

Attachment C

January 23, 2025 Planning Commission Minutes Excerpt

**NEWPORT BEACH PLANNING COMMISSION MINUTES
CITY COUNCIL CHAMBERS – 100 CIVIC CENTER DRIVE
THURSDAY, JANUARY 23, 2025
REGULAR MEETING – 6:00 P.M.**

I. CALL TO ORDER – 6:00 p.m.

II. PLEDGE OF ALLEGIANCE – Commissioner Ellmore

III. ROLL CALL

PRESENT: Chair Mark Rosene, Vice Chair Tristan Harris, Secretary David Salene, Commissioner Curtis Ellmore, Commissioner Jonathan Langford, and Commissioner Lee Lowrey

ABSENT: None

Staff Present: Assistant City Manager Seimone Jurjis, Deputy Community Development Director Jaime Murillo, Assistant City Attorney Yolanda Summerhill, Principal Civil Engineer Kevin Riley, Planning Manager Ben Zdeba, Assistant Planner Daniel Kopshever, Administrative Assistant Clarivel Rodriguez, Department Assistant Savannah Martinez

IV. PUBLIC COMMENTS

Jim Mosher suggested revising the public notice ads to be more accessible to the public.

V. REQUEST FOR CONTINUANCES - None

VI. CONSENT ITEMS

ITEM NO. 1 MINUTES OF JANUARY 9, 2025

Recommended Action: Approve and file

Motion made by Commissioner Ellmore and seconded by Chair Rosene to approve the meeting minutes of January 9, 2025, as amended by Mr. Mosher.

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

VII. PUBLIC HEARING ITEMS

**ITEM NO. 2 NEWPORT IRVINE MEDICAL CENTER (PA2024-0070)
Site Location: 3300 Irvine Avenue**

Summary:

A request to remodel an existing, three-story office building and convert the land use from professional office to medical office. To partially accommodate the increased parking demand, the existing surface parking lot will be restriped and a three-level parking structure

with solar canopy will be constructed. The following approvals are required to implement the project as proposed:

- Major Site Development Review: To allow an increase in building height in accordance Section 20.52.080 (Site Development Reviews) of the Newport Beach Municipal Code (NBMC) for the new architectural features (i.e., parapets) which are proposed for 41 feet 6 inches above existing grade and 45 feet above existing grade, where the base height limit permits a maximum of 32 feet;
- Staff Approval: To waive 61 of the 392 parking spaces required, or 15.5% of the parking requirement, in accordance with Section 20.40.110(D) (Adjustments to Off-Street Parking Requirements) of the NBMC; and
- Traffic Study: To consider the projected 1,496 net increase in average daily vehicle trips, pursuant to Section 15.40.030(A) (Traffic Phasing Ordinance) of the NBMC.

Recommended Actions:

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 under Class 32 (In-Fill Development Projects) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Resolution No. PC2025-003, approving the Site Development Review, Staff Approval, and Traffic Study filed as PA2024-0070.

Commissioner Langford recused himself due to real property interests by his employer.

Assistant Planner Kopshever used a presentation to review the project location, public comment concern, vicinity map and land use, project description and approvals, key site development review findings, existing view from Irvine Avenue, rendering of the proposed project, scale and compatibility, setbacks and open space, height comparison, parking waiver, traffic study, changes to the resolution, and action recommended.

Ex parte communications included the Commissioners meeting with either the applicant or the applicant's consultant and touring the property.

Chair Rosene opened the public hearing.

Jason Krotts, applicant, agreed to the conditions of approval and supported staff's recommendations and revisions.

Chair Rosene closed the public hearing.

Motion made by Commissioner Ellmore and seconded by Commissioner Lowrey to approve the item as amended.

AYES: Ellmore, Harris, Lowrey, Rosene, and Salene
 NOES: None
 RECUSE: Langford
 ABSENT: None

ITEM NO. 3 HOUSING OPPORTUNITY (HO) OVERLAY ZONING AND COASTAL ZONING DISTRICT AMENDMENTS (PA2024-0205)
Site Location: Various

Summary:

An amendment to Table 2-16 of Section 20.28.050 [Housing Opportunity (HO) Overlay Zoning Districts] in Title 20 (Planning and Zoning) and pending Table 21.28-1 of Section 21.28.070 [Housing Opportunity (HO) Overlay Coastal Zoning Districts] in Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code (NBMC) to: (1) adjust the height limitations of certain properties within the Newport Center Area (HO-4) Subarea to accommodate residential development with the intended prescribed density range; and (2) to identify a certain number of units being allocated from the respective development limits for a select group of City-owned properties located within the Airport Area Environs Area (HO-1) and Newport Center Area (HO-4) Subareas. The corresponding maps in Section 20.80.025 and pending Section 21.80.032 would also be amended accordingly.

