

Attachment No. PC 2

Project Description

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April 17, 2025

City of Newport Beach
Community Development Department – Planning Division
100 Civic Center Drive
Newport Beach, CA 92658

**RE: Letter of Justification
Conditional Use Permit for 3520 E. Coast Hwy**

To Whom it may concern,

This letter of explanation is submitted on behalf of our client and applicant, El Cholo at 3520 E. Coast Hwy to increase the total outdoor dining area by 345.1 square feet.

Following a review of the existing gross indoor and outdoor dining area for the existing use, in compliance with City Ordinance No. 2023-6, the amended Sec. 20.40.040, Table 3-10, our current required parking total including the proposed addition requires 50 spaces, while our existing parking agreements, (UP1908) only has 41 available spaces. We are requesting an 18% reduction per Sec 20.40.110 Adjustments to Off-Street Parking Requirements, which would bring our current parking accommodation total into compliance.

We trust staff and the Commission will agree with our findings per Sec. 20.52.020 F that;

1. The intended use is consistent with General Plan for the CC Commercial Corridor zoning district to provide a wide variety of neighborhood-serving retail and service uses along street frontages and foster pedestrian activity.
2. The use is allowable within the CC Commercial Corridor under a Conditional Use Permit (Table 2-5 NBMC 20.20.020 – within 500 feet of a residential zone) and it complies with all other application provisions of the Zoning Code and Municipal Code.
3. The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity. The proposed additional outdoor dining area is entirely within the private property boundary for the existing use and operation of the restaurant operation. The proposal is consistent with previously approved Limited Term Permit PA2021-189. Our proposal is to make permanent previously approved temporary dining area.
4. The site is physically suitable in terms of design, location, size, and operating characteristics, and provisions of public and vehicle access and public services and utilities. In the approved El Cholo Temporary Patio Extension of Time (PA 2022-0286), Code Enforcement division had reviewed the use and was supportive of its extension as the outdoor dining had been operating without any issues or complaints from the public.

5. Operation of the use at the expanded dining area 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. As previously stated in the approved El Cholo Temporary Patio Extension of Time (PA 2022-0286), Code Enforcement division had reviewed the use and was supportive of its extension as the outdoor dining had been operating without any issues or complaints from the public.

We appreciate your review and consideration of the proposed project and trust you will find it meets with the City's own goals for the district and would be a welcome addition to the fabric of the neighborhood.

Sincerely,

Agent for the Applicant – architect



Scott Laidlaw
Laidlaw Schultz architects

November 14, 2025

Daniel Kopshever
Assistant Planner
City of Newport Beach Community Development Department
100 Civic Center Drive
Newport Beach, CA 92658

**RE: Parking Survey
Conditional Use Permit for 3520 E. Coast Hwy**

Daniel,

As requested at our Meeting on October 22nd with you, Joselyn Perez from Planning, Socheata Chhouk and Kevin Riley from the traffic division of Public Works, we have conducted a survey of available lunchtime parking at El Cholo restaurant to support our application for an 11% waiver for required parking to allow for additional outdoor dining. It was agreed at our meeting that we would determine available parking on a Wednesday from 12pm to 2 pm and on a Saturday from 12pm to 2pm and that the survey would count both off-street parking and on-street parking. As agreed, the survey was conducted by Scott Laidlaw on 11/8/25 and Andrew Herrmann on 11/12/25 from Laidlaw Schultz Architects. The off-street parking was tabulated in the 410 Narcissus Lot and the 409 Orchid Lot. The available on street parking was counted on Pacific Coast Highway between Narcissus and Orchid, on Narcissus between PCH and Second street and on Orchid between PCH and Second Street. The parking on PCH was in the designated parking spaces and the parking on Narcissus and Orchid was counted when a space was a minimum 22' long. The following is a tabulation from the surveys conducted on Saturday 11/8/25 and Wednesday 11/12/25:

Saturday 11/8/25

Time	12:00 pm	12:30 pm	1:00 pm	1:30 pm	2:00 pm
Narcissus Lot	12	12	11	11	13
Orchid Lot	18	15	17	17	17
Narcissus St	13	11	10	9	13
PCH	3	4	3	3	3
Orchid St	3	7	9	10	12
Total Available	49	49	50	50	58

Wednesday 11/12/25

Time	12:00 pm	12:30 pm	1:00 pm	1:30 pm	2:00 pm
Narcissus Lot	6	8	6	5	5
Orchid Lot	11	4	7	10	14
Narcissus St	2	3	10	9	12
PCH	3	5	5	6	6
Orchid St	2	4	7	8	9
Total Available	24	24	35	38	46

Upon review of the data, on Saturday 11/8/25 there was an average of (14) off-street and (7.5) on-street parking spaces available between 12pm and 2pm. On Wednesday 11/12/25 there was an average of (7.5) off-street and (6) on-street parking spaces available between 12pm and 2pm.

There are two public bike racks available in front of the restaurant on PCH which we never saw occupied.

We believe that the above observations demonstrate a surplus of parking more than adequate to support the waiver request. We appreciate your review of these findings and consideration of the parking waiver request.

Sincerely,

Agent for the Applicant – architect



Scott Laidlaw
Laidlaw Schultz architects