



**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 February 8, 2013

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

Item 1: Maserati Newport Beach – Comprehensive Sign Program No. CS2012-010
(PA2012-122)
1100 West Coast Highway

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.



COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663
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ZONING ADMINISTRATOR ACTION LETTER

Application No. **Comprehensive Sign Program No. CS2012-010 (PA2012-122)**
Applicant **Maserati Newport Beach**
Site Address **1100 West Coast Highway**
 Maserati Sign Program
Legal Description **Parcel 1 of NBLLA 98-08**

On **February 4, 2013**, the Zoning Administrator approved the following: A comprehensive sign program for an existing commercial development that includes four (4) wall signs and two (2) logo signs (two wall signs and a logo sign to be placed on each of two building facades), and a freestanding 20-foot-tall pylon sign. A comprehensive sign program is required due to the fact that three or more nonexempt signs are proposed on a single building frontage. The application also includes a request to allow a reduction in the required landscape area (provide 93 square feet, where 144 square feet is required) around the base of the freestanding sign. No other deviations are requested from Chapter 20.42 (Signs) of the Zoning Code. The property is located in the CG (General Commercial) District. The approval is based on the following findings and subject to the following conditions.

I. FINDINGS

Finding

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

Fact in Support of Finding

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

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

II. STANDARDS

Standard

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

Facts in Support of Standard

1. The Land Use Element of the General Plan designates the site for “Commercial General” land use, which is intended to provide for areas appropriate for a wide variety of commercial activities oriented primarily to serve Citywide or regional needs. The building contains a retail automobile sales facility. The signs are accessory to the primary use.
2. A comprehensive sign program is required whenever more than one sign is proposed to be located on a single building façade or frontage and to exceed the size limitations of the sign code.
3. In compliance with the purpose and intent of Chapter 20.42 (Sign Standards), the proposed Comprehensive Sign Program as conditioned provides the use with adequate identification without excessive proliferation of signage. Furthermore, it preserves community appearance by regulating the type, number, design, and area of signage.

Standard

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

Fact in Support of Standard

1. The site is a single-tenant building where the existing signs have been installed under previous sign code provisions which exceed size limitations of the current sign code. As conditioned, the proposed number and location of the signs will not contribute to an overabundance of signs, since the total cumulative area of the three proposed wall signs comply with the 75 square foot limitation for the primary street frontage and 45 square foot limitation for the three wall signs on the secondary frontage (facing the parking lot), as conditioned, and will not have a detrimental effect on the neighborhood. The freestanding sign complies with the code requirements with the exception of the required landscape area at the base. However, the amount of landscape area proposed is adequate and consistent with the purpose and intent of the Sign Code.

2. The proposed signage along the Coast Highway and parking lot frontages will be installed such that it is located in a logical, design-conscious manner across the front of the building façade.
3. The proposed signage will not obstruct public views from adjacent roadways or parks because the signage will be located entirely on private property and there are no parks in the vicinity of the property.

Standard

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

Fact in Support of Standard

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

Standard

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

Fact in Support of Standard

1. The Comprehensive Sign Program establishes type, number, design, and area of signage to accommodate the existing and future tenants on-site.
2. It is not anticipated that future revisions of the Comprehensive Sign Program will be necessary to accommodate changes in tenants or uses. However, the Community Development Director may approve minor revisions to the sign program if the intent of the original approval is not affected.

Standard

- E. *The program shall comply with the standards of this Chapter [Chapter 20.42], except that deviations are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter [Chapter 20.42].*

Fact in Support of Standard

1. This Comprehensive Sign Program allows for deviations with regard to the number of signs on a single building façade, the total area on the easterly facing building elevation (municipal code allows the Zoning Administrator to approve a 20 percent

increase in sign area, from 37.5 square feet up to 45 square feet) since the wall signs face West Coast Highway and the parking lot.

2. The amount of landscape area at the base of the proposed monument sign (93 square feet) is less than the Code required (150 square feet, since the sign face is less than 75 square feet of area); however, additional landscape area is provided on the other side of the fence located between the proposed pylon sign and the West Coast Highway property line. Since the landscape area is broken up by the fence, it cannot be included to satisfy the Code requirement.
3. The additional landscape area at the base of the pylon sign could not be provided without the loss of a required on-site parking space. The property is currently parked at a low rate of one space per thousand square feet of land area, and the loss of a parking space is not justified or reasonable to provide an additional 57 square feet of landscape area.
4. The building fronts on West Coast Highway. The proposed sign locations allow for maximum visibility to passing vehicles and pedestrians.
3. The number of permanent wall signs is reasonable given the use of the structure, the size, location of the building on the property, and the limitation on the overall sign area per building façade.

Standard

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

Fact in Support of Standard

1. No prohibited signs are proposed or authorized as a part of this application.
2. Pursuant to Section 20.42.140.E.3 (Comprehensive Sign Program) of the Newport Beach Municipal Code, a sign program shall address all signs, including permanent, temporary, and exempt signs.

Standard

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

Fact in Support of Standard

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

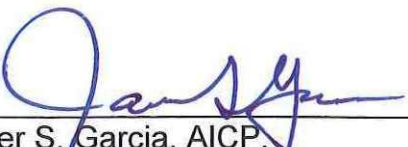
III. CONDITIONS

1. All proposed signs shall be in substantial conformance with the approved plans, Comprehensive Sign Program Matrix Table, and provisions of Chapter 20.42 of the Newport Beach Municipal Code, unless otherwise indicated in the following conditions.
2. Signs are limited to the designated building façades, street frontages, and regulations specified in the Comprehensive Sign Program Matrix Table included in this approval and the provisions of Chapter 20.42 of the Newport Beach Municipal Code.
3. Prior to issuance of any new sign permit, the Non-Standard Agreement that regulates improvements located within the 12-foot setback along West Coast Highway shall be amended to the satisfaction of the Public Works Department, unless the freestanding sign is relocated or addressed by separate agreement and approved by the Public Works Department.
4. The placement of the freestanding sign shall not reduce the number of required on-site parking spaces to less than the 18 spaces established by Planning Director's Use Permit No. 31, approved on July 9, 1998, except that reconfiguration of the parking lot shall be subject to Planning Division review.
5. The sign area of each individual wall sign shall be measured by two perpendicular sets of parallel lines that surround the proposed sign copy area.
6. Sign colors shall be complementary to the building and shall conform to the City's Sign Design Guidelines.
7. A building and electrical permit shall be obtained prior to commencement of installation of the signs. All work shall comply with the current codes. Installation plans including, but not limited to, sign weights, and attachment details shall be provided for the Building Division at plan check review.
8. A copy of this letter shall be incorporated into the plan check sets of plans prior to issuance of the building permits.
9. All signs shall be illuminated in accordance with the provisions of Section 20.42.070 of the Newport Beach Municipal Code. If, in the opinion of the Director, existing illumination creates an unacceptable negative impact on surrounding land uses or sensitive habitat areas the Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
10. The signs shall be maintained in a clean and orderly condition.
11. The Community Development Director may approve revisions to the Comprehensive Sign Program if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require

approval of a new/revised Comprehensive Sign Program by the Zoning Administrator.

12. Any future revisions or changes to the signs approved by this Comprehensive Sign Program due to a change in the use or tenants of the building shall be reviewed and approved by the Planning Division, so long as the sign size, copy configuration, and number of signs authorized by this approval does not substantially change or increase. The mandatory reduction or elimination of signs shall be exercised as necessary.
13. The Zoning Administrator may add to or modify conditions of this approval, or revoke this approval upon a determination that any sign that is authorized by this approval has been altered beyond the parameters of the authorization and therefore beyond the justification.
14. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.
15. 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 Old Newport Comprehensive Sign Program including, but not limited to, the Comprehensive Sign Program No. CS2012-010 (PA2012-122). 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.

On behalf of Brenda Wisneski, Zoning Administrator,



Javier S. Garcia, AICP,
Senior Planner

BW/jsg

Attachments: ZA1 Vicinity Map
ZA2 Comprehensive Sign Program Matrix
ZA3 Site Photos
ZA4 Project Plans

Attachment No. ZA 1

Vicinity Map

VICINITY MAP



Comprehensive Sign Program No. CS2012-010
PA2012-122

1100 West Coast Highway

Attachment No. ZA 2

Comprehensive Sign Program Matrix Table



Comprehensive Sign Program Matrix

Planning Department
 3300 Newport Boulevard, Newport Beach, CA 92663
 (949)644-3200 Telephone | (949)644-3229 Facsimile
www.newportbeachca.gov

COMPREHENSIVE SIGN PROGRAM No. CS2012-010 (PA2012-122)
Site Address: 1100 West Coast Highway

Frontages: Primary: West Coast Highway (South Building Elevation)
Secondary: Parking Lot (West Building Elevation)

