



**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 April 10, 2015

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

Item 1: Plaza Corona del Mar Staff Approval No. SA2014-024 (PA2014-172)
3900 and 3928 E. Coast Highway

Action: Approved

Council District 6

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



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

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. SA2014-024 (PA2014-172)
Applicant Marcelo E. Lische
Site Address 3900 and 3928 E. Coast Highway
Plaza CDM Staff Approval
Legal Description Lots 54, 55, 56, 57, 58, and portions of abandoned alley, Block B,
Tract No. 673

On **April 10, 2015**, the Community Development Director approved Staff Approval No. SA2014-024 to allow modifications to the Plaza Corona del Mar project and found said modifications in substantial conformance with Site Development Review No. SD2012-001, Modification Permit No. MD2012-011, and Specialty Food Permit No. SF38 (PA2010-061). This approval is based on the findings and is subject to the following conditions:

ZONING DISTRICT/GENERAL PLAN

- **Zone:** Commercial Corridor (CC) and Multiple Residential (RM)
- **General Plan:** Corridor Commercial (CC) and Multiple Residential (RM)

BACKGROUND

On January 7, 2013, the Planning Commission approved Conditional Use Permit No. UP2012-011, Modification Permit No. MD2012-011, Site Development Review No. SD2012-001, Tentative Tract Map No. NT2012-001, and Variance No. VA2012-002 for the construction of a horizontal mixed-use development with six (6) detached dwelling units above a common subterranean parking structure, a 2,160-square-foot office addition above an existing 535-square-foot food use (Gallo's Deli), and a 10-space shared, ground level parking lot located at 3900 and 3928 East Coast Highway (PA2010-061). Under this approval, the existing food use was permitted to remain in substantial conformance with Specialty Food Permit No. SF38.

Condition of Approval No. 1 of Site Development Review No. SD2012-001 provides that "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)."

On January 17, 2014, the Community Development Director approved Staff Approval No. SA2013-015 (PA2013-245) authorizing modifications to the project including the reconstruction of the existing sandwich delicatessen building and found the revised project plans to be in substantial conformance with the original project plans approved by the Planning Commission.

PROJECT SUMMARY

The applicant proposes a revision to the approved plan to reduce the commercial development from 2,756 gross square feet to 2,535 gross square feet and to reconfigure the ground level parking lot, site retaining walls, and trash enclosure location. The office floor area at the second floor level will be reduced and the sandwich delicatessen will remain at the first floor level as approved under SA2013-015 (PA2013-245). Due to the reduction in the office floor area, the resulting parking requirement for the ground level parking lot is lower and has been modified accordingly. The original approval included ten (10) parking spaces in the ground level parking lot and the modified design will provide a total of nine (9) spaces in the ground level parking lot including:

- Seven (7) covered parking spaces for the commercial building.
- One (1) covered ADA van accessible space for the residential units.
- One (1) uncovered ADA van accessible space for the commercial use.

Photovoltaic panels will be mounted on the roof above the eight (8) covered parking stalls.

With the removal of one (1) surface parking stall in the ground level parking area at the left of the drive aisle, the retaining walls at the rear of the property have been modified to reduce the amount of alteration to the slope. The modified retaining walls will not exceed eight (8) feet in height measured from the adjacent finished grade. As a result, Modification Permit No. MD2012-011 is no longer required since the redesigned walls comply with the 8-foot height limit for retaining walls. This change thereby increases the size of undeveloped land at the rear of the property, leaving space to provide additional plantings or a common seating area above the retaining walls.

FINDINGS

Pursuant to Section 20.54.070 (Changes to an Approved Project), the Community Development Director may authorize minor changes to an approved site plan, architecture, or the nature of the approved use, without a public hearing, and waive the requirement for a new use permit application. In this case, the Community Development Director has determined that the proposed reduction in the office floor area and parking are in substantial conformance with the approved plans of Site Development Review No. SD2012-001 and the intent of Specialty Food Permit No. SF38 for the following reasons:

Finding:

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

Facts in Support of Finding:

1. The revised project plans maintain the required setbacks and results in 2,535 square feet of commercial gross floor area. Thus, the new gross floor area of the building results in a floor area ratio (FAR) of 0.68 for the subject property, which is less than the maximum 0.75 FAR allowed. It should be noted that the new covered parking structure is exempt from the Zoning Code development standards because of the photovoltaic panels mounted on top.
2. The food service establishment will continue to be consistent with the permitted land uses identified in the CC (Commercial Corridor) Zoning District and in conjunction with the approved Specialty Food Permit No. SF38.
3. The required parking will continue to be provided for all new office floor area. Eight (8) parking spaces (including one (1) accessible van space) are required for the new office development and one (1) additional van accessible stall is required to serve the adjacent residential development.

Finding:

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

Facts in Support of Finding:

1. The reduction in the scope for the commercial development will not change the original Class 32 (Infill Development Projects) exemption under the California Environmental Quality Act. The request involves an in-fill development project consistent with General Plan and applicable development standards where the site is no more than five (5) acres, has no value as habitat for endangered, rare, or threatened species, is adequately served by all utilities and public services, and does not result in significant effects relating to traffic, air quality, water quality, or any other significant effect on the environment due to an unusual circumstance.

Finding:

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

Facts in Support of Finding:

1. Condition No. 14 states, "A total of 10 parking spaces shall be provided within the ground level parking lot as illustrated on the approved plans." The applicant has reduced the scope of work for the commercial development, thus reducing the parking requirement for the ground level parking lot. A total of nine (9) parking

spaces will be provided in the revised ground level parking area. A total of eight (8) parking spaces (including one (1) accessible van space) to accommodate the new commercial office floor area and one (1) van accessible residential guest parking space are required to accommodate the uses on-site. The commercial parking spaces will be available for residential guest parking at night.

2. Condition No. 18 states, "One van accessible guest parking space (noted as Space No. 5 on the plans approved under PA2010-061) shall be maintained within the shared parking lot for the exclusive use of the residential development. Signage shall be provided enforcing said restrictions." One (1) van accessible guest parking space (labeled as Parking Stall No. 1-residential on the revised plans) will continue to be provided for the residential units in the ground level parking lot. The eight (8) parking stalls at the right of the drive-aisle will be covered to comply with ADA parking requirements.
3. The modified trash location will provide 75 square feet of trash and recycling area where the minimum size requirement required by the Zoning Code to accommodate the commercial and residential uses on-site is 64 square feet. Additionally, the covered trash area design will include a sprinkler in compliance with Fire Department requirements.
4. The new retaining walls do not exceed eight (8) feet in height measured from the adjacent finished grade. The modified retaining wall design eliminates the need for the Modification Permit that authorized retaining walls to exceed eight (8) feet in height. This change reduces the massing and visual impact of the wall to on-site users and improves the overall aesthetics of the site.
5. The modified retaining wall design accommodates additional landscaping and improves the aesthetics at the sloping portion of the site adjacent to the residential property to the north.

Finding:

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

Facts in Support of Finding:

1. The reduction in the scope of the commercial development will not change the operational characteristics of the use as approved by the Planning Commission. The office uses at the second floor level will continue to function as authorized but on a smaller scale.
2. The approved floor plan for the existing delicatessen will not change as authorized under Staff Approval No. SA2013-015 (PA2013-245).
3. The reduction in the scope of work results in a lower parking requirement allowing for a more efficient site.

DETERMINATION

This staff approval has been reviewed and the determination has been made that the proposed changes to the existing food use and proposed commercial development are in substantial conformance with the original approval actions.

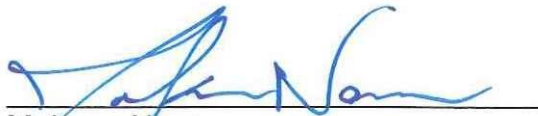
CONDITIONS

The conditions of approval authorized by Resolution No. 1902 shall continue in full force and effect as approved by the Planning Commission.

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. 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:



Makana Nova
Assistant Planner

JM/mkn

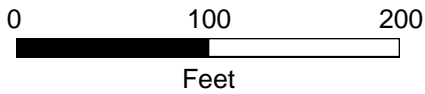
Attachments: CD 1 Vicinity Map
CD 2 Revised Project Plans

Attachment No. CD 1

Vicinity Map



Newport
Beach
GIS



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

Attachment No. CD 2

Revised Project Plans

CLIENT:
MR. MAGDI HANNA
3345 NEWPORT BLVD.
NEWPORT BEACH, CA. 92663

PROJECT:
PLAZA CORONA DEL MAR
MIXED USE PROJECT
COMMERCIAL
3900 E. COAST HIGHWAY
CORONA DEL MAR, CA. 92625

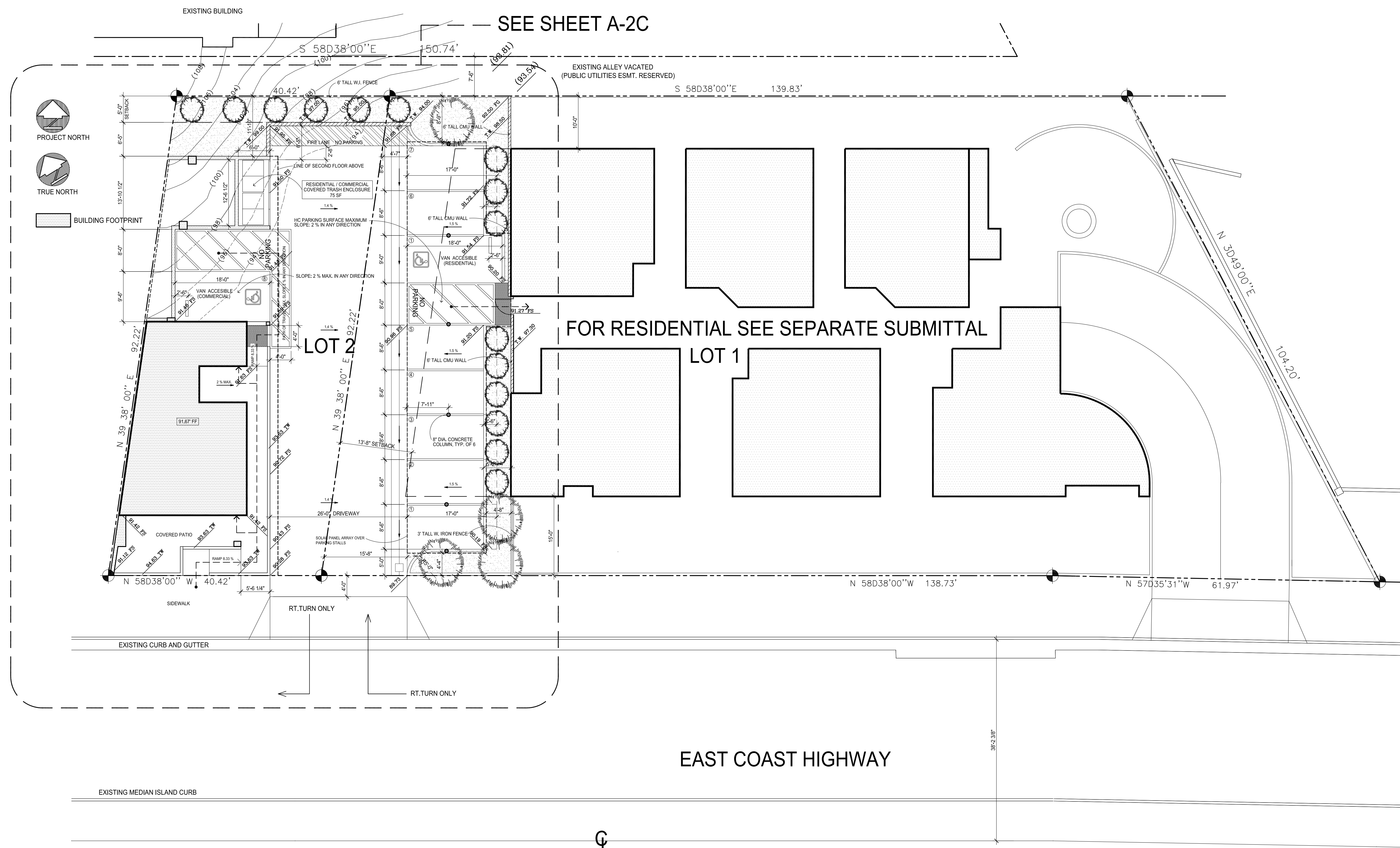
SHEET TITLE:
SITE PLAN

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DIMENSIONS AND SHALL BE VERIFIED ON THE
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ARCHITECT PRIOR TO
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JOB #: 85010109
DRAWN BY: P.L.
CHECKED BY: M.L.
SCALE: 1/8"=1'-0"
DATE: 06-19-14

REVISIONS:

1	OWNER CHANGES 03-25-15
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△	
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△	
△	
△	



COMMERCIAL BUILDING: 3900 EAST COAST HIGHWAY

ZONE: COMMERCIAL CORRIDOR (CC)
OCCUPANCY TYPE B
CONSTRUCTION TYPE V-B FULLY SPRINKLERED

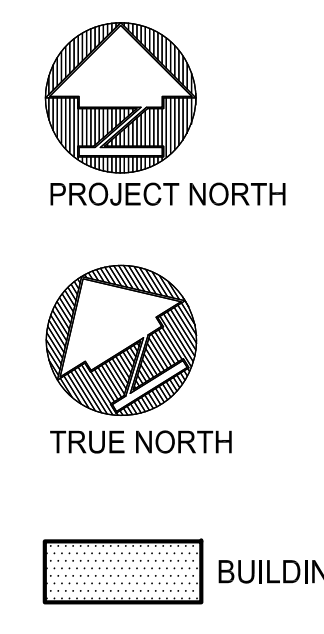
SETBACKS:
FRONT: 0 FT.
SIDES: 0 FT.
REAR: 5' FT. ADJACENT TO RESIDENTIAL

HEIGHT LIMIT:
32' FOR FLAT ROOF

PARKING REQUIREMENTS:
OFFICE: 1/250 2,000 SF / 250 = 8 SPACES
GALLO'S DELI: NONE (SPECIALTY FOOD PERMIT # 38, 05-08-1995)
PROVIDED: 8 SPACES, INCLUDING 1 VAN ACCESSIBLE

F.A.R.: 0.75'
PROPERTY: 3,676 SF
MAXIMUM BUILDABLE: 3,676 SF x 0.75 = 2,757 SF
PROPOSED BUILDING AREA: 2,535 SF

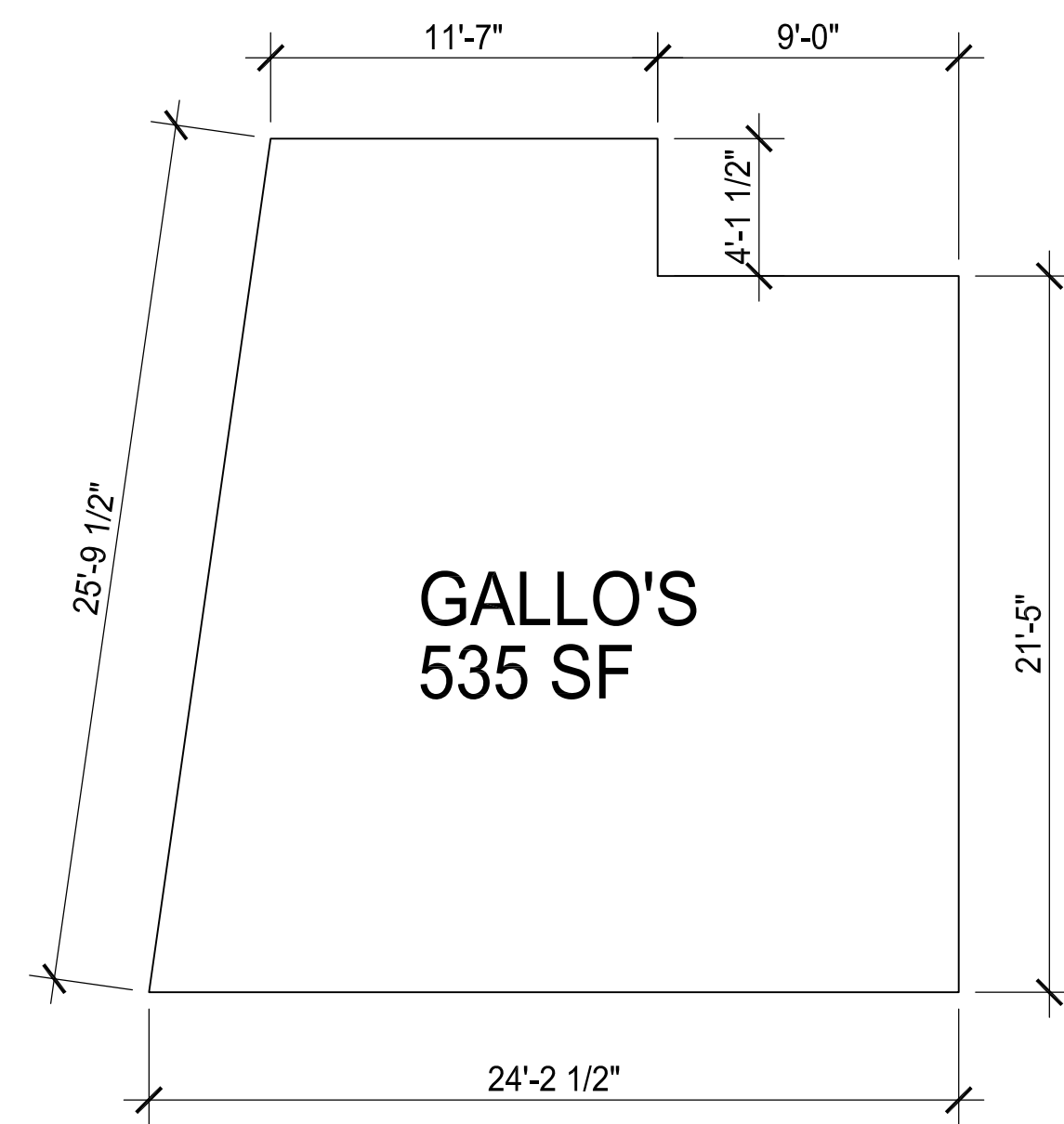
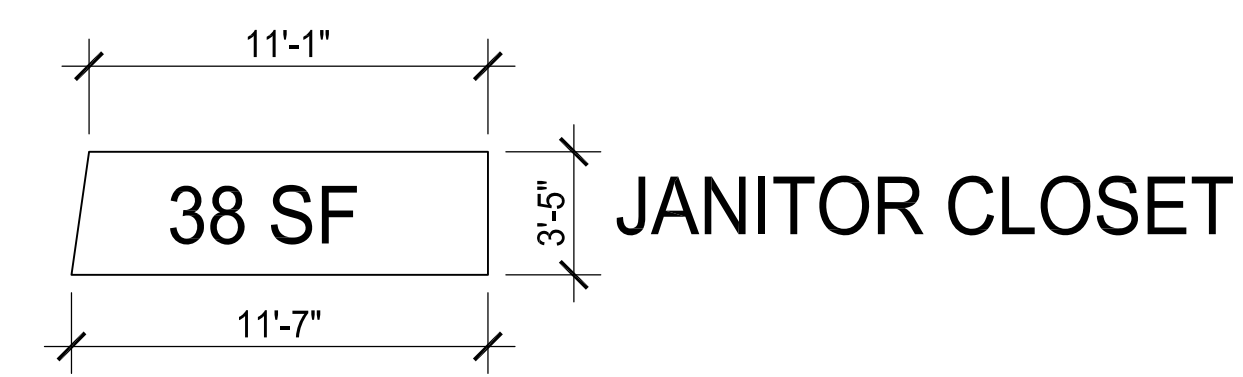
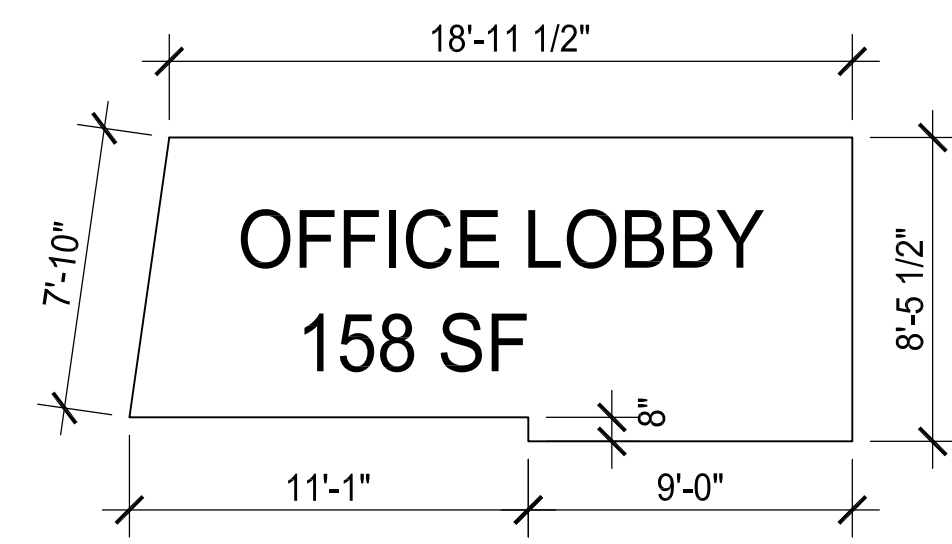
PROPOSED COVERED TRASH ENCLOSURE AREA: 37.5 SF



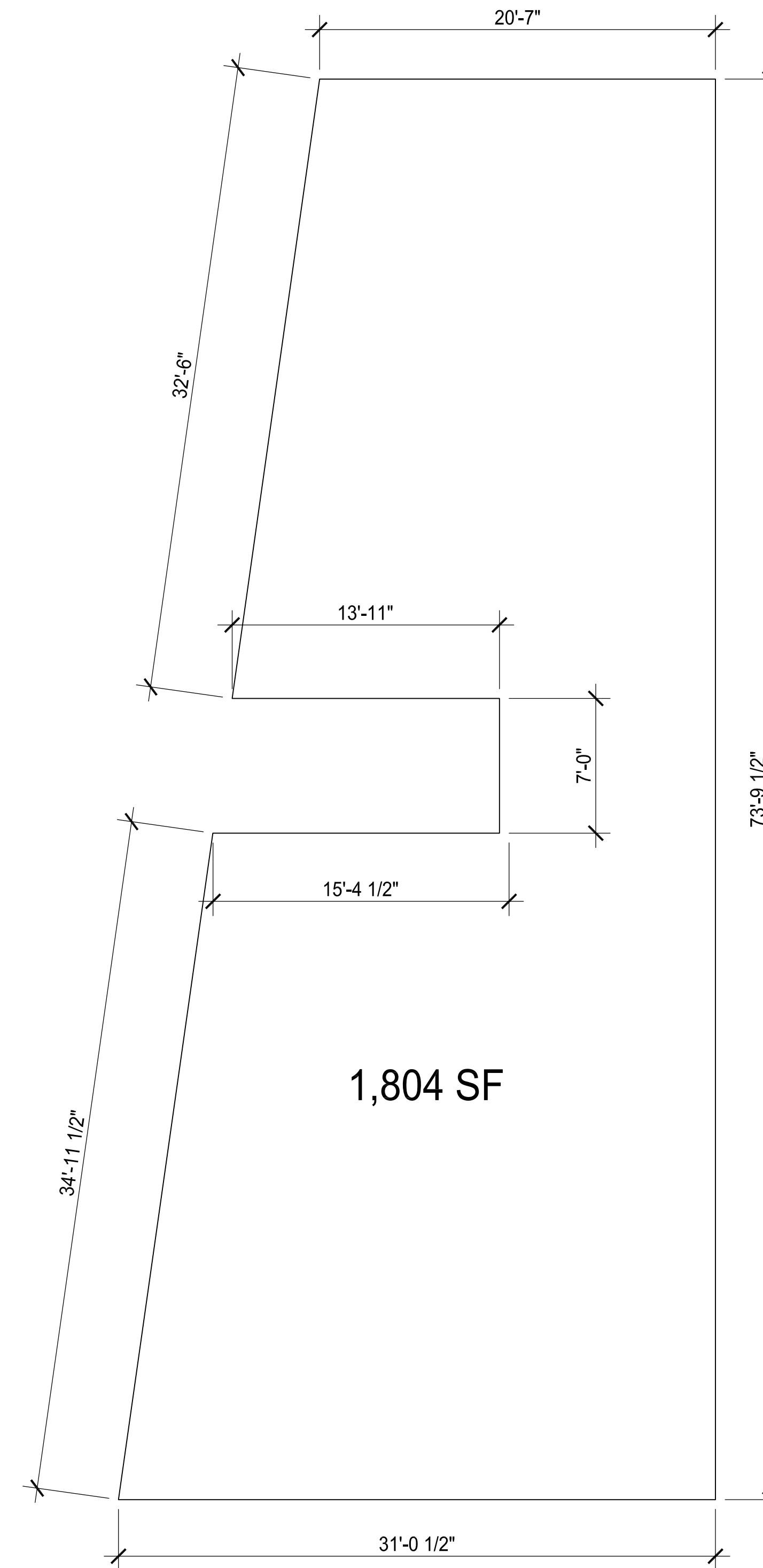
EXISTING BUILDING SEE SHEET A-2C

FOR RESIDENTIAL SEE SEPARATE SUBMITTAL

EAST COAST HIGHWAY



FIRST FLOOR GALLO'S AND OFFICE LOBBY



SECOND FLOOR OFFICE

CLIENT:
MR. MAGDI HANNA
3345 NEWPORT BLVD.
NEWPORT BEACH, CA. 92663

PROJECT:
PLAZA CORONA DEL MAR
MIXED USE PROJECT
COMMERCIAL
3900 E. COAST HIGHWAY
CORONA DEL MAR, CA. 92625

SHEET TITLE:
FLOOR AREA CALCULATION

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JOB #: 85010109
DRAWN BY: PL
CHECKED BY: ML
SCALE: 3/16"=1'-0"
DATE: 06-19-14

REVISIONS:
① OWNER'S CHANGES 03-25-15

- △ _____
- △ _____
- △ _____
- △ _____
- △ _____
- △ _____
- △ _____

CLIENT:
MR. MAGDI HANNA
3345 NEWPORT BLVD.
NEWPORT BEACH, CA. 92663

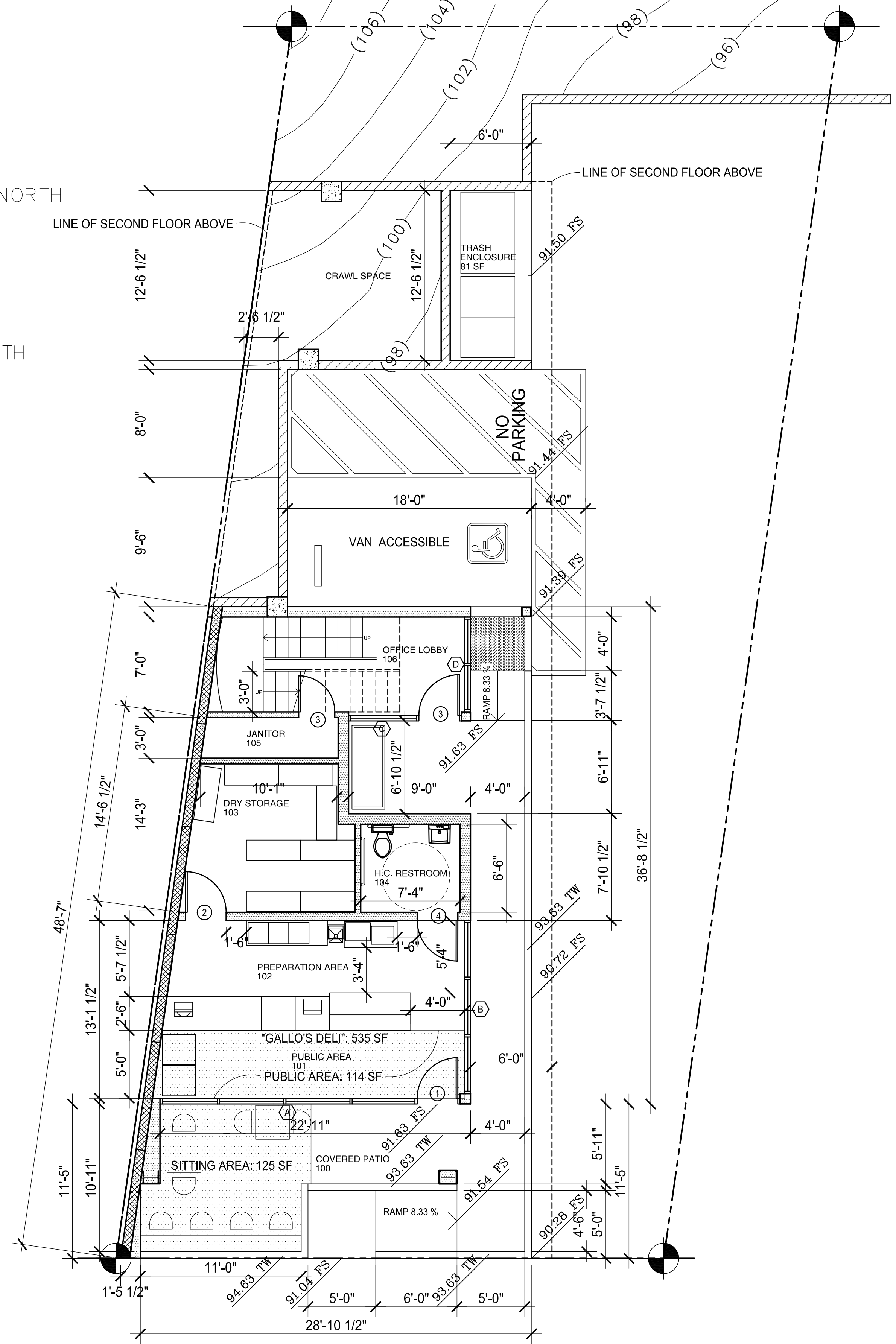
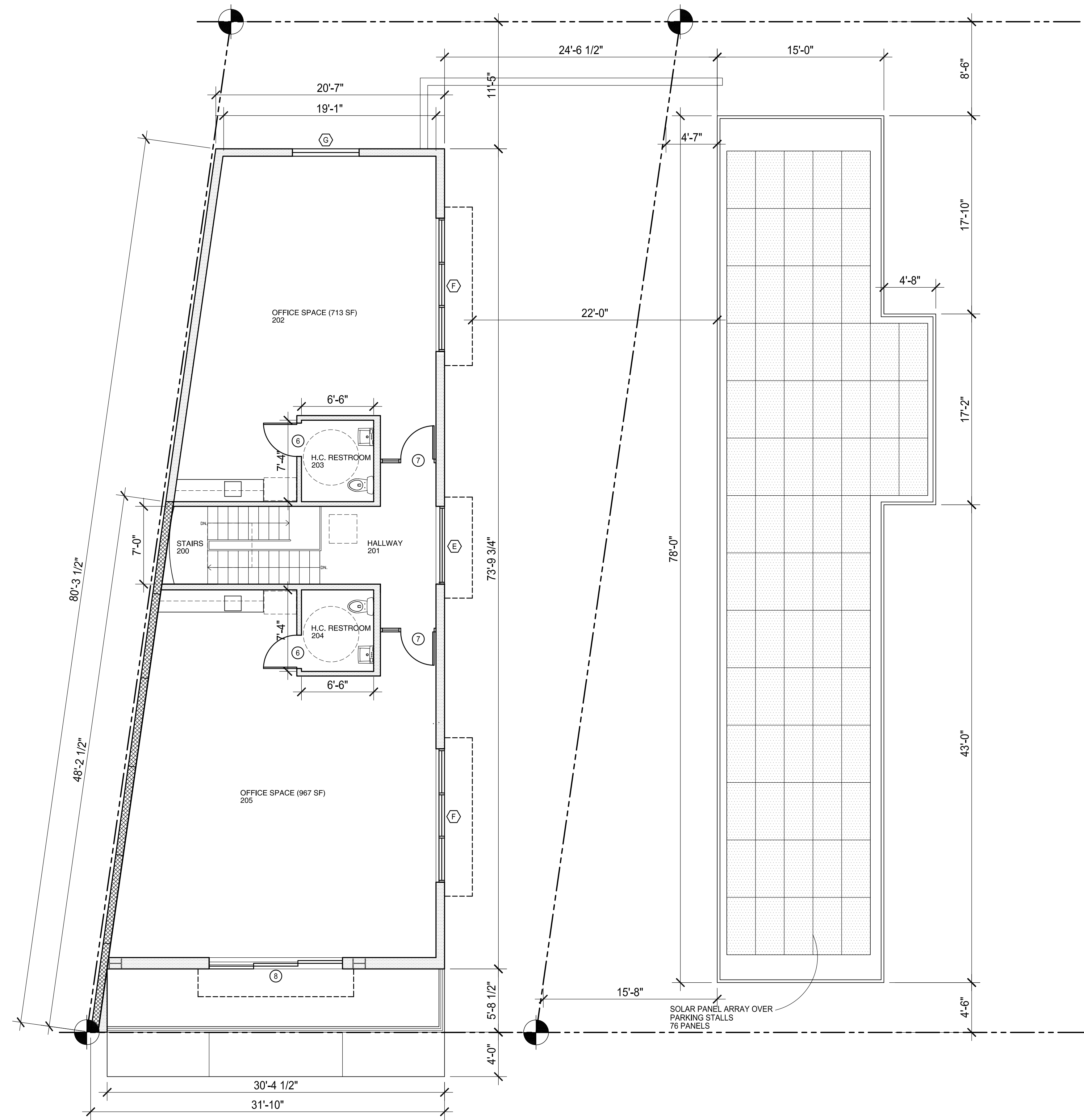
PROJECT:
PLAZA CORONA DEL MAR
MIXED USE PROJECT
COMMERCIAL
3900 E. COAST HIGHWAY
CORONA DEL MAR, CA. 92625

SHEET TITLE:
COMMERCIAL 1ST AND
2ND FLOOR PLANS

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JOB #: 550110109
DRAWN BY: P.L.
CHECKED BY: M.L.
SCALE: 1/16"=1'-0"
DATE: 09-19-14

REVISIONS:
① OWNER'S CHANGES 03-25-15



FIRST FLOOR PLAN 731 SF

GALLO'S STORE: 535 SF
OFFICE LOBBY AND STORAGE: 196 SF
TOTAL FIRST FLOOR AREA: 731 SF

STAIRS: FROM 1ST FLOOR TO 2ND FLOOR 12'-0"
21 RISERS @ 6.875" EA., 20 TREADS @ 11" EA.

