



**CITY OF NEWPORT BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION ACTION REPORT**

TO: CITY COUNCIL, CITY MANAGER, AND PLANNING COMMISSION

FROM: Seimone Jurjis, Assistant City Manager/Community Development Director

SUBJECT: Report of actions taken by the Zoning Administrator for the week ending August 1, 2025.

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**COMMUNITY DEVELOPMENT DIRECTOR  
OR ZONING ADMINISTRATOR ACTIONS  
(Non-Hearing Items)**

Item 1: Williams Residence Coastal Development Permit (PA2023-0085)  
Site Address: 223 Evening Star Lane

Action: Approved

Council District 3

Item 2: One Uptown Newport Clubroom Staff Approval (PA2025-0092)  
Site Address: 4201 & 4301 Jamboree Road

Action: Approved

Council District 3

**APPEAL PERIOD:** An appeal or call for review 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 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.

Wendy Joe, Civilian Investigator, NBPD (Telecom - Massage – ABC License)  
Mark Short, Police Sergeant, NBPD (Massage – ABC License)

## RESOLUTION NO. ZA2025-049

### A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A COASTAL DEVELOPMENT PERMIT TO REMODEL AN EXISTING SINGLE UNIT DWELLING AND CONSTRUCT A 793 SQUARE-FOOT ATTACHED ACCESSORY DWELLING UNIT LOCATED AT 223 EVENING STAR LANE (PA2023-0085)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

#### SECTION 1. STATEMENT OF FACTS.

1. An application was filed by DLA Architects, on behalf of the Brian K. Williams Trust, concerning the property located at 233 Evening Star Lane, requesting approval of a coastal development permit. The property is legally described as Lot 140 of Tract 4224 (Property).
2. The applicant requests a coastal development permit to construct a 793-square-foot attached accessory dwelling unit (ADU). The project also includes reinforcement of the existing bulkhead and a minor interior remodel to the existing 3,973-square-foot primary dwelling unit. The project complies with all development standards and no deviations from the Newport Beach Municipal Code (NBMC) are requested.
3. The subject property is designated RS-D (Single-Unit Residential Detached) by the General Plan Land Use Element and is located within the R-1-6000 (Single-Unit Residential) Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RSD-B (Single-Unit Residential Detached)(6.0 – 9.9 DU/AC), and it is located within the R-1-6000 (Single-Unit Residential) Coastal Zone District.
5. On July 29, 2025, the Zoning Administrator reviewed a coastal development permit filed as PA2023-0085. A notice of purpose of the review was given in accordance with the NBMC. No public comments were received. Written evidence was presented to and considered by the Zoning Administrator.

#### SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is categorically exempt pursuant to Title 14 of the California Code of Regulations Section, Division 6, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 3 (New Construction or Conversion of Small Structures) because it has no potential to have a significant effect on the environment.
2. Class 3 exempts the demolition of up to three single-family residences and additions of up to 10,000 square feet to existing structures. The proposed project consists of the

construction of a 793-square-foot attached ADU, reinforcement of the existing bulkhead, and a minor interior remodel to the existing 3,973-square-foot primary dwelling unit.

3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

### SECTION 3. REQUIRED FINDINGS.

In accordance with Section 21.52.015(F) (Coastal Development Permits) - Findings and Decision) of the NBMC, the following findings, and facts in support of such findings are set forth:

#### Finding:

- A. *Conforms to all applicable sections of the certified Local Coastal Program.*

#### Facts in Support of Finding:

1. The proposed development complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
  - a. The maximum lot coverage allowed is 60%. The proposed attached ADU will increase the site lot coverage total to 72.5%, however, pursuant to NBMC section 21.48.200(G)(4)(c) the proposed attached ADU is exempt from the maximum lot coverage in order to allow at least an 800 square foot ADU.
  - b. The maximum allowed floor area of a one-bedroom attached ADU is 850 square feet, and the proposed ADU is 793 square feet.
  - c. The proposed development provides the minimum required setbacks, which are 10 feet along the front property line abutting the water, 6-feet along each side property line, and 6-feet along the rear property line abutting Evening Star Lane. The proposed project complies with the setbacks.
  - d. The highest ridge of the proposed ADU is 16 feet, which complies with the maximum height of 29 feet from the established grade.
  - e. The project includes garage parking for a total of three vehicles, complying with the minimum two car garage parking requirement for single-unit dwellings and minimum one car parking requirement for attached ADUs.
2. The neighborhood is predominantly developed with two story, single-unit dwellings. The proposed design, bulk, and scale of the development are consistent with the existing neighborhood pattern of development.

3. A Coastal Hazards Report and Sea Level Rise Analysis was prepared by William Simpson & Associates, INC. dated February 21, 2025, for the project. The maximum bay water elevation is 7.87 feet North American Vertical Datum of 1988 (NAVD 88) and is not anticipated to exceed the current top of bulkhead elevation of 13.18 feet NAVD 88 during high tide or storm events. The report analyzes future sea level rise scenarios, assuming a 3.2-foot increase in the maximum water level over the next 75 years (i.e., the life of the structure). Therefore, the sea level is estimated to reach approximately 10.9 feet NAVD 88 (the likely range for sea level rise over the 75-year design life of the structure based on low-risk aversion estimates for sea level rise provided by the State of California, Sea Level Rise Guidance: 2018 Update). Once the existing seawall/bulkhead is reinforced per the report's recommendations, flooding, wave run-up, and erosion will not significantly impact this property over the proposed 75-year economic life of the development. The report concludes that the proposed project will be safe from flooding hazards for the next 75 years with the reinforced bulkhead.
4. The finished floor elevation of the proposed ADU is 13.07 feet (NAVD 88), which complies with the minimum 9.00-foot (NAVD 88) elevation standard.
5. Under NBMC Section 21.30.030(C)(3)(i)(iv) (Natural Landform and Shoreline Protection), the property owner will be required to agree with the City waiving any potential right to protection to address situations in the future in which the development is threatened with damage or destruction by coastal hazards (e.g., waves, erosion, and sea level rise). The Waiver of Future Protection is included as a condition of approval that will need to be satisfied before the final building inspection.
6. The property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c) (General Site Planning and Development Standards). The Acknowledgement of Coastal Hazards is included as a condition of approval that will need to be satisfied before the issuance of building permits.
7. The Property is in an area known for the potential of seismic activity and liquefaction. All projects are required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved before the issuance of building permits. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and CBC before building permit issuance.
8. The Property is located adjacent to coastal waters. A Construction Erosion Control Plan was provided to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived from construction chemicals and materials. The Project design also addresses water quality through the inclusion of a post-construction drainage system that includes drainage and percolation features designed to retain dry weather and minor rain event runoff on-site. Any water not retained on-site is directed to the City's storm drain system.