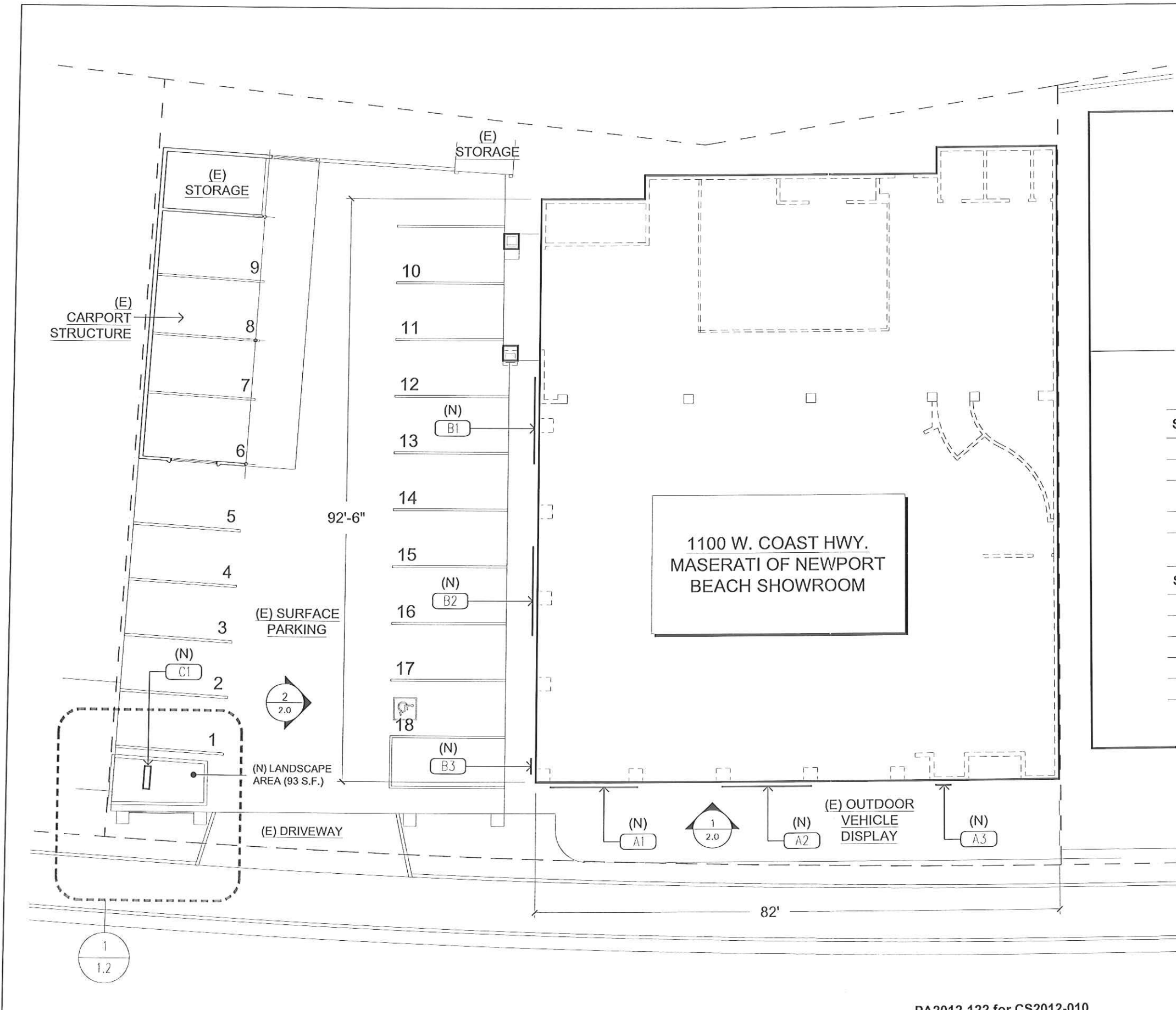
Primary Frontage: WEST COAST HIGHWAY Size limitations, where applicable	Secondary Frontage: PARKING LOT SIDE Size limitations, where applicable
<p>Signs A1, A2, A3 – Wall Signs Sign C1- Pylon Sign</p> <p>Wall Sign Limitations:</p> <p><i>Number:</i> Three wall signs maximum, one pylon sign maximum. <i>Area:</i> Cumulative sign area of the wall signs shall not exceed 75 square feet. <i>Maximum Vertical Dimension, Letter or Logo:</i> 36inches</p> <p>As currently proposed: Sign A1 Sign Area: 25 sq. ft. Internally Illuminated letters or logo</p> <p>Sign A2 Sign Area: 25 sq. ft. Internally Illuminated letters or logo</p> <p>Sign A3 Sign Area: 10 sq. ft. Internally Illuminated letters or logo</p> <hr/> <p>Pylon Sign Limitations: <i>Number:</i> One Pylon Sign <i>Maximum Sign Area:</i> 75 sq. ft. <i>Maximum Dimensions:</i> 20 ft. high x 4 ft. wide two-sided pylon sign.</p>	<p>Signs B1, B2, B3 – Wall Signs</p> <p>Wall Sign Limitations:</p> <p><i>Number:</i> Three wall signs maximum <i>Area:</i> Cumulative sign area of the wall signs shall not exceed 45 square feet (approved 20% increase). <i>Maximum Vertical Dimension, Letter or Logo:</i> 36inches</p> <p>As currently proposed: Sign B1 Sign Area: 20 sq. ft., approximately Internally Illuminated letters or logo</p> <p>Sign B2 Sign Area: 20 sq. ft., approximately Internally Illuminated letters or logo</p> <p>Sign B3 Sign Area: 5 sq. ft., approximately Internally Illuminated letters or logo</p>

NOTES/REQUIREMENTS:

- a) Requirements for all signs per Municipal Code Chapter 20.42, freestanding signs per Section 20.42.080 C, except as provided in this sign matrix.
- b) Sign area is the area measured by two perpendicular sets of parallel lines that surround the proposed logo and sign copy. All signs shall substantially conform to the approved attached sign matrix.
- c) Pursuant to Section 20.42.120.F of the Zoning Code, the Community Development Director may approve minor revisions to this approval if the intent of the original approval is not affected.

Attachment No. ZA 3

Project Plans



COMPREHENSIVE SIGN PROGRAM

1100 WEST COAST HIGHWAY
NEWPORT BEACH, CA

SITE INFO:

LEGAL DESC.	TR 1210 LOTS 36 37 & 38 ALL
APN NO.	049-280-81
ZONEING:	RSC-MM (RETAIL AND SERVICE COMMERCIAL, MARINER'S MILE OVERLAY)
LAND USE:	CG (GENERAL COMMERCIAL)

SHEET INDEX:

1.0	SITE PLAN
1.1	LINE OF SIGHT DIAGRAM
1.2	PYLON SIGN PLAN
2.0	BUILDING ELEVATIONS
3.0	SIGN ELEVATIONS

PREPARED BY
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SITE PLAN

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Newport Beach, CA

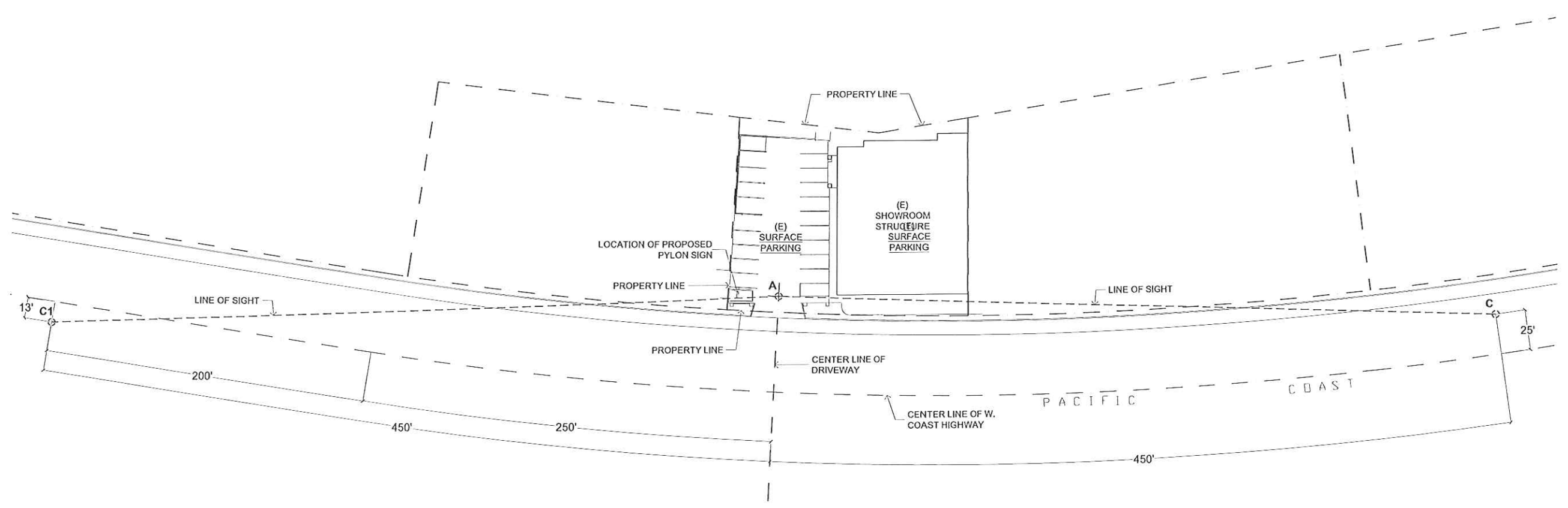
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1100 W. Coast Hwy.
Newport Beach, CA

