

USE PERMIT APPLICATION
CITY OF NEWPORT BEACH

No. 1621

Fee \$150.00

Department of Community Development
Zoning and Ordinance Administration Division
3300 Newport Boulevard
Phone (714) 673-2110

Applicant Don Simpson - SHURMAN-SIMPSON - 644-0563
Leadership Housing Systems, Inc. Phone 557-5770

Mailing Address 3501 S. Harbor Blvd., Santa Ana, Ca. 92704

Property Owner City of Newport Beach Phone 673-2110

Mailing Address City Hall, Newport Beach, Ca.

Address of Property Involved 330 Ft. Westerly of 19th Street and
Whittier Avenue

Purpose of Application (describe fully) 4-Plex condominium project consisting of 284 living units and a 15-acre
open space area to be used for a public or private golf course or park.

Zone _____ Present Use None

Legal Description of Property Involved (if too long, attach sheet)
See attached

Donald Simpson 7-21-72
Signature of Applicant or Agent Date

Phillip Bettencourt JULY 21, 1972
Signature of Owner Phillip Bettencourt Date

XX

DO NOT COMPLETE APPLICATION BELOW THIS LINE

Date Filed 7/24/72 Fee Pd. \$150⁰⁰ Receipt No. 53756

Hearing Date 8/17/72 Publication Date 8/3/72

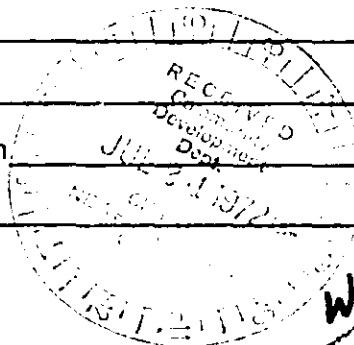
Posting Date _____ Mail Date _____

P. C. Action appr. cond[?] 8/17/72

Date _____ Appeal _____

C. C. Hearing _____ C.C. Action _____

_____ Date _____



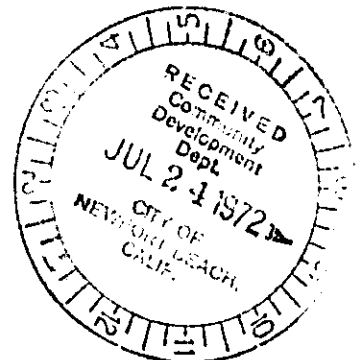
W.F.
8/17/72

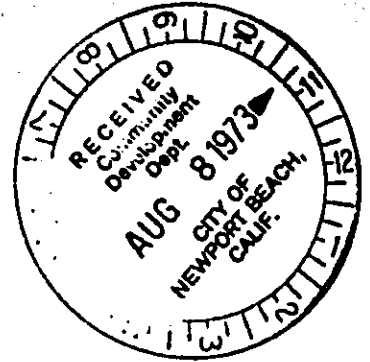
Description:

All that certain real property in the State of California, County of Orange, City of Newport Beach, described as follows:

That portion of Lot A of the Banning Tract in the City of Newport Beach, County of Orange, State of California, as shown on a map of said tract filed in the Case of Hancock Banning and others vs. Mary H. Banning for Partition, and being Case No. 6385 upon the Register of Actions of the Superior Court of the State of California, in and for the County of Los Angeles, described as follows:

Beginning at the intersection of the center lines of Whittier Avenue and Nineteenth Street, as shown on the Map of Newport Mesa Tract, recorded in Book 5, Page 1 of Miscellaneous Maps, the center line of said Nineteenth Street being the North line of said Newport Mesa Tract; thence Northerly along the Northerly extension of the center line of said Whittier Avenue, a distance of 30.00 feet; thence Westerly, parallel with the Westerly extension of the Northerly line of said Newport Mesa Tract, a distance of 330.00 feet; thence Northerly 1620.00 feet; thence Westerly 1063.00 feet, more or less, parallel with the Westerly extension of the Northerly line of said Newport Mesa Tract to the Westerly line of land described in deed to Ednah Race Capron, recorded October 23, 1944, in Book 1281, Page 199, of Official Records; thence Southerly 1650.00 feet along the Westerly line of said land of Ednah Race Capron to the Southwesterly corner thereof; thence Easterly 1393.00 feet, more or less, along the Westerly extension of the Northerly line of said Newport Mesa Tract to the point of beginning.





Working Drawings

To: Peggy Morrill
From: John Hourian
Date: August 1, 1973
Subject: Newport Terrace Townhomes
Street Graphics

15.1.0 INFORMATION ITEMS:

15.1.1 A meeting was held in the offices of Community Development to discuss the subject project. Those in attendance were Jim Hewicker and this writer.

15.1.2 The street graphics plans as presented by this writer consisted of a plan of the upper phase of the subject project reflecting concrete banding at the beginning and at the midpoint with the alley.

15.2.0 RESOLVED ITEMS:

15.2.1 After much discussion regarding the paving patterns, direction, location and relative costs, Mr. Hewicker decided that a stamp concrete pattern (average 15' wide; color optional) should be placed at the beginning of each alleyway.

15.2.2 Two additional concrete boards should be located within the alleyways.

15.2.3 The texture of the concrete boards within the alley should match the texture of the concrete "v" drain.

15.2.4 Revised plans for the entire project reflecting all of the above comments should be submitted for final review prior to putting this information on the street improvement plans.

15.3.0 ACTION ITEMS:

15.3.1 SW&A to revise preliminary street graphics plan for review with Community Development.
Action: SW&A.

Respectfully submitted,

John G. Hourian, A.S.L.A.

/jds

cc: Mr. Jim Hewicker
Mr. Don Simpson

01/26/73

City Manager

Community Development Director

Attached letter from Leadership Housing Systems

We don't see any problem with Item 2 as indicated by the letter from Leadership Housing. There may possibly be some problems with the Environmental Impact Report itself regarding the kinds of mitigation measures that will be taken to reduce any dangers or odors from the escaping gas that has been shown on other reports.

You might indicate to them that we have continued to require Environmental Impact Reports even though the Knox-Bill granted a moratorium as far as the state is concerned.

SIGNATURE

R. V. Hogan

January 24, 1973

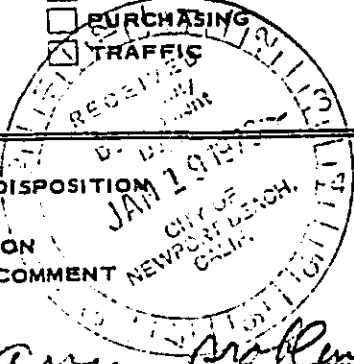
DATE

RVH/kk

DATE 1-19-73

TO: Hogan

- MAYOR
- COUNCIL
- MANAGER
- ASST. MGR.
- ADMIN. ASST.
- ATTORNEY
- CITY CLERK
- COMM. DEV.
- FINANCE
- FIRE
- GEN. SERVICES
- LIBRARY
- MARINE SAFETY
- PARKS & REC.
- PERSONNEL
- POLICE
- PUBLIC WORKS
- PURCHASING
- TRAFFIC

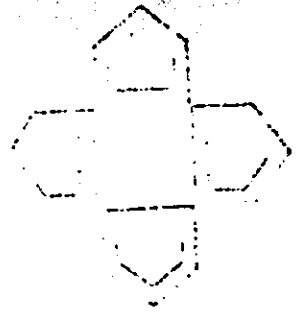


- FOR:
- ACTION & DISPOSITION
 - FILE
 - INFORMATION
 - REVIEW & COMMENT
 - RETURN

REMARKS: See any problems with item 1 = 2?

FROM: Robert L. Heron

January 19, 1973



City of Newport Beach

Attention: Robert Wynne, City Manager

Re: Purchase of 40 Acre Former Sanitary Land Fill
Site on North Side of 19th Street, One-half Block
West of Whittier Avenue

Gentlemen:

In accordance with the Option to Purchase entered into by this company, we have delivered to Title Insurance & Trust Company executed escrow instructions for the purchase of the above referenced property by Leadership from the City of Newport Beach.

This letter is intended to clarify and confirm certain understandings that have been arrived at between Leadership and the City in the course of Leadership's preparation for development during the option period. Specifically, we would appreciate your confirmation of the following understandings:

1. The City of Newport Beach will provide, at no expense to Leadership, the necessary water main or mains to the property line of the subject property. The City is prepared to provide water service to the completed project. The Costa Mesa Water District has indicated to the City of Newport Beach that it is willing to provide necessary water to the site during the construction period.

2. While we are advised that under the "Knox Bill" an environmental impact report on the project may not be required at this time, we intend to submit such a report to the City in the next few weeks. In the event that such report contains all of the material required to be included therein by the California Environmental Quality Act, as interpreted by the "Friends of Mammoth" Decision, the City will accept such report. It is understood that following the expiration of the Knox Bill moratorium, supplemental material may be required to fulfill any new guidelines issued by the State of California.

Page Two
City of Newport Beach
January 19, 1973

Notwithstanding the delays and difficulties encountered to date in dealing with this piece of property and preparing for development of our proposed project, we are looking forward to an excellent project which will be a credit to the City of Newport Beach and we wish to express our appreciation to the City staff and City Manager for their cooperation and assistance.

If the above numbered items are in accordance with your understanding, will you kindly sign the enclosed copy of this letter to confirm them for our file.

Yours very truly,

LEADERSHIP HOUSING SYSTEMS, INC.

By _____

City of Newport Beach

By _____

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

RYCKOFF
KAYLA
ROGERS
MCINNIS
CROIL
DEJAL
STORE

ROLL CALL

January 8, 1973

INDEX

						<p>3. A copy of a letter, including twenty exhibits, from M. A. Sturges to the Board of Supervisors regarding his assigned lease on a lot located on the waterfront on Bayside Drive was presented.</p> <p>M. A. Sturges addressed the Council on the above matter after requesting permission to talk over the time limit.</p> <p>Mr. Sturges was granted ten minutes for his presentation.</p> <p>Mr. Sturges then addressed the Council regarding a problem he had with the Police Department.</p> <p>Mr. Sturges was granted an additional five minutes for the above presentation.</p>		Sturges
Motion			x					
Ayes	x	x	x	x	x	x	x	
Motion			x					
Ayes	x	x	x	x	x	x	x	
						x		
Motion		x						
Ayes	x	x	x	x	x	x	x	
Motion								
Ayes	x	x	x	x	x	x	x	
Motion						x		
Ayes	x	x	x	x	x	x	x	
Motion			x					
Ayes	x	x	x	x	x	x	x	
Motion			x					
Ayes	x	x	x	x	x	x	x	
Motion			x					
Ayes	x	x	x	x	x	x	x	
Noes						x		

CITY OF NEWPORT BEACH
PARKS, BEACHES & RECREATION DEPARTMENT

January 22, 1974

TO: BILL FOLEY, COMMUNITY DEVELOPMENT
FROM: PB & R Director
SUBJECT: NEWPORT TERRACE TOWNHOMES (Leadership Homes)

A meeting was held on January 17, 1974 with Mr. John Hurrian of Stewart Woodard and Associates to review the items listed on my previous memo to you. It was agreed that this department would conditionally approve the landscape portion of the project with the understanding that street trees will be required along 19th Street, but not as the proposed scheme indicated.

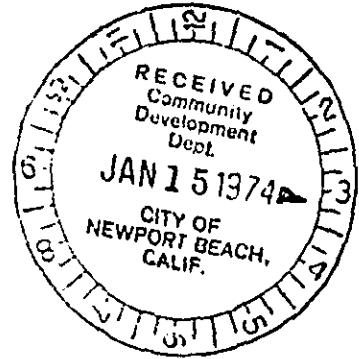
The proposed parkway scheme alternatives were discussed, and it was decided that a more in-depth look into existing grading and on-site conditions would be required to arrive at a feasible alternative. Any subsequent submittals will, of course, be subject to our review.


Calvin C. Stewart

CCS:DF:h

CITY OF NEWPORT BEACH
PARKS, BEACHES & RECREATION DEPARTMENT

January 14, 1974

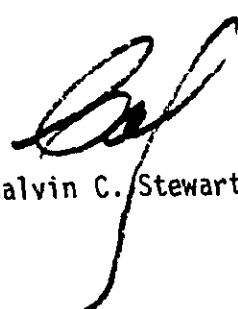


TO: BILL FOLEY, COMMUNITY DEVELOPMENT DEPARTMENT
FROM: PB & R Director
SUBJECT: NEWPORT TERRACE TOWNHOUSES (Leadership Homes)

After reviewing the final plans of the Leadership Homes project, we have the following comments which we felt had been made earlier, but do not appear on the final plans presented:

1. No mention is made of following PB & R Commission Policy No. 7 governing the planting of street trees on 19th Street and Balboa Blvd. Mention should be made in both the specifications and on the plan.
2. Planting areas along 19th Street where parkway trees are specified should be a minimum of 4' in width. There is a meandering sidewalk on Balboa Blvd. that allows a full parkway width for parkway tree installation; however, on 19th Street the parkway area appears to be only 2' wide. This is totally inadequate for parkway trees.
3. No tennis courts are specified in the recreation element; however, when this plan was presented to the PB & R Commission it was indicated that there would be a large open-space area, a recreation center, swimming pool and two tennis courts. I feel these courts should go in if at all feasible.
4. Some landscape treatment of the retaining wall on the east side of Sundance seems to be appropriate. All other retaining walls within the development have been treated with vines to soften their impact. Consideration should be given to doing the same thing on this one.

Bill, these are the only comments that we have on this project and the plans that have been submitted to us.


Calvin C. Stewart

CCS:h

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

RYCKOFF
 KYMLA
 ROGERS
 MINNIS
 GROUL
 DOSTAL
 STONE

ROLL CALL

August 27, 1973

INDEX

ORDINANCES FOR SECOND READING AND ADOPTION:

1. Ordinance No. 1508, being,

AN ORDINANCE OF THE CITY OF NEWPORT BEACH ADDING SECTION 12.66.050 TO THE NEWPORT BEACH MUNICIPAL CODE TO PROVIDE FOR APPLICATION OF VEHICLE CODE TO PRIVATE STREETS IN "NEWPORT CONDOMINIUMS" DEVELOPMENT,

pertaining to certain streets in Tract 7989, was presented for second reading.

Ordinance No. 1508 was adopted.

Motion
Ayes

x x x x x x x

Newport
Condo-
miniums

2. Ordinance No. 1510, being,

AN ORDINANCE OF THE CITY OF NEWPORT BEACH AMENDING SECTION 11.04.020 OF CHAPTER 11.04 OF THE NEWPORT BEACH MUNICIPAL CODE PERTAINING TO PROHIBITION AGAINST PARKING ON LAWN AREAS IN CITY PARKS,

was presented for second reading.

Ordinance No. 1510 was adopted.

Motion
Ayes

x x x x x x x

Parking

CONTINUED BUSINESS:

1. A proposed ordinance, being,

AN ORDINANCE OF THE CITY OF NEWPORT BEACH AMENDING SECTIONS 20.22.020, 20.22.050, 20.24.030, 20.24.060, 20.26.040 AND 20.26.070 OF THE NEWPORT BEACH MUNICIPAL CODE ELIMINATING RESIDENTIAL USES AS A PERMITTED USE IN THE C-1, C-2 AND C-O DISTRICTS,

Planning Commission Amendment No. 360, was presented.

A report was presented from the Community Development Director.

The proposed ordinance was left on the table until such time as the Planning Commission recommends appropriate development standards for a Commercial-Residential District.

Motion
Ayes

x x x x x x x

Com'l/
Residential
Uses

ORDINANCE NO. 1508

AN ORDINANCE OF THE CITY OF NEWPORT BEACH
ADDING SECTION 12.66.050 TO THE NEWPORT
BEACH MUNICIPAL CODE TO PROVIDE FOR APPLI-
CATION OF VEHICLE CODE TO PRIVATE STREETS
IN "NEWPORT CONDOMINIUMS" DEVELOPMENT

The City Council of the City of Newport Beach DOES
ORDAIN as follows:

Section 1. Section 12.66.050 is added to the Newport
Beach Municipal Code to read:

"12.66.050 Application of Vehicle Code to Private
Roads in Newport Condominiums. The provisions of the
California Vehicle Code shall apply to the following
private streets in the Newport Condominiums residential
development in the City of Newport Beach:

- | | |
|------------------|-------------------|
| Sundance Drive | Surfside Court |
| Latitude Court | Riptide Court |
| Seamist Circle | Starfish Court |
| Sandflower Court | Sand Dollar Court |
| Seabird Court | Walkabout Circle |
| Discovery Drive | Summerwalk Court |
| Northwind Court | Big Dipper Court |
| Moonrise Court | Windsong Court." |
| Starburst Court | |

SECTION 2. This ordinance shall be published once
in the official newspaper of the City, and the same shall be
effective 30 days after the date of its adoption.

This ordinance was introduced at a regular meeting of
the City Council of the City of Newport Beach held on the _____
day of AUG 13 1973, 1973, and was adopted on the _____ day of
AUG 27 1973, 1973, by the following vote, to wit:

AYES, COUNCILMEN: _____

NOES, COUNCILMEN: _____

ABSENT COUNCILMEN: _____

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 1508

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ABSENT COUNCILMEN: _____

Mayor

ATTEST:

City Clerk

DRB dm
8/2/73

ORDINANCE NO. 1508

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NOES, COUNCILMEN: _____

ABSENT COUNCILMEN: _____

Mayor

ATTEST:

City Clerk

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

RYCKOFF
KYMLA
ROGERS
MCINNIS
CROUL
DOSTAL
STORE

ROLL CALL

August 13, 1973

INDEX

ROLL CALL	RYCKOFF	KYMLA	ROGERS	MCINNIS	CROUL	DOSTAL	STORE		INDEX
								application as the Orange County Transit District best meets the needs of the citizens.	
Motion Ayes	x	x	x	x	x	x	x	2. A letter was presented from Margaret Setterholm resigning as alternate from the Environmental Quality Control Citizens' Advisory Committee. The resignation of Margaret Setterholm was accepted with regret.	Environmental Quality Control Citizens Adv Cmte
Motion Ayes	x	x	x	x	x	x	x	The following appointments to the Environmental Quality Control Citizens' Advisory Committee were confirmed: Mayor McInnis appointed Barbara Eastman as alternate to replace Margaret Setterholm; Councilman Kymla appointed Marion Parks as the alternate instead of member, with member to be appointed later; Councilman Dostal appointed Milton Freeman as alternate; and Councilman Croul appointed Stewart Woodard as alternate.	
Motion Ayes	x	x	x	x	x	x	x	3. A report was presented from the Pending Legislation Committee regarding the South Coast Regional Commission Interim Objectives and Policies. The Newport Beach City Council Position Paper regarding the South Coast Regional Commission <i>Interim Objectives and Policies</i> was approved, and the Mayor was authorized to submit it to the South Coast Regional Commission.	So Coast Regional Comsn
Motion Ayes	x	x	x	x	x	x	x	4. Proposed Ordinance No. 1508, being, AN ORDINANCE OF THE CITY OF NEWPORT BEACH ADDING SECTION 12.66.050 TO THE NEWPORT BEACH MUNICIPAL CODE TO PROVIDE FOR <u>APPLICATION OF VEHICLE CODE TO PRIVATE STREETS IN "NEWPORT CONDOMINIUMS" DEVELOPMENT,</u> pertaining to certain streets in Tract 7989, as requested by the Leadership Housing Systems, Inc., was presented. Ordinance No. 1508 was introduced and passed to <u>second reading on August 27, 1973.</u>	Newport Condominiums O-1508
Motion Ayes	x	x	x	x	x	x	x	5. A report was presented from the Community Development Department regarding the request of Sunn Real Estate Investment Systems asking that their property at 2232 S.E. Bristol, located on the southwest corner of Bristol and Cypress Streets, be annexed into the City.	Sunn Annexation

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF NEWPORT BEACH
ADDING SECTION 12.66.050 TO THE NEWPORT
BEACH MUNICIPAL CODE TO PROVIDE FOR APPLI-
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AYES, COUNCILMEN: _____

NOES, COUNCILMEN: _____

ABSENT COUNCILMEN: _____

Mayor

ATTEST:

City Clerk

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

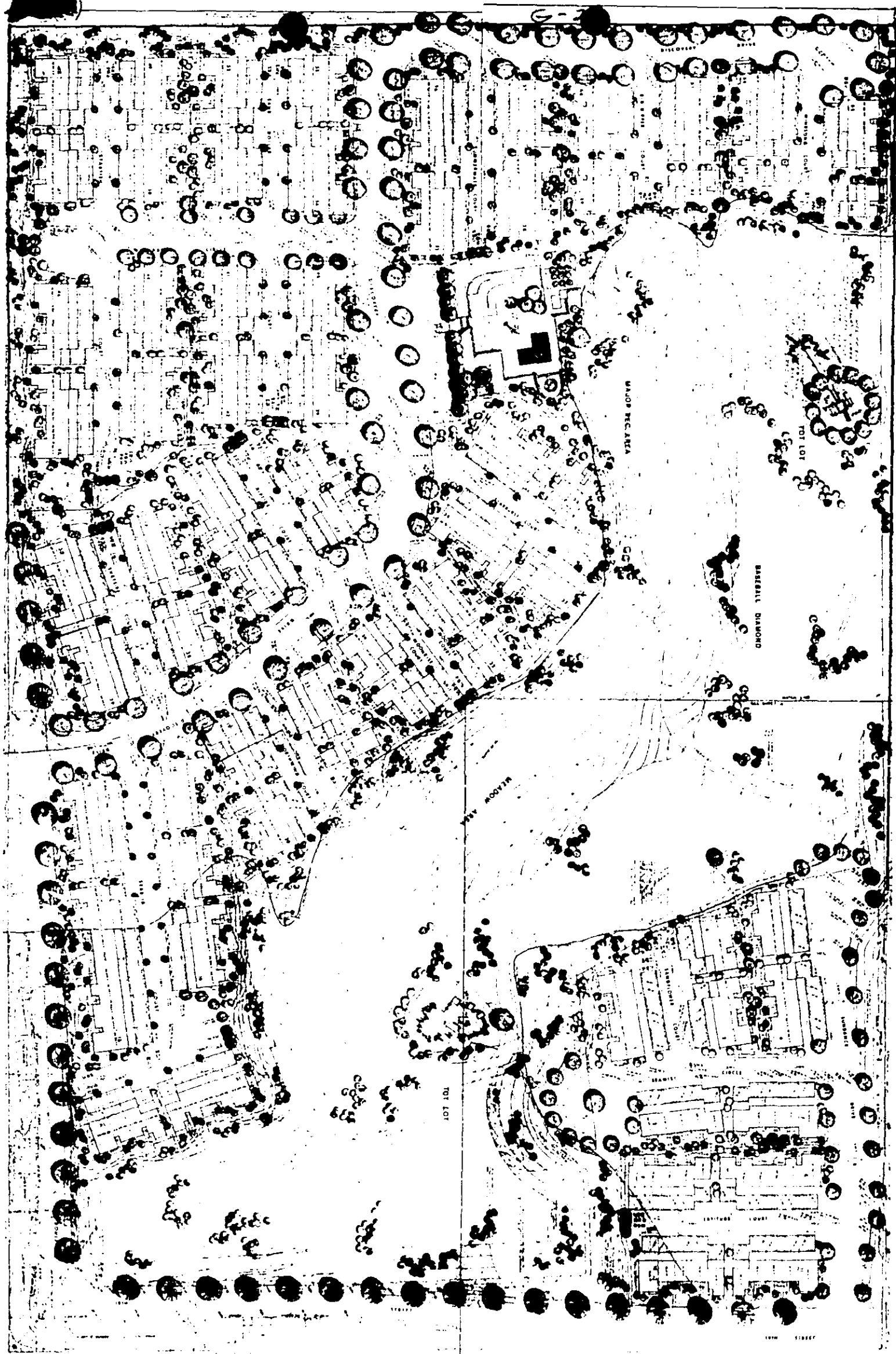
RYCKOFF
 KYMLA
 ROGERS
 MINNIS
 CROUL
 DOSTAL
 STORE

ROLL CALL

July 23, 1973

INDEX

Motion						x	The request was denied without prejudice.	
Ayes	x	x	x	x	x	x		
Motion							2. A letter was presented from <u>Leadership Housing Systems, Inc. requesting that the California Vehicle Code be enforced on private streets in Tract 7989 (Newport Condominiums).</u>	Newport Condo-miniums
Ayes	x	x	x	x	x	x	The City Attorney was directed to prepare an appropriate ordinance for the meeting of August 13.	
Motion						x	<p style="text-align: center;">CONSENT CALENDAR:</p> <p>The following items were approved by one motion affirming the actions on the Consent Calendar:</p> <p>1. The following resolutions were adopted:</p> <p style="padding-left: 20px;">Resolution No. 8056 authorizing the execution of a joint use agreement between the City of Newport Beach and the Southern California Edison Company for the relocation of power poles along Jamboree Boulevard from MacArthur Boulevard to Campus Drive; in connection with Koll Center Newport. (A report from the Public Works Director was presented.)</p> <p style="padding-left: 20px;">Resolution No. 8057 requesting a contract with the California Highway Patrol for participation in the abandoned vehicle abatement program. (A report from the City Manager was presented.)</p> <p style="padding-left: 20px;">Resolution No. 8058 recognizing the California Council of Criminal Justice as the administrating agency for the low light level viewing system grant and authorizing the Mayor and City Clerk to sign the Grant.</p> <p>2. The following communications were referred as indicated:</p> <p style="padding-left: 20px;">Referred to staff for reply, letter from Ralph Flores regarding Police helicopter noise.</p> <p style="padding-left: 20px;">Referred to Transportation Plan Citizens Advisory Committee, letter from Dover Shores Community Association protesting a second crossing over the Upper Bay in the vicinity of 17th Street, and copy of Public Works Director's reply.</p> <p style="padding-left: 20px;">Referred to Bicycle Trails Committee and the Traffic Affairs Committee, letter from Rosalie and Nicholas Kfoury protesting vehicular traffic on Back Bay Drive and asking for safe bike trails along Coast Highway from Jamboree and/or MacArthur to West Newport.</p>	
Ayes	x	x	x	x	x	x		Koll Center Newport R-8056 Abandoned Vehicles R-8057 Police Helicopter View Light R-8058 Police Helicopter Upper Bay Bridges

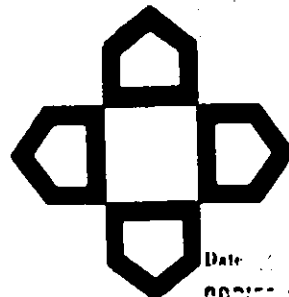


NEWPORT CONDOMINIUMS

SCALE 1/20



ARCHITECTURAL PLAN
DATE: 10/15/88
DRAWN BY: [illegible]



July 11, 1973

Date: 1973

The Honorable City Council
City of Newport Beach
3300 Newport Boulevard
Newport Beach, California 92660

COPIES SENT TO:

- Mayor
- City Manager
- City Clerk
- Public Works Director
- Planning Director
- Police Chief
- Councilmembers

Dear Sirs:

On behalf of Leadership Housing, Inc., I hereby request that the California Vehicle Code be enforced on the below specified private streets of Tract 7989 as authorized by sections 21107 through 21107.7 of the California Vehicle Code and sections 12.66.010 and 12.66.020 of the Municiple Code.

G-2

Representatives of our firm and the Newport Beach Police Department have met to discuss this request, and we foresee no problem in complying with the preliminary conditions and suggestions.

The streets pertinent to this request are:

- | | |
|------------------|-------------------|
| Sundance Drive | Surfside Court |
| Latitude Court | Riptide Court |
| Seamist Circle | Starfish Court |
| Sandflower Court | Sand Dollar Court |
| Seabird Court | Walkabout Circle |
| Discovery Drive | Summerwalk Court |
| Northwind Court | Big Dipper Court |
| Moonrise Court | Windsong Court |
| Starburst Court | |

These streets are shown on the attachment included herewith.

Your favorable consideration of this request would be greatly appreciated.

Sincerely,

LEADERSHIP HOUSING SYSTEMS, INC.

Marvin J. Gabler
Director of Administration and Finance

MJG:crb

Encl.



August 17, 1972

ROLL CALL

INDEX

ROSENER
MARTIN
HEATHER
HAZEWINKEL
GLASS
BECKLEY
AGEE

Motion
Second
All Ayes

X X

Owner: The Irvine Company, Newport Beach

Engineer: Ervin Engineering, Los Angeles

At the request of the applicant, Planning Commission continued this matter to the meeting of September 7, 1972.

Item #5

Request to permit a 28~~4~~ unit condominium project in the Unclassified District.

USE
PERMIT
1621

Location: A portion of Lot A, Banning Tract located north of 19th Street west-ly of Whittier Avenue, north of the County Island in West Newport.

APPROVED
CONDI-
TIONALLY

Zone: Unclassified

Applicant: Leadership Housing Systems, Inc. Santa Ana

Owner: City of Newport Beach

Public hearing was opened by the Chairman and Community Development Director Hogan reviewed the staff report with the Planning Commission. He stated that the portion of land which was formerly the active dump site is not suitable for development and therefore will be used for open space. The developer had offered the property to the City of Newport Beach for public open space development but because of the location and access to the property, the City was reluctant to accept the property as it would only serve those persons living within the project. The developer has, therefore, indicated their intention to develop it as private open space. Other items of consideration included the access road between "A" Street and "C" Street, width of the access road, turn-arounds at the end of the driveways, and parking.

Planning Commission discussed the open space element of the project including joint development and maintenance by the City of Costa Mesa, City of Newport Beach and the County of Orange.

Robert Kendall of Leadership Housing appeared before the Planning Commission and commented on the turn-arounds, parking and type of units. He requested clarification of Condition No. 9 and

ROSENER
MARTIN
HEATHER
HAZEMINKEL
GLASS
BECKLEY
AGEE

ROLL CALL

August 17, 1972

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also stated that the developer would be willing to work with the public agencies relative to the open space area.

Stewart Woodard, architect, appeared before the Planning Commission and commented on the design of the carports and garages. He also commented on the overall design of the project and the parking. He requested that Condition No. 15 pertaining to the requirement of turn-arounds at the end of each driveway be eliminated due to the fact that adequate parking and garages have been provided.

Don Price, Attorney, representing Keys Marina, the land owners to the west of the development, appeared before the Planning Commission and requested that this matter be continued for a period of 90 days in order that further studies could be made relative to the effect of the project on the adjacent property and specifically with respect to the alignment of Balboa Boulevard, the drainage problem and the sewage problem.

City Engineer Nolan commented on the Master Plan of Streets and Highways, drainage, sewage, and the most desirable route for each.

Phillip Bettencourt, Assistant City Manager, City of Newport Beach, appeared before the Planning Commission on behalf of the property owner and commented on the bids received by the City, including the fact that Keys Marina had been one of the unsuccessful bidders on the sale of the property. He stated that the City would be opposed to any continuance as requested by Keys Marina to solve engineering problems which the City has been aware of for some time, due to the fact that a time limit existed and a 30-day escrow must be opened by September 12, 1972 or the City will forfeit the bid deposit.

Robert Kendall appeared before the Planning Commission and stated that they have met with the Keys Marina engineers on at least three occasions and would be willing to work with them on any problems which may arise but do not feel that a continuance is in order due to the conditions involved relative to the sale of the property.

There being no others desiring to appear and be heard, the public hearing was declared closed.

August 17, 1972

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HAZEWINKEL
HEATHER
MARTIN
ROSENER

Motion
Second
All Ayes

X

X

Following discussion, Planning Commission approved Use Permit Application No. 1621 subject to the following conditions:

1. That all conditions of approval for Tentative Map 7989 be completed.
2. That vehicular access for emergency vehicles be provided between A Street and C Street across Area 2.

Motion
Second
All Ayes

X

X

An amendment to the motion was made that the vehicular access between A Street and C Street for emergency vehicles be a minimum width of 12 feet.

3. That detailed plans showing provisions for pedestrian circulation and street and area lighting shall be reviewed and approved by the City Engineer, Police Chief and Director of Community Development.
4. That detailed landscaping plans, including a watering system and schedule for installation, shall be prepared by a landscape architect and shall be subject to approval by the Director of Community Development and the Director of Parks, Beaches and Recreation. Said landscaping may consist of lawn, trees, shrubbery and other plant mater. The landscaping and watering system shall be installed in accordance with the approved plan and shall be properly maintained. In the event installation of landscaping is not completed on schedule, the City of Newport Beach may require a reasonable guarantee for completion of said landscaping. This condition shall apply to Areas 1, 2, and 3.
5. That the design and improvement of all recreation areas shall be subject to the review and approval of the Director of Parks, Beaches and Recreation.
6. That the staff shall specifically investigate the use of the open land to provide a combination of public and private use with the possibility of joint maintenance by the City of Costa Mesa, the County of Orange and the City of Newport Beach being explored, and that in any event, the Planning Commission shall review and approve the proposed use.

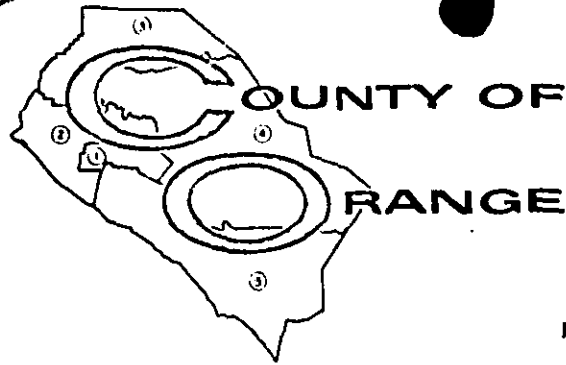
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HAZEWINKEL
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BECKLEY
AGEE

ROLL CALL

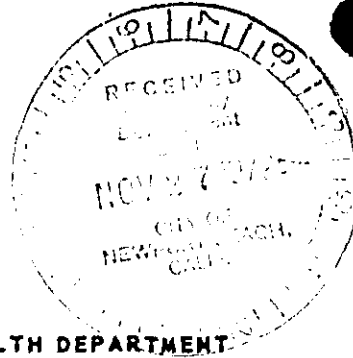
August 17, 1972

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7. That the types and locations of street trees shall be installed and maintained in compliance with a plan approved by the Director of Parks, Beaches and Recreation, and that the inspection fee be paid.
8. That a minimum of 2 covered spaces per unit shall be provided. In addition the location of all guest spaces shall be reviewed and approved by the Director of Community Development and that the Community Development Department shall review the carport-garage configuration.
9. That all parking spaces shall conform to City standards. All driveways and off-street parking areas shall be paved and delineated by varying the color, texture or type of paving material.
10. That a minimum building setback of 15' be provided from all public and private streets.
11. That a minimum building separation of 15' be provided between all structures.
12. That all trash shall be stored and shielded from view within a building or within an area enclosed by a wall not less than six feet in height. Arrangements for trash collection service shall be the responsibility of the applicant.
13. That there shall be submitted a declaration of covenants, conditions and restrictions setting forth an enforceable method of ensuring the installation and continued maintenance of the landscaping, lighting, walls, walks, and physical features such as buildings, parking areas and trash storage areas acceptable to the Director of Community Development and, in respect to legal enforceability, the City Attorney.
14. That all signs be subject to review and approval of the Director of Community Development.
15. That the applicant submit revised plans reflecting all of the conditions of approval.



COUNTY OF
ORANGE



John R. Philp
JOHN R. PHILP, M.D.
HEALTH OFFICER

SANTA ANA OFFICE
545 NORTH ROSS STREET
SANTA ANA, CALIFORNIA 92702
TELEPHONE: 834-3131
Mailing Address: P. O. Box 355
Santa Ana, California 92702

ANAHEIM OFFICE
1011 SOUTH EAST STREET
ANAHEIM, CALIFORNIA
TELEPHONE: 776-5551
Mailing Address: P. O. Box 355
Santa Ana, California 92702

November 22, 1972

Regional Water Quality Control Board
Santa Ana Region
6848 Magnolia Avenue, Suite 14
Riverside, California 92506

11/21/72

Subject: Proposed Development of a Former Refuse Disposal Site,
Newport Beach, by Leadership Housing Systems, Inc.

Gentlemen:

This is in reply to your request for our comments regarding the proposed development of the former City of Newport Beach landfill site by Leadership Housing Systems, Inc. The area of proposed development is located at the termination of 19th Street between the cities of Costa Mesa and Newport Beach.

One concern of this Department is with the ultimate disposition of surface runoff water from the development. Since a large percentage of the land could be covered with buildings, paved roads and sidewalks, flows of storm waters will be accelerated and very little retained by soil absorption. Therefore, inundation of lowlands is possible and this may prove detrimental to natural wildlife that use the lowland shrubs and grasses for feeding and harborage purposes. Also, such ponding of waters in the lowland area could accelerate the development of populations of mosquitoes and other aquatic insects and could cause odors and nuisance conditions.

In addition, there exists a potential hazard from methane production in the landfill. The proposed conversion of the landfill site to a greenbelt area, requiring irrigation, could cause an increase in the moisture content of the refuse in the landfill, leading to increased gas production. Should the soil cover become sealed off for any reason, sufficient lateral migration of the gas into native soils could result in the formation of explosive mixtures in the proposed building locations.

Another area of concern to this Department is the proposal by the developers for the formation of a homeowner's association to assume the responsibility for the maintenance and repair of utilities, roads, drainage facilities, and the greenbelt area. Homeowners, from our experience, do not object to maintaining such facilities as long as the expenses are kept to a minimum. However, when major repairs are needed to water lines, sewer lines, and other items, they object strenuously and often are incapable of financing needed repair

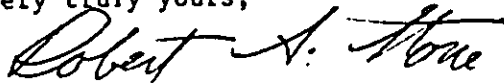
work. This would become a most significant consideration with respect to any gas control facilities required to prevent the above mentioned methane hazard.

