



CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT

March 5, 2026
Agenda Item No. 2

- SUBJECT:** 300 Newport Center Drive Condominiums (PA2025-0102)
- Major Site Development Review
 - Conditional Use Permit
 - Vesting Tentative Tract Map
- SITE LOCATION:** 210 and 300 Newport Center Drive and Unaddressed Parcels Identified as Assessor Parcel Numbers 442-091-12 and 442-161-16
- APPLICANT:** Related California
- OWNERS:** Edwards Affiliated Holdings, LLC, Joan E. Randolph Three, LP, and Ruoff Properties, LLC
- PLANNER:** Liz Westmoreland, AICP, Principal Planner
949-644-3234 or westmoreland@newportbeachca.gov
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PROJECT SUMMARY

A request to demolish all improvements on a 4.17-acre site, including an existing movie theater (Regal Edwards Big Newport) and a health/fitness facility (Body Design), to allow for the construction of two, 22-story residential buildings (approximately 270 feet high) consisting of a total of 150 condominium units, on-site amenities, for-sale home offices, retail/café space, and 343 parking spaces. Each residential building is nearly identical and is connected through a podium that contains the home offices, retail/café, amenities, parking, and building support facilities. The project includes private residential amenities such as pools, exercise facilities, and entertainment spaces. Vehicular access to the Property is through a driveway on Newport Center Drive, which leads to a guardhouse and motorized gate restricting access to the motor court and valet drop off. The requested project requires the following approvals:

- *Major Site Development Review* to allow a new residential development with five or more units and a tentative tract map, and to waive 5 of the 52 Multi-Unit Objective Design Standards;
- *Conditional Use Permit* to waive 58 required off-street parking spaces for the proposed home offices and retail/café component; and
- *Vesting Tentative Tract Map* to consolidate four lots into one parcel and to allow for an airspace subdivision of the individual residential units and nonresidential units for condominium purposes.

RECOMMENDATION

- 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 the California Environmental Quality Act (CEQA) Guidelines because the project is consistent with the previously certified Program Environmental Impact Report (SCH No. 2023060699); and
- 3) Adopt Resolution No. PC2026-004 approving the Major Site Development Review, Conditional Use Permit, and Vesting Tentative Tract Map No. 19407, collectively filed as PA2025-0102 (Attachment No. PC 1).

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VICINITY MAP



GENERAL PLAN

ZONING



LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	Regional Commercial Office (CO-R)	Office – Regional (OR)	Movie Theater and Health/Fitness Facility
NORTH	Regional Commercial (CR)	North Newport Center (PC-56)	Fashion Island and surface parking
SOUTH	CO-R	OR	Various retail uses
EAST	CO-R and Medical Commercial Office (CO-M)	Block 400 Newport Center (PC-28)	Various medical uses
WEST	CO-R and Multiple Residential (RM)	PC-56 and Residences at Newport Center (PC-61)	Car wash and professional business offices

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INTRODUCTION

Background

Housing Opportunity (HO) Overlay Zoning District and Amendment

On September 13, 2022, the City Council adopted the City's 6th Cycle Housing Element for the 2021-2029 planning period (Housing Element). The Housing Element was later certified as statutorily compliant with state law by the California Department of Housing and Community Development (HCD) on October 5, 2022.

On September 24, 2024, the City Council adopted Ordinance Nos. 2024-16 and 2024-17, approving amendments to Title 20 (Planning and Zoning) of the Newport Beach Municipal Code (NBMC) to establish the Housing Opportunity (HO) Overlay Zoning Districts (Housing Overlay) in Section 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) of the NBMC and to create multi-unit objective design standards ("ODS") in Section 20.48.185 (Multi-Unit Objective Design Standards) of the NBMC, respectively. The new sections serve to implement Policy Actions 1A through 1G and 3A in the Housing Element.

The adoption of these ordinances provided new housing opportunities within five subareas to ensure the City can meet its 6th Cycle Regional Housing Needs Assessment (RHNA) allocation: Airport Area Environs Area (HO-1), West Newport Mesa Area (HO-2), Dover-Westcliff Area (HO-3), Newport Center Area (HO-4), and Coyote Canyon Area (HO-5). These subareas correspond directly to the Focus Areas identified in Appendix B (Adequate Sites Analysis) of the Housing Element.

General Plan Land Use Element Policy LU 4.4 (Rezoning to Accommodate Housing Opportunities) clarifies that housing sites were intended to be located within areas that are generally consistent with the Housing Element's Focus Areas. However, not all sites *must* be included, and other sites or adjustments may be identified in the future through rezoning. Although the Property was not identified as a Housing Opportunity Site in the Housing Element, it was included in the rezoning for the Housing Overlay and is subject to the standards therein.

Specifically, properties within the Housing Overlay have specified development standards conducive to residential development at the prescribed average density of 20 to 50 dwelling units per acre. The standards include but are not limited to minimum lot area, setbacks, height, open space, landscaping, and parking. The ODS are applicable to any residential project with a minimum density of 20 dwelling units per acre to ensure high quality design and to provide a baseline standard for new multi-unit developments throughout the City.

As shown in Figure 1 below, the Property was included within the HO-4 (Newport Center Area) Subarea of the Housing Overlay.

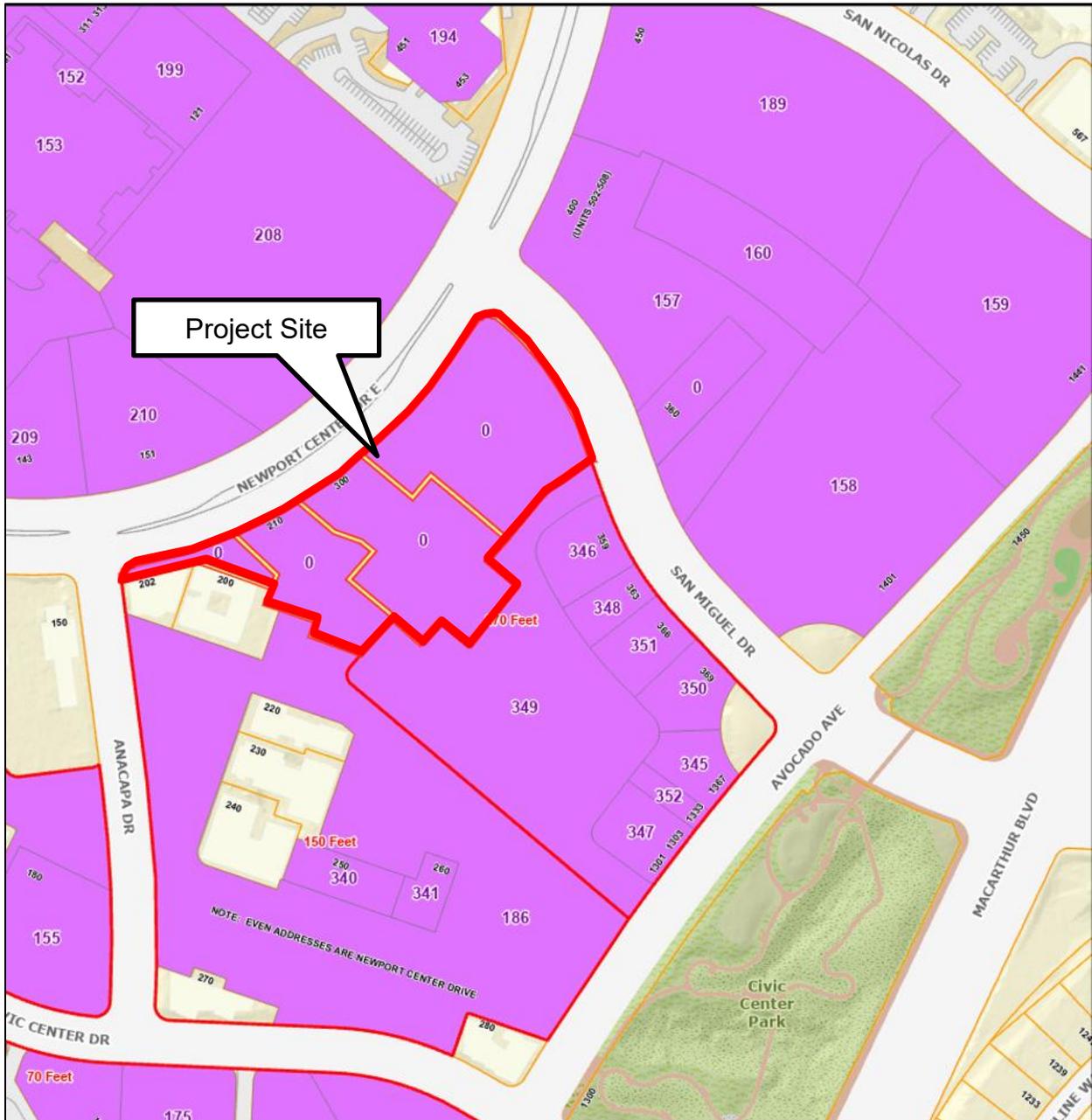


Figure 1, HO-4 (Newport Center) Subarea of the Housing Opportunity (HO) Overlay Zoning District

