



CITY OF NEWPORT BEACH PLANNING COMMISSION AGENDA

Council Chambers - 100 Civic Center Drive

Thursday, October 23, 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:

Jaime Murillo, Acting 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 OCTOBER 9, 2025**

Recommended Action: Approve and file.

[Draft Minutes of October 9, 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. **EAST COAST HIGHWAY RESTAURANT SPACE (PA2024-0198)**

Site Location: 3840 East Coast Highway

Summary:

A request for a conditional use permit to establish a new 2,155-square-foot café style restaurant by remodeling and expanding a vacant restaurant space within Suite B into the adjacent vacant office space within Suite A. While a specific tenant has not yet been identified, the request includes the allowance for alcohol service through a Type 41 (On-Sale Beer and Wine - Eating Place) California Department of Alcohol Beverage Control (ABC) License and operating hours from 6 a.m. to 10 p.m., daily. No live entertainment, dancing, or late-hour operations (i.e., after 11 p.m.) are proposed. Also included in the request is a 16-space parking waiver to accommodate the expanded restaurant. Approval of the project will supersede Use Permit Nos. UP1848 and UP2006A.

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 significant effect on the environment; and

3. Adopt Resolution No. PC2025-022 approving the Conditional Use Permit filed as PA2024-0198.

[Item No. 2 Staff Report](#)

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

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

[Attachment No. 3 - Project Plans](#)

[Attachment No. 4 - Police Department Memorandum](#)

[Attachment No. 5 - Parking Study](#)

[2a Additional Materials Received Oberman PA2024-0198](#)

3. MACARTHUR COURT (PA2025-0090)

Site Location: 4665, 46575, 4680, 4685, and 4695 MacArthur Court, and 4470 Campus Drive and APN 445-121-17

Summary:

A request for a development agreement and affordable housing implementation plan for the future development of MacArthur Court Campus, a mixed-use campus consisting of two new five-story residential buildings containing 700 residential units (MacArthur Court Apartments), and a new 10,000-square-foot retail building. The project would include the demolition of approximately 126,837 square feet of existing office buildings and retention of two existing high rise office towers and an existing parking garage. The applicant requests the following approvals to vest the development rights for the project:

- **Development Agreement (DA)** - A development agreement between the applicant and the City, pursuant to Chapter 15.45 (Development Agreements) of the Newport Beach Municipal Code (NBMC), which would provide the applicant with the vested right to develop the project for a term of 10 years and to provide negotiated public benefits to the City; and
- **Affordable Housing Implementation Plan (AHIP)** - A preliminary plan specifying how the project would contribute affordable housing as a public benefit, by providing affordable housing units equivalent to 7% of up to 700 market rate residential units, or up to 49 affordable housing units. The applicant will identify an appropriate site for development of the 49 affordable units at a future date.

The Project would require approval of a future Site Development Review prior to building permit issuance, as no specific design for the Project is included.

Recommended Actions:

1. Conduct a public hearing;
2. Find this project is not subject to further environmental review pursuant to Section 21083.3 of the California Public Resources Code (PCR) and Section 15183 of the CEQA Guidelines because the project is consistent with the previously certified Program Environmental Impact Report (SCH No. 2023060699); and
3. Adopt Resolution No. PC2025-023 recommending City Council approval of the Development Agreement and Affordable Housing Implementation Plan filed as PA2025-0090.

[Item No. 3 Staff Report](#)

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

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
6. REQUEST FOR EXCUSED ABSENCES

IX. ADJOURNMENT