



City of Costa Mesa

Inter Office Memorandum

TO: CITY COUNCIL AND PLANNING COMMISSION
CC: TOM HATCH, GARY ARMSTRONG, AND CLAIRE FLYNN
FROM: WILLA BOUWENS-KILLEEN, ZONING ADMINISTRATOR
DATE: MAY 5, 2016
SUBJECT: ZONING ADMINISTRATOR DECISION(S)

WBU

This is to advise you of the following decision(s) made by the Zoning Administrator within the last week. Project descriptions have been kept brief for this notice. Please feel free to contact me by e-mail at willa.bouwens-killeen@costamesaca.gov if you have any questions or would like further details.

PCN FINDING 1726 SUPERIOR AVENUE

On April 27, 2016, State Alcoholic Beverage Control (ABC) requested the City make a finding of Public Convenience or Necessity (PCN) for Walgreens, a 13,155 square foot retail pharmacy at 1726 Superior Avenue. A conditional use permit was not required this use; however, the store was approved by the Planning Commission and City Council under GP-12-01 and PA-12-04.

Approved.

ZA-16-10 101-103 EAST 17TH STREET

Planned Signing Program for Newport 17th Plaza, which includes a new 7-foot tall monument sign located off Superior Avenue.

Approved, subject to conditions of approval.

Comments received: None.



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

May 5, 2016

Maddie Rowlett
c/o Dan Kramer Law Group
633 Battery Street, Suite 110
San Francisco, CA 94111

**RE: PUBLIC CONVENIENCE OR NECESSITY (PCN) FINDING
TYPE 21 ABC LICENSE FOR WALGREENS
1726 SUPERIOR AVENUE, COSTA MESA**

Dear Ms. Rowlett:

The request for a finding of public convenience or necessity (PCN) for a Type 21 (Off-Sale General) State Alcoholic Beverage Control (ABC) license for Walgreens has been completed. The PCN finding has been made, as stated in the attached description.

If you have any questions regarding this letter, please feel free to contact the project planner, Mel Lee, at 714-754-5611 or via email at mel.lee@costamesaca.gov

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: PCN Finding, Request, and City Council Resolution

cc: State Alcoholic Beverage Control
c/o Kim Hong
605 W. Santa Ana Boulevard, Building 28, Suite 369
Santa Ana, CA 92701

REQUEST FOR OFF-SALE GENERAL ABC LICENSE:

On April 27, 2016, State Alcoholic Beverage Control (ABC) requested the City make a finding of Public Convenience or Necessity (PCN) for Walgreens, a 13,155 square foot retail pharmacy at 1726 Superior Avenue. A conditional use permit was not required this use; however, the store was approved by the Planning Commission and City Council under GP-12-01 and PA-12-04 (attached).

FINDING OF PUBLIC CONVENIENCE OR NECESSITY (PCN):

Pursuant to Section 23958.4 of the Business and Professions Code, the governing body of a local jurisdiction has the authority to determine PCN findings within ninety days of notification by the Department of Alcoholic Beverage Control.

In accordance with City Council Policy number 500-8, the Zoning Administrator may make a finding of public convenience or necessity as required before the State can issue an on-sale license for the establishment.

Staff believes that a finding of public convenience or necessity can be made because the use is consistent with the requirements of the City's Zoning Code and the conditions of approval for PA-12-04. Furthermore, the license provides a convenience to customers without negatively impacting surrounding uses. The Type 21 license will have little or no adverse effect on the operation of the business.

The Police Department has also reviewed the request and has no objections to issuance of the license. The finding of public convenience allows ABC to issue a Type 21 license to Walgreens.

LEE, MEL

Subject: FW: Walgreen Co. - 1726 Superior Ave, Costa Mesa
Attachments: ABC-245.pdf

From: Hong, Kim@ABC [mailto:Kim.Hong@ABC.ca.gov]
Sent: Wednesday, April 27, 2016 2:50 PM
To: LEE, MEL <MEL.LEE@costamesaca.gov>
Subject: RE: Walgreen Co. - 1726 Superior Ave, Costa Mesa

Hi Mel,

Yes, PCN is needed from the City,

Thanks,

Kim Hong
Licensing Representative II
Alcoholic Beverage Control Dept.
605 W. Santa Ana Blvd., Bldg. 28, Ste. 369
Santa Ana, CA 92701
714-558-6485
714-558-4101 Front Office
714-953-4486 Fax

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From: LEE, MEL [mailto:MEL.LEE@costamesaca.gov]
Sent: Wednesday, April 27, 2016 11:06 AM
To: Hong, Kim@ABC
Subject: FW: Walgreen Co. - 1726 Superior Ave, Costa Mesa

Good morning Kim –

Please confirm you need the City to make a PCN finding for the attached license application.

Thanks,

Mel Lee, AICP
Senior Planner
City of Costa Mesa
77 Fair Drive, Costa Mesa, 92628
Ph. (714) 754-5611 Fax. (714) 754-4856
mel.lee@costamesaca.gov



From: Maddie Rowlett [mailto:maddie@djklawgroup.com]
Sent: Wednesday, April 27, 2016 9:51 AM

To: LEE, MEL <MEL.LEE@costamesaca.gov>

Subject: Re: Walgreen Co. - 1726 Superior Ave, Costa Mesa

Hi Mel,

Please find the attached document from the ABC.

If you need anything further, please don't hesitate to contact me.

Best,

Maddie

Maddie Rowlett

Dan Kramer Law Group

633 Battery Street, Suite 110

San Francisco, CA 94111

Direct: [\(831\) 521-9576](tel:(831)521-9576)

Email: maddie@djklawgroup.com

www.djklawgroup.com

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

Walgreen Co.

2. PREMISES ADDRESS (Street number and name, city, zip code)

1726 Superior Ave, Costa Mesa, CA 92627-3615

3. LICENSE TYPE

21

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only <input type="checkbox"/> All | | | |

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-In Dairy |
| <input checked="" type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION

3,147,655

6. TOTAL NUMBER OF LICENSES IN COUNTY

1,864

☐ On-Sale☒ Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1,689

☐ On-Sale☒ Off-Sale

8. CENSUS TRACT NUMBER

636.05 ✓

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

3 ✓

☐ On-Sale☒ Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

5 ✓

☐ On-Sale☒ Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

☒ Yes, the number of existing licenses exceeds the number allowed☐ No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

☐ Yes (Go to Item #13)☒ No (Go to Item #20) N/A

13. CRIME REPORTING DISTRICT NUMBER

14. TOTAL NUMBER OF REPORTING DISTRICTS

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

☐ Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17☐ No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- ☐ a. If "No" is checked in both Item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- ☐ b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- ☒ c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

RM 12/15/2015

ABC-245 (rev. 01-11)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

23. DATE SIGNED

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

☐ Yes ☐ No ☐ See Attached (i.e., letter, resolution, etc.)

[illegible]

28. CITY/COUNTY OFFICIAL PHONE NUMBER

30. DATE SIGNED	
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RESOLUTION NO. 12-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT GP-12-01 FOR A SITE SPECIFIC 0.49 FLOOR AREA RATIO FOR PROPERTY LOCATED AT 1726 SUPERIOR AVENUE IN THE GENERAL COMMERCIAL LAND USE DESIGNATION.

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Foothill Project Management, representing Walgreens Co., the property owner, and requesting approval of the following:

- Site specific General Plan amendment to exceed the maximum allowable Floor Area Ratio (FAR) (0.30 maximum FAR allowed; 0.49 FAR proposed).
- Demolish an existing 11,000 square-foot building (former Tower Records) and construct a new 14,310 square-foot Walgreens Store.
- Variance from building and landscaped setbacks (20 feet required; 0-18 feet proposed).
- Variance from interior parking area landscaping requirements (1,100 square feet required, 0 square feet proposed).
- Variance from maximum building height (30 feet allowed; 32 feet proposed).
- Minor conditional use permit to allow a reduction in required on-site parking spaces (57 spaces required; 44 spaces proposed).

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22; 2002;

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of The City of Costa Mesa;

WHEREAS, by its very nature, the General Plan needs to be updated and refined to account for current and future community needs;

WHEREAS, a site specific amendment to the General Plan Land Use Element is proposed to allow for development of a new 14,310 sq. ft. retail store at a 0.49 FAR;

WHEREAS, text amendments to reflect a site-specific 0.49 FAR for 1726 Superior Boulevard are identified in the Land Use Element as shown in Exhibit A;


WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 11, 2012, with all persons having the opportunity to speak for and against the proposed project. The Planning Commission adopted Resolution No. PC-12-20 recommending that the City Council approve the General Plan Amendment;

WHEREAS, the Planning Commission also recommended approval of Planning Application PA-12-04 by separate resolution.

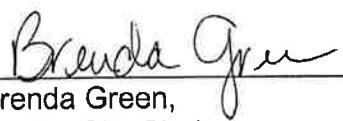
WHEREAS, a duly noticed public hearing was held by the City Council on July 3, 2012, with all persons having the opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record, THE CITY COUNCIL HEREBY ADOPTS GP-12-01 which amends the General Plan Land Use Element as set for in Exhibit A with respect to the property described above.

PASSED AND ADOPTED this 3rd day of July, 2012.


Eric R. Bever, Mayor

ATTEST:


Brenda Green,
Interim City Clerk

APPROVED AS TO FORM:


Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

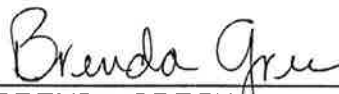
I, BRENDA GREEN, Interim City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 12-47 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 3rd day of July, 2012, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: BEVER, RIGHEIMER, LEECE, MENSINGER,
MONAHAN

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 5th day of July, 2012.



BRENDA GREEN,
INTERIM CITY CLERK

(SEAL)

EXHIBIT A



TABLE LU-1: LAND USE DESIGNATIONS (2011)

Land Use Designation	Residential Density (DU/Acre)*	Floor Area Ratio	Acres Developed	Acres Undeveloped (1999)	Total Acres	% of City
Low-Density Residential	≤8	Same as Neighborhood Commercial	2,149.4	1.8	2,145.2	26.8%
Medium-Density Residential ^{1,6}	≤12	Same as Neighborhood Commercial	777.3	34.4	811.7	10.0%
High-Density Residential ^{1,6}	≤20 ²	Same as Neighborhood Commercial	824.1	42.0	866.1	10.7%
Commercial-Residential	≤17.4	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic	42.8	0.9	43.5	0.5%
Neighborhood Commercial ⁶		0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	42.4	2.5	44.9	0.6%
General Commercial ⁶	≤20	0.20/High Traffic 0.30/Moderate Traffic 0.40 Low Traffic 0.75/Very Low Traffic 0.49 FAR for 1762 Superior *	801.4	20.8	622.2	7.7%
Commercial Center ⁶	≤20, ≤40 site-specific density for 1901 Newport Blvd ³	0.25/High Traffic 0.35/Moderate Traffic 0.45 Low Traffic 0.75/Very Low Traffic 0.70 Site-Specific FAR for 1901 Newport Blvd ³	29.4	63.3	92.7	1.1%
Regional Commercial	≤20	0.65/0.89 ⁴	114.7	0.0	114.7	1.4%
Urban Center Commercial	≤28 ⁵ ≤100 Site-Specific Density ⁵	1.0 FAR for Sakloka Lot 2 ⁵ 0.79 Site-Specific FAR for South Coast Metro Center ⁴	134.2	28.2	160.4	2.0%
Cultural Arts Center	Varies ⁷	1.77 ⁷	49.0	5.0	54.0	0.7%
Industrial Park	≤20	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic	696.5	17.7	714.2	8.8%
Light Industry ³	≤20	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	375.5	6.6	382.1	4.7%
Public/Institutional	-	0.25	1,281.3	0.5	1,281.8	15.9%
Golf Course	-	<0.01	580.1	0.0	580.1	6.9%
Fairgrounds	-	<0.10	146.4	0.0	146.4	1.8%
Total			7,822.0	218.0	8,040.0	100.0%

1. Within the Medium- and High-Density Residential designation, existing residential units legally built in excess of the dwelling units per acre standard may be rebuilt at the same higher density subject to other zoning code standards. The allowable density or number of units to be redeveloped would be limited to the 1990 General Plan density with a 25% incentive bonus for Medium-Density or a 50% incentive bonus for High-Density, or the existing number of units, whichever is less. 2. See High-Density Residential text regarding areas in North Costa Mesa where the density allowance exceeds 20 units per acre. 3. See Commercial Center text. 4. See Regional Commercial text. 5. See Urban Center Commercial text. 6. See text for Mixed-Use Development provisions. 7. See Cultural Arts Center text for additional discussion.

TABLE LU-4
COMMERCIAL BUILDING INTENSITY STANDARDS

Land Use Designation	Very Low Traffic FAR	Low Traffic FAR	Moderate Traffic FAR	High Traffic FAR
Commercial - Residential	NA	0.40	0.30	0.20
Neighborhood Commercial ^a	0.75	0.35	0.25	0.15
General Commercial ^a	0.75	0.40	0.30	0.20
Commercial Center ^{d, e}	0.75	0.45	0.35 ^d	0.25
Regional Commercial	a.	a.	a.	a.
Urban Center Commercial	b.	b.	b.	b.
Cultural Arts Center	c.	c.	c.	c.

Notes:

- 0.852/0.89 FAR. Refer to Regional Commercial discussion.
- 1.0 FAR for Sakloka Lot 2; 0.79 FAR for S.C. Metro Center. Refer to Urban Center Commercial discussion and the North Costa Mesa Specific Plan for additional discussion.
- 1.77 FAR. Refer to Cultural Arts Center discussion and the North Costa Mesa Specific Plan for additional discussion.
- 0.70 Site-Specific FAR for 1901 Newport Boulevard. Refer to Commercial Center discussion.
- With application of the mixed-use overlay district, the FAR may range from 1.0 to 1.25. Refer to appropriate land use designation discussion. 0.49 Site-Specific FAR for 1726 Superior Avenue.

The Very-Low Traffic category allows commercial uses with daily trip generation rates of less than 3 trip ends per 1,000 square-feet of floor area. Allowable uses under this standard include mini-warehouse developments.

The Low Traffic category allows commercial uses with daily trip generation rates between 3 and 20 trip ends per 1,000 square-feet of floor area. Allowable uses under this standard include general offices, hospitals, motels, hotels, and furniture stores.

The Moderate Traffic category allows commercial uses with daily trip generation rates of between 20 and 75 trip ends per 1,000 square-feet of floor area. Allowable uses within this standard include general retail uses, car dealers, medical and government offices, auto repair, and dry cleaners.

The High Traffic category allows commercial uses with daily trip generation rates in excess of 75 trip ends per 1,000 square-feet of floor area. Allowable uses in this category include restaurants, convenience markets, service stations, and banks.

development is intended to revitalize areas of the city, without exceeding the capacity of the General Plan transportation system. Mixed-use developments shall be implemented through an adopted urban plan (such as the 19 West urban plan) and shall be identified on the City's Zoning Map by designating the CL and/or C1 base zoning district with the mixed-use overlay district. The mix of uses can occur in either a vertical or horizontal design, up to four stories in height. Product types shall be identified in the applicable urban plan and may include live/work units and commercial/residential units where the residential uses are located above or adjacent to the nonresidential component. Nonresidential uses may include office, retail, business services, personal service, public spaces and uses, and other community amenities. The mix of residential and nonresidential uses would result in an average employee population of 22 employees per acre in the nonresidential component, and in the residential component, the average number of residents per acre is anticipated 65 persons. The total average population per acre is 87 persons.

The Neighborhood Commercial developments are found at several intersections found throughout the City. The main concentration of these developments are found at the intersections of Baker Street and Fairview Road and Victoria Street and Placentia Avenue.

Compatible zoning districts include CL, C1, AP, MU, and P.

General Commercial

The General Commercial designation is intended to permit a wide range of commercial uses, which serve both local and regional needs. These areas should have exposure and access to major transportation routes since significant traffic can be generated. General Commercial areas should be insulated from the most sensitive land uses, either through buffers of less sensitive uses or on-site mitigation techniques. The most intense commercial uses should be encouraged to locate on sites of adequate size to allow appropriate mitigation. Appropriate uses include those found in the Neighborhood Commercial designation plus junior department stores and retail clothing stores, theaters, restaurants, hotels and motels, and automobile sales and service establishments.

In the General Commercial designation, the allowable floor area ratios (FAR) are 0.20 for high traffic generating uses, 0.30 for moderate traffic generating uses, 0.40 for low traffic generating uses, and 0.75 for very low traffic generating uses (see Table LU-4). Development within this range would typically result in combinations of one- and two-story commercial buildings. Buildings in excess of two stories may be permitted in select areas where the additional height would not impact surrounding uses.

GP-12-02 for 1726 Superior Avenue was adopted in July 2012 to allow for a site-specific 0.49 FAR. ✱

In conjunction with areas that are designated with the mixed-use zoning overlay district, the maximum FAR is 1.0. An increase to 1.25 FAR may be allowed for mixed-use plans exhibiting design excellence. In a mixed-use overlay district area, this FAR includes both residential and non-residential components, and the maximum number of stories is four.

Because of the wider range of uses and more building intensity permitted in the General Commercial designation, the population density within this designation

RESOLUTION NO. 12-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING PLANNING APPLICATION PA-12-04 FOR PROPERTY LOCATED AT 1726 SUPERIOR AVENUE.

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Foothill Project Management, representing Walgreens Co., the property owner, requesting approval of the following:

- Site specific General Plan amendment to exceed the maximum allowable Floor Area Ratio (FAR) (0.30 maximum FAR allowed; 0.49 FAR proposed).
- Demolish an existing 11,000 square-foot building (former Tower Records) and construct a new 14,310 square-foot Walgreens Store.
- Variance from building and landscaped setbacks (20 feet required; 0-18 feet proposed).
- Variance from interior parking area landscaping requirements (1,100 square feet required, 0 square feet proposed).
- Variance from maximum building height (30 feet allowed; 32 feet proposed).
- Minor conditional use permit to allow a reduction in required on-site parking spaces (57 spaces required; 44 spaces proposed).

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 11, 2012, with all persons having the opportunity to speak for and against the proposed project. The Planning Commission adopted Resolution No. PC-12-21 recommending that the City Council approve the Planning Application;

WHEREAS, a duly noticed public hearing was held by the City Council on July 3, 2012, with all persons having the opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, THE CITY COUNCIL HEREBY APPROVES PA-12-04 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa City Council does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for PA-12-04 and upon applicant's compliance with each and all of the conditions contained in Exhibit B as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.


PASSED AND ADOPTED this 3rd day of July, 2012.



Eric R. Bever, Mayor

ATTEST:

APPROVED AS TO FORM:



Brenda Green,
Interim City Clerk



Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, Interim City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 12-48 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 3rd day of July, 2012, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: BEVER, RIGHEIMER, LEECE, MENSINGER,
MONAHAN
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 5th day of July, 2012.


BRENDA GREEN
INTERIM CITY CLERK

(SEAL)

EXHIBIT A

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. A compatible and harmonious relationship exists between the proposed use and existing buildings, site development, and uses on surrounding properties.
 2. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation.
 3. The proposed use will comply with the performance standards as prescribed in the Zoning Code.
 4. The proposed use is consistent with the General Plan and Redevelopment Plan.
 5. The planning application is for a project-specific case and does not establish a precedent for future development.
 6. The cumulative effect of all the planning applications have been considered.
 7. The proposed reuse of this marginal property may help catalyze revitalization of the Westside. The project involves private market investment into a deteriorated property where the existing Tower Records building and pole sign will be completely demolished.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(1) because:
- a. Because of special circumstances applicable to the property, the strict application of development standards deprives such property of privileges enjoyed by others in the vicinity under identical zoning classifications.
 - b. The deviation granted shall be subject to such conditions as will assure that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.
 - c. The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

With regard to the requested variances from building and landscaped setbacks and interior parking area landscaping, special circumstances are applicable to the property, specifically, the unusual triangular shape of the project site prevents the strict application of the above development standards, depriving the development and property of privileges enjoyed by others in the vicinity under identical zoning, which contain commercial developments. Additionally, granting the deviations would not constitute a grant of special privileges inconsistent with other properties in the vicinity since the existing Tower Records building also had similar setbacks, landscaping, and building height constraints when it was originally built. Finally, granting of the variances will not allow a use, density, or intensity which is not in accordance with the general plan designation for the property, due to the request

for the site-specific General Plan amendment. With regard to the requested variance from building height, it should be noted that only one portion of an architectural tower exceeds the 30 foot height, and the deviation is only two feet above the maximum allowable height limit. General Plan Land Use Element Objective LU-1C.1 permits the construction of buildings over two stories or 30 feet when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, privacy, and solar access.

- C. The minor conditional use permit to allow a reduction in required on-site parking spaces substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:
- a. The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.
 - b. Granting the minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
 - c. Granting the minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

Specifically, the 44 proposed on-site parking spaces will be adequate for the project based on the parking study prepared by KOA Corporation which indicates that, based on a survey of three similar Walgreens stores (two in Santa Ana and one in Huntington Beach), the proposed parking supply would adequately serve the new Walgreens store. The study indicated that the City's retail parking rate of 4 spaces per 1,000 square feet is not an appropriate rate for this type and size of a Walgreens store, especially considering that the proposed store will be the smallest sized Walgreens store in Orange County. The parking study has been reviewed by the City's Transportation Services Division, and they concur with the study methodology, suggested parking rates, and the consultant's conclusions regarding adequate parking.

- D. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines; and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15332 for In-Fill Development Projects.
- E. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng.
1. The uses shall be limited to the type of operation as described in the staff report and conditions of approval. Any change in the operational characteristics of any use including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment subject to approval by the Zoning Administrator.
 2. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
 3. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
 4. The conditions of approval and ordinance or code provisions of Planning Application PA-12-04 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 5. The applicant shall contact the Planning Division to arrange Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 6. It is recommended that the project incorporate green building design and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
 7. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition. This condition shall be completed under the

direction of the Planning Division.

8. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process such as a minor design review or a variance, or in the requirement to modify the construction to reflect the approved plans.
9. If parking shortages or other parking-related problems arise, the business operator shall institute whatever reasonable operational measures necessary to minimize or eliminate the problem. These measures may include off-site employee parking, select parking spaces for short-term parking (i.e. 30 minutes, 1 hour, etc.), and/or any other measures as deemed appropriate by the Development Services Director.
10. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever reasonable security and operational measures are necessary to comply with this requirement.
11. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to commencement of the business. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
12. Prior to the grand opening, the applicant shall submit an interim parking plan to the Planning Division for review and approval to ensure that adequate employee parking is available on-site or on at an authorized site through an agreement with its property owner. In addition, the plan shall indicate that employees shall be available to minimize any impacts to circulation on the adjacent streets and surrounding properties. This interim plan shall be in place for a minimum of 60 days during the "Grand Opening" and may be extended for an additional 30 days to meet customer demands as deemed appropriate by the Development Services Director. The interim plan shall be approved prior to issuance of certificate of occupancy.
13. After the Grand Opening period when the interim parking plan is no longer in place, employees shall park on-site. Employee parking shall occur in any of the parking stalls on the property. Employee parking on the public streets shall be considered a violation of the terms of approval of PA-12-04. If repeated violations occur, the Development Services Director shall have the discretion to require employee parking spaces be assigned on the property, or to make arrangements for off-site employee parking if needed.
14. No later than one year from the date of the grand opening, the applicant's parking consultant shall prepare an updated parking study to

determine if additional off-site parking is required for this project.

