

**NEWPORT BEACH ZONING ADMINISTRATOR MINUTES
100 CIVIC CENTER DRIVE, NEWPORT BEACH
ZOOM**

**THURSDAY, MAY 29, 2025
REGULAR MEETING – 10:00 A.M.**

I. CALL TO ORDER – The meeting was called to order at 10:00 a.m.

Staff Present (Remote): Benjamin M. Zdeba, AICP, Zoning Administrator
Jerry Arregui, Assistant Planner
Oscar Orozco, Associate Planner

II. REQUEST FOR CONTINUANCES

None.

III. APPROVAL OF MINUTES

ITEM NO. 1 MINUTES OF MAY 15, 2025

Zoning Administrator Zdeba acknowledged that a written comment was received from Jim Mosher. He agreed with the suggested changes. No members of the public wished to comment further on the draft minutes.

Action: Approved as amended

IV. PUBLIC HEARING ITEMS

**ITEM NO. 2 Zak Residence Modification Permit (PA2025-0051)
Site Location: 34 Castaways North**

Council District 3

Action: Removed from Calendar

**ITEM NO. 3 Evans Residence Modification Permit (PA2024-0222)
Site Location: 1801 Port Taggart Place**

Council District 5

Oscar Orozco, Associate Planner, provided a brief project description stating that the applicant requests a modification permit for an addition of over 10% of a single unit dwelling with existing nonconforming garage dimensions. The proposed addition is 409-square-feet, which is 14% of the existing floor area of the structure. The property is in Area 6 of the low/medium density residential district, Harbor View Hills Planned Community (PC-3).

Associate Planner Orozco noted that the PC-3 Development Plan specifies the number of parking spaces but does not specify required dimensions. As a result, the garage dimensions are subject to the Newport Beach Municipal Code (NBMC), requiring a two-car garage to have a minimum of 20 feet in depth by 20 feet in width. Furthermore, when the development was constructed in 1972, the garage was compliant but after subsequent zoning code amendments the garage is now substandard in size and considered legal nonconforming. The site also includes a driveway that is 21-feet 3-inches in width and 22-feet 9-inches in depth, accommodating two parking spaces.

Associate Planner Orozco stated that the proposed project includes a remodeled floor plan allowing for existing water heater, washer, dryer, and storage cabinets to be relocated outside the garage to increase functionality and return to its intended use. This will increase the width of the garage from existing 16 feet, 2 inches to the

proposed 19 feet, 11 inches. He also noted increasing the depth of the garage by one-inch to meet the 20-foot requirement will impose major structural alterations and cost, while providing negligible benefit as the current conditions meets the intent of NBMC to provide onsite parking. In addition to the existing parking within the garage the property has a driveway that can accommodate two additional parking spaces, as a result demand for street parking is not expected to increase. Except for the requested Modification Permit to allow the larger addition, the project complies with all development standards. The project has been determined to be exempt from requirements of CEQA under Section 15303 under Class 3. To conclude, Associate Planner Orozco recommended approval of the project and stated he was available for questions as well as the applicant.

Zoning Administrator Zdeba opened the public hearing.

Applicant Rory Foubister of Foubister Architects, on behalf of the Owner, stated that he had reviewed the draft resolution and agrees with all the required conditions.

Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Approved

ITEM NO. 4 Eleve Longevity Lounge Minor Use Permit (PA2025-0022)
Site Location: 2901 West Coast Highway, Suite 100

Council District 2

Jerry Arregui, Assistant Planner, provided a brief project description stating that the applicant is requesting a minor use permit to allow the operation of a health and wellness lounge in a 3,726-square-foot tenant space within an existing office building. The existing building provides a total of 239 parking spaces onsite through subterranean parking and offsite parking. The property is located within the Mariners' Mile Corridor in the Mixed-Use Water 1 (MU-W1) Zoning District. The surrounding area consists of several commercial uses including marine related uses, medical offices, and restaurants.

The project will offer personal services such as red-light beds, saunas, cryotherapy, and intravenous therapy. While the Newport Beach Municipal Code does not have a health and wellness land use or definition, the business operations resemble that of a day spa and would therefore be categorized as personal service, restricted land use. The proposed personal services use requires 1 space per 250 square feet of gross floor area, since there will be no increase in the size of the tenant space, therefore no additional parking is required. Since, it is not considered an intensification in use, a coastal development permit is not required.

