



CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT

January 31, 2019
Agenda Item No. 1

SUBJECT: Koll Center Residences (PA2015-024)

- Planned Community Development Plan Amendment No. PD2015-001
- Transfer of Development Rights No. TD2016-003
- Site Development Review No. SD2015-001
- Tentative Tract Map No. NT2015-002
- Traffic Study No. TS2015-002
- Tentative Parcel Map No. NP2016-027
- Development Agreement No. DA2015-001
- Environmental Impact Report No. ER2015-001

SITE LOCATION: 4400 Von Karman Avenue

APPLICANT/OWNER: Shopoff Realty Investments

PLANNER: Rosalinh Ung, Senior Planner
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PROJECT SUMMARY

A study session for the proposed Koll Center Residences project, which consists of a mixed-use residential development of up to 260 residential condominiums, 3,000 square feet of retail use, a freestanding parking garage, a 1.17-acre neighborhood park to be built on the 13.16-acre surface parking, and common landscape areas of the Koll Center Newport Planned Community.

RECOMMENDATIONS

- 1) Conduct a study session on Koll Center Residences project; and
- 2) Provide direction to staff.

BACKGROUND

The Planning Commission started, but was unable to complete, the scheduled January 18, 2018, study session due to Commissioner conflicts of interests resulting in a lack of a quorum. On September 13, 2018, Chair Zak was requalified by random draw of the conflicted Commissioners. With appointment of Commissioner Elmore to fill the unscheduled vacancy due to Commissioner Dunlap's resignation, the Planning Commission can proceed with its review of the project with a quorum consisting of Commissioners Zak, Koetting, Weigand, and Ellmore.

STUDY SESSION

The study session is intended to provide the Planning Commission and public an opportunity to review and discuss the proposed project, including the draft environmental impact report (DEIR). The study session is for discussion purposes only, and no action will be taken by the Planning Commission.

There have been no changes to the project since the publication of the January 18, 2018, study session staff report. The description and analysis provided in that report including the DEIR, Draft Responses to Comments received during the 62-day public review period for the DEIR, and the project drawings all remain relevant and accurate. Please refer to the prior report for a complete discussion of the project. Planning Commissioners have been provided a full printed copy of the staff report (Attachment PC 1) at the January 18, 2018, meeting. Due to the volume of this staff report, please visit the following link to view electronically: <https://www.newportbeachca.gov/koll>

A hard copy of Attachment PC 1 is also available for viewing in the Community Development Department Permit Center (Bay C-First Floor) at City Hall.

Public Comments

The City has received a significant number of comment letters and emails at, and subsequent to, the January 18, 2018, meeting. These correspondences including the late comments, received after the close of the November 13, 2017, DEIR review period up to January 17, 2019 which is the date of staff report printing, have been added as Section 6 of the Draft Responses to Comments (Attachment PC 2). Due to the volume of this section, please visit the following link to view electronically: <https://www.newportbeachca.gov/koll>

A hard copy of Attachment PC 2 is also available for viewing in the Community Development Department Permit Center (Bay C-First Floor) at City Hall.

In reviewing these comments, staff believes they do not raise any new issues not previously addressed in the DEIR and Responses to Comments submitted as part of the January 18, 2018, Planning Commission staff report. Additionally, staff does not believe the comments render the analysis DEIR deficient or to require recirculation of the DEIR. It is important to note that State CEQA Guidelines do not require the City, as a lead agency, to respond to late comments, reopen the comment period, or delay action on an Environmental Impact Report. However, staff recognizes that every comment is important and is part of the administrative record for the project.

Please note that any additional comment letters and/or emails received after January 17, 2019, will be forwarded to the Planning Commission and made available to the public.

Development Agreement

The proposed project requires a development agreement (DA) pursuant to General Plan Land Use Policy LU6.15.12 and Municipal Code Chapter 15.45. Planning Commission review is required pursuant to Section 65867 of the Government Code and Newport Beach Municipal Code Section 15.45.050. Staff and the applicant continue to negotiate the terms, and the process has not concluded as of the writing of this report. As a result, a draft DA is not available at this time. Staff and the applicant hope to conclude negotiations to finalize a draft agreement prior to a future public hearing, where the draft will be available for public review.

Public Notice

Public notice of this meeting has been provided in the following manner: 1) notice was mailed to property owners within 300 feet of the property; 2) notice was posted at the site; and 3) notice was sent through the City's e-mail notification system. The mailing, posting of the site, and notification occurred a minimum of 10 days in advance of the meeting, consistent with the provisions of the Municipal Code. The environmental review process has also been noticed consistent with the California Environmental Quality Act. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

Prepared by:



Rosalinh M. Ung
Senior Planner

Submitted by:



Jim Campbell
Deputy Community Development Director

ATTACHMENTS

- PC 1 January 18, 2018, Planning Commission Staff Report
- PC 2 Written Comments received after November 13, 2017 up to January 17, 2019
(Section 6 of Responses to Comments)

Attachment No. PC 1

January 18, 2018, Planning Commission
Staff Report

To view Attachment Nos. PC 1 and 2,
please follow the link below:

<https://www.newportbeachca.gov/koll>

Attachment No. PC 2

Written Comments Received After
November 13, 2017 Review Period up to
January 17, 2019 (Section 6 of Responses
to Comments)

To view Attachment Nos. PC 1 and 2,
please follow the link below:

<https://www.newportbeachca.gov/koll>