

**NEWPORT BEACH PLANNING COMMISSION MINUTES  
CITY COUNCIL CHAMBERS – 100 CIVIC CENTER DRIVE  
THURSDAY, NOVEMBER 20, 2025  
REGULAR MEETING – 6:00 P.M.**

**I. CALL TO ORDER - 6:00 p.m.**

**II. PLEDGE OF ALLEGIANCE – Commissioner Rosene**

**III. ROLL CALL**

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

ABSENT: None

Staff Present: Acting Community Development Director Jaime Murillo, Assistant City Attorney, Principal Civil Engineer Kevin Riley, Planning Manager Ben Zdeba, Associate Planner Oscar Orozco, and Administrative Assistant Clarivel Rodriguez

**IV. PUBLIC COMMENTS – None**

**V. REQUEST FOR CONTINUANCES – None**

**VI. CONSENT ITEMS**

**ITEM NO. 1 MINUTES OF OCTOBER 23, 2025**

**Recommended Action:** Approve and file.

Chair Harris opened public comment, and there was none.

**Motion** made by Chair Harris and seconded by Commissioner Ellmore to approve the meeting minutes of October 23, 2025, with revisions recommended by Jim Mosher.

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

**VII. PUBLIC HEARING ITEMS**

**ITEM NO. 2 ACACIA ATRIUM MEDICAL OFFICE CONDOMINIUMS (PA2024-0236)  
Site Location: 20280 and 20312 Acacia Street**

**Summary:**

Conversion of an existing three-story professional office building into a medical office condominium use. Project implementation requires the following approvals:

- Condominium Conversion authorizing the conversion of existing professional office building into medical office condominiums;
- Tentative Parcel Map to create a 12-unit condominium subdivision as defined in Section 783 of the California Civil Code allowing for individual sale;
- Conditional Use Permit authorizing medical office use and a 32-space reduction of required off-street parking; and

- Traffic Study ensuing compliance with the Traffic Phasing Ordinance of Newport Beach Municipal Code Chapter 15.40.

**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, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment; and
3. Adopt Resolution No. PC2025-024 approving the Condominium Conversion, Tentative Parcel Map, Conditional Use Permit, and Traffic Study filed as PA2024-0236.

Secretary Langford recused from the item due to the site's proximity to a property owned in part by his employer.

Associate Planner Oscar Orozco used a PowerPoint Presentation to present the project location, zoning and surrounding land uses, existing site conditions, and project description. He stated that this request includes a Condominium Conversion to create professional space for medical office condominiums, a Tentative Parcel Map (TPM) for a 12-unit subdivision, a Conditional Use Permit (CUP) to establish medical office use, and a 32-parking space waiver, along with a Traffic Study pursuant to the Traffic Phasing Ordinance.

In response to Commissioner Ellmore's inquiries, Traffic Engineer Kevin Riley reported that the two comparable sites used in the Traffic Study were Spectrum Medical Plaza in the City of Irvine and Second Journey Medical Plaza in the City of Aliso Viejo. He clarified that staff accepted the applicant's proposed comparable sites as the land use was similar in nature and located in similar urban settings. He added that staff did not consider sites within Newport Beach but rather accepted the applicant's comparable sites.

In response to Vice Chair Salene's inquiries, Traffic Engineer Kevin Riley clarified that the parking requirements are different for a medical office than other kinds of offices because the patients regularly come and go throughout the day, in addition to the staff, which is typically there all day. He confirmed that the parking needs are higher for a medical office due to the constant patient turnover.

In response to Chair Harris' inquiries, Acting Community Development Director Jaime Murillo stated that he is unaware of an easement to the adjacent property to the east. He added that the site is gated and there is a Condition of Approval requiring a fence so people do not park on adjacent lots.

In response to Chair Harris' inquiry, no commissioners reported having ex Parte communications about this project.

Chair Harris opened the public hearing.

CGM Development Company Managing Director Peichin Lee reported that this is a typical commercial condominium renovation project for her company. She reported that nine of the 12 units for this proposed development are already under contract, pending the project's approval. She stated that this is reflective of a strong demand for medical condominiums in Newport Beach, where the supply is short despite community needs.

In response to Chair Harris' inquiry, Ms. Lee confirmed that the applicant agrees with the

recommended Conditions of Approval.