9. Under Municipal Code Section 21.35.050 (Water Quality and Hydrology Plan), due to the proximity of the development to the shoreline and the development containing more than 75% of impervious surface area, a Water Quality and Hydrology/Management Plan (WQHP/WQMP) is required. A WQHP/WQMP has been prepared for the project by NTS Engineering, dated February 22, 2024. The WQHP/WQMP includes a polluted runoff and hydrologic site characterization, a sizing standard for BMPs, the use of a LID approach to retain the design storm runoff volume on-site, and documentation of the expected effectiveness of the proposed BMPs.
10. Proposed landscaping complies with Implementation Plan Section 21.30.075 (Landscaping). A condition of approval is included that requires drought-tolerant species. Before the issuance of building permits, the final landscape plans will be reviewed to verify that invasive species are not planted.
11. The project site is not located adjacent to a coastal view road, public access way, or Coastal Viewpoint as identified in the Coastal Land Use Plan. The nearest coastal viewpoint is located approximately 900 feet west of the site at Westcliff Park and is not visible from the site. The proposed ADU complies with all applicable Local Coastal Program (LCP) development standards and maintains a building envelope consistent with the existing neighborhood pattern of development. Additionally, the project does not contain any unique features that could degrade the visual quality of the coastal zone.

Finding:

*B. Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.*

Facts in Support of Finding:

1. The project site is located in Dover Shores between the nearest public road and the Newport Back Bay waterway. Implementation Plan Section 21.30A.040 requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact and be proportional to the impact. In this case the project will construct a new ADU and minor improvements on a site currently developed with an existing single unit dwelling, resulting in a net increase of one dwelling unit. The ADU only includes one bedroom and will accessory to the primary use of the property as a single unit dwelling. Therefore, the project does not involve a change in land use or intensity that will result in increased demand for public access and recreation opportunities. Furthermore, the project is designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.
2. Vertical and lateral access to Upper Newport Bay is available along Polaris Drive and at the North Star Lane street end approximately 520 feet northeast of the property. The proposed construction will occur within private property and does not include any features that would obstruct access to these routes.

**SECTION 4. DECISION.**

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act under Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves the Coastal Development Permit, subject to the conditions outlined in Exhibit "A," which is attached hereto and incorporated by reference.
3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director by the provisions of Title 21 Local Coastal Program (LCP) Implementation Plan, of the NBMC. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 (Appeal to the Coastal Commission) of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

**PASSED, APPROVED, AND ADOPTED THIS 29<sup>TH</sup> DAY OF JULY 2025.**



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Benjamin M. Zdeba, AICP, Zoning Administrator

**EXHIBIT "A"**

**CONDITIONS OF APPROVAL**

**Planning Division**

1. The development shall be in substantial conformance with the approved site plan, floor plans, and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. *Prior to final building permit inspection, the existing seawall shall be reinforced consistent with the recommendations provided in the Bulkhead Conditions Report prepared by William Simpson & Associates, INC. dated February 21, 2025.*
3. This approval does not authorize any new or existing improvements (including landscaping) on California Coastal Permit Jurisdiction, State tidelands, public beaches, or the public right-of-way. Any improvements located on tidelands, submerged lands, and/or lands that may be subject to the public trust shall require a coastal development permit (CDP) approved by the California Coastal Commission (Coastal Commission).
4. *Prior to the final building permit inspection, an agreement in a form approved by the City Attorney between the property owner and the City shall be executed and recorded waiving rights to the construction of future shoreline protection devices to address the threat of damage or destruction from waves, erosion, storm conditions, landslides, seismic activity, bluff retreat, sea level rise, or other natural hazards that may affect the property, or development of the property, today or in the future. The agreement shall be binding against the property owners and successors and assigns.*
5. *Prior to the issuance of a building permit, the property owner shall submit a notarized signed letter acknowledging all hazards present at the site, assuming the risk of injury or damage from such hazards, unconditionally waiving any claims of damage against the City from such hazards, and to indemnify and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the development. This letter shall be scanned into the plan set before building permit issuance.*
6. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter the sensitive habitat, receiving waters, or storm drains or result in impacts to environmentally sensitive habitat areas, streams, the beach, wetlands or their buffers. No demolition or construction materials shall be stored on public property.
7. This Coastal Development Permit does not authorize any development bayward of the private property

8. The applicant is responsible for compliance with the Migratory Bird Treaty Act (MBTA). In compliance with the MBTA, grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of native birds under MBTA:
  - A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.
  - B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey for nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one or two short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
9. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
10. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stockpiles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
11. Trash and debris shall be disposed of in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed of in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
12. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
13. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
14. The applicant shall comply with all federal, state, and local laws. A material violation of any of those laws in connection with the use may be caused by the revocation of this Coastal Development Permit.
15. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being

operated or maintained are detrimental to the public health, and welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained to constitute a public nuisance.

16. *Before the issuance of building permits, the applicant shall submit a final drainage plan. The plan shall be subject to review and approval by the Building Division.*
17. *Before the issuance of a building permit, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.*
18. *Prior to the issuance of a building permit, the Applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought-tolerant plantings, non-invasive plant species, and water-efficient irrigation design. The plans shall be approved by the Planning Division.*
19. Construction activities shall comply with Section 10.28.040 (Construction Activity – Noise Regulations) of the NBMC, which restricts hours of noise-generating construction activities that produce noise to between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday, and 8:00 a.m. and 6:00 p.m. on Saturday. Noise-generating construction activities are not allowed on Sundays, or Holidays.
20. *Before the issuance of a building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.*
21. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current property owner or agent.
22. This Coastal Development Permit No. PA2023-0085 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the NBMC, unless an extension is otherwise granted.
23. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to the City's approval of **Williams Residence, including but not limited to, Coastal Development Permit PA2023-0085**. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by the applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all the City's costs, attorneys' fees, and damages, which the City incurs in enforcing the indemnification provisions

outlined in this condition. The applicant shall pay to the City upon demand any amount owed to the City under the indemnification requirements prescribed in this condition.

### **Building Division**

24. The applicant is required to obtain all applicable permits from the City's Building Division and Fire Department. The construction plans must comply with the most recent, City-adopted version of the California Building Code.

### **Public Works Department**

25. *Prior to final building permit inspection*, the existing driveway shall be plugged per City Standard 165. The new sidewalk, curb, and gutter shall be installed in the area where the driveway will be plugged.
26. *Prior to final building permit inspection*, new sod or other drought tolerant planting shall be installed in the parkway area.
27. The new driveway and sidewalk shall be installed per City Standard 162.

### **Fire Prevention Division**

28. The Project will require NFPA 13D sprinklers in the garage and ADU if the existing structure has a fire sprinkler system.



## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING DIVISION

100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915  
949-644-3200

[www.newportbeachca.gov](http://www.newportbeachca.gov)

## **COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER**

**Subject:** **One Uptown Newport Clubroom (PA2025-0092)**

- Staff Approval

**Site Location** **4201 & 4301 Jamboree Road**

**Applicant** **The Picerne Group**

**Legal Description** **Lots 3 and 4 of Newport Tract 17763**

On July 25, 2025, the Community Development Director approved a staff approval to allow the serving of alcoholic beverages permitted under the Alcoholic Beverage Control (ABC) Type 57 (Special On-Sale General) and Type 68 (Portable Bar) Licenses to the residents and their guests within the clubroom and pool area at the North Building of One Uptown Newport apartment complex (Project).

### **LAND USE AND ZONING**

- **General Plan Land Use Plan Category:** MU-H2 (Mixed-Use Horizontal)
- **Zoning District:** PC-58 (Uptown Newport)

### **BACKGROUND**

On March 12, 2013, the City Council approved [Uptown Newport Planned Community](#) (PC-58) among other entitlement applications filed as PA2011-134, for a mixed use development in two separate phases, consisting of removing existing office and industrial uses and constructing 1,244 residential units, 11,500 square feet of neighborhood-serving retail space, and approximately two acres of public park (Uptown Newport).

