



**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 29, 2014

**ZONING ADMINISTRATOR ACTIONS
AUGUST 28, 2014**

- Item 1: Redlands Avenue Tentative Parcel Map No. NP2014-011 (PA2014-107)
423 Redlands Avenue
- Action: Approved by Resolution No. ZA2014-032 Council District 2
- Item 2: Minyard Residence Modification Permit No. MD2014-007 (PA2014-105)
715 Patolita Drive
- Action: Approved by Resolution No. ZA2014-033 Council District 5

**COMMUNITY DEVELOPMENT DIRECTOR
OR PLANNING DIVISION STAFF ACTIONS
(Non-Hearing Items)**

- Item 1: Hobie Surf Shop Comprehensive Sign Program No. CS2013-008 (PA2013-122)
3140 E. Coast Highway
- Action: Approved Council District 6
- Item 2: Huang Grade Determination No. SA2014-016 (PA2014-119)
514 Fernleaf Avenue
- Action: Approved Council District 6

ACTION TAKEN BY THE CHIEF OF POLICE
(Non-Hearing Item)

Item 1: American Junkie Operator's License No. OL2014-005 (PA2014-090)
2406 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.

Det. Randy Parker & Det. John Thulin, NBPD (*ABC License*)
Sgt. Chuck Freeman, NBPD (*Massage Therapy - ABC License*)

RESOLUTION NO. ZA2014-032

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING TENTATIVE PARCEL MAP NO. NP2014-011 TO RE-ESTABLISH THE TWO (2) ORIGINAL UNDERLYING LOTS LOCATED AT 423 REDLANDS AVENUE (PA2014-107)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Michael and Kimberly Robertson, with respect to property located at 423 Redlands Avenue, and legally described as First Addition to Newport Heights Lot 18 and Lot 19, Block 14 of Tract Map 256, requesting approval of a tentative parcel map and a reduction to the minimum required lot widths.
2. The applicant proposes a tentative parcel map to subdivide one (1) parcel and re-establish the two (2) original underlying lots for single-unit residential developments. The subject property is currently improved with a single-unit dwelling and a detached garage along the northeast property boundary.
3. No demolition is proposed or required prior to the recordation of the Parcel Map.
4. The subject property is located within the Single-Unit Residential (R-1) Zoning District and the General Plan Land Use Element category is Single-Unit Residential Detached (RS-D).
5. The subject property is not located within the coastal zone.
6. A public hearing was held on August 28, 2014 in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. 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 is categorically exempt under Section 15315, of the State CEQA (California Environmental Quality Act) Guidelines - Class 15 (Minor Land Divisions).
2. Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four (4) 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 two (2) years, and the parcel does not have an average slope greater than 20

percent. The proposed parcel map would create two (2) parcels for single-unit residential development 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 (Required Findings for Action on Tentative Maps) of Title 19 of the Municipal Code:

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 the purpose of subdividing one (1) parcel and re-establish the two (2) original underlying lots for single-unit residential developments.
2. The proposed Parcel Map is consistent with General Plan Land Use Policy LU4.2, which exempts lots that have been legally merged through the Subdivision Map Act and City Subdivision Code approvals from the GPA requirements and allows parcels to be re-subdivided to the original underlying legal lots. This policy is applicable to all Single Unit, Two Unit, and Multiple Unit Residential land use categories.
3. Future development of the proposed lots is required to comply with the Municipal Code and must be consistent with the use and development standards of the R-1 (Single-Unit Residential) Zoning District. One (1) unit on each newly created parcel is allowed consistent with the current Zoning and General Plan Land use designation allowing "Single-Unit Residential Detached".
4. The new parcels meet the minimum requirement of 5,000 square feet; however, not the minimum lot width requirement of 50 feet set forth in Title 20 (Zoning) for new subdivisions. The 49.20-foot-wide parcels correspond with the original underlying lots and with the typical lots in the area. Conditions of approval have been incorporated to require all necessary public improvements including, but not limited to: street, drainage, sidewalk and utility laterals to support the proposed subdivisions in accordance with the Subdivision Code.

Finding:

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

Facts in Support of Finding:

1. The site is currently developed with a single residential unit and detached garage, which is consistent with the use and development standards in the R-1 Zoning District. The proposed Parcel Map would subdivide the parcel and re-establish the two (2) original underlying lots for two (2) single-unit residential developments.
2. The site is sloped less than 20 percent and is suitable for the development of two (2) residences.

Finding:

C. *That the design of the subdivision or the proposed improvements are not likely to 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. The subject property is developed and located in a developed area. The lot, proposed improvements, and proposed tentative parcel map application will not cause substantial environmental damage. The project site does not contain significant biological resources as it is currently developed with a single residential unit.
2. 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 (4) 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 presently available, the property was not involved in a division of a larger parcel within the previous two (2) years, and the property does not have an average slope greater than 20 percent. The proposed parcel map would create two (2) parcels for single-unit residential developments 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 Tentative Parcel Map would subdivide one (1) parcel to re-establish the two (2) original underlying lots for the purpose of developing two (2) new single-unit residential developments. All construction for the project will comply with 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 ones 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 project site is not subject to a Williamson Act contract as it is developed with a single residential unit where no agricultural resources are present.

Finding:

- G. *That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (1) There is an adopted specific plan for the area to be included within the land project; and (2) 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, and 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 that new construction meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Division 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 proposed Parcel Map 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. The residential density on the proposed lots is consistent with the number of units allowed in the R-1 Zoning District.

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 will not violate Regional Water Quality Control Board (RWQCB) requirements because a single residential unit would be developed on each proposed lot.

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 not located within the Coastal Zone and there is no public access or recreation area located on the site.

Deviation from Design Standards

Per Section 19.24.050.A of Title 19 (Lot Design, Lot Size), new subdivisions shall conform to the applicable zoning district regulations in regards to lot area, width, dimensions and other lot characteristics as required per Title 20 (Planning and Zoning). Deviation from design standards may be approved by the Zoning Administrator subject to specific findings required per Section 19.24.130.C. As proposed, the subdivision would create two (2) 49.20 foot wide lots which do not meet the minimum lot width requirement of fifty (50) feet as required by the Zoning Code for new subdivisions within the R-1 Zoning District.

The required findings to deviate from the standards and facts in support of those findings are as follows:

Finding:

- A. *The requested deviations will create a land plan or development design equal or superior to that under the baseline design standards in this Chapter.*

Facts in Support of Finding:

1. The proposed lots are equal in width, length, and area to the original subdivision which was comprised of 49.20-foot-wide by 127.50-foot-deep lots.
2. The existing lot orientation with vehicular access from the alley and pedestrian access from Redlands Avenue is maintained.

Finding:

- B. *The deviations will not negatively impact the carrying capacity of the local vehicular circulation network.*

Facts in Support of Finding:

1. The proposed subdivision would subdivide one (1) parcel and re-establish the two (2) original underlying lots for single-unit residential development. No increase in

density is proposed and, therefore, will not negatively impact the carrying capacity of Redlands Avenue.

Finding:

C. The deviations will not negatively impact pedestrian circulation.

Facts in Support of Finding:

1. The subdivision will not reduce or encroach within the abutting public right-of-way (Redlands Avenue).
2. The subdivision will not eliminate or impede pedestrian circulation provided that the necessary improvements are provided in accordance with applicable Public Works design standards and permitting.

Finding:

D. The resulting subdivision will be compatible with the pattern of surrounding subdivisions.

Facts in Support of Finding:

1. The original subdivision established 49.20-foot-wide lots on Block 13 and 14 of the Newport Heights Subdivision on properties which front on Redlands Avenue, San Bernardino Avenue, and Santa Ana Avenue between Broad Street and Cliff Drive. Therefore, the proposed subdivision will be compatible with the pattern of the surrounding subdivisions.

Finding:

E. The resulting subdivision design and improvements will not be materially detrimental to the residents or tenants of the proposed subdivision or surrounding properties, nor to public health or safety.

Facts in Support of Finding:

1. The proposed subdivision to re-subdivide the existing one (1) parcel in a comparable manner to the underlying, legal lots would allow a single-unit dwelling to be constructed on each lot in accordance with the General Plan. Approval does not introduce an incompatible land use, and the resulting subdivision design would not be detrimental to the residents as vehicular and pedestrian access would be maintained. Any new development must be in accordance with the conditions of approval and the Municipal Code. The resulting lot widths are not inconsistent with the lot widths and development pattern of the neighborhood.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Tentative Parcel Map No. NP2014-011, 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 Subdivisions, of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 28TH DAY OF AUGUST, 2014.



Patrick J. Alford, 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. The applicant shall reconstruct the existing broken and/or otherwise damaged concrete curb and gutter along Redlands Avenue.
5. All existing overhead utilities shall be undergrounded.
6. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the 12-foot public right-of-way fronting the development site shall be removed (i.e. railroad ties, steps, hand rail, lights, fences, pavers, etc.).
7. An encroachment permit is required for all work activities within the public right-of-way.
8. All improvements shall comply with the City's sight distance requirement pursuant to City Standard 110-L and Municipal Code Section 20.30.130.
9. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.
10. All on-site drainage shall comply with the latest City Water Quality requirements.
11. Each lot/residence requires its own individual water service/meter and sewer lateral with cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover located within the public right-of-way.

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12. All unused water services to be abandoned shall be capped at the main (corporation stop) and all unused sewer laterals to be abandoned shall be capped at the property line.
 13. Pursuant to Chapter 13 of the Newport Beach Municipal Code, a 36-inch-box Cinnamomum Camphora street tree is required along Redlands Avenue frontage for each lot.
 14. 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 423 Redlands Avenue Parcel Map including, but not limited to, Tentative Parcel Map No. NP2014-011 (PA2014-107). 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.
 15. This Parcel Map shall expire if the map has not been recorded within twenty-four (24) months of the date of approval, unless an extension is granted by the Director of Community Development in accordance with the provisions of Section 19.16 of the Newport Beach Municipal Code.

RESOLUTION NO. ZA2014-033

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MODIFICATION PERMIT NO. MD2014-007 TO ALLOW A GARAGE ADDITION THAT ENCROACHES SIX (6) INCHES INTO THE REQUIRED 15-FOOT FRONT SETBACK FOR PROPERTY LOCATED AT 715 PATOLITA DRIVE (PA2014-105)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Mark Minyard, property owner, with respect to property located at 715 Patolita Drive, and legally described as Lot 74 in Tract No. 1700 requesting approval of a modification permit.
2. The applicant proposes a modification permit to allow a garage addition to encroach six (6) inches into the required 15-foot front setback in conjunction with a remodel and 369-square-foot bedroom addition to an existing single-family dwelling. The dwelling is currently nonconforming due to parking because the interior of the garage measures 19 feet 6 inches by 20 feet 9 inches, where a minimum 20-foot by 20-foot dimension is required. The proposed setback encroachment will result in a conforming interior parking dimension.
3. The subject property is located within the Single-Unit Residential (R-1) Zoning District and the General Plan Land Use Element category is Single-Unit Residential Detached (RS-D).
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Single-Unit Residential Detached (RSD-A).
5. A public hearing was held on August 28, 2014, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. 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 project has been determined to be categorically exempt pursuant to Title 14 of the California Code of Regulations (Section 15301, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act) under Class 1 (Existing Facilities).
2. This exemption consists of additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures

before the addition or 2,500 square feet, whichever is less. The proposed scope of work is to add 380 square feet to an existing 2,168-square-foot dwelling, or approximately 17.5 percent of the existing floor area.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.52.050 (Modification Permits) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

- A. *The requested modification will be compatible with existing development in the neighborhood.*

Facts in Support of Finding:

1. The neighborhood is comprised of a development pattern of single-story, single-family dwellings.
2. The proposed addition and setback encroachment at the ground level of an existing single-story, single-family dwelling will result in a residence that is compatible in bulk and scale with others in the Irvine Terrace community.
3. Variance No. 179 approved in 1954 and Variance Nos. 209 and 238 approved in 1955 (Codified on Setback Map No. S-9A) established staggered front setbacks along Patolita Drive and at nearby properties for the purpose of allowing more interesting and pleasing architectural development. The property is subject to a 15-foot front setback where neighboring properties have front setbacks ranging between ten (10) and twenty (20) feet. A six (6) inch encroachment will leave a minimum distance of 14 feet 6 inches to the front property line which is compatible with nearby properties.

Finding:

- B. *The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use.*

Facts in Support of Finding:

1. The granting of the Modification Permit will provide for conforming parking dimensions and allow a reasonable addition to an existing dwelling that was in compliance with off-street parking standards in effect at the time of construction in 1955 and until the Zoning Code update in 2010.
2. The dwelling was designed with an attached garage that provides the minimum front setback required. The existing garage measures 19 feet 6 inches by 20 feet 9 inches. Expanding the garage an additional six (6) inches into the front setback is necessary

to meet the required 20-foot by 20-foot minimum interior parking dimension without physically altering the interior of the existing structure.

3. The proposed addition and encroachment at the front yard would maintain the minimum 4-foot side setback and the dwelling will continue to comply with the height limit, open volume, and residential design criteria as required by the Zoning Code.

Finding:

- C. *The granting of the modification is necessary due to practical difficulties associated with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code.*

Facts in Support of Finding:

1. The intent of the proposal is to provide conforming parking and to allow for a reasonably sized addition to the existing dwelling.
2. A strict application of the code would require that the garage be expanded into the kitchen in order to maintain the 15-foot front setback. The removal and relocation of the wall separating the garage from the kitchen creates a physical and practical difficulty because the wall is load-bearing (for both vertical loads and lateral bracing). Repositioning the wall would require a new footing which impacts the building foundation as well as the interior living area, considerably increasing the current scope of work.
3. Providing an additional six (6) inches at the interior of the dwelling presents a physical hardship that outweighs any tangible benefits to neighboring properties, particularly since the neighborhood maintains variable front setbacks.

Finding:

- D. *There are no alternatives to the modification permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public.*

Facts in Support of Finding:

1. Without this approval the applicant would be required to relocate a load-bearing wall, provide a new footing, and reconfigure the existing kitchen to allow for the garage expansion which involves extensive remodeling above and beyond the current scope of work.
2. Should the setback encroachment be denied, the Zoning Administrator may instead consider allowing an addition in excess of 10 percent of the existing floor area of the structure pursuant to Section 20.52.050 (Modification Permits). Approval of the addition would preserve the 15-foot front setback established for the property while

retaining nonconforming parking dimensions. Future additions to the property will continue to be limited to 10 percent of the existing floor area of the structure pursuant to Section 20.38.060 (Nonconforming Parking) unless a larger addition is otherwise approved through a new or amended modification permit.

Finding:

- E. The granting of the modification would not be detrimental to public health, safety, or welfare, to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code.*

Facts in Support of Finding:

1. The proposed setback encroachment is the minimum necessary to achieve the minimum required parking dimensions and will not be detrimental to surrounding owners or occupants due to the design of the subdivision which established staggered front setbacks ranging between ten (10) and twenty (20) feet. The location of the encroachment is approximately 14 feet 6 inches back from the street and will maintain the 4-foot required side setback.
2. The applicant/owner is required to obtain a building permit. The construction will then be inspected prior to final of building permits.
3. The existing development on the property is a single-family dwelling. As such, there is no change to the density or intensity as a result of the addition.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Modification Permit No. MD2014-007, 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 fourteen (14) days following the date this Resolution was adopted unless within such time an appeal is filed with the Community Development Director in accordance with the provisions of Title 20 (Planning and Zoning), of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 28TH DAY OF AUGUST, 2014.



Patrick J. Alford, Zoning Administrator

EXHIBIT “A”**CONDITIONS OF APPROVAL****PLANNING**

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
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 garage encroachment shall maintain 14 feet 6 inches to the front property line.
4. This Modification Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or is materially injurious to property or improvements in the vicinity, or if the property is operated or maintained so as to constitute a public nuisance.
5. Any change in operational characteristics, expansion in area, or other modification to the approved plans, shall require an amendment to this Modification Permit or the processing of a new modification permit.
6. A copy of the Resolution, including conditions of approval (Exhibit “A”) shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
7. 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.
8. The applicant is required to obtain all applicable permits from the City’s Building Division and Fire Department. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access requirements.
9. Construction activities shall comply with Section 10.28.040 of the Newport Beach Municipal Code, which restricts hours of noise-generating construction activities to between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday and 8:00 a.m. and 6:00 p.m. on Saturday. Noise-generating construction activities are not allowed on Sundays or Holidays.
10. This approval shall expire and become void unless exercised within twenty-four (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.

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 the Minyard Residence Modification including, but not limited to, MD2014-007 (PA2014-105). 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.

PUBLIC WORKS

12. The existing driveway shall be plugged per City Standard STD-165-L.
13. The new driveway approach shall be installed pursuant to City Standard STD-163-L. Additional grading on-site may be required to accommodate the new driveway approach.
14. The existing gas meter shall be relocated onto private property.
15. A new sewer cleanout shall be installed on the existing sewer lateral pursuant to City Standard STD-406-L.
16. An encroachment permit is required for all work activities within the public right-of-way.
17. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way may be required at the discretion of the Public Works Inspector.
18. Parking within the driveway shall be prohibited.



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

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(949) 644-3200 Fax: (949) 644-3229

www.newportbeachca.gov

ZONING ADMINISTRATOR ACTION LETTER

Application No. **Comprehensive Sign Program No. CS2013-008 (PA2013-122)**
Applicant **Bob Thornton – RTA, Inc.**
Site Address **3140 E. Coast Highway**
Legal Description **Lot 3, 4, 5, Block Q, Tract 323**

On **August 29, 2014**, the Zoning Administrator approved Comprehensive Sign Program No. CS2013-008 for an existing single-tenant commercial building in accordance with the provisions of Chapter 20.42 (Sign Standards) of the Newport Beach Municipal Code.

