



# NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that on **Thursday, August 21, 2025**, at **6:00 p.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted in the Council Chambers at 100 Civic Center Drive, Newport Beach. The Planning Commission of the City of Newport Beach will consider the following application:

**ARC Carne & Cantina Restaurant** - A request to convert a portion of an existing commercial shell building into a three-story eating and drinking establishment (i.e., a "restaurant") with a rooftop outdoor dining area above. As proposed, the restaurant will operate with late hours (after 11:00 p.m.) between 8:00 a.m. and 12:00 a.m. (midnight), daily, and a Type 47 (On-Sale General – Eating Place) Alcohol Beverage Control (ABC) license. The project requires the following approvals from the City:

- **Conditional Use Permit (CUP):** A conditional use permit to authorize the establishment and operation of a restaurant with late hours and off-site parking;
- **Operator License:** An operator license from the Newport Beach Police Department (NBPD) pursuant to Chapter 5.25 (Operator License for Establishments Offering Alcoholic Beverages for On-Site Consumption in Combination with Late Hours, Entertainment, and/or Dance) of the Newport Beach Municipal Code (NBMC) to allow alcoholic beverage service in combination with late hours;
- **Major Site Development Review (SDR):** A site development review in accordance with Section 20.30.060(C)(2)(c) (Height Limits and Exceptions) of the NBMC to allow an increase in height within the Shoreline Height Limit Area up to 35 feet for a flat roof and 40 feet for a sloped roof. The project proposes flat elements up to 34 feet and sloped elements up to 35 feet;
- **Coastal Development Permit (CDP):** A coastal development permit to authorize the conversion of a retail shell building into a restaurant, construction of a third-floor addition with a rooftop dining area, increase in height within the Shoreline Height Limit Area in accordance with Section 21.30.060(C)(2)(c) (Height Limits and Exceptions) of the NBMC, and off-site parking; and
- **Traffic Study:** A traffic study pursuant to Chapter 15.40 (Traffic Phasing Ordinance) of the NBMC as the project will generate a net increase of over 300 average daily trips.

The project is categorically exempt under Section 15303 under Class 3 (New Construction or Conversion of Small Structures) and Section 15332 under Class 32 (In-Fill Development Projects) 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, at, or before, the public hearing. The project site is located in the coastal zone and partially within the California Coastal Commission appeals jurisdiction; therefore, final City action on the project is appealable to the California Coastal Commission. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 20.64 (Appeals) and Chapter 21.64 (Appeals and Calls for Review). No fee is required for appeals regarding coastal development permits to the California Coastal Commission. 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. 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, California, CA 92660 or the City of Newport Beach website at [www.newportbeachca.gov/planningcommission](http://www.newportbeachca.gov/planningcommission). 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 5:00 p.m. on the business day immediately before the meeting. This allows time for the Planning Commission here 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](mailto:jtran@newportbeachca.gov), at 100 Civic Center Drive, Newport Beach, CA 92660.

## **NOTICE OF POLICE DEPARTMENT DECISION**

**NOTICE IS HEREBY FURTHER GIVEN** that pending approval of the CUP mentioned above, an operator license application is scheduled for review by the Chief of Police of the City of Newport Beach on or after the **Friday, August 29, 2025**. The Chief of Police of the City of Newport Beach will consider the following application:

**ARC Carne & Cantina Restaurant** - A request for the issuance of an operator license under Chapter 5.25 of the NBMC to allow the operator to operate a restaurant with late hours, a Type 47 ABC license, and an outdoor dining area. The Operator License is required in conjunction with the request for a Conditional Use Permit filed as PA2025-0057 and scheduled for review by the Planning Commission on August 21, 2025.

The project is categorically exempt under Section 15303 under Class 3 (New Construction or Conversion of Small Structures) and Section 15332 under Class 32 (In-Fill Development Projects) of the State CEQA (California Environmental Quality Act) Guidelines

All interested parties may submit written comments regarding the requested operator license to Civilian Investigator, Wendy Joe, at 870 Newport Center Drive, Newport Beach, California, 92660. Comments will be accepted until **Thursday, August 28, 2025**. If you challenge this project in court, you may be limited to raising only the issues you or someone else raised in written correspondence delivered to the City, on, or before, the date of the decision. The draft action letter and project file may be reviewed at the Community Development Department Permit Center (Bay C-1<sup>st</sup> Floor), at 100 Civic Center Drive, Newport Beach, CA 92660. For questions regarding details of the operator license please contact Civilian Investigator, Wendy Joe, Special Investigations Unit at 949-644-3705 or by email at [wjoe@nbpd.org](mailto:wjoe@nbpd.org).

**Project File No.:** PA2025-0057

**Activities:** Conditional Use Permit, Major Site Development Review, Coastal Development Permit, and Traffic Study

**Zone:** Mixed-Use Mariners' Mile (MU-MM)

**General Plan:** Mixed-Use Horizontal 1 (MU-H1)

**Coastal Land Use Plan:** Mixed-Use Horizontal (MU-H)

**Filing Date:** March 12, 2025

**Location:** 2902 West Coast Highway, Unit A

**Applicant:** Michael Schafer of MSA

Jonathan Langford, Secretary, Planning Commission, City of Newport Beach