



CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT

November 8, 2018
Agenda Item No. 3

SUBJECT: Powerhouse Vehicle Sales (PA2018-166)
Conditional Use Permit No. UP2018-010

SITE LOCATION: 2244 West Coast Highway

APPLICANT: Powerhouse Enterprises NB, LLC.

OWNER: Mariner's Mile North LLC.

PLANNER: Makana Nova, Associate Planner
949-644-3249, mnova@newportbeachca.gov

PROJECT SUMMARY

A conditional use permit to allow a 15,823-square-foot vehicle sales showroom and supporting office for pre-owned luxury automobiles with approximately 15 display vehicles. No exterior vehicle display is proposed. The proposed hours of operation are from 8:00 a.m. through 6:00 p.m., daily. Test drives are not anticipated to exceed 10 test drives per week.

If approved, this Conditional Use Permit would supersede Use Permit No. UP0251, UP1296, UP1490, and UP2087, which upon vesting of the rights authorized by this Conditional Use Permit, shall become null and void.

RECOMMENDATION

- 1) Conduct a public hearing;
- 2) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
- 3) Adopt Resolution No. PC2018-031 approving Conditional Use Permit No. UP2018-010 (Attachment No. PC 1).

BACKGROUND

October 18, 2018, Planning Commission Meeting

The Planning Commission held a public hearing on October 18, 2018. The staff report and draft Planning Commission minutes from this meeting are included as Attachment Nos. PC 3 and 4. The public hearing included a staff presentation, Commissioner

discussion, and public testimony. Two members of the public, Jim Mosher and Sandra Ayres commented on the project. The Planning Commission voted unanimously (6 ayes, 0 noes) to continue the item and allow the surrounding community members to discuss the project application and future development applications associated with the property with the property owner.

Topics discussed at the public hearing included: traffic, average daily trips (ADT), Local Coastal Program requirements, and the scope of the CEQA analysis. The following analysis discusses these subjects and includes additional information based on discussion at the October 18, 2018, meeting.

DISCUSSION

Analysis

Traffic Analysis

The Public Works Department reviews proposed land uses and analyzes traffic impacts based on the Institute of Traffic Engineers (ITE) trip manual, which provides a standardized set of land use categories with accompanying trip generation characteristics (AM peak hour, PM peak hour, and average daily trip rates-ADT). The ITE trip land use category for Automobile Sales (Used) is described as follows:

“A used automobile sales dealership is typically located along a major arterial street characterized by abundant commercial development. The sale or lease of used cars is the primary business at these facilities; however, automobile services and parts sales may also be available. Some dealerships also include leasing options, truck sales, and servicing.”

The proposed operational characteristics suggest that the proposed business is not a typical example of automobile sales as described above due to the limited retail nature of the proposed vehicle sales operation. The business would not include related leasing, parts sales, or servicing mentioned in this land use description. The renovated building was previously occupied by an office building, which would generate 154 average daily trips based upon the ITE trip generation rates.

Public Works also considered trip generation data used for a similar luxury car sales use with no vehicle maintenance or service proposed at 1100 West Coast Highway in 2004 (Attachment No. PC 5). Based on the similar characteristics of the previously proposed pre-owned luxury automobile sales, the proposed business is likely to generate approximately 55 average daily trips. This is fewer trips than those projected by a typical Automobile Sales (Used) or the existing General Office Building land use category identified in the ITE manual.

Table 1, below, provides a comparison of the ITE trip rates and the trip generation data from the similar use:

Table 1. Trip Rate Comparison

Use	Trip Rate	Sq. Ft.	Rate	ADT
Existing Use-Office	ITE Rate	15,823	9.74/TSF	154
Auto Sales (Used)	ITE Rate	15,823	27.06/TSF	428
Luxury Auto Sales	Luxury Auto Sales City Study	15,823	3.5/TSF	55

Therefore, staff believes the dealership as proposed and conditioned would not result in an increase of traffic trips associated with this land use. The draft conditions of approval would ensure that the use operates under the same characteristics and assumptions made when the application was considered to keep trips low where inventory, hours of operation, and test drives are limited and no service or parts sales are proposed.

Local Coastal Program

The local coastal program defines a change in the intensity of use of land as follows: *“a change in the intensity of use of land which is likely to result in a new, decreased or increased impact due to a lesser or greater level of activity, population density, traffic generation, parking demand, dust, odor, noise, or similar impacts.”*(Emphasis added.)

The proposed vehicle dealership does not result in an impact due to change in the intensity of use from the existing/historical office use that would require a Coastal Development Permit:

- As detailed above, the City Traffic Engineer determined that trip generation would be similar or less than a typical office use.
- There is no increase in the parking rate (63 parking spaces are provided where 42 are required on-site).
- The only physical modification to the existing building is the installation of a roll-up door to provide vehicle access to the showroom.
- Vehicle display would occur entirely within the existing building, similar to a retail sales use. The second floor level would continue to be utilized as administrative offices serving the vehicle dealership.

Therefore, the proposed vehicle sales would not result in a change or intensification of use that would require a Coastal Development Permit.

Pending Newport Village Application and Environmental Review

The Newport Village application and its CEQA review does not preclude consideration of the subject application including its required CEQA review. The subject CUP application

is a separate application with a different applicant from the Newport Village project application. This CUP was submitted by a proposed tenant with authorization from the property owner. The Newport Village application, which includes this property, was submitted by the property owner to consider future redevelopment of this and other adjacent properties. The Newport Village project application is currently incomplete and processing is on hold. The property owner has suggested that the existing building will remain in the Newport Village scope of work. The vehicle sales tenant is aware of the other pending application for this property.

Likewise, approval of the subject application will in no way compromise the Newport Village application review. Should the proposed vehicle sales CUP be approved and should the property owner choose to redevelop the adjacent property (a boat sales and storage business) with a mixed-use development, the compatibility of the subject vehicle sales use would be considered as part of the Site Development Review application and CEQA review for the Newport Village application. [Section 20.48.130 \(Mixed-Use Projects\)](#) of the Zoning Code requires a deed notification to owners and tenants of a residential unit in a mixed-use project acknowledging the urban type of environment resulting from living in an area with potentially higher noise, odor, and outdoor activity levels. Further, the baseline condition under CEQA is normally the conditions existing when the environmental review for a project commences. In this case, the environmental review for the Newport Village project has not yet commenced since the applicant is still in the process of reconsidering the development.

Staff believes the proposed project would clearly qualify for a Class 1 exemption as discussed in the prior staff report and does not result in significant impacts under CEQA and moving forward with this application in no way violates CEQA.

PUBLIC COMMENTS

One additional public comment letter was submitted since the Planning Commission meeting on October 18, 2018, from Peggy Palmer representing The Coalition to Protect Mariners' Mile. Their letter suggests adding a condition of approval that would require the proposed use permit to be rescinded if another development is authorized and additional limitations on the allowed test drive hours. All public comments received are included as Attachment No. PC 5.

PUBLIC NOTICE

This item was continued to a date certain by the Planning Commission at their noticed October 18, 2018 public hearing. Notice for the October 18, 2018, hearing was published in the Daily Pilot, mailed to property owners within 300 feet of the property, and posted at the site a minimum of 10 days in advance of this hearing consistent with the Municipal Code. As part of the original public notice mailing, nearby homeowner's associations including the Newport Heights Improvement Association were sent notices. Additionally,

the item appeared upon the agenda for this meeting, which was posted at City Hall and on the City website.

Prepared by:



Makana Nova
Associate Planner

Submitted by:



Jim Campbell
Deputy Community Development Director

ATTACHMENTS

- PC 1 Updated Draft Resolution with Findings and Conditions
- PC 2 Updated Draft Resolution for Denial
- PC 3 Planning Commission Staff Report from October 18, 2018
- PC 4 Planning Commission draft Minutes from October 18, 2018
- PC 5 Public Comments
- PC 6 Trip Generation supporting data
- PC 7 Applicant's Project Description and Justification
- PC 8 Test Drive Route
- PC 9 Project Plans

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Attachment No. PC 1

Updated Draft Resolution with
Findings and Conditions

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RESOLUTION NO. PC2018-031

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. UP2018-010 FOR A VEHICLE SALES SHOWROOM AND OFFICE LOCATED AT 2244 WEST COAST HIGHWAY (PA2018-166)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Ricky Kwan of Powerhouse Enterprises NB, LLC ("Applicant"), with respect to property located at 2244 West Coast Highway, and legally described as the northeasterly 100.78 feet of the southeasterly 600.78 feet of Lot "A" of Tract No. 919, in the City of Newport Beach, as per map recorded in in Book 29, Pages 31 through 34 of Miscellaneous Maps, in the office of the County Recorder of said County, said 600.78 feet and said 100.78 feet being measured along the northeasterly line of the California State Highway as shown on said map, and the northwesterly line and the southeasterly line of said northwesterly 100.78 feet being parallel with the southeasterly line of said Lot "A", except the northeasterly rectangular 150 feet thereof ("Property").
2. The applicant requests a conditional use permit to allow a 15,823-square-foot vehicle sales showroom and office for pre-owned luxury automobiles with no more than fifteen (15) display vehicles. No exterior vehicle display is proposed. The proposed hours of operation are from 8:00 a.m. and 6:00 p.m., daily. The showroom is available on an appointment only basis. Test drives will not exceed ten (10) test drives per week. If approved, this Conditional Use Permit would supersede Use Permit Nos. UP0251, UP1296, UP1490, and UP2087, which upon vesting of the rights authorized by this Conditional Use Permit, shall become null and void.
3. The subject property is designated MU-H1 (Mixed-Use Horizontal) by the General Plan Land Use Element and is located within the MU-MM (Mixed-Use Mariners' Mile) Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is MU-H (Mixed-Use Horizontal) and it is located within the MU-MM (Mixed-Use Mariners' Mile) Coastal Zone District. The proposed vehicle dealership does not result in a change or intensification of the existing/historical use that would require a Coastal Development Permit. There is no increase in the parking rate. The Public Works Department determined that a Traffic Study is not required to comply with the Traffic Phasing Ordinance. The only physical modification to the existing building is the installation of a roll-up door to provide vehicle access to the showroom. Vehicle display would occur entirely within the existing building, similar to a retail sales use. The second floor level would continue to be utilized as administrative offices serving the vehicle dealership. Therefore, the proposed vehicle sales would not result in a change or intensification of use that would require a Coastal Development Permit.

5. A public hearing was held on October 18, 2018 and November 8, 2018, in the Council Chambers located at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code ("NBMC"). Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project has been determined to be categorically exempt as Class 1 (Existing Facilities) under the requirements of the California Environmental Quality Act ("CEQA") Regulation Section 15301.
2. The Class 1 exemption includes the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The proposed project includes exterior and interior improvements to convert an office building to a vehicle sales showroom with supporting offices and involves no expansion in floor area.
3. The exceptions to this categorical exemption under CEQA Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

In accordance with NBMC [Subsection 20.52.020\(F\) \(Use Permit, Required Findings\)](#), the following findings and facts in support of such findings are set forth:

Finding:

- A. *The use is consistent with the General Plan and any applicable specific plan.*

Facts in Support of Finding:

1. The General Plan land use designation for this site is MU-H1 (Mixed-Use Horizontal). The MU-H1 designation can be found for properties located on the inland side of Coast Highway in the Mariners' Mile Corridor, (a) the Coast Highway frontages shall be developed for marine-related and highway-oriented general commercial uses in accordance with CM and CG designations; and (b) portions of properties to the rear of the commercial frontage may be developed for free-standing neighborhood-serving retail, multi-family residential units, or mixed-use buildings that integrate residential with retail uses on the ground floor in accordance with the CN, RM, CV, or MU-V designations respectively. Based on its size and design, with all inventory located within the interior

showroom and no on-site maintenance or repair facilitates, this vehicle sales use is similar to a retail land use and is consistent with this MU-H1 and the CG land use designations.

2. The proposed project application will not result in an increase in floor area and the project is consistent with the Land Use Element development limitations. The existing building is 15,823 square feet and the subject property is 41,348 square feet resulting in a floor area ratio (FAR) of 0.37, which is consistent with the 0.5 nonresidential FAR maximum for the site.
3. The subject property is not part of a specific plan area.

Finding:

- B. The use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning Code and the Municipal Code.*

Facts in Support of Finding:

1. The site is located in the MU-MM (Mixed-Use Mariners' Mile) Zoning District. This zoning district applies to properties located on the inland side of Coast Highway in the Mariners' Mile Corridor. Properties fronting on Coast Highway may be developed for nonresidential uses only. Vehicle sales are allowed as a conditionally permitted use within this district to ensure site compatibility.
2. The proposed vehicles sales use complies with all applicable parking and development standards, including landscaping, building height, floor area ratio, and setbacks.
3. A total of 42 parking spaces are required (Vehicle Sales rate of 1/1,000 square feet of lot area) where 63 parking spaces are available for the existing building. In this case, the property consists of 41,348 square feet; therefore, 42 spaces are required. The previous use, a 15,823-square-foot office building, generated a parking requirement of one space per 250 square feet, or 62 spaces.
4. The Public Works Department has reviewed the proposed operational characteristics and determined that a Traffic Study is not required to comply with the Traffic Phasing Ordinance.
5. The proposed use and project design is consistent with the Mariner's Mile Strategic Vision and Design Framework because it provides a highway-oriented general commercial use on the Coast Highway frontage that is compatible with the surrounding general commercial retail and service businesses. Additionally, it is consistent with the architectural and landscaping polices and goals of the Vision and Design Framework.

Finding:

- C. *The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.*

Facts in Support of Finding:

1. The proposed project includes conditions of approval to prohibit the more intense operations associated with vehicle sales, such as maintenance, repair, and installation of related equipment and parts. This will help ensure that the use remains compatible with nearby office, motel, and residential uses in the area.
2. The design and operation of the proposed vehicle sales dealership is similar to a retail store. Traditional vehicle dealerships are typically comprised of a showroom and large outdoor areas for the display and storage of vehicles and service areas for maintenance and repairs. The proposed vehicle sales use does not incorporate outdoor display.
3. Several specialty vehicle sales dealerships, including Ferrari, Maserati, Phillips Auto, and McLaren, in addition to boat and yacht sales facilities are located along the inland side of the Mariner's Mile corridor. These types of facilities are consistent with General Plan designations and are compatible with other allowed uses in the area. The proposed vehicle sales use will maintain similar hours and characteristics of the existing office building and other vehicle dealerships located along Mariner's Mile.
4. The expanded dealership will improve and revitalize the existing vacant office building and the surrounding area.

Finding:

- D. *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.*

Facts in Support of Finding:

1. The vehicle sales use with a showroom on the first floor and supporting offices on the second floor of the existing commercial building is similar to retail and office uses. The design, size, location, and operating characteristics of the use are compatible with the surrounding retail and service land uses.
2. Adequate public and emergency vehicle access, public services, and utilities are provided to the subject property. Any additional utility upgrades or safety requirements specific to the display of motor vehicles will be required at plan check. The site is sufficient to accommodate vehicle loading on site.
3. The proposed project is conditioned to prohibit the more intense operations associated with vehicle sales and is therefore suitable to occupy the existing commercial tenant space.

4. The tenant improvements to the project site will comply with all Building, Public Works, and Fire Codes. The project will comply with all ordinances of the City and all conditions of approval.