Finally, we believe a potential rodent problem could result from the construction of the development. This would occur when rodents are displaced by construction activities, and migrate into surrounding residential areas.

It is our recommendation that an Environmental Impact Statement be prepared by the developer and submitted to the Board and advisory agencies with emphasis on the aforementioned areas of environmental concern. After a review of the Environmental Impact Statement by this Department we will be pleased to present additional comments.

One additional point. The landfill site is surrounded by the City of Costa Mesa on all but the southwest portion: A similar development nearby was de-annexed by Newport and annexed by Costa Mesa. This could occur with regard to the subject development, and therefore the City of Costa Mesa should be asked to submit comments.

Very truly yours,



Robert S. Stone, R.S., Director
Division of Environmental Health

RSS:bw

cc: Bureau of Sanitary Engineering,
California Dept. of Public Health
Bureau of Vector Control
California Dept. of Public Health
City of Newport Beach

CITY OF NEWPORT BEACH

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DOSTAL
STORE

ROLL CALL

November 20, 1972

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Robert Shelton spoke from the audience and stated that it was his understanding that it was the intent of the author of AB-889 to establish uniform guidelines for preparing Environmental Impact Reports.

Motion
Ayes x
Absent x x

A Council policy was adopted stating that the City would continue to require Environmental Impact Reports according to the City's standards and criteria established in the guidelines adopted on October 10, 1972 even though pending State legislation may place a moratorium on EIR's.

Valerie Murley presented a letter which she and Roy Woolsey had written to Assemblyman John Knox requesting an amendment to AB-889 to provide an option for local governments to require Environmental Impact Statements even though not required by AB-889.

Motion
Ayes x
Absent x x

The Mayor was directed to write a letter to Assemblyman Knox stating that the City Council supported the language in the first phrase of the paragraph in said letter dated November 17.

Motion
Ayes x
Absent x x

2. Leadership Housing Systems, Inc. was granted a 45-day extension for the opening of the escrow on the City dump property.

City
Dump
Property

3. It was agreed that the staff should investigate the South Coast Air Base and Regional Anti-Pollution Agency and report back to Council.

Pollution

Motion
Ayes x
Absent x x

The meeting was adjourned at 10:10 P.M.



CITY OF NEWPORT BEACH

CALIFORNIA 92660

City Hall
3306 Newport Blvd.
(714) 673-2110

November 2, 1972

Santa Ana River Regional Water Quality Control Board
6848 Magnolia Avenue
Riverside, CA 92506

Attention: Mr. Richard A. Bueerman
Executive Officer

Subject: Development of City of Newport Beach Landfill Site

Gentlemen:

We have received a copy of the memorandum dated October 27, 1972 regarding the above matter from Mr. Donald Andres of the State Department of Public Health to the Board. Several of the points raised in Mr. Andres' letter merit comment by the City.

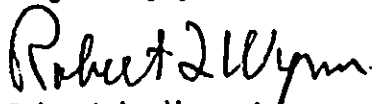
As a condition of the grading permit for the project, the City will require detailed construction plans for the devices needed for gas protection. These plans, upon request, will be available for review and comment by all interested agencies. Also, as a condition of the grading permit, removal of unsuitable material from the areas scheduled for development will be required.

The basic responsibility for maintaining the gas protection devices will be with the homeowner's community association, which all owners automatically become members of upon purchase of their property. A set of covenants, conditions, and restrictions (C.C. & R's) will be prepared which will set forth the requirements under which the community association operates. The C.C. & R. document is recorded and is binding on the community association, the original purchasers, and subsequent purchasers. This document will have complete information on the nature of the landfill site, the gas protection devices, and the maintenance requirements. The City has the ability to review the C.C. & R. document to insure that the proper information and maintenance requirements are incorporated. The City also has the ability, if necessary, to be a party to the C.C. & R. document for purposes of enforcing maintenance and other requirements.

With regard to the existing drainage swale, the minimum improvement requirement will be for a gunite concrete lining in the bottom of the swale. It is possible also that a standard underground storm drain pipe may be installed. In either case we feel that ponding problems will be eliminated.

It is hoped the above information will aid in your review of the project. If there are any questions or if any additional information is needed at this time please do not hesitate to call.

Very truly yours,



Robert L. Wynn
City Manager

RLW:BBN:hh

cc: Mr. Donald Andres, State Health Dept.
Public Works Director
City Attorney
Community Development Director
Mr. Larry Spicer, Leadership Homes
Mr. Donald Simpson, Shuirman-Simpson
MR. B.E. TAYLOR, DEPT. OF REAL ESTATE

MEMORANDUM

UP 1621

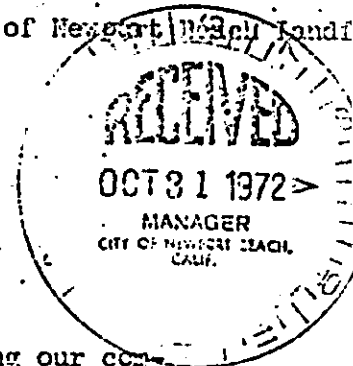
To : California Regional Water Quality
Control Board
Santa Ana Region
6548 Magnolia Avenue
Riverside, California 92506

Date : October 27, 1972

Subject: City of Newport Beach Landfill

Attention: Mr. Richard A. Baermann
Executive Officer

From : Bureau of Vector Control
& Solid Waste Management



This is in response to your memorandum of October 6 requesting our comments on the proposed housing development to be built by Leadership Housing Systems, Inc. surrounding the old City of Newport Beach landfill site. The site is located at the west end of 19th Street between Costa Mesa and Newport Beach and identified as tentative tract No. 7939 in the enclosed information packet. The site was inspected on October 17 in the company of your representative and representatives from the City of Newport Beach; Leadership Housing Systems, Inc.; their consultants; and other interested personnel.

Leadership Housing proposes to develop a 40-acre tract as a condominium housing development. Approximately 19 acres of the site is occupied by an old sanitary landfill. The landfill area extends diagonally across the proposed site in a northeast-southwest direction. Group 3 wastes are also reported to be located in the northwest corner of the site. The present proposal is to build on the existing native materials and over the Group 3 wastes that occupy approximately half the 40-acre parcel and maintain the former rubbish dump area as a greenbelt for the utilization and enjoyment of those in the condominium.

This Department is concerned about this type of development being built in such close proximity to a landfill disposal area unless adequate protective measures are taken both at the time of construction and in the future maintenance program against possible problems caused by methane generation. Methane itself is odorless; however, odors may be associated with other products of the decomposition process. Effective control of methane will also eliminate any nuisance problems caused by odors. Cases are known where explosions were traced to the presence of methane gas in a landfill; hence, methane is of prime concern in development near landfill operations. This particular development causes greater concern because the proposed greenbelt area in Leadership Housing's conceptual plan will require irrigation. The effect of this irrigation can be twofold: (1) it may increase the moisture content in the refuse; thus, increasing the amount of gas generated, and (2) irrigation water filtering down through the soil cover will tend to act as a seal and force any gas being generated to migrate laterally into the surrounding native soils. Even at the lowest moisture levels found in solid wastes collected, there is sufficient moisture to support some biological activity and, therefore, gas production. With increases in moisture content in the solid wastes, as occurs in most landfills because of

infiltration, greater quantities of methane will be produced (providing other requirements such as temperature, pH, redox potential, lack of oxygen, and nutrition are met). Problems are most likely to occur where soil conditions hinder the passage of methane to the atmosphere, which results in a build up of gas and causes subsurface lateral migration and eventual emission at some point. Methane has been detected migrating 600 feet from the perimeter of a landfill. If a breakthrough occurs and an explosive mixture of 5 to 15 percent methane is attained in a confined space, danger can be severe. Methods to avoid such problems include free venting of the gas to the atmosphere through porous media or venting devices, vacuum systems, sealing off buildings from gas flows with impermeable barriers, and not building on or near the site.

The report prepared by Woodward, McNeil and Associates does not include any logs of the 89 holes drilled on the site nor does it give information concerning the strike or dip of the underlying strata. This information is important because beds of porous material dipping at appropriate attitudes may act as vents or channel ways carrying gas distances of several hundred feet outside the immediate area. Such a situation could cause a problem where such beds intercept the surface.

The data in the report indicate that the soil conditions in this particular area are conducive to lateral gas migration. A summary of native soils adjacent to the landfill states that loose layers of silt are encountered at distances of up to 50 feet below the surface. A summary of the borings states that borings No. 59 and No. 60, which were located entirely in native soil, encountered methane. This indicates that some lateral migration has already taken place. These two holes are in the southeast portion of the site within 300 feet of an existing housing development.

This Department feels that any proposal to develop this site for housing and human habitat should include detailed plans of the method and manner that gas protection devices will be incorporated. The type and location of gas detection devices should be included in the proposal. The method of gas-proofing buildings should also be included. Under the circumstances any device should act to positively cut off the possible lateral migration of methane from the existing fill for the full depth of the fill. The construction of an approximately 6-foot vent as shown in the proposed information packet would probably not be sufficient since gas could migrate underneath the vent laterally into the soils.

The proposal should also include details on how utilities will be handled. Vaults for underground utilities can act as traps for gas accumulation. Consideration should be also given to the utilities in the surrounding developments since maintenance work can open up pockets of gas that may have accumulated.

The northwest corner of the site is reported to have received primarily Group 3 wastes, consisting mainly of construction and demolition debris; however, borings No. 3 and No. 4 which were drilled in this area indicate that methane was encountered. The proposal calls for grading this area and building over it. There should be more detailed drilling in this area to determine the exact nature and extent of organic refuse. Any large quantities of organic refuse should be removed prior to construction. The isolated pocket of refuse near the entrance to the site should also be removed and put in the main refuse area.

October 27, 1972

As mentioned before, methane gas is of prime concern; however, we are concerned about other problems that may arise. The former dump area has a drainage swale running down the center and is adjacent to a low area with a shallow groundwater table. Mosquitoes and midges have been a problem in this swale and will reoccur should water be allowed to pond in this drainage area. Also, without adequate flushing, eutrophication could take place in such ponds causing odors and algae growth. There is evidence of rodents on the site which will undoubtedly migrate to surrounding areas when construction starts. The developer should provide plans for their control prior to construction.

The other aspect of this proposal is the legal responsibility for the future maintenance of any gas protection devices that may be installed. Leadership Housing proposes to convert this to a condominium. Will the legal structure be such that adequate enforcement can be taken in the event of some future problem caused by gas generation and migration? What will happen in the event of bankruptcy of the condominium? Will the City of Newport Beach be responsible and can they be made accountable? The City of Newport Beach has deannexed areas in this immediate vicinity. Do they propose to deannex this area, and will any future annexation by another municipality transfer liability to that municipality? The prospective purchasers should be made aware of the exact extent and nature of the maintenance required to provide adequate protection against the possibility of methane migration or accumulation in a hazardous manner.

While this Department believes the proposal is feasible, we cannot over-emphasize the need for adequate precautions prior to construction and their maintenance during the life of this project in order to protect the public health and safety of the inhabitants in this area. The developer should provide more detailed information on the type and extent of gas protection and prevention devices to be employed. At that time we would appreciate the opportunity to comment again.

Donald R. Andres, P.E.
Senior Sanitary Engineer

DRA
DJ/rjs

cc: PSE, Region III
DWR, Southern District
Orange County Health Dept.
H. I. Magy, BVC&SM, Los Angeles
P. F. Battencourt, City Manager (Acting) ✓
B. E. Taylor, Dept. of Real Estate

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

RYCKOFF
 KYMLA
 ROGERS
 McINNIS
 CROUL
 DOSTAL
 STONE

ROLL CALL

October 10, 1972

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7. The following matter was set for public hearing on October 24, 1972:

Planning Commission Amendment No. 341, request of Emkay Development Co. to amend the PC development standards for "Newport Place" to permit an additional site in the industrial section for an automobile center.

Newport Place

8. Leadership Housing Systems, Inc. was granted a 45-day extension for the opening of the escrow on the City dump property. (The request letter from Leadership Housing Systems, Inc. was presented.)

City Dump Property

9. It was determined not to exercise the November 1, 1972 redemption provision option in connection with the 1957 Water Bonds. (A report from the City Manager was presented.)

Water

10. The following Budget Amendments were approved:

BA-11, \$4,500 increase in Budget Appropriations and decrease in Unappropriated Surplus for Water System Development Fund Contribution and appropriation for design of Zone V pump station at Spyglass Hill, Water Fund.

BA-12, \$4,000 transfer of Budget Appropriations from Bicycle Trails-Ford & Irvine, General Fund to West-cliff Park Slope Repairs, General Fund.

BA-13, \$2,060 transfer of Budget Appropriations for purchase of two 2½ Ton Dump Trucks which exceed the amount budgeted by \$1,030 each, from General Services, Refuse-Rolling Equipment, General Fund to General Services, Field Mtc. -Rolling Equipment, General Fund. (A report from the City Manager was presented.)

ITEMS REMOVED FROM THE CONSENT CALENDAR:

1. Letters asking that Balboa Island not be rezoned from R. L. Slater, Richard Martin, Mrs. Kenneth R. Wilcox, Betty and Cecil R. Lynch, Jr., and a letter from Kathy Clark submitting a petition bearing 229 signatures, were referred to the Planning Commission for inclusion in study.

R-1.5 Dist

Motion
Ayes

x
 x x x x x x x

UP-1621

October 9, 1973

STUDY SESSION AGENDA
ITEM NO. 8

TO: CITY COUNCIL
FROM: Public Works Department
SUBJECT: WATER TRANSMISSION MAIN TO OLD CITY DUMP SITE (CONTRACT 1517)

RECOMMENDATIONS:

1. Approve the Plans and Specifications for the Water Transmission Main.
2. Authorize the City Clerk to advertise for bids for Contract 1517 to be opened on Tuesday, October 30, 1973 at 10:00 a.m.

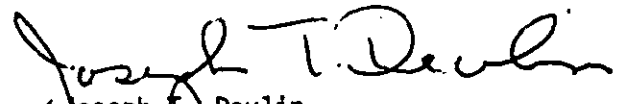
DISCUSSION:

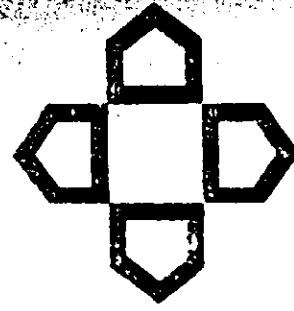
On March 12, 1973, the Council authorized design and preparation of the Plans and Specifications for construction of the subject facility. This transmission main is required to provide domestic water to the old City dump site which is presently being developed.

The Plans and Specifications were prepared by the firm of Shuirman-Simpson, Civil Engineers. The engineer's estimate is \$105,000. The estimated date of completion is February 15, 1974.

An Environmental Statement has not been prepared for this project inasmuch as the transmission main is an integral part of the development of the dump site.

Funds in the amount of \$75,000 are provided for this project in the current budget. If required, a budget amendment will be submitted at the time the project is submitted for Council consideration for award.


Joseph T. Devlin
Public Works Director
WBD:hh



October 2, 1972

H-8

Mr. Robert Wynne,
City Manager
City of Newport Beach
California 92660

Subject: Escrow Opening for Former Landfill
(CITY DUMP PROPERTY)

Dear Mr. Wynne:

This morning I was informed that the Costa Mesa County Water District at its last meeting decided to deny annexation of the subject site. Also, I was informed that the Costa Mesa Sanitary District has indicated some reluctance toward negotiating a service contract with the City of Newport Beach.

In light of these developments, I respectfully request that the City of Newport Beach grant an additional extension of forty-five (45) days for the opening of the escrow for this site. It is to be hoped that this extension will provide the additional time required to resolve the sewer and water problems and the concerns of the California Water Regional Control Board.

Very truly yours,

LEADERSHIP HOUSING SYSTEMS, INC.

Robert A. Kendall
Division Manager

/hl

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

RYCKOFF
 KYMLA
 ROGERS
 MCINNIS
 CROUT
 DOSTAL
 STORE

ROLL CALL

September 11, 1972

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October 10, 1972. (A report from the Public Works Director was presented.)

10. The public improvements were accepted for construction in conjunction with the development of Lots 7, 9 and 10, Block 5, Seashore Colony Tract, located southerly of Newport Shores Drive between Lugonia Street and Walnut Street in the West Newport area; and the Finance Director was authorized to return to Patrick O'Connor the \$2,000 which he deposited as security to insure satisfactory completion of the public improvements. (A report from the Public Works Director was presented.)

Newport Shores

11. The following Harbor Permit Application was approved, subject to conditions recommended by the Marine Safety Department: (A report from the Marine Safety Department was presented)

Harbor Permit

Harbor Permit Application No. 124-601 of Cliff Everman to construct a boat slip facility at 601 Lido Park Drive (Park Lido Condominiums)

12. The staff was directed to prepare a non-exclusive easement for underground utility purposes across the front of the Balboa Bay Club property, subject to prior approval of the Balboa Bay Club. (A report from the Underground Utilities Coordinating Committee was presented.)

Balboa Bay Club

13. An extension of time to October 10, 1972 was granted for Leadership Housing Systems, Inc. to open escrow on subject property. (A report from the City Manager was presented.)

City Dump Site

ITEMS REMOVED FROM THE CONSENT CALENDAR:

1. A letter from Margaret R. Dunsmoor protesting the congestion in the only access to their property which makes it difficult for emergency vehicles to traverse the alley, and asking that parking be discontinued in the alley in the block serving 115 Grand Canal, was presented.

Parking/BI

Motion
Ayes

x
 x x x x x x x

The staff was directed to review and report back within a month on striping of alleys on Balboa Island for the purpose of parking behind the stripes or the feasibility of prohibiting parking in the alleys.

CITY OF NEWPORT BEACH

August 16, 1972

TO: Planning Commission
FROM: Department of Community Development
SUBJECT: Use Permit Application No. 1621

Request to permit a 281 unit condominium project in the Unclassified District.

LOCATION: A portion of Lot A, Banning Tract located north of 19th Street westerly of Whittier Avenue, north of the County Island in West Newport.

ZONE: Unclassified

APPLICANT: Leadership Housing Systems, Inc., Santa Ana

OWNER: City of Newport Beach

Background

The subject property is owned by the City of Newport Beach. It was used as a sanitary landfill site until 1966. Since that time, the City Council has declared the site to be surplus land and has determined that it would be in the best interests of the City to sell the property. After a number of studies it was determined that one possible use of the property would be a mobile home park. Subsequently, a consultant was retained by the City and a set of development standards for a mobile home park was prepared. The Planning Commission reviewed and endorsed these standards in December, 1971. The City Council proceeded with the sale of the property, and after calling for and receiving a number of bids, awarded the property to Leadership Housing Systems, Inc. The sale of the property was not conditioned on any specific use and the mobile home park standards served only as an example of a possible development. Various background reports have been attached to this staff report for your information.

