such a manner as to conceal the light source and to minimize light spillage and glare to the adjacent residential uses. The plans shall be prepared and signed by a Licensed Electrical Engineer; with a letter from the Engineer stating that, in his opinion, this requirement has been met.
- 30. That the final design for the parking area be approved by the City Traffic Engineer.
- 31. That a minimum of 181 parking spaces be provided on-site at all times.

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McLaughlin
Winburn

City of Newport Beach

ROLL CALL		INDEX
	<p>32. That a maximum of 19% ± (35 spaces) of the parking on-site may be compact parking spaces.</p> <p>33. That no nighttime lighting shall be permitted on the running track/exercise area, except for pacing lights on the running track.</p> <p>34. That no permanent amplified paging systems shall be permitted in any outdoor area on the subject property.</p> <p>35. That the two proposed wall signs shall not be illuminated.</p> <p>36. It shall be the responsibility of the YMCA to monitor its programs for the proposed facility so as to not exceed the capacity of the proposed parking lot. If it is determined by the Planning Department that programs exceed the on-site parking spaces, they shall be modified by the YMCA in a manner approved by the Planning Department.</p> <p>37. That a gate shall be required across the driveway to close off the parking lot during the non-business hours.</p>	

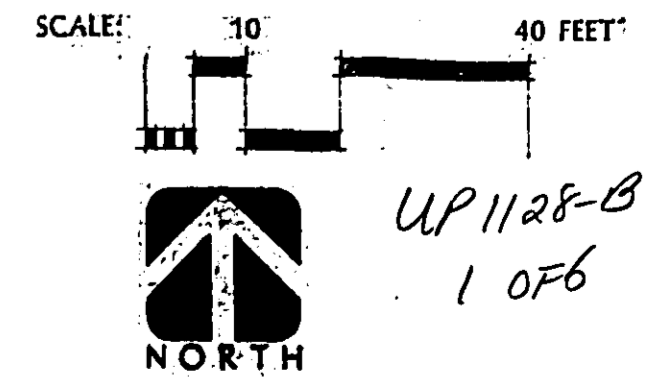


PARKING SPACE TOTALS

STANDARD	142
COMPACT	35
HANDICAP	4
TOTAL	181

SQUARE FOOTAGE

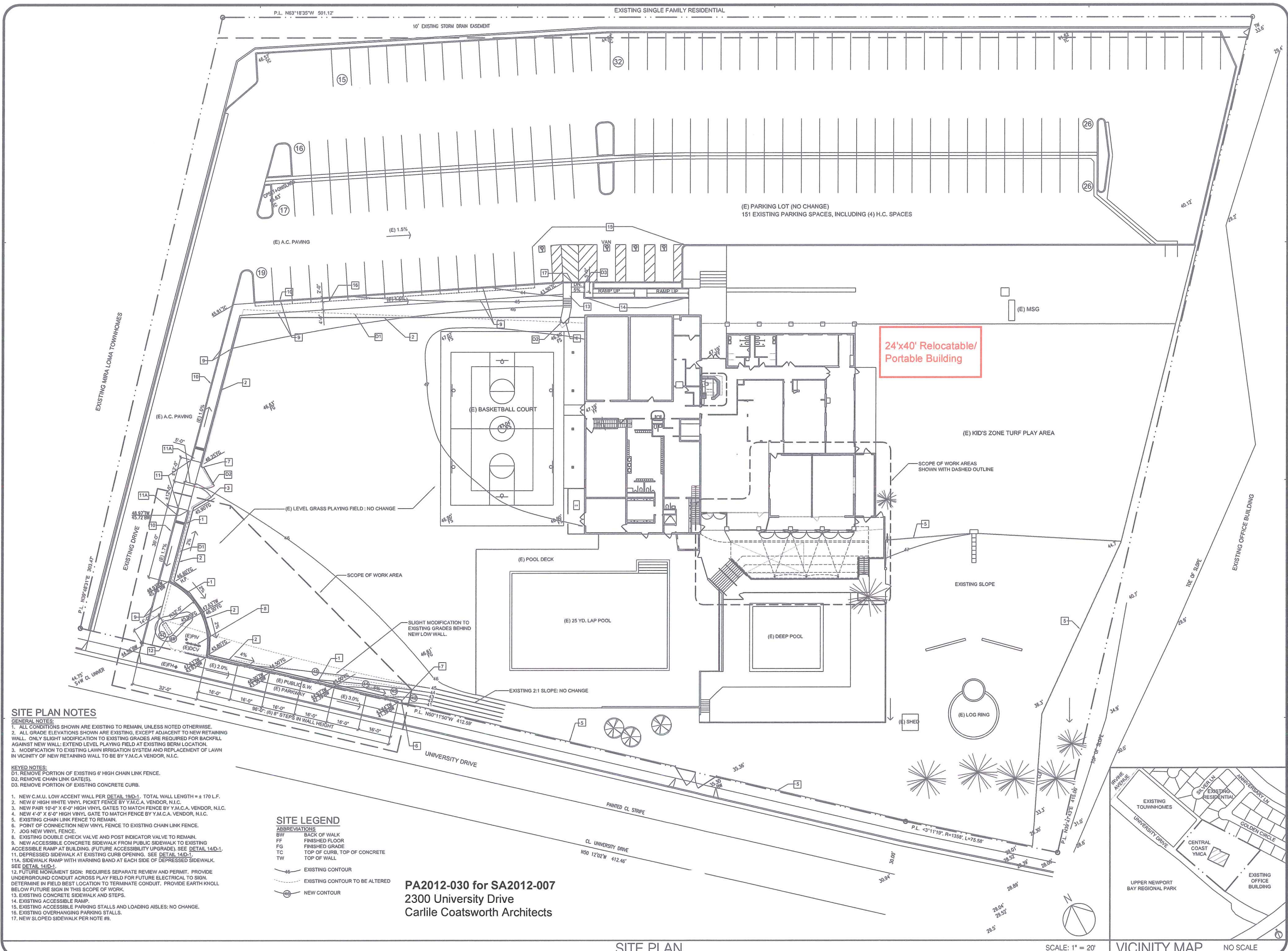
ATHLETIC SERVICES	30,204 S.F.
COMMUNITY SERVICES	14,370 S.F.
EXISTING	15,769 S.F.
TOTAL	60,343 S.F.