Finding:

- E. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

Facts in Support of Finding:

1. The proposed use would be limited to sales of vehicles only, with no additional inventory, outdoor storage, maintenance, or repair of vehicles on-site.
2. The delivery or pick-up of vehicles will not be allowed on West Coast Highway and delivery will take place directly on-site. Due to the relatively small size of the dealership, delivery of vehicles is expected to be less frequent than a traditional dealership.
3. The project has been reviewed and includes conditions of approval to ensure that potential conflicts with the surrounding land uses are minimized to the greatest extent possible.
4. That the design of the development will not conflict with any easements acquired by the public at large for access through or use of property within the proposed development.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Planning Commission of the City of Newport Beach hereby approves Conditional Use Permit No. UP2018-010 (PA2018-166), subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. This resolution supersedes UP0251, UP1296, UP1490, and UP2087, which upon vesting of the rights authorized by this Conditional Use Permit, shall become null and void.

PASSED, APPROVED, AND ADOPTED THIS 8TH DAY OF NOVEMBER, 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

BY: _____
Peter Zak, Chairman

BY: _____
Lee Lowrey, Secretary

EXHIBIT “A”**CONDITIONS OF APPROVAL**
*(Project-specific conditions are in italics)***PLANNING**

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval. (Except as modified by applicable conditions of approval.)
2. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
3. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Use Permit.
4. *All proposed signs shall be in conformance with any approved Comprehensive Sign Program for the project site and provisions of NBMC Chapter 20.42 (Signs).*
5. *Conditional Use Permit No. UP2018-010 shall expire unless exercised within 24 months from the date of approval as specified in NBMC Section 20.54.060 (Time Limits and Exceptions), unless an extension is otherwise granted.*
6. *The hours of operation shall be limited from 8:00 a.m. to 6:00 p.m., daily. The retail vehicle showroom shall be available on an appointment only basis as identified in the business plan.*
7. *The test drive route shall be approved by the City Traffic Engineer and any changes shall require City Traffic Engineer approval. Test driving of vehicles shall adhere to the approved test driving route and shall be prohibited on all residential streets. The business shall adhere to a maximum of ten (10) test drives per week as indicated in their business plan. The business shall maintain a test drive log indicating the vehicle make/model, date, and time of test drives and the applicant shall produce a copy to the Community Development Director upon request.*
8. *Retail vehicle display shall be limited to fifteen (15) vehicles located within the interior of the first floor level of the existing commercial building. Vehicle display or storage is not permitted in the outdoor parking areas.*
9. *Vehicle maintenance, service, repair, or washing shall not occur on-site.*
10. *No outside paging system shall be utilized in conjunction with this establishment.*

11. *Vehicle deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and Saturdays and between the hours of 10:00 p.m. and 9:00 a.m. on Sundays and Federal holidays, unless otherwise approved by the Director of Community Development, and may require an amendment to this Use Permit.*
12. *The delivery or pick-up of vehicles shall not occur on West Coast Highway and shall occur directly on-site. No vehicles, including trash trucks and vehicle delivery trucks, can back out of the site onto West Coast Highway.*
13. *The planter areas opposite the existing ADA stalls shall be removed to provide a minimum 24-foot side drive aisle width. The loss of these planting areas shall be off-set by the planting of a 4-foot wide hedge and three (3) Washingtonia filifera palms with a minimum 8-foot high brown trunk height adjacent to the front of the property along West Coast Highway.*
14. *Storage outside of the building in the front or at the rear of the property shall be prohibited, with the exception of the required trash container enclosure.*
15. *Mechanical equipment, screening, and the roof paint color shall be architecturally compatible with the existing building and shall maintain the existing gray roof color or another color to the satisfaction of the Community Development Director.*
16. This Conditional Use Permit may be modified or revoked by the Planning Commission should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
17. Any change in operational characteristics, expansion in area, or other modification to the approved plans, shall require an amendment to this Conditional Use Permit or the processing of a new Conditional Use Permit.
18. A copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
19. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
20. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.

21. All trash shall be stored within the building or within dumpsters stored in the trash enclosure (three walls and a self-latching gate) or otherwise screened from view of neighboring properties, except when placed for pick-up by refuse collection agencies. The trash enclosure shall have a decorative solid roof for aesthetic and screening purposes.
22. The applicant shall ensure that the trash dumpsters and/or receptacles are maintained to control odors. This may include the provision of either fully self-contained dumpsters or periodic steam cleaning of the dumpsters, if deemed necessary by the Planning Division. Cleaning and maintenance of trash dumpsters shall be done in compliance with the provisions of Title 14, including all future amendments (including Water Quality related requirements).
23. The exterior of the business shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter debris and graffiti from the premises and on all abutting sidewalks within 20 feet of the premises.
24. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the NBMC to require such permits.
25. 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 Powerhouse Vehicle Sales including, but not limited to, Conditional Use Permit No. UP2018-010 (PA2018-166). 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.

Fire Department Conditions

26. *As per California Fire Code Section 314.4 Vehicles, liquid-or gas-fueled vehicles, boats, or other motorcraft shall not be located indoors except as follows:*
 - a. *Batteries are disconnected.*
 - b. *Fuel in fuel tanks does not exceed one-quarter tank or five (5) gallons (whichever is least).*
 - c. *Fuel in fuel tanks and fill openings are closed and sealed to prevent tampering.*

- d. Vehicles, boats, or other motor craft equipment are not fueled or defueled within the buildings.*

Building Division Conditions

27. The applicant is required to obtain all applicable permits from the City's Building Division and Fire Department. The construction plans must comply with the most recent, City-adopted version of the California Building Code.
28. The construction plans must meet all applicable State Disabilities Access requirements. Accessible parking shall be located at the closest possible route to building entrances.
29. *The exit access stairways shall comply with California Building Code Section 1019.*
30. *The exterior exit stairs shall comply with California Building Code Section 1027.*
31. *If the second floor office area will be open to the public as part of the vehicle sales business, an accessible route to the second floor shall be provided if the project does not meet an exemption per Section 11B-202.4 or 11B-206.2.3 of the California Building Code.*

Public Works Conditions

32. *Prior to the issuance of building permits for tenant improvements, the parking layout shall be revised per City Standard STD-805-L-A and STD-805-L-B. Drive aisles shall be a minimum of 24-foot wide when adjacent to 9-foot wide parking stall. Parking stalls that are 8-foot 6 inches wide shall have a minimum drive aisle of 26 feet.*
33. *The vehicle sales showroom shall be available on an appointment only basis.*
34. *Landscaping and signage shall be located so as not to impede vehicular sight distance per City Standard STD-110-L and to the satisfaction of the City Traffic Engineer.*
35. *All above ground permanent improvements, such as signs, backflow assemblies, etc. within the existing 12-foot wide street easement along the project frontage of West Coast Highway shall be relocated at the owner's expense upon the widening of West Coast Highway.*
36. *No planting with substantial root systems shall be installed within the existing Utility and Storm Drain Easement within the site. Any existing planting with substantial root systems within the Utility and Storm Drain easement shall be removed prior to the final of building permits for tenant improvements.*
37. *Prior to the final of building permits for tenant improvements, a new accessible compliant driveway approach shall be installed along the West Coast Highway frontage.*

38. *The applicant shall obtain a Caltrans encroachment permit for all work within the West Coast Highway right-of-way.*
39. *All improvements shall be constructed as required by Ordinance and the Public Works Department.*

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Attachment No. PC 2

Updated Draft Resolution for Denial

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RESOLUTION NO. PC2018-031

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH, CALIFORNIA, DENYING CONDITIONAL USE PERMIT NO. UP2018-010 FOR A VEHICLE SALES SHOWROOM AND OFFICE LOCATED AT 2244 WEST COAST HIGHWAY (PA2018-166)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Ricky Kwan of Powerhouse Enterprises NB, LLC (“Applicant”), with respect to property located at 2244 West Coast Highway, and legally described as the northeasterly 100.78 feet of the southeasterly 600.78 feet of Lot “A” of Tract No. 919, in the City of Newport Beach, as per map recorded in in Book 29, Pages 31 through 34 of Miscellaneous Maps, in the office of the County Recorder of said County, said 600.78 feet and said 100.78 feet being measured along the northeasterly line of the California State Highway as shown on said map, and the northwesterly line and the southeasterly line of said northwesterly 100.78 feet being parallel with the southeasterly line of said Lot “A”, except the northeasterly rectangular 150 feet thereof (“Property”).
2. The Applicant requests a conditional use permit to allow a 15,823-square-foot vehicle sales showroom and office for pre-owned luxury automobiles with no more than fifteen (15) display vehicles. No exterior vehicle display is proposed. The proposed hours of operation are from 8:00 a.m. and 6:00 p.m., daily. The showroom is available on an appointment only basis. Test drives will not exceed ten (10) test drives per week. If approved, this Conditional Use Permit would supersede Use Permit Nos. UP0251, UP1296, UP1490, and UP2087, which upon vesting of the rights authorized by this Conditional Use Permit, shall become null and void.
3. The subject property is designated MU-H1 (Mixed-Use Horizontal) by the General Plan Land Use Element and is located within the MU-MM (Mixed-Use Mariners’ Mile) Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is MU-H (Mixed-Use Horizontal) and it is located within the MU-MM (Mixed-Use Mariners’ Mile) Coastal Zone District.
5. A public hearing was held on October 18, 2018 and November 8, 2018, in the Council Chambers located at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code (“NBMC”). Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. Pursuant to Section 15270 of the California Environmental Quality Act (CEQA) Guidelines, projects which a public agency rejects or disapproves are not subject to CEQA review.

SECTION 3. REQUIRED FINDINGS.

The Planning Commission may approve a Conditional Use Permit only after making each of the required findings set forth in [Section 20.52.020 \(Conditional and Minor Use Permits\)](#). In this case, the Planning Commission was unable to make the required findings based upon the following:

1. The Planning Commission determined, in this case, that the proposed use permit for a vehicle sales showroom and office is inconsistent with purpose and intent of NBMC Section 20.52.020 (Conditional Use Permits and Minor Use Permits) because the use is not compatible with allowed uses in the vicinity.
2. The Planning Commission determined, in this case, that the site is not physically suitable in terms of design, location, shape, size, operating characteristics for a vehicle sales showroom and office.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Planning Commission of the City of Newport Beach hereby denies Conditional Use Permit No. UP2018-010 (PA2018-166).
2. This action shall become final and effective fourteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 8TH DAY OF NOVEMBER, 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

BY: _____
Peter Zak, Chairman

BY: _____
Lee Lowry, Secretary

Attachment No. PC 3

Planning Commission Staff Report
October 18, 2018

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CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT

October 18, 2018
Agenda Item No. 6

SUBJECT: Powerhouse Vehicle Sales (PA2018-166)
Conditional Use Permit No. UP2018-010

SITE LOCATION: 2244 West Coast Highway

APPLICANT: Powerhouse Enterprises NB, LLC.

OWNER: Mariner's Mile North LLC.

PLANNER: Makana Nova, Associate Planner
949-644-3249, mnova@newportbeachca.gov

PROJECT SUMMARY

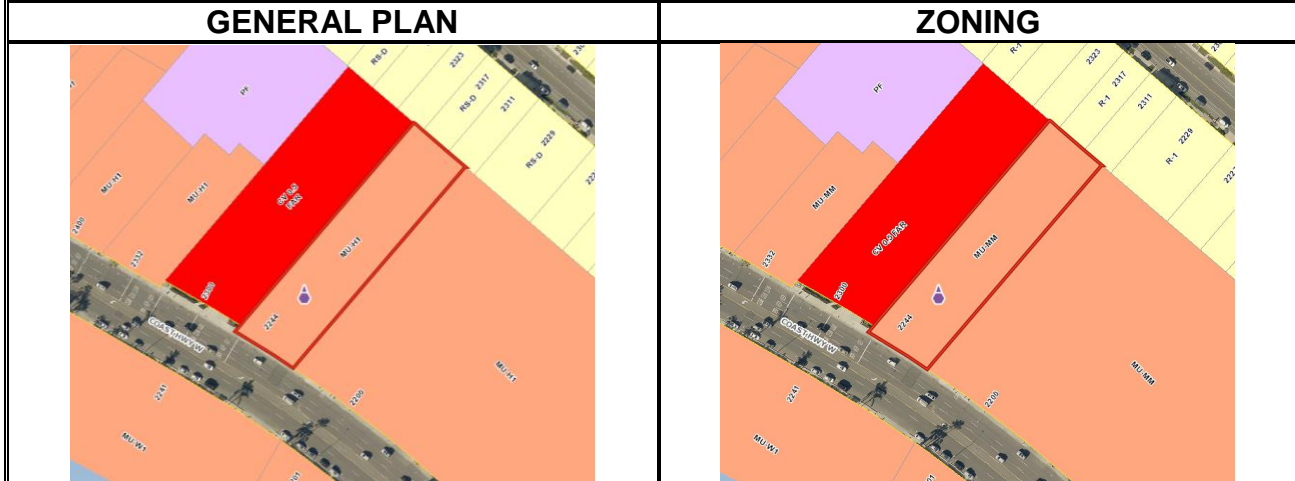
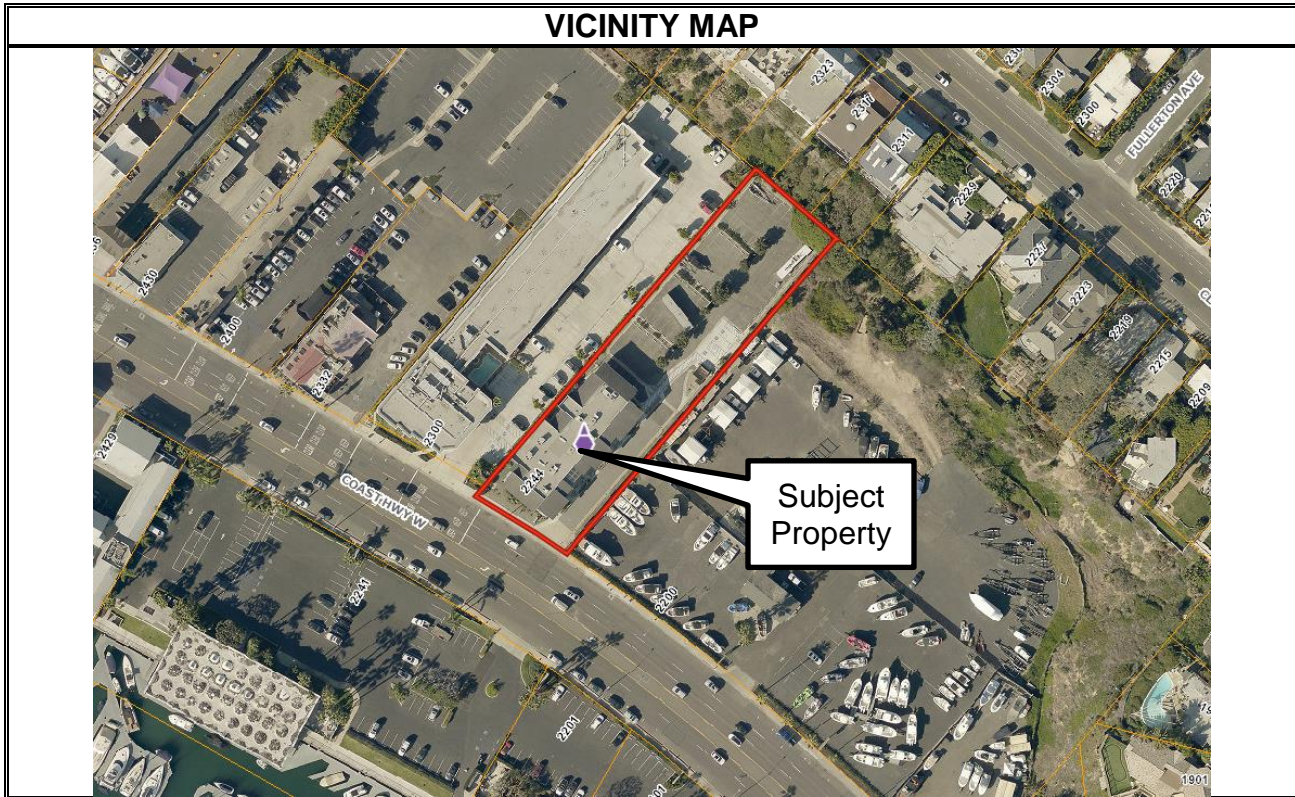
A conditional use permit to allow a 15,823-square-foot vehicle sales showroom and supporting office in an existing commercial building for pre-owned luxury automobiles with no more than 15 display vehicles. No exterior vehicle display is proposed. The proposed hours of operation are from 8:00 a.m. through 6:00 p.m., daily. Test drives are not will not exceed 10 test drives per week.

