

Appendix B NOP Comments

Appendices

This page intentionally left blank.

Ramirez, Gregg

From: Chuck Allen <callencb@pacbell.net>
Sent: Wednesday, March 02, 2016 10:07 AM
To: Ramirez, Gregg
Subject: Museum building/tower

I am TOTALLY oposed to yet another high rise building in the Fashin Isalnd area creating even more traffic.

What part of the outcome of Measure Y did the city NOT understand.

We as citizens are tired of the contiued traffic and congestion that keeps getting added to our streets.

Do we need to start another campian to stop this maddness? If so, we will.

Please stop this project in it's tracks.

Thank you,

Charles Allen
515 Begonia Ave.
Corona del Mar, CA 92625



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

March 4, 2016

Gregg Ramirez, Senior Planner
City of Newport Beach, Community Development Dept.
100 Civic Center Drive
Newport Beach, CA 92660

Subject: Museum House Residential Project NOP of DEIR

Dear Mr. Ramirez:

Thank you for the opportunity to review the initial for the proposed Museum House Residential Project in the context of the Airport Land Use Commission's (ALUC) *Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA)*. The proposed project consists of the demolition of the existing Orange County Museum of Art building to accommodate the development of a 26-story 100-unit residential condominium tower with two levels of subterranean parking located at 850 San Clemente Drive in Newport Center.

The proposed project is located outside of the 60 dBA and 65 dBA CNEL noise contours for JWA and would not be subject to any special noise reduction requirements.

The proposed project is located within the Federal Aviation Regulation (FAR) Part 77 Notification Area for JWA. The initial study states that the proposed maximum height for the residential tower is 295 feet with an additional 20 feet for rooftop equipment. We recommend that the project proponent utilize the Notice Criteria Tool on the Federal Aviation Administration (FAA) website <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> to determine if the proposed project penetrates the notification surface and requires filing Form 7460-1 Notice of Proposed Construction or Alteration with the FAA. The results from the Notice Criteria Tool should be included in the DEIR. Additionally, if the project requires Form 7460-1 filing, the resulting FAA airspace determination should be included in the project submittal package to ALUC.

The proposed project is also located within the Transitional Obstruction Imaginary Surfaces for JWA. We recommend that the DEIR discuss what the maximum height will be for the site since a General Plan Amendment and a Planned Community Development Plan Amendment is required from the City of Newport Beach.

A referral by the City to the ALUC may be required for this project due to the location of the proposal within an AELUP Planning Area and due to the nature of the required City approvals (i.e. General Plan Amendment and Planned Community Development Plan Amendment) under PUC Section 21676(b). In this regard, please note that the Commission wants such referrals to be submitted and agendized by the ALUC staff between the Local Agency's expected Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendizing.

Thank you again for the opportunity to comment on the initial study. Please contact Lea Choum at (949) 252-5123 or via email at lchoum@ocair.com should you have any questions related to the Airport Land Use Commission for Orange County.

Sincerely,



Kari A. Rigoni
Executive Officer

Ramirez, Gregg

From: Lisa Anderson <lisa_anderson1@me.com>
Sent: Saturday, February 27, 2016 3:26 PM
To: Ramirez, Gregg
Subject: 26 story condo

We are long term residents of Newport Beach who would like to voice our strong opinion against a 26 story condominium building. The reasons are obvious to.

Lisa ANDERSON

Jim Clarke

Sent from my iPad

Ramirez, Gregg

From: Robyn Ashton <ashtonfamily@cox.net>
Sent: Friday, March 04, 2016 8:48 PM
To: Petros, Tony; Dixon, Diane; Duffield, Duffy; Muldoon, Kevin; Selich, Edward; Peotter, Scott; Curry, Keith
Cc: Ramirez, Gregg
Subject: Museum House Condos and 150 Newport Center Drive

Dear City Council members

I am a 23 year resident of Newport Beach, since you are on the city council I presume you are also residents. I am writing to appeal to your Love of our city to stop the outside developers and their oversized high density buildings. Their focus is coming here, making money and getting out. I am hoping that each of you care about preserving our quality of life and the beauty of our city.

I attended the Museum house Scoping Meeting on February 22nd. It seemed like a fairly good turn out against the development, however I'm sure you realize there are so many more who do not want this development who did not attend. I don't think there is a question of what the residents of Newport Beach want. I also think because the city has several different zones, Dover Shores, Corona del Mar, Balboa Peninsula, etc. residents are not always aware of what is happening on the other side of the city.

I learned at the meeting that it is the developers responsibility to conduct the necessary traffic studies, environmental studies etc. While I don't want us to pay for any studies, what stops the developer from hiring "experts" who will slant the results in their favor? I specifically remember reading one of the traffic studies for another proposed development stating that the development would actually improve traffic! This reminds me of a defense attorney bringing in experts who will say whatever necessary to "win" their case.

The Museum House and 150 Newport Center Drive would bring in much more traffic, more high density, more buildings that go against our height limits, and more demands on our water supply.

I also question how this information gets out to the residents. Many people no longer read the newspaper. Since we have already spoken on this matter with the voter approved General Plan and Measure Y, we put our trust in our city council members to carry out desires for our city. It is usually only the residents that have the time to pay attention to what is going on who send the emails or attend the meetings. Most residents are busy working and raising their families. If we repeated the Measure Y vote, what do you think the results would be today, when things have already gotten more congested?

The traffic on MacArthur and Jamboree is already so congested. I no longer take the MacArthur exit from the 73 freeway because as I'm sure you know, it is always backed up and dangerous. I either take Bison or pay to take the toll exit.

Please reconsider these proposed developments, stop the spot zoning manipulations, save the Newport Beach that we all Love, that is your why you are on the City Council, right?

Thank you for your time,

Robyn Ashton
Port Street resident

Ramirez, Gregg

From: Liz Barman <barman.liz@gmail.com>
Sent: Thursday, February 25, 2016 10:53 PM
To: Ramirez, Gregg
Subject: 26 Tower -Museum House

Bob & Liz Barman
6 Rue Saint Cloud
Newport Beach, CA 92660

The proposal to build a 26 Tower luxury condominium town-homes should not be approved for the following reasons:

- * Increase housing density
- * Snarl traffic to and from and in Newport Center
- * Noise pollution- Jamboree, MacArthur, PCH and San Joaquin
- * City's effort to reduce water consumption is negatively affected
- * Beach city charm going away by building tall buildings
- * Increased air quality pollution
- * 500+ apartment currently being constructed affects have not been realized and have negative impacts already
- * Housing is not needed in Newport Center-master plan zoning was created to provide a safe environment for the residence of Newport Beach
- * Zoning should remain the same to protect environment - Fashion Island is growing out of control
- * Increased restaurants, shops and concrete multi level parking garages are only adding to the problems as well

It would be totally irresponsible to have the city's planning commission/city council officials change the general plan amendment from a 1 story private institutional to 26 Tower (largest tower in OC) multiunit residential!

Please save our city from greedy developers and proudly protect and represent the Newport Beach residents.

Ramirez, Gregg

From: Cindy Barnard <cindybarnard@roadrunner.com>
Sent: Thursday, March 03, 2016 6:54 PM
To: Ramirez, Gregg
Subject: EIR Scope Museum House

Dear Mr. Ramirez,

I am writing to request this issue outlined below be considered in the scope of the Museum House EIR. My understanding is that the current site is designated as *Private Institutional* which is intended for privately owned facilities that serve the public, including places for religious assembly, private schools, health care, cultural institutions, museums, etc. It seems that the EIR should document the effects on the community of the loss of space designated for such uses. Commercial uses for profit seem to be taking over Newport Beach and I believe the citizenry is and should be concerned about the loss of space for community and cultural interactions.

Regards,

Cindy Barnard
510 Tustin Avenue
Newport Beach CA 92663

Ramirez, Gregg

From: Joyce Batcheller <joycebatcheller@gmail.com>
Sent: Tuesday, March 01, 2016 11:31 AM
To: Ramirez, Gregg
Subject: Museum House

We received an E mail concerning the proposed construction of a twenty six story tower town homes. We are appalled that the City council would even consider such a Hughe project in already overcrowded Fashion Island.

Here are a few reasons why. 1. Water. We are already on water rationing in Big Canyon and lawns and plants etc. are dying. This new project would require massive amounts of water which we do not have. 2. Traffic. this will create a traffic nightmare for Fashion Island and surrounding areas. 3. We have a master plan that the voters approved and should not be changed unless the voters want such a change. We should stay with the plan until and if the voters say they want change.

Mr and Mrs. Byron Batcheller

Ramirez, Gregg

From: Terry Becker <terry@calveins.com>
Sent: Monday, February 22, 2016 3:18 PM
To: Ramirez, Gregg; Dixon, Diane; Petros, Tony; Duffield, Duffy; Muldoon, Kevin; Selich, Edward; Peotter, Scott; Curry, Keith
Cc: hiccupoo@yahoo.com
Subject: Museum House Residential Project

To our City Council Members:

I am shocked at the news of another condominium project being reviewed by the city council. I am referring to the Museum House Residential project. After seeing the hundreds of condos already being built in the Newport Center Drive area, and just imagining what the traffic is going to be like when they are occupied is beyond my comprehension. Beautiful Newport Beach is being turned into a overcrowded area as if it were downtown Los Angeles or worse! It is sickening that the powers that be are allowing this to happen. **Especially when this type of action was voted down by citizens of this community.**

I would really like to hear an explanation as to why the legal vote of Proposition Y is being ignored by the mayor and city council. Why and how is the General Plan being ignored? What can be done to stop this type of thing? I've lived in this area many years and it's pathetic that developers are making mega millions on these projects while the citizens of Newport Beach will be suffering the consequences.

Please advise.

Terry Becker
304 Esplanade
Newport Beach 92660

Ramirez, Gregg

From: Beverly Blais <bblaisesq@gmail.com>
Sent: Monday, February 22, 2016 2:04 PM
To: Ramirez, Gregg
Subject: Museum House Residential Project

Dear Mr. Ramirez:

I learned of the proposed Museum House Residential Project through an article in the Daily Pilot, published February 19th. Due to a prior commitment, I am unable to attend the meeting tonight, but wish to express my opposition to this project.

I have had insufficient time to closely review what is available concerning this project. That being said, my initial response is that Newport Center does **not** need a 100-unit high-rise condominium complex. This is especially true given the 524 unit apartment building currently under construction on San Joaquin and Jamboree. Traffic is already excessive in this area and it is difficult to comprehend the impact of not only the apartment project, but the combined impact of both projects. Furthermore, it is difficult to comprehend the construction of a 300-foot high rise building in this area of Newport Center, where a two story art museum has stood since 1996. Consider if this is approved, where will the next high rise building be constructed within Newport Center? Are we to expect another Century City, with the traffic and pollution issues that exist there? I know there are many others who feel the way that I feel, which is that Newport Beach is losing its character, a character those who have lived here for decades and longer love and would like to see preserved.

I strongly suspect when this proposed project receives additional publicity that other Newport Beach residents will strongly oppose this project and the negative impact it will have on our views, air quality, the character of our city, traffic conditions and the quiet enjoyment of our community.

Sincerely,

Beverly Moosmann
544 Vista Grande
Newport Beach, CA 92660

Ramirez, Gregg

From:
Sent: Tuesday, March 08, 2016 2:29 PM
To: Ramirez, Gregg
Subject: 26 Story Condo Project Newport Center

My name is Ron Bower. I have lived in Irvine Terrace for 30 years and have seen project after project approved for Newport Center. The proposal to build this high-rise building in Newport Center is absurd. We do not have the infrastructure to handle this type of density. My career was in office building management and I was Director of Office Buildings for Pacific Life, so I understand the nature of this project. We have a wonderful city and it will be destroyed if the city keeps approves structures of this nature. There is already a significant amount of roadway construction and repair in Newport that causes continuous traffic delays. It is time to seriously consider the negative ramifications when approving projects of this magnitude. Newport Beach is a great town and a project like this will erode the suburban, beach-town feeling of our small city, and the quality of life here. Please leave the high-rises to other part of the county where cities have created dense city centers. Our residents deserve to have those of you in government preserve the nature of the city we have now, not create more development because the wealthy developers want more profit. Thank you for considering my thoughts on this important decision.

Ron Bower

This email has been sent from a virus-free computer protected by Avast.
www.avast.com

Ramirez, Gregg

From: Tomgreat@aol.com
Sent: Friday, March 04, 2016 10:35 AM
To: Ramirez, Gregg
Subject: Opposition to Proposed Museum House Project

gramirez@newportbeachca.gov

Subject: Opposition to Proposed Museum House Project

The proposal to build the Museum House project (a 26 story residential condominiums) **should NOT be approved** without a completely negative Environmental Impact Report overriding including the matters below:

1. Changing the general plan from a 1 story private institutional use to 26 floor residential high rise (largest tower in OC) is not consistent with expressed wishes of Newport's residents as detailed in the City's existing master plan zoning;
2. Increased housing density in Newport Center is counter to the wishes of Newport's residents
3. Increased traffic to, from and in Newport Center will adversely affect quality of life and business;
4. Already overburdened parking in Fashion Island will become exacerbated and potentially lead to human conflict (drivers fighting to find a parking space) and loss of business for existing commercial and retail tenants;
5. Noise and air pollution will be increased and negatively impact community;
6. City's effort to reduce water consumption is negatively affected;
7. Beach city charm will be diminished by building multi-story high rise building. Newport Center is not and should not try to replicate Century City, downtown Los Angeles, the Wilshire corridor, Irvine Metro (Jamboree at 405) or Irvine Spectrum;
8. The multiple (and potentially negative) impacts of the Irvine Company's 500+ luxury apartments currently under construction have not been determined;
9. More housing is not needed in Newport Center;

Please DENY this development and protect and represent the expressed wishes Newport Beach residents.

Tom Callister (949) 760-6161
1501 Dolphin Terrace, Corona del Mar, CA 92625

Ramirez, Gregg

From: Biddle, Jennifer
Sent: Monday, February 22, 2016 9:10 AM
To: Ramirez, Gregg
Subject: FW: Feedback for Newport Beach, CA

See email chain below.

Thank you,

Jennifer Biddle

Administrative Specialist
Community Development Department
949-644-3232

From: City of NB Questions
Sent: Monday, February 22, 2016 8:33 AM
To: Biddle, Jennifer
Subject: FW: Feedback for Newport Beach, CA

Good morning,
Can you please share with the appropriate staff? I've already responded to Ms. Carlson that her comments will be forwarded.
Thanks,
Mary

Mary Locey | 949-644-3031

From: Karen Carlson [<mailto:kkc2616@aol.com>]
Sent: Thursday, February 18, 2016 11:18 AM
To: City of NB Questions
Subject: Feedback for Newport Beach, CA

You have received this feedback from Karen Carlson <kkc2616@aol.com> for the following page:

<http://www.newportbeachca.gov/government/departments/community-development/planning-division/planning-commission>

I was horrified to read in today's Daily Pilot about the 26 story 100 unit condo project hoping to replace the 1 story Art Museum. That is 253 bedrooms...are they going to have off-street parking for 253 cars??? At 2 people/bedroom that is 506 more to flood our streets. How can the planning commission approve this. Please consider what it will do to our community. Thank You

Karen Carlson

Ramirez, Gregg

From: Paul Christ <pmchrist@earthlink.net>
Sent: Wednesday, March 02, 2016 9:52 AM
To: Ramirez, Gregg
Subject: Museum House Development

Importance: High

As a resident within one mile of the proposed Museum House Development, please count my negative (no) vote regarding the proposed Museum House Development.

Any multi-level residential for rent or for sale housing on the site should be restricted to not exceed 2 levels.

The purpose of the height restriction is to contain related environmental issues, reduce the impact of increased traffic impact and accompanying air pollution. The Irvine Co. 540 unit apartment complex at the interior NE corner of Jamboree and San Joaquin Hills is an example of planning gone awry and lack of consideration of the Newport Beach residents concerns relative to traffic and related environmental issues.

The fact that the Museum House project advanced to the planning and planning review stages is an insult to Newport Beach residents who have counted on their elected representatives to follow the General and applicable Specific Plans for the Fashion Island and Newport Center area.

Please eliminate the Museum House Project from consideration as promptly as possible.

Thank you,

Paul Christ
1143 Granville Drive
Newport Beach CA 92660



February 25, 2016

Mr. Greg Ramirez
Senior Planner
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

**Subject: Review Notice of Preparation for an Environmental Impact Report -
Museum House Residential Project**

Dear Mr. Ramirez:

City of Irvine staff has received and reviewed the information on the referenced project and has the following comments at this time:

1. Analyze the need for additional parks as a result of the proposed development based on Quimby Act requirements.
2. The Notice of Preparation and Initial Study states that a draft EIR will be prepared along with a traffic impact analysis that assesses existing traffic conditions, forecast project-generated traffic volumes and distribution, and forecast traffic conditions in the project buildout year with and without the project. The NOP also states that the traffic impacts will be evaluated pursuant to the City of Newport Beach Traffic Phasing Ordinance (TPO).

Clarify if the City of Newport Beach's TPO considers that the proposed change in land uses from nonresidential to residential units would result in a change in the directionality of traffic during morning and evening peak periods when there is the greatest volume of traffic on the street network. Given that the directionality of traffic changes in both the AM and PM, we would request that the traffic impact analysis address this issue to ensure that the circulation system surrounding the project can support such changes during the peak periods of heavy traffic.

Note that the City of Irvine's Traffic Impact Analysis Guidelines, adopted in August of 2004, requires a traffic study to be prepared for projects that result in significant increases in AM or PM peak hour vehicle trips. In this way, the City of Irvine

Mr. Greg Ramirez
February 25, 2016
Page 2

ensures that the circulation system can support the additional traffic that a development project may contribute during these peak periods.

Thank you for the opportunity to review the proposed project. Staff would appreciate the opportunity to review the Draft Environmental Impact Report and any further information regarding this project as the planning process proceeds.

If you have any questions, I can be reached at 949-724-6314, or at dlaw@cityofirvine.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "David R. Law".

David R. Law, AICP
Senior Planner

Cc:

Barry Curtis, Manager of Planning Services (via email)
Bill Jacobs, Principal Planner (via email)
Sun-Sun Murillo, Supervising Senior Transportation Analyst (via email)

Ramirez, Gregg

From: kbclark17 <kbclark17@gmail.com>
Sent: Tuesday, February 23, 2016 6:47 AM
To: Ramirez, Gregg
Subject: Museum House Scoping

Comments on issues the EIR must address on this project, which is a potential nightmare for the residents of Newport Beach:

1. The light that comes off such a tall residential tower will have an impact for miles. We checked from our home on Ebbtide (at least one mile away) and it is clear that the building will be a major eyesore in the evenings and night since it will be lighted at night, unlike the office buildings.
2. The parking must be analyzed. Newport has historically approved under parked projects, causing grief for residents. I am near Corona del Mar Plaza, a classic under parked development. I have gone there to shop but left without stopping due to no parking. The way EIRs for Newport developments have analyzed parking in the past is clearly inadequate.
3. There is already enormous traffic congestion between our home and Newport Center. The EIR for Y was totally inadequate since it didn't even address the additional traffic on San Miguel and Avocado, an intersection nightmare. We haven't yet seen the impact of all the new residents in the 500+ apartment complex being built. Prior EIRs for projects in Newport have ludicrously stated that additional buildings in Newport Beach would actually decrease, or at least have no impact, on traffic. The traffic study must address all the roads leading to Newport Center and all roads that intersect those roads and deal with this honestly, unlike what happened with Y.
4. The EIR should call this development what it is, a multi-family development, not a planned community.

Bruce and Karen Clark
2701 Ebbtide Road

From: City Clerk's Office
Sent: Monday, February 22, 2016 4:58 PM
To: McDonald, Cristal; Mulvey, Jennifer; Rieff, Kim
Subject: FW: Condo project in Fashion Island

From: Kiff, Dave
Sent: Monday, February 22, 2016 4:58:08 PM (UTC-08:00) Pacific Time (US & Canada)
To: City Clerk's Office
Subject: FW: Condo project in Fashion Island

For the record.

-----Original Message-----

From: Edna Cole [<mailto:ednacole@me.com>]
Sent: Sunday, February 21, 2016 8:19 PM
To: Dept - City Council
Subject: Condo project in Fashion Island

I am giving you my opposition to the condo project I read about in the Register a couple of days ago. The 500+ unit apartments from The Irvine Company is bad enough. I live right across the street in Big Canyon, and the dirt (all over our houses and cars) and noise starting at 7am in the morning with the constant beeping from the trucks has disturbed our peaceful neighborhood. We are retired and like to sleep past 7am.

Each apartment will have at least one car so that means all the restaurants and theaters will have waiting lists, and our quality of life will be severely impacted. We are not L.A., New York or San Francisco, and we don't want to be.

Are you representing the people who voted for you, or are you representing the commercial interests with no thought to the people.

P.S. How about benches at the bus stops for the people waiting? It is unsightly to see the poor riders sitting on the curb or ground. That has been on my mind for a while.

Ramirez, Gregg

From: Peggy Cole <pcole25@aol.com>
Sent: Sunday, March 06, 2016 4:13 PM
To: Ramirez, Gregg
Subject: 26 Tower - Museum House

The proposal to build a 26 Tower luxury condominium town-homes should not be approved without a meaningful Environmental Impact Report including these subjects:

- * Increase in housing density in/around Newport Center
- * Traffic to and from and in Newport Center
- * Parking problems adding to those already in Newport Fashion Island
- * Consideration of all other housing and commercial projects in the Newport Center and close surroundings in progress or proposed.
- * Noise pollution- Jamboree, MacArthur, PCH and San Joaquin
- * City's effort to reduce water consumption is negatively affected
- * Beach city charm going away by building tall buildings. This is not LA or NYC
- * Increased air quality pollution
- * 500+ apartment currently being constructed affects have not been realized and have negative impacts already
- * Housing is not needed in Newport Center-master plan zoning was created to provide a safe environment for the residence of Newport Beach
- * Zoning should remain the same to protect environment - Fashion Island is growing out of control
- * Increased restaurants, shops and concrete multi level parking garages are only adding to the problems as well

It would be totally irresponsible to have the city's planning commission/city council officials change the general plan amendment from a 1 story private institutional to 26 Tower (largest tower in OC) multiunit residential!

Please save our city from greedy developers and proudly protect and represent the Newport Beach residents.

Richard H. Cole
Edna Cole
5 Rue Saint Cloud, Newport Beach, CA 92660
(949) 760-3066

February 26, 2016

Ms. Diane B. Dixon, Mayor
Mr. Kevin Muldoon, Mayor Pro Tem
Mr. Tony Petros, Council Member
Mr. Duffy Duffield, Council Member
Mr. Edward D. Selich, Council Member
Mr. Scott Peotter, Council Member
Mr. Keith D. Curry, Council Member
Mr. Gregg Ramirez, Senior Planner

Ladies and Gentlemen:

This is to inform the City Council that we are very much opposed to the construction of the 26 Tower Luxury Condominium Townhomes on the site of the Orange County Museum of Art.

We live in the Big Canyon Townhomes directly across the street from the 500+ apartment project that The Irvine Company is currently building. The dirt (which covers our cars and homes every day) and the noise (constant beeping from the trucks beginning at 7am) has been a big disruption to the peace and quiet of our community. There will be at least 500+ cars added to our community from this project alone, which will have a direct impact on our schools, traffic, theaters, restaurants and will forever change our quality of life in Newport Beach.

The Meridian just finished their construction, and now Related California wants the highest residential tower in Fashion Island. This is inconsistent with other housing in the area limited to 4 stories and will further congest San Joaquin Hills Road. Big Canyon has only 2 exits (both on San Joaquin). Current height restrictions should be enforced. We do not want traffic congestion or high rises like San Francisco, Los Angeles or New York.

With the water shortage in California and restrictions on the city of Newport Beach, projects such as these will be a drain on this and other resources.

We would like a Greenlight vote on this matter.

Sincerely,



Edna Cole

RECEIVED BY
COMMUNITY
MAR 07 2016
DEVELOPMENT
CITY OF NEWPORT BEACH

To: Gregg Ramirez, Senior Planner

OPPOSE: 26-story Condominium Tower (EIR)

The proposal to build a 26-story condominium tower **should not be approved.** The project will:

- * Increase housing density and traffic congestion that will forever change the charm of Newport Beach
- * Create traffic grid lock to and from and in and around Newport Center
- * Increase noise pollution on Jamboree, MacArthur, PCH and San Joaquin
- * Hamper the city's effort to reduce water consumption
- * Result in increased air pollution
- * The 500+ apartment complex currently being constructed already has negative impacts to the community.
- * Increased housing is not needed in Newport Center. Current zoning was created to provide a safe environment for the residents of Newport Beach and surrounding communities.
- * Fashion Island is growing out of control with two high rise office buildings, parking structures, shops, restaurants, condominiums within that last few years.

** Height of tower is consistent with surrounding community*

It would be irresponsible to have the city's planning commission/city council officials change the general plan amendment from a 1 story private institutional to 26-story Tower (largest tower in Orange County) multiunit residential!

DON'T GIVE IN to greedy developers - Stand up and protect the residents of Newport Beach who elected you.

- | <i>Name</i> | <i>Address</i> |
|----------------------------|----------------|
| 1. <u>RICHARD H. COLE</u> | |
| 2. <u>EDNA COLE</u> | |
| 3. <u>KEVIN COBAUGH</u> | |
| 4. <u>ROBIN E. COBAUGH</u> | |
| 5. <u>[Signature]</u> | |
| 6. <u>Linda M. Queen</u> | |

OPPOSE: 26-story Condominium Tower (EIR) Page 2

To: Gregg Ramirez, Senior Planner - Gramirez@NewportBeachCA.Gov

| Name | Address |
|----------------------|---------|
| 7. <i>Robert Dan</i> | |
| 8. <i>Lynette</i> | |
| 9. <i>Don Satta</i> | |
| 10. <i>Don Vanna</i> | |
| 11. | |
| 12. | |
| 13. | |
| 14. | |
| 15. | |
| 16. | |
| 17. | |
| 18. | |
| 19. | |
| 20. | |
| 21. | |
| 22. | |
| 23. | |
| 24. | |
| 25. | |
| 26. | |
| 27. | |
| 28. | |
| 29. | |
| 30. | |
| 31. | |
| 32. | |
| 33. | |
| 34. | |
| 35. | |
| 36. | |

Ramirez, Gregg

From: Gunilla Cook <gunillaelisabeth@earthlink.net>
Sent: Sunday, March 06, 2016 9:17 PM
To: Ramirez, Gregg
Subject: Museum Tower- Environmental Report

Dear Mr. Ramirez,

The proposal to build a 26 Tower luxury condominium town-homes should not be approved without a thorough and meaningful Environmental Impact Report including at least these subjects:

- * Increase in housing density in/around Newport Center
- * Traffic to and from and in Newport Center and the surrounding streets
- * Parking problems adding to those already in Newport Fashion Island
- * Consideration of all other housing and commercial projects in the Newport Center and close surroundings in progress or proposed.
- * Decreased air quality (Residential buildings currently being constructed in the area have already had negative impacts in traffic and pollution)
- * Unneeded housing in the Newport Center-master plan zoning does nothing to improve the quality of living- the master plan was created to provide a balanced environment for the residents of Newport Beach
- * The associated increase in restaurants, shops and concrete multi-level parking garages can only exacerbate all the factors noted above.

It would be irresponsible to have the city's planning commission/city council officials change the general plan amendment from a 1 story private institutional to 26 Tower (largest tower in OC) multiunit residential by permitting major variances or without a thorough Environmental Impact Report.

Sincerely yours,

Elisabeth and David Cook
420 Vista Roma
Newport Beach

Ramirez, Gregg

From: VICTORIA CUBEIRO <vickiadornament@yahoo.com>
Sent: Sunday, March 06, 2016 4:34 PM
To: Ramirez, Gregg
Subject: Fw: MUSEUM HOUSE TOWER - LETTER to City by Mar 7th re: EIR

Mr. Gregg Ramirez
Newport Beach Planning Department
Concerning the Museum House Tower

March 5th, 2016

Dear Sir,

As a 25 year resident of Newport Beach, raised our family here, I am alarmed that the City continues to battle residents "Slow Growth" wishes concerning tall buildings in Fashion Island. We vote here, we send our kids to school here, shop and dine here and pay our taxes, while paying for all our Newport services .

I have been shopping at Fashion Island since it was built, my parents lived here. It has always been a wonderful place. Well that was then. Today it has under gone a huge amount of growth, all the new restaurants in their own buildings, construction going on all over the center. All this building, like the Luxury Complex across from old Ritz, have yet to be measured, there is already major impact on traffic, parking and will only get worse.

The new 500+ apartment complex, under construction, promises up to 1,000 additional residential cars . Fashion Island already is a parking nightmare, and we have no idea how this Complex will impact traffic, pollution, water concerns, parking. I just drove by on Jamboree yesterday, it looks huge. It will take years to see what that impact will be on our community.

Now you are considering granting an exception to build a 26 Tower luxury condominium town-homes. Please, keep the Planned Community's lower limit at 10-acres and stop granting exceptions. Certainly, Newport Beach Planning Department should allow for resident input once it is fully explained just how large a project this will be and what accumulative environmental impact this will have. Considering the 500+ apartments complex under construction and Luxury Condominiums on Santa Barbara, they are a done deal and we need time to measure their REAL time impact.

We live here because Newport Beach is a special place. Frankly, residents, like myself, are alarmed at the steady beating drum from City Government to build bigger and bigger even after hard won battle

with votes to Slow down aggressive growth. Please reconsider this proposed Tower Complex until a thorough study of the REAL environmental impact on all of us from present building projects..

Respectfully, Victoria Cubeiro
Newport Beach

Ramirez, Gregg

From: Currie Brenda <brendaecurrie@gmail.com>
Sent: Wednesday, February 24, 2016 2:13 PM
To: Ramirez, Gregg
Subject: Museum House

I hate to be against the Museum House. It's a beautiful building and fits into the area. Now, Don Bren's mess beside the museum doesn't look like it should be in Newport Beach

which are much to dense. The City is doing a bad job of letting us know what the real truth is about building. When we voted down the last building project our information wasn't correct....Very honey coated. At that time we never heard a peep about Bren's buildings.

My understanding is that they were approved long ago. And, the "hotel" at the car wash. No way will it happen. This city council for or against our beautiful city? I am sad the Museum can't sell the

land without building such a high building. How dare the planners to go 15 feet over the "limit" and think it's o.k. because it's equipment. The main problem is the traffic and parking. Please don't tell me the homeowners will walk. We are smarter than that.

Brenda Currie
24 Pinehurst Lane
Newport Beach, CA 92660

Ramirez, Gregg

From: Currie Brenda <brendaecurrie@gmail.com>
Sent: Friday, February 26, 2016 8:55 AM
To: Ramirez, Gregg
Subject: Museum House

I want to correct my first email. I now know that the city is allowed to add 100 more living spaces to our area near Fashion Island. I would rather it be the Museum House than the hotel at the car wash. At least at the Museum House the county would get

money from the sale for a new museum. Yes, more traffic and less parking but you can't have it all. Brenda Currie

-----Original Message-----

From: Ramirez, Gregg [<mailto:GRamirez@newportbeachca.gov>]
Sent: Wednesday, April 06, 2016 4:34 PM
To: JoAnn Hadfield; Frances Ho
Subject: FW: OPPOSED: Museum House Project Seeks Public Input

Hi-

Here's one I found that I don't think made it you. Sorry

Gregg

-----Original Message-----

From: Brine, Tony
Sent: Monday, February 22, 2016 9:39 AM
To: Ramirez, Gregg; Brandt, Kim; Wisneski, Brenda
Subject: FW: OPPOSED: Museum House Project Seeks Public Input

FYI

-----Original Message-----

From: Christine Daily [mailto:christine_daily@yahoo.com]
Sent: Sunday, February 21, 2016 5:08 PM
To: Dept - City Council; Brine, Tony
Cc: Lauri & Darryl Preedge
Subject: OPPOSED: Museum House Project Seeks Public Input

Hi Newport Beach City Council & Tony Brine,

I am opposed to the Museum House Project and am unable to attend the Monday evening session regarding the development because we are inducting officers into the One Ford Road homeowners association board at the same time and I am one of the candidates. I am opposed to this type of development.

We have held meetings together to discuss traffic around CDM high school which has worsened at the intersection of Eastbluff and Vista Del Oro. Projects like this will likely only make things worse.

<https://shar.es/14NVFh>

By Daniel Langhorne | NB Indy Newport Beach residents will get their first opportunity on Monday to share their

thoughts on a proposed 26-story condominium tower to replace the Orange County Museum of Art's building in Newport Center. City planning staff will host a scoping meeting to gather public input that will be included in the environmental impact report for the Museum House project by Related California Urban Housing LLC. "Related is well known both for its selection of highly regarded architects as well as for its constructive engagement with the communities involved," said Todd Smith, director and CEO of the Orange County Museum of Art. The funds raised from the sale of the property have been earmarked for the construction of the museum's new facility at the Segerstrom Center for the Arts campus in Costa Mesa. The condominium tower, which would include 100 for-sale units, would be about 295 feet tall, the same height as the new office towers at 520 and 650 Newport Center Drive. Related's proposal includes 200 resident and 38 guest parking spaces, which would be provided in two levels underground. The company wants to start demolishing the museum's existing 23,000-square foot building in January 2018. Construction is expected to last from March 2018 to May 2020. The project would require amendments to the general plan to change the land use from private institutional to multi-unit residential, and allow a 300-foot building height limit in the San Joaquin Hills Planned Community Development Plan. Among the potentially significant impacts identified by the city's environmental consultant is the obstruction of views from surrounding offices, residence and drivers on nearby roads. The impact of more cars traveling from the tower on MacArthur Boulevard and the 73 Freeway would need to be studied. The block that would host the condominium tower has been undergoing a transition from office to residential use. The Irvine Company's Villas Fashion Island on San Joaquin Hills Road near Jamboree Road is under construction north of the museum property. Bill Lobdell, vice president of communications for the Irvine Company, declined to comment. Councilman Keith Curry said the project deserves a thorough review by the Planning Commission and encouraged Related to work with community members before coming to City Council for approval. "I think it makes sense for us to put residential development so people can walk to jobs, walk to restaurants, and walk to retail," he said. "We should do it in a way that it is balanced to limit its impact on the community." Monday's scoping meeting is scheduled for 6 p.m. in the Civic Center Community Room at 100 Civic Center Drive.

Sent using ShareThis

Best regards,
Christine Daily

Cell: (949) 677-8881
Residence: (949) 759-0133

Ramirez, Gregg

From: Jim Glabman <jim@glabman.com>
Sent: Wednesday, February 24, 2016 1:27 PM
To: Ramirez, Gregg
Cc: 'Barbara Glabman'

Gregg,

I am a very concerned citizen of Newport Beach who thinks that developing the 26story condominium project in Fashion Island would be disastrous for Newport Beach residents.

After building 500+ apartment rentals, our traffic will be impacted in a terrible fashion. We live near the West Gate in Big Canyon and the construction, filth and general inconvenience have been overwhelming!

Now you are planning another huge condo building in Fashion Island which will be the final nail in the coffin for the residents who live close by. In frank terms you are allowing our city to be denigrated by developers after a quick profit. THIS IS A MISTAKE! YOU ARE RUINING OUR GREAT CITY WITH OVER CONSTRUCTION OF APARTMENTS AND CONDOS. NO MORE SPECIAL TREATMENTS FOR DEVELOPERS.PLEASE STOP!!

Sincerely,

Jim Glabman

Jim Glabman

P.O. Box 11538
Newport Beach, CA 92658
Email: jim@glabman.com
Phone: (949) 202-9220
Fax: (949) 723-9224

Ramirez, Gregg

From: Mark MacDonald Gluski <mgluski@sbcglobal.net>
Sent: Sunday, March 06, 2016 12:09 PM
To: Ramirez, Gregg
Subject: 26 Tower Residential Proposal

Dear Mr. Ramirez:

Recently a concerned neighbor brought to my attention the proposal of a 26 tower condominium in our community without having a comprehensive environmental impact study completed.

As a person who has lived and worked in Newport Beach for over 20 years, I wanted to express my tremendous concern regarding the City changing the general plan amendment to allow the proposed change. I thank you in advance for representing the many residents of Newport Beach that are very concerned about increased housing density and the significant problems associated with that growth.

Regards,

Mark MacDonald Gluski
(949) 300-2566

Ramirez, Gregg

From: Chuck Hardy <CHardy@lee-associates.com>
Sent: Wednesday, March 02, 2016 9:22 AM
To: Ramirez, Gregg
Subject: NEW NEWPORT CENTER DEVELOPMENT

Mr. Ramirez

The tower that is being considered on the museum site as well as the residential units that the former mayor wants Built on the car wash site are ALL projects that should be denied and condemned by city leaders. We don't need more aesthetic destruction and increase in traffic. I am shocked these are even by considered.

Chuck Hardy
516 Narcissus
Corona Del Mar
Home 949 720 9728

Chuck Hardy | Principal
Lee & Associates Commercial Real Estate Services, Inc. - Orange

Direct: 714-564-7131
Cell: 714-396-6728
Fax: 714-543-5285
1004 W. Taft Avenue, Suite 150
Orange, CA 92865
chardy@lee-associates.com



A Member of the Lee & Associates Group of Companies
Corporate ID #01011260 – Agent ID #00482557



Confidentiality Notice: The information contained in this electronic e-mail and any accompanying attachment(s) is intended only for the use of the intended recipient and may be confidential. If any reader of this communication is not the intended recipient, unauthorized use, disclosure or copying is strictly prohibited, and may be unlawful. If you have received this communication in error, please immediately notify the sender by return e-mail, and delete the original message and all copies from your system. Thank you.

Ramirez, Gregg

From: Pamela Hoffman <pamnewport@cox.net>
Sent: Wednesday, March 02, 2016 12:19 PM
To: Ramirez, Gregg
Subject: Museum House Scoping Meeting

Dear Gregg,

My name is Pamela Hoffman, resident in Big Canyon, and I oppose the **Related California** project to build the tallest residential tower in Newport Center.

My reasons, in brief:

- 1) **DRAUGHT**: We're in the middle of a draught and have to cut back 25% on our water. How is it responsible to have not only the Villa's 500 units but also the proposed Tower?
- 2) **TRAFFIC**: We haven't even realized the traffic flow from the Irvine Co's Villas Fashion Island project which will **negatively impact** the only 2 entrances/exits from Big Canyon onto San Joaquin Hills Road, much less bring 200-300 more cars into the area from the Tower.
- 3) **HEIGHT**: What about the impact on the airport and the effect of 295 feet of residential lights at night?? This does not bode well for either air traffic nor the homeowners around Fashion Island.
- 4) **NO ON MEASURE M**: The citizens of Newport Beach resoundly voted down density described in Measure M. What is it the city council and the planning commission don't understand? And who's side are they on: the citizens who elected them or the developers?

We are not a city like Century City or San Francisco. Those of us who live here value the fairly "quiet & open" town in which we live, a sophisticated beach town, if you will. For twenty years, we've enjoyed mountain and ocean views; now we have the 79 home Meridian Condo project + the 500 home Villas + the proposed 49 home Newport Center Villas and NOW the proposed tower?!?! What's happening?!

- 5) **UPSCALE HOUSING NOT NEEDED**: Yes, Orange County needs more housing but more affordable housing not million dollar townhouses/condominiums.

Thank you for the meeting on February 29 and for the opportunity to voice our concerns.

Pamela Hoffman
6 Rue Villars,
Newport Beach
Pamnewport@cox.net

Ramirez, Gregg

From: Houshang-D <houshid@cox.net>
Sent: Monday, February 29, 2016 10:55 PM
To: Ramirez, Gregg
Subject: Proposed 26-story high-rise project in Newport Beach

Dear Mr. Ramirez:

I wish to voice my objection to this proposed project. I'm sure that you, the Mayor, and the members of the Newport Beach City Council are quite aware of the many adverse impacts of this project, including increased traffic, noise, and water consumption; negative impact on the aesthetics, and many other negative impacts. PCH's current traffic is looking more and more like those of the El Toro Road and Crown Valley Parkway, let's not make it any worse. Let's not take away the beauty of the Fashion Island!

Respectfully, Houshang Dezfulian
80 Victoria, Newport Beach 92660

Ramirez, Gregg

From: Patrick Hynes <patrickhynes@earthlink.net>
Sent: Wednesday, March 02, 2016 11:17 AM
To: Ramirez, Gregg
Subject: GREGG, IT'S PATRICK HYNES, NEWPORT RESIDENT

Gregg,

The Museum House project is an embarrassment to the Planning Commission, the City Council, City Hall and all the residents of Newport Beach.

There is no NEED for it !

I wish you could empathize with the residents of our city.

Remember: *Simple is not always the best,
But the best is always simple!*

Sincerely,

Ramirez, Gregg

From: Laurie Kelly <dankelly2@sbcglobal.net> on behalf of dankelly2@sbcglobal.net
Sent: Thursday, March 03, 2016 10:08 AM
To: Ramirez, Gregg
Subject: Museum House Update Comment

Hello Mr. Ramirez,

I am strongly opposed to any construction of this magnitude within Newport Beach. In my opinion, Newport Beach is becoming over congested and is losing all that makes it a destination for visitors. There are too many factors identified in the environmental report.

I have already cut down the shopping I do in Newport Beach by nearly 50% and I only foresee moving all of my shopping completely away. The Fashion Island area is a nightmare. I no longer even see doctors in that area as well. I know that I am not alone as I have had multiple conversations with my friends as well.

STOP OVER CROWDING NEWPORT BEACH!!

Laurie Kelly

Ramirez, Gregg

From: M Kendall <pmd81@aol.com>
Sent: Saturday, March 05, 2016 4:22 PM
To: Ramirez, Gregg
Subject: 26 Tower Museum house

The proposal to build a 26 Tower luxury condominium town-homes should not be approved without a meaningful Environmental Impact Report including the following subjects:

- * Increase in housing density in/around Newport Center
- * Traffic to and from Newport Center.. up and down Jamboree which is all ready bottlenecked and will be more with the Irvine Co new apartments going in
- * Parking problems adding to those already in Newport Fashion Island
- * Consideration of all other housing and commercial projects in the Newport Center and close surroundings in progress or proposed.
- * Noise pollution- Jamboree, MacArthur, PCH and San Joaquin
- * City's effort to reduce water consumption is negatively affected
- * Beach city charm going away by building tall buildings. This is not LA or NYC or Chicago
- * Increased air quality pollution
- * 500+ apartment currently being constructed affects have not been realized and have negative impacts already
- * Housing is not needed in Newport Center-master plan zoning was created to provide a safe environment for the residence of Newport Beach
- * Zoning should remain the same to protect environment - Fashion Island is growing out of control
- * Increased restaurants, shops and concrete multi level parking garages are only adding to the problems as well

It would be totally irresponsible to have the city's planning commission/city council officials change the general plan amendment from a 1 story private institutional to 26 Tower (largest tower in OC) multiunit residential!

Please save our city from greedy developers and proudly protect and represent the Newport Beach residents.

Marsha Kendall

Ramirez, Gregg

From: Debra Klein <debklein1@yahoo.com>
Sent: Monday, March 07, 2016 9:35 AM
To: Ramirez, Gregg
Subject: Museum House

Dear Gregg,

I am writing you to request that the proposal to build a 26 Tower luxury condominium town-homes not be approved without a meaningful Environmental Impact Report including these subjects:

- * Increase in housing density in/around Newport Center
- * Traffic to and from and in Newport Center
- * Parking problems adding to those already in Newport Fashion Island
- * Consideration of all other housing and commercial projects in the Newport Center and close surroundings in progress or proposed.
- * Noise pollution- Jamboree, MacArthur, PCH and San Joaquin
- * City's effort to reduce water consumption is negatively affected
- * **Beach city charm going away by building tall buildings.** This is not LA or NYC
- * Increased air quality pollution
- * Keep the Planned Community's lower limit at 10-acres and quit granting exceptions.
- * 500+ apartment currently being constructed affects have not been realized and have negative impacts already
- * **Housing is not needed in Newport Center-master plan zoning was created to provide a safe environment for the residence of Newport Beach**
- * Zoning should remain the same to protect environment - Fashion Island is growing out of control

I am a business owner, wife, homeowner in Newport Beach & resident of 30 years, and mother of two young children. I want to preserve the beautiful city that I was raised in and provide the same environment to my children. Since we purchased our latest home in Corona Del Mar, I've seen the traffic increase at a rate of 30% a year and it's no longer just in the summer. It takes me an average of 15-20 minutes to drive one and a half miles from South Corona Del Mar on PCH to MacArthur! It would be TOTALLY IRRESPONSIBLE to have the city's planning commission/city council officials change the general plan amendment from a 1 story private institutional to 26 Tower (largest tower in OC) multi unit residential as this will only make matters worse!

Please save our city from greedy developers and proudly protect and represent the Newport Beach residents and the children who will grow up to inherit this city as their own!

Best Regards,

***Debra Klein-Sanner
440 Mendoza Terrace
Corona Del Mar, CA 92625***

Ramirez, Gregg

From: Dorothy Kraus <medjkraus@yahoo.com>
Sent: Monday, March 07, 2016 6:55 AM
To: Ramirez, Gregg
Cc: medjkraus@yahoo.com
Subject: Comments on Scope of EIR for Museum House Project

Dear Gregg,

It is my understanding that an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project.

In my experience, too often alternatives are too quickly discounted as not "feasible" because the basic project objectives are not met. However, the "basic" project objectives can be narrowly defined and the alternative is deemed "not feasible". In the case of the EIR for the Museum House Project, it is crucial that the project objectives take into account adherence to the existing land use designation and zoning codes, and that a project alternative that recognizes the existing land use and zoning codes is analyzed and included in the EIR.

Thank you.

*Dorothy Kraus
10 Wild Goose Court
Newport Beach, CA 92663*

Ramirez, Gregg

From: Ann Kupferman <momie007@sbcglobal.net>
Sent: Wednesday, February 24, 2016 8:24 AM
To: Ramirez, Gregg
Subject: Luxury high rise

Please vote against this proposal. It will affect the city adversely with increased traffic, water issues and view blockage.
Ann and Perry Kupferman

Sent from my iPad

Have a Great Day!
Ann

Ramirez, Gregg

From: chiplong@aol.com
Sent: Wednesday, March 02, 2016 8:50 AM
To: Ramirez, Gregg
Cc: carl@carlswain.net; helgaing@mac.com; wealtor@me.com; lynn@lynnswain.com; pomaz.auld10@gmail.com; baginy1@yahoo.com; sonjagray@aol.com; sharriandbob@yahoo.com
Subject: Proposed new Condo Project

Mr Ramirez

I am a very concerned citizen of Newport Beach that lives in Big Canyon. We strongly passed Measure "Y" to prevent this exact type of growth that is now happening around Fashion Island. The current project on San Joaquin and Jamboree is already a nightmare with all the truck traffic and lane closures and the development is not even close to be completed. I attended a meeting at Big Canyon where a representative from the City flat out deceived/lie to us stating that this project would not increase traffic flow. Unbelievable . . . it is only going to get worse when the project is completed!

I, as well as all my neighbors, are 100% against this new high rise condo project.

All of this latest development is why at the last city council election, we did not re-elect any candidates that were up for re-election. What do we have to do to make it clear to the city council and the city management that we have had it with all this growth?

Developers seem to be getting a free pass to sidestep the General Plan, zoning codes or other development guidelines, which ultimately undermines the General Plan, and will eventually make our city unrecognizable. By defeating Measure Y, the people sent a powerful message, but the city government seems to be deaf to our plea. It's time to say enough is enough!

Concerned Newport Beach Citizen
Chip Long

Ramirez, Gregg

From: tamar mcdonald <mltamar@mac.com>
Sent: Wednesday, March 02, 2016 11:06 AM
To: Ramirez, Gregg
Subject: Fwd: Museum House Project

Begin forwarded message:

From: tamar mcdonald <mltamar@mac.com>
Subject: Museum House Project
Date: March 2, 2016 11:04:14 AM PST
To: john.canalis@latimes.com, Info@SPON-NewportBeach.org

I have stopped saving every little bit of water since I realized that the Planning Commission has all these outrageous plans for Newport Beach. Especially that huge 26-story building. What are they thinking ?? This building would dominate the whole area and bring so many more people and therefore more cars which will result in more pollution.

We have reached our limit as far as traffic, water, pollution etc. goes. My family has lived here for over 35 years and we were actually in favor of developing Newport Beach. But enough is enough.

Tamar McDonald

8 Rue Biarritz
Newport Beach, Ca 92660

949 640 0350

Tamar McDonald
mltamar@mac.com

Museum House EIR Scoping Comments

From: Jim Mosher

The following written comments are submitted in response to the [Notice of Preparation](#) for the Museum House ([PA2015-152](#)) EIR and are intended to clarify and supplement the comments made by me orally at the Scoping Meeting on [February 22, 2016](#):

1. Hopefully the EIR will define the applicant's objectives. If it is to add 100 units to the City's residential stock, one might ask why they are not considering a site, or combination of sites, of sufficient size such that the requested development could be added without modifying the existing regulations?
2. The compatibility of the proposed project with the current Newport Beach zoning regulations seems questionable, particularly as to height.
 - a. The Notice of Preparation says "*The PC amendment also includes new residential development standards including a 300-foot height limit.*"
 - b. Although the proposed project falls within the boundaries of one of the "High Rise Height Areas" defined in [Title 20](#) of the Newport Beach Municipal Code ("Planning and Zoning"), [Section 20.30.060](#) ("Height Limits and Exceptions"), Subsection C.2.e, says the 300 foot limit is applicable only to "**nonresidential zoning districts**" within those boundaries.
 - c. For multifamily residential construction, the increase in height available through the discretionary adoption of a Planned Community District, subject to a series of required findings (including that "*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*"), appears intended to be to a maximum of 32 feet with a flat roof or 37 feet with a sloped roof (per Subsection C.2.b).
 - d. The inapplicability of the 300 foot height option to this proposal, and the applicability of Subsection C.2.b, seems particularly obvious since the Notice of Preparation explicitly says the PC district is being amended to implement an RM (Multi-Unit Residential) General Plan designation.
 - e. Short of a major legislative change in the intent of the Zoning Code regarding the allowable form of multifamily construction in Newport Beach, this project would seem to require a variance from the code, which as I understand it needs to be based on some physical peculiarity of the site denying the applicant a right enjoyed by other similarly-situated property owners. But since the notice mentions no peculiar physical constraints affecting this property, and more importantly since no other property owner in Newport Beach has a right to build 300 foot multifamily residential towers, it is difficult to see how such findings could be made.

3. One of the most obvious impacts of this proposal is the loss of a significant part of the very small amount of land in Newport Beach designated for cultural use, and currently enjoyed as such by many. It would seem the EIR will need to identify some mitigation for this. I cannot see how the mere payment of something like a “public benefit” fee would guarantee that new property will be acquired and dedicated for culture, or in the absence of culturally-designated land, that the residents’ quality of life will not be diminished.
4. At the Scoping meeting, among the factors we heard are *not* expected to be analyzed in the EIR was Biological Resources. Yet the Initial Study indicates that during construction migratory bird nests might be encountered in trees on the site. If they are, does there not need to be some additional mitigation specified, such as a guarantee that comparable replacement nesting sites will be provided?
5. Regarding alternatives to be analyzed in the EIR, I hope they will include:
 - a. Comparison of the impacts of the proposed project to the maximum development that is allowed on the property under its existing zoning.
 - b. Comparison of the impacts of the proposed project to the maximum development that would be allowed if the property were rezoned, but to an existing standard City zoning type, for example an RM (Multiple Residential) Zoning District (per [Chapter 20.18](#)), without exceptions to the standards.
6. Although perhaps not strictly a CEQA “impact” it is not clear this project does as much as it might towards advancing the State’s commitment to *improving* the environment through the development of sustainable, walkable communities. Adding residential to a shopping center may be part of that vision, but the retail component of Newport Center seems to have been envisioned as an “Island” (specifically, “Fashion Island”) surrounded by a sea of parking (and then offices). Although this project would be near the Island, it still seems disconnected from it, and despite the short distance, it seems likely Museum House residents would be accessing the Island by car. Could this project do more to promote connectivity? Alternatively, if this property is to be re-zoned, instead of rezoning it for still more residential, would it not be better to rezone it to provide neighborhood retail opportunities for the many immediately adjacent residents who have recently been added to the area?
7. Although also perhaps not strictly a CEQA “impact,” the EIR may wish to acknowledge that the proposed General Plan amendment announced in the NOP will need Greenlight (City Charter [Section 423](#)) approval by the electorate.
 - a. The reason there is a Greenlight issue is that the last time voters weighed in on the residential allotment for Newport Center (Statistical Area L1) was with Measure V ([Resolution 2006-77](#)) in 2006, at which time they added an allowance for 450 new future dwelling units. However, since then all those units have been allotted and in 2012, in approving the adjacent 524-unit San Joaquin Plaza residential project with [Resolution 2012-63](#), the City Council “converted” 79 unbuilt General Plan-allocated

- non-residential Marriott hotel rooms into an *additional* 79 new multi-family dwelling units and transferred that “intensity” to San Joaquin Plaza, citing General Plan [Policy LU 6.14.3](#) as authority for doing so (note that although the resolution refers to this as an allowable conversion and transfer of equivalent “intensities,” under Greenlight, “intensity” [non-residential floor area] and “density” [residential dwelling units] are two separate and distinct concepts).
- b. Policy LU 6.14.3 appears to authorize the transfer of voter-approved allocations, but it does *not* say “conversions” from one type of land use to another are allowed. And it certainly doesn’t allow adding housing density above the limits specified in the General Plan without amending the General Plan. Even City staff appears to acknowledge this, for by presenting to the Council for approval, in [Resolution 2014-67](#) prior to Measure Y, amended anomaly tables reflecting them, they have already tacitly admitted that whether allowed or not, the prior Council-approved transfers and “conversions” of General Plan allocations were for all intents and purposes amendments to the General Plan tables.
 - c. Moreover, unless it was presented to voters as a Charter amendment, Policy LU 6.14.3 could not have nullified the Charter Section 423 mandate that *separate* counts be kept for 10 years of non-voter-approved additions to the General Plan of (1) residential development, (2) non-residential development and (3) traffic. But whatever its sweep, Policy LU 6.14.3 was, in fact, never even presented to voters. And City Council [Policy A-18](#) makes clear that for purposes of determining the need for a Greenlight vote, a decrease in one of the preceding three categories cannot be used to offset an increase in another.
 - d. The inevitable conclusion is that the Council has already added 79 dwelling units to Statistical Area L1 above the previous voter-approved limit. Taking 80% of that per the Section 423 rules, **any attempt by the Council to add more than 36 or 37 additional dwelling units to Area L1 requires voter ratification.**
 - e. This interpretation that conversion of non-residential allocations to residential is not possible without explicitly or implicitly amending the General Plan is, incidentally, consistent with the North Newport Center Planned Community Development Plan (immediately adjacent to the subject property) which observes (on [page 13](#)) that for a transfer to be allowable “*in accordance with the General Plan .. Residential use **may be relocated, but may not be converted to or from another use.***”
8. For whatever they may be worth, the other comments I remember making at the Scoping Meeting were to question:
- a. Whether the project applicant, Related California Urban Housing, LLC, was actually the present owner of the property, or merely a party speculating as to what the property might be worth if entitled differently than it is today?
 - b. Why the City’s [Environmental Quality Affairs Committee](#) had not, as allowed by City Council [Policy K-3](#) (“Implementation Procedures for the California Environmental Quality Act”), been asked to comment on the NOP, hopefully more thoroughly, publicly and carefully than individual citizens could?

