

**City of Newport Beach
Land Use Element Amendment Advisory Committee Minutes**

Date: August 20, 2013

Location: Newport Beach Central Library – 1000 Avocado Avenue
Friends Room

Members Present: Edward Selich, Council Member (Chair)
Nancy Gardner, Council Member
Kory Kramer, Planning Commission
Larry Tucker, Planning Commission
Craig Batley, At-Large
Paul Watkins, At-Large

Members Absent: Michael Melby, At-Large
Patricia Moore, At-Large
Jim Walker, At-Large

Staff: Brenda Wisneski, Deputy Community Development Director
Gregg Ramirez, Senior Planner
Leonie Mulvihill, Assistant City Attorney
Dave Webb, Public Works Director
Tony Brine, Traffic Engineer
Woodie Tescher, The Planning Center|DC&E (consultant)
Marissa Aho, The Planning Center|DC&E (consultant)
Marlie Whiteman, Urban Crossroads (consultant)

I. Call Meeting to Order

The meeting was called to order at 3:33 p.m. by Acting Chair Gardner. Chair Selich is running late.

II. Approval of Minutes

Motion (Watkins) to approve minutes as augmented by August 6th audiotape with minor corrections submitted by Jim Mosher as “August 20, 2013 LUEAAC Agenda Item Comments”. Motion carried by acclamation.

III. Traffic Findings of Potential Land Use Change Areas

Marlie Whiteman and Gregg Ramirez presented the latest list of staff recommended potential land use change areas to potentially be studied in the EIR and the corresponding ADT (Average Daily Trips) associated with each change. These changes included the following four updates:

- Gateway Park
- Harbor Day School
- The Bluffs
- Harbor View Center

Gardner asked if staff had communicated with the owners of these properties and if they had objections. Ramirez indicated that staff had reached out and that there were no objections.

Whiteman, Traffic Consultant for the City, reviewed the table (Attachment 2) with the Committee. She reported that the recommended potential land use change areas resulted in a reduction of 342 ADT citywide. Gardner confirmed that these numbers will be used for the study and that the Committee reserves the right to support the changes in the future, or not.

Chair Selich arrived.

The Committee discussed the potential changes and what the traffic study would be addressing. Tucker recommended moving forward with the current list and confirmed that the Committee can study more and recommend less, but can't study less and recommend more.

Gardner asked if the traffic analysis will look at mitigations/improvements associated with the trips. Brine and Tescher confirmed that the traffic study will include mitigation/improvement recommendations.

Committee approved recommendation to move forward

IV. Other Area Updates

Ramirez and Tescher provided additional area updates.

a. Lido Marina Village

Ramirez reported, in response to Commissioner Kramer's question about the development potential of Lido Marina Village, that much of Lido Marina Village has been developed with almost double floor area than currently permitted by the General Plan for commercial development.

Some opportunity for additional mixed use, and proposed projects including the hotel proposed at the City Hall Site and the Lido Villas proposed 23 detached Townhomes.

Gardner asked, since this area is already overbuilt, do we change our approach?

Tescher discussed how the development community would likely be interested in additional density, which would cause the City to also need to look at the development capacity of this area, which could include a discussion of increasing height. He explained that retail typically works on the ground floor – so any question about adding density leads to a question about what are you adding density for.

Wisneski suggested that anticipated development projects may lead to other properties making improvements organically.

Selich encouraged the Committee to look at the Guidelines and other relevant documents when discussing policy recommendations for Lido Marina Village.

Batley brought up the 32nd street fronting properties (adjacent from the City Hall site) – including into the same policy of being permitted to rebuild up to the existing FAR/Density – the alley behind is a logical demarcation line.

Watkins mentioned that the Newport Blvd-fronting retail across from the old City Hall should also be reviewed to see if we might encourage work-live or other tasteful mixed used development of that strip---particularly in light of the upscale boutique hotel which may be developed across the street on the old City Hall site.

This issue will be discussed by the Committee further when the policies are reviewed.

b. Mariner's Mile

Tescher responded to the questions made by the Committee at the last meeting. Reminded the committee that Mariners' Mile has two mixed use districts. Adequacy of density as defined in the plan to allow viable residential projects. September 3rd will present a final analysis.

Key difference between bay side and inland side – vertical on bay side, horizontal or vertical on inland side. Coastal commission has previously not permitted horizontal mixed use on the bay side.

A discussion on permitted heights in this area resulted in Gardner requesting a visual showing what it would look like. Tescher added that he would discuss The Planning Center|DC&E's ability to do this with staff.

c. Harbor Day School

Staff recommendation to increase the floor area from .35 to .4. Because school traffic impact is determined by student enrollment, an additional 72 students have been included in the traffic study for planning purposes. However, the school would need to amend their existing Conditional Use Permit to include the increase of students. This would be done under a separate process and would require a hearing by the appropriate decision-making body with project-level impact analysis.

d. Buena Vista Open Space

Ramirez explained this peculiar issue of the Buena Vista right-of-way being located between privately-owned, open space parcels on the bayside and single-family parcels on the other side. There is a city policy that permits what can and cannot be built within the right-of-way and the open space parcels. The residents questioned whether the open space designation was appropriate.

Staff recommended no change to the land use designation given the desire to maintain the bay side lots as open areas to allow public views to the bay. Watkins agreed with staff recommendation to leave as is. These properties are deed restricted and cannot be sold off independently of the adjacent properties zoned RS-D.

Representatives from Buena Vista brought up additional concerns with the zoning of the lots and the street easement, and the deed restrictions. Chair Selich said that the easement issues were not appropriate for the General Plan discussion. Ramirez offered to meet with these homeowners and Public Works (Dave Webb) to further discuss these issues.

e. Airport Area

Tescher summarized the analysis of this area to date and indicated that this area will be presented in detail on September 3rd.

f. Other

George Schroeder, referring to Lido Village, does not want to see the CC 0.5 FAR (pink) area included in the "grandfathered" policy. Uses previously used public parking at City Hall site, which will be eliminated with hotel proposal. He described parking concerns related to under parked properties.

Jim Mosher commented that Lido Marina Village is overbuilt. It is a harbor area, where you can't see the harbor. He would encourage additional open space and view corridors policies.

Douglas Lasard asked about the status of the Congregate Care discussion. Mulvihill explained that the City did not see changes to congregate care as a General Plan issue, but could be addressed through the Zoning Code which would occur after the General Plan. Ramirez indicated that he would follow up.

V. Next Steps

An economic analysis for Mariners' Mile and the Airport Area will be discussed on September 3rd.

VI. Public Comment on Non-Agendized Items

None.

VII. Adjournment *Next Meeting Date: September 3, 2013, at 3:30 p.m.*

The agenda for the Regular Meeting was posted on August 13, 2013, at 4:54 p.m., on the City Hall Electronic Bulletin Board located in the entrance of the Council Chambers at 100 Civic Center Drive.