## CITY OF NEWPORT BEACH COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION ACTION REPORT

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM: Kimberly Brandt, Community Development Director Brenda Wisneski, Deputy Community Development Director

SUBJECT: Report of actions taken by the Zoning Administrator and/or Planning Division staff for the week ending February 10, 2017

## COMMUNITY DEVELOPMENT DIRECTOR OR PLANNING DIVISION STAFF ACTIONS

(Non-Hearing Items)
Item 1: 2711 Ocean Boulevard - Staff Approval No. SA2016-017 (PA2019-195)
Site Address: 2711 Ocean Boulevard
Action: Approved
Council District 6
Item 2: American Junkie Docks - Staff Approval No. SA2016-023(PA2016-203)
Site Address: 2406 Newport Boulevard, American Junkie
Action: Approved
Council District 1

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

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
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. 2711 Ocean Boulevard Staff Approval No. SA2016-017 (PA2016-195)<br>Applicant<br>Site Address<br>Legal Description<br>C.J. Light Associates<br>2711 Ocean Boulevard 2711 Ocean Boulevard Staff Approval Parcel No. 2, Page 43, Book 81

On February 9, 2017, the Community Development Director approved Staff Approval No. SA2016-017 authorizing alterations to an existing single-family dwelling and finding said alterations to be minor and in substantial conformance with Variance No. VA1055 and Variance No. VA1126. This approval is based on the following findings and subject to the following conditions.

## ZONING DISTRICT/GENERAL PLAN

- Zone: R-1 (Single-Unit Residential)
- General Plan: RS-D (Single-Unit Residential Detached)


## I. BACKGROUND

On February 12, 1976, Planning Commission approved Variance No. VA1055 authorizing the construction of a single-family dwelling that exceeds the height limit, encroaches into the required 10 -foot front setback on Ocean Boulevard, and the acceptance of a Negative Declaration for CEQA compliance. The Negative Declaration stemmed from potential soil issues identified on the existing slope. On December 5, 1985, the Planning Commission approved Variance No. VA1126 to allow alterations and additional floor area that exceeded the maximum allowed floor area. VA1126 included a condition limiting the gross floor area of the structure to the proposed area, which was calculated at the time as 5,923 sq. ft. However, in review of the 1986 building permit plans (B13363) implementing VA1126, staff found that the gross square footage calculation did not include all areas that would count under current floor area calculation methodology. Based on current methodology, the actual gross floor area of the existing plan is 6,775 square feet.

## II. PROPOSED CHANGES

The applicant proposes the following alterations to the existing single-family dwelling that result in an overall reduction in gross floor area of 40 square feet, no change to the existing height, and a reduction in mass of the existing structure:

- Entry Level - reduce gross floor area by 330 square feet; combine two existing decks to make one larger deck; removal of the existing sitting room; relocation of the stairs and elevator; remodeling of the kitchen, media room, and living area.
- Master Level - reduce gross floor area by 65 square feet; enlarge the existing deck area, expand existing floor area into existing mechanical area for a new office; relocation of the stairs and elevator; create storage areas within existing floor area and the mechanical area; and remodeling of the existing layout.
- Deck level - increase of gross floor area by 365 square feet to expand existing areas into existing mechanical and storage areas; increase existing deck area; relocate stairs and elevator; and remodeling of existing layout.
- Bedroom Level - increase of gross floor area by 7 square feet, replacement of existing decks; remodel interior to create two bedrooms, two baths and a sitting area; and relocate stairs and elevator.
- Garage Level - relocate stairs and elevator resulting in a smaller vestibule and reduction in gross floor area by 40 square feet.
- Height - There is no increase in height of the existing structure. The existing vestibule which is the highest portion of the roof ( 165.35 feet) will be removed and a new sloped-roof skylight will be added at a lower elevation of 163 feet. The portion of roof that extends a mass above the majority of the flat roof will be removed and a new clerestory will be added over a significantly smaller area at the same elevation of 163 feet. The majority of the flat roof will be replaced at the existing elevations of 160.83 feet and 161.5 feet for the parapet. The new roof will include minor extensions of eaves.


