



CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT

July 9, 2026
Agenda Item No. 3

SUBJECT: 1301 Dove Street Residential Development (PA2026-0046)
▪ Major Site Development Review
▪ Vesting Tentative Tract Map

SITE LOCATION: 1301 Dove Street

APPLICANT: Dove Property Owner, LLC

OWNER: Dove Property Owner, LLC

PLANNERS: Oscar Orozco, Associate Planner
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David Blumenthal, AICP, Planning Consultant
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PROJECT SUMMARY

A request to authorize the development of a 139-unit, for-sale residential townhome community on an existing professional office site. The dwelling units, which consist of two to four-bedroom townhomes ranging from approximately 1,425 to 2,362 square feet, would be distributed across 50 buildings with each building ranging from one to eight units. The buildings would have a maximum height ranging from approximately 33.5 feet to 39 feet above established grade. The proposal includes a two-car garage for each unit, 10 driveway parking spaces, and 42 uncovered guest parking spaces for a total of 330 on-site parking spaces. The development will also include resident-serving amenities including activity areas, outdoor gardens, and seating and walking paths throughout the site. Additionally, a publicly accessible pedestrian strada improved with landscaping and seating areas are provided along the Dove Street frontage. Vehicular access is provided by a single driveway on Dove Street. If approved, the development may occur in two phases. The first phase would include the demolition of the existing parking structure and construction of approximately 76 dwelling units on the rear half of the site. The second phase would include demolition of the existing approximately 218,000-square-foot 10-story office building and construction of the remaining approximately 63 dwelling units in the front half of the site. The following approvals are required to implement the project:

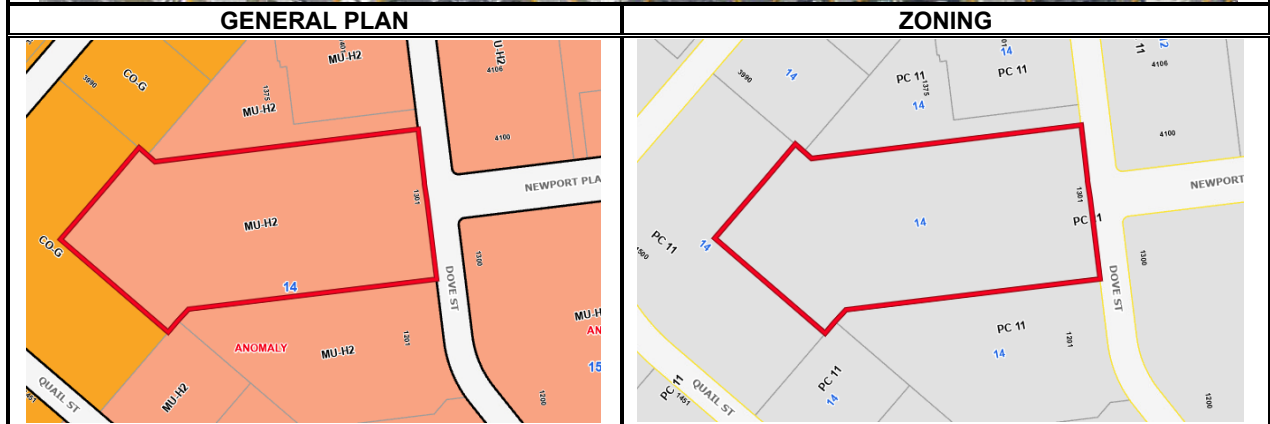
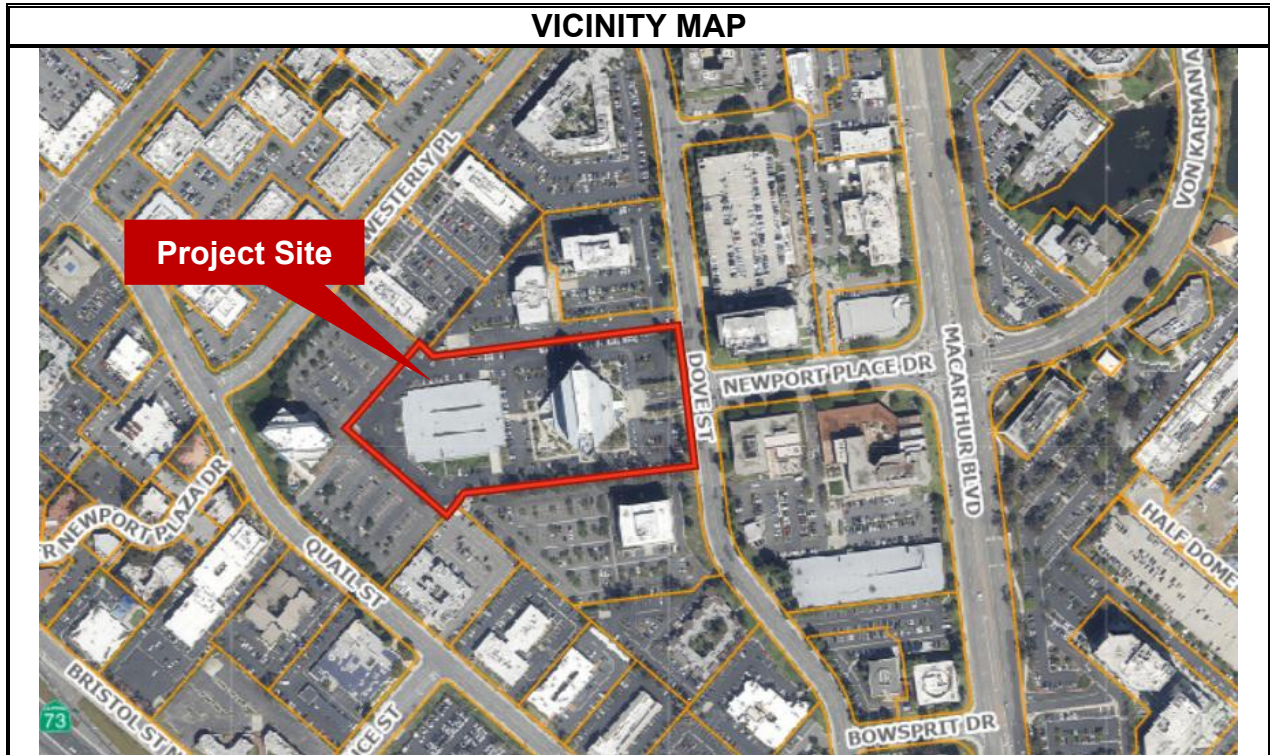
- *Major Site Development Review (SDR)*: Required for any project proposing five or more residential units with a tract map. The SDR also allows for deviations from three objective design standards pursuant to Section 20.48.185 (Multi-Unit Objective Design Standards) of the Newport Beach Municipal Code (NBMC); and

- *Vesting Tentative Tract Map (VTTM)*: To allow for the subdivision of the existing 6.46-acre site into four parcels and to allow the airspace subdivision of the individual residential units upon two of those parcels, pursuant to Chapter 19.12 (Tentative Map Review) of the NBMC.

RECOMMENDATION

- 1) Conduct a public hearing;
- 2) Find this project statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code (PRC) Section 21080.66 (enacted through Assembly Bill 130) because it has no potential to have a significant effect on the environment; and
- 3) Adopt Resolution No. PC2026-020 approving the Major Site Development Review and Vesting Tentative Tract Map, filed as PA2026-0046 (Attachment No. PC 1).

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LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	Mixed-Use Horizontal (MU-H2)	Newport Place Planned Community (PC-11) and Housing Opportunity Overlay, Airport Area Environs Area Subarea (HO-1)	Office
NORTH	General Commercial Office (CO-G) and MU-H2	PC-11 and HO-1	Office
SOUTH	CO-G and MU-H2	PC-11 and HO-1	Office
EAST	MU-H2	PC-11 and HO-1	Office
WEST	CO-G	PC-11 and HO-1	Office (100 townhome project approved at 1500 Quail)

INTRODUCTION

Background

Housing Opportunity (HO) Overlay Zoning District and Amendment

On September 13, 2022, the City Council adopted the City's 6th Cycle Housing Element for the 2021-2029 planning period (Housing Element). The Housing Element was later certified as statutorily compliant with state law by the California Department of Housing and Community Development (HCD) on October 5, 2022.

On September 24, 2024, the City Council adopted Ordinance Nos. 2024-16 and 2024-17, approving amendments to Title 20 (Planning and Zoning) of the Newport Beach Municipal Code (NBMC) to establish the Housing Opportunity (HO) Overlay Zoning Districts (Housing Overlay) in Section 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) of the NBMC and to create multi-unit objective design standards (ODS) in Section 20.48.185 (Multi-Unit Objective Design Standards) of the NBMC, respectively. The new sections serve to implement Policy Actions 1A through 1G and 3A in the Housing Element.

The adoption of these ordinances provided new housing opportunities within five subareas to ensure the City can meet its 6th Cycle Regional Housing Needs Assessment (RHNA) allocation: Airport Area Environs Area (HO-1), West Newport Mesa Area (HO-2), Dover-Westcliff Area (HO-3), Newport Center Area (HO-4), and Coyote Canyon Area (HO-5). These subareas correspond directly to the Focus Areas identified in Appendix B (Adequate Sites Analysis) of the Housing Element.

Properties identified as a "Housing Opportunity Site" have specific development standards conducive to residential development at the prescribed average density of 20 to 50 dwelling units per acre. The standards include but are not limited to minimum lot area, setbacks, height, open space, landscaping, and parking. The ODS are applicable to any residential project with a minimum density of 20 dwelling units per acre to ensure the high-quality design and to provide a baseline standard for new multi-unit developments throughout the City.

As shown in Figure 1 on the following page, the property was initially identified by the Housing Element Update Advisory Committee (HEUAC)¹ as being potentially feasible for residential redevelopment, was subsequently included in the Housing Opportunity Sites Inventory as Map Identification No. 335, and is within the HO-1 (Airport Area Environs Area) Subarea of the Housing Opportunity (HO) Overlay Zoning District.

¹ The Housing Element Update Advisory Committee (HEUAC) was a City Council-established Brown Act advisory body formed to guide staff and provide community input on the 6th Cycle Housing Element update in response to the City's Regional Housing Needs Assessment (RHNA) allocation. Over the course of many public meetings, the HEUAC and its subcommittees identified sites appropriate for potential residential redevelopment. Ultimately, these efforts contributed to the City Council's adoption of a state-certified Housing Element in September 2022.



Figure 1, Excerpt of the HO-1 (Airport Area Environs Area) Subarea

Project Setting

The subject property at 1301 Dove Street is 6.46 acres and located on the west side of Dove Street, at the western terminus of Newport Place Drive, shown in Figure 2 (Project Site). It is currently improved with an approximately 218,000-square-foot, 10-story office building, a two-level parking structure, surface parking, and landscape areas.

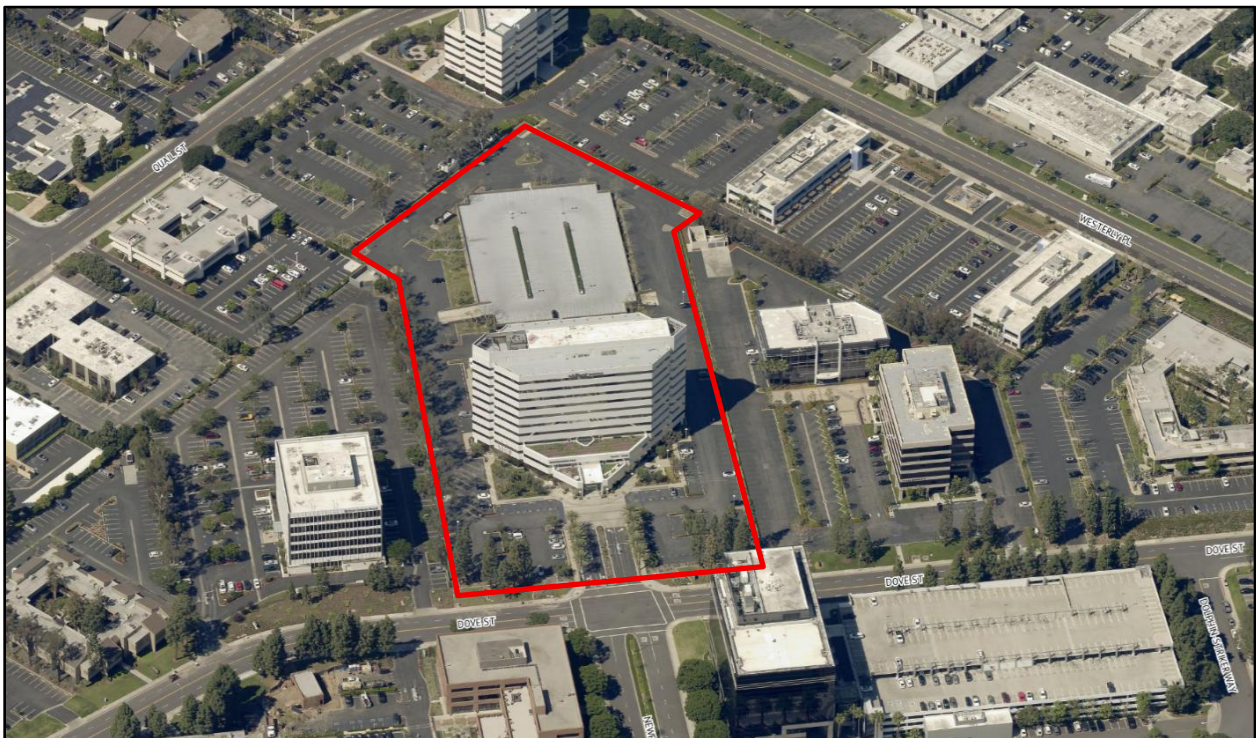


Figure 2, Birds-eye aerial photograph of current development on the Project Site

Project Description

The Applicant proposes the demolition of all existing improvements on the site and the construction of 139 residential dwelling units (Project).

The units will be distributed across 50 buildings, which include single-unit dwellings, two-unit dwellings (duplexes), and multi-unit buildings (four-, six-, and eight-unit buildings). A breakdown of the floor plans by building types is provided in Table 1 with a description of the layouts provided below.