Ramirez, Gregg

From: sharriandbob@yahoo.com
Sent: Wednesday, February 24, 2016 11:03 AM
To: Ramirez, Gregg; helgaing@mac.com; Chip Long; wealtor@me.com; lynn@lynnsvain.com; carl@carlswain.net; nraney@villarealestate.com; Moira Auld; baginy1@yahoo.com; Sonja
Subject: Proposed Museum Condo Project

Sent from Mail for Windows 10

My husband and I attended the Monday night meeting concerning the potential condo construction. We could not agree more with the consensus that this proposal lacks justification for approval. In a time of drought and conservation, adding an additional 100 condos while 524 apartments are not even completed smacks of irresponsibility. In addition, limited parking necessitated by the lack of land compounds problems for the homeowners, their guests, and the public via our streets. A clear traffic analysis is difficult to come by since the 524 apartments are not yet occupied, but we know from personal experience (being hit at the entry of Big Canyon on San Joaquin and totaling our car) that this is already a high accident area. The current apartments going in are tall and massive. To add yet another potentially record breaking tall building on a tiny 2 acre lot cannot possibly add any aesthetic appeal. If an analysis is done taking into account the cumulative effect of construction inconveniences, the area residents could be looking at several additional years of trucks dropping debris in the street, disregarding red lights as well as gunning their engines, beeping while backing up, and keeping residents from entering the turn lane to return home off Jamboree. Also, when the residents do get home, the dirt and dust from this construction and the noise is impossible to contain. Our homes are filthy, and the windows and solar panels washed one day need cleaned the very next day. Our area houses many retirees, and we can no longer enjoy our yards or having our windows open because of the noise and dirt.

In addition to the above points which were brought up at the meeting, our neighborhood incurred a huge rat problem when the office buildings were cleared in order to construct the apartments. We can only assume that rats again would need to relocate when the museum is torn down. I was told after the meeting that that issue had never been addressed and to let you know. Also, it was not mentioned that cell phone service will be diminished. Since the apartments have gone up, we have seen our Verizon service go down to one bar. I purchased an extender as Verizon suggested, but it has not made much difference. I was told that large buildings and more people using cell phones will definitely impact our service. We are very concerned that we will no longer be able to use our cell phones. Could you please check into this as it is a current problem which appears to be related to the apartment construction? Please let us hear from you.

We love where we live and are always in favor of change if it improves the quality of our area. Since we can't take back bad decisions, we could be stuck with projects that do nothing to enhance the lives of current and future Newport Beach citizens. Resident input and unbiased analysis' are key to the changes that are being requested. We appreciated the opportunity to meet and discuss these issues at the meeting and trust that upcoming meetings will be well publicized so that other homeowners may be informed and offer their thoughts too.

Sharri and Bob Myers
sharriandbob@yahoo.com

From: [Ramirez, Gregg](#)
To: [JoAnn Hadfield](#); [Frances Ho](#)
Subject: FW: Current apartment construction and potential Museum Condos
Date: Tuesday, March 29, 2016 8:53:04 AM

Hi,

I don't think I forwarded this one. It's about cell service.

Thanks!

From: sharriandbob@yahoo.com [mailto:sharriandbob@yahoo.com]
Sent: Friday, March 11, 2016 7:53 AM
To: Ramirez, Gregg
Cc: lynn@lynnsvain.com; carl@carlswain.net; helgaing@mac.com; wealtor@me.com; Natalie Raney; katcolao@gmail.com
Subject: Current apartment construction and potential Museum Condos

I just wanted to follow-up on an earlier e-mail which I sent to you as I feel that this issue is not being addressed. As the apartments expand and go up, I see my Verizon service diminish. I see it at home, my friends see it at my home, and I see it in the car when I drive in my immediate area. We have been here 13 years and have only recently experienced this problem with the construction of the new high rise apartments. We cannot imagine even more concrete tall buildings as that will block our service even more. We have done all we can to improve our reception including purchasing an extender and placing it high and near our upstairs window. Verizon as well as other trouble shooters have indicated that the high rises block the air waves for service. We are very concerned that without proper planning by the city, cell phone service in our immediate area will be gone or at the very least diminished to the point of not being a viable source for calls. I trust that this issue as well as the other concerns will be addressed when considering the impact of more high rises in the Newport Beach Fashion Island area.

Sharri and Bob Myers

Sent from [Mail](#) for Windows 10

March 1, 2016

NCL-16-012

Mr. Gregg Ramirez, Senior Planner
City of Newport Beach, Community Development Department

Subject: Notice of Preparation of an Environmental Impact Report for the Museum House Residential Project

Dear Mr. Ramirez:

The County of Orange has reviewed the Notice of Preparation of an Environmental Impact Report for the Museum House Residential Project and offers the following comments:

Environmental Resources:

1. Potential long-term water quality impacts of such project elements should be evaluated in accordance with provisions outlined in Section 7 of the County of Orange DAMP (<http://ocwatersheds.com/documents/wqmp>). At a minimum, the following information should be provided:
 - i. Description of project characteristics with respect to water quality issues, such as project site location in a given watershed, site acreage, known soil contamination, known groundwater contamination, and anticipated change in percent impervious surface area.
 - ii. Identification of receiving waters. The EIR should identify all downstream receiving waters that may receive contributory runoff from the project site.
 - iii. Description of the sensitivity of the receiving waters. In particular, the EIR should identify Areas of Special Biological Significance, water bodies with Total Maximum Daily Loads (TMDLs), and Clean Water Act Sec. 303(d) listed impaired water bodies.
 - iv. Characterization of the potential water quality impacts from the proposed project and identification of the anticipated pollutants to be generated by the project.
 - v. Identification of downstream hydrologic conditions of concern that may be affected by project-related changes in runoff volume and velocity; sediment load, makeup or

characteristics; reduced infiltration; and/or increased flow, frequency, duration, and peak(s) of storm runoff.

- vi. Evaluation of thresholds of significance.
 - vii. Assessment of project impact significance to water quality.
 - viii. If a proposed project has the potential to create a major new stormwater discharge to a water body with an established TMDL, the EIR should consider quantitative analysis of the anticipated pollutant loads in the stormwater discharges to the receiving waters.
 - ix. A reasonable analysis of the cumulative impacts of the proposed project together with past, present and reasonably anticipated future projects (related projects) that could produce cumulative impacts together with in proposed project.
 - x. Mitigation for long-term impacts in accordance with the 2011 Model Water Quality Management Plan and 2013 Technical Guidance Document (<http://ocwatersheds.com/documents/wqmp>).
2. Projects that, as part of a common plan of development, disturb one or more acres are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity, Order 2013-0006-DWQ (amends 2009-0009-DWQ as amended by 2010-0014-DWQ), adopted on July 17,2012.

If you have any questions or need clarification please do not hesitate to contact Jennifer Shook at (714) 955-0671.

Sincerely,



Laree Alonso, Manager, Planning Division
OC Public Works Service Area/OC Development Services

cc: Chris Crompton, Manager, OC Public Works/Environmental Resources

Ramirez, Gregg

From: Sy Pearlman <Sy.Pearlman@csulb.edu>
Sent: Saturday, March 05, 2016 5:37 PM
To: Ramirez, Gregg
Subject: Proposed 26 Story Condo

Hi Greg,

I read a letter sent to you raising several concerns about the proposed construction of a 26 story condominium on the site of the art museum and fully agree with the points made.

The area around Jamboree and Santa Barbara will be adversely impacted by traffic from the 540 unit apartment complex under construction. A 26 story residential building exaggerates the situation to say nothing of the change in residential character of our community.

I strongly recommend the project not be approved.

Simon R. Pearlman
1241 Santa Barbara Drive

Sent from my iPhone

Date: 3/3/2016

To: The Newport Beach Planning Commission
From:
RE: The "Museum" Project



Dear City Planning Commissioners,

Until we fully understand the traffic ramifications of the apartment project located at the intersections of San Joaquin, Jamboree, Santa Cruz and San Clemente that is scheduled for completion in 2016, I feel certain no one would want to move forward approving another residential project for Newport Center. It may take three to five years to fully grasp the traffic impact of this project. To compound what is currently an unknown with more traffic would, to me, be inconceivable. Studies are nice, but they are only verifiable when the rubber-meets-the-road and the impact can be fully assessed. The reality of a situation sometimes varies greatly from what is projected on paper.

I believe such a project requires an amendment to the city's general plan and, if so, such an amendment would need to be put to a vote (Project Greenlight.) I think of the city's general plan much the way I think of the US Constitution. It must be seriously studied and weighed. Amendments are rare. If amendments are controversial they are presented to the citizens. The planning commission simply interprets what is written in the general plan. It does not amend or re-write the general plan. Much like the US Supreme Court interprets the constitution so it is properly applied, the planning commission stays strictly within what has been stated in the general plan. The general plan can be amended, but only when it is voted upon.

Lastly, does the city have a verifiable interest in the Newport Beach Art Museum? I was under the impression the museum was given some sort of consideration (financial/development rights/other) by the citizens of Newport Beach when it was in development and subsequently expanded (library site.) If so, shouldn't the city benefit from the museum's decision to sell and relocate. If there is some type of "interest" it would have some say in what actually happens to the land if it is owned by the museum. In other words, doesn't the city (aka the citizens of NB) have some type of "interest" in the building, art and/or the land. This may sound bizarre, but I believe had no consideration been given by the citizens via development right/taxes then there would be no interest, but if records prove me correct, there was consideration given to the museum by the city (citizens.) In other words beware of asking for public assistance/funds if private. The line has been crossed. I'm sure all of this is in public records.

The "Museum" project, one I would more aptly name the "Miami" or "Marina del Rey" project, should not currently be considered until we fully absorb what is slated to open and perhaps snarl traffic in ways we can barely comprehend. This project should only be considered once the apartment project is fully operational and all but fully occupied. Traffic flows would not be understood for another year so summer and winter patterns can be analyzed. They vary greatly.

Thank you for consideration of this appeal –

(Lorian Petry)

A handwritten signature in blue ink that reads "Lorian Petry".

Ramirez, Gregg

From: Sherry Pollack <sherrypollack@gmail.com>
Sent: Thursday, February 25, 2016 4:37 PM
To: Ramirez, Gregg
Subject: Museum house

I am a resident in Corona del mar.

I've been reading about the plans for the Museum house with utter disappointment. I know building is money, but it is sad to see cement city. It is a beach community with Fashion Island tentacles. CDM traffic. I do not have to wait for a report to tell me this will bring in more traffic on MacArthur and Jamboree without the city first trying to find a way to not create another LA.

sherry pollack walker

sherrypollack@roadrunner.com
949 4669913

Ramirez, Gregg

From: Sherry Pollack <sherrypollack@gmail.com>
Sent: Wednesday, March 02, 2016 10:03 AM
To: john.canalis@latimes.com; Still Protecting Our Newport
Cc: Ramirez, Gregg
Subject: Museum House Project

Dear Mister Canalis

This is not a LA issue, but I am voicing my disappointment with the plans for the Museum house project in Newport beach. I am a resident in Corona del Mar, who never goes to fashion island either to shop or eat since it is too crowded. Except for the Apple store, it is off limits...too hard to park. And the city planners now have a plan to build a 26 story condo tower in the middle of this next to a new Irvine Company apt development. When is it enough? When do you care about the residents that live there already. I am a New Yorker, I will go home if I wanted to live in a place where I cannot park!

Thank you,

sherry pollack walker

sherrypollack@roadrunner.com
949 4669913

Ramirez, Gregg

From: Biddle, Jennifer
Sent: Tuesday, February 23, 2016 9:01 AM
To: Ramirez, Gregg
Subject: FW: Opposed: Museum House

See email below.

Jennifer Biddle

Administrative Specialist
Community Development Department
949-644-3232

From: City Clerk's Office
Sent: Tuesday, February 23, 2016 8:40 AM
To: Biddle, Jennifer
Subject: FW: Opposed: Museum House

This might have also been a Planning Commission meeting.

Jennifer Mulvey

Administrative Specialist to the City Clerk
The City of Newport Beach
100 Civic Center Dr, Newport Beach, CA 92660
949-644-3005

From: Kiff, Dave
Sent: Monday, February 22, 2016 4:01 PM
To: City Clerk's Office
Subject: FW: Opposed: Museum House

From: Lauri Preedge [<mailto:lpreedge@cox.net>]
Sent: Monday, February 22, 2016 2:55 PM
To: Dept - City Council
Subject: Opposed: Museum House

I am opposed to the Museum House Project and am unable to attend the Monday Evening meeting regarding this issue. I hope that you will consider my opposition when it comes time to vote on this item.

Measure Y was defeted, which would have allowed for expansion of the Newport Center Drive area, yet it appears as though the city is proceeding with future developments as if this Measure Y resolution was passed. Currently there is a major apartment complex that is almost completed, an apartment complex is slated to be built where the existing car wash is, and now we are looking at a 100 unit high rise at the museum location. The Greenlight initiative of 2000 requires that an development of over 100 homes or car trips beyond those allowed in the general plan be approved by a city wide election. Since Measure Y failed, how are these

developments even being considered? Each development alone will have over 100 car trips into and out of the city on a daily basis.

3 three residential project alone will be adding approximately 900 car trips per day in and out of the city on the 2 major roads: Jamboree and MacArthur. This is assuming each unit is 1 car and a majority will have 2 cars.

Additionally, all 3 of these residential developments will be slated to have the children attend either Lincoln Elementary, Corona Del Mar Middle School and Corona Del Mar High School. I spoke at a meeting about 8 months ago regarding traffic congestion in and around these schools and if only 1/3 of the residents have children of school age, we are looking at an extra 200 cars driving into the traffic congested school zones.

Please do not allow any more building along the MacArthur and Jamboree corridors until our infrastructure is improved to relieve existing traffic congestion in our area.