15. The developer shall install bike racks for patrons and employees on the site. The bicycle racks shall be decorative in design. This condition shall be completed prior to final occupancy/start of business, under the direction of the Planning and Building Divisions.
16. Transformers, backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened upon view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
17. A land use restriction executed by and between the applicant and the City of Costa Mesa shall be recorded prior to final building inspection to inform future property owners of the restriction that the 9,990 square-foot basement is to be used for product storage and employee use only and cannot be used as customer retail area. Applicant shall submit to the Planning Division a copy of the legal description for the property, and either a lot book report or current title report identifying the current legal property owner so that the document may be prepared.
- Eng. 18. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

May 5, 2016

Phim Masone/Mike Mounphiphak
2601 E. Chapman Ave, #207
Fullerton, CA 92832

**RE: ZONING APPLICATION ZA-16-10
PLANNED SIGNING PROGRAM FOR NEWPORT 17TH PLAZA, INCLUDING A
NEW 7 FOOT TALL MONUMENT SIGN
101-103 E 17TH ST, COSTA MESA**

Dear Mr. Masone & Mr. Mounphiphak:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved, based on the findings and subject to the conditions of approval and code requirements (attached). The decision will become final at 5:00 p.m. on May 12, 2016, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Justin Arios, at (714) 754-5667, or at justin.arios@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: Project Description and Analysis
Findings
Conditions of Approval and Code Requirements
Approved Conceptual Plans

cc:	Engineering	Whol CM LLC
	Fire Protection Analyst	14 Corporate Plaza, Suite 110
	Building Safety Division	Newport Beach, CA 92660

PROJECT DESCRIPTION/BACKGROUND

The project site is located west of Newport Boulevard, east of Superior Avenue, and south of East 17th Street. The site is approximately 2.25 acres in size. The property is zoned C1 (General Commercial), and has a General Plan land use designation of General Commercial. The site contains two buildings: one single-tenant building (Grower's Direct) and one multi-tenant building. The property shares their parking lot with the adjacent parcel (Chase Bank) and also shares three points of ingress/egress (off Newport Boulevard, East 17th Street, and Superior Avenue). The surrounding area includes commercial properties to the north, east and south, as well as industrial properties – one with residential development – to the west and further south.

The applicant is proposing a seven-foot tall monument sign to be located next to the driveway on Superior Avenue. Because the existing Planned Signing Program does not include this monument sign, an amendment to the Planned Signing Program is required.

The Planned Signing Program proposes a total of 220 sq. ft. of free standing signage (three monument signs) and 526 sq. ft. of building signage, for a grand total of 746 sq. ft. of total signage for the site. A grand total of 1,136 sq. ft. of sign area is permitted for the site of which no more than 568 sq. ft. is allowed to be freestanding signage (see table below). Because of the unusual shape of the site in conjunction with the orientation of the buildings, and since a Planned Signing Program is requested, overall signage will be considered versus signage per street frontage.

Street Frontage	Width	Average Depth	Total signage (per frontage)
Newport Frontage	310 ft.	332 ft.	476 sq. ft.
17 th Frontage	150 ft.	235 ft.	268 sq. ft.
Superior Frontage	160 ft.	464 ft.	392 sq. ft.
Total Allowable Signage:			1,136 sq. ft.
Total Allowable Freestanding Sign Area:			568 sq. ft.

In 1981, Planned Signing Program ZE-81-161 was approved which included 101 through 105 East 17th St. Since the original approval in 1981, multiple amendments have been made to the Planned Signing Program. The corner property, addressed as 105 East 17th Street, is no longer included in the proposed Planned Signing Program. Approval of the proposed Planned Signing Program will nullify all previous Planned Signing Programs for 101 and 103 East 17th Street.

ANALYSIS

Proposed Monument Sign

The proposed monument sign is to be 7 feet tall and located off Superior Avenue. The site already has two monument signs, one facing East 17th Street and the other facing

Newport Blvd. The proposed sign is 213 feet away from the monument sign off of 17th Street.

Signage Specifications

Based on the applicants proposed Planned Signing Program, the following types of construction is allowed: Acrylic face illuminated channel letters, through face and halo illuminated channel letters, reverse pan illuminated channel letters, open pan illuminated channel letters, logo modules with applied vinyl graphics and/or flat cut out dimensional shapes and accents.

The proposed Planned Signing Program also includes the following:

- Each sign must consist of a logo element and tenant name
- Ascending and descending shapes shall not be included in allocated square footage except for the area they occupy. All tenants who have leased space adjacent to building storefront shall be allocated at least one sign for each building wall face
- The length shall not exceed 70% of tenant leased premises adjacent to storefront
- Sign area available shall be calculated at 2 square feet of sign area for each linear foot of leased premises

General Plan Consistency

The proposed use, as conditioned, is consistent with the Zoning Code and the City's General Plan because, with the included conditions of approval, the Planned Signing Program should not adversely impact the surrounding uses.

FINDINGS

A. The information presented complies with Costa Mesa Municipal Code Section 13-29(e) in that:

1. The proposed Planned Signing Program presents a compatible and harmonious relationship between the proposed buildings and site development, and use(s), and the buildings and site developments, and uses that exist or have been approved for the general neighborhood.

2. The safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features, which may include functional aspects of the site development such as automobile and pedestrian circulations, will not be adversely affected by the proposed Planned Signing Program.

3. The Planned Signing Program is in compliance with any performance standards as prescribed elsewhere in this Zoning Code.

4. The Planned Signing Program is consistent with the General Plan and any applicable specific plan.
 5. The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development. The planned signing program was designed specifically for the project site taking into consideration the site's building configuration and vehicular access.
- B. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(8) in that:
1. The proposed signing is consistent with the intent of Chapter VIII – Signs of the Zoning Code and the General Plan.
 2. The proposed signs are consistent with each other in design and construction – taking into account sign style and shape, materials, letter styles, colors and illumination.
 3. The proposed signs are compatible with the buildings and developments they identify – taking into account materials, colors and design motif.
 4. Approval does not constitute a grant of special privilege or allow substantially greater visibility than what the standard sign provisions would allow.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15311, Class 11, Accessory Structures, of the CEQA Guidelines.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

- PIng. 1. All signage shall comply with the sign parameters contained within this Planned Signing Program.

CODE REQUIREMENTS

The following list of federal, state, and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- PIng. 1. Approval of the zoning application is valid for one year from the effective date of this approval and will expire at the end of that period unless the applicant establishes the use by one of the following actions: 1) obtains

building permits for the authorized construction and initiates construction; and/or 2) obtains a business license and/or legally establishes the business. If the applicant is unable to establish the use/obtain building permits within the one-year period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the zoning application.

2. All construction-related activity shall be limited to between the hours of 7AM and 7PM, Monday through Friday, and 9AM to 6PM Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for actives that will not generate noise audible from off0site, such as paining and other quiet interior work.
3. The Planned Signing Program shall replace all previous planned Signing Programs approvals for 101 and 103 East 17th Street.
4. All freestanding signs placed in proximity to a driveway or intersection shall be placed outside of the appropriate visibility triangle.
- Bldg. 5. Comply with the requirements of the following adopted codes: 2013 California Building Code, 2013 California Electrical code, 2013 California Mechanical code, 2013 California Plumbing code and 2013 California Energy Code (or the applicable adopted, California Building code California Electrical code, California Mechanical code California Plumbing Code and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
6. Structural calculations and framing details shall be stamped and signed by a licensed California Engineer.
- Bus. 7. All contractors and subcontractors must have valid business licenses to do
Lic. business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.

Planned Signing Program For Newport 17th Plaza

(Development Name)

101 & 103 E. 17th St., Costa Mesa

(Address of all buildings to which this Program applies)

(Zoning category of property)



Property owner signature and approval for sign permit applications required? (Y / N) Yes

Property Owner (include address):

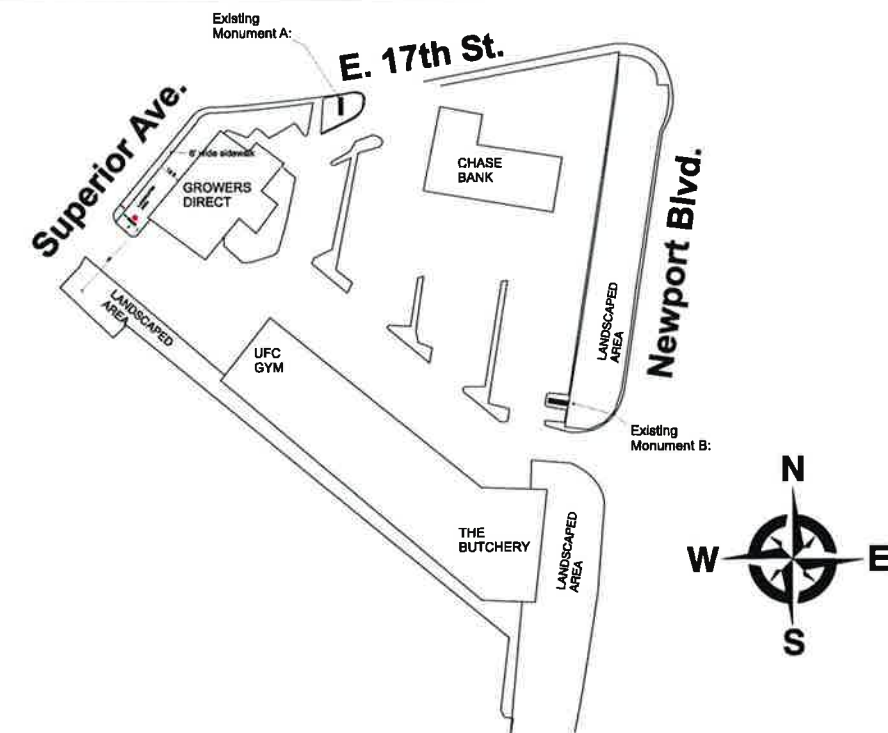
**17th St. Barclay Center Ltd. Partnership
c/o: Hernan R. Barros Trust
1831 Sherer Ln., Glendale, CA**

Program Designer (include address):

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Location Map (include north arrow):



Title Page
Newport 17th Plaza
Page - 1

Sign Type	Description	Sign Location				Quantity	Sign Area (sq. ft.)	Height clearance of sign from the ground (feet)	Height or Length limitations (feet)	Illumination (Y or N)
		Freestanding	Building	Canopy	Projecting					
FS	Existing Monument A (New Port Blvd)	●				1	120	26'		Y
FS	Existing Monument B (E. 17th St.)	●				1	70	14'		Y
FS	Proposed New Monument C (Superior Ave.)	●				1	30	7'		Y
B	The Butchery		●			4	123.75	14'		Y
B	Polised Perfect		●			1	117.7	20'		Y
B	Pho Lantern Cafe		●			1	25	17' - 6"		Y
Total:		3	3			9	486.45			

Total area of all signs:

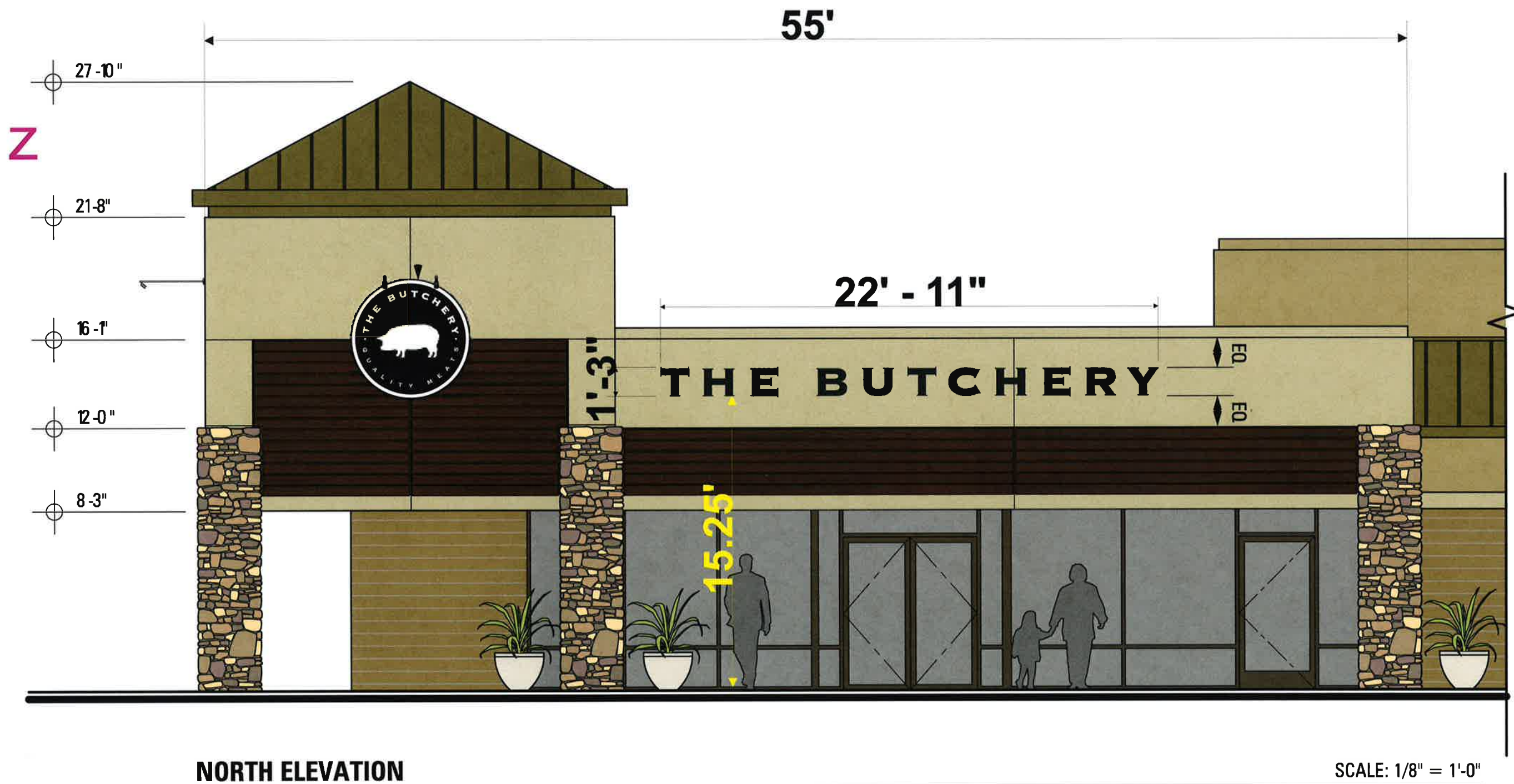
1. Minimum/maximum size of tenant signs (including letter heights)
 - **Maximum 70% of Fascia Length**
 - **Minimum 60% of Fascia Height**
 - **Available Sign area calulated at 1sq. ft. for each linear foot of leased premises**
2. Minimum/maximum sign area for monument signs
 - **N/A**
3. Specifications (e.g. required colors, sign type)
 - **See Sign Criteria**
4. Exclusions/ Prohibited Signs
 - **See Sign Criteria**

Note: For large projects containing a large number of signs, add additional

Sign Type	Description	Sign Location				Quantity	Sign Area (sq. ft.)	Height clearance of sign from the ground (feet)	Height or Length limitations (feet)	Illumination (Y or N)
		Freestanding	Building	Canopy	Projecting					
B	(Empty) Suite 103		●			1	30	14'		Y
B	Ketcham Tackle		●			1	22.2	14'		Y
B	UFC Gym		●			2	60	14'		Y
B	Growers Direct		●			4	147	14'		Y
Total:			4			8	259.2			
Total area of all signs:						745.65				

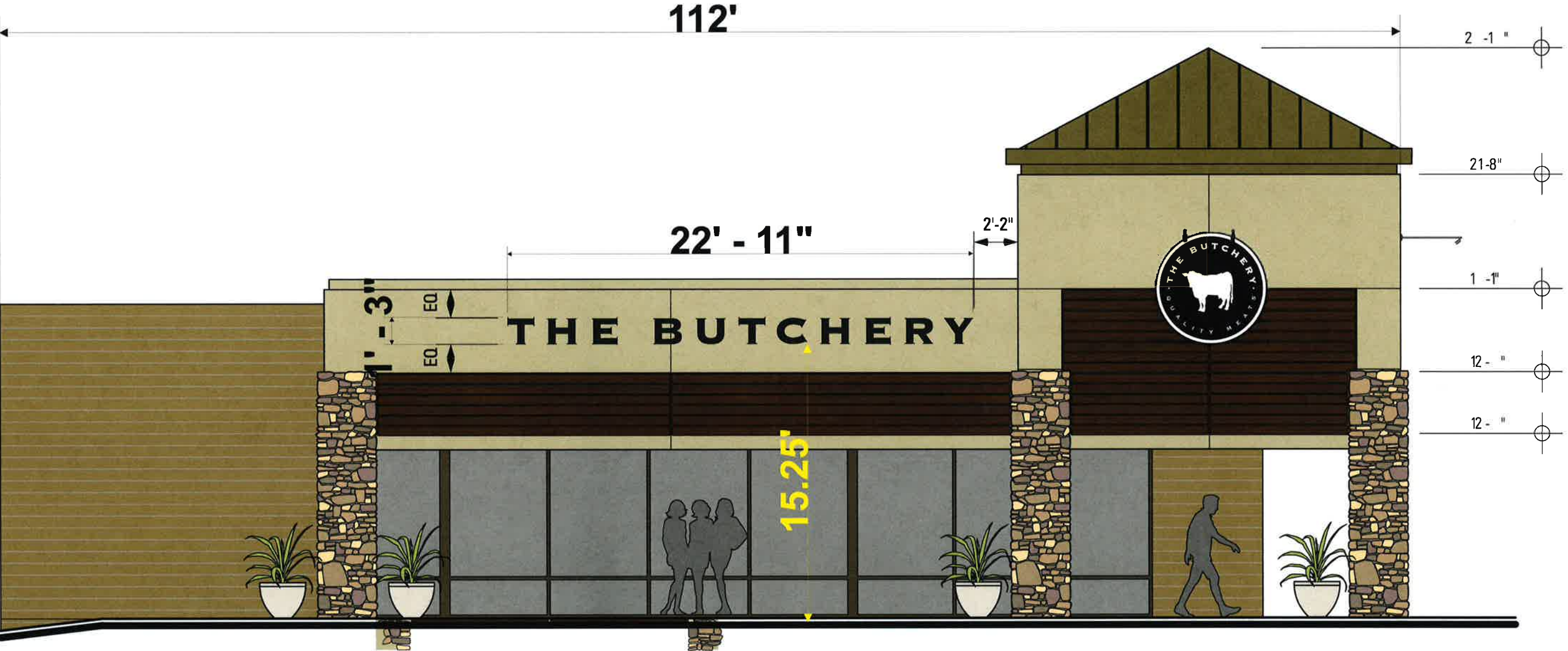
1. Minimum/maximum size of tenant signs (including letter heights)
 - **Maximum 70% of Fascia Length**
 - **Minimum 60% of Fascia Height**
 - **Available Sign area calulated at 1sq. ft. for each linear foot of leased premises**
2. Minimum/maximum sign area for monument signs
 - **N/A**
3. Specifications (e.g. required colors, sign type)
 - **See Sign Criteria**
4. Exclusions/ Prohibited Signs
 - **See Sign Criteria**

Note: For large projects containing a large number of signs, add additional



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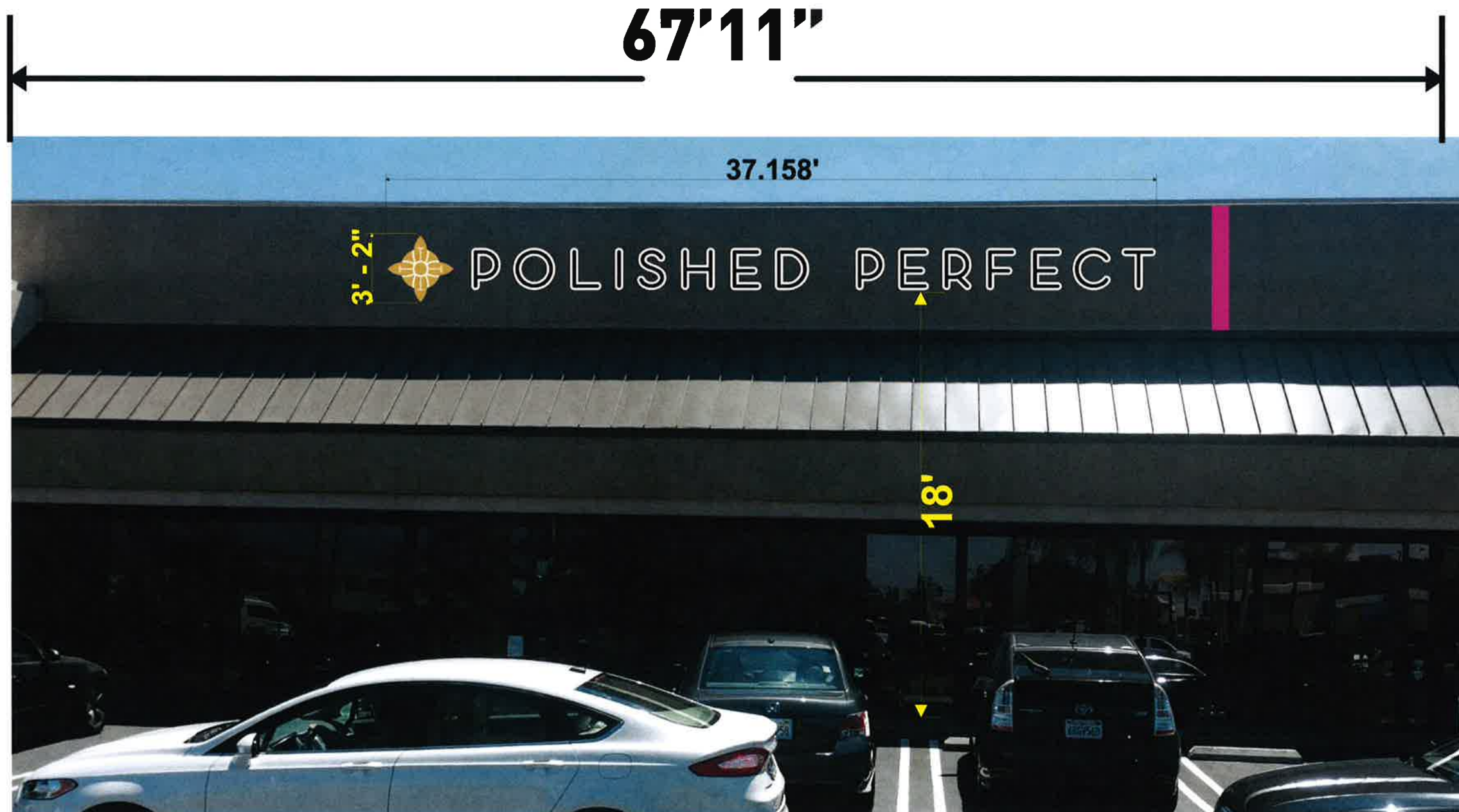
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EAST ELEVATION

SCALE: 1/8" = 1'-0"

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67'



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57'