On September 5, 2013, the Planning Commission approved Master Site Development Review No. SD2013-002 (PA2013-129) as required by PC-58, in order to ensure that Uptown Newport would be developed consistently with the previously approved entitlements.

On January 14, 2016, the Community Development Director approved Minor Site Development Review No. SD2015-004 (PA2015-141) for the construction of 455 residential apartment units in two separate buildings (North and South Buildings), approximately 10,700 square feet of retail, and a 50-foot-wide paseo within Phase 1 of Uptown Newport.

On March 24, 2017, the Community Development Director approved Minor Site Development Review No. SD2017-002 (PA2017-040) to amend Minor Site Development

Review No. SD2015-004 (PA2017-040) to allow the elimination of the commercial component and its associated parking, and to add seven residential units for a total of 462 units. Subsequently, four units (two in each building) were adjusted to make room for penthouses. Upon completion, the apartment complex has a total of 458 units.

The buildings were designed with interior landscaped courtyards at the lowest level and recreational amenities, including swimming pools, spas, courtyards, BBQ areas, and community clubrooms at the buildings' podium levels. The clubroom in the North Building is located within the southern portion of the structure and is adjacent to a pool area containing BBQs, showers, restrooms, two swimming pools, and a spa. The clubroom features, among other amenities, a bar area with a cocktail station, refrigerators and a freezer, cooktop and sink area, and storage cabinets. The clubroom is one of the required private recreational amenities provided for the tenants and their guests.

### **PROPOSED CHANGES**

The applicant requests minor tenant improvements to the existing bar area within the clubroom at North Building to accommodate the serving of alcoholic beverages to the residents and their guests, permitted under Type 57 and 68 ABC Licenses.

Presently, the existing bar does not have the physical capacity to provide the desired services; and the clubroom and pool area are not permitted to allow for alcohol service or consumption. Due to the proposed request, a staff approval is required to ensure that the Project is in substantial conformance with the previous approvals.

Proposed physical improvements to the clubroom do not change the footprint of the existing structure and require no exterior or structural changes. The scope of work includes removing the existing bar area and replacing it with a new cocktail station, new refrigeration and storage cabinets, added millwork, appliances, and electrical and plumbing improvements within the existing clubroom of the North Building. The improvements are intended to provide added amenities, modernize the bar area, and make it more attractive for the residents. A vicinity map (Attachment No. CD 1) and project plans (Attachment No. CD 3) identify the location of the site and the proposed locations of each new amenity.

Type 57 and 68 ABC Licenses have been obtained by the Applicant, as City clearance and approval are not required for these ABC license types. The Type 57 License authorizes the sale of beer, wine and distilled spirits to residents and guests only, for on-site consumption, and with no food service required. Minors are allowed on the premises and Responsible Beverage Service (RBS) certification is required for managers and alcohol servers. A Type 68 ABC License can be issued to a premises where a Type 57 License is held. The Type 68 ABC License allows for the sale and service of beer, wine, and distilled spirits from portable bars within the licensed premises. A Type 68 is also subject to RBS requirements and requires alcohol servers and managers of alcohol servers to be RBS certified. The applicant requests that the portable bar be located within the clubroom area and will provide service to both the clubroom and the pool area for the convenience of residents and guests.

Alcoholic beverage service will be provided within the clubroom and the pool area to residents and their guests as an amenity included with tenancy. The poolside service is proposed as a seasonal offering. During the seasonal offering period, bartenders or other staff members will serve drinks to tenants and their guests in the pool area, which is adjacent to the clubroom. Residents and guests will not be allowed to bring their own alcohol into the clubroom or pool area. The proposed hours of alcohol beverages to be provided are listed in Table 1 below:

*Table 1 – Hours When Alcoholic Beverages will be Provided*

November to March	Thursday and Friday	5:00 p.m. to 10:00 p.m.
April to May	Thursday, Friday, and Saturday	5:00 p.m. to 10:00 p.m.
June to August	Thursday and Friday	5:00 p.m. to 10:00 p.m.
June to August	Saturday and Sunday	12:00 p.m. to 10:00 p.m.
September	Thursday, Friday, and Saturday	5:00 p.m. to 10:00 p.m.

A dedicated food and beverage manager (F&B manager) will be on-site during beverage service hours to ensure adherence to safety protocols, verify club membership lists, and monitor guest counts. A contracted bartender will be stationed behind the bar, responsible for preparing and serving drinks. Both the F&B manager and bartender will hold [Training for Intervention Procedures](#) (TiPs) certification, also known as RBS certification, to ensure safe alcohol service. This certification mandates responsible beverage management and alcohol-serving practices, including preventing over-serving and checking identifications when necessary.

Operational changes to the existing bar and pool area are proposed as part of the Applicant's request to provide additional amenities. The Applicant has submitted an operating plan (Attachment No. CD 4) which describes the proposed staffing, management, private events, guest policy, security, transaction procedures, responsible alcohol service, beverage service locations, and closing procedures in detail.

As part of the application review, the Newport Beach Police Department (NBPD) has prepared a memorandum (Attachment No. CD 5) with the required factors and crime statistics to evaluate any objectional conditions. Based on the location, operational characteristics, and operating hours, the NBPD has no objection to the proposed request, subject to appropriate conditions of approval.

## **FINDINGS**

Pursuant to Section 20.54.070 (Changes to an Approved Project) of the Newport Beach Municipal Code (NBMC), the Community Development Director may authorize minor changes to an approved site plan, architecture, or the nature of the approved use without requiring a new minor site development review and/or a public hearing. In this case, the Community Development Director has determined that the proposed social amenity provided in the clubroom and pool area is in substantial conformance with Minor Site Development Review No. SD2015-004 (PA2015-141) based on the following:

Finding:

A. *Are consistent with all applicable provisions of this Zoning Code.*

Facts in Support of Finding:

1. The Property is located in the Uptown Newport (PC-58) Zoning District, which is intended to be a multi-family residential community with neighborhood-serving retail uses. The primary land use of the Property will remain as Multi-Unit Dwellings, and the proposed serving of alcoholic beverages is an added social amenity to the existing clubroom and pool area, for use and enjoyment by the residents and their guests, and will not change the size and overall use of the clubroom and pool area.

Finding:

B. *Do not involve a feature of the project that was a basis for or subject of findings or exemptions in a negative declaration or Environmental Impact Report for the project.*

Fact in Support of Finding:

1. All significant environmental concerns for Uptown Newport have been addressed in the previously certified Environmental Impact Report No. ER2012-001 (SCH No. 2010051094), First Addendum No. ER2012-001, and Second Addendum No. ER2020-001. The City of Newport Beach intends to use said documents for the above noted project, and upholds that there are no additional reasonable alternative or mitigation measures that should be considered in conjunction with said project. The previously prepared environmental documents for the Uptown Newport are available for public review at [www.newportbeachca.gov/CEQA](http://www.newportbeachca.gov/CEQA).
2. The existing clubroom and pool area are located within the confines of the One Uptown Newport North Building. Proposed physical changes to the bar area are within the building footprint of the existing clubroom and include the installation of storage areas, countertops, and appliances. The Project is an added amenity for residents of One Uptown Newport and does not change the use, there is no sensitive habitat onsite, the physical improvements are negligible, and there are no features of the project that can potentially affect the environment. The Project does not involve any findings regarding potentially significant environmental impacts identified in the previously adopted environmental documents, nor would the Project affect any environmental areas which were identified as less than significant or as having no impact.

