



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Thursday, January 30, 2025**, at **10:00 a.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted online via Zoom. The Zoning Administrator of the City of Newport Beach will consider the following application:

Cappy's Café – A request for a minor use permit and coastal development permit to remove an existing temporary outdoor dining patio and construct a permanent 440-square-foot outdoor dining patio for an existing restaurant. The existing restaurant has a Type 47 (On-Sale General Eating Place) Alcoholic Beverage Control (ABC) License and provides live entertainment, which would continue as part of the project. No changes to the operational characteristics of the existing restaurant are requested and no late hours (i.e. after 11:00 p.m.) are proposed. Additionally, the applicant is requesting a lot merger to merge three underlying legal lots into one lot. If approved, this Minor Use Permit would supersede Use Permit No. UP1980, Use Permit No. UP862, and Accessory Outdoor Dining Permit No. 25.

The project is categorically exempt under Section 15301 under Class 1 (Existing Facilities) and under Section 15315 under Class 15 (Minor Land Divisions) of the State CEQA (California Environmental Quality Act) Guidelines.

All interested parties may appear and present testimony regarding this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City or before the public hearing. The application may be continued to a specific future meeting date; if such an action occurs, additional public notice of the continuance will not be provided. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapters 19.68 (Mergers of Continuous Lots), 20.64 (Appeals) and 21.64 (Appeals and Calls for Review). A fee is not required to appeal any final action on a coastal development permit to the Planning Commission. The project site is located within the appeal area of the coastal zone; therefore, final action by the City may be appealed to the California Coastal Commission.

The agenda, staff report, and corresponding documents will be available by end of business day on the Friday preceding the public hearing and may be reviewed at the Community Development Department Permit Center (Bay C-1st Floor), at 100 Civic Center Drive, Newport Beach, CA 92660 or the City of Newport Beach website at www.newportbeachca.gov/zoningadministrator. **Please review the Zoning Administrator Agenda for Zoom participation instructions.** Individuals not able to attend the meeting may contact the Planning Division or access the City's website after the meeting to review the action on this application. All mail or written communications (including email) from the public, residents, or applicants regarding an agenda item must be submitted by 12:00 p.m. on the business day immediately before the meeting. This allows time for the Zoning Administrator to adequately consider the submitted correspondence.

For questions regarding this public hearing item please contact Jenny Tran, Associate Planner, at 949-644-3212 or jtran@newportbeachca.gov, at 100 Civic Center Drive, Newport Beach, CA 92660.

Project File No.: PA2023-0191

Zone: CV (Commercial Visitor-Serving)

Coastal Land Use Plan: CV-A (Visitor Serving Commercial) – (0.0 – 0.75 FAR)

Location: 5930 West Coast Highway and 205, 206, and 207 60th Street

Activities: Minor Use Permit, Coastal Development Permit, and Lot Merger

General Plan: CV (Visitor Serving Commercial)

Filing Date: October 19, 2023

Applicant: Government Solutions, Inc