Application

This application requests a use permit for a 281 unit condominium project in the Unclassified District.

General Description of the Project

This project is generally divided into 3 areas. Area 1, containing 60 units is in the southeast corner of the project. Area 2, which is comprised of uncompacted fill, is not suitable for building, and therefore is designated as open landscaped space. Area 3, located generally in the northwest corner of the project, contains 221 units and the common recreation area for the entire project.

The project consists of a series of relatively small structures each containing between 4 and 7 units. These structures are generally clustered in groups of four with each unit facing onto a central landscaped walk area. Access to the parking areas to the rear of each structure is provided by a series of rather long common driveways.

TO: Planning Commission - 2.

Specific characteristics of the project.

1. Area

A. Gross Area		40.3 acres
Lot 1	3.8±	
Lot 2	14.6±	
Lot 3	19.3±	
Public Streets	2.6±	
B. Open Space		25.83 acres
Lot 2	14.6	
Within Lot 1 & 3	11.23	

2. Density

Total Number of units	281
Net project area (excluding public streets)	37.7
Units/Acre	7.45

3. Coverage

Net buildable area		23.1 acres
Building coverage (main structures)	4.31	18.6%
Private streets, drives and garages	7.55	33.4%
Open space (within lots 1 & 3)	11.23	48%

4. Size of Units

Unit type	# of Units	Size of Unit	# of BR's
A	57	960 sq. ft.	2
B	154	1102 sq. ft.	2
C	70	1409 sq. ft.	3

Analysis

1. Land Use & Density

The basic land use proposed for this project is residential condominiums. The overall density of the net project area of 37.7 acres is 7.45 units per acre.

2. Recreation and Open Space

The major portion of the open space in this project is contained in Area 2 which contains 14.6 acres. This area will be developed and maintained as a private open area which will either be incorporated in the common open area for the residents or will be developed and maintained with a use independent of the homeowners association such as a golf course. The staff feels that if this site is not included as part of the common open area the applicant should submit his plans to the Planning Commission for review.

In addition to Area 2 the project contains a common recreation area including a recreation building and a swimming pool.

3. Circulation

This project will take vehicular access from 19th Street and the proposed extension of Balboa Boulevard which is shown on the Master Plan of Streets and Highways as extending north from Coast Highway through the Banning Tract and into Costa Mesa. The final alignment of Balboa Boulevard is currently under study by the two cities. The three interior streets are intended to be private streets and are designed to meet the

private street standards (32' curb to curb) for two way traffic and parking on one side.

The covered parking areas are located on 30 foot wide common driveways.

The staff has requested that turn around area be provided at the ends of the common driveways for passenger vehicles and that adequate provision be made for access from C Street to A Street for emergency vehicles. The applicants have agreed with this suggestion.

In addition to the vehicular circulation system, a comprehensive pedestrian system is proposed throughout the project.

4. Parking

The applicant proposes to provide 2 covered spaces per unit and .76 guest spaces per unit. The staff feels that because of the length of the common driveways, open carports would be unacceptable for aesthetic reasons and feels that all cover spaces should be in enclosed garages.

The .76 guest spaces would total 216 spaces. Some of these spaces will be eliminated by the turnarounds at the ends of the driveways. Furthermore the staff feels that some of the parking bays, particularly those on the east side of C Street adjacent to 19th Street and on the north side of A Street adjacent to Balboa Boulevard could cause serious traffic problems and should be eliminated.

This would reduce the number of guest spaces by approximately 35 and reduce the guest parking ratio to approximately .64 spaces/unit.

Conclusion and Recommendation

The staff feels that the basic land use is appropriate for this area and that the characteristics of this project including density, open space and ground coverage are acceptable. Therefore, the staff feels that this project, with the suggested changes, should be approved subject to the following conditions:

1. That all conditions of approval for Tentative Map 7989 be completed.
2. That vehicular access for emergency vehicles be provided between A Street and C Street across Area 2. The location and design of this access shall be approved by the Fire Chief, the City Engineer, and the Director of Community Development.
3. That detailed plans showing provisions for pedestrian circulation and street and area lighting shall be reviewed and approved by the City Engineer, Police Chief and Director of Community Development.
4. That detailed landscaping plans, including a watering system and schedule for installation, shall be prepared by a landscape architect and shall be subject to approval by the Director of Community Development and the Director of Parks, Beaches and Recreation. Said landscaping may consist of lawn, trees, shrubbery and other plant materials. The landscaping and watering system shall be installed in accordance with the approved plan and shall be properly maintained. In the event installation of landscaping is not completed on schedule, the City of Newport Beach may require a reasonable guarantee for completion of said landscaping. This condition shall apply to Areas 1, 2, and 3.

TO: Planning Commission - 4.

5. That the design and improvement of all recreation areas shall be subject to the review and approval of the Director of Parks, Beaches and Recreation.
6. That in the event that Lot 2 is not included in the commonly owned open space of this project, the Planning Commission shall review and approve the proposed use.
7. That the types and locations of street trees shall be installed and maintained in compliance with a plan approved by the Director of Parks, Beaches and Recreation, and that the inspection fee be paid.
8. That a minimum of 2 garage spaces per unit shall be provided. In addition the location of all guest spaces shall be reviewed and approved by the Director of Community Development.
9. That all parking spaces shall conform to City standards. All driveways and off-street parking areas shall be paved and delineated by varying the color, texture or type of paving material.
10. That a minimum building setback of 15' be provided from all public and private streets.
11. That a minimum building separation of 15' be provided between all structures.
12. That all trash shall be stored and shielded from view within a building or within an area enclosed by a wall not less than six feet in height. Arrangements for trash collection service shall be the responsibility of the applicant.
13. That there shall be submitted a declaration of covenants, conditions and restrictions setting forth an enforceable method of ensuring the installation and continued maintenance of the landscaping, lighting, walls, walks, and physical features such as buildings, parking areas and trash storage areas acceptable to the Director of Community Development and, in respect to legal enforceability, the City Attorney.
14. That all signs be subject to review and approval of the Director of Community Development
15. That turn around areas be provided at the end of each common driveway. The location and design of these turnabouts shall be subject to the approval of the City Engineer and the Director of Community Development.
16. That the applicant submit revised plans reflecting all of the conditions of approval.

DEPARTMENT OF COMMUNITY DEVELOPMENT
R. V. HOGAN, DIRECTOR

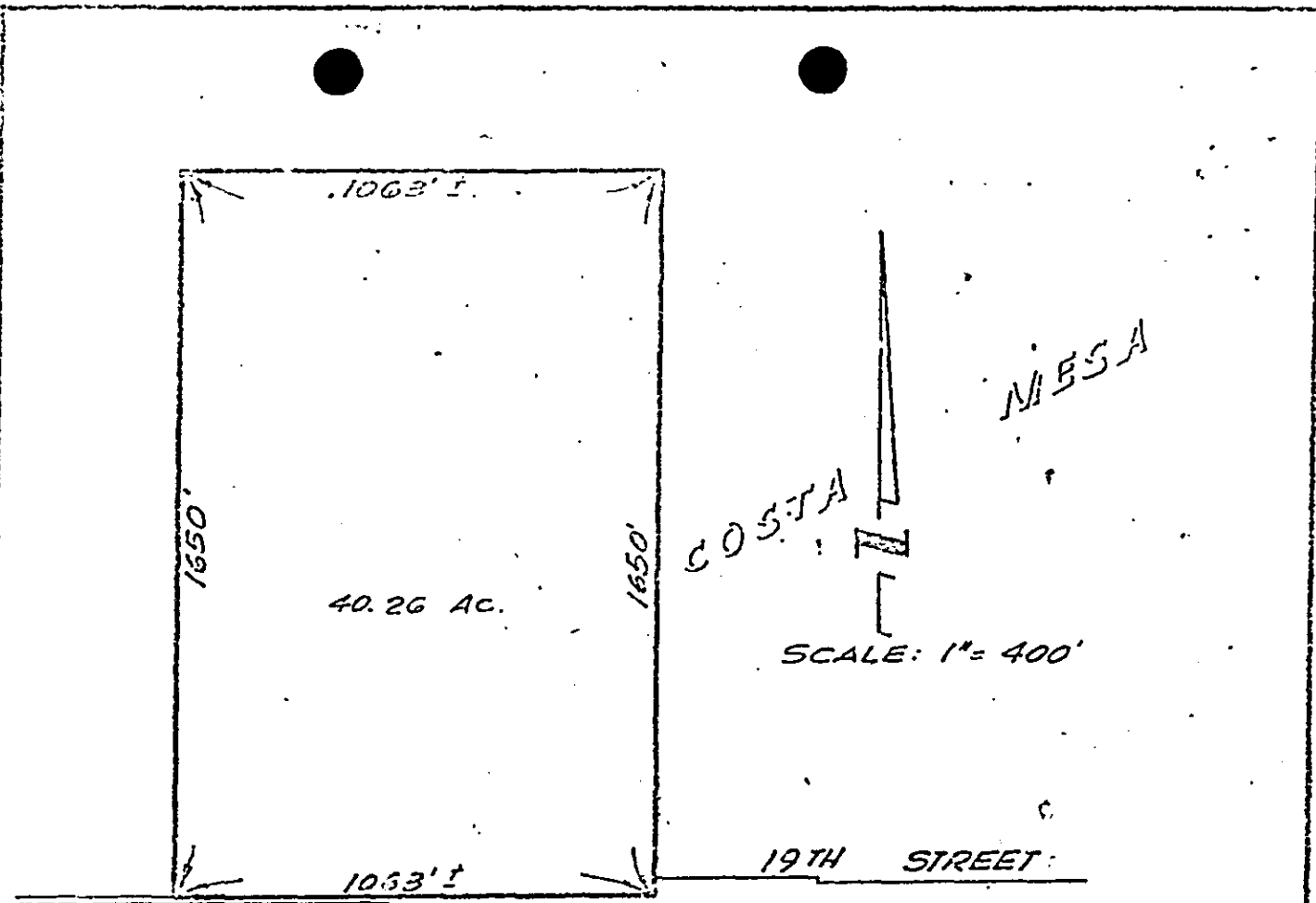
By William R. Foley
William R. Foley,
Senior Planner

RVH:WRF:sm

Attachments: Vicinity Map
Report to City Council - 11/8/71
Resolution No. 744 of Planning Commission - 12/16/71
Planning Commission Minutes - 12/16/71
Resolution No. 7643 of City Council - 3/13/72
Minutes of City Council - 6/12/72

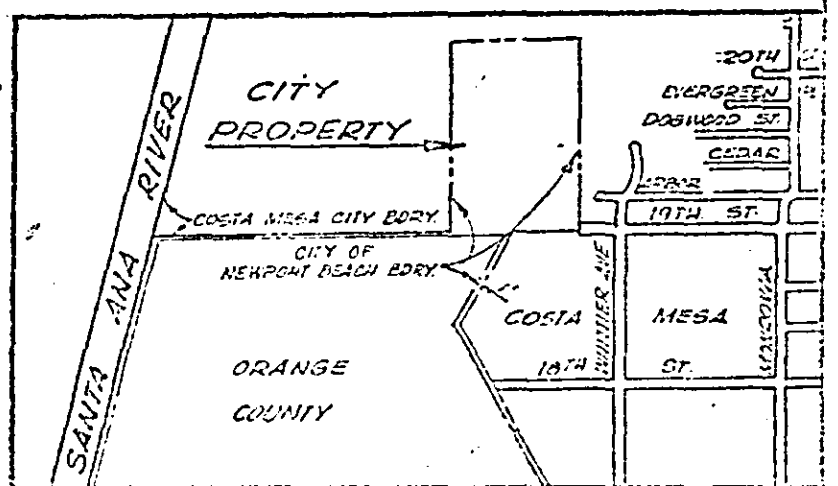
Enclosures: Site Plan
Floor Plans
Cross Section

Item No. 9



ORANGE COUNTY

WHITTIER AVE.



CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

DRAWN A.I.M. DATE 12-29-71

SURPLUS CITY PROPERTY
AT WEST END OF 19TH STREET

APPROVED [Signature]
ASS'T. CITY MANAGER

DRAWING NO. M-5147-L

LEADERSHIP NEWPORT CONDOMINIUMS (ORIG.)

<u>TYPE</u>	<u>UNITS</u>	<u>AREA/UNIT</u>	<u>TOTAL AREA</u>	<u>PARKING RATIO</u>	<u>COVERED PARKING SPACE</u>	<u>GUEST PARKING</u>	<u>TOTAL PARKING</u>
A	57	960	54,720	2.76/1.	114	43	157
B	154	1102	169,708	2.76/1.	308	119	427
C	70	1409	98,630	2.76/1.	140	54	194
TOTAL	281		323,058		562	216	778

SITE AREAS

GROSS AREA	40.3	Ac.	1,755,468	Sq. Ft.
NET USABLE AREA	37.7	Ac.	1,642,212	Sq. Ft.
LANDSCAPED OPEN SPACE	14.6	Ac.	635,976	Sq. Ft.
NET BUILDABLE AREA	23.1	Ac.	1,006,236	Sq. Ft.
UNITS/ACRE	12.16	Ac.		

SITE COVERAGE

BLDG. COVERAGE	4.31	Ac.	187,929	Sq. Ft.	
ASPHALT & GARAGES	7.55	Ac.	329,124	Sq. Ft.	
TOTAL COVERAGE	11.86	Ac.	517,053	Sq. Ft.	
OPEN SPACE WITHIN NET BUILDABLE AREA	11.23	Ac.	489,183	Sq. Ft.	= 48% OPEN
TOTAL OPEN SPACE	25.83	Ac.	1,125,159	Sq. Ft.	= 69% OPEN

LEADERSHIP NEWPORT CONDOMINIUMS

REVISED FIGURES

<u>TYPE</u>	<u>UNITS</u>	<u>AREA/UNIT</u>	<u>TOTAL AREA</u>	<u>PARKING RATIO</u>	<u>COVERED PARKING SPACE</u>	<u>GUEST PARKING</u>	<u>TOTAL PARKING</u>
A	57	960	54,720	2.71/1	114	41	155
B	84	1102	92,808	2.71/1	168	60	228
C	140	1409	197,260	2.71/1	280	99	379
TOTAL	281		344,548		562	200	762

SITE AREAS

GROSS AREA	40.3	Ac.	1,755,468	Sq. Ft.
NET USABLE AREA	37.7	Ac.	1,642,212	Sq. Ft.
LANDSCAPED OPEN SPACE	14.6	Ac.	635,976	Sq. Ft.
NET BUILDABLE AREA	23.1	Ac.	1,006,236	Sq. Ft.
UNITS/ACRE	12.16	Ac.		

SITE COVERAGE

BLDG. COVERAGE	4.80	Ac.	209,419	Sq. Ft.
ASPHALT & GARAGES	7.60	Ac.	331,037	Sq. Ft.
TOTAL COVERAGE	12.40	Ac.	540,456	Sq. Ft.
OPEN SPACE WITHIN NET BUILDABLE AREA	10.69	Ac.	465,780	Sq. Ft. = 46% OPEN
TOTAL OPEN SPACE	25.29	Ac.	1,101,756	Sq. Ft. = 67% OPEN

CITY OF NEWPORT BEACH -- DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Planning Commission

FROM: Department of Community Development

SUBJECT: Use Permit Application No. 1621 (Item #9)
Tentative Map Tract 7989 (Item #10)
Leadership Housing Systems, Inc.

Revised plot plans and information requested by the staff on these matters were not received until noon today. The staff reports will be distributed on August 16, 1972.


James D. Hewicker
Assistant Director

August 15, 1972
DATE

JDH/sm

UP 1621

August 11, 1972

Planning Department
City of Costa Mesa
77 Fair Drive
Costa Mesa, California

Gentlemen:

Enclosed are copies of a tentative tract map and site plans for a 280 unit condominium project on the old city dump site westerly of the intersection of Whittier Avenue and 19th Street. These items will be before the Newport Beach Planning Commission on August 17th. We would appreciate any comments you have on this project prior to that date.

I understand that our Public Works Department has been working with your City Engineer to resolve the alignment of the future extension of Balboa Boulevard.

Lot 2 is proposed for public or private open space and we have not been able to fully resolve this question to date.

My appologies for not sending you copies of this project at an earlier date. Please feel free to contact me by phone regarding your comments.

Very truly yours,

DEPARTMENT OF COMMUNITY DEVELOPMENT
R. V. HOGAN, DIRECTOR

By _____
William R. Foley,
Senior Planner

RVH:WRF:sm

Encl.

August 8, 1972

TO: COMMUNITY DEVELOPMENT DEPARTMENT
FROM: Public Works Department
SUBJECT: USE PERMIT 1621

RECOMMENDATIONS:

1. That all applicable conditions of approval for the tentative map for Tract 7989 be applied to the Use Permit.
2. That satisfactory guest parking be provided off-street where the private street and drive widths have been reduced so as to eliminate curb parking in the streets.
3. That the drive shown extending westerly and northerly from "C" Street be designed as a private street, with a 40-foot curb radius cul-de-sac at the end.
4. That provision be made throughout for pedestrian and bicycle circulation, with sidewalks and bike paths to be provided to the satisfaction of the Community Development Director wherever such sidewalks and/or bike paths are not provided along the streets.



Benjamin B. Nolan
City Engineer

BBN/bg



CITY OF NEWPORT BEACH

CALIFORNIA

92540

City Hall
3300 Newport Blvd.
(714) 673-2110

July 25, 1972

Mr. Larry Spicer
Leadership Housing Systems, Inc.
3501 South Harbor Boulevard
Santa Ana, California 92704

Dear Mr. Spicer:

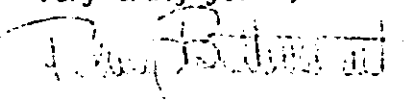
Subject: 40.26 Acre Surplus City Property Located on the North Side
of Nineteenth Street, One-Half Block West of Whittier Avenue

The Tentative Map and Use Permit application recently filed on the subject property anticipates reservation of a substantial greenbelt area for utilization as open space and/or an "executive golf course."

The City of Newport Beach Planning Commission recently approved a similar development in an Unclassified District adjacent to Orange County Airport by Pacific Coast Manufacturing Company of Glendale.

I thought you might find of interest the attached minutes of the Newport Beach Planning Commission of July 6, 1972, dealing with this application as background material for your own development.

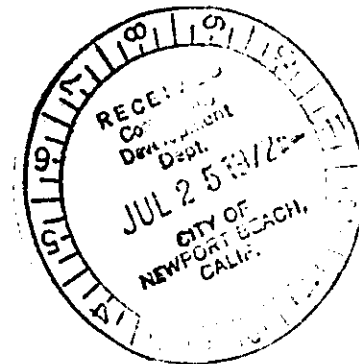
Very truly yours,


PHILIP F. BETTENCOURT
Assistant City Manager

PFB:sh

Enclosure

c: Community Development Director!



