



CITