



CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

October 30, 2025
Agenda Item No. 2

SUBJECT: Annual Review of Uptown Newport Development Agreement (PA2025-0159)
▪ Development Agreement No. DA2012-003

SITE LOCATION: 4311-4321 Jamboree Road

APPLICANT/OWNER: Uptown Newport, LP (TSG-Parcel 1, LLC)

PLANNER: Daniel Kopshever, Assistant Planner
949-644-3235, dkopshever@newportbeachca.gov

ZONING DISTRICT/GENERAL PLAN

- **General Plan:** MU-H2 (Mixed-Use Horizontal)
- **Zoning District:** PC-58 (Uptown Newport)

PROJECT SUMMARY

An annual review of Development Agreement No. DA2012-003 (DA) for Uptown Newport Planned Community (PC-58), pursuant to Section 15.45.080 (Periodic Review) of the Newport Beach Municipal Code and Section 65865.1 of the California Government Code.

RECOMMENDATION

- 1) Conduct a public hearing;
- 2) Find the annual review is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15321, Class 21 (Enforcement Actions by Regulatory Agencies) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3;
- 3) Find that the applicant has demonstrated good faith compliance with the terms of Development Agreement No. DA2012-003; and
- 4) Receive and file the Annual Report of Development Agreement for Uptown Newport Planned Community (Attachment No. ZA 2).

BACKGROUND

On March 12, 2013, the City Council adopted Ordinance No. [2013-6](#), approving the DA for the development of a 25-acre, mixed-use residential project consisting of 1,244 residential units, two 1-acre public parks, and 11,500 square feet of retail uses (Uptown Newport) in two separate development phases. The DA became effective on April 11, 2013. The term of the DA is 15 years and has two 5-year extension options. The earliest expiration could be in 2028.

On April 28, 2015, the City Council adopted Ordinance No. [2015-11](#) to approve the [First Amendment to DA](#) (PA2015-015) approving the First Amendment to the DA that delayed the timing of payment of public benefit fees and park in-lieu fees.

On September 5, 2013, the Planning Commission approved Master Site Development Review (MSDR) No. SD2013-002 ([PA2013-129](#)) for Uptown Newport. The Planning Commission also approved prototypical architectural building elevations, master landscape plan and plant palette, preliminary public parks and paseo plans, preliminary master wall/fence plans, master signage plans, and preliminary site improvement plans for the entire 25-acre planned development.

On January 24, 2016, the Community Development Director approved Minor Site Development Review No. SD2015-004 ([PA2015-141](#)) for the construction of 455 residential apartment units (One Uptown Newport Residences) in two separate buildings, approximately 10,700 square feet of retail use, and a 50-foot-wide paseo within Phase 1 of Uptown Newport proposed by the Picerne Group. These two buildings include 92 units for very-low-income households.

On September 2, 2016, the Community Development Director approved Staff Approval No. SA2016-010 ([PA2016-125](#)), an amendment to Condition of Approval No. 34 of Uptown Newport Tentative Tract Map No. NT2012-002 (TTM No. 17763), to delay completion of the public sidewalk reconstruction along the Jamboree Road frontage of Uptown Newport until occupancy of the Picerne Group's first residential building or July 31, 2018, whichever comes first.

On March 23, 2017, the Planning Commission approved Major Site Development Review No. SD2017-001 ([PA2017-031](#)), an amendment to the previously approved Master Site Development Review (PA2013-129), to allow alternative locations and phasing of the commercial component (up to 11,500 square feet).

On March 24, 2017, the Community Development Director approved Minor Site Development Review No. SD2017-002 ([PA2017-040](#)), amending Minor Site Development Review No. SD2015-004, to eliminate the 10,700-square-foot commercial component and associated parking from the South Building. The area formerly planned for commercial use was permitted to be developed with seven additional residential units for a total of 229 units within the South Building. With the approval of the proposed

amendment, a total of 462 apartment units would be developed at One Uptown Newport Residences Project, inclusive of the 92 low-income units.

On April 11, 2017, the City Council adopted Resolution No. [2017-23](#), approving park in-lieu fee credits, in the total amount of \$7,144,965.39 for the One Uptown Newport Residences Project, consistent with the General Plan and Municipal Code, and set the park in-lieu fee payment for this project, the first 462 units in Phase 1, in the amount of \$2,895,686.54.