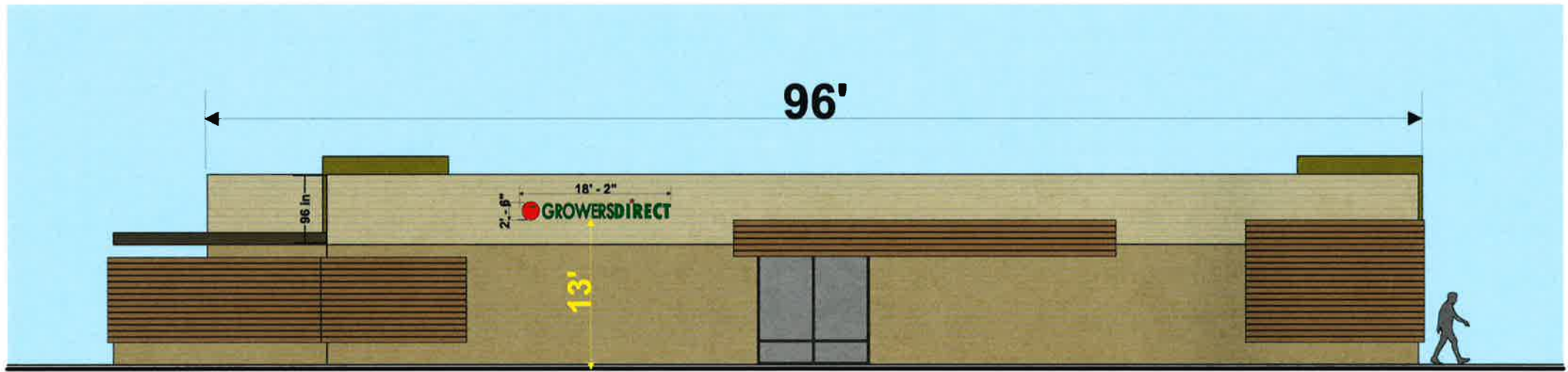


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Sign A East Elevation
Scale: 1/16" = 1'-0"



Sign B West Elevation
Scale: 1/16" = 1'-0"

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Sign C South Elevation
Scale: 3/16" = 1'-0"

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Sign D North Elevation
Scale: 3/16" = 1'-0"

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Scale: 1:40

- 1) IPE Wood Siding w/ White Non-illuminated Dimensional Copy
- 2) Stone Veneer - El Dorado Stone Latana Cliffstone
- 3) Reverse weed vinyl on white acrylic panels; text will illuminate
- 4) SW6109 Hopsack
- 5) 3M Duranodic 3630-69 Reverse weed vinyl on white acrylic panels
- 6) LED Illumination

120 Sq. Ft.

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Monument Signage
Newport 17th Plaza
Page - 4



- 1) IPE Wood Siding w/ White Non-illuminated Dimensional Copy
- 2) Reverse weed vinyl on white acrylic panels; text will illuminate
- 3) SW6109 Hopsack
- 4) 3M Duranodic 3630-69 Reverse weed vinyl on white acrylic panels
- 5) LED Illumination

70 Sq. Ft.

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- 1) IPE Wood Siding w/ White Non-illuminated Dimensional Copy
- 2) Reverse weed vinyl on white acrylic panels; text will illuminate
- 3) SW6109 Hopsack
- 4) 3M Duranodic 3630-69 Reverse weed vinyl on white acrylic panels
- 5) LED Illumination
- 6) Cut off switch (Complies with article 600 California Electrical code)

30 Sq. Ft.

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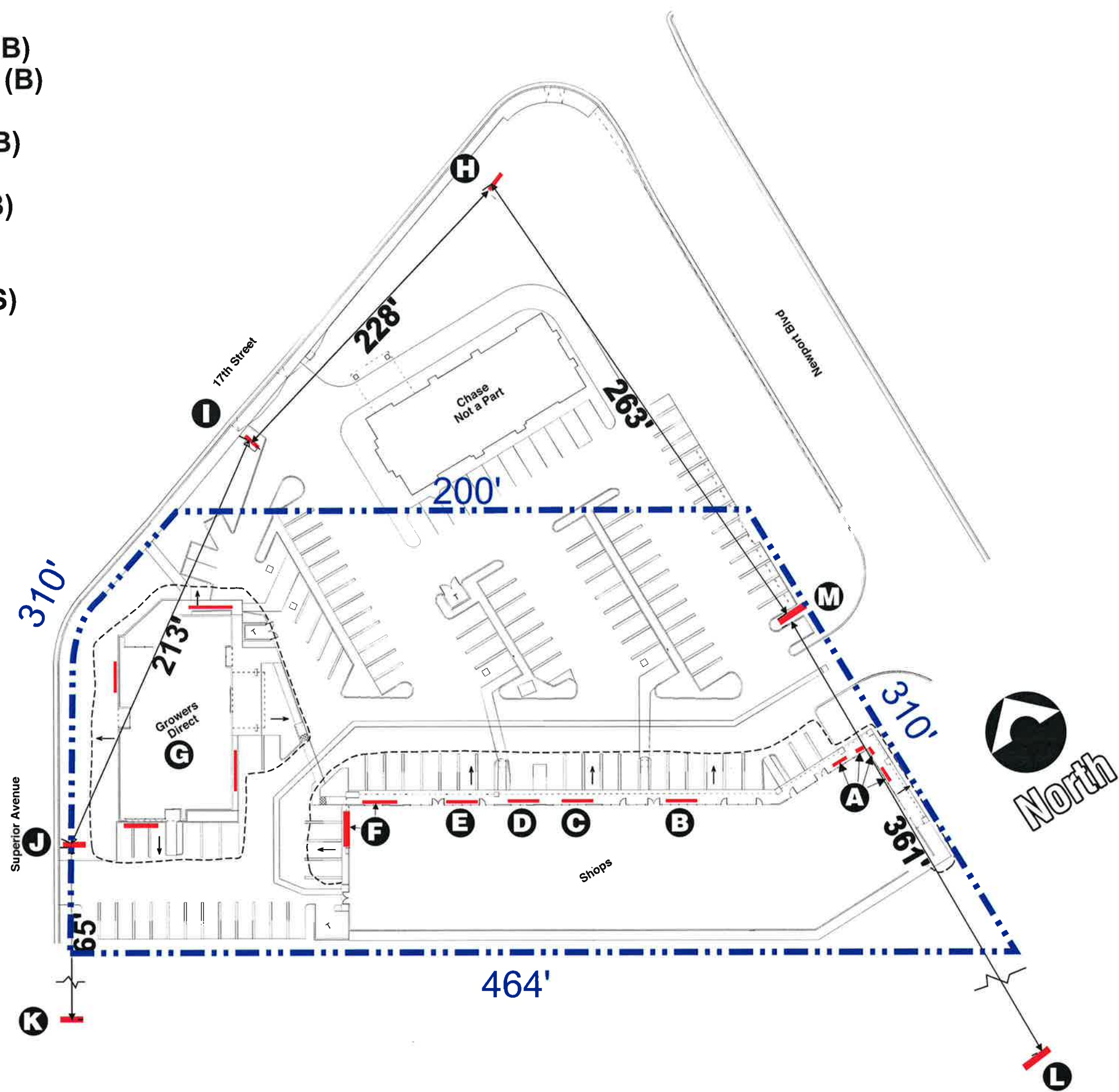
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Monument Signage
Newport 17th Plaza
Page - 4b

Scale: NTS

- A - The Butchery (B)
- B - Polished Perfect (B)
- C - Pho Lantern Cafe (B)
- D - Suite 103 (empty)
- E - Ketcham Tackle (B)
- F - UFC Gym (B)
- G - Growers Direct (B)
- H - Chase Bank (FS)
- I - Existing (FS)
- J - New Proposed (FS)
- K - Ramada (FS)
- L - Ramada (FS)
- M - Existing (FS)

--- =Property line



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Site Plan
Newport 17th Plaza
Page - 5

Newport 17th Plaza

SIGN PROGRAM

Costa Mesa, California

OWNER

Wohl Investment
14 Corporate Plaza, Suite 110
Newport Beach, CA 92660
Phone: (949) 706-5600
Fax: (949) 706-5608

PREFERRED SIGN VENDOR

Signarama Anaheim
1022 North Tustin Ave.
Anaheim, CA 92807
Phone: (714) 224-1888
Fax: (714) 630-6302

A. INTRODUCTION

The intent of this sign criteria is to provide the guidelines necessary to achieve a visually coordinated, balanced and appealing sign environment, harmonious with the architecture of the project, while maintaining provisions for individual graphic expression.

Performance of this sign criteria shall be rigorously enforced and any nonconforming sign shall be removed by the tenant at their expense, upon demand by the Landlord.

Exceptions to these standards shall not be permitted without approval from the Landlord and will require approval of a modification to the sign program application by the city. Accordingly, the Landlord will retain full rights of approval for any sign used in the center.

No sign shall be installed without the written Landlord approval and the required city permits.

B. GENERAL LANDLORD/TENANT REQUIREMENTS:

1. Each tenant shall submit to Landlord for written approval, detailed shop drawings of the proposed sign, indicating conformance with the sign criteria herein outlined.
2. The Landlord shall determine and approve the availability and position of a tenant name on any ground sign(s).
3. The tenant shall pay for all signs, related materials and installation fees (including final inspection costs).
4. The tenant shall obtain all necessary permits.
5. The tenant shall be responsible for fulfillment of all requirements of this sign criteria.
6. It is the responsibility of the tenant's sign company to verify all conduit and transformer locations and service access prior to fabrication.
7. Should a sign be removed, it is the tenants responsibility to patch all holes and paint surface to match the existing color.

C. GENERAL SIGN CONSTRUCTION REQUIREMENTS:

1. All signs and their installation shall comply with all local building and electrical codes.
2. All electrical signs will be fabricated by a U.L. approved sign company, according to U.L. specifications and bear U.L. labels.
3. Sign company shall have full Workman's Compensation and general liability insurance.
4. All penetrations of building exterior surfaces are to be sealed waterproof in color and finish to match existing exterior.
5. Internal illumination to be LED or neon, installed and labeled in accordance with the "National Board of Fire Underwriters Specifications".
6. Painted surfaces to have a semi gloss finish. Only paint containing acrylic polyurethane products can be used.
7. Logo and letter heights shall be as specified and shall be determined by measuring the normal capital letter of a type font exclusive of swashes, ascenders, and descenders.
8. All sign fabrication work shall be of excellent quality. All logo images and type-styles shall be accurately reproduced. Lettering that approximates type-styles shall not be acceptable. The Landlord reserves the right to reject any

fabrication work deemed to be below standard.

9. All lighting must match the exact specification of the approved working drawings. No exposed conduits or raceways will be allowed.
10. Signs must be made of durable rust inhibited materials that are appropriate and complimentary to the building.
11. Color coatings shall exactly match the colors specified on the approved plans.
12. Joining of materials (e.g., seams) shall be finished in way as to be unnoticeable. Visible welds shall be continuous and ground smooth. Rivets, screws, and other fasteners that extend to visible surfaces shall be flush, filled, and finished so as to be unnoticeable.
13. Finished surfaces of metal shall be free from canning and warping. All sign finishes shall be free from dust, orange peel, drips, and runs and shall have a uniform surface conforming to the highest standards of the industry.
14. In no case shall any manufacturer's label be visible from the street from normal viewing angles.
15. Exposed raceways are not permitted unless they are incorporated into the overall sign design.
16. Exposed junction boxes, lamps, tubing, or neon crossovers of any type are not permitted.

D. SIGNAGE SPECIFICATIONS:

The intent of this criteria is to encourage creativity to ensure the individuality of each tenant sign as opposed to similar sign design, construction, and colors repeated throughout the project.

The following types of construction will be allowed:

Acrylic face illuminated channel letters

Through face and halo illuminated channel letters

Reverse pan illuminated channel letters

Open pan illuminated channel letters

Logo modules with applied vinyl graphics.

Flat cut out dimensional shapes and accents.

Each sign **must** consist of a logo element and tenant name.

The use of at least two types of the above to be incorporated into each sign design is encouraged.

The idea of using dissimilar materials and creating signs with varying colors, layers and textures will create an exciting and appealing retail environment.

The use of dimensional and layered icons is also encouraged. Stacked copy is permitted.

Ascending and descending shapes shall not be included in allocated square footage except for the area they occupy. All tenants who have leased space adjacent to building storefront shall be allocated at least one sign for each building wall face.

The length shall not exceed 70% of tenants leased premises adjacent to storefront.

Sign area available shall be calculated at 2 square feet of sign area for each linear foot of leased premises.

E. PROHIBITED SIGNS:

1. Signs constituting a traffic hazard: No person shall install or maintain, or cause to be installed or maintained, any sign which simulates or imitates in size, color, lettering or design any traffic sign or signal, or which makes use of the words "STOP", "LOOK", "DANGER" or any words, phrases, symbols, or characters in such a manner as to interfere with, mislead or confuse traffic.

