

**CITY OF NEWPORT BEACH
PLANNING COMMISSION STAFF REPORT**

July 21, 2016 Meeting
Agenda Item 3

SUBJECT: 150 Newport Center Residential Project (PA2014-213)
150 Newport Center Drive

- General Plan Amendment No. GP2014-003
- Code Amendment No. CA2014-008
- Planned Community Development Plan No. PC2014-004
- Site Development Review No. SD2014-006,
- Tentative Tract Map No. NT2015-003 (County Tentative Tract Map No. 17915)
- Development Agreement No. DA2014-002
- Environmental Impact Report No. ER2015-002

APPLICANT/OWNER: Newport Center Anacapa Associates, LLC

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PROJECT SUMMARY

The proposed project consists of the demolition of an existing 8,500-square-foot car-wash, convenience market, and gas station to accommodate the development of a 6-story 45-unit residential condominium building with three levels of subterranean parking. The applicant, Newport Center Anacapa Associates, LLC, requests the following approvals:

- **General Plan Amendment** - to change the land use category from CO-R (Regional Commercial Office) to RM (Multi-Unit Residential) and establish an anomaly (Table LU2) designation for 45 dwelling units.
- **Zoning Code Amendment** - to change the Zoning District designation from OR (Office Regional Commercial) to PC (Planned Community District) over the entire site.
- **Planned Community Development Plan** - to establish a planned community development plan (PC) over the entire project site that includes development and design standards for 45 residential condominium units. The request also includes a City Council waiver of the minimum site area of 10 acres. A height limit of 65 feet 6 inches with mechanical appurtenances up to 69 feet 6 inches is requested.
- **Site Development Review** - to allow the construction of 45 multi-family dwelling units.
- **Tentative Tract Map** - to establish a 45-unit residential condominium tract on a 1.3 acre site.
- **Development Agreement** - review of a proposed development agreement that would provide public benefits should the project be approved.

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- **Environmental Impact Report (EIR)** - to address reasonably foreseeable environmental impacts resulting from the legislative and project specific discretionary approvals, the City has determined that an Initial Study and Environmental Impact Report (EIR) are warranted for this project pursuant to the California Environmental Quality Act (CEQA).

RECOMMENDATION

- 1) Conduct a public hearing;
- 2) Discuss the proposed residential land use, relevant General Plan Policies, Planned Community waiver of the 10-acre minimum, and project height. Planning staff believes the proposed residential land use and Planned Community waiver of the 10-acre minimum are appropriate for this location. A reduced project height is recommended at 55 feet to the top of roof (61-ft with appurtenances); and
- 3) Continue the item to the August 4, 2016, Planning Commission Meeting for further discussion.

INTRODUCTION

Analysis of the proposed project is considered in three segments: A) land use amendments, which include the General Plan, Zoning, and Planned Community Development Plan, including the establishment of the 150 Newport Center Planned Community; B) a waiver of the Planned Community 10-acre minimum; and C) proposed project height. A discussion of project specific considerations including compliance with the California Environmental Quality Act (CEQA), Site Development Review, and Tentative Tract Map will be provided for the August 4, 2016, Planning Commission Meeting.

DISCUSSION

Existing Land Use/Setting

150 Newport Center Drive is located within the Newport Center area, presently occupied by a car wash with an ancillary service station and convenience market. The Property consists of a single parcel, which is 54,716 square feet (1.3 acres) and an ingress/egress access easement to the south of the Property. The Property is currently developed with an 8,500-square-foot car wash with ancillary convenience market and service station. On August 6, 1970, the Planning Commission approved Use Permit No. UP1461 for the construction of an automatic car wash with gasoline sales.

The General Plan land use designation for the property is CO-R (Regional Commercial Office), (8,500 square feet maximum under Anomaly No. 35) and is the subject of the

proposed land use amendment to allow residential uses in the area. The existing CO-R land use designation is intended to provide for administrative and professional offices that serve local and regional markets, with limited accessory retail, financial, service and entertainment uses. This land use designation is based on the existing car wash development, which is developed with an 8,500-square-foot building.

The site is located on the south side of Newport Center. To the north, across Newport Center Drive, is Fashion Island, a regional retail shopping center. Fashion Island restaurants, including Red-O and Fig & Olive, are located directly to the north across Newport Center Drive. To the east on the opposite side of Anacapa Drive (Block 200) are several office, retail, and service tenants. Edwards Big Newport Cinema and restaurants such as Muldoon's Irish Pub are directly across the street. To the south is an existing professional/medical office building located at 180 Newport Center Drive. To the west is Gateway Plaza which includes a series of six 2-story office buildings. The Gateway Plaza development shares driveway access with the subject property, where 150 Newport Center has a nonexclusive ingress/egress over the entire Gateway Plaza property as part of their grant deed. Access to the project site primarily occurs at the driveway immediately to the south of 150 Newport Center Drive.

Newport Center Background

The City's General Plan, approved in 2006, describes the City's overall vision and what the community hopes to have achieved by 2025. The General Plan establishes goals, policies, and development limits. Increases in development intensity beyond these limits require a review and recommendation from the Planning Commission and City Council approval through a General Plan amendment.

As described in the General Plan, "Newport Center is a regional center of business and commerce that includes major retail, professional office, entertainment, recreation, and residential in a master planned mixed-use development. While master planned, the principal districts of Newport Center/Fashion Island are separated from one another by the primary arterial corridors. Fashion Island is developed around an internal pedestrian network and surrounded by parking lots, providing little or no connectivity to adjoining office, entertainment, or residential areas."

Early in the 2006 General Plan Update Visioning process, a majority of residents and businesses supported little or no change to Newport Center, except for new hotels. However, some supported growth for existing companies, expansion of existing stores, and moderate increases for new businesses. Some participants favored mixed-use development and stressed the need for more affordable housing in particular. During development of the General Plan, public input reflected moderate to strong support for the expansion of retail and entertainment uses in Fashion Island, including the development of another retail anchor. Ultimately, the General Plan was approved by the voters with increases in development limits.

Several transfers of development rights and Planned Community text amendments have been approved since the General Plan adoption in 2006. For example, one of these amendments and transfers incorporated Block 100 into the PC-56 (North Newport Center Planned Community) in 2009. At this time, the height limit for the interior portion of Block 100 was raised to 50 feet with an additional 10 feet for mechanical appurtenances.

Measure Y was a proposed update to the City of Newport Beach General Plan Land Use Element, Glossary, and Implementation Program (Amendment) in 2014. The Amendment was intended to alter, intensify, and redistribute land uses in certain subareas of the City, including major areas such as Newport Center/Fashion Island, Newport Coast, and the area near John Wayne Airport. Measure Y also included Land Use Element Policy revisions related to land use changes in support of recent neighborhood revitalization efforts and other updates/refinements. Since the Amendment exceeded Charter Section 423 thresholds, the Land Use Element Amendment was placed on the ballot as Measure Y. On November 4, 2014, the voters denied Measure Y in a 30.8% yes to 60.2% no result.

Remaining unbuilt development in Newport Center (Statistical Area L1) consists of five unbuilt dwelling units and 27 hotel rooms, which are previously entitled as part of the Newport Beach Country Club project (PA2008-152), and a minimal amount of nonresidential floor area. The proposed General Plan amendment would add 45 additional dwelling units to the General Plan within Statistical Area L1 and would result in an additional residential land use at the most southerly portion of Newport Center where the development pattern is currently dominated by commercial uses.

Land Use Amendments

Prior to considering project specific design, the Planning Commission should consider whether the project site is appropriate for residential development. Amendments to the General Plan Land Use Plan and Zoning Code as well as the establishment of a Planned Community Development Plan are legislative acts. Neither City nor State Planning Law sets forth required findings for approval or denial of such amendments. However, when making a recommendation to the City Council, the Planning Commission should consider applicable goals and policies to ensure internal consistency with the General Plan. The subsequent sections analyze consistency with the General Plan goals and policies, Charter Section 423, SB-18, and AB-52 (Tribal Consultation Guidelines), and the proposed Planned Community Development Plan.

Proposed Land Use

The applicant requests to amend the General Plan designation for the property at 150 Newport Center Drive from the existing OR (Office Regional Commercial) designation to a RM (Multiple Residential) designation, establishing an anomaly in Table LU2 of the General Plan for 45 additional dwelling units in Statistical Area L1 (Refer to Attachment No. PC 1 for an exhibit of the proposed land use change). The proposed RM land use

designation is intended to provide primarily for multi-family residential development containing attached or detached dwelling units. The resulting density is approximately 35.7 dwelling units per acre. The applicant's goal of the proposed land use amendment is to create a residential community that supports the vibrancy of the existing retail and professional office uses in Newport Center.

Land Use Goals and Policies

The General Plan identifies Newport Center/Fashion Island as a sub-area that includes goals and policies specific to this area. Goal LU 6.14 of the General Plan states Newport Center is intended to provide:

“A successful mixed-use district that integrates economic and commercial centers serving the needs of Newport Beach residents and the subregion, with expanded opportunities for residents to live close to jobs, commerce, entertainment, and recreation, and is supported by a pedestrian-friendly environment.”

The proposed land use amendment is in furtherance of this goal by providing additional opportunities for residents to live close to existing jobs, commerce, entertainment, and recreation in Newport Center. The property's location directly across the street from Fashion Island particularly lends itself towards this goal. Residential development at this location would provide a pedestrian-friendly environment by placing these uses within easy walking distance of each other.

The proposed project would add residential units beyond the development limits specified in the current General Plan but would act in furtherance of the overall goal of Newport Center to provide opportunities for residents to live in proximity to existing commercial, retail, and recreational uses. However, the proposed project would provide high-end residential dwelling units that do not necessarily act in furtherance of feedback received during the General Plan Visioning process that stressed the need for affordable housing in particular.

Figure 1. Newport Center Residential Development

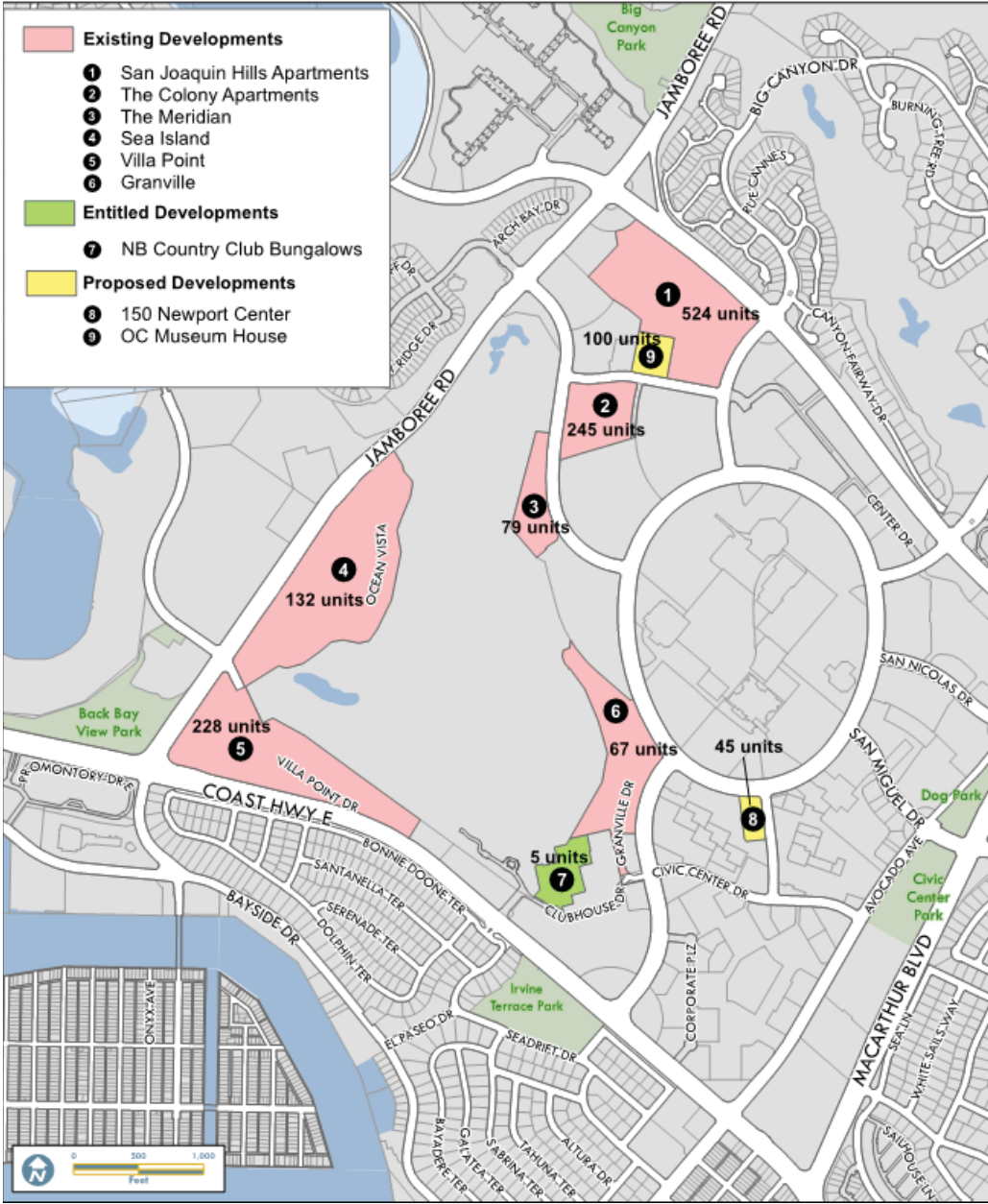


Figure 1 illustrates existing, newly developed/entitled, and proposed residential development in Newport Center Statistical Area L1. Since the 2006 General Plan Update was adopted, the economic market has experienced a strong market demand for new residential development in the Newport Center area, as evidenced by the development of the residential units authorized by the General Plan such as Meridian (79 du) and the San Joaquin Plaza Apartments (524 du also known as Villas at Fashion Island).

General Plan Policy LU6.14.2 (Newport Center [MU-H3, CO-R, CO-M, and RM designations), states:

“Provide for the opportunity for limited residential, hotel, and office development in accordance with the limits specified by Tables LU1 and LU2.”

Currently, only five undeveloped residential units remain under the General Plan limits that are entitled as part of the Newport Beach Country Club project. Due to market demand, new discretionary applications have been submitted by private developers requesting additional residential development in Statistical Area L1 of Newport Center. These requests include the subject application requesting 45 dwelling units as well as a request for 100 additional dwelling units at the existing Orange County Museum site (Location 9 on Figure 1).

Analysis of Proposed Land Use

Staff considered the impact of the proposed land use change on the ability to maintain and continue to provide for appropriate commercial and service uses in the Newport Center and the broader community. The existing development pattern in Newport Center is currently dominated by commercial and retail service uses. The loss of the subject property to this current commercial supply would not necessarily cause undue harm to the Newport Center area. There are other existing and proposed car wash developments throughout the City that would continue to serve the need for this service. For example, the nearest drive-through car wash in Newport Center is located at the Chevron Service Station at the southeast corner of Jamboree Road and San Joaquin Hills Road, with a second proposed car wash at the existing Shell Service Station located at the northeast corner of the same intersection. The current commercial land use and zone for the property do not limit the development of the property to its current use as a car wash. However, the existing 8,500-square-foot commercial development limit (0.16 FAR) under the General Plan is restrictive because it is based on the existing commercial development on the property.

Concentrating development in existing developed areas provides more opportunities for people to live near places they work and thereby reduces impacts to traffic in the broader community. Impacts would be reduced by having a more intense stock of housing located closer to employment, commercial, and recreational opportunities. This also has other cumulative benefits and would lead to less pressure to extend new development into undeveloped areas, which would prevent sprawl, preserve open space, and prevent adverse impacts to sensitive habitats. Concentrating development in developed areas where it can be accommodated would maintain and enhance development patterns in other areas of the City.

Additionally, the surrounding land uses should be considered. Residential and commercial uses within proximity of each other are a common development pattern throughout the City and typically operate in a compatible manner. Disclosures would be

made to prospective buyers/tenants of residential developments that there is an expectation for noise levels higher than in typical suburban residential areas as part of the Mixed-Use concept within Newport Center. Disclosures indicate that there is an expectation for lighting, odors, and similar occurrences in a mixed-use setting as compared to suburban residential areas.

The goal laid out in the General Plan for Newport Center is to expand opportunities for residents to live close to jobs, commerce, entertainment and recreation, supported by a pedestrian-friendly environment. The proposed residential community would be consistent with this goal, by providing a residential use that creates a strong sense of place and connection to the surrounding resources in the Newport Center area. As a result, staff suggests that the proposed residential land use is appropriate for this location and the goals set forth for the greater context of the Newport Center area.

Code Amendment/Planned Community-Waiver of Area Minimum

The Property is currently within the OR (Office Regional Commercial) Zoning District. The purpose of the requested amendment is to establish a Planned Community (PC) Zoning District for the project site with site specific development standards and regulations. Refer to Attachment No. PC 2 for an exhibit of the proposed Zoning Map amendment. The establishment of a Planned Community Development Plan is regulated by [Chapter 20.56 \(Planned Community District Procedures\)](#). The project site is 1.26 acres in area. [Section 20.56.020 \(Area Requirements\)](#) of the Zoning Code identifies a minimum acreage requirement of 25 acres of unimproved land or 10 acres of improved land area for the establishment of a PC District. Under the provisions of this Section, the City Council may waive these minimum acreage requirements and establish the proposed PC.

When considering a waiver of the minimum acreage to establish a PC, there are no required findings established in the Zoning Code. However, it is important to consider the purpose for PCs set forth in [Section 20.56.010 \(Purpose\)](#) of the Zoning Code to understand whether the proposed Planned Community is appropriate within the greater context of the community:

- A. *“Classification and Development of Land. Provide for the classification and development of land as coordinated, comprehensive projects in order to take advantage of the superior environment resulting from large-scale community planning.”*

As discussed in the land use analysis, the proposed residential land use would fit the context and vision for the Newport Center community and specifically Goal LU6.14. The placement of residential units in proximity to existing commercial office, retail, and recreation uses minimizes sprawl, reduces traffic impacts, and locates housing near jobs in Newport Center. The proposed planned community land use has been considered in the context of surrounding land uses and development standards by

coordinating a project as a component of the greater large-scale planning and vision already set forth by the General Plan and existing Zoning and Planned Communities in the Newport Center area.

- B. "Diversification of Uses. Allow diversification of uses as they relate to each other in a physical and environmental arrangement while ensuring substantial compliance with the spirit, intent, and provisions of this Zoning Code."*

The proposed introduction of residential land uses provides a diversification of the existing land uses in the southern portion of Newport Center, which is predominantly professional office, retail, service, and restaurants. This would allow for integration of new housing near jobs and services. Unlike other residential development in Newport Center, this project would be adjacent to Fashion Island rather than on the periphery. Office, restaurants, and other uses would be accessible by a short walk. The specific development standards proposed under the Planned Community Development Plan (Attachment No. PC 3) ensure substantial compliance with the spirit, intent, and provisions set forth for the multiple unit residential land use provisions of the Zoning Code, while fitting the proposed project into the greater context and more urban development pattern already present in Newport Center.

- C. "Development Plan and Text Materials. Include various types of uses, consistent with the General Plan through the adoption of a development plan and text materials that identify land use relationships and associated development standards. (Ord. 2010-21 § 1 (Exh. A)(part), 2010)."*

While the proposed residential land use is solely residential, the Planned Community emphasizes the connection and integration of the residential land use and its relationship with surrounding commercial development. The development plan and standards identify specific project components that will improve these relationships, such as careful consideration of each property edge condition and improvement of the pedestrian experience along each of the street frontages.

Properties to the east are located in the standard OR (Office Regional Commercial) Zoning District as well as the other three corners of Block 100.

Incorporating the proposed project into the existing Newport Center Planned Community was considered. A large majority but not all of the Newport Center area falls under the single ownership of Irvine Company. These properties are encompassed within 170.3 acres that comprise the PC-56 (North Newport Center Planned Community) Zoning District. The North Newport Center Planned Community district is comprised of seven sub-areas that include Fashion Island, Block 600, Block 800, and portions of Block 100, Block 400, Block 500, and San Joaquin Plaza. Residential uses are included in this Planned Community and have been constructed as part of San Joaquin Plaza and portions of Block 800 (The Colony).

After considering this possibility, staff rejected the option of incorporating the 150 Newport Center project into the PC-56 (North Newport Center Planned Community) Zoning District in favor of the opportunity to create more specific and clear development standards applicable to the proposed development. A separate set of development standards eliminates confusion between the other existing residential developments and creates a more enforceable and specific set of standards that are applicable to the project site.

The greater context of the development pattern and development standards of the surrounding North Newport Center Planned Community were carefully considered in the drafting of the proposed 150 Newport Center Planned Community. For example, density, height and open space standards are generally consistent with the residential areas of North Newport Center. The North Newport Center standards were reviewed as examples for the proposed standards set forth in the proposed Planned Community Development Plan (Attachment No. PC 3). Further detail with regard to the proposed development standards will be provided as part of the August 4th Planning Commission staff report.

In summary, the Planned Community should ensure broader coordination and consistency with the surrounding neighborhood, including a higher level of architectural quality supporting an urban living environment with pedestrian connectivity. The 150 Newport Center Planned Community would provide for a comprehensively designed residential project that creates a mixed-use environment in the southern portion of Newport Center and is generally consistent with the residential development standards of the PC-56 (North Newport Center Planned Community). Thus, staff suggests that the Planning Commission recommend the City Council approve a waiver of the minimum site area in order to establish the proposed Planned Community for the 150 Newport Center project.

Building Height in Newport Center

A variety of building heights in Newport Center are allowed by General Plan and implemented through Planned Communities, the Zoning Code, and discretionary approvals. The guiding policy for building height in Newport Center is General Plan Policy LU6.14.4 Development Scale, which states the following:

“Reinforce the original design concept for Newport Center by concentrating the greatest building mass and height in the northeasterly section along San Joaquin Hills Road, where the natural topography is highest and progressively scaling down building mass and height to follow the lower elevations toward the southwesterly edge along East Coast Highway. (Imp 2.1, 3.1, 4.1)”

Attachment Nos. PC 4, 5, and 6 provide exhibits that demonstrate the height limits and the height of existing development (based on original building permits and LiDar data) in the southerly half of the Newport Center area. Existing building heights within Newport

Center range from 15 feet 8 inches (subject property) at the south end up to 300 feet in height at the end of Newport Center. Height limits range between 28 feet at the south end up to 300 feet at the north end.

At the southerly half of Newport Center (Blocks 100 and 200), where building mass and height is intended to scale down to lower elevations according to the General Plan Policy, existing building heights range between 15 feet 8 inches (subject property) and 74 feet 4 inches (260 Newport Center Drive). Height limits range from 28 feet for flat roofs (Granville Residential Community) up to 60 feet (Block 100, including 10-foot mechanical appurtenances). Several nonconforming buildings currently exceed the 32-foot height limit established within Block 200 including:

- 1333 Avocado Avenue- (32' 8")
- 1367 Avocado Avenue- (34' 6")
- 210 Newport Center Drive-Edwards Cinema (42' 6" building, 52' appurtenances)
- 230 Newport Center Drive- (48')
- 250 Newport Center Drive- (43' 2.5")
- 260 Newport Center Drive- Shea Building (74' 4")
- 359 San Miguel Drive- (46' 6")
- 366 San Miguel Drive- (34')
- 369 San Miguel Drive- (40' 10")

These existing nonconforming buildings range from 32 feet 8 inches up to 74 feet 4 inches in height. To the north, the height limits of nearby mall buildings in Fashion Island are 75 feet where mechanical appurtenances are permitted an additional 10 feet. Additionally, major buildings in Fashion Island are permitted up to 125 feet in height where mechanical appurtenances are permitted an additional 10 feet.

The height limit of the interior portion of Block 100 is 50 feet where mechanical appurtenances are also permitted an additional 10 feet. This portion of the block is located within the North Newport Center Planned Community. The other corners of Block 100 have a 32-foot flat roof height limit with 37 feet for a sloping roof. The existing building at 180 Newport Center Drive is nonconforming and exceeds the existing 32-foot height limit at 38 feet 3 inches.

The scaling down of building height and mass in Newport Center is relative, where the height limits at the south end range from 28 feet up to 74 feet 4 inches. The applicant proposes a building that is 65 feet 6 inches in height to the top of the roof with mechanical appurtenances that extend up to 69 feet 6 inches.

The following table provides a comparison of existing building heights and height limits for other residential properties in Newport Center (Statistical Area L1):

Table 1. Residential Development in Newport Center (Statistical Area L1)

Residential Development	Height Limit	Actual Height	Dwelling Units
Granville	28'/33'	18'	67 du
Villa Point	32'	2-3 stories	228 du
Sea Island	32'/37'	2 stories	132 du
The Colony***	200'	50'+(appurtenances)	245 du
Meridian***	65'	65'	79 du
San Joaquin Plaza***	65'	65'	524 du
NB Country Club*	31'	N/A	5 du
150 Newport Center**	69'6"	69'6"	45 du
Museum House**	300'	295'	100 du

* entitled

** proposed

***communities in the North Newport Center Planned Community are measured from finished floor elevation

It should be noted that both of these existing residential developments are located at the northwest portion of Newport Center. Existing multi-family residential building heights range from 18 feet up to 65 feet in height in Newport Center and height limits range from 28 feet up to 200 feet in height. The applicant is requesting a building height of 65 feet 6 inches to the top of the roof (six stories) with mechanical appurtenances up to 69 feet 6 inches (Project plans are provided as Attachment No. PC 11). This height is similar to that of the recently constructed Meridian and San Joaquin Plaza Apartments. Elevator overrides and other mechanical appurtenances would be centralized toward the center of the building footprint and their visibility would be minimized from the street frontage.

Recommended Building Height

After reviewing the existing building heights and height limits in the surrounding area at the south end of Newport Center, staff recommends a reduced project height of 55 feet to the top of the roof (five stories) with mechanical appurtenances up to 61 feet. This alternative creates greater equity with the height limit of 50 feet with mechanical appurtenances up to 60 feet established for the majority of Block 100. This alternative retains the same number of dwelling units (45) but increases the footprint of the building resulting in a shorter more squat building. The applicant has noted that this design removes several amenities for residents that are available in the taller alternative such as a lounge, work-out room, and catering facility. The applicant has provided a site plan and elevation of staff's recommended alternative (Attachment No. PC 12).

The recommended reduced building height alternative at 5 stories results in a shorter building with a larger building footprint over the 1.26 acre property. The existing FAR for

the property is 0.15. Table 2 below provides a comparison of building setbacks and resulting FARs for each building height alternative.

Table 2. Comparison of Building Setbacks

	NCD Setback	Anacapa Setback	South Driveway Setback	Westerly Setback	FAR
Requested 6-story	24 feet	22 feet 6 inches	22 feet	15 feet	2.58
basement	15 feet	15 feet	15 feet	0 feet	
Reduced 5-story	15 feet	15 feet	15 feet	10 feet	2.59
basement	15 feet	15 feet	7 feet	0 feet	

Building setbacks are shortened under the reduced project alternative, although basement level setbacks would remain the same. The reduced building alternative from 6-stories down to 5-stories results in a proportionately longer and lower building. This creates a different product type that is more evocative of the lower office buildings found on surrounding properties in Block 100.

General Plan Policy LU 1.6, Public Views, states,

“Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points. (Imp 1.1)”

City policies protect public views and do not protect views from private property. The project site is not subject to Sight Plane View Ordinance No. 1371 that applies to properties to the south across Civic Center Drive. The project does not inhibit designated coastal view corridors along Newport Center Drive and MacArthur Boulevard as identified in Figure NR3 of the General Plan. The project applicant has provided view simulations of the proposed height contemplated in the EIR (75 feet 6 inches with appurtenances to 83 feet 6 inches) taken from these locations. Refer to these view simulations provided as Attachment No. PC 7. While the building may be visible from MacArthur Boulevard, it would not restrict coastal views of the ocean as vehicles travel southwest toward the Ocean. The building is comparable in building height and elevation to the existing office development located at 260 Newport Center Drive where the proposed project height is one level lower than this building at 65 feet in height.

Height Findings

[Section 20.30.060.C.3 \(Height Limits and Exceptions, Required Findings\)](#) requires findings to be made to adopt a Planned Community District with an increase in the height of the structure above the base height limit:

- “a. The project applicant is providing additional project amenities beyond those that are otherwise required. Examples of project amenities include, but are not limited to:*
- i. Additional landscaped open space;*
 - ii. Increased setback and open areas;*
 - iii. Enhancement and protection of public views; and*
- b. The architectural design of the project provides visual interest through the use of light and shadow, recessed planes, vertical elements, and varied roof planes;*
- c. The increased height will not result in undesirable or abrupt scale changes or relationships being created between the proposed structure(s) and existing adjacent developments or public spaces. Where appropriate, the proposed structure(s) provides a gradual transition to taller or shorter structures on abutting properties; and*
- d. The structure will have no more floor area than could have been achieved without the approval of the height increase.”*

In this case, staff believes that required findings can be made to authorize an increased height limit up to 55 feet with mechanical appurtenances up to 61 feet in height. The building design continues to provide a high level of design with open space, landscape, residential amenities, and building setbacks that are greater than what would be required under the RM standards of the Zoning Code and similar to the North Newport Center Planned Community. Additionally, minimum 15-foot setbacks along the street frontages would be maintained, consistent with the current OR development standards. The project does not negatively affect existing public views. Basement level setbacks would occur largely below grade and would not be immediately visible from the street frontage along Newport Center Drive and Anacapa Drive. The architectural design provides a significant amount of articulation with its two enclave design to fit with the context of surrounding office buildings in the Newport Center area. The residential use would not appear out of character and would utilize a building height limit similar to those applied to other properties in Block 100 of Newport Center. The reduced building height would also fit into the context of surrounding development at the south end of Newport Center, where nonresidential building heights range from 20 feet up to 74 feet 4 inches in height. Finally, the proposed floor area for the project would conform to the limit established through adoption of the 150 Newport Center Planned Community Development Plan.

Airport Land Use Commission

John Wayne Airport is located approximately 3.6 miles north/northeast of the Project site and is the nearest public airport. As detailed in the Airport Environs Land Use Plan (AELUP) for JWA, the northerly one third of the Project site is located within the AELUP Part 77 Notification Area for JWA. The Project site is located approximately 19,200 feet from the nearest point of the JWA runway. By applying the imaginary surface slope of 100:1, at this distance from the runway, the Project would not penetrate the imaginary

surface extending 100 feet outward and one foot upward (slope of 100:1) from the JWA runway at a height of 191 feet. Therefore, the Project does not fall within the AELUP Airport Planning Area and does not require ALUC review. Additionally, the building would be 69 feet 6 inches in height, so FAA notification is not required because the structure does not exceed 200 feet in height.

Charter Section 423 (Measure S) Analysis

Pursuant to City Charter Section 423 and Council Policy A-18, an analysis must be prepared to establish whether a proposed General Plan amendment (if approved) requires a vote by the electorate. The amendment would be combined with 80 percent of the increases in traffic, dwelling units, and non-residential floor area allowed by previous General Plan amendments (approved within the preceding 10 years) within the same statistical area. The following thresholds are applicable: 100 dwelling units, 100 a.m. peak hour trips, 100 p.m. peak hour trips, or 40,000 square feet of non-residential floor area. If any of the thresholds are exceeded and the City Council approves the requested General Plan Amendment, the Amendment would be classified as a “major amendment” and be subject to voter consideration. Approved amendments, other than those approved by the electorate, are tracked for 10 years and factored into the analysis of future amendments within the same statistical area as indicated.

The project site is located within Statistical Area L1 of the General Plan Land Use Element, and would result in an increase of 45 dwelling units to establish an anomaly in Table LU2 as shown in Attachment No. PC 1. There have been two prior amendments approved within Statistical Area L1 since the 2006 General Plan Update (GP2010-004). The first amendment changed the land use designation to accommodate the new Civic Center and Park Site under General Plan Amendment No. GP2008-009. The second amendment authorized the Newport Beach Country Club to construct a new 21,000-square-foot clubhouse under General plan Amendment No. GP2008-005. Neither of these prior amendments included projects which added new dwelling units to this statistical area.

There are currently 100 units remaining in Statistical Area L1 toward the threshold for a vote of the electorate. Based on the trip generation rates contained in the Council Policy A-18 (commercial blended rate for the existing use and luxury condominium/townhouse rate for the proposed use), the proposed amendment is forecast to result in an increase of 2 a.m. peak hour trips and an overall reduction of p.m. peak hour trips. There would be no addition of nonresidential floor area with the amendment. Table 3 summarizes the changes created by the proposed amendment with the proposed 45 dwelling unit anomaly designation. The table also shows threshold totals under Charter Section 423. As indicated, none of the thresholds specified by Charter Section 423 would be exceeded, and therefore, a vote would not be required. The current Section 423 table before the proposed Amendment is provided as Attachment No. PC 8.

Table 3: Charter Section 423 Analysis Summary Statistical Area L1				
	Increase in Allowed Floor Area (sq. ft.)	Increase in A.M. Peak Hour Trips	Increase in P.M. Peak Hour Trips	Increase in Allowed Dwelling Units
GP2014-003 (PA2014-213) 150 Newport Center Drive	0	2	0	45
Prior Amendments (80%)				
1. Civic Center GP2008-009 (PA2008-182)	0	0	0	0
2. NB Country Club GP2008-005 (PA2008-152)	21,000	0	0	0
TOTALS	16,800	2	0	45
Section 423 Thresholds	40,000	100	100	100
Vote	No	No	No	No

If the proposed General Plan amendment is approved by City Council, this amendment will become a prior amendment and 80 percent of the increases will be tracked for 10 years.

AB52 and SB18-Tribal Consultation Guidelines

Pursuant to Section 65352.3 (SB18) of the California Government Code, a local government is required to contact the appropriate tribes identified by the Native American Heritage Commission (NAHC) each time it considers a proposal to adopt or amend the General Plan. If requested by any tribe, the local government must consult for the purpose of preserving or mitigating impacts to cultural resources. The City received comments from the NAHC indicating that eight tribal contacts should be provided notice regarding the proposed amendment. The tribal contacts were provided notice on March 18, 2015, Section 65352.3 of the California Government Code requires 90 days prior to Council action to allow tribe contacts to respond to the request to consult. The City was not contacted by any tribal contacts during this 90-day period.

Pursuant to Section 21080.3.1 (AB52) of the California Government Code, a local government is required to consult with California Native American tribes that have requested in writing to be informed of proposed project in the geographic area that is traditionally and culturally affiliated with the tribe. Two tribes have requested notification in writing. The tribal contacts were provided notice on January 11, 2016. Section 21080.3.1 of the California Government Code requires 30 days prior to Council action to allow tribe contacts to respond to the request to consult and neither tribe responded to the formal notification letter requesting consultation for this project during the 30 day period. A letter was later submitted as a comment to the DEIR from the Gabrieleno Band of Mission Indians-Kizh Nation on May 25, 2016, requesting that a monitor from their tribe oversee ground disturbing construction work. The response to comments on

the DEIR suggest allowing a monitor on-site to watch over ground disturbing construction work, consistent with Historical Resources Policy HR2.2 (Grading and Excavation Activities). However, the applicant would not be required to contract with a specific monitor during construction activities on-site. The monitor will be required to be certified consistent with City Council Policy K-5 (Archaeological Guidelines).

Environmental Review

Prior to making a recommendation on the proposed project, the Planning Commission must first review, consider, and recommend City Council adoption of the Environmental Impact Report (EIR), SCH No. 2016011032. The DEIR is comprised of the Notice of Preparation (NOP), Initial Study (IS), Environmental Analysis, Alternatives Analysis, and Appendices.

The City contracted with T&B Planning, Inc., an environmental consulting firm, to prepare an Initial Study and Draft Environmental Impact Report (DEIR) for the proposed project in accordance with the CEQA and the State CEQA Guidelines. The DEIR was routed to the Planning Commission in advance of this staff report to allow additional time to review the report. A copy of the DEIR was also made available on the City's website (<http://www.newportbeachca.gov/cegadocuments>), at each Newport Beach Public Library, and at the Community Development Department at City Hall.

Based upon the analysis of the Initial Study, the environmental categories within which the project would have either no impact or less than significant impact were: *Agricultural/Forest Resources, Greenhouse Gas Emissions, Hydrology/Water Quality, Mineral Resources, Population/Housing, Public Services, Recreation, and Utilities/Service Systems.*

The following environmental topics were identified as potentially affected by the implementation of the proposed project: *Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hazards/Hazardous Materials, Land Use/Planning, Noise, and Transportation/Traffic.* These topics were the subject of the DEIR analysis, and potential impacts were identified. The document recommends the adoption of 17 mitigation measures to reduce the potentially significant adverse effects to a less than significant level. These mitigation measures are identified in the Mitigation Monitoring and Reporting Program, which is included as Attachment No. PC 9.

On the basis of the analysis provided in the draft EIR, City staff has concluded that the project would not have a significant impact on the environment. The draft EIR reflects the independent judgment of the City and recognizes project design features, standard construction and engineering practices, and review and reevaluation of future projects as the means to avoid potential impacts. The project site does not include any sites on an Environmental Protection Agency hazardous waste site list pursuant to Government Code Section 65962.5.

The draft EIR was completed and circulated for a mandatory 45-day public-review period that began on May 13, 2016, and concluded on June 27, 2016. A total of 26 comments were received from interested parties. The consultant and staff are preparing detailed written responses to each of the comments received on the adequacy of the DEIR, which will be included as part of the August 4, 2016 Planning Commission staff report packet. Corrections and additions to the DEIR are also being prepared, which will be provided at the August 4, 2016 Planning Commission Meeting and incorporate additional or revised information required for the preparation of responses to certain comments. The revisions do not alter any impact significance conclusion disclosed in the DEIR, and therefore, do not warrant recirculation of the DEIR for public review. The revisions to the DEIR will be incorporated into the Final EIR, if certified.

Fiscal Impact Model

The City's consultant has prepared an independent fiscal impact model (Attachment No. 10) in accordance with [General Plan Implementation Policies 12.1 and 12.2](#). The City's fiscal impact model is designed to calculate the average cost of public services required by new development, on the assumption that new development affects City services in the same way that existing development does. The net impact of the growth in land uses at build-out of the General Plan compared to existing land uses in 2006 when the plan was adopted, would result in a positive fiscal impact for the General fund of \$21.7 million per year.

The office and restaurant use alternatives contemplated in the EIR result in an overall neutral or positive fiscal impact to the City, although they are both less than the revenues to the City produced by the existing car wash facility. In contrast, all of the residential development alternatives contemplated in the draft EIR result in positive fiscal impacts resulting from property taxes, fees, and revenue expenditures from residents above that produced by the existing car wash facility. Due to the high market level targeted by the proposed project, the residential alternatives would exceed the fiscal benefit from the potential non-residential uses of the site under the existing General Plan.

PUBLIC NOTICE

Notice of this application was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant and posted on the subject property at least 10 days before the scheduled meeting, consistent with the provisions of the Municipal Code. A courtesy notice of the hearing was also emailed to the interested parties list for this project. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

SUMMARY

Staff believes that the facts associated with the subject property and reduced project height (55 feet to top of roof and 61 feet with appurtenances) support the proposed land use amendments and required findings for the project. The project would result in the redevelopment of an under-utilized and aging site with a new residential project that is consistent with the General Plan goals and policies for development of the Newport Center area. Although not currently zoned for residential use, the land use change at 150 Newport Center creates a functional residential project that integrates residential uses into the surrounding commercial uses within Newport Center.

The project exhibits high quality architectural treatment of the building and given the constraints of the property, the recommended height (55 feet to top of roof and 61 feet with appurtenances) and setbacks are reasonable and consistent with the General Plan policies and proposed 150 Newport Center Planned Community development standards. The resulting setbacks are consistent with the development pattern and setback standards within Newport Center and enhance pedestrian connections along the project's street frontages. The recommended height (55 feet to top of roof and 61 feet with appurtenances) results in a development that is compatible and consistent with the surrounding neighborhood in terms of bulk and scale.

Therefore, staff recommends Planning Commission recommend City Council approval of the proposed legislative land use changes and Planned Community Development Plan waiver of the 10 acre minimum with a reduction in the overall project height from that requested by the applicant. Staff believes that the residential land use for the proposed project is appropriate and recommends a reduced project height (55 feet to top of roof and 61 feet with appurtenances) for compatibility with existing building heights and surrounding height limits.

In conclusion, the July 21, 2016, public hearing will provide the opportunity for a focused discussion on the proposed legislative amendments, the waiver of the 10-acre minimum size for a Planned Community, and the building height. Staff and the applicant will be available to answer questions from the Planning Commission and the public, and if warranted, the Planning Commission may provide direction to staff. At the conclusion of the discussion, the Planning Commission should continue this project to the August 4, 2016 Planning Commission meeting.

Prepared by:



Makana Nova
Associate Planner

ATTACHMENTS

- PC 1 Proposed General Plan Land Use Map and Anomaly Table
- PC 2 Proposed Zoning Map
- PC 3 Draft Planned Community Development Plan
- PC 4 Height Limit Exhibit
- PC 5 Existing Building Height Exhibit
- PC 6 LiDar Building Height Data
- PC 7 View Simulations (75 feet 6 inches)
- PC 8 Current Section 423 Analysis Table
- PC 9 Draft EIR Mitigation Monitoring and Reporting Program
- PC 10 Fiscal Impact Model
- PC 11 Requested Height Plans (65 feet 6 inches)
- PC 12 Reduced Height Plans (55 feet)

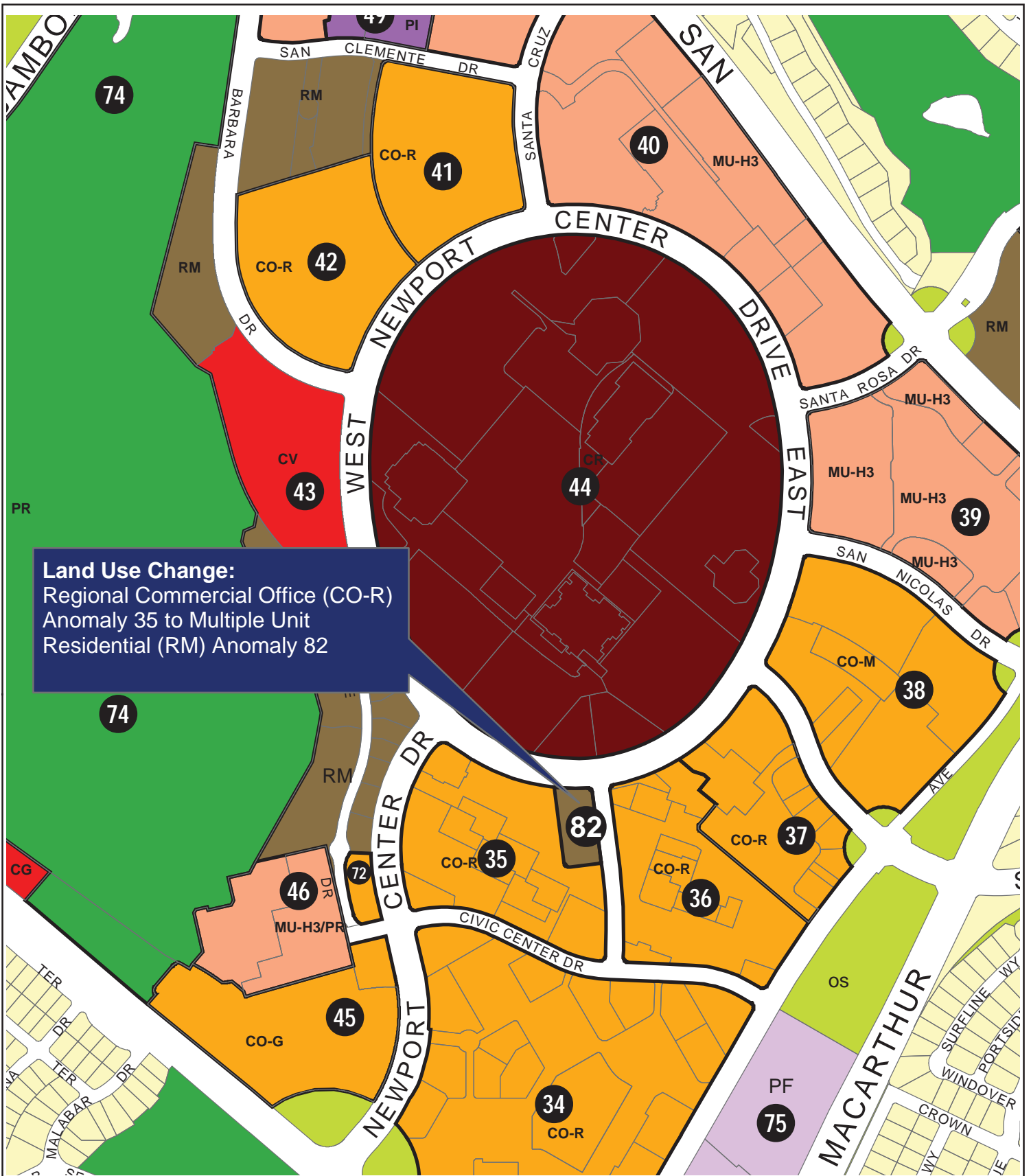
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Attachment No. PC 1

Proposed General Plan Land Use Map
and Anomaly Table

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GP2014-003 (PA2014-213)
 General Plan Amendment
 150 Newport Center Drive

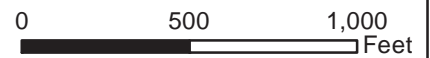


EXHIBIT A
GENERAL PLAN AMENDMENT NO GP2014-003

Consists of:

1. Amending Table LU2 of the Land Use Element of the General Plan to include the following modification to Anomaly No. 35 and one new anomaly:

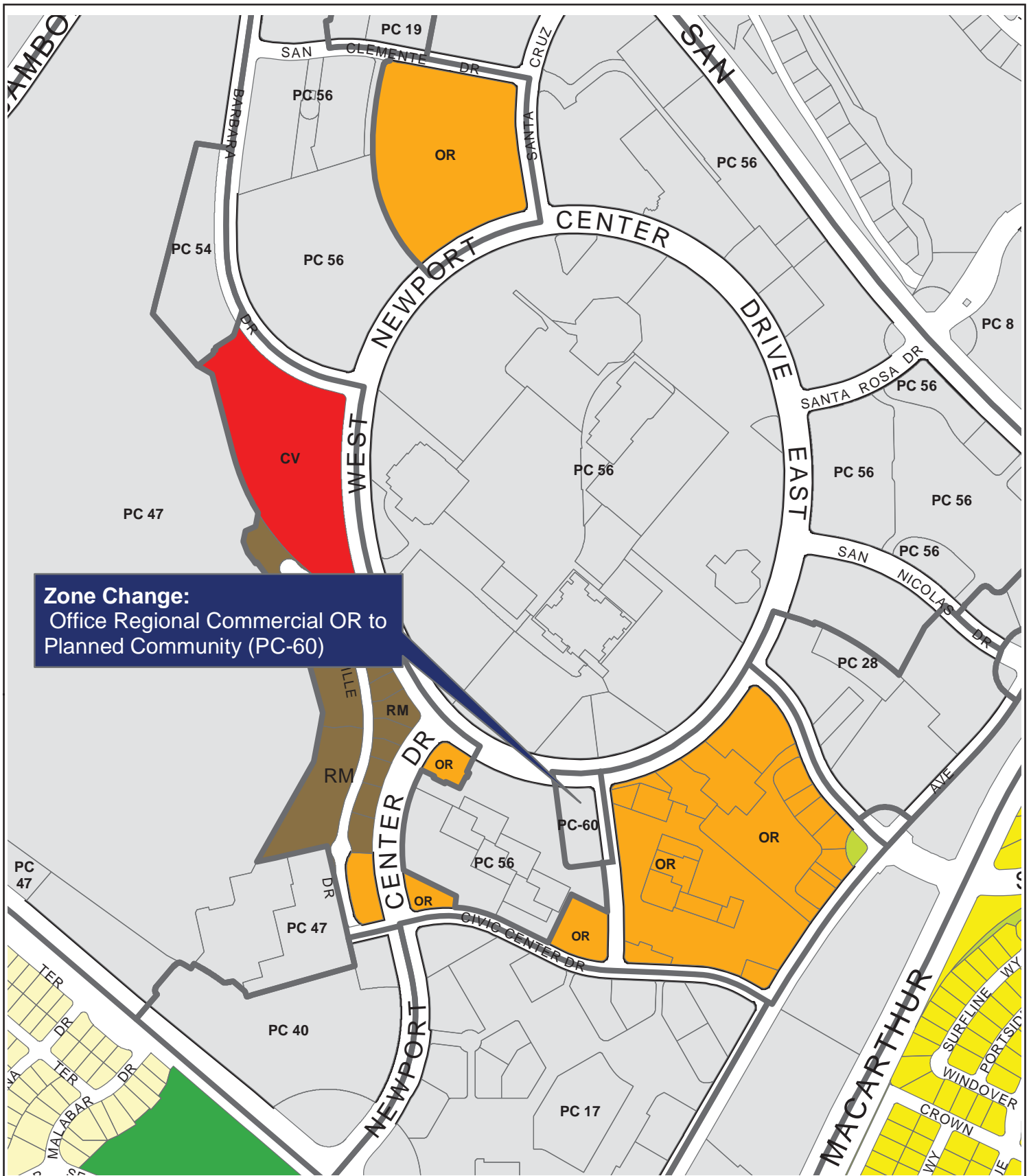
Table LU2 Anomaly Locations					
Anomaly Number	Statistical Area	Land Use Designation	Development Limit (sf)	Development Limit (Other)	Additional Information
35	L-1	CO-R	199,095 190,595		
<u>82</u>	<u>L-1</u>	<u>RM</u>		<u>45 dwelling units</u>	

2. Amending the Land Use Map of the Land Use Element to identify the locations of Anomaly Nos. 35 and 82 and to change the designation of the existing 1.26-acre project site at 150 Newport Center designated as CO-R (Regional Commercial Office, Anomaly 35) to RM (Multiple Residential, 49 du).

Attachment No. PC 2

Proposed Zoning Map

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Zone Change:
 Office Regional Commercial OR to
 Planned Community (PC-60)



CA2014-008 (PA2014-213)
Code Amendment
150 Newport Center Drive



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Attachment No. PC 3

Draft Planned Community
Development Plan

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150 NEWPORT CENTER

Planned Community Development Plan

Date: May 9, 2016

Ordinance No. 2014_____

Adopted _____, 2015

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LIST OF EXHIBITS

Exhibits Name	Exhibit Number
Conceptual Site Plan & Project Summary	A
Title Constraints Survey	B

1.0 INTRODUCTION AND PURPOSE

150 Newport Center Planned Community Development Plan (PC) is composed of 45 condominium units totaling 141,013 square feet of gross floor area. The project is located at the southwest intersection of Newport Center Drive and Anacapa Drive in Newport Center. The vision presented in the conceptual plan is for a luxury residential enclave intended to integrate a sophisticated urban lifestyle with a timeless building design.

The unit mix includes 15 residential townhomes on levels 1 & 2, 26 residential flats on Levels 3 through 5 and four penthouses on Level 6. Level 6 will also have a club room with fully appointed kitchen, fitness room/spa and a swimming pool. The project is designed for three levels of parking below grade. Level B-1 is partially at grade on the southern edge to allow tenant access and trash loading. Moving van access and general delivery will occur at the main building entry off of Anacapa Drive. Every unit will have a private 2-car garage located within the basement levels.

The PC identifies land use relationships and associated development standards for the particular district. To that end, it coordinates and complements the broader scale and massing of the Newport Center area. The PC ensures a broader coordination and consistency with the surrounding neighborhood, to include a higher level of architectural quality supporting the Newport Center environment along with pedestrian connectivity.

The proposed PC includes a specific set of standards and procedures for implementation and continuation of dwelling units within Newport Center while ensuring substantial compliance with the spirit and intent of the Zoning Code. The PC ensures the following site development review objectives are met:

1. Ensure consistency with General Plan policies related to the preservation of established community character, and expectations for high quality development;
2. Respect the physical and environmental characteristics of the site;
3. Ensure safe and convenient access and circulation for pedestrians and vehicles;
4. Allow for and encourage individual identity for specific uses and structures;
5. Encourage the maintenance of a distinct neighborhood and/or community identity;
6. Minimize or eliminate negative or undesirable visual impacts;
7. Ensure protection of significant views from public right(s)-of-way in compliance with Section [20.30.100](#) (Public View Protection);
8. Allow for different levels of review depending on the significance of the development project (Newport Beach, 2015a).

2.0 LAND USE AND DEVELOPMENT REGULATIONS

Whenever the regulations contained in the PC conflict with the regulations of the Newport Beach Municipal Code, the regulations contained in the PC shall take precedence. The Newport Beach Municipal Code shall regulate all development within the PC when such regulations are not provided within the PC Regulations.

The following development standards shall apply to the residential condominium units.

2.1 ARCHITECTURAL DESIGN

The 150 Newport Center design was inspired by one of the most architecturally renowned buildings in New York City: Ralph Lauren's 5th Avenue flagship store. Newport Center Villas is conceived as two classic and stately enclaves that are linked together via a modern glass and metal bridge which contain an atrium entry and lobby. The enclaves are perceived as the solid and the bridge as the void. Architecturally, the enclaves are proportioned classically with a defined base, middle, and top that is reinforced by cornices and belt bands. The elevation is presented through the use of reduced massing offsets and subtle variations in the terraced roof line.

The building's material palate consists of warm neutrals and the building façade is compatible with the surrounding development in Newport Center. The design will complement, enhance, and be compatible with the adjacent retail and office properties. In keeping with this philosophy, the exterior will be comprised predominately of a pre-cast concrete façade, stainless steel finishes and glass. Massing offsets, variations of roof line, varied textures, recesses, articulation and design accents on the elevation are integrated to enhance the expression of a unique and sophisticated architectural style.

Two-story townhome residences encompass the ground level and second story of the building with large front porches and resident entries wherein a direct physical connection is established with the public realm. Fenestration of the enclaves is developed around the "California Coastal" view of indoor – outdoor living. Openings above level 2 have the ability to slide open into recessed pocket allowing for the full aperture of fenestration to engage with interior living. Connections to the public realm are further reinforced via a pedestrian boardwalk, and a social gathering space at the corner of Anacapa Drive. A dog run is provided for the residents on the ground level at the northwest corner of the project.

The exterior landscaping will further enhance the feel of a luxury lifestyle at the immediate intersection of Anacapa and Newport Center Drive. The crosswalks at the corner of Newport Center Drive and Anacapa Drive shall enhance the visual connection to the adjoining office, entertainment and medical districts. Along Anacapa Drive, the project will provide resident access into a double driveway served by a luxurious lobby.

2.2 PERMITTED USES

- a. Condominiums (Multi-Family Residential).
- b. On-site recreational facilities, valet stations, conference rooms, wine storage, separate dedicated storage areas, and other structures ancillary to residential uses.
- c. Telecommunications facilities are permitted in accordance with Chapter 20.49 (Wireless Telecommunications Facilities) of the NBMC.
- d. Land uses that are not listed above are not allowed, except as provided by Chapter 20.12(Interpretation of Zoning Code Provisions) of the NBMC or as required by State Law.
- e. Temporary uses may be allowed only upon approval of a limited term permit pursuant to Section 20.52.040 (Limited Term Permits) of the NBMC.

2.3 BUILDING SETBACKS

- a. Above grade (as shown on the preliminary grading plan)

Anacapa Drive easement)	22.5 feet (including a 3-foot pedestrian walkway)
Newport Center Drive	24 feet
Western property line	14 feet
Southern property line	22 feet (Including a 5-foot pedestrian walkway easement)

- b. Below grade (as shown on the preliminary grading plan)

Anacapa Drive	15 feet
Newport Center Drive	15 feet
Western Property Line	0 feet for podium at Level 1 3 feet for basement walls
Southern Property line	7 feet

Decorative architectural features such as roof overhangs, brackets, cornices, and eaves may encroach up to 30 inches into a required setback area, provided that no architectural features shall project closer than twenty-four inches from a side property line and a minimum vertical clearance of at least eight feet above finished grade is maintained.

2.4 DENSITY: NUMBER OF UNITS

The maximum allowable number of condominium residential unit shall be 45 (35.7 units/acre).

2.5 FLOOR AREA

a. Building Area

The maximum gross floor area limit for the development is 141,013 gross square feet at a floor area ratio (FAR) of 2.58:1. This results in a floor area limit that is 2.96 times the buildable area (lot area less the required building setbacks).

Gross Floor Area Definition:

The following areas shall be included in calculations of gross floor area:

1. The surrounding exterior walls
2. Any interior finished portion of a structure that is accessible and that measures more than four feet from finished floor to ceiling.

The following areas shall be excluded:

1. Stairwells and elevator shafts above the first level.
2. The sixth floor pool area.
3. Parking structures associated including private garages.

b. Gross Floor Area per Unit. Residential uses are measured on a per unit basis.

i. Townhomes (floors 1-2):

2,416 square feet minimum
3,455 square feet maximum

ii. Units on floors 3 through 5:

1,645 minimum
3,608 maximum

iii. Penthouses (floor 7):

2,286 minimum
3,570 maximum

2.6 GRADE FOR PURPOSES OF DETERMINING HEIGHT

Grade for the purposes of determining height = 164 feet NAVD88 datum

The site drops from an elevation of 170 feet above mean sea level at the immediate corner of Newport Center Drive and Anacapa Drive to 159.5 feet above mean sea level at the southwest corner of the site. The average grade plane is 164'0". The heights are measured from the average of the existing grade as shown on the survey/topographical map submitted as part of the submission to the city.

2.7 HEIGHT

The building height shall not exceed 65 feet 6 inches from the average grade (164 feet NAVD88 datum) of the site. The resulting overall building height is 65 feet 6 inches (229.5 feet NAVD88 datum) as measured from the average grade plane to top of the roof deck. The height of the open area between the enclaves is 53 feet 6 inches above the average height of the site or 217 feet 6 inches above mean sea level.

Rooftop appurtenances are permitted and may exceed the maximum building height by 4 feet up to 233.5 feet NAVD 88 datum. Rooftop appurtenances include, but are not limited to, mechanical equipment, stairwell and elevator shaft housing, antennae, window washing equipment, and wireless communication facilities. Rooftop appurtenances shall not exceed 30 percent of the overall roof area and shall be focused toward the interior of the building footprint adjacent to the elevator override. Rooftop appurtenances must be screened from view; the height of rooftop appurtenances shall not exceed the height of the screening. Supports for window washing equipment are permitted, and are not required to be screened from view. Rooftop appurtenances within the 6-foot limitation are subject to the review and approval of the Planning Division.

Architectural features may exceed the maximum building height up to 2 feet. Architectural features include the building rooftop parapet and other decorative rooftop features defined as visually prominent or formally significant elements of a building that express its architectural language and style in a complementary fashion. Architectural features should be logical extensions of the massing, details, materials, and color of the building which complement and celebrate its overall aesthetic character. Such features must be an extension of the architectural style of the building in terms of materials, design and color.

2.8 LANDSCAPING AND IRRIGATION

A minimum of 15 percent of the lot area shall be landscaped (8,203 square feet). Landscaping and irrigation shall be provided in all areas not devoted to structure, driveways, walkways, and private patios to enhance the appearance of the development, reduce heat and glare, control soil erosion, conserve water, screen adjacent land uses, and preserve the integrity of the PC.

Site landscaping and irrigation will be designed and planted in accordance with [Chapter 20.36 \(Landscaping Standards\)](#) of the Newport Beach Municipal Code (NBMC) and [Chapter 14.17 \(Water-Efficient Landscaping\)](#) of the Newport Beach Municipal Code. Plants shall be adapted to the coastal climate of Newport Beach and appropriate to the specific soil, topographic, and sun/shade conditions of the project site. Drought-tolerant plants shall be used to the maximum extent practicable. Plant species having comparable water requirements shall be grouped together

for efficient use of irrigation water. All plant materials shall conform to or exceed the plant quality standards of the latest edition of American Standard for Nursery Stock published by the American Association of Nurserymen, or the equivalent. Plant selection shall be harmonious to the character of the project and surrounding projects and shall not be listed as an invasive species by the California Invasive Plant Council.

a. Minimum Landscape Requirements:

1. Landscaping shall incorporate a street tree species along Newport Center Drive and Anacapa Drive (Pink Trumpet, “*Tabebuia Impetiginosa*” or other tree to the satisfaction of the General Services Division). The same species street tree shall be planted on both sides of Anacapa Drive, north of the drive entry (upon the adjacent property owner’s approval).
2. The Anacapa Drive parkway shall be maintained and landscaped to complement the existing on-site landscaping. Landscaping and irrigation shall consist of a combination of trees, shrubs, and groundwater and hardscape improvements.
3. The landscaped island at the southern entry within the ingress/egress easement shall be one continuous landscape area as shown on the attached Exhibit A (upon the underlying property owner’s approval).
4. Landscaping shall be located so as not to impede vehicular sight distance to the satisfaction of the City Traffic engineer.
5. Planting areas adjacent to vehicular entrances shall be protected by a continuous concrete curb or similar perimeter barrier.
6. The ground floor landscape area shall include a 1,038 square feet dog run for use by the occupants of the project.
7. Landscape areas shall provide a minimum width dimension of 3 feet to provide adequate planting area.
8. Evergreen planting a minimum of 5 feet high shall be used to screen the podium wall along the eastern property line.
9. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape and irrigation plans. All landscaped areas shall be maintained in a healthy and growing condition in accordance with the NBMC and shall receive regular pruning, fertilizing, mowing and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
10. Landscape planting and irrigation plans and specifications shall be submitted by the applicant for review and approval by the Building Division or Planning Division prior to the issuance of a building permit.

b. Irrigation Guidelines

An irrigation system shall be installed and shall incorporate appropriate locations, numbers, and types of sprinkler heads and emitters to provide appropriate amounts of water to all plant materials. Application rates and spray patterns shall be consistent with the varying watering requirement of different plant groupings.

Irrigation systems and controls shall include technology that minimizes over watering by either: (a) directly measuring soil moisture levels, plant types, and soil types and adjusting irrigation accordingly, or, (b) receiving weather information at least on a daily basis via satellite or similar transmission and adjusting irrigation accordingly. The irrigation system shall be designed so as to prevent over-watering and minimize overspray and runoff onto streets, sidewalks, driveways, buildings, fences, and window consistent with water conservation and pollution run-off control objectives.

Should reclaimed water infrastructure be constructed along Newport Center Drive, the site's existing potable irrigation system shall be converted and connected to said infrastructure within one year of its availability.

2.9 LIGHTING

All new outdoor lighting shall be designed, shielded, aimed, located and maintained to shield adjacent uses/properties and to not produce glare onto adjacent uses/properties. Lighting plans shall be prepared in compliance with [Chapter 20.30.040 \(Outdoor Lighting\)](#) of the NBMC. All lighting and lighting fixtures that are provided shall be maintained in accordance with the approved lighting plans.

Light fixtures on buildings shall be full cut-off fixtures. Light spillover may not exceed one foot-candle at the subject property line. Lighting of building interior common areas, exteriors and parking entrances shall be developed in accordance with City Standards and shall be designed and maintained in a manner which minimizes impacts on adjacent land uses. Nighttime lighting shall be limited to that necessary for security.

The plans for lighting shall be prepared and signed by a licensed electrical engineer and shall be subject to review and approval of the Community Development Director or their designee. If in the opinion of the Director existing illumination creates an unacceptable negative impact on surrounding land uses or sensitive habitat areas, the Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.

2.10 MECHANICAL EQUIPMENT

Roof-top mechanical equipment shall not exceed 6 feet above the maximum height of the building and shall comply with Section 20.30.020 (Buffering and screening) of the NBMC. All mechanical appurtenances on building roof tops and utility vaults shall be screened in a manner meeting the approval of the Director of Community Development or their designee.

All new mechanical appurtenances (e.g., air conditioning, heating, ventilation ducts, exhaust vents, telecom antennas & support equipment, swimming pool and spa pumps, filters, transformers, utility vaults, and emergency power generators) shall be screened from the public view and adjacent land uses. The enclosure design shall be approved by the Community Development Department. All rooftop equipment shall be architecturally treated or screened from off- site views in a manner compatible with the building materials prior to final building

permit clearance. The mechanical equipment shall be subject to sound rating in accordance with the [Chapter 20.30.20 \(Buffering and Screening\)](#) of the NBMC.

2.11 OPEN SPACE

a. Common Outdoor Space

A minimum of 75 square feet per dwelling unit (3,375 square feet for 45 dwelling units) of common open space shall be provided. Common outdoor space shall be provided either at grade, podium level, or roof level. Common outdoor space areas shall have a minimum dimension of 10 feet. A minimum of 10 percent of the common outdoor space must be landscaped. All common outdoor space must be accessible to all residents.

Common outdoor space consists of land area within the residential development that is not individually owned or dedicated for public use that is designed, intended, and reserved exclusively for the shared enjoyment or use by all residents and their guests. Common outdoor space may be active or passive. Illustrative examples include areas of scenic or natural beauty, barbecue areas, landscaped areas, play areas, swimming pools, tennis courts, or turf areas.

b. Common Indoor Space

The building shall provide at least one community room of at least 500 square feet available for use by all residents of the project. The area should be located adjacent to, and accessible from, common outdoor space. This area may contain active or passive recreational facilities or meeting space, and must be accessible through a common/public area.

c. Private Open Space

Private open space shall be a minimum of 30 square feet per dwelling unit (6-foot by 5-foot minimum). At least 50 percent of all dwelling units shall provide private open space, on a balcony, patio, or roof terrace. Balconies should be proportionately distributed throughout the project in relationship to floor levels and sizes of units. Qualifying private open space areas shall be permanently open on one full side.

Private open space consists of an outdoor or unenclosed area directly adjoining and accessible to a dwelling unit, reserved for the exclusive private enjoyment and use of residents of the dwelling unit and their guests (e.g., balcony, deck, porch, terrace, etc.). Boundaries are evident through the use of fences, gates, hedges, walls, or other similar methods of controlling access and maintaining privacy.

2.12 PARKING

Parking to the project shall be underground and not visible from the public right-of-way and surrounding area. Parking spaces, driveways, maneuvering aisles, and turnaround areas shall be kept free of dust, graffiti, and litter. All components of the parking area including striping, paving, wheel stops, walls, and lighting of the parking area shall be permanently maintained in

good working condition. Access, location, parking space and lot dimensions, and parking area improvement shall be in compliance with the Development Standards for Parking Areas Section of the Newport Beach Municipal Code. All required parking shall be provided on-site.

Two (2) enclosed private parking spaces shall be provided for each dwelling unit. One half (1/2) guest parking space shall be provided per unit for a total of 23 guest parking spaces plus 2 ADA stalls. Each two-car garage shall provide minimum clear interior dimensions of 17 feet 6 inches in width by 19 feet in depth and shall be maintained so that it is accessible to vehicles.

Guest parking spaces shall maintain a minimum width of 8 feet 6 inches in width by 17 feet in depth.

All resident and guest parking spaces shall be maintained clear of obstructions and available for the parking of vehicles at all times. Vehicle parking and maneuvering areas shall be restricted to the operation, maneuvering and parking of operable vehicles and shall not be used for storage of any kind including the long term storage of vehicles not in regular use.

2.13 SIGNS

If three (3) or more signs are proposed for the development, a comprehensive sign program application for the Newport Center Villas shall be submitted for review and approval by the City of Newport Beach Community Development Director or their designee. Sign allowance and standards will be in accordance with [Chapter 20.42 \(Sign Standards\)](#) of the NBMC.

2.14 SITE WALLS

Walls and hedges shall be in accordance with the NBMC except as shown on the Site Development Review plans. Where a nonresidential zoning district abuts a residential zoning district, consideration of a landscape buffer shall be reviewed as part of the Site Development Review. Retention walls (including the podium height to finished surface above) shall not exceed 8 feet 6 inches in height measured from existing grade as shown on the title constraints survey. (Refer to Exhibit A-Site Plan and Project Statistics attached.)

2.15 TRASH SERVICE AND CONTAINER STORAGE

Trash disposal service will be provided by CR&R (or other provider) as contracted by the City of Newport Beach and shall be subject to applicable regulations, permits and fees as prescribed by the city.

Trash container storage and bins shall be located within the basement level parking structure in an area to be designed and engineered for odor control and for access for pick-up. Common trash bins provided shall be a minimum of 192 square feet for Trash and Recycling in accordance with [Chapter 20.30.120 \(Solid Waste and Recyclable Materials\)](#) of the NBMC. The bins will be brought by a scout truck from their regular storage areas in the basement to the southerly residential access drive for pick-up by regular trash trucks. Trash pick-up and staging shall not

block vehicular access through the southerly access drive. Trash pick-up and loading is not permitted within the Anacapa Drive right-of-way.

2.16 CONSTRUCTION REQUIREMENTS

a. Archaeological/Paleontological

Grading of the site is subject to the provisions of the City Council policies K-4 & K-5 regarding archaeological and paleontological resources.

b. Building Codes

Construction shall comply with applicable provisions of the California Building Code and the various other mechanical, electrical and plumbing codes related thereto as adopted by the NBMC.

c. Grading

Grading and excavation of the development area shall be conducted and undertaken in a manner both consistent with grading manual standards and ordinances of the City of Newport Beach and in accordance with a grading and excavation plan approved by the City of Newport Beach Building Division.

d. Telephone, Gas and Electrical Service

All “on-site” gas lines, electrical lines and telephone lines shall be placed underground. Transformer or terminal equipment shall be visually screened from view from streets and adjacent properties.

e. Sewage Service

All sewer lines shall be designed in accordance with the Utilities Manger approval.

f. Storm Water Management

The project shall adhere to the Water Quality Management Plan (WQMP) approved in conjunction with the issuance of building permits. Drainage and water quality assurance measure will be implemented as per the City Public Works and Municipal Separate Storm Sewer System (MS4) requirements. Development of the property will be undertaken in accordance with the flood protection policies of the City.

g. Water service

Water service to the site will be provided by the City of Newport Beach and is subject to applicable regulations, permits and fees as prescribed by the City. The project shall provide the

infrastructure for Fire Protection Water Service and Domestic water. Each dwelling unit shall be served by its own individual water meter. Each water meter shall be served and installed in accordance with the Public Works Department approval.

Should reclaimed water infrastructure be constructed along Newport Center Drive, the site's existing potable irrigation system shall be converted and connected to said infrastructure within one year of its availability.

3.0 SITE DEVELOPMENT REVIEW, SD2014-006 (PA2014-213)

3.1 PURPOSE

The purpose of the Site Development Review (SDR) process is to ensure new development proposal within the 150 Newport Center Planned Community Development are consistent with the goals and policies of the General Plan, and provisions of the Planned Community Development Plan.

3.2 APPLICATION

Prior to the issuance of building permits for the site development, a SDR application shall be required for the 150 Newport Center Planned Community Development in accordance with [Section 20.52.080 \(Site Development Reviews\)](#) of the NBMC.

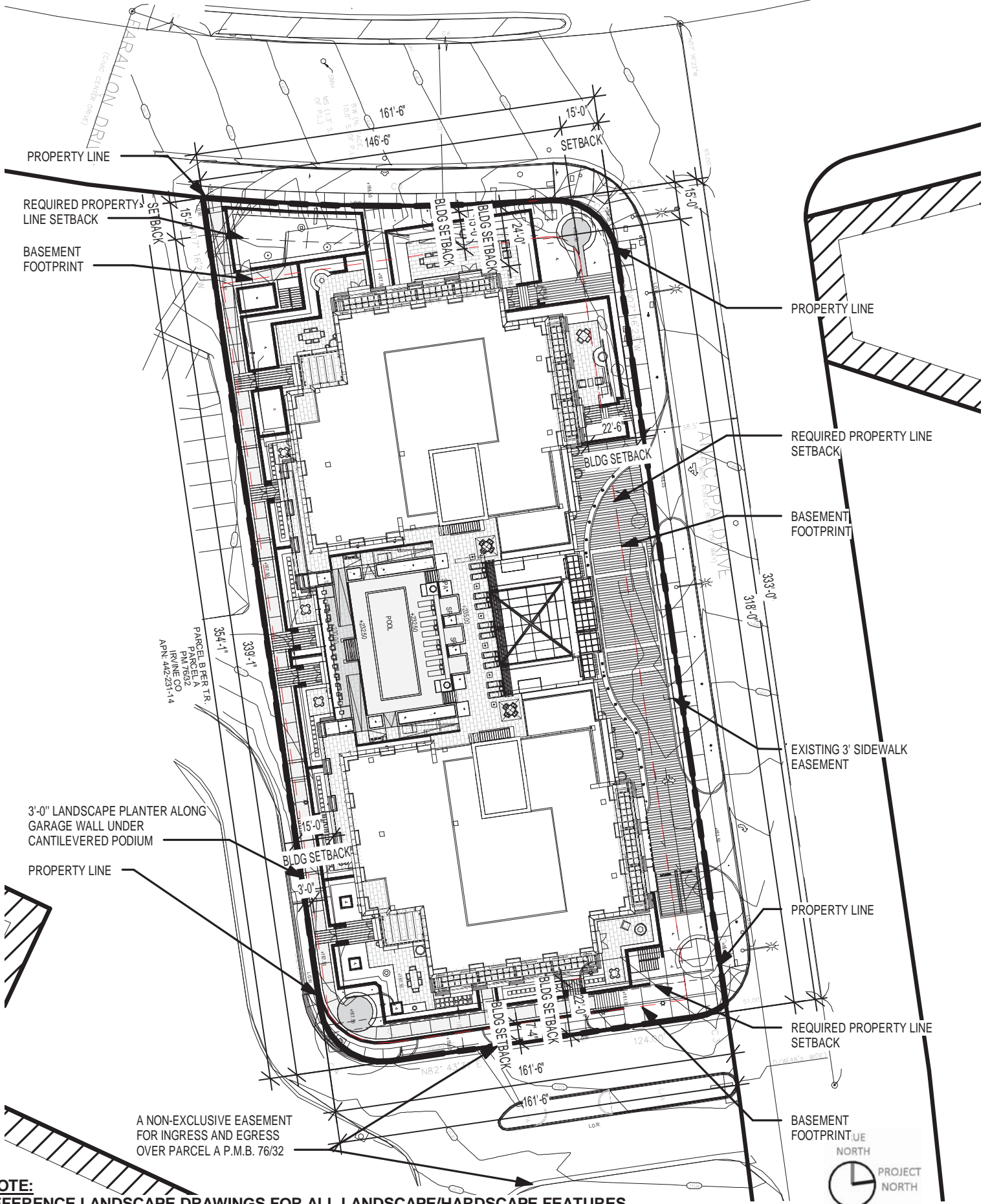
3.3 DESIGN (ELEVATIONS) AND SITE DEVELOPMENT OF BUILDING

The SDR shall be part of this PC and shall be reviewed concurrently with the PC. The submitted site plans and elevations shall be part of this application.

PROJECT SUMMARY	
MULTI-STORY PROJECT	
PROJECT DESCRIPTION	
THE PROJECT CONSISTS OF (1) MULT-STORY RESIDENTIAL BUILDING. 6 STORIES OF RESIDENTIAL 3 LEVELS OF UNDERGROUND PARKING BUILDING SHALL BE COMPLETELY SPRINKLERED.	
BUILDING CODE: CALIFORNIA BUILDING CODE 2013	
OCCUPANCY TYPE: R-2	
BUILDING TYPE OF CONSTRUCTION:	
TYPE I-A - FULLY SPRINKLERED	
GOVERNING AGENCY:	
CITY OF NEWPORT BEACH	
LOT COVERAGE:	
LOT AREA (prior to dedications):	54,686 S.F.
LOT AREA (after dedications plus setbacks):	47,592 S.F.
BUILDABLE AREA:	47,592 S.F.
BUILDING FOOTPRINT:	29,800 S.F.
LOT COVERAGE:	63%
BUILDING DEPARTMENT GROSS FLOOR AREA:	
1ST FLOOR AREA:	+/- 27,294 S.F.
2ND FLOOR AREA:	+/- 25,520 S.F.
3RD FLOOR AREA:	+/- 25,198 S.F.
4TH FLOOR AREA:	+/- 25,198 S.F.
5TH FLOOR AREA:	+/- 21,631 S.F.
6TH FLOOR AREA:	+/- 16,172 S.F.
TOTAL	+/- 141,013 S.F.
GROSS FLOOR AREA:	+/- 141,013 S.F.
PARKING GARAGE GBA:	+/- 132,274 S.F.
PROJECT SALEABLE AREA:	+/- 125,494 S.F.
PARKING: REQUIRED	
RESIDENTIAL	90 STALLS
VISITOR	23 STALLS
PROVIDED	
RESIDENTIAL	91 STALLS (INCLUDES 1 ADA STALL AT LEVEL B1)
VISITOR	25 STALLS (INCLUDES 2 STALLS AT GROUND LEVEL AND 2 ADA STALLS AT LEVEL B1)

TOTAL PROPOSED GROSS FLOOR AREA:		
RESIDENTIAL:	141,013 S.F. (2.96 x BUILDABLE AREA)	
DWELLING UNITS:		
2 Bedroom	43 Units	
3 Bedroom	2 Units	
Total	45 Units	
OPEN SPACE: REQUIRED		
COMMON OPEN SPACE	75 DU/UNIT	3,375 S.F.
PRIVATE OPEN SPACE	30 S.F. PER EACH UNIT	1,350 S.F.
TOTAL REQUIRED	4,725 S.F.	
PROVIDED		
COMMON OUTDOOR OPEN SPACE	10,389 S.F.	
COMMON INDOOR OPEN SPACE	2,694 S.F.	
PRIVATE OPEN SPACE	13,564 S.F.	
TOTAL PROVIDED	26,647 S.F.	
SETBACKS: PROVIDED		
	ABOVE PODIUM	BELOW PODIUM
ANACAPA FRONTAGE -	22.5 FT	15 FT
NEWPORT CENTER DR -	24 FT	15 FT
WESTERN PRTY LINE -	14 FT	0 FT
SOUTHERN PRTY LINE -	22 FT	7 FT
*NOTE: ARCHITECTURAL PROJECTIONS ARE ALLOWED TO PROJECT 30" INTO SETBACK AREAS		

NEWPORT CENTER DRIVE
(130' WIDE PUBLIC RIGHT OF WAY)



PARCEL B PER TR.
PARCEL A
PM 76/32
IRVINE CO
APN: 442-237-14

3'-0" LANDSCAPE PLANTER ALONG GARAGE WALL UNDER CANTILEVERED PODIUM

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER PARCEL A P.M.B. 76/32

***NOTE:**
REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



Attachment No. PC 4

Height Limit Exhibit

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Legend

HEIGHT

- 28 / 33 feet
- 32 / 37 feet
- 40 feet Building / 10 feet Appurtenance
- 50 feet Building / 10 feet Appurtenance
- 75 feet Mall Buildings / 10 feet Appurtenance
- > 100 feet



150 Newport Center Drive (PA2014-213)



City of Newport Beach
GIS Division
October 07, 2015

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Attachment No. PC 5

Existing Building Height Exhibit

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Existing Building Heights in Newport Center



*data is based on building permit elevations

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Attachment No. PC 6

LiDar Building Height Data

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Attachment No. PC 7

View Simulations (75 feet 6 inches)

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View 1 - Existing Conditions



View 1 - Proposed Conditions



Key Map

Figure 4.1-5





View 2 - Existing Conditions



View 2 - Proposed Conditions



Key Map

Figure 4.1-6





View 3 - Existing Conditions



View 3 - Proposed Conditions



Key Map

Figure 4.1-7





Existing Conditions



Proposed Conditions



Attachment No. PC 8

Section 423 Analysis Table

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City of Newport Beach
Charter Section 423 Tracking Table
Statistical Area L1 (Newport Center)
Post 2006 General Plan Amendments Approved
Land Use Element
July 1, 2015 (Updated April 15, 2016)

Project Name Address	Date Approved	Project/GPA Number	Amendment Description	Square Footage Change	Dwelling Unit Change	AM Peak Hour Trip Change	PM Peak Hour Trip Change
Civic Center and Park Site ¹	11/25/2008	PA2008-152 GP2008-005	Open Space (OS) to Public Facilities (PF)	N/A	0	N/A	N/A
Newport Beach Country Club (Clubhouse)	1/24/2012	PA2008-152 GP2008-005	Parks and recreation (PR) - No Change	21,000	0	N/A	N/A
100% Totals				21,000	0	0	0
80% Totals				16,800	0	0	0
Remaining Capacity Without Vote				23,200	100	100	100

GPA – General Plan Amendment

CLUP – Coastal Land Use Plan

100% Totals – Cumulative increases resulting from approved GPA's. Decreases are not included.

80% Totals - Charter Section 423 requires that 80% of square footage, dwelling unit and peak hour trip increases of "Prior Amendments" be tracked for a period of 10 years and added to proposed general plan amendments located within the same Statistical Area to determine if the 423 GPA Thresholds are exceeded and a vote of the electorate required. Decreases in any category are not tracked.

Charter Section 423 Thresholds: 40,000 square feet of non-residential floor area, 100 dwelling units, 100 AM or PM Peak Hour trips

¹ City Council resolution No 2008-097 includes the following finding: *The proposed amendment is not subject to Charter Section 423 because any increase in vehicle trips or intensity from the City Hall facility will not result from the proposed amendment. Rather, these increases in traffic and intensity will result from and have been mandated by the voter approval of Measure B and the resulting addition of Charter Section 425.*

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Attachment No. PC 9

Draft EIR Mitigation Monitoring and Reporting Program

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THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p><u>Threshold b:</u> The Project would not exceed the SCAQMD Regional Emissions Thresholds for any criteria pollutants during construction. Accordingly, the Project's construction activities would not violate any air quality standard or contribute to an existing or projected air quality violation. Therefore, a less-than-significant impact would occur from the construction emissions associated with the proposed Project.</p> <p>The proposed Project's operational-source emissions would not exceed applicable SCAQMD regional thresholds of significance during the operation of the proposed Project. Therefore, impacts associated with long-term air emissions would be less than significant.</p>	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
<p><u>Threshold c:</u> Near-term construction emissions and long-term operational emissions would not substantially contribute to a net increase of any criteria pollutant for which the Project's region is in non-attainment. Impacts would be less than significant.</p>	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
<p><u>Threshold d:</u> The Project would not result in or contribute to a CO "Hot Spot." The Project also would not result in a significant adverse health impact to sensitive receptors. Thus a less-than-significant impact to sensitive receptors during both construction and operational activity is expected.</p>	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
<p><u>Threshold e:</u> The Project does not propose any uses or activities that would result in potentially significant operational-source odor impacts. Potential sources of</p>	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
operational odors generated by the Project would include disposal of solid waste generated by the residents on-site. Trash areas for the Project would be located on parking levels B-1 through B2, each of which has separate trash areas. Consistent with City requirements, all Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations. Accordingly, operational-source odor impacts would be less than significant.					
4.3 Biological Resources					
Summary of Impacts					
<u>Threshold a:</u> No sensitive vegetation communities, special-status plant species, or special-status wildlife species are located on or near the Project site. The Project would have no substantial impact, either directly or through habitat modifications, on any other candidate, sensitive, or special status plant or wildlife species.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold b:</u> The Project would have no potential to impact riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW and USFWS. No impact would occur.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold c:</u> No federally protected wetlands are located on the Project site; therefore, no impact to wetlands would occur.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold d:</u> There is no potential for the Project to interfere with the movement of fish or impede the use of a native wildlife nursery site. The Project has the potential	MM 4.3-1 Prior to the issuance of a demolition permit, the Director of Community Development shall ensure that any tree removal activities occur outside of the nesting season (February 1st to August	Director of Community Development	Construction Contractor	Prior to the issuance of a demolition permit, during tree removal activities	Less-Than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>to directly and cumulatively impact nesting birds protected by federal and State regulations, if tree removals during construction activities were to occur during the nesting season.</p> <p>Implementation of Mitigation Measure MM 4.3-1 would ensure that a pre-construction nesting bird survey is conducted to determine the presence or absence of active nests prior to tree removal. If present, the mitigation measure mandates a buffer area around active nests until the young have fledged. With implementation of the required mitigation, potential direct and cumulatively considerable impacts to nesting birds would be reduced to below a level of significance.</p>	<p>31st). If it is determined necessary for tree removal activities to occur between February 1st and August 31st, the Director of Community Development shall require a pre-construction nesting bird survey to be conducted by a qualified biologist within seven (7) days prior to any tree removal activities. Any active nests identified shall have a buffer area established within a 100-foot radius (200 foot for birds of prey) of the active nest. Disturbance shall not occur within the buffer area until the qualified biologist determines that the young have fledged. Demolition and construction activity may only occur within the buffer area at the discretion of the qualified biologist.</p>				
<p><u>Threshold e:</u> The Project would not conflict with any local policies or ordinances protecting biological resources.</p>	<p>No Mitigation is Required.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>No Impact</p>
<p><u>Threshold f:</u> The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, including the Orange County Central and Coastal Orange County NCCP/HCP.</p>	<p>No Mitigation is Required.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>No Impact</p>
<p>4.4 Cultural Resources</p>					
<p>Summary of Impacts</p>					
<p><u>Threshold a:</u> Although the Project would demolish the existing building and remove it from the property, the structure is not a historical resource pursuant to Section</p>	<p>No Mitigation is Required.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>No Impact</p>

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
15064.5 of the CEQA Guidelines. No impact to historic resources would occur and mitigation is not required.					
<p>Threshold b: Although unlikely, there is a remote possibility that archaeological resources could be encountered during site grading activities. Mitigation is required to ensure that potential impacts to archaeological resources, if unearthed during construction activities, are reduced to a level below significance.</p> <p>Implementation of Mitigation Measure MM 4.4-1 would ensure that potential impacts to archaeological resources, if unearthed during construction activities, are reduced to a less than significant level.</p>	<p>MM 4.4-1 Prior to the issuance of grading permits, the Director of Community Development shall ensure that following provision is included on the grading plan(s), and the construction contractor(s) shall be required to comply with the provision.</p> <p><i>"If evidence of subsurface archaeological resources is found during construction, excavation and other construction activity shall cease and the construction contractor shall contact the City of Newport Beach Community Development Director. With direction from the Community Development Director, a qualified archeologist meeting the Secretary of the Interior Professional Qualification for Archeology shall be retained to evaluate the discovery prior to resuming grading in the immediate vicinity of the find. If warranted, the archeologist shall collect the resource and prepare a technical report describing the results of the investigation. The test-level report shall evaluate the site including discussion of the depth, nature, condition, and extent of the resources, final remediation recommendations, and cost estimates."</i></p>	Director of Community Development	Construction Contractor	Prior to the issuance of grading permits, during ground disturbing activities	Less-Than-Significant Impact
<p>Threshold c: Although unlikely, there is a remote possibility that paleontological resources could be encountered during site grading activities. Mitigation is required to ensure that impacts to paleontological resources, if unearthed during construction activities, are reduced to a level below significance.</p> <p>Implementation of Mitigation Measure MM 4.4-2 would ensure that potential impacts to</p>	<p>MM 4.4-2 Prior to the issuance of grading permits, the Director of Community Development shall ensure that following provision is included on the grading plan(s), and the construction contractor(s) shall be required to comply with the provision.</p> <p><i>"If evidence of subsurface paleontological resources is found during construction, excavation and other construction activity in that area shall cease and the construction contractor shall contact the City of Newport Beach Community Development Director."</i></p>	Director of Community Development	Construction Contractor	Prior to the issuance of grading permits, during ground disturbing activities	Less-Than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
paleontological resources, if unearthed during construction activities, are reduced to a less than significant level.	<i>With direction from the Community Development Director, a qualified paleontologist meeting the Secretary of the Interior Professional Qualification for Paleontology shall evaluate the find. If warranted, the paleontologist shall prepare and complete a standard Paleontological Resources Mitigation Program for the salvage and curation of identified resources."</i>				
Threshold d: In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code § 7050.5 and California Public Resources Code § 5097 et. seq. Mandatory compliance with State law would ensure that human remains, if encountered, are appropriately treated and would preclude the potential for significant impacts to human remains.	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
Threshold e: No significant tribal cultural resources were identified at the Project site. Therefore, a less-than-significant impact would occur.	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
4.5 Geology and Soils					
Summary of Impacts					
Threshold a: The Project would not expose people or structures to substantial adverse effects from earthquake fault rupture, seismic-related ground failure, or landslides. As with all properties in the southern California region, the Project site is subject to strong seismic ground shaking associated with earthquakes.	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p><u>Threshold b:</u> The Project would not result in substantial soil erosion or the loss of topsoil. The Project Applicant is required to obtain a NPDES Permit for construction activities and adhere to a SWPPP as well as SCAQMD Rule 403-Fugitive Dust during Project construction activities. With mandatory compliance to these regulatory requirements, the potential for soil erosion or the loss of topsoil on the Project site would be minimized, as the areas disturbed during construction would be landscaped or covered with impervious surfaces and drainage on the Project site would be controlled through the means of a storm drain system. Furthermore, the Project is required by law to implement a WQMP during long-term operation, which would preclude substantial soil erosion or the loss of topsoil during long-term operation of the Project.</p>	<p>No Mitigation is Required.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>Less-Than-Significant Impact</p>
<p><u>Threshold c:</u> During excavation for the subterranean parking garage, there may be local seepage and wet sands within the fill/terrace and terrace/bedrock contacts. Locally, these slopes could slough or potentially slump along the contact, and would be subject to instability during Project excavation. With implementation of Mitigation Measure MM 4.5-1 the Project would result in less-than-significant impacts associated with unstable soils during construction.</p> <p>The implementation of the mandatory requirements of the CBSC and the recommendations identified in the Project's</p>	<p>MM 4.5-1 Slopes created during subsurface excavations associated with the Project's construction process shall be shored in accordance with OSHA excavation safety regulations (Title 29 Code of Federal Regulations, Part 1926.650-652 [Subpart P]) to the satisfaction of the City of Newport Beach Building Official. Prior to the issuance of a grading permit, the Building Official or his/her designee shall ensure that the grading plan indicates the methods by which adequate shoring will occur. The shoring methods must ensure that the subsurface excavation will not slough or slump. The Construction Contractor shall implement the shoring requirements throughout the subsurface excavation period and allow inspection of the shoring method by the City of Newport Beach.</p>	<p>Building Official for the City of Newport Beach (or his/her designee)</p>	<p>Construction Contractor</p>	<p>Prior to the issuance of a grading permit, during subsurface excavation activities</p>	<p>Less-Than-Significant Impact</p>

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Geotechnical Feasibility Report (required through City-imposed conditions of approval on the Project) would ensure that impacts associated with unstable geologic units during long-term Project operation would be less than significant.					
Threshold d: There is a potential for expansive soils to be encountered during the Project's grading operation. With the incorporation of Mitigation Measure MM 4.5-2, as well as the mandatory compliance with CBSC requirements, the impacts associated with expansive soils would be reduced to less than significant.	MM 4.5-2 Expansive soils shall not be present as fill material below the building slab and footings. During the property's site preparation and grading phases, expansive soils shall be mixed with other soil material to provide a uniform blend of material, compacted to a minimum of 90 percent relevant compaction, to the satisfaction of the City of Newport Beach Building Official. Prior to the issuance of a grading permit, the Building Official or his/her designee shall ensure that the grading plan indicates a subsurface soil content that is non-expansive and compacted to at least 90 percent. The Construction Contractor shall implement the requirements throughout the site preparation and grading process and allow inspection of grading by the City of Newport Beach.	Building Official for the City of Newport Beach (or his/her designee)	Construction Contractor	Prior to the issuance of a building permit, during subsurface excavation activities	Less-Than-Significant Impact
Threshold e: The Project would not install septic tanks or alternative wastewater disposal systems. Accordingly, no impact would occur.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
4.6 Hazards and Hazardous Materials					
Summary of Impacts					
Threshold a and b: Based on the findings of a Phase I ESA and Phase II ESA conducted for the Project site, the property does not contain any environmental hazards that could pose a significant threat to human health or the environment. The existing building that would be demolished and removed from the site as part of the Project	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
could potentially contain asbestos containing materials and lead based paint, but compliance with mandatory regulatory requirements during the demolition and removal process would ensure that impacts would be less than significant.					
<u>Threshold c:</u> The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur and mitigation is not required.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold d:</u> The Project site is not identified on a list compiled pursuant to Government Code Section 65962.5; therefore, the Project has no potential to create a significant hazard to the public or environment as the result of listed properties.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold e:</u> The Project site is not located in an airport safety zone; the Project would thus not significantly expose people residing or working in the area to safety hazards associated with operations at John Wayne Airport.	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
<u>Threshold f:</u> No private airstrips are located in the vicinity of the Project site; therefore, the Project has no potential to result in a safety hazard for people residing or working in the area caused by private airstrips.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold g:</u> The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
<u>Threshold h:</u> The Project site is not located in a wildland fire hazard area. The Project	No Mitigation is Required.	N/A	N/A	N/A	No Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
would thus not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.					
4.7 Land Use Planning					
<u>Threshold a:</u> The proposed Project would not physically divide an established community.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold b:</u> Although the Project would change the land use designation of the Project site from commercial to residential, the land use change would not result in any significant and unavoidable impacts to the environment. Thus, the Project would not conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
<u>Threshold c:</u> No habitat conservation plans or natural community conservation plans are applicable to the Project site; thus, no impact would occur.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
4.8 Noise					
<u>Threshold a:</u> Noise levels during construction would not significantly impact off-site properties and construction activities are required to comply with the provisions specified in Municipal Code § 10.28 (Loud and Unreasonable Noise). However, because construction activities are proposed to occur in early morning hours on two days that would fall outside of the time of day provisions for construction activities specified in the City's Noise Ordinance § 10.28.040 (Construction Activity-Noise Regulations), potentially	MM 4.8-1 Construction staging before 7:00 a.m. shall only be permitted with the express written consent of the Building Official. Residents of the Granville community shall be notified in advance of the proposed construction hours and sound blankets shall be installed on-site to minimize noise during these hours. A sound blanket is a sound-absorbing material that can be hung on construction fencing or other surface located between the noise source and noise receiver to reduce noise levels at the receiver location. Back-up alarms on construction vehicles shall be disabled when construction vehicles are operating on the Project site before 7:00 a.m.	City of Newport Building Official, Construction Contractor	Construction Contractor	During construction activities	Less-Than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>significant impacts could occur on those two days. Mitigation Measures MM 4.8-1 and MM 4.8-2 would reduce this impact to below a level of significance.</p> <p>Operational noise associated with residential use of the property would be less than significant. Also, because the Project would reduce the total number of average daily vehicular trips traveling to and from the site by 614 trips, compared to existing conditions, vehicular-related noise would be less than significant.</p>	MM 4.8-2 The construction contractor shall inspect all motorized construction equipment operating on the site monthly, to ensure the proper installation of noise-attenuating mufflers. Inspection records shall be made available to the City of Newport Beach upon request.	City of Newport Building Official, Construction Contractor	Construction Contractor	During construction activities	Less-Than-Significant Impact
<u>Threshold b:</u> Impacts associated with excessive groundborne vibration or groundborne noise levels during Project construction and long-term operation would be less than significant.	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
<u>Threshold c:</u> The Project would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
<u>Threshold d:</u> Construction noise would be generated outside of the hours specified in the City's construction noise ordinance for two days during the construction period, resulting in a potentially significant impact.	MM 4.8-1 and MM 4.8-2 apply (see above)	MM 4.8-1 and MM 4.8-2 apply (see above)	MM 4.8-1 and MM 4.8-2 apply (see above)	MM 4.8-1 and MM 4.8-2 apply (see above)	Less-Than-Significant Impact
<u>Threshold e:</u> The Project site is located out outside of the 60 dBA CNEL noise contour for John Wayne Airport. Thus, the Project would not expose people residing or working in the Project area to excessive airport-related noise levels.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold f:</u> The Project site is not located near a private airstrip; thus, here would be no impact due to the exposure of people	No Mitigation is Required.	N/A	N/A	N/A	No Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
residing or working in the area to excessive noise levels associated with private airstrips.					
4.9 Transportation & Traffic					
<u>Threshold a:</u> The Project would reduce the total number of average daily vehicular trips traveling to and from the site by 614 trips, compared to existing conditions. Thus, the Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system.	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
<u>Threshold b:</u> The Project would not conflict with the OCTA CMP's level of service standards or travel demand measures. No impact would occur.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold c:</u> There are no components of the Project that would result in an increase in traffic levels or result in substantial safety risks. No impact would occur.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold d:</u> The Project would not substantially increase hazards due to a design feature or incompatible uses. There may be the need for temporary lane closures for Anacapa Drive and Newport Center Drive to install tie-backs along the Newport Center Drive and Anacapa Drive frontages, however, these temporary impacts would be less than significant.	No Mitigation is Required.	N/A	N/A	N/A	Less-Than-Significant Impact
<u>Threshold e:</u> The Project would result in adequate emergency access and would not impact a designated emergency access route. No impact to emergency access would occur.	No Mitigation is Required.	N/A	N/A	N/A	No Impact
<u>Threshold f:</u> The Project would not conflict with adopted policies, plans, or programs	No Mitigation is Required.	N/A	N/A	N/A	No Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
regarding transit, bicycle, or pedestrian facilities. No impact would occur.					

Attachment No. PC 10

Fiscal Impact Model

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MEMO

TO: Brenda Wisneski, AICP, Deputy Community Development Director
City of Newport Beach

FROM: Doug Svensson, AICP

DATE: July 11, 2016

SUBJECT: Fiscal Analysis for 150 Newport Center

INTRODUCTION

The fiscal analysis uses the Newport Beach Fiscal Impact Model to help calculate revenue and cost impacts of the proposed project. This model was initially developed in support of the General Plan Update, which was adopted in 2006.¹ The model has been updated to reflect Fiscal Year 2015-2016 costs and revenues from the Newport Beach City Budget. The fiscal impact model calculates public service impacts for specific land uses that support the residential population, the employment base and the visitor population in Newport Beach. It also calculates the public revenues that each type of land use typically generates for the City, including property taxes, sales taxes and other taxes as well as a variety of user charges and fees.

The fiscal impact model is designed to calculate the average cost of public services required by new development, on the assumption that new development affects City services in approximately the same way that existing development does. The model nets out certain costs that are unlikely to change with expansion of City government, such as the number of City Department Directors and Division managers, as well as the City Council and City Clerk expenditures, but otherwise assumes that City administrative support and overhead tends to increase as City government activities grow to provide services to an expanding population and employment base. Over the long term, this is clearly the dynamic that local governments experience. In the short term, development projects may have lower or higher cost impacts depending on the existing capacity of City services to accommodate more

¹ A technical description of the fiscal impact model may be found in: Applied Development Economics, Fiscal Impact Analysis and Model, Newport Beach General Plan Update, January 2004.

development, and the level of expenditure needed to expand services incrementally if existing capacity is not available.

PROJECT DESCRIPTION

THE PROPOSED PROJECT

The proposed project would convert an existing car wash/gas/convenience store development consisting of 8,500 sq.ft. of building space on 1.26 acres to 49 residential units in a seven story building of 163,260 gross sq.ft. The project would consist of 10 townhomes on the first two floors, 35 residential flats on the middle floors and 4 penthouse units on the top floor. The units would range in size from 1,645 sq.ft. to 5,371 sq.ft. The proposed project would include underground parking and other amenities such as a club room, a pool and a catering kitchen, as well as underground parking. The site is located adjacent to the Fashion Island Regional Retail Center and is bounded by Newport Center Drive to the North and Anacapa Drive to the west.

PROJECT ALTERNATIVES

The fiscal analysis analyzes the same project alternatives as the DEIR. The alternatives include the existing carwash use on the site, two other non-residential uses consistent with the existing General Plan designation on the site, including office use and a retail/restaurant use, and two reduced size residential developments.

No Project: Existing Use. The existing use is an 8,500 building occupied by a car wash and small convenience store. The business also sells gas.

No Project: Office Use. This alternative assumes the car wash would be replaced with an 8,500 sq.ft. office building housing administrative and professional offices serving local and regional markets, with limited accessory retail, financial, service, and entertainment uses.

Commercial/Restaurant Redevelopment. This alternative would also include an 8,500 sq.ft. building but with a restaurant use supplemented by ancillary retail. For purposes of the analysis, ADE has assumed this would be a national chain fine dining type of establishment.

Multiple Unit Residential (RM) Alternative. The Multiple Unit Residential (RM) Alternative evaluates redevelopment of the project site with a multi-family residential building that offers 25 market-rate rental or ownership units. For purposes of the fiscal analysis, ADE has assumed these units would be similar to the residential flats in the proposed project.

Reduced Dwelling Units Alternative. This alternative reduces the height of the building by 14 feet and one floor, thus eliminating the penthouse from the proposed project. This development would have 45 units, which ADE has assumed would be similar to the townhomes and residential flats in the proposed project.

SOCIOECONOMIC CHARACTERISTICS

In order to calculate the fiscal effects of the proposed changes, it is necessary to estimate certain socio-economic characteristics of the land uses, including population and employment, assessed value, household spending on taxable retail goods in Newport Beach, and direct sales taxes from the non-residential uses in the alternatives. The DEIR for the project indicates that the average household size in Newport Beach is 2.24 persons, and calculates a projected population for the proposed project of 110 persons. The RM Alternative and the Reduced Units Alternative would have 56 and 101 residents, respectively.

ADE estimated employment onsite for the non-residential alternatives based on industry surveys for specific types of land use, as shown in Table 1. For the car wash use, ADE assumed a full service detail operation, given the size of the site, rather than a fully automated, self-service system. While there are no industry guidelines for employment densities in this type of facility, they tend to be relatively labor intensive, although less so than a full service restaurant or an office development of the same size. Table 1 also shows the factors used in the analysis to estimate the assessed value and taxable sales for each of the non-residential land uses.

TABLE 1: SOCIOECONOMIC CHARACTERISTICS FOR NON-RESIDENTIAL USES						
LAND USE	SQ.FT.	SQ.FT./ EMPLOYEE	JOBS	MARKET VALUE/SQ.FT.	ASSESSED VALUE	TAXABLE SALES/ SQ.FT.
Car Wash	8,500	400	21	\$200	\$1,700,000	\$323
Office	8,500	274	31	\$250	\$2,125,000	\$555
Retail	8,500	234	36	\$350	\$2,975,000	\$120

Sources: Employee densities based on *The Natelson Company, Employee Density Study*; Market values based on *Colliers International, Office and Retail GLA Reports for Orange County, Q1 2016*. Taxable Sales based on *Urban Land Institute, Dollars and Cents of Shopping Centers*, Bureau of the Census, *Census of Retail Trade*, and CA Board of Equalization.

The assessed value for the proposed project has been derived from projected sales data provided by the project sponsor, in comparison to the recent Meridian development which also includes luxury residential housing.² The sales values are projected to range from \$1,500 per sq.ft. to \$1,800 per sq.ft. A review of recent new home construction in Newport Beach identifies a number of units priced above \$1,000 per sq.ft. so it is likely in today's market the upper end of luxury residential units could reach these price levels. The total residential assessed value in the project is estimated at \$193.7 million, for an average of \$3.95 million per unit (Table 2).

The analysis uses similar factors for the two residential alternatives, also shown in Table 2. The outcome of the fiscal analysis is highly affected by the assessed values of the units, which generate property taxes for the City. The alternatives may feature units with lower average values, but for sake

² Makana Nova, Associate Planner, City of Newport Beach, personal communication, July 8, 2016.

of consistency ADE has assumed all of the residential alternatives would serve the same high end market levels as the proposed project.

**TABLE 2:
ESTIMATED ASSESSED VALUES FOR THE RESIDENTIAL UNITS IN THE PROJECT AT 150
NEWPORT CENTER AND THE RESIDENTIAL ALTERNATIVES**

UNIT TYPE	AVERAGE UNIT SIZE	No. OF UNITS	AV/SQ.FT.	ASSESSED VALUE PER UNIT	TOTAL ASSESSED VALUE
Proposed Project					
Townhome	3,500	10	\$1,500	\$5,261,000	\$52,607,000
Residential Flat	2,100	35	\$1,500	\$3,087,000	\$108,045,000
Penthouse	4,600	4	\$1,800	\$8,276,000	\$33,105,000
Total		49			\$193,757,000
RM Alternative					
Residential Flat	2,100	25	\$1,500	\$3,087,000	\$77,175,000
Reduced DU Alternative					
Townhome	3,500	10	\$1,500	\$5,261,000	\$52,607,000
Residential Flat	2,100	35	\$1,500	\$3,087,000	\$108,045,000
Total		45			\$160,652,000

Source: ADE, Inc., based on the project description in the DEIR and information provided by the project sponsor.

The analysis uses the residential unit values to estimate household income and taxable retail spending, as shown in Table 3. For units in this price range, it is difficult to know the financial circumstances of the buyers. Frequently high wealth individuals will pay a higher amount in down payment and the remaining mortgage payments may be well below their financial capacity in terms of their annual income levels. However, for purposes of the analysis, ADE assumed buyers would put 30 percent down on the townhomes and residential flats and 50 percent on the penthouses. Assuming the rest of the purchase price is financed for 30 years at 4 percent per year, the monthly payments are shown in the third column of Table 3. We assume that monthly housing cost comprises 30 percent of household income, resulting in household incomes ranging from \$413,000 to \$790,000 per year. ADE has analyzed consumer expenditure surveys published by the Bureau of Labor Statistics, and at these income levels, households typically spend less than 20 percent of their income on retail goods. Of those expenditures, about 87 percent are taxable items (non-food). We have assumed for purposes of these calculations that households would spend two-thirds of their annual retail budget in Newport Beach, and the remaining one-third would be spent at retail centers in other cities or on out-of-town trips. The City receives sales tax at the rate of one percent of taxable sales. The resulting sales tax figures are shown with the other revenues and costs in Table 4 below.

TABLE 3:
ESTIMATED HOUSEHOLD INCOME AND RETAIL SALES TAX

UNIT TYPE	UNIT VALUE	MONTHLY MORTGAGE PAYMENT	ANNUAL INCOME @30%	SALES TAX PER UNIT
Townhome	\$5,261,000	\$17,600	\$703,000	\$800
Residential Flat	\$3,087,000	\$10,300	\$413,000	\$470
Penthouse	\$8,276,000	\$19,800	\$790,000	\$900

Source: ADE, Inc.

FISCAL IMPACTS

The analysis, summarized in Table 4 below, estimates the current fiscal impact of the proposed project and each of the alternatives. For the residential project and alternatives, the primary revenue source generated for the City is the property tax. The City receives about 20 percent of the base property tax that property owners pay, but in addition the City gets a share of property tax from the state in lieu of vehicle license fees, which adds about ten percent to the total property tax revenues for Newport Beach.

In contrast, for the non-residential alternatives the sales tax is a greater revenue generator. To a large extent this is because the buildings for the non-residential uses are much smaller than the residential options, but also the values per sq.ft. of building space are lower than the luxury residential units proposed for this project. There is no information on the actual sales tax produced by the existing car wash use on the site, but gas sales typically are a relatively high sales tax generator. In addition, convenience stores have a high proportion of taxable goods for sale. ADE estimates this facility likely generates about \$27,500 per year in sales tax for Newport Beach, assuming full operation of this use on the site.

The office alternative would house business uses that have relatively little potential to generate sales tax. At times, office-based businesses have a point of sale operation that generates sales tax even though it is not a store front retail operation, but most often professional services, financial offices and other businesses that occupy office space do not provide taxable goods or services. Therefore, the office use is projected to generate about \$10,100 in sales tax and \$22,600 total in various City revenues. Nearly all of this revenue would be expended to provide incidental City services to the site, so the office use has a neutral fiscal impact.

The potential restaurant alternative could be a relatively high sales tax generator, as the fine dining business is 100 percent taxable. However, one issue is that visitor-serving, entertainment uses tend to generate higher levels of police calls for service and therefore can generate higher costs for the City than other non-residential uses. This is not unique to Newport Beach, but is exacerbated for the City due to the high volumes of visitors during peak tourist seasons. It is difficult to say whether the retail/restaurant use that would occupy this site would contribute to demand for higher police services, but the fiscal model uses a conservative assumption that this use would be similar to other visitor serving uses, and estimates that the facility would require police costs of up to \$27,900 per year.

While the restaurant use would generate higher revenues overall than the other non-residential alternatives, it has a lower net fiscal benefit than the existing car wash/gas sales use of the site.

**TABLE 4:
PROJECTED FISCAL IMPACT OF THE PROPOSED PROJECT AT 150 NEWPORT CENTER AND THE ALTERNATIVES**

Budget Category	Annual Revenues/Costs					
	Proposed Project	Existing Use	Office Alternative	Restaurant Alternative	RM Residential	Reduced Residential
REVENUES						
GENERAL FUND						
Property Tax	\$387,513	\$3,400	\$4,250	\$5,950	\$154,349	\$321,304
Property Tax in lieu of Vehicle License Fees	\$38,407	\$337	\$421	\$590	\$15,298	\$31,845
Sales Tax	\$27,923	\$27,498	\$10,133	\$47,128	\$11,693	\$24,341
Transient Occupancy Tax	\$48	\$0	\$0	\$0	\$26	\$47
Franchise Fees	\$2,014	\$672	\$980	\$1,149	\$1,027	\$1,849
Business Licenses	\$786	\$1,403	\$1,050	\$1,378	\$401	\$722
Other Intergovernmental Charges for Service	\$1,002	\$194	\$283	\$332	\$511	\$920
Fines, Penalties, and Forfeitures	\$8,514	\$1,648	\$2,403	\$2,818	\$4,344	\$7,819
Licenses and Permits	\$2,274	\$440	\$642	\$753	\$1,160	\$2,089
Use of Property	\$391	\$76	\$110	\$129	\$199	\$359
Other Revenue	\$2,274	\$440	\$642	\$753	\$1,160	\$2,089
Interest Income	\$230	\$45	\$65	\$76	\$117	\$211
	\$1,318	\$101	\$59	\$171	\$532	\$1,100
SUBTOTAL GENERAL FUND	\$472,695	\$36,254	\$21,037	\$61,225	\$190,819	\$394,694
GAS TAX MEASURE M	\$2,333	\$0	\$0	\$0	\$1,191	\$2,143
	\$4,268	\$4,203	\$1,549	\$7,204	\$1,787	\$3,721
SUBTOTAL OTHER FUNDS	\$6,602	\$4,203	\$1,549	\$7,204	\$2,978	\$5,864
TOTAL REVENUE	\$479,296	\$40,457	\$22,586	\$68,429	\$193,797	\$400,558
EXPENDITURES						
GENERAL FUND						
General Government	\$12,643	\$1,194	\$1,733	\$3,967	\$6,039	\$11,283
Police	\$28,969	\$4,218	\$6,148	\$27,907	\$14,780	\$26,604
Fire	\$59,943	\$4,293	\$6,185	\$7,352	\$26,156	\$51,520
Public Works	\$21,049	\$4,075	\$5,940	\$6,966	\$10,739	\$19,330
Community Development	\$1,308	\$253	\$369	\$433	\$667	\$1,201
Community Services	\$24,706	\$0	\$0	\$0	\$12,605	\$22,689
CIP Streets	\$1,092	\$543	\$792	\$7,238	\$589	\$1,060
Other CIP Projects	\$392	\$76	\$111	\$130	\$200	\$360
SUBTOTAL GENERAL FUND	\$150,102	\$14,652	\$21,278	\$53,992	\$71,776	\$134,048
GAS TAX MEASURE M	\$583	\$290	\$422	\$3,862	\$314	\$566
	\$933	\$464	\$677	\$6,188	\$503	\$906
SUBTOTAL OTHER FUNDS	\$1,516	\$754	\$1,099	\$10,050	\$818	\$1,472
TOTAL EXPENDITURES	\$151,618	\$15,406	\$22,377	\$64,042	\$72,594	\$135,520
NET (COST)/REVENUE	\$327,679	\$25,051	\$209	\$4,387	\$121,203	\$265,038

Source: ADE, Inc. Note: Totals may not add due to rounding.

The proposed project and the other residential alternatives all have a much higher fiscal benefit than the non-residential alternatives, and the variation in net revenue is mainly due to the number of dwelling units in each alternative. In terms of City costs, the DEIR indicates that the proposed project would not have a significant impact on police, fire or other City services. The project site is in an intensely developed urban area of the City and existing service capacities are sufficient to provide services to the proposed uses on the site. However, with the more intensive residential uses, it may

be expected that there would be some additional calls for service, particularly for public safety and perhaps traffic related incidents, compared to the existing use on the site. The fiscal model, therefore, shows some incremental cost for City services, but the annual expenditure amounts are all well below the amount needed to support an additional full staff person, meaning that the service impacts would be an incremental increase of service activity for existing personnel.

The proposed project would generate the most revenue for the City and would have a proportionally higher net fiscal benefit, of about \$327,700 per year, compared to \$121, 200 for the 25-unit Multiple Residence alternative and \$265,000 for the Reduced Dwelling Unit and Height alternative.

CONCLUSION

The proposed residential use of the site would generate a positive fiscal benefit for the City due to the building intensity and high value of the proposed development. The smaller residential alternatives would also produce positive fiscal impacts provided they are developed for the same luxury residential market as the proposed project. The 2006 General Plan designated the site for non-residential use, consistent with the office alternative or the restaurant use (if a Conditional Use Permit were granted). These alternatives would also have a positive, or at least neutral, fiscal benefit, although much lower than the existing car wash use or the residential alternatives as proposed. Overall, the General Plan increased development potential for commercial and lodging uses substantially, in addition to the new residential units it would permit. The net impact of the growth in land uses at buildout of the General Plan compared to existing land uses in 2006 when the plan was adopted, would result in a positive fiscal impact for the General Fund of \$21.7 million per year.³ Due to the high market level targeted by the proposed project, it would exceed the fiscal benefit from the potential non-residential uses of the site under the existing General Plan.

