



CITY OF NEWPORT BEACH PLANNING COMMISSION AGENDA

City Council Chambers - 100 Civic Center Drive

Thursday, September 13, 2018 - 6:30 PM

Planning Commission Members:

Peter Zak, Chair
Erik Weigand, Vice Chair
Bill Dunlap, Secretary
Lauren Kleiman, Commissioner
Peter Koetting, 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
Tiffany Lippman, 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).

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 AUGUST 9, 2018

Recommended Action: Approve and file

[MINUTES OF AUGUST 9, 2018](#)

[1a Additional Materials Received Mosher Draft Minutes - 08-09-18](#)

VII. STUDY SESSION

2. HARBOR POINTE SENIOR LIVING (PA2015-210)

Site Location: 101 Bayview Place

Summary:

The applicant seeks approval of a major site development review and conditional use permit for the construction and operation of a three-story, approximately 85,000-square-foot building with 101 convalescent and congregate care units with a total of 120 beds. The building would include, resident dining areas, fitness room, spa/salon, theater, library, medication rooms, and support uses such as offices, lab, mail room, laundry, housekeeping, and subsurface parking. The existing single-story restaurant and associated improvements on the 1.5-acre site would be removed. The application includes a request to amend the General Plan to increase the development limit from 70,000 square feet to 85,000 square feet and to change the land use category from CO-G (General Commercial Office) to PI (Private Institutions). The application also includes a planned community development plan amendment to allow institutional uses subject to the approval of a use permit.

A Draft Environmental Impact Report (DEIR) has been prepared for the project and was made available for public review August 10, 2018. Comments on the DEIR will be accepted until September 28, 2018. The document is available at the Planning Division, all City libraries and may also be accessed online at: <http://www.newportbeachca.gov/index.aspx?page=1347>

The purpose of the Study Session is to provide the Planning Commission and the public the opportunity to review and discuss the proposed project in advance of the public hearings.

Recommended Action:

No action on either the project or draft EIR can be taken by the Planning Commission at the study session.

[ITEM NO. 2 STAFF REPORT](#)

[2a Additional Materials Received Public Comments PA2015-210](#)

[2b Additional Materials Received Public Comments PA2015-210](#)

[2c Additional Materials Received After Deadline Public Comments PA2015-210](#)

[2d Additional Materials Presented At Meeting Staff PA2015-210](#)

[2e Additional Materials Presented At Meeting Applicant PA2015-210](#)

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

3. VERIZON EASTBLUFF MONOPOLE TELECOM (PA2017-256)

Site Location: 2545 Eastbluff Drive

Summary:

The applicant requests a conditional use permit to construct a new wireless telecommunications facility at the rear of the Eastbluff Village Center. The proposed facility includes a 47-foot-tall slimline monopole that is three feet in diameter to accommodate three sectors of panel antennas for Verizon Wireless. As proposed, the supporting equipment for the facility will be located on top of a replacement trash enclosure. Due to the installation type (i.e., freestanding), the proposed facility requires Planning Commission review.

Recommended Action:

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Resolution No. PC2018-027 approving Conditional Use Permit No. UP2017- 035.

[ITEM NO. 3 STAFF REPORT](#)

[3a Additional Materials Received Public Comments PA2017-256](#)

[3b Additional Materials Received Public Comments PA2017-256](#)

[3c Additional Materials Presented At Meeting Staff PA2017-256](#)

[3d Additional Materials Presented At Meeting Applicant PA2017-256](#)

4. SHELL CAR WASH (PA2016-093)

Site Location: 1600 Jamboree Road

Summary:

A general plan amendment and conditional use permit to construct an automated car wash in conjunction with an existing service station. A general plan amendment is requested to increase the maximum floor area limit for the site by 1,100 square feet to accommodate the proposed car wash. A conditional use permit is requested to allow the addition of the proposed car wash.

Recommended Action:

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Resolution No. __ recommending City Council approval of General Plan Amendment No. GP2018-001 and Conditional Use Permit Amendment No. UP2016-025.

[ITEM NO. 4 STAFF REPORT](#)

[4a Additional Materials Received Public Comments PA2016-093](#)

[4b Additional Materials Received Public Comments PA2016-093](#)

[4c Additional Materials Received Public Comment PA2016-093](#)

[4d Additional Materials Received After Deadline Public Comments PA2016-093](#)

[4e Additional Materials Presented At Meeting Staff PA2016-093](#)

[4f Additional Materials Presented At Meeting Applicant PA2016-093](#)

IX. NEW BUSINESS

**5. PLANNING COMMISSIONER REQUALIFICATION
FOR KOLL CENTER RESIDENCES (PA2015-024)**

Site Location: 4400 Von Karman Avenue

Summary:

Four members of the Newport Beach Planning Commission have a conflict of interest that prohibits their participation with the Koll Center Residences project. Because a majority of the Planning Commissioners have a conflict, State law allows for the requalification of one Planning Commissioner by means of random selection to participate on this Project.

Recommended Action:

1. Find this event not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly;
2. Randomly select one conflicted Planning Commissioner by drawing lots to participate in the process to consider the Koll Center Residences project; and
3. Identify a date for a future Planning Commission study session.

[ITEM NO. 5 STAFF REPORT](#)

X. STAFF AND COMMISSIONER ITEMS

6. MOTION FOR RECONSIDERATION

7. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Update on Planning Commission or City Council Items

[ITEM NO. 7 TENTATIVE AGENDA](#)

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

9. REQUESTS FOR EXCUSED ABSENCES

XI. ADJOURNMENT