On November 19, 2024, the City Council adopted Resolution No. 2024-85, initiating an amendment to Section 20.28.050 and the pending complementary section in Title 21 of the NBMC, to review and make possible adjustments to certain development standards, including but not limited to building height limits as specified in Table 2-16 (Development Standards for Housing Opportunity Overlay Zones) of Section 20.28.050 and pending Table 21.28-1 (Development Standards for Housing Opportunity Overlay Zones) in Title 21 of the NBMC.

As originally adopted, the NBMC identified heights within the HO-4 Subarea as being limited to those in the underlying base zoning district. Given the variety of zoning districts, maximum height limits range from as high as 300 feet and as low as 32 feet. Due to the lower base height limits, an adjustment to allowable building heights was deemed appropriate and necessary to accommodate residential developments within the intended prescribed density range of 20 to 50 dwelling units per acre.

On June 24, 2025, the City Council adopted Ordinance No. 2025-10, which adjusted the height limitations for housing projects on several properties within the HO-4 Subarea, including an increased height limit of 270 feet for the subject properties.

Project Setting

The subject properties are four parcels that together comprise a 4.17-acre site located at 210 and 300 Newport Center Drive and Assessor Parcel Numbers (APNs) 442-091-12 and 442-161-16 as shown in Figure 2 below (“Property”). The Property is on the southeast side of Newport Center Drive (East) and extends from Anacapa Drive to San Miguel Drive. It is currently improved with the Regal Edwards Big Newport, an approximately 73,892-square-foot, six-screen movie theater with 1,134 seats, an approximately 6,400-square-foot health/fitness business, and a 121-space surface parking lot.

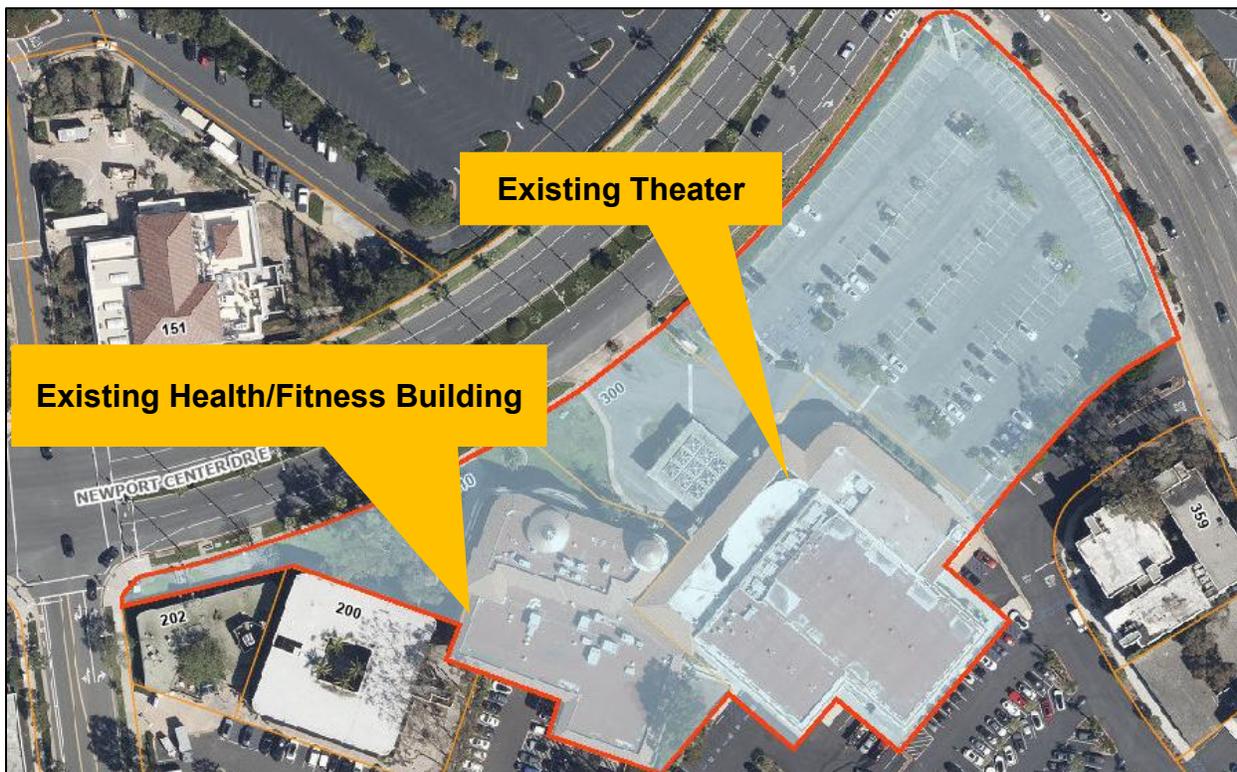


Figure 2, Aerial photograph of project site

Project Description

The applicant proposes demolishing all existing improvements on the Property and constructing 150 residential condominium units and 343 parking spaces within two 22-story towers. The project also includes the construction of a retail/café space at the corner of San Miguel Drive and Newport Center Drive and nonresidential home office spaces that will be sold individually to owners of the residential condominium units. A breakdown of the gross floor area and individual unit sizes are provided in Tables 1 and 2, respectively.

Table 1, Building Summary

Use	Floor Area (SF)
Residential	498,469
Resident Serving Amenities	31,621
Home Offices	18,060
Retail/Café	1,950
Parking Garage	158,750
Total	708,850

Table 2, Unit Summary

	2 Bedroom	3 Bedroom	4 Bedroom	Penthouse
Unit Size (SF)	2,127-2,408	2,459-2,579	3,104	6,419
Number of Units	70	72	6	2

Each residential tower is nearly identical and is connected through a podium that contains the home offices, retail/café, amenities, parking, and support facilities. The home offices are all within the main podium of the building along the street frontages and accessible via the public courtyards and interior of the podium. Table 3 describes the uses on each floor.

Table 3, Floor Description

Floor	Description of Uses
Shared Building Podium	
B1	This floor is primarily below grade and contains 136 parking spaces, a loading dock, emergency generator room, two home offices, and building support systems. The parking is directly accessed from the entry drive, with no direct internal vehicle connection to the other parking levels. This level does not extend below the north tower (Tower B) and daylights at the home offices below the south tower (Tower A), which fronts on Newport Center Drive.
1	The first floor provides the main entry, lobby, valet, and access to parking. This level has 142 parking spaces, home offices, retail/cafe space, loading dock, trash room, building support systems, mail room, and an amenity

Floor	Description of Uses
	garden space. The parking garage is accessed through two entry points, one prior to the motor court and one after the motor court and provides internal access to the parking spaces on the basement level, first floor, and second floor.
2	The northern half of the second floor contains 65 parking spaces and home offices. The southern half includes a pool deck, gym, screening room, playroom, dog spa, and landscaped amenity deck. The parking on this level can only be accessed through the parking area on the first floor.
Residential Towers	
3	Each tower includes office spaces, a shared entertainment kitchen, dining area, lounge, club room, and outdoor lounge/amenity deck. A second pool deck is located on the south side of Tower B.
4-7	Each of these floors contains 10, two-bedroom units (five per tower). Each unit will have a private balcony.
8-18	Each of these floors contains two, two-bedroom units (one per tower) and six, three-bedroom units (three per tower). Each unit includes a private balcony.
19-21	Each of these floors contains four, three-bedroom units (two per tower) and two, four-bedroom units (one per tower). The three-bedroom units would have two private balconies, and the four-bedroom units would have a single private balcony.
22	Each tower has one penthouse unit that occupies the entire floor. Each unit would have three private balconies.

Design and Architecture

As depicted in Figure 3 on the following page, the project will have a contemporary architectural style with neoclassical and mediterranean elements. The façades are organized by vertical pilasters and horizontal string courses, which mimics elements found in neoclassic architecture and the surrounding built environment. The building podium incorporates arched windows and lush, integrated landscaping, grounding the towers in a mediterranean-inspired environment.



Figure 3, Project rendering from Newport Center Drive

Access and Parking

Vehicular access to the Property is through a driveway on Newport Center Drive, which leads to a guardhouse and motorized gate restricting access to the motor court and valet drop off. The guardhouse will be staffed 24 hours a day, seven days a week to screen visitors to the site. A vehicle turnaround is provided between the guardhouse and gate to facilitate an efficient flow of traffic by those denied access to the site. A bypass lane is provided to allow residents to skip the guardhouse and activate the gate with a transponder.

Entry to the basement level parking garage is provided via the main entry gate. This parking area will be secured by a rollup gate at the garage entry. The first and second floor parking garage can be accessed through the motor court, which will also be secured by a rollup gate at the garage entry. Residents will have the option to self-park or utilize the valet parking, which will be staffed 24 hours a day, seven days a week. Visitors will be required to use the valet parking. The applicant has prepared a parking management plan (Exhibit "D" of Attachment No. PC 1) that demonstrates how parking will be managed.

Pedestrian access would be provided along a pathway leading to the lobby from the public street. A security gate would close the entry to the Property for both vehicles and

pedestrians, with landscaping screening to reduce the appearance of the Property being walled off from the public right-of-way.

Three loading docks are proposed. One loading dock for delivery and moving trucks is provided on the southwest side of the basement level and accessible via the adjacent property on the southwest side of the Property. The other two loading docks are located on the southeast side of the first floor, which can be accessed from San Miguel Drive, across the property to the east. The southeastern loading dock provides trash storage and staging. The southern (central) loading dock provides access for delivery and moving trucks. Existing easements facilitate access to the three loading docks. Smaller deliveries and standard mail would be delivered to the main lobby. Figure 4 below depicts the various access points and intended access types.

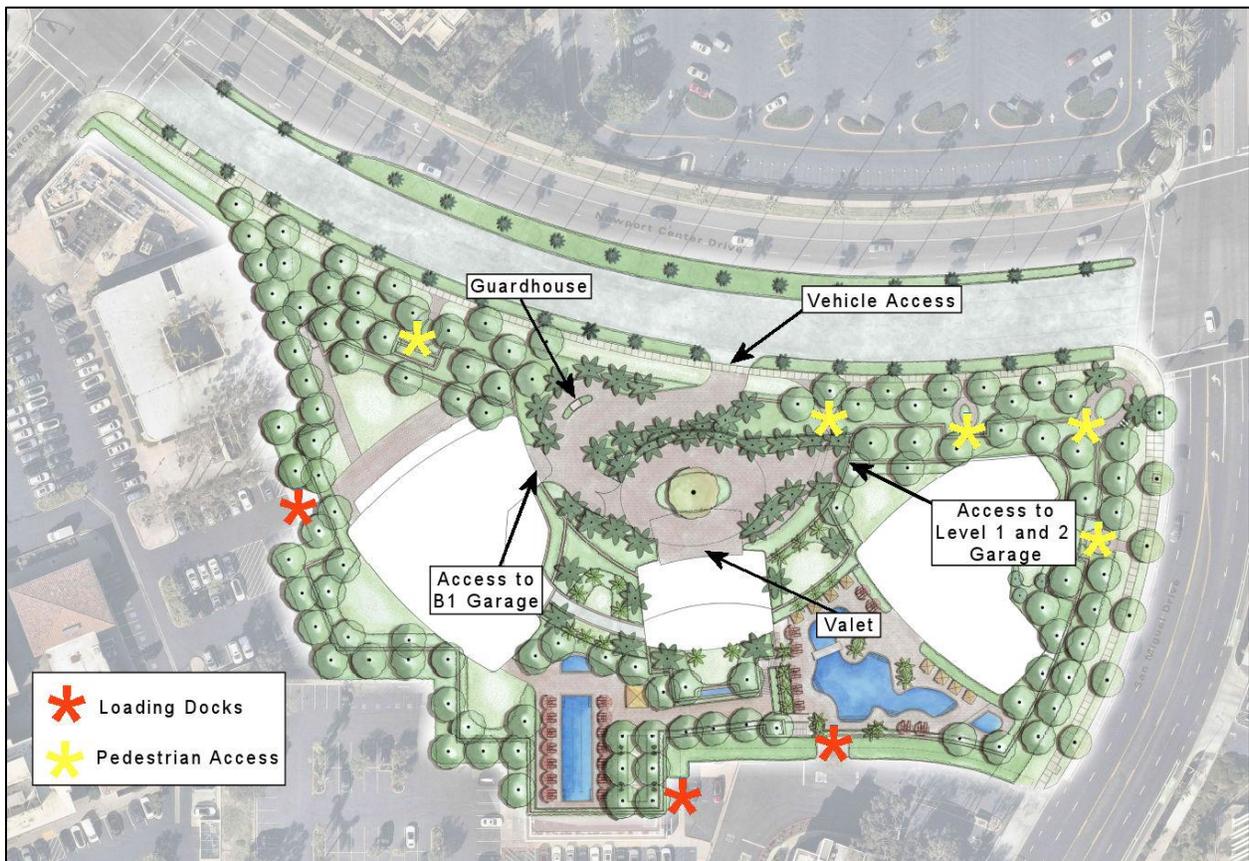


Figure 4, Site Access

Publicly accessible open space (PAOS) is provided in four courtyards accessible via 8-foot-wide walkways along the public right-of-way. The PAOS courtyards would be open to the public and lead to exterior entrances for the home offices and retail/café as depicted in Figure 5 on the following page. The retail/café space would be accessed from the public right-of-way at the intersection of San Miguel Drive and Newport Center Drive and is intended to serve the public in addition to onsite residents; however, an allowance is

included to allow the conversion of the space into a private residential amenity in the future.