Table 1 – Floor Plan Size Summary

Floor Plan	Bedrooms	Bathrooms	Size (sq. ft.)	Number of Units
Single Unit				
Plan 3	4	3.5	2,235	4
Plan 4	4	3.5	2,362	5
Duplexes				
Plan 1	3	3.5	1,182	13
Plan 2	4	3.5	2,068	13
Plan 3	4	3.5	2,235	14
Plan 4	4	3.5	2,362	14
Multi-Unit				
Plan 1	2	2.5	1,425	7
Plan 1X	2	2.5	1,435	7
Plan 2	3	3	1,520	16
Plan 3	3	3	1,591	15
Plan 4	3	3	1,855	16
Plan 5	3	3	1,882	15

Single-Unit Buildings (Single-Family Dwellings)

- First floor includes living room, kitchen, dining room, half bathroom, and garage.
- Second floor includes three bedrooms, two bathrooms, and laundry room.
- Third floor includes one bedroom, a flex space, and private open space.
- Maximum building height is 33 feet,8 inches, measured from established grade.

Multi-Unit Buildings (Duplexes and Larger Multi-Unit Structures)

Duplexes (Plans 1–4)

- Plans 1 and 2
 - First floor includes a bedroom, bathroom, and garage.
 - Second floor includes living room, kitchen, dining room, half bathroom and private open space.

- Third floor includes two bathrooms, laundry room, two bedrooms for plan 1 and three bedrooms for plan 2.
- Plans 3 and 4
 - First floor includes living room, kitchen, dining room, half bathroom and garage.
 - Second floor includes three bedrooms, two bathrooms, and laundry.
 - Third floor includes fourth bedroom, flex space, and private open space.
 - Maximum building height is 36 feet, 6 inches, measured from established grade.

Multi-Unit Buildings (All Plans)

- First floor consists of garage areas; Plans 4 and 5 also include a bedroom and bathroom.
- Second floor includes living room, kitchen, dining room, and private open space.
- Third floor contains two bedrooms, two bathrooms, and laundry.
- Some units are interlocked, with portions of units located above or below others.
- Maximum building height is 39 feet, measured from established grade.

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Aesthetic Design and Architecture

The architectural style is Contemporary Coastal, focusing on combining large geometric shapes, asymmetrical massing and clean lines, with the use of stucco and lap siding. Although there may be some fluctuation in appearance based on the specific floor plan mix, Figures 3 through 7 depict the typical appearance of each building type.



Figure 3, Rendering of single-unit building

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Figure 4, Rendering of duplex building



Figure 5, Rendering of 4-unit building



Figure 6, Rendering of 6-unit building



Figure 7, Rendering of 8-unit building

Three complementary color schemes are proposed (Figure 8 below), which will be used throughout the Project on all building types.

Color Scheme 1 uses an earth-tone palette with white stucco and warm gray accents. The lap siding is a medium brown with a subtle gray grain. Entry doors are muted

reddish-brown, and trim is a warm bronzy-black. The roof is a rustic brown blend with golden-tan and dark wood undertones.

Color Scheme 2 features a cooler, contemporary palette with pale gray and charcoal-brown stucco. The lap siding adds warmth with a golden-honey wood tone. Entry doors are medium-dark brown, and trim is a deep brown. The roof combines gray and brown tones with charcoal highlights.

Color Scheme 3 uses sandy, warm neutrals with beige and pale taupe-gray stucco. The lap siding is a taupe-gray wood tone with sandy undertones. Doors are brownish-gray, and trim is deep gray. The roof is a light tan blend with cream and sandy-gold accents.



Figure 8, Color Schemes

Access and Parking

Vehicular access to the Project Site is provided by a driveway on Dove Street located approximately in the same location as the existing driveway. The access point connects to a private internal street that runs the full length of the development, providing a minimum 26-foot-wide vehicular path throughout the site. This internal circulation system leads to the individual two-car garages serving each unit, all of which meet the minimum garage dimensions of 17 feet 6 inches in width and 19 feet in depth. There are 10 parking spaces provided in private driveways leading to garages and 42 guest/visitor parking spaces throughout the Project Site.

Table 2 compares the parking requirements and the proposed parking supply for this Project, as set forth in Section 20.28.050(D)(3) (Housing Opportunity (HO) Overlay Zoning Districts - General Development Standards) of the NBMC.

Table 2 – Parking Requirements and Proposed Supply

Category	Requirement	Number of Units	Parking Required	Provided Parking
2-bedroom units	1.8 spaces per unit	14	26	28
3-/4-bedroom units	2 spaces per unit	125	250	250
Guest Parking	0.3 spaces per unit	139	42	42
Spaces on Driveways	N/A			10
Total Parking Required			318	330

Figure 9 below depicts the on-site circulation, private driveway parking spaces, and guest parking locations.

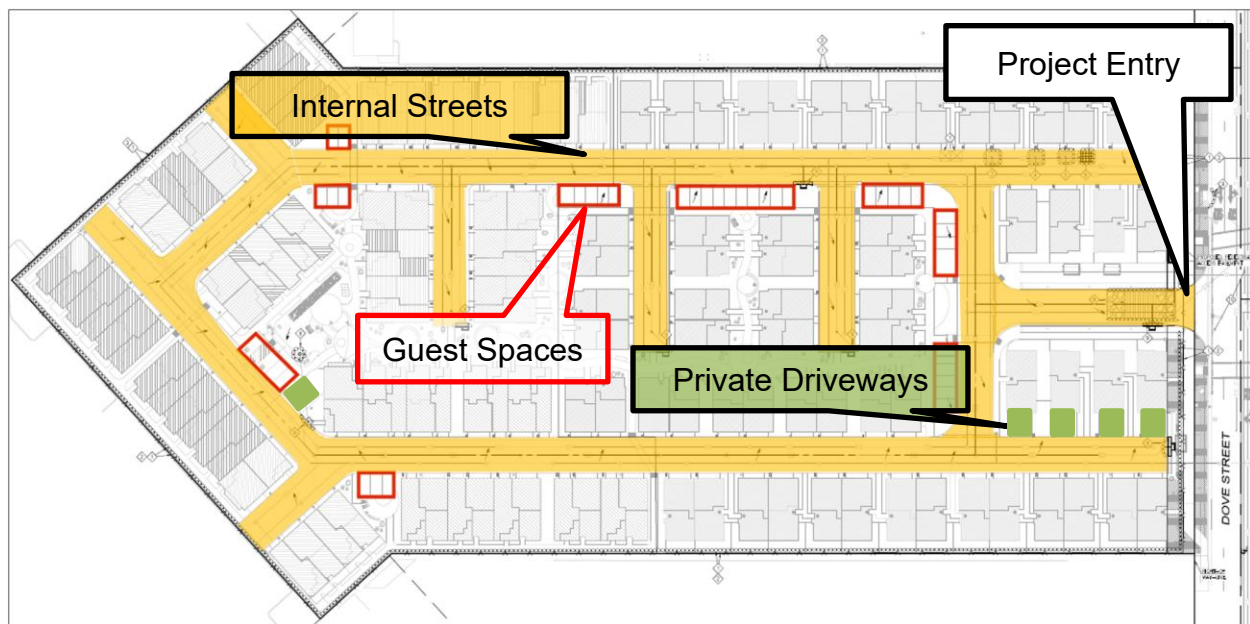


Figure 9, Circulation, Private Driveways, and Guest Parking Areas

The Planning Commission recently approved a project at 1500 Quail, which is adjacent to the site. As part of this approval, the Planning Commission required an easement to connect the 1500 Quail property to this property to facilitate pedestrian access through the site. A similar condition of approval has been included for the project to provide a pedestrian easement between the two parcels (1500 Quail Street and 1301 Dove Street). This would allow pedestrians to cut through the larger superblock and promote overall accessibility with reasonable restrictions on hours.