Jim
AK

July 13, 1972

CP-1621

City of Costa Mesa
77 Fair Drive
Costa Mesa, California 92626

Attention: Mr. Norm Spielman, City Engineer

Subject: Alignment Study for a Portion of the Proposed
Northerly Extension of Balboa Boulevard

Gentlemen:

Transmitted is a copy of a drawing showing an alignment study for a portion of the proposed northerly extension of Balboa Boulevard. The segment shown extends from an intersection with the proposed westerly extension of 19th Street northerly to an intersection with Hamilton Avenue. The center of the 19th Street intersection has been located at the southwesterly corner of the city's former 40 acre disposal site located northerly of 19th Street and westerly of Whittier Avenue. Two alignments are shown, one using 1200-foot radius curves and the other using 1800-foot radius curves.

The purpose of the alignment study is to attempt to determine what provision should be made to accommodate the Balboa Boulevard extension when the 40 acre parcel is developed. The property is presently under purchase option to Leadership Homes, with a condominium type development being contemplated.

It is hoped that preliminary agreement on a precise alignment for this portion of the extension can be reached. We are also working with Leadership's engineers on an alignment study for a portion of the extension southerly of 19th Street, and hope to have more information on that portion available shortly.

Inasmuch as a determination of this matter is of great importance in planning the development of the parcel, we would appreciate receiving your comments as soon as possible.

Very truly yours,


Benjamin B. Nolan
City Engineer

BBN/bg

Encl.

cc: City Manager
Community Development Department

COUNCILMEN

RYCKOFF
KYMILA
ROGERS
LAWRENCE
CROUT
DOSTAL
STORE

ROLL CALL

June 12, 1972

INDEX

The Clerk announced that two bids had been received, one from the Orange Coast Daily Pilot and one from the Newport Harbor Ensign. She opened and announced the bids.

Arvo Haapa, owner and publisher of the Newport Harbor Ensign, spoke briefly from the audience.

Resolution No. 7707, awarding a contract to the Newport Harbor Ensign for the publication of legal notices and other matters and designating an official newspaper for publication of notices for the fiscal year ending June 30, 1973, was adopted.

R-7707

Motion
Ayes
Absent

x
x
x
x
x
x

CURRENT BUSINESS:

1. A report was presented from the City Manager regarding results of sealed bidding for offers to purchase 40.26 acre surplus City-owned property located on the north side of 19th Street one-half block west of Whittier Avenue (former City dump property).

City
Dump
Property

The City Clerk stated that a letter had been received from the Citizens Advisory Greenbelt Committee recommending that subject property be included in the Greenbelt Program.

Donald Price, attorney representing Keys Marina, Inc., stated they were in disagreement with the City Attorney's opinion that their bid was not responsive to the bid invitation procedure, and claimed that their contingency bid made Keys Marina the high bidder.

Valerie Murley, representing the Orange Coast League of Women Voters, read a letter from the League urging the Council to call for an environmental impact statement and also to promote negotiations to make subject property available for the Orange County Santa Ana River-Santiago Creek Greenbelt Plan.

David Carmichael and Larry Spiceman, representing Leadership Housing Systems, made brief comments regarding their bid and regarding their proposed greenbelt open spaces.

Joe Rosener, member of the Greenbelt Citizens Advisory Committee, urged the retention of the property as a park site.

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEN

ROLL CALL

June 12, 1972

INDEX

	RYCKOFF	KYVALA	ROSENB	NEHRIS	CROUL	DOSTAL	STORE						
Motion					x				After an amendment was accepted by Councilman Croul to delete the phrase "or nominee", an "Option to Purchase-Cash Term" was awarded to Leadership Housing Systems, Inc. as best bidder, for \$616,010; all other bids were rejected; the City Clerk was directed to return the Bidders' Deposits to all unsuccessful bidders; and Resolution No. 7708, authorizing execution of a Grant Deed conveying property located on the north side of 19th Street one-half block west of Whittier Avenue, was adopted.				R-7708
Ayes		x		x	x	x	x						
Absent	x		x										
2.													San Joaquin Hills Bowling Greens
<p>A report was presented from the Public Works Director and the Parks, Beaches and Recreation Director regarding construction of Bowling Greens at San Joaquin Hills Park, Contract No. 1438.</p> <p>Bob Orman, representing the Broadmoor Homeowners Association, stated they were in favor of the bowling greens in San Joaquin Hills Park.</p> <p>Resolution No. 7709, awarding a contract for construction of Bowling Greens at San Joaquin Hills Park, Contract No. 1438, to R. W. McClellan & Sons, Inc. for the base bid plus additive bid items No. 1 and 2, in the total amount of \$79,914.00, was adopted, subject to receipt of the Deed of the property from The Irvine Company.</p>													R-7709
Motion							x						
Ayes		x		x	x	x	x						
Absent	x		x										
3.													Water Main Replacement/ Npt Hgts
<p>A report was presented from the Public Works Director regarding Water Main Replacement in Newport Heights, Contract No. 1368.</p> <p>The Public Works Department was authorized to issue a Change Order to Contract No. 1368 in the approximate amount of \$18,600; and an extension of 21 calendar days for the completion of the contract was granted to provide for the additional work.</p>													
Motion		x											
Ayes		x		x	x	x	x						
Absent	x		x										
4.													Pacific Coast Fwy
<p>A report was presented from the Newport Beach Traffic Committee stating that the Behavior Sciences Corporation has completed its attitude survey, and making recommendations to the Council to continue to vigorously pursue the deletion of the Pacific Coast Freeway from all State, County and City plans, to encourage the State to stop all freeway condemnation procedures in the City of Newport Beach until the completion of our comprehensive traffic study and to oppose the terminus of the Newport Beach Freeway (Route 55) within the City Boundaries.</p> <p>The report of the Newport Beach Traffic Committee was endorsed and ordered filed.</p>													
Motion							x						
Ayes		x		x	x	x	x						
Absent	x		x										

UP1621

AFFIDAVIT OF PUBLICATION

NEWPORT HARBOR ENSIGN

STATE OF CALIFORNIA } ss.
County of Orange }

I, ARVO E. HAAPA, being first
duly sworn, and on oath depose and say that I am the
printer and publisher of the Newport Harbor Ensign, a
weekly newspaper printed and published in the City of
Newport Beach, County of Orange, State of California,
and that the NOTICE OF PUBLIC HEARING

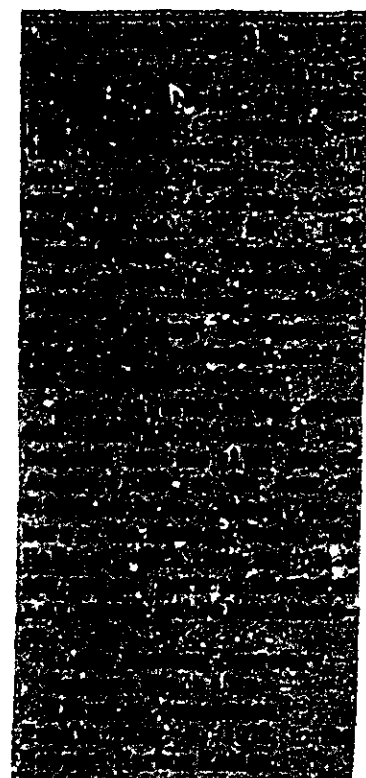
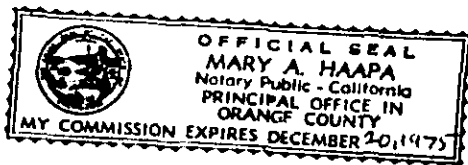
..... of which
copy attached hereto is a true and complete copy, was
printed and published in the regular issue(s) of said
newspaper, and not in a supplement, 1 consecu-
tive times: to-wit the issue(s) of

Aug. 3, 1972

(Signed) Arvo E. Haapa

Subscribed and sworn to before me this 4th day of
August, 19 72

Mary A. Haapa
Notary Public in and for the
County of Orange, State of California.



NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Newport Beach will hold a public hearing on the application of Leadership Housing Systems, Inc.

for a Variance _____ Use Permit 1621

on property located at 330 feet westerly of Whittier Avenue and Nineteenth Street

to permit the construction of 284 residential units in the unclassified district.

Notice is hereby further given that said public hearing will be held on the 17th day of August 19 72, at the hour of 7:30 P.M. in the Council Chambers of the Newport Beach City Hall, at which time and place any and all persons interested may appear and be heard thereon.

Jackie Heather, Secretary
Newport Beach City
Planning Commission

Publication Date 8/3/72
Received for Pub. Hanson
By [Signature]

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Jackie Heather, Secretary
Newport Beach City
Planning Commission

Publication Date _____
Received for Pub. _____
By _____

RESOLUTION NO. 744

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NEWPORT BEACH ENDORSING TENTATIVE
MOBILE HOME PARK SITE DEVELOPMENT STANDARDS
FOR A SPECIFIC PARCEL OF SURPLUS MUNICIPAL
PROPERTY

WHEREAS, the City of Newport Beach owns 40.26 acres of property at the west end of 19th Street in the City of Newport Beach; and

WHEREAS, the City Council has determined the property to be surplus and has instructed the City staff to develop specifications for its fee simple sale; and

WHEREAS, the City Council has presented to the Planning Commission for study and report a set of proposed site development standards for a mobilehome park, prepared by Development Design Associates; and

WHEREAS, the Planning Commission has carefully considered these proposed standards, and therefore DOES HEREBY RESOLVE as follows:

1. That the mobilehome park site development standards as set out in Articles 6 and 7 of the attached report are hereby endorsed as being in accordance with recognized planning principles, if the eventual purchaser proposes this use of the property and files the necessary zoning or planned community documents for consideration by the Planning Commission;
2. That the Commission's action does not establish a precedent for favorable consideration of mobilehome site development on any other parcel of land within the City;
3. That due to the landfill history of the subject parcel, the Planning Commission urges potential purchasers and the City staff to give careful consideration to the preparation

of complete soils engineering data prior to the commencement of any development or construction on the subject parcel.

Regularly passed and adopted by the Planning Commission of the City of Newport Beach, State of California, on the 16th day of December, 1971.

AYES: Adkinson, Agee, Glass, Hazewinkel
Heather, Martin

NOES: None

ABSENT: Dosh



Chairman (1st Vice)
Don R. Adkinson

Jackie Heather
Secretary

DON:mh
12/27/71

December 16, 1971

ROLL CALL

INDEX

MARTIN
 HEATHER
 HAZWINKA
 GLASS
 DOSH
 AGE
 ADKINSON

Following discussion and applicant's agreement to post a bond and agreement covering completion of street and alley improvements adjacent to the subject property, Planning Commission recommended to the City Council that Amendment No. 309 be approved subject to the following condition:

1. The front yard setback, adjacent to Lugonia Street and Walnut Street, shall be established as 5 feet and shall be so indicated on the Districting Map.

ADDITIONAL BUSINESS

"A Resolution of the Planning Commission of the City of Newport Beach Endorsing Tentative Mobile Home Park Site Development Standards for a Specific Parcel of Surplus Municipal Property" was presented to the Planning Commission for discussion.

Planning Commission discussed the Resolution at length and made certain changes.

Following discussion, Planning Commission adopted Resolution No. 744, entitled "A Resolution of the Planning Commission of the City of Newport Beach Endorsing Tentative Mobile Home Park Site Development Standards for a Specific Parcel of Surplus Municipal Property" and forwarded same to the City Council because they felt that the proposed standards are proper but have the following reservations:

1. Planning Commission is not satisfied that the City should have any mobile home parks within the City because of the effect on the tax base.
2. Newport Tomorrow stated that the City should review city-owned property.
3. The Santa Ana River Project recommended that this property not be sold.
4. If the property were to be developed as a mobile home park, it should be done by the City under a long term lease for the following two reasons:
 - a. To be able to use the property in conjunction with that part of the City when it is developed in the future.

Motion
 Second
 All Ayes

X

X

December 16, 1971

INDEX

HEATHER
 HAZEWINKEL
 GLASS
 DOSH
 AGEE
 FOLKINSOFT
 ROLL CALL

b. The possibility of moving the present city-owned mobile park site away from the bay beach to allow it to be used by the general public.

~~On motion of Commissioner Hazewinkel, seconded by Commissioner Glass, and carried, the meeting was adjourned at 11:45 P.M.~~

Jackie Heather, Secretary
 Planning Commission.

CITY OF NEWPORT BEACH
OFFICE OF THE CITY MANAGER

November 8, 1971

Study Session Item 5
Agenda Item G4

TO: MAYOR AND CITY COUNCIL

FROM: City Manager

SUBJECT: SURPLUS 40.26 ACRE CITY PROPERTY AT WEST END OF 19th STREET

RECOMMENDATION:

Refer proposed mobilehome park site development standards report to Planning Commission for study and endorsement.

DISCUSSION:

In January, 1953, the City acquired title to the subject property from Edrah Race Capron for use as a sanitary landfill for \$35,000, utilizing powers of eminent domain. From 1953 until approximately 1965, the property was utilized jointly with Sully Miller Contracting Company as a sanitary landfill and sand and gravel borrow pit.

As a result of an April, 1966, study prepared by Engineering Science, Inc. of Arcadia the City discontinued the landfill operating since this practice depreciated the land value and a county operated landfill site was available in Coyote Canyon. In August, 1968, a more detailed investigation was conducted by Wilsey and Ham of Arcadia to determine the development potential of the site. In April, 1967, the parcel was appraised by Cedric A. White, Jr, MAI, to determine the fair market value and the highest and best use of the property. Mr. White established an approximate fair market value of \$400,000 to \$485,000, or \$10,000 to \$12,000 per acre, based on a land lease for twenty-five years, with all development burdens to be borne by the lessee.

The results of these combined studies led to the conclusion that the City should dispose of the property since it was surplus to municipal needs. A detailed staff evaluation of potential uses of the property was presented to the City Council on September 25, 1970, as part of a thorough review of municipally owned real estate. The City Council, by unanimous action, instructed the City staff to prepare specifications for disposition of the property with the sale to be conducted by the City staff. Proposals

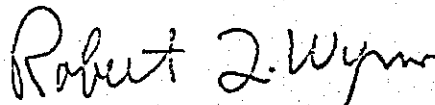
were presented for lease or City development and operation of the site as a mobilehome park similar to the Marinapark. However, the City Council determined that it wished to dispose of the property on a fee-simple basis.

City regulations are not in existence governing the construction of mobilehome parks. The surplus landfill property is now zoned unclassified. Parks are permitted in C-1, C-2 and the UL or unclassified districts, subject to the securing of a Use Permit.

In order to attract maximum investor interest in the property, it was determined to be advisable to prepare a set of site development standards which would first meet City approval before being submitted to prospective purchasers. Upon Council authorization, the City entered into an agreement with Development Design Associates of Costa Mesa for the preparation of these standards. They should be submitted to the Planning Commission for review and report. While there may be other uses to which the property could be put, it would be advisable to first explore this alternative since it appears to represent the highest and best use and would be a compatible land use for the neighborhood.

Upon further study, the City may also wish to indicate to prospective purchasers its willingness to consider detachment of the property and annexation to the City of Costa Mesa. The Costa Mesa County Water District and Costa Mesa Sanitary District can provide services to the property and it is contiguous to the City of Costa Mesa on three sides. These should be matters which the potential purchaser can evaluate.

It may be possible to offer the property for sale within sixty days, based on Planning Commission concurrence with the proposed standards.


ROBERT L. WYNN

RLW:PF3:sh

cc: City of Costa Mesa
Costa Mesa Sanitary District
Costa Mesa County Water District
Sanitation Districts of Orange County

35

RESOLUTION NO. 7643

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF NEWPORT BEACH DECLARING CERTAIN REAL
PROPERTY TO BE SURPLUS, AUTHORIZING ITS SALE
AND SETTING OUT THE PROCEDURE FOR ITS SALE

WHEREAS, the City of Newport Beach has title to the real property which was formerly used for a sanitary land fill and as a quarry for sand and gravel excavation, hereinafter described; and

WHEREAS, it appears that the City has no present or prospective need for said property; and

WHEREAS, no qualified public agency (including the State of California, County of Orange, and City of Costa Mesa) has offered to purchase the property at fair market value for park and recreation purposes pursuant to the provisions of Title 5, Division 2, Article I of the California Government Code; and

WHEREAS, proceeds from the sale of this property would be placed in the City Capital Improvement Fund; and

WHEREAS, it would be in the best interests of the City to sell said property under the following terms, procedure and conditions;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newport Beach hereby FINDS, DETERMINES, RESOLVES AND ORDERS:

SECTION 1. Size - Location. The subject property comprises 40.26 acres (more or less) of land located on the north side of 19th Street, one-half block west of Whittier Avenue in the City of Newport Beach, California. The dimensions of the property are 1063 feet east-west by 1650 feet north-south.

Said property is shown on the map dated December 29, 1971, designated Drawing No. M-5147-L, attached hereto and marked Exhibit "A".

SECTION 2. Surplus Property - Legal Description. The property as hereinafter described is surplus, and there is no present or prospective need for same:

Description:

All that certain real property in the State of California, County of Orange, City of Newport Beach, described as follows:

That portion of Lot A of the Banning Tract in the City of Newport Beach, County of Orange, State of California, as shown on a map of said tract filed in the Case of Hancock Banning and others vs. Mary H. Banning for Partition, and being Case No. 6385 upon the Register of Actions of the Superior Court of the State of California, in and for the County of Los Angeles, described as follows:

Beginning at the intersection of the center lines of Whittier Avenue and Nineteenth Street, as shown on the Map of Newport Mesa Tract, recorded in Book 5, Page 1 of Miscellaneous Maps, the center line of said Nineteenth Street being the North line of said Newport Mesa Tract; thence Northerly along the Northerly extension of the center line of said Whittier Avenue, a distance of 30.00 feet; thence Westerly, parallel with the Westerly extension of the Northerly line of said Newport Mesa Tract, a distance of 330.00 feet; thence Northerly 1620.00 feet; thence Westerly 1063.00 feet, more or less, parallel with the Westerly extension of the Northerly line of said Newport Mesa Tract to the Westerly line of land described in deed to Ednah Race Capron, recorded October 23, 1944, in Book 1281, Page 199, of Official Records; thence Southerly 1650.00 feet along the Westerly line of said land of Ednah Race Capron to the Southwesterly corner thereof; thence Easterly 1393.00 feet, more or less, along the Westerly extension of the Northerly line of said Newport Mesa Tract to the point of beginning.

SECTION 3. Statement of Title. Title Insurance and Trust Company of Santa Ana, California, reports that it is prepared to issue, or cause to be issued, as of March 2, 1972, in the form of the California Land Title Association Standard Coverage form of Policy of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception therein not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy form. A copy of said policy form marked Exhibit "B" is attached.

SECTION 4. Topography. The property is located at the

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eastern edge of the Santa Ana River flood plain slightly more than one mile north of the Pacific Ocean. It is generally bounded on the east, north, and south by the bluffs which define the flood plain and on the west by the flood plain itself. The area is bisected by a northeast-southwest trending drainage channel with steep sides. Rubbish has been dumped on both sides of the channel. There are two locally high areas, on the northwest and southeast portions of the site, where soil is exposed and small plants grow.

