



CITY OF NEWPORT BEACH PLANNING COMMISSION AGENDA

City Council Chambers - 100 Civic Center Drive

Thursday, August 17, 2017 - 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:

Brenda Wisneski, Deputy Community Development Director
Michael Torres, Assistant City Attorney
Tony Brine, City Traffic Engineer
Jennifer Biddle, 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.

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 JUNE 8, 2017

Recommended Action: Approve and file

[ITEM NO. 1 DRAFT MINUTES 06-08-2017](#)

[1a Additional Materials Received Mosher Draft Minutes 06-08-2017](#)

2. MINUTES OF JULY 20, 2017

Recommended Action: Approve and file

[ITEM NO. 2 DRAFT MINUTES 07-20-2017](#)

[2a Additional Materials Received Mosher Draft Minutes 07-20-2017](#)

VII. PUBLIC HEARING ITEMS

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. 102 EAST OCEAN FRONT ALTERNATIVE SETBACK DETERMINATION (PA2017-099)

Site Location: 102 East Ocean Front

Summary:

A request for an alternative rear setback due to the existing orientation of the lot and development limitations created by the Code-required rear setback. Specifically, the proposal is to reduce the rear setback abutting a single-family residential lot from the Code-required 10-foot setback to a 5-foot setback. The requirements for side and front setbacks would remain the same, at 3 feet and 10 feet respectively.

Recommended Action:

1. Conduct a public hearing;

2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 of the California Environmental Quality Act (CEQA) Guidelines - Class 5 (Minor Alterations in Land Use Limitations), which consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density, including but not limited to: minor lot line adjustments and setback variances not resulting in the creation of any new parcel; and

3. Adopt Resolution No. _____ approving Staff Approval for an Alternative Setback Determination No. SA2016-004 that would establish a 5-foot rear setback.

[ITEM NO. 3 STAFF REPORT](#)

[3a Additional Materials Received Remley PA2017-099](#)

[3b Additional Materials Received Kleiman PA2017-099](#)

[3c Additional Materials Received Tostenson PA2017-099](#)

[3d Additional Materials Received Schwary PA2017-099](#)

4. VILLAS FASHION ISLAND USE PERMIT AMENDMENT (PA2017-128)

Site Location: 4200 San Joaquin Plaza

Summary:

An amendment to Use Permit No. 2016-045 to allow live entertainment and outdoor recorded music at the Villas Fashion Island, a residential apartment complex. The previously approved use permit permitted a café and cocktail lounge with a Type 57 (Special On Sale General) Alcoholic Beverage Control (ABC) license. There are no late hours (after 11 p.m.) proposed. If approved, this Conditional Use Permit would supersede Use Permit No. 2016-045.

Recommended Action:

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Resolution No. ____ approving Conditional Use Permit No. UP2017-017.

[ITEM NO. 4 STAFF REPORT](#)

[4a Additional Materials Received Staff Memo PA2017-128](#)

[4b Additional Materials Received Staff Memo PA2017-128](#)

5. LIDO MARINA VILLAGE PARKING MANAGEMENT PLAN AMENDMENT (PA2017-135)

Site Location: 3636 Newport Boulevard, 3418-3428 Via Lido, 3434 and 3444 Via Lido, and 3400-3450 Via Oporto

Summary:

An amendment to the parking management program for Lido Marina Village, pursuant to Use Permit No. UP2014-014 (PA2014-002). Modifications include but may not be limited to the elimination of an employee shuttle, relocation of employee parking to the fifth level of the parking structure, parking pricing adjustments, valet plan changes, and the addition of customer off-site valet parking at 3700 Newport Boulevard. If approved, this Conditional Use Permit would supersede the previous Use Permit No. UP2014-014 (PA2014-002).

Recommended Action:

1. Table consideration of the item.

[ITEM NO. 5 STAFF MEMO](#)

VIII. STAFF AND COMMISSIONER ITEMS

6. MOTION FOR RECONSIDERATION

7. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. Update on 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

IX. ADJOURNMENT