A Comprehensive Sign Program is required to allow three or more signs for a single-tenant property and to allow the following deviations from the Zoning Code:

1. Four signs on a primary frontage (1 wall, 3 window), where the Zoning Code allows one building sign per primary frontage;
2. Three signs on each of two secondary frontages (Larkspur Avenue – 1 wall, 2 window / Parking lot – 3 window), where the Zoning Code allows one building sign per secondary frontage;
3. Relief from the requirement that wall signs be located within the middle 50 percent of a building frontage; and
4. A wall sign located on a block wall, where the Zoning Code allows only building signs (means a sign attached to or painted on a building) for single-tenant sites.

The subject property is located within the Commercial Corridor (CC) Zoning District and the General Plan Land Use Element category is Corridor Commercial (CC). The property is not located in the Coastal Zone.

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

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.

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

1. A comprehensive sign program is required whenever three or more nonexempt signs are proposed for a single-tenant property.
2. 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 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.
3. 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 signs, 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.
4. Approval of this Comprehensive Sign Program includes deviations to the number and location of signs and allows the flexible application of the sign regulations to achieve a unified design theme that meets the purpose and intent of the Zoning Code.

5. 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 in terms of size, location, legibility, and materials.
6. All wall 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 size of the signs do not dominate the façade on which they are placed, and are appropriately located to identify the building entrance, as well as the property to vehicles travelling north and south on East Coast Highway.
7. Window signs are designed to be uniform, located and sized consistently across all window areas at either the top or bottom of each window area so as to not result in excessive window signage and clutter.

Standard

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

Facts in Support of Standard

1. The site is developed with a single-story commercial building. Signs are designed to identify a single tenant, Hobie Surf Shop. Each sign proposed for the primary and secondary frontages will not exceed the maximum allowable for each sign type per the Zoning Code.
2. All wall signs relate visually to each other because they maintain consistency in design, materials, and color while identifying the tenant name.
3. All window signs integrate well with the project site by maintaining consistency in location, sign height, and materials. Window signs will be limited to the top or bottom 12 inches of each window area, will contrast with the background, and will be visually appealing.
4. Proposed signs will not obstruct public views from adjacent roadways because there are no public views through or across the subject property.
5. The signs will not interfere with sight distance from any street, driveway, or parking area.

Standard

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

Facts 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 Chapter 20.42 (Sign Standards) of the Zoning Code.

Standard

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

Facts in Support of Standard

1. The Comprehensive Sign Program has been designed to be effective for the commercial tenant that occupies the building by providing sign opportunities across multiple street frontages.
2. The Comprehensive Sign Program establishes allowed type, number, location, and area of signage with flexibility to accommodate any existing and future tenant.
3. It is not anticipated that future revisions to the Comprehensive Sign Program will be necessary to accommodate a change in tenant or use. However, the Community Development Director may approve minor revisions to the Comprehensive Sign Program if the intent of the original approval is not affected.
4. Existing freestanding signs along Larkspur Avenue and East Coast Highway as well as the roof sign are inconsistent with the proposed Comprehensive Sign Program and will be removed by the applicant.

Standard

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

Facts in Support of Standard

1. The Comprehensive Sign Program allows for deviations with regards to the number and location 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 statement.

2. Allowing deviation from the Zoning Code for additional building signs (window) on a primary frontage is appropriate given the architectural design of the building with large window panes that are adjacent to the front entrance. The proposed location of window signs ensures visual consistency while preventing sign clutter and distraction to pedestrians and passing vehicles.
3. Allowing deviation from the Zoning Code for additional building signs (window) on each of two secondary frontages is appropriate given the large window panes that line the building. The proposed window sign location provides visibility to pedestrians and vehicles, is aesthetically consistent with the primary frontage, and does not overwhelm the reader, but rather conveys a message efficiently.
4. Allowing deviation from the requirement that wall signs on the building be located in the middle 50 percent of a frontage is appropriate given the architectural design and location of the building. The wall sign along East Coast Highway is centered above the front entrance of the building, and the wall sign along Larkspur Avenue is placed in an area that is not obstructed from view to vehicles travelling north on East Coast Highway.
5. With the removal of the roof sign, sign identification on the west side of the building will be limited to the irregular corner of the building. Allowing a wall sign to be located on the block wall provides enhanced notification to vehicles travelling south on East Coast Highway by alerting them to the subject building which is otherwise obstructed by the existing block wall, and will provide the sign user with an adequate opportunity for identification. It will also provide the existing tenant and any future tenant with a designated area and location for signage on the frontage.

Standard

- 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

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

Standard

- 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 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 and/or sign permit shall be obtained prior to commencement of installation or demolition of signs.
4. A building permit and/or sign permit for new signs shall not be issued until the existing roof sign and two freestanding signs are demolished and removed.
5. A copy of this letter shall be incorporated into the plan check sets of plans prior to issuance of building or sign permits.
6. 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.
7. The maximum letter/logo height of any sign shall be 36 inches.
8. Window signs shall be located in either the top or bottom 12 inches of each window area. No window area shall contain more than one sign.
9. Signs shall be maintained in a clean and orderly condition.
10. 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.
11. 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.
12. 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.

13. 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.
14. 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 Hobie Surf Shop Comprehensive Sign Program including, but not limited to, Comprehensive Sign Program No. CS2013-008 (PA2013-122). 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.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development within 14 days following the date the action. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

On behalf of Brenda Wisneski, Zoning Administrator

By:



Jason Van Patten
Planning Technician

JM/jvp

Attachments: ZA 1 Comprehensive Sign Program Matrix
 ZA 2 Vicinity Map
 ZA 3 Site Photographs
 ZA 4 Project Plans

Attachment No. ZA 1

Comprehensive Sign Program Matrix

HOBIE SURF SHOP COMPREHENSIVE SIGN PROGRAM MATRIX (PA2013-122)
3140 E. COAST HIGHWAY

Primary Frontage
A. E. Coast Highway

Secondary Frontages
B. Larkspur Avenue

C. Parking Lot

D. Mural Wall

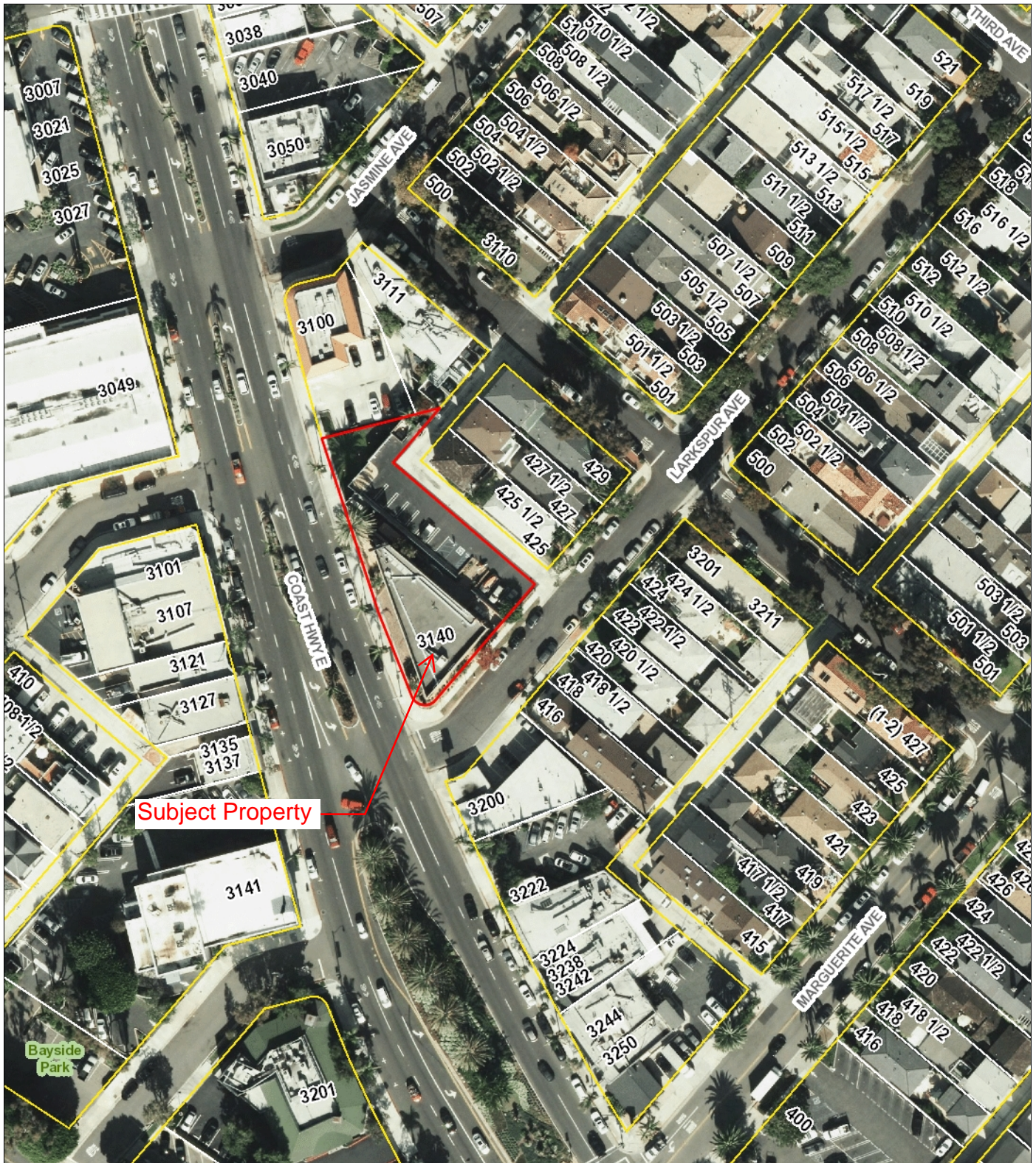
Building Frontage	Wall Signs	Window Signs	Sign Regulations
<i>Primary Frontage</i> Coast Highway	Maximum number: 1 Maximum area: 75 square feet Maximum letter/logo height: 36 inches Illumination: Yes	Maximum number: 3 Maximum area: top OR bottom 12 inches of each window area.	a. Any combination of signs (window or wall) shall not exceed a total of 111 square feet. b. Wall sign shall be centered above the front entrance. c. Window signs are limited to one per window area, not to exceed three total.
<i>Secondary Frontages</i> Larkspur Avenue	Maximum number: 1 Maximum area: 37.5 square feet Maximum letter/logo height: 36 inches Illumination: Yes	Maximum number: 2 Maximum area: top OR bottom 12 inches of each window area.	a. Any combination of signs (window or wall) shall not exceed a total of 53.5 square feet. b. Window signs are limited to one per window area, not to exceed three total.
Parking Lot	Not permitted	Maximum number: 3 Maximum area: top OR bottom 12 inches of each window area.	a. Any combination of signs shall not exceed 33 square feet. b. Window signs are limited to one per window area, not to exceed three total.
Mural Wall	Maximum number: 1 Maximum area: 30 square feet Maximum letter/logo height: 36 inches Illumination: Yes		a. Wall sign shall be centered within specified wall segment and in the location identified on the approved plans.

Other:

- Roof sign and freestanding signs shall be removed prior to implementation of this Comprehensive Sign Program.
- Temporary signs shall be regulated by the provisions of Chapter 20.42.090 (Standards for Temporary Signs).
- Exempt signs shall be regulated by the provisions of Chapter 20.42.100.B (Exemptions to Sign Permit Requirement).
- All other mural and window graphics, other than part of the designated signage, shall not contain commercial messages, logos, branding, or similar that draws attention to an object, product, place, activity, opinion, person, establishment, institution, organization, or place of business or that identifies or promotes the interests of any person.
- All other sign types not listed are not permitted.
- All signs require the issuance of a building permit or sign permit prior to installation.

Attachment No. ZA 2

Vicinity Map



Newport
Beach
GIS



0 100 200
Feet

Disclaimer: Every reasonable effort has been made to assure the accuracy of the data provided, however, The City of Newport Beach and its employees and agents disclaim any and all responsibility from or relating to any results obtained in its use.

Imagery: 2009-2012 photos provided by Eagle Imaging www.eagleaerial.com

2/24/2014

Attachment No. ZA 3

Site Photographs

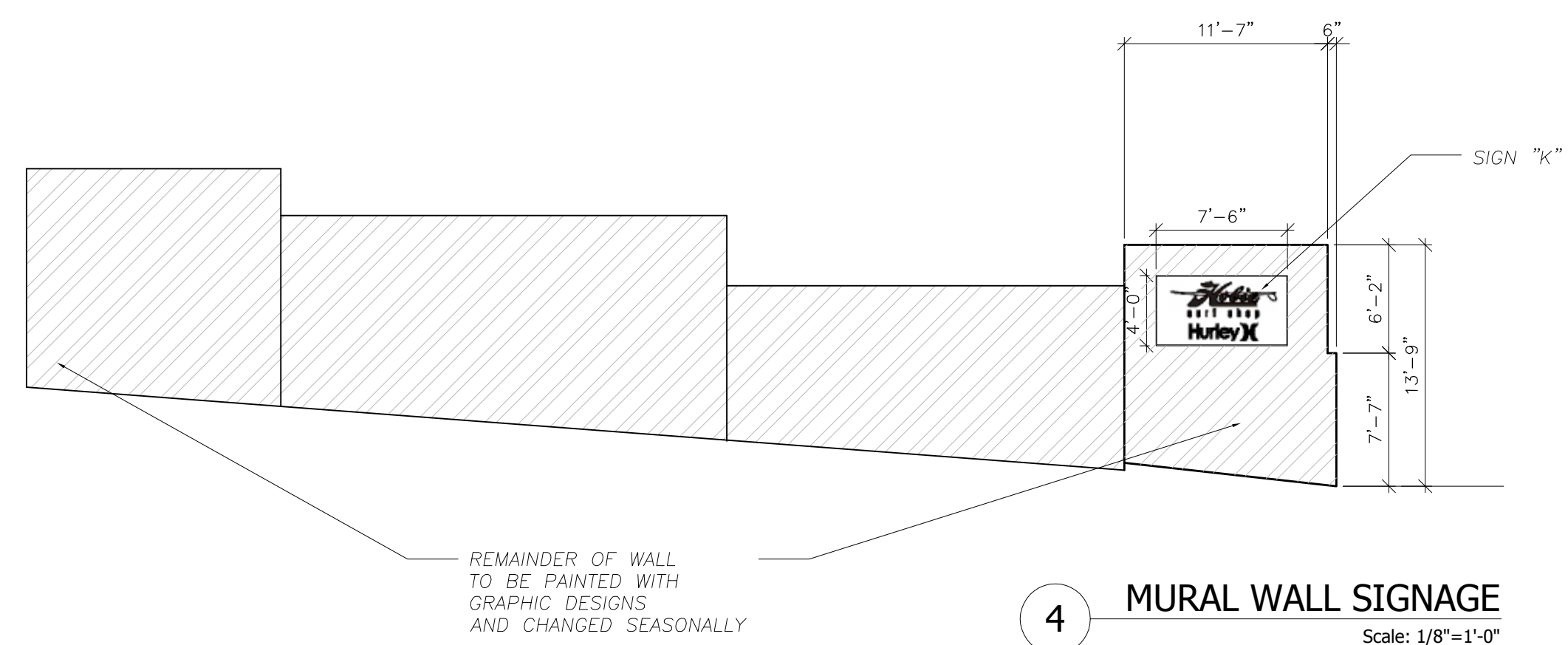
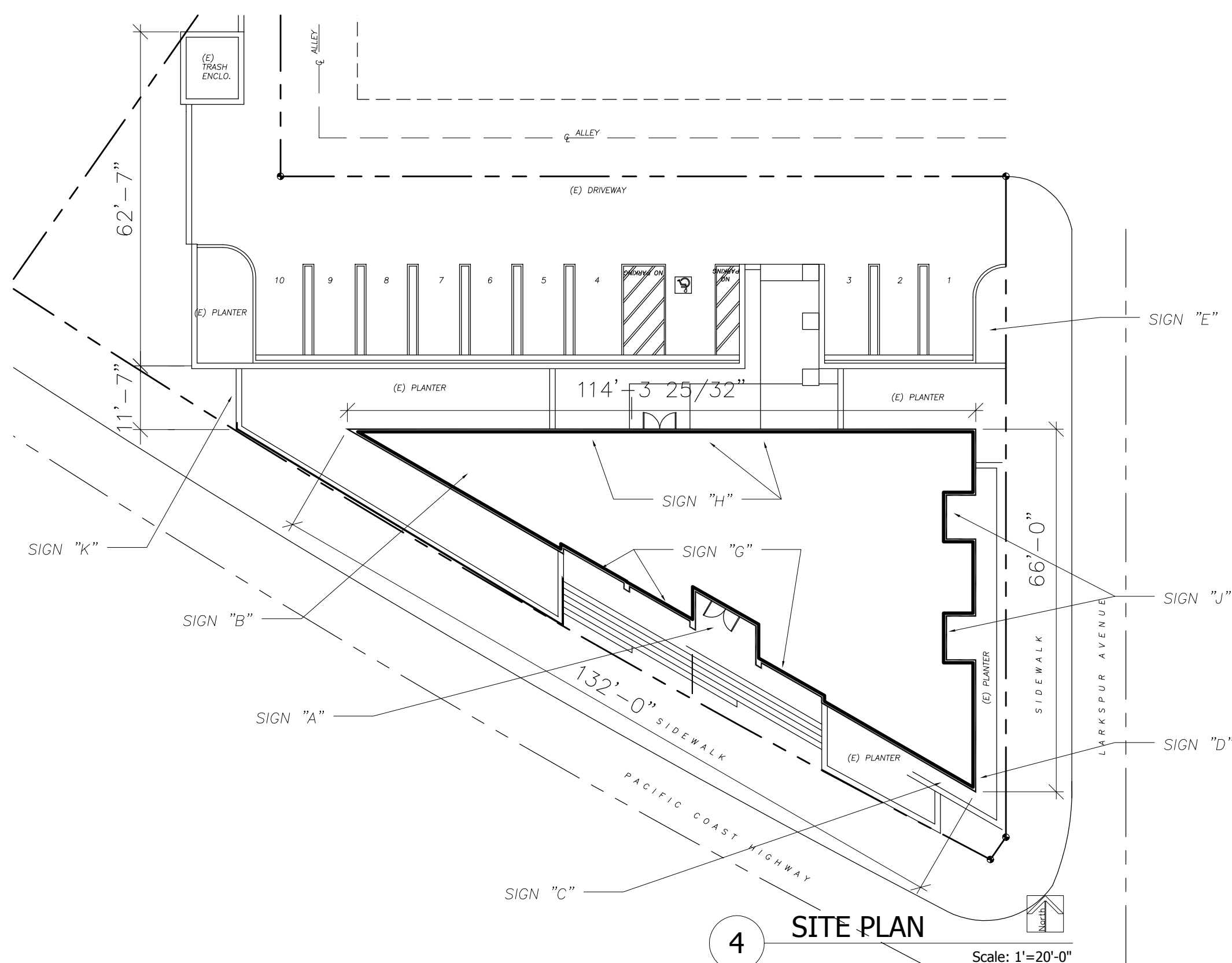
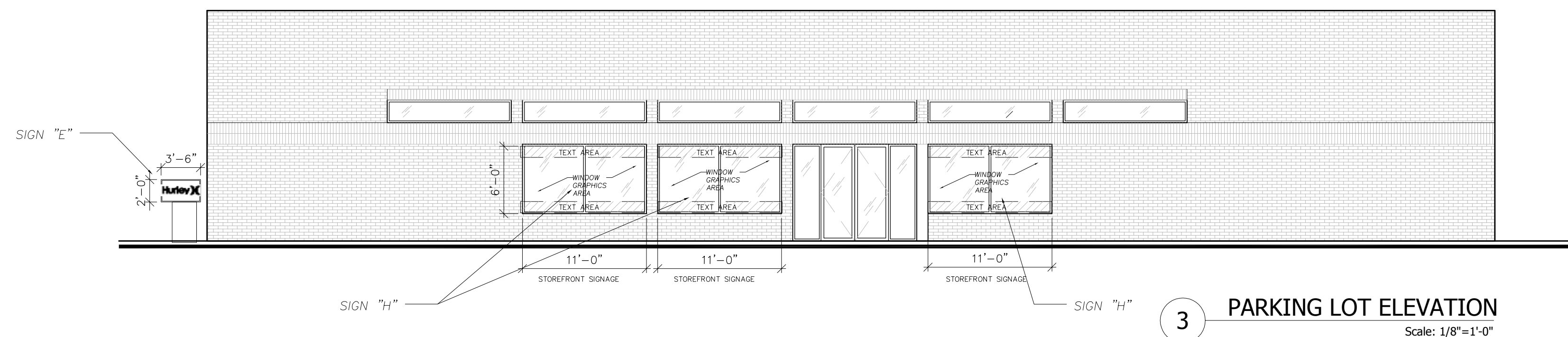
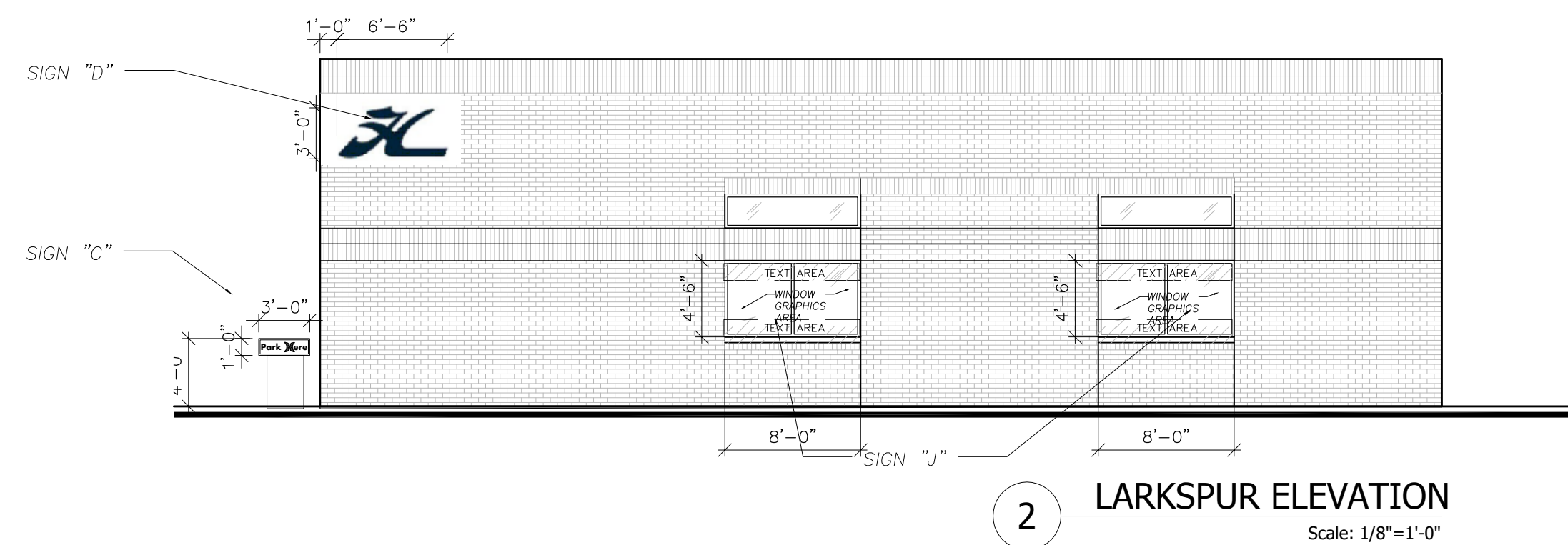




