



CITY OF NEWPORT BEACH PLANNING COMMISSION AMENDED AGENDA

Council Chambers - 100 Civic Center Dr & Teleconference Location Pursuant to GC§54953(B): 4705 Clydesdale Pwky. #610, Loveland, CO 80538

Thursday, December 7, 2023 - 5:00 PM

Planning Commission Amended Members:

**Curtis Ellmore, Chair
Mark Rosene, Vice Chair
Tristan Harris, Secretary
Brady Barto, Commissioner
Jonathan Langford, Commissioner
Lee Lowrey, Commissioner (Teleconference)
David Salene, Commissioner**

Staff Members:

**Seimone Jurjis, Assistant City Manager / Community Development Director
Jim Campbell, Deputy Community Development Director
Brad Sommers, City Traffic Engineer
Yolanda Summerhill, Assistant City Attorney
Clarivel Rodriguez, Administrative Assistant**

NOTICE TO THE PUBLIC

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. The agendas, minutes, and staff reports are available on the City's website at: <http://www.newportbeachca.gov> and for public inspection in the Community Development Department, Planning Division located at 100 Civic Center Drive, during normal business hours.. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at 949-644-3200.

This Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally three (3) minutes per person. All testimony given before the Planning Commission is recorded.

Under the Levine Act, Section 84308 of the Government Code, a party to a proceeding before the City involving a license, permit, or other entitlement for use is required to disclose on the record of the proceeding any contribution in an amount of more than two hundred fifty dollars (\$250) made within the preceding 12 months by the party or the party's agent to any elected or appointed officer of the City. If you have made a qualifying contribution, please ensure to make this disclosure on the record.

Please Note: You can submit your questions and comments in writing for the Planning Commission to consider by mailing or delivering them to the City of Newport Beach Planning Commission at 100 Civic Center Drive, Newport Beach CA, 92660. Alternatively, you can send them by electronic mail directly to Commissioners at planningcommission@newportbeachca.gov. Each Commissioner and staff will receive your message directly. Pursuant to Planning Commission procedures, please submit your written comments no later than 5:00 p.m. on Wednesday the day before the meeting in order to give Commissioners adequate time to review your submission.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant of this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Clarivel Rodriguez in the Community Development Department prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3232 or crodriguez@newportbeachca.gov).

APPEAL PERIOD: Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan, Zoning, and Local Coastal Program Amendments are automatically forwarded to the City Council for final action.

I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

IV. **PUBLIC COMMENTS**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three (3) minutes. Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.

V. **REQUEST FOR CONTINUANCES**

VI. **CONSENT ITEMS**

1. **MINUTES OF NOVEMBER 9, 2023**

Recommended Action: Approve and file.

[Draft Minutes of November 9, 2023](#)

[1a Additional Materials Received Draft Minutes of November 9, 2023](#)

VII. **PUBLIC HEARING ITEM(S)**

Speakers must limit comments to three (3) minutes on all items. Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing

2. **PINE KNOT MOTEL CDP (PA2023-0027)**

Site Location: 6302 West Coast Highway

Summary:

An appeal of the Zoning Administrator's September 28, 2023, decision to approve a coastal development permit to rehabilitate a 12-room motel that was significantly damaged by fire in 2018 and partially demolished pursuant to Emergency Coastal Development Permit No. ECD2018-150. The project involves replacing the demolished portions of the structure, repairing the uninhabitable portions of the structure, the addition of a partial second story at the front of the property, construction of a commercial trash enclosure, and site improvements. Site improvements include but are not limited to, hardscaping, drainage, and restriping of the existing parking lot. Approximately 306 square feet will be added to the total gross floor area of the structure to modernize and enhance the usability of the motel. The rehabilitated motel will maintain a relatively similar footprint to the damaged structure and will maintain the same number of guest rooms.

Recommended Actions:

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 under Class 2 (Replacement of Reconstruction) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment; and
3. Adopt Resolution No. PC2023-041 denying the appeal and upholding and affirming the Zoning Administrator's approval of a Coastal Development Permit to allow the addition of a partial second story and the rehabilitation of a 12-room motel filed as PA2023-0027 (Attachment No. PC 1.)

[Item No. 2 Staff Report](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 2 - Emergency Coastal Development Permit No. ECD2018-150](#)

[Attachment 3 - Zoning Administrator Resolution No. ZA2023-060](#)

[Attachment 4 - Zoning Administrator Minutes from September 28, 2023](#)

[Attachment 5 - Appeal Application](#)

[Attachment 6 - Project Plans](#)

[Attachment 7 - Feasibility and Impact Assessment, prepared by PFK Hospitality Group](#)

[2a Additional Materials Received Various PA2023-0027](#)

[2b Additional Materials Received Various PA2023-0027](#)

[2c Additional Materials Received Various PA2023-0027](#)

3. SAGE HILL MIDDLE SCHOOL (PA2022-0277)

Site Location: 20402 Newport Coast Drive

Summary:

A major site development review, minor use permit, and traffic study to increase student enrollment from 600 to 750 students and to construct a new three-story, 38,658 square-foot middle school (i.e., grades 7-8) and gymnasium building for Sage Hill School on the northern portion of the existing campus. The proposed structure would exceed the remaining 20,166 square feet authorized by the original use permit; therefore, the request includes an amendment to increase the total floor area on-site by 18,492 square feet for a total of 160,392 square feet. The proposed middle school and gymnasium building includes eight classrooms, a café, offices, storage rooms, outdoor learning areas, and approximately 824 bleacher seats within the gymnasium. The proposed project also includes nighttime lighting and landscaping improvements for the existing baseball field as well as landscaping improvements for the new school and gymnasium building. Lastly, the project includes improvements to Newport Coast Drive to extend the existing left turn lane at the intersection of Newport Coast Drive and the Coyote Canyon Landfill Renewable Energy Facility (REF), which is intended to improve queuing capacity. No changes are proposed to the existing high school facilities (i.e., grades 9-12) which will continue to be regulated by Use Permit No. PA97-0173.