NOTE: ALL DIMENSIONS ARE TO FINISH SURFACES

NOTE: ALL EXTERIOR WALLS, OPENINGS AND CEILINGS
ARE 1HR. CONSTRUCTION. BUILDING IS FULLY SPRINKLERED
INCLUDING FIRST FLOOR EXTERIOR CEILINGS, SOFFITS AND
TRASH ENCLOSURE.

WALL REFERENCE:

- 8" STEEL FRAME STRUCTURAL TILT-UP WALL
- 6" LIGHT GAUGE STEEL STUDS @ 16" O.C. W/ 5/8" GYP. BD. INSIDE AND 7/8" SMOOTH STUCCO FINISH OUTSIDE (EXTERIOR WALLS)
- 3 5/8" LIGHT GAUGE STEEL STUDS @ 16" O.C. W/ 5/8" GYP. BD. BOTH SIDES (INTERIOR WALLS)

CLIENT:
MR. MAGDI HANNA
3345 NEWPORT BLVD.
NEWPORT BEACH, CA. 92663

PROJECT:
PLAZA CORONA DEL MAR
MIXED USE PROJECT
COMMERCIAL
3900 E. COAST HIGHWAY
CORONA DEL MAR, CA. 92625

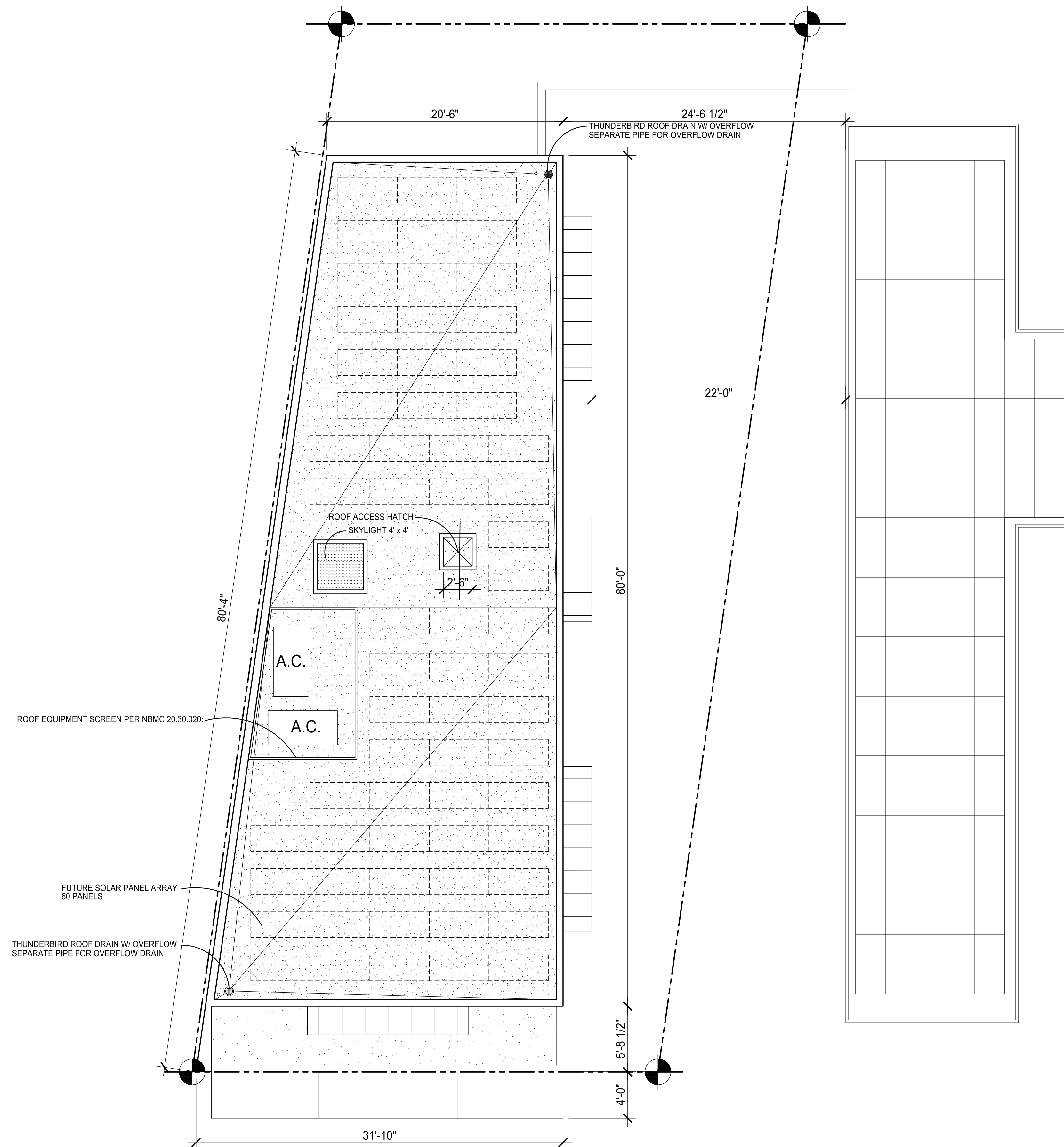
SHEET TITLE:
ROOF PLAN

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JOB #: 85010109
DRAWN BY: P.A.
CHECKED BY: M.L.
SCALE: 1/8"=1'-0"
DATE: 05-19-14

REVISIONS:

- △ OWNER'S CHANGES 03-25-15
- △
- △
- △
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- △
- △
- △



NOTE:
FUTURE PHOTOVOLTAIC SYSTEM SHALL MEET NBFD GUIDELINE D.4
PHOTOVOLTAIC PANEL W/ RACK SYSTEM SHALL BE RATED FOR
CLASS "A" MATERIALS

NOTE:
ROOFING MATERIAL:
CLASS "A" SINGLE PLY ROOF, "GAF EVERGUARD TPO 80 MIL"
ICC-ESR-1597, MINIMUM SLOPE 1/4":12"