Attachment No. ZA 4

Project Plans

NOTE: REMAINDER OF WALL
TO BE PAINTED
WITH GRAPHICS AND
CHANGED SEASONALLY





COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915

(949) 644-3200 Fax: (949) 644-3229

www.newportbeachca.gov

COMMUNITY DEVELOPMENT DIRECTOR **ACTION LETTER**

Application No. **Staff Approval No. SA2014-016 (PA2014-119)**
Applicant **Brandon Architects, Inc.**
Site Address **514 Fernleaf Avenue**
 Huang Grade Determination
Legal Description **Lot 16, Block 533, Corona del Mar**

On **August 29, 2014**, the Community Development Director approved Staff Approval No. SA2014-016 to establish a grade plane (Attachment No. CD 4) consisting of elevations at five evenly spaced points along each of the two side property lines beginning at the front setback line and ending at the rear setback line. The elevations established are based on the topography of the adjoining lots (512 and 516 Fernleaf Avenue) instead of solely on the existing grade of the subject property, and collectively create the surface from which structure height is measured.

ZONING DISTRICT / GENERAL PLAN

- **Zone:** R-2 (Two-Unit Residential)
- **General Plan:** RT (Two-Unit Residential)

DISCUSSION

The existing two-unit dwelling was constructed in 1959 and has since undergone minimal improvements. The topography of the site generally slopes upward moving from the front property line to the rear property line. Although adjoining lots slope in a similar pattern, the subject property does not rise as quickly as neighboring properties but instead remains relatively flat into the rear portion of the lot. Therefore, the purpose of this grade determination is to ensure development on the site is measured using grade elevations that are consistent with adjoining lots.

FINDINGS

In accordance with Zoning Code Section 20.30.050.C (Grade Establishment – Establishment by Director) if the Community Development Director finds that the existing grade on the subject lot has been previously altered (e.g., contains retaining structures, property line walls, planters, or excavation/fill), or other conditions are present to the degree that the existing grade is not representative of the prevailing grades on adjoining

lots and/or the general area and, therefore, is not appropriate for the purpose of establishing the grade of the subject lot, the Community Development Director may establish the grade that is reasonable and comparable with the grades of adjoining lots and that will not be detrimental or injurious to property and improvements on adjoining lots.

Finding:

- A. *The existing grade on the subject lot has been previously altered or other conditions are present to the degree that the existing grade is not representative of the prevailing grades on adjoining lots and/or the general area and, therefore, is not appropriate for the purpose of establishing the grade of the subject lot.*

Facts in Support of Finding:

1. The existing grades on the subject property gradually rise three feet in elevation between the front property line and the rear setback line, and then increase an additional three feet between the rear setback line and the rear property line. Unlike the subject property the prevailing grades on the adjoining lots steadily rise six feet between the front property line and the rear property line.
2. The methodology to establish the grade plane from which structure height is measured is determined by the existing slope of the lot. By using the existing grades on the subject property, which have a moderate slope, the resulting grade plane would sit approximately two to three feet lower than the grade plane of the adjoining lots.

Finding:

- B. *The grade is reasonable and comparable with the grades of adjoining lots and will not be detrimental or injurious to property and improvements on adjoining lots.*

Facts in Support of Finding:

1. The proposed grade plane is based on elevations present at the adjoining properties.
2. The grade plane established will allow for a future dwelling on the property that is comparable in height with neighboring properties.
3. The property will be required to comply with all applicable development standards of the Zoning Code which are in place to prevent detriment or injury to the existing property and neighboring properties and improvements on adjoining lots.

CONDITIONS

1. A copy of this action letter including the findings and conditions shall be copied onto the building plans.
2. 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 Huang Grade Determination including, but not limited to, the SA2014-016 (PA2014-119). 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:



Jason Van Patten
Planning Technician

JM/jvp

Attachments: CD 1 Vicinity Map
 CD 2 Site Photographs
 CD 3 Topographic Survey
 CD 4 Grade Plane Exhibit

Attachment No. CD 1

Vicinity Map



Newport
Beach
GIS



0 40 80
Feet

Disclaimer: Every reasonable effort has been made to assure the accuracy of the data provided, however, The City of Newport Beach and its employees and agents disclaim any and all responsibility from or relating to any results obtained in its use.

Imagery: 2009-2013 photos provided by Eagle Imaging www.eagleaerial.com

8/12/2014

Attachment No. CD 2


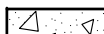



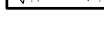







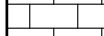

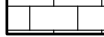

















Site Photographs





Attachment No. CD 3

Topographic Survey

LEGEND						
	BASKETBALL HOOP	ELEC.	ELECTRICAL	SMH	SEWER MANHOLE	
	FIRE HYDRANT	EPB	ELECTRICAL PULL BOX	TC	TOP OF CURB	
	EDGE PAVEMENT	EC	END OF CURVE	TE	TRASH ENCLOSURE	
	WATER VALVE	FC	FINISHED CONCRETE	TG	TOP OF GRATE	
	METER, PULL BOX	FD	FRENCH DRAIN	TGW	TOP OF GARDEN/PLANTER WALL	
	SIGN	FF	FINISHED FLOOR	TPB	TELEPHONE PULL BOX	
	GAS METER	FFG	FINISHED FLOOR GARAGE	TS	TOP OF STEPS	
	BLOCK WALL	FH	FIRE HYDRANT	TW	TOP OF WALL	
	STREET LIGHT	FL	FLOWLINE	TX	TOP OF DRIVEWAY "X"	
	WROUGHT IRON FENCE (W/IF)	FS	FINISHED SURFACE	UGT	UNDERGROUND TRANSFORMER	
	CHAINLINK FENCE (CLF)	GB	GRADE BREAK	VG	VALLEY GUTTER	
	SEWER CLEANOUT	GM	GAS METER	VPB	VERIZON PULL BOX	
	WATER METER	HCR	HANDICAP RAMP	W/	WITH	
AC	ASPHALT PAVEMENT	HP	HIGH POINT	WIF	WROUGHT IRON FENCE	
AD	AREA DRAIN	INV.	INVERT	WM	WATER METER	
BFP	BACK FLOW PREVENTER	NG	NATURAL GROUND	WV	WATER VALVE	
BS	BOTTOM OF STEPS	PA	PLANTER AREA	()	EXISTING ELEVATION	
BX	BOTTOM OF DRIVEWAY "X"	ℙ	PROPERTY LINE	●	FOUND MONUMENT	
CATV	CABLE TELEVISION BOX	PP	POWER POLE	○	SEARCHED, FOUND NOTHING; TO BE MONUMENTED PRIOR TO GRADING	
CF	CURB FACE	RD	ROOF DRAIN (CURB OUTLET)	⬛	T.B.M.	
CHMY.	CHIMNEY	RIM	MANHOLE RIM		ASSUMED ELEVATION OF 100.00 FEET SET ON FD. LOT & TAG STAMPED "L.S. 4184"	
CL	CENTERLINE	R/W	RIGHT OF WAY			
D.O.	DRAIN OUTLET	SCO	SEWER CLEAN-OUT			

TITLE REPORT/EASEMENT NOTES

NO TITLE REPORT PROVIDED

LEGAL DESCRIPTION

REAL PROPERTY SITUATED IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 16 IN BLOCK 533 OF CORONA DEL MAR TRACT, IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, CALIFORNIA AS PER MAP RECORDED IN BOOK 3, PAGE(S) 41 AND 42, OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BENCHMARK INFORMATION

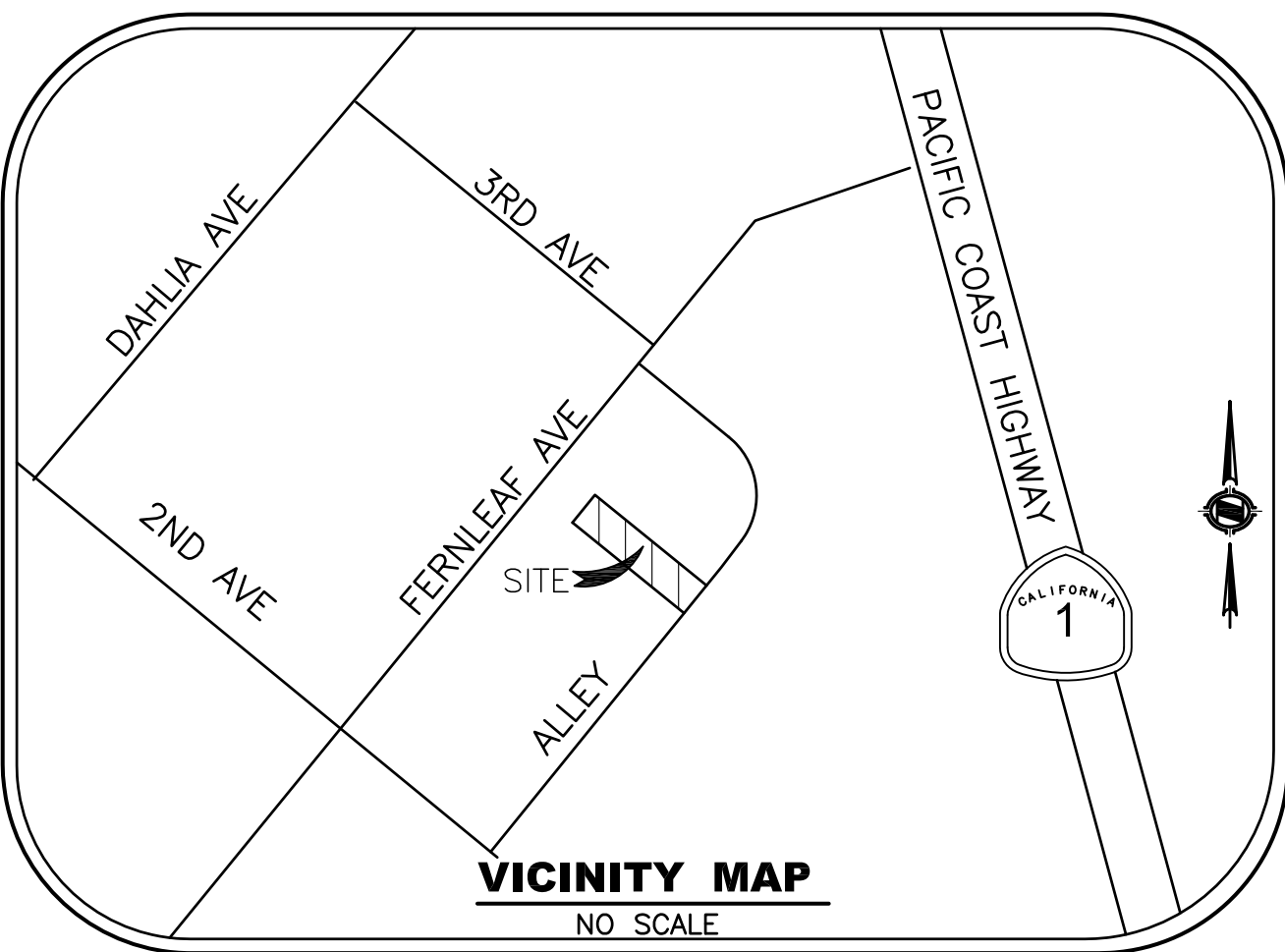
BENCHMARK NO: 3K-29-68

DESCRIPTED BY CCS 2002 - FOUND 3 3/4" ALCS ALUMINUM BENCHMARK DISK
STAMPED "3K-29-68". SET IN THE NORTHERLY CORNER OF A 4 FT. BY 7 FT.
CONCRETE CATCH BASIN. MONUMENT IS LOCATED IN THE SOUTHERLY CORNER
OF THE "T" INTERSECTION OF PACIFIC COAST HIGHWAY AND IRIS AVENUE, 45
FT. SOUTHERLY OF THE CENTERLINE OF IRIS TO THE WEST AND 36 FT.
SOUTHWESTERLY OF THE CENTERLINE OF PCH. MONUMENT IS SET LEVEL WITH
THE SIDEWALK.

