

Attachment F

July 3, 2025 Planning Commission Minutes

**NEWPORT BEACH PLANNING COMMISSION MINUTES
CITY COUNCIL CHAMBERS – 100 CIVIC CENTER DRIVE
THURSDAY, JULY 3, 2025
REGULAR MEETING – 6:00 P.M.**

I. CALL TO ORDER - 6:02 p.m.

II. PLEDGE OF ALLEGIANCE – Secretary Salene

III. ROLL CALL

PRESENT: Chair Mark Rosene, Secretary David Salene, Commissioner Curtis Ellmore, Commissioner Michael Gazzano, Commissioner Jonathan Langford, Commissioner Greg Reed

ABSENT: Vice Chair Harris

Staff Present: Assistant City Manager Seimone Jurjis, Deputy Community Development Director Jaime Murillo, City Traffic Engineer Brad Sommers, Assistant City Attorney Yolanda Summerhill, Assistant Planner Jerry Arregui, Administrative Assistant Clarivel Rodriguez, and Department Assistant Jasmine Leon

New Commissioner Michael Gazzano introduced himself to the Commission, adding he has worked in the real estate industry for 20 years, currently under the employment of a real estate developer.

IV. ELECTION OF OFFICERS

ITEM NO. 1 ELECTION OF OFFICERS

Summary:

The Planning Commission's adopted rules require the election of officers at its annual meeting, which occurs at the first meeting of July each year. Officers include the Chair, Vice Chair, and Secretary and they would serve a one-year term.

Recommended Actions:

1. Find this action not subject to the California Environmental Quality Act (CEQA) pursuant to 15060(c)(3) (the activity is not a project defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3;
2. Nominate Planning Commission officers consisting of Chair, Vice Chair, and Secretary; and
3. Appoint the officers by majority approval of a motion either individually or as one motion for all positions.

Chair Rosene noted not all Commissioners are present due to the excused absence of Vice Chair Harris and thus recommended the election of officers be continued to the next meeting on July 17th.

Motion made by Chair Rosene and seconded by Commissioner Langford to continue the election of officers to the July 17, 2025, meeting.

AYES: Ellmore, Gazzano, Langford, Reed, Rosene, and Salene
NOES: None
ABSTAIN: None
ABSENT: Harris

V. PUBLIC COMMENTS - None**VI. REQUEST FOR CONTINUANCES - None****VII. CONSENT ITEMS****ITEM NO. 2 MINUTES OF JUNE 19, 2025****Recommended Action:** Approve and file.**Motion** made by Commissioner Ellmore and seconded by Commissioner Langford to approve the meeting minutes of June 19, 2025, including revisions recommended by Jim Mosher.

AYES:	Ellmore,	Langford,	Reed,	Rosene,	and	Salene
NOES:	None					
ABSTAIN:	Gazzano					
ABSENT:	Harris					

VIII. PUBLIC HEARING ITEMS**ITEM NO. 3 FORD ROAD TOWNHOMES (PA2025-0049)**

Site Location: The unaddressed property abutting 1650 Ford Road (APN 458-361-10) identified as Site ID No. 141 in the Housing Element Sites Inventory and 1650 Ford Road (APN 458-361-02)

Summary:

A request to authorize the development of a for-sale residential townhome community with 27 units on an undeveloped and unaddressed property near the southeast corner of the MacArthur Boulevard and Bonita Canyon Drive intersection, northeast of the parking lot for the Bonita Canyon Sports Park and west of the AT&T facility. The proposed development includes a mix of two-, three, and four-bedroom units ranging from 1,916 to 2,989 square feet, each with an attached two-car garage. Units would be distributed within four detached, four-story buildings with a maximum structure height of 47 feet and 11 inches, above the established grade. The development will provide 13 visitor parking spaces and a variety of private resident-serving amenities. Offsite improvements include the installation of a gate restricting access to the neighboring AT&T property and the relocation of an existing wireless telecommunications monopole onto the neighboring AT&T property. Lastly, the project includes subdividing the project site and reconfiguring the lot line between the project site and the AT&T property. The following approvals are required:

- **Major Site Development Review:** Required for any project proposing five or more residential units with a tract map. The Major Site Development Review additionally allows for an increase in maximum structure height pursuant to Section 20.30.060 (Height Limits and Exceptions) of the Newport Beach Municipal Code (NBMC) and deviations from specific multi-unit objective design standards pursuant to Section 20.48.185 (Multi-Unit Objective Design Standards) of the NBMC.
- **Vesting Tentative Tract Map:** Requested to adjust the easterly property line between the project site and the AT&T property, to create individual parcels for conveyance purposes, and to allow for an airspace subdivision of the individual residential units for individual sale (i.e., for condominium purposes).

