



**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 August 2, 2013

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

Item 1: Comprehensive Sign Program No. CS2012-008 (PA2012-072)
2727 Newport Boulevard

Action: Approved

Council District 1

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



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

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ZONING ADMINISTRATOR ACTION LETTER

Application No. **Comprehensive Sign Program No. CS2012-008 (PA2012-072)**
Applicant **Abdelmuti Development Company**
Site Address **2727 Newport Blvd**
Legal Description **LAKE TR LOT 20 BLK 217 ALL -EX ST- AND POR NE1/4
NW1/4 AS DESC IN DD**

On **August 2, 2013**, the Zoning Administrator approved Comprehensive Sign Program No. CS2012-008, establishing design parameters for wall, awning, freestanding, and window signage for a multi-tenant shopping center and to allow the following deviations from the Sign Standards of the Zoning Code:

1. To allow tenant window signs in addition to permitted wall or awning signs; and
2. To allow the addition of a multi-tenant wall sign in addition to the number of allowed tenant wall signs.

The subject property is located within the Commercial Serving Visitor (CV) Zoning District and the General Plan Land Use Element category is Visitor Serving Commercial Office (CV). The property is located in the Coastal Zone and is located within the Commercial Serving Visitor (CV-A) coastal land use designation.

This approval is based on the following findings and standards and subject to the following conditions.

FINDINGS AND STANDARDS FOR APPROVED SIGNS

Finding

- A. *The project is exempt from environmental review under the requirements of the California Environmental Quality Act pursuant to Section 15311, Class 11 (Accessory Structures).*

Facts in Support of Finding

- A-1. Class 11 exempts minor structures accessory to existing commercial facilities, including signs. The proposed signs are incidental and accessory to the principal commercial use of the property and do not intensify or alter the use.

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

Standard

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

Facts in Support of Standard

- B-1. The proposed Comprehensive Sign Program complies with the purpose and intent of Newport Beach Municipal Code Chapter 20.42 (Sign Standards) because it provides the multi-tenant commercial building with adequate identification while guarding against an excessive proliferation of signage. It preserves and enhances community appearance by regulating the type, size, location, quantity, and illumination of signs. Through said regulations, the Comprehensive Sign Program will enhance the safety of motorists and pedestrians by minimizing the distraction of signs, as well as to protect the life, health, property, and general welfare of City residents and visitors.
- B-2. The purpose of a comprehensive sign program is to integrate all of a project's signs. A comprehensive sign program provides a means for the flexible application of sign regulations for projects that require multiple signs in order to provide incentive and latitude in the design and display of tenant signage, and to achieve, not circumvent, the purpose of Chapter 20.42. This approval integrates all of the signs for the subject property while meeting the purpose and intent of Chapter 20.42.
- B-3. The Comprehensive Sign Program is consistent with the Citywide Sign Design Guidelines Manual because the proposed signs are designed to be compatible with the building design in terms of scale, size, and materials. As proposed, signs are designed to effectively communicate a commercial message without creating sign clutter through the use of legible text that contrasts with the background. The location and size of the signs do not dominate, but rather are consistent with the proportions of the façade on which they are located.

Finding

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

Facts in Support of Standard

- C-1. The site is developed with a two-story multi-tenant commercial building and a single-story multi-tenant commercial building and currently includes a variety of sign types, locations, and sign areas that are inconsistent with the Sign Code. The proposed comprehensive sign program will restrict future signage and enhance the overall development of the site while still providing adequate identification of the site and to the individual tenants. The proposed number and location of signs will not contribute to an overabundance of signage that will have a detrimental effect on the neighborhood.
- C-2. Proposed signage would be appropriately scaled to the buildings and integrated with the design and scale of the existing architecture.
- C-4. The signs will not interfere with sight distance from any street, driveway, or parking area.
- C-5. The multi-tenant panel wall sign provides an opportunity for visibility of tenant signage to motorist traveling west on Balboa Boulevard and affords an opportunity for signage of second floor tenants and avoiding the need for second floor tenant signs along each tenant frontage.

Finding

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

Facts in Support of Standard

- D-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 Chapter 20.42 (Sign Standards) of the Zoning Code.