The Applicant is proposing to construct the western portion of the Project in the first phase. Because the Phase 1 units may be occupied while the existing office building is still

operational, the following requirements have been included as conditions of approval (Condition of Approval Nos. 41 through 44):

- The Applicant would be required to maintain access across the Phase 2 area to the Phase 1 units. This would include resident and guest access, as well as emergency access. This access would apply at all times, even during construction of the Phase 2 units.
- Operational floor area of the office building (i.e., rentable floor area) would be limited based on the available parking supply within the Phase 2 area. The Applicant would be required to provide the City with a tenant list and parking calculations, with periodic updates to address any changes in tenancy/use of the building.

Residential Amenities

The Project provides private open space in the form of private balconies for each unit, ranging from 72 square feet to 159 square feet.

In addition to the private balconies, there will be five common open space areas with the following resident-serving amenities:

- Activity Commons: Includes a shade trellis, picnic table, barbeque, horseshoe game, activity lawn, ping pong table, lounge seating, cornhole game, and a dog relief area.
- Outdoor Dining Gardens: Includes walking trail, lounge seating and firepit, bench seating, activity lawn, picnic table, barbeque, and a dog relief area.
- Garden Retreat: Includes a walking trail, lounge chair seating, bench seating, and a dog relief area.
- Tranquil Garden: Includes a walking trail and bench seating.
- Garden Lounge: Includes a walking trail, bench seating, and lounge chairs.

Additionally, the Project includes and exceeds the minimum required Publicly Accessible Open Space (PAOS) along the Dove Street frontage. The PAOS provides pedestrian pathways, shaded seating, and dog relief area. Figure 10 demonstrates the PAOS area. The Project would be conditioned to maintain the additional PAOS consistent with the proposed plans.

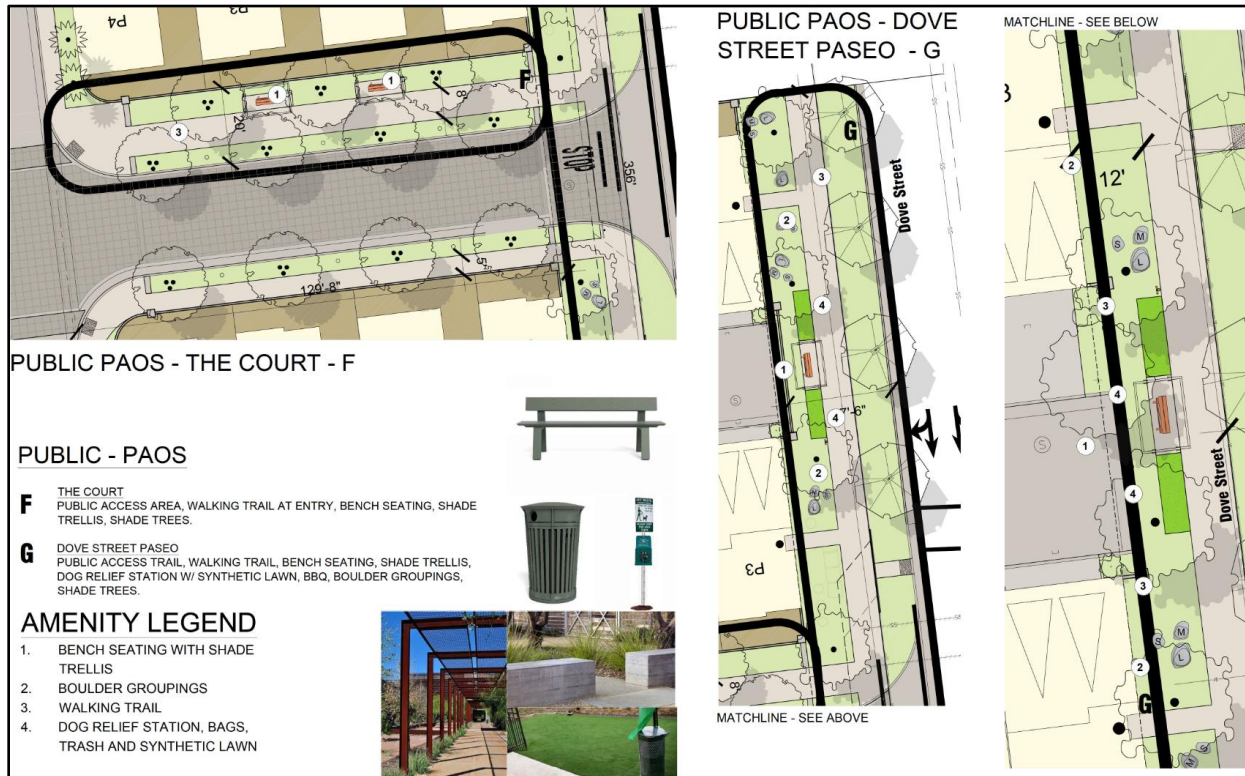


Figure 10, Publicly Accessible Open Space

Solid Waste and Recycling

The private garages are adequately sized to accommodate individual containers for trash, recycling, and organics while maintaining the appropriate dimensions for residential parking spaces. In some instances, the individual trash containers are located along the side of each unit behind appropriate screening. Due to the configuration of dwelling units proposed, the Homeowners Association (HOA) will be responsible for securing waste pickup for its residents.

Subdivision and Establishment of Grade

The Project includes a request to subdivide the Project Site into four parcels. Two of the parcels are for residential use and include an airspace subdivision to allow for individual sale of units (i.e., for condominium purposes). The remaining two parcels will contain the majority of the PAOS area. A smaller portion of PAOS (not fronting the street) is within Parcel 2. Figure 11 on the following page demonstrates proposed configuration.