If approved, this Conditional Use Permit would supersede Use Permit No. UP0251, UP1296, UP1490, and UP2087, which upon vesting of the rights authorized by this Conditional Use Permit, shall become null and void.

RECOMMENDATION

- 1) Conduct a public hearing;
- 2) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
- 3) Adopt Resolution No. PC2018-031 approving Conditional Use Permit No. UP2018-010 (Attachment No. PC 1).

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LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	MU-H1 (Mixed-Use Horizontal)	MU-MM (Mixed-Use Mariners' Mile)	Vacant office building
NORTH	RS-D (Single Unit Residential Detached)	R-1 (Single-Unit Residential)	Single-unit residential dwellings
SOUTH	MU-W1 (Mixed-Use Water Related)	MU-W1 (Mixed-Use Water Related)	Retail and office buildings
EAST	MU-H1 (Mixed-Use Horizontal)	MU-MM (Mixed-Use Mariners' Mile)	Boat sales and storage
WEST	CV (Visitor-Serving Commercial)	CV (Commercial Visitor-Serving)	Motel (Holiday Inn)

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INTRODUCTION

Setting and Project Description

The project site consists of a 41,348-square-foot property located on the northerly side of West Coast Highway, east of the Holiday Inn Express. The site is developed with a 2-story, 15,823-square-foot vacant office building with a 63-space surface parking lot. Vehicular access is provided from one driveway accessed from West Coast Highway.

The applicant requests use of the building as a luxury automobile showroom with a maximum of 15, pre-owned vehicles for sale. Refer to the applicant's project description and justification for a more complete description of the proposed use (Attachment No. PC 3). A showroom and interior display for up to 15 vehicles would occupy the first floor level and the second floor would be limited to office uses. The use would not contain facilities for the maintenance or repair of vehicles. The recommended hours of operation are from 8:00 a.m. through 6:00 p.m., daily. The showroom is available on an appointment only basis. Test drives will not exceed 10 test drives per week. Refer to the proposed test drive route exhibit provided as Attachment No. PC 4.

The existing building would be renovated with roll-up doors on the first floor level that are large enough to move inventory in and out of the showroom. No expansion or additional floor area is proposed. The exterior roll-up door would be designed to match the design and finish of the existing window openings.

Background

The existing 15,823-square-foot retail and office building was constructed in 1982. If approved, this Conditional Use Permit would supersede Use Permit No. UP0251 (for a trailer park), UP1296 (for a mobile marine repair shop), UP1490 (for boat sales and display), and UP2087 (for general office uses on the second floor level, which do not provide direct services to the public), which upon vesting of the rights authorized by this Conditional Use Permit, shall become null and void. These approvals are no longer relevant to the existing development on-site or are already permitted per the current zoning district.

The subject property is also included in a current application submitted on December 4, 2017, for redevelopment of the property as part of the 11.3-acre Newport Village Mixed-Use project located along the north and south of West Coast Highway. The applications for an Approval in Concept, Coastal Development Permit, Conditional Use Permit, Environmental Impact Report, Site Development Review, Tentative Tract Map, and Traffic Study (PA2017-253) remain incomplete as the project applicant reconsiders the scope of the project. If approved, the proposed use permit will run with the land and will be rescinded if a redevelopment of the property is authorized in the future.

DISCUSSION

Consistency with the General Plan

The General Plan land use designation for this site is MU-H1 (Mixed-Use Horizontal). The MU-H1 designation can be found for properties located on the inland side of Coast Highway in the Mariners' Mile Corridor. The MU-HH is intended to allow the following development: (a) the Coast Highway frontages shall be developed for marine-related and highway-oriented general commercial uses in accordance with CM and CG designations; and (b) portions of properties to the rear of the commercial frontage may be developed for free-standing neighborhood-serving retail, multi-family residential units, or mixed-use buildings that integrate residential with retail uses on the ground floor in accordance with the CN, RM, CV, or MU-V designations respectively. Based on its size and design, with all inventory located within the interior showroom and no on-site maintenance or repair facilities, the vehicle sales use is similar to a retail land use and is consistent with this MU-H1 and the CG land use designations. Therefore, the proposed project is consistent with the Land Use Element development limitations.

Consistency with the Zoning Code

The site is located in the MU-MM (Mixed-Use Mariners' Mile) Zoning District. This zoning district applies to properties located on the inland side of Coast Highway in the Mariners' Mile Corridor. Properties fronting on Coast Highway may be developed for nonresidential uses only. Vehicle Sales is a nonresidential use and is allowed as a conditionally permitted use subject to obtaining a conditional use permit pursuant to [Section 20.23.020 Mixed-Use Districts](#) of the Newport Beach Municipal Code (NBMC) to ensure site compatibility.

The existing building is 15,823 square feet and the subject property is 41,348 square feet resulting in a floor area ratio (FAR) of 0.37, which is consistent with the 0.5 nonresidential FAR maximum for the site. The existing building height is 24 feet high, which complies with the 26-foot height limit in the MU-MM zoning district.

Parking Requirement

The off-street parking requirement for Vehicle/Equipment Sales is one space per 1,000 square feet of lot area. In this case, the property consists of 41,348 square feet; therefore, 42 spaces are required. The previous use, a 15,823-square-foot office building, generated a parking requirement of one space per 250 square feet, or 62 spaces. No intensification or enlargement of the existing building is proposed; therefore, no additional parking is required to accommodate the proposed vehicle dealership. A total of 42 parking spaces are required where 63 parking spaces are available for the existing building. To make the drive-aisle widths comply near the ADA parking stalls, a portion of the planter area opposite these stalls would be removed to provide a 24-foot minimum width. The loss of

these planting areas would be off-set with new plantings at the front along the West Coast Highway frontage.

Traffic Analysis

The Public Works Department has reviewed the proposed operational characteristics and determined that a Traffic Study is not required to comply with the [Chapter 15.40 \(Traffic Phasing Ordinance\)](#) of the Newport Beach Municipal Code. The renovated building was previously occupied by an office building, which generated 150 average daily trips (ADT) (15.41 thousand square feet (TSF) x 9.74 ITE trip rate/TSF = 150 ADT). The proposed vehicles sales use generates 417 ADT (15.41 TSF x 27.06 ITE trip rate/TSF = 417 ADT), or 267 additional average daily trips. The threshold to require a traffic study is a net increase of 300 or more average daily trips and thus, a traffic study is not required to accommodate vehicle sales at this site. Further, the operational characteristics of this vehicle sales use suggests reduced trip generation than a typical automobile dealership since the site inventory is limited, the business is will operate on an appointment only basis, and no repair and maintenance services are provided.

Coastal Land Use Plan

The subject property is located within the coastal zone. The Coastal Land Use Plan category is MU-H (Mixed-Use Horizontal) and it is located within the MU-MM (Mixed-Use Mariners' Mile) Coastal Zone District. The proposed vehicle dealership does not result in a change or intensification of the existing/historical use that would require a Coastal Development Permit. There is no increase in the parking rate, building floor area, or building height. Despite the potential increase in traffic, the City Traffic Engineer has determined that there would be no impact to intensification and roadways by applying the Traffic Phasing Ordinance. The only physical modification to the existing building is the installation of a roll-up door to provide vehicle access to the showroom. Vehicle display would occur entirely within the building, similar to a retail sales use. The second floor level would continue to be utilized as administrative offices serving the vehicle dealership. Therefore, the proposed use would not result in a change or intensification of use that would require a Coastal Development Permit.

Mariners' Mile Design Framework and Guidelines

The [Mariners' Mile Strategic Vision and Design Framework](#) provides a set of design strategies and goals for the improvement of Mariners' Mile. The following design policies are applicable to the proposed project:

- 1.11 Recognize the auto-reliant nature of much of Pacific Coast Highway, particularly on those zones on the inland side, both east of Rocky Point and west of 3000 West Pacific Coast Highway.

- 1.12 Institute improved planning, design and development standards for auto-oriented businesses (i.e. requiring better quality buildings and landscaping to “fit in” with Mariner’s Mile).

5.11(c)Design freestanding buildings as “five-sided” walls + roof.

The proposed project is not located in the specific auto-reliant areas identified in Policy 1.11. However, the proposed project would add to the “auto-reliant” uses (auto dealers, drive-thru and stand-alone restaurants, car washes, and convenience retail) of Mariners’ Mile. The use will be limited to the display and sale of vehicles within a building designed for traditional office and does not present the types of impacts associated with traditional automobile use dealerships such as inventory/storage, exterior display, and maintenance and repair facilities.

The Design Framework suggests a common color palette (calm neutrals with accenting trim) to create a less discordant, more tasteful and sophisticated appearance. The proposed project includes minor improvements to the exterior of the building to accommodate a new tempered glass roll-up door for vehicle access to the showroom. The existing neutral grey colors of the building are consistent with the Design Framework. Existing landscaping would be maintained on-site and a new 4-foot wide hedge and three palms (*Washingtonia filifera*) would be added to enhance the front of the property along West Coast Highway consistent with the Design Framework. The Design Framework also encourages 5-sided architecture where the design considers the roof and impacts to residents above. Roof-top equipment is adequately screened from the ground with the existing roof design. The draft resolution includes a condition of approval to maintain the existing gray roof color or other color to the satisfaction of the Community Development Director so that mechanical equipment, screening, and paint color are architecturally compatible with the existing building and does not result in a light or glare concern for residents above.

Conditional Use Permit Findings

In accordance with [Section 20.52.020 \(Conditional Use Permits and Minor Use Permits\)](#) of the NBMC, the Planning Commission must make the following findings for approval of a conditional use permit:

1. *The use is consistent with the General Plan and any applicable specific plan.*
2. *The use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning Code and the Municipal Code.*
3. *The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.*

4. *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.*
5. *Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

Staff believes sufficient facts exist to support each finding. The vehicle sales use is consistent with the MU-H1 (Mixed-Use Horizontal) General Plan land use category and is a conditionally permitted use in the MU-MM (Mixed-Use Mariners' Mile) zoning district. In this particular case, the proposed use is similar to a retail use and lacks the service repair bays, parts store, and on-site vehicle inventory storage typically associated with auto dealerships. Additionally, several specialty vehicle sales dealerships, including Ferrari, Maserati, Phillips Auto, and McLaren, in addition to boat and yacht sales facilities are located along the inland side of the Mariners' Mile corridor. The proposed retail vehicles sales dealership will operate in a similar manner to these existing businesses and will be compatible with nearby residential properties.

The following conditions of approval have been included in the draft resolution (Attachment No. PC 1) to ensure that the establishment is compatible with surrounding land uses, that more intense operations associated with vehicles sales such as exterior inventory storage and service/maintenance are not permitted, and that the use remains consistent with the business plan submitted with this application:

- Limits the number of vehicles to 15 vehicles displayed within the existing building.
- Prohibits vehicle display or storage in outdoor parking areas.
- Hours of operation from 8:00 a.m. through 6:00 p.m., daily, which is similar to existing retail/office uses authorized for the site.
- Test drives are limited to 10 per week so that the use is commensurate with the prior office uses does not result in undue noise nuisances to nearby residential property owners located along Cliff Drive.
- Vehicle maintenance and repair will not be permitted on-site.
- All vehicle deliveries will be required to occur on-site via flatbed truck so that traffic circulation on West Coast Highway is not impacted.
- The Building Division and Public Works Department have included conditions of approval requiring some site and building design modifications in the tenant improvement plans for ADA accessibility.

The site provides adequate public and emergency access and the low inventory nature of the proposed use suggests the operation will be compatible with the other uses in the Mariners' Mile area. The proposed retail vehicle sales will provide an economic

opportunity for the property owner to update the office tenant space and provide additional services to employees, residents, and visitors.

Alternatives

The following alternatives are available to the Planning Commission should they feel the facts are not enough evidence to support the project application:

1. The Planning Commission may suggest specific operational changes that are necessary to alleviate any concerns. If any additional requested changes are substantial, the item could be continued to a future meeting. Should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions.
2. If the Planning Commission believes that the facts to support the findings for approval are insufficient, the Planning Commission should deny the application and provide facts in support of denial to be included in the attached draft resolution for denial (Attachment No. PC 2).

Environmental Review

Staff recommends that the Planning Commission find the project is categorically exempt under Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Facilities). The Class 1 exemption includes the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The proposed project includes exterior and interior improvements to convert an office building to a vehicle sales showroom with supporting offices and involves no expansion in floor area.

Public Notice

Notice of this hearing was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant and posted on the subject property at least 10 days before the scheduled meeting, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

Prepared by:



Makana Nova
Associate Planner

Submitted by:



Jim Campbell
Deputy Community Development Director

ATTACHMENTS

- ~~PC 1 Draft Resolution with Findings and Conditions~~
- ~~PC 2 Draft Resolution for Denial~~
- ~~PC 3 Applicant's Project Description and Justification~~
- ~~PC 4 Test Drive Route~~
- ~~PC 5 Project Plans~~

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Attachment No. PC 4

Planning Commission draft Minutes
October 18, 2018

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In response to Vice Chair Weigand's query, Assistant Planner Westmoreland advised that with another one-year review, staff would review all conditions of approval for the dealership operations.

Motion made by Commissioner Kramer and seconded by Vice Chair Weigand to amend the site plan to reflect the current condition and to require an additional one-year review to confirm compliance with refuse and outdoor storage conditions.

AYES: Zak, Weigand, Kleiman, Koetting, Kramer, Lowrey
NOES: None
ABSTAIN: None
ABSENT: None

IX. PUBLIC HEARING ITEMS

ITEM NO. 6 POWERHOUSE VEHICLE SALES CUP (PA2018-166)

Site Location: 2244 West Coast Highway

Summary:

A Conditional Use Permit to allow a 15,823-square-foot vehicle sales showroom and supporting office for pre-owned luxury automobiles with approximately 15 display vehicles. No exterior vehicle display is proposed. The proposed hours of operation are from 8:00 a.m. through 6:00 p.m., daily. Test drives are not anticipated to exceed 10 test drives per week. If approved, this Conditional Use Permit would supersede previously approved Use Permit Nos. UP0251, UP1296, UP1490, and UP2087, which upon vesting of the rights authorized by the subject application, shall become null and void.

Recommended Action:

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Resolution No. PC2018-031 approving Conditional Use Permit No. UP2018-010.

Associate Planner, Makana Nova, reported the showroom will be located on the first floor with office uses on the second floor. Staff proposes allowing a maximum of 15 display vehicles in the showroom where the floor plans show a maximum of 12 vehicles. There is no exterior vehicle storage or display. No vehicle repair is proposed as part of the application. The proposed hours of operation are similar to the existing office uses, 8:00 a.m. to 6:00 p.m., daily, and customers will be seen primarily on an appointment-only basis. The applicant proposes a maximum of 10 test drives per week. Land uses designated for the property are mixed-use, and residential uses are located north of the site. Land use compatibility was a key consideration in staff's review of the application. There are 63 parking spaces on-site, and the parking requirement for the proposed use is 42 parking spaces. When reviewing the application, the Building Division and Public Works Department noted the drive aisle behind the ADA parking stalls is less than 24 feet wide. Some of the landscape areas opposite the parking areas would have to be removed to accommodate a 24-foot-wide drive aisle. To offset the removal of landscape, landscaping would be added at the front of the building, including a 3-foot-wide hedge and 3 palm trees in keeping with the guidelines set forth in the Mariners' Mile Strategic Vision and Design Framework. The Public Works Department requests the drive apron at the front of the main entrance off Coast Highway be replaced to comply with ADA standards, which would require an encroachment permit. The existing use permits on the site are outdated because they are based on prior development of the site; thus, staff has determined the use permits are no longer relevant and should be rescinded. A roll-up door would be installed in the existing window area to provide access for display vehicles. The draft conditions of approval prohibit test drives on residential streets and require a log of test drives that would have to be made available upon staff's request. Staff has determined the project is categorically exempt under Class 1 of the California Environmental Quality Act Guidelines. If approved, the use permit would become effective on November 1, 2018. If no appeal is filed, the applicant could proceed with tenant improvements, permitting and construction.

Vice Chair Weigand suggested continuing the item to the next Planning Commission meeting to ensure site compatibility of a car dealership with potential mixed-use development, including residential units, which is planned for the adjacent property. Vice Chair Weigand wanted to be sure the use is permissible under the

General Plan and to allow time for the property owner and residents to discuss potential development of the adjacent property.

In response to Commissioners' questions, Associate Planner Nova advised that the dealership site is included in the Newport Village application, which is currently an incomplete application. The applicant is reconsidering the scope of the Newport Village project. Staff is aware of the meeting between the property owner and several residents scheduled for the following week. Mariners' Mile North LLC is the property owner, and the manager of the LLC is Manouch Moshayedi. Community Development Director Jurjis added that the City is not a party to the meeting between the property owner and residents. If the Commission wishes to continue the item, it could be continued to November 8th.

In response to Commissioner Koetting's inquiry, Associate Planner Nova noted that the applicant has indicated that vehicles will be brought to the site via flatbed truck, rather than tractor-trailer style transport trucks.

In reply to Commissioner Kleiman's inquiries related to the proposal to continue the item, Chair Zak believed the purpose of continuing the item is to allow as much public outreach as possible. The Commission probably will not get a full picture of the ultimate project proposed for the adjacent site for quite some time. Vice Chair Weigand added that a number of residents had contacted him to request the item be continued.

Chair Zak opened the public hearing.

Jim Mosher noted the staff report implies that the conditional use permit for vehicle sales may be rescinded if the Newport Village proposal is adopted; however, that is not reflected in the resolution. He did not believe approval of the application would be consistent with the Mariners' Mile Strategic Vision and Design Framework, even though staff pointed out that the project does not look quite like an auto dealership. The finding that the project does not need a coastal development permit, because the project does not increase the intensity of use, should be reconsidered because the number of trips to and from the property would increase from 150 to 417 per day.

Sandra Ayers supported the Planning Commission continuing the item. This project does not further the goal of maintaining the nautical spirit along Mariners' Mile. The proposed conditional use permit is outside the defined uses for the site along Coast Highway. The Newport Heights Association was not informed of the conditional use permit application. There are Local Coastal Program and California Environmental Quality Act concerns. The Newport Village project should be reviewed in its entirety. Residents have asked the developer if the proposed use would change in the future and received a response that there were no plans in the works.

Chair Zak closed the public hearing.

In answer to Commissioner Koetting's queries, City Traffic Engineer Tony Brine explained that the 417 trips is based on the trip rate for a typical auto sales lot, but the proposed business is not a typical auto sales lot. The number is misleading and overstates the increase in trips. Associate Planner Nova related that staff worked on a series of community meetings for the Mariners' Mile Revitalization Master Plan during the prior year, but that effort was put on hold to consider it as part of the anticipated General Plan update. The General Plan, Zoning Code, and Coastal Land Use Plan standards apply to the project. The Mariners' Mile Strategic Vision and Design Framework is a set of guidelines and objectives for the area but do not set specific code or development standards. The Zoning Code allows vehicle sales in this particular zone, on this particular lot, as a conditionally permitted use.

Commissioner Kramer remarked that the Commission cannot wait years for the General Plan to be updated and that they have a duty to take action on the application before them. The Commission must consider the current General Plan and Zoning Code regulations, in place, when reviewing the application and the current regulations in place allow for the proposed use. This is a cosmopolitan city and this is a local location for a luxury car dealership to occur in Mariners' Mile. He noted his support for the applicant's request when it comes time to take action on the application.

Vice Chair Weigand disclosed ex parte communications with residents. The remaining Commissioners disclosed no ex parte communications.

Motion made by Vice Chair Weigand and seconded by Chair Zak to continue the item to November 8, 2018.

AYES: Zak, Weigand, Kleiman, Koetting, Kramer, Lowrey
NOES: None
RECUSED: None
ABSENT: None

X. STAFF AND COMMISSIONER ITEMS

ITEM NO. 7 MOTION FOR RECONSIDERATION

None

ITEM NO. 8 REPORT BY THE COMMUNITY DEVELOPMENT DIRECTOR OR REQUEST FOR MATTERS WHICH A PLANNING COMMISSION MEMBER WOULD LIKE PLACED ON A FUTURE AGENDA.

Commissioner Koetting commented that it is important for the applicant and/or a representative of the property owner to be present. Associate Planner Nova advised that the applicant and his representative were present for Item 6. Chair Zak added that neither the applicant nor his representative chose to speak during the public hearing.

Jim Mosher stated the City received 17 applications for the vacant seat on the Planning Commission. A City Council subcommittee will select five of the 17 applicants.

Community Development Director Jurjis interrupted Mr. Mosher and advised that his comments did not pertain to this particular agenda item.

Chair Zak requested staff update the Commission at the next meeting regarding the vacant seat on the Commission.

ITEM NO. 9 REQUESTS FOR EXCUSED ABSENCES

None

XI. ADJOURNMENT – 7:23 p.m.

The agenda for the October 18, 2018, Planning Commission meeting was posted on Thursday, October 11, 2018, at 3:40 p.m. in the Chambers binder, on the digital display board located inside the vestibule of the Council Chambers at 100 Civic Center Drive, and on the City's website on Thursday, October 11, 2018, at 3:55 p.m.

Peter Zak, Chairman

Lee Lowrey, Secretary

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Attachment No. PC 5

Public Comments

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From: [Jim Mosher](#)
To: [Planning Commissioners](#)
Cc: [Nova Makana](#)
Subject: Comments on PC agenda Item 6
Date: Thursday, October 18, 2018 1:14:50 PM
Attachments: [2018Oct18_PC_AgendaItem_6_Comments_JimMosher.pdf](#)

Please find attached some comments on Item 6 on tonight's Planning Commission agenda (the proposed new auto sales facility at 2244 West Coast Highway).

-- Jim Mosher

October 18, 2018, Planning Commission Item 6 Comments

These comments on a Newport Beach Planning Commission [agenda](#) item are submitted by:

Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229).

Item No. 6. POWERHOUSE VEHICLE SALES CUP (PA2018-166)

Regarding the proposed resolution of approval (Attachment PC 1):

1. **Section 1.1:** The legal description, already difficult to decipher, is made completely inscrutable by what seem to be two typos made in copying the description to the resolution (referring to it by Assessor's Parcel Number might have been easier). As presented it refers to the northeasterly segment of a southeasterly property line, something that is logically impossible since northeasterly and southeasterly are directions at right angles to each other. To make sense of it, these corrections are needed: "*legally described as the ~~northeasterly~~ northwesterly 100.78 feet of the southeasterly 600.78 feet of Lot "A" of Tract No. 919, ... and the ~~northeasterly~~ northwesterly line and the southeasterly line of said northwesterly 100.78 feet ...*"
 - a. It might be noted that "Lot "A" of [Tract No. 919](#)" is the entire 31.86 acres bounded by what are now Cliff Drive on the north and PCH on the south and running from the extension of Irvine Avenue on the east to Riverside Avenue on the west. The southeast corner is the point where the extension of Irvine Avenue would touch the PCH right-of-way.
2. **Section 1.2:**
 - a. It is unclear why the Commission is being asked to approve a use permit for a **15** car display when the applicant's request (handwritten page 33, paragraph 3) and plan (handwritten page 41) is for **12**.
 - b. It is also unclear how the voiding of the earlier use permits for this property can be found consistent with the [Harbor and Bay Element](#) of the City's [General Plan](#).
 - i. According to handwritten page 5 of the staff report, UP1296 is for "a mobile marine repair shop" and UP1490 is for "boat sales and display."
 - ii. Policy HB 1.1 calls for such uses to be preserved and enhanced, not displaced by non-harbor-related ones.
 - c. The requested change of use also seems inconsistent with the City's [Mariner's Mile Strategic Vision and Design Framework](#).
 - i. Section 0.33 (page 12) specifically cites "*Continued transformation of properties to auto-serving uses*" as one of the *undesirable* consequences of ignoring its proposals.
 - ii. Section 2.72(d) (page 37) seeks to "Balance Neighborhood, Marine and Tourism" by containing the intrusion of auto dealerships though limiting "auto-serving retail" to "Inland East" and "Inland West" – the existing "auto-oriented strips" illustrated on page 13.

October 18, 2018, PC agenda Item 6 comments - Jim Mosher

1. 2244 West Coast Highway is not in the “*auto-oriented strips*” of the Strategic Vision and Design Framework.
2. It is also not within the “*highway-oriented commercial corridor*” of our General Plan [Land Use Element Policy LU 6.19.1](#).
3. **Section 1.4:** Coastal development permits are required for increased intensity of land use, with “*Change in the intensity of use of land*” defined in NBMC [Sec. 21.70.020](#) as “*a change in the intensity of use of land which is likely to result in a new, decreased or increased impact due to a lesser or greater level of activity, population density, **traffic generation**, parking demand, dust, odor, noise, or similar impacts.*”
 - a. Per handwritten page of the staff report the proposed use is predicted to increase the average daily trips generated by the parcel from 150 to 417 (**nearly tripling the number**). It is hard to see how this could not be perceived as a “*Change in the intensity of use of land*” per the Coastal Commission certified definition.
 - b. The City’s Traffic Phasing Ordinance is not (to the best of my knowledge) part of the City’s Local Coastal Program. It is hard to see how it can be used to dismiss the need for a CDP.
4. Neither the staff report nor the resolution mentions that on July 19, 2007, as [Item 4](#), the Planning Commission (probably erroneously) approved redevelopment of this property as “Lamborghini OC.” Presumably that approval has lapsed?

**The Coalition to Protect Mariner's Mile
PO Box 2967
Newport Beach, CA 92659**

October 30, 2018

The City of Newport Beach
Planning Commission
100 Civic Center Drive
Newport Beach, CA 92660

**Re: Powerhouse Vehicle Sales –Use Permit No: UP2018-010
2244 West Coast Highway- Mariners Mile**

Dear Chairman Zak and Members of the Planning Commission:

This letter is regarding the application that has been filed by Powerhouse Vehicle Sales for a Conditional Use Permit, (CUP), at the property located at 2244 West Coast Highway, Newport Beach.

The application site is currently located within the proposed “Newport Village” plan that has been previously filed with the City of Newport Beach. Under these circumstances, we are requesting that a Temporary Use Permit be issued to the applicant, (TUP). This would allow for the short-term placement of activities on privately owned property with the appropriate regulations, so that such activities will be compatible with the surrounding areas.

We are also requesting that an additional Condition of Approval be added that contains language that the temporary use permit is to be automatically revoked upon the approval of the Newport Village project.

The proposed hours of operation proposed in Condition No. 6 state “The proposed hours of operation shall be limited to 8:00 a.m. to 6:00 p.m. daily”. The surrounding communities of Cliff-Haven and Newport Heights request this Condition be amended to add a stipulation that test drives be restricted to the hours between 10:00 a.m. to 4:00 p.m.

We do support the language in Condition No. 7 that stipulates that “test drives shall be prohibited on residential streets” and want to stress we understand this to mean no test drives will not occur in and around the above-mentioned neighborhoods.

If the Planning Commission can make this a Temporary Use Permit and Condition 6 is amended as requested, our primary issues with this request will have been addressed.

Thank you for your consideration of our concerns.

Peggy V. Palmer
The Coalition to Protect Mariner's Mile

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Attachment No. PC 6

Trip Generation Supporting Data

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Land Use: 841

Automobile Sales (Used)

Description

A used automobile sales dealership is typically located along a major arterial street characterized by abundant commercial development. The sale or lease of used cars is the primary business at these facilities; however, automobile services and parts sales may also be available. Some dealerships also include leasing options, truck sales, and servicing. Automobile sales (new) (Land Use 840) and recreational vehicle sales (Land Use 842) are related uses.

Additional Data

Time-of-day distribution data for this land use are presented in Appendix A. For the 14 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 9:45 and 10:45 a.m. and 4:30 and 5:30 p.m., respectively.

The sites were surveyed in the 2010s in Texas.