ORANGE COAST YMCA

Attachment No. CD 4

Project Plans



SITE PLAN NOTES

GENERAL NOTES:

- ALL CONDITIONS SHOWN ARE EXISTING TO REMAIN, UNLESS NOTED OTHERWISE.
- ALL GRADE ELEVATIONS SHOWN ARE EXISTING, EXCEPT ADJACENT TO NEW RETAINING WALL. ONLY SLIGHT MODIFICATION TO EXISTING GRADES ARE REQUIRED FOR BACKFILL AGAINST NEW WALL. EXISTING LEVEL PLAYING FIELD AT EXISTING BERM LOCATION.
- MODIFICATION TO EXISTING LAWN IRRIGATION SYSTEM AND REPLACEMENT OF LAWN IN VICINITY OF NEW RETAINING WALL TO BE BY Y.M.C.A. VENDOR, N.J.C.

KEYED NOTES:

- REMOVE PORTION OF EXISTING 6' HIGH CHAIN LINK FENCE.
- REMOVE CHAIN LINK GATE(S).
- REMOVE PORTION OF EXISTING CONCRETE CURB.

- NEW C.M.U. LOW ACCENT WALL PER DETAIL 14D-1. TOTAL WALL LENGTH = ± 170 L.F.
- NEW 6' HIGH WHITE VINYL PICKET FENCE BY Y.M.C.A. VENDOR, N.J.C.
- NEW PAIR 10'-0" X 6'-0" HIGH VINYL GATES TO MATCH FENCE BY Y.M.C.A. VENDOR, N.J.C.
- NEW 4'-0" X 6'-0" HIGH VINYL GATE TO MATCH FENCE BY Y.M.C.A. VENDOR, N.J.C.
- EXISTING CHAIN LINK FENCE TO REMAIN.
- POINT OF CONNECTION NEW VINYL FENCE TO EXISTING CHAIN LINK FENCE.
- NEW VINYL FENCE.
- EXISTING DOUBLE CHECK VALVE AND POST INDICATOR VALVE TO REMAIN.
- NEW ACCESSIBLE CONCRETE SIDEWALK FROM PUBLIC SIDEWALK TO EXISTING ACCESSIBLE RAMP AT BUILDING. FUTURE ACCESSIBILITY UPGRADE. SEE DETAIL 14D-1.
- DEPRESSED SIDEWALK AT EXISTING CURB OPENING. SEE DETAIL 14D-1.
- SIDEWALK RAMP WITH WARNING BAND AT EACH SIDE OF DEPRESSED SIDEWALK. SEE DETAIL 14D-1.
- FUTURE MONUMENT SIGN: REQUIRES SEPARATE REVIEW AND PERMIT. PROVIDE UNDERGROUND CONDUIT ACROSS PLAY FIELD FOR FUTURE ELECTRICAL TO SIGN. DETERMINE IN FIELD BEST LOCATION TO TERMINATE CONDUIT. PROVIDE EARTH KNOLL BELOW FUTURE SIGN IN THIS SCOPE OF WORK.
- EXISTING CONCRETE SIDEWALK AND STEPS.
- EXISTING ACCESSIBLE RAMP.
- EXISTING ACCESSIBLE PARKING STALLS AND LOADING AISLES: NO CHANGE.
- EXISTING OVERHANGING PARKING STALLS.
- NEW SLOPED SIDEWALK PER NOTE #9.

SITE LEGEND

ABBREVIATIONS

BW BACK OF WALK
 FF FINISHED FLOOR
 FG FINISHED GRADE
 TC TOP OF CURB, TOP OF CONCRETE
 TW TOP OF WALL

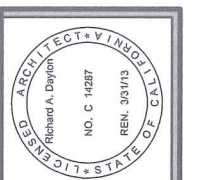
— 46 — EXISTING CONTOUR
 - - - - - EXISTING CONTOUR TO BE ALTERED
 ○ NEW CONTOUR

PA2012-030 for SA2012-007
 2300 University Drive
 Carlie Coatsworth Architects

SITE PLAN

SCALE: 1" = 20'

VICINITY MAP NO SCALE



DAYTON ASSOCIATES - ARCHITECTS

ARCHITECTURE
 PLANNING
 INTERIORS

2900 SILVER LANE
 NEWPORT BEACH, CA 92660
 (949) 645-1717 FAX: (949) 645-4243

ADDITION/DECK IMPROVEMENTS
 FOR:
CENTRAL ORANGE COAST YMCA
 2300 UNIVERSITY DRIVE
 NEWPORT BEACH, CA 92660

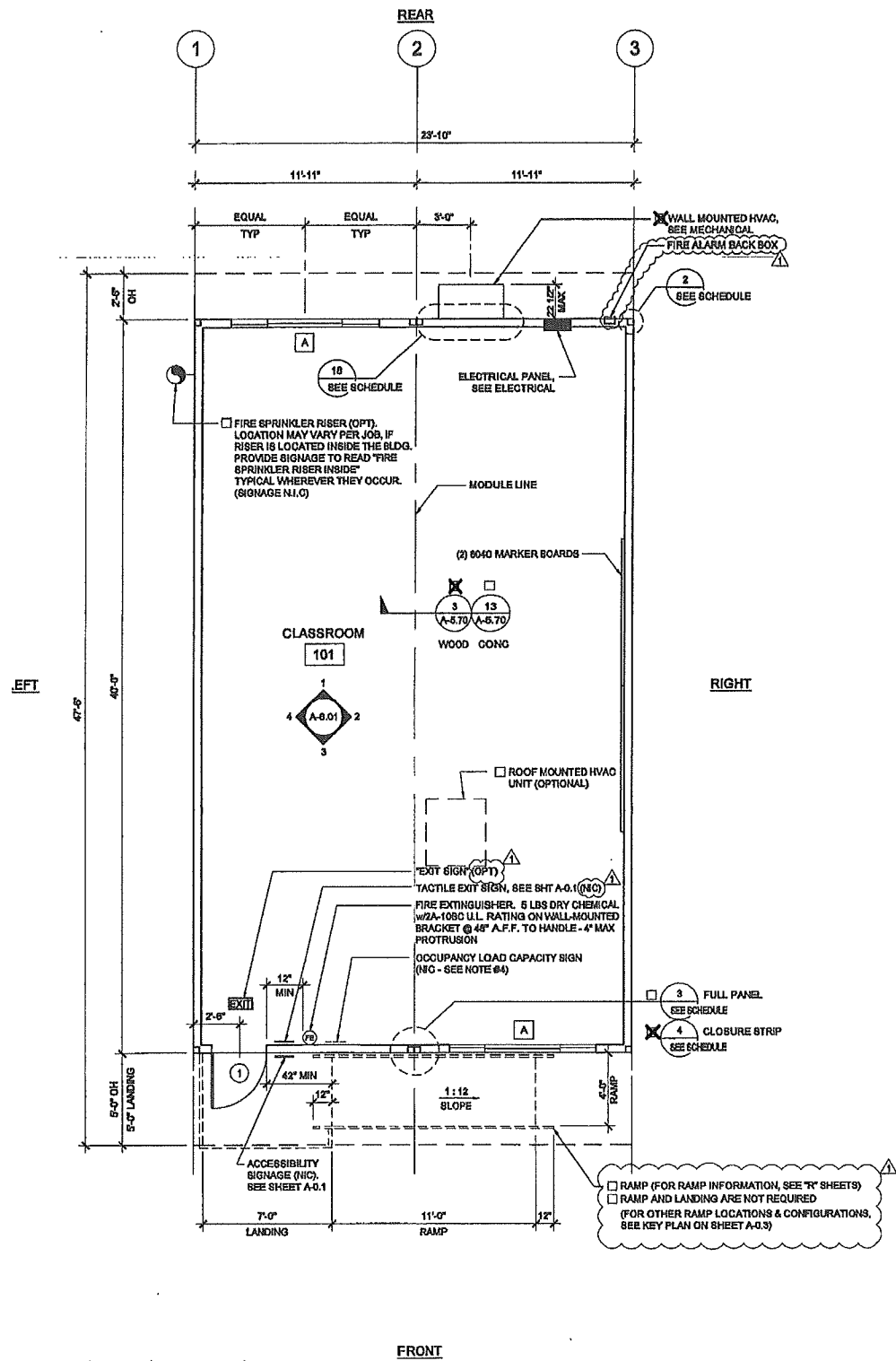
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REV.	DATE	DESCR.	REV.	DATE	DESCR.
05/02/11					