On July 13, 2018, the Community Development Director approved Minor Site Development Review No. SD2018-002 ([PA2018-107](#)), for the construction of Phase 1's 1-acre neighborhood park. The park's construction began late December 2018 and completed in 2024.

On October 22, 2020, the Community Development Director approved Minor Site Development Review No. SD2020-004 ([PA2020-047](#)), for the construction of 30 residential condominium units, with enclosed parking for each unit in five separate buildings (Parkhouse Residences), and a 30-foot wide paseo to be located on the easterly half of Lot 1, within Phase 1 of Uptown Newport.

On October 27, 2021, the Community Development Director approved Staff Action Letter ([PA2021-165](#)), which identified residual park fees and park in-lieu fee credits for the Phase 1 Park construction costs, the provision of public recreational open space areas around and between the approved Parkhouse Residences and the Uptown Newport Residences (formally known as USAI) projects and their individual private recreational facilities. The total estimated remaining maximum park in-lieu fee credit would be \$824,637.32 and it would be used towards future residential projects in Phase 2, since Phase 1 will be completed upon completion of the two above-mentioned residential projects.

On March 22, 2022, the City Council approved a Transfer of Development Rights ([PA2021-161](#)) to transfer 77 of the unbuilt/unused units in Phase 1 of Uptown Newport to 1300 Bristol Street as part of the Residences at Bristol project approval.

On July 7, 2022, the Community Development Director approved Minor Site Development Review ([PA2021-120](#)) for the construction of 60 residential condominium units in a six-story building with attached parking and a 30-foot-wide paseo located on the westerly half of Lot 1, within Phase 1 of the Uptown Newport Project. Subsequently, Time Extension requests were issued on June 24, 2024, and April 3, 2025, consistent with Section 20.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code for the project's entitlement approval.

On October 22, 2024, the City Council adopted Ordinance No. [2024-24](#) to approve the Second Amendment to DA ([PA2024-0078](#)) to allow excess park in-lieu fee credits to be used towards the developer's public benefit fee obligations for residential projects located

within Uptown Newport. The approved Second Amendment has no impact on the development of Uptown Newport, the overall terms, conditions, or development rights specified in the DA; other than allowing excess park in-lieu fee credits to be used towards public benefit fee obligations.

On July 3, 2025, the Community Development Director granted the first of two five-year extensions ([PA2025-0129](#)). To date, building permits have been issued for 488 residential units within Uptown Newport, exceeding the minimum requirement of 250 residential units for the first five-year extension, pursuant to Section 5.1 of the DA. The term of the DA, therefore, is extended from April 11, 2028, to April 11, 2033.

On July 10, 2025, the Zoning Administrator approved Tentative Parcel Map ([PA2025-0110](#)) to combine the remnants of Parcel Nos. 1 & 4 of Parcel Map No. 2013-108 into one parcel and subdivide the consolidated parcel into two parcels for conveyance purposes only for Phase 2 future development in Uptown Newport.

On July 22, 2025, the City Council adopted Ordinance No. [2025-17](#), approving the Third Amendment to DA ([PA2025-0010](#)), to extend the closure date for TowerJazz located within future Phase 2 of Uptown Newport Project by 3.5 years, from March 12, 2027, to September 12, 2030.

The DA and the first of two five-year extensions, inclusive of its First, Second and Third Amendments are available online at:
<http://www.newportbeachca.gov/developmentagreements>.

On February 15, 2024, the Zoning Administrator conducted the annual review of DA and found that Uptown Newport demonstrated good faith compliance with the terms of the DA and its First Amendment.

DISCUSSION

Section 15.45.080 of the Newport Beach Municipal Code requires the City to periodically review development agreements at least once every 12 months to determine if the applicant has complied with the terms of the agreement. The applicant is required to demonstrate good faith compliance with the terms of the agreement and should the Zoning Administrator find that the applicant has not complied in good faith with the terms of the agreement; the Zoning Administrator should refer the matter to City Council consistent with Section 15.45.080(C) (Periodic Review).

2025 Annual Review

The 2025 annual review covers the period of February 2024 to August 2025. The Uptown Newport project currently remains in Phase 1 development as shown in Exhibit 1 below, with Phase 1 park completed, and One Uptown Newport Residences and Parkhouse

Residences nearly complete. The Uptown Newport Residences project is anticipated to be revised with a reduced scope of construction activities sometime in 2026.



A summary of construction-related activities within Phase 1 and the anticipated Phase 2 development performed by the property owner, its agents and affiliates during this review period, are listed below:

1. Parkhouse Residences:

- a. Construction: All plan approvals and building permits for the construction of a 30-unit condominium project on the east half of Lot 1 in Phase 1 were obtained in September 2021. Construction commenced that same month and has been completed. Temporary Certificates of Occupancy have been issued for all 30 units, and final Certificates of Occupancy have been issued for 24 units. As of the date of this report, 26 units have been sold.
- b. Home Owners Association (HOA Formation and Management: The Parkhouse Homeowners Association became operational in December 2024 and is maintaining the Parkhouse Residences neighborhood. The HOA is managed by The Management Trust.

2. Uptown Newport Residences: The approved 60-unit condominium project located on the west half of Lot 1 in Phase 1 will be revised to a smaller project with anticipated application submittal in late 2025 and construction starts in 2026.

3. Uptown Newport Master HOA: The Uptown Newport Master Homeowners Association is also operational as of December 2024, maintaining the master common areas, including the public park within Phase 1. This HOA is likewise managed by The Management Trust.
4. Affordable Leasing Plan for 92 Affordable Units at One Uptown Newport Residences: As of December 2024, 96% of the 46 affordable units located in the South building of One Uptown Newport Residences were occupied, with 2 units available; 89% of the 46 affordable units in the North building were occupied, with 5 units available. All vacant units are in the process of being leased. Pan American Properties, Inc. continues to oversee tenant qualification and compliance with income and rent requirements.
5. 66 KV Undergrounding: In coordination with City staff and Southern California Edison, Uptown Newport has been working to identify solutions to avoid or minimize power interruptions to Tower Jazz Semiconductors caused by localized power shutdowns. The undergrounding project along Jamboree Road is anticipated to be completed in April 2026.
6. Future Phase 2 Development:
 - a. Tentative Tract Map (TTM) Amendment: In April 2022, a revised TTM application was submitted to adjust street and lot designs to accommodate Phase 2 development. Resubmittal is anticipated in late 2025, along with a revised Tentative Map, Master Site Development Plan, and EIR addendum for Phase 2 development.
 - b. Phase 2 Demolition and Infrastructure: Development of Phase 2 is tentatively scheduled to commence with demolition of existing infrastructures when TowerJazz has ceased its operation in September 2030, or sooner. Demolition is expected to take 3–4 months, followed by grading and infrastructure improvements. New infrastructure work will extend through most of 2030, with Phase 2 park construction anticipated to be completed in October 2030.

After reviewing the annual report, applicable documents, and terms and conditions specified in the DA, staff believe that Uptown Newport is being implemented in good faith compliance with the terms and conditions of the DA.

ENVIRONMENTAL REVIEW

This annual review is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15321, Class 21 (Enforcement Actions by Regulatory Agencies) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment. This section

exempts actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency.

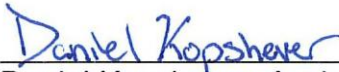
PUBLIC NOTICE

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

APPEAL PERIOD:

An appeal or call for review may be filed with the Director of Community Development within 14 days following the date of action. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

Prepared by:



Daniel Kopshever, Assistant Planner

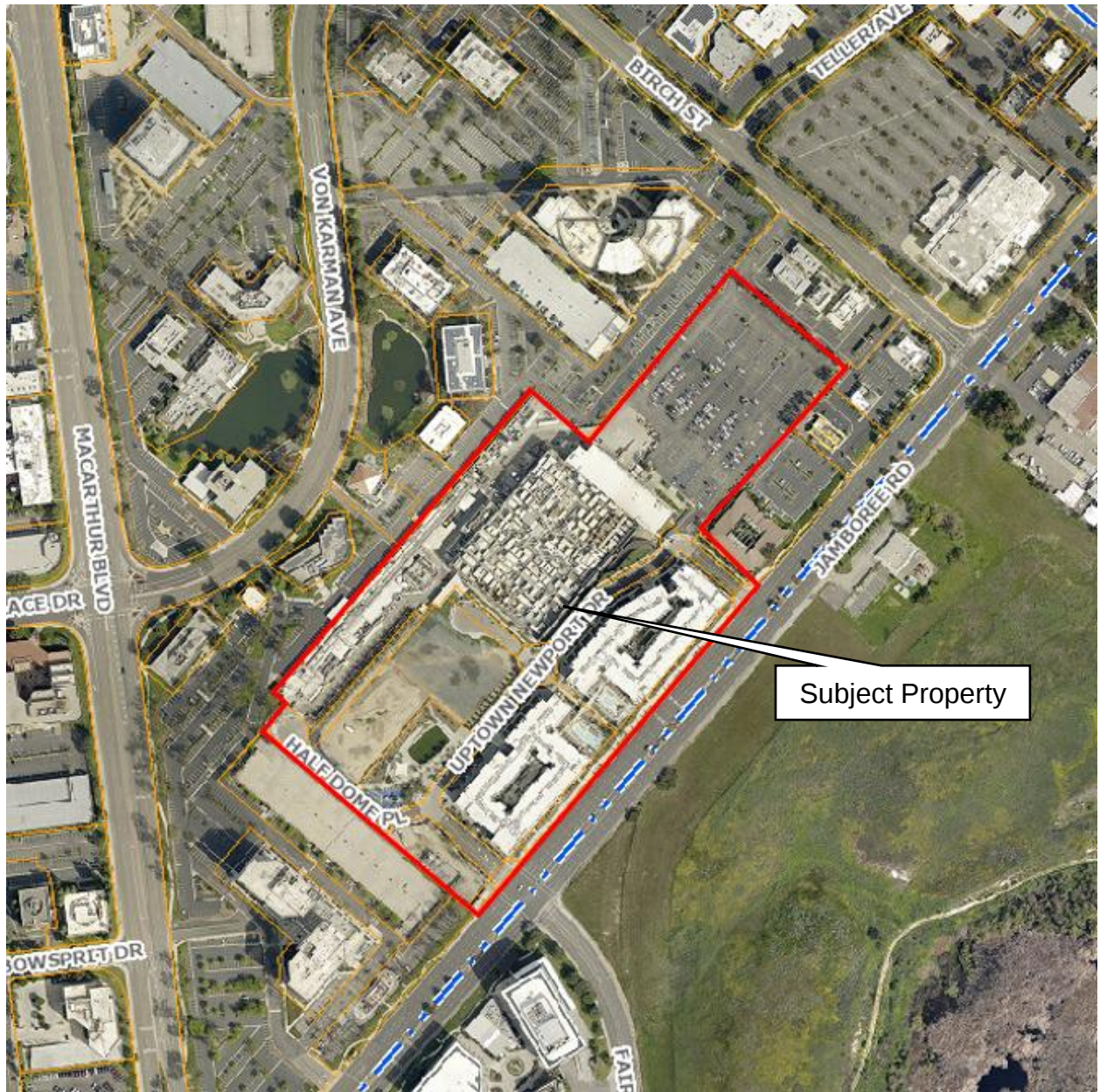
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Attachments:	ZA 1	Vicinity Map
	ZA 2	Uptown Newport Development Agreement Annual Report

Attachment No. ZA 1

Vicinity Map

VICINITY MAP



Annual Review of Uptown Newport Development
Agreement No. DA2012-003 (PA2025-0159)

4311-4321 Jamboree Road

Attachment No. ZA 2
Uptown Newport Development
Agreement Annual Report

Ms. Rosalinh Ung

City of Newport Beach
Planning Department
100 Civic Center Drive
Newport Beach, California 92660

RE: 2024 Annual Report – Uptown Newport
Development Agreement No. DA2012-003
Calendar Year, 02/2024 to 08/2025

Dear Ms. Ung,

This Annual Report for the Uptown Newport Development Agreement No. DA2012-003 (the “Agreement”) is submitted to the City pursuant to Section 7 of the Agreement and in compliance with Section 65865.1 of the California Government Code. This report fulfills the annual reporting requirement for development agreements.

Uptown Newport is a mixed-use development consisting of 1,244 residential units, 11,500 square feet of retail uses, and two one-acre public parks on approximately 25.05 acres located at 4311–4321 Jamboree Road, Newport Beach, California.