Source Numbers

880, 881

Automobile Sales (Used) (841)

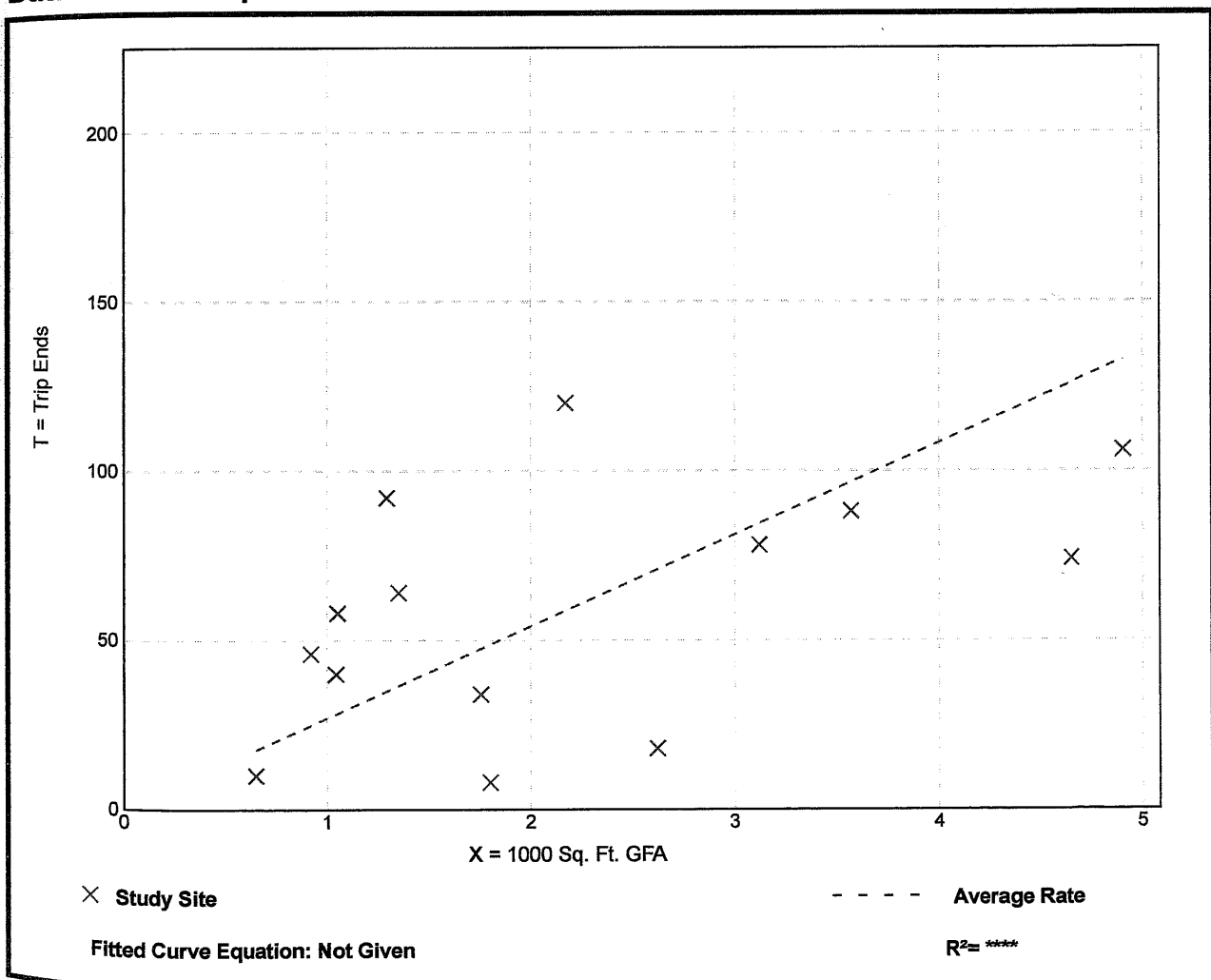
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 14
1000 Sq. Ft. GFA: 2
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
27.06	4.44 - 71.21	17.91

Data Plot and Equation



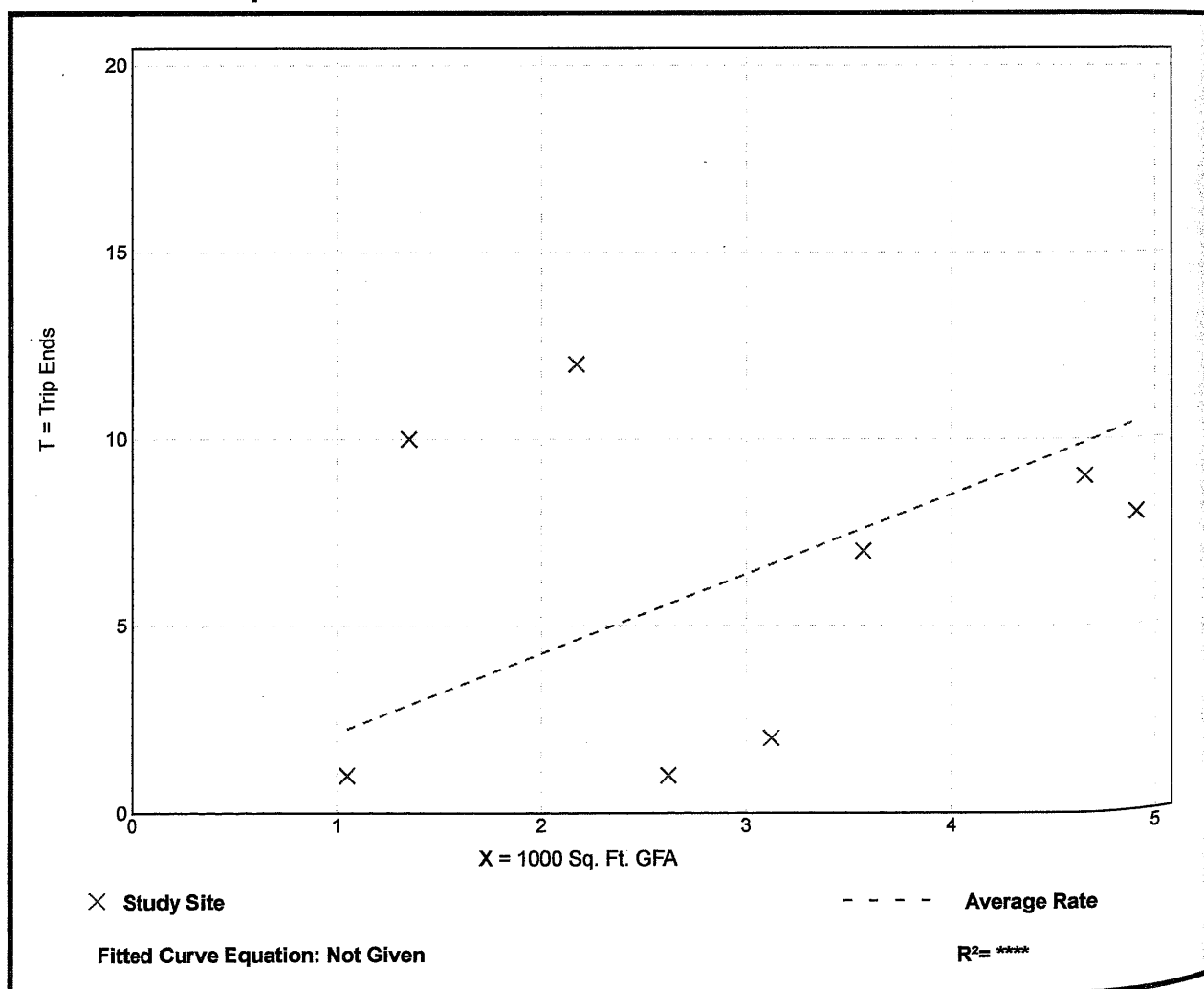
Automobile Sales (Used) (841)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 8
 1000 Sq. Ft. GFA: 3
 Directional Distribution: 76% entering, 24% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
2.13	0.38 - 7.41	1.98

Data Plot and Equation



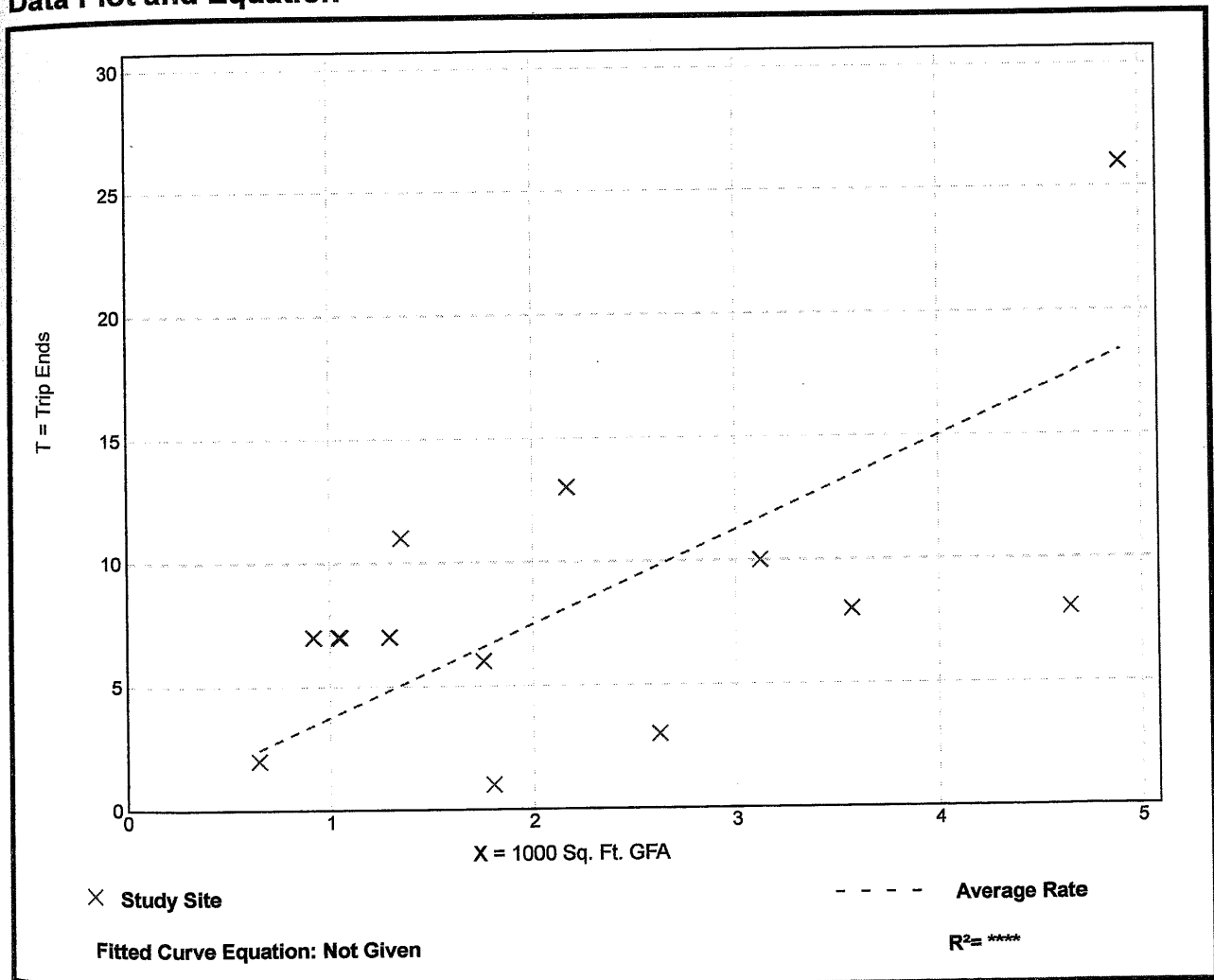
Automobile Sales (Used) (841)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 14
 1000 Sq. Ft. GFA: 2
 Directional Distribution: 47% entering, 53% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.75	0.56 - 8.15	2.28

Data Plot and Equation



Land Use: 710

General Office Building

Description

A general office building houses multiple tenants; it is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers, and tenant services, such as a bank or savings and loan institution, a restaurant, or cafeteria and service retail facilities. A general office building with a gross floor area of 5,000 square feet or less is classified as a small office building (Land Use 712). Corporate headquarters building (Land Use 714), single tenant office building (Land Use 715), office park (Land Use 750), research and development center (Land Use 760), and business park (Land Use 770) are additional related uses.

If information is known about individual buildings, it is suggested that the general office building category be used rather than office parks when estimating trip generation for one or more office buildings in a single development. The office park category is more general and should be used when a breakdown of individual or different uses is not known. If the general office building category is used and if additional buildings, such as banks, restaurants, or retail stores are included in the development, the development should be treated as a multiuse project. On the other hand, if the office park category is used, internal trips are already reflected in the data and do not need to be considered.

When the buildings are interrelated (defined by shared parking facilities or the ability to easily walk between buildings) or house one tenant, it is suggested that the total area or employment of all the buildings be used for calculating the trip generation. When the individual buildings are isolated and not related to one another, it is suggested that trip generation be calculated for each building separately and then summed.

Additional Data

The average building occupancy varied considerably within the studies for which occupancy data were provided. The reported occupied gross floor area was 88 for general urban/suburban sites and 96 percent for the center city core and dense multi-use urban sites.

Time-of-day distribution data for this land use for a weekday, Saturday, and Sunday are presented in Appendix A. For the 16 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:30 and 8:30 a.m. and 4:30 and 5:30 p.m., respectively.

For the three general urban/suburban sites with person trip data, the overall highest volumes during the AM and PM on a weekday were counted between 8:45 and 9:45 a.m. and 12:45 and 1:45 p.m., respectively. For the three dense multi-use urban sites with person trip data, the overall highest volumes during the AM and PM on a weekday were counted between 8:30 and 9:30 a.m. and 4:45 and 5:45 p.m., respectively. For the four center city core sites with person trip data, the overall highest volumes during the AM and PM on a weekday were counted between 9:00 and 10:00 a.m. and 12:45 and 1:45 p.m., respectively.



The average numbers of person trips per vehicle trip at the eight center city core sites at which both person trip and vehicle trip data were collected were as follows:

- 2.76 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 2.90 during Weekday, AM Peak Hour of Generator
- 2.91 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 3.02 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 18 dense multi-use urban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.47 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.47 during Weekday, AM Peak Hour of Generator
- 1.46 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 1.53 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 23 general urban/suburban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.30 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.34 during Weekday, AM Peak Hour of Generator
- 1.32 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 1.41 during Weekday, PM Peak Hour of Generator

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Colorado, Connecticut, Georgia, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, New York, Pennsylvania, Texas, Utah, Virginia, and Washington.