Sincerely,

Lauri Preedge
949 413 1307

Ramirez, Gregg

From: Natalie Raney <natalie@natalieraney.com>
Sent: Sunday, March 06, 2016 5:42 AM
To: Ramirez, Gregg
Subject: Museum house proposal

Greg:

The proposal to build a 26 Tower luxury condominium town-homes should not be approved without a meaningful Environmental Impact Report including these subjects:

- * Increase in housing density in/around Newport Center
- * Traffic to and from and in Newport Center
- * Parking problems adding to those already in Newport Fashion Island
- * Consideration of all other housing and commercial projects in the Newport Center and close surroundings in progress or proposed.
- * Noise pollution- Jamboree, MacArthur, PCH and San Joaquin
- * City's effort to reduce water consumption is negatively affected
- * Beach city charm going away by building tall buildings. This is not LA or NYC
- * Increased air quality pollution
- * 500+ apartment currently being constructed affects have not been realized and have negative impacts already
- * Housing is not needed in Newport Center-master plan zoning was created to provide a safe environment for the residence of Newport Beach
- * Zoning should remain the same to protect environment - Fashion Island is growing out of control
- * Increased restaurants, shops and concrete multi level parking garages are only adding to the problems as well

It would be totally irresponsible to have the city's planning commission/city council officials change the general plan amendment from a 1 story private institutional to 26 Tower (largest tower in OC) multiunit residential!

Please save our city from greedy developers and proudly protect and represent the Newport Beach residents.

**Best,
Natalie Raney**

--
NATALIE RANEY
C: 949-290-9625
F: 949-698-1257
Natalie@NatalieRaney.com
www.NatalieRaney.com
DRE #01170822

Villa Real Estate
660 Newport Center Drive, Suite 200
Newport Beach, CA 92660

Ramirez, Gregg

From: NF REYNOLDS <nfreynolds@yahoo.com>
Sent: Friday, March 04, 2016 9:33 AM
To: Ramirez, Gregg
Subject: Museum House Tower project

To: gramirez@newportbeachca.gov
Subject: 26 Tower -Museum House

The proposal to build a 26 Tower luxury condominium town-homes should not be approved without a meaningful Environmental Impact Report including these subjects:

- * Increase in housing density in/around Newport Center
- * Traffic to and from and in Newport Center
- * Parking problems adding to those already in Newport Fashion Island
- * Consideration of all other housing and commercial projects in the Newport Center and close surroundings in progress or proposed.
- * Noise pollution- Jamboree, MacArthur, PCH and San Joaquin
- * City's effort to reduce water consumption is negatively affected
- * Beach city charm going away by building tall buildings. This is not LA or NYC
- * Increased air quality pollution
- * 500+ apartment currently being constructed affects have not been realized and have negative impacts already
- * Housing is not needed in Newport Center-master plan zoning was created to provide a safe environment for the residence of Newport Beach
- * Zoning should remain the same to protect environment - Fashion Island is growing out of control
- * Increased restaurants, shops and concrete multi level parking garages are only adding to the problems as well

It would be totally irresponsible to have the city's planning commission/city council officials change the general plan amendment from a 1 story private institutional to 26 Tower (largest tower in OC) multiunit residential!

Please save our city from greedy developers and proudly protect and represent the Newport Beach residents.

*Nicole & Jim Reynolds
Irvine Terrace*

Ramirez, Gregg

From: Diane Richardson <dcrichardson@msn.com>
Sent: Monday, March 07, 2016 8:14 AM
To: Ramirez, Gregg
Subject: 26 Tower -Museum House

Hello Greg,

The proposal to build a 26 Tower luxury condominium town-homes should not be approved without a meaningful Environmental Impact Report including these subjects:

- * Increase in housing density in/around Newport Center
- * Traffic to and from and in Newport Center
- * Parking problems adding to those already in Newport Fashion Island
- * Consideration of all other housing and commercial projects in the Newport Center and close surroundings in progress or proposed.
- * Noise pollution- Jamboree, MacArthur, PCH and San Joaquin
- * City's effort to reduce water consumption is negatively affected
- * Beach city charm going away by building tall buildings. This is not LA or NYC
- * Increased air quality pollution
- * 500+ apartment currently being constructed affects have not been realized and have negative impacts already
- * Housing is not needed in Newport Center-master plan zoning was created to provide a safe environment for the residence of Newport Beach
- * Zoning should remain the same to protect environment - Fashion Island is growing out of control
- * Increased restaurants, shops and concrete multi level parking garages are only adding to the problems as well

It would be totally irresponsible to have the city's planning commission/city council officials change the general plan amendment from a 1 story private institutional to 26 Tower (largest tower in OC) multiunit residential!

Please save our city from greedy developers and proudly protect and represent the Newport Beach residents.

Regards,

Diane Richardson
403 Vista Roma
Newport Beach CA

We need to send as many of these as possible to Greg Ramirez at the City before the Environmental Impact report begins **BY Monday MARCH 7th**. Please edit or add to it as appropriate. These letters must **ONLY** have suggestions that can be included when they do the EIR. **Please copy, sign your name, send to Greg, and pass on to others.**

To: gramirez@newportbeachca.gov
Subject: 26 Tower -Museum House

The proposal to build a 26 Tower luxury condominium town-homes should not be approved without a meaningful Environmental Impact Report including these subjects:

- * Increase in housing density in/around Newport Center
- * Traffic to and from and in Newport Center
- * Parking problems adding to those already in Newport Fashion Island
- * Consideration of all other housing and commercial projects in the Newport Center and close surroundings in progress or proposed.
- * Noise pollution- Jamboree, MacArthur, PCH and San Joaquin
- * City's effort to reduce water consumption is negatively affected
- * Beach city charm going away by building tall buildings. This is not LA or NYC
- * Increased air quality pollution
- * 500+ apartment currently being constructed affects have not been realized and have negative impacts already
- * Housing is not needed in Newport Center-master plan zoning was created to provide a safe environment for the residence of Newport Beach
- * Zoning should remain the same to protect environment - Fashion Island is growing out of control
- * Increased restaurants, shops and concrete multi level parking garages are only adding to the problems as well

It would be totally irresponsible to have the city's planning commission/city council officials change the general plan amendment from a 1 story private institutional to 26 Tower (largest tower in OC) multiunit residential!

Please save our city from greedy developers and proudly protect and represent the Newport Beach residents.

*Virginia Riley
1539 Dolphin Terrace
Corona del Mar CA*

COMMENT CARD
Museum House Scoping Meeting – February 22, 2016

Please provide your comments regarding the Museum House EIR (please print):

I object to using a General Plan Amendment to add this project to the General Plan. The City should not be using Spot zoning (with some regularity).

RECEIVED BY

COMMUNITY

FEB 29 2016

Name: Melinda Szely

Address:

DEVELOPMENT
CITY OF NEWPORT BEACH

Please do one of the following:

- 1) Return this card to Gregg Ramirez, Senior Planner, at the end of the Scoping Meeting
- 2) Email your comments to gramirez@newportbeachca.gov
- 3) Mail this comment card to:

City of Newport Beach
Attn: Gregg Ramirez, Senior Planner

Newport Beach, CA 92660

March 2, 2016

Dear City of Newport Beach,

The following are comments regarding the "Museum House" project in Newport Center:

- 1) Noise. Because this is a residential building, windows will open and the building will be in use 24 hours/day. Noise generated within the building while the windows and patio doors are open will propagate over a wide area and may disturb neighbors. Because the sound will be generated from high above ground level, it would be expected that it will travel further with less diminution.
- 2) Traffic. Newport Center traffic is already unacceptable by the resident's standards, if not the city's standards. Adding another 100 dwelling units will only increase the problem. Because of its location, it will have a disproportionate effect on the residents of Big Canyon, whose only exit is onto San Joaquin Hills Road. This will also make it harder for emergency vehicles to get in/out of Big Canyon during peak traffic hours, potentially putting the health of the residents of Big Canyon at risk.

At the scoping meeting, city staff expressed concern about what numbers to use for traffic for AM museum traffic. I know that city staff will recognize that section 423 addresses this and requires that the most current ITE numbers be used, which I believe are 0.18 peak AM traffic trips per 1,000 sq ft. The museum is 23,000 sq ft.

I would also like to point out that the city has allowed The Irvine Company to move entitlements around in the Newport Center area, but has not recalculated the traffic effects as far as I can see. This means that these will all need to be calculated to determine if the traffic will exceed the Greenlight standards. For example, if retail square footage is converted into office tower square footage, the traffic demands will be different. In this example, retail would have a very low AM peak traffic trip generation rate, while a business office tower has a very high rate. As the net traffic increase for the Museum House condos is about 51 trips by my calculation, the other

entitlement switches previously made may trip a Greenlight election for traffic.

- 3) Water. This project will add to the water deficit that already exists within the city, putting pressure on other residents to save more during this drought and future droughts. This project should not consider that the Poseidon Water Desalination plant is a source of potable water, as this plant has not yet even been approved to be built and may never be constructed.
- 4) View. This project adds to the 'wall of buildings' that are emerging from Newport Center and will block views of Saddleback Mountain looking inland and views of the ocean looking seaward.
- 5) Light. Because this building will be occupied as dwelling units, it is reasonable to expect that the lights will be on more than the business towers nearby. This increase in light may be disturbing to local residents.
- 6) Cell phone reception. The emergence of a 'wall of buildings' has disrupted cell phone reception for other neighborhoods. When the Irvine Company building reached its full height, Verizon reception in the Port Streets was degraded. This additional building might reasonably be expected to do the same thing and disrupt nearby cell phone service.
- 7) Greenlight election. Despite the claims of the City representatives, this development is required to have a Greenlight election (I appreciate Jim Mosher for pointing this out). In 2012, the City approved reallocation of 430 dwelling units to the San Joaquin Plaza from block 500, 600 and the San Joaquin Plaza as well as reallocation of 15 additional residential units from the MU-H3 area to the San Joaquin Plaza. These represented allowable reallocations of previously approved dwelling units under city rules.

However, the city also documented that it was converting 79 unbuilt hotel rooms into residential units as well. This is not allowed under the Greenlight implementation guidelines and as such, represents the addition of 79 new units (not reallocated units) into San Joaquin Plaza.

Section 423 of the Newport Beach Municipal Code (Greenlight) clearly states in section 3(1) that a vote shall be held if there is an increase of 100 dwelling units in a given statistical area. It further states that “the term ‘dwelling unit’ shall be applied as defined in the Newport Beach Municipal Code.” The Newport Beach Municipal Code defines a dwelling unit section 20.70.020 (paraphrased) as a living area that has kitchen facilities and is utilized for residential purposes (see full definition below).

Thus the city has erred in converting hotel units to dwelling units. While this would not affect the San Joaquin Plaza development, because the increase in units is below the 100 dwelling unit trigger for an election, it does impact the Museum House project.

Greenlight uses 80% of the prior project’s overage to calculate the remaining balance. In this case, 79 units times 80% equals 63 units carried forward. Therefore, the Museum House project could develop an additional 37 dwelling units, but the 38th unit will trigger a vote.

I would like to believe that this was an innocent error on the part of the Planning Department, but now that it has been detected, it is incumbent on the city to accept that a Greenlight vote is required.

8) I also incorporate by reference the comments of Jim Mosher, SPON and Debra Stevens.

Thank you,

Susan Skinner, MD
2042 Port Provence Place
Newport Beach, CA 92660

Please consider this letter submitted by me as an individual and also submitted as a representative of Stop The Dunes Hotel.

Per the Newport Beach Municipal Code:

“Dwelling unit” means an area within a structure on a lot that:

1. Contains separate or independent living facilities for one or more persons, with area or equipment for sleeping, sanitation and food preparation, and that has independent exterior access to ground level; or
2. Is being utilized for residential purposes by one or more persons separately or independently from occupants of other areas within the structure.

“Facilities for food preparation” means a room or part of a room used, intended, or designed to be used for cooking or the preparation of food.

The presence of a range or oven, or utility connections suitable for servicing a range or oven, shall be considered as establishing a kitchen.

The meaning of “kitchen” shall exclude a bar or butler’s pantry.

“Independent access” means an arrangement of dwelling units so that each dwelling unit has an entrance directly into the unit that is separate from the entrance into another unit.

(I would like to note that using this definition, the Bungalows at the Tennis Club may actually count as residential units as well and would thus also count into the Greenlight calculations.)

RECEIVED BY
COMMUNITY

MAR 07 2016

DEVELOPMENT
CITY OF NEWPORT BEACH

March 2, 2016

Dear City of Newport Beach,

The following are comments regarding the "Museum House" project in Newport Center:

- 1) Noise. Because this is a residential building, windows will open and the building will be in use 24 hours/day. Noise generated within the building while the windows and patio doors are open will propagate over a wide area and may disturb neighbors. Because the sound will be generated from high above ground level, it would be expected that it will travel further with less diminution.

- 2) Traffic. Newport Center traffic is already unacceptable by the resident's standards, if not the city's standards. Adding another 100 dwelling units will only increase the problem. Because of its location, it will have a disproportionate effect on the residents of Big Canyon, whose only exit is onto San Joaquin Hills Road. This will also make it harder for emergency vehicles to get in/out of Big Canyon during peak traffic hours, potentially putting the health of the residents of Big Canyon at risk.

At the scoping meeting, city staff expressed concern about what numbers to use for traffic for AM museum traffic. I know that city staff will recognize that section 423 addresses this and requires that the most current ITE numbers be used, which I believe are 0.18 peak AM traffic trips per 1,000 sq ft. The museum is 23,000 sq ft.

I would also like to point out that the city has allowed The Irvine Company to move entitlements around in the Newport Center area, but has not recalculated the traffic effects as far as I can see. This means that these will all need to be calculated to determine if the traffic will exceed the Greenlight standards. For example, if retail square footage is converted into office tower square footage, the traffic demands will be different. In this example, retail would have a very low AM peak traffic trip generation rate, while a business office tower has a very high rate. As the net traffic increase for the Museum House condos is about 51 trips by my calculation, the other

entitlement switches previously made may trip a Greenlight election for traffic.