In response to Commissioner Rosene's inquiry, Ms. Lee agreed to have a Homeowner's Association (HOA)-style professional property management if it were a Condition of Approval. She added that an HOA is typical for a facility like this. Associate Planner Orozco confirmed that having an HOA continues to be included in the Conditions of Approval, and clarified revised language to a condition related to the water utilities.

In response to Commissioner Ellmore's inquiries, Ms. Lee clarified that the City provided the address of the two buildings analyzed in the Parking Study. She stated that they also considered offering valet parking and a bicycle rack, adding that they can be included if needed due to a parking issue. She reported that a parking garage or deck was also considered, but noted that it is a small parcel where finding the space needed for ramps would be difficult.

In response to Chair Harris' inquiry, Ms. Lee clarified that the City would allow for valet parking. Associate Planner Orozco confirmed that it would be permissible.

In response to Chair Harris' inquiry, Ms. Lee agreed that they could talk to the neighbors about reciprocal parking agreements.

In response to Commissioner Reed's inquiries, Ms. Lee reported that the formal subdivision has not happened yet, so there are no proposed Covenants, Conditions, and Restrictions (CC&R). She added that they can come up with two-tiered solutions if more parking spaces end up being needed, including the potential for a lift system.

Real Estate Development Associates (REDA) Newport-Irvine LLC Co-Founder Jason Krotts requested that every applicant be treated fairly, equitably, and held to the same standards on their project applications. He requested that, if approved, he would like to retroactively have the same standards applied to his company's project at 3300 Irvine Ave., which the Planning Commission heard on January 23<sup>rd</sup>.

Acting Community Development Director Murillo clarified that, within the City's Municipal Code, certain options may be relied upon for supporting parking waivers. He added that a study of parking demand demonstrating lower actual parking demand is an option. He added that factors like rideshare availability and bicycle accommodation can allow for slight reductions in parking requirements, and valet parking can also serve as a waiver option as part of a Parking Management Plan.

Chair Harris closed the public hearing.

Commissioner Ellmore recalled a project heard by the Commission from 5-7 years ago involving surface parking for a medical office conversion on Bristol Street, where there was a similar parking shortage situation. He stated that the applicant came forward with a valet proposal including a lift, but the item was continued because the area had insufficient street parking, which would have adversely impacted neighbors. He recalled that the Commission ultimately gave the applicant a smaller parking waiver than requested. He reported that, at the public hearing Mr. Krotts referenced, the applicant had a strong interest in not building a parking structure, but the Commission deemed one necessary for the particulars of the site.

Commissioner Ellmore stated that the size of the parking waiver in this item is a lot to ask for in this zone. He reported visiting the project site and sensing a lack of available parking recognized the lot being small for the anticipated demand. He expressed concerns that other applications in this area of Newport Beach will want to make the same conversions, and the Commission should

be consistent in its decisions and findings. He added that waivers like this without a plan for a lift system or other parking facility have been denied before. He expressed his opposition to the application.

Commissioner Rosene stated that the parking variance is a significant sum and should be considered, noting that it would have amounted to 28 spaces in Mr. Krotts' request. He stated that they can do better with their consistency.

In response to Commissioner Rosene's inquiry, Acting Community Development Director Murillo stated that the City can mandate valet parking provisions in the future if the parking proves problematic. He added that another alternative would be for the Commission to approve fewer than the 12 medical offices bringing the parking demand down. He added that there could be a phased approach to the project, something considered on the 2021 Bristol Street development referenced by Commissioner Ellmore which came back to the Commission four times. He confirmed that the Bristol Street project was approved with a 70% medical office allowance, and this project can include a condition requiring the project to return to the Commission in the future with operating data supporting an increased waiver. He confirmed that Mr. Knotts' application included a Parking Study identifying an actual need for 309 spaces on site; however, since only 270 spaces were provided on-site, the provision of a parking structure was included to bring the parking supply up to 331 spaces.

In response to Chair Harris' inquiry, Acting Community Development Director Murillo stated that the applicant can be asked further about their situation. He theorized that 70% medical use would work for the applicant based on their pending sales. He added that the Commission can also create a Condition of Approval that can be amended in the future following another Parking Study. He added that the applicant could also work with staff on an alternative solution.

Vice Chair Salene stated that this is a large waiver request, noting that a medical office needs more parking than other office uses. He added that the Commission has pushed hard on neighboring projects to provide appropriate parking. He echoed his peers' comments about the waiver request being too large and not having his support. He called for other parking options.