Finding:

C. *Do not involve a feature of the project that was specifically addressed or was the subject of a condition(s) of approval for the project or that was a specific consideration by the applicable review authority in the project approval.*

Fact in Support of Finding:

1. The proposed social amenity and minor physical improvements will not result in a reduction in size or use of the existing clubroom and pool area, and no features that were specifically conditioned or addressed by Minor Site Development Review No. SD2015-004 (PA2015-141) will be affected. Therefore, there are no proposed changes that would involve a feature of the project that was specifically addressed or included as a condition of approval of PA2015-141.

Finding:

D. *Do not result in an expansion or change in operational characteristics of the use.*

Facts in Support of Finding:

1. The proposed social amenity added to the club room and pool area does not change the existing multi-unit residential development land use, as it is an accessory service for tenants which is not open to the public. Furthermore, the improvements proposed do not change the character of the existing private amenity which is provided to the multi-unit residential development.

**CONDITIONS**

**Planning Division**

1. The development shall be in substantial conformance with the approved site plan and floor plan stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. Alcohol service and consumption shall be limited within the clubroom and pool area of the North Building of One Uptown Newport.
3. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
4. All applicable conditions of approval for Minor Site Development Review No. SD2015-004 (PA2017-040) and Minor Site Development Review No. SD2017-002 (PA2017-040) shall remain in effect.

5. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Staff Approval.
6. The Community Development Director may add to or modify conditions to this staff approval or revoke this staff approval upon determination that the operations, which is the subject of this staff approval, causes injury, or is detrimental to the public health, safety, peace, or general welfare of the community or if the property is operated or maintained so as to constitute a public nuisance.
7. A copy of this approval letter shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
8. There shall be no exterior advertising or signs of any kind of type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
9. That no outdoor sound system, loudspeakers, or paging system shall be permitted in conjunction with the facility.
10. Alcohol beverages shall be available to the residents and their guests only. Membership shall be verified at point of sale.
11. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
12. To the fullest extent permitted by law, Applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of alcoholic beverage service within the club room and pool area at **One Uptown Newport** including, but not limited to, a **Staff Approval under PA2025-0052**. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by Applicant, City, and/or the parties initiating or bringing such proceeding. The Applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which the City incurs in enforcing the indemnification provisions set forth in this condition. The Applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

**Police Department**

13. All owners, managers, and employees selling alcoholic beverages shall undergo and successfully complete a certified training program in responsible methods and skills for selling alcoholic beverages within 60 days of hire. The certified program must meet the standards of the California Coordinating Council on Responsible Beverage Service or other certifying/licensing body, which the State may designate. The establishment shall comply with the requirements of this section within 60 days of the issuance of the certificate of occupancy. Records of each owner's, manager's, and employee's successful completion of the required certified training program shall be maintained on the premises and shall be presented upon request by a representative of the City of Newport Beach.
14. Employees shall not be permitted to consume alcohol or be under the influence of alcohol at any time during their shift.
15. Approval does not permit the premises to operate as a "bar, tavern, cocktail lounge or nightclub" as defined by the NBMC. The NBMC defines bars, lounges, and nightclubs as an establishment that sells or serves alcoholic beverages for consumption on the premises and is holding or applying for a public premises license from the California State Department of Alcoholic Beverage Control (ABC) (i.e. ABC License Type 42 (On-Sale Beer and Wine – Public Premises), ABC License Type 48 (On-Sale General – Public Premises), and ABC License Type 61 (On-Sale Beer – Public Premises)). Persons under 21 years of age are not allowed to enter and remain on the premises. The establishment shall include any immediately adjacent area that is owned, leased, rented, or controlled by the licensee.
16. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
17. No games or contests requiring or involving the consumption of alcoholic beverages shall be allowed.
18. There shall be no on-site broadcasts, including recordings to be broadcasted at a later time, which include the service of alcoholic beverages, without first obtaining an approved special event permit issued by the City of Newport Beach.
19. Strict adherence to maximum occupancy limit is required.
20. The operator shall be responsible for the control of noise generated by the subject facility. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code.
21. The operator shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in all areas surrounding the alcoholic beverage outlet and adjacent properties during business hours.

22. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.
23. There shall be no live entertainment or dancing allowed on the premises.
24. Security staff must be on the premises during alcohol service hours and for two hours after alcohol service concludes.
25. Security cameras with at least a two-week retention period must be installed in and around the alcohol consumption area in the Lounge. Those recordings shall be made available to police upon request in a timely manner.
26. Petitioner shall not share any profits or pay any percentage or commission to a promoter or any other person based upon monies collected as a door charge, cover charge, or any other form of admission charge, including minimum drink orders or the sale of drinks.
27. No alcohol shall be served after 10:00 p.m., daily. Last call for alcohol service within the clubroom shall be at 9:30 p.m. and the bar area shall be closed at 10:00 p.m.
28. Only the residents or their guests shall be allowed in the clubroom and pool areas when alcoholic beverages are being served. The operator shall employ a system which will effectively regulate this requirement.
29. No person under the age of 21 shall sell or deliver alcoholic beverages.
30. No alcoholic beverages shall be allowed to be brought into the licensed area by guests during alcohol service hours or during events where alcohol service is being conducted.
31. Unsold alcoholic beverages shall not be served or delivered to customers by individual ambulatory vendors, more commonly known as "hawkers".
32. All alcoholic beverages that will be sold or consumed in the pool area shall be served in containers which are distinctive in design and color, easily distinguishable from any other containers used in the service of beverages. All containers shall be non-glass, shatterproof container.

**Building Division**

33. The service counter shall be accessible.

34. Exit access doors shall swing in direction of travel when occupant load exceeds 50 occupants.
35. Exit access doors shall have panic hardware in assembly occupancy with occupancy load greater than 50.

**APPEAL PERIOD:** An appeal or call for review may be filed with the Director of Community Development or City Clerk, as applicable, within 14 days following the date the action or decision was rendered. For additional information on filing an appeal, contact the Planning Division at 949-644-3235.

Prepared by:

Daniel Kopshever  
Daniel Kopshever, Assistant Planner  
RU/djk

Approved by:

Seimone Jurjis  
Seimone Jurjis  
Assistant City Manager/Community  
Development Department Director

Attachments: CD 1 Vicinity Map  
CD 2 Applicant's Project Description  
CD 3 Project Plans  
CD 4 Operating Plan  
CD 5 Crime Statistics and Police Memorandum

## **Attachment No. CD 1**

Vicinity Map

# VICINITY MAP



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Staff Approval  
PA2025-0092  
**4201 and 4301 Jamboree Road**

## **Attachment No. CD 2**

Applicant's Project Description



**PICERNEGROUP**

**Project Description for Bar – One Uptown Newport**

Existing bar service equipment and cabinetry at the Clubroom of One Uptown Newport will be removed to accommodate an updated design for a full-service bar operated under a Type 57 and 68 liquor license for tenant use only. No exterior or structural changes are part of the renovation. The scope of work includes added millwork, appliances and electrical / plumbing improvements per Health Department approved plans.