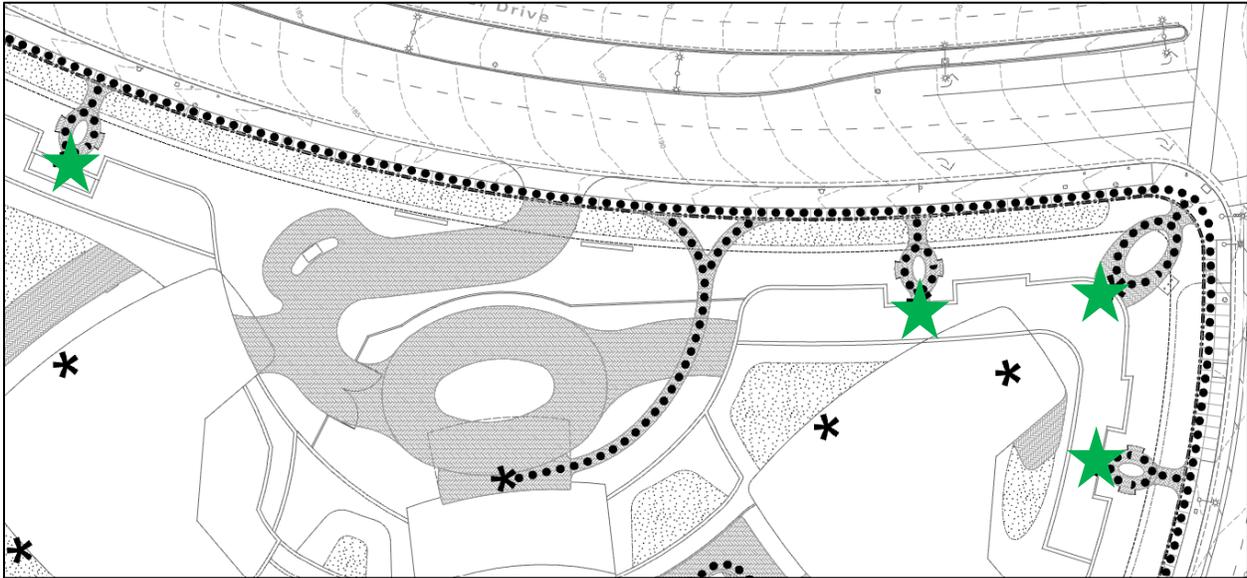


Figure 5, Depiction of PAOS courtyards with 8-foot walkways

Residential Amenities

The project includes multiple resident-serving amenities, including an approximately 1,575-square-foot pool on the second floor and an approximately 3,300-square-foot pool on the third floor. Additional amenities include an event lawn/garden space, bocce court, gym, yoga studio, screening room, dog spa, kitchen/dining facilities, and club room.

For-Sale Home Offices

The project includes 12 separate home offices within the first and second floors of the building podium. The home offices are a unique commercial use in that they will be sold individually and exclusively to owners of the residential condominiums onsite. The home offices range from approximately 350 to 1,500 square feet. The home offices are different from a typical business center commonly included in multi-unit buildings because each office will be owned and operated privately by a single resident. The home offices would not be available for use by other owners in the building. The home offices are essentially an elevated version of a home occupation and are anticipated to have limited traffic and employees.

The draft resolution (Attachment No. PC 1) includes several restrictions on the use of the home offices to ensure adequate parking remains available on the site. For example, owners of the home offices would be prohibited from subleasing their office to another user and would be restricted to business office use (e.g. no medical office, retail, etc.) consistent with the assumptions of the Parking Study (discussed under *Conditional Use*

Permit). To help ensure the home offices remain compatible, a condition of approval is included in the draft resolution to prohibit employees without the provision of additional onsite parking.

Subdivision and Establishment of Grade

The project proposes Vesting Tentative Tract Map No. 19407 to combine the four lots into a single lot and to allow the separate conveyance of the residential dwelling units, office spaces, and retail/café space (condominium subdivision). If approved, the Vesting Tentative Tract Map would secure the development rights and zoning standards that are in effect as of the approval date to the applicant, provided the tentative tract map does not expire.

Lastly, the project proposes the establishment of grade for height measurement purposes for the overall building. The grade establishment is pursuant to Section 20.30.050 (B)(1) (Grade Establishment – Subdivisions) of the NBMC. The project proposes an average grade plane elevation of 192 feet based on the North American Vertical Datum of 1988 (NAVD88).

Required City Approvals

The following approvals are required to implement the proposed project:

1. **Major Site Development Review (SDR):** Required for any project proposing five or more residential units with a tract map. The site development review allows the City to review the proposed development and allows for deviations of 5 multi-unit objective design standards pursuant to Section 20.48.185 (Multi-Unit Objective Design Standards) of the NBMC.
2. **Conditional Use Permit (CUP):** Required to waive 58 parking spaces for the proposed retail/cafe and home office space required by the NBMC; and
3. **Vesting Tentative Tract Map (VTTM):** Requested to consolidate four lots into one 4.17-acre lot, pursuant to Chapter 19.12 (Tentative Map Review) of the NBMC and to allow for an airspace subdivision of the 150 residential units, home office, and retail/cafe space for condominium purposes.

DISCUSSION

Analysis

General Plan Consistency

The Property has a General Plan Land Use designation of Regional Commercial Office (CO-R), which is intended to provide for administrative and professional offices that serve local

and regional markets, with limited accessory retail, financial, service, and entertainment uses.

Notwithstanding this and as detailed above in the “Background,” the City Council adopted Ordinance No. 2024-16, which implemented the Housing Element, in part, and established the HO Overlay Zone. Ordinance No. 2024-16 also updated the City’s Zoning Map to apply the HO-4 (Newport Center Area) Subarea of the HO overlay to the Property. The HO-4 Subarea would allow residential development in addition to the uses allowed in the underlying CO-R land use category. A consistency analysis was completed and is detailed in the attached draft resolution (Attachment No. PC 1), as well as the attached General Plan Consistency Table (Attachment No. PC 2).

Zoning Code Consistency

The Property is zoned Office Regional (OR) and is within the HO Overlay Zone. Specifically, the Property is within the HO-4 Subarea. Pursuant to Section 20.28.050(B) (Housing Opportunity (HO) Overlay Zoning Districts – Uses Allowed) of the NBMC, the project is permitted in the HO Overlay, regardless of the underlying zoning designation, subject to the approval of a site development review. Table 4 demonstrates the project’s compliance with the development standards of the HO-4 Subarea.

Table 4, Development Standards

Development Standard	Standard	Proposed
Density	20-50 du/acre	35.97 du/acre
Setbacks		
Front (San Miguel Dr)	0 ft ¹	30 ft
Rear	0 ft	15 ft
Side	0 ft	15 ft
Street Side (Newport Center Drive)	0 ft ¹	30 ft
Height	270 ft	270 ft
Building Separation	10 ft	N/A
Floor Area Limit (Residential)	No restriction	550,100 square feet (sq ft)
Common Open Space (75 sq ft/unit)	11,250 sq ft	11,250 sq ft
Private Open Space (5% gross floor area/unit)	24,923 sq ft	54,450 sq ft
<i>1. Any portion of the structure that is twenty (20) feet in height shall be set back a minimum twenty (20) feet from the street right-of-way.</i>		

While the project meets or exceeds all required development standards identified in Table 4, the project will not meet the required parking pursuant to Sections 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) and 20.40.040 (Off-Street Parking Spaces Required) of the NBMC. As identified in Table 5, this project requires 389 off-street parking spaces, whereas the project would provide 343 spaces. The project provides more than the minimum parking required for residential use but provides no formal

parking for nonresidential uses. Therefore, the project also requires a Conditional Use Permit to waive nonresidential parking pursuant to Section 20.40.110 (Adjustments to Off-Street Parking Requirements) of the NBMC. The associated analysis is provided under the *Conditional Use Permit* section below.

Table 5, Parking Requirements

Requirement		Factor	Parking Required
Residential Parking (NBMC 20.28.050)			
2 Bedroom	1.8 space/unit	70 units	126
3+ Bedroom	2.0 space/unit	80 units	160
Visitor	0.3 space/unit	150 units	45
Subtotal Residential Parking Required			331
Subtotal Residential Parking Provided			343
Commercial Parking (NBMC 20.40.040)			
Office	1 space/250 sq ft	9,450 net sq ft	38
Retail	1 space/250 sq ft	1,950 sq ft	20
Subtotal Commercial Parking Required			58
Subtotal Commercial Parking Provided			0
Total Parking Required			389
Total Parking Provided			343

The project is also subject to the Multi-Unit Objective Design Standards provided in Section 20.48.185 (Multi-Unit Objective Design Standards) of the NBMC. As indicated in the Objective Design Standards Checklist (Exhibit “C” of Attachment No. PC 1), the project conforms to 47 of the 52 applicable standards. Subsection 20.48.185(C) (Multi-Unit Objective Design Standards – Applicability) allows for deviations from any objective design standards through the approval of an SDR, by the Planning Commission, with additional findings. The applicant requests minor deviations from five standards, as described in the *Major Site Development Review - Multi-Unit Objective Design Standard Deviation* section below.

