

**NEWPORT BEACH ZONING ADMINISTRATOR MINUTES
100 CIVIC CENTER DRIVE, NEWPORT BEACH
CORONA DEL MAR CONFERENCE ROOM (BAY E-1ST FLOOR)**

**THURSDAY, FEBRUARY 27, 2020
REGULAR MEETING – 3:00 P.M.**

I. CALL TO ORDER – The meeting was called to order at 3:00 p.m.

Staff Present: Jaime Murillo, Zoning Administrator
Liz Westmoreland, Associate Planner
Melinda Whelan, Assistant Planner
Stefanie Edmondson, Planning Consultant

II. REQUEST FOR CONTINUANCES

Melinda Whelan, Assistant Planner, requested that Item No. 2 be removed from the calendar due to the public hearing notice missing project information. The item will be rescheduled to the March 12, 2020 Zoning Administrator meeting and will be re-noticed accordingly.

III. APPROVAL OF MINUTES

ITEM NO. 1 MINUTES OF FEBRUARY 13, 2020

Action: Approved as amended.

IV. PUBLIC HEARING ITEMS

ITEM NO. 2 Marigold Partners LLC Condominiums Tentative Parcel Map No. NP2019-013 (PA2019-225)
Site Location: 502 and 502 1/2 Marigold Avenue Council District 6

Applicant Alan Gulezyan, on behalf of Marigold Partners, LLC, stated that he had reviewed the draft resolution and agrees with all of the required conditions.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment, the public hearing was closed.

The Zoning Administrator requested to add a specific condition to state that the building duplex cannot be finalized until final parcel map has been recorded.

Action: Approved

ITEM NO. 3 Alejo PS89, LLC Condominiums Tentative Parcel Map No. NP2019-014 and Coastal Development Permit No. CD2019-067 (PA2019-235)
Site Location: 4916 Seashore Drive, Units A and B Council District 1

Melinda Whelan, Assistant Planner, provided a brief project description stating that the request is for a coastal development permit and tentative parcel map for two-unit condominium purposes. A duplex will be demolished and a new duplex is currently in the plan check process. No waivers of Newport Beach Municipal Code (NBMC) Title 19 (Subdivisions) are proposed. The Tentative Parcel Map would allow each unit to be sold individually. The Tentative Parcel Map also requires the approval of a coastal development permit pursuant to NBMC Title 21 (Local Coastal Program Implementation Plan).

The existing lot includes a 5-foot easement for a pedestrian walkway through the subject property leading to the 50th Street end and the public beach. This easement will be maintained with the tentative parcel map. Additionally, the tentative parcel map is conditioned to provide an improved accessibly-compliant curb ramp along the Neptune Avenue frontage at the pedestrian easement, improving the public easement.

Applicant Rudy Herrera on behalf of the Alejo PS89, LLC, stated that he had reviewed the draft resolution and agrees with all of the required conditions.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment, the public hearing was closed.

The Zoning Administrator added clarification to the findings that the 5-foot wide easement is centered on the westerly property line, resulting in half of the easement located within the subject property. He also added a condition stating that the final map shall show and maintain the 5-foot wide pedestrian and utility easement centered along the westerly property line.

Action: Approved

ITEM NO. 4 Newport Center Monument Signs Modification Permit No. MD2019-007 and Coastal Development Permit No. CD2019-070 (PA2019-209)

Site Location: 1401 and 1402 Newport Center Drive

Council District 5

Action: Removed from calendar

ITEM NO. 5 Edward and Christine Capparelli Residence Coastal Development Permit No. CD2019-073 (PA2019-263)

Site Location: 117 North Bay Front

Council District 5

Stefanie Edmondson, Planning Consultant, provided a brief project description stating that the project is on Balboa Island and zoned R-BI (Two-Unit Residential, Balboa Island). The applicant proposes to demolish a duplex and construct a new 2,300 square-foot, single-family residence with an attached 451-square-foot, two-car garage. A coastal development permit is required for demolition and construction within the coastal zone. The project complies with all applicable development standards of the Local Coastal Program. Although the property consists of a duplex, it is not subject to the provisions of Senate Bill 330 as the application was deemed complete prior to the January 1, 2020 effective date. The project will not alter current coastal access. Staff recommended approval of the project.

Applicant Justin Johnston of Brandon Architects, on behalf of the Edward and Christine Capparelli, stated that he had reviewed the draft resolution and agrees with all of the required conditions.

The Zoning Administrator opened the public hearing.

One member of the public, Bob Josten of 115 North Bay Front, spoke and stated that he had a number of questions regarding the window orientation, privacy concerns, construction site security and alley parking concerns. He submitted his concerns in writing.

Another member of the public, Jim Mosher spoke and questioned the date the project was deemed complete and expressed concerns about the cumulative density on Balboa Island.

Rick Rawlins of 121 North Bay Front, member of the public, spoke and asked questions about the roof extending into the setback and expressed concerns about the window orientation and privacy.

The Zoning Administrator addressed Mr. Josten and Mr. Rawlins concerns, referring them to Justin Johnston for architectural concerns and referring them to Building and Safety divisions regarding the construction site

concerns. He stated that new construction codes require the site to be fenced, prohibit Saturday construction, and require the construction site superintendent's phone number to be posted onsite.

The Zoning Administrator addressed Mr. Mosher's concerns regarding Senate Bill 330 and the Planning Consultant stated that the application review time and completion date were correct and that the completeness of the application made for a quick review.

The Zoning Administrator closed the public hearing.

Action: Approved

ITEM NO. 6 Smith 507 LLC Residence Demolition Coastal Development Permit No. CD2019-063 (PA2019-245)
Site Location: 1616 West Ocean Front, Units A, B and C Council District 1

Liz Westmoreland, Associate Planner, provided a brief project description stating that the project is a coastal development permit to demolish an existing non-conforming triplex. Any future reconstruction will require approval of a coastal development permit. The existing structure is nonconforming due to the number of units and number of parking spaces. The applicant has provided a construction erosion control plan to implement before and during demolition.

Applicant Julie Laughton, on behalf of the Owner, stated that she had reviewed the draft resolution and agrees with all of the required conditions. She said the owner intends to construct a new single-family residence on the site in the future.

The Zoning Administrator opened the public hearing.

One member of the public, Mr. Mosher, spoke and stated that the project was deemed complete in December of 2019, but does not appear complete without including the construction of a new residence on the site.

The Zoning Administrator closed the public hearing. He stated that the City determined that projects that submit a complete demolition package prior to January 1, 2020 are not subject to SB330.

The Zoning Administrator also added an additional statement to the Facts in Support of Finding B.1. In sentence two, he clarified that the existing structure is deficient four parking spaces. Additionally, future construction on the site would consist of no more than two dwelling units with Code-required parking, which would reduce the demand for on-street public parking for public access.

Action: Approved

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

One member of the public, Mr. Mosher, stated that additional materials received at the recent Zoning Administrator meetings are not being added to the meeting archive. He also questioned the City's interpretation of the meaning and definition of "density" per the Zoning Code and the Implementation Plan.

VI. ADJOURNMENT

The hearing was adjourned at 3:39 p.m.

The agenda for the Zoning Administrator Hearing was posted on February 21, 2020, at 4:00 p.m. 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 February 21, 2020, at 4:05 p.m.

Jaime Murillo
Zoning Administrator

DRAFT