# **Attachment No. CD 3**

Project Plans

## GENERAL NOTES

A. THESE DRAWINGS ARE THE PROPERTY OF AVANTI RESTAURANT SOLUTIONS, INC. WHETHER OR NOT THE ESTABLISHMENT FOR WHICH THEY ARE INTENDED IS LOCATED. WE RESERVE THE RIGHT TO INCORPORATE DESIGN ELEMENTS AND DETAILS IN THESE PLANS THAT ARE HEREFERRED PREPARED BY US FOR OTHERS.

B. AVANTI RESTAURANT SOLUTIONS, INC. DOES NOT PERFORM ARCHITECTURAL, MECHANICAL, ELECTRICAL, HEATING OR STRUCTURAL ENGINEERING SERVICES. THESE PLANS ARE THE PROPERTY OF THE OWNER, TO BE FURNISHED ELECTRICAL, GENERAL CONTRACTOR AND OTHERS UTILIZING THESE DRAWINGS TO COMPLETE THEIR WORK IN CONNECTION WITH THIS PROJECT.

C. THESE PLANS ARE NOT TO BE REPRODUCED OR DISTRIBUTED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF AVANTI RESTAURANT SOLUTIONS, INC. OR USED BY ANY PERSONS, EXCEPT UNDER OUR DIRECT SUPERVISION.

D. ALL FOODSERVICE AND RELATED EQUIPMENT SHALL BE NSF APPROVED AND IN CONFORMITY WITH LOCAL HEALTH REGULATIONS. INSTALLATION OF EQUIPMENT SHALL MEET SAME REQUIREMENTS. OWNER WILL HAVE TO APPLY FOR AND OBTAIN LOCAL PERMIT. APPROVAL OF THESE DRAWINGS WILL BE REVIEWED DURING BUILDING DEPARTMENT APPROVAL.

E. ALL FINISHED BUILDING DIMENSIONS SHALL BE VERIFIED BEFORE FABRICATION AND/OR INSTALLATION OF EQUIPMENT AND FIXTURES.

F. ALL ADJOINING EQUIPMENT AND COUNTERS SHALL BE SEALED TOGETHER TO PREVENT SPILLS. ALL EQUIPMENT AND COUNTERS SHALL BE SMOOTHLY SEALED TO WALLS. FREE STANDING UNITS SHALL BE REMOVABLE AND EASILY ACCESSIBLE FOR CLEANING.

G. ALL WORKING SURFACES SHALL BE SMOOTH AND IMPERVIOUS.

H. ALL CUTTING BOARDS SHALL BE SANITARY NSF APPROVED CUTTING SURFACES.

I. ALL REFRIGERATED AND HEATED FOOD HOLDING EQUIPMENT SHALL BE PROVIDED WITH THERMOMETERS WHICH ARE EASILY READABLE.

J. STORAGE SHELVES SHALL HAVE THE LOWEST SHELF SET AT A MINIMUM OF 6" ABOVE THE FINISHED FLOOR.

K. STORAGE SHELVES, OTHER THAN WIRE OR SOLID FLAT METAL, MUST BE PROVIDED WITH A SMOOTH SURFACE, AND HAVE A NONABSORBENT AND NON-TOXIC COATING.

L. ALL FLOOR MOUNTED FOODSERVICE EQUIPMENT, SUCH AS WORK TABLES, SINKS, ETC., SHALL BE ADJUSTED DOWNTOWARD THE NSF APPROVED STAINLESS STEEL LEGS WITH ADJUSTABLE BULLET FEET. ALL CUSTOM FABRICATED STAINLESS STEEL WORK TABLES AND COUNTERS PLACED ABOVE THE FLOOR SHALL BE ADJUSTED DOWNTOWARD THE FLOOR. ALL WALL INLET SEE CUSTOM FABRICATED FOODSERVICE EQUIPMENT DETAILS FOR HEIGHT OF BACKPLASHES). UNLESS OTHERWISE SPECIFIED, MOBILE EQUIPMENT SHALL BE PROVIDED ON NSF APPROVED CASTERS AND EQUIPPED WITH A GAS APPROVED GAS HOSES, CONNECTORS, AND RESTRAINING DEVICES AS SUPPLIED BY THE K.E.C.

M. ALL SELF CONTAINED REFRIGERATION UNITS INCLUDE CONDENSATE EVAPORATOR. EXCEPT, WILL BE ICE MACHINE WHICH WILL DRAIN INTO A FLOOR SINK.

N. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL TAKE PRECEDENCE OVER ANY DIMENSIONS SHOWN ON THE JOB. THE K.E.C. MUST BE NOTIFIED FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. K.E.C. MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.

O. LAST DRAFTED VERSION ODS WILL HAVE ALL PREVIOUS DRAWINGS.

P. ANY ERROR, OMISSION, OR AMBIGUITIES ARE TO BE REPORTED TO THE KEC FOR CORRECTION OR REVISIONS PRIOR TO PROCEEDING WITH THE PROJECT. THE K.E.C. IS NOT RESPONSIBLE FOR STATED OTHERWISE. OTHER AGREEMENTS WILL BE MADE BY THE K.E.C. AT ANOTHER'S FAVOR IN VIRTUE OF SUCH DISCREPANCY. THE KEC ACCEPTS NO RESPONSIBILITY FOR CHARGES MADE BY THE OWNER FOR DESIGN, CONSTRUCTION, LABOR, CONTRACTS, REGULATIONS, GOVERNMENT AGENCIES, AGENTS, COURT, PAYMENT, LAYOFF CHANGES.

Q. WORK BY OTHER TRADES INDICATED ON THESE PLANS DOES NOT NECESSARILY REFLECT COMPLIANCE WITH EACH TRADE'S REQUIREMENT CODES AND REGULATIONS, AND THESE DO NOT RELIEVE THEM OF THEIR RESPONSIBILITY TO ASSURE SUCH.

R. WHERE A REVISION TO DETAILS NOTED ON THESE PLANS MIGHT FACILITATE EFFICIENCY OR CONTRIBUTE TO ARCHITECTURAL AESTHETICS, THE KEC MUST BE CONSULTED FOR APPROVAL PRIOR TO PROCEEDING WITH THE CHANGE. THE K.E.C. IS NOT RESPONSIBLE FOR ANY CHARGES MADE BY THE OWNER TO FURNISH THE REVISION (OR CHANGES) TO NOTIFY THE KEC.

S. THE LOCAL BUILDING DEPARTMENT MAY REQUIRE THAT THESE DRAWINGS BE APPROVED BY A CODE. THE OWNER IS ADVISED OF HIS GENERAL CONTRACTOR SHALL VERIFY IF REQUIREMENTS ARE MEET. THE OWNER SHALL PAY FOR ADDITIONAL COSTS WHICH MAY BE REQUIRED IN ORDER TO PROVIDE ALL THE DATA TO MEET THE CODE. ADDITIONAL COSTS ARE TO BE PAID BY THE BUILDING DEPARTMENT AND ALL FEES OF LICENSED ENGINEER OR ARCHITECT.

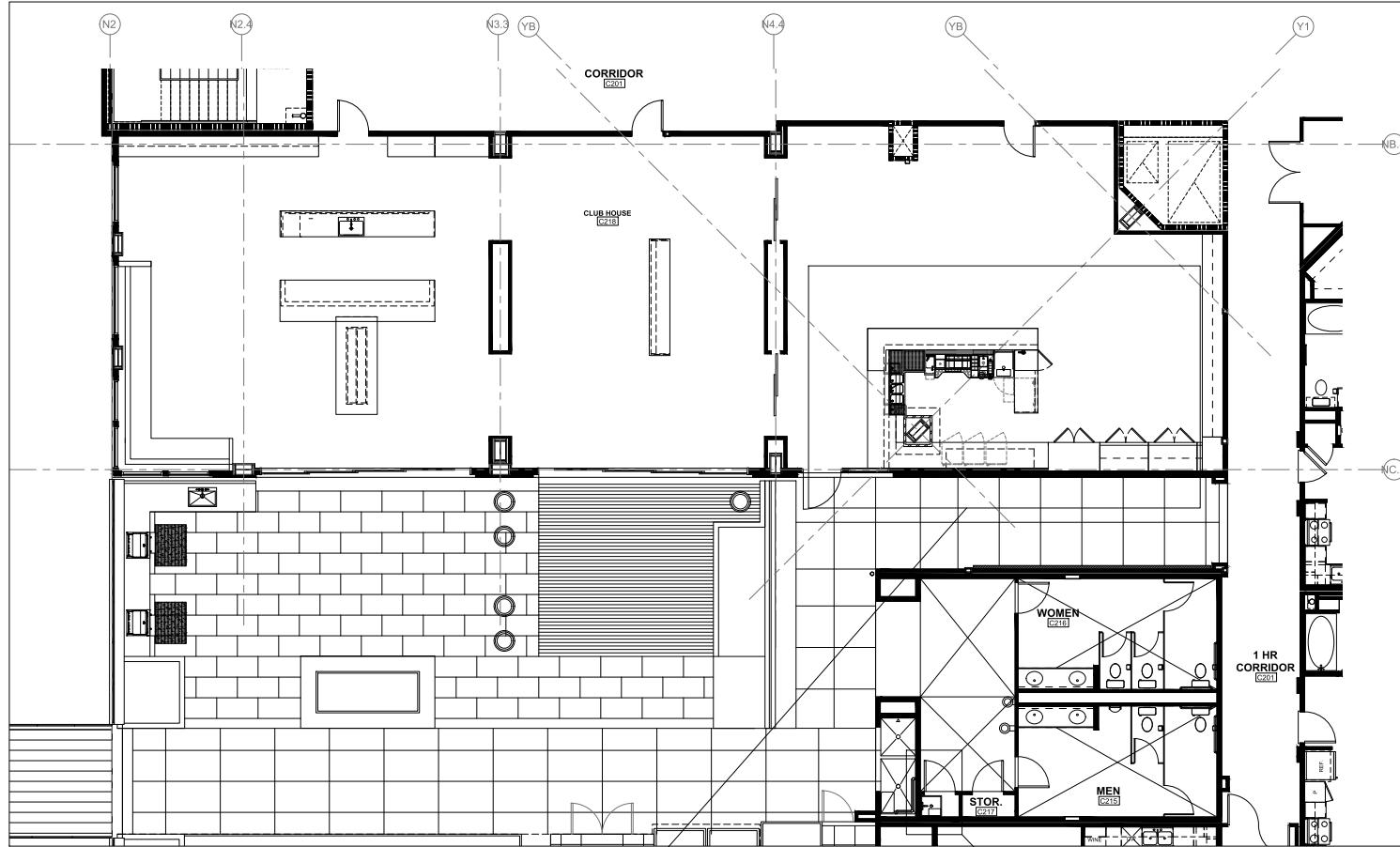
## LEGEND

## ABBREVIATIONS

KEC	KITCHEN EQUIPMENT CONTRACTOR	S/C	SELF CONTAINED REFRIGERATION
GC	GENERAL CONTRACTOR	S/S	STAINLESS STEEL
OWN	OWNER	(E)	EXISTING
MC	MECHANICAL CONTRACTOR	(R)	RELOCATE
PC	PLUMBING CONTRACTOR	NTS	NOT TO SCALE
EC	ELECTRICAL CONTRACTOR	SAD	SEE ARCHITECTS DRAWINGS

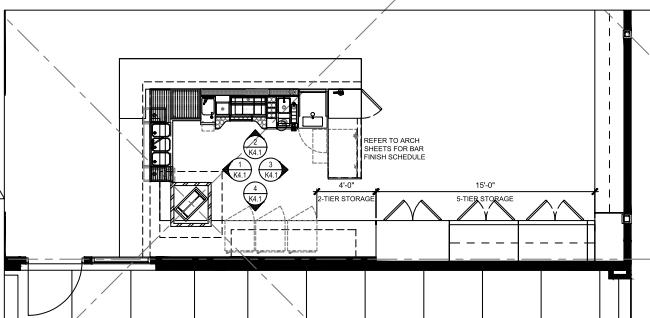
## FINISH SCHEDULE

AREA	FLOOR	CEILING	WALL
BAR	DALTILE - SERIES: PORFOLIO COLOR: NOCE	DRYWALL/PAINT	FRP [DIE WALL]
JANITOR CLOSET	DALTILE - SERIES: PORFOLIO COLOR: ICE	FRP	FRP
RESTROOMS	EXISTING TILE	DRYWALL/PAINT	EXISTING TILE IF SCHLUTER COVE



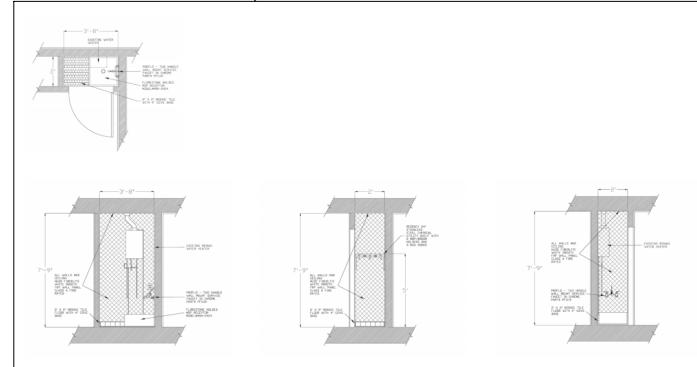
## FOOD SERVICE EQUIPMENT OVERALL PLAN

SCALE: 3/16" = 1'-0"



## BAR AREA

SCALE: 1/4" = 1' 0"



### JANITOR CLOSET

SCALE: 1/4" = 1'

ONE UPTOWN

4201 JAMBOREE RD.  
NEWPORT BEACH, CA

<b>SHEET INDEX</b>	
K-1.0	SCHEMATIC EQUIPMENT PLAN
K-1.1	FOODSERVICE EQUIPMENT PLAN AND EQUIPMENT SCHEDULE
K-2.1	FOODSERVICE EQUIPMENT PLUMBING FLOOR ROUGH-IN PLAN, SCHEDULE, NOTES
K-2.2	FOODSERVICE EQUIPMENT PLUMBING WALL ROUGH-IN PLAN, SCHEDULE, NOTES
K-3.1	FOODSERVICE EQUIPMENT ELECTRICAL FLOOR ROUGH-IN PLAN, SCHEDULE, NOTES
K-4.1	FOODSERVICE EQUIPMENT ELEVATIONS

AVANTI

**AVANTI RESTAURANT  
SOLUTIONS, INC.**  
3199C AIRPORT LOOP DRIVE  
COSTA MESA, CA 92626

PROJECT NO.  
24084  
DATE  
10.07.2024

DESIGNED BY  
TH

TH  
SHEET NO.  
**K-0.1** SCALE  
AS NOTED

# **Attachment No. CD 4**

Operating Plan



## Operating Plan for Bar – One Uptown Newport

### Overview

This operating plan outlines the procedures for the efficient and responsible operation of a bar located within One Uptown Newport. The primary goal is to create a safe and welcoming environment for residents and their guests while ensuring compliance with all regulations and promoting responsible alcohol service. In our apartment community that commands high rents, the environment and lifestyle expectations of residents are of paramount importance. These residents expect security, a quiet and comfortable atmosphere, and a high level of service within their living spaces. The bar, as an amenity, must align with these expectations to maintain the community's reputation and avoid dissatisfaction that could lead to tenant turnover. Controlling the bar environment to prevent disruptions is essential to the continued success of our community.