Major Site Development Review

Section 20.52.080(F) (Site Development Reviews – Findings and Decision) of the NBMC requires the Planning Commission to make the following findings before approving SDR:

- A. *The proposed development is allowed within the subject zoning district;*
- B. *The proposed development is in compliance with all of the following applicable criteria:*
 - i. *Compliance with this section, the General Plan, this Zoning Code, any applicable specific plan, and other applicable criteria and policies related to the use or structure;*

- ii. *The efficient arrangement of structures on the site and the harmonious relationship of the structures to one another and to other adjacent developments; and whether the relationship is based on standards of good design;*
- iii. *The compatibility in terms of bulk, scale, and aesthetic treatment of structures on the site and adjacent developments and public areas;*
- iv. *The adequacy, efficiency, and safety of pedestrian and vehicular access, including drive aisles, driveways, and parking and loading spaces;*
- v. *The adequacy and efficiency of landscaping and open space areas and the use of water efficient plant and irrigation materials; and*
- vi. *The protection of significant views from public right(s)-of-way and compliance with NBMC Section 20.30.100 (Public View Protection); and*

C. *Not detrimental to the harmonious and orderly growth of the City, nor endangers, jeopardizes, or otherwise constitutes a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed development.*

Staff believes facts to support the findings exist to approve the SDR. These facts are discussed in detail in the attached draft resolution (Attachment No. PC 1). The key facts in support of findings are summarized in the following subsections.

Development Compliance and Suitability

Residential Consistency

The project is consistent with multiple programs, goals, and policies of the General Plan that establish the fundamental criteria for the formation and implementation of new residential development. Although the Property was not included as a Housing Opportunity Site in the City's 6th Cycle Housing Element, the Property was included in the HO-4 Overlay that permits residential and mixed-use construction. As described in Table 4 of this report, the project is consistent with the HO-4 zoning district. The project does not include the construction of affordable housing. However, the Housing Element contains adequate alternate sites suitable for affordable housing opportunities and therefore this approval is consistent with the State's no net loss provisions.

A detailed analysis of the project's consistency with the General Plan Policies is included as Attachment PC2. For example, the project is consistent with Land Use Element Policy LU3.2 (Growth and Change). The underutilized Property is improved with a movie theater, health and fitness business, and large surface parking lot. The project would replace these uses with 150 dwelling units that assist the City in meeting its share of RHNA and accommodating additional growth in the community. These new homes are in a job-rich area, supporting reduced commute times.

Additionally, the Public Works Department reviewed the submitted sewer and water demand study and found that no additional sewer system or water line improvements are required to accommodate the Project, as adequate infrastructure is available and has sufficient capacity. Therefore, the Property is suitable to accommodate the change to a mixed-use development.

Nonresidential Consistency

The project includes the construction of two nonresidential components, the home office suites and the café/retail space. The construction of these nonresidential components would be permitted through the conversion of the existing commercial and theater uses onsite.

Specifically, pursuant to General Plan Land Use Element Policy LU 4.7 (Redevelopment and Transfer of Development Rights), the intensity of existing allowed uses may be reconstructed on the site as part of a mixed-use development provided the gross floor area allowed by the General Plan is not increased. The intensity of existing uses may be converted to other uses allowed by the underlying General Plan land use category provided that average daily trips and peak hour traffic trips are not increased above the trips from the existing allowed use. For example, existing office may be converted to retail. Nonresidential intensity not included as a component of a future residential project will remain within the General Plan allocations on a statistical area-wide basis.

The proposed project would use a portion of the existing development intensity to construct the nonresidential components onsite. The proposed home office use and café use would be consistent with the allowed uses in the General Plan and Zoning District.

The nonresidential components are also consistent with the allowed intensity for the Property. The General Plan includes the Properties at 210 Newport Center Drive and the parcel referred to as APN 442-161-16 within Anomaly 36 and the properties at 300 Newport Center Drive and the unaddressed parcel referred to as APN 442-091-12 within Anomaly 37 (referred to as “200 Block” and “300 Block” respectively).

The existing development intensity of the existing movie theater (Regal Edwards Big Newport) and a health/fitness facility (Body Design) is far greater than the proposed development intensity of the nonresidential component of the project. Therefore, a portion of the existing nonresidential development can be converted to the proposed nonresidential uses consistent with Policy LU 4.7.

In terms of traffic and vehicle congestion, a Trip Generation Assessment was prepared by Gibson Transportation Consulting, Inc. dated November 6, 2025, that analyzed the existing and proposed average daily trips (ADT) and peak hour trips for the Project. The Trip Generation Assessment concluded that even under the most conservative assumptions, the Project would result in fewer ADTs than the existing movie theater and health/fitness facility uses. Although the project would result in more trips in the morning

peak hour than the existing use, the overall net project trip generation would be significantly lower than the existing use and the Project is consistent with Policy LU 4.7. Furthermore, other allowed land uses with the Zoning District and General Plan Designation could result in greater morning peak hour trips than the existing use such as full-service restaurant. Lastly, because the project results in fewer than 300 ADTs (i.e., negative 396 ADTs), no traffic study is required, and the project is consistent with Chapter 15.40 (Traffic Phasing Ordinance) of the NBMC.

Design, Scale, and Views

The Newport Center area contains a variety of low-, mid-, and high-rise buildings. The Project consists of two high-rise buildings that have a height of 270 feet. The high-quality architectural design blends a contemporary design with soft features, including rounded corners, undulating balcony edges, and landscaping, to create a resort like feel. The street facing property lines are significantly landscaped and include pedestrian connections from the Property to the public right-of-way creating a compatible interface between the Property and other areas. As depicted in Figure 6, the project design includes one- and two-story podium levels adjacent to the public streets that support the two high rise towers. The home offices and café space on the first and second floors of the podium interface with the pedestrian scale and provide a more gradual transition to the high-rise towers. These commercial uses would also support a more active public realm.

The high-rise towers are set back to the interior of the Property allowing for a more gradual transition from the street level. Additionally, the widest sections of the building are located near the base of the towers, with the narrowest width at the top of the towers. The addition of increased step-backs for the higher floors results in a development that is consistent with the bulk and scale of the surrounding area.



Figure 6, Pedestrian Scale View of the Podium on Corner of San Miguel Drive and Newport Center Drive

As shown in Figure 7, there are several existing high-rise buildings that wrap around Newport Center Drive, including buildings at 520 Newport Center Drive (315 feet), 650 Newport Center Drive (299 feet), and 610 Newport Center Drive (273 feet). Although not constructed yet, the Ritz Residences Project was also approved at 1000 Newport Center Drive (295 feet). Additionally, several properties in Newport Center are located within the High-Rise Height Limit Area of the NBMC, which allows structures up to 300 feet. Therefore, project height is approximately 270 feet and consistent with the pattern of development within Newport Center and would be compatible in terms of bulk, scale, and aesthetic treatment of structures on and off the site.

General Plan Policy LU 6.14.4 (Development Scale) describes the original design concept for Newport Center by encouraging the concentration of the greatest building mass and height in the northeasterly section of Newport Center along San Joaquin Hills Road, where the natural topography is highest and progressively scaling down mass and height to follow the lower elevations towards the southwesterly edge along East Coast Highway. As shown in Figure 7, the project would be lower in height than the existing high-rise structures along the northeasterly section of Newport Center. Additionally, the Property is at a lower elevation than the properties along San Joaquin Hills Road and the proposed 270-foot high structures would appear lower in elevation than the existing development, consistent with the original design concept.