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CHKD BY: AK
SCALE: PER PLAN
DATE: 8/14/2011
SHEET TITLE

SITE PLAN
SHEET NUMBER
1.0
SHEET 1 OF 5

1 SITE PLAN
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1 LINE OF SIGHT DIAGRAM
Scale: N.T.S.

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LINE OF SIGHT

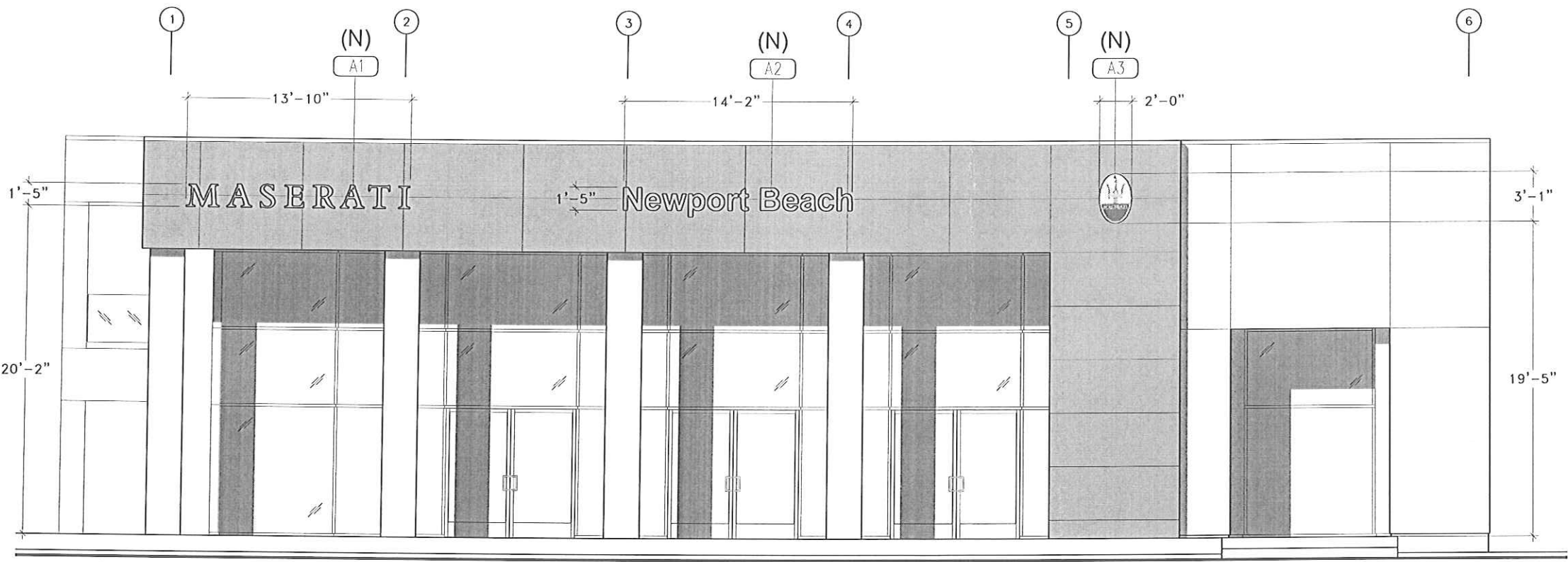
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Leo Gugasian
1100 W. Coast Hwy.
Newport Beach, CA