### Staffing & Management

- **F&B Manager:** A dedicated F&B Manager will be on-site during bar service hours. The Manager will oversee daily operations, ensuring high-quality service, adherence to safety protocols, and compliance with relevant rules and regulations.
- **Bartender:** A contracted bartender will be stationed behind the bar, preparing and serving drinks. The bartender will be fully trained in TiPs (RBS) certification (Responsible Beverage Server).
- **Manager's Role:** The F&B Manager will actively manage the floor, interacting with residents, monitoring service standards, and ensuring compliance with the venue's policies. The Manager will also be responsible for verifying Club Membership lists and monitoring guest counts.

### Responsible Alcohol Service

- **TiPs (RBS) Certification:** Both the F&B Manager and bartender will hold TiPs (RBS) certification to ensure safe alcohol service. This certification mandates responsible beverage management and alcohol-serving practices, including preventing over-serving and checking IDs when necessary.
- **ID Checking:** IDs will be checked as necessary, especially if a person's age is in question. The bar will operate under strict adherence to all state and local regulations regarding alcohol consumption.
- **Over-Service Prevention:** The F&B Manager and bartender are responsible for ensuring that no resident or guest is over-served. Both staff members will be trained to recognize signs of intoxication and take appropriate action, including refusing service if necessary.

- **No BYOB:** Residents and guests will not be allowed to bring their own alcohol into the venue. This policy ensures that all alcohol served is regulated and compliant with community and local laws.

### Private Events

- **Event Size & Hours:** The bar space can be booked for private events, with a maximum capacity of 60 guests. The event will have a last call at 9:30 PM and will close promptly at 10:00 PM.
  - All private events must be reserved in advance through the community office.
  - The F&B Manager will ensure that the event adheres to the closing time and that no alcohol is served past the designated hours.

### Membership and Guest Policy

- **Club Membership:** Only residents who are active Club Members, which is a benefit included in their lease, will have access to the bar. All residents including the LIHTC contingency, will be Club Members automatically via an addendum to their lease. There is no application to be approved or membership dues paid by the resident. The F&B Manager will have access to a list of current members and verify membership status upon entry.
- **Guests:** Each resident may bring up to two guests into the bar, provided they remain present. If a resident wishes to bring more than two guests, they must obtain prior approval from the office. All guests must be accompanied by the resident at all times.

### Security and Access Control

- **Fob Access:** All access to the building and bar will be controlled via a fob system. Fob access is trackable, providing a detailed report of who enters and exits the premises, ensuring that only authorized individuals can access the bar area.
- **CCTV Surveillance:** Additional CCTV cameras will be installed around the bar area and surrounding spaces to enhance security. Video footage will be monitored and stored for any necessary reviews.
- **Overnight Patrol:** An overnight patrol will conduct inspections during their first patrol of the evening to ensure that the bar is securely locked and that no unauthorized access has occurred after operating hours.

### Financial and Transaction Procedures

- **No Cash Transactions:** The bar will operate as a cashless venue and no cash bank issued to the staff. All payments for beverages will be processed through digital or card payment methods, ensuring secure and efficient transactions. Posting charges to the resident's apartment ledger will be reviewed for possible implementation in the future.

## Beverage Service Locations

- **Designated Bar Area:** The primary beverage service will be provided in the designated bar area.
- **Poolside Service (Seasonal):** During seasonal months, the bar will offer poolside service, with the bartender or other staff members serving drinks in this area as appropriate. Staff will be assigned specifically to poolside service when the demand requires it.

## General Operations and Safety

- **Operational Hours:** The bar will open during designated hours that align with the community's needs, ensuring that service is available to residents without disrupting the community's overall atmosphere.
  - November – March: Thu-Fri 5 pm – 10 pm
  - April – May, September: Thu, Fri, & Sat 5 pm – 10 pm
  - June – August: Thu & Fri 5 pm – 10 pm, Sat & Sun Noon – 5 pm
- The Bar is located within the Clubhouse. The Clubhouse remains available to all residents as an amenity regardless of if the bar is open or not.
- **Safety and Compliance:** The F&B Manager and bartenders will regularly review safety protocols to ensure compliance with alcohol laws and health regulations. This includes monitoring for signs of intoxication and promptly addressing any safety concerns.

## Closing Procedures

- **Bar Closing:** At the end of each service day, the F&B Manager will ensure that the bar area is properly cleaned and all items are securely stored. Any unused alcohol will be properly stored, and all equipment will be checked for readiness for the following day.
- **Patrol Inspection:** As mentioned earlier, the overnight patrol will inspect the facility, checking for any security concerns and ensuring that the bar has been properly locked.

# **Attachment No. CD 5**

Crime Statistics and Police Memorandum



**NEWPORT BEACH POLICE DEPARTMENT  
DETECTIVE DIVISION**

43

**MEMORANDUM**

TO: Daniel Kopshever, Assistant Planner

FROM: Wendy Joe, Police Civilian Investigator

DATE: July 19, 2025

SUBJECT: Uptown Newport Clubroom Bar Renovation  
4201 Jamboree Rd.  
PA2025-0092

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At your request, the Police Department has reviewed the project application for Uptown Newport Clubroom Bar located at 4201 Jamboree Rd., Newport Beach. The applicant proposes remodeling an existing bar area into a full service amenity bar operating as part of their existing Type 57 (Special On-Sale General) Alcohol Beverage Control license.

**Statistical Data**

Attached is a summary report which provides detailed statistical information related to alcohol establishments in and around the applicant's place of business at 4201 Jamboree Road. No change to the alcohol license is requested but the following is provided for informational purposes.

Business and Professions Code §23958.4 finds "undue concentration" for an applicant premises in two ways: 20% higher crime (with an alcohol nexus) in a Reporting District as compared to the City-wide average, or an over-saturation of alcohol licenses in a census tract compared to the county.

**Crime Statistics in and around Reporting District 34:**

The Police Department divides the City into areas referred to as Reporting Districts. This allows the Police Department to compile statistical data, as well as better communicate officer locations while policing. The proposed applicant location is within Reporting District (RD) 34, which is north of the 73 Freeway bordered by Campus Drive and Jamboree Road.

Per Business and Professions Code §23958.4, the Police Department is required to report offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors (except traffic citations) to the Department of Alcoholic Beverage Control (ABC). These figures make up the "Crime Count" which is indicated on the attached statistical data form.

