5. Environmental Analysis

5.1 AESTHETICS

This section of the Draft Environmental Impact Report (DEIR) describes the existing landform and aesthetic character of the project site and surrounding area and describes views of the project site from surrounding vantage points. The potential aesthetic and visual impacts resulting from implementation of the Museum House project are addressed in this section. The information presented in this section is based on field reconnaissance, review of aerial photographs, visual simulations, and shade/shadow analyses prepared for the proposed project (see Appendix D).

5.1.1 Environmental Setting

5.1.1.1 REGULATORY BACKGROUND

Local laws, regulations, plans, or guidelines that are potentially applicable to the proposed project are summarized below.

Local

City of Newport Beach Municipal Code

The following provisions from the municipal code help minimize light and glare impacts associated with new development projects and are relevant to the proposed project.

■ Chapter 20.30 (Property Development Standards), Section 20.30.060 (Height Limits and Exceptions). This section establishes regulations for determining compliance with the maximum allowable height limits established for each zoning district.

In addition to building height limits by zoning district, specific standards and boundaries are established in Section 20.30.060 for the Shoreline Height Limitation Zone and High Rise Height Zone. The Shoreline Height Limitation Zone does not include the project site; however, the High Rise Height Zone includes the project site as well as other portions of Newport Center. In this height limit area, the maximum height limit is 300 feet, and no further increase to this maximum is available. This height limit is applicable to all nonresidential zoning districts in the High Rise Height Zone (see Chapter 20.80.03, Map H-1). Proposed projects within this height limit area shall also comply with the requirements of the Airport Environs Land Use Plan for John Wayne Airport. However, the height limits in Part 2 of the plan may be increased within specified areas with the adoption of a Planned Community District, adoption of a specific plan, approval of a planned development permit, or site development review. Height limits established as part of an adopted planned community are not limited to the maximum heights in Section 20.30.060.

■ Chapter 20.30 (Property Development Standards), Section 20.30.070 (Outdoor Lighting). This section outlines outdoor lighting standards to reduce impacts of glare, light trespass, over-lighting, sky glow, and poorly shielded lighting fixtures.

A. General Outdoor Lighting Standards

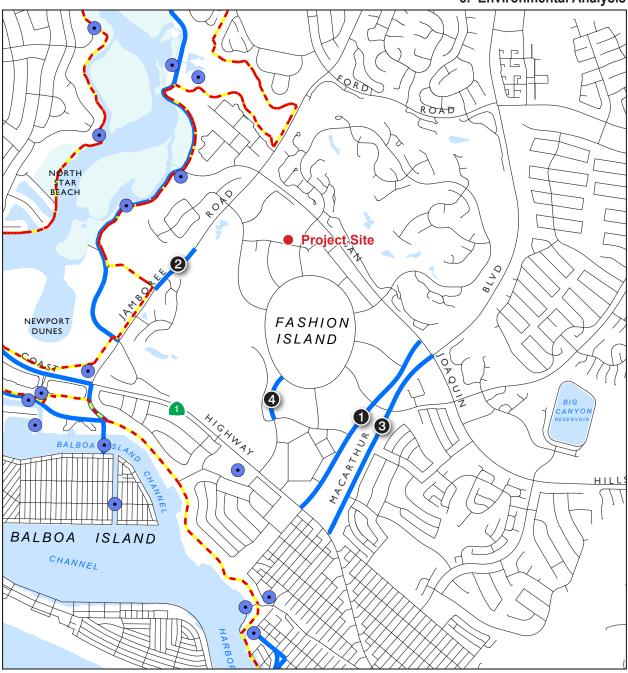
- All outdoor lighting fixtures shall be designed, shielded, aimed, located, and maintained
 to shield adjacent properties and to not produce glare onto adjacent properties or
 roadways. Parking lot light fixtures and light fixtures on buildings shall be full cut-off
 fixtures.
- **B.** Light Standards within Parking Lots. Light standards within parking lots shall be the minimum height required to effectively illuminate the parking area and eliminate spillover of light and glare onto adjoining properties and roadways. To accomplish this, a greater number of shorter light standards may be required as opposed to a lesser number of taller standards.
- C. Outdoor Lighting Standards for Buildings, Statues, Other Manmade Objects, and Landscapes. Spotlighting or floodlighting used to illuminate buildings, statues, signs, or any other objects mounted on a pole, pedestal, or platform or used to accentuate landscaping shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the object intended to be illuminated to minimize glare, sky glow, and light trespass. The beam width shall not be wider than that needed to light the feature with minimum spillover. The lighting shall not shine directly into the window of a residence or directly into a roadway. Light fixtures attached to a building shall be directed downward.
- Chapter 20.30 (Property Development Standards), Section 20.30.100 (Public View Protection). This section includes regulations to preserve significant visual resources from public view points and corridors, but it does not protect views from private property. View impact analysis is required where a proposed development has a potential to obstruct a public view from an identified public view point or corridor on General Plan Figure NR 3 (Coastal Views). The analysis shall include recommendations to minimize impacts to public views while allowing the project to proceed and maintain development rights. Landscaping, signage, rooftop equipment, and antennas shall be designed and sited to ensure they minimize impacts to public views.

City of Newport Beach General Plan Policies

The Newport Beach General Plan Land Use Element provides guidance regarding the ultimate pattern of development and allocates development potential for land uses throughout the City. The Natural Resources Element provides direction regarding the development, conservation, and utilization of natural resources, including visual resources such as natural features and view corridors (see Figure 5.1-1, *Coastal View Roads*, for view corridors in the project area). The following policies are relevant to potential aesthetic impacts of the proposed project:

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Figure 5.1-1 - Coastal View Roads
5. Environmental Analysis



- Project Site
- Public View Point
- Coastal View Road
- Shoreline Height Limitation Zone
- City Boundary

- 1 Avocado Avenue from San Joaquin Hills Road to Coast Highway
- 2 Jamboree Road in the vicinity of the Big Canyon Park
- MacArthur Boulevard from San Joaquin Hills Road to Coast Highway
- 4 Newport Center Drive from Newport Center Drive E/W to Civic Center Drive/ Granville Drive



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- LU 1.6. Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points.
- LU 6.14.4. 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.
- LU 6.14.5. Encourage that some new development be located and designed to orient to the inner side of Newport Center Drive, establishing physical and visual continuity that diminishes the dominance of surface parking lots and encourages pedestrian activity.
- NR 20.1. Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points, as shown in Figure NR3.
- NR 20.2. Require new development to restore and enhance the visual quality in visually degraded areas, where feasible, and provide view easements or corridors designed to protect public views or to restore public views in developed areas, where appropriate.
- **NR 20.3.** Protect and enhance public view corridors from the following roadway segments ..., and other locations may be identified in the future:
 - Avocado Avenue from San Joaquin Hills Road to Coast Highway
 - Back Bay Drive
 - Balboa Island Bridge
 - Bayside Drive from Coast Highway to Linda Island Drive
 - Bayside Drive at Promontory Bay
 - Coast Highway/Santa Ana River Bridge
 - Coast Highway/Newport Boulevard Bridge and Interchange
 - Coast Highway from Newport Boulevard to Marino Drive (Bayshores)
 - Coast Highway/Newport Bay Bridge
 - Coast Highway from Jamboree Road to Bayside Drive
 - Coast Highway from Pelican Point Drive to city limits
 - Eastbluff Drive from Jamboree Road to Backbay Drive
 - Irvine Avenue from Santiago Drive to University Drive
 - Jamboree Road from Eastbluff Drive/University Drive to Bayview Way
 - Jamboree Road in the vicinity of the Big Canyon Park
 - Jamboree Road from Coast Highway to Bayside Drive