- 3) Water. This project will add to the water deficit that already exists within the city, putting pressure on other residents to save more during this drought and future droughts. This project should not consider that the Poseidon Water Desalination plant is a source of potable water, as this plant has not yet even been approved to be built and may never be constructed.
- 4) View. This project adds to the 'wall of buildings' that are emerging from Newport Center and will block views of Saddleback Mountain looking inland and views of the ocean looking seaward.
- 5) Light. Because this building will be occupied as dwelling units, it is reasonable to expect that the lights will be on more than the business towers nearby. This increase in light may be disturbing to local residents.
- 6) Cell phone reception. The emergence of a 'wall of buildings' has disrupted cell phone reception for other neighborhoods. When the Irvine Company building reached its full height, Verizon reception in the Port Streets was degraded. This additional building might reasonably be expected to do the same thing and disrupt nearby cell phone service.
- 7) Greenlight election. Despite the claims of the City representatives, this development is required to have a Greenlight election (I appreciate Jim Mosher for pointing this out). In 2012, the City approved reallocation of 430 dwelling units to the San Joaquin Plaza from block 500, 600 and the San Joaquin Plaza as well as reallocation of 15 additional residential units from the MU-H3 area to the San Joaquin Plaza. These represented allowable reallocations of previously approved dwelling units under city rules.

However, the city also documented that it was converting 79 unbuilt hotel rooms into residential units as well. This is not allowed under the Greenlight implementation guidelines and as such, represents the addition of 79 new units (not reallocated units) into San Joaquin Plaza.

Section 423 of the Newport Beach Municipal Code (Greenlight) clearly states in section 3(1) that a vote shall be held if there is an increase of 100 dwelling units in a given statistical area. It further states that "the term 'dwelling unit' shall be applied as defined in the Newport Beach Municipal Code." The Newport Beach Municipal Code defines a dwelling unit section 20.70.020 (paraphrased) as a living area that has kitchen facilities and is utilized for residential purposes (see full definition below).

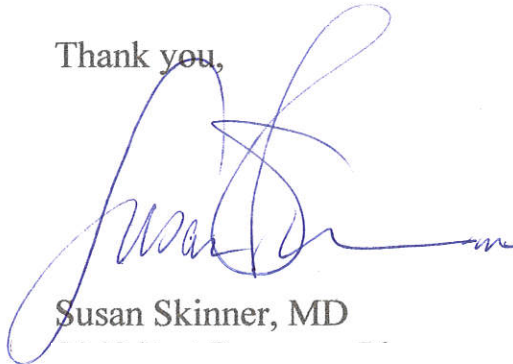
Thus the city has erred in converting hotel units to dwelling units. While this would not affect the San Joaquin Plaza development, because the increase in units is below the 100 dwelling unit trigger for an election, it does impact the Museum House project.

Greenlight uses 80% of the prior project's overage to calculate the remaining balance. In this case, 79 units times 80% equals 63 units carried forward. Therefore, the Museum House project could develop an additional 37 dwelling units, but the 38th unit will trigger a vote.

I would like to believe that this was an innocent error on the part of the Planning Department, but now that it has been detected, it is incumbent on the city to accept that a Greenlight vote is required.

8) I also incorporate by reference the comments of Jim Mosher, SPON and Debra Stevens.

Thank you,

A handwritten signature in blue ink, appearing to read "Susan Skinner", with a large, stylized flourish at the end.

Susan Skinner, MD

Please consider this letter submitted by me as an individual and also submitted as a representative of Stop The Dunes Hotel.

Per the Newport Beach Municipal Code:

“Dwelling unit” means an area within a structure on a lot that:

- 1. Contains separate or independent living facilities for one or more persons, with area or equipment for sleeping, sanitation and food preparation, and that has independent exterior access to ground level; or**
- 2. Is being utilized for residential purposes by one or more persons separately or independently from occupants of other areas within the structure.**

“Facilities for food preparation” means a room or part of a room used, intended, or designed to be used for cooking or the preparation of food.

The presence of a range or oven, or utility connections suitable for servicing a range or oven, shall be considered as establishing a kitchen.

The meaning of “kitchen” shall exclude a bar or butler’s pantry.

“Independent access” means an arrangement of dwelling units so that each dwelling unit has an entrance directly into the unit that is separate from the entrance into another unit.

(I would like to note that using this definition, the Bungalows at the Tennis Club may actually count as residential units as well and would thus also count into the Greenlight calculations.)

Ramirez, Gregg

From: mike.cdm@gmail.com
Sent: Saturday, March 05, 2016 12:22 PM
To: Ramirez, Gregg
Subject: Museum House (NOT!)

Mr Gregg Ramirez, Senior Planner
Planning Department
City of Newport Beach

Dear Mr Ramirez:

I am writing to ask that the Planning Department consider the following when reviewing the EIR for the Museum House project on the grounds that

- 1] It fails to meet the Planned Community minimum area limitation of 10 acres.
- 2] When the traffic loads of both the Irvine Company project (under construction across the street) and the proposed Museum House project are added together, an already difficult traffic situation will become impossible.
- 3] The project's developers have allowed insufficient parking space for guests and workers.
- 4] Views will be negatively impacted and
- 5] The character of Newport Beach will continue to morph into a "Century City" high rise, congested urban area that residents thought they would never face.

Sincerely,

Michael C Smith
1807 Bayadere Terrace
Corona del Mar, CA 92625
(949)723-1603



March 8, 2016

City of Newport Beach

]

Attn: Gregg Ramirez

Subject: Environmental Impact Report for Museum House Residential Project Located at 850 San Clemente Dr; Newport Beach

Thank you for providing the opportunity to respond to this Environmental Document. This letter is not to be interpreted as a contractual commitment to serve the proposed project but only as an information service. Its intent is to notify you that the Southern California Gas Company has facilities in the area where the above named project is proposed. Gas facilities within the service area of the project could be installed, altered or abandoned as necessary without any significant impact on the environment.

The availability of natural gas service is based upon conditions of gas supply and regulatory agencies. As a Public Utility, Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. Our ability to serve can also be affected by actions of federal regulatory agencies. Should these agencies take any action, which affect gas supply or the conditions under which service is available, gas service will be provided in accordance with the revised conditions.

This letter is also provided without considering any conditions or non-utility laws and regulations (such as environmental regulations), which could affect construction of a main and/or service line extension (i.e., if hazardous wastes were encountered in the process of installing the line). The regulations can only be determined around the time contractual arrangements are made and construction has begun.

Information regarding construction particulars and any costs associated with initiating service may be obtained by contacting our area Service Center at 800-427-2200.

Sincerely,

Katrina Regan
Planning Supervisor
SouthEast Region - Anaheim Planning & Engineering

KR/rl
EIR.doc



P O B o x 1 0 2 | B a l b o a I s l a n d , C A 9 2 6 6 2 | 9 4 9 . 8 6 4 . 6 6 1 6

March 7, 2016

OFFICERS

PRESIDENT
Marko Popovich

Gregg Ramirez, Senior Planner
Community Development Department
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660
gramirez@newportbeachca.gov

VICE PRESIDENT
Elaine Linhoff

TREASURER
Dennis Baker

SECRETARY
Allan Beek

RE: Comments on Scope of EIR for Museum House Project

Cumulative Impacts

Our comments stem from a comparison of anticipated project impacts to baseline conditions; that is, what is on the ground now. The existing use of the property stems from the San Joaquin Plaza Planned Community District (PC-19). This District allowed for a building footprint of 15 -20%, parking area of 45-50%, and landscaped area of 35 – 40%. The current proposed project for The Museum House represents an enormous increase in scale and resulting impacts both direct and indirect. The use of a Planned Community Development District to overcome zoning restrictions, with a waiver from the 10 acre requirement allows this huge change in scale, density, height, congestion and community character. The cumulative impacts of such a precedent need to be addressed as it can be continued in Newport Center and is already occurring in other areas of Newport Beach.

Visual Impacts

Again considering what is on the ground now, the height and density are of major concern to the public. The baseline that residents have relied on since Newport

BOARD MEMBERS

- Nancy Alston
- Don Harvey
- Dorothy Kraus
- Donald Krotee
- Andrea Lingle
- Bobby Lovell
- Jeanne Price
- Melinda Seely
- Jack Skinner
- Nancy Skinner
- Jean Watt
- Portia Weiss
- Terry Welsh



A 501(c)(3) non-profit public education organization working to protect and preserve the residential and environmental qualities of Newport Beach.

www.SPON-NewportBeach.org | Info@SPON-NewportBeach.org
FB SPON-Newport Beach | Twitter @SPONNewport



P O B o x 1 0 2 | B a l b o a I s l a n d , C A 9 2 6 6 2 | 9 4 9 . 8 6 4 . 6 6 1 6

March 7, 2016

Gregg Ramirez, Senior Planner
Page Two

RE: Comments on Scope of EIR for Museum House Project

Visual Impacts (cont'd)

Center was established included a sloping decline in heights with high rises occurring in the northeast blocks of Newport Center. A high rise of this proportion will negatively impact the residents nearby in Newport Center but also occur in a whole new skyline space compared to the other existing high rises. It is noteworthy that the renderings depicting this project so far have not shown the building fully but only the lower entry level. To fulfill the needs of the EIR and inform the public, there needs to be a mechanism to show the impact of the proposed height and bulk of the building from all angles.

Density

The EIR should analyze the cumulative effect of increased density and population if the new precedent for underground parking and high rise buildings are continued in the surrounding area. Parking in Newport Center has primarily been with surface and above low rise parking structures. The Museum House Project and the simultaneously occurring Newport Center Villas/150 Newport Center Drive is suggesting a completely new “big city” type environment with associated increases in population, density and congestion.

Traffic

Along with the yet to be seen traffic from the adjacent new apartment complex, there will be on the ground and noticeable changes in traffic patterns for nearby residents and especially on increasingly congested intersections such as San Joaquin Hills Drive and Jamboree Road. There needs to be a complete traffic analysis which shows the results of assumed traffic from the number of bedrooms



A 501(c)(3) non-profit public education organization working to protect and preserve the residential and environmental qualities of Newport Beach.

www.SPON-NewportBeach.org | Info@SPON-NewportBeach.org
FB SPON-Newport Beach | Twitter @SPONNewport



P O B o x 1 0 2 | B a l b o a I s l a n d , C A 9 2 6 6 2 | 9 4 9 . 8 6 4 . 6 6 1 6

Gregg Ramirez, Senior Planner
Page Three

RE: Comments on Scope of EIR for Museum House Project

Traffic (cont'd)

rather than the number of units alone. This need is in keeping with the new lifestyle changes whereby multiple disassociated people often occupy a condo or rent rooms out using Airbnb for example. The worst case should be examined and such analysis should also apply to parking for the building. There also needs to be a discussion of how traffic analyses have been changed due to revisions in CEQA guidelines which prohibit the use of level of service analysis to make significance determinations.

Alternatives and Mitigation

This project has the potential to degrade substantially the character and quality of the environment for nearby residents. The precedent for allowing increased heights and density can be replicated throughout Newport Center and other areas of the City. This precedent, breaking through previous zoning restrictions and adding population that is not allowed in the current General Plan, is a significant and unavoidable impact and the only mitigation is “no project” or a seriously different project.

Please incorporate by reference the comments submitted by Jim Mosher, Susan Skinner and Debra Stevens.

Thank you very much.

Marko Popovich

President



A 501(c)(3) non-profit public education organization working to protect and preserve the residential and environmental qualities of Newport Beach.

www.SPON-NewportBeach.org | Info@SPON-NewportBeach.org
FB SPON-Newport Beach | Twitter @SPONNewport

Debbie Bright Stevens

March 7, 2016

Gregg Ramierz
Senior Planner
City of Newport Beach
Community Development Department

Newport Beach, CA 92660

Dear Mr. Ramirez:

I appreciate this opportunity to comment on the Environmental Impact Report (EIR) for the Museum House project. I also appreciate that the City recognizes the potential significance of this project, is preparing an EIR, and is including most of the environmental resources on the CEQA checklist in the EIR. The following are my comments on the Museum House project NOP/IS.

1. **Baseline:** Per CEQA Guidelines 15125(a), the environmental baseline for the project is the environmental conditions that exist at the time the notice of preparation is published (February 2016). The EIR for the Museum Project must be a stand-alone, project-level EIR and must not rely on the 2006 General Plan EIR in any manner. The project was not contemplated in the 2006 General Plan.
2. **Traffic:** Traffic impacts during both construction and operation of the Museum House project must be evaluated in the EIR, including cumulative traffic impacts associated with past, present and reasonably foreseeable future projects. Any calculation of vehicle miles travelled by residences of the new building must consider that these units would sell for millions of dollars and would not be occupied with “average” residents. Also, residents of this development would not use public transportation so this development is not a transit-oriented development.
3. **Cumulative Impacts:** Please note that reliance on the 2006 General Plan for cumulative impacts would violate CEQA requirements as the baseline for the General Plan EIR was based on the environment setting in 2004-2005 and does not include a number of projects approved outside of the General Plan.

4. **Water Impacts:** Water demand impacts associated with the proposed project must be evaluated in the EIR. A water supply assessment must be included with the EIR.
5. **Aesthetics:** The Museum Project will convert a single story museum into a 27-story building that is over 300 feet in height. This building will block views of the ocean from the north and views of Saddleback Mountain from the south and be visible throughout the City. The aesthetic impacts associated with the proposed project are clearly significant and must be evaluated in the EIR. This must include artist rendering of views of the new building from various public places. In addition, the use of “story poles” or some other similar mechanism must be used to adequately determine and disclose to the public the potential aesthetic impacts associated with increasing the building height on the site to over 300 feet in height.