NOTE:
SEE EXTERIOR ELEVATIONS FOR COMPLIANCE WITH MAX. BUILDING HEIGHT

CLIENT:
MR. MAGDI HANNA
3345 NEWPORT BLVD.
NEWPORT BEACH, CA. 92663

PROJECT:
PLAZA CORONA DEL MAR
MIXED USE PROJECT
COMMERCIAL SIDE
3900 E. COAST HIGHWAY
CORONA DEL MAR, CA. 92625

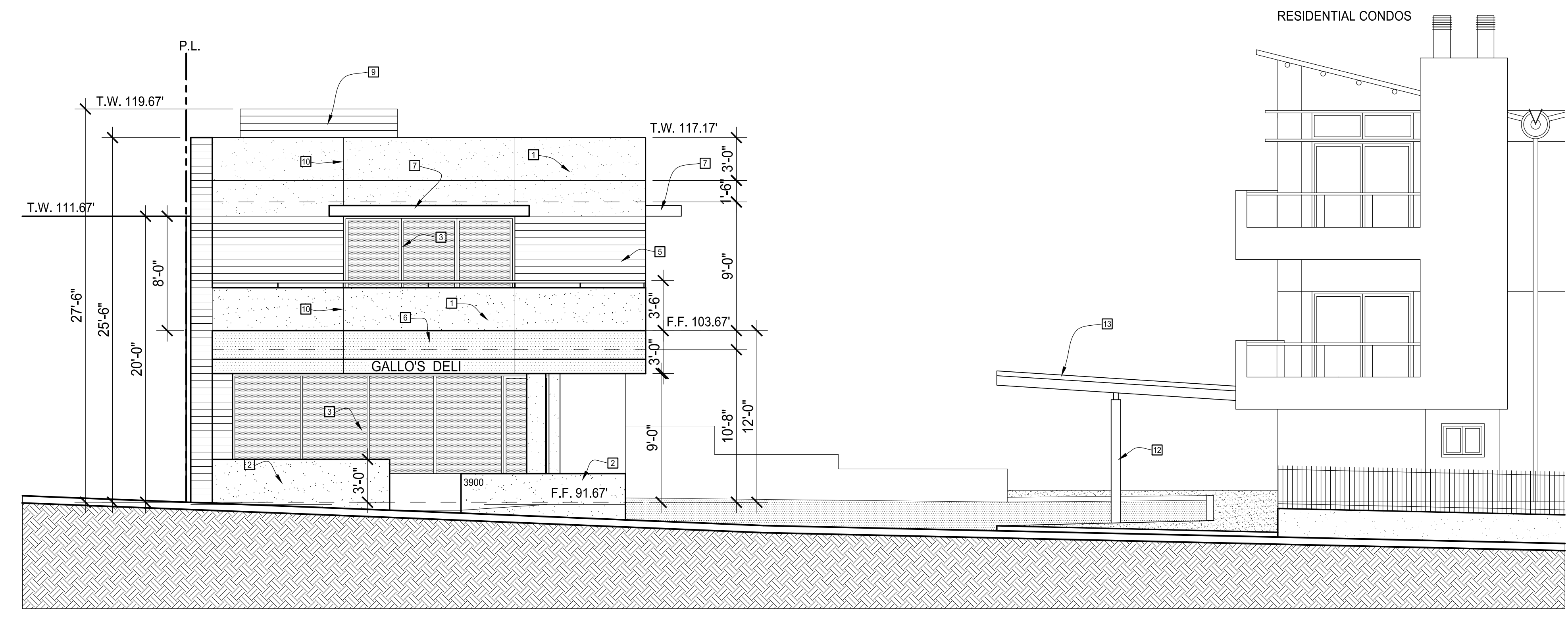
SHEET TITLE:
EXTERIOR ELEVATIONS

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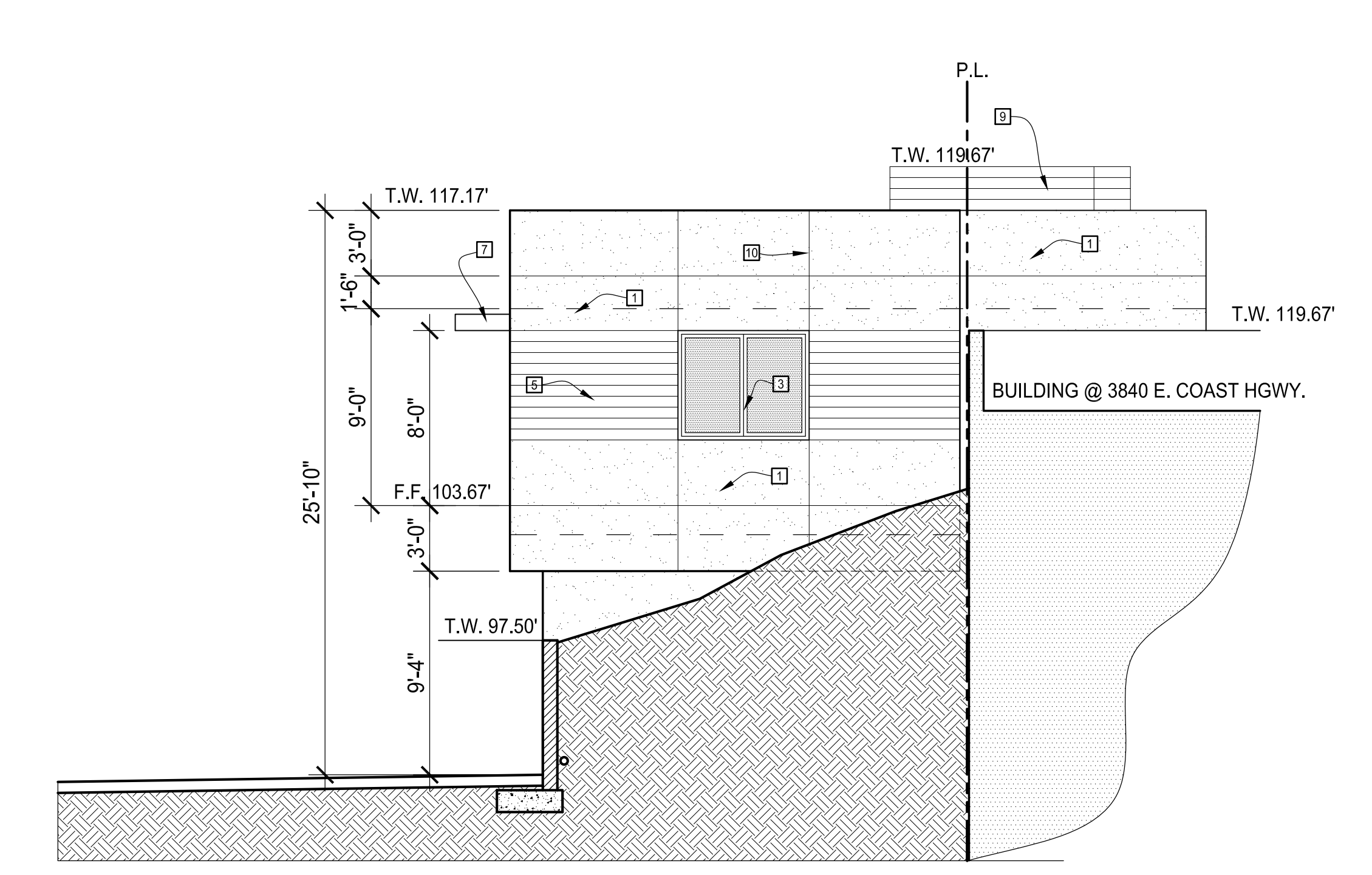
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CHECKED BY: M.L.
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DATE: 05-19-14

REVISIONS:

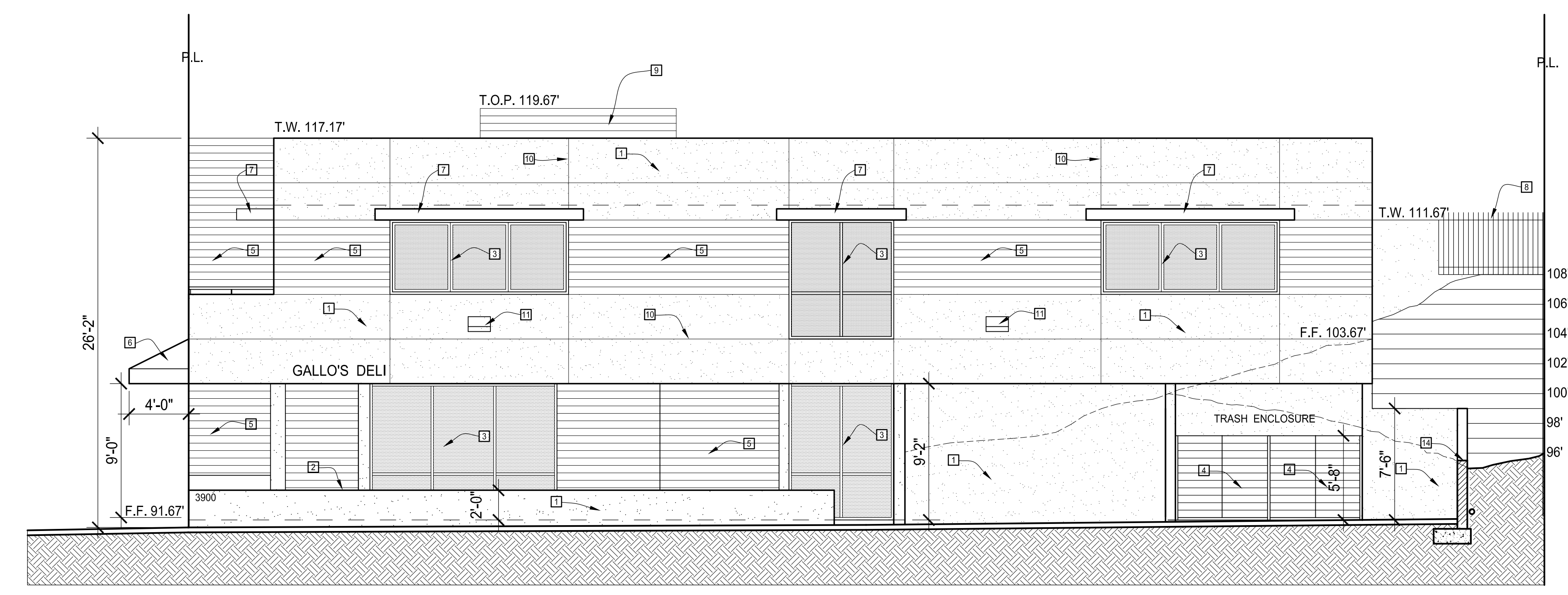
1	OWNER'S CHANGES 03-25-15
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SOUTH ELEVATION (street front)

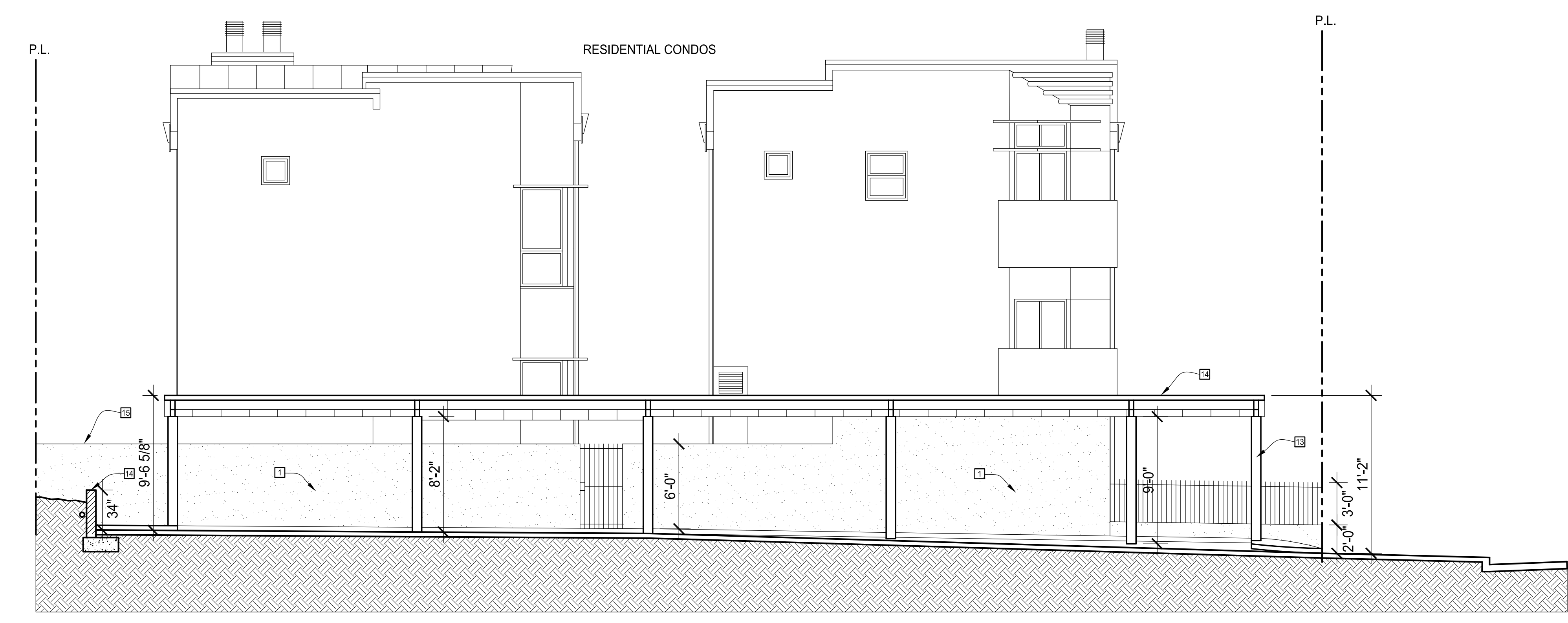


NORTH ELEVATION (rear)



OFFICE BUILDING EAST ELEVATION

- KEYNOTES**
- 1 7/8" SMOOTH COLORED STUCCO
 - 2 LOW WALL
 - 3 DUAL GLAZE CLEAR ANODIZED ALUMINUM WINDOWS AND DOORS
 - 4 TRASH ENCLOSURE STEEL GATE
 - 5 PORCELAIN TILE WOOD GRAIN VENEER
 - 6 BLUE CANVAS AWNING W/ WHITE LETTERS
 - 7 METAL MARQUEES
 - 8 POWDER COATED STEEL FENCE, SEE DETAIL
 - 9 ROOF EQUIPMENT SCREEN
 - 10 STUCCO DOUBLE "Y" GALVANIZED EXPANSION JOINT, 7/8" DEEP
 - 11 PARKING SHIELDED LUMINAIRES, SEE ELECTRICAL
 - 12 8" DIA. CONCRETE COLUMN
 - 13 STEEL FRAMED CANOPY FOR SOLAR PANELS ARRAY
 - 14 RETAINING WALL
 - 15 6" TALL C.M.U. FENCE



COVERED PARKING CANOPY AND SOLAR PANELS ARRAY