- Lido Isle Bridge
- MacArthur Boulevard from San Joaquin Hills Road to Coast Highway
- Marguerite Avenue from San Joaquin Hills Road to Fifth Avenue
- Newport Boulevard from Hospital Road/Westminster Avenue to Via Lido
- Newport Center Drive from Newport Center Drive E/W to Civic Center Drive/Granville Drive
- Newport Coast from Pelican Hill Road North to Coast Highway
- Ocean Boulevard
- Pelican Hills Road South
- San Joaquin Hills Road from Newport Ridge Drive to Spyglass Hill Road
- San Miguel Drive from San Joaquin Hills Road to MacArthur Boulevard
- State Route 73 from Bayview Way to the easterly City limit
- Superior Avenue from Hospital Road to Coast Highway
- University Drive from Irvine Avenue to the Santa Ana—Delhi Channel
- Vista Ridge Road from Ocean Heights to Altezza Drive

5.1.1.2 VISUAL SETTING

Character and Land Use

The project site is in the Fashion Island and Newport Center area, a regional center of business and commerce that includes major retail, professional office, entertainment, recreation, and residential uses in a master-planned, mixed-use development. Fashion Island, a regional shopping center, forms the nucleus of Newport Center and is framed by this mixture of office, entertainment, and residential. High-rise office and hotel buildings to the north of Fashion Island and Newport Center form a visual background for lower rise buildings and uses to the south and west.

The project site is currently developed with the Orange County Museum of Art (OCMA) building in the northwestern portion of the property, with the remaining area developed as a parking lot with ornamental landscaping along the perimeter (see Figures 3-3, *Aerial Photograph*, and 4-1, *Site Photographs*). Surrounding uses include multistory office buildings and parking lots to the west and south, residential uses (The Colony and Villas at Fashion Island apartment communities [currently under construction]) to the south and north respectively, and a parking garage to the east (see Figures 3-3, *Aerial Photograph*, and 5.1-2, *High Rise Buildings in Project Area*).

Topography

The project site is relatively flat with topographic elevation ranging from approximately 173 to 185 feet above mean sea level. Local topography slopes from the west and north southerly towards Pacific Coast Highway and the Pacific Ocean.

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Figure 5.1-2 - High-Rise Buildings in Project Area 5. Environmental Analysis







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Scenic Views and Roadways

The Newport Beach General Plan Natural Resources Element identifies several public view points and coastal view roads throughout Newport Beach. The public view points and coastal roads primarily provide views toward Upper and Lower Newport Bay, Balboa Island, Lido Isle, and the Pacific Ocean.

No public view points are in the project area; however, the following coastal view roads are near the project site and would have views toward the proposed tower (see numbered roadways on Figure 5.1-1):

- 1. Avocado Avenue from San Joaquin Hills Road to Coast Highway
- 2. Jamboree Road in the vicinity of the Big Canyon Park
- 3. MacArthur Boulevard from San Joaquin Hills Road to Coast Highway
- 4. Newport Center Drive from Newport Center Drive E/W to Civic Center Drive/Granville Drive

Note that these roadway segments are designated coastal view roads because they provide views toward the Pacific Ocean and Newport Bay. However, drivers traveling northward along these roadways also have views toward the taller office and hotel buildings in Newport Center.

Facing inland to the east, Saddleback Mountain can also be seen from different areas of Newport Beach. Saddleback is a landmark formed by the two highest peaks in the Santa Ana Mountains—Santiago Peak and Modjeska Peak—and the ridge between them. The highest points of the two peaks are 5,689 feet and 5,496 feet, respectively, and they dominate the county's eastern skyline.

Light and Glare

Given the predominantly built-out nature of Newport Center, substantial sources of light and glare already exist in the project area. Light sources include street lights, building lighting (exterior and interior), security lighting, vehicular traffic, and parking-area lighting. Street lights line all roadways in Newport Center, including those adjacent and closest to the project site—San Clemente Drive, Santa Barbara Drive, Santa Cruz Drive, and Santa Maria Road. Office, hotel, and residential buildings and structures surrounding the project area also generate light and glare.

Shade/Shadow

The existing OCMA building onsite is one story. The shadows it casts fall only within the project site. Immediately adjacent land uses include the OCMA administrative building to the west (also one story), a parking garage to the east, and the Villas at Fashion Island apartment complex currently under construction to the north. The OCMA administrative building and Villas at Fashion Island apartments are at lower elevations than the project site and do not cast any shadows on the OCMA structure. The parking garage to the east would only cast a slight shadow on the site's easternmost side where OCMA's surface parking lot is located.

5.1.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- AE-1 Have a substantial adverse effect on a scenic vista.
- AE-2 Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- AE-3 Substantially degrade the existing visual character or quality of the site and its surroundings.
- AE-4 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The Initial Study, included as Appendix A, substantiates that impacts associated with the following thresholds would either be less than significant or have no impact:

■ Threshold AE-2

This threshold will not be addressed in the following analysis.

5.1.3 Environmental Impacts

5.1.3.1 METHODOLOGY

Aesthetic/Visual Character Analysis

The assessment of aesthetic impacts is subjective by nature. Aesthetics generally refer to the identification of visual resources and the quality of what can be seen as well as an overall visual perception of the environment. This analysis identifies and objectively examines factors that contribute to the perception of aesthetic impacts. Potential aesthetic impacts can be evaluated by considering proposed building setbacks, scale, massing, typical construction materials, and landscaping features associated with the design of the proposed project. It should be noted, however, that there are no locally designated or defined standards or methodologies for the assessment of aesthetic impacts. By using visual simulations of the proposed residential tower, the aesthetic compatibility of the proposed project with the surrounding area and potential impacts to visual resources and viewers in the project area are examined. In the project area, viewers of the project site consist of residential uses to the north and south and office uses to the west and south (see Figure 3-3, *Aerial Photograph*). Intermittent views by passing motorists along San Clemente Drive are also considered. Potential land use effects of the proposed project on surrounding land uses are considered in the discussion of land use compatibility in Section 5.8, *Land Use and Planning*.

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Light and Glare Analysis

Nighttime illumination and glare analysis addresses the effects of a project's exterior lighting upon adjoining uses and areas. Light and glare impacts are determined through a comparison of the existing light sources with the proposed lighting plan or policies. If the project has the potential to generate spill light on adjacent sensitive receptors or generate glare to receptors in the vicinity of the site, mitigation measures can be provided to reduce potential impacts, as necessary.

Shade/Shadow Analysis

The issue of shade and shadow pertains to whether onsite buildings or structures block direct sunlight from adjacent properties. Shading is an important environmental issue because the users or occupants of certain land uses have expectations for direct sunlight and warmth from the sun for function, physical comfort, or conduct of commerce. Factors that influence the extent or range of shading include: season; time of day; weather (i.e., sunny vs. cloudy day); building height, bulk, and scale; topography; spacing between buildings; sensitivity of adjacent land uses; and tree cover. The longest shadows are cast during the winter months, when the sun is lowest on the horizon, and the shortest shadows are cast during the summer months. Shadows are longer in the early morning and late afternoon. Consequences of shadows on land uses may be positive, including cooling effects during warm weather, or negative, such as the loss of natural light necessary for solar energy purposes or the loss of warming influences during cool weather. The relative effects of shading from structures are site specific; therefore, a shade and shadow analysis has been prepared to analyze the impacts of the proposed residential tower.