Source Numbers

161, 175, 183, 184, 185, 207, 212, 217, 247, 253, 257, 260, 262, 273, 279, 297, 298, 300, 301, 302, 303, 304, 321, 322, 323, 324, 327, 404, 407, 408, 418, 419, 423, 562, 734, 850, 859, 862, 867, 869, 883, 884, 890, 891, 904, 940, 944, 946, 964, 965, 972

General Office Building (710)

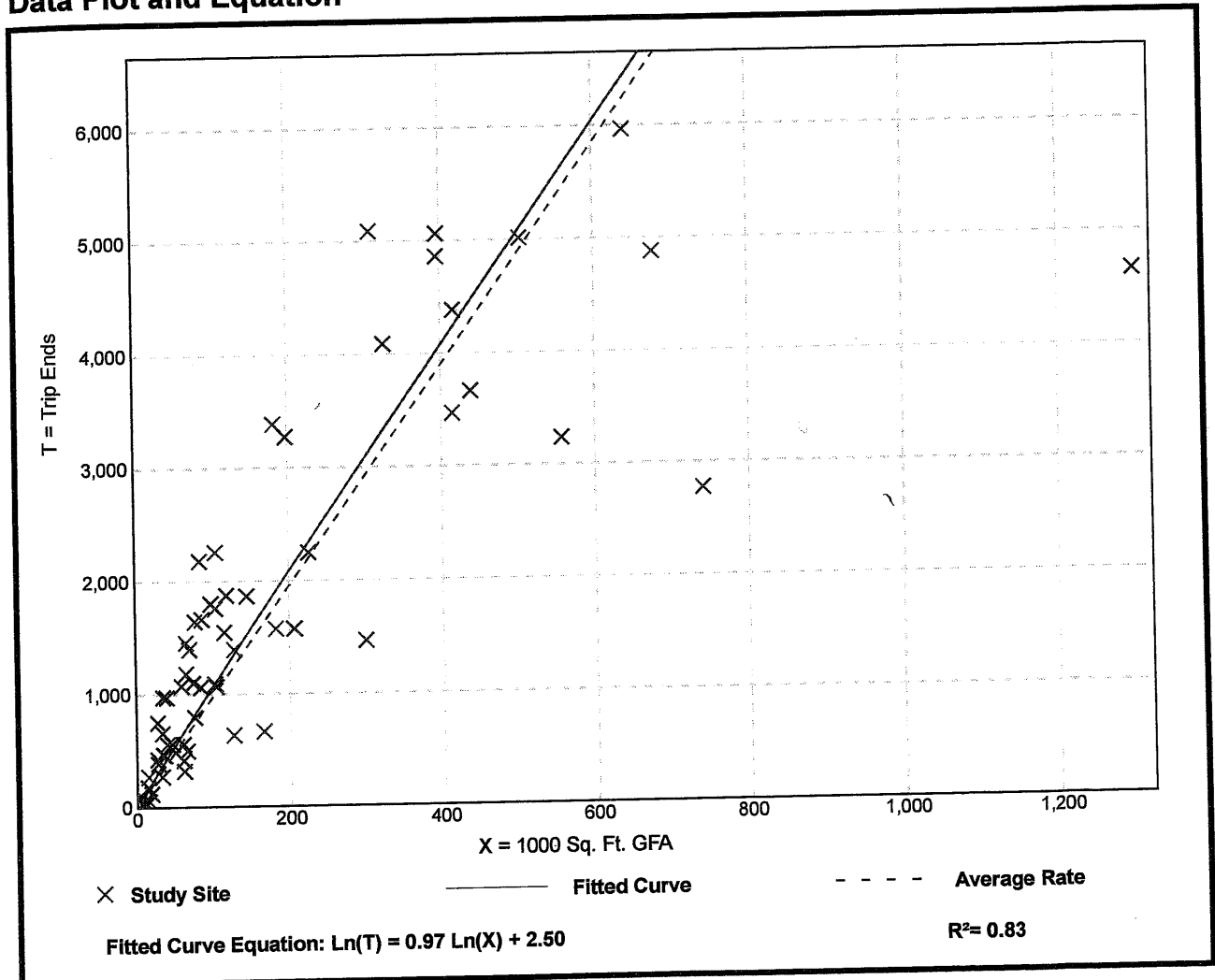
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 66
1000 Sq. Ft. GFA: 171
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
9.74	2.71 - 27.56	5.15

Data Plot and Equation



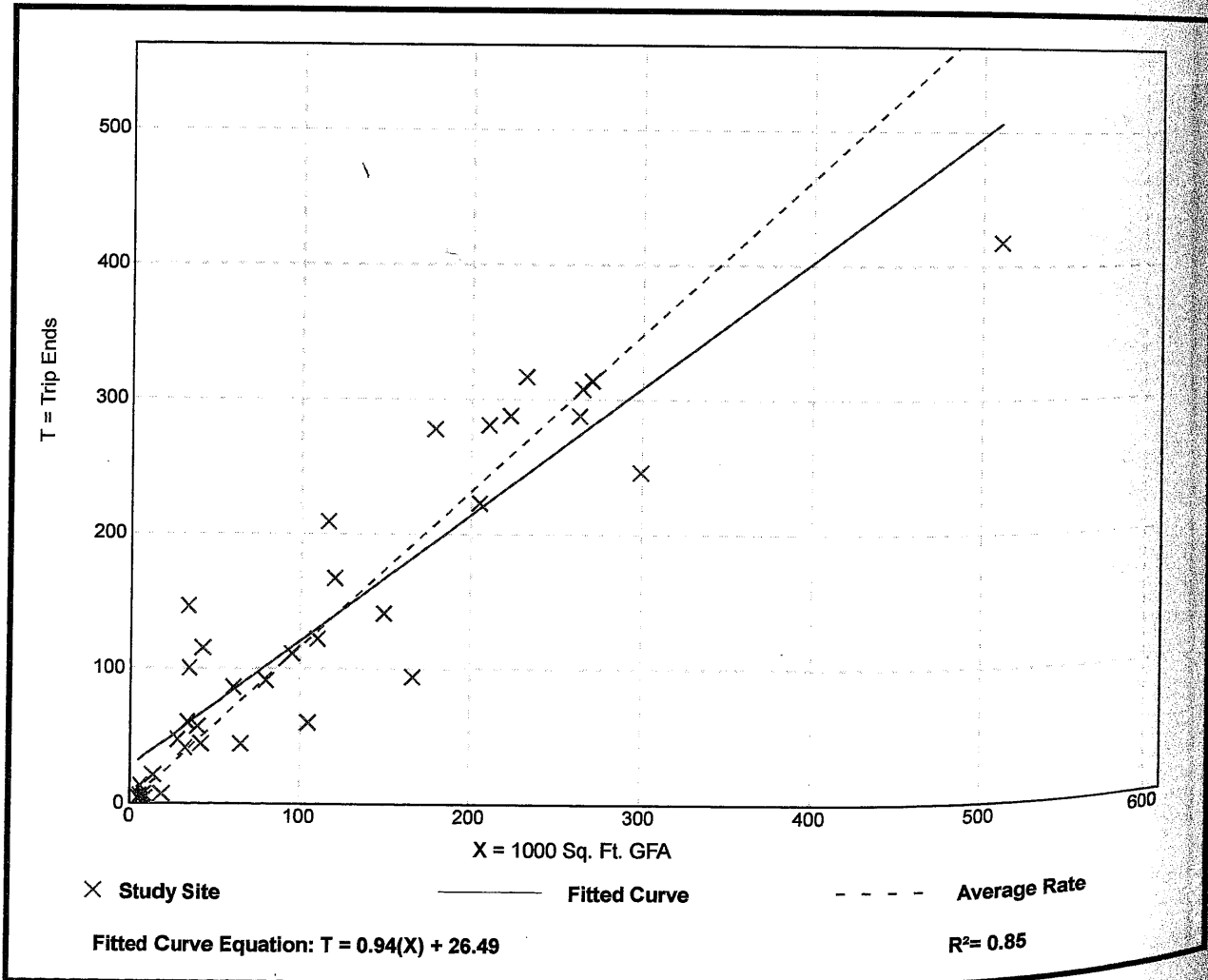
General Office Building (710)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 35
 1000 Sq. Ft. GFA: 117
 Directional Distribution: 86% entering, 14% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.16	0.37 - 4.23	0.47

Data Plot and Equation



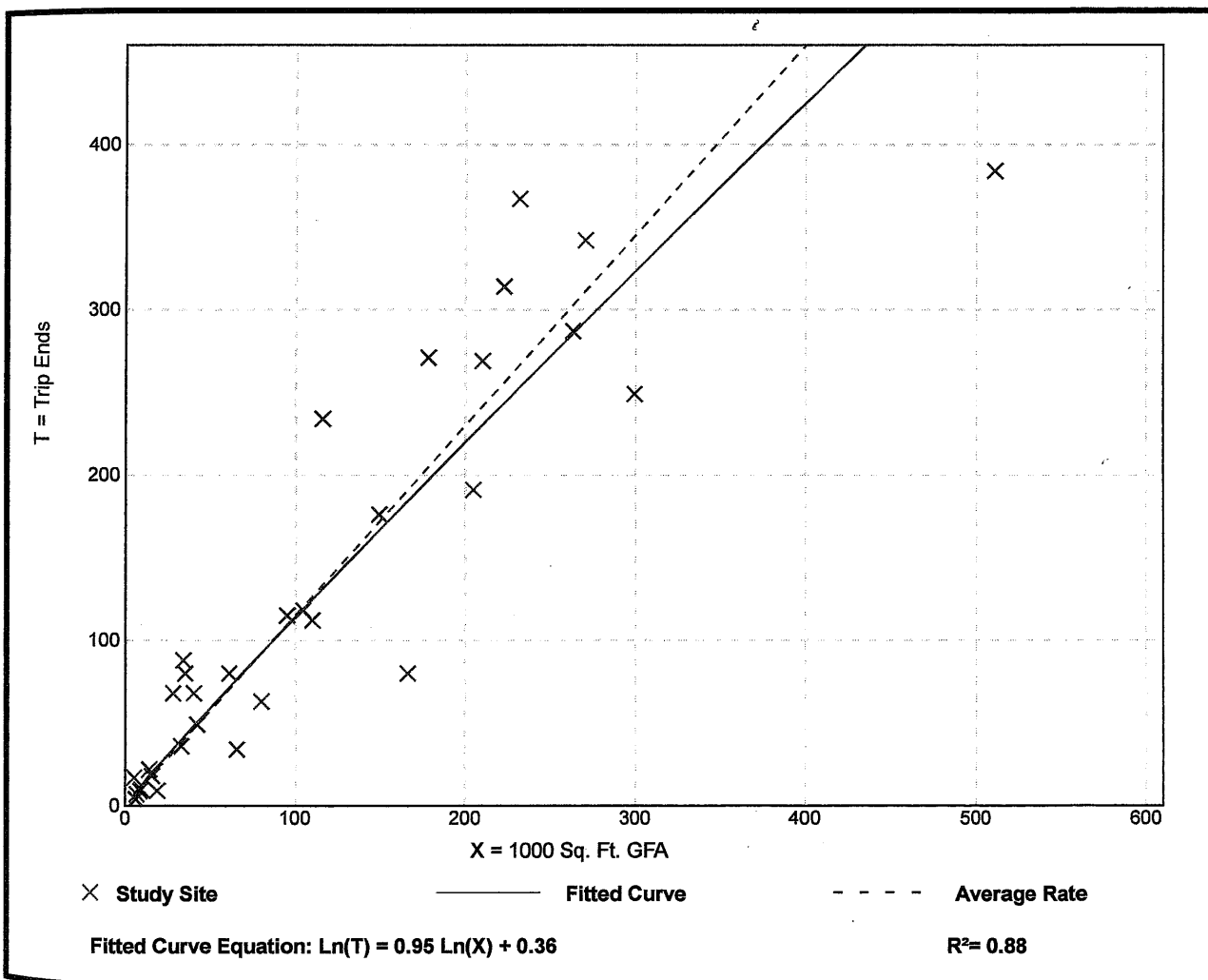
General Office Building (710)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 32
 1000 Sq. Ft. GFA: 114
 Directional Distribution: 16% entering, 84% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.15	0.47 - 3.23	0.42

Data Plot and Equation





2020 NORTH TUSTIN AVENUE • SANTA ANA, CALIFORNIA 92705-7827

TELEPHONE (714) 667-0496
FAX (714) 667-7952
E-mail: mail@austinfoust.com

MEMORANDUM

TO: David Keely, City of Newport Beach

FROM: Joe E. Foust, P.E.

DATE: May 17, 2004

Revised May 17, 2004

SUBJECT: NEWPORT AUTOSPORT DEALERSHIP TRAFFIC COUNT

We conducted a two-day (May 11 and 12 2004) hourly traffic count of the Newport AutoSport dealership, 1100 West Coast Highway in Newport Beach. This facility is an exotic car sales only store, with no vehicle maintenance or service offered and contained on its own parking lot, with an 11,363 square foot building.

Based upon the 11,363 square foot building, the resulting trip rate for an exotic car sales only showroom is 3.5 ADT per thousand square feet (TSP). The AM peak hour (commuter) trip rate is zero (i.e., the facility is not open) and the PM peak hour trip rate (commuter period) is 0.35 trips per TSP.

The total daily traffic (9:00 AM – 7:00 PM) equals 40 average daily trips (ADT), 20 entries and 20 exits. The peak hour was a maximum of 6 per hour, but this was not during the commuter peak period of 4:00 PM – 6:00 PM. During the commuter period, the peak hour volume is 4 vph.

The two day 15 minute data sheets are attached as additional detail.

TRAFFIC DATA SERVICES, INC
SUMMARY OF VEHICULAR TURNING MOVEMENTS

LOCATION: NEWPORT AUTOSPORT
1100 W. COAST HWY
CITY: NEWPORT BEACH

FILENAME: 05414D1A
DATE: 5/11/04
DAY: TUESDAY

PERIOD BEGINS	DRIVEWAY #										Total	
	1		2		3		4		5		IN	OUT
6:00 AM												
:15 AM												
:30 AM												
:45 AM												
7:00 AM												
:15 AM												
:30 AM												
:45 AM												
8:00 AM												
:15 AM												
:30 AM												
:45 AM												
9:00 AM	1	1									1	1
:15 AM	1	2									1	2
:30 AM	0	0									0	0
:45 AM	1	0									1	0
10:00 AM	0	0									0	0
:15 AM	0	0									0	0
:30 AM	1	2									1	2
:45 AM	1	0									1	0
11:00 AM	0	0									0	0
:15 AM	0	0									0	0
:30 AM	1	0									1	0
:45 AM	0	1									0	1
TOTAL:	6	6	0	0	0	0	0	0	0	0	6	6

COMMENTS:

TRAFFIC DATA SERVICES, INC
SUMMARY OF VEHICULAR TURNING MOVEMENTS

LOCATION: NEWPORT AUTOSPORT
1100 W. COAST HWY
CITY: NEWPORT BEACH

FILENAME: 05414D1P
DATE: 5/11/04
DAY: TUESDAY

PERIOD BEGINS	DRIVEWAY #										Total	
	1		2		3		4		5		IN	OUT
	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT		
12:00 PM	1	0									1	0
:15 PM	0	1									0	1
:30 PM	2	0									2	0
:45 PM	0	2									0	2
1:00 PM	1	0									1	0
:15 PM	0	1									0	1
:30 PM	1	0									1	0
:45 PM	2	1									2	1
2:00 PM	0	0									0	0
:15 PM	0	0									0	0
:30 PM	1	1									1	1
:45 PM	0	0									0	0
3:00 PM	0	0									0	0
:15 PM	1	0									1	0
:30 PM	0	0									0	0
:45 PM	0	3									0	3
4:00 PM	1	0									1	0
:15 PM	0	0									0	0
:30 PM	0	1									0	1
:45 PM	0	1									0	1
5:00 PM	0	0									0	0
:15 PM	1	0									1	0
:30 PM	0	0									0	0
:45 PM	0	0									0	0
6:00 PM	0	0									0	0
:15 PM	1	0									1	0
:30 PM	0	1									0	1
:45 PM	0	0									0	0
TOTAL:	12	12	0	0	0	0	0	0	0	0	12	12

COMMENTS:

TRAFFIC DATA SERVICES, INC
SUMMARY OF VEHICULAR TURNING MOVEMENTS

LOCATION: NEWPORT AUTOSPORT
1100 W. COAST HWY
CITY: NEWPORT BEACH

FILENAME: 05414D2A
DATE: 05/12/04
DAY: WEDNESDAY

PERIOD BEGINS	DRIVEWAY #										Total	
	1		2		3		4		5		IN	OUT
6:00 AM												
:15 AM												
:30 AM												
:45 AM												
7:00 AM												
:15 AM												
:30 AM												
:45 AM												
8:00 AM												
:15 AM												
:30 AM												
:45 AM												
9:00 AM	0	0									0	0
:15 AM	0	0									0	0
:30 AM	0	0									0	0
:45 AM	0	0									0	0
10:00 AM	1	0									1	0
:15 AM	1	1									1	1
:30 AM	0	0									0	0
:45 AM	1	0									1	0
11:00 AM	1	2									1	2
:15 AM	0	1									0	1
:30 AM	1	1									1	1
:45 AM	0	0									0	0