Recommended Actions:

1. Conduct a public hearing;
2. Find that this project is not subject to further environmental review pursuant to Section 21083.3 of the California Public Resources Code (PRC) and Section 15183 of CEQA Guidelines because the Project is consistent with the previously certified Program Environmental Impact Report (SCH No. 2023060699); and
3. Adopt Resolution No. PC2025-012 approving the Major Site Development Review and Vesting Tentative Tract Map filed as PA2025-0049.

Assistant Planner Jerry Arregui reported this item is for the Ford Road Townhomes located at a currently undeveloped site adjacent to an existing American Telephone & Telegraph (AT&T) Corporation facility at the corner of MacArthur Boulevard and Bonita Canyon Drive. He added the site is also adjacent to the Newport Bluffs Apartments and Bonita Canyon Sports Park, while also near the Harbor View single family homes neighborhood. He noted the site was included in the Sixth Cycle Housing Element as a housing opportunity site and is zoned for between 20-50 dwelling units per acre.

Assistant Planner Arregui reported that the AT&T facility has parking lot access from Ford Road and is a 35-foot-tall building housing telephone and electrical equipment, while the property also has a 50-foot wireless monopole. He noted there is also a park trail adjacent to the vacant lot connecting bicyclists and pedestrians from Ford Road to Bonita Canyon Drive.

Assistant Planner Arregui reported that the proposed project is a 27-unit residential townhome community with units ranging from 1,900 square feet to 2,900 square feet, access to the property would come from a shared driveway off Ford Road with a gate to restrict access to the AT&T facility's parking lot, and each residential unit will have a two-car garage, while the project will also have uncovered guest parking spaces and delivery spaces for a total of 66 parking spaces. He added that the driveway will be large enough to accommodate any service and delivery vehicles, along with trash collection and the development will also have a picnic area and fire pit, along with access points to the adjacent park trail.

Assistant Planner Arregui reported the project requires a lot line adjustment between the project site and AT&T facility, increasing the project site from 1.06 acres to 1.16 acres, and added that the applicant has volunteered to repave and slightly reconfigure AT&T's parking lot, along with improving AT&T's landscaping.

Assistant Planner Arregui stated the project requires a Major Site Development Review as the project will include five or more units with a Tract Map. He added there is a request for a height increase as part of this item, but clarified this request would not be required next month due to height restriction changes in Ordinance No. 2025-10, which was approved by the City Council on June 24 and takes effect in 30 days. He reported that the item also includes a request for a deviation from some multi-unit objective design standards. He added that approval of a Vesting Tentative Tract Map is required to allow for the individual sale of townhome units and the adjustment to the lot line. He noted that Environmental Clearance is also requested and reported on the required findings of a Major Site Development Review.

Assistant Planner Arregui confirmed the proposed project complies with the zoning requirements, including having 23.27 units per acre, noted the height limit has been amended to reflect the increases in Ordinance No. 2025-10, presented renderings of the project, noting landscaping along Bonita Canyon Drive, reported the site is 185 feet of distance from the closest existing residences and that due to the large distance, intervening roads, and change in scale of structures of surrounding developments, there is a harmonious transition in scale of the structures from the

surrounding developments to the Project.

Assistant Planner Arregui reported the City Council's adopted Objective Design Standards for multi-unit developments in Section 20.48.185 of the Newport Beach Municipal Code (NBMC), noting that 48 of the 52 are met by the proposed development, with very minor deviations requested for the other four. He stated that staff believe the minor deviations are supportable.

Assistant Planner Arregui reported that the Housing Opportunity Overlay Zoning Districts include a City Council-approved Final Program Environmental Impact Report (EIR) requiring a Section 15183 CEQA consistency analysis for each project utilizing the Housing Opportunity Overlay Zoning District. He added that the consistency analysis was prepared by the applicant's CEQA consultant and was peer reviewed by the City's CEQA consultants and found that there are no additional significant impacts. He noted the City Attorney provided a memo for the Commission to review regarding PRC Section 21080.66 as it related to environmental review.

Assistant Planner Arregui reported that staff have received public comments in support of the development for providing needed housing. He added that there have also been many concerned public comments received focused on traffic, parking, and vehicular access. He noted staff has determined the project will add 182 average daily trips, which does not trigger the Traffic Phasing Ordinance's threshold of 300 to require a Traffic Study. He confirmed the project only requires 61 parking spaces, but it includes 66 in the proposal.