DATE: 05/02/11
 DRAWN BY: RAD
 CHKD. BY:
 SHEET:

SHEET DESCRIPTION:
SITE PLAN

JOB NUMBER: DAA 11107
SD-1
 OF SHEETS



NOTES

- PLACE (2) PERMANENT METAL IDENTIFICATION LABELS ON EACH MODULE.
 - (1) LABEL AT REAR EXTERIOR AND (1) LABEL ABOVE CEILING LINE AT INTERIOR FRAME. LABELS WILL BE MECHANICALLY FASTENED AND SHOW THE DBA APPLICATION NUMBER, MANUFACTURER'S NAME AND SERIAL NUMBER, DESIGN LIVE LOAD FOR ROOF AND FLOOR FRAMING, WIND SPEED, EXPOSURE CATEGORY, AND Kt = 1.0 2007 CBC
- VINYL TACKBOARD INTERIOR FINISH SHALL HAVE A FLAME SPREAD RATING OF CLASS 1 AND A SMOKE DENSITY OF 175
- LOCATIONS OF DOORS AND WINDOWS MAY VARY PER JOB. (IF THE NUMBER OF WINDOWS INCREASE, A NEW TITLE 24 SHALL BE SUBMITTED TO DBA)
- POSTING OF OCCUPANCY LOAD SIGNS SHALL COMPLY WITH CBC 1004.3 (NOT IN MODULAR MANUFACTURER'S SCOPE OF WORK)
- IF BUILDING IS TO BE RELOCATED, SEE RELOCATION DETAILS ON SHEETS REL-101 AND REL-102

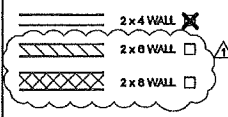
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<input type="checkbox"/> PLASTER OVER 1/2" OSB OR 1/2" CDX PLY WITH WOOD STUDS	A-5.01
<input type="checkbox"/> SIDING OVER STEEL STUDS	A-5.00
<input type="checkbox"/> PLASTER OVER 1/2" OSB OR 1/2" CDX PLY WITH STEEL STUDS	A-5.01

FIRE RATED DETAIL SCHEDULE

FIRE PROTECTION:	SHEET #:
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<input type="checkbox"/> 1 HOUR - PLASTER OVER 1/2" OSB OR 1/2" CDX PLY WITH WOOD STUDS	A-5.03
<input type="checkbox"/> 1 HOUR - SIDING OVER STEEL STUDS	A-5.02
<input type="checkbox"/> 1 HOUR - PLASTER OVER 1/2" OSB OR 1/2" CDX PLY WITH STEEL STUDS	A-5.03

WALL LEGEND



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SILVER CREEK INDUSTRIES, INC.