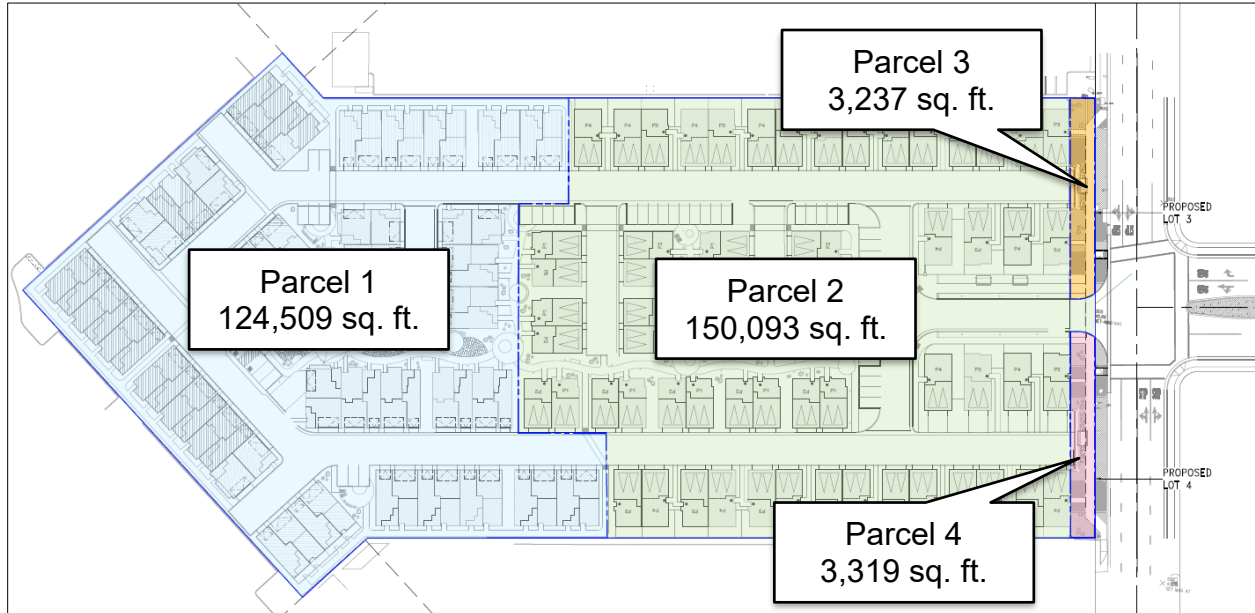


Figure 11, Proposed parcel configuration

The grade establishment for the buildings is pursuant to Section 20.30.050(B) (Establishment of Grade) of the NBMC, which allows the average of the elevation from each corner of the building to establish the grade. All individual building heights would be measured based on the established grade plane elevation for that building.

Phasing

Phase 1

The Applicant is proposing to construct the Project in two phases (see Figure 12). Phase 1 would include demolition of the two-level parking structure and surrounding improvements. This phase would also include the construction of building numbers 37 through 50 (a total of 76 dwelling units), Activity Commons Area A, and Outdoor Garden Area A, as outlined in the project plans (Attachment No. PC 6). Prior to commencement of Phase 2, the existing office building would remain in use. The proposed conditions of approval would limit the available leasable floor area based on the amount of parking remaining so the office use is still adequately parked.

If the Project is built in two phases, prior to issuance of the first building permit for Phase 1, the Applicant shall record an easement, in a form approved by the Community Development Director, over Lot 2 for the benefit of Lot 1 to provide: (1) pedestrian and vehicle ingress and egress; (2) utilities; and (3) Fire Department emergency ingress and egress.

Phase 2

Phase 2 would include demolition of the 10-story office building and all remaining improvements on the original project site. This phase would also include construction of the remaining buildings and site improvements including 63 dwelling units.



Figure 12, Phasing Plan

Required City Approvals

The following approvals are required to implement the proposed project:

- **Major Site Development Review (SDR):** Required for a project proposing five or more residential units with a tract map. The SDR also allows deviations from ODS per Section 20.48.185 (Multi-Unit Objective Design Standards) of the NBMC; and
- **Vesting Tentative Tract Map (VTTM):** To allow for the subdivision of an existing 6.46-acre parcel into four lots and to allow the airspace subdivision of the individual residential units upon two of those lots, pursuant to Chapter 19.12 (Tentative Map Review) of the NBMC.

DISCUSSION

Analysis

General Plan Consistency

The Project Site is categorized by the General Plan Land Use Element as General Mixed-Use Horizontal 2 (MU-H2), which is intended to provide for the horizontal intermixing of uses that may include regional commercial office, multi-family residential, vertical mixed-use buildings, industrial, hotel rooms, and ancillary neighborhood commercial uses.

The Project Site was included as Map Identification No. 335 within Appendix B (Adequate Sites Analysis) of the adopted and certified 6th Cycle Housing Element (Housing Element) deeming it potentially appropriate for multi-unit residential development in furtherance of the City’s housing goals. As detailed above in the “Background,” the City Council adopted Ordinance No. 2024-16, which implemented the Housing Element, in part, and established the HO Overlay Zone, applying the HO-1 (Airport Area) Subarea to the Project Site. The HO-1 Subarea allows residential development in addition to the uses allowed in the underlying MU-H2 land use category. Its rezoning is supported by Land Use Element Policy LU 4.4 (Rezoning to Accommodate Housing Opportunities), which states that the City would provide housing opportunities using an overlay or another regulatory mechanism.

In addition to the above, the Project is consistent with several other Housing, Land Use, and Circulation Element policies that establish fundamental criteria for the formation and implementation of new residential development. The project submitted a complete preliminary application pursuant to SB 330 on November 26, 2025. Submission of this complete application “locked” the project into the City’s ordinances, policies, and development standards in effect at the time of submittal. As a result, the project is legally vested under the previous General Plan policies and is not subject to the recently adopted General Plan update. A consistency analysis was completed and is detailed in the attached draft resolution (Attachment No. PC 1), as well as the attached General Plan Consistency Table (Attachment No. PC 2).

Zoning Code

The Project Site is located within the HO-1 Subarea. As previously discussed, Section 20.28.050 (B) (Housing Opportunity (HO) Overlay Zoning Districts – Uses Allowed) of the NBMC allows for multi-unit residential development on housing overlay sites if the Project meets the 20 to 50 dwelling units per acre density requirement. Based on the 6.46-acre lot, the Project results in a density of 21.52 units per acre and meets the density requirement of the HO-1 Subarea. Table 3 demonstrates the Project’s compliance with the development standards of the HO-1 subarea.

Table 3 – Development Standards

Development Standard	Standard	Proposed
Density	20-50 du/acre	21.52 du/acre
Setbacks		
Front (Dove Street)	0 ft ¹	20 ft
Rear	0 ft	5 ft
Side (North)	0 ft	8 ft
Side (South)	0 ft ¹	9 ft

Height	55 ft	39 ft
Building Separation	10 ft	10 ft
Floor Area Limit	No restriction	253,473 sq. ft.
Common Open Space (75 sq ft/unit)	10,425 sq ft	29,713 sq ft
Private Open Space (5% gross floor area/unit)	12,674 sq ft	15,032 sq ft
Parking		
Resident (1.8/2.0 space/unit)	276 spaces	278 spaces
Uncovered Driveway Spaces	N/A	10 Uncovered spaces
Visitor/Guest (0.3 space/unit)	42 spaces	42 spaces
<i>1. Any portion of the structure that is twenty (20) feet in height shall be set back a minimum twenty (20) feet from the street right-of-way.</i>		

Pursuant to Section 20.28.050(C)(2) (Subarea Development Standards – Airport Area Environs Area) of the NBMC, additional specific development standards are required for development in the HO-1 Subarea to mitigate sound with a required acoustical report to confirm levels within Section 10.26.30 (Interior Noise Standards) of the NBMC; advanced interior air filtration system; and a required notification to owners and tenants disclosing potential impacts to residents of the existing environment and potential nuisances based upon the allowed uses in the area. Condition of Approval Nos. 22 through 24 are included in the Resolution (Attachment No. PC 1), ensuring these regulations are met.

