



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Thursday, January 05, 2023**, at **6:30 p.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted in the Council Chambers at 100 Civic Center Drive, Newport Beach. The Planning Commission of the City of Newport Beach will consider the following application:

Arc Balboa Island – A request to demolish the existing nonresidential building and to construct a new 1,102-square-foot building to be used as an eating and drinking establishment (restaurant). A conditional use permit is required to establish and operate the new restaurant and to waive required off-street parking spaces. The restaurant would operate with 999 square feet of outdoor dining area and there would be no interior dining area provided. The application includes the sale and service of alcoholic beverages with a Type 41 (On-Sale Beer and Wine – Eating Place) Alcoholic Beverage Control (ABC) License. The applicant does not propose to operate with late hours (after 11 p.m.), live entertainment, or dancing. The project also requires a coastal development permit, as the property is within the Coastal Zone.

The project is categorically exempt under Section 15303 – Class 3 (New Construction and Conversion of Small Structures) of the State CEQA (California Environmental Quality Act) Guidelines.

All interested parties may appear and present testimony regarding this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapters 20.64 (Appeals) and 21.64 (Appeals and Calls for Review). The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided. A fee is required to appeal any final action on a coastal development permit to the City Council. The project site is located within the appeal area of the Coastal Zone; therefore, final action by the City may be appealed to the California Coastal Commission.

The agenda, staff report, and corresponding documents will be available by end of business day on the Friday preceding the public hearing and may be reviewed at the Community Development Department Permit Center (Bay C-1st Floor), at 100 Civic Center Drive, Newport Beach, CA 92660 or the City of Newport Beach website at www.newportbeachca.gov/planningcommission. Individuals not able to attend the meeting may contact the Planning Division or access the City's website after the meeting to review the action on this application. All mail or written communications (including email) from the public, residents, or applicants regarding an agenda item must be submitted by 5:00 p.m. on the business day immediately prior to the meeting. This allows time for the Planning Commission to adequately consider the submitted correspondence.

For questions regarding this public hearing item please contact Benjamin M. Zdeba, AICP, Principal Planner, at 949-644-3253 or bzdeba@newportbeachca.gov, at 100 Civic Center Drive, Newport Beach, CA 92660.

Project File No.: PA2021-276

Activities: Conditional Use Permit and Coastal Development Permit

Zone: Mixed-Use Water (MU-W2)

General Plan: Mixed-Use Water 2 (MU-W2)

Coastal Land Use Plan: Mixed-Use Water Related (MU-W)

Filing Date: November 17, 2021

Location: 224 Marine Avenue

Applicant: 224 Marine Ave, LLC

Mark Rosene, Secretary, Planning Commission, City of Newport Beach