

# **Attachment I**

Applicant Appeal Response Letter

August 6, 2025

***DELIVERED VIA ELECTRONIC MAIL:*** JArregui@newportbeachca.gov

Mr. Jerry Arregui, Assistant Planner  
Community Development Department  
City of Newport Beach  
100 Civic Center Drive  
Newport Beach, California 92660

**RE: Ford Road Townhomes (PA2025-0049)  
Applicant's Response to Appellant's Appeal to City Council**

Dear Mr. Arregui:

This office represents the applicant, Ford Road Ventures LLC, with regards to the above referenced residential project ("Project"), which was unanimously approved by the Newport Beach Planning Commission on Thursday, July 3, 2025. This letter is submitted in response to the appeal submitted on July 17, 2025 seeking review of the Project by the Newport Beach City Council.

As a preliminary matter, we understand the appellant missed the statutory deadline for a number of items referenced within its appeal letter, including, but not limited to, the vesting tentative tract map which is now final. As a result of this untimely appeal, the only item properly before the City Council at its August 26, 2025 hearing is the limited consideration of the Project's compliance with the Objective Design Standards provided in Newport Beach Municipal Code ("NBMC") Section 20.48.185.

The Objective Design Standards are intended to result in quality design of multi-unit residential developments to provide high quality and resilient buildings. As noted in the Planning Commission Staff Report, the Project complied with 48 of 52 of the Objective Design Standards and only sought minor deviations when necessary to improve the appearance of the development. Importantly, NBMC Section 20.48.185(C) allows the Planning Commission to waive any of the design and development standards upon finding that: (1) strict compliance with the standards is not necessary to achieve the purpose and intent of NBMC Section 20.48.185; and (2) the Project possesses compensating design and development features that offset impacts associated with the modification or waiver of standards. The Planning Commission made the required findings in Resolution No. PC2025-012 to allow the minor deviations to the Objective Design Standards sought by the Project. The findings and justifications were well reasoned and articulated. Rather than list out those findings again here, we direct the City Council to Findings H and I of Resolution No. PC2025-012, which lists out the facts in support of the findings. The Planning Commission fulfilled its duties, made the required findings, and complied with the NBMC.

Following the Planning Commission's approval of the Project, the applicant has further revised the Project to comply with two additional Objective Design Standards, NBMC Sections

20.48.185(N)(2)(b) (Private Driveway Standards – Landscape and Paving Zone) and 20.48.185(R)(1)(a) (Horizontal Modulation – Maximum Building Length). As to the “Private Driveway Standards – Landscape and Paving Zone,” the Project’s site plan has been adjusted to meet the four-foot minimum landscaping zone and as to the “Horizontal Modulation – Maximum Building Length,” the Project’s measurements have been clarified to show that the average building width across all levels is 143’-4”, which is below the 150’ standard. These two Project revisions were made in good faith by the applicant and now bring the Project into compliance with 50 of 52 Objective Design Standards. And the minor deviations of the remaining two Objective Design Standards are supported by Findings H and I of Resolution No. PC2025-012.

We believe the record clearly demonstrates that these limited deviations are justified, consistent with the intent of the Objective Design Standards, and enhance both the functionality and visual quality of the Project. We respectfully request that the City Council uphold the Planning Commission’s unanimous approval of the Project.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'MTorres', is positioned above the printed name.

Michael Torres  
For NEWPORT PACIFIC LAW, P.C.