The Project is also subject to the ODS provided in Section 20.48.185 (Multi-Unit Objective Design Standards) of the NBMC. As indicated in the Objective Design Standards Checklist (Exhibit “B” of Resolution found in Attachment No. PC 1), the Project conforms to 49 of the 52 applicable standards. Subsection 20.48.185(C) (Multi-Unit Objective Design Standards – Applicability) of the NBMC allows for deviations from any objective design standards through the approval of an SDR by the Planning Commission, with additional findings. The Applicant requests minor deviations of three standards as described in the *Major Site Development Review - Multi-Unit Objective Design Standard Deviation* section below.

Major Site Development Review

Section 20.52.080(F) (Site Development Reviews – Findings and Decision) of the NBMC requires the Planning Commission to make the following findings before approving the SDR:

- A. *The proposed development is allowed within the subject zoning district;*
- B. *The proposed development is in compliance with all of the following applicable criteria:*

- i. Compliance with this section, the General Plan, this Zoning Code, any applicable specific plan, and other applicable criteria and policies related to the use or structure;*
- ii. The efficient arrangement of structures on the site and the harmonious relationship of the structures to one another and to other adjacent developments; and whether the relationship is based on standards of good design;*
- iii. The compatibility in terms of bulk, scale, and aesthetic treatment of structures on the site and adjacent developments and public areas;*
- iv. The adequacy, efficiency, and safety of pedestrian and vehicular access, including drive aisles, driveways, and parking and loading spaces;*
- v. The adequacy and efficiency of landscaping and open space areas and the use of water efficient plant and irrigation materials; and*
- vi. The protection of significant views from public right(s)-of-way and compliance with NBMC Section 20.30.100 (Public View Protection); and*

C. Not detrimental to the harmonious and orderly growth of the City, nor endangers, jeopardizes, or otherwise constitutes a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed development.

Staff believes facts to support the findings exist to approve the SDR. These facts are discussed in detail in the attached draft resolution (Attachment No. PC 1). The key facts in support of findings are summarized in the following paragraphs.

Development Compliance

As described in Table 3 of this report, the Project is fully consistent with the HO-1 Subarea of the Housing Opportunity (HO) Overlay Zoning District. The Project does not include the construction of affordable housing. However, the Housing Element contains adequate alternate sites suitable for affordable housing opportunities and therefore this approval is consistent with the State's no net loss provisions.

A detailed analysis of the Project's consistency with the General Plan is included as Attachment No. PC 2. For example, the Project is consistent with Land Use Element Policy LU3.2 (Growth and Change). The underutilized property is improved with a multi-story office building and large surface parking lot. The Project would replace these uses with 139 dwelling units that assist the City in meeting its share of RHNA and accommodating additional growth in the community. These new units are in a job-rich area, supporting reduced commute times.

Design and Open Space

Although the Project Site has an irregular shape, the design compactly arranges the 50 separate buildings to maximize site efficiency and preserve larger-than-required open

space areas. The design includes interior drive aisles and resident amenity areas, which are screened from public view. The Project's larger common open space areas, PAOS strada, landscaped edge conditions, location of drive aisles and residential amenities reduce any potential visual impact and ensure compatibility with the surrounding neighborhood, including the approved townhome project at the rear of the Project Site (Residences at 1500 Quail).

Throughout the Project Site, areas of passive green space are integrated alongside pedestrian walkways, including seating area elements that provide space for informal use, rest, and neighborhood interaction. As noted in Table 3 above, the Project exceeds the minimum common open space standards. A total of 29,713 square feet of common open area is provided within three areas including a game lawn with synthetic turf and seating; an outdoor dining area with overhead trellis, barbeques; and dog relief areas (see Figure 14).

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Figure 14, Common Open Space

Hazards Analysis

The Project Site is located near John Wayne Airport (JWA) within the notification area, and subject to compliance with the Airport Environs Land Use Plan (AELUP) for JWA, which includes standards related to height, safety, and noise. The Project does not include a legislative amendment (e.g., general plan amendment, zoning amendment) and review by the Airport Land Use Commission is not required to implement the Project.

Safety Zones

The Project Site is within Safety Zone 6 (Traffic Pattern Zone) of the AELUP for both runways. Residential uses are a compatible use within Safety Zone 6.

Height

Section 20.30.060 (E) (Airport Environs Land Use Plan [AELUP] for John Wayne Airport and Airport Land Use Commission [ALUC] Review Requirements) of the NBMC prohibits projects from penetrating the Federal Aviation Regulation Part 77, Obstruction – Imaginary surfaces, for John Wayne Airport unless approved by the Airport Land Use Commission (ALUC). Heights in the Airport Area are generally limited through the use of imaginary surfaces that surround the runways. The intent of these surfaces is to protect aircraft from obstacles during takeoff, landing, and maneuvering. The FAA issued a Determination of No Hazard to Air Navigation for the Project, dated April 14, 2026, and is provided as Attachment No. PC 3. Accordingly, Condition of Approval No. 4 is included requiring the Applicant to comply with all conditions of the FAA determination. The Project's tallest building is proposed to be 39 feet tall from established grade, in comparison, the existing office building is ten stories tall and measures approximately 155 feet in height.

Noise

Former General Plan Policy LU 6.15.3 (Airport Compatibility) and Section 20.30.080(F) (Residential use Proximate to John Wayne Airport) of the NBMC allow residential use on parcels or sites wholly or partially outside the John Wayne Airport 65 dBA CNEL noise contour as shown in Figure N5 of the Noise Element of the General Plan. The Project Site is located within the 60 dBA CNEL noise contours established in the Figure N5 and would comply with the regulations identified in Section 20.28.050(C)(2) (Subarea Development Standards – Airport Area Environs Area [HO-1]) including the interior ambient noise level limits set forth in Section 10.26.030 (Interior Noise Standards) of the NBMC. Figure 15 shows the City's noise contours.

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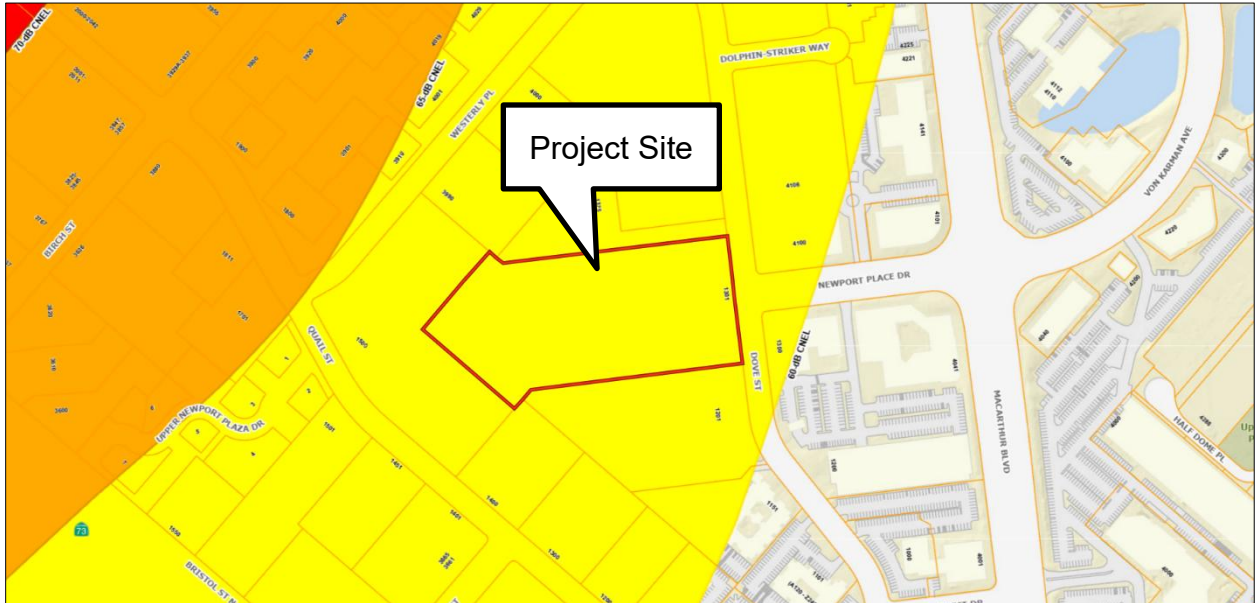


Figure 15, Airport Noise Contours

Compatibility, Traffic, and Scale

The Project is proposed to replace an existing office development constructed in 1979 that is underutilized, within an area of the City that is considerably developed. The Project will add 139 attached and detached single-unit dwellings, which furthers the City’s efforts of increasing and diversifying the housing stock.