Finding

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

Facts in Support of Standard

- E-1. The project site is for the use of multiple commercial tenants and the Comprehensive Sign Program has been designed to be effective for such use.
- E-2. The Comprehensive Sign Program establishes allowed type, number, location, and area of signage with flexibility to accommodate any existing and future tenants.
- E-3. It is not anticipated that future revisions to 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 Comprehensive Sign Program if the intent of the original approval is not affected.
- E-4. Existing tenant awning signs are inconsistent with the proposed Comprehensive Sign Program and will remain nonconforming. As tenants change, future signs shall be required to comply with the Comprehensive Sign Program.

Finding

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

Facts in Support of Standard

- F-1. The Comprehensive Sign Program allows for deviations with regards to the number of signs. The approval conforms to all other standards of Zoning Code Chapter 20.42, and enhances the overall development by integrating all of the project's signs with the overall site and structure design into a unified architectural statement.
- F-2. Allowing deviation from the Zoning Code for an additional multi-tenant panel wall sign provides an opportunity for visibility of tenant signage to motorist traveling west on Balboa Boulevard and affords an opportunity for signage of second floor tenants and avoiding the need for second floor tenant signs along each tenant frontage.
- F-3. Allowing window signs in addition to the allowed wall or awning sign, limited to the upper or lower 12 inches of each window, allows flexibility for tenant identification while guarding against excessive tenant signage.

Finding

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

Facts in Support of Standard

G-1. The Comprehensive Sign program does not authorize the use of prohibited signs.

Finding

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

Facts in Support of Standard

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

CONDITIONS

1. All proposed signs shall be in substantial conformance with the approved site 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. Anything not specifically approved by this Comprehensive Sign Program is prohibited.
3. A building permit shall be obtained prior to commencement of installation of the signs.
4. Illuminated signs shall be regulated in accordance with the provisions of Section 20.42.070 of the Newport Beach Municipal Code. If, in the opinion of the Community Development 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.
5. Signs shall be maintained in a clean and orderly condition.
6. 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.
7. 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.

8. 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.
9. 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.
10. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the 2727 Newport Boulevard Comprehensive Sign Program including, but not limited to, Comprehensive Sign Program No. CS2012-008 (PA2012-072). 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 within 14 days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

On behalf of Brenda Wisneski, Zoning Administrator

By:



Jaime Murillo, Senior Planner

BW/jm

Attachments: CD 1 Vicinity Map
 CD 2 Sign Program Matrix
 CD 3 Site Plans
 CD 4 Site Photos

Attachment No. CD 1

Vicinity Map

VICINITY MAP



Comprehensive Sign Program No. CS2012-008
PA2012-072

2727 Newport Boulevard

Attachment No. CD 2

Comprehensive Sign Program Matrix

SIGN PROGRAM MATRIX for
2727 NEWPORT BLVD.

Frontages:

Two Story Building 100/200: A Newport Blvd - LF: 165 feet
 Parking Lot - LF: 140 feet
 C Balboa Blvd - LF: 123 feet
 D 26th Street – LF:106 feet

One Story Building 300: A Newport Blvd - LF: 80 feet
 Parking Lot - LF: 22 feet
 C Balboa Blvd - LF: 87 feet
 B 28th Street – LF: 51 feet

Type of Sign & Location	Primary Frontage Size limitations, where applicable	Secondary Frontage Size limitations, where applicable	Other Requirements
Wall Sign Suite 101 A	<u>Parking Lot Elevation</u> <ul style="list-style-type: none"> Maximum Number: 1 (One) Maximum Sign Area: 57 sq. ft. Maximum Sign Width: 50% of Tenant Frontage (LF) 	<u>Balboa Ave Elevation:</u> <ul style="list-style-type: none"> Maximum Number: 1 (One) Maximum Sign Area: 36 sq ft Maximum Sign Width: 50% of Tenant Frontage LF 	<ul style="list-style-type: none"> Maximum Vertical Dimension, Logo or Letter: 24 inches Minimum Distance (LF) from other wall signs: 5 feet
Wall Sign Suite 101 B	<u>Parking Lot Elevation:</u> <ul style="list-style-type: none"> Maximum Number: 1 (One) Maximum Sign Area: 52 sq. ft. Maximum Sign Width: 50% of Tenant Frontage LF 	<u>Newport Blvd Elevation:</u> <ul style="list-style-type: none"> Maximum Number: 1 (One) Maximum Sign Area: 36 sq ft Maximum Sign Width: 50% of Tenant Frontage LF 	<ul style="list-style-type: none"> Maximum Vertical Dimension, Logo or Letter: 24 inches Minimum Distance (LF) from other wall signs: 5 feet

Type of Sign & Location	Primary Frontage Size limitations, where applicable	Secondary Frontage Size limitations, where applicable	Other Requirements
Wall Sign Suite 102	<u>Newport Blvd Elevation:</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 50 sq. ft. • Maximum Sign Width: 50% of Tenant Frontage LF 		<ul style="list-style-type: none"> • Maximum Vertical Dimension, Logo or Letter: 24 inches • Minimum Distance (LF) from other wall signs: 5 feet
Wall Sign or Awning Sign Suite 104	<u>26th Street Elevation:</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 30 sq. ft. • Maximum Sign Width: 50% of Tenant Frontage LF 	<u>Newport Blvd Elevation:</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 37.5 sq ft • Maximum Sign Width: 50% of Tenant Frontage LF 	<ul style="list-style-type: none"> • Awning sign limited to shed or valance • Awning sign maximum width: 50% of area of shed or valance width • Maximum Vertical Dimension, Logo or Letter: 24 inches • Minimum Distance (LF) from other wall signs: 5 feet
Wall Sign or Awning Sign Suite 300	<u>Newport Blvd Elevation:</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 45 sq. ft. • Maximum Sign Width: 50% of Tenant Frontage LF 	<u>Balboa Blvd Elevation:</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 25 sq ft • Maximum Sign Width: 50% of Tenant Frontage LF <u>Parking Lot Elevation</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 31 sq ft • Maximum Sign Width: 50% of Elevation LF 	<ul style="list-style-type: none"> • Awning sign limited to shed or valance • Awning sign maximum width: 50% of area of shed or valance width • Maximum Vertical Dimension, Logo or Letter: 24 inches • Minimum Distance (LF) from other wall signs: 5 feet

Type of Sign & Location	Primary Frontage Size limitations, where applicable	Secondary Frontage Size limitations, where applicable	Other Requirements
Wall Sign or Awning Sign Suite 301	<u>Newport Blvd Elevation:</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 75 sq. ft. • Maximum Sign Width: 50% of Tenant Frontage LF 	<u>28th Street Elevation:</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 37.5 sq ft • Maximum Sign Width: 50% of Elevation LF 	<ul style="list-style-type: none"> • Awning sign limited to shed or valance • Awning sign maximum width: 50% of area of shed or valance width • Maximum Vertical Dimension, Logo or Letter: 24 inches • Minimum Distance (LF) from other wall signs: 5 feet
Wall Sign or Awning Sign Suite 302	<u>Balboa Blvd Elevation:</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 75 sq ft • Maximum Sign Width: 50% of Tenant Frontage LF 	<u>28th Street Elevation:</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 37.5 sq. ft. • Maximum Sign Width: 50% of Tenant Frontage LF 	<ul style="list-style-type: none"> • Awning sign limited to shed or valance • Awning sign maximum width: 50% of area of shed or valance width • Maximum Vertical Dimension, Logo or Letter: 24 inches • Minimum Distance (LF) from other wall signs: 5 feet
Wall Sign Multi-Tenant Panel (26 th Street)	<u>South Elevation (26th Street):</u> <ul style="list-style-type: none"> • Maximum Number: 1 (One) • Maximum Sign Area: 32 sq. ft. • Minimum Letter Height: 4 inches • Maximum Letter Height: 12 inches • Maximum Number of Panels: 4 plus header with center identification 		
Wall Sign or Awning Signs Second Floor Tenants	<ul style="list-style-type: none"> • Not permitted, with the exception of the one Multi-Tenant Panel Wall Sign 		
Freestanding Sign – Multi-Panel, Address and Project Identification Sign (Newport Blvd.)	<ul style="list-style-type: none"> • Maximum Letter Height Single Panel: 10 inches • Maximum Letter Height Double Panel: 12 inches 		
Freestanding Sign – Multi-Panel, Address	<ul style="list-style-type: none"> • Maximum Letter Height Single Panel: 10 inches 		