ELEVATION: 84.166 FEET (NAVD88), YEAR LEVELED 2011

BASIS OF BEARINGS

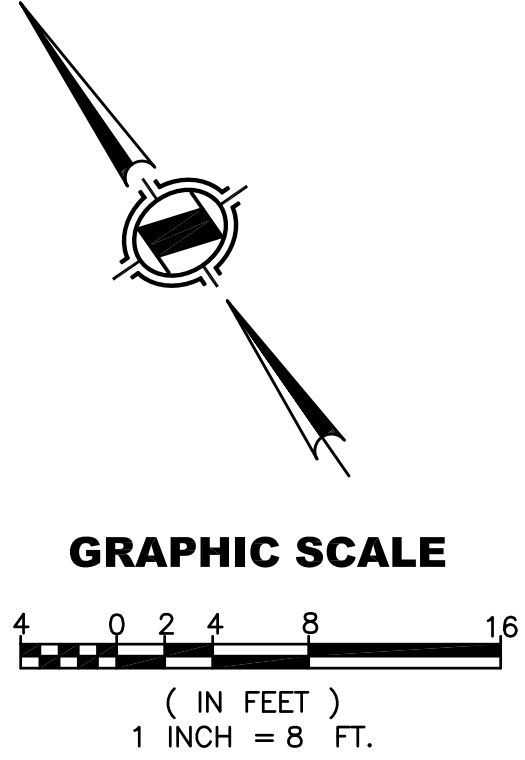
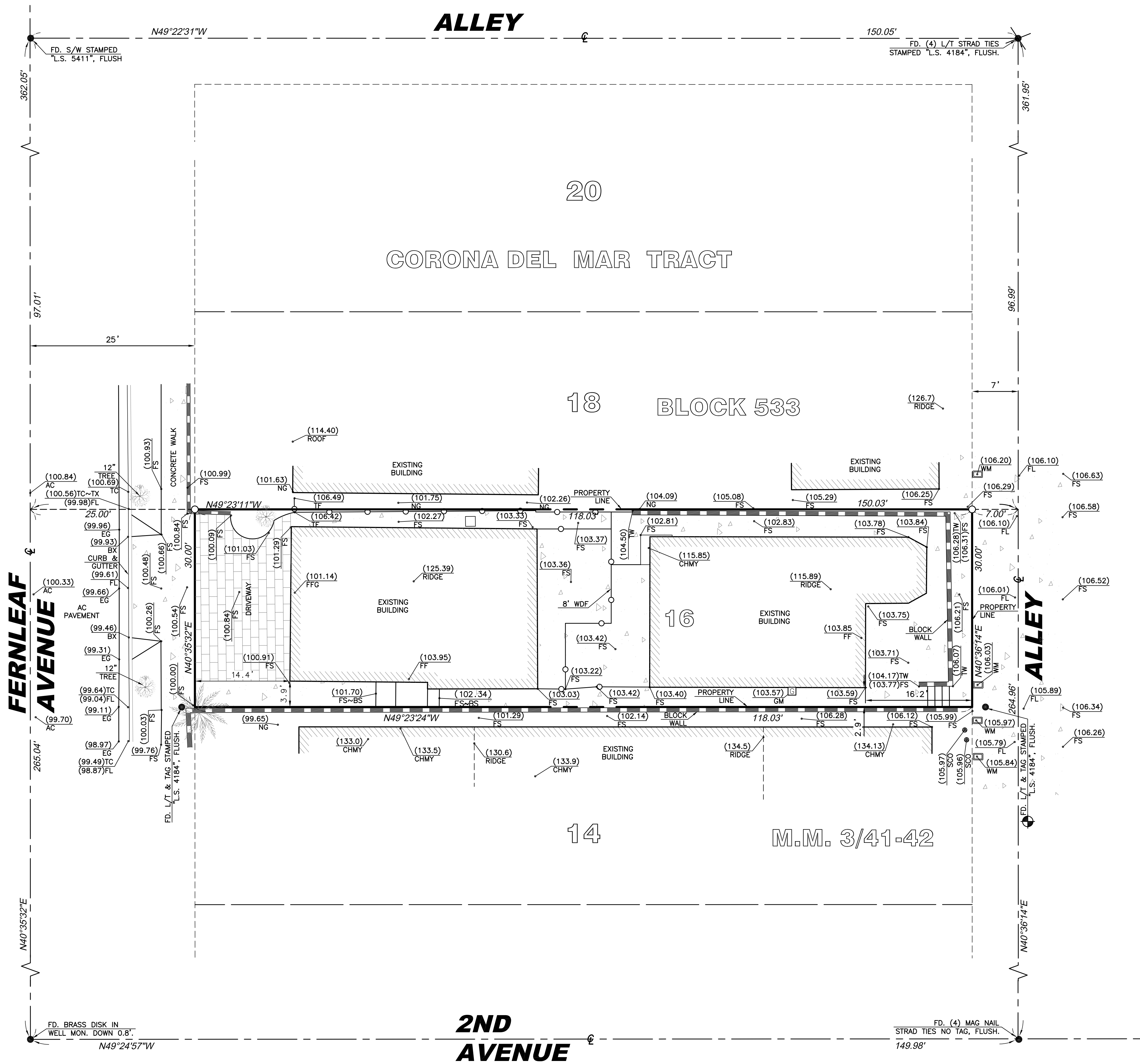
THE BASIS OF BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE
OF FERNLEAF HAVING A BEARING OF N40°35'32"E PER M.M. 3/41-42.



SURVEYOR'S NOTES

1. THE DISTINCTIVE BOUNDARY SHOWN HEREON WAS PLOTTED PER ON-SITE FIELD OBSERVATIONS, ALL BEARINGS AND DISTANCES ARE MEASURED, UNLESS NOTED OTHERWISE.
2. SURVEYOR OR ENGINEER SHALL PERMANENTLY MONUMENT PROPERTY CORNERS OR OFFSETS BEFORE STARTING GRADING.

PLEASE CALL PAUL CRAFT @ 714-488-5006 TO SCHEDULE.
3. SURVEYOR TO SUBMIT A "RECORD OF SURVEY" OR "CORNER RECORD" TO THE COUNTY SURVEYOR. EVIDENCE OF SUBMITTAL TO BE SUBMITTED TO THE BUILDING INSPECTOR AT OR PRIOR TO PRE-GRADING MEETING.



PAUL D. CRAFT, P.L.S. 8516	DATE
LICENSE RENEWAL DATE 12/31/14	
<p>NOTE: SECTION 8770.6 OF THE CALIFORNIA BUSINESS AND PROFESSIONS CODE STATES THAT THE USE OF THE WORD CERTIFY OR CERTIFICATION BY A LICENSED LAND SURVEYOR IN THE PRACTICE OF LAND SURVEYING OR THE PREPARATION OF MAPS, PLATS, REPORTS, DESCRIPTIONS OR OTHER SURVEYING DOCUMENTS ONLY CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OR FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.</p>	

SHEET NO. 1 OF 1	PROJECT TOPOGRAPHIC SURVEY 514 FERNLEAF AVENUE, CORONA DEL MAR, CA 92625 (APN: 459-171-08)	DATE 6/11/2014	PROJECT SURVEYOR			
		SCALE 1"= 8'	<div><p>APEX LAND SURVEYING INC.</p><p>HUNTINGTON BEACH, CALIFORNIA 92646 PHONE: 714 488-5006 FAX: 714 333-4440 APEXLAND@GMAIL.COM</p></div>			
		DRAWN D. L. N.				
		CHECKED P. D. C.				
		REVISIONS				
		NO.	DESCRIPTION	DATE	APP'D	

Attachment No. CD 4

Grade Plane Exhibit

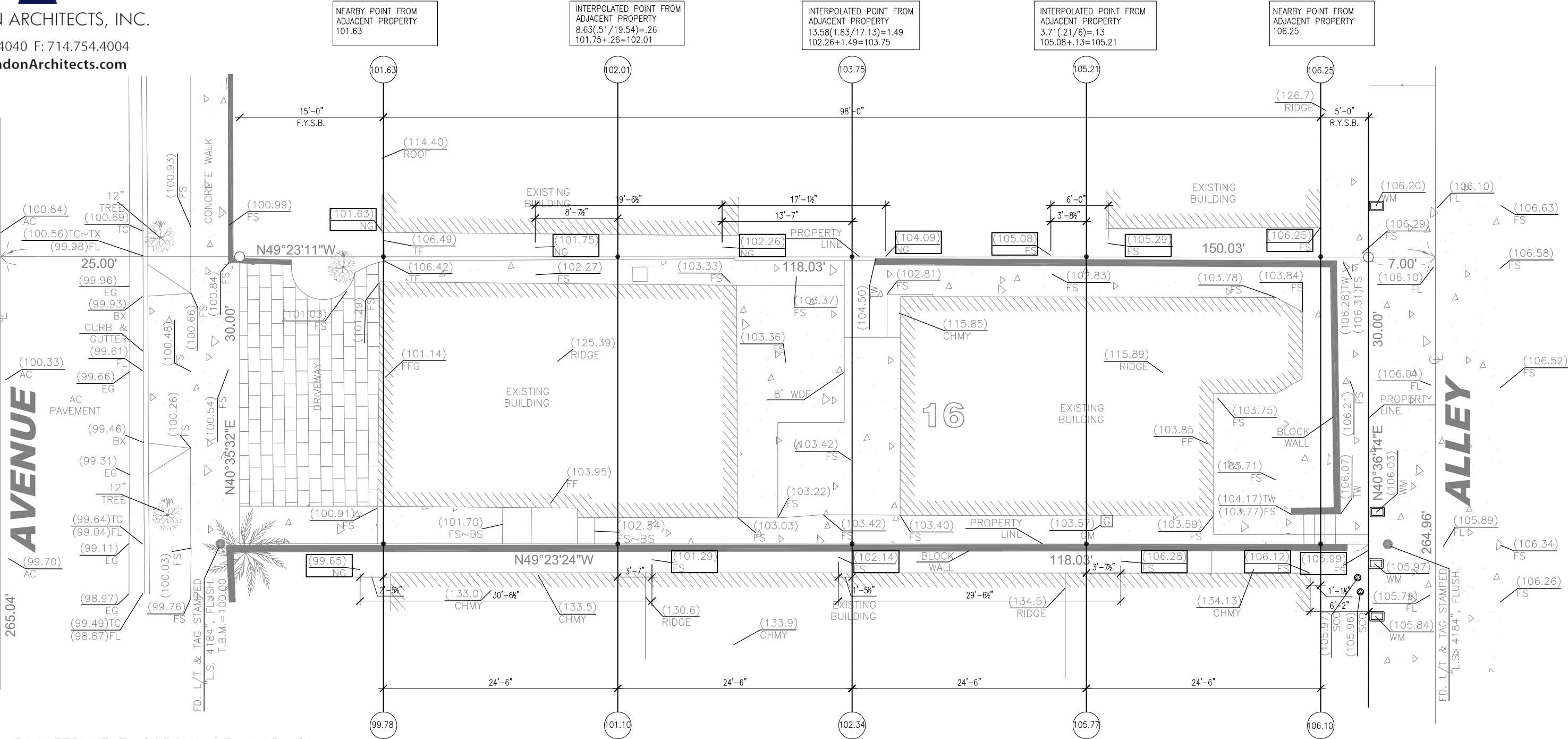


BRANDON ARCHITECTS, INC.

P: 714.754.4040 F: 714.754.4004
www.BrandonArchitects.com

FERNLEAF AVENUE

ALLEY



514 FERNLEAF, CORONA DEL MAR, CA.
GRADE PLANE DETERMINATION
SCALE 3/32" = 1'

INTERPOLATED POINT FROM
ADJACENT PROPERTY
2.46(1.64/30.54)=.13
99.65+.13=99.78

INTERPOLATED POINT FROM
ADJACENT PROPERTY
3.58(1.64/30.54)=.19
101.29+.19=101.10

INTERPOLATED POINT FROM
ADJACENT PROPERTY
1.46(4.14/29.54)=.20
102.14+.20=102.34

INTERPOLATED POINT FROM
ADJACENT PROPERTY
3.63(4.14/29.54)=.51
106.28-.51=105.77

INTERPOLATED POINT FROM
ADJACENT PROPERTY
1.13(.13/6.17)=.02
106.12-.02=106.10

99.78-106.25=6.47
6.6/98=.066
6.6% SLOPE



OPERATOR LICENSE APPROVAL LETTER

POLICE DEPARTMENT
870 SANTA BARBARA DRIVE
NEWPORT BEACH, CA 92660
(949) 644-3681 FAX (949) 644-3794
www.nbpd.org

August 29, 2014

Josh Royal
1312 Monterey Boulevard
Hermosa Beach, CA 90254
jjroyal2@gmail.com

Application No.	Operator License No. OL2014-005 (PA2014-090)
Owner/Applicant	Josh Royal and Chase Irwin
Location/Business Name	American Junkie
Site Address	2406 Newport Boulevard
LEGAL DESCRIPTION	Parcel No. 1 of Resubdivision No. 375

On **August 29, 2014**, the Chief of Police approved the following as modified: An operator license to allow Josh Royal and Chase Irwin to increase the occupancy of an existing food service, eating and drinking establishment, American Junkie, with late hours, a Type 47 (On Sale General Eating Place) ABC alcohol license, live entertainment, dancing, and outdoor dining. The Chief of Police has limited the proposed increase to 25 persons given the establishment is located within Reporting District RD15, the operating record of the establishment and its operator, and the comments received from surrounding residents.

BACKGROUND

The establishment operates pursuant to Use Permit No. UP1581 which was last amended in June of 1989. The Planning Commission approved an amendment to Use Permit No. UP1581 to allow the addition of dancing in conjunction with live entertainment located in the second floor lounge area. Said dancing was to be limited to the hours between 10:00 p.m. and 1:30 a.m., nightly, after the kitchen and first floor dining area closed. Throughout the years, the establishment has undergone changes in ownership and has been issued various permits for tenant improvements. As a result, the allowed occupancy has fluctuated,

In 1995, a tenant improvement was constructed for Hooters Restaurant and a Certificate of Occupancy for a total of 212 persons (97 persons first floor and 115 persons second floor, including outdoor patio) was issued to the establishment.

In 2008, a tenant improvement was completed to remodel the interior of the establishment for a new tenant. The resultant Certificate of Occupancy for a total of 168 persons (70 persons first floor and 98 persons second floor, including outdoor patio) was issued to the establishment. As a result of a partial remodel in 2010 for the Commonwealth Lounge and Grill, a revised Certificate of Occupancy totaling 118 persons (57 persons first floor and 61 persons second floor, including outdoor patio) was issued to the establishment.

The intent of the Use Permit requiring the closure of the first floor dining area when dancing occurs on the second floor is to offset the increased occupancy and parking demand anticipated with dancing activities. However, the current Certificate of Occupancy does not accommodate the increased occupancy anticipated by the Use Permit on the second floor when dancing is occurring. As such, the new tenant, American Junkie, is proposing to reanalyze the building floor plan to increase the occupant load to that of the Certificate of Occupancy issued in 2008 of 168 persons and to be consistent with the original intent of the Use Permit.

Pursuant to Chapter 5.25 (Operator License for Establishments Offering Alcoholic Beverages for On-Site Consumption in Combination with Late Hours, Entertainment, and/or Dance) of the Newport Beach Municipal Code (NBMC), an operator license shall be required upon the issuance of a building permit for modifications comprising an increase in the occupant capacity of an establishment.

REQUIRED FINDINGS

The Chief of Police has made the following findings as required by NBMC 5.25.050(B):

Finding:

1. *The business or enterprise is located in a zone permitting the proposed use under Title 20 of the NBMC, and is subject to such use permits as may be required.*

Facts in Support of Finding:

1. A food service, eating and drinking establishment with alcohol sales and late hours (after 11:00 p.m.) is a permitted use in the Mixed-Use Water Related (MU-W2) Zoning District through the approval of a conditional use permit.
2. Conditional Use Permit No. UP1581 was approved by the Planning Commission on December 7, 1972 to construct a restaurant with live entertainment. Subsequent to the original approval, six amendments were granted to allow various expansions and operational changes. The amendment approved by the Planning Commission on June 22, 1989, is the effective Use Permit as the most recent amendment approved on May 22, 1995, was not implemented.

Finding:

2. *In the case of a business or enterprise offering "Entertainment," as defined, the premise meets all of the criteria in Chapter 5.28.040.B.2-7.*

Facts in Support of Finding:

1. The proposed occupancy is 168 persons and the security plan includes adequate security personnel who will be stationed at the main entrance and throughout the restaurant. At least one security personnel shall be on duty during business hours. The personnel located at the elevator and stairway will be responsible for counting the number of patrons entering and exiting the upstairs area. The personnel located at the front door will be responsible for patrolling the parking lot to control loitering, noise, illicit activity, and other objectionable conditions that may occur on the property.
2. The outdoor dining patio is situated towards the water side of the property. Use Permit No. UP1581 includes a condition of approval to require the windows and doors of the establishment to be closed when live entertainment is conducted to minimize the impact of noise to adjacent properties.
3. A live entertainment permit is required for the restaurant to provide live entertainment within the main dining room area. The proposed establishment is required to comply with the additional regulations per NBMC Section 5.28.041(Additional Regulations).
4. Signage for the proposed establishment will be required to comply with the provisions of NBMC Chapter 20.42 (Sign Standards).
5. The entire interior portion of the viewing area where live entertainment may occur is open and visible from aisles and public areas within the restaurant.
6. A manager will be present on-site at all times if entertainment is performed.
7. The establishment will not operate between the hours of 2:00 a.m. and 7:00 a.m.

Finding:

3. *The proposed site plan and improvements are consistent with the use and the plan of operations.*

Facts in Support of Finding:

1. A food service, eating and drinking establishment has been operated in this location since 1972. The conditions of approval will ensure the compatibility of the use with other land uses in the vicinity.

2. There are no physical improvements proposed to the establishment. The existing bar area is located within the upstairs dining area of the restaurant. The existing floor plan accommodates 98 patrons upstairs and 70 patrons downstairs, consistent with the current Use Permit.
3. The windows of the outdoor dining patio are required to be closed whenever live entertainment is occurring.