The Project’s trip generation was reviewed and approved by the Public Works Department. The estimated trip generation for the project is 863 average daily trips (ADTs), which is 844 ADTs less than the existing office use. Therefore, the Project does not result in a net increase of 300 ADTs, and no traffic study is required per Chapter 15.40 (Traffic Phasing Ordinance) of the NBMC. Staff have received public correspondence expressing concern about potential Project impacts including traffic. All correspondence received in opposition of the Project (prior to publishing of the report) is included as an attachment to this staff report (Attachment No. PC 4).

All internal driveways to garages are behind the residential buildings and individual trash containers are not visible from the public street. When trash containers are stored in the garage, there is adequate space within the garage, clear of the minimum required dimensions, to accommodate the minimum clear parking space as well as the storage of trash, recycling, and organics.

The Project proposes a maximum height of approximately 39 feet which is 16 feet below the maximum allowed height limit of 55 feet. The height of the residential buildings will be compatible with the surrounding neighborhood that includes multi-story office buildings. The proposed Project is compatible with the recently approved 100-unit townhome

development at 1500 Quail. Both projects share similar architectural forms, building massing, and overall development scale, creating a cohesive visual character within the surrounding area. The maximum building height of 39 feet is consistent between the two projects, further reinforcing compatibility and ensuring that the proposed structures integrate appropriately with the established development pattern. There are no setback requirements from the property lines not abutting streets. However, the Project proposes a minimum setback of 5 feet and will provide a 6-foot-tall masonry wall along all property boundaries, except adjacent to Dove Street.

Major Site Development Review – Multi-Unit Objective Design Standard Deviation

Pursuant to Section 20.48.185(A) (Multi-Unit Objective Design Standards – Purpose) of the NBMC, the Project is seeking deviation from three of the 52 applicable Multi-Unit Objective Design Standards as shown in the Objective Design Standards Checklist (Exhibit “B” of the Resolution found in Attachment No. PC 1). The purpose of the ODS is to ensure high quality design and provide a baseline standard for all new multi-unit development in the City including by-right approvals. The intent of the standards is to promote quality design that builds on context, contributes to the public realm, and provides high quality and resilient buildings and public spaces. However, in recognition that all the objective standards may not be appropriate for all developments and that flexibility should be provided to allow for design creativity and diversity, the Planning Commission may approve an SDR to allow deviation of multi-unit objective design standards. The Project complies with 49 out of 52 standards demonstrating that the Project provides the high- quality design that was anticipated.

The Planning Commission may approve an SDR to allow deviation of multi-unit objective design standards only after making all the following findings:

- A. The strict compliance with the standards is not necessary to achieve the purpose and intent of this section.*
- B. The project possesses compensating design and development features that offset impacts associated with the modification or waiver of standards.*

Staff believes facts to support the findings exist to approve the deviation from the three objective design standards. These facts are discussed in detail in the attached draft resolution (Attachment No. PC 1). The key facts in support of findings needed for the deviations are summarized below.

There are several ODS that relate to modulation of individual buildings, including vertical and horizontal modulation. The minimum floor height standards (vertical modulation) are intended to prevent abnormal design of units as a method to increase density, resulting in poor residential design. The horizontal modulation serves to shorten the perceived length and mass of a building by providing façade recesses and projections that break up

the horizontal thrust of a building. One of the ODS waivers relates to vertical modulation and two ODS waivers relate to horizontal modulation of structures.

Vertical Modulation

1. Section 20.48.185(Q)(2)(a)(iv) (Vertical Modulation – Changes in Façade Material) of the NBMC requires the use of functional and/or decorative horizontal facade belt course, trim, or other projections or recesses at floor lines between the base, middle, and top. The projection or recess shall also have a minimum height of 12 inches and a depth of 4 inches.

The proposed architecture uses a contemporary design approach that articulates building massing through a combination of material changes, color variation, and horizontal massing transitions that clearly define a base, middle, and top. These elements provide the same visual relief and façade articulation intended by the banding requirement while avoiding the use of applied trim. The proposed design achieves the objective of breaking down building massing and providing visual interest along the façade while maintaining a cohesive contemporary architectural expression.

Horizontal Modulation

1. Section 20.48.185(R)(1)(b) (Horizontal Modulation – Minimum Modulation Area) of the NBMC requires a minimum of 10% of the total façade area shall be horizontally modulated.

The Project achieves this objective using smaller building footprints, including duplex and townhome buildings with shorter overall façade lengths. Because the buildings are inherently shorter than typical multifamily structures, large modulation offsets are not necessary to break down perceived mass. Instead, the design incorporates a series of horizontal and vertical massing offsets, material transitions, and architectural projections that create façade articulation and visual variation while maintaining appropriate building proportions.

2. Section 20.48.185(R)(1)(c) (Horizontal Modulation - Maximum Number) of the NBMC requires a maximum of two recesses or projections per façade.

The proposed design incorporates additional façade recesses to enhance architectural articulation and create variation across the building elevations. These recesses help break down building massing, provide shadow lines, and introduce depth to the façade, which improves visual interest and contributes to a more pedestrian-scale streetscape. The additional recesses are intentional design elements that support the overall architectural composition and achieve the objective of reducing perceived building.

Although the Project requests minor deviation from three objective design standards, the Project still complies with the intent; therefore, the deviations are appropriate.

Vesting Tentative Tract Map

Section 19.12.070 (Required Findings for Action on Tentative Maps) of the NBMC, requires the Planning Commission to make the following findings before approving a Vesting Tentative Tract Map:

- A. *That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code;*
- B. *That the site is physically suitable for the type and density of development;*
- C. *That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report;*
- D. *That the design of the subdivision or the type of improvements is not likely to cause serious public health problems;*
- E. *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision-making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision;*
- F. *That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land;*

- G. *That, in the case of a “land project” as defined in California Business and Professions Code Section [11000.5](#), (1) there is an adopted specific plan for the area to be included within the land project; and (2) the decision making body finds that the proposed land project is consistent with the specific plan for the area;*
- H. *That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act;*
- I. *That the subdivision is consistent with California Government Code Sections [66412.3](#) and [65584](#) regarding the City’s share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City’s residents and available fiscal and environmental resources;*
- J. *That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board; and*
- K. *For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.*

Staff believes facts to support the findings exist to approve the VTTM. These facts are discussed in detail in the attached draft resolution (Attachment No. PC 1). The key facts in support of findings are summarized in the following paragraphs.