2. Signs in Proximity to Utility Lines:

Signs which have less horizontal or vertical clearance from authorized communication or energized electrical power lines that are prescribed by the laws of the State of California are prohibited.

3. Painted letters will not be permitted.

4. Wall signs may not project above the top of a parapet or the roof line.

5. There shall be no signs that are flashing, moving or audible.

6. Signs must be architecturally compatible with the entire center.

7. No sign shall project above or below the sign-able area. The area is defined in the attached Exhibits.

8. Vehicle Signs: Signs on or affixed to trucks, automobiles, trailers, or other vehicles which advertise, identify, or provide direction to a use or activity not related to its lawful activity are prohibited.

9. Light Bulb Strings: External displays, other than temporary decorative holiday lighting which consists of unshielded light bulbs are prohibited. An exception hereto may be granted by the Landlord when the display is an integral part of the design character of the activity to which it relates.

10. Banners, Pennants & Balloons Used for Advertising Purposes: Temporary flags, banners, or pennants, or a combination of same constituting an architectural feature which is an integral part of the design character of a project may be permitted subject to Municipal Code requirements, Landlord, and City approval.

11 . Billboard Signs are not permitted.

12. The use of permanent sale signs is prohibited. The temporary use of these signs are limited to a thirty-day period and is restricted to signs affixed to the interior of windows which do not occupy more that 20% of the window area. Each business is permitted a total of not more than ninety [90] days of temporary window sale signs per calendar year.

F. ABANDONMENT OF SIGNS:

Any tenant sign left after ten (10) days from vacating premises shall become the property of Landlord.

G. INSPECTION:

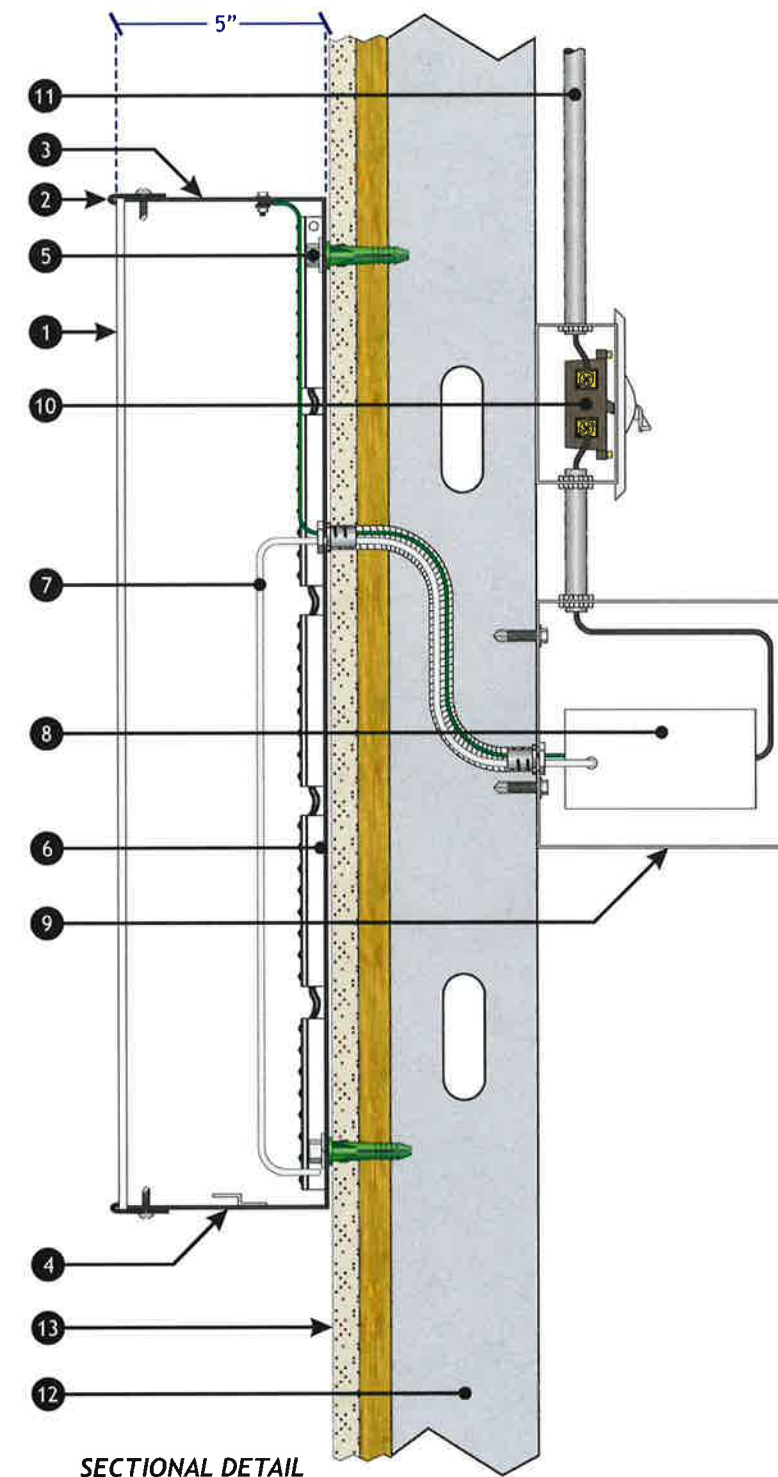
Landlord reserves the right to hire an independent electrical engineer at the tenants sole expense to inspect the installation of all tenants signs and to require the tenant to have any discrepancies and/or code violations corrected at the tenants expense.

Exhibits

PLEX FACE

1. 3/16" thick translucent white acrylic plastic letter face (#7328)
2. 3/4" trim cap with pan head screws to match letter returns
3. 5" deep aluminum returns.
4. 1/4" weep hole with light tight baffle (for exterior letters only)
5. Heavy-duty expansion anchor (minimum 4 per letter)
6. LED module
7. Secondary power supply
8. UL listed LED transformer
9. Galvanized vented transformer housing
10. Emergency disconnect switch in primary electrical circuit
11. Primary electrical circuit
12. Building framing
13. Finished building surface

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable codes. This includes proper grounding and bonding of the sign.



SECTIONAL DETAIL



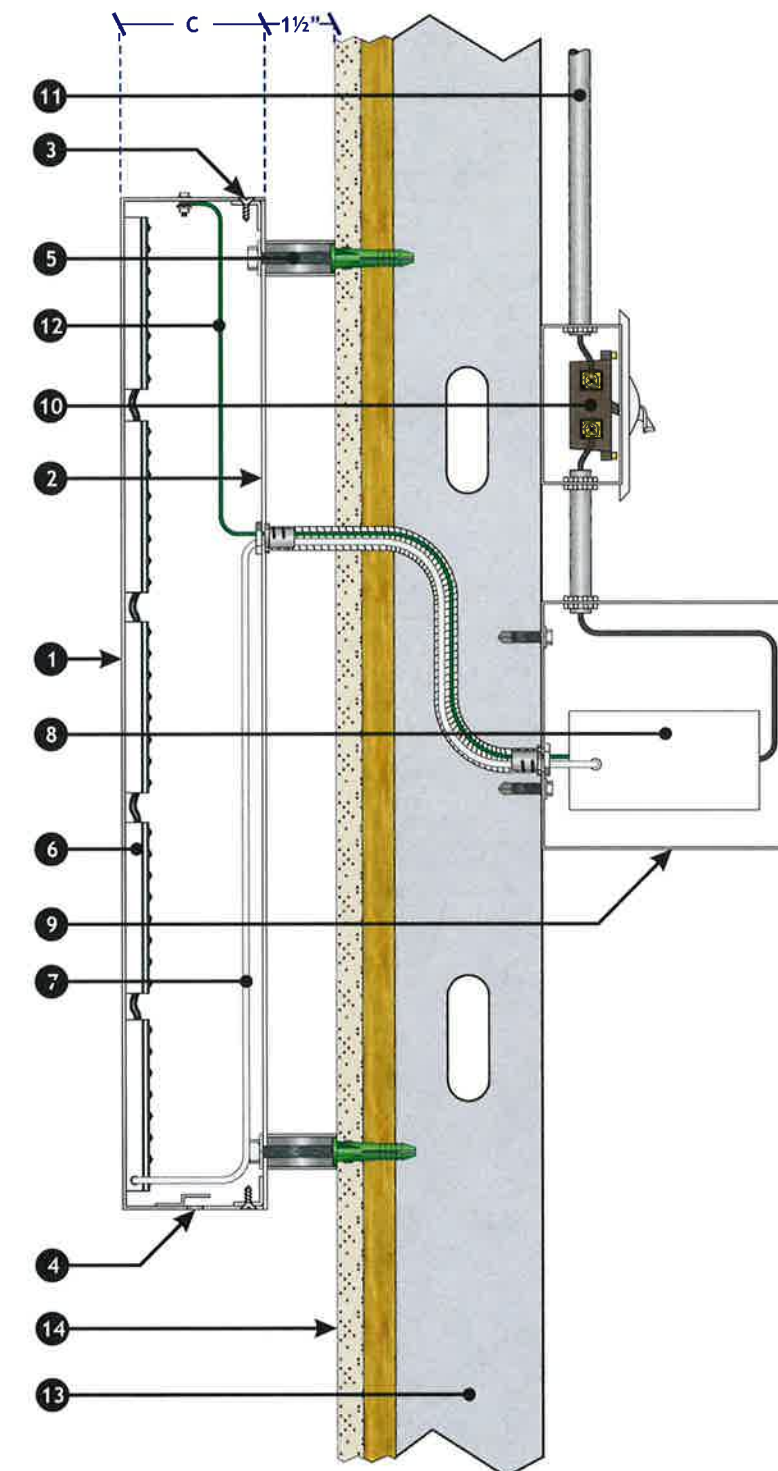
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HALO LIT CHANNEL LETTERS

1. Custom fabricated aluminum reverse channel letter.
2. 1/8" thick clear Lexan letter back.
3. Angle clip attachment with countersunk screw.
4. 1/4" weep hole with light tight baffle (for exterior letters only)
5. Heavy duty nylon wall anchor with #20 screw and 1 1/2" spacer (minimum 4 per letter)
6. White LED module
7. Secondary power supply.
8. UL listed LED transformer
9. Galvanized vented transformer housing
10. Emergency disconnect switch in primary electrical circuit
11. Primary electrical circuit
12. Grounding wire
13. Building framing system
14. Finished building surface.

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable codes.
This includes proper grounding and bonding of the sign.