³ Applied Development Economics, *Fiscal Impact Analysis Land Use Element Amendment*, April 4, 2014. p. 3.

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Attachment No. PC 11
Requested Height Plans (65 feet 6 inches)

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150 NEWPORT CENTER

02.29.2016



ARCHITECTURAL SHEET INDEX

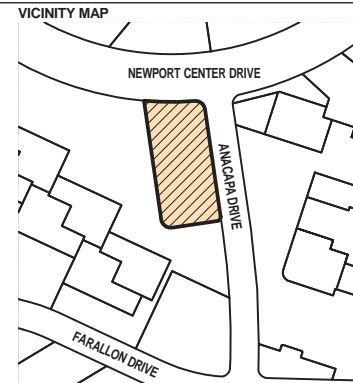
A0.0	COVER SHEET
A0.1	SITE PLAN & PROJECT SUMMARY
A0.2	PROPOSED OFF-SITE IMPROVEMENTS
A0.3	OPEN SPACE DIAGRAMS - COMMON OPEN SPACE
A0.4	OPEN SPACE DIAGRAMS - PRIVATE OPEN SPACE
A0.5	OPEN SPACE DIAGRAMS - PRIVATE OPEN SPACE
A0.6	OPEN SPACE DIAGRAMS - PRIVATE OPEN SPACE
A1.0.1	FLOOR PLAN - LEVEL B1
A1.0.2	FLOOR PLAN - LEVEL B2
A1.0.3	FLOOR PLAN - LEVEL B3
A1.1	FLOOR PLAN - LEVEL 1
A1.2	FLOOR PLAN - LEVEL 2
A1.3	FLOOR PLAN - LEVEL 3 (3-4 TYP.)
A1.5	FLOOR PLAN - LEVEL 5
A1.6	FLOOR PLAN - LEVEL 6
A1.7	ROOF PLAN
A2.1	NORTH ELEVATION
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A3.1	SITE SECTION 1
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A3.4	SITE SECTION 4 AT LOWEST POINT
A3.5	BUILDING SECTION 1
A4.1	PERSPECTIVE - NEWPORT & ANACAPA
A4.2	PERSPECTIVE - ANACAPA TOWARDS FASHION ISLAND
A4.3	PERSPECTIVE - SOUTHWEST CORNER BIRD'S EYE
A4.4	PERSPECTIVE - ANACAPA DRIVE
A4.5	PERSPECTIVE - VIEW FROM VALET DROPOFF
EXHIBIT 1	PROPERTY LINE SETBACKS - SECTIONS
EXHIBIT 2	SHADE & SHADOW STUDY (EXISTING)
EXHIBIT 3	SHADE & SHADOW STUDY (PURPOSED)

CIVIL SHEET INDEX

C1.0	CONCEPTUAL GRADING PLAN
C2.0	CONCEPTUAL UTILITY PLAN
C3.0	SECTIONS
EX.1	VIEW SIMULATIONS - VIEW 1
EX.2	VIEW SIMULATIONS - VIEW 2
EX.3	VIEW SIMULATIONS - VIEW 3
EX.4	VIEW SIMULATIONS - VIEW 4
EX. FH	FIRE HYDRANT LOCATION EXHIBIT
EX. TC	TITLE CONSTRAINTS
EX. VTTM	VESTING TENTATIVE TRACT MAP

LANDSCAPE SHEET INDEX

L0.0	NOTES AND LAYOUT LEGEND
L0.1	PLANTING PALETTE
L0.2	PLANTING PALETTE
L0.3	PLANTING PALETTE
L1.0	LAYOUT AND MATERIALS PLAN
L2.0	PLANTING PLAN



As indicated



150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

COVER SHEET

PROJECT SUMMARY

MULTI-STORY PROJECT

PROJECT DESCRIPTION

THE PROJECT CONSISTS OF (1) MULT-STORY RESIDENTIAL BUILDING.
6 STORIES OF RESIDENTIAL
3 LEVELS OF UNDERGROUND PARKING
BUILDING SHALL BE COMPLETELY SPRINKLERED.

BUILDING CODE: CALIFORNIA BUILDING CODE 2013

OCCUPANCY TYPE: R-2

BUILDING TYPE OF CONSTRUCTION:

TYPE I-A - FULLY SPRINKLERED

GOVERNING AGENCY:

CITY OF NEWPORT BEACH

LOT COVERAGE:

LOT AREA (prior to dedications): 54,686 S.F.
LOT AREA
(after dedications plus setbacks): 47,592 S.F.
BUILDABLE AREA: 47,592 S.F.
BUILDING FOOTPRINT: 29,800 S.F.
LOT COVERAGE: 63%

BUILDING DEPARTMENT GROSS FLOOR AREA:

1ST FLOOR AREA: +/- 27,294 S.F.
2ND FLOOR AREA: +/- 25,520 S.F.
3RD FLOOR AREA: +/- 25,198 S.F.
4TH FLOOR AREA: +/- 25,198 S.F.
5TH FLOOR AREA: +/- 21,631 S.F.
6TH FLOOR AREA: +/- 16,172 S.F.
TOTAL +/- 141,013 S.F.

GROSS FLOOR AREA: +/- 141,013 S.F.

PARKING GARAGE GBA: +/- 132,274 S.F.

PROJECT SALEABLE AREA: +/- 125,494 S.F.

PARKING:

REQUIRED

RESIDENTIAL 90 STALLS
VISITOR 23 STALLS

PROVIDED

RESIDENTIAL 91 STALLS (INCLUDES 1 ADA STALL AT LEVEL B1)
VISITOR 25 STALLS (INCLUDES 2 STALLS AT GROUND LEVEL AND 2 ADA STALLS AT LEVEL B1)

TOTAL PROPOSED GROSS FLOOR AREA:

RESIDENTIAL: 141,013 S.F. (2.96 x BUILDABLE AREA)

DWELLING UNITS:

2 Bedroom 43 Units
3 Bedroom 2 Units
Total 45 Units

OPEN SPACE:

REQUIRED

COMMON OPEN SPACE 75 DU/UNIT 3,375 S.F.

PRIVATE OPEN SPACE 30 S.F. PER EACH UNIT 1,350 S.F.

TOTAL REQUIRED 4,725 S.F.

PROVIDED

COMMON OUTDOOR OPEN SPACE 10,389 S.F.

COMMON INDOOR OPEN SPACE 2,694 S.F.

PRIVATE OPEN SPACE 13,564 S.F.

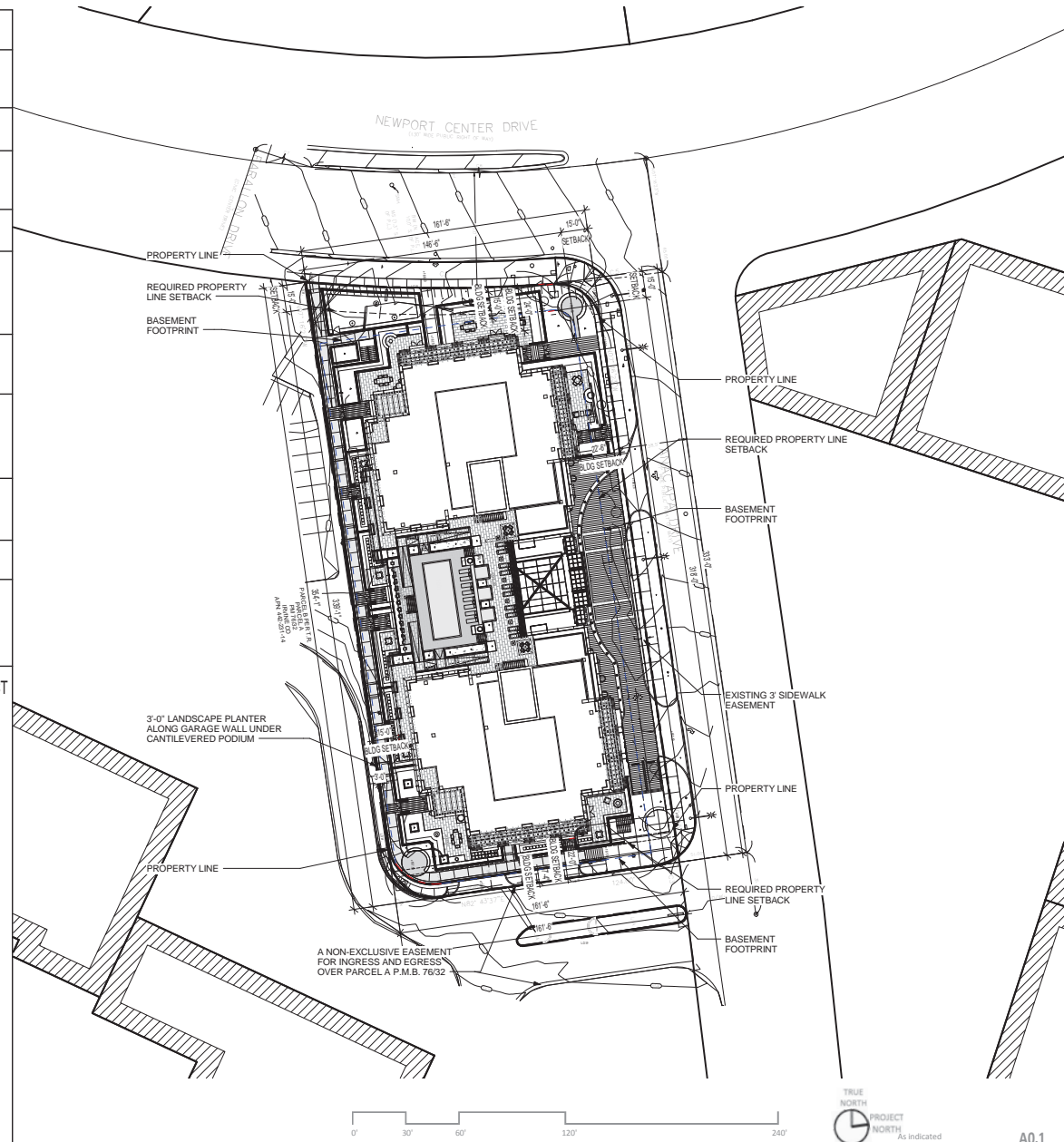
TOTAL PROVIDED 26,647 S.F.

SETBACKS:

PROVIDED

	ABOVE PODIUM	BELOW PODIUM
ANACAPA FRONTAGE -	22.5 FT	15 FT
NEWPORT CENTER DR -	24 FT	15 FT
WESTERN PRTY LINE -	14 FT	0 FT
SOUTHERN PRTY LINE -	22 FT	7 FT

***NOTE:** ARCHITECTURAL PROJECTIONS ARE ALLOWED TO PROJECT 30" INTO SETBACK AREAS



150 Newport Center
Newport Beach, CA

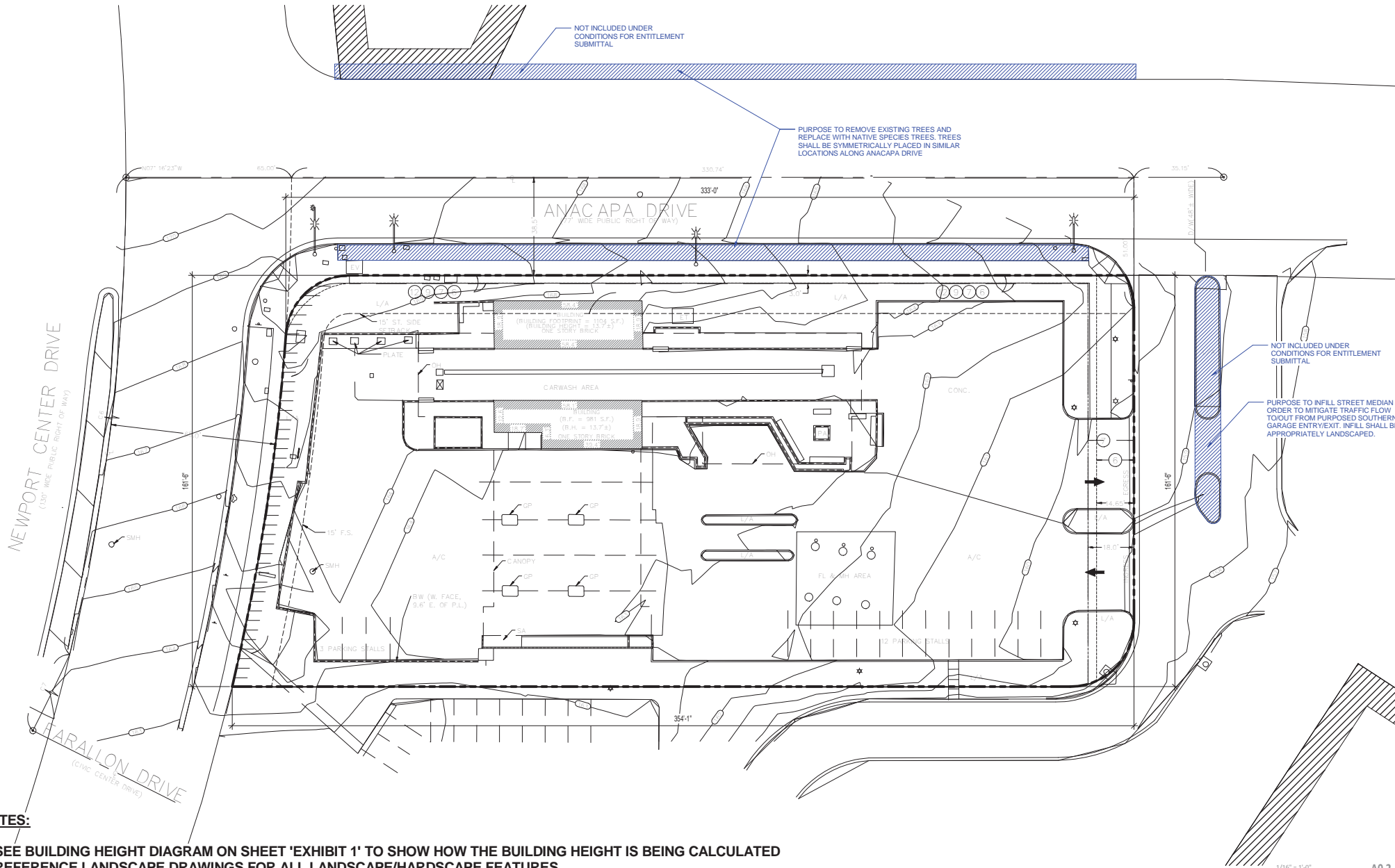
Note: Design Subject To Change

SITE PLAN & PROJECT SUMMARY

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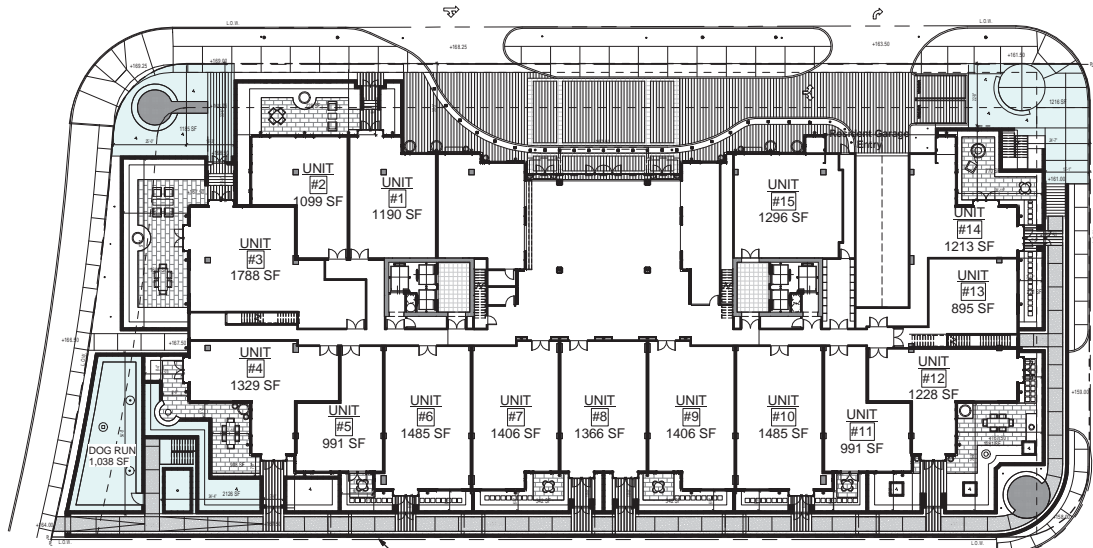


- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

PROPOSED OFF-SITE IMPROVEMENTS



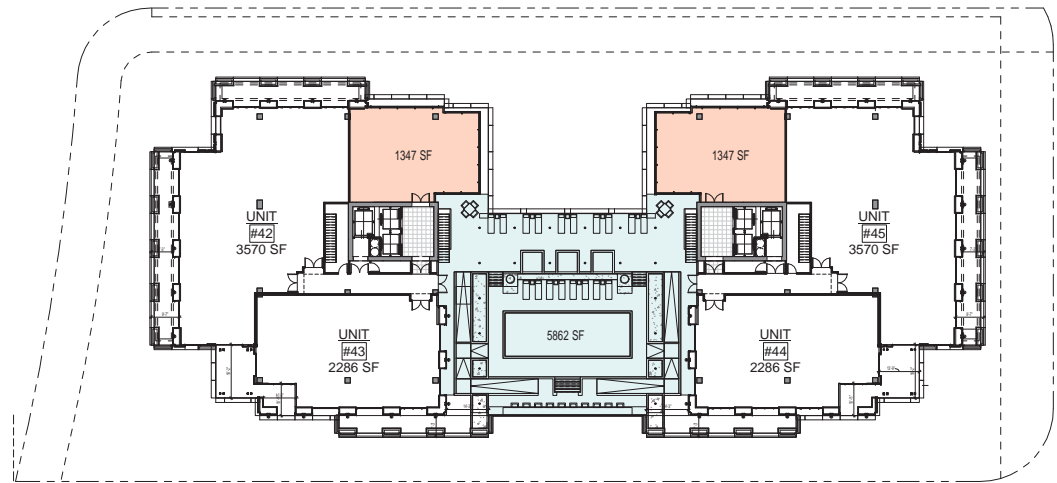
① LEVEL 1 - OPEN SPACE
1" = 20'-0"

LANDSCAPE UNDER CANTILEVERED ARCHITECTURAL DECK TO BE COMPRISED OF VINES & SHRUBS TO SCREEN ARCHITECTURAL WALL.

COMMON - OUTDOOR SPACE
COMMON - INDOOR SPACE

Area Schedule - Common Open Space (Outdoor)		
Level	Name	Area
Level 1	OPEN SPACE (COMMON)	4527 SF
Level 6	OPEN SPACE (COMMON)	5862 SF
		10389 SF

Area Schedule - Common Open Space (Indoor)		
Level	Name	Area
Level 6	INDOOR SPACE (COMMON)	2694 SF
		2694 SF



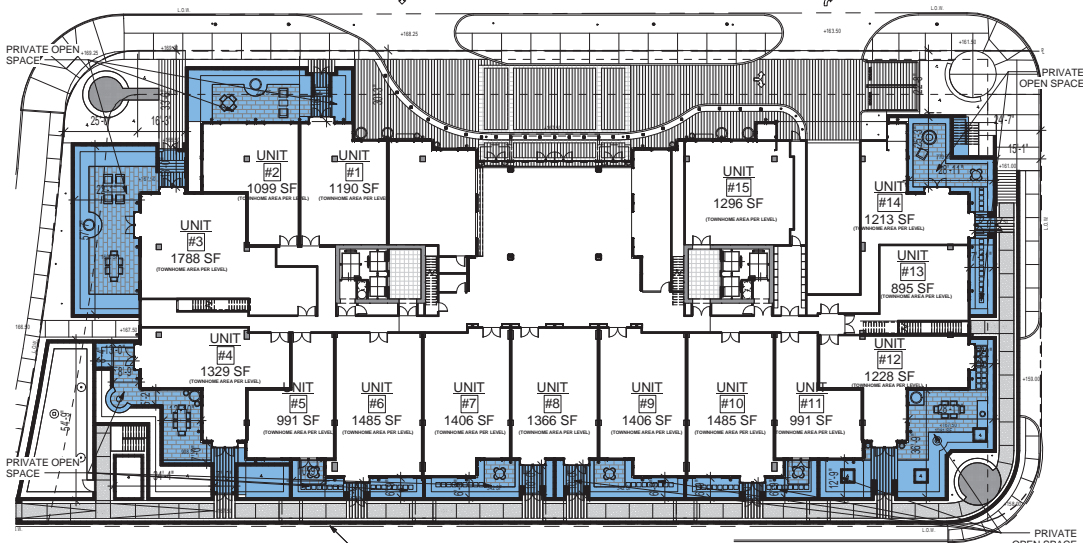
② LEVEL 6 - OPEN SPACE
1" = 20'-0"

COMMON - OUTDOOR SPACE
COMMON - INDOOR SPACE



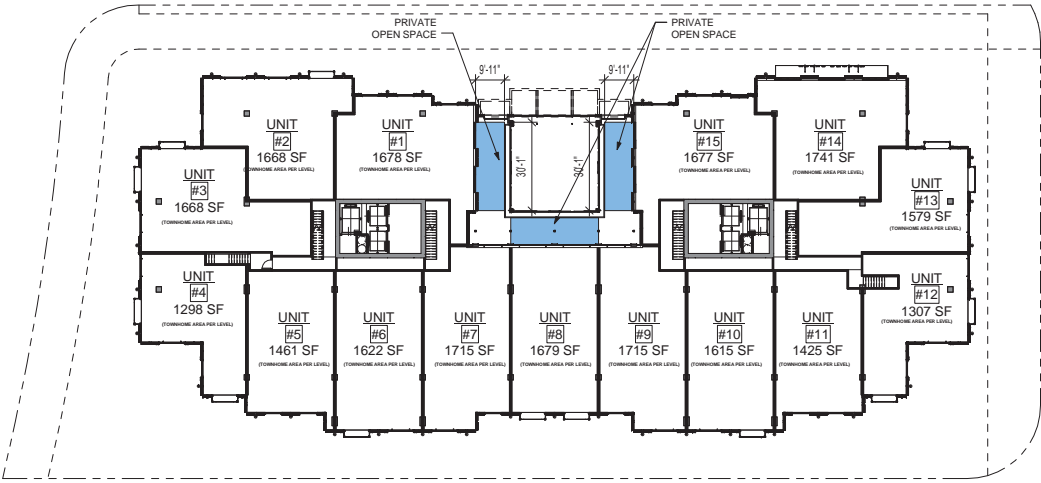
150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

OPEN SPACE DIAGRAMS - COMMON OPEN SPACE



① LEVEL 1 - OPEN SPACE
1" = 20'-0"

LANDSCAPE UNDER CANTILEVERED ARCHITECTURAL DECK TO BE COMPRISED OF VINES & SHRUBS TO SCREEN ARCHITECTURAL WALL.



② LEVEL 2 - OPEN SPACE
1" = 20'-0"

Area Schedule - Common Open Space (Outdoor)		
Level	Name	Area
Level 1	OPEN SPACE (COMMON)	4527 SF
Level 6	OPEN SPACE (COMMON)	5862 SF
		10389 SF

Area Schedule - Common Open Space (Indoor)		
Level	Name	Area
Level 6	INDOOR SPACE (COMMON)	2694 SF
		2694 SF

Area Schedule (Open Space Provided - Overall)		
Name	Area	
INDOOR SPACE (COMMON)	2694 SF	
OPEN SPACE (COMMON)	10389 SF	
OPEN SPACE (PRIVATE)	13564 SF	
	26647 SF	

LEGEND

PRIVATE - OPEN SPACE

FLOOR SUMMARY

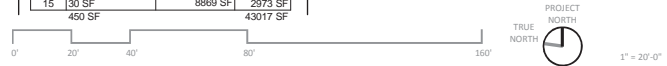
Unit #	Private Open Space Required Per Unit (SF)	Provided Private Open Space	Total Unit Area
1	30 SF	606 SF	2869 SF
2	30 SF	728 SF	2768 SF
3	30 SF	1605 SF	3455 SF
4	30 SF	908 SF	2627 SF
5	30 SF	369 SF	2452 SF
6	30 SF	243 SF	3107 SF
7	30 SF	342 SF	3121 SF
8	30 SF	547 SF	3045 SF
9	30 SF	342 SF	3121 SF
10	30 SF	243 SF	3100 SF
11	30 SF	369 SF	2416 SF
12	30 SF	1281 SF	2536 SF
13	30 SF	221 SF	2474 SF
14	30 SF	1064 SF	2954 SF
15	30 SF	8869 SF	2973 SF
	450 SF	43017 SF	

LEGEND

PRIVATE - OPEN SPACE

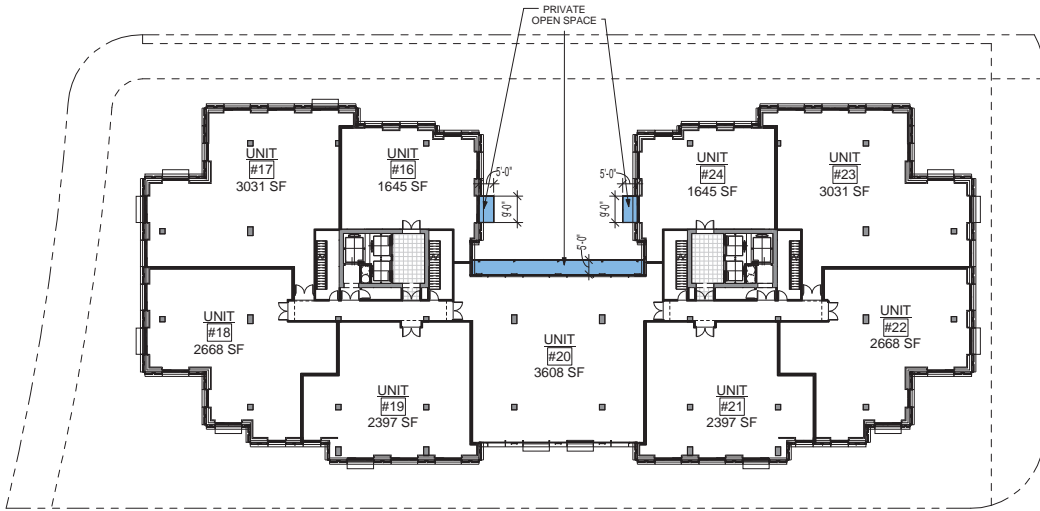
FLOOR SUMMARY

Unit #	Private Open Space Required Per Unit (SF)	Provided Private Open Space	Total Unit Area
1	30 SF	606 SF	2869 SF
2	30 SF	728 SF	2768 SF
3	30 SF	1605 SF	3455 SF
4	30 SF	908 SF	2627 SF
5	30 SF	369 SF	2452 SF
6	30 SF	243 SF	3107 SF
7	30 SF	342 SF	3121 SF
8	30 SF	547 SF	3045 SF
9	30 SF	342 SF	3121 SF
10	30 SF	243 SF	3100 SF
11	30 SF	369 SF	2416 SF
12	30 SF	1281 SF	2536 SF
13	30 SF	221 SF	2474 SF
14	30 SF	1064 SF	2954 SF
15	30 SF	8869 SF	2973 SF
	450 SF	43017 SF	

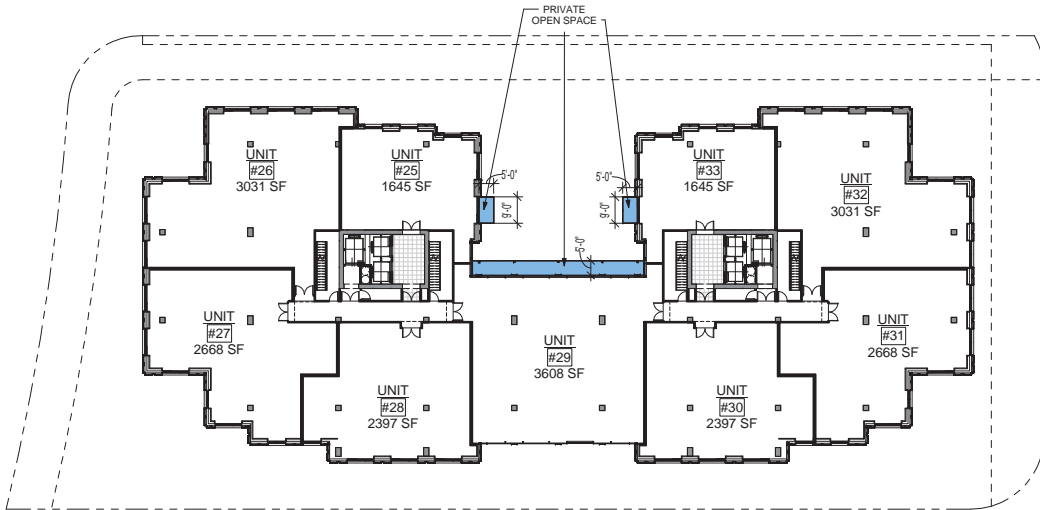


150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

OPEN SPACE DIAGRAMS - PRIVATE OPEN SPACE



LEVEL 3 - OPEN SPACE
1" = 20'-0"



LEVEL 4 - OPEN SPACE
1" = 20'-0"

Area Schedule - Common Open Space (Outdoor)		
Level	Name	Area
Level 1	OPEN SPACE (COMMON)	4527 SF
Level 6	OPEN SPACE (COMMON)	5862 SF
		10389 SF

Area Schedule - Common Open Space (Indoor)		
Level	Name	Area
Level 6	INDOOR SPACE (COMMON)	2694 SF
		2694 SF

Area Schedule (Open Space Provided - Overall)		
Name	Area	
INDOOR SPACE (COMMON)	2694 SF	
OPEN SPACE (COMMON)	10389 SF	
OPEN SPACE (PRIVATE)	13564 SF	
		26647 SF

LEGEND

PRIVATE - OPEN SPACE

FLOOR SUMMARY

Unit #	Private Open Space Required Per Unit (SF)	Provided Private Open Space	Total Unit Area
16	30 SF	45 SF	1645 SF
20	30 SF	293 SF	3608 SF
24	30 SF	45 SF	1645 SF
90 SF		382 SF	6898 SF

LEGEND

PRIVATE - OPEN SPACE

FLOOR SUMMARY

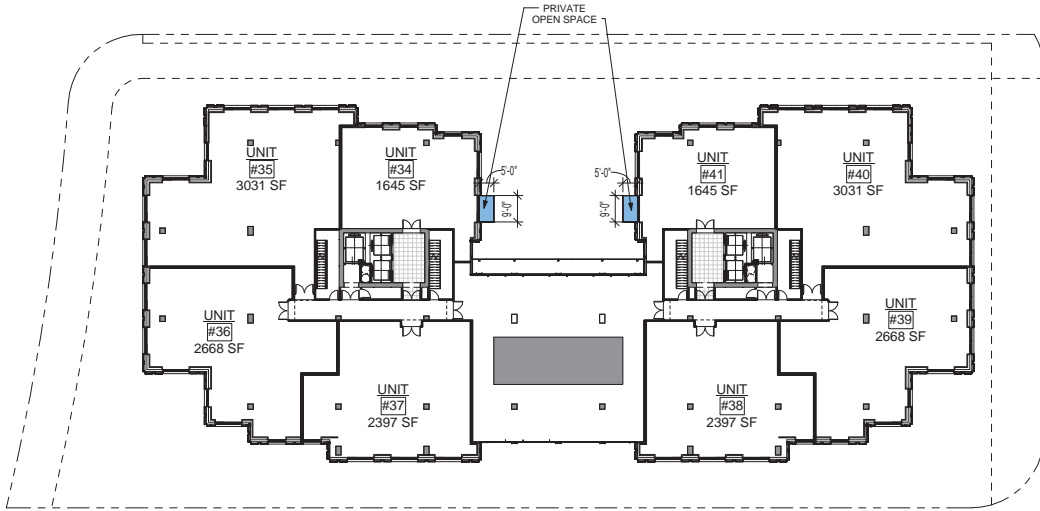
Unit #	Private Open Space Required Per Unit (SF)	Provided Private Open Space	Total Unit Area
25	30 SF	45 SF	1645 SF
29	30 SF	293 SF	3608 SF
33	30 SF	45 SF	1645 SF
90 SF		382 SF	6898 SF



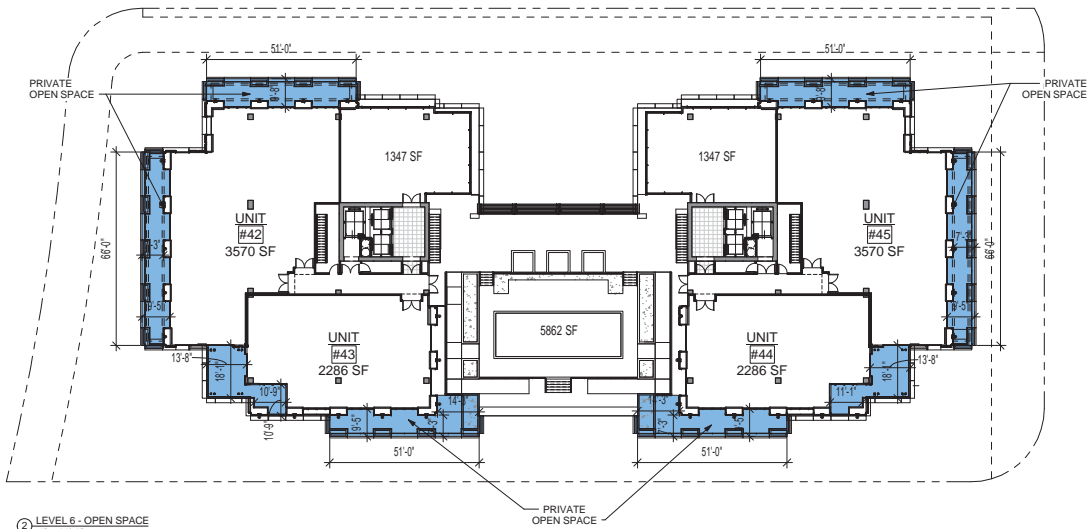
150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

OPEN SPACE DIAGRAMS - PRIVATE OPEN SPACE



LEVEL 5 - OPEN SPACE
1" = 20'-0"



LEVEL 6 - OPEN SPACE
1" = 20'-0"

Area Schedule - Common Open Space (Outdoor)		
Level	Name	Area
Level 1	OPEN SPACE (COMMON)	4527 SF
Level 6	OPEN SPACE (COMMON)	5862 SF
		10389 SF

Area Schedule - Common Open Space (Indoor)		
Level	Name	Area
Level 6	INDOOR SPACE (COMMON)	2694 SF
		2694 SF

Area Schedule (Open Space Provided - Overall)		
Name	Area	
INDOOR SPACE (COMMON)	2694 SF	
OPEN SPACE (COMMON)	10389 SF	
OPEN SPACE (PRIVATE)	13564 SF	
		26647 SF

LEGEND

PRIVATE - OPEN SPACE

FLOOR SUMMARY

Unit #	Private Open Space Required Per Unit (SF)	Provided Privatized Open Space	Total Unit Area
34	30 SF	45 SF	1645 SF
41	30 SF	45 SF	1645 SF
		90 SF	3290 SF

LEGEND

PRIVATE - OPEN SPACE

FLOOR SUMMARY

Unit #	Private Open Space Required Per Unit (SF)	Provided Privatized Open Space	Total Unit Area
42	30 SF	1029 SF	3570 SF
43	30 SF	891 SF	2286 SF
44	30 SF	891 SF	2286 SF
45	30 SF	1031 SF	3570 SF
		3841 SF	11712 SF



150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

OPEN SPACE DIAGRAMS - PRIVATE OPEN SPACE

ROOM LEGEND

- Elevator Lobby
- Gas Meter Room
- Generator
- Main Electrical Meter Room
- Mechanical
- Private Garage
- Resident Storage
- Service Lobby / Trash
- Stair
- Switch Gear
- VISITORS PARKING



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Newport Beach, CA
Note: Design Subject To Change

FLOOR PLAN - LEVEL B1

A1.0.1

3/1/2016 9:10:42 AM
104

ROOM LEGEND

- Electrical
- Elevator Lobby
- Mechanical
- Private Garage
- Resident Storage
- Service Lobby / Trash
- Stair



***NOTES:**

- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES
- ROOM AREA CALLOUTS ARE BASED ON NET AREA. REFER TO OPEN SPACE DIAGRAMS FOR FLOOR AREA CALCULATIONS











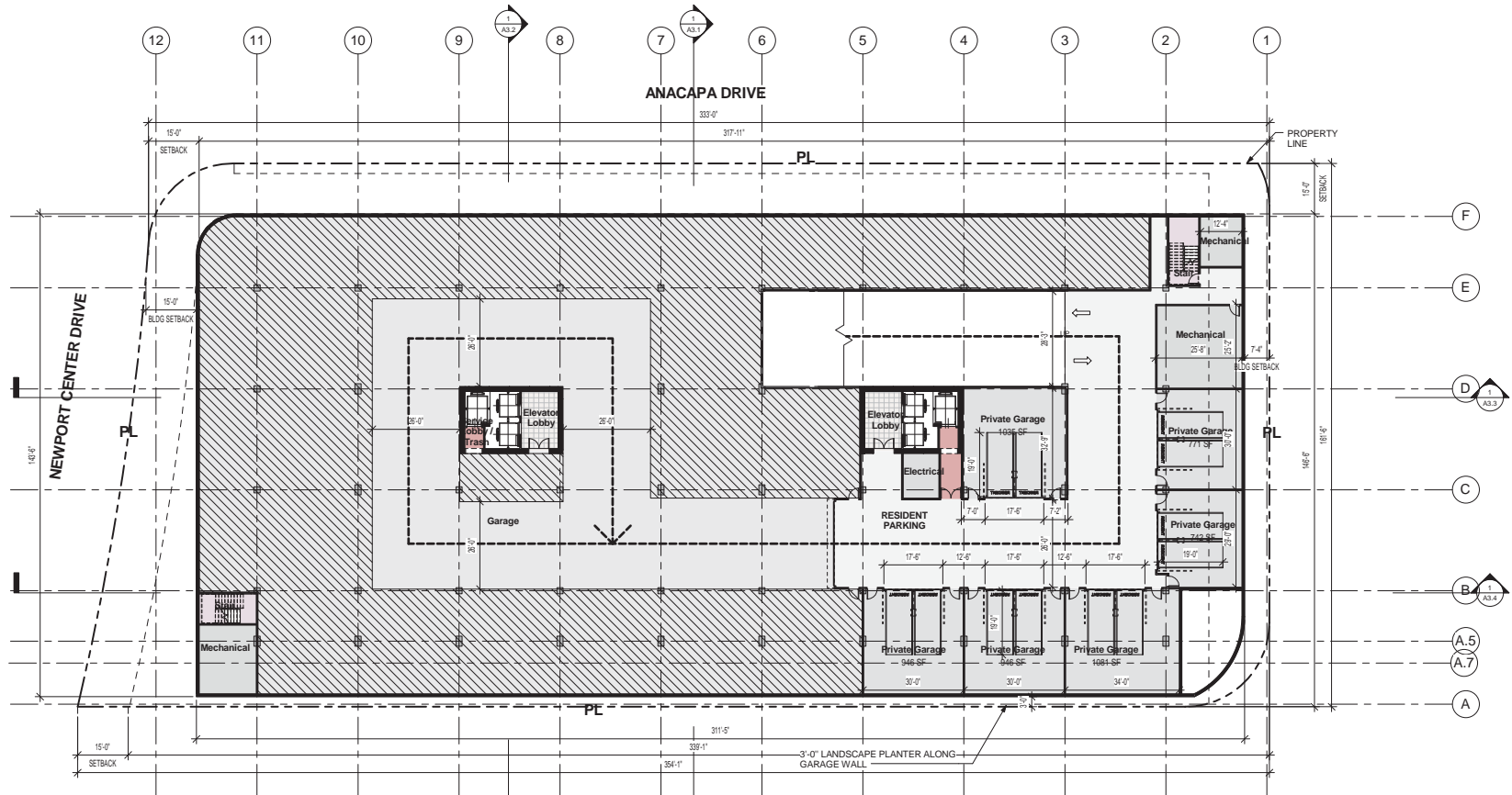
150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

FLOOR PLAN - LEVEL B2

A1.0.2

ROOM LEGEND

-  Electrical
-  Elevator Lobby
-  Garage
-  Mechanical
-  Private Garage
-  RESIDENT PARKING
-  Service Lobby / Trash
-  Stair



- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES
 - ROOM AREA CALLOUTS ARE BASED ON NET AREA. REFER TO OPEN SPACE DIAGRAMS FOR FLOOR AREA CALCULATIONS



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 Newport Beach, CA





















Note: Design Subject To Change

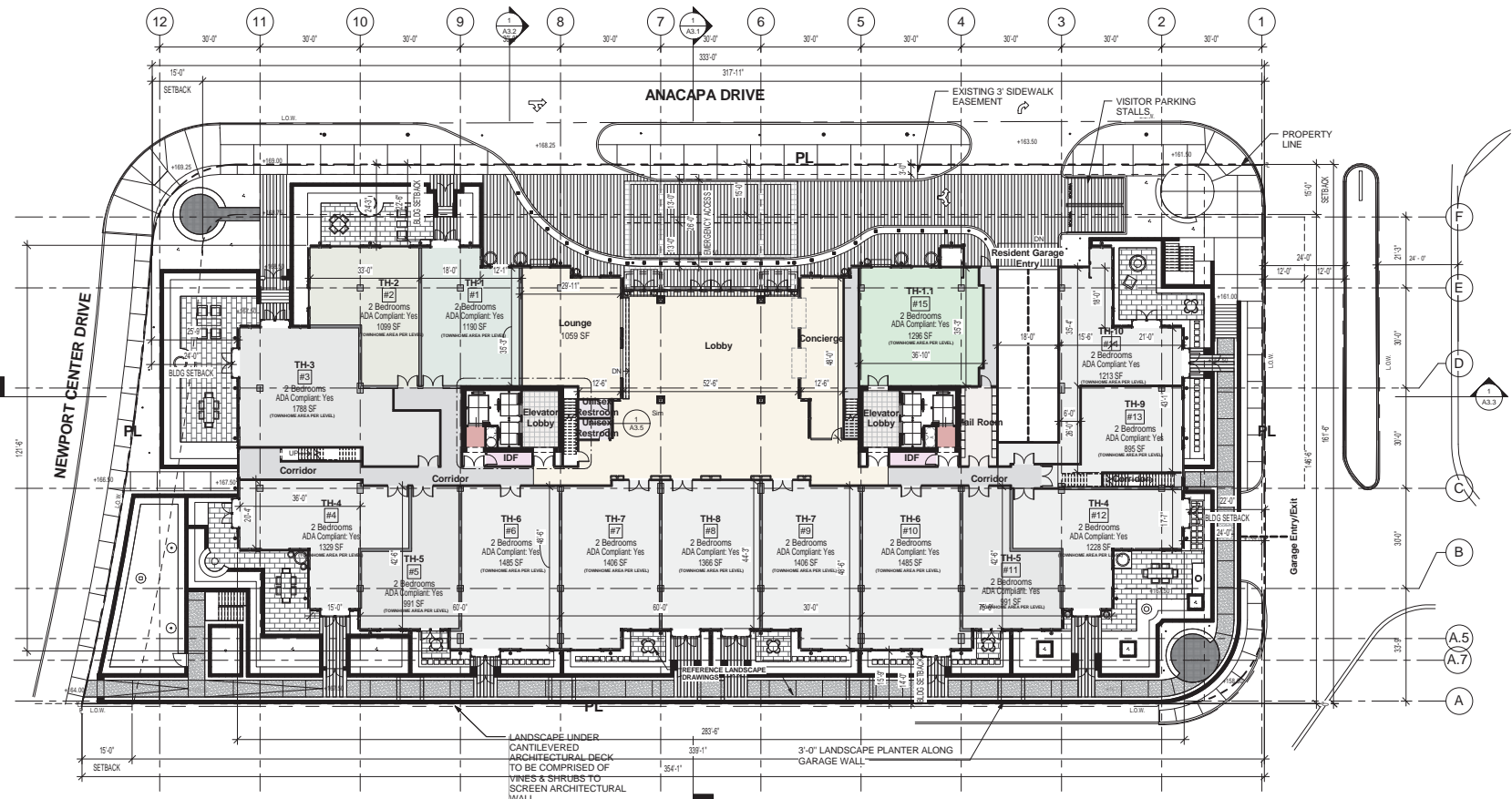
FLOOR PLAN - LEVEL B3

A1.0.3

3/1/2016 8:56:55 AM
 106

ROOM LEGEND

-  Concierge
-  Corridor
-  Elevator Lobby
-  IDF
-  Lobby
-  Lounge
-  Mail Room
-  Service Lobby / Trash
-  TH-1
-  TH-1.1
-  TH-2
-  TH-3
-  TH-4
-  TH-5
-  TH-6
-  TH-7
-  TH-8
-  TH-9
-  TH-10
-  Unisex Restroom



- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES
 - ROOM AREA CALLOUTS ARE BASED ON NET AREA. REFER TO OPEN SPACE DIAGRAMS FOR FLOOR AREA CALCULATIONS

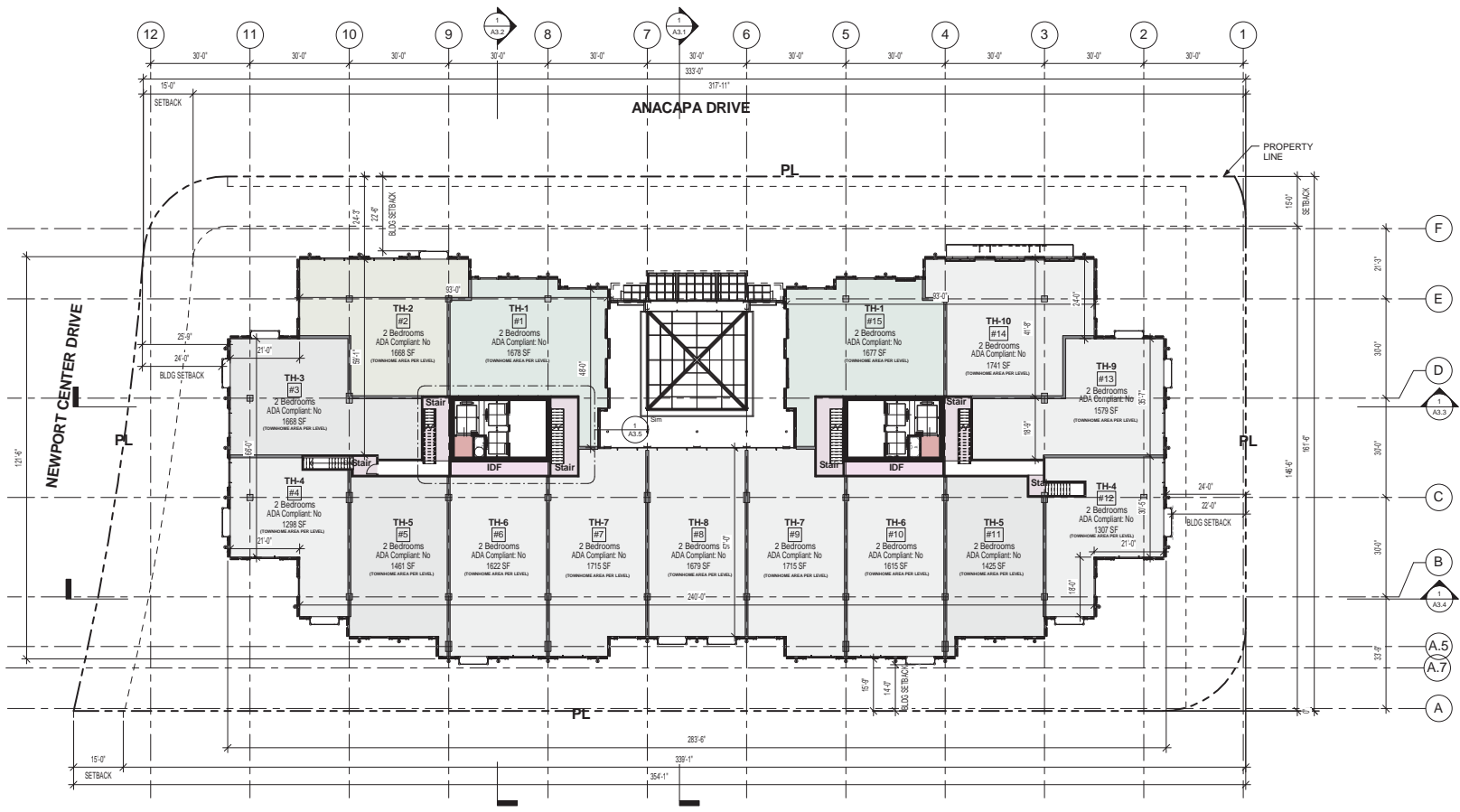


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Newport Beach, CA
Note: Design Subject To Change

FLOOR PLAN - LEVEL 1

ROOM LEGEND

-  IDF
-  Service Lobby / Trash
-  Stair
-  TH-1
-  TH-2
-  TH-3
-  TH-4
-  TH-5
-  TH-6
-  TH-7
-  TH-8
-  TH-9
-  TH-10



- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES
 - ROOM AREA CALLOUTS ARE BASED ON NET AREA. REFER TO OPEN SPACE DIAGRAMS FOR FLOOR AREA CALCULATIONS

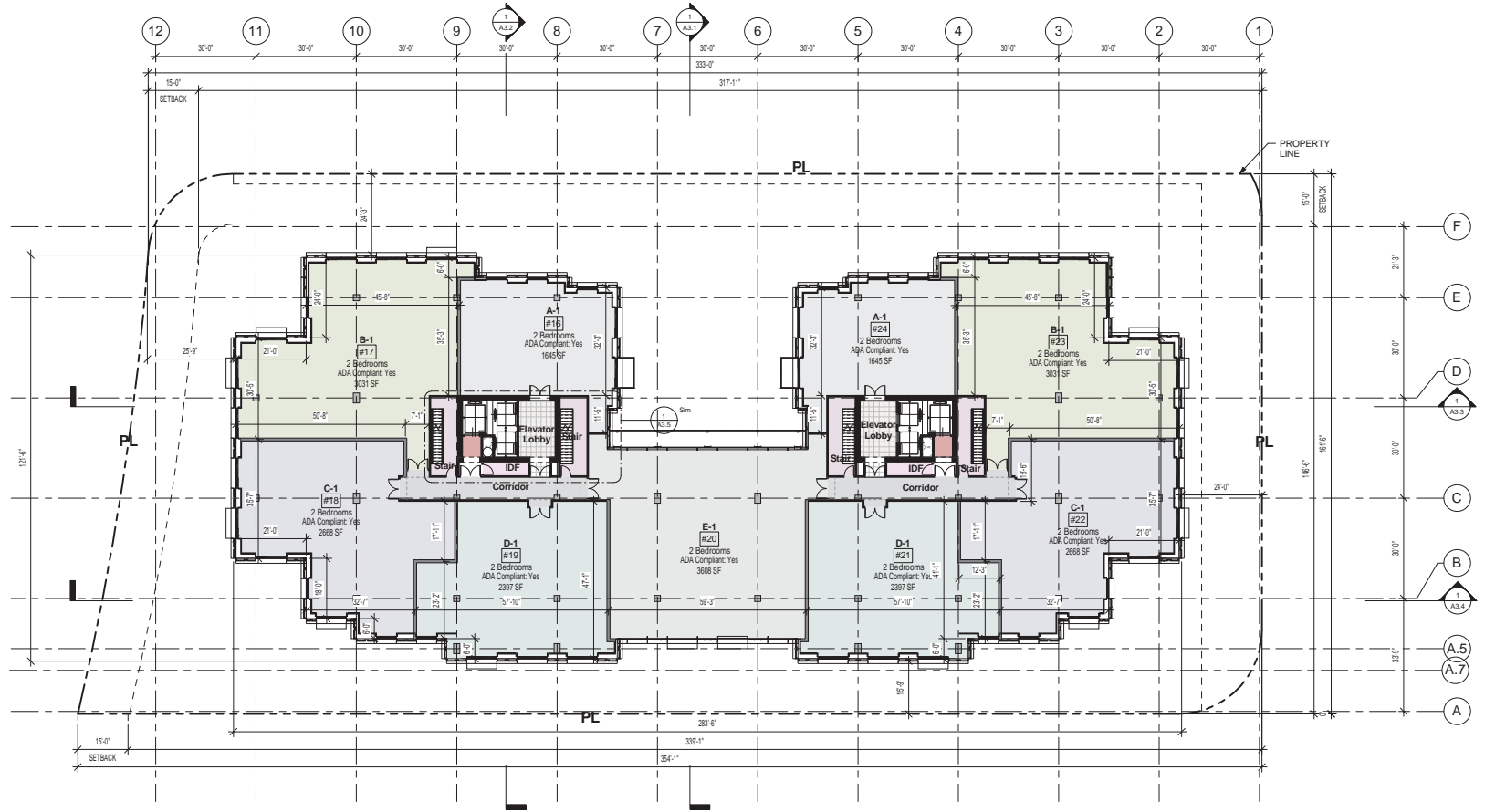


150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

FLOOR PLAN - LEVEL 2

ROOM LEGEND

- A-1
- B-1
- C-1
- Corridor
- D-1
- E-1
- Elevator Lobby
- IDF
- Service Lobby / Trash
- Stair



***NOTES:**

- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES
- ROOM AREA CALLOUTS ARE BASED ON NET AREA. REFER TO OPEN SPACE DIAGRAMS FOR FLOOR AREA CALCULATIONS



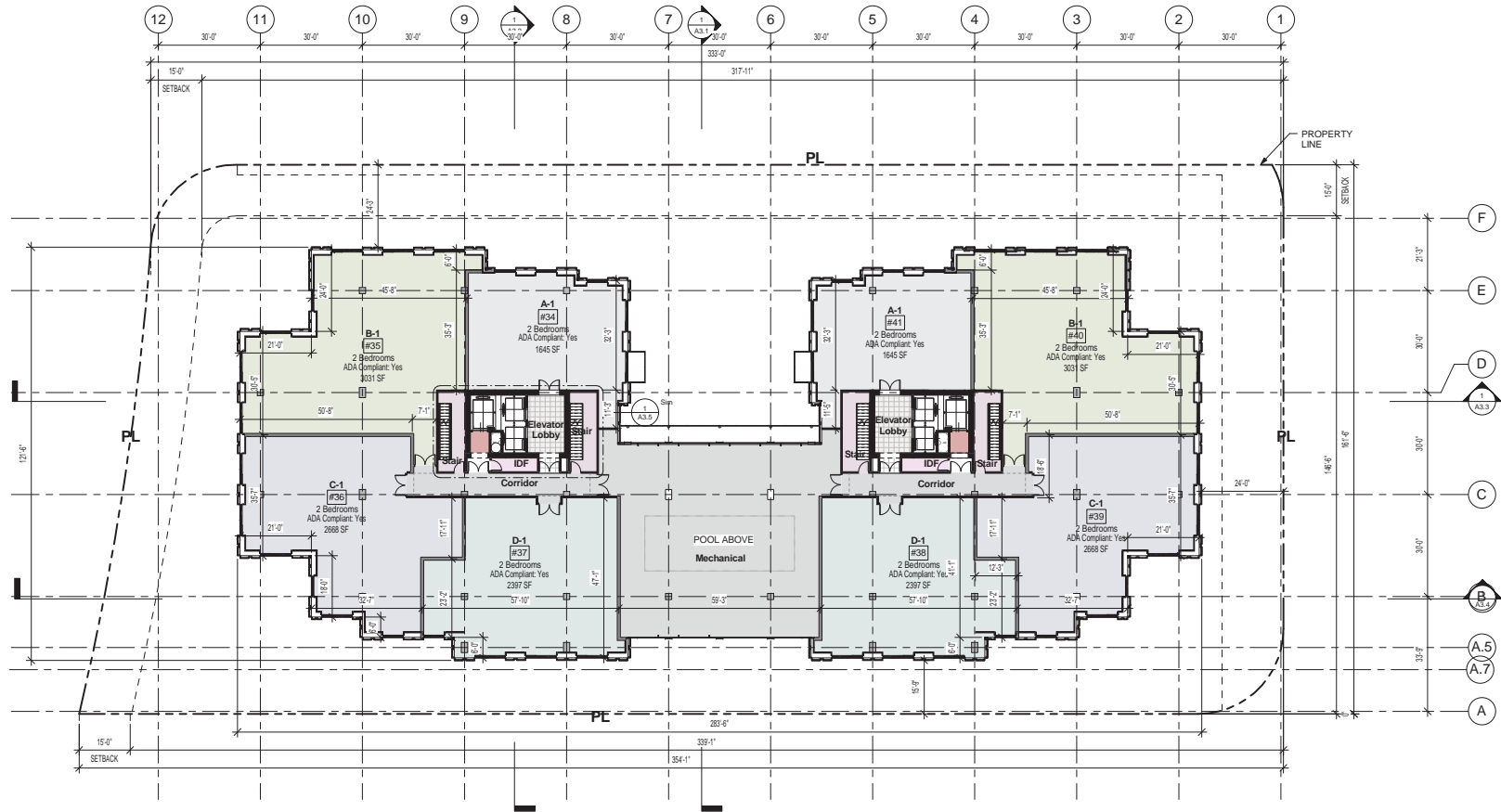
150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

FLOOR PLAN - LEVEL 3 (3-4 TYP.)

ROOM LEGEND

- A-1
- B-1
- C-1
- Corridor
- D-1
- Elevator Lobby
- IDF
- Mechanical
- Service Lobby / Trash
- Stair



***NOTES:**

- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES
- ROOM AREA CALLOUTS ARE BASED ON NET AREA. REFER TO OPEN SPACE DIAGRAMS FOR FLOOR AREA CALCULATIONS



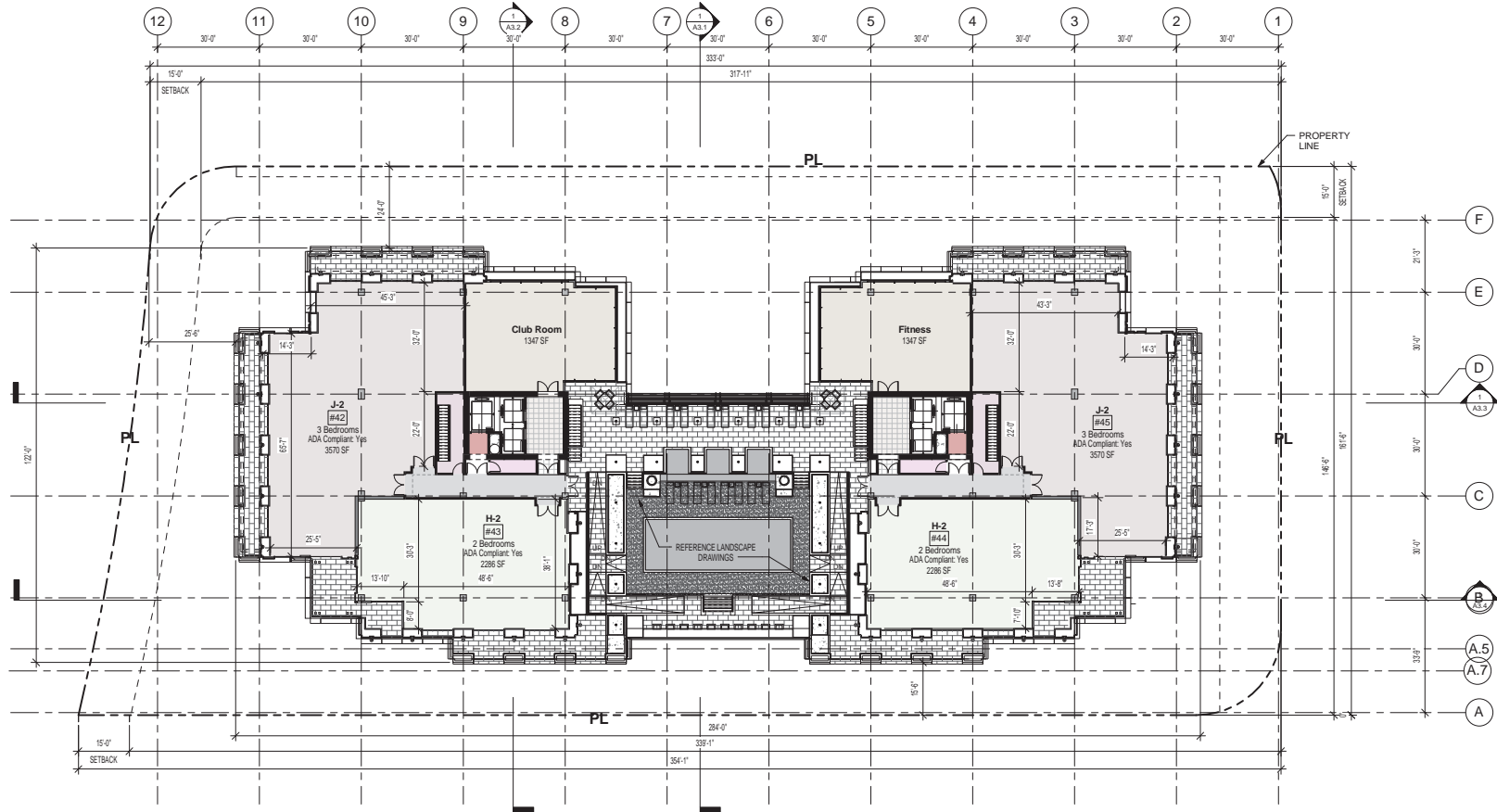
150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

FLOOR PLAN - LEVEL 5

ROOM LEGEND

-  Club Room
-  Corridor
-  Elevator Lobby
-  Fitness
-  H-2
-  IDF
-  J-2
-  Service Lobby / Trash
-  Stair



***NOTES:**

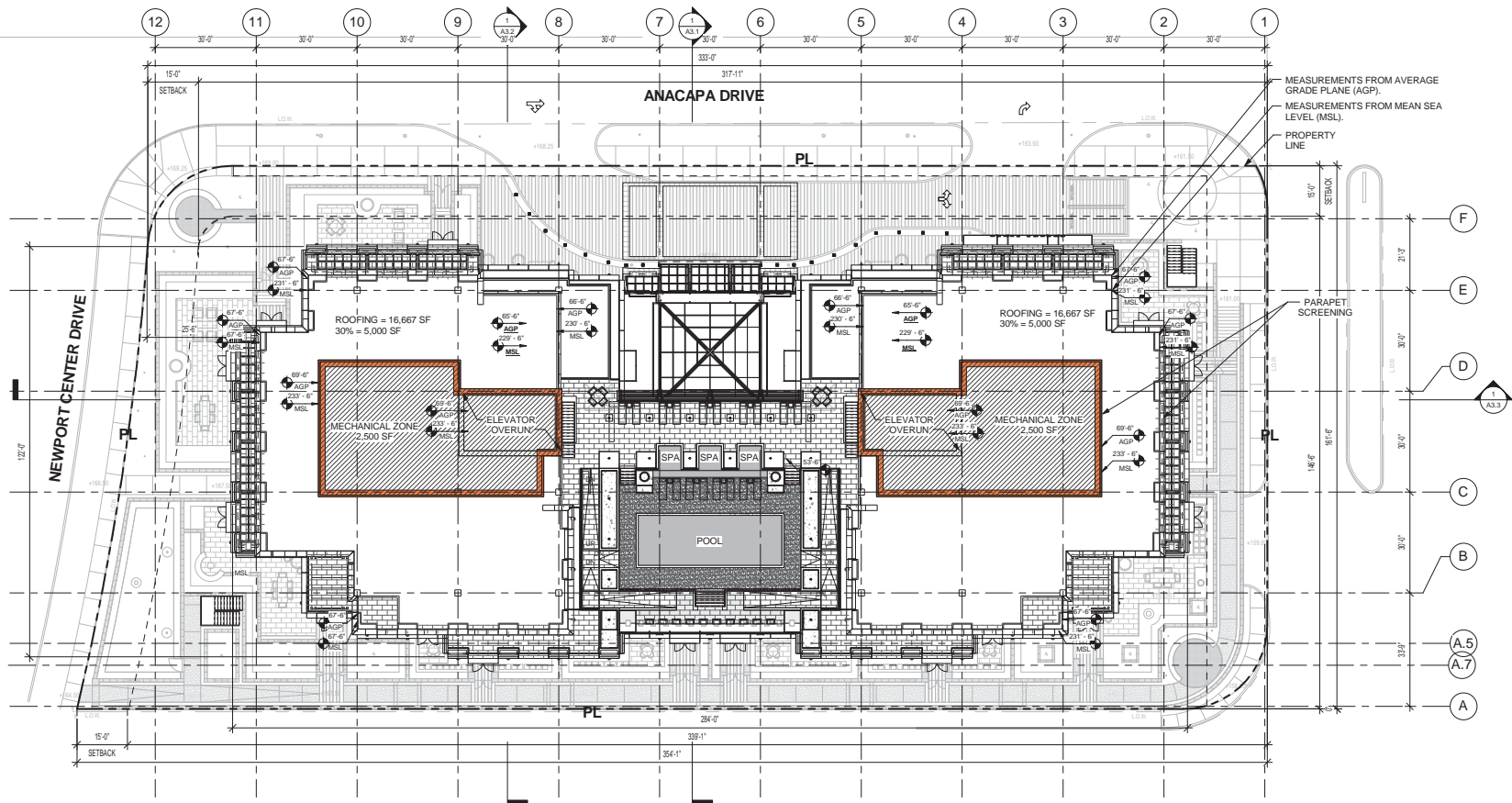
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES
- ROOM AREA CALLOUTS ARE BASED ON NET AREA. REFER TO OPEN SPACE DIAGRAMS FOR FLOOR AREA CALCULATIONS



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 Newport Beach, CA

Note: Design Subject To Change

FLOOR PLAN - LEVEL 6



LEGEND:

- MECHANICAL EQUIPMENT ZONE
- MECHANICAL SCREENING

***NOTES:**

- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES
- ROOM AREA CALLOUTS ARE BASED ON NET AREA. REFER TO OPEN SPACE DIAGRAMS FOR FLOOR AREA CALCULATIONS



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Newport Beach, CA

Note: Design Subject To Change

ROOF PLAN

A1.7

2/29/2016 10:57:31 AM
112



***NOTES:**

- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

NORTH ELEVATION

A2.1



- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



1/8" = 1'-0"

A2.2



150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

EAST ELEVATION



- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



A2.3



150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

SOUTH ELEVATION



- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES

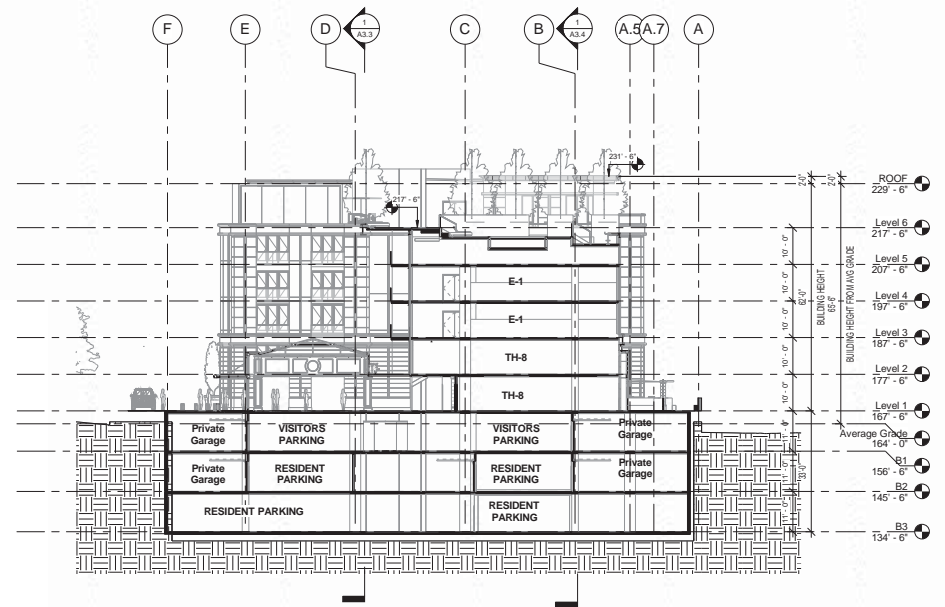


150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

WEST ELEVATION

1/8" = 1'-0"

A2.4

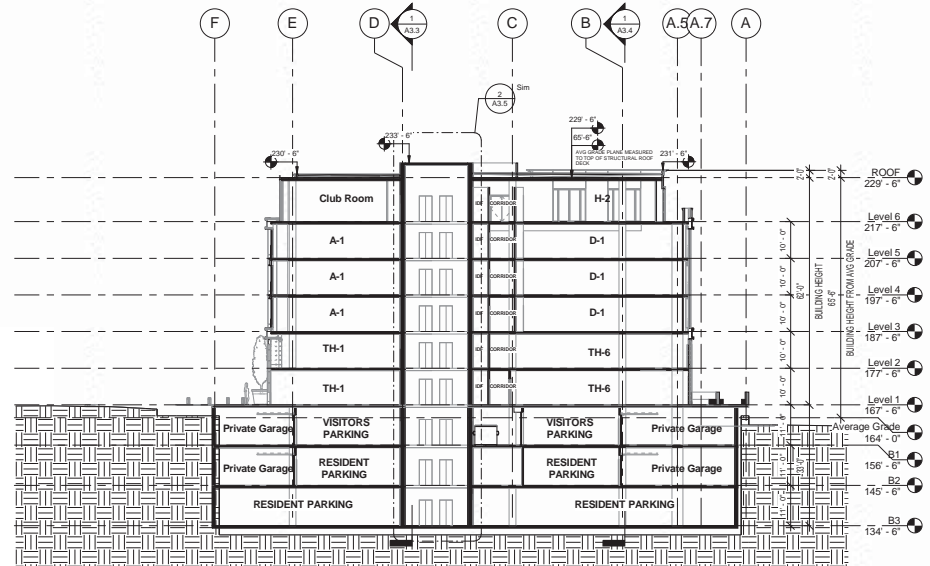


- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

SITE SECTION 1



- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES

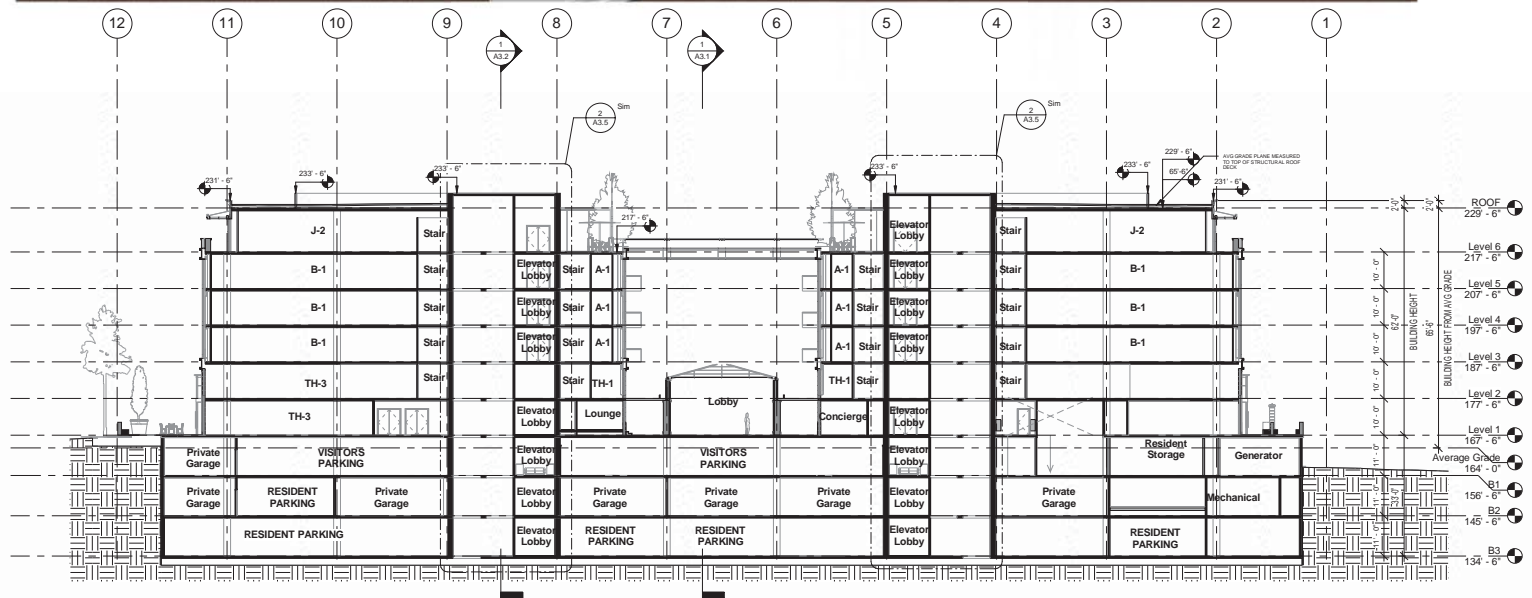


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Newport Beach, CA
Note: Design Subject To Change

SITE SECTION 2

A3.2

2/23/2016 10:59:03 AM
118

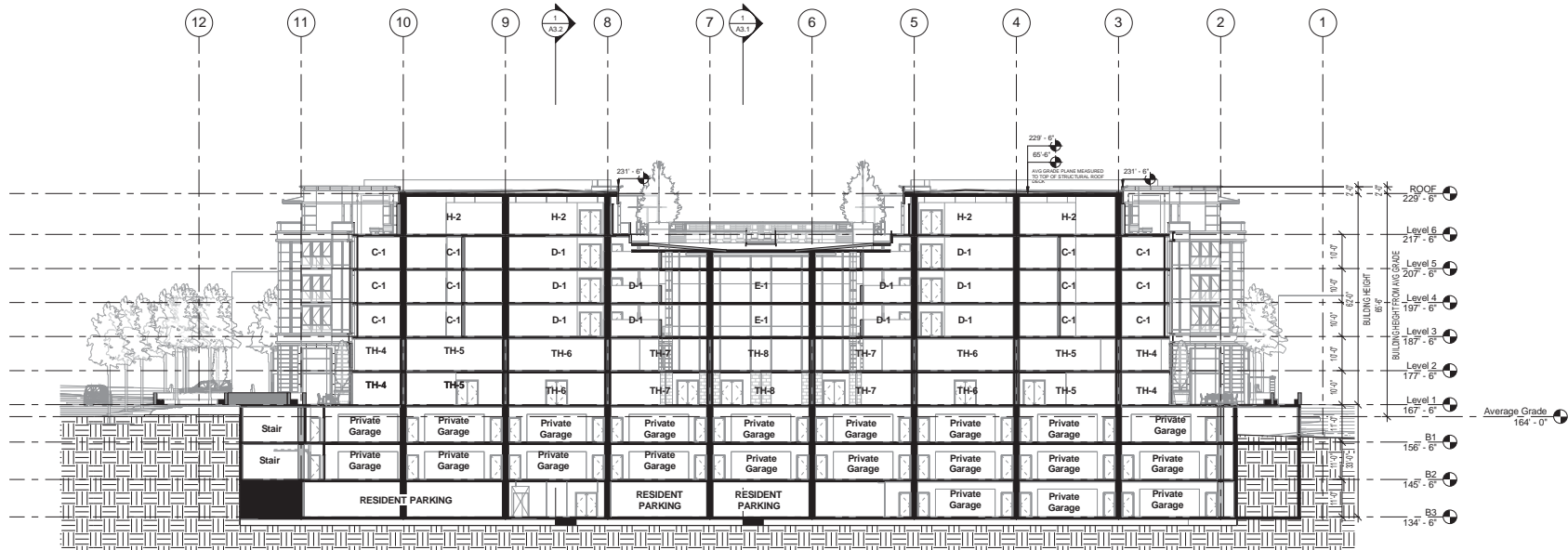


- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



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SITE SECTION 3

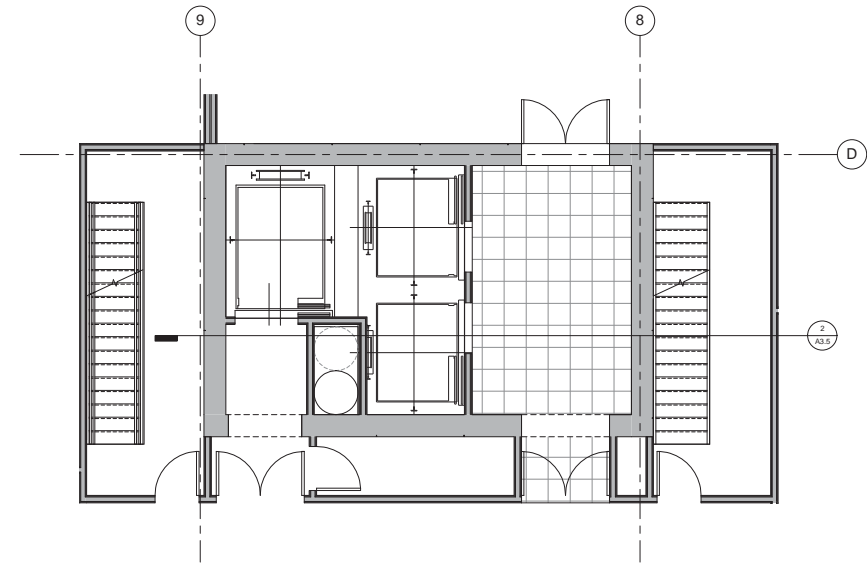


- *NOTES:**
- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
 - REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES

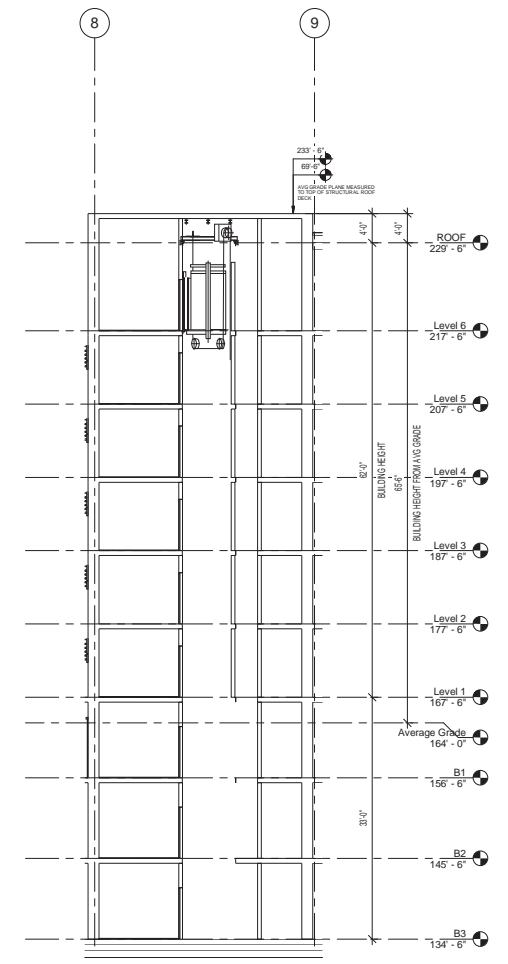


150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

SITE SECTION 4 AT LOWEST POINT



1 Level 3 - Callout 1
1/4" = 1'-0"



2 Detail 0
1/8" = 1'-0"



As indicated



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Note: Design Subject To Change

BUILDING SECTION 1



***NOTES:**

- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

PERSPECTIVE - NEWPORT & ANACAPA



***NOTES:**

- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

PERSPECTIVE - ANACAPA TOWARDS FASHION ISLAND



***NOTES:**

- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

PERSPECTIVE - SOUTHWEST CORNER BIRD'S EYE



***NOTES:**

- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

PERSPECTIVE - ANACAPA DRIVE

A4.4

2/29/2016 11:03:01 AM
125



***NOTES:**

- SEE BUILDING HEIGHT DIAGRAM ON SHEET 'EXHIBIT 1' TO SHOW HOW THE BUILDING HEIGHT IS BEING CALCULATED
- REFERENCE LANDSCAPE DRAWINGS FOR ALL LANDSCAPE/HARDSCAPE FEATURES



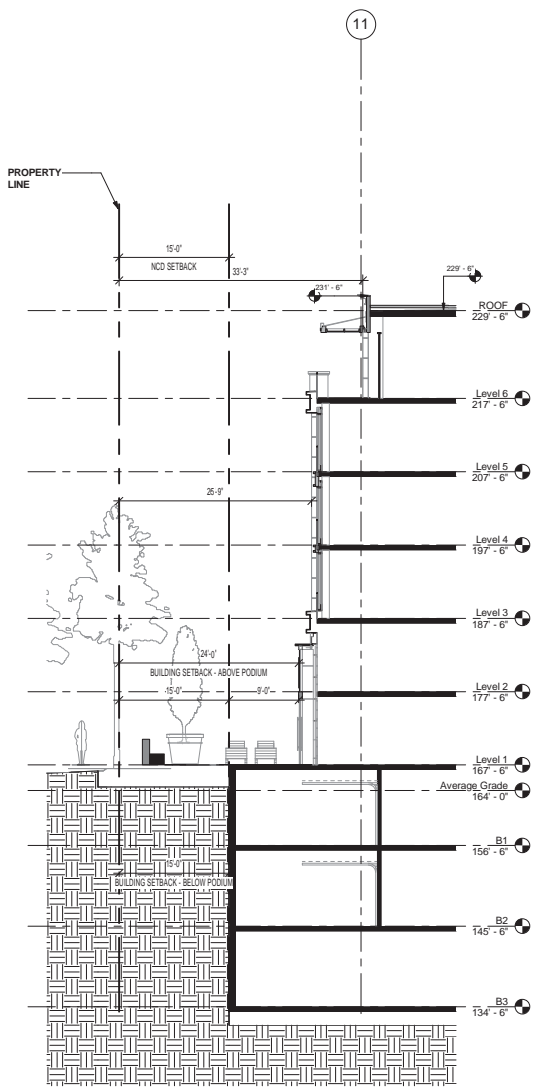
150 Newport Center
Newport Beach, CA

Note: Design Subject To Change

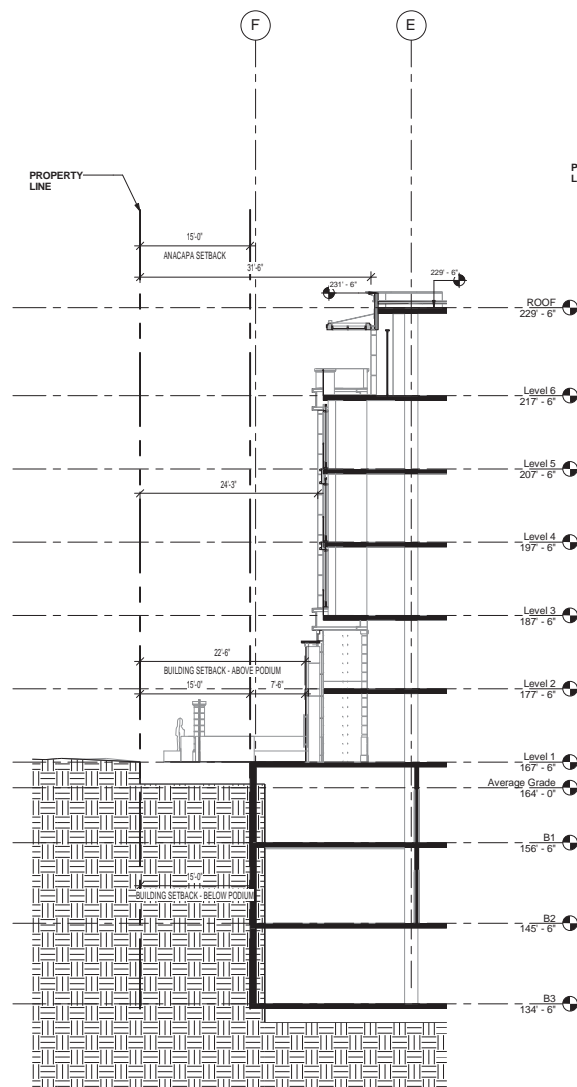
PERSPECTIVE - VIEW FROM VALET DROPOFF

A4.5

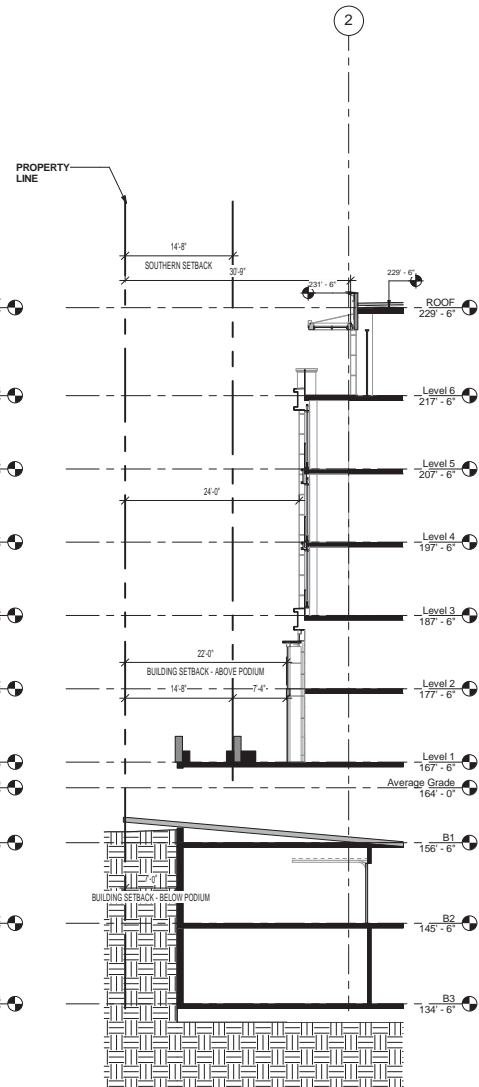
2/29/2016 11:03:45 AM
126



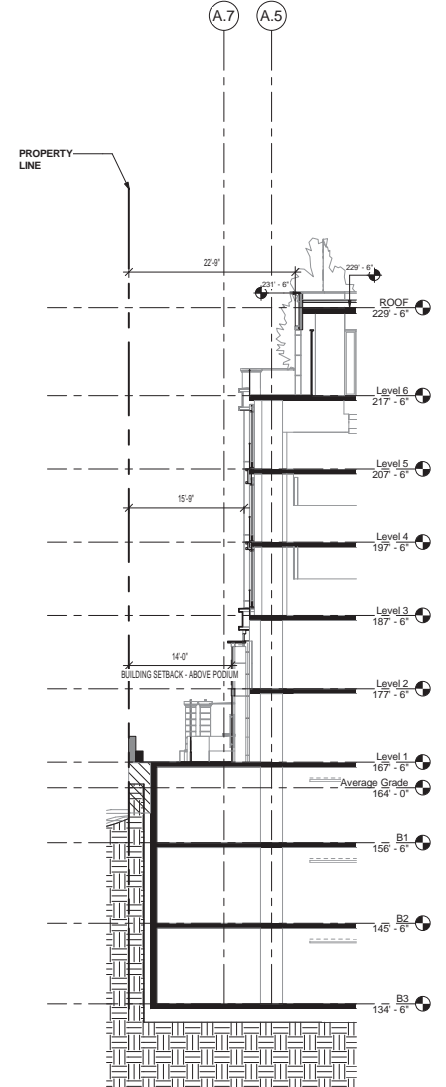
① NEWPORT CENTER DRIVE - BUILDING SETBACK
1/8" = 1'-0"



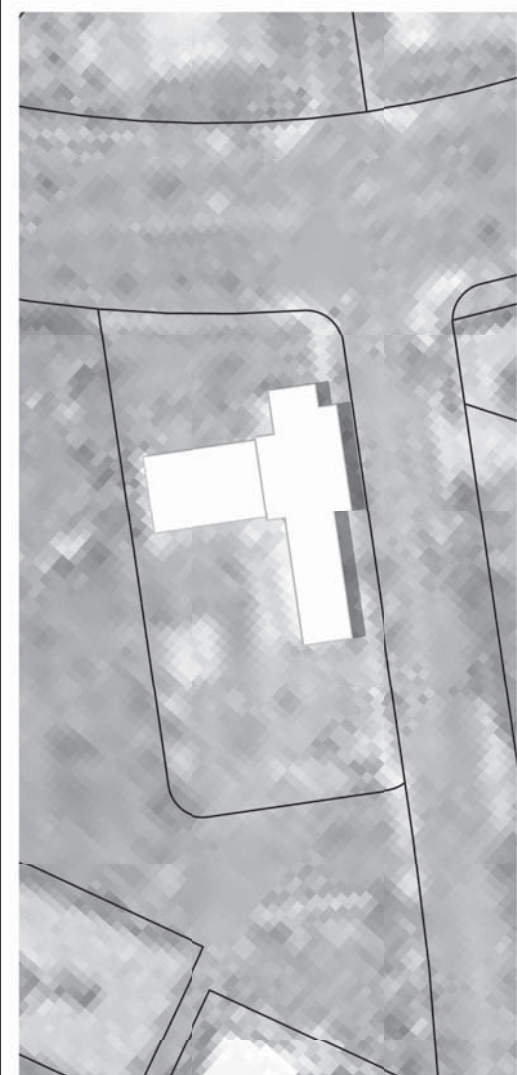
① ANACAPA FRONTAGE - BUILDING SETBACK
1/8" = 1'-0"



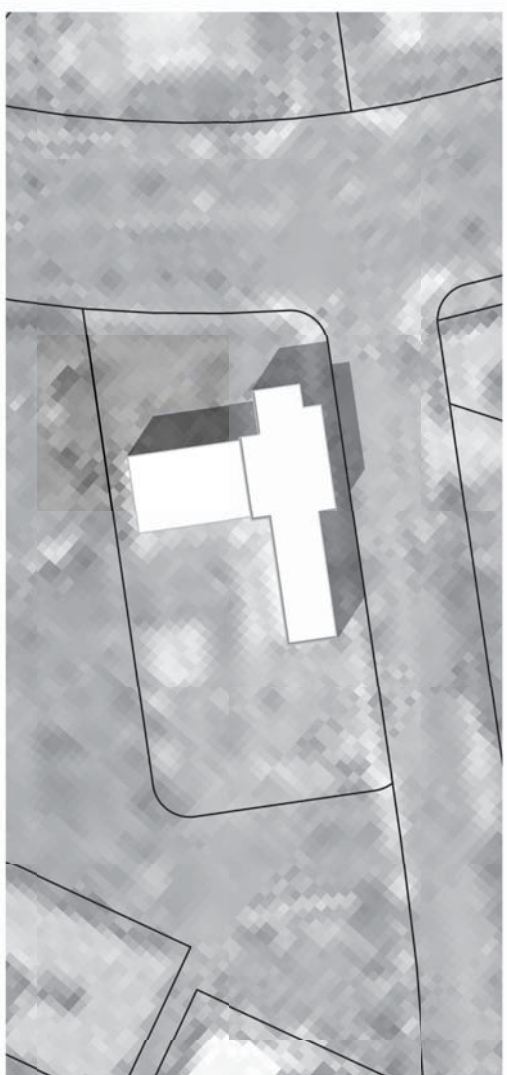
② SOUTHERN PROPERTY LINE - BUILDING SETBACK
1/8" = 1'-0"



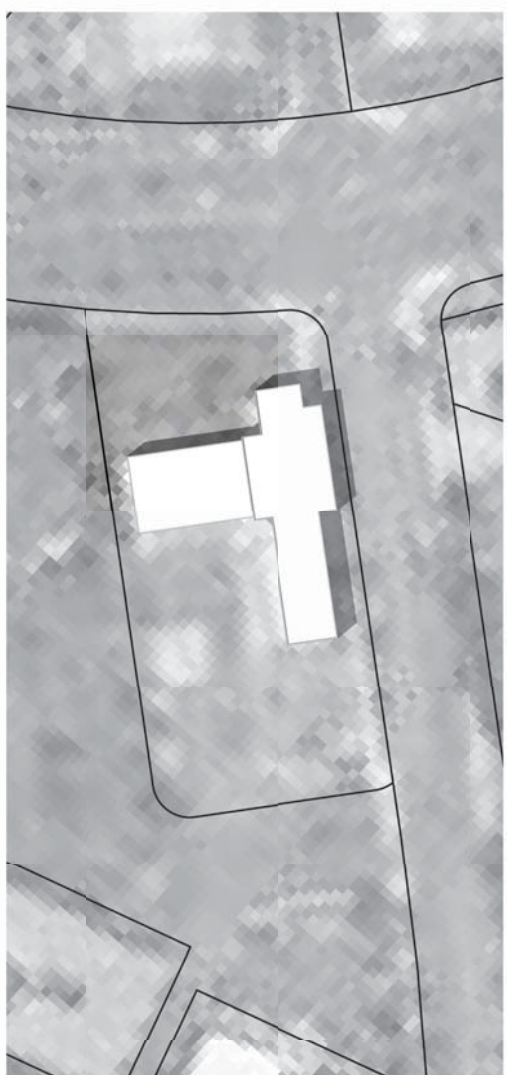
③ WESTERN PROPERTY LINE - BUILDING SETBACK
1/8" = 1'-0"



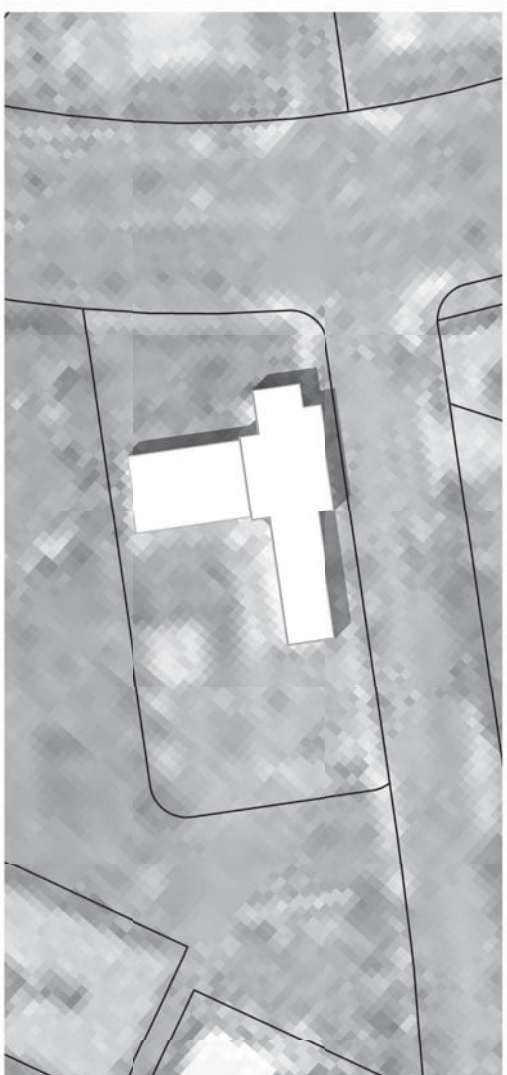
① Shadow Study - Summer Solstice (Existing) - 06/21/2015 (3:00 PM)
1" = 40'-0"



② Shadow Study - Winter Solstice (Existing) - 12/21/2015 (3:00 PM)
1" = 40'-0"



③ Shadow Study - Spring Equinox (Existing) - 09/22/2015 (3:00 PM)
1" = 40'-0"

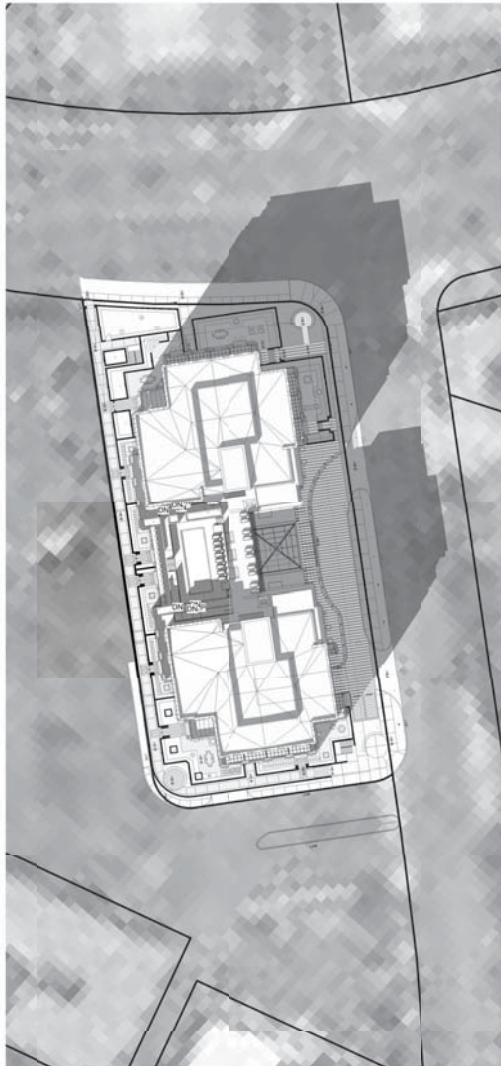


④ Shadow Study - Fall Equinox (Existing) - 03/20/2015 (3:00 PM)
1" = 40'-0"



150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

SHADE & SHADOW STUDY (EXISTING)



① Shadow Study - Summer Solstice - 06/21/2015 (3:00 PM)
1" = 40'-0"

② Shadow Study - Winter Solstice - 12/21/2015 (3:00 PM)
1" = 40'-0"

③ Shadow Study - Spring Equinox - 03/20/2015 (3:00 PM)
1" = 40'-0"

④ Shadow Study - Fall Equinox - 09/22/2015 (3:00 PM)
1" = 40'-0"

16_0229 150 NCD - Unit Matrix

Unit Type/BR Count:	Count	Area Range [Min-Max] (SF)	Unit Average Size (SF)	Total Areas Per Unit Type (SF)
Standard - 2BR	26	1,645 - 3,608	2,526	65,666
Townhome - 2BR	15	2,869 - 2,973	2,868	43,017
Penthouse - 2BR	2	2,286 - 2,286	2,286	4,572
Penthouse - 3BR	2	3,570 - 3,570	3,570	7,140
Grand Totals:	45	1,645 - 3,570	2,675	120,395

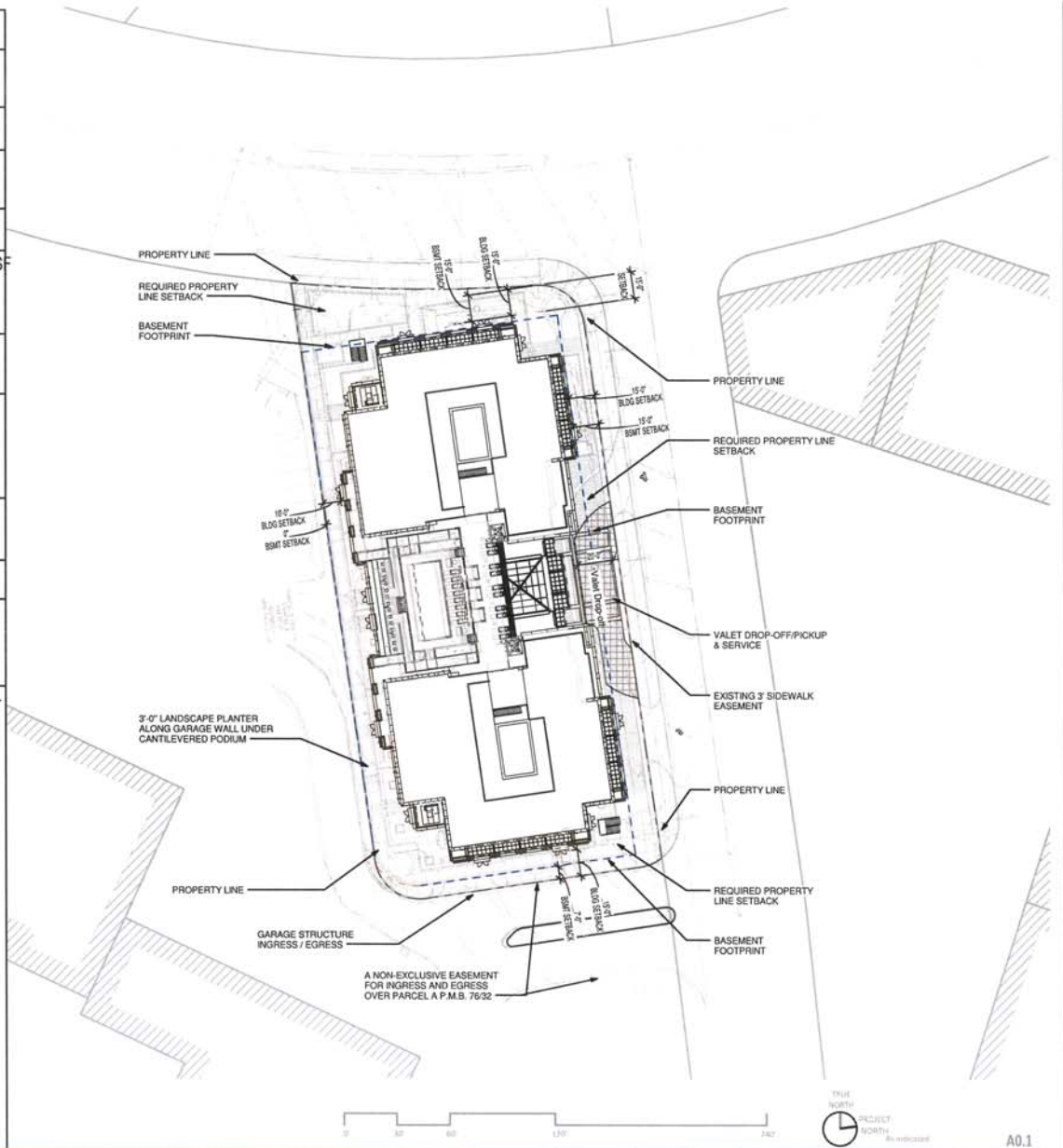
Unit Bedroom Count:	Count	Area Range [Min-Max] (SF)	Unit Average Size (SF)	Total Areas Per Unit Type (SF)
2 Bedroom	43	1,645 - 2,973	2,634	113,255
3 Bedroom	2	3,570 - 3,570	3,570	7,140
Grand Totals:	45	1,645 - 3,570	2,675	120,395

Attachment No. PC 12

Reduced Height Plans (55 feet)

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PROJECT SUMMARY		TOTAL PROPOSED GROSS FLOOR AREA:	
MULTI-STORY PROJECT		RESIDENTIAL: 141,788 S.F. (2.98 x BUILDABLE AREA)	
PROJECT DESCRIPTION		DWELLING UNITS:	
THE PROJECT CONSISTS OF (1) MULTI-STORY RESIDENTIAL BUILDING.		2 Bedroom	31 Units
5 STORIES OF RESIDENTIAL		3 Bedroom	14 Units
2 LEVELS OF UNDERGROUND PARKING		Total	45 Units
BUILDING SHALL BE COMPLETELY SPRINKLERED.		OPEN SPACE:	
BUILDING CODE: CALIFORNIA BUILDING CODE 2013		REQUIRED	
OCCUPANCY TYPE: R-2		COMMON OPEN SPACE	75 SF/UNIT 3,375 SF
BUILDING TYPE OF CONSTRUCTION:		PRIVATE OPEN SPACE	30 SF PER EACH UNIT 1,350 SF
TYPE I-A - FULLY SPRINKLERED		TOTAL REQUIRED	4,725 SF
GOVERNING AGENCY:		PROVIDED	
CITY OF NEWPORT BEACH		COMMON OUTDOOR OPEN SPACE	8,351 SF
LOT COVERAGE:		COMMON INDOOR OPEN SPACE	2,141 SF
LOT AREA (prior to dedications):	54,686 S.F.	PRIVATE OPEN SPACE	11,963 SF
LOT AREA		<i>23 UNIT INSTANCES</i>	
(after dedications plus setbacks):	47,592 S.F.	TOTAL PROVIDED	22,455 SF
BUILDABLE AREA:	47,592 S.F.	SETBACKS:	
BUILDING FOOTPRINT:	34,307 S.F.	PROVIDED	
LOT COVERAGE:	72%	ABOVE PODIUM, BELOW PODIUM	
BUILDING DEPARTMENT GROSS FLOOR AREA:		ANACAPA FRONTAGE -	15 FT 15 FT
1ST FLOOR AREA:	+/- 31,055 S.F.	NEWPORT CENTER DR -	15 FT 15 FT
2ND FLOOR AREA:	+/- 30,523 S.F.	WESTERN PRTY LINE -	10 FT 0 FT
3RD FLOOR AREA:	+/- 30,105 S.F.	SOUTHERN PRTY LINE -	15 FT 7 FT
4TH FLOOR AREA:	+/- 30,105 S.F.	*NOTE: ARCHITECTURAL PROJECTIONS ARE ALLOWED TO PROJECT 30" INTO SETBACK AREAS	
5TH FLOOR AREA:	+/- 20,001 S.F.		
TOTAL	+/- 141,788 S.F.		
GROSS FLOOR AREA:			
	+/- 141,788 S.F.		
PARKING GARAGE GBA:			
	+/- 87,298 S.F.		
PROJECT SALEABLE AREA:			
	+/- 126,000 S.F.		
PARKING:			
REQUIRED			
RESIDENTIAL	90 STALLS		
VISITOR	23 STALLS		
PROVIDED			
RESIDENTIAL	90 STALLS		
VISITOR	25 STALLS (INCLUDES 1 ADA STALL AT LEVEL B1)		

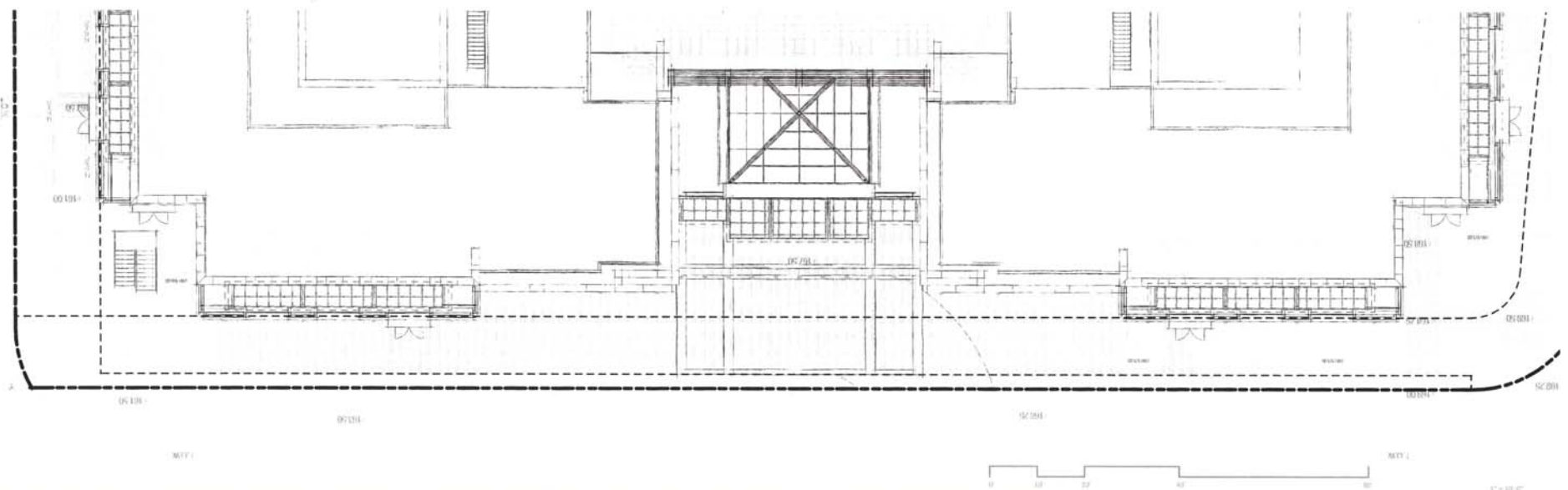
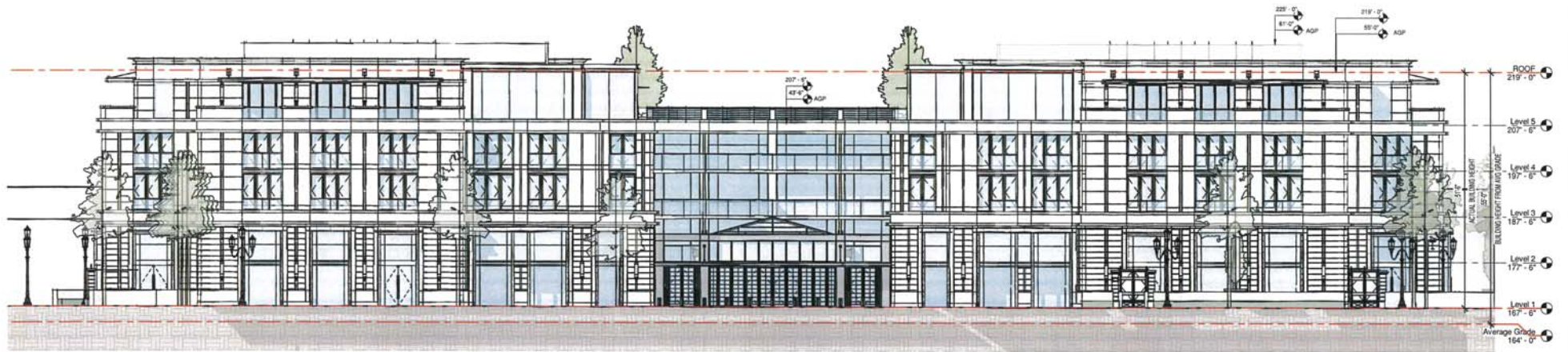


150 Newport Center
Newport Beach, CA
Note: Design Subject To Change

SITE PLAN & PROJECT SUMMARY



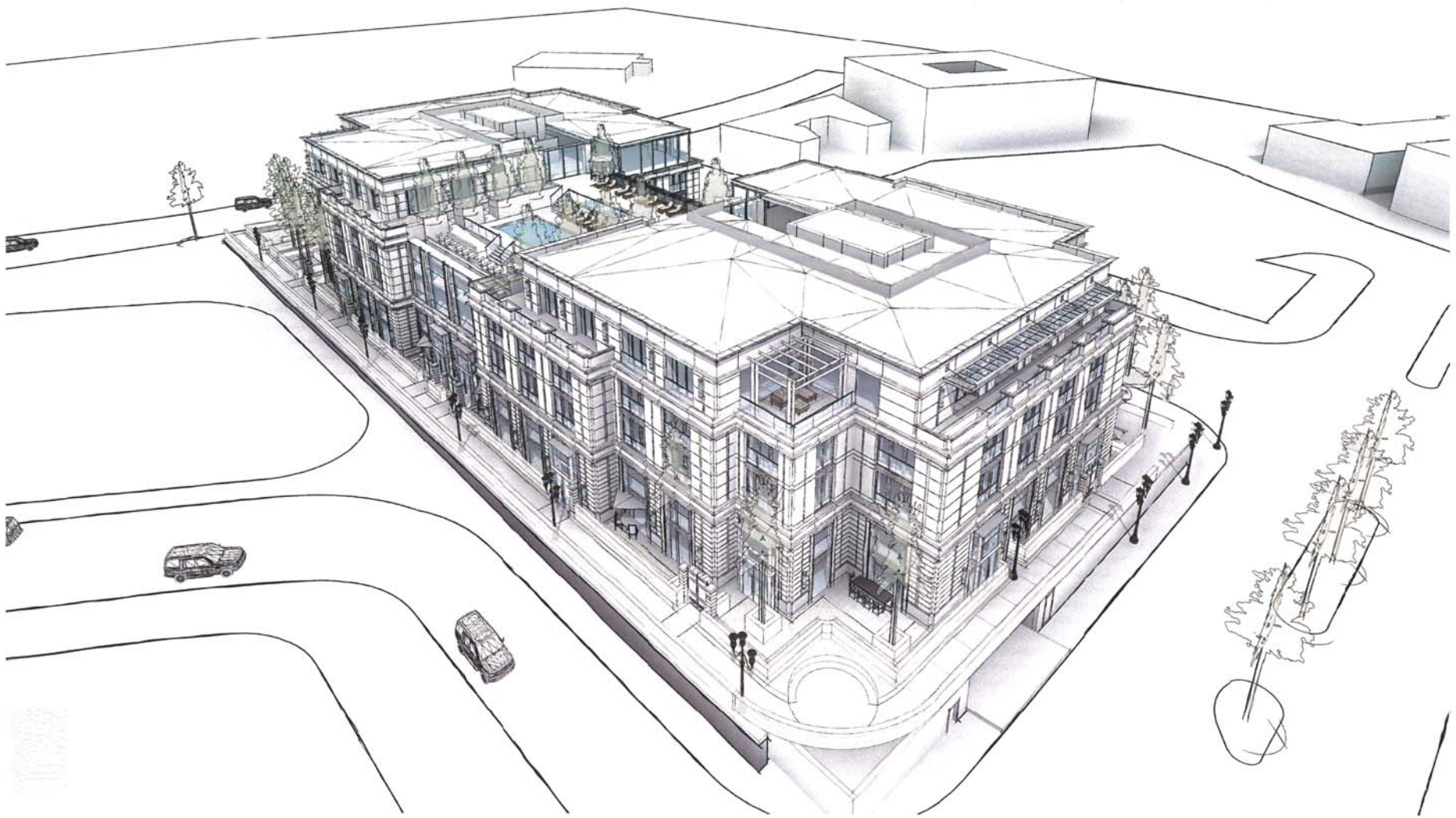
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150
NEWPORT CENTER

PR2.1
MVE
+ PARTNERS





150 Newport Center
Newport Beach, CA

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PERSPECTIVE - SOUTHWEST CORNER BIRD'S EYE