PROJECT TITLE
SIGN PROGRAM
1100 W. Coast Hwy.
Newport Beach, CA

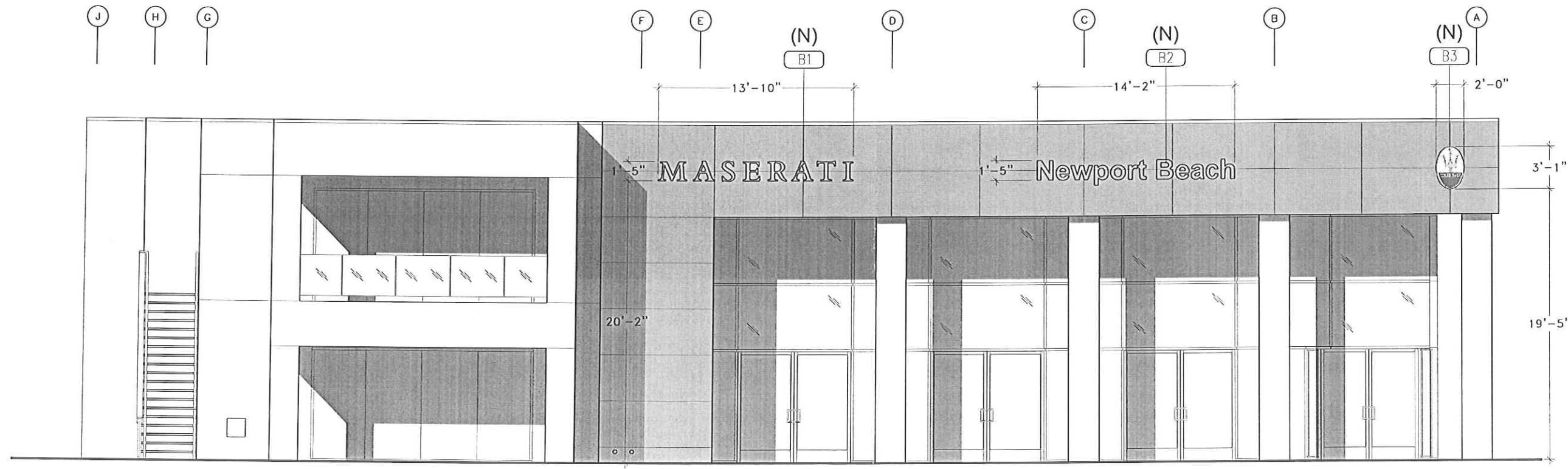
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CHKD BY: AK
SCALE: PER PLAN
DATE: 8/14/2011
SHEET TITLE
LINE OF SIGHT

SHEET NUMBER
1.1
SHEET 2 OF 5

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1 STREET ELEVATION
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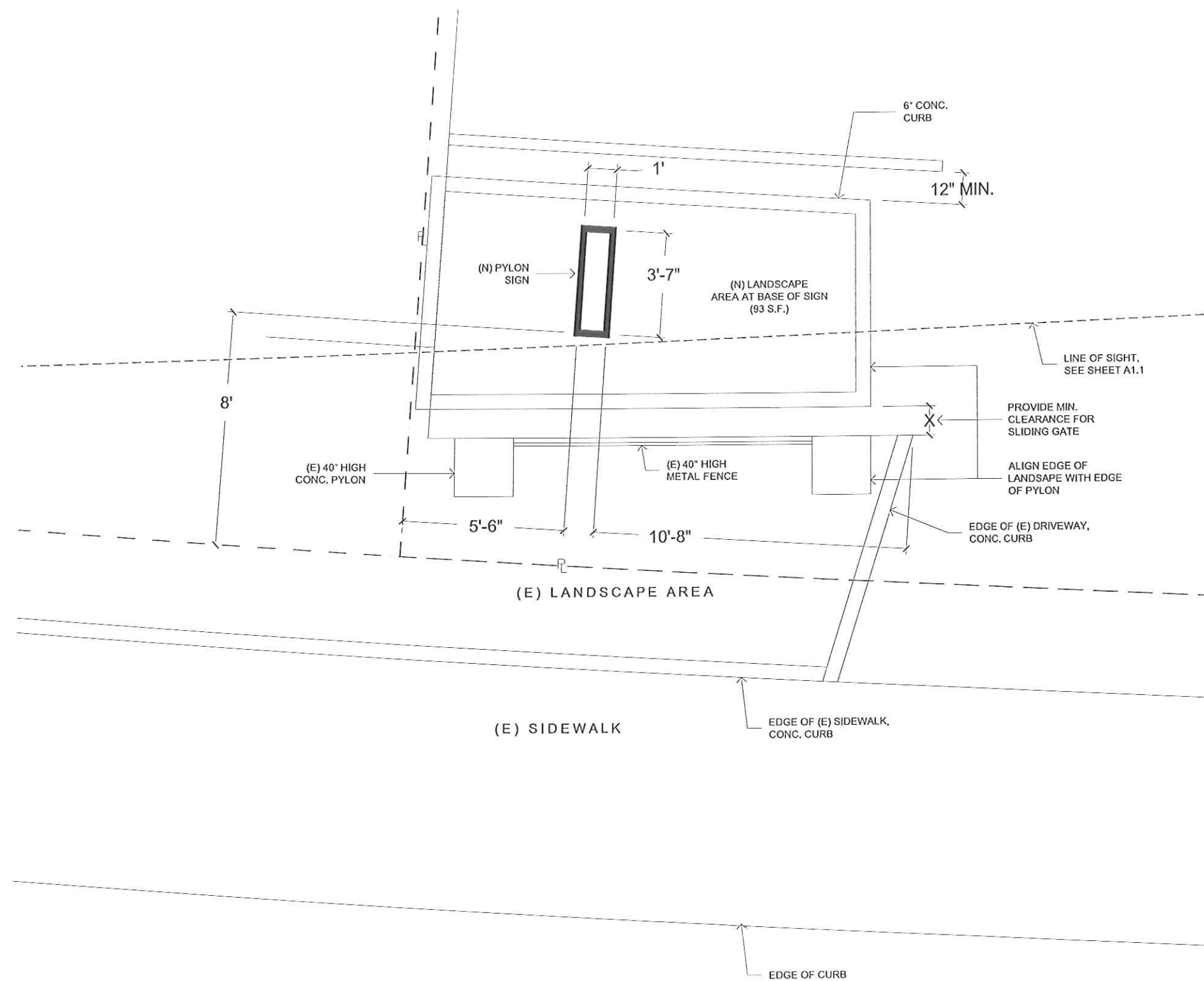


2 PARKING ELEVATION
 Scale: 1/8"=1'0"

ELEVATIONS

OWNER
 Leo Gugasian
 1100 W. Coast Hwy.
 Newport Beach, CA
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 SIGN PROGRAM
 1100 W. Coast Hwy.
 Newport Beach, CA
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1 PYLON SIGN FLOOR PLAN
Scale: N.T.S.

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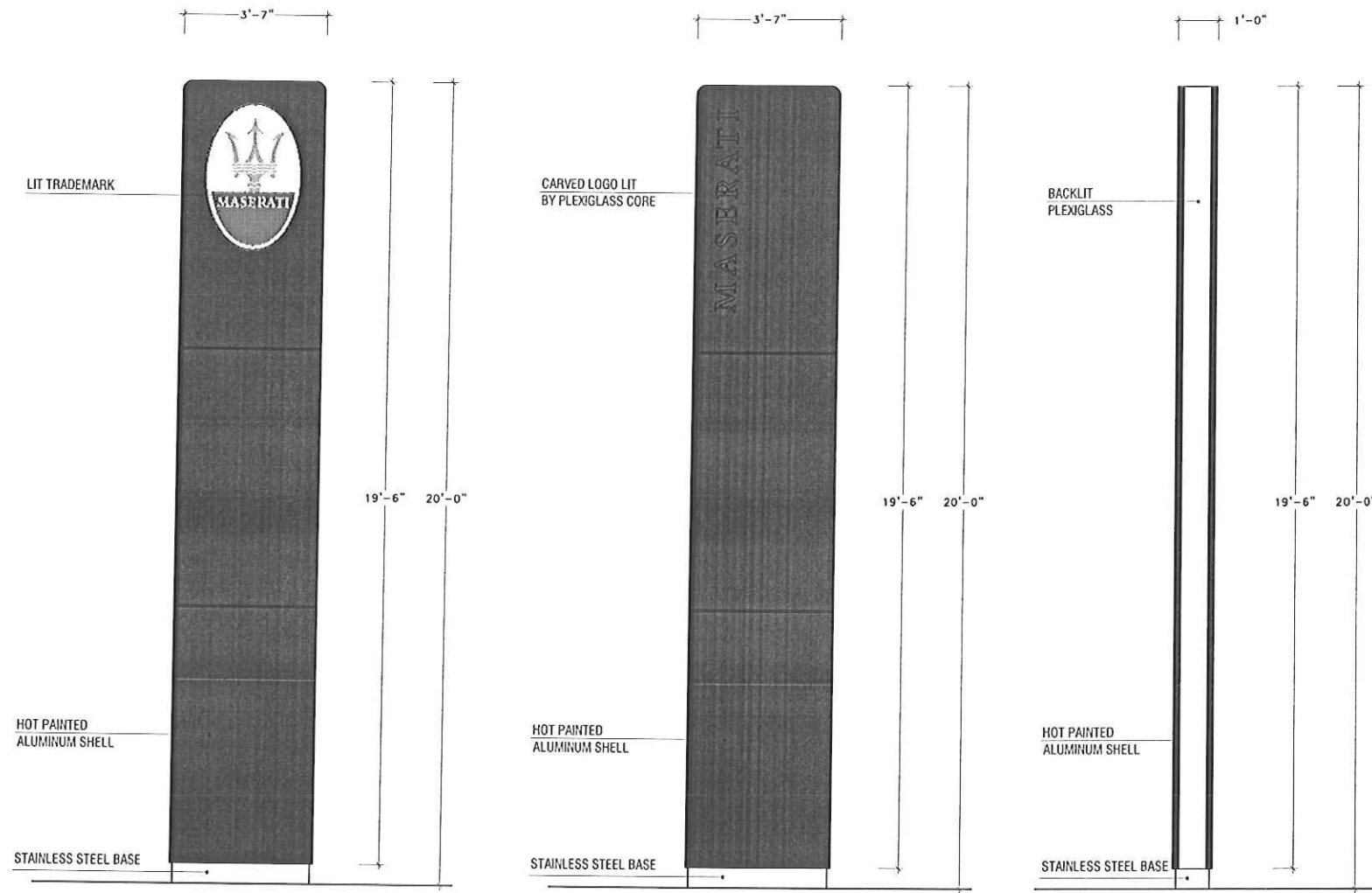
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PYLON SIGN PLAN