Recommended Actions:

1. Conduct a public hearing;
2. Find that all potential environmental effects for the amendments have been adequately addressed in the previously certified Final Program Environmental Impact Report (EIR) identified by State Clearinghouse Number (SCH No.) 2023060699, and the City of Newport Beach intends to use said document for the approval of the amendments; and
3. Adopt Resolution No. PC2025-004 (Attachment No. PC 1), recommending City Council approve the amendments to the Housing Opportunity (HO) Overlay Zoning Districts (PA2024-0205.)

Commissioner Langford recused himself due to real property interests by his employer.

Planning Manager Zdeba used a presentation to highlight the background of the Housing Element and its implementation program, Housing Opportunity (HO) Overlay Zoning Districts, proposed amendments, HO-4: existing and proposed heights, vision for Newport Center, benefits of increased height, CEQA compliance, written correspondence received, staff's recommendation, and next steps.

In reply to Commissioner Lowrey's question, Planning Manager Zdeba indicated that subsequent requests can be made by private developers as an applicant once the initial amendment is completed.

Assistant City Manager Jurjis noted that increased heights are needed to make housing projects pencil, meet minimum density requirements, and provide a marketable product.

In response to Secretary Salene's inquiry, Planning Manager Zdeba reviewed the creation and purpose of the Newport Center Sight Plane, and stated that no changes are proposed to it so the residents across MacArthur Boulevard who are looking west maintain their views protected.

There were no ex parte communications among the Commissioners except for Commissioner Lowrey who spoke with property owners, stakeholders, and concerned citizens.

Chair Rosene opened the public hearing.

Jim Mosher thought the housing overlays are unfair and inequitable. He expressed concerns that the current proposal seems counterproductive, public noticing is inequitable, and views will be impacted.

Debbie Stevens, Harborview Hills Community Association, thanked staff for protecting the Newport Center Sight Plane, questioned the view by the cinema and inquired about the public notice process.

Tom Nicholson, 21 Shoal Drive, asked for the Commission to consider the Saint Michael's Church, Housing Element Site ID 147 for inclusion in the height limitation adjustments for HO-4.

Larry Tucker noted that there is less density with more height, greater land residual value with bigger units, reduced impacts with height, and the unit height does not affect the sight plane.

Planning Manager Zdeba noted that housing projects under the overlay will likely require a site development review to address compliance with the Newport Beach Municipal Code (NBMC) and General Plan, including analysis from public viewpoints. Furthermore, he reviewed public noticing practices.

Chair Rosene closed the public hearing.

Vice Chair Harris and Commissioner Ellmore thought Newport Center is an appropriate location for height and supported the two additional properties.

Motion made by Commissioner Ellmore and seconded by Vice Chair Harris to approve the item as recommended.

AYES: Ellmore, Harris, Lowrey, Rosene, and Salene
NOES: None
RECUSE: Langford
ABSENT: None

VIII. **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 TO BE PLACED ON A FUTURE AGENDA

Deputy Community Development Director Murillo indicated that the February 6 Planning Commission meeting is canceled, and no items are agendaized for the February 20 meeting.

Jim Mosher announced pending California Coastal Commission (CCC) Items 3 and 5 are scheduled for the CCC meeting in Long Beach on February 5.

ITEM NO. 6 REQUESTS FOR EXCUSED ABSENCES - None

IX. ADJOURNMENT - With no further business, Chair Rosene adjourned the meeting at 6:42 p.m.

Planning Commission Meeting
January 23, 2025

The agenda for the January 23, 2025, Planning Commission meeting was posted on Thursday, January 16, 2025, at 5:05 p.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 Thursday, January 16, 2025, at 4:49 p.m.



Mark Rosene, Chair



David Salene, Secretary