SECTIONAL DETAIL



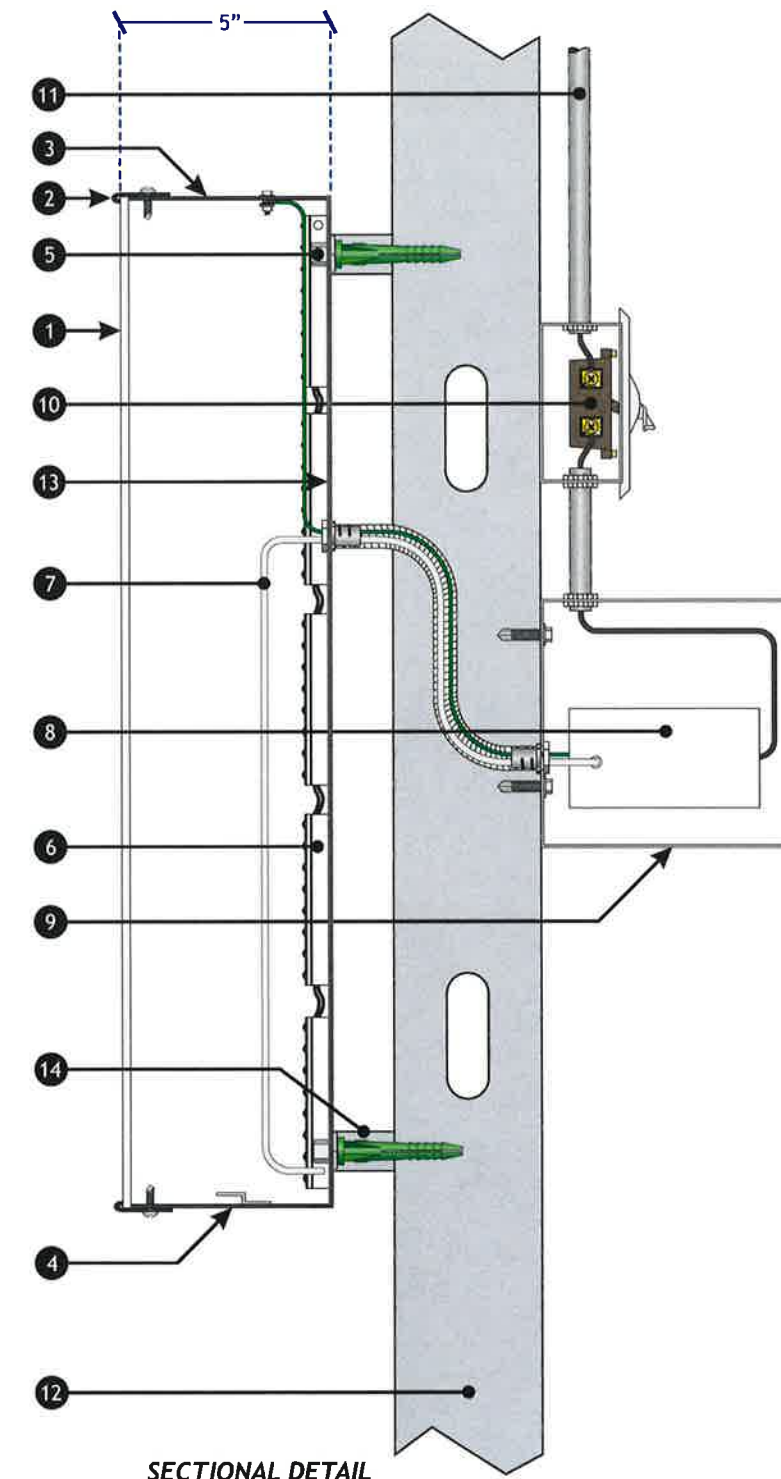
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DUAL LIT LETTERS

1. 3/16" thick translucent white acrylic plastic letter face (#7328)
2. 3/4" trim cap with pan head screws to match letter returns
3. 5" deep aluminum returns with matte black nickel finish
4. 1/4" weep hole with light tight baffle (for exterior letters only)
5. Heavy-duty expansion anchor (minimum 4 per letter)
6. LED module
7. Secondary power supply
8. UL listed LED transformer
9. Galvanized vented transformer housing
10. Emergency disconnect switch in primary electrical circuit
11. Primary electrical circuit
12. Building framing
13. 3/16" Lexan Back
14. 1-1/2" Spacers

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable codes. This includes proper grounding and bonding of the sign.



Underwriters
Laboratories

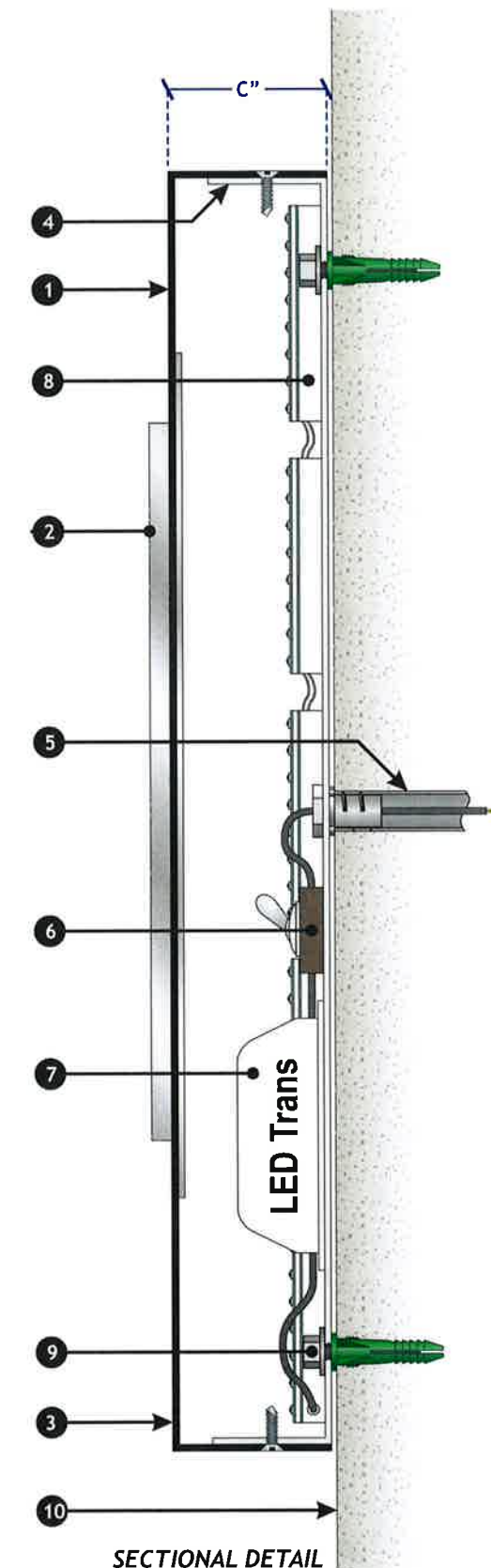
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PUSH THROUGH COPY

1. Cabinet face to be brake formed aluminum reverse pan with routed face
2. ½" thick clear acrylic push through copy.
3. Brake formed sign cabinet.
4. 1½" deep aluminum pan mounted to wall surface.
5. Primary electrical circuit to be provided by others.
6. Disconnect switch in primary electrical circuit.
7. UL listed LED transformer.
8. White LED module
9. Attachment to wall via nylon expansion anchor.
10. Finished wall surface.

- * Cabinet interior to be painted white.
- * Sign to be evenly lit with no light to dark areas.



SECTIONAL DETAIL

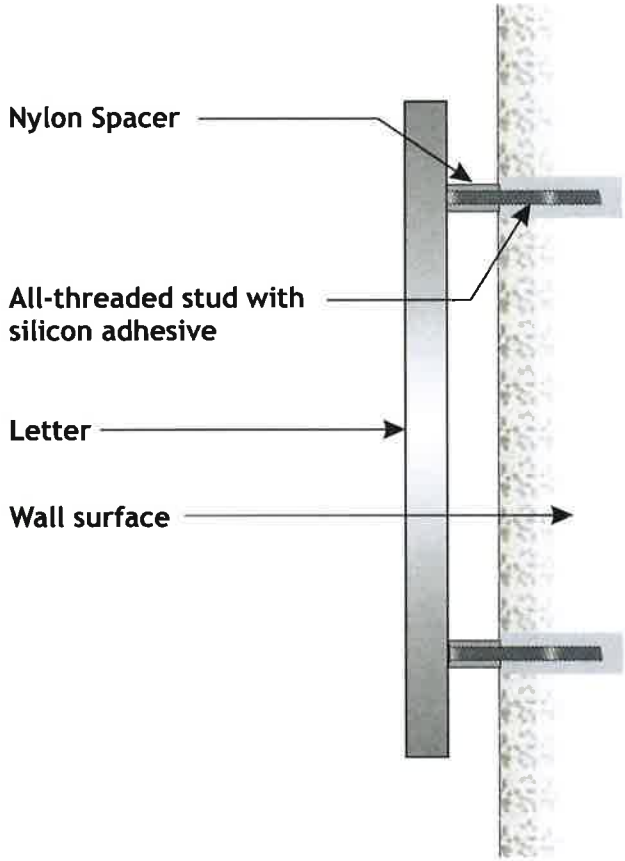


Underwriters
Laboratories

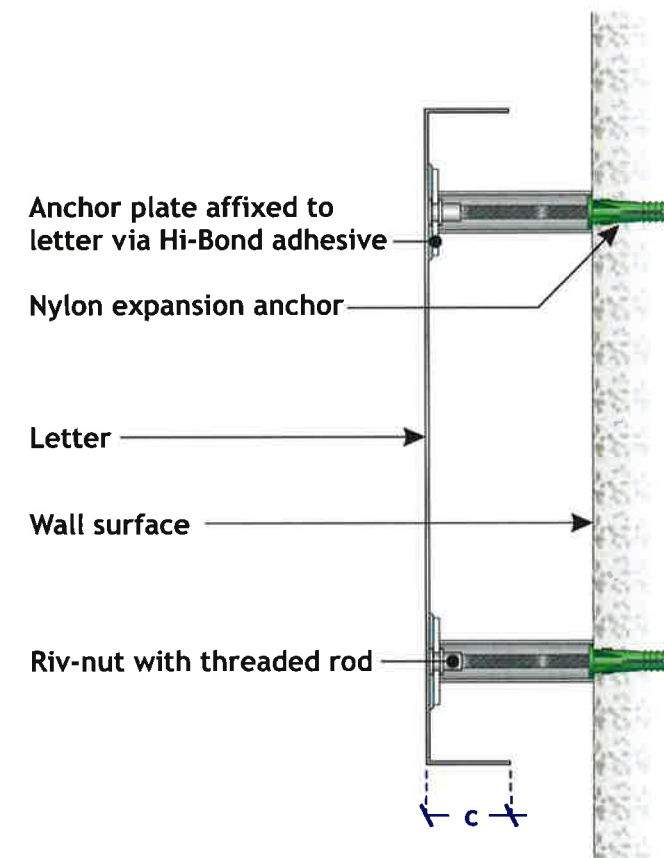
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FCO LETTERS



NON ILLUMINATED LETTER



Newport 17th Plaza Sign Program



Sign area available shall be calculated at 1 square foot of sign area for each linear foot of leased premises

	SW 6108 Latte
	SW 6139 Mossy Gold
	SW 6106 Kilim Beige
	SW 6405 Fervent Brass
	SW 6109 Hopsack
COLOR PALETTE	

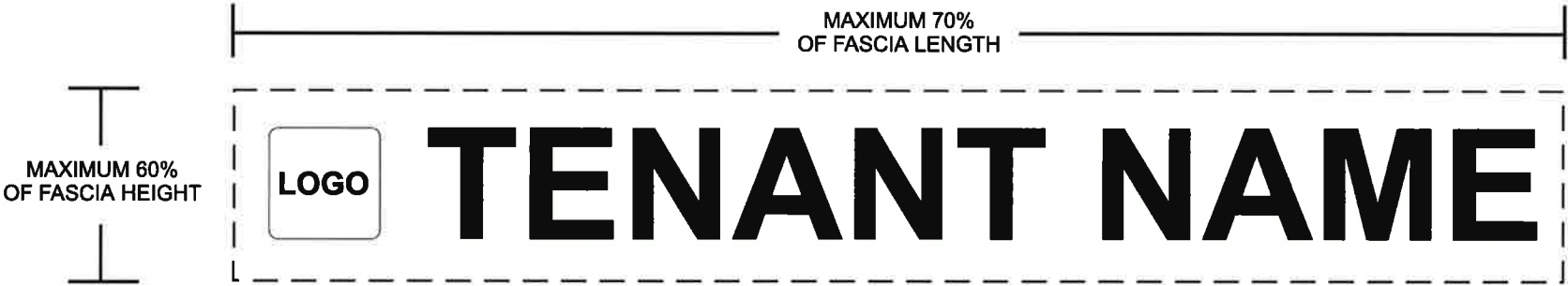
Typical Notes:
A: High Parapet Sign Location
B: Tower Sign Location
C: Sign Location