The topography at the site is abrupt and erratic, ranging from about +10 to +95.

SECTION 5. Soils. The native soils at the site are generally sandy and gravelly alluvial and marine terrace deposits. Near the natural surface the soils are usually silty sands. At depth, the soils usually become more sandy and contain varying amounts of gravel. As recently as 1966 portions of the site were used as a sanitary land fill. This data is for general information only and the City makes no warranty, express or implied, relative to the precise soils conditions and/or drainage conditions of the subject parcel.

SECTION 6. Zoning. The subject property is presently zoned "U", or Unclassified. Section 20.34.020 of the Newport Beach Municipal Code permits all uses not otherwise prohibited by law in a "U" District, provided that a Use Permit issued by the Newport Beach Planning Commission shall first be secured for any uses to be established.

SECTION 7. Permitted Land Uses. On December 16, 1971, by action of Resolution 744, the Newport Beach Planning Commission determined that, as regards this property, the mobile home park site development standards attached hereto and entitled Exhibit "C" ... "are endorsed as being in accordance with recognized planning principles, if the eventual purchaser proposes this use of the

property and files the necessary zoning or planned community documents for consideration by the Planning Commission."

SECTION 8. Sealed Bids. Said property is hereby offered for sale and the bids therefor are invited, beginning Friday, March 17, 1972, under the procedure of sealed bidding and public auction as hereinafter set forth. The minimum acceptable bid shall be \$450,000. Each bid must be on one of the official Option to Purchase forms (credit or cash) and submitted to the City of Newport Beach, City Clerk, 3300 Newport Boulevard, Newport Beach, California 92660, by 10:00 a.m., Friday, May 26, 1972. All bids shall be in a sealed envelope, clearly marked: "SEALED BID PROPOSAL - SURPLUS PROPERTY ON 19TH STREET, NEWPORT BEACH".

SECTION 9. Deposit. Each bid must be accompanied by a deposit of cash or a certified or cashier's check payable to the City of Newport Beach equal to \$50,000. This deposit is to guarantee that within ninety (90) days from the date that the City accepts the sealed bid, said bidder will open a 30-day escrow, in accordance with the terms of this resolution and the Option to Purchase. If qualified sealed bids of equal amounts are submitted, the one received first by the City Clerk shall be considered the highest of such bids for all purposes. The deposit of the successful bidder shall be applied to the purchase price. Upon acceptance of the successful bid by the City Council, all other deposits shall be returned to the bidders.

SECTION 10. Opening Bids. The sealed bids shall be opened and publicly announced in the office of the City Clerk at 10:00 a.m., Friday, May 26, 1972.

SECTION 11. Public Hearing. At the regular City Council meeting of Monday, June 12, 1972, at 7:30 p.m., the City Manager shall report the results of the bidding and shall declare the highest and best bid and the name of the bidder. The City Council

may then determine whether it wishes to accept or reject the high bid, or the Council may continue the sale until its next regular meeting.

SECTION 12. Inability to Convey. If the property cannot legally be sold by the City, or the City is unable to convey marketable fee title within a reasonable time after the date of sale, the sale shall be void and deemed mutually cancelled, and any price paid or deposit made shall be refunded and no liability of the City shall exist or arise from such cancellation.

SECTION 13. No Warranty. No warranty is made or intended by any statement in this resolution or the Notice of Sale, or otherwise, with respect to location, size, zone or utility of the property or interest therein which is sold or offered for sale. This information was obtained from sources deemed reliable but is furnished solely as an aid to interested parties.

SECTION 14. Withdrawal from Sale. The City Council reserves the right to reject any and all bids.

SECTION 15. Sale Proceeds. Pursuant to City Council Policy F-3, as reaffirmed February 14, 1972, revenues from the sale of City property will be placed in the Capital Improvement Fund.

SECTION 16. Notice of Sale - Publications. The City Clerk shall prepare a Notice of Sale setting out the address or location, description, zone and approximate size of the property being offered for sale, the date, place and time the bids will be received and opened, and the fact that additional information may be obtained from the City Clerk's office. The notice shall be published once in the official newspaper of the City, and copies of the notice and resolution shall be available in the City Clerk's office and mailed by the City Clerk upon request.

SECTION 17. Official Bidders Proposal Form. All bids must be submitted on an official Option to Purchase form available

for purchase in the City Clerk's office for \$10.00. Facsimile copies of the official form are not acceptable.

ADOPTED this 13 day of MARCH, 1972.

Mayor

ATTEST:

City Clerk

TERMS OF OPTION TO PURCHASE

The successful bidder will be required to submit an option deposit of \$50,000 with his bid in the form of CASH, CASHIER'S CHECK, CERTIFIED CHECK or MONEY ORDER, payable to the City of Newport Beach. No personal check, business check or Savings & Loan check will be accepted. Said deposit will be consideration for an option of ninety (90) days, to be exercisable from the date of the bid award, and 10% or \$5,000 shall be non-refundable in the event the successful bidder fails to comply with any and all terms of the option as provided herein. Either Option to Purchase (Cash or Credit) is also subject to the following additional terms:

A. The sale under this option is subject to the approval of the Newport Beach City Council. If the sale is not approved, and an award is not made, the Option Deposit money will be refunded without interest. The successful bidder may take possession when the Corporation Grant Deed has been recorded.

B. The City of Newport Beach reserves the right to reject any or all bids.

C. The right, title and interest in the property to be sold shall not exceed that vested in the City of Newport Beach, and this sale is subject to exceptions and reservations set forth in the accompanying Notice of Sale. No policy of Title Insurance will be furnished by the City in connection with this transaction.

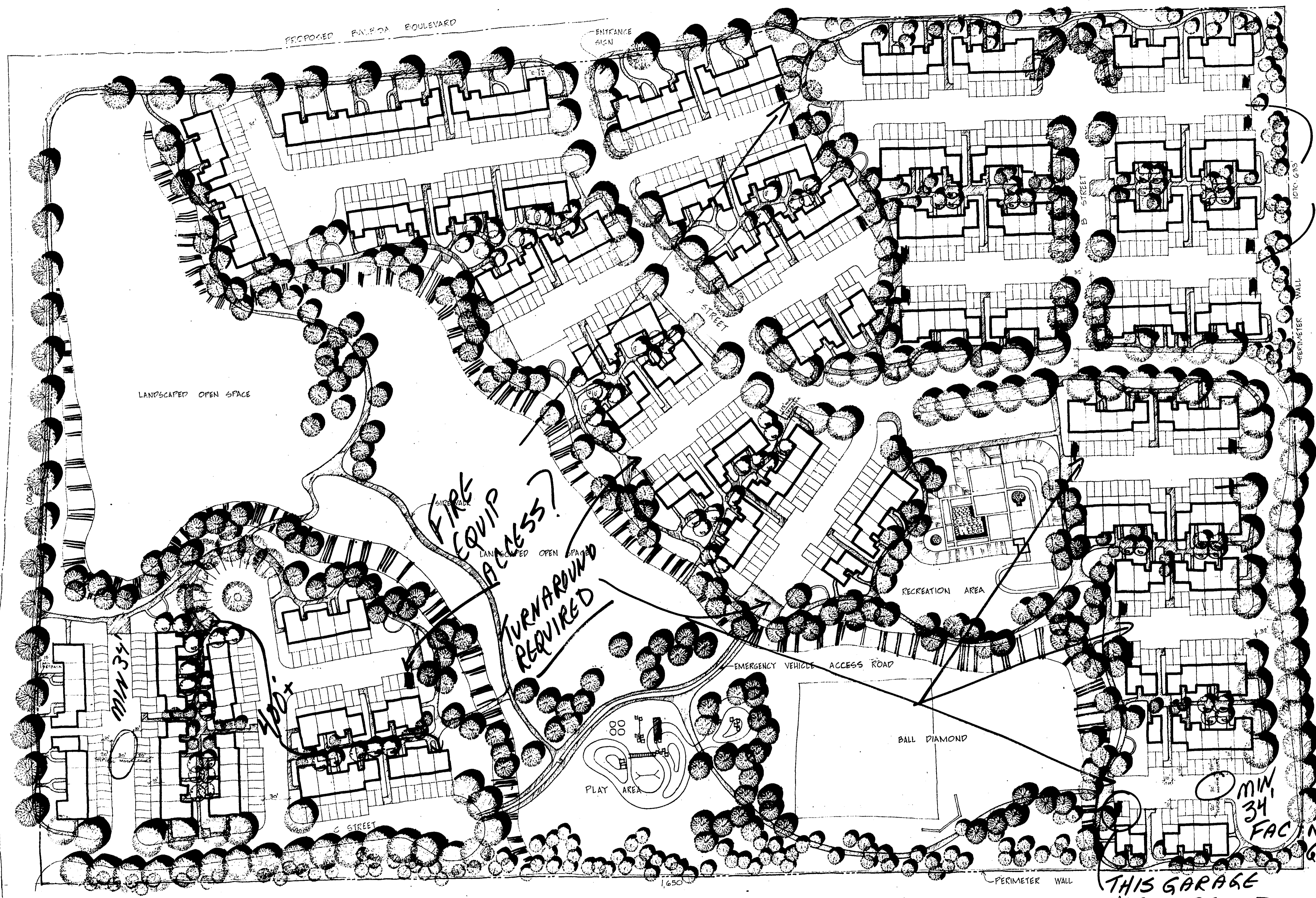
D. The successful bidder shall pay all recording fees, documentary stamp taxes or other real estate transaction taxes or fees by whatever name known, including escrow fees or broker's commission, if any.

E. The Corporation Grant Deed shall be submitted by the City for recording, at the expense of the successful bidder. The successful bidder may take possession when said Deed has been caused to be recorded by the City.

F. The City does not guarantee land uses that may be permitted on the subject parcel, nor does the City guarantee that building permits will be issued in connection with the sale.

3/8/71

TERMS OF OPTION TO PURCHASE



FIRE ACCESS?

FIRE EQUIP ACCESS?

TURNAROUND REQUIRED

THIS GARAGE VERY DIFFICULT TO UTILIZE

MIN 34 FACING GARAGES

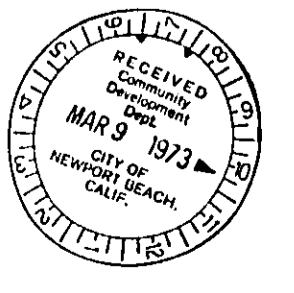
Stewart Woodard & Associates A.I.A.
 17651 Skypark Circle
 Irvine, California 92664
 Telephone (714) 546-5441

LEADERSHIP HOUSING SYSTEMS, INC
 3501 S. HARBOR BLVD. SANTA ANA, CALIF. 92704

NEWPORT CONDOMINIUMS
 SCALE 1" = 40'

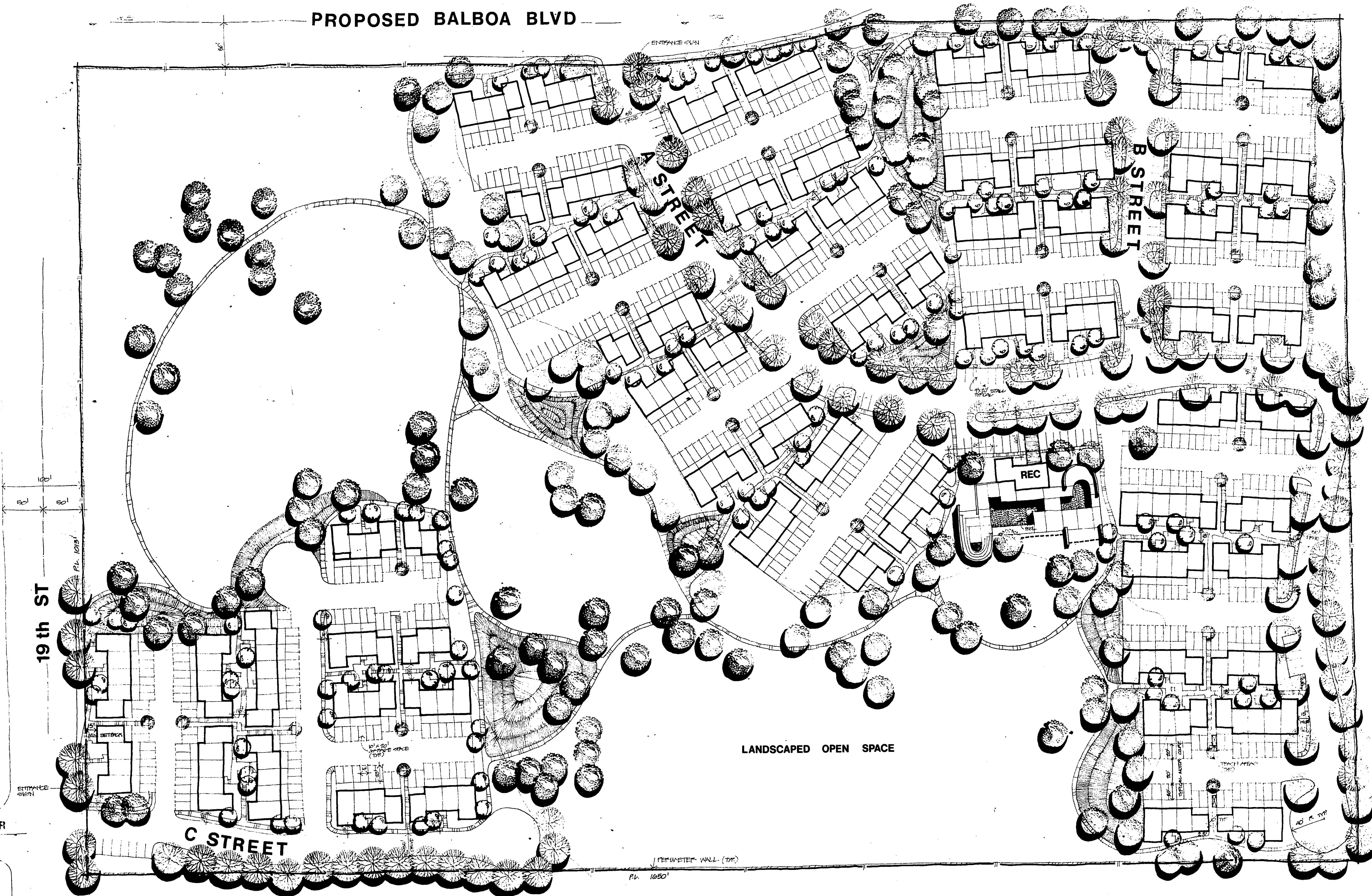
WHERE IS GUEST PARKING?
 MIN OF 1 PER 2 UNITS REQUIRED
 UP 1621 10x4

F2



(NB) TT 7989

PROPOSED BALBOA BLVD



19th ST

LANDSCAPED OPEN SPACE

C STREET

B STREET

A STREET

ARKCREST DR



**Stewart Woodard
& Associates
A.I.A.**
17851 SkyPark Circle
Irvine, California 92614
Telephone (714) 546-5441

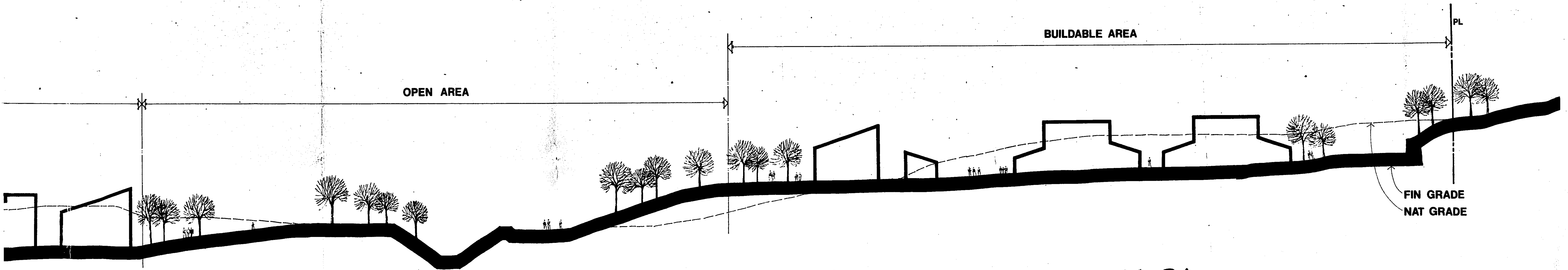
**LEADERSHIP
HOUSING
SYSTEMS, INC.**
3501 S HARBOR BLVD SANTA ANA, CALIF. 92704

NEWPORT
SCALE 1" = 40'