Significant vistas, as identified in the City’s Local Coastal Program, include public coastal views from a variety of roadway segments. The Museum Building would be visible from a number of those significant vistas including: Avocado Avenue from San Joaquin Hills Road to Coast Highway; Bayside Drive at Promontory Bay Coast Highway/Santa Ana River Bridge; Coast Highway from Jamboree Road to Bayside Drive; Jamboree Road in the vicinity of the Big Canyon Park; Jamboree Road from Coast Highway to Bayside Drive; MacArthur Boulevard from San Joaquin Hills Road to Coast Highway; Newport Center Drive from Newport Center Drive E/W to Farallon Drive/Granville Drive; San Joaquin Hills Road from Newport Ridge Drive to Spyglass Hill Road; and San Miguel Drive from San Joaquin Hills Road to MacArthur Boulevard. The number of scenic vistas impacted by the Museum House is a testament to the magnitude of the aesthetic impacts associated with this project. The General Plan establishes that if new development blocks or obscures any of the significant public viewpoints, a potentially significant impact would occur. The project impacts on aesthetics are clearly significant.

6. **Land Use:** The proposed project would violate land use policies that have been established in the General Plan. Policy LU 1.1 requires that new development “maintain and enhance” existing neighborhoods, business districts and the harbor and be designed to reflect Newport’s topography, architectural diversity, and view sheds. General Plan policies require that natural landforms and features be preserved and that viewsheds be maintained (General Plan Update Policies LU 1.3 and LU 1.6). The Museum House would clearly violate these among other land use policies, resulting in significant land use impacts which must be addressed in the EIR.
7. **Cumulative Impacts:** The cumulative impacts of this project and potential growth-inducing impacts associated with approval of the Museum Project must be evaluated. The cumulative impacts must include the potential impacts associated

with other projects on 1-2 acre parcels that could be allowed to develop into 27 story buildings.

8. **Growth-Inducing Impacts:** Approval of the Museum Project would be growth inducing and remove barriers to growth. The City has enforced view plan management requirements on development around Newport Center, allowing taller buildings toward San Joaquin Hills Road and reducing the height of buildings as they move down the hill towards Pacific Coast Highway. The Museum project proposes to place the tallest building in Newport Center near the middle of Newport Center, as opposed to near San Joaquin Hills Road – a clear departure from historic policies. Allowing projects that would change the view plane requirements would remove obstacles to growth that would allow more dense development throughout Newport Center and this potential impact on all environmental resources must be evaluated in the EIR.
9. **Alternatives:** Alternatives to the proposed project are required when significant impacts have been identified. An alternative to the proposed project must include a reduced project alternative that would be consistent with existing land use requirements, existing building heights adjacent to the proposed project, and be limited to 4-5 stories.
10. **Greenlight:** Section 423 of the Newport Beach Municipal Code (Greenlight) clearly states in section 3(1) that a vote shall be held if there is an increase of 100 dwelling units in a given statistical area. The project will result in an increase of 100 units into the Newport Center area and requires a Greenlight vote.

Thank you for your consideration. Please let me know when the Draft EIR is available for public review.

Thank you for your consideration.



Debra Bright Stevens

Ramirez, Gregg

From: Joe Stuart <stuartstuart44@gmail.com>
Sent: Friday, February 26, 2016 7:48 PM
To: Ramirez, Gregg
Subject: Fwd: Redevelopment of Land Occupied by the OC Museum of Art in Newport Center

----- Forwarded message -----

From: Joe Stuart <stuartstuart44@gmail.com>
Date: Fri, Feb 26, 2016 at 7:46 PM
Subject: Redevelopment of Land Occupied by the OC Museum of Art in Newport Center
To: gramirez@newport-beach.gov

To Whom It May Concern:

I am a 30 year veteran of the commercial real estate industry in OC who lives within 100 yards of the proposed 26 story condominium TOWER proposed to be constructed on the pad of land currently occupied by the OC Museum of Art. I am not objecting to displacing a cultural, artistic museum which we all know has a planned new location.

I am, however, objecting to the construction of a 26 story building that is more stories of height than any building in the history of Orange County. Of course, that height does not include the underground parking of the project. The proposed project will be a massive construction project.

Rather than a lengthy description of what is obviously inappropriate for this project, I simply want to ask the City to say NO to this project because it is absurd for this small pad of land to become almost the tallest building in all of OC. I respect the developers and work for developers, but they are proposing this massive project due to: (1) greed, (2) grotesquely overreaching height, (3) hiding the impacts by mentioning units instead of number of rooms, and (4) come on, we are really going to turn the OC museum land pad into on of the tallest building in OC? This is not Century City! If we want Century City, then this land pad is not the right spot to start.

Respectfully submitted,

Joseph Stuart
1440 Newporter Way
Newport Beach, CA 92660

Ramirez, Gregg

From: JSutter777@aol.com
Sent: Saturday, February 27, 2016 7:45 PM
To: Ramirez, Gregg
Subject: Construction of 26 Story Condominium on the Art Museum Property

Dear Mr. Ramirez,

I am writing to you to voice my opposition to the above mentioned construction in Newport Center. As a resident of Big Canyon, we are faced on a daily basis with the danger of speeding, traffic, noise, litter. Our concern is for the future. The danger is created by the downhill speeding traffic which threatens the pedestrians and the residents leaving Big Canyon. People constantly turn on the red light, are on cell phones etc. We have all experienced close calls when walking or making a left turn out of Big Canyon.

We have been told in the past that as citizens we would have a voice in the general plan of the city. This has turned out not to be the case as officials have let us down without allowing for citizen input.

I am asking you to do what you can to preserve our peace of mind and concern for safety in this urbanization of our town. Please vote to turn down the proposal for construction of a 26 story building on the Art Museum property.

Thank you,
Lynne Sutter (Mrs. James)
17 Rue Saint Cloud

Ramirez, Gregg

From: Carl Swain <carl@carlswain.net>
Sent: Wednesday, February 24, 2016 4:57 PM
To: Ramirez, Gregg; helgaing@mac.com; Chip Long; wealtor@me.com; lynn@lynnswwain.com; nraney@villarealestate.com; Moira Auld; baginy1@yahoo.com; Sonja; sharriandbob@yahoo.com
Subject: Re: Proposed Museum Condo Project

Mr. Gregg Ramirez:

I was in attendance at the meeting Monday evening regarding the EIR to be prepared for the construction of the condominium project on the 2.0 acre OC Museum of Art site. As you could tell, residents who live anywhere near this project are very much against city approval of this project.

You heard numerous complaints including construction phase noise and nuisance, the increase in street traffic and noise due to the project, the height of the building, the increase in area density, the visual incompatibility of the building, the increased water usage, the increased street traffic and parking which would hinder emergency vehicles coming from the police and fire stations on Santa Barbara, the possible effect on cellular service in the area, the increase in displaced rodents, and many comments on the recent overdevelopment in Newport Beach.

Adding to this wide-spread discontent is the fact that approving the project would require the city to not only neglect building codes that are in place to protect city residents and which are enforced regularly on other building applications, but also to stretch those codes to the point of irresponsibility. The site would have to be rezoned for this project and variances would be required to exceed height limitations and exceed lot coverage guidelines. The project if approved under current construction guidelines would require approximately 400 parking spaces for residents plus at least 50 for guests, employees and service people. They are proposing 238! Where beside the street will these cars park? Approval of these variances would qualify as an irresponsible action on the part of the city. This is the wrong project, in the wrong place, in the wrong time!

As an aside, this 1.99 acre parcel plus the adjoining 0.91 acre parcel were gifted to the Museum by the Irvine Company as part of a plan to include cultural activities in Fashion Island. Why not require a usage for these parcels that enhances the enjoyment of all city residents? The Museum has been gifted the land for their new building by the Segerstroms, so all they need are sufficient funds to construct their new facility instead of "cashing in" on the backs of local residents.

If this project gets anywhere close to approval, I want to see what restrictions will be placed on the future development of the 0.91 acre site owned by the Museum but apparently not included in the current sale.

In the EIR please include:

An analysis of the impact of construction traffic on traffic flow specifically including the completed Irvine Company project now under construction;

An analysis of the impact of construction traffic on the wear and tear to city streets, again including the completed Irvine Company project;

An analysis of the impact of construction traffic on air pollution and noise environment;

An analysis of the impact of water usage, not only on water availability but more importantly considering the current state requirements to reduce water usage;

An analysis of the impact of post completion traffic on traffic flow specifically including the completed Irvine Company project now under construction;

An analysis of the impact of post completion traffic on air pollution and noise environment;

An analysis of the impact of the building height on the local light and noise environment, possible deterioration of cellular or other electronic equipment reception, and on the line-of-sight of local residents;

A stringent analysis of the impact of the project being so under-parked on the flow of local traffic (including emergency vehicles) and on spill-over parking on the street or in other project parking spaces.

I will, as will many others, keep track of the progress of this project through the approval process, and trust that City of Newport officials will have the best interests of their residents in mind during this process.

Should you have any questions or comments you are welcome to contact me. And "Thanks" for holding the meeting to give residents a voice.

Carl Swain

carl@carlswain.net

Ramirez, Gregg

From: Lynn Swain <lynn@lynnswain.com>
Sent: Friday, March 11, 2016 8:56 AM
To: Ramirez, Gregg
Subject: Art Museum Development

Mr Ramirez

I am a very concerned citizen of Newport Beach that lives in Big Canyon. We strongly passed Measure "Y" to prevent this exact type of growth that is now happening around Fashion Island. The current project on San Joaquin and Jamboree, is literally in our backyard! It's been a nightmare with all the truck traffic and lane closures and the development is not even close to be completed. I attended a meeting at Big Canyon where a representative from the City flat out deceived/lied to us stating that this project would not increase traffic flow. Unbelievable . . . it is only going to get worse when the project is completed!

I, as well as all my neighbors, are 100% against this new high rise condo project.

All of this latest development is why at the last city council election, we did not re-elect any candidates that were up for re-election. What do we have to do to make it clear to the city council and the city management that we have had it with all this growth?

Developers seem to be getting a free pass to sidestep the General Plan, zoning codes or other development guidelines, which ultimately undermines the General Plan, and will eventually make our city unrecognizable. By defeating Measure Y, the people sent a powerful message, but the city government seems to be deaf to our plea. It's time to say enough is enough!

A Concerned Newport Beach-Big Canyon Citizen
Lynn Swain

Ramirez, Gregg

From: Bob & Caroline Taylor <newporttaylors@cox.net>
Sent: Saturday, February 27, 2016 4:54 PM
To: Ramirez, Gregg
Cc: Suresh Khemlani
Subject: 26 story condo

I am writing to urge the Council to place a moratorium on any further residential buildings in the Newport Center area. The enormous apartment development now going up along San Joaquin in itself will ruin the area with increased traffic and congestion.

Please let me know when hearings are being held on this 26 story condo project.

Thanks,

Robert Taylor
44 Ocean Vista
Newport Beach, CA 92660
9493555624
newporttaylors@cox.net

Ramirez, Gregg

From: Linda Watkins <ljwtkins@sbcglobal.net>
Sent: Wednesday, March 02, 2016 8:38 AM
To: Ramirez, Gregg
Subject: Museum Tower

Dear Mr. Ramirez

When I read about the Museum Tower project in the Daily Pilot a week or so ago, I asked myself what was wrong with Newport Beach city government that these inappropriate building projects keep coming up? After Measure Y, I would have thought the community's wishes would be honored. I'm hearing now that the Museum House project is fast tracked. Why is the planning commission even reviewing a project that requires a change or easing of requirements in the General Plan? What is the purpose of a general plan, if requests to weaken it are considered every few months?

Linda Watkins

Ramirez, Gregg

From: Bibi Yang
Sent: Friday, March 04, 2016 6:57 PM
To: Ramirez, Gregg
Subject: Museum House Scoping Meeting - February 22,,2016

Dear Gregg Ramirez.

Regarding the Museum House EIR:

I am a resident of Orange County and I support the "Project"

Warmest regards,
Bibi Yang

COMMENT CARD

Museum House Scoping Meeting – February 22, 2016

Please provide your comments regarding the Museum House EIR (please print):

RECEIVED BY

COMMUNITY

MAR 08 2016

DEVELOPMENT
CITY OF NEWPORT BEACH

Dear Gregg Ramirez,

Regarding the Museum House EIR:

I am a resident of Orange County and
I support the "Project"

Name: Bibi Yang

Address:

Please do one of the following:

- 1) Return this card to Gregg Ramirez, Senior Planner, at the end of the Scoping Meeting
- 2) Email your comments to gramirez@newportbeachca.gov
- 3) Mail this comment card to:

City of Newport Beach
Attn: Gregg Ramirez, Senior Planner

Ramirez, Gregg

From: Yost, Elizabeth <Elizabeth_Yost@steris.com>
Sent: Monday, February 29, 2016 5:12 PM
To: Ramirez, Gregg
Subject: Opposed to Museum House Project

Hello Mr. Ramirez,

As a Newport Beach resident concerned about the current and growing challenges of over growth in a community with tight boundaries, I am opposed to the Museum House Project. Here are my comments of concern that I feel need to be addressed with a comprehensive EIR:

Noise: A residential building will have windows that open as opposed to the office buildings that don't. Common noises will increase, against concrete these noises will carry. And a loud party will be heard over a wide distance, carrying from the heights, it travels further.

Traffic: This building will add to the gridlock that already exists. Emergency vehicles will have more problems getting into Big Canyon. Current traffic in and around Corona del Mar High School is impossible during peak drop off and pick up times; these additional dwellings will add to a problem that will likely already see unsupportable increases with the 524-apartment complex being built at Jamboree and San Joaquin Hills.

Water: We are all busily saving water. Every drop of I am working to save will go into that building. We will continue to sacrifice trees and grass which help replenish our oxygen for concrete which cannot help us conserve water since it offers no absorptive properties

Height: Newport Center is becoming a wall of high rises. Blocks vistas such as Saddleback. What happens to our beach, mountain and sunset vistas?

Light: Residential building will keep the lights on as opposed to the low light on office buildings.

Cell phone: Excess buildings and people congest not just street traffic but also satellite traffic. (We have terrible cell service in the Bluffs and the Port Streets since the Irvine Company building was built.)

EIR: The EIR for Measure Y was seriously flawed because it didn't use the conditions on the ground but removed phantom traffic trips to achieve the much mocked reduction in traffic.

Sincerely,

Elizabeth

Elizabeth S. Yost

Mobile: (650) 787-4206
Email: eyost@steris.com