Finding:

4. *The plan of operations as proposed, with attached conditions in place, is adequate in light of the neighborhood in which the operation is located and supports the public health, safety, and welfare of the community.*

Facts in Support of Finding:

1. The Police Department has reviewed the proposed plan of operations and believes a reduced occupancy increase of 25 persons is more appropriate given that the operator has been in violation of various Use Permit Conditions of Approval, the reporting district within which the establishment is located, and the comments received from surrounding residents.
2. A security plan is provided, which includes a minimum of nine security personnel to monitor the parking area, the main entrance, the dining areas, and the bar. A minimum of one security personnel shall be on duty outside the premises at all times while the business is open.
3. The security guarding the main entry will be responsible for regulating the loitering, noise, illicit activity, and other objectionable conditions that may occur outside of the restaurant.
4. The business will be required to comply with the hours of operation as specified in the conditions of approval for the operator license.
5. The operator license has been conditioned to require the applicant to work diligently with the City if any parking or circulation issues occur on-site. A valet parking plan is already in place to ensure adequate parking circulation.
6. Condition of Approval No. 4 requires all windows and doors to be closed within the restaurant to help ensure compliance with NBMC noise standards.

CONDITIONS OF APPROVAL

In no case shall the conditions be inconsistent with, or less restrictive than, those required by any applicable use permit. The applicant shall comply with all conditions of

approval of Use Permit No. UP1581 and subsequent amendments including, but not limited to, the following:

1. The hours of operation for dancing shall be limited to the hours between 10:00 p.m. to 1:30 a.m., nightly.
2. The dining area on the first floor shall be closed to the public after 10:00 p.m., daily, if dancing is provided on the second floor.
3. Parking attendants shall be provided during all hours of operation.
4. The sound from the live entertainment and dancing shall be confined to the interior of the structure; and further that all windows and doors within the restaurant shall be closed when live entertainment and/or dancing are conducted on site.

The Chief of Police has attached additional conditions and requirements to the license as necessary in order to make the foregoing findings. In no case shall the conditions be inconsistent with, or less restrictive than, those required by any applicable use permit.

1. The restaurant shall not be permitted to operated beyond the hour of 2:00 a.m., daily.
2. Prior to issuance of building permits, the applicant shall revise the plans to reflect that the maximum occupant load for the upstairs area will not exceed 73 persons and the maximum total occupant load will not exceed 143 persons.
3. The business shall comply with Title 20 (Zoning Code) and any other applicable provisions of the Newport Beach Municipal Code.
4. This Operator License may be modified or revoked by the Chief of Police should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
5. Operator License No. OL2014-005 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 (NBMC), unless an extension is otherwise granted.
6. Should the property be sold or otherwise come under different ownership, a new Operator License shall be required.
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 American Junkie Operator License including, but not limited to, the Operator License No. OL2014-005. 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.

OPERATOR LICENSE NONTRANSFERABLE

No operator license issued pursuant to this chapter shall be sold, transferred, or assigned by any license holder, or by operation of law, to any other person, group, partnership, corporation or any other entity, and any such sale, transfer or assignment, or attempted sale, transfer or assignment, shall be deemed to constitute a voluntary surrender of such license, and such license shall be, thereafter, null and void. A license held by an individual in a corporation or partnership is subject to the same rules of transferability as contained above. License shall be valid only for the exact location specified in the license.

PUBLIC NOTICE

Notice of this application was mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant and posted on the subject property at least 21 days prior to the decision date, consistent with the provisions of the Municipal Code.

APPEAL PERIOD

The determination of the Chief of Police to deny or to place conditions upon the approval of an operator license shall be appealable by the applicant or any interested party. Such appeal shall be made in writing to the City Manager, within fifteen (15) days of the postmark date of the Chief of Police's notice of decision. For additional information on filing an appeal, contact the Planning Department at 949 644-3200.

REVOCATION, SUSPENSION OR MODIFICATION OF LICENSE FOR CAUSE

The Chief of Police may commence a process to revoke, suspend or modify an operator license issued under the provisions of this chapter should there be reasonable suspicion of any of the following:

- A. The licensee has ceased to meet the requirements for issuance of license;

- B. The applicant gave materially false, fraudulent or misleading information within the application;
- C. Impacts emanating from the establishment for which the license was issued has substantially interfered with the peace and quiet of the neighborhood;
- D. The licensed business or activity has operated in violation of any of the requirements of this chapter, the license as issued, or any condition thereof. The Chief of Police shall notify the operator of the commencement of such revocation, suspension or modification process and shall conduct an investigation to determine if, and to what degree, one or more of the foregoing has occurred. Upon completion of the investigation, the Chief of Police may add, delete or modify the license conditions. The Chief of Police shall notify the applicant regarding the determination of the operator license, on the outcome of the investigation, and the action taken. The applicant or any interested party may appeal a determination or an added or modified condition of approval to City Manager in the manner set forth in Section 5.25.050(C) and (D).

By: _____

Jay R. Johnson
CHIEF OF POLICE

Attachments:

- PD 1 Use Permit No. UP1581
- PD 2 Project Description and Narrative Justification
- PD 3 Project Plans

cc:

James Boys, LLC
Attn: Steven James
22 Cherry Hills Lane
Newport Beach, CA 92660
stevenjames33@yahoo.com

Chase Irwin
1895 Sherington Place, #5204
Newport Beach, CA 92663
chase7183@gmail.com

Attachment No. PD 1

Use Permit No. 1581

Use Permit 1581 (Hooter's) Applicable Conditions

June 22, 1989 Conditions

1. That development shall be in substantial conformance with the approved plot plan and floor plans, except as noted below.
2. That the sound from the live entertainment and dancing shall be confined to the interior of the structure; and further that all windows and doors within the restaurant shall be closed when live entertainment and dancing are conducted on the site.
3. That all previous applicable conditions of approval for Use Permit No. 1581 (Amended) shall be fulfilled.
4. That a minimum of one parking space for each 35 square feet of "net public area" (i.e. 45 spaces) shall be provided for the proposed use of the lounge and lobby area for the restaurant and that any proposed increase in the size of the area devoted to dancing or the bar area shall require the approval of an amendment to the use permit.
5. That the hours of operation for the proposed dancing shall be limited from 10:00 p.m. to 1:30 a.m. nightly.
6. That the dining area on the first floor shall be closed to the public after 10:00 p.m. daily if dancing is provided on the second floor.
7. That the entire site shall be maintained in a clean and orderly manner.
8. That no outdoor loudspeaker or paging system shall be permitted in conjunction with the proposed operation.
9. That the applicant shall obtain Coastal Commission approval of this application prior to initiating the proposed dancing.
10. All applicable conditions of approval shall be implemented prior to the initiation of the proposed dancing.

11. That a Cafe Dance Permit for the proposed dancing shall be approved by the City. The dance floor shall be increased to a minimum size of 400 sq.ft. unless said permit is approved for a smaller floor.
12. That the required handicapped parking space shall be relocated to its original site adjacent to the building. Said parking space shall be used solely for handicapped self-parking and shall be identified by one handicapped sign on a post and one handicapped sign on the pavement.
13. That the shrubbery in the planters adjacent to Newport Boulevard be replanted or trimmed to provide sight distance in conformance with City Std. 110-L and as approved by the Public Works Department.
14. That the Planning Commission may add to or modify conditions of approval to this Use Permit or recommend to the City Council the revocation of this Use Permit, upon a determination that the operation which is the subject of this Use Permit, causes injury, or is detrimental to the health, safety, peace, morals, comfort, or general welfare of the community.
15. That this Use Permit shall expire unless exercised within 24 months from the date of approval as specified in Section 20.80.090A of the Newport Beach Municipal Code.

June 21, 1984 Applicable Conditions

4. That employees of the restaurant facility shall park in the Municipal parking lot at all times.
6. That three (3) in-lieu parking spaces shall be purchased from the City on an annual basis for the duration of the restaurant use and that the annual fee for said parking shall be in accordance with Section 12.44.125 of the Newport Beach Municipal Code. The Applicant is put on notice that the fees for in-lieu parking permits may be subject to change, and that change may increase substantially in the future.
7. That all previous applicable conditions of approval for Use Permit No. 1581 (Amended) shall be fulfilled.
9. That the handicapped parking space indicated on the plot plan shall be accessible at all times to vehicles of handicapped persons during regular hours of operation of the restaurant facility.

January 18, 1979 Applicable Conditions

2. That a maximum credit of 5 parking spaces be given for the proposed guest dock facilities.
3. That the entire dock facility bayward of the restaurant shall be maintained only for patrons of the Red Onion Restaurant and shall be so posted. No overnite mooring shall be permitted.
4. That should the guest docks be used for any use other than guest docks for the restaurant, the owner shall be required to provide 4 parking spaces in a location meeting the approval of the Planning Commission, or reduce the net public area of the restaurant accordingly.
5. All other applicable conditions of Use Permit No. 1581 shall remain in effect.

May 5, 1977 Applicable Conditions

5. A parking attendant (or attendants) shall be provided during all hours of operation of the Red Onion Restaurant facility.

September 6, 1973 Applicable Conditions

1. That parking attendants be provided during all hours of operation of the restaurant. All parking spaces arranged perpendicular to the side property lines shall be set back one foot and shall be provided with wheel stops. All spaces shall be marked with approved traffic markers or painted white lines not less than four inches wide.
2. That all of the conditions of the Harbor Permit, as well as additional recommendations of the U. S. Army Corps of Engineers and the California Regional Water Quality Control Board, be fulfilled.
4. That all public improvements, including sidewalks and curb cuts, be provided in a manner satisfactory to the Public Works Director.
5. That a landscape plan be approved by the Director of Community Development.
6. That all signs be approved by the Director of Community Development.
8. That the applicant shall be responsible for all necessary precautions to protect the waters of the bay during demolition of existing structures and construction of all new structures.
9. That all storage or trash shall be shielded from view within a building or within an area enclosed by a wall not less than six feet in height.

December 21, 1972 Applicable Conditions

7. That the alteration or construction of docks, slips and piers bayward of the bulkhead be subject to a separate Harbor Permit and the approval of the Marine Safety Department.

Attachment No. PD 2

Project Description and Narrative Justification



2406 NEWPORT BLVD. | NEWPORT BEACH, CA. | (949) 675-4444

May 20, 2014

Attn: Chief of Police, Newport Beach

American Junkie Newport is the ideal spot for happy hour, dinner, weekend brunches, sporting events, late night socializing, providing a one of a kind atmosphere, high quality food and a large array of beverage options at an affordable price.

Our concept is a little bit of everything. We are operating in many cities and adapt to what is expected from our customers, the community, the police, and the city.

We had a rough start in Newport, but we have shown we want to collaborate with the city and police force. We want to keep our place safe and do our part in keeping the city safe. Attached is our security plan and more detailed info.

We have invested thousands of dollars to ensure the comfort of neighboring residents. These efforts have included replacing fold out windows upstairs with fixed, double pane glass windows, installation of sound absorption panels on the ceiling upstairs and meeting with the homeowners association closest to our location and giving residents our manager's direct number if there are any issues or concerns. In our last meeting with the HOA in May of 2014 they expressed they have been really happy with all we are doing. Attached is the letter we gave them when we met.

We recently met with a few police officers along with code enforcement and planning to discuss our operator license and increasing capacity. We hired a well-respected architect to calculate a fair capacity based on the buildings plans and asked him to join us in our meeting. The architect's plans showed a higher capacity than we are currently submitting for, however, after considering the feedback from our meeting our architect lowered the numbers to 106 upstairs and 86 downstairs. We are very confident that our building and staff can manage this capacity safely. Our capacity numbers would be similar to the other restaurants/bars in the area per usable square foot.

We would like to keep an open line of communication with code enforcement and the police department to ensure we are living up to everyone's expectations and running a safe operation.

We are requiring all our security to have guard cards. We are working with our security manager to limit any incidents that could arise at our venue.

We are also requiring all bartenders at American Junkie Newport to take the Responsible Beverage Service Training Program offered by the CA Alcohol Beverage Control. Our management has a zero tolerance for over serving and will keep a close eye on bartenders along with require them to take the RBS Training classes.

Thank you for your consideration,

Josh Royal

American Junkie
Arlyne Newport LLC
(480) 620-8712

PA2014-090 for OL2014-005
2406 Newport Boulevard
Chase Irwin



PA2014-090 for OL2014-005
2406 Newport Boulevard
Chase Irwin

2406 NEWPORT BLVD. | NEWPORT BEACH, CA. | (949) 675-4444

MAY 20, 2014

AMERICAN JUNKIE NEWPORT BEACH SECURITY PLAN

TO WHOM IT MAY CONCERN:

THE FOLLOWING CHANGES HAVE BEEN MADE TO COMPLY WITH THE POLICIES OF NEWPORT BEACH:

- WELL EXPERIENCED SECURITY MANAGER HAS BEEN HIRED TO OVERSEE THE FLOOR.
- THERE ARE 9 SECURITY GUARDS ON STAFF, INCLUDING THE SECURITY MANAGER.
 - THERE WILL BE ONE SECURITY GUARD PER 30 PATRONS DURING NIGHTTIME HOURS.
 - ALL MEMBERS OF THE SECURITY STAFF ARE REQUIRED TO HAVE A GUARD CARD.
 - ALL MEMBERS OF THE SECURITY STAFF WILL BE GIVEN A UNIFORM SO THEY CAN BE CLEARLY IDENTIFIED AS SECURITY STAFF.
 - ALL MEMBERS OF THE SECURITY STAFF WILL BE OUTFITTED WITH AN EAR PIECE AND A RADIO SO THERE IS CONTINUOUS COMMUNICATION.
 - KEY MEMBERS OF THE SECURITY STAFF WILL BE OUTFITTED WITH A FLASH LIGHT SO THEY CAN MAINTAIN CLEAR WALKWAYS, ENTRYWAYS AND EXITS, FIRE LANES AND DIRECT PATRONS ONCE THEY ARE INSIDE THE BUILDING.
- THERE ARE 2 SECURITY GUARDS AT THE FRONT DOOR.
 - ONE COUNTING PATRONS ENTERING AND ONE COUNTING PATRONS LEAVING.
 - CHECKING ID'S AND ENFORCING DRESS CODE.
 - WATCHING FOR OVERLY INTOXICATED OR AGGRESSIVE PEOPLE AND DENYING ENTRANCE WHEN NECESSARY.
 - STANCHIONS WILL BE UTILIZED AT THE FRONT DOOR TO KEEP POTENTIAL CUSTOMERS ORDERLY AND MOVING AT A STEADY PACE.
- THERE ARE 2 SECURITY GUARDS DOWNSTAIRS, ONE POSTED BY THE ELEVATOR COUNTING THE PATRONS GOING UPSTAIRS AND ONE POSTED BY THE BOTTOM OF THE STAIRWAY COUNTING PATRONS COMING DOWN.
- THERE ARE 5 SECURITY GUARDS UPSTAIRS; ONE BY THE ELEVATOR, ONE BY THE SERVICE STATION, ONE BY THE PATIO DOORS, ONE BY THE TV BOOTH, AND ONE BY THE TOP OF THE STAIRS.
- ALL IDENTIFICATION CARDS MUST BE VALID AND MUST BE GOVERNMENT ISSUED.
- THE EMPLOYEE WILL ENSURE THE PATRON RESEMBLES THE PICTURE ON THE ID.
- EMPLOYEES ARE ENCOURAGED TO ASK QUESTIONS TO VERIFY THE INFORMATION ON THE ID CARD.
- IF THE EMPLOYEE HAS ANY DOUBTS OR QUESTIONS THEY WILL RADIO MANAGEMENT FOR ASSISTANCE.
- ANY PERSON WHO APPEARS TO BE OVER INTOXICATED OR AGGRESSIVE WILL BE REMOVED FROM THE BUILDING.
 - TWO SECURITY GUARDS WILL APPROACH THE INTOXICATED/AGGRESSIVE PERSON AND TALK TO THEM IN A NON-THREATENING MANNER.
 - IF THE PERSON NEEDS TO BE REMOVED FROM THE BUILDING A MANAGER WILL BE RADIOED IMMEDIATELY TO ASSIST.
 - PEOPLE WHO ARE ASKED TO LEAVE FOR BEING OVERLY INTOXICATED WILL NOT

- BE ALLOWED TO RETURN.
- NON-AGGRESSIVE PATRONS WILL RECEIVE AN EXPLANATION FOR WHY THEY ARE BEING ASKED TO LEAVE AND WILL BE ALLOWED A MOMENT TO COLLECT THEMSELVES.
- WHEN TWO PATRONS ARE BEING EJECTED FOR FIGHTING THEY WILL BE ESCORTED OUT ONE AT A TIME OR THROUGH SEPARATE EXITS IN AN EFFORT TO AVOID ANOTHER ALTERCATION OUTSIDE OF THE BUILDING.
- SECURITY WILL PATROL THE PARKING LOT AND OUR PARKING LOT LIGHTS WILL REMAIN ON DURING ALL NIGHT TIME HOURS TO MAINTAIN A CLEAR VIEW OF THE LOT FROM THE FRONT ENTRANCE.
- OUR STAFF WILL ENSURE THE REDUCTION OF NOISE POLLUTION FROM OUR ESTABLISHMENT.
 - NO DOORS OR WINDOWS WILL REMAIN OPEN DURING NIGHT TIME HOURS.
 - SECURITY WILL BE STATIONED AT THE PATIO DOOR AND THE FRONT ENTRANCE MAKING SURE THE DOORS ARE ONLY OPENED TO ALLOW GUESTS IN AND OUT AND ARE CLOSED IMMEDIATELY AFTER.
 - DOUBLE PANE GLASS WINDOWS HAVE BEEN INSTALLED AND NOISE DAMPENING PANELS HAVE BEEN ADDED TO THE CEILING UPSTAIRS.
- A NEW SECURITY SYSTEM HAS BEEN INSTALLED TO HELP MONITOR THE ESTABLISHMENT.
 - INCLUDES VIEWS OF INSIDE THE RESTAURANT AS WELL AS THE PARKING LOT.
 - CAMERAS ARE CLEARLY VISIBLE AND HOPEFULLY WILL DETER AGGRESSIVE BEHAVIOR.
- THERE ARE CAPACITY SHEETS POSTED AT THE ENTRANCE OF EACH AREA AND ROUNDS ARE PERFORMED EVERY 30 MINUTES TO ENSURE WE ADHERE TO THE CAPACITY POLICY.
- AT CLOSING THERE IS ONE SECURITY GUARD AT THE END OF THE DRIVEWAY, ONE IN THE MIDDLE OF THE DRIVEWAY AND THE REST OF THE SECURITY STAFF ARE POLITELY ASKING PATRONS TO LEAVE.
- EVERY MEMBER OF OUR STAFF IS RESPONSIBLE FOR WATCHING FOR OVER INTOXICATED PEOPLE. ALL BARTENDERS ARE RBS TRAINED TO RECOGNIZE WHEN A PATRON SEEMS OVER INTOXICATED AND WILL NOTIFY SECURITY TO HAVE THEM ESCORTED OUT. IF THERE ARE ANY QUESTIONS REGARDING GUESTS ENTRANCE, SECURITY WILL RADIO A MANAGER TO THE FRONT.
- ALL STAFF MEMBERS ARE HELD TO THE HIGHEST STANDARDS AND CODE OF CONDUCT.