Recommended Actions:

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) and under Section 15314 under Class 14 (Minor Additions to Schools) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Resolution No. PC2023-042 approving a Major Site Development Review, Minor Use Permit, and Traffic Study (Attachment No. PC 1).

[Item No. 3 Staff Report](#)

[Attachment 1 - Draft Resolution with Findings and Conditions](#)

[Attachment 2 - Applicants Project Description](#)

[Attachment 3 - Site Photos and Renderings](#)

[Attachment 4 - Queueing Analysis](#)

[Attachment 5 - Biological Resources Update and Potential Effects Associated with Fuel Modification Plan Memorandum](#)

[Attachment 6 - Project Plans](#)

[3a Additional Materials Various PA2022-0277](#)

[3b Additional Materials Various PA2022-0277](#)

[3c Additional Materials Various PA2022-0277](#)

4. RESIDENCES AT 1400 BRISTOL STREET (PA2022-0296)

Site Location: 1400 and 1420 Bristol Street (North)

Summary:

The Applicant is requesting approval for the demolition of two existing office buildings and the development of 229 apartment units atop a 422-space parking structure and a pedestrian bridge that extends from the proposed project over the Spruce Street right-of-way to the approved residential apartment project at 1300 Bristol Street (Project). The following approvals are requested to implement the Project as proposed:

- General Plan Amendment (GPA) - A request to change the existing General Plan land use designation of subject property from General Commercial Office (CO-G) to Mixed Use Horizontal 2 (MU-H2) and add 64 dwelling units to Anomaly 16 of the General Plan Table LU2 (Anomaly Locations) to accommodate the Project;
- Planned Community Development Plan Amendment - An amendment to the Newport Place Planned Community (PC-11) Development Plan (PC Text) to include the project site within the Residential Overlay;
- Major Site Development Review - A site development review in accordance with the Newport Place Planned Community and Section 20.52.80 (Site Development Reviews) of the Newport Beach Municipal Code (NBMC), for the construction of the

Project;

- Affordable Housing Implementation Plan - A plan specifying how the Project would meet the City's affordable housing requirements, in exchange for a request of 50% increase in density. The Applicant seeks six development standard waivers related to park land dedication, building setbacks, building height, private open space for each residential unit, common open space for the entire Project, and overall residential project density pursuant to Chapter 20.32 (Density Bonus) of the NBMC and Government Code Section 65915 (Density Bonus Law), and two development concessions related to the mix of affordable units and partial park in-lieu fee payment, pursuant to Chapter 20.32 (Density Bonus) of the NBMC and Government Code Section 65915;
- Development Agreement - A Development Agreement between the Applicant and the City, pursuant to Section 15.45.020 (Development Agreement Required) of the NBMC, which would provide the Applicant with the vested right to develop the Project for a term of 10 years and to provide negotiated public benefits to the City;
- Traffic Study - A traffic study pursuant to Chapter 15.40 (Traffic Phasing Ordinance) of the NBMC; and
- Addendum to the 2006 General Plan Update Program Environmental Impact Report (Addendum) - Pursuant to the California Environmental Quality Act (CEQA), the Addendum addresses reasonably foreseeable environmental impacts resulting from the Project.

Recommended Actions:

1. Conduct a public hearing;
2. Find that potential environmental impacts have been previously mitigated through the implementation of the policies of the General Plan as evaluated in Program Environmental Impact Report for the 2006 General Plan Update (SCH No. 2006011119), and the City of Newport Beach Housing Element Initial Study/Negative Declaration (collectively, the PEIR); therefore, in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, an addendum to the previously adopted PEIR is the appropriate environmental documentation for the project; and
3. Adopt Resolution No. PC2023-043 recommending the City Council adoption of Environmental Impact Report Addendum, and approval of General Plan Amendment, Planned Community Development Plan Amendment, Major Site Development Review, Affordable Housing Implementation Plan, Traffic Study, and Development Agreement, for the Residences at 1400 Bristol Street Project located at 1400 and 1420 North Bristol Street (PA2022-0296).

[Item No. 4 Staff Report](#)

[Attachment 1 - Draft Resolution with Findings and Conditions](#)

[Attachment 2 - Applicant's Project Description](#)

[Attachment 3 - Construction Management Plan](#)

[Attachment 4 - Addendum to the 2006 General Plan EIR](#)

[Attachment 5 - Fiscal Impact Analysis](#)

[Attachment 6 - Public Comments](#)

[Attachment 7 - Project Plans](#)

[4a Additional Materials Received McClellan PA2023-0296](#)

[4b Additional Materials Received Various PA2023-0296](#)

VIII. STAFF AND COMMISSIONER ITEMS

5. MOTION FOR RECONSIDERATION

6. REPORT BY THE COMMUNITY DEVELOPMENT DIRECTOR OR REQUEST FOR MATTERS WHICH A PLANNING COMMISSION MEMBER WOULD LIKE PLACED ON A FUTURE AGENDA

[PC AGENDA](#)

7. REQUESTS FOR EXCUSED ABSENCES

IX. ADJOURNMENT