Assistant Planner Arregui reported that staff is recommending an additional Condition of Approval, to require that the covenants, conditions, and restrictions (CC&Rs) require that garages be used for vehicles as opposed to storage, a prohibition of residents parking in guest spaces, and a prohibition of using the Bonita Canyon Sports Park's parking lot. He added, addressing vehicular access concerns from the public, another Condition of Approval is recommended to ensure there will be an access easement on the adjacent property to ensure residential access from Ford Road. Staff also recommended adding a Condition of Approval stating the developer shall pay all applicable Development Impact Fees, improvements must comply with the City's sight distance requirements, and the applicant must update plans to ensure runoff either remains onsite or connects to a drain in the public right-of-way subject to the satisfaction of the Community Development Director.

In response to Chair Rosene's inquiry, Deputy Community Development Director Jaime Murillo confirmed that the intent of Condition of Approval No. 20 is to allow latitude for the City to work with the applicant regarding landscaping along Bonita Canyon Drive and elsewhere.

All six Commissioners reported having ex Parte communications with the applicant and/or their consultant. Commissioner Gazzano added he visited the site.

Chair Rosene opened the public hearing.

In response to Chair Rosene's inquiry, Michael Torres, speaking on behalf of the applicant, confirmed he agrees with all the Conditions of Approval and confirmed that the applicant will comply with the Condition of Approval relative to relocating the monopole.

Robert Lange lamented how the two halves of Bonita Canyon Sports Park were never connected as originally intended. He stated it is naïve to think residents will not use the park's overloaded parking lot for personal use. He expressed safety concerns over the number of children who use the path along Ford Road to get to school, the toxicity of the outdated AT&T facility, and potential health hazards of living next to the monopole.

Harbor View Homes resident Saboohi Currim expressed concerns about the electromagnetic rays emitted by the monopole being hazardous to those living within 400 feet. She cautioned that the City could face legal exposure comparable to asbestos-based cases, as future health studies could reveal hazards of living near a cellular tower. She stated CEQA should better consider the tower's impacts.

Harbor View Homes resident Craig Gordon expressed concerns about the project's parking impacts. He stated it is impractical to expect a CC&R to enforce restrictions on garage uses other than storing vehicles and noted the Bonita Canyon Sports Park's soccer fields and other amenities are extensively used by children and expressed concerns about increasing Ford Road traffic, as parents already double-park while picking up or dropping off their children. He added that the buildings will also create an echo effect, amplifying the noise coming from the pickleball courts.

Harbor View Homes resident Gary Hunt criticized the noticing for the meeting, adding it is the night before Independence Day. He echoed the concerns of the previous public speakers, highlighting those pertaining to Ford Road traffic conditions. He stated the proposed development will be too tall for the community and would fit better in a different part of the City.

Harbor View Homes resident Steve Robinson echoed the previous comments. He reported that Bonita Canyon Sports Park is already stressed by high usage and expressed concerns about adding to the traffic around children who already operate their eBikes dangerously. He encouraged the City to develop the lot as a park.

Harbor View Homes resident Wade Womack stated the process is missing transparency and decried the applicant's lack of public outreach. He encouraged the Commission to continue the item until more community stakeholder meetings can be held. He expressed doubts about the City's ability to police parking restrictions. He stated the project is inconsistent with the community south of Bonita Canyon Drive, noting the many children who ride bicycles to school past the project site. He stated that postponing a decision for better public outreach will not hurt the project.

Blair Walsh stated Newport Beach's mantra is to grow while honoring the unique charms of each community. He lauded the project for proposing smart growth while balancing community character. He commended the design for its familiar yet modern look. He noted the project will also upgrade the AT&T facility and create homeownership opportunities in a City lacking them. He encouraged the Commission to approve the development.

Jim Mosher stated his understanding that these will be market-rate housing units, which will not help the City meet its Regional Housing Needs Allocation (RHNA) affordable housing goals. He added that the Housing Element identifies the site for 25 affordable units, making the proposed market-rate development inconsistent with the Housing Element. He inquired if the proposed in-lieu park fee of \$38,400 per unit would be different had the application been filed later. He stated this site could be better used for the potential relocation of a fire station.

Harbor View Homes resident Janice Grace called for a delay in the voting. She noted the site is landlocked and the discussion of an access easement is not sufficiently documented. She noted traffic backs up 20-30 cars deep on school days and questioned how a Traffic Study is not needed. She stated the environmental assessment is outdated. She added that the mailing list for the neighborhood did not hit enough homes, and the notice arrived too late. She noted that most written public comments are against the project and questioned the relevance of the written supporting comments. She added that the proposed height does not fit the aesthetic of the community, and that the project plan shows the project does not comply with the height requirement. She called for a delay to receive more community input.

Harbor View Homes resident Katie Drown stated she is speaking on behalf of multiple area families who did not receive enough notice to attend the night before Independence Day. She expressed concerns about the CC&Rs' garage parking restrictions being both unenforceable and easy to change. She stated there should be concerns about negative long-term health effects from living so close to the AT&T tower. She noted Mr. Walsh is a real estate agent and questioned the sincerity of his support of the project due to potential professional interests.

Commissioner Ellmore encouraged public speakers to focus on matters not previously mentioned extensively, such as traffic, parking, the cellular tower, sound, and noticing.

Harbor View Homes resident Karol Hatch noted there is just a stop sign directing traffic at the intersection of Newport Hills Drive and Ford Road, causing issues because park-goers often make illegal U-turns there while looking for parking. She added that a slight slope at the stop sign causes visibility dangers for residents on Newport Hills Drive. She echoed the comments of previous public speakers. She reported that the Bonita Canyon Sports Park only came to be because the same residents successfully fought a 1996 plan to use the land for affordable housing. She questioned how the City uses in-lieu fees. She theorized the proposed townhomes would not be priced as to be considered affordable housing, including Homeowners Association (HOA) dues.

Eric Mickleton expressed his support for the project's smart growth. He lauded the thoughtfulness of the project, adding it meets zoning codes. He stated this is a better use of the eyesore AT&T site.

Harbor View Homes resident Sam Miraban echoed the comments of earlier speakers and expressed concerns about the impact on local wildlife, which would lose its native vegetation and habitat to the development. He noted there has not been a Wildlife Impact Study and added the project could cause a loss in biodiversity.

Robert Vise decried the proposed height of the development, expressing concerns that it will visually obstruct northbound drivers turning off MacArthur Boulevard onto Bonita Canyon Drive.

Harbor View Homes resident Polly decried the meeting's timing and lack of notice. She expressed concerns about traffic and parking. She recommended an overnight parking ban on Ford Road. She reported that City enforcement promises about the pickleball courts at the time of their approval have not occurred, leading her to doubt parking enforcement promises around this proposed development. She called to reduce the Ford Road speed limit to 25 miles per hour and make the intersection with Newport Hills Drive a four-way stop. She inquired if children living in the development would attend Anderson Elementary School.

Brian Sperry expressed his support for the project. He acknowledged he is a real estate agent and developer, but clarified he is not involved in the project. He stated he supports increasing the City's housing inventory. He added it is a good use for the vacant land next to the eyesore AT&T facility, adding value with beautiful townhomes affording families an opportunity to stay in Newport Beach as homeowners in a City without any available land to build on. He added that this well-designed project echoes the well-liked Isle at Mariner Shores project on Irvine Ave. He stated he rarely has parking issues when using the Bonita Canyon Sports Park's soccer fields. He noted that the Property Tax revenue will help City services.

Harbor View Homes resident Debra Klein stated her opposition to the project and contradicted Mr. Sperry's comments about the availability of parking at the soccer field, noting it often spills over into her neighborhood streets, introducing strangers to her community. She stated residents on streets closer to the development will lose their privacy due to the taller structure. She decried how those specific homeowners were not properly notified of a meeting happening the night

before Independence Day. She encouraged a continuance so more residents can be heard.

Assistant City Attorney Yolanda Summerhill reported on the City's requirement-meeting noticing efforts, adding that only residents within 300 feet of the development receive a direct mailer. She clarified that the monopole issue is not before the Planning Commission at this meeting. She added that telecommunications-related health issues are not within the zoning jurisdiction, and there are no distance requirements from a residential property. She added that when the project to move the monopole comes forward in the future, it will go through the appropriate procedures.

Assistant City Attorney Summerhill reported that the City Council adopted the Sixth Cycle Housing Element, and this lot is included as a Housing Opportunity Site. She added that the General Plan and Zoning Code requirements are met here, which triggers the Housing Accountability Act, heavily constraining the City in terms of limiting the number of public hearings and significantly reducing options for the City to impose conditions and/or deny the project. She clarified that the approval of the Certified EIR ends the opportunity to raise CEQA-based concerns. She added that she has not heard anything during the discussion that warrants additional environmental review.

In response to Commissioner Reed's inquiry, Assistant City Attorney Summerhill stated that staff are unsure what school residents of the development will send their children to.

Mr. Torres stated that the applicant's understanding is that the children of residents will go to Lincoln Elementary School and not Anderson Elementary School.

Urban Arena, Inc. Founding Principal Michael Schrock clarified from an architectural standpoint how the proposed development is three stories but massed up to a fourth story. He lamented, as a Newport Beach resident, that part of why his children are moving out of state is a lack of housing options in their hometown, like what this one would be. He clarified that the project is not apartments but rather high-priced townhomes whose design was modeled after houses in the neighboring community.

Mr. Schrock noted how the buildings along Bonita Canyon Drive were oriented sideways so there is less frontage to the street. He suggested changing Ford Road's parallel parking to a diagonal configuration to increase the number of available parking spaces on a sufficiently wide thoroughfare. He highlighted the use of extra-large lanais to assist with the open visual appearance of the structures and added that the façade materials were chosen to match those found in the neighborhood. He noted every unit has a two-car garage, and the HOA will be able to enforce their proper usage for vehicle storage because the garages have windows, adding that this has been successful in other communities.

Chair Rosene closed the public hearing.

Commissioner Langford noted he was raised in this neighborhood and currently resides there, lauding the area's passion and thoughtful comments about this development. He stated the discussions around building the Port Carlow Circle, Port Tiffin Circle, and Port Stanhope Circle section of the community in the 1990s were similar to what is being said today about the townhomes, yet those new streets have been comfortably incorporated into the community for over 30 years.

Commissioner Langford stated that the proposed project is thoughtful. He lamented that there are many portions of the Housing Element that are state-mandated and not the City's choice. He noted that raising some height limits to allow for needed density was a recent compromise with developers. He added that this is the best housing development he has seen before the

Commission so far during the current cycle. He stated that townhomes are preferable to apartments, and they are already close to the minimum density threshold of 20 units per acre. He noted electromagnetic frequency concerns are not in the Commission’s jurisdiction. He stated that growth is not always easy, but this is being done in a thoughtful manner, and he will support the project.

Chair Rosene reported he immediately took note of the height but added the ship has sailed with the City Council’s action in approving Ordinance No. 2025-10. He lauded the project being for-sale housing instead of apartments. He commended the architecture and stated he would support the project.

Commissioner Ellmore noted his children play sports at Bonita Creek Sports Park, and he fully grasps the traffic concerns there. He noted the differing roles between the Planning Commission and the City Council, with their role as Commissioners being to focus on NBMC compliance and how the City complies with its RHNA allocation. He added, from a Commission perspective, this is a technical black-and-white matter and less of a human condition issue, which is the Council’s area. He reported that the height, traffic, and parking are all compliant with the NBMC. He noted the Commission’s jurisdiction does not include health ramifications from the cellular tower. He added the noticing complies. He stated he will support the project as a Planning Commissioner.

Motion made by Commissioner Ellmore and seconded by Commissioner Reed to approve the Item with the Conditions of Approval as amended by staff and the statutory exemption.

- AYES: Ellmore, Gazzano, Langford, Reed, Rosene, and Salene
- NOES: None
- ABSTAIN: None
- ABSENT: Harris

IX. **STAFF AND COMMISSIONER ITEMS**

ITEM NO. 4 MOTION FOR RECONSIDERATION - None

ITEM NO. 5 REPORT BY THE COMMUNITY DEVELOPMENT DIRECTOR OR REQUEST FOR MATTERS WHICH A PLANNING COMMISSION MEMBER WOULD LIKE PLACED ON A FUTURE AGENDA

Deputy Director of Community Development Murillo reported there will be three public hearing items at the next meeting on July 17th.

ITEM NO. 6 REQUESTS FOR EXCUSED ABSENCES

Commissioner Ellmore reported he will not attend the July 17th meeting due to a new baby coming in his family.

X. **ADJOURNMENT** – With no further business, Chair Rosene adjourned the meeting at 7:31 p.m.

July 3, 2025

The agenda for July 3, 2025, Planning Commission meeting was posted on Friday, June 27, 2025, at 10 a.m. in the Chambers binder, 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 Friday, June 27, 2025, at 10:10 a.m.

Tristan Harris

Tristan Harris, Chair

Jonathan Langford

Jonathan Langford, Secretary