ABOVE IS THE PLAN FOR FRIDAY AND SATURDAY NIGHTS WHEN THERE IS INCREASED FOOT TRAFFIC IN THE AREA. CAPACITY AND ALL OTHER REGULATIONS WILL BE FOLLOWED ALL OTHER NIGHTS BUT ENFORCED WITH LESS SECURITY.

WE HOPE THESE MEASURES WILL SHOW OUR COMMITMENT TO ABIDE BY THE POLICIES OF NEWPORT BEACH. PLEASE CALL WITH ANY QUESTIONS.

CHASE IRWIN
DIRECTOR OF OPERATIONS
(575) 635-5570

JOSH ROYAL
DIRECTOR OF MARKETING
(480) 620-8712

ALAN SAUNDERS
SECURITY/FLOOR MANAGER
(323) 392-7969



2406 NEWPORT BLVD. | NEWPORT BEACH, CA. | (949) 675-4444

May 20, 2014

Letter to the Home owners Association

We understand questions and concerns may arise whenever a new concept establishes itself in an area and we would like to take this opportunity to address those that have been brought to us.

The comfort and safety of those in our community are a priority for us. We are committed to ensuring our management team and our staff perform at the highest level of standards to achieve that. We have invested thousands of dollars to ensure the comfort of neighboring residents. These efforts have included replacing fold out windows upstairs with fixed, double pane glass windows and installation of sound absorption panels on the ceiling upstairs.

Our security staff is instructed to enforce our policies regarding noise containment by monitoring all doors and windows, making sure they are closed at all times unless a customer is entering or exiting the building. At no time during the evening should there be a door or window left open for noise to escape.

Our operation is an establishment that offers a great place for food and socializing to the people that live in the area. The location we are in has been 5 different concepts in the last 10 years and we would like to be the one that lasts. We also feel that we are the best operators for this location, to be able to create a profitable business while keeping the city and the residents happy.

We would like to keep an open line of communication with the Homeowners Association and our neighbors in the community. If there are any questions or concerns please reach out to us and they will be resolved quickly and efficiently.

CHASE IRWIN
DIRECTOR OF OPERATIONS
(575) 635-5570

JOSH ROYAL
DIRECTOR OF MARKETING
(480) 620-8712

ALAN SAUNDERS
SECURITY/FLOOR
MANAGER
(323) 392-7969

American Junkie



MEDIA KIT



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ABOUT US

American Junkie is a modern interpretation of the traditional gastro pub, offering the best in food and drink. It incorporates eco-conscious elements in a post-modern environment allowing it to stand out above the rest.

Being named after the country it resides in, American Junkie remains true to its name by supporting its nation utilizing and serving 95% of products made here in the USA with focus on the health and well being of its customers, employees and planet. Operations of this ecological establishment include recycling all cardboard and glass bottles, the use of solar energy and a universal filtration/reverse osmosis water system to provide clean drinking water without the use of plastic bottles.

American Junkie does more than coin itself as an ecological conscious, modern gastro pub, it takes it a step further by branching out of the ordinary with its décor. The establishment and particular pieces of American Junkie were built with reclaimed items from US history, adding a unique twist to the public-house restaurant atmosphere. Additionally, American Junkie offers an abundance of custom bike, skateboard and surfboard racks to motivate residents to visit the establishment with alternatives methods to driving. All of the components combined, plus a spacious interior with undefined indoor and outdoor areas, the décor, venue and ambiance create for an inviting place for all.

The foremost mission of American Junkie is to be involved not only in the contribution to a more eco-friendly world but in a smaller scope, providing what it can to its surrounding community. American Junkie often sponsors local charities, organizations, neighborhood and park clean ups as a method of getting involved with its association. The establishment recognizes that it can spread the word to its customers about charitable giving. Customers and employees are encouraged to join our

effort by signing up in a discount program that allocates the proceeds to local charities.

American Junkie is the ideal spot for lunch, dinner and late night socializing, providing a one of a kind atmosphere, high quality food and a large array of beverage options at an affordable price. Nothing on the food menu exceeds \$15 which allows for a wallet friendly meal. In order to accommodate every guest, American Junkie offers an assortment of menu items ranging anywhere from a healthy, organic quinoa black bean burger to pork confit tacos and many different vegetarian and healthy options. The beverage menu consists of classic American cocktails, craft beers made in the USA, all American whiskeys and bourbons and wines primarily from California vineyards.

Another key element to American Junkie has always been its employees. Armed with exceptionally knowledgeable, approachable and customer service driven staff, the objective at American Junkie is for each customer to leave with a pleasing experience. Each guest is catered to the moment they walk through the doors until the very second they leave. American Junkie is committed to creating the best social experience the city has to offer no matter what time of day.

For its attention to detail and consistency to deliver, the modern establishment is rewarded by its patrons who make it their regular destination filling the large venue on a regular basis. Although American Junkie's formula for success has always remained simple yet out of the norm, it has proven its ability and prosperity as demonstrated by the massive appeal of its first two venues. This local hot spot has earned the brand of being the place to be and is evident to have an infinite amount of longevity success.

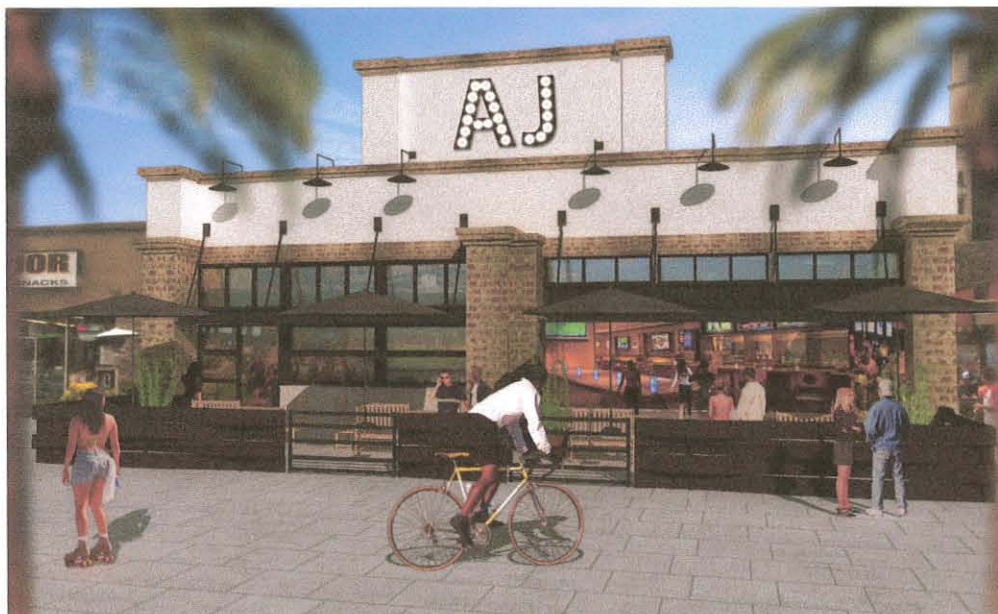


LOCATIONS

American Junkie | **Scottsdale, AZ - Opened November 2008**



American Junkie | **Hermosa Beach, CA - Opened April 2012**



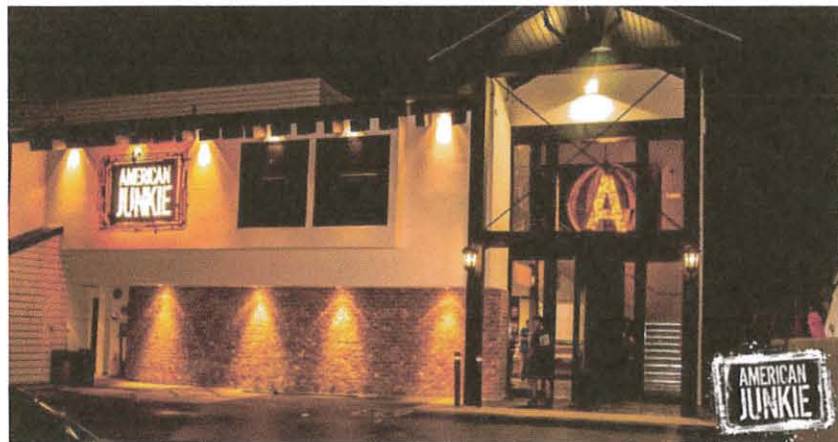


LOCATIONS

American Junkie | **Chicago, IL** - Opened March 2013



American Junkie | **Newport Beach, CA** - Opened July 2013



American Junkie | **Tucson, AZ** - Opening 2014



FIRST THINGS FIRST

- ✓ **HOUSEMADE POTATO CHIPS** 5
warm housemade potato chips with bleu cheese dipping sauce and Arizona Gunslinger hot sauce
- ✓ **CHIPS, SALSA & GUACAMOLE** 5
housemade crispy corn tortilla chips served with salsa and guacamole
- ✓ **ARTICHOKE & SPINACH DIP** 6
creamy housemade artichoke and spinach dip served with fresh tortilla chips
- ✓ **BALLPARK PRETZEL** 4
a giant, soft pretzel with melted chipotle cheddar cheese and honey mustard
- WINGS** 8
choice of: buffalo, BBQ, teriyaki, spicy honey, sriracha roasted garlic, atomic
- PERUVIAN ROCK SHRIMP*** 8
rock shrimp fried until crispy and tossed in a Peruvian sweet yellow Aji chili
- ✓ **ROASTED GARLIC HUMMUS** 6
served with grilled pita bread and fresh crudité
- CHICKEN FINGERS** 8
chicken tenders served with choice of chipotle mayo, ranch or honey mustard
grilled upon request

- 3 WAY SLIDERS*** 10
3 sliders served 3 different ways!
Angus beef topped with...
-cheddar and bacon
-mushroom and swiss
-onion confit with fresh mozzarella
- HOUSEMADE NACHOS*** 7
housemade tortilla chips, cilantro, black beans, roasted corn salsa, pico de gallo, sour cream and guacamole
chicken or steak \$3 / shrimp \$4
- ✓ **GRILLED STREET CORN** 5
grilled corn on the cobb, smothered in cotija, chili powder and lime
- ✓ **OPEN FACE QUESADILLA*** 6
mixed cheeses melted on a hand stretched tortilla
or any of the following \$8
-grilled fajita chicken and veggies
-cilantro chipotle steak with onions and mushrooms
-shrimp with peppers and corn

SOUP OF THE DAY 5
our housemade soup of the day
see server for details

FRESH CUT FRIES

- 5 -

**served with your choice of
two dipping sauces:**

WHITE TRUFFLE KETCHUP

CHIPOTLE KETCHUP

JALAPENO RANCH

ROASTED GARLIC AIOLI

VANILLA MILKSHAKE
\$1 extra

additional dipping sauces / \$.50

SALADS & WRAPS

**all salads can be made as wraps upon request
add chicken \$3 / shrimp \$4**

- ✓ **CAESAR** 7
grilled romaine, roasted tomatoes, parmesan tuile
- STRAWBERRY WALNUT** 9
grilled chicken breast, seasonal selection of greens, candied walnuts, fresh strawberries, chevre cheese and raspberry tarragon vinaigrette
- COBB** 10
grilled chicken breast, smoked bacon, hard boiled egg, tomato, avocado, scallions, bleu cheese crumbles and green goddess dressing
- BBQ CHICKEN CHOP** 10
grilled BBQ chicken breast, mixed greens, corn salsa, tomatoes, black beans, cheddar cheese topped with ranch dressing and onion strings
- ✓ **THE CHOP** 8
baby arugula, tricolor quinoa, asparagus, roasted tomatoes, pepitas, golden raisins and asiago cheese tossed in a truffle dressing

*These items are served cooked-to-order, undercooked or raw. Consuming raw or undercooked meats, poultry or seafood may increase your risk of foodborne illness, especially if you have certain medical conditions.

✓ = vegetarian

TACOS

choice of three hand stretched corn or flour tortillas

CRAZY SHRIMP* 9

mozzarella, corn and tomatillo sauce

SPICY CHICKEN TINGA 8

chipotle, avocado and cotija cheese

PORK CONFIT 8

pineapple salsa and pickled onion

BAJA FISH* 9

tempura tilapia, cabbage slaw and chipotle mayo

STREET STEAK* 8

radish, roasted salsa and grilled onion

THIS, THAT & THE OTHER

all sandwiches include your choice of one side

add cheese \$.50 / swiss, mozzarella, cheddar, American, bleu, pepper jack

add toppings \$1 / bacon, sweet peppers, avocado, grilled onion, fried egg

⑤ APPLE & GOUDA GRILLED CHEESE 6

Gouda and crisp green apples melted between grilled sourdough bread / a revamped American favorite

add bacon upon request \$1

CHICKEN & WAFFLE 9

crispy fried chicken breast served over a Belgium waffle and drizzled with maple syrup / a house favorite

BUFFALO CHICKEN SANDWICH 9

grilled or crispy chicken breast tossed in wing sauce, topped with carrot-celery slaw and bleu cheese crumbles

CHICKEN DIABLO SANDWICH 9

grilled chicken, mozzarella, bleu cheese, bacon, sauteed onion, mushroom and jalapeño

PULLED BBQ PORK SANDWICH 9

North Carolina style slow cooked pork, rubbed with spices and finished with our housemade BBQ sauce, fried pickles and cole slaw served on a buttermilk bun

BEEF BRISKET SANDWICH* 9

Texas style, slow roasted brisket, sliced and piled high on a buttermilk bun, topped with onion strings, tangy BBQ sauce and pepper jack cheese

RIBEYE SANDWICH* 9

grilled ribeye smothered with bleu cheese and caramelized onion, served with horseradish dipping sauce on toasted sourdough bread

CALIFORNIA CHICKEN SANDWICH 9

grilled chicken, smoked bacon, shredded lettuce, tomato, avocado and pesto mayo

GRASS FED BISON BURGER* 13

topped with hydro living lettuce, organic heirloom tomato, white cheddar and roasted garlic mayo served on a brioche bun

TURKEY CLUB 8

the classic oven roasted turkey sandwich on toasted wheat berry bread topped with bacon, lettuce, tomato, and a fried egg

ALL AMERICAN BURGER* 8

½ lb Angus beef, topped with American cheese, shredded lettuce, tomato, red onion, dill pickles, ketchup, yellow mustard and mayo

BBQ BACON CHEESEBURGER* 9

1/2 lb Angus beef topped with cheddar cheese, applewood smoked bacon, crispy onion strings and our housemade BBQ sauce

SKINNY BURGER 8

turkey burger topped with tomato, onion, lettuce, sprouts, cucumber and mustard vinaigrette dressing, served on a nine grain bun

wrapped in lettuce upon request

⑤ ORGANIC QUINOA & BLACK BEAN BURGER 8

grilled patty made of tricolor quinoa, black beans and portabello mushroom topped with tomato, goat cheese and pesto aioli, served on a nine grain bun

⑤ GRILLED PB & J 6

your classic peanut butter and jelly sandwich served on white bread and grilled

add bacon upon request \$1

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⑤ = vegetarian

MESQUITE FIRED PIZZAS

choice of 14" or 18" for an additional \$3 / add toppings \$1 / add meat \$2

⑦ CHEESE 9

PEPPERONI 11

⑦ MARGHERITA 10

classic Italian tomato sauce, fresh mozzarella, parmesan cheese and basil

BBQ CHICKEN 12

BBQ sauce, grilled chicken, roasted peppers, red onion, blistered corn and jack cheese

GRILLED CHICKEN PESTO 13

housemade basil pesto, marinated and grilled chicken breast, fresh mozzarella, parmesan cheese and chili flakes

JUNKIE SUPREME* 14

Italian sausage, pepperoni, salami, prosciutto, grilled peppers and onions, tomato sauce and fresh mozzarella

THE MAUI 12

prosciutto, grilled pineapple, scallions, roasted green peppers and provolone cheese

⑦ THE VEGGIE 11

green peppers, red onion, mushrooms, fresh tomato, spinach, green olive, tomato sauce and fresh ricotta

FIG & PROSCIUTTO 12

fig sauce, prosciutto, arugula and fresh melted Gouda

PLATES

BBQ BABY BACK RIBS*

HALF RACK 10 / FULL RACK 15

slow braised and smothered in our housemade BBQ sauce, served with coleslaw and grilled corn

⑦ RIGATONI 8

tomato sauce, arugula and fresh mozzarella

BLACKENED SHRIMP* 13

shrimp blackened and covered in an orange tequila sauce and served with asparagus and brown rice