East Elevation

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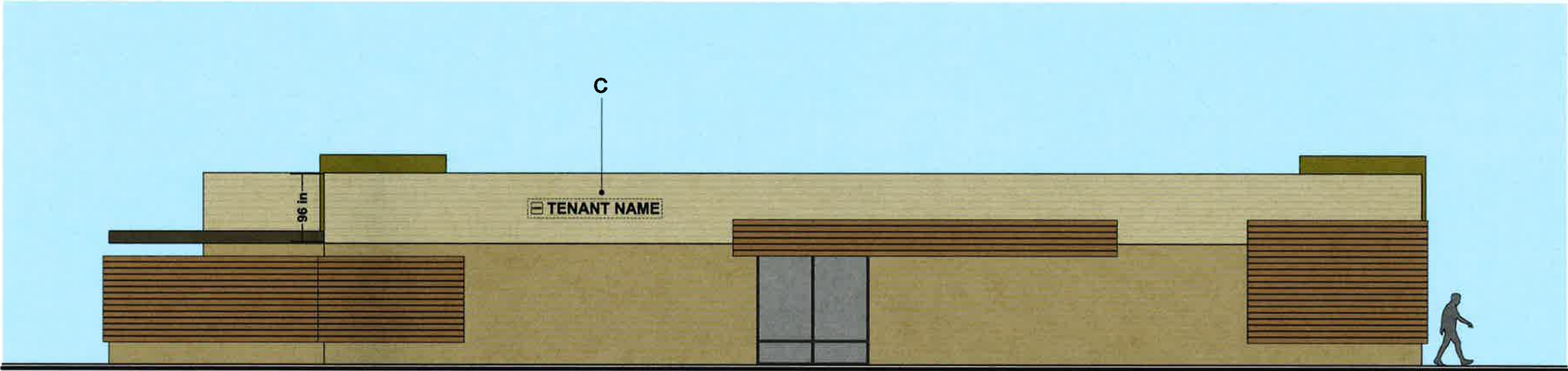


Sign area available shall be calculated at 1 square foot of sign area for each linear foot of leased premises

	SW 6108 Latte
	SW 6139 Mossy Gold
	SW 6106 Killim Beige
	SW 6405 Fervent Brass
	SW 6109 Hopsack

COLOR PALETTE

Typical Notes:
A: High Parapet Sign Location
B: Tower Sign Location
C: Sign Location



West Elevation

Newport 17th Plaza Sign Program



Sign area available shall be calculated at 1 square foot of sign area for each linear foot of leased premises

	SW 6108 Latte
	SW 6139 Mossy Gold
	SW 6106 Kilim Beige
	SW 6405 Fervent Brass
	SW 6109 Hopsack
COLOR PALETTE	

Typical Notes:

A: High Parapet Sign Location

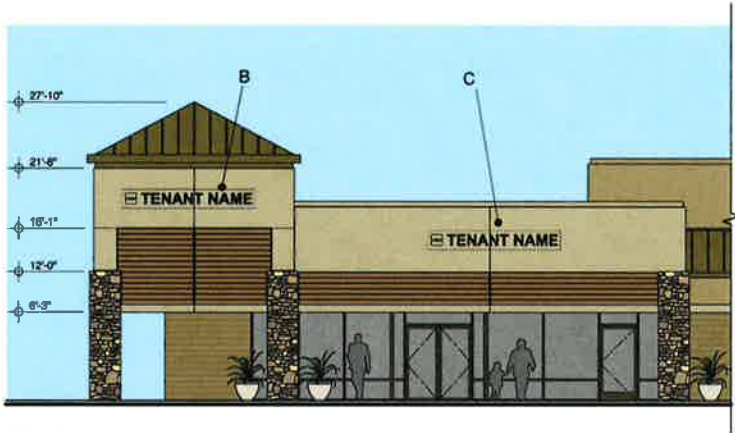
B: Tower Sign Location

C: Sign Location

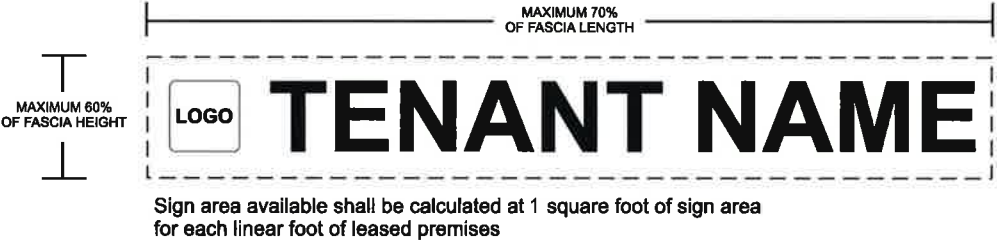


East Elevation

Newport 17th Plaza Sign Program



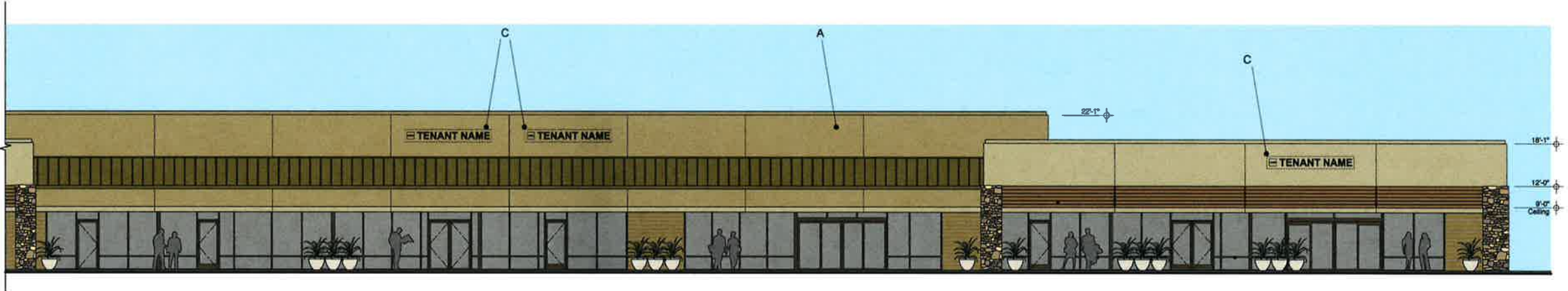
North Elevation



SW 6108 Latta
SW 6139 Mossy Gold
SW 6106 Kilim Beige
SW 6405 Fervent Brass
SW 6109 Hopsack

COLOR PALETTE

Typical Notes:
A: High Parapet Sign Location
B: Tower Sign Location
C: Sign Location



North Elevation

Superior Ave.



= 10ft x 10ft Line of Sight



= New Proposed Monument Location



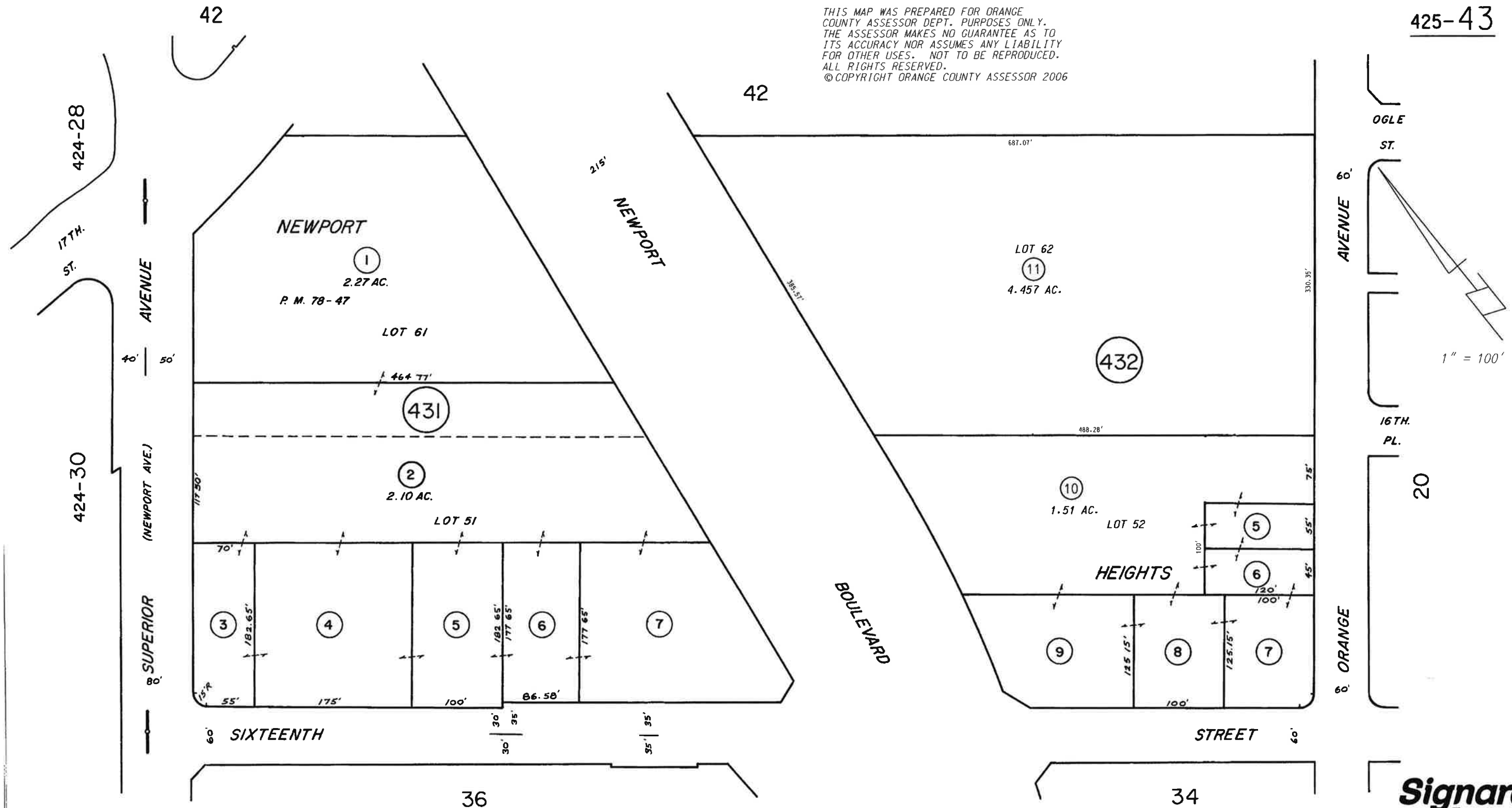
North

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425-43



1" = 100'

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MARCH 1983

NEWPORT HEIGHTS M.M. 4-83

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP BOOK 425 PAGE 43 COUNTY OF ORANGE

Assessor's Map
Newport 17th Plaza
Page - 22

**Total sign SF allowed = 1sq. ft. per linear ft. of lot width +
.5 sq. ft. per linear ft. of lot depth.**

Width - Newport Blvd. - 549' x 1 = 549

Depth - Rear (South) - 536' x .5 = 268

Total sq. ft. Allowed = 817 sq. ft.

Free standing sq. ft. allowed - 50% of Total = 408.5 sq. ft.

Free Standing Signs on property:

Existing Monument A (Newport Blvd.) = 120 sq. ft.

Existing Monument B (E. 17th. St.) = 70 sq. ft.

Proposed New Monument C (Superior Ave) = 30 sq. ft.

Total sq. ft. Free Standing Signs = 220 sq. ft.

Wall Signs on property:

The Butchery - 70LF - 105 sq. ft. allowed - 4 Signs = 123.75 sq. ft.

Polished Perfect - 69 LF - 105 sq. ft. allowed - 1 Sign = 117.7 sq. ft.

Pho Lantern Cafe - 22 LF - 25 sq. ft. allowed - 1 Sign = 25 sq. ft.

Suite 103 (empty) - 45 LF - 67.5 sq. ft. allowed - 1 Sign = 30 sq. ft.

Ketcham Tackle - 18 LF - 27 sq. ft. allowed - 1 Sign = 22.2 sq. ft.

UFC Gym - 57 LF - 85.5 sq. ft. allowed - 2 Signs = 60 sq. ft.

Growers Direct - 108 LF - 162 allowed - 4 Signs = 147 sq. ft.

Total sq. ft. Wall Signs = 525.65 sq. ft.

Total Sq. Ft. of Signage Allowed = 817 sq. ft.

Total sq. ft. Free Standing Signs = 220 sq. ft.

Total sq. ft. Wall Signs = 525.65 sq. ft.

Total Sq. Ft. of Signage = 745.65 sq. ft.

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