Reporting District 34 is reported to ABC as a high crime area as compared to other reporting districts in the City. The RD's Crime Count is 158, 41% over the City-wide crime count average of 112. Since this area has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the City, the area is found to have undue concentration. In comparison, neighboring RD 33 is 2% below the City-

Uptown Newport Clubroom Bar Renovation  
PA2025-0092

wide average, RD 35 is 47% below the City-wide average, and RD 36 is 15% below the City-wide average. Of 38 reporting districts in Newport Beach, we reported 10 to ABC as high crime areas for 2024.

The highest volume crime in this area is theft/larceny. The highest volume arrest in the area are narcotics related offenses. DUI, Public Intoxication, and liquor law violations make up 17% of arrests in this reporting district. In comparison, the figure for neighboring RD 33 is 14%, RD 35 is 16% and RD 36 is 29%.

*This location meets the legal criteria for undue concentration pertaining to crime (B&P §23958.4) with a clear nexus to alcohol.*

Alcohol License Statistics in and around Census Tract 626.1:

The applicant premise is located within census tract 626.1. This census tract has an approximate population of 11,867 residents with 19 active on-sale alcohol licenses. That is a per-capita ratio of one license for every 625 residents. In accordance with the Business and Professions Code, we compare the per-capita license ratio to Orange County's on-sale per capita of one license per 822 residents and find that this area exceeds the threshold for undue concentration.

*This location meets the legal criteria for undue concentration pertaining to on-sale alcohol licenses (B&P §23958.4).*

Calls for Service

There were 60 calls for service to the complex in 2024. No calls were a result of negligent alcohol service.

Discussion and Recommendations

The Police Department has no objections as we do not anticipate an increased burden on police resources. The proposed alcohol service area will be available to residents and their guests only for limited hours.

RECOMMENDED CONDITIONS OF APPROVAL

Police Department has determined the following or similar conditions would be appropriate for the business:

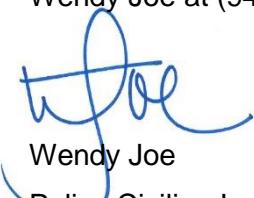
1. The Uptown bar should discontinue alcohol service by 10:00 p.m. daily.
2. Only members or their guests may be allowed in the lounge area. The operator must employ a system which will effectively regulate this requirement.
3. All owners, managers and employees selling alcoholic beverages shall undergo and successfully complete a certified training program in responsible methods and skills for selling alcoholic beverages within 60 days of hire. This training program must be updated every three years regardless of certificate expiration date. The certified program must meet the standards of the certifying/licensing body designated by the State of California. The establishment shall comply with the requirements of this section within 60 days. Records of each owner's, manager's and employee's successful completion of the

Uptown Newport Clubroom Bar Renovation  
PA2025-0092

required certified training program shall be maintained on the premises and shall be presented upon request by a representative of the City of Newport Beach.

4. Employees shall not be permitted to consume alcohol or be under the influence of alcohol at any time during their shift.
5. No games or contests requiring or involving the consumption of alcoholic beverages shall be allowed.
6. No person under the age of 21 shall sell or deliver alcoholic beverages.
7. Petitioner shall not share any profits or pay any percentage or commission to a promoter or any other person based upon monies collected as a door charge, cover charge, or any other form of admission charge, including minimum drink orders or the sale of drinks.
8. No alcoholic beverages shall be allowed to be brought into the licensed area by guests during alcohol service hours or during events where alcohol service is being conducted.
9. Unsold alcoholic beverages shall not be served or delivered to customers by individual ambulatory vendors, more commonly known as "hawkers".
10. All alcoholic beverages that will be sold or consumed in the pool area shall be served in containers which are distinctive in design and color, easily distinguishable from any other containers used in the service of beverages. All containers shall be non-glass, shatterproof containers.
11. The operator shall be responsible for the control of noise generated by the subject facility. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code.
12. The operator shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in all areas surrounding the alcoholic beverage outlet and adjacent properties during alcohol service hours.
13. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.
14. Security Staff must be available during alcohol service hours and for two hours after alcohol service concludes.

If you have any questions as to the content of this memorandum, please contact Investigator Wendy Joe at (949)644-3705 or [wjoe@nbpd.org](mailto:wjoe@nbpd.org).



Wendy Joe

Police Civilian Investigator, Special Investigations Unit



CHIEF DAVE MINER

# NEWPORT BEACH POLICE DEPARTMENT

## 2024 CRIME AND ALCOHOL-RELATED STATISTICS

Summary for Uptown Newport Clubroom Bar Renovation at 4201 Jamboree Rd. (RD34)

Subject:	DISPATCH EVENTS	GROUP A OFFENSES	REPORTED CRIMES			ALL ARRESTS	DUI ALCOHOL	PUBLIC INTOXICATION	LIQUOR LAW	HIGHEST VOLUME	CITATIONS ALCOHOL RELATED
			GROUP B OFFENSES	CRIME RATE	HIGHEST VOLUME						
4201 Jamboree Rd.	60	0	0	N/A	N/A	0	0	0	0	N/A	0
Subject RD: RD34	3,167	200	51	7,163.32	THEFT/LARCENY	84	8	6	0	NARCOTICS	4
Adjacent RD: RD33	2,007	128	33	7,762.28	THEFT/LARCENY	66	7	2	0	NARCOTICS	1
Adjacent RD: RD35	1,508	73	13	3,085.38	THEFT/LARCENY	25	2	2	0	ASSAULT	2
Adjacent RD: RD36	2,979	98	44	3,488.79	THEFT/LARCENY	51	11	4	0	DUI	1
Newport Beach	99,093	4,342	2,318	5,008.42	THEFT/LARCENY	2,976	421	288	31	NARCOTICS	305

This report reflects City of Newport Beach data for 2024. The NIBRS Group A Offense category is made up of 49 offenses used to report crimes committed within a law enforcement agency's jurisdiction. NIBRS Group B Offenses are less serious offenses that require an arrest to be reportable. Crime Rate refers to the number of Group A Crimes per 100,000 people.

Subject:	Population	ON-SALE Licenses	ACTIVE RETAIL ABC LICENSES			TOTAL RETAIL LICENSES	TOTAL RETAIL LICENSES PER CAPITA	Subject:	ABC CRIME COUNT		
			ON-SALE License Per Capita	OFF-SALE Licenses	OFF-SALE License Per Capita				CRIME COUNT	DIFF FROM AVG	%DIFF FROM AVG
4201 Jamboree Rd.	N/A	1	N/A	0	N/A	1	N/A	4201 Jamboree Rd.	0	N/A	N/A
Subject Census Tract: 626.1	11,867	19	625	4	2,967	23	516	Subject RD: RD34	158	+46	+41%
Adjacent Census Tract: 631.01	2,935	2	1,468	3	978	5	587	Adjacent RD: RD33	110	-2	-2%
Adjacent Census Tract: 630.04	6,202	19	326	5	1,240	24	258	Adjacent RD: RD35	59	-53	-47%
Adjacent Census Tract: 630.07	6,699	1	6,699	0	0	1	6,699	Adjacent RD: RD36	95	-17	-15%
Newport Beach	86,694	279	311	66	1,314	345	251	Newport Beach	4,245	RD Average = 112	
Orange County	3,186,989	3,876	822	1,842	1,730	5,718	557				

All Population figures taken from 2020 US Census. Per BP 23958.4, the "ABC Crime Count" includes offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors (except traffic citations).