CONDOMINIUMS

UP
1621
2069

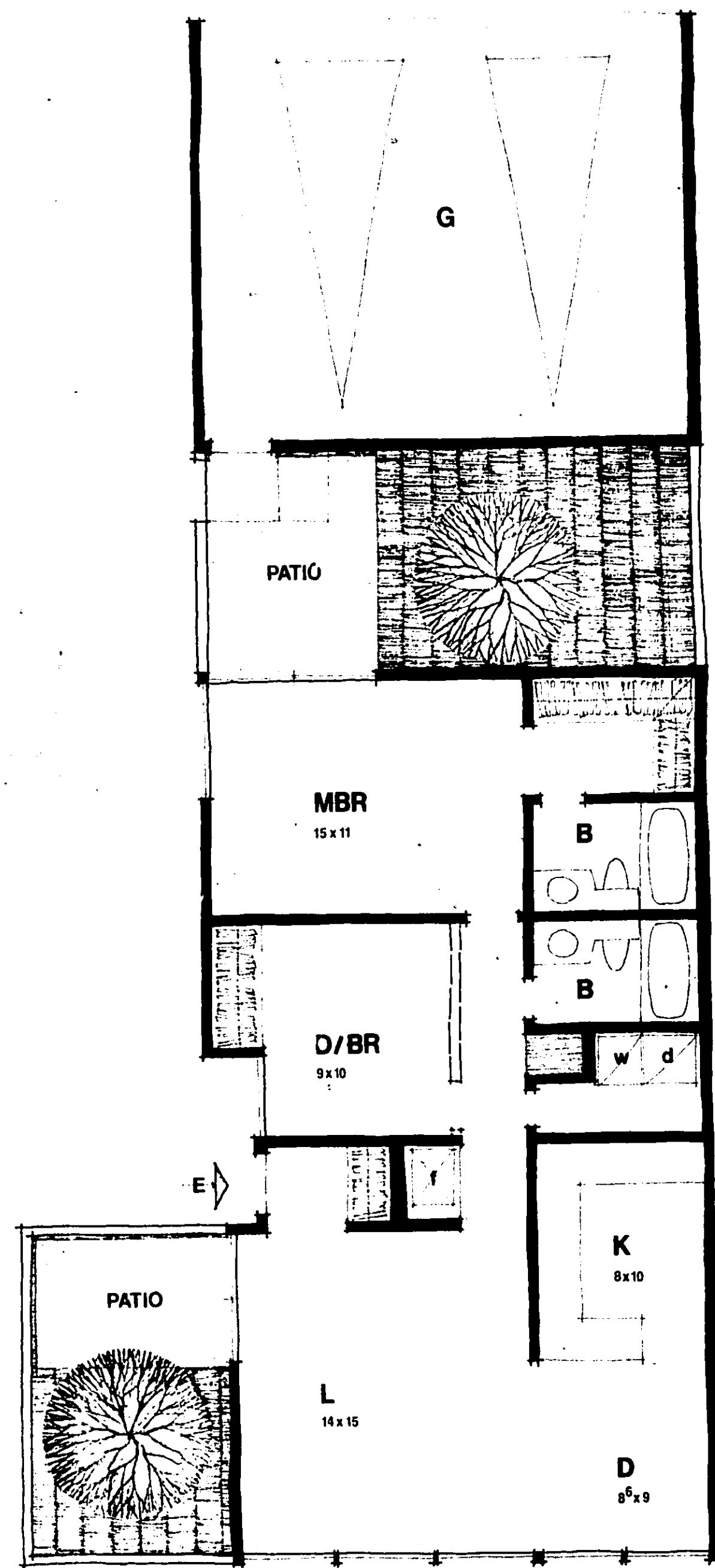
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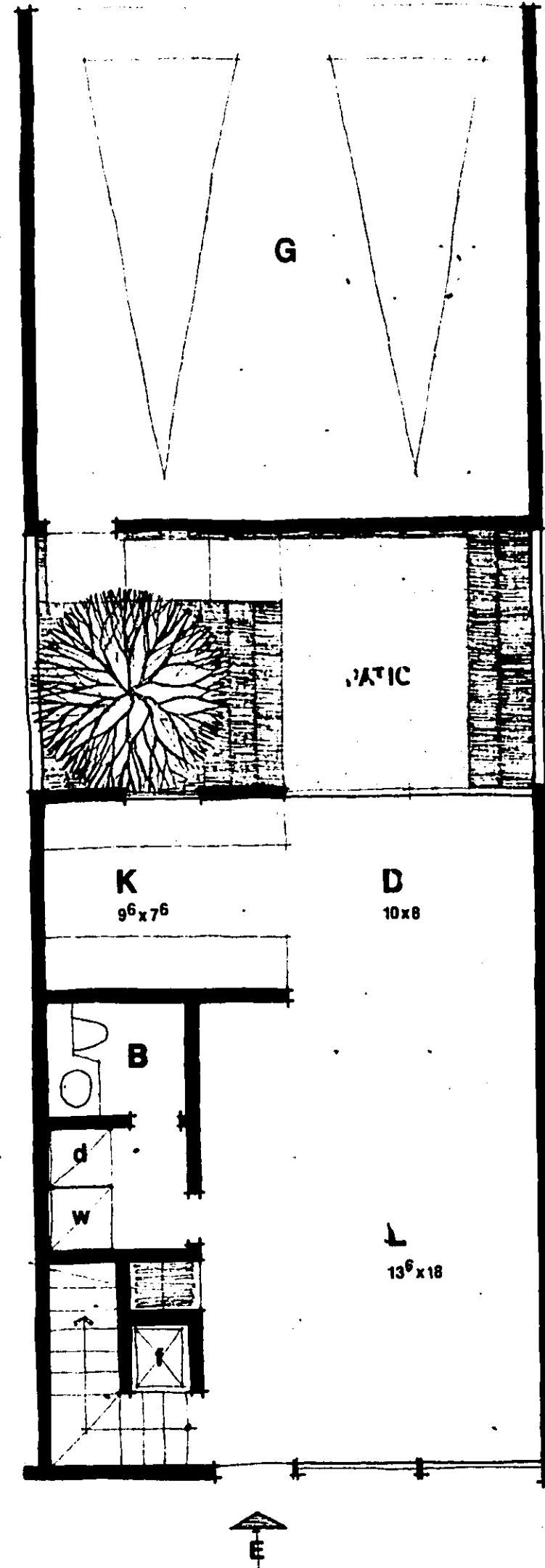
PORT CONDOMINIUMS

UP 1621
384

F2

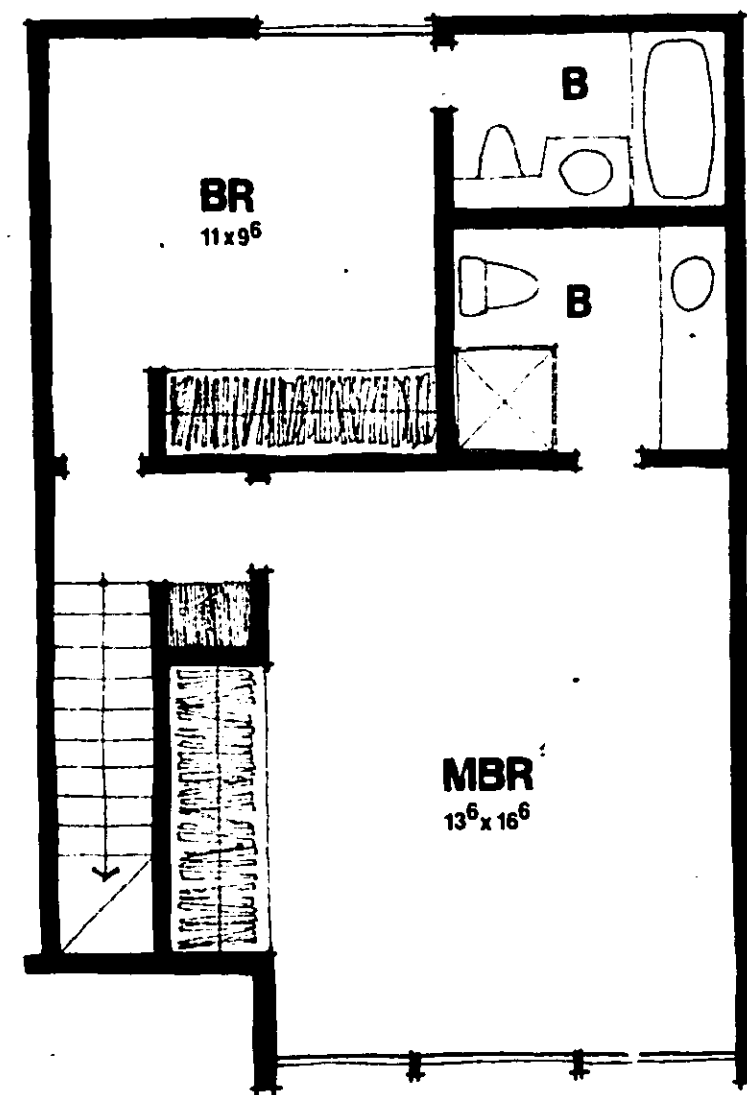


PLAN A
960 SQ FT

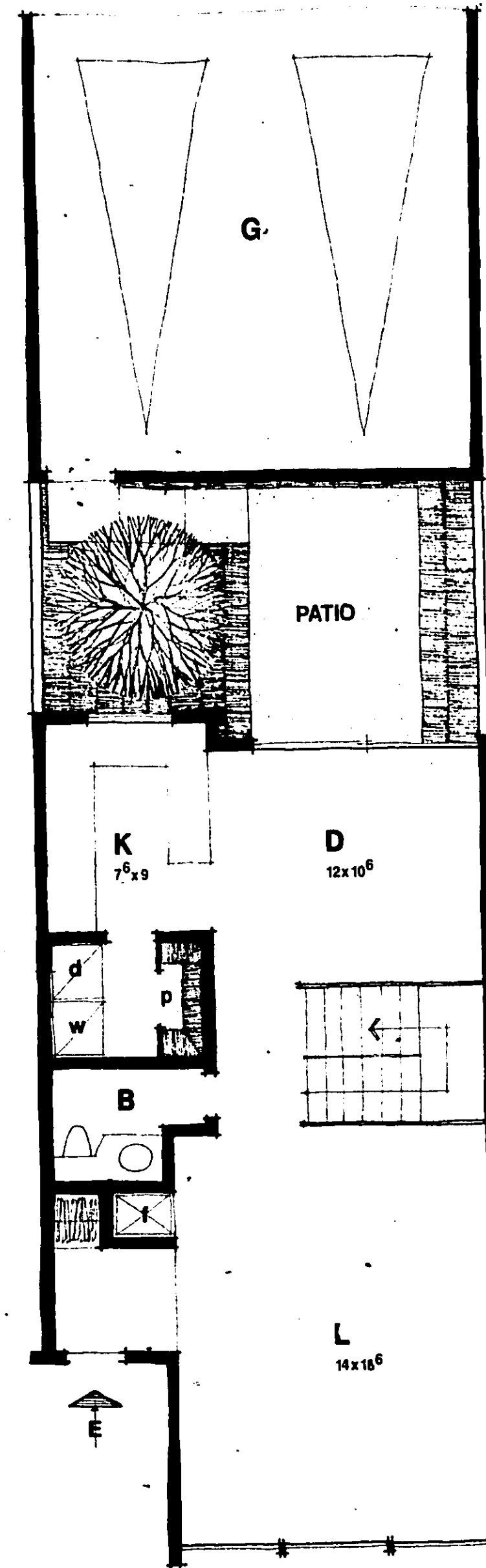


FIRST FLOOR

PLAN B
1102 SQ FT

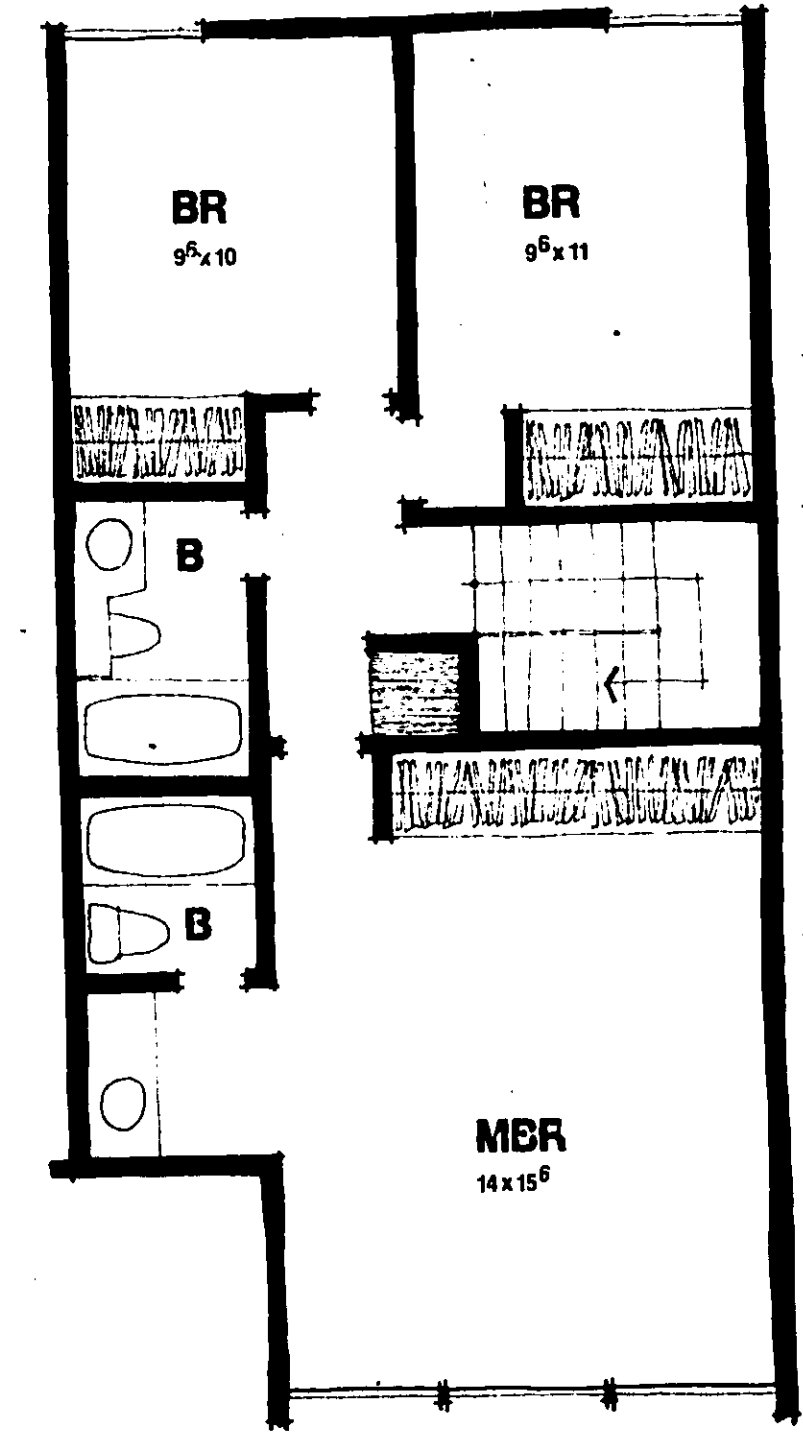


SECOND FLOOR



FIRST FLOOR

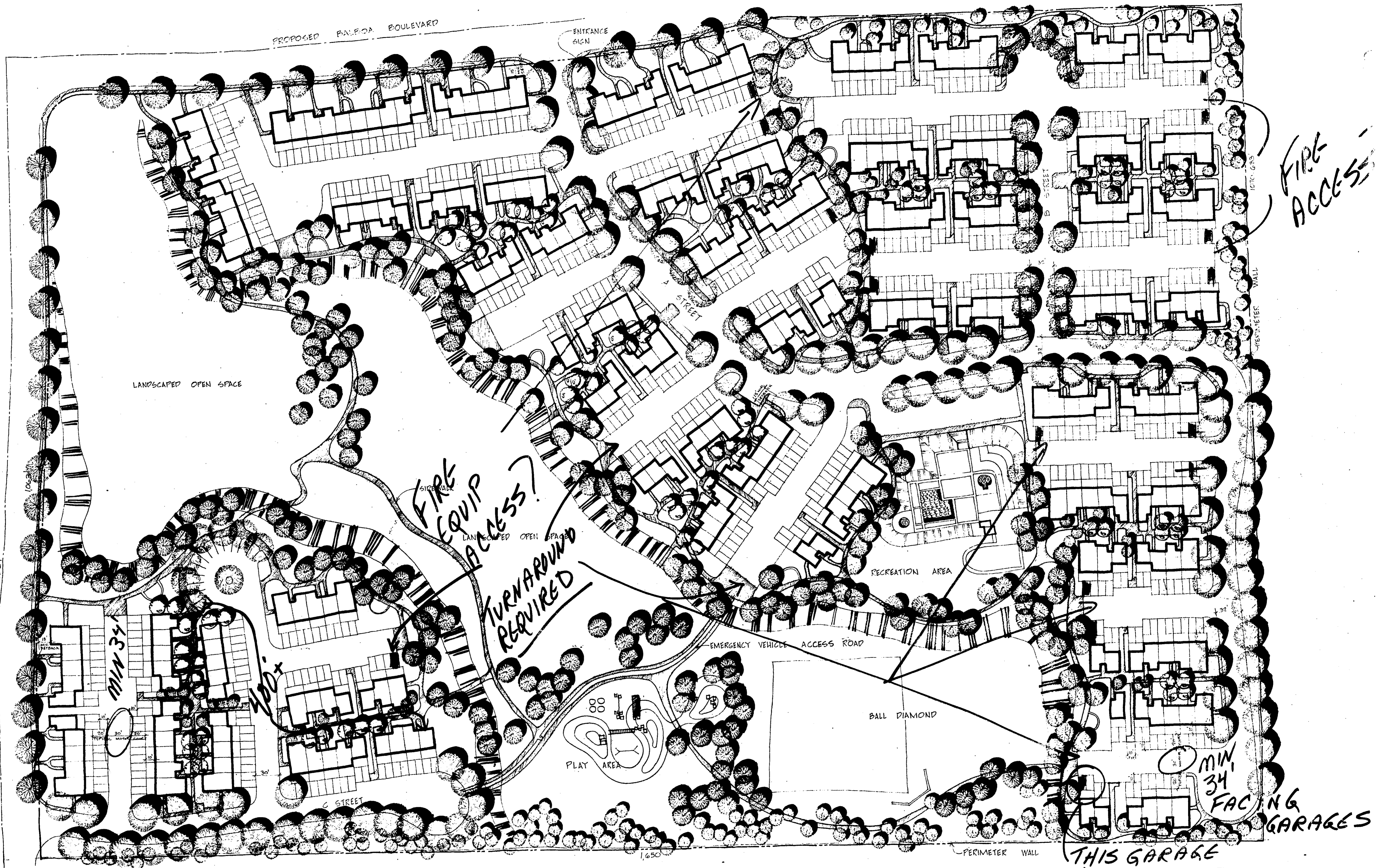
PLAN C
1409 SQ FT



SECOND FLOOR



UP
1621
4084



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LEADERSHIP HOUSING SYSTEMS, INC
 3501 S. HARBOR BLVD. SANTA ANA, CALIF. 92704