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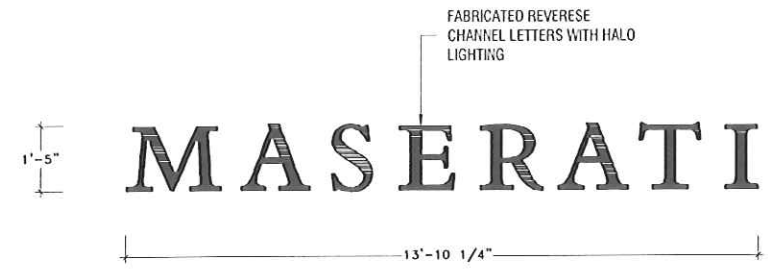


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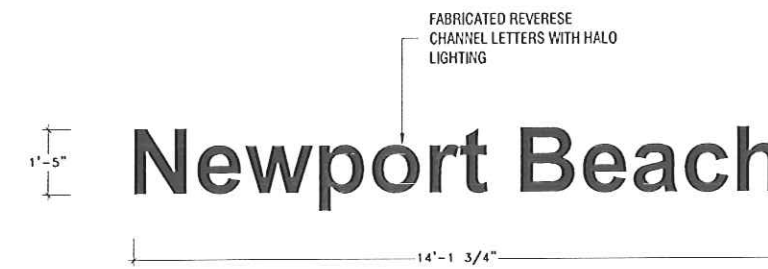
REAR ELEVATION

SIDE ELEVATION

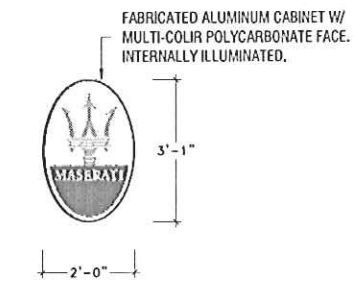
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1 SIGN A1 & B1 ELEVATION
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2 SIGN A2 & B2 ELEVATION
Scale: 1/4"=1'0"



3 SIGN A3 & B3 ELEVATION
Scale: 1/4"=1'0"

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SIGN ELEVATIONS

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1100 W. Coast Hwy.
Newport Beach, CA

PROJECT TITLE

SIGN PROGRAM
1100 W. Coast Hwy.
Newport Beach, CA

PROJECT NO.

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SCALE: PER PLAN

DATE: 8/14/2011

SHEET TITLE

SIGN ELEVATIONS

SHEET NUMBER

3.0

SHEET 5 OF 5