RIBEYE & POTATOES* 15

grilled to order, served with wilted spinach and roasted potatoes

⑦ BAKED MAC N CHEESE 7

white cheddar, Gouda, goat cheese and parmesan, en croute with black truffle salt

⑦ TERIYAKI BOWL 10

grilled chicken or tofu, veggies, avocado and toasted sesame seeds served over brown rice
substitute quinoa for brown rice upon request

★ SWEETS ★ - 6 -

HALF BAKED

½ lb chocolate chip cookie dough, baked in a 6 inch deep dish pan, topped with vanilla ice cream and drizzled with warm chocolate syrup / also available in: chocolate chocolate chip or peanut butter chunk

CREME BRULEE WITH FRESH BERRIES

french custard with a crisp caramel shell topped with toasted coconut and fresh berries

HOT FUDGE BOURBON MILKSHAKE

homemade hot fudge, Bulleit bourbon, Dreyer's vanilla ice cream

SPIKED MILK & COOKIES

freshly baked warm chocolate chip cookies served with an ice cold glass of our housemade spiked milk

SIDES

SEASONED FRIES 3

WAFFLE FRIES 3

SWEET POTATO TOTS 4

SWEET POTATO CHIPS 2

ONION STRINGS 4

GARDEN SALAD 3

TRICOLOR QUINOA 4

FRESH FRUIT 3

CARROTS & CELERY 2

COLE SLAW 3

N/A BEVERAGES

COKE 2

DIET COKE 2

MILK PIBE 2

SPRITE 2

FANTA ORANGE 2

FANTA STRAWBERRY 2

ORANGE JUICE 2

PINEAPPLE JUICE 2

GRAPEFRUIT JUICE 2

Cranberry Juice 2

LEMONADE 2

STRAWBERRY LEMONADE 2

ICED TEA 2

COFFEE 2

TONIC 2

SODA 2

ROOTBEER FLOAT 4

RED BULL 4

SUGAR FREE RED BULL 4

Fiji Water 4

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⑦ = vegetarian

SPECIALTY COCKTAILS

☺ AMERICAN JUNKIE (18 oz) 14

Skyy vodka, gin, tequila, triple sec, sprite and Red Bull served in a half liter carafe and topped with Junkie's signature rubber duckie

VICTORIA'S SECRET 9

Stoli raspberry and orange vodka, fresh pineapple juice with a splash of cranberry, topped with champagne

☺ CHERRY LIMEADE 9

Skyy cherry vodka, Smirnoff lime, lemonade, club soda and a squeeze of lime

JUNKIE SANGRIA 9

red and white wine, brandy, triple sec, rum infused fruit, cane sugar, OJ and club soda

☺ Y CHOCOLATE COVERED PRETZEL 9

Frangelico, Smirnoff whipped vodka, chocolate syrup, splash of cream and a sea salt rim

JALAPENO BLOODY 9

jalapeño infused Skyy vodka, tomato juice, Worcestershire, Tabasco, fresh lime juice and Dos Equis XX

Y CIROC GUMMY 10

Ciroc red berry vodka, muddled strawberries, fresh lemon juice and a splash of soda rimmed with Kool-Aid and garnished with gummy bears

☺ VOOTBEER 9

Smirnoff whipped vodka and root beer topped with whipped cream and served in a mason jar

SKINNY MARGARITA 9

Don Julio blanco tequila, orange liquor, Fresca and fresh lime

Y = martini ☺ = included in happy hour

DRAFT BEERS

BLUE MOON

Witbier / Coors Brewing Co. / Golden, CO / **5.4% ABV**

BUD LIGHT

Light Lager / Anheuser Busch / St. Louis, MO / **4.2% ABV**

COORS LIGHT

Light Lager, Coors Brewing Co. / Golden, CO / **4.2% ABV**

DOS EQUIS XX SPECIAL

Pale Lager / Monctezuma Brewery / Mexico / **5% ABV**

GUINNESS

Dry Irish Stout / St. James Gate Brewing Co. / Dublin, Ireland / **5% ABV**

PABST BLUE RIBBON

Pale Lager / Pabst Brewing Co. / Chicago, IL / **5% ABV**

STELLA ARTOIS

Lager / InBev Belgium / Leuven, Belgium / **5% ABV**

SEASONAL PICK

See server for details

BOTTLED BEERS

ACE PEAR CIDER

Pear Cider / California Cider Co. / Sebastopol, CA / **5% ABV**

ANCHOR STEAM

Steam Beer / Anchor Brewing Company / San Francisco, CA / **4.9% ABV**

ARROGANT BASTARD

Amber Strong Ale / Stone Brewing Co. / Escondido, CA / **7.2% ABV**

BRECKENRIDGE VANILLA PORTER

American Porter / Breckenridge Brewing / Breckenridge, CO / **4.7% ABV**

BUD LIGHT

Light Lager / Anheuser Busch / St. Louis, MO / **4.2% ABV**

BUDWEISER

Pale Lager / Anheuser Busch / St. Louis, MO / **5% ABV**

COORS LIGHT

Light Lager / Coors Brewing Co. / Golden, CO / **4.2% ABV**

CORONA

Pale Lager / Cerveceria Modelo / Mexico / **4.6% ABV**

CORONA LIGHT

Pale Lager / Cerveceria Modelo / Mexico / **4.1% ABV**

DOS EQUIS XX SPECIAL LAGER

Pale Lager / Moctezuma Brewery / Mexico / **5% ABV**

DOUBLE CHOCOLATE STOUT

Sweet Stout / Young & Co. / London, England / **5.2% ABV**

FAT TIRE (22 oz)

American Amber/ Red Ale / New Belgium Brewery / Fort Collins, CO / **5.6% ABV**

FOUR PEAKS KILTIFTER

Scottish Ale / Four Peaks Brewing Co. / Tempe, AZ / **6% ABV**

LINDEMAN'S FRAMBOISE

Raspberry Lambic / Brouwerij Lindeman's / Vlezenbeek, Belgium / **5% ABV**

GUINNESS

Dry Irish Stout / St. James Gate Brewing Co. / Dublin, Ireland / **5% ABV**

HEINEKEN

Pale Ale / Heineken Brewery / Zoeterwoude, Netherlands / **5.4% ABV**

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Attachment No. PD 3

Project Plans

SITE PLAN KEYED NOTES

- 1

EXISTING 36" WIDE X 22' LONG DETECTABLE WARNING ON SURFACE COMPLYING WITH 1133B.8.5
- 2

EXISTING ACCESSIBLE PARKING STALL AND SIGNAGE TO REMAIN
- 3

EXISTING MINIMUM 48" WIDE ACCESSIBLE PATH OF TRAVEL TO REMAIN
- 4

EXISTING VAN ACCESSIBLE PARKING STALL AND SIGNAGE TO REMAIN
- 5

EXISTING MINIMUM 5' WIDE ACCESS AISLE TO REMAIN
- 6

EXISTING ENCLOSED TRASH AREA TO REMAIN
- 7

EXISTING PARKING AREA TO REMAIN, TYP.
- 8

EXISTING CITY OF NEWPORT BEACH ACCESSIBLE PARKING TOW-AWAY SIGN TO REMAIN
- 9

EXISTING PLANTER TO REMAIN
- 10

EXISTING DRIVE AISLE TO REMAIN, TYP.
- 11

EXISTING FIRE SPRINKLER TEST DRAIN AND KNOX BOX LOCATION TO REMAIN
- 12

EXISTING SITE PYLON SIGN TO REMAIN
- 13

EXISTING FIRE DEPARTMENT CONNECTION TO REMAIN
- 14

EXISTING PAD MOUNTED TRANSFORMER TO REMAIN
- 15

EXISTING UNDERGROUND GREASE INTERCEPTOR TO REMAIN
- 16

EXISTING SIDEWALK TO REMAIN
- 17

EXISTING DETECTOR CHECK VALVE TO REMAIN
- 18

EXISTING INTERNATIONAL SYMBOL OF ACCESSIBILITY SIGN TO REMAIN
- 19

EXISTING UNUSED SEWER LATERAL IS CAPPED AT PROPERTY LINE
- 20

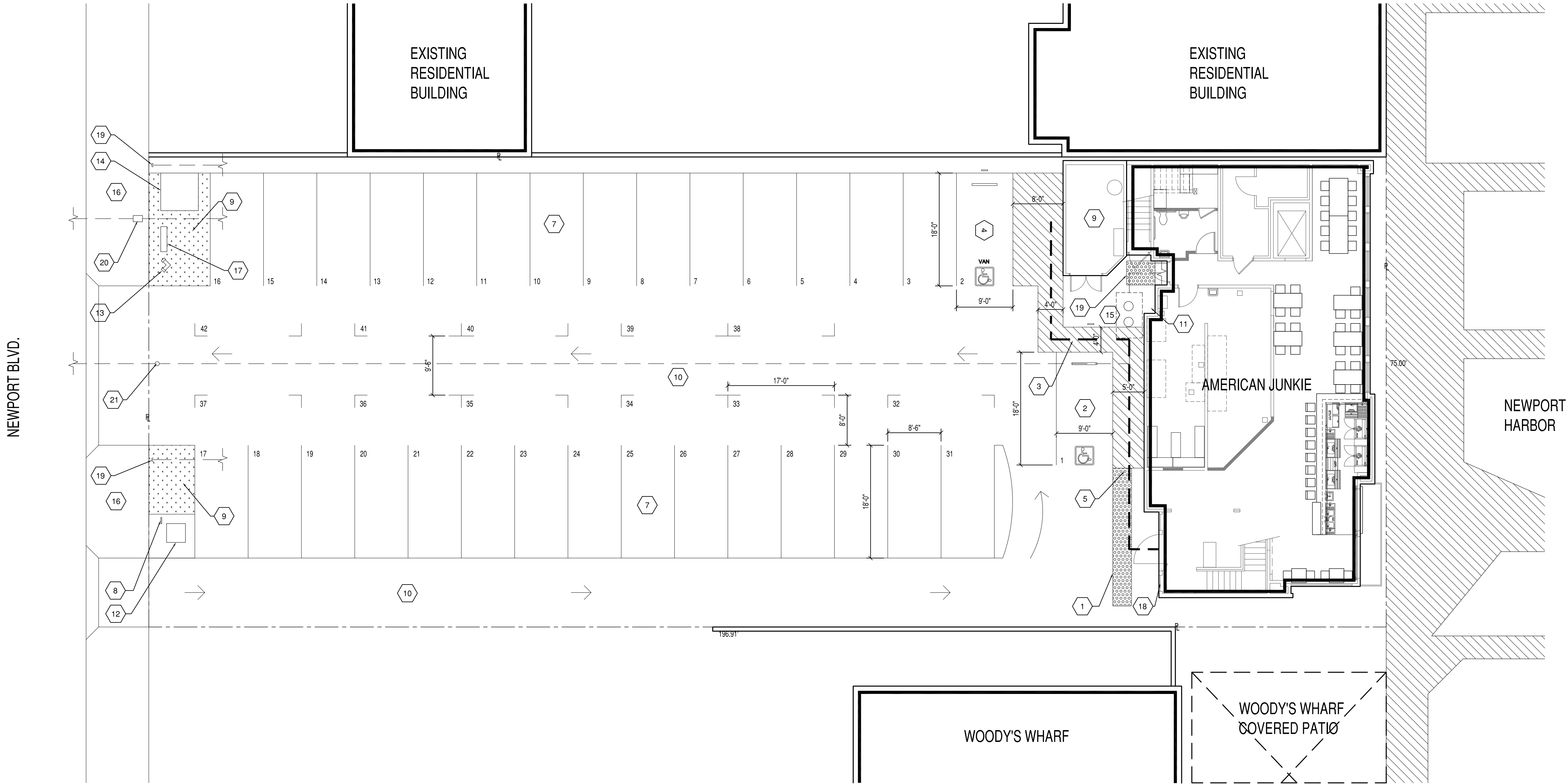
EXISTING WATER METER & SERVICE TO REMAIN
- 21

EXISTING CLEANOUT ON EXISTING BUILDING SEWER, PROVIDE NEW CLEANOUT ON PUBLIC SIDE OF PROPERTY LINE PER CITY STANDARD STD-406-L. SEE PLUMBING DRAWINGS.

SITE PLAN GENERAL NOTES

1. NO WORK TO PROJECT SITE OR BUILDING. PLANS ISSUED FOR ADMINISTRATIVE PROCESSING OF OPERATOR'S LICENSE AND ASSOCIATED PERMITS ONLY.
2. VALET SERVICES PROVIDED DURING ALL TIMES OF OPERATION IN ACCORDANCE WITH THE EXISTING USE PERMIT.

--- EXISTING SITE ACCESSIBLE PATH OF TRAVEL TO REMAIN



ARCHITECTURAL SITE PLAN

1" = 10'

ONE!
ARCHITECTURE

ONEarchitecture.us
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ad/Mg

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A TEAM ONE! AFFILIATE

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Revisions

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American Junkie
Operator License