TOTAL:	5	5	0	0	0	0	0	0	0	0	0	5	5
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COMMENTS:

TRAFFIC DATA SERVICES, INC
SUMMARY OF VEHICULAR TURNING MOVEMENTS

LOCATION: NEWPORT AUTOSPORT
1100 W. COAST HWY
CITY: NEWPORT BEACH

FILENAME: 05414D2P
DATE: 05/12/04
DAY: WEDNESDAY

PERIOD BEGINS	DRIVEWAY #										Total	
	1		2		3		4		5		IN	OUT
	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT		
12:00 PM	0	0									0	0
:15 PM	0	1									0	1
:30 PM	1	2									1	2
:45 PM	0	0									0	0
1:00 PM	2	1									2	1
:15 PM	1	3									1	3
:30 PM	2	1									2	1
:45 PM	1	1									1	1
2:00 PM	1	2									1	2
:15 PM	0	0									0	0
:30 PM	1	1									1	1
:45 PM	0	0									0	0
3:00 PM	0	0									0	0
:15 PM	0	0									0	0
:30 PM	0	0									0	0
:45 PM	1	1									1	1
4:00 PM	2	1									2	1
:15 PM	0	1									0	1
:30 PM	0	0									0	0
:45 PM	0	0									0	0
5:00 PM	1	0									1	0
:15 PM	0	0									0	0
:30 PM	0	0									0	0
:45 PM	1	1									1	1
6:00 PM	0	0									0	0
:15 PM	0	0									0	0
:30 PM	0	0									0	0
:45 PM	1	0									1	0
TOTAL:	15	16	0	0	0	0	0	0	0	0	15	16

COMMENTS:

Attachment No. PC 7

Applicant's Project Description
and Justification

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2020 Main St., Ste. 100
 Irvine, CA 92614
 PH (949) 851-5100
 FX (949) 261-9092
 Lic. #01991785
 HarringtonGroupRE.com

The project herein proposed is to establish a luxury auto showroom for the purpose of supporting the luxury auto sales business that will be occupying the premises. Said project will help to achieve the objectives set forth in the General Plan that which are geared towards the “revitalization of older commercial areas” by “re-using underperforming properties”.

Consistent with other uses in the immediate vicinity, the project will feature a clean, visually appealing layout and will provide further diversity in the retail options available to both visitors and residents alike.

The show room will include up to, but not exceed, 12 luxury, pre-owned, automobiles for sale. The hours of operation of the show room will be from 10:00 AM to 6:00 PM, Monday through Sunday, on an appointment only basis.

There will be up to four employees in the show room at any given time. Test drives of the automobiles for sale will not exceed 10 total test drives per week (less than one per day).

The proposed site, its design, size and operational characteristics are a perfect fit for the proposed project. Information regarding the site is below:

Lot Area: 41,501 (.95 Acres)

Lot Width: 102.2 Feet

Lot Depth: 397.7-412.2 Feet

Set Backs: 10.44' to Landscape - 25' to building

Floor Area: 15,410

Floor Area Ratio: .37

Building / Lot Coverage: 49.98%

Building Height: 24'

Parking: 4:1000 -> 62 spaces

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Attachment No. PC 8

Test Drive Route

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Proposed Test Drive Route



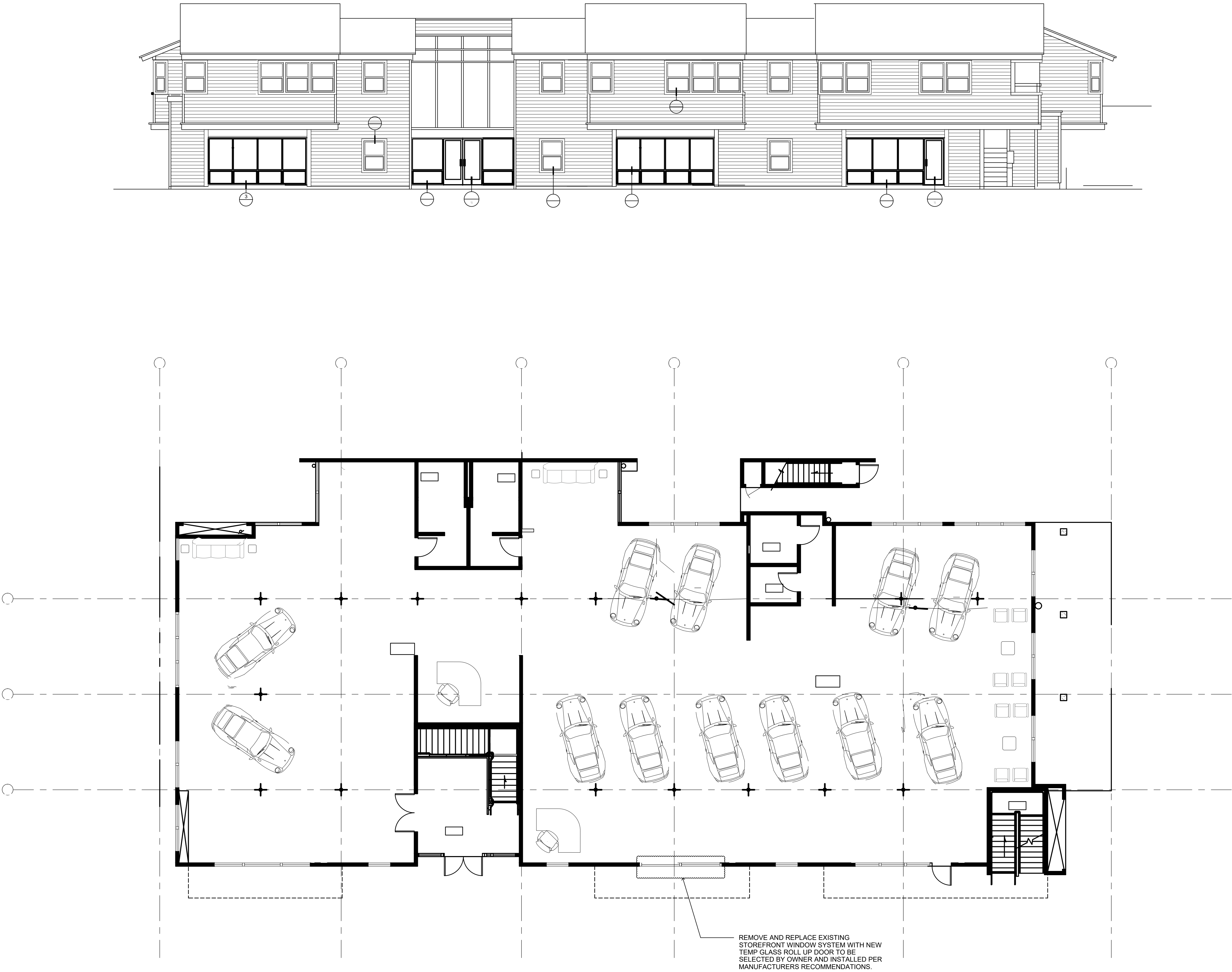
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Attachment No. PC 9

Project Plans

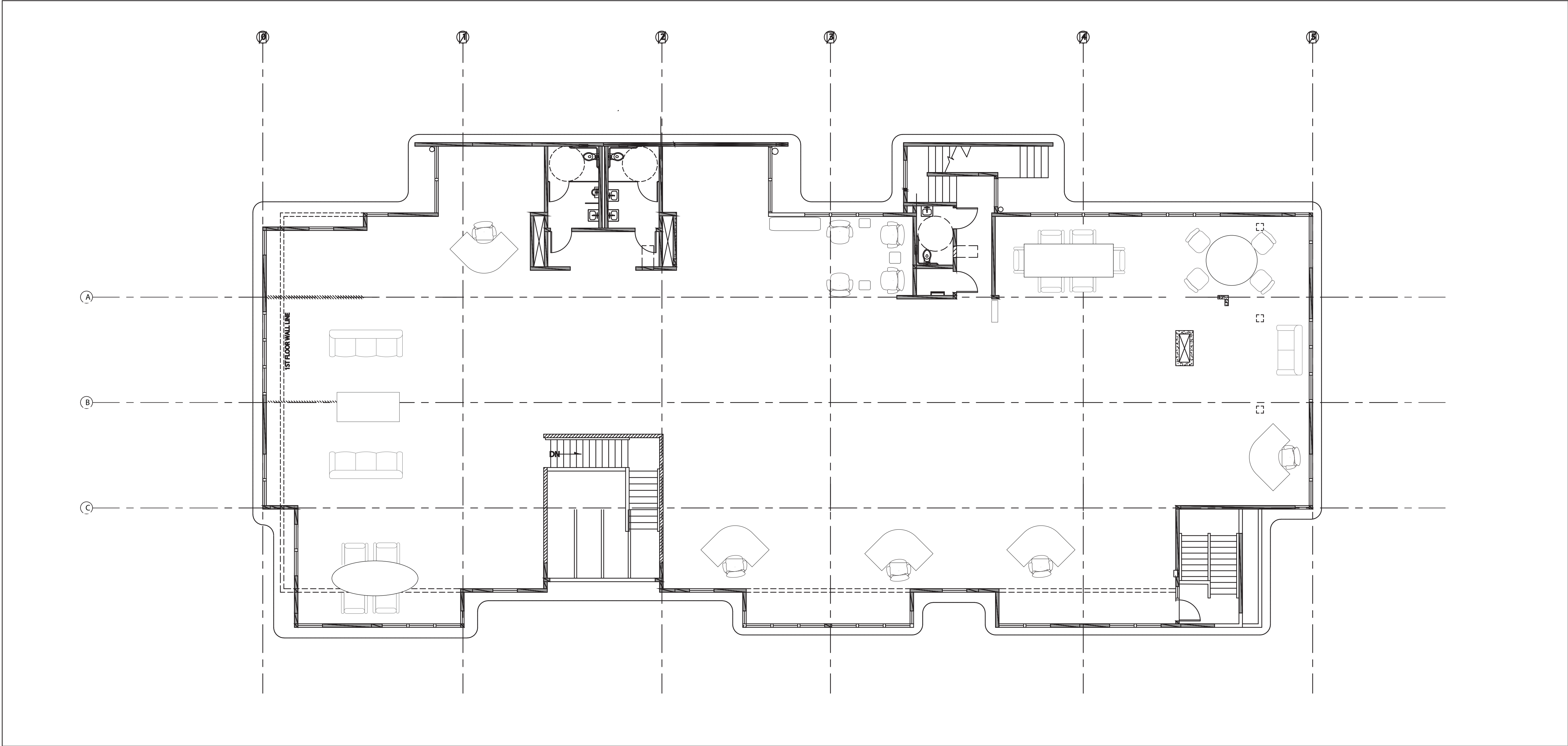
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Proposed First Floor Showroom



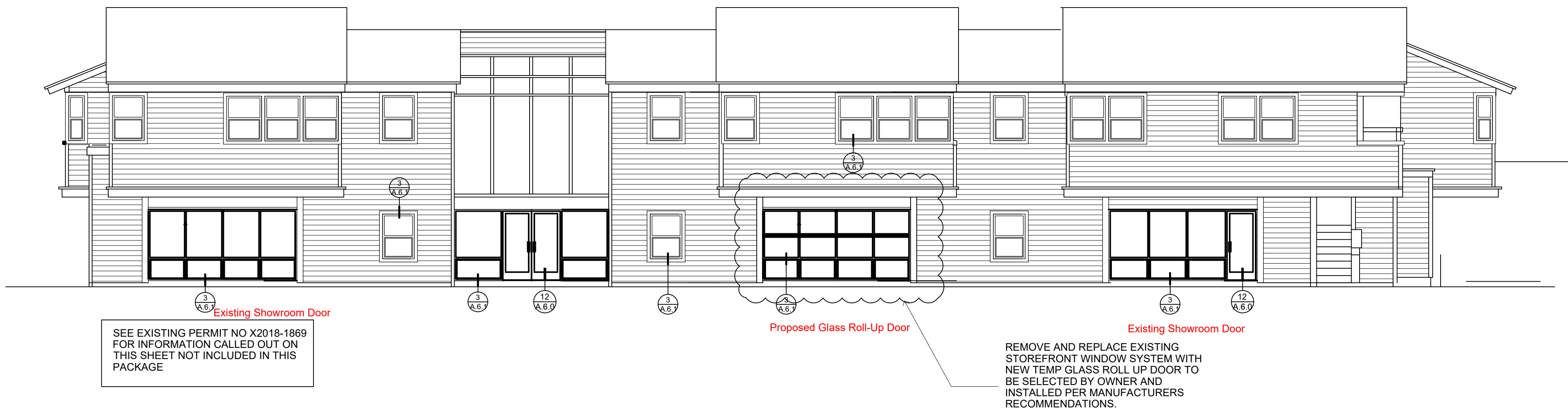
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Proposed Second Floor Private Office

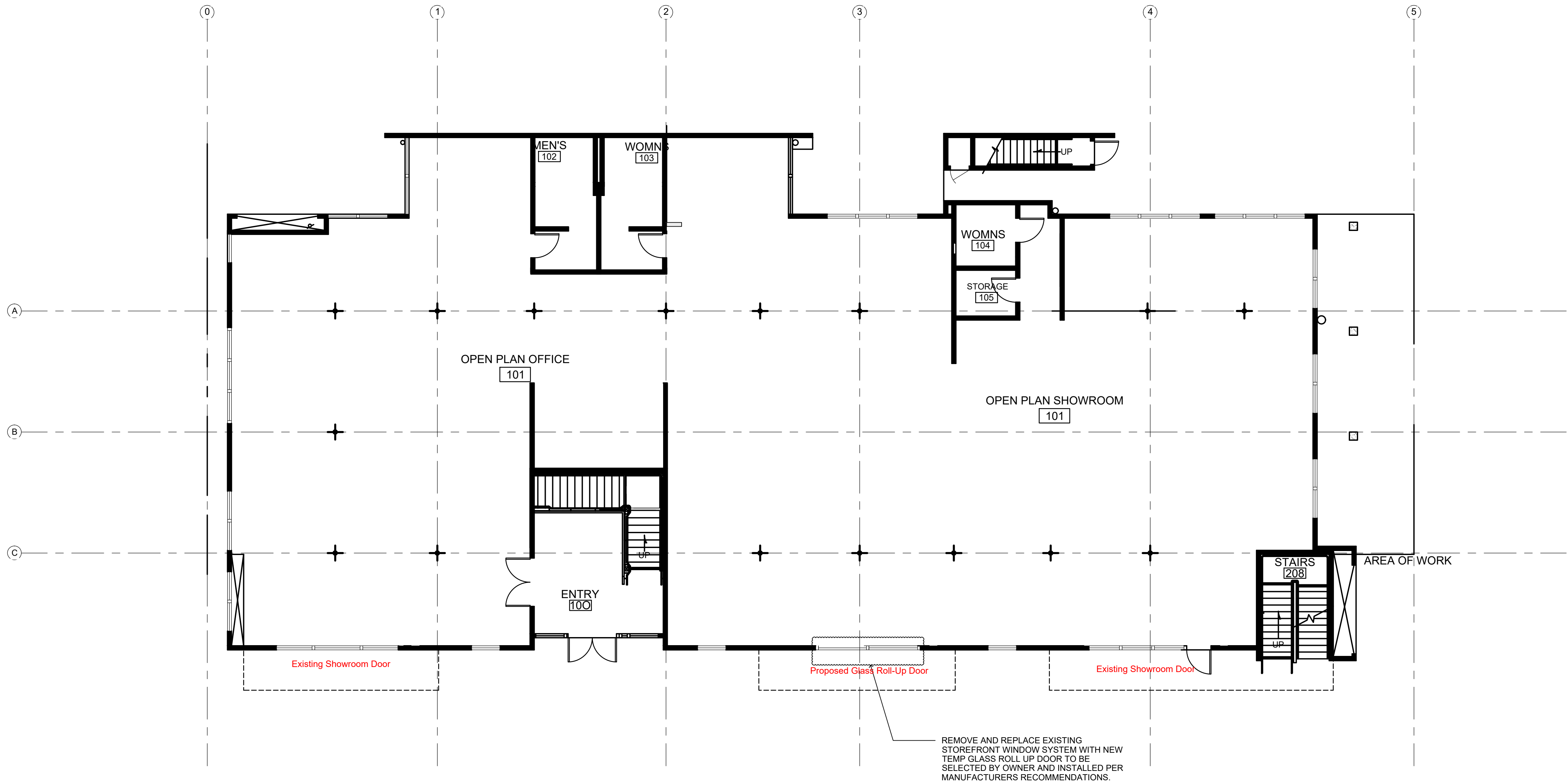


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Proposed Roll-Up Door Elevation