195 EAST MORGAN PERRIS, CALIFORNIA 92571
PHONE: 951-943-5393 FAX: 951-943-2211

PROJECT NAME:
**YMCA OF O.C.
24' x 40'
CLASSROOM**

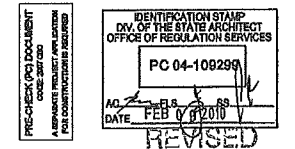
SHEET TITLE:
**FLOOR PLAN
24' x 40'**



ARCHITECT OF RECORD

PROJECT SPECIFIC STATE AGENCY APPROVAL

ORIGINAL PC STATE AGENCY APPROVAL

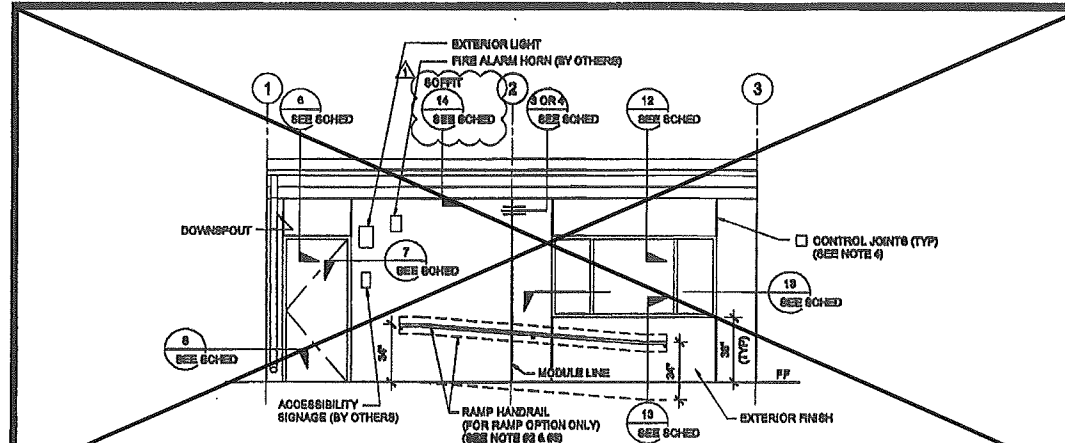


REVISIONS

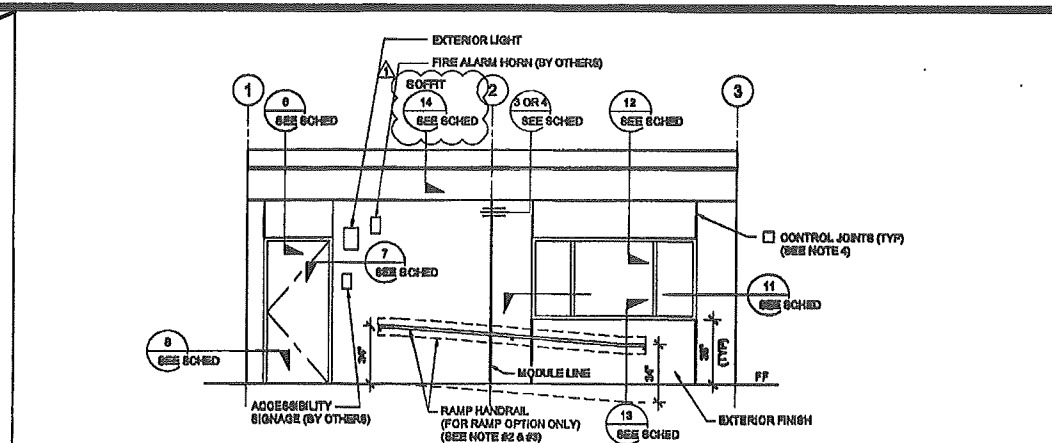
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DRAWN BY: M. ZAVARZA
SCALE: AS NOTED
DATE: 11-18-08