The City of Newport Beach does not have established City-wide criteria for shade or shadow impacts. However, the North Newport Center Planned Community (PC-56) has specific shade standards. PC-56 encompasses much of Newport Center, including the Fashion Island shopping center; Blocks 100, 400, 500, 600, and 800; and San Joaquin Plaza. San Joaquin Plaza surrounds the San Joaquin Plaza Planned Community (PC-19) where the Museum House site is located. The PC-56 shade standard is:

Prior to issuance of a building permit for a structure over 200 feet in height that has the potential to shade residential areas north of San Joaquin Hills Road, a shade study shall be prepared by the applicant and submitted to the City. The shade study shall demonstrate that the new development will not add shade to the designated residential areas beyond existing conditions for more than three hours between the hours of 9:00 A.M. and 3:00 P.M. Pacific Standard Time, or for more than four hours between the hours of 9:00 A.M. and 5:00 P.M. Pacific Daylight Time.

Although the project site is not in PC-56 nor would it cast shade on residential areas north of San Joaquin Hills Road, this methodology is applied to this project for evaluating project-related shade and shadow impacts.

5.1.3.2 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.1-1: The proposed project would alter the visual appearance of the project area; however, existing visual character of the area and viewsheds along coastal view roads would not be significantly impacted. [Thresholds AE-1 and AE-3]

Impact Analysis: The proposed project would require the demolition of the OCMA building and construction of a 25-story condominium tower. Therefore, the existing visual appearance of the site would change. However, the project area itself is in Newport Center, which is a predominantly built out and dense area of the City with a mix of residential, hospitality, and high- and low-rise office buildings surrounding the Fashion Island regional mall.

Visual Appearance

As discussed in the project description, the finished grade of the main building entry point would be 187 feet above mean sea level (amsl) and the tower would be 295 feet high (including mechanical equipment and elevator overruns). Thus, the proposed tower would be 482 feet amsl.

A number of high rise buildings in Newport Center are in proximity to the project site and have similar height and massing. Table 5.1-1 lists the nearby high rise buildings and their heights compared to the proposed Museum House tower. Buildings immediately adjacent to the project site are primarily low- and mid-rise structures (i.e., The Colony, Villas at Fashion Island (currently under construction), and office buildings at 888 San Clemente Drive). However, the proposed tower would not be the first of its kind in the overall northern Newport Center area, and it would complement the existing skyline of tall buildings.

Table 5.1-1 Newport Center High Rise Buildings Height Comparison

Building	Distance to Project Site	Height of Structure (feet above ground surface)	Height (feet amsl)	Difference in Height ¹ (feet)
Museum House Tower	NA	295 feet	482	NA
Island Hotel – 690 Newport Center Drive	0.2 mile E	217 feet	433	-49
660 Newport Center Drive	0.2 mile E	246	466	-16
PIMCO – 650 Newport Center Drive	0.3 mile SE	298	528	+46
620 Newport Center Drive	0.4 mile SE	240	465	-17
610 Newport Center Drive	0.4 mile SE	272	492	+10
520 Newport Center Drive	0.5 mile SE	315	540	+58

Notes: amsl = above mean sea level

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¹ Compared to the proposed tower and based on amsl heights.

The massing, or shape and size, of existing high-rise structures in Newport Center is predominantly rectangular cuboid with a square base and windows on all four sides. An exception to this rectangular shape is the Island Hotel (690 Newport Center Drive), which has a large, irregular footprint with a long, thin, roughly rectangular tower (see Figure 5.1-2, *High Rise Buildings in the Project Area*). The Island Hotel has an individual balcony for each hotel room along the length of this tower. The proposed Museum House tower would measure approximately 75 feet by 220 feet at the base, with floors becoming progressively smaller at higher levels to form a peak at the top floors. The tower would have large window openings—similar to the adjacent office buildings and Island Hotel. Further, similar to the Island Hotel's windows and balconies, the Museum House tower would include multistory bay windows with French balconies and inset terraces to help define the massing in a residential manner, and multistory window groupings and large terraces at the uppermost floors to create a finished cap.

Also, the proposed height of the project is generally consistent with General Plan LU Policy 6.14.4, which states that development in Newport Center should 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 elevations toward the southwesterly edge along East Coast Highway." Although the project is not in the northeastern section of Newport Center, the policy does not preclude higher heights in the project area, and the site's natural topography is higher than the southwest areas of Newport Center. Therefore, the proposed project would not significantly alter the existing character of this mixed-use, commercial area that contains multiple buildings over 250 feet, consistent with the General Plan.

Hardscape and Landscape Improvements

The project site itself would also be improved with hardscape and landscape improvements that would enhance the site's appearance. The current OCMA building is a one-story brick building with surrounding surface parking. The proposed ground-level hardscape improvements in front of the tower include a small landscaped motor court at the entrance of the tower lobby with an entry water feature at its center, 12 guest parking spaces surrounding the motor court, and an entry/exit driveway from San Clemente Drive. A glass canopy forms a porte-cochere that leads to a grand lobby. The driveway would be a natural gray concrete, and the motor court and parking area would be improved with colored decorative concrete. In back of the tower, hardscape improvements would include an outdoor patio, water feature, and covered outdoor space also improved with integrally colored decorative concrete and stone accent pavers. A dog run is proposed on the southeastern portion of the site and would be improved with synthetic turf. Additionally, roof gardens would be installed on the second floor with a pool and garden trellis. Overall, the gardens designed with landscaped areas, mature trees, and drought-tolerant plantings would provide a variety of spaces, from informal areas with outdoor fireplaces for entertaining to intimate arbor-covered seating areas.

The proposed planting plan includes a number of palm trees, citrus varieties, ornamental trees, ornamental evergreen trees, and evergreen canopy trees in all common open areas and surrounding the motor court and guest parking spaces (see Figure 3-6, *Proposed Planting Plan*). Shrub mixes are proposed at the bottom of all tree canopies to minimize pervious surfaces and create a full garden look. Street trees would also be planted along the project frontage on San Clemente Drive.

The tower would be set back from San Clemente Drive by 25 feet and from the side and rear project boundaries by 10 feet.

The tower itself would be designed as a Leadership in Energy and Environmental Design (LEED) Silver-certified building. As stated above, the tower footprint would measure approximately 75 feet by 220 feet, with floors becoming progressively smaller at higher levels. The tower would be built with a textured stone base, masonry frames and pilasters, delicate metalwork details, and a predominantly stone and masonry exterior with large window openings. Larger-scale elements—such as multistory bay windows with French balconies and inset terraces—help further define the massing in a residential manner, and multistory window groupings and large terraces at the uppermost floors create a finished cap to the building. All mechanical equipment and elevator overruns would be enclosed at the top floor. Lighting associated with the proposed tower is fully discussed and analyzed under Impact 5.1-3.

Also, the proposed project is designed to comply with General Plan Policy LU 5.6.2, which requires that new buildings be designed to "avoid the use of styles, colors, and materials that unusually impact the design character and quality of their location such as abrupt changes in scale, building form, architectural style, and the use of surface materials that raise local temperatures, result in glare and excessive illumination of adjoining properties and open space, or adversely modify wind patterns."

Viewsheds from Coastal View Road

The proposed tower would be in the northern portion of Newport Center, so views south of the project site looking further south and west toward the Pacific Ocean and Newport Bay, respectively, would not be adversely impacted. Additionally, the diagonal siting and massing of the tower maximize open vistas to the ocean and Fashion Island. However, the following City-designated coastal view roads could have views of the proposed tower (see numbered roadways on Figure 5.1-1, Coastal View Roads):

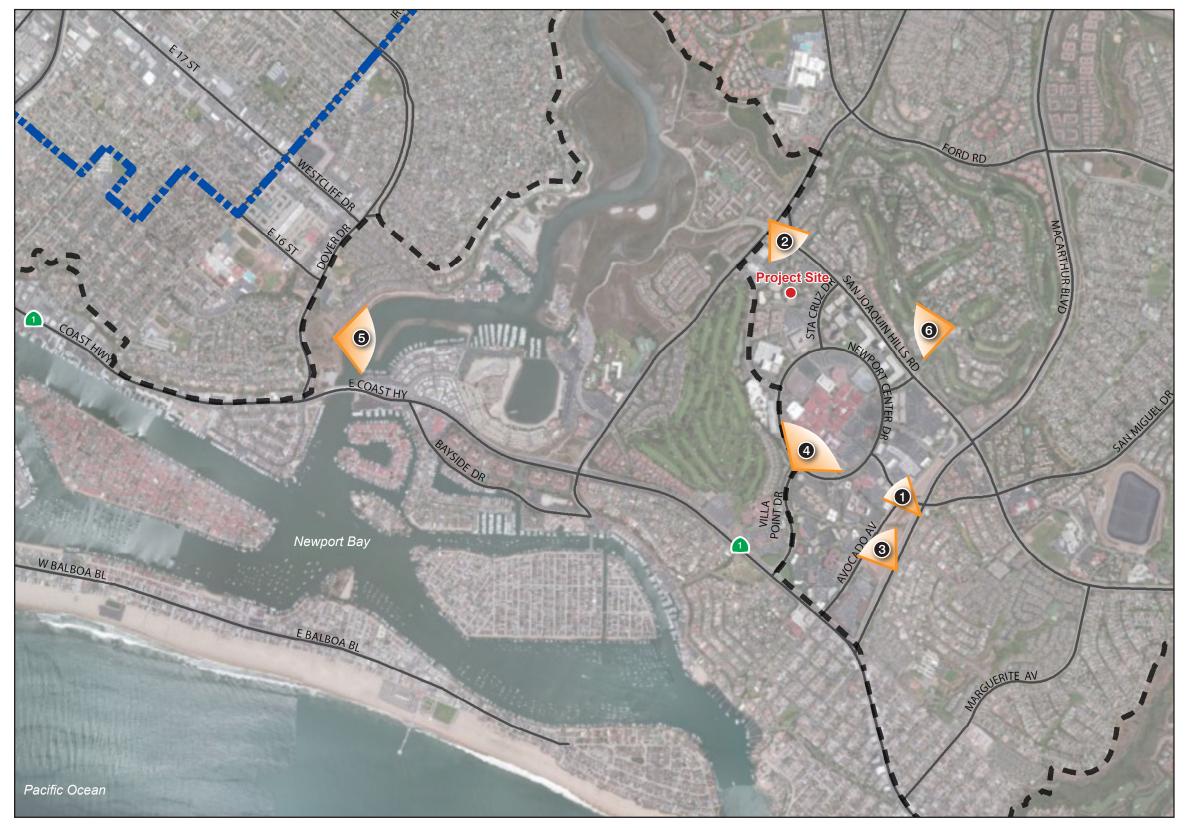
- 1. Avocado Avenue from San Joaquin Hills Road to Coast Highway
- 2. Jamboree Road in the vicinity of the Big Canyon Park
- 3. MacArthur Boulevard from San Joaquin Hills Road to Coast Highway
- 4. Newport Center Drive from Newport Center Drive E/W to Civic Center Drive/Granville Drive

These coastal view roads are designated based on their ability to provide views of the ocean and bay; however, people driving in the opposite direction (away from the ocean and bay) could have views of the proposed tower's highest portion along the Newport Center skyline. Therefore, visual simulations were prepared showing various views looking toward the proposed tower location from these coastal view roads (see Figure 5.1-3, *Visual Simulation Photo Location Map*).

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Figure 5.1-3 - Visual Simulation Photo Location Map

5. Environmental Analysis



Project Site

---- City Boundary

--- Coastal Zone Boundary

1 Avocado Avenue - See Figure 5.1-4

2 Jamboree Road - See Figure 5.1-5

MacArthur Boulevard - See Figure 5.1-6

4 Newport Center Drive - See Figure 5.1-7

5 Castaways Park - See Figure 5.1-8

6 Big Canyon - See Figure 5.1-9



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- Avocado Avenue from San Joaquin Hills Road to Coast Highway: Figure 5.1-4, Avocado Avenue Visual Simulation, illustrates a visual rendering of the proposed tower from the pedestrian bridge across San Miguel Drive between Avocado Avenue and MacArthur Boulevard. A view from the pedestrian bridge was used because views from the ground level along Avocado Avenue would be obstructed by existing rooflines and trees. This elevated viewpoint overlooks Newport Beach City Hall to the left and Newport Center/Fashion Island to the right. The Pacific Ocean can be seen further in the distance to the left, away from the proposed project, which would not obstruct any views of the Pacific Ocean. Many of the high rise buildings in northern Newport Center can be seen to the right. As shown, the proposed tower can be seen to the left of existing office buildings, which include 360 San Miguel Drive and 400 Newport Center Drive. The proposed tower does not obstruct views in the area and blends well with the other high rise buildings in its vicinity. Therefore, impacts to views along this coastal view road and its general area would be less than significant.
- Jamboree Road in the vicinity of the Big Canyon Park: Figure 5.1-5, Jamboree Road Visual Simulation, shows a visual simulation of the proposed tower from the intersection of Jamboree Road and San Joaquin Hills Road in the vicinity of the Big Canyon area. This figure includes a built out rendering of the Villas at Fashion Island (currently under construction) provided by The Irvine Company. As shown, the proposed tower, although 295 feet in height, would not obstruct views of the Pacific Ocean or other scenic resources, adversely affect the scenic quality of this viewshed, or degrade the character of this area. Only a portion of the top floors would be seen and would blend with the future rooflines of the Villas at Fashion Island. Other Newport Center high-rise buildings are also visible from this vantage point; thus, impacts of the proposed tower in the general viewshed area would be less than significant.
- MacArthur Boulevard from San Joaquin Hills Road to Coast Highway: Figure 5.1-6, MacArthur Boulevard Visual Simulation, shows a viewshed looking northerly on Sea Lane (an elevated roadway adjacent and parallel to MacArthur Boulevard) towards San Joaquin Hills Road and Newport Center. Sea Lane was chosen (rather than MacArthur Boulevard) to more clearly show the Newport Center viewshed at an elevated angle. Views of the Pacific Ocean are not obstructed by the project from this raised elevation, because the proposed project is oriented to the north of Newport Center and the Pacific Ocean is to the south. As shown, the proposed tower would be obstructed by existing tree canopies in Newport Center even from the elevated angle on Sea Lane. Drivers and pedestrians traveling northerly along MacArthur Boulevard would have a completely obstructed view of the proposed tower primarily because the roofline of Newport Beach City Hall would be in the way. Thus, impacts to views along this coastal view road and its general vicinity would be less than significant.
- Newport Center Drive from Newport Center Drive E/W to Civic Center Drive/Granville Drive: Figure 5.1-7, Newport Center Drive Visual Simulation, illustrates a view looking northerly from Newport Center Drive near Civic Center Drive/Granville Drive. The viewshed shows one of the southern entrances into the Fashion Island shopping center and is lined palm trees on either side. The highest residential floors can be seen in the left portion of the figure; however, most of the residential tower is obstructed by existing commercial buildings in the Fashion Island shopping center. The proposed tower would not substantially change the existing viewsheds. There are existing high rise buildings protruding

along the roof line of the Fashion Island shopping center and are all at similar heights or lower than the palm trees in the foreground lining Newport Center Drive and the entrance into the shopping center. Thus, impacts would be less than significant.