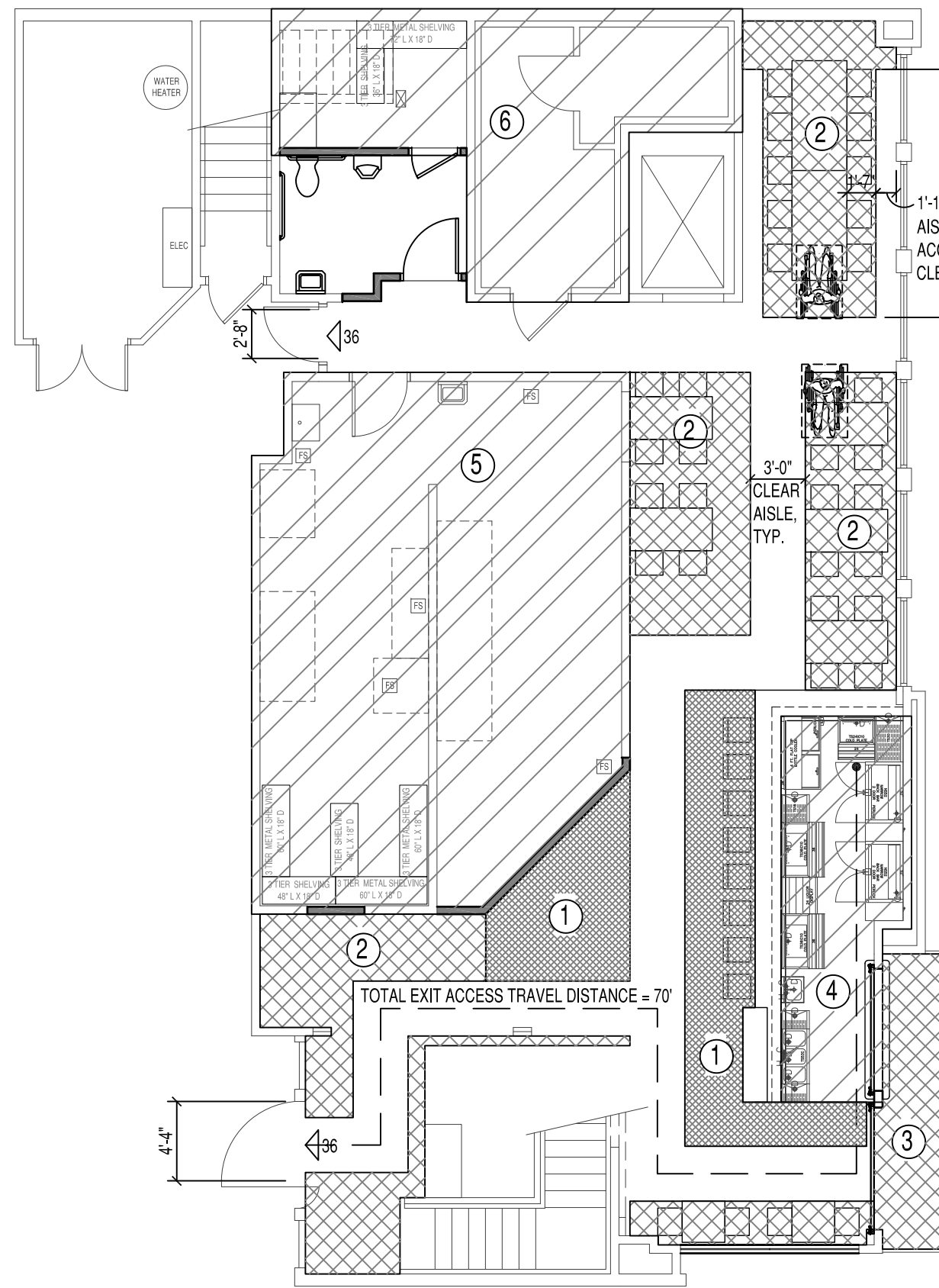
Newport Beach, CA

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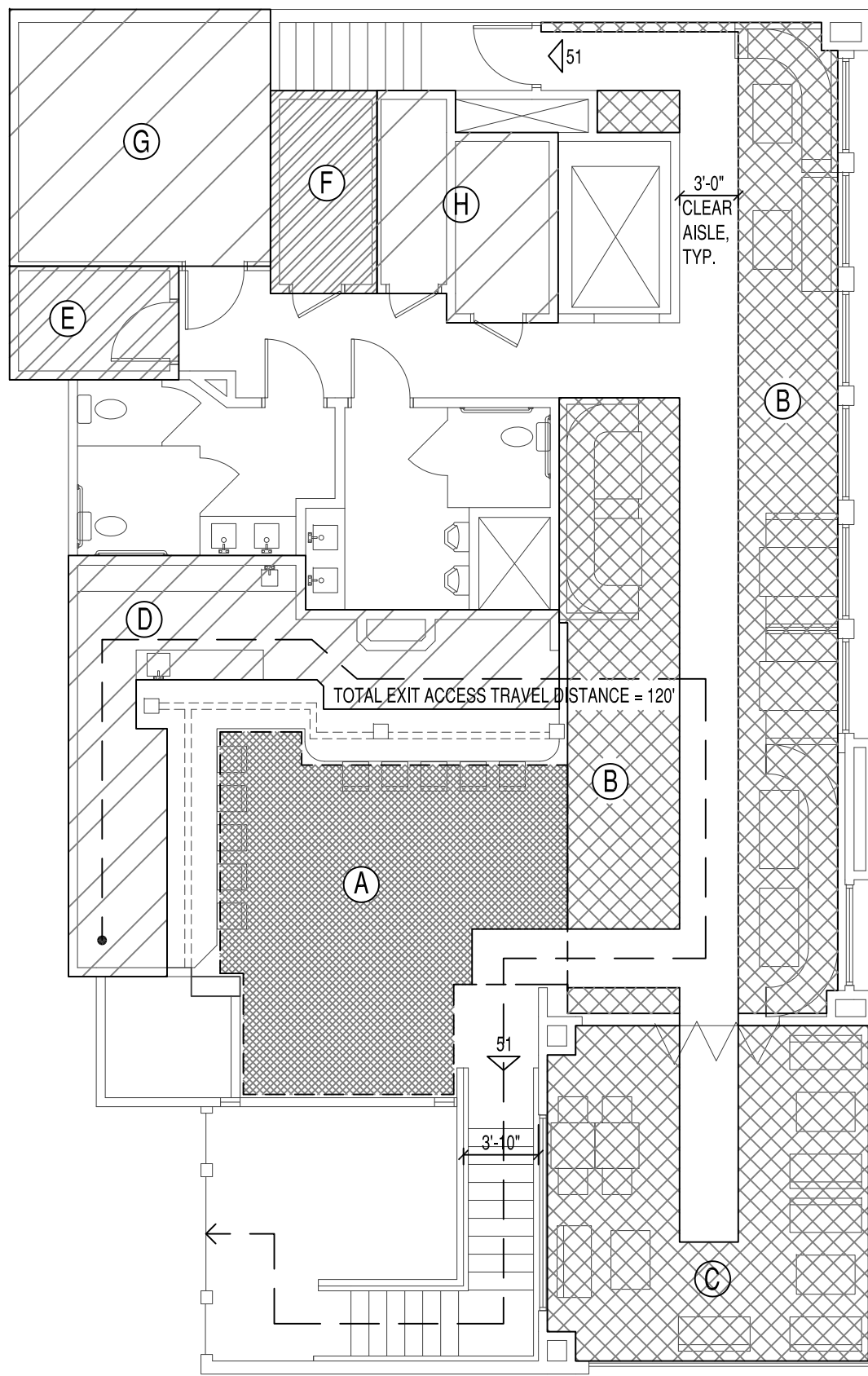
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Existing
Site Plan

AS-101



OCCUPANT LOAD CALCULATIONS - FIRST FLOOR			
HATCH PATTERN	SPACE FUNCTION (TABLE 1004.1.1)	FLOOR AREA IN SF PER OCCUPANT	
	ASSEMBLY WITHOUT FIXED SEATS STANDING SPACE	5 NET	
	ASSEMBLY WITHOUT FIXED SEATS UNCONCENTRATED (TABLES & CHAIRS)	15 NET	
	LOCKER ROOMS	50 GROSS	
	BUSINESS AREAS	100 GROSS	
	COMMERCIAL KITCHEN	200 GROSS	
	ACCESSORY STORAGE/ MECHANICAL EQUIPMENT	300 GROSS	
AREA DESIGNATOR	CALCULATION	DESIGN OCCUPANT LOAD	
①	167 SF NET @ 1 OCC/5 SF NET =	34 OCCUPANTS	
②	429 SF NET @ 1 OCC/15 SF NET =	29 OCCUPANTS	
③	56 SF @ 1 OCC/15 SF NET =	4 OCCUPANTS	
④	136 SF GROSS @ 1 OCC/ 200 SF GROSS =	NOT INCLUDED	
⑤	573 SF GROSS @ 1 OCC/ 200 SF GROSS =	3 OCCUPANTS	
⑥	270 SF GROSS @ 1 OCC/ 300 SF GROSS =	NOT INCLUDED	
FLOOR TOTAL		70 OCCUPANTS	
# EXITS REQUIRED	2	EGRESS WIDTH REQUIRED	14.0"
# EXITS PROVIDED	2	EGRESS WIDTH PROVIDED	80"
EXIT ACCESS TRAVEL DISTANCE ALLOWABLE = 250'			
SEE PLAN FOR MEASURED EXIT ACCESS TRAVEL DISTANCE			



OCCUPANT LOAD CALCULATIONS - SECOND FLOOR			
HATCH PATTERN	SPACE FUNCTION (TABLE 1004.1.1)	FLOOR AREA IN SF PER OCCUPANT	
	ASSEMBLY WITHOUT FIXED SEATS STANDING SPACE	5 NET	
	ASSEMBLY WITHOUT FIXED SEATS UNCONCENTRATED (TABLES & CHAIRS)	15 NET	
	LOCKER ROOMS	50 GROSS	
	BUSINESS AREAS	100 GROSS	
	COMMERCIAL KITCHEN	200 GROSS	
	ACCESSORY STORAGE/ MECHANICAL EQUIPMENT	300 GROSS	
AREA DESIGNATOR	CALCULATION	DESIGN OCCUPANT LOAD	
(A)	250 SF NET @ 1 OCC/ 5 SF NET =	50 OCCUPANTS	
(B)	441 SF NET @ 1 OCC/ 15 SF NET =	30 OCCUPANTS	
(C)	245 SF NET @ 1 OCC/ 15 SF NET =	17 OCCUPANTS	
(D)	214 SF GROSS @ 1 OCC/ 200 SF GROSS =	NOT INCLUDED	
(E)	51 SF GROSS @ 1 OCC/ 100 SF GROSS =	1 OCCUPANT	
(F)	57 SF GROSS @ 1 OCC/ 50 SF GROSS =	NOT INCLUDED	
(G)	175 SF GROSS	ACCESSORY AREAS (NO OCCUPANTS)	
(H)	94 SF GROSS	ACCESSORY AREAS (NO OCCUPANTS)	
FLOOR TOTAL		98 OCCUPANTS	
# EXITS REQUIRED	2	EGRESS WIDTH REQUIRED	29.4"
# EXITS PROVIDED	2	EGRESS WIDTH PROVIDED	88"
EXIT ACCESS TRAVEL DISTANCE ALLOWABLE = 250'			
SEE PLAN FOR MEASURED EXIT ACCESS TRAVEL DISTANCE			

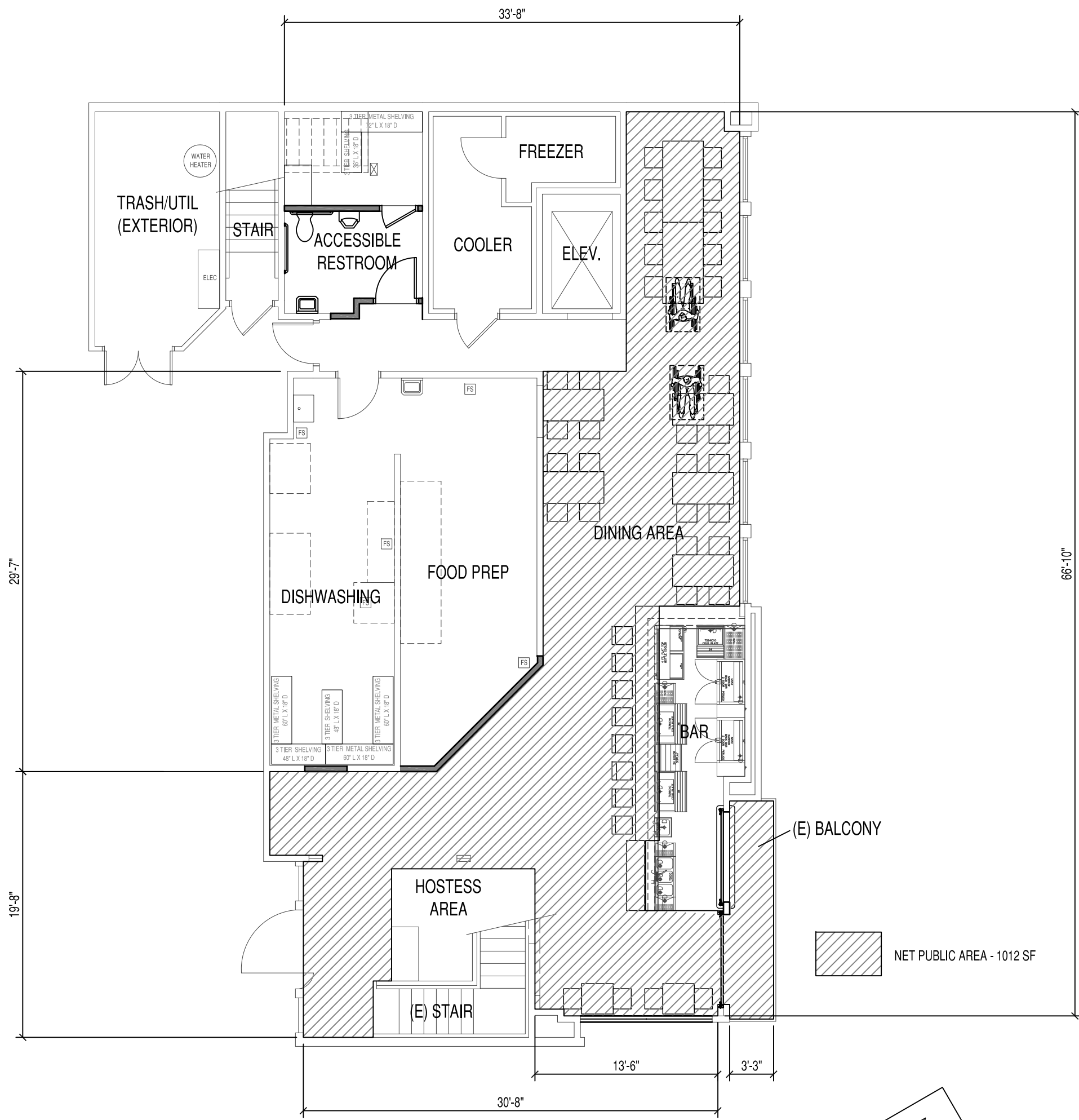
TOTAL OCCUPANT LOAD CALCULATIONS	
FIRST FLOOR	70 OCCUPANTS
SECOND FLOOR	98 OCCUPANTS
BAR AREA/DINING	80 OCCUPANTS
EXTERIOR PATIO	17 OCCUPANTS
BACK OF HOUSE AREAS	1 OCCUPANT
TOTAL OCCUPANT LOAD	168 OCCUPANTS

OCCUPANT LOAD & EGRESS - FIRST FLOOR

1/8" = 1'-0"

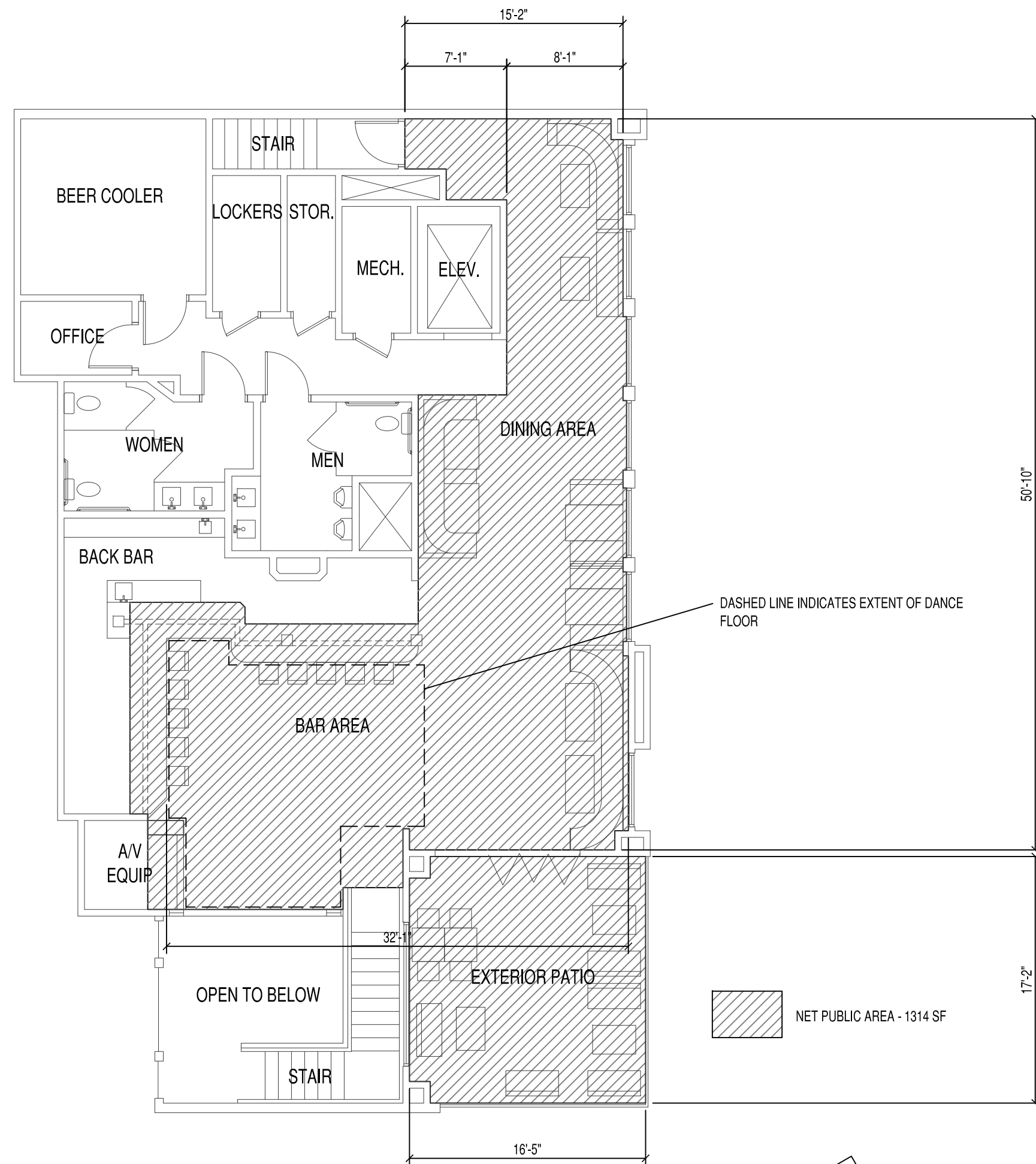
OCCUPANT LOAD & EGRESS - SECOND FLOOR

1/8" = 1'-0"



NET PUBLIC AREA - FIRST FLOOR

1/8" = 1'-0"



NET PUBLIC AREA - SECOND FLOOR

1/8" = 1'-0"

ZONING INFORMATION

- A. ZONING DISTRICT: MU-W2 MIXED-USE WATER RELATED
B. NET PUBLIC AREA:
FIRST FLOOR = 1012 SF + SECOND FLOOR = 1314 = 2326 SF
ALLOWABLE NET PUBLIC AREA PER CONDITIONS OF APPROVAL (6-21-84 PC) 2,547 SF
C. PARKING REQUIREMENTS:
PARKING RATE REQUIRED (NON-DANCING HOURS): 1 STALL/50 SF NET PUBLIC AREA (PER 6-22-89 PC)
= 2326 SF/50 SF = 47 STALLS
PARKING PROVIDED (NON-DANCING HOURS): 50 STALLS (42 STALLS + 5 DOCK SPACES + 3 IN LIEU FEES)
PARKING RATE REQUIRED (DANCING HOURS): 1 STALL/35 SF NET PUBLIC AREA (PER 6-22-89 PC)
= 1524 SF/35 SF = 44 STALLS
PARKING PROVIDED (DANCING HOURS): 50 STALLS (42 STALLS + 5 DOCK SPACES + 3 IN LIEU FEES)
D. DISCRETIONARY APPROVALS: USE PERMIT #1581 (1972) & AMENDMENTS (SEE CONDITIONS OF APPROVAL SHEETS GI-003 - GI-006)

BUILDING CODE ANALYSIS

- A. NUMBER OF STORIES: 2
B. CONSTRUCTION TYPE: V-A, FULLY SPRINKLERED (SPRINKLER SUBSTITUTED FOR ONE HOUR CONSTRUCTION)
C. OCCUPANCY TYPE: A-2 (RESTAURANT/NIGHT CLUB)
D. EXISTING BUILDING AREAS: 1ST FLOOR: 2,182 GROSS SF
2ND FLOOR: 2,182 GROSS SF
TOTAL EXISTING GROSS BUILDING AREA: 4,364 SF

PLUMBING FIXTURE COUNT

(FROM ORIGINAL PLAN CHECK - NO CHANGE TO PLUMBING AREAS/OCCUPANT LOADS PROPOSED)

NET USABLE SQUARE FOOTAGE MINUS RESTROOMS, STAIRS/HALLWAYS AND STORAGE/UTIL ROOMS = 2,180 NSF / 30 OCC. PER NSF = 72 OCCUPANTS USED FOR FIXTURE COUNT:

PLUMBING COUNT:			
REQUIRED	36 MEN	36 WOMEN	PERSONS
WATER CLOSETS	1 FOR 1-50	1 FOR 1-50	-
LAVS	1 FOR 1-150	1 FOR 1-150	-
URINALS	1 FOR 1-150	-	-
DRINKING FOUNTAIN	-	-	-
PROVIDED	1	4	1
WATER CLOSETS	2	2	1
LAVS	2	-	1
URINALS	-	-	-
DRINKING FOUNTAIN	-	-	-

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Revisions

1	--
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5	--

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Newport Beach, CA

REVISED 07.14.14

CA-244

Floor Plans &
Calculations

AD-101