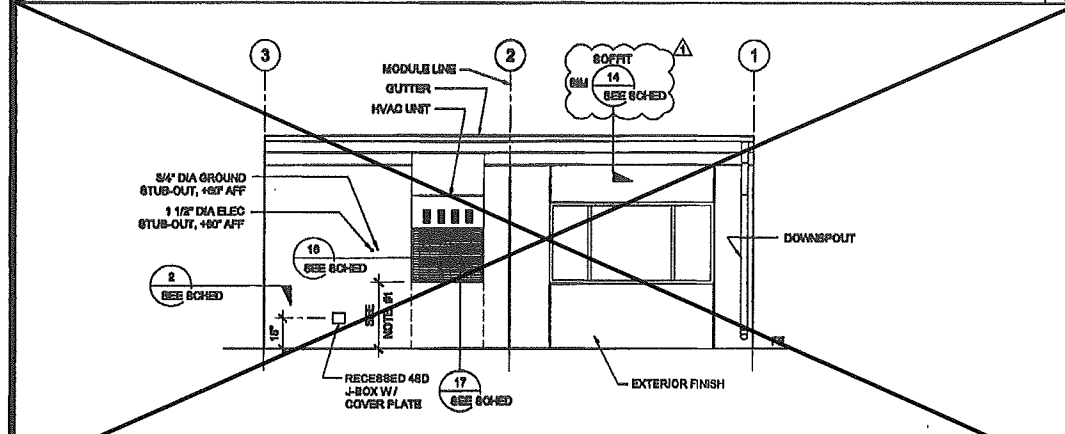
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A-1.01