The proposed tower would blend well into the existing visual character of the overall Newport Center/Fashion Island area and would not stand out among other existing high rise buildings in the area. Existing structures and tree lines also partially or completely obstruct the proposed tower from various viewsheds. Thus, the visual character and scenic quality of the project area would not be significantly impacted.

Additional Views of Concern

Some participants at the public scoping meeting and NOP commenters were concerned about views looking toward Saddleback Mountain and the Back Bay, and views looking towards Newport Center from the Big Canyon residential community.

Saddleback Mountain is a saddle-shaped landmark formed by the two highest peaks in the Santa Ana Mountains (Santiago Peak and Modjeska Peak). These two peaks are approximately 5,689 feet and 5,496 feet, respectively, and are about 21 miles east of the project site in the Cleveland National Forest. Generally, although views of Saddleback Mountain may be possible from Newport Center, given the area's topography and developed nature, views of the mountain peaks from the ground (street view) are likely either partially or completely obstructed by existing trees, slopes, rooflines, or other structures in a person's immediate vicinity. Also, as discussed above, the proposed project's overall height is consistent with the height of existing high-rise buildings along the northern boundary of Newport Center. Therefore, given the height and distance of these two peaks, views of Saddleback Mountain from the general vicinity of Newport Center would not be affected.

Views of Upper and Lower Newport Bay are provided along streets and trails surrounding the bay area, which is west of the project site. The closest City-designated public view point and coastal view road for Newport Bay is about 0.5 mile to the northwest of the project site. Views of the bay looking west would not be impaired since the proposed tower would be in the opposite direction. However, views across Newport Bay from the west side (e.g., from Castaways Park) could be partially impacted. Figure 5.1-8, *Castaways Park Visual Simulation*, illustrates a visual rendering of the proposed tower from Castaways Park approximately 1.6 miles to the west of the project site across Newport Bay.

As shown, the tower can be seen clustered with other, existing high rise buildings on the Newport Center skyline. Therefore, it does not create a significant change in the view's scenic quality and does not create a new obstruction. The distance across Newport Bay makes the cluster of high rise buildings look very similar in height and further diminishes the impact of the tower's massing and height. Overall, views from across Newport Bay would not be significantly impacted by the proposed project.

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Figure 5.1-4 - Avocado Avenue Visual Simulation
5. Environmental Analysis



View looking northwest. Avocado Avenue is in the foreground.

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Figure 5.1-5 - Jamboree Road Visual Simulation
5. Environmental Analysis



View looking southwest along Jamboree Road.

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Figure 5.1-6 - MacArthur Boulevard Visual Simulation
5. Environmental Analysis



View looking north along MacArthur Boulevard.

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Figure 5.1-7 - Newport Center Drive Visual Simulation
5. Environmental Analysis



View looking northeast along Newport Center Drive.

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Figure 5.1-8 - Castaways Park Visual Simulation
5. Environmental Analysis



View looking east from Castaways Park.

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The City of Newport Beach General Plan and Municipal Code do not protect private residential views. Many views of the Newport Center skyline, although not considered a scenic resource, would be partially or completely obstructed by existing tree lines, roof lines, and other vegetation or building structures from the ground level along internal streets or in private backyards. For example, Figure 5.1-9, *Big Canyon Visual Simulation*, illustrates a view from the Big Canyon community at the back of the Big Canyon Country Club, where views are considered more public than a private residential yard. As shown, the existing skyline is partially obstructed with existing high rise office buildings, including 610, 620, 650, and 660 Newport Center and the Island Hotel, and landscaped trees in the foreground around the golf course. The proposed tower is visible on the right side of the view and is almost completely obstructed by the existing building at 660 Newport Center Drive. Thus, the proposed tower would be in a person's view but would not necessarily impact any views from an identified public viewpoint, nor would it adversely impact or worsen views of Newport Center since it is appropriately clustered with other existing high rise buildings from sightlines within the Big Canyon community.

Overall, views of concern brought up by NOP commenters and public scoping meeting participants would not be negatively impacted.

Impact 5.1-2: The proposed project would cast shadows on the adjacent Villas at Fashion Island residential community. [Threshold AE-3]

Impact Analysis: A shade and shadow analysis was prepared for the project to determine whether the proposed residential tower would cause shade and shadow impacts on surrounding sensitive land uses (see Appendix D). Sensitive uses near the project site include the Villas at Fashion Island apartment complex (currently under construction directly adjacent to the north) and the Colony Apartments approximately 600 feet to the southwest across San Clemente Drive. Other adjacent uses are not considered sensitive—office buildings to the west, a parking garage to the east, and surface parking lots to the south—and therefore are not analyzed for potentially adverse shade and shadow impacts.

Shadows cast by buildings and structures vary in length and direction throughout the day and from season to season. Shadow lengths increase during the "low sun" or winter season and are longest during the winter solstice. The winter solstice, therefore, represents the worst-case shadow condition and the potential for loss of access to sunlight that a project could cause is greatest. Shadow lengths are shortest during the summer solstice, while shadows cast during the spring and fall equinoxes represent midway conditions between the summer and winter extremes. Therefore, the shade and shadow analysis prepared for the project analyzes worst-case shadow conditions during the winter solstice and the fall and spring equinoxes. For analysis purposes, only the fall equinox was used because shadows cast during the spring equinox are similar to those of the fall equinox.

Given the orientation of the proposed tower, it would block sunlight and cast shadows on portions of the Villas at Fashion Island apartment complex to the north at certain times of the day as the shadows move across the site, but would not cast any shadows on The Colony apartments to the south. Thus, a detailed shade and shadow analysis was conducted to determine how many units in the Villas at Fashion Island would be shaded and how long shadows would be cast on specific dwelling units.

As stated above in Section 5.1.3.1, the City of Newport Beach does not have established City-wide criteria for shade or shadow impacts. However, the North Newport Center Planned Community (PC-56), which includes the Villas at Fashion Island site, has specific shade standards:

Prior to issuance of a building permit for a structure over 200 feet in height that has the potential to shade residential areas north of San Joaquin Hills Road, a shade study shall be prepared by the applicant and submitted to the City. The shade study shall demonstrate that the new development will not add shade to the designated residential areas beyond existing conditions for more than three hours between the hours of 9:00 A.M. and 3:00 P.M. Pacific Standard Time, or for more than four hours between the hours of 9:00 A.M. and 5:00 P.M. Pacific Daylight Time.

Although the Museum House site is not in PC-56, nor would it cast shade on residential areas north of San Joaquin Hills Road, these standards have been applied to this project for evaluating project-related impacts. Figure 5.1-10, *Villas at Fashion Island Shadow Coverage Reference Points*, shows the current Villas at Fashion Island site plan (with the Museum House property site to the south) and several reference points chosen as the most shade impacted from the proposed tower for a worst-case conservative analysis. Figures 5.1-11a through 5.1-11c, *Fall and Spring Equinox Shadows with Project*, illustrate the approximate shadows that the proposed tower would cast during the fall and spring equinoxes from 11:15 AM to 5:00 PM in 15-minute increments. Figures 5.1-12a and 5.1-12b, *Winter Solstice Shadows with Project*, illustrate the approximate shadows cast during the winter solstice from 11:15 AM to 3:00 PM in 15-minute increments.