Assistant Planner Arregui noted the draft resolution includes Conditional of Approval No. 11 limiting operational hours between 6:00 a.m. and 9:00 p.m. Monday to Friday and 7:00 a.m. and 7:00 p.m. on Saturday and Sunday which allows for before and after work services to workers of the Mariners' Mile Corridor and surrounding area while maintaining consistency with other professional offices on the property and in the surrounding area.

Due to the existing commercial nature of the surrounding area, and the large distance between the proposed use and residential neighborhoods, the project is expected to be compatible with surrounding uses and is not expected to cause public inconveniences.

Assistant Planner Arregui concluded with a recommendation for approval with the conditions of approval as written and stated that him and the applicant are available for questions.

Zoning Administrator Zdeba asked Assistant Planner Arregui to confirm if the Building Division and Fire Marshal reviewed the proposal and if they offered any Conditions of Approval with respect to usage of large appliances and machines on site.

Assistant Planner Arregui confirmed both the Building Division and Fire Department reviewed the project with no objections and included Condition of Approval No. 23 requiring the applicant to obtain building permits to ensure the equipment and tenant layout complies with Building and Fire Codes.

Zoning Administrator Zdeba asked Assistant Planner Arregui to clarify if Intravenous (IV) services being offered on site would make the use closer to a medical spa versus a day spa, as the medical spa would require additional parking.

Assistant Planner Arregui responded that the project description listed a variety of services and IV Therapy is just an ancillary use therefore it is best classified as a day spa, which is considered personal services, restricted.

Zoning Administrator Zdeba also asked Assistant Planner Arregui to update the Zoning Administrator meeting date from May 22, 2025, to May 29, 2025, under Section 1 in the resolution.

Zoning Administrator Zdeba opened the public hearing.

Applicants Jennifer Karsting and Ashley Feliciano of Eleve Health stated that they had reviewed the draft resolution and agree with all the required conditions.

Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Approved as amended

ITEM NO. 5 Nardolillo Residence Coastal Development Permit (PA2024-0204)
Site Location: 5109 Seashore Drive

Council District 1

Jerry Arregui, Assistant Planner, provided a brief project description stating that a proposal for a coastal development permit (CDP) to demolish an existing single-unit dwelling to construct a new three-story, 1,973-square-foot single unit dwelling with a 433-square-foot garage two-car garage. The property is in the R-1 (Single Unit Residential) Zoning District and Coastal Zoning District. The project design is consistent with the neighborhood pattern of development consisting of two- and three-story single- and two-unit dwellings. No deviations from the Newport Beach Municipal Code (NBMC) were requested.

Assistant Planner Arregui stated the Coastal Hazards Report concluded that no coastal hazards would affect the property over the 75-year design life of the structure, and no anticipated need for a shoreline protection device.

Assistant Planner Arregui noted the property fronts the beach and is located approximately 1,500 feet southwest of Sunset Ridge Park, a Coastal Viewpoint designated by the Coastal Land Use Plan (CLUP). The property is also approximately 1,300 feet southwest from Superior Avenue, a Coastal View Road by the CLUP. The project would replace an aging beachfront dwelling with a new, three-story, single unit dwelling that complies with all applicable development standards and maintains a building envelope that's consistent with the existing and expected future pattern of development in this area. The dwelling is designed with balconies and decks facing the ocean includes glass guard rails and windows which soften the building's façade. As a result, the project does not have potential to impact the quality of the Coastal Zone or public views.

The property's is located between 51st and 52nd Street, which are identified as public beach access locations by the CLUP. Since the development is located on private property, the project will not obstruct access or interfere with any of the existing beach access locations.

Assistant Planner Arregui acknowledged a comment submitted by Jim Mosher. As a result, staff will add additional language to a Fact in Support of Finding 3 to clarify the citation of *Appendix C (Oceanfront Encroachment Policy Guidelines)* of Title 21 of the NBMC.

Assistant Planner Arregui concluded with a recommendation for approval with the conditions of approval as written, and with the change to Fact in Support of Finding 3. He also stated that him and the applicant are available for questions.

Zoning Administrator Zdeba opened the public hearing.

Applicant Dawn Vaught of Richart Design, on behalf of the Owner, stated that she had reviewed the draft resolution and agrees with all the required conditions.

Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Approved

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

VI. ADJOURNMENT

The hearing was adjourned at 10:21 a.m.

The agenda for the Zoning Administrator Hearing was posted on May 22, 2025, at 2:40 p.m. on the digital display board located inside the vestibule of the Council Chambers at 100 Civic Center Drive and on the City's website on May 22, 2025, at 2:35 p.m.

Benjamin M. Zdeba, AICP
Zoning Administrator