Because the Project includes for-sale residential units, the Project Applicant is required to pay in-lieu park dedication fees pursuant to Chapter 19.52 (Park Dedications and Fees) of the NBMC, for park and recreational purposes. The existing parcel does not include residential development. As such, an in-lieu park fee will be required for each of the 139 new dwelling units at a cost of \$59,575 per dwelling unit². The Project is also subject to former General Plan Policy 6.15.13 (Neighborhood Parks – Standards) that requires new residential development in the Airport Area to dedicate and improve a minimum ½ acre as a neighborhood park. However, because the Park Dedication (Quimby Act fee) requirement in Chapter 19.52 is greater than a ½ acre park (1.549 acres), the Chapter 19.52 standard shall apply. In addition, new housing projects on any site identified in Section 20.80.025 (Housing Opportunity Overlay Zoning Districts maps), pursuant to Sections 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts), or pursuant to

²A preliminary application for residential development, filed as PA2024-0148, was deemed submitted on November 26, 2025. The preliminary application prevents the project from being subject to any City ordinances, policies, and standards adopted after the date of submission, except as specified in Government Code Section 65589.5(o). Therefore, the project will be subject to an in-lieu park fee of \$59,575 per unit, which is the fee that was in effect at the time the preliminary application was deemed submitted.

former General Plan Policy LU 4.4 are required to pay Development Impact Fees (DIFs). Therefore, the Project will be required to pay a DIF of \$9.25 per square foot (approximately \$2,417,940.17) prior to issuance of any certificate of occupancy with the total amount owed adjusted for inflation as provided by State law.

Although the Project does not provide a public park, it exceeds the minimum PAOS required and will be subject to In-Lieu Park Fees per unit. The PAOS is located at the front of the Project Site along the street frontages, providing an enhanced pedestrian experience with functional features such as benches, lighting, and a dog relief area for the public and residents alike.

The Project Site is suitable for the type and density of the development in that the infrastructure serving the site has been designed to accommodate the Project. Water demand and sewer capacity studies were prepared by Tait & Associates, Inc, dated February 27, 2026. The water study concluded that existing water system has sufficient capacity to provide domestic water service and fire flow to the Project. The Project does not result in more than 500 dwelling units; therefore, a Water Supply Assessment (WSA) is not required for Project. The sewer study showed that there is a deficiency in a portion of the sewer system, however, a condition of approval has been added to require this portion of the sewer system be upgraded to accommodate the additional flow from this Project. Final design of the improvement will be determined by the Public Works Department. Any additional required improvements to downstream City infrastructure to accommodate the proposed Project will be designed and constructed by the proposed Project. Final design will be reviewed and approved by the Public Works Department.

Appropriate conditions of approval have been included to address the Project phasing, including the establishment and maintenance of pedestrian, emergency, and resident access during all phases of development.

The Project Site does not contain riparian habitat or other sensitive natural communities, or wetlands. Furthermore, the Project is not expected to result in any public health or safety concern to residents in this area or throughout the City. All improvements associated with the Project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 (General Improvement Requirements) of the NBMC.

Environmental Review

This Project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code (PRC) Section 21080.66 (enacted through Assembly Bill 130) because it has no potential to have a significant effect on the environment and meets the eligibility criteria to qualify for AB 130 as described in more detail in Section 2 of the attached draft resolution (Attachment No. PC 1). AB 130 took effect June 30, 2025,

and created a new CEQA exemption designed to further the development of in-fill housing projects.

Pursuant to AB 130, consultation with Native American Tribes is also required in addition to meeting the eligibility criteria. Therefore, the City initiated consultation on February 3, 2026, with the two tribes that requested consultation, Juaneño Band of Mission Indians, Acjachemen Nation- Belardes and the Gabrieleno Band of Mission Indians - Kizh Nation, which concluded on March 21, 2026. Tribal monitoring conditions are included in Exhibit "C" (Conditions of Approval) of Attachment No. PC 1.

AB 130 includes a list of criteria for a Project site to qualify for the exemption. In summary and as provided in detail in the resolution, the criteria include considerations related to zoning, land use (including minimum density), and environmental topics such as confirmation of no wetlands, natural resources, or hazards on the Project Site.

Summary

Staff believes the findings for project approval can be made as demonstrated by Attachment No. PC 1 to this report. The Project is consistent with the intent of the HO-1 Subarea and is consistent with several policies of the General Plan Housing, Land Use, and Circulation Elements. If approved, the Project will provide a net increase of 139 for-sale attached single-unit dwellings, which further diversifies the City's housing stock and increases the supply of housing in Newport Beach, especially in an area with existing employment opportunities.

Alternatives and Housing Accountability Act Compliance

Should the Planning Commission's review and evaluation of this project not coincide with City staff's recommendation, then the following alternative options are available to the Planning Commission:

1. For projects that are fully consistent with objective general plan, zoning (including objective design standards), and subdivision standards, the Housing Accountability Act (Government Code Section 65589.5), restricts the City's ability to deny, reduce density of, or make infeasible housing developments, unless specific findings can be made. In this case, the Project does not meet all objective design standards and requires three waivers. Therefore, should the Planning Commission determine that there are insufficient facts to support one or more of the findings for approval for the requested waivers, the Planning Commission may propose modifications to the project or deny the application and provide facts in support of denial of the waivers subject to the limitations described below.
2. The Planning Commission may propose modifications that are necessary to eliminate the deviations from the ODS; however, the proposed modifications should not result in the reduction of dwelling units. If the proposed modifications

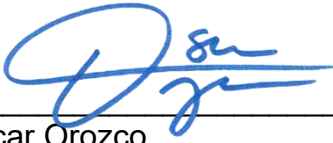
are substantial, the item could be continued to a special Planning Commission meeting. Should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions. The Planning Commission must make a final decision by July 19, 2026, to comply with Government Code § 65950(b) and Government Code § 65957 which requires a project be approved or disapproved 30 days from the conclusion of tribal consultation if the project uses the AB 130 statutory exemption for CEQA. The tribal consultation process concluded on March 21, 2026, and the deadline for a decision was April 20, 2026. However, the City and Applicant may mutually agree in writing to a one-time, 90-day extension. For this project the Applicant provided a one-time extension of up to 90 days, extending the decision date to July 19, 2026.

3. In the case of denial or imposing a condition that the Project be developed at a lower density or with any other conditions that would adversely impact feasibility of the proposed project, the Planning Commission must articulate the factual basis (burden of proof on the City) to justify denial or reduction in density for making the following findings and direct staff to return with a revised resolution incorporating the articulated findings and factual basis for the decision:
 - a. The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
 - b. There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

Public Notice

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

Prepared by:

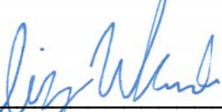


Oscar Orozco
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Deputy Community Development Director

ATTACHMENTS

- PC 1 Draft Resolution
- PC 2 General Plan Consistency Analysis
- PC 3 FAA Letter - Finding of No Hazard
- PC 4 Public Correspondence in Opposition
- PC 5 Applicants Project Description Letter
- PC 6 Project Plans

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