Fall and Spring Equinox Impacts

Figures 5.1-11a through 5.1-11c show that the project would only cast a shadow on a small building corner of the southeasternmost building on the Villas at Fashion Island site (see Reference Point G of Figure 5.1-10). The project would not cast any shadows on the remaining Villas at Fashion Island site.

Using the reference points on Figure 5.1-10 and the fall and spring equinox shadow figures, Table 5.1-2 summarizes shadow coverage during this time of year. As shown on Figure 5.1-11c, the project would only cast a shadow on Reference Point G from 4:00 PM until 4:45 PM, a duration of 45 minutes. This corner of the building would not be developed as an apartment unit; therefore, the 45-minute shadow would not impact any future residents.

Table 5.1-2 Fall and Spring Equinox Shadow Coverage Summary

	Shadow Coverage (9:00 AM-5:00 PM Pacific Daylight Time)					
Reference Point	Begins	Ends	Duration	No. of Units with Shadow Coverage Exceeding 4 Hours		
А	N/A	N/A	0	0		
В	N/A	N/A	0	0		
С	N/A	N/A	0	0		
D	N/A	N/A	0	0		
E	N/A	N/A	0	0		
F	N/A	N/A	0	0		
G	4:00 PM	4:45 PM	45 minutes	0		

Source: Shade and shadow analysis by The Related Companies, July 2016 (see Appendix D).

Note: Pacific Daylight Time is used during fall and spring equinox months. Therefore, the shade analysis covers the hours of 9:00 AM and 5:00 PM Pacific Daylight Time.

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Figure 5.1-9 - Big Canyon Visual Simulation
5. Environmental Analysis



View looking west from Big Canyon Country Club.

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Figure 5.1-10 - Villas at Fashion Island Shadow Coverage Reference Points
5. Environmental Analysis



Project Boundary

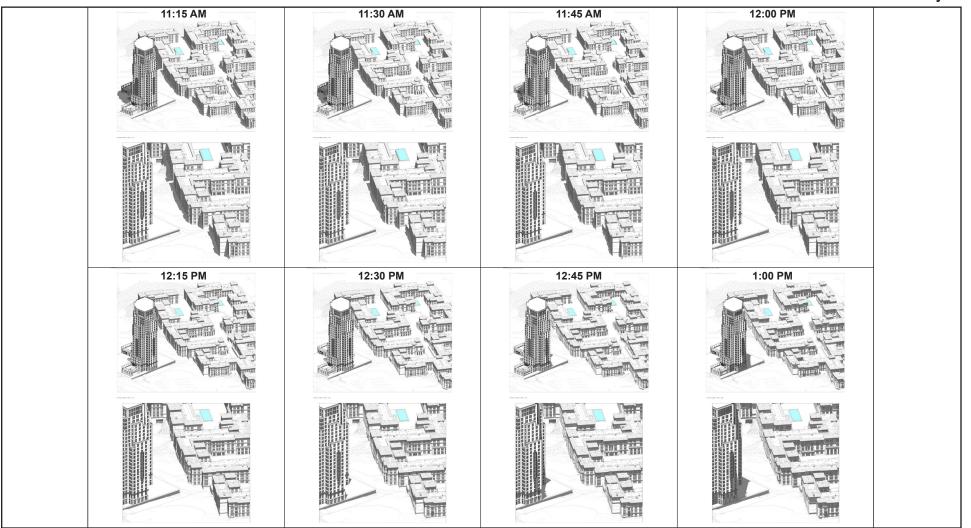




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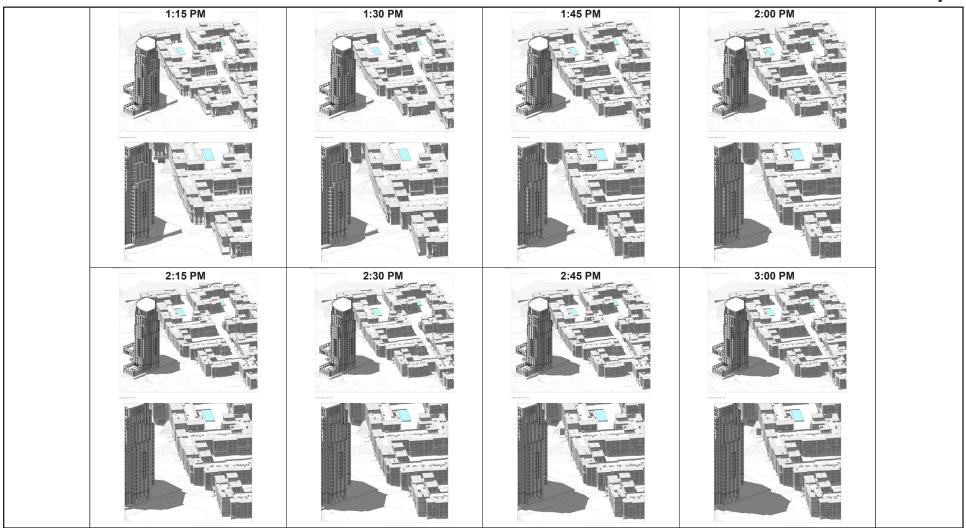
Figure 5.1-11a - Fall and Spring Equinox Shadows with Project - 11:15 AM to 1:00 PM 5. Environmental Analysis



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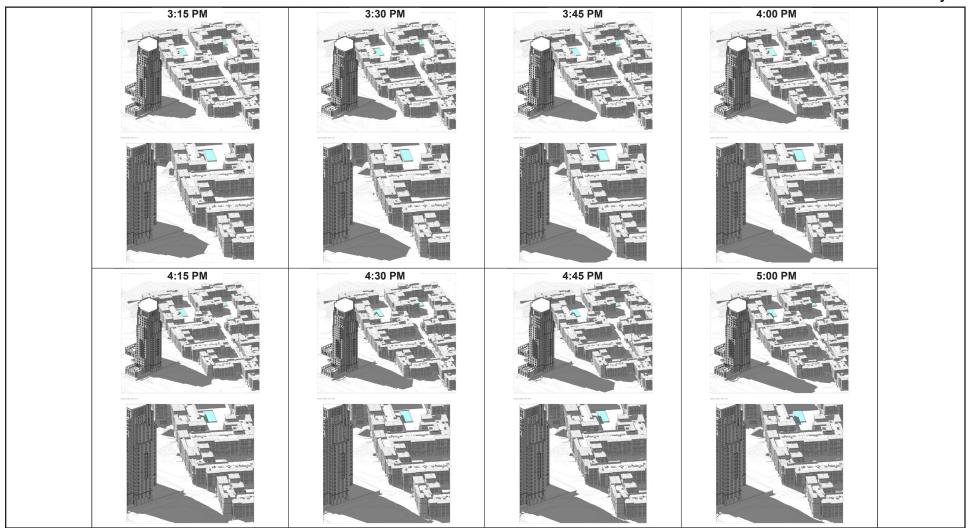
Figure 5.1-11b - Fall and Spring Equinox Shadows with Project - 1:15 PM to 3:00 PM 5. Environmental Analysis



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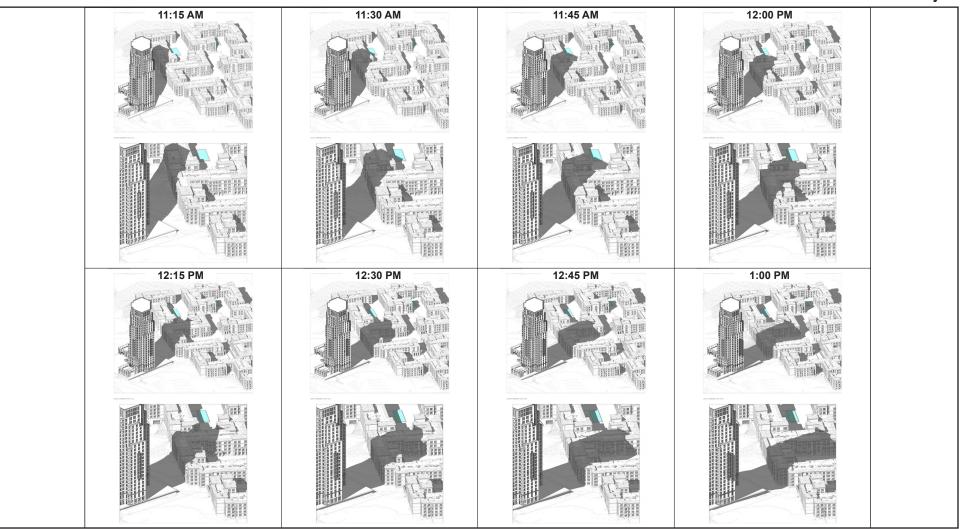
Figure 5.1-11c - Fall and Spring Equinox Shadows with Project - 3:15 PM to 5:00 PM 5. Environmental Analysis



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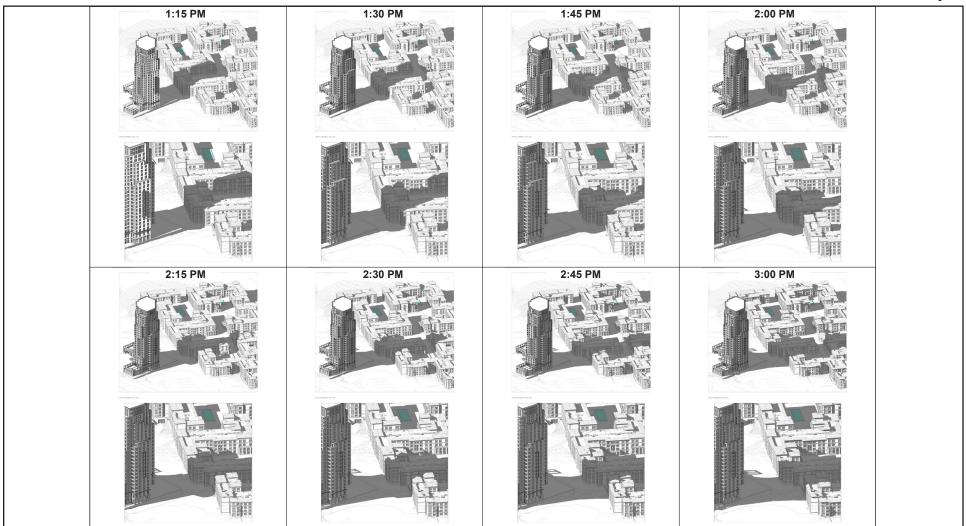
Figure 5.1-12a - Winter Solstice Shadows with Project - 11:15 AM to 1:00 PM 5. Environmental Analysis



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Figure 5.1-12b - Winter Solstice Shadows with Project - 1:15 PM to 3:00 PM 5. Environmental Analysis



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Using the PC-56 shade standard mentioned above, the proposed tower would not cast a shadow on the Villas at Fashion Island residential site for more than four hours between the hours of 9:00 AM and 5:00 PM Pacific Daylight Time. Thus, no significant shade and shadow impacts would occur during the fall and spring equinoxes.

Winter Solstice Impacts

Figures 5.1-12a and 5.1-12b, *Winter Solstice Shadows with Project*, show shadows cast by the proposed tower on portions of the Villas at Fashion Island buildings from 11:15 AM until 3:00 PM. As shown, the tower would cast more shadows on the Villas at Fashion Island site in winter than during the fall and spring equinoxes. The proposed project would cast shadows on Reference Points A through F, but would not cast shadows on one specific dwelling unit for more than three hours between 9:00 AM and 3:00 PM Pacific Standard Time. Table 5.1-3 provides a summary of shadow coverage during this time of year.

Table 5.1-3 Winter Solstice Shadow Coverage Summary

	Shadow Coverage (9:00 AM-3:00 PM Pacific Standard Time)			
Reference Point	Begins	Ends	Duration	No. of Units with Shadow Coverage Exceeding 3 Hours
Α	10:00 AM	10:45 AM	45 minutes	0
В	10:45 AM	12:00 PM	1 hour, 15 minutes	0
С	11:00 AM	12:15 PM	1 hour, 15 minutes	0
D	12:30 PM	3:00 PM	2 hours, 30 minutes	0
E	1:30 PM	3:00 PM	1 hour, 30 minutes	0
F	2:15 PM	3:00 PM	45 minutes	0
G	N/A	N/A	0	0

Source: Shade and shadow analysis by The Related Companies, July 2016 (see Appendix D).

Note: Pacific Standard Time is used during winter solstice months. Therefore, the shade analysis covers the hours of 9:00 AM and 3:00 PM Pacific Standard Time.

Overall, the proposed tower is not anticipated to cause significant shade or shadow impacts on the Villas at Fashion Island property during the fall and spring equinoxes or winter solstice months. Impacts would be less than significant.

Impact 5.1-3: The proposed condominium tower would generate new sources of light and glare. [Threshold AE-4]

Impact Analysis: Nighttime illumination and glare impacts are the effects of a project's exterior lighting on adjoining uses and areas. Light and glare impacts are determined through a comparison of the existing light sources with the proposed lighting onsite.

Light

As stated above, the project site is in a built out area of Newport Beach with many existing sources of nighttime illumination. These include street and parking area lights, security lighting, and exterior lighting on existing residential, commercial, and office buildings. Additional lighting in the area comes from vehicular traffic traveling along San Clemente Drive, Santa Maria Road, Santa Cruz Drive, and Santa Barbara Drive.

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The proposed condominium tower would include interior and exterior lighting, building accent lighting, security lighting along the perimeters of the tower, and signage lighting. Vehicle trips generated as a result of the proposed project would also generate lighting from headlights at night. Development of the project would increase lighting onsite compared to the existing OCMA building; however, compared to other developments in the area, the project's outdoor lighting fixtures would not represent a significant lighting increase in the overall Newport Center/Fashion Island area. Adjacent uses with lighting fixtures include office and residential buildings, surface parking lots, and parking garages. Street lighting along Newport Center roadways also contributes to the area's lighting conditions.

The interior of the tower is designed so that over half of its 100 units are oriented in a direction away from the neighboring residences of Big Canyon, Harbor Cove, and the future Villas at Fashion Island Apartments. The units would be designed with traditional residential window openings that are inset into the building's exterior. These traditional residential window openings provide natural light into individual rooms in the homes. The building's solid exterior and the residential characteristics of the building are in sharp contrast to the all-glass, floor to ceiling windows that wrap around the entire perimeter of many of Newport Center's office towers. The containment of the residential windows and compartmentalization of uses within a home further reduces the amount of light produced when compared to the surrounding office towers, which often have open floor plans with lights turned on throughout the night.