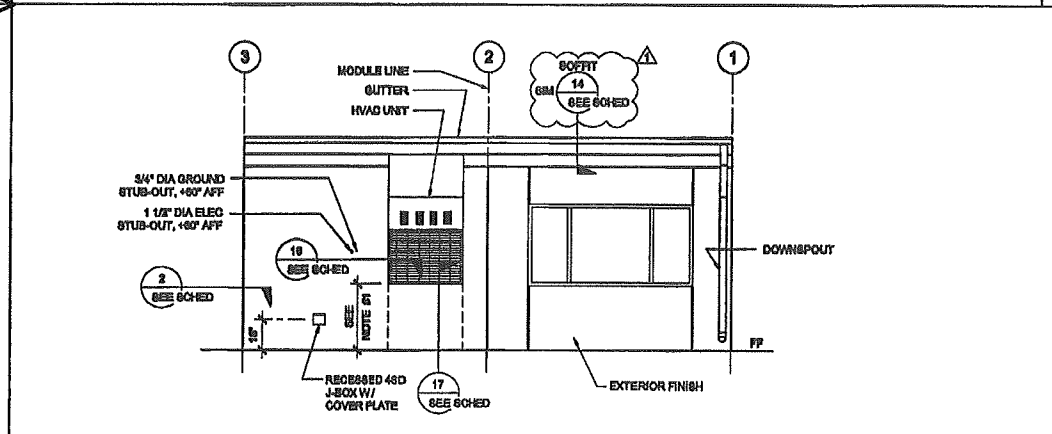
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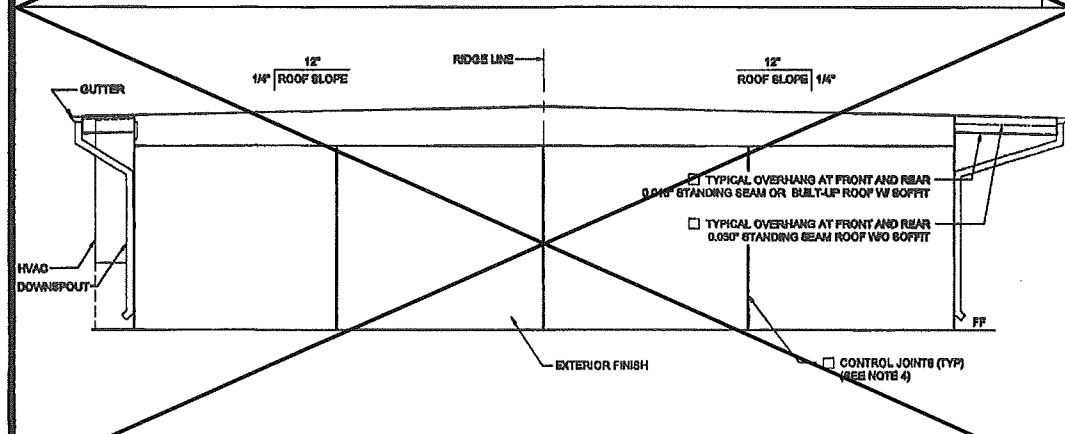
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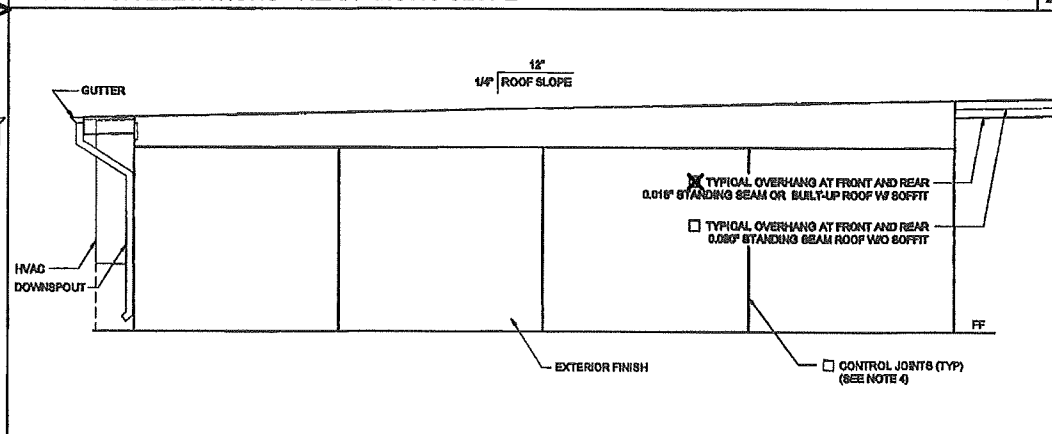
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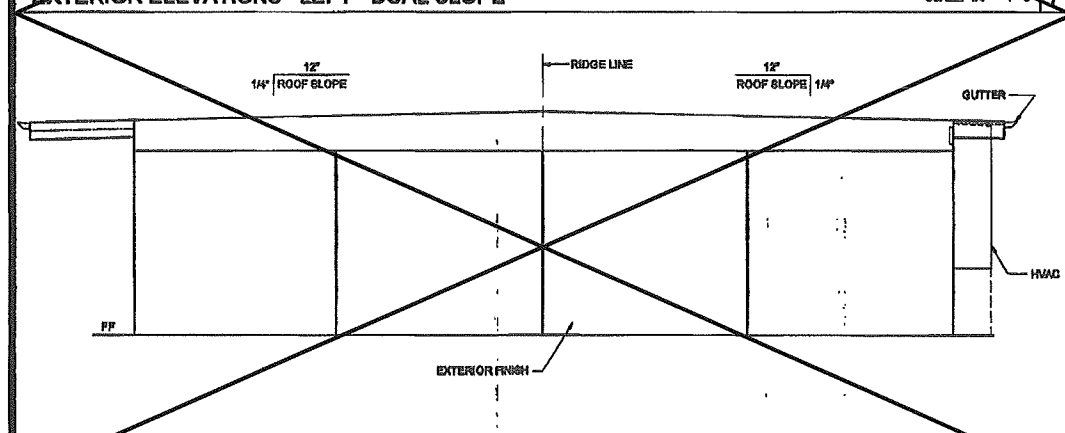
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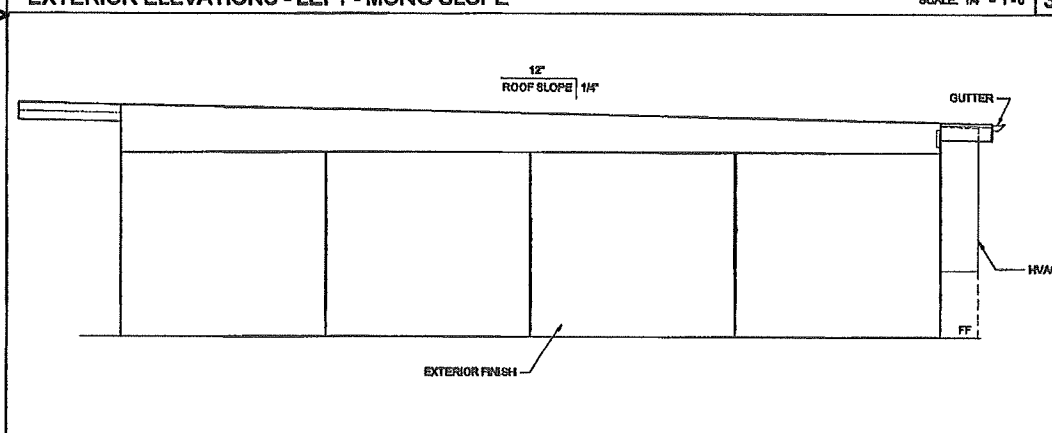
EXTERIOR ELEVATIONS - LEFT - DUAL SLOPE SCALE: 1/4" = 1'-0" 7