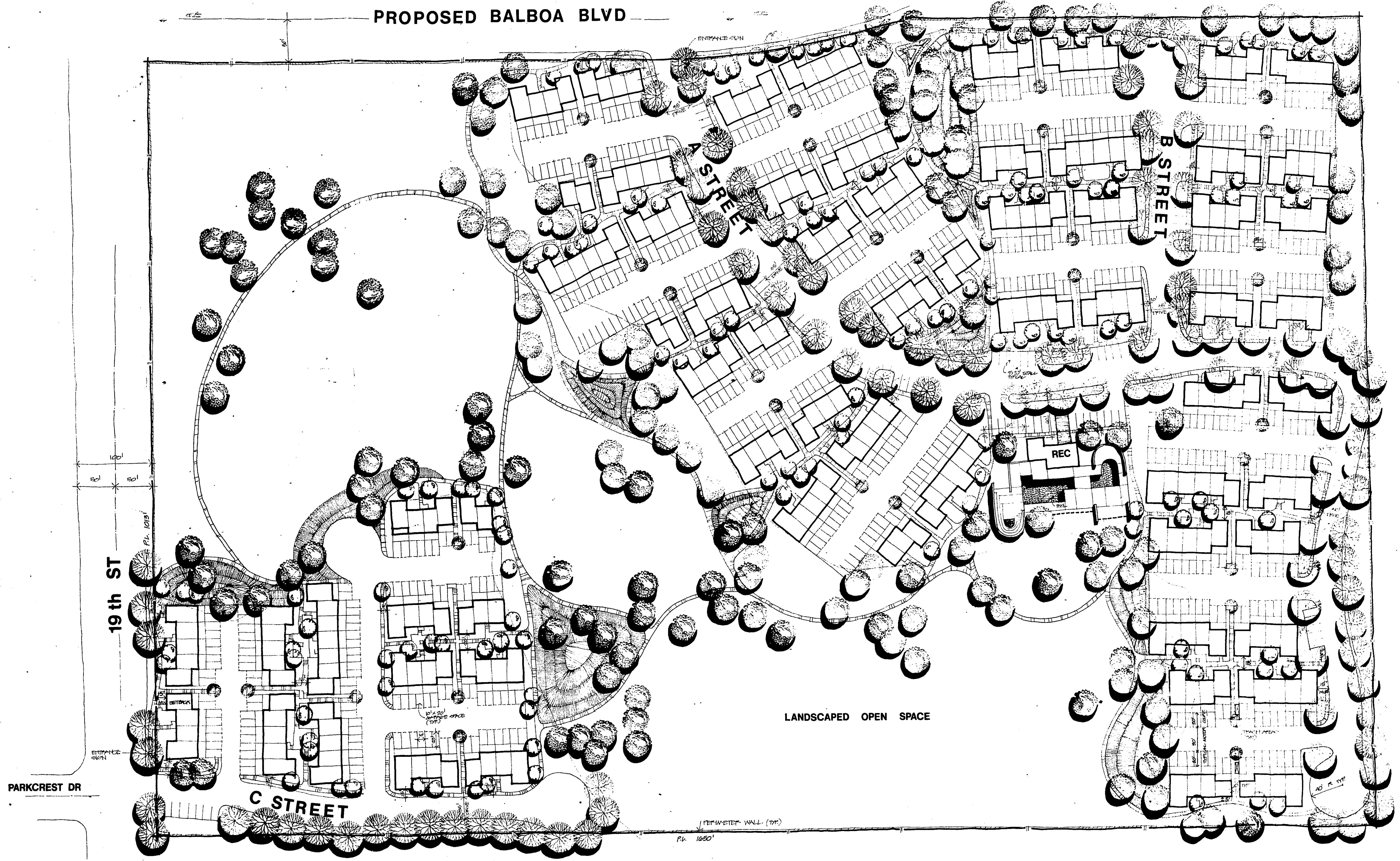
NEWPORT CONDOMINIUMS
 SCALE 1" = 40'
 TO UTILIZE 39.73

WHERE IS GUEST PARKING?
 MIN OF 1 PER 2 UNITS REQUIRED
 UP 1621 104

F1

(NB) 71

PROPOSED BALBOA BLVD



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 17851 Skypark Circle
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 3501 S HARBOR BLVD, SANTA ANA, CALIF. 92704

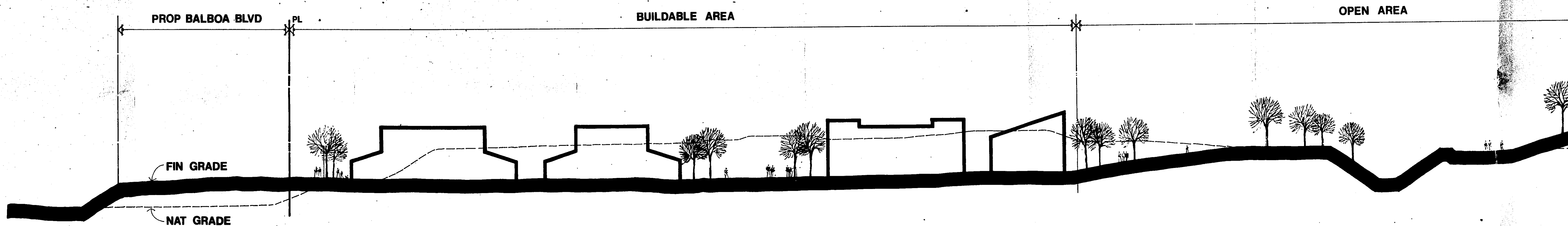
NEWPORT
 SCALE 1" = 40'

CONDOMINIUMS

UP
 1621

2069

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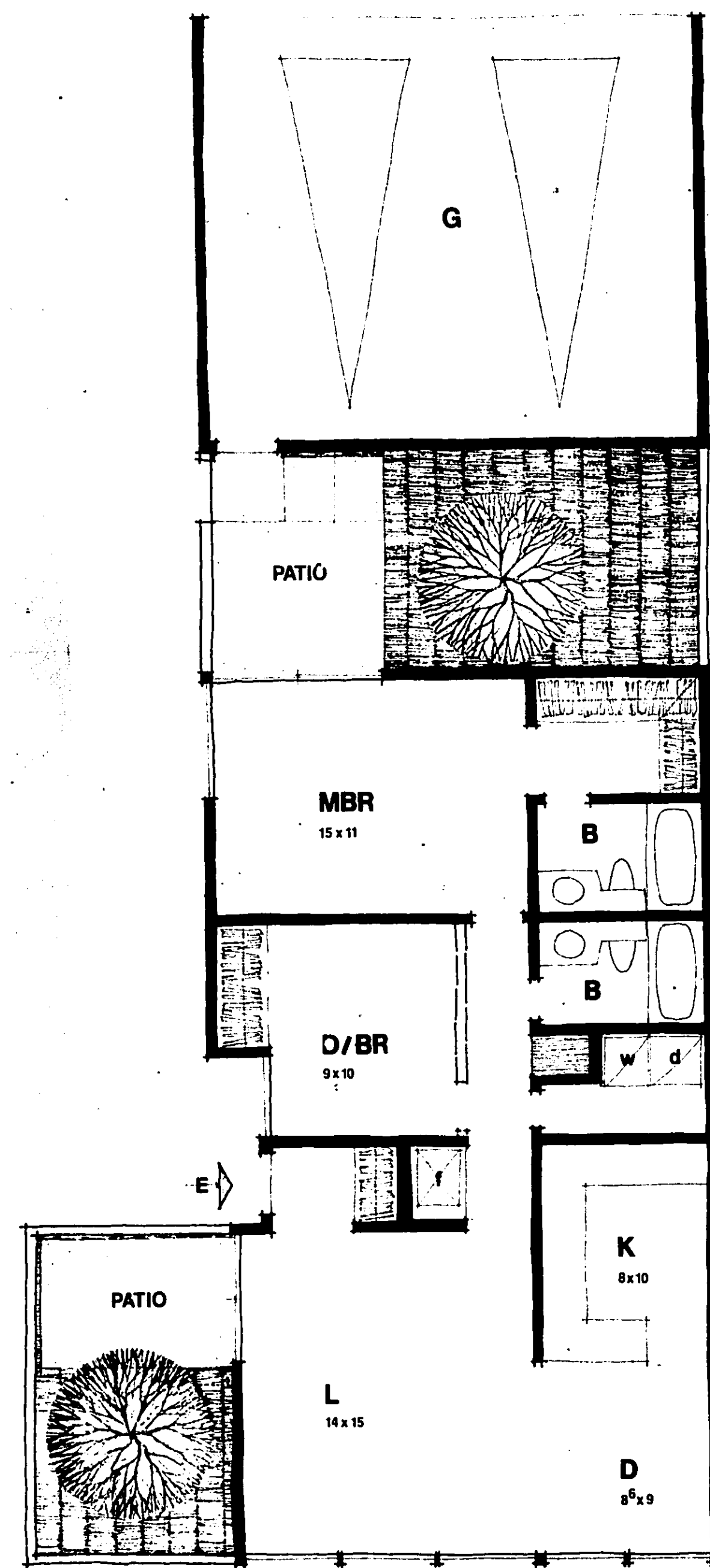


**Stewart Woodard
& Associates
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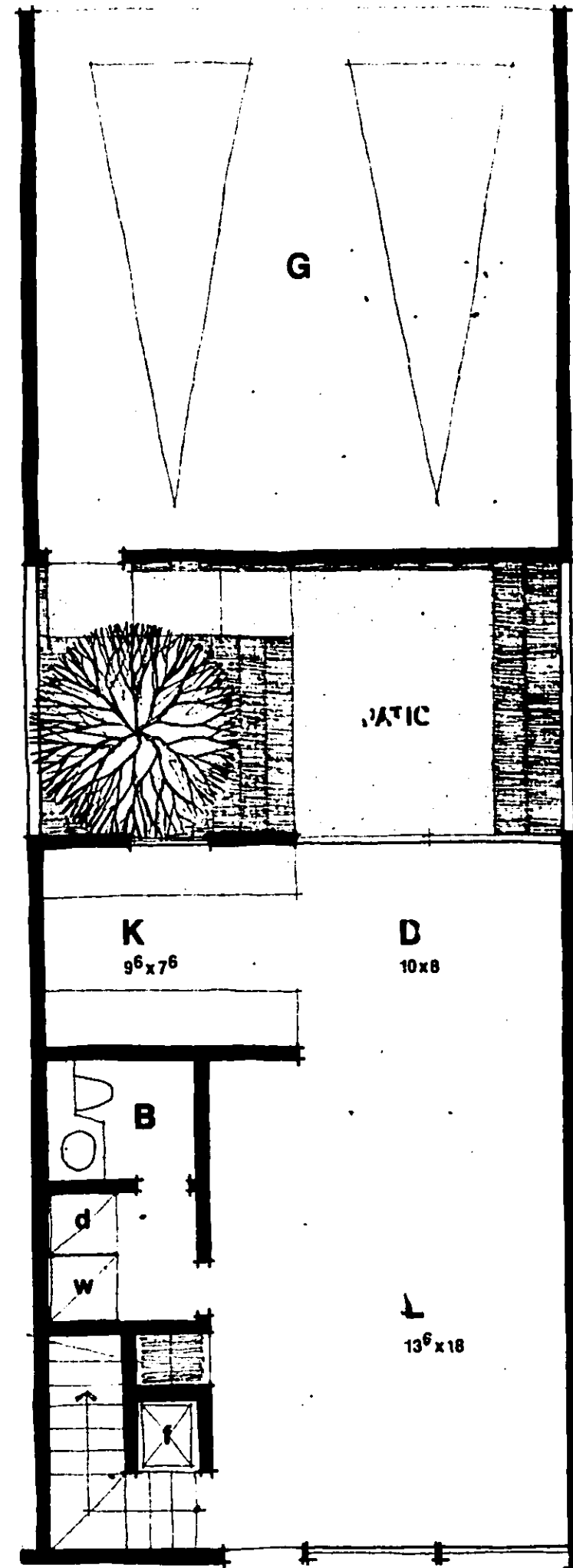
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LEADERSHIP / NEWPORT CONDOMINIUMS

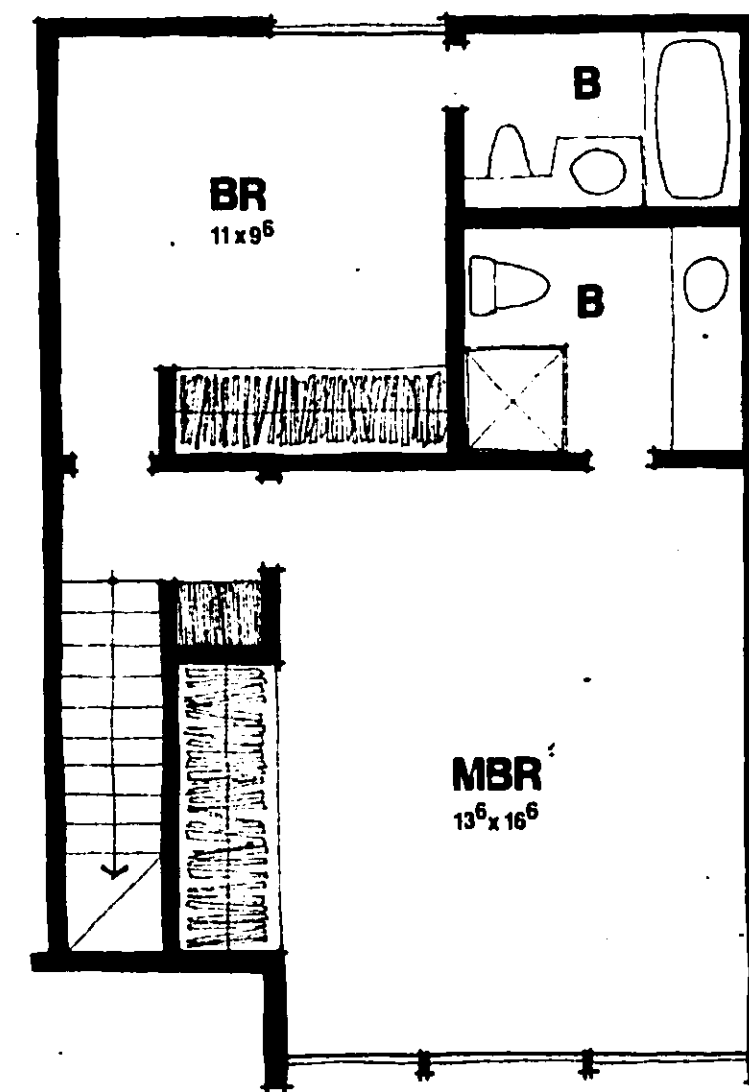
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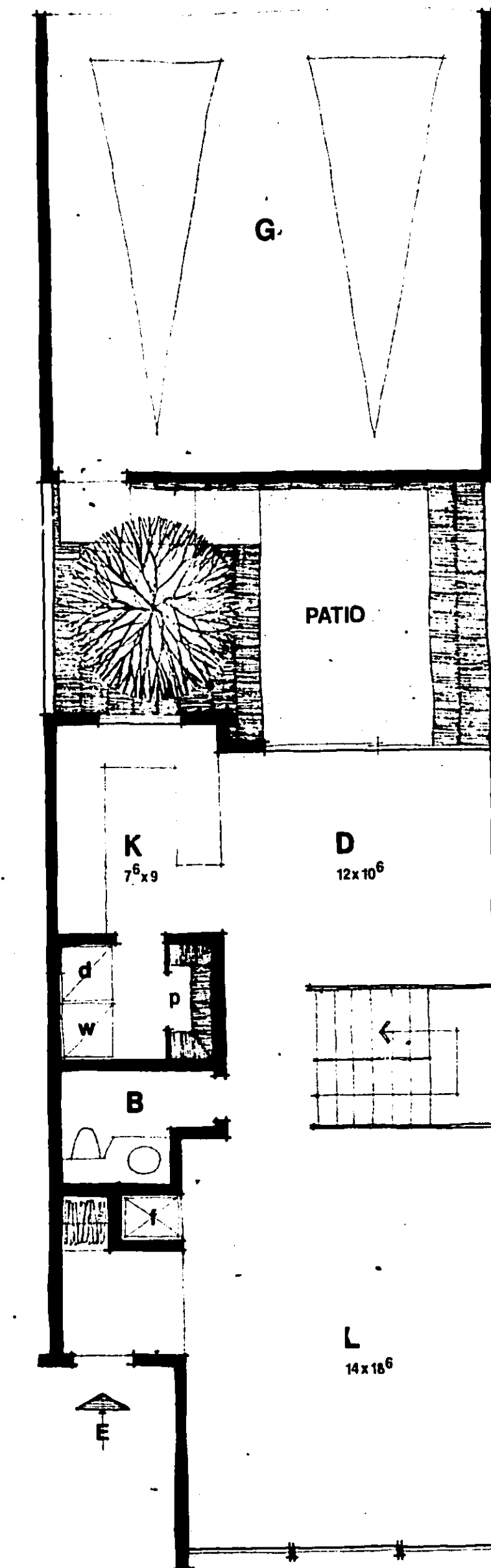
PLAN A
960 SQ FT



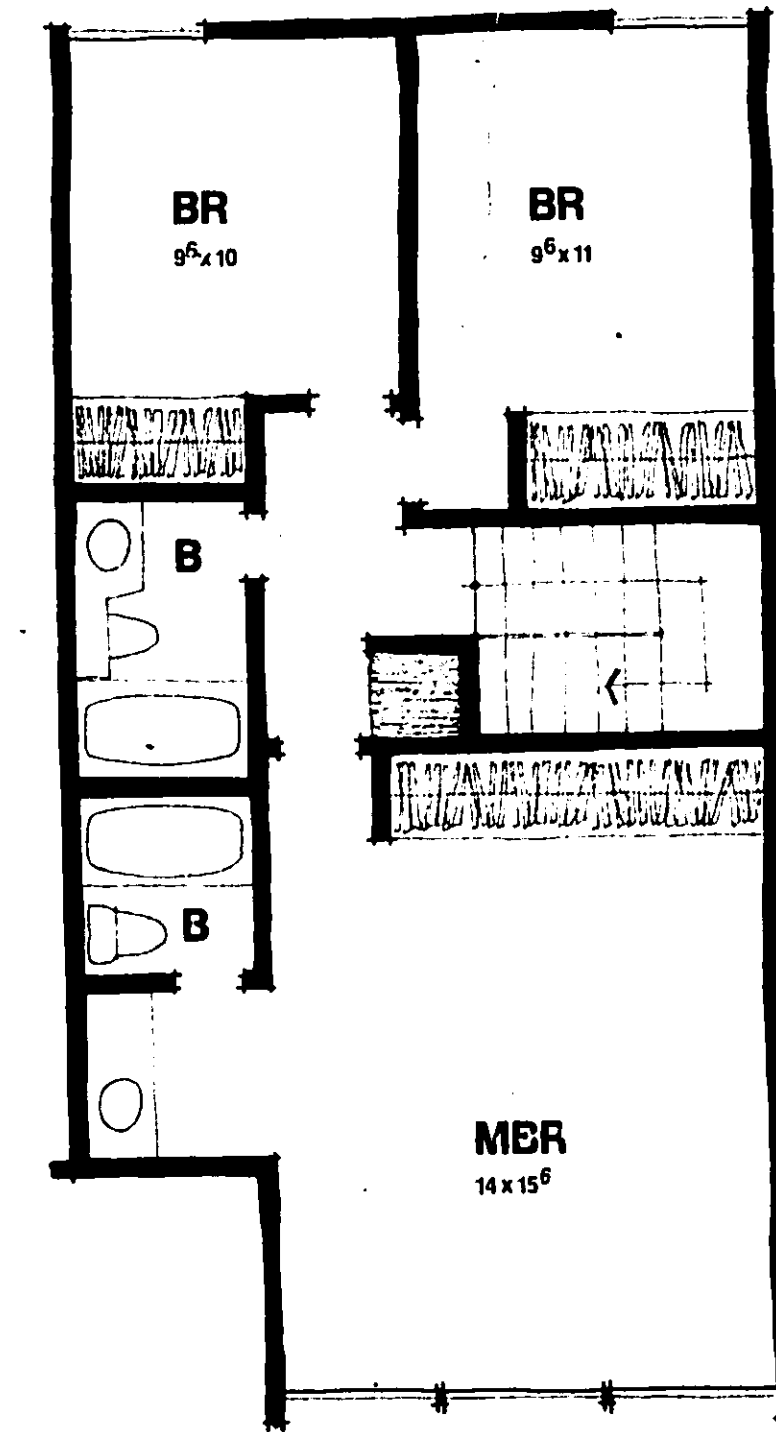
FIRST FLOOR



SECOND FLOOR



FIRST FLOOR



SECOND FLOOR



UP
1621
4084