Type of Sign & Location	Primary Frontage Size limitations, where applicable	Secondary Frontage Size limitations, where applicable	Other Requirements
and Project Identification Sign (Balboa Blvd.)	<ul style="list-style-type: none"> Maximum Letter Height Double Panel: 12 inches 		
Window Signs	<ul style="list-style-type: none"> Number of Signs: One sign per window, not to exceed 20% of window area Shall be counted as part of the allowed Maximum Tenant Wall Sign Area Locations: Limited to upper <u>or</u> lower 12 inches of window only 		

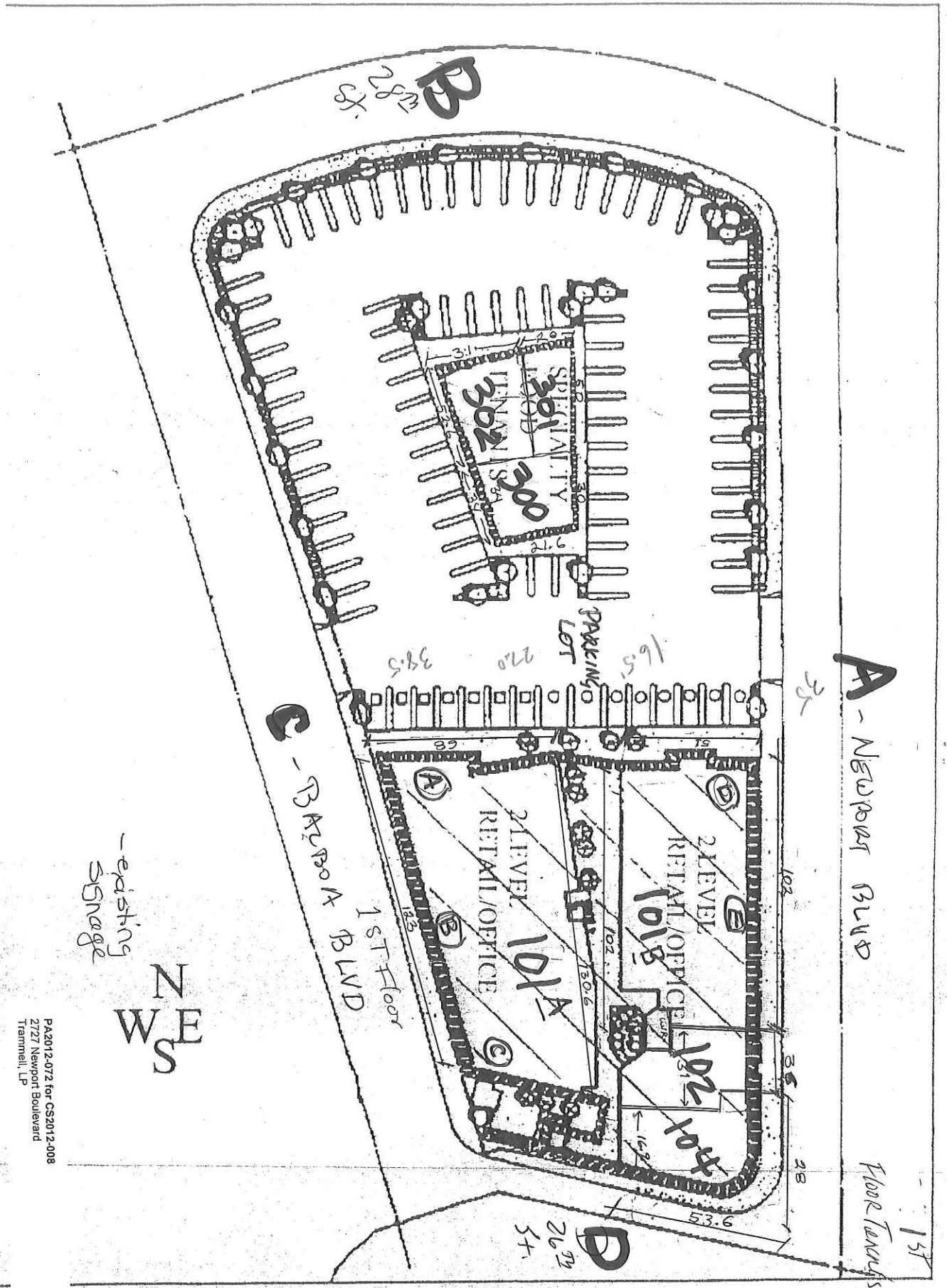
NOTES:

- A. LF = Linear Feet, a horizontal dimension.
- B. Requirements for all sign types per Municipal Code Chapter 20.42, except as provided in this sign matrix.
- C. Tenant panels on existing nonconforming monument signs may be replaced upon change of tenants; however, panels shall be opaque background with translucent copy (letters/logo) for illuminated signage per the Municipal Code Section 20.42.060.H.2.
- D. With the exception of replacement monument sign panels per Note C above, all existing nonconforming signs shall be brought into compliance with this sign matrix upon change of tenant signage.
- E. Pursuant to Section 20.42.120.F of the Municipal Code, the Community Development Director may approve minor revisions to the Sign Program if the intent of the original approval is not affected. This may include deviations on the tenant configurations resulting from combining or division changes of the submitted building plans.

Attachment No. CD 3

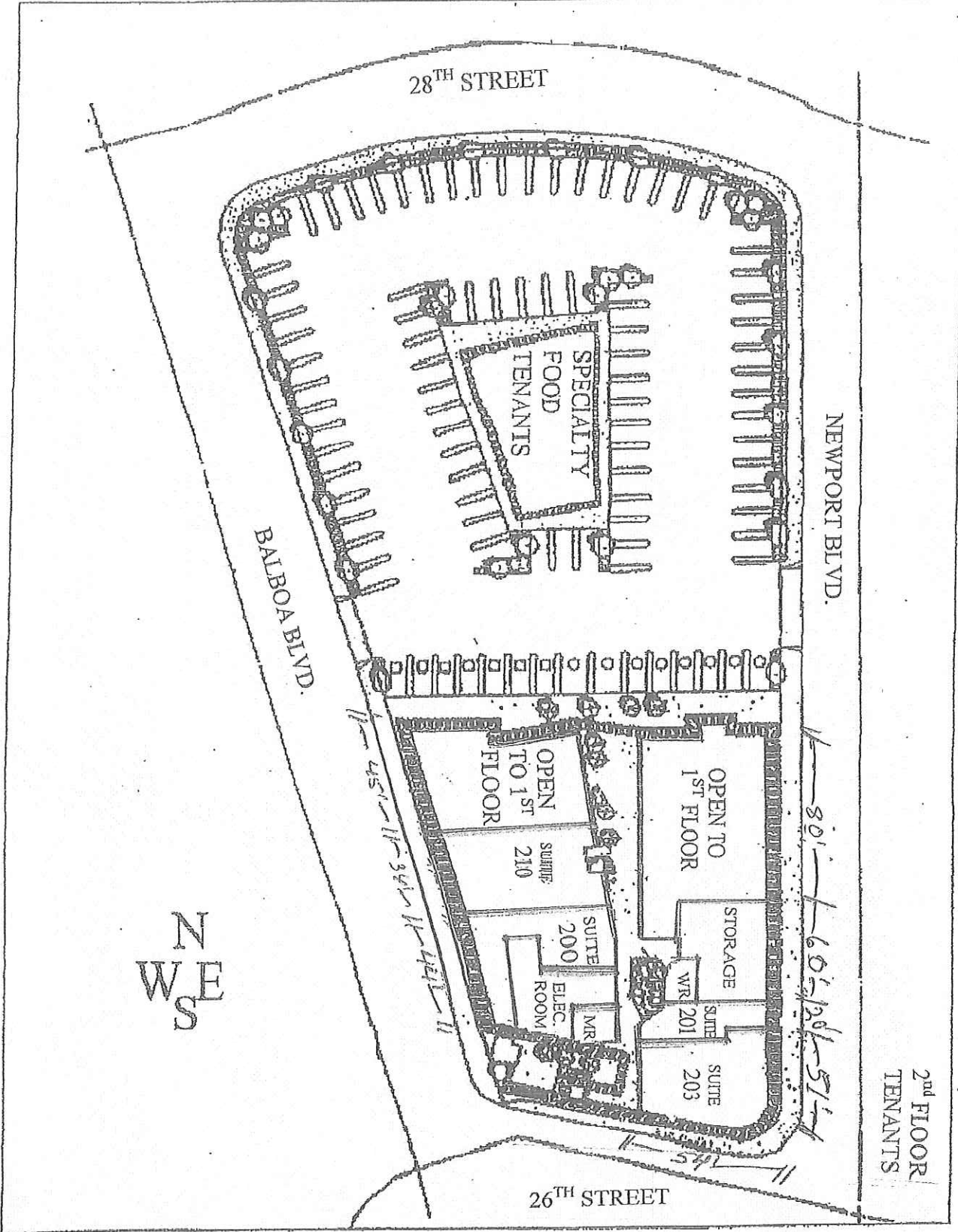
Site Plans

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SITE INFORMATION



PA2012-072 for CS2012-008
 2727 Newport Boulevard
 Trammell, LP

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SITE INFORMATION



The above information has been obtained from sources we believe to be reliable

Attachment No. CD 4

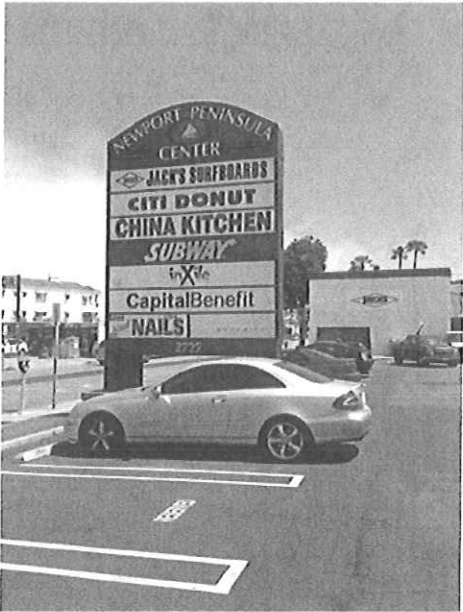
Site Photos

Appendix 5.1 – Site Plan

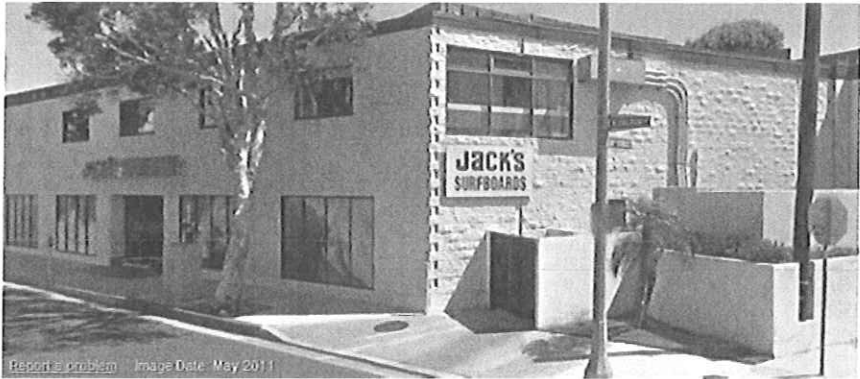
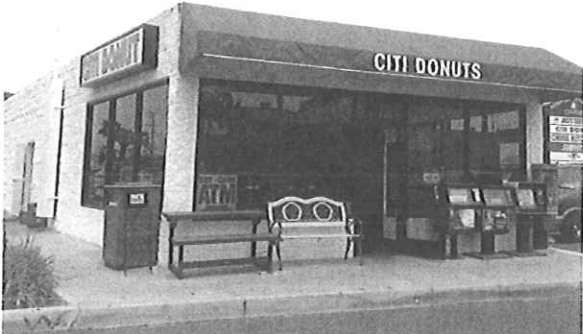
2727 Newport Blvd.



Appendix 5.2 : Existing Monument Signs



Appendix 5.4 : Existing Tenant Signage



Appendix 5.3 : Proposed Monument Signage Area

On 26th Street Frontage - Internally illuminated sign can with plex panels 8'x10'

