



# CITY OF NEWPORT BEACH PLANNING COMMISSION AGENDA

City Council Chambers - 100 Civic Center Drive

Thursday, March 8, 2018 - 6:30 PM

***Planning Commission Members:***

**Peter Koetting, Chair**  
**Peter Zak, Vice Chair**  
**Erik Weigand, Secretary**  
**Bill Dunlap, Commissioner**  
**Lauren Kleiman, Commissioner**  
**Kory Kramer, Commissioner**  
**Lee Lowrey, Commissioner**

**Staff Members:**

**Seimone Jurjis, Community Development Director**  
**Jim Campbell, Deputy Community Development Director**  
**Michael Torres, Assistant City Attorney**  
**Tony Brine, City Traffic Engineer**  
**Brittany Ramirez, Administrative Support Specialist**

**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 web site 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.

Please Note: All mail or written communications (including email) from the public, residents, or applicants regarding an agenda item must be submitted by 5 p.m. on the business day immediately prior to the meeting. This allows time for the Planning Commission to adequately consider the submitted correspondence.

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 Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or [lbrown@newportbeachca.gov](mailto:lbrown@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 and Zoning 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. (Red light signifies when three (3) minutes are up; yellow light signifies that the speaker has one (1) minute left for summation.) 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 JANUARY 18, 2018**

**Recommended Action:** Approve and file

[ITEM NO. 1 DRAFT MINUTES 01-18-2018](#)

[1a Additional Materials Received Mosher Draft Minutes - 03-08-18](#)

**VII. CONTINUED BUSINESS**

**2. MYERS PROPERTY ALTERNATIVE SETBACK DETERMINATION (PA2017-184)**

**Site Location:** 358 Dahlia Place

**Summary:**

This item was continued from the January 18, 2018, to this meeting. Staff now requests that this item be removed from calendar to allow further review of the proposal including the procedural and permitting requirements.

**Recommended Action:**

Staff requests that the Planning Commission remove this item from the calendar.

[ITEM NO. 2 STAFF REPORT](#)

**3. TACO BELL CANTINA CONDITIONAL USE PERMIT (PA2017-198)**

**Site Location:** 2121 West Balboa Boulevard

**Summary:**

This item was continued from December 7, 2017, to this meeting. Staff requests an additional continuance to March 22, 2018. Staff is reviewing revisions to several proposed operational characteristics and conditions requested by the applicant.

**Recommended Action:**

Staff requests that the Planning Commission continue this item to March 22, 2018.

[ITEM NO. 3 STAFF REPORT](#)

**4. DEAN RESIDENCE (PA2017-167)**

**Site Location:** 16 Bay Island

**Summary:**

This item was scheduled for the February 22, 2018, Planning Commission meeting. This meeting was subsequently canceled. Staff now requests that this item be removed from calendar to allow further review of the proposal including the procedural and permitting requirements.

**Recommended Action:**

Staff requests that the Planning Commission remove this item from the calendar.

[ITEM NO. 4 STAFF REPORT](#)

**5. REESE POOL HOUSE VARIANCE (PA2017-214)**

**Site Location: 354 Vista Baya**

**Summary:**

The application is for a variance to allow the reconstruction of a 193.7-square-foot, single-story pool house within the 20-foot rear setback and 5-foot side setback.

**Recommended Action:**

Staff requests that the Planning Commission remove this item from the calendar.

[ITEM NO. 5 STAFF REPORT](#)

**VIII. PUBLIC HEARING ITEM(S)**

*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*

**6. ATRIA SENIOR LIVING NEWPORT BEACH (PA2017-212)**

**Site Location: 393 Hospital Road & 4000 Hilaria Way**

**Summary:**

The Applicant proposes the redevelopment of an existing senior convalescent and congregate care facility (i.e., memory care and assisted living) on an approximately 3.7-acre site. Currently there are three parcels with two separate buildings totaling 96,039 square feet in gross floor area and 340 beds. The proposed redevelopment will merge the three underlying legal parcels to create a single building site. The southerly building will be demolished and the northerly building will be modified to create a combined 119,543-square-foot facility with 195 beds. Also included in the design are ancillary spaces such as a common kitchen and dining area, as well as shared amenities such as a fitness room, yoga room, theater, salon, and bistro. All required parking will be provided on-site. The proposed design complies with all Zoning Code development standards and no deviations are requested. The Applicant requests an establishment of grade since portions of the building site have been altered and are not representative of the prevailing grades across the site. If approved, this action would supersede Use Permit No. UP1285, Use Permit No. UP1396, and Modification Permit No. MD3054.

**Recommended Action:**

- 1) Conduct a public hearing;
- 2) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) and Section 15332 (Infill Development) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
- 3) Adopt Resolution No. \_\_\_ approving Lot Merger No. LM2017-006, Major Site Development Review No. SD2017-007, Minor Use Permit No. UP2017-029, and Staff Approval No. SA2018-004.

[ITEM NO. 6 STAFF REPORT](#)

[6a Additional Materials Presented At Meeting Applicant PA2017-212](#)

[6b Additional Materials Presented At Meeting Staff PA2017-212](#)

**7. CRAFT BREWERY ORDINANCE (PA2017-181)**

**Site Location: Citywide**

**Summary:**

This item was scheduled for the March 8, 2018, Planning Commission meeting. Staff now requests that this item be continued to the March 22, 2018, Planning Commission meeting to allow for additional public noticing.

**Recommended Action:**

Staff requests that the Planning Commission continue this item to March 22, 2018.

[ITEM NO. 7 STAFF REPORT](#)

**IX. NEW BUSINESS**

**8. 2017 GENERAL PLAN STATUS AND PROGRESS REPORT (PA2007-195)**

**Site Location: Citywide**

**Summary:**

Annual report on the status and implementation of the General Plan and Housing Element as required by State law and General Plan Implementation Program 1.3.

**Recommended Action:**

- 1) Find the preparation, review and submission of the 2017 General Plan Status Report not subject to the California Environmental Quality Act (CEQA) as the actions are not a project as defined by Section 15378(b)(2) of the Public Resources Code;
- 2) Review and comment on the 2017 General Plan Status Report; and
- 3) Recommend the City Council review and authorize the submittal of the 2017 General Plan Status Report to the California Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD).

[ITEM NO. 8 STAFF REPORT](#)

[8a Additional Materials Received SPON PA2007-195](#)

[8b Additional Materials Received SPON PA2007-195](#)

[8c Additional Materials Received After Deadline Skinner PA2007-195](#)

[8d Additional Materials Presented At Meeting Staff PA2007-195](#)

**X. STAFF AND COMMISSIONER ITEMS**

**9. MOTION FOR RECONSIDERATION**

**10. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

1. Update on City Council Items

[ITEM NO. 10 TENTATIVE AGENDA](#)

11. ANNOUNCEMENTS ON MATTERS THAT THE PLANNING COMMISSION MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR REPORT

12. REQUESTS FOR EXCUSED ABSENCES

X. ADJOURNMENT