Commissioner Reed stated that he does not support this application as presented but would support it if treated more consistently with past applications.

Commissioner Gazzano stated that the Commission must be clear and consistent. He noted that they have twice in the past year heard similar applications from the same area. He added that if the demand for medical office space continues in this neighborhood, then parking will grow into an even bigger concern, and the Commission would look bad if it had been inconsistently following guidelines.

Commissioner Ellmore reported that they have received comments related to a potential reapplication for a parking waiver based on the assumption of an approval for this item, theorizing that more could come. He stated the Commission should maintain its consistency.

Chair Harris stated that the Commission has not approved such a large waiver, and he is open to finding a middle ground comparable to past decisions. He expressed concerns about creating a floodgate-opening precedent. He added that projects where the Commission has created exceptions provided more options.

Commissioner Ellmore stated that the Commission should not be the ones trying to figure out alternatives for the applicant at this time. He stated that the applicant should resubmit a plan with a better parking solution, adding that other applicants have been asked to do this.

**Motion** made by Commissioner Ellmore and seconded by Commissioner Reed to deny the application.

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

## **VIII. DISCUSSION ITEMS**

### **ITEM NO. 3 GENERAL PLAN UPDATE: SEEKING INPUT ON REFRESHED GOALS AND POLICIES IN THE DRAFT LAND USE ELEMENT AND SAFETY ELEMENT (PA2022-080) Site Location: Citywide**

#### **Summary:**

A discussion to request any additional input from the Planning Commission on the draft versions of the updated Land Use and Safety Elements. Final drafts will be returned, alongside the balance of the Updated General Plan, to the Commission for formal consideration in early 2026.

#### **Recommended Actions:**

1. Find this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this initial guidance and input from the Planning Commission will not result in a physical change to the environment, directly or indirectly; and
2. Discuss the draft Land Use Element and draft Safety Element and provide any additional guidance or feedback on the goals and policies. Direct staff to forward the input onto the General Plan Advisory Committee for consideration. In early 2026, the refined and finalized drafts will return to the Planning Commission, along with the remainder of the updated General Plan, for review and formal recommendation of approval to the City Council.

Secretary Langford rejoined the meeting.

Assistant City Attorney Yolanda Summerhill noted that this is a Study Session, and the Commission will not be taking any action. She added that there will potentially be discussions related to the commissioners' neighborhoods or areas where they own property, so she requested that discussions on those areas of the city be consolidated, allowing the commissioners to step away as needed. She listed neighborhoods where each commissioner has a real property interest.

Planning Manager Ben Zdeba reported on the process undertaken to comprehensively update the City's General Plan, adding that the draft development phase is concluding with the next step being a California Environmental Quality Act (CEQA) analysis based on the drafts. He added that the goal is to have the City Council adopt the full General Plan by June of 2026. He reviewed the October 9<sup>th</sup> Planning Commission meeting where the Draft Land Use Element and Draft Safety Element were presented, focusing on components added to those elements from their current versions, largely generated by the General Plan Advisory Committee (GPAC). He stated that, following this discussion, it would be helpful if the commissioners could share their feedback for consideration by the GPAC. He added that the Commission will be asked to formally recommend approval of the General Plan to the City Council in early 2026.

In response to Chair Harris' inquiry, none of the commissioners stated that they have an area of Newport Beach they wish to specifically discuss to the degree that it would require a recusal per Assistant City Attorney Summerhill's listing.

In response to Commissioner Rosene's inquiry, Planning Manager Zdeba clarified that the Draft Land Use Element includes notations clarifying if a policy is adapted from the current Land Use Element and correlating the Draft back to the current policy.

Commissioner Rosene requested that the attachment with a table identifying retained and omitted policies come back to the Commission in a larger font for better legibility. He encouraged the GPAC in Draft Policy No. LU-17.7 to be conscientious of the requirements of parks having to be surrounded on two sides by streets, as it relates to planned development near John Wayne Airport, and encouraged flexibility as the locations of future parks in that area are currently unknown. He criticized Draft Policy No. LU-23 for not prioritizing the opportunity for redevelopment in Dover/Westcliff, adding that the area is designed for for-sale residential densities instead of typical rental densities. He encouraged adding this concept as Draft Policy No. LU-23.7.