EXTERIOR ELEVATIONS - LEFT - MONO SLOPE SCALE: 1/4" = 1'-0" 3



EXTERIOR ELEVATIONS - RIGHT - DUAL SLOPE SCALE: 1/4" = 1'-0" 8



EXTERIOR ELEVATIONS - RIGHT - MONO SLOPE SCALE: 1/4" = 1'-0" 4

- NOTES (EXTERIOR ELEVATION)**
- PROVIDE PROTECTION RAIL AROUND HVAC UNIT(S) IF LOCATED IN A PEDESTRIAN WAY IF THE HEIGHT FROM GRADE TO BOTTOM OF UNIT EXCEEDS 6" (N.C. REFERENCE TO DET. # 214.51 FOR WOOD STUDS, & 171A.81 FOR STEEL STUDS)
 - RAMP (WHERE OCCURS), NOT SHOWN FOR CLARITY.
 - WALL BEYOND HANDRAIL SHALL NOT HAVE ANY SLOPE OR CURVE IN HANDRAIL ALIGNMENT TO HANDRAILS. GRADE THROUGH ALL METAL RAILING CONNECTIONS - SMOOTH SURFACES TO EXTEND 6" ABOVE HANDRAIL.
 - FOR PLASTER ONLY, PROVIDE CONTROL JOINT AT EACH MODULINE, ON END WALLS, 10'-0" O.C. AT SIDE WALLS, AND/OR ABOVE AND BELOW OPENINGS. WHERE FIRE RATED WALLS ARE REQUIRED, MATERIALS AND METHODS OF CONSTRUCTION USED TO PROTECT JOINTS WILL COMPLY WITH CBC SECTION 705.2
 - HANDRAIL IS NOT ALLOWED AT PLASTER OPTION WHERE RAMP IS AGAINST THE WALL.

DETAIL SCHEDULE

EXTERIOR FINISH:	SHEET #:
<input checked="" type="checkbox"/> SIDING OVER WOOD STUDS	A-5.50
<input type="checkbox"/> PLASTER OVER 1/2" OSB OR 1/2" CDX PLY WITH WOOD STUDS	A-5.51
<input type="checkbox"/> SIDING OVER STEEL STUDS	A-5.50
<input type="checkbox"/> PLASTER OVER 1/2" OSB OR 1/2" CDX PLY WITH STEEL STUDS	A-5.51

FIRE RATED DETAIL SCHEDULE

FIRE PROTECTION:	SHEET #:
<input type="checkbox"/> 1 HOUR - SIDING OVER WOOD STUDS	A-5.52
<input type="checkbox"/> 1 HOUR - PLASTER OVER 1/2" OSB OR 1/2" CDX PLY WITH WOOD STUDS	A-5.53
<input type="checkbox"/> 1 HOUR - SIDING OVER STEEL STUDS	A-5.52
<input type="checkbox"/> 1 HOUR - PLASTER OVER 1/2" OSB OR 1/2" CDX PLY WITH STEEL STUDS	A-5.53

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SILVER CREEK INDUSTRIES, INC.

"BUILDING FOR THE NEXT GENERATION"

SILVER CREEK

198 EAST MORGAN PERIS, CALIFORNIA 92371
PHONE: 951-943-5393 FAX: 951-943-2211

PROJECT NAME:

YMCA OF O.C.

24' x 40' CLASSROOM

SHEET TITLE:

EXTERIOR ELEVATION

24' X 40' MONO / DUAL SLOPE

STAVARES ASSOCIATES

ARCHITECTS

11111 WILSON AVENUE, SUITE 100, COSTA MESA, CA 92626

www.stavares.com

REGISTERED ARCHITECT
STATE OF CALIFORNIA
NO. 42421

ARCHITECT OF RECORD

PROJECT SPECIFIC STATE AGENCY APPROVAL

ORIGINAL PG STATE AGENCY APPROVAL

IDENTIFICATION STAMP
DIV. OF THE STATE ARCHITECT
OFFICE OF REGULATION SERVICES

PO 04-109299

NO. 22, 800, 80

DATE: FEB 08 2010

REVISED

REVISIONS

NO.	DESCRIPTION
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2	
3	
4	
5	
6	
7	
8	

PROJECT NO: 24' x 40' PC

DRAWN BY: M. ZAVARZA

SCALE: AS NOTED

DATE: 11-18-09

P.C. SHEET NUMBER

A-4.01