



CITY OF NEWPORT BEACH PLANNING COMMISSION AGENDA

Council Chambers - 100 Civic Center Drive

Thursday, August 21, 2025 - 6:00 PM

Planning Commission Members:

Tristan Harris, Chair
David Salene, Vice Chair
Jonathan Langford, Secretary
Curtis Ellmore, Commissioner
Michael Gazzano, Commissioner
Greg Reed, Commissioner
Mark Rosene, Commissioner

Staff Members:

Seimone Jurjis, Assistant City Manager / Community Development Director
Jaime Murillo, Deputy Community Development Director
Kevin Riley, Principal Civil Engineer
Yolanda Summerhill, Assistant City Attorney
Clarivel Rodriguez, Administrative Assistant

NOTICE TO THE PUBLIC

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. The agendas, minutes, and staff reports are available on the City's website at: <http://www.newportbeachca.gov> and for public inspection in the Community Development Department, Planning Division located at 100 Civic Center Drive, during normal business hours.. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at 949-644-3200.

This Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally three (3) minutes per person. All testimony given before the Planning Commission is recorded.

Under the Levine Act, Section 84308 of the Government Code, a party to a proceeding before the City involving a license, permit, or other entitlement for use is required to disclose on the record of the proceeding any contribution in an amount of more than five hundred dollars (\$500) made within the preceding 12 months by the party or the party's agent to any elected or appointed officer of the City. If you have made a qualifying contribution, please ensure to make this disclosure on the record.

Please Note: You can submit your questions and comments in writing for the Planning Commission to consider by mailing or delivering them to the City of Newport Beach Planning Commission at 100 Civic Center Drive, Newport Beach CA, 92660. Alternatively, you can send them by electronic mail directly to Commissioners at planningcommission@newportbeachca.gov. Each Commissioner and staff will receive your message directly. Pursuant to Planning Commission procedures, please submit your written comments no later than 5:00 p.m. on Wednesday the day before the meeting in order to give Commissioners adequate time to review your submission.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant of this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Clarivel Rodriguez in the Community Development Department prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3232 or crodriguez@newportbeachca.gov).

APPEAL PERIOD: Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan, Zoning, and Local Coastal Program Amendments are automatically forwarded to the City Council for final action.

I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

IV. **PUBLIC COMMENTS**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three (3) minutes. Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.

V. **REQUEST FOR CONTINUANCES**

VI. **CONSENT ITEMS**

1. **MINUTES OF AUGUST 7, 2025**

Recommended Action: Approve and file

[Draft Minutes of August 7, 2025](#)

[1a Additional Materials Received Mosher Draft Minutes of August 7, 2025](#)

VII. **PUBLIC HEARING ITEMS**

Speakers must limit comments to three (3) minutes on all items. Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing

2. **ARC CARNE & CANTINA RESTAURANT (PA2025-0057)**

Site Location: 2902 West Coast Highway, Unit A

Summary:

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.

Recommended Actions:

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 and under Class 3 (New Construction or Conversion of Small Structure) and 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 the exceptions to these exemptions do not apply; and
3. Adopt Resolution No. PC2025-016 approving the Conditional Use Permit, Major Site Development Review, Coastal Development Permit, and Traffic Study filed as PA2025-0057.

[Item No. 2 Staff Report](#)

[Attachment No. 1 - Draft Resolutions with Findings and Conditions](#)

[Attachment No. 2 - Project Description](#)

[Attachment No. 3 - Police Department Memorandum](#)

[Attachment No. 4 - Valet Operation Plan by Hospitality Parking Group](#)

[Attachment No. 5 - Public Correspondence](#)

[Attachment No. 6 - Project Plans](#)

[2a Additional Materials Received Oberman PA2025-0057](#)

[2b Additional Materials Received Meyers PA2025-0057](#)

[2c Additional Materials Received After Deadline Various PA2025-0057](#)

3. **EAST COAST HIGHWAY RESTAURANT SPACE (PA2024-0231)**
Site Location: 3025 & 3027 East Coast Highway

Summary:

A request to build out a new tenant space for a new 2,329-square-foot eating and drinking establishment (restaurant) within the shopping center by expanding the 1,205-square-foot suite currently occupied by La Fogata into an adjacent 1,124 square-foot vacant suite, formerly occupied by a dry cleaner business. A specific tenant has not been identified at this time. The request includes an allowance for both interior and outdoor dining, the service of alcohol through a Type 47 (On-Sale General - Eating Place) Alcohol Beverage Control (ABC) License, and hours of operation from 6:30 a.m. to 10 p.m., daily. No live entertainment, dancing, or late-hour operations (after 11 p.m.) are proposed. The restaurant will continue to operate the existing 130-square-foot outdoor dining area that is currently used by the existing restaurant. The project requires the following approvals from the City:

- **Conditional Use Permit (CUP):** To allow the restaurant and authorize a reduction of off-street parking requirements pursuant to Section 20.40.110(B) (Adjustments to Off-Street Parking Requirements) of the NBMC; and
- **Coastal Development Permit (CDP):** To allow expansion of the restaurant and authorize a reduction of off-street parking requirements pursuant to Section 21.40.110(A) (Adjustments to Off-Street Parking Requirements) of the NBMC for property located in the Coastal Zone.

Recommended Actions:

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significance effect on the environment; and
3. Adopt Resolution No. PC2025-017 approving a Conditional Use Permit and Coastal Development Permit filed as PA2024-0231.

[Item No. 3 Staff Report](#)

[Attachment No. 1 - Draft Resolution](#)

[Attachment No. 2 - Police Department Memorandum](#)

[Attachment No. 3 - Parking Study](#)

[Attachment No. 4 - Project Plans](#)

[Attachment No. 5 - Project Description](#)

[Attachment No. 6 - Project Correspondence](#)

[3a Additional Materials Received Staff Memo PA2024-0231](#)

VIII. STAFF AND COMMISSIONER ITEMS**4. MOTION FOR RECONSIDERATION**

5. REPORT BY THE COMMUNITY DEVELOPMENT DIRECTOR OR REQUEST FOR MATTERS WHICH A PLANNING COMMISSION MEMBER WOULD LIKE PLACED ON A FUTURE AGENDA

[5.0 Tentative Agenda](#)

6. REQUESTS FOR EXCUSED ABSENCES

IX. ADJOURNMENT