All outdoor lighting associated with the project would be required to comply with Section 20.30.070 of the City's municipal code, which requires all outdoor lighting fixtures to be designed, shielded, aimed, located, and maintained to shield adjacent properties and to not produce glare onto adjacent properties or roadways. Also, the project must comply with General Plan Policy LU 5.6.2, which requires that outdoor lighting be located and designed to prevent spillover onto adjoining properties or significantly increase the overall ambient illumination of their location. Light fixtures on buildings and in parking lots must also be full cut-off fixtures. Lighting associated with the proposed guest parking spaces at the ground level would be the minimum height required to effectively illuminate the parking area and eliminate spillover of light and glare onto adjoining properties and roadways. Additionally, spotlighting or floodlighting used to illuminate buildings, statues, signs, or any other objects mounted on a pole, pedestal, or platform or used to accentuate landscaping would consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light would be substantially confined to the object intended to be illuminated to minimize glare, sky glow, and light trespass.

Several NOP commenters were concerned about the proposed condominium tower's interior lighting illuminating the night sky at a greater intensity than the neighboring office buildings. The commenters stated that the existing surrounding office buildings are mostly dark at night because employees are not working and that the Museum House tower would be mostly lit at night when most of its residents are home from work.

The proposed tower is designed so that over half of its 100 units are oriented toward the Pacific Ocean and away from the neighboring residences of Big Canyon, Harbor Cove, and the future Villas at Fashion Island. The units are designed with traditional residential window openings that are inset into the building's exterior, which provide natural light into individual rooms in the homes and reduce the need for artificial lighting. The building's solid exterior is constructed with stone and masonry to create a more residential character, in

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contrast to the all-glass, floor-to-ceiling windows that wrap around the perimeter of many of Newport Center's office towers. Typical lighting in office buildings with open floor plans would illuminate an entire floor at night. In contrast, the project's containment of the residential windows and compartmentalization of uses within a home (i.e., separate rooms for kitchen, dining, bedroom, bathroom, etc.) would reduce the light produced in comparison to surrounding office towers. Therefore, development of a residential tower would not directly correlate to a significant and adverse increase in lighting intensity at night caused by interior lighting.

Glare

Glare is light that causes visual discomfort or disability or a loss of visual performance. It occurs when a person's eyes see a bright object against a dark background. Glare can be generated by sunlight reflecting off of the proposed tower's building exterior materials, surface paving materials on the ground level, and vehicles traveling or parked on surrounding roads and the onsite parking spaces or motor court.

The proposed tower would not be built with reflective glass and glazing, shiny surfaces, or other reflective materials; therefore, potential glare from the building façade would be limited. The landscape and hardscape proposed onsite would not have any large reflective surfaces that could generate visual discomfort for the surrounding uses or commuters along San Clemente Drive and Santa Maria Road. Hardscape improvements on the ground level include a concrete driveway and maintenance path in natural gray color, colored decorative concrete in the motor court area, and stone accent pavers. Landscaping on the ground level would include ornamental trees, citrus trees, palm trees, evergreen canopy trees, and garden shrubs. The trees and shrubs would diffuse the overall amount of glare created by the project. Additionally, as previously stated, Section 20.30.070 of the City's municipal code establishes outdoor lighting standards to reduce impacts of glare, light trespass, overlighting, sky glow, and poorly shielded or inappropriately directed lighting fixtures. Specifically, outdoor lighting fixtures shall be designed, shielded, aimed, located, and maintained to shield adjacent properties and to not produce glare onto adjacent properties or roadways; parking lot lighting shall be at the minimum height necessary to effectively illuminate the parking area and eliminate spillover of light and glare on adjoining properties and roadways; and spotlighting or floodlighting used to illuminate buildings, signs, statues, or other landmark features shall be confined to the object intended to be illuminated to minimize glare, sky glow, and light trespass.

Overall, the proposed project would not create a source of substantial light or glare that would adversely affect day or nighttime views in the area. Light and glare impacts would be less than significant.

5.1.4 Cumulative Impacts

Cumulative aesthetic impacts are assessed based on the potential for cumulative projects (see Table 4-1) to adversely impact area-wide vistas in Newport Center, including views towards Newport Bay and the Pacific Ocean, and significantly increase light and glare. As shown in Figure 4-3, *Cumulative Projects Location Map*, most of the cumulative projects are outside of Newport Center and could not cause cumulative aesthetic impacts (with the exception of the Villas at Fashion Island [formerly San Joaquin Plaza Apartments], Meridian [Santa Barbara] Condominiums, and 150 Newport Center Drive project).

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The Villas at Fashion Island is adjacent to the proposed project's northern boundary. This project is currently under construction and would consist of seven 65-foot apartment buildings (524 units) at complete buildout. Although the Villas at Fashion Island site is near several coastal view road segments, identified above in Section 5.1.1.2 (e.g., Coast Highway, Jamboree Road, MacArthur Boulevard, and Newport Center Drive), the project is north of these coastal view roadway segments and would not obstruct views looking south toward the Pacific Ocean and Newport Bay. Therefore, similar to the proposed project, development would have no potential to interfere with coastal views. Additionally, the buildings would be developed consistent with the development standards and design regulations outlined in the North Newport Center Planned Community Development Plan and North Newport Center Design Regulations (i.e., building location, massing, landscape design, streetscapes, and orientation/identity) to ensure compatible visual character and quality with existing development in the North Newport Center Planned Community. Further, light and glare impacts of the residential buildings would be similar to nearby residential buildings and would be required to comply with similar outdoor lighting regulations as the proposed project per Section 20.30.070 of the City's municipal code. Lastly, shading impacts of the Villas at Fashion Island project during summer (fall/spring equinox) and winter (winter solstice) months are detailed in Appendix D of this DEIR (see pages D-2 and D-3). As shown, shadows created by the apartment buildings during the summer and winter months would only be cast over nonsensitive land uses to the northwest (e.g., Chevron and Jaguar Land Rover Newport Beach) or on San Joaquin Hills Road. No sensitive residential land uses, including Big Canyon residences across San Joaquin Hills Road, would be impacted.

The Meridian (Santa Barbara) Condominiums are approximately 0.3 mile southwest of the Museum House site and would be developed with 79 condominium units in five buildings at building heights of approximately 65 feet. The 150 Newport Center Drive project is approximately 0.7 mile south of the Museum House site, directly across from the Fashion Island shopping center, and would be developed as a seven-story building with 45 condominium units at a height of 65 feet and 6 inches (70 feet and 6 inches to top of mechanical screening). Due to the distance of these two projects from the proposed project, existing buildings and trees between the projects, and the fact that the proposed project would not impact scenic views from designated viewpoints or corridors, the proposed project, in combination with these cumulative projects in Newport Center, would not cumulatively impact public views of the Pacific Ocean or block other scenic vistas. Also, given the distance between the projects and intervening development with light sources (i.e., Fashion Island shopping center buildings, multistory office buildings, and other residential buildings), light and glare impacts would not be cumulatively considerable.

Overall, aesthetic impacts of the proposed project and other cumulative projects within Newport Center would not be cumulatively considerable.

5.1.5 Existing Regulations and Standard Conditions

Existing Regulations

Local

City of Newport Beach Municipal Code

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- Chapter 20.30, Section 20.30.060 (Height Limits and Exceptions)
- Chapter 20.60, Section 20.30.070 (Outdoor Lighting)

City of Newport Beach Standard Conditions of Approval

There are no specific City-adopted standard operating conditions of approval related to aesthetics that are applicable to the proposed project at this time; however, project-specific conditions of approval may be applied to the project by the City during the discretionary approval (site development review, tentative tract map, etc.) subsequent design, and/or construction process.

5.1.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, the following impacts would be less than significant: 5.1-1, 5.1-2, and 5.1-3.

5.1.7 Mitigation Measures

No mitigation measures are required.

5.1.8 Level of Significance After Mitigation

Impacts would be less than significant.

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