Commissioner Rosene encouraged adding more focused and direct language about the opportunity for public access to the Randall Preserve. He stated that the concepts of removing the Randall Preserve and adding the Santa Ana Country Club to the City's Sphere of Influence, as mentioned in Draft Policy No. LU-29.5 are odd because he was unaware of any discussions related to either concept. He stated that the call for a linear park in Draft Policy No. LU-29.3 is too specific.

Chair Harris opened public comment.

Jim Mosher clarified that he is speaking as an individual and not in his role as a GPAC Member. He reported that staff is requesting administrative authority to update the tables in the General Plan instead of requiring an amendment, citing the Anomaly Table as an example. He added that the Anomaly Table is out of date, citing anomalies 43 and 46 as examples, and encouraged cleaning up the table to its current state before including it in the General Plan. He cited Draft Policy No. LU-15 as an example of GPAC confusion because a current policy discouraging certain uses on Old Newport Boulevard was omitted from the draft by consultants, adding that Draft Policy No. LU-15.4 was inserted without GPAC discussion.

Mr. Mosher reported that the Draft Land Use Element makes no changes to the current zoning except for the new housing overlays, noting that the direction to use overlays instead of rezonings comes from the State. He reported that a legal case from the City of Redondo Beach is progressing through the State's appellate court system, with the current ruling being against the overlay concept. He cautioned the Commission that if the Supreme Court of California does not overturn the decision, the areas covered by housing overlays will have to be rezoned.

Chair Harris closed public comment.

Planning Manager Zdeba apologized for the small font and agreed to enlarge it. He clarified that the call for administrative authority to amend tables is so that staff can create a live, real-time ledger of development potential to provide transparency for community members, property owners, and potential developers. He added that staff would like time to meticulously research the City's records to get this table right to extend beyond the General Plan update process' time frame. He added that each entry will include a link to other records confirming the table's information.

Planning Manager Zdeba confirmed that the GPAC both inserted the Santa Ana Country Club

into the Sphere of Influence discussion and encouraged removing the Randall Preserve from the Sphere of Influence. He added that the removal of the current policy about nonconforming uses on Old Newport Boulevard is intentional because staff sees it as a method of revitalizing the area, noting that similar provisions exist in Corona del Mar and Balboa Village. He added that the GPAC's Land Use Subcommittee identified Old Newport Boulevard as an area needing attention.

In response to Chair Harris' inquiry, Assistant City Attorney Summerhill confirmed that the Commission is not making a motion on this item.

Chair Harris thanked staff and the GPAC for its painstaking work in updating the General Plan.

In response to Chair Harris' inquiry, Planning Manager Zdeba stated that March of 2026 is a good estimate of when the final drafts would return to the Commission. He added that all City boards, commissions, and committees are going through the same process as the Planning Commission with the draft elements related to their scope of work.

Chair Harris concluded the discussion.

#### **STAFF AND COMMISSIONER ITEMS**

**ITEM NO. 4 MOTION FOR RECONSIDERATION - None**

**ITEM NO. 5 REPORT BY THE COMMUNITY DEVELOPMENT DIRECTOR OR REQUEST FOR MATTERS WHICH A PLANNING COMMISSION MEMBER WOULD LIKE PLACED ON A FUTURE AGENDA**

Acting Community Development Director Murillo reported that there are no items for the two December meetings, so the Commission's next meeting will be in January of 2026.

Mr. Mosher reported on a previously unmentioned Airport Area Specific Plan being included on the City Council's upcoming Agenda and inquired about the status of the California Coastal Commission appeal of the Balboa Fire Station and Library project site's tree removal.

Acting Community Development Director Murillo reported that the California Coastal Commission will hear the tree removal appeal on December 10<sup>th</sup>, and he will update the City schedules accordingly based on the outcome. He reported that the Airport Area Specific Plan item before the City Council is seeking approval of a contract with a consultant to start work.

**ITEM NO. 6 REQUESTS FOR EXCUSED ABSENCES – None**

**IX. ADJOURNMENT – With no further business, Chair Harris adjourned the meeting at 7:06 p.m.**

The agenda for the November 20, 2025, Planning Commission meeting was posted on Thursday, November 13, 2025, at 5:34 p.m. in the Chambers binder, on the digital display board located inside the vestibule of the Council Chambers at 100 Civic Center Drive, and on the City's website on Thursday, November 13, 2025, at 5:14 p.m.

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Tristan Harris, Chair

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Jonathan Langford, Secretary

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