



CITY OF NEWPORT BEACH ZONING ADMINISTRATOR AGENDA

Newport Beach City Hall
100 Civic Center Drive, Newport Beach
Corona del Mar Conference Room (Bay E-1st Floor)
Thursday, October 10, 2013 – 3:30 p.m.

Brenda Wisneski, Zoning Administrator

Staff Members:

Makana Nova, Assistant Planner
Rosalinh Ung, Associated Planner
Jason Van Patten, Planning Technician
Benjamin M. Zdeba, Assistant Planner

A) CALL MEETING TO ORDER

B) MINUTES OF SEPTEMBER 26, 2013

C) PUBLIC HEARING ITEMS

**Item No. 1. Marigold Parcel Map No. NP2013-019 (PA2013-169)
415 and 415 ½ Marigold Avenue Council District 3**

Summary: A tentative parcel map application for two-unit condominium purposes. No waivers of Title 19 (Subdivision Code) development standards are proposed with this application. A two-unit duplex has been demolished and will be replaced with a new two-unit duplex. The Parcel Map would allow each unit of the project to be sold individually. The property is located in the R-2 (Two-Unit Residential) District.

Recommended
Action:

- 1) Conduct public hearing; and
- 2) Adopt Resolution No. ___ approving Tentative Parcel Map No. NP2013-019 subject to the recommended findings and conditions.

CEQA
Compliance:

The project is exempt from environmental review pursuant to Section 15315 of the California Environmental Quality Act (CEQA) Guidelines - Class 15 (Minor Land Divisions)

**Item No. 2. The Koll Company Lot Line Adjustment No. LA2013-007 (PA2013-141)
400 Von Karman, East Side of Von Karman Avenue, between MacArthur Blvd.
and Birch St. Council District 3**

Summary: A Lot Line Adjustment to change the existing lot lines between Parcel 1 of Parcel Map No. 82-713 and Parcel 2 of Parcel Map No. 91-155 to be consistent with the management responsibilities. The property is located in the PC-15 (Koll Center) District.

This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least seventy-two (72) hours in advance of each regular hearing and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Zoning Administrator may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

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 at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the Community Development Department at least forty-eight (48) hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible at 949-644-3200.

Recommended

- Action:
- 1) Conduct public hearing; and
 - 2) Adopt Resolution No. ___ approving Lot Line Adjustment No. LA2013-007 subject to the recommended findings and conditions.

CEQA

Compliance: The project is exempt from environmental review pursuant to Section 15305, of the California Environmental Quality Act (CEQA) Guidelines - Class 5 (Minor Alterations in Land Use Limitations).

**Item No. 3. Kirkowski Residence Modification Permit No. MD2013-012 (PA2013-152)
310 Driftwood Road Council District 6**

Summary: A modification permit to allow a second story addition to project 7.2 inches into the required 6-foot left side yard setback, in-line with the existing nonconforming single-family residence below. The property is located in the R-1-6,000 (Single Unit Residential) District.

Recommended

- Action:
- 1) Conduct public hearing; and
 - 2) Adopt Resolution No. ___ approving Modification Permit No. MD2013-012 subject to the recommended findings and conditions.

CEQA

Compliance: The project is exempt from environmental review pursuant to Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Facilities).

**Item No. 4. NBAC Café Minor Use Permit No. UP2013-015 (PA2013-149)
1367 Avocado Avenue Council District 5**

Summary: A minor use permit to allow a Type 41 (On-Sale Beer and Wine – Eating Place) Alcohol Beverage Control (ABC) License to an existing food service use (Newport Beach Athletic Club Café). No late hours (after 11:00 p.m.) are proposed as part of this application. The property is located in the OR (Office Regional Commercial) District.

Recommended

- Action:
- 1) Conduct public hearing; and
 - 2) Adopt Resolution No. ___ approving Minor Use Permit No. UP2013-015 subject to the recommended findings and conditions.

CEQA

Compliance: The project is exempt from environmental review pursuant to Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Facilities).

**Item No. 5. Saponi Ristorante Expansion – Minor Use Permit No. UP2013-014 and Lot Line Adjustment No. LA2013-010 (PA2013-151)
1080 Bayside Drive Council District 5**

Summary: A minor use permit application to allow the expansion of an existing eating and drinking establishment (Saponi Ristorante) into the abutting tenant space in the Bayside Shopping Center (western corner of Jamboree Road and Bayside Drive). No changes to the Alcoholic Beverage Control (ABC) license type or hours of operation are proposed. Also included in the request is a lot line adjustment to increase the size of the subject parcel to accommodate a new approximately 200-square-foot dry storage room addition. The property is located in the CN (Commercial Neighborhood) District.

Recommended

- Action:
- 1) Conduct public hearing; and
 - 2) Adopt Resolution No. ___ approving Minor Use Permit No. UP2013-014 subject to the recommended findings and conditions.
 - 3) Adopt Resolution No. ___ approving Lot Line Adjustment No. LA2013-010 subject to the recommended findings and conditions.

CEQA

Compliance: The Minor Use Permit is categorically exempt under Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Structures). The Lot Line Adjustment is categorically exempt under Section 15305, of the California Environmental Quality Act (CEQA) Guidelines - Class 5 (Minor Alterations in Land Use Limitations).

**Item No. 6. The Dessert Lab Minor Use Permit No. UP2013-017 (PA2013-164)
4221 MacArthur Blvd, Suite B4 Council District 3**

Summary: A minor use permit to allow a food service, eating and drinking establishment with no late hours (after 11:00 p.m.) within a vacant tenant space in the Newport Place Center (west of MacArthur Boulevard and east of Dolphin-Striker Way. Alcohol service is not requested as part of the project application. The property is located in the PC-11 (Newport Place) District.

Recommended

- Action:
- 1) Conduct public hearing; and
 - 2) Adopt Resolution No. ___ approving Minor Use Permit No. UP2013-017 subject to the recommended findings and conditions.

CEQA

Compliance: The project is exempt from environmental review pursuant to Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Structures).

D) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Zoning Administrator. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Zoning Administrator has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

E) ADJOURNMENT

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.

The agendas, minutes, and staff reports are available on the City's web site at: www.newportbeachca.gov/zoningadministrator 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.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.