On March 23, 2013 (the “Agreement Date”), the City Council adopted Ordinance No. 2013-6 (the “Adopting Ordinance”), finding the Agreement consistent with the City’s General Plan and approving the Agreement. As required by Government Code Section 65867.5, the Agreement was adopted by ordinance, and no appeals, referenda, or lawsuits were filed challenging the validity of the Adopting Ordinance. Accordingly, the Agreement became effective on April 22, 2013, thirty (30) days after the Agreement Date.

The Uptown Newport project is currently in Phase I of development, with site improvements for this phase completed. The following summarizes notable accomplishments during the 2024 calendar year:

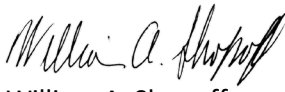
1. **66 KV Undergrounding:** In coordination with City staff and Southern California Edison, we have been working to identify solutions to avoid or minimize power interruptions to Tower Jazz Semiconductors caused by localized power shutdowns. The undergrounding project along Jamboree Road is anticipated to be completed in April 2026.
2. **Parkhouse Residences:** Parkhouse Residences, LLC obtained all plan approvals and building permits for the construction of five condominium buildings on the east half of Lot 1 in September 2021. Construction commenced that same month and has been completed. Temporary Certificates of Occupancy have been issued for all 30 units, and final Certificates of Occupancy have been issued for 24 units. As of the date of this report, 26 units have been sold.

3. **Parkhouse HOA:** The Parkhouse Homeowners Association became operational in December 2024 and is maintaining the Parkhouse Residences neighborhood. The HOA is managed by The Management Trust.
4. **Uptown Master HOA:** The Uptown Master Homeowners Association is also operational as of December 2024, maintaining the master common areas, including the public park. This HOA is likewise managed by The Management Trust.
5. **Development Agreement Amendment No. 2:** On April 4, 2025, the City Council approved Amendment No. 2 to the Uptown Newport Development Agreement, allowing certain Park Fee credits to be applied against future Public Benefit Fees for the project.
6. **Lot 1 West (60-Unit Condominium Project):** In July 2022, the City's Community Development Director approved a Minor Site Development Plan for Lot 1 West. While currently on hold, construction is anticipated to begin in late Q4 2025 or early Q1 2026, with an estimated 30-month build-out.
7. **Phase II Tentative Tract Map (TTM) Amendment:** In April 2022, a revised TTM was submitted to adjust street and lot designs to accommodate potential users. Resubmittal is anticipated in late 2025, along with a revised Tentative Map, Master Site Development Plan, and EIR addendum for Phase II.
8. **Development Agreement Extension:** On July 3, 2025, City staff approved the first of two five-year extensions to the Uptown Newport Development Agreement, extending the term through April 11, 2033.
9. **Development Agreement Amendment No. 3:** On June 19, 2025, the Planning Commission approved Amendment No. 3 to extend the Tower Jazz sunset date by 3.5 years to September 12, 2030. The City Council subsequently approved the amendment on July 26, 2025, with a second reading scheduled for September 26, 2025. It should be noted that a few residents from Parkhouse Residences voiced opposition to this extension.
10. **Tentative Parcel Map Approval:** On July 10, 2025, the City Zoning Administrator approved TPM 2025-139 to allow for a two-parcel "financing and conveyance" map on Uptown Newport Phase II. The final parcel map is scheduled to be recorded in September 2025.
11. **Phase II Demolition and Infrastructure:** Development of Phase II is scheduled to commence with demolition in September 2029. Demolition is expected to take 3–4 months, followed by grading and infrastructure improvements. Infrastructure work will extend through most of 2030, with Phase II park construction anticipated to be completed in October 2030.

12. **One Uptown Affordable Leasing Plan:** As of December 2024, 96% of the 46 affordable units in the South building were occupied, with 2 units available; 89% of the 46 affordable units in the North building were occupied, with 5 units available. All vacant units are in the process of being leased. Pan American Properties, Inc. continues to oversee tenant qualification and compliance with income and rent requirements.

We look forward to continuing our development efforts at Uptown Newport and appreciate the City's ongoing cooperation. Please feel free to contact me at 949-417-1397 or bshopoff@shopoff.com with any questions.

Sincerely,



William A. Shopoff
President and CEO

CC: Gregory Powers, Jackson Tidus