

# **NEWPORT CENTER VILLAS**

## **Planned Community Development Plan**

Date: August 11, 2015

Ordinance No. 2014\_\_\_\_\_

Adopted \_\_\_\_\_, 2015

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### LIST OF EXHIBITS

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

## 1.0 INTRODUCTION AND PURPOSE

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The Newport Center Villas Planned Community Development Plan (PC) is composed of 49 condominium units totaling 163,260 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 10 residential townhomes, 35 residential flats on Levels 3 through 6 and four penthouses on Level 7. Level 7 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, moving van access, and general delivery. 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 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. Allow for different levels of review depending on the significance of the development project (Newport Beach, 2015a).

## **2.0 LAND USE AND DEVELOPMENT REGULATIONS**

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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**

Newport Center Villas design was inspired by one of the most architecturally renowned buildings in New York City: Ralph Lauren's 5<sup>th</sup> 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 serving Porte-cochere into a luxurious lobby. The Porte-cochere is intentionally located on Anacapa Drive so as not to impact Newport Center Drive and provide access to the project.

## 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 3 feet at entry/valet canopy
Newport Center Drive	24 feet
Western property line	14 feet
Southern property line	22 feet (Including a 9-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 49 (39.2 units/acre).

## 2.5 FLOOR AREA

### a. Building Area

The maximum gross floor area limit for the development is 164,193 gross square feet at a floor area ratio (FAR) of 3:1. This results in a floor area limit that is 3.45 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.
3. The following areas shall be excluded:
  - a. Stairwells and elevator shafts above the first level.
  - b. The seventh floor pool area.
  - c. 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):

3,581 square feet minimum

5,371 square feet maximum

#### ii. Units on floors 3 through 6:

1,645 minimum

3,608 maximum

#### iii. Penthouses (floor 7):

2,285 minimum

3,583 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 75 feet 6 inches from the average grade (164 feet NAVD88 datum) of the site. The resulting overall building height is 75 feet 6 inches as measured from the average grade plane to top of the roof deck. The height of the open area between the enclaves is 63 feet 6 inches above the average height of the site or 227 feet 6 inches above mean sea level.

Rooftop appurtenances are permitted and may exceed the maximum building height by 8 feet up to 247.5 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 8-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.

## **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 8 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 (3,675 square feet for 49 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 25 guest parking spaces. 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)**

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#### **3.1 PURPOSE**

The purpose of the Site Development Review (SDR) process is to ensure new development proposal within the Newport Center Villas 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 Newport Center Villas 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.