## III. 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 variance application. In this case, the Community Development Director has determined that the proposed expansion is in substantial conformance with the existing variance approvals.

## Finding:

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

## Facts in Support of Finding:

1. The single-family dwelling is a permitted use in the R-1 Zoning District. The existing structure is allowed to exceed the height limit, encroach into the required front setback, and exceed the maximum square footage with approved Variance Nos. VA1055 and VA1126. The proposed changes are consistent with these approvals.
2. Adequate off-street parking is provided in conjunction with the proposed remodel with the existing 6 -car garage being maintained.
3. The proposed floor plan changes remain consistent with the intent of the Variance approvals for the existing single-family dwelling.

## Finding:

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

## Facts in Support of Finding:

1. The proposed changes to the existing dwelling will not compromise the original Negative Declaration accepted with Variance No. VA1055 due to the bluff area below Ocean Boulevard identified as an area with potential for an unstable geologic condition. The geotechnical investigation results indicated the site could be safely developed. The proposed remodel and reduction of square footage will not compromise this finding as there is no significant exterior addition or bluff altering changes proposed.

## 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. 2 of VA1126 states that the maximum gross floor area shall not exceed 5,923 square feet, which was the area proposed at the time. However, in review of the 1986 building permit plans (B13363) implementing VA1126, the gross square footage calculation did not include all areas that would count under current floor area calculation methodology. Based on
current methodology, the actual gross floor area of the existing plan is 6,775 square feet.
2. The proposed alterations include re-arranging the existing floor plans and result in an overall reduction in gross floor area and a reduction in the mass of the existing structure. Since it has been found through research that the existing square footage was not calculated accurately, it is fair to re-calculate the existing square footage and find the existing structure compliant with the conditions of approval for VA1126, which reference the existing square footage inaccurately. The overall reduction in existing square footage and mass remains in compliance with all of the Findings and Conditions of VA1055 and VA1126.
3. The remodel and replacement of the roof does not increase the height but reduces the bulk of the highest portions of the roof. The reduction in bulk improves views from the surrounding neighborhood and also maintains the existing structure below the top of curb of Ocean Boulevard.

## 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 square footage and remodel of the existing structure does not change the use of the single-family dwelling. It will still be utilized as a single-family dwelling and will have an overall reduction in floor area and mass.

## IV. DETERMINATION

This staff approval has been reviewed and the determination has been made that the proposed changes to the existing single-family dwelling are in substantial conformance with the original approval actions.

## CONDITIONS

1. All applicable conditions of approval for Variance No. VA1105 and No. VA1126 shall remain in effect.
2. No increase in height or increase in square footage is permitted and the proposed plans shall be identical to the plans found in CD 2. Any changes may require a new Variance.
3. The applicant is required to obtain all applicable permits from the City Building Division and Fire Department. Prior to the issuance of any building, mechanical, and/or electrical permits, architectural drawings and structural design plans shall
be submitted to the City of Newport Beach for review and approval by the applicable departments. A copy of these conditions of approval shall be incorporated into the drawings approved for the issuance of permits. Also a reference to Variance No. VA1055 and VA1126 shall be indicated on the plans.
4. The Community Development Director may add to or modify conditions to this staff approval, or revoke this staff approval upon determination that the operations, which is the subject of this staff approval, causes injury, or is detrimental to the public health, safety, peace, or general welfare of the community or if the property is operated or maintained so as to constitute a public nuisance.
5. This staff approval shall expire unless exercised within twenty-four (24) months from the end of the appeal period, in accordance with Section 20.54.060 of the Newport Beach Municipal Code.
6. To the fullest extent permitted by law, the 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 staff approval of the 2711 Ocean Boulevard Remodel including, but not limited to, Staff Approval No. SA2016-017 (PA2016-195). 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 or call for review 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.

On behalf of Kimberly Brandt, AICP, Community Development Director
$B y:$


JM/msw
Attachments: CD 1 Vicinity Map CD 2 Plans

## Attachment No. CD

Vicinity Map


Staff Approval No. SA2016-017 PA2016-195
2711 Ocean Boulevard

## Attachment No. CD 2

# K/ine Residence 

## 2711 Ocean Blvd <br> Corona De/ Mar • California • 92625



| Owner/Client |  | Project Data |  | Sheet Index |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Mr. Jon and Heather Kline <br> 2711 Ocean Blvd <br> Corona Del Mar, CA 92625 |  |  |  | Architoctural |  |
|  |  | Legal Description |  | $\xrightarrow{C 1}$ |  |
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|  |  | APN: | 052.046-06 | ${ }_{\text {A }}{ }_{\text {A }}$ |  |
|  |  | Lot: |  | ${ }^{\text {as }}$ | Doakt looff for flon |
| Project Description |  |  |  | ${ }^{45}$ | Bedioom Loeref fior flon |
| Remodel to an existing single family residence. NO additional SQ. Footage proposed. New Elevator, Stair, Deck Area \& Skylights. |  | Occupancy | R3/U1 | ${ }_{\text {A12 }}$ |  |
|  |  | Zoning | ${ }^{\text {R1 }}$ | ${ }^{\text {A }} 3$ | Right (Nomt) Elevolion |
|  |  | Sprinkered | Yes | ${ }^{\text {A } 14}$ | Reor (Wesil Eleovion |
|  |  |  |  | ${ }^{16}$ | Leff Southe Eleotion |
|  |  | Site General | $\pm \begin{gathered} 5,268 \text { s.f.t. } \\ 7,902 \\ \text { s.f } \end{gathered}$ | ${ }^{\text {A16 }}$ | Secion 'A' |
|  |  | Approximate Site Area:Max Habitable Area $(1.5 \times 5,268)$ |  |  |  |
|  | By Others |  |  |  |  |
|  |  |  |  | ${ }_{\text {cervil }}$ | Sies Sureer |
| Deferred submittals to be reviewed by project architect or engineer of record and certified prior to submittal for plan check or approval by the City. |  | Existing Residence |  |  |  |
|  |  | Entry Level 5 | 2,545 s.f |  |  |
| Consultants |  | Master - Level 4 | 1,630 s.f |  |  |
|  |  | Deck- Level 3 | 870 s.f |  |  |
|  |  | Bedroom - Level 2 Garage - Level 1 <br> Garage - Level 1 |  | fuctural |  |
| ARCHITECT: | Structural engineer: |  | $1055 . f$ 0,095 s.f | s1 sil1 | Conemer Nose |
| c..J Light Associates | Vector Engineering |  |  | ${ }_{\text {s.1.2 }}^{51}$ |  |
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|  |  |  |  | ${ }^{53}$ | Badsoom loed foor faning |
| (949) 851.8345 | (714) $576 \cdot 6524$ (801) 990.1776 | Proposed Residence |  | ¢ ${ }_{\text {ss }}$ | Doattoel foor freming |
| Fax 851.1116Architect: Chrision R. Light |  | Entry- Level 5 |  | s6 | Entry teel floor froming |
|  | Contact Kalen A Wilson, PEc83753 | Master - Level 4 | 1,565 s.f. | ${ }_{5}$ |  |
| Contact: Ali Samsami |  | Deck- Level 3 | 1,235 s.f. | sol |  |
|  |  | Bedroom-Level 2 | 947 s.f. | sio | Deck loens Sher Wolls |
| ENERGY: | GEOTECHNICAL: | Garage- Level 1 | 65 s.f. | ${ }_{\substack{\text { sil } \\ \text { s12 }}}$ |  |
| Heritage Energy Group 470 Wald | Coast Geo. <br> 1200 West Commonwealth |  | 6,027 s.t. | 50, 1 | Foundiono Dosils |
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| Irvine, CA 92618 | Fulleron, CA 98833 |  |  | ${ }_{\text {sos }}^{50.4}$ |  |
| (949) 789-7221 Contact: Rudy Sains | (714) $870 \cdot 1211$ | Deck | 1,843 s.f | swsb |  |
|  | Contact: Ming or Todd |  |  | ${ }_{\text {Sussi }}$ |  |
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Site Plan
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Scale: $\quad \begin{array}{r}1615 \\ 1 / 8^{\prime \prime}=1.0 "\end{array}$ Date:









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FLOOR PLAN GENERAL NOTES




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## FLOOR PLAN WALL LEGEND




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FLOOR PLAN GENERAL NOTES



BEDROOM LEVEL FLOOR PLAN


LOOR PLAN GENERAL NOTES


FLOOR PLAN WALL LEGEND


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COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION
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## COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER

## APPLICATION:

## Staff Approval No. SA2016-023

(PA2016-203)

## APPLICANT:

LOCATION:

Arlyne Newport LLC, Josh Royal<br>2406 Newport Boulevard American Junkie

## LEGAL DESCRIPTION Parcel No 1 of Resubdivision No. 375

On February 10, 2017, the Community Development Director approved Staff Approval No SA2016-023. This approval is based on the following findings and conditions of approval.

## PROJECT SUMMARY

Determination that the guest docks located on the subject property may be used for acitivities not associated to the restaurant, with the approval of a Marine Activities Permit if required.

## ZONING DISTRICT/GENERAL PLAN

- Zone: Mixed-Use Water Related (MU-W2)
- General Plan: Mixed Use Water Related (MU-W2)


## I. BACKGROUND

The establishment operates pursuant to Use Permit No. UP1581 which was originally approved in 1972 and was last amended in June of 1989. An Operator License was approved in 2014 when the restaurant requested an increase in its occupancy.

An amendment approved in 1979 allowed a parking credit on the basis that patrons would use the dock rather than drive. Specifically, condition of approval \#4 of 1979 Use Permit Amendment reads as follows:

That should the guest docks be used for any use other than guest docks for the restaurant, the owner shall be required to provide four (4) parking spaces in a location meeting the approval of the Planning Commission, or reduce the net public area of the restaurant accordingly.

A credit of five parking spaces was given for use of the dock for patrons only. Based on information contained within an amendment approved in 1984, the net public area in 1979 was 2,463 square feet. Today, the net public area of the restaurant is 2,040 square feet which is 423 square feet less than assumed in 1979.

## II. PROPOSED CHANGES

The applicant requests the ability to use the boat docks for uses other than for patrons of the restaurant, as referenced in Condition \#4 of the 1979 Use Permit Amendment. Based on a parking demand of 40 spaces per 100 square feet of net public area, the reduction of 423 square feet equates to a parking reduction of eleven (11) parking spaces. Therefore, the net public area of the restaurant has been reduced in accordance with Condition \#4. Therefore, the guest docks may be used for purposes other than restaurant patrons.

Use of the docks for uses other than for patrons, will be subject to a Marine Activities Permit.

## III. FINDINGS

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

## Finding:

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

## Facts in Support of Finding:

1. Use Permit No. UP1581 was amended in 1979 requiring the docks to be used by patrons of the restaurant unless the net public area of the restaurant is reduced. Per an amendment to Use Permit No. UP1581 approved in 1984, the net public area of the facility was permitted to be 2,463 square feet. Plans submitted by the applicant today, indicate the net public area is 2,040 square feet. In accordance with Condition \#4 of UP1581 amended in 1979, the reduction in square footage is adequate and the docks are not required to satisfy the parking requirements of the restaurant. This staff approval has been conditioned requiring an amendment to the use permit for any increase to the net public area beyond 2,040 square feet.

## 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. Use Permit No. UP1581 did not require a negative declaration or Environmental Impact Report.

## 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. Use Permit No. UP1581 was amended in 1979 requiring the docks to be used by patrons of the restaurant unless the net public area of the restaurant is reduced. Condition \#4 provides flexibility for the use of the docks provided the net pubic area is reduced accordingly. Therefore, the square footage has been reduced, therefore, the modification is consistent with the original condition.

## Finding:

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

## Facts in Support of Finding:

1. The determination is to only allow the docks to be used for uses other than patrons, subject to approval of a Marine Activities Permit. The potential change in use of the docks was contemplated in Condition \#4 of Use Permit UP 1581, as amended in 1979.

## IV. DETERMINATION

It has been determined on the basis that the net public area of the restaurant has been reduced accordingly, that the docks may be used for uses other than patrons, with approval of a Marine Activities Permit, and that the modification is substantially consistent with Use Permit No. 1581.

## V. CONDITIONS OF APPROVAL

1. The net public area of the facility shall be limited to 2,040 square feet unless an amendment to the Use Permit is approved.
2. Any commercial use of the docks shall require approval of a Marine Activities Permit which is subject to review of the Community Development Department to verify that all applicable Zoning Code regulations have been addressed.
3. 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 Docks including, but not limited to, the Staff Approval SA2016023. 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 or call for review 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:


Attachments: CD 1 Vicinity Map
CD 2 Use Permit 1581, Conditions of Approval
CD 3 Existing Floor Plans depicting net public area

## Attachment No. CD 1

Vicinity Map



2406 Newport Boulevard

## Attachment No. CD 2

Use Permit 1581, Conditions of Approval

## Hooter's Restaurant - Use permit 1581 (Formally Red Onion)

- 12-7-72 PC Approved: Construct restaurant w/ live entertainment
- 9-6-73 PC Approved: Increase occupancy load and permit valet parking
- 5-5-77 PC Approved: Remodel and expand $2^{\text {nd }}$ floor, accept off-site parking agreement
- 1-18-79 PC Approved: Allow dock spaces or in-lieu parking fees to be used as an alternative to providing the required off-site parking agreement ( 43 on-site spaces; dock spaces give a max credit of 5 parking spaces)
- 6-14-82 CC Denied: Expand net public area of ${ }^{\text {nd }}$ lounge area and accept an of-site parking agreement for the additional req'd spaces.
- 6-21-84 PC Approved: Expand $2^{\text {nd }}$ floor dining/bar area by 84 sq.ft., and allow the payment of an annual in-lieu parking fee for 3 parking spaces. (Per Staff Report, 2,463 sq. ft. existing, plus 84 sq. ft. expansion $=\mathbf{2 , 5 4 7}$ sq. ft. net public area allowed)
- 6-22-89 PC Approved: Add dancing in conjunction with live entertainment located in upstairs lounge area. Said dancing will be limited to the hours of between 10 pm and 1:30 am nightly, after the kitchen and dining areas closed.
- 5-22-95 CC Approved, but expired and no longer possible: Increase net public area by adding an outdoor dining area on street side of building. Additionally, permit the expansion of parking lot onto adjoining property and the approval of an off-site parking agreement for expanded parking; and approval to transfer of development rights from the off-site parking area to the restaurant.


## 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 requixe 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 $1: 30 \mathrm{a} . \mathrm{m}$. 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 systen shall be permitted in conjunction with the proposed operation.
9. That the applicant shall obtain Coastal Commission approval of this application prior to intiating 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, Sald 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 ox trimmed to provide sight distance in conformance with Gity 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 welface 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.
16. That employees of the restaurant facility shall park in the Municipal parking lot at all times.
17. 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 inmlieu parking permits may be subject to change, and that change may increase substantially in the future.
18. That all previous applicable conditions of approval for use Permit No. 1581 (Amended) shall be fulfilled.
19. 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 maintalned 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 ased 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 Comission, or reduce the net public area of the restaurant accordingly.
5. All other applicable conditions of Use Permit No. 1581 shall remain in effect.
6. 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 Korks Director.
3. That a landscape plan be approved by the Director of Community Developnent.
4. That all signs be approved by the Director of Community Development.
5. 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.
6. 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

17. 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. CD 3

Existing Floor Plans
depicting net public area

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ARCHITECTURAL SITE PLAN
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$\frac{\text { OCCUPANT LOAD \& EGRESS - FIRST FLOOR }}{}$

$\frac{\text { OCCUPANT LOAD \& EGRESS - SECOND FLOOR }}{178=1 \cdot 1.0}$

$\frac{\text { NET PUBLIC AREA - SECOND FLOOR }}{1 \text { NEE } 1 \mathrm{~F}^{\circ}}$


## ZONING INFORMATION

\%

A.



BUILDING CODE ANALYSIS




PLUMBING FIXTURE COUNT






Pincipipal Architect
Dustin Curtis
Project Architect
Dustin Curtis

Aryne Newport, LLC


in Curtis

## Revisions


American Junkie Operator License
Newport Beach, CA
REVISED 07.14.14
CA-244
Floor Plans \& Calculations

AD-101