ELEVATION 1/8"=1'-0" 1



FIRST FLOORPLAN 1/8"=1'-0" 2

No.	Revision/Issue
1	

FLOOR IMPROVEMENT PLAN

CLIENT

2244 W. COAST HIGHWAY

POWERHOUSE

NEWPORT BEACH

SCALE:

DATE: 7-9-2018

DRAWN BY: TEAM

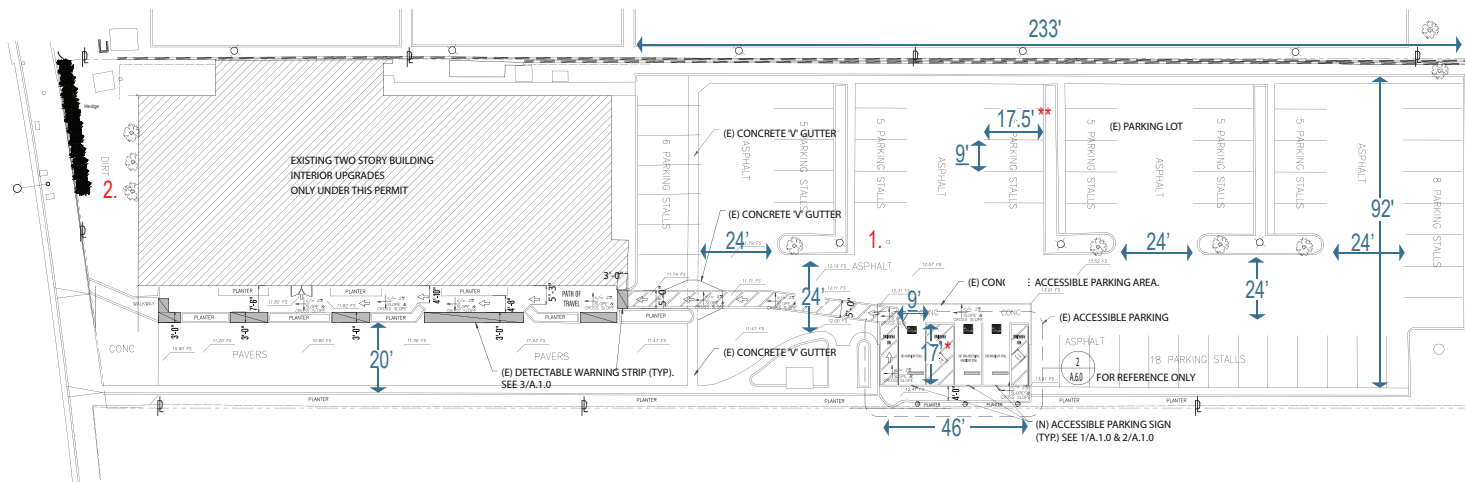
PROJECT NO: 1813

SHEET NO:

OF X

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Proposed Parking Lot Revisions



EXISTING SITE PLAN - FOR REFERENCE ONLY

SCALE: $\frac{1}{16}'' = 1'-0''$

PATH OF TRAVEL AND ACCESSIBLE PARKING WAS COMPLETED UNDER PERMIT # X2015-3296, 12/8/16

- * All handicap stalls measure 9' x 17'
- ** All regular stalls measure 9' x 17.5'

1. Remove existing planters
2. Addition of city recommended landscaping

NOTE:

1. "HANDICAP PARKING" AND "VAN ACCESSIBLE" SIGNS TO CONFORM TO CURRENT LOCAL, STATE CODES AND REGULATIONS.
2. BOTTOM OF SIGN/SIGNS SHALL BE 4" - 6" ABOVE FINISH SURFACE.
3. PER CBC 11B 502.8

MIN. 70 SQ. REFLECTORIZED SON PERMANENTLY POSTED IMMEDIATELY ADJACENT TO VISIBLE FROM EACH STALL OR SPACE. SIGN TO BE WHITE ON A DARK BLUE BACKGROUND. MOUNT TO STEEL PIPE WITH 8 CALUMIN PLATED BOLTS, NUTS AND WASHERS.

"MINIMUM FINE \$200" SHALL BE INCLUDED BELOW SIGN AS EITHER AN ADDITIONAL SIGN OR ADDITIONAL LANGUAGE.

TYP. VAN ACCESSIBLE SIGNS ONLY: 8" x 17" x 2" (SEE ALUMINUM STANDARD (VAN-ACCESSIBLE) SIGN MOUNTED BELOW THE SIGN OF HIGH FASTEN TO STEEL PIPE SM. TO SIGN ABOVE.

"UNAUTHORIZED VEHICLES PARKED IN DESIGNATED ACCESSIBLE SPACE NOT BEING A VEHICLE OR TRAILER OR PLACED ON SPECIAL LICENSE PLATES ISSUED FOR PERSONS WITH DISABILITIES SHALL BE TOWED AWAY AT OWNER'S EXPENSE. TOWED VEHICLES MAY BE RECLAIMED BY TELEPHONING THE POLICE DEPT. (949) 644-3081."

2" DIAMETER STEEL PIPE, EXTENDED IN CONC. FILLED PIPE 1'-0" PROVIDE WELDED WATER-TIGHT CAP, PRIME AND PAINTED WHITE.

FIN. GRADE

2" DIAMETER GALV. PIPE SLEEVE, TAP WELD TO PIPE AS REQUIRED.

CONCRETE FOOTING

1 SCALE NTS TYP. VAN ACCESS. SIGN

NOTE:

1. "HANDICAP PARKING" AND "VAN ACCESSIBLE" SIGNS TO CONFORM TO CURRENT LOCAL, STATE CODES AND REGULATIONS.
2. BOTTOM OF SIGN/SIGNS SHALL BE 4" - 6" ABOVE FINISH SURFACE.
3. PER CBC 11B 502.8

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TYP. VAN ACCESSIBLE SIGNS ONLY: 8" x 17" x 2" (SEE ALUMINUM STANDARD (VAN-ACCESSIBLE) SIGN MOUNTED BELOW THE SIGN OF HIGH FASTEN TO STEEL PIPE SM. TO SIGN ABOVE.

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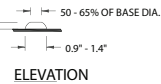
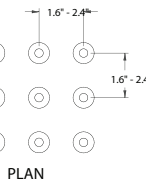
2" DIAMETER STEEL PIPE, EXTENDED IN CONC. FILLED PIPE 1'-0" PROVIDE WELDED WATER-TIGHT CAP, PRIME AND PAINTED WHITE.

FIN. GRADE

2" DIAMETER GALV. PIPE SLEEVE, TAP WELD TO PIPE AS REQUIRED.

CONCRETE FOOTING

2 SCALE NTS TYP. ACCESS. PARKING SIGN



- NOTES:
1. DETECTABLE WARNING SURFACES, AT THE OPTION OF THE CONTRACTOR, SHALL BE CONSTRUCTED BY CAST-IN-PLACE OR TAMPED METHOD, OR CONSIST OF A PRECAST/CAST-IN-PLACE PRODUCT. THE PRECAST/CAST-IN-PLACE PRODUCT SHALL BE INSTALLED BY ACCESS PRODUCTS INC. SEE A.1.0 - 2 FOR CERTIFICATE OF COMPLIANCE.
 2. CONTRACTOR TO PROVIDE A DETECTABLE WARNING PRODUCT SAMPLE TO THE BUILDING INSPECTOR FOR APPROVAL OF COLOR CONTRAST WITH FRESH SURFACES.

3 SCALE NTS TRUNCATED DOMES

Armor-Tile
Tactile Systems

MATERIAL WARRANTY

Contract No./Date: July 5, 2016
 Project Description: 2244 W. Coast Hwy. - Towne Improvement to an Existing 2 Story Commercial Building
 Owner: Weldon Corp.
 Installer: TBD
 Product Installed: NONE (yes) Will spec yellow.

Engineered Plastics Inc. warrants to the Owner that Armor-Tile Detectable Warning Tiles manufactured by Engineered Plastics Inc. are free from defects in workmanship and material including deformation, breakage and deterioration for a period of five (5) years from the date of acceptance of the project. This warranty is void if the design has been accepted by the Division of the State Architect in California as meeting the architectural standards as published in the current edition of the California Building Standards Code (as attached), and also includes durability criteria which indicate that the shape, color, form, confirmation, sound-on-can acoustic quality, coefficient, and attachment will not degrade significantly for at least (2) years after initial installation. Engineered Plastics Inc. warrants that, under normal expected usage, Armor-Tile Detectable Warning Surface Tiles will not degrade significantly during the warranty period.

EXCLUSIVE REMEDIES: Engineered Plastics Inc., at its cost, will repair or replace defective material promptly reported to Engineered Plastics Inc. during the warranty period. This warranty includes labor costs and cost of removal of the product. Repair or replacement will be done on-site.

WARRANTY LIMITATIONS: Engineered Plastics Inc. warranty of Armor-Tile products does not apply to conditions resulting from improper installation, improper use, external causes, intentional abuse or abuse, neglect or improper annual maintenance, vandalism, modifications to the Armor-Tile products or installation procedures with the exception of the Owner's right to immediately terminate an unsafe condition.

DISCLAIMER OF WARRANTIES: The above warranties are the Owner's exclusive warranties. No other warranty, express or implied, shall apply. Engineered Plastics Inc. specifically makes no warranty of merchantability and/or fitness for a particular purpose.

IN NO EVENT WILL ENGINEERED PLASTICS INC. BE LIABLE FOR ANY DAMAGES, LOSS, PROFIT, DIRECT, CONSEQUENTIAL OR ECONOMIC DAMAGES.

MATERIAL SUPPLIER:
 John Hoffer
 John Hoffer
 Date: 11/11/2016

ENGINEERED PLASTICS INC.
 300 International Dr., Suite 100, Milpitas, CA 95035 Tel: 1-800-860-2020 Fax: 1-800-780-4463
 www.armor-tile.com

SITE PLAN NOTES

1. ALL WALKWAYS AND SIDEWALKS SHALL BE 40" MIN. WIDTH.
2. ALL WALKWAYS SHALL BE PROVIDED WITH A LEVEL AREA NOT LESS THAN 60" WIDE AT DOOR OR GATE THAT SWINGS TOWARD THE WALK AND NOT LESS THAN 48" WIDE BY 48" DEEP AT A DOOR OR GATE THAT SWINGS AWAY FROM WALK.
3. THE FLOOR LANDING SHALL NOT BE MORE THAN 1' LOWER THAN THE THRESHOLD OF THE DOORWAY.
4. WHEN THE SLOPE IN THE DIRECTION OF TRAVEL OF ANY WALK EXCEEDS ONE PERCENT TO 20 PERCENT MAXIMUM, THE GRADIENT, IT SHALL COMPLY WITH THE PROVISIONS OF SECTION 1103.8.1 (1103.8.2).
5. LEVEL AREA OF WALKWAYS SHALL EXTEND 24" TO THE SIDE OF THE STAIR EDGE OF A DOOR OR GATE THAT SWINGS TOWARD THE WALK 1103.8.2.
6. ALL ENTRANCE AND EXTERIOR GROUND FLOOR EXIT DOORS TO BUILDING AND FACILITIES SHALL BE MADE ACCESSIBLE TO PERSONS WITH DISABILITIES (1103.11.1).
7. ALL BUILDING AND FACILITIES SHALL BE MADE ACCESSIBLE TO AND USABLE BY PERSONS WITH DISABILITIES AND AT EVERY MAJOR JUNCTION ALONG OR LEADING TO AN ACCESSIBLE ROUTE OF TRAVEL, SHALL BE IDENTIFIED WITH A SIGN DISPLAYING THE INTENTIONAL PATH OF ACCESSIBILITY AND WITH ADDITIONAL DIRECTIONAL SIGNS AS REQUIRED TO BE VISIBLE TO PERSONS ALONG APPROACHING CIRCULATION PATHS (1103.11.2 AND 1103.8).
8. WHEN SIGN CORRELATES TO OR GIVE INFORMATION ABOUT PERMANENT ROOMS AND FUNCTIONAL SPACES OF BUILDING OR SITE, THEY SHALL COMPLY WITH CBC SECTIONS 1103.8.2, 1103.8.3, 1103.8.4 MEANS OF EGRESS SIGNS AND IDENTIFICATION (1103.8.5) AND 1103.8.6 (1103.8.7) TACTILE STRIP LEVEL IDENTIFICATION AND SPECIAL EGRESS CONTROL DEVICES SHALL COMPLY WITH CBC SECTIONS 1103.8.1, 1103.8.2.

SITE PLAN LEGEND

- ← ADA PATH OF TRAVEL
- ▨ DETECTABLE WARNING STRIP SEE A.1.0

SITE PLAN SCOPE OF WORK

1. ALL WORK ON THIS SHEET IS FOR REFERENCE ONLY.

ISSUED FOR:
 M&J VENTURES, LLC
 2305 N. COAST HWY. #201
 NEWPORT BEACH, CA 92660
 TEL: 949.637.6270

PROJECT:
 TRANT IMPROVEMENT
 2244 W. COAST HIGHWAY
 NEWPORT BEACH, CA 92663

PREPARED BY:

RAND KRUSE
 ARCHITECTURE AND INTERIORS
 10101 W. 101ST AVE. SUITE 100
 NEWPORT BEACH, CA 92646

REVISIONS

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DATE: 11/11/2016
 DATE: 11/11/2016

SITE PLAN / ADA PATH
 OF TRAVEL

SHEET NUMBER

A.1.0