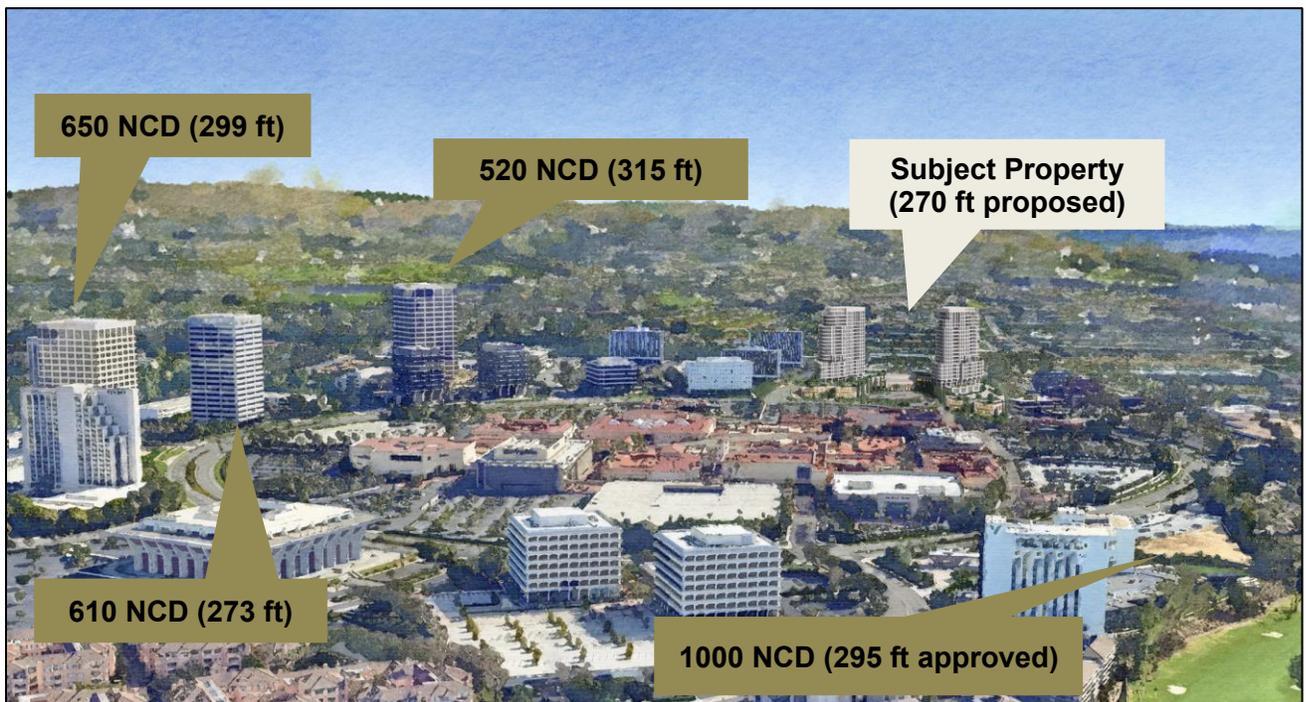


Figure 7, Existing High-Rise Development in Newport Center

Public Views

Section 20.30.100 (Public View Protection) of the NBMC includes provisions for the protection of public views of specific scenic resources as outlined on General Plan Figure NR3 (Coastal Views). The Property is near MacArthur Boulevard, Avocado Avenue, and Newport Center Drive, which are classified as coastal view roads as shown in Figure 8, below. However, the Property is not located between MacArthur Boulevard and Avocado Avenue and does not have the potential to obstruct the view of the coastline that is visible from the public right-of-way. Specifically, as you travel along Avocado Avenue and MacArthur Boulevard, the views are focused down the roadway west/southwest to the water and not across Fashion Island and the Newport Center area. Along Avocado Avenue there are several existing buildings that block views of the water. Along MacArthur Boulevard, there are existing buildings and substantial vegetation that also block views of the water. Lastly, the portion of Newport Center Drive that is designated as a coastal view road provides views towards the coastline, and the Project is not located between the road and the coastline. Therefore, the project would not impact public views of scenic resources identified in the General Plan.



Figure 8, Excerpt of General Plan Figure NR3 (Coastal Views)

Furthermore, the project is not located on a parcel subject to the Sight Plane Ordinance (Ordinance No. 1371 and Ordinance No. 1596), which limits the height of buildings within the area shown in orange in Figure 9.

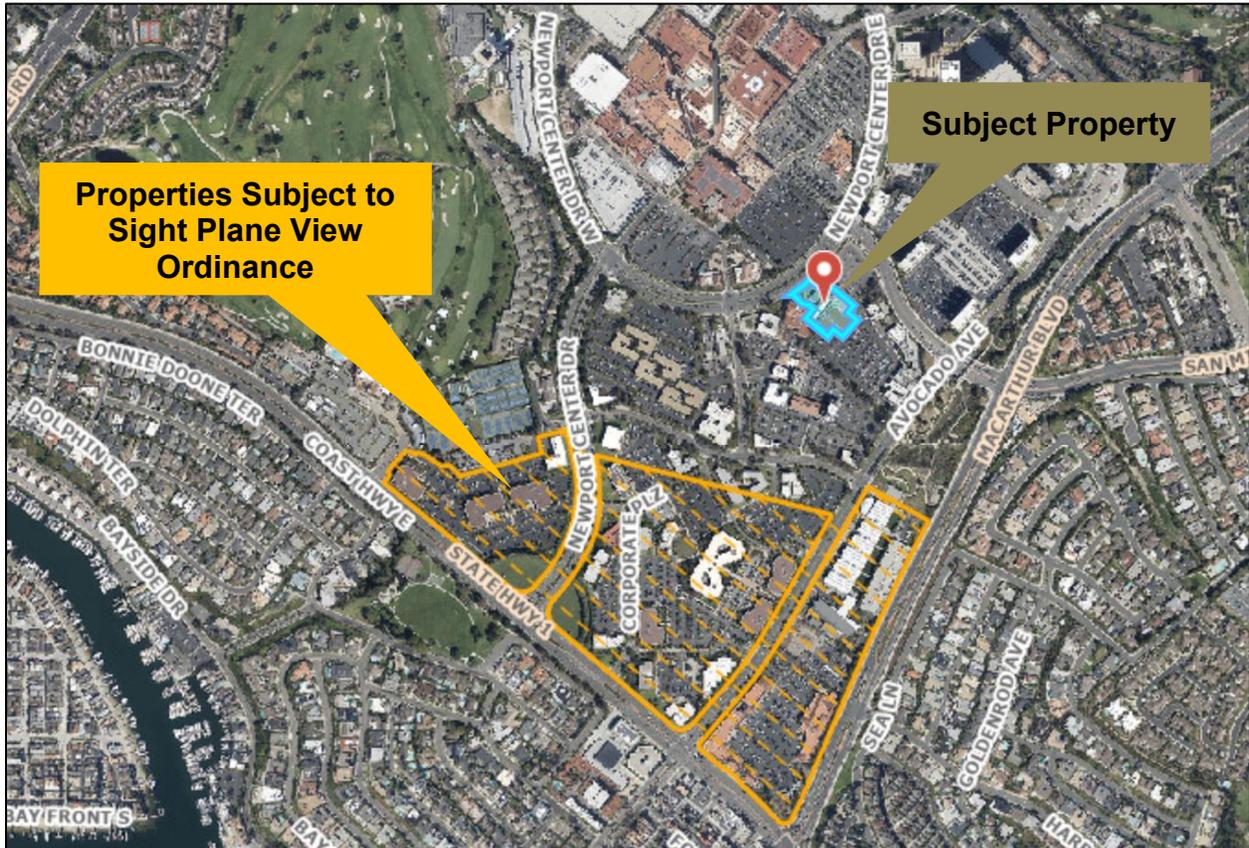


Figure 9, Properties Subject to Sight Plane View Ordinance

Safety and Hazard Analysis

The project includes the construction of buildings over 200 feet. Section 20.30.060(E) (Height Limits and Exception – Airport Environs Land Use Plan [AELUP] for John Wayne Airport and Airport Land Use Commission Review Requirements) of the NBMC includes requirements for projects that are over 200 feet in height Citywide. For example, the NBMC prohibits projects from penetrating the Federal Aviation Regulation Part 77, Obstruction – Imaginary surfaces, for John Wayne Airport unless approved by the Airport Land Use Commission (ALUC). The NBMC also requires Applicants to file forms with the Federal Aviation Administration (FAA) and Airport Land Use Commission. The Project is approximately 270 feet high and requires approval from the FAA and notification to ALUC. The FAA issued a Determination of No Hazard to Air Navigation for the Project dated February 10, 2026 and ALUC was notified on February 20, 2026. Accordingly, a condition

of approval is included requiring the applicant to comply with all conditions of the FAA determination.

The project has been reviewed by the City's Building Division, Fire Department, and Public Works Department for access and safety purposes. The project plans include a draft Fire Master Plan that demonstrates adequate access for emergency personnel including, but not limited to the following: dedicated fire access lanes for emergency vehicles and equipment at the front and rear of the podium, fire truck staging areas around the building, stairs for access by fire personnel, and various water infrastructure improvements such as fire hydrants and standpipes. A final Fire Master Plan will be required to be approved prior to permit issuance.

Major Site Development Review – Multi-Unit Objective Design Standard Deviation

Pursuant to Section 20.48.185(A) (Multi-Unit Objective Design Standards – Purpose) of the NBMC, the project is seeking deviation from 5 of the 52 applicable Multi-Unit Objective Design Standards, as shown in the Objective Design Standards Checklist (Exhibit “C” of Attachment PC 1). The project includes the following deviations:

- (1) Section 20.48.185(J)(1)(c) (Storefronts for Ground Floor Commercial in Mixed-Use Projects – First Floor Windows);
- (2) Section 20.48.185(J)(1)(d) (Storefronts for Ground Floor Commercial in Mixed-Use Projects – Upper Floor Windows);
- (3) 20.48.185(R)(2)(d) (Horizontal Modulation – Minimum Width);
- (4) 20.48.185(S)(2)(ii) (First Floor Opening and Transparency Standards – Minimum Opening Standard); and
- (5) 20.48.185(T)(2)(a)(iv) (Lobby Entrances – Prohibited Entry from Driveway);

The Planning Commission may approve an SDR to allow deviation of multi-unit objective design standards only after making all the following findings:

- A. *The strict compliance with the standards is not necessary to achieve the purpose and intent of this section.*
- B. *The project possesses compensating design and development features that offset impacts associated with the modification or waiver of standards*

Staff believes facts to support the findings exist to approve the deviation of the five objective design standards. These facts are discussed in detail in the attached draft resolution (Attachment No. PC 1). The key facts in support of findings needed for the deviations are summarized as follows:

1. The purpose of the ODS is to ensure high quality design and provide a baseline standard for all new-multi-unit development in the City. The intent of the standards is to promote quality design that builds on context, contributes to the public realm,

and provides high quality and resilient buildings and public spaces. The design standards were developed to address the most typical forms of multi-unit and mixed-use development such as townhome developments and larger apartment buildings with potential commercial uses on the ground floor. As demonstrated by the illustrative diagrams included in Section 20.48.185 of the NBMC, the design standards were not specifically developed to address high rise development. Nonetheless, the Project complies with 47 out of 52 standards demonstrating that the Project provides the high- quality design that was anticipated.

2. Although there are minor deviations to several standards, the Project promotes a quality public realm through the provision of meaningful PAOS in the form of courtyards with pathways abutting the home offices and café/retail space at the corner of the site. These areas will be landscaped and provide a public amenity for pedestrians and visitors along the public sidewalks in the vicinity.
3. There are several ODS that relate to openings and transparency of first and second floors. The project includes deviations to the following standards related to transparency and openings:
 - a. Section 20.48.185(J)(1)(c) (Storefronts for Ground Floor Commercial in Mixed-Use Projects – First Floor Windows) of the NBMC requires that windows and/or glass doors cover at least 50% of the first-floor elevation along street frontages.
 - b. Section 20.48.185(J)(1)(d) (Storefronts for Ground Floor Commercial in Mixed-Use Projects – Upper Floor Windows) of the NBMC requires at least 25% of the surface area of each upper floor façade be occupied by windows.
 - c. 20.48.185(S)(2)(a)(ii) (First Floor Opening and Transparency Standards – Minimum Opening Standard) of the NBMC requires that 50% of first floor multi-unit building frontages (with commercial uses that front a street/courtyard/paseo) be comprised of transparent glazed door and window openings.

Although the project requires deviations to these standards, the design includes a significant amount of glass and windows along the upper floors, and the ground floor of the nonresidential spaces as well as courtyards that soften the appearance of the building. Additionally, the grade differential along San Miguel is notable under both existing and proposed conditions, creating fewer opportunities for windows since a portion of the building/podium is set below the street level. Extensive plantings along the street frontages also soften corners of buildings where there are fewer windows.

4. Section 20.48.185(R)(2)(d) (Horizontal Modulation – Minimum Width of Recesses) of the NBMC requires that all recesses or projections are a minimum of 20 feet in width. The Project proposes a variety of different recesses and projections

including lower floors and upper floors. The Project includes balconies on every side of the residential towers, including on the edges where the balconies soften the appearance of the structure. Some of the proposed balconies are slightly less than the minimum 20-foot width, with the smallest being approximately 14 feet. The intent of this requirement is to allow for sufficient width of recesses and projections so that the building faces are sufficiently modulated. While some of the Project’s recesses are less than 20 feet in width, the Project provides large upper floor setbacks and extensive balconies to create architectural interest and soften the perceived bulk of the buildings. The Project provides additional width for other recesses and projections features which ensures that the building height is less visually obtrusive. Lastly, the Project divides the development into two towers, reducing the bulk and increasing the visual interest of the overall project.

5. Section 20.48.185(T)(2)(a)(iv) (Lobby Entrances – Prohibited Entry from Driveway) of the NBMC prohibits primary lobby entrances from driveways, at-grade parking lots, parking structures, or alleys unless required due to topographic conditions. The Project includes a main lobby entrance for residents and visitors that fronts the motor court inside the private gate and away from the street. The main lobby provides access to the residential towers, private amenity spaces, and garages. A gated entry is typical for this Project type. The pedestrian and vehicular gates are located far up the driveway and concealed from view of the public realm. The distance to the lobby from the public realm is further de-emphasized by the substantial landscaping that surrounds the building.

Although the project requests minor deviation of five objective design standards, the project still complies with the intent; therefore, the deviations are appropriate. Figure 10 below provides a color elevation of the façade of the building as viewed from the corner of San Miguel Drive and Newport Center Drive.



Figure 10, Colorized elevations of the buildings

Conditional Use Permit

In accordance with Section 20.52.020(F) (*Conditional Use Permits and Minor Use Permits – Findings and Decision*) of the NBMC, the Planning Commission must make the following findings for approval:

1. *The use is consistent with the General Plan and any applicable Specific Plan;*
2. *The use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning Code and Municipal Code;*
3. *The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity;*
4. *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities; and*
5. *Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

The facts in support of findings for the conditional use permit are similar to the facts in support of findings for the Major Site Development review (refer to the previous section). Detailed findings are also provided in the draft resolution.

The NBMC allows the Planning Commission to reduce a parking requirement, through review and approval of a Conditional Use Permit, provided the applicant:

1. Provides sufficient data to indicate the actual parking demand would be less than the number of parking spaces required by the code, and
2. A parking management plan is prepared to mitigate potential impacts.

The applicant has included a parking analysis and parking management plan (Exhibit “D” of Attachment No. PC 1), which demonstrates that the 343 parking spaces provided to serve the project would be sufficient given the proposed use of the non-residential spaces and management of the proposed parking supply. Residents would be required to register all their vehicles and would either be assigned a parking space or would utilize the 24-hour-a-day valet service. Visitors would be required to use the valet service. The study notes the office space would only be occupied by owners of the residential units, thus would not generate their own parking demand. Potential visitors to the office suites could use the visitor spaces intended for the residents’ guests. Conditions of approval also require the Homeowners Association (HOA) to actively manage parking and limit potential staff of the home offices to ensure the 12 surplus residential parking spaces allocated to staff of the building are sufficient.

The retail/café is in proximity to other uses and would only be accessible via the public sidewalk. As conditioned, Café staff would be granted access to the staff parking spaces in the structure. Customer trip generation for the retail/café would be from foot or bicycle traffic, local employees in the vicinity, and residents of the development. The retail/café space includes a bike rack. The parking management plan describes how the entrance to the Property and parking will be managed. In the future, the retail/café may be used as a private amenity to the residents; therefore, the parking waiver assumes the most conservative scenario as a retail/café space that is open to the public. The City's Public Works Department has reviewed and approved the parking analysis and parking management plan.

Vesting Tentative Tract Map

Section 19.12.070 (Required Findings for Action on Tentative Maps) of the NBMC, requires the Planning Commission to make the following findings before approving a Vesting Tentative Tract Map:

- A. That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code;*
- B. That the site is physically suitable for the type and density of development;*
- C. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report;*
- D. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems;*
- E. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision-making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision;*

- F. That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land;*
- G. That, in the case of a “land project” as defined in California Business and Professions Code Section [11000.5](#), (1) there is an adopted specific plan for the area to be included within the land project; and (2) the decision making body finds that the proposed land project is consistent with the specific plan for the area;*
- H. That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act;*
- I. That the subdivision is consistent with California Government Code Sections [66412.3](#) and [65584](#) regarding the City’s share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City’s residents and available fiscal and environmental resources;*
- J. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board; and*
- K. For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.*

Staff believes facts to support the findings exist to approve the VTTM. These facts are discussed in detail in the attached draft resolution (Attachment No. PC 1). The key facts in support of findings are summarized in the following paragraphs.

The project proposes to merge the four underlying legal lots to create one lot to develop the project. The VTTM is essential to develop the Property with a condominium project as it is required to allow for the individual sale of residential and nonresidential units.

Because the project includes for-sale residential units, the project applicant is required to pay in-lieu park dedication fees pursuant to Chapter 19.52 (Park Dedication and Fees) of the NBMC, for park and recreational purposes. The existing parcel does not include residential development. As such, an in-lieu park fee will be required for each of the 150 new dwelling units (\$59,575 per dwelling unit).

The Property is suitable for the type and density of the development in that the infrastructure serving the Property has been designed to accommodate the proposed project. A water demand study was prepared by Fuscoe Engineering dated April 2025 and a sewer demand study was prepared by Fuscoe Engineering dated October 2025. The studies concluded that no infrastructure upgrades are required to accommodate the Project. The Project does not result in more than 500 dwelling units; therefore, a Water Supply Assessment (WSA) is not required for Project.

The Property does not contain riparian habitat or other sensitive natural communities, or wetlands. Furthermore, the project is not expected to result in any public health or safety concern to residents in this area or throughout the City. All improvements associated with the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 (General Improvement Requirements) of the NBMC.

Correspondence

Several public comments were submitted regarding the project and are included Attachment No. PC 3. The comments primarily relate to concerns regarding traffic and congestion, affordable housing needs, and loss of the existing theater. The staff report addresses traffic and congestion under the *Nonresidential Consistency* section and affordable housing needs under the *Residential Consistency* (i.e., “no net loss”). Lastly, the existing theater is not considered a historic resource that requires protection pursuant to the California Environmental Quality Act (“CEQA”) and a detailed analysis is provided in Exhibit B of Attachment PC 1.

Environmental Review

Pursuant to CEQA, as set forth in California Public Resources Code (PRC) Section 21000 *et seq.*, and its implementing guidelines, set forth in California Code of Regulations, Title 14, Division 6, Chapter 3 (CEQA Guidelines), the City Council adopted Resolution No. 2024-50 on July 23, 2024, thereby certifying Final Program Environmental Impact Report SCH No. 2023060699 (“PEIR”), approving a Mitigation Monitoring and Reporting Program (MMRP), and adopting Findings and a Statement of Overriding Considerations related to the implementation of the Housing Element involving amendments to the General Plan, Coastal Land Use Plan, and Title 20 (Planning and Zoning) and Title 21 (Local Coastal Program Implementation Plan) of the NBMC, which are available at: [Housing Implementation Program EIR](#).

The project is not subject to further environmental review pursuant to PRC Section 21083.3 and CEQA Guidelines Section 15183 of the CEQA Guidelines, which limit environmental analysis to impacts peculiar to a specific project that have not been previously mitigated by regulatory requirements when that project is consistent with the general plan and zoning for which a prior EIR had been certified. Specifically, Section 15183 of the CEQA Guidelines provides, in relevant part:

- a. Projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an environmental impact report (“EIR”) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.
- b. In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:
 - i. Are peculiar to the project or the parcel on which the project would be located;
 - ii. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent;
 - iii. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
 - iv. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.
- c. If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact.
- d. This section shall limit the analysis of only those significant environmental effects for which:
 - i. Each public agency with authority to mitigate any of the significant effects on the environment identified in the EIR on the planning or zoning action undertakes or requires others to undertake mitigation measures specified in the EIR which the lead agency found to be feasible, and
 - ii. The lead agency makes a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.

- e. An effect of a project on the environment shall not be considered peculiar to the project or the parcel for the purposes of this section if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect. The finding shall be based on substantial evidence which need not include an EIR. Such development policies or standards need not apply throughout the entire city or county but can apply only within the zoning district in which the project is located, or within the area subject to the community plan on which the lead agency is relying. Moreover, such policies or standards need not be part of the general plan or any community plan but can be found within another pertinent planning document such as a zoning ordinance.

As part of its decision-making process, the City is required to review and consider whether the project would create new significant impacts or significant impacts that would be substantially more severe than those disclosed in the PEIR. Additionally, further CEQA review is only triggered if the Project's new significant impacts or impacts that are more severe than those disclosed in PEIR such that major revisions to the PEIR would be required. A detailed 15183 CEQA consistency analysis has been prepared by T & B Planning, Inc., dated February, 2026, and peer reviewed by the City's environmental consultant, Kimley-Horn & Associates, Inc. The consistency analysis is provided as Exhibit "B" to the draft resolution. Both the consistency analysis and peer review conclude that the project would not create any new significant impacts or significant impacts that are substantially more severe than those disclosed in the PEIR and therefore no further environmental review is required.

SUMMARY

Staff believes the required findings for project approval are substantiated, as demonstrated by Attachment No. PC 1 to this report. The project is consistent with the intent of the HO-4 Subarea and is consistent with the policies of the General Plan Housing, Land Use, and Circulation Elements. If approved, the project will provide a net increase of 150 for-sale attached single-unit dwellings, which further diversifies the City's housing stock and helps increase the supply of housing in Newport Beach.

ALTERNATIVES

Should the Planning Commission's review and evaluation of this project not coincide with City staff's recommendation, then the following alternative options are available to the Planning Commission:

1. For projects that are fully consistent with objective general plan, zoning (including objective design standards), and subdivision standards, Housing Accountability

Act (Government Code Section 65589.5), restricts the City's ability to deny, reduce density of, or make infeasible housing developments, unless specific findings can be made. In this case, the Project does not meet all objective standards because it includes waivers to the ODS and nonresidential parking requirements. Therefore, should the Planning Commission determine that there are insufficient facts to support one or more of the findings for approval for the requested ODS waivers or parking waiver, the Planning Commission may propose modifications to the Project or deny the application and provide facts in support of denial of the site development review or conditional use permit.

2. The Planning Commission may propose modifications or conditions to alleviate concerns; however, the proposed modifications should not result in the reduction of dwelling units. If the proposed modifications are substantial, the item could be continued to a future Planning Commission meeting. Should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions.
3. In the case of denial or imposing a condition that the project be developed at a lower density or with any other conditions that would adversely impact feasibility of the proposed project, the Planning Commission must articulate the factual basis (burden of proof on the City) to justify denial or reduction in density for making the following findings and direct staff to return with a revised resolution incorporating the articulated findings and factual basis for the decision:
 - (A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
 - (B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

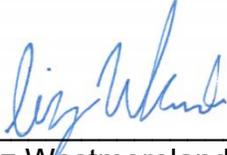
PUBLIC NOTICE

Notice of this hearing was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening public rights-of-way and waterways) including the applicant, and posted on the subject Property at least 10 days before the scheduled meeting, consistent with the provisions of the Municipal Code.

Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the city website.

Prepared by:

Submitted by:



Liz Westmoreland, AICP
Principal Planner

BMZ/law



Benjamin M. Zdeba, AICP
Acting Deputy Community
Development Director

ATTACHMENTS

- PC 1 Draft Resolution with Findings and Conditions
- PC 2 General Plan Consistency Analysis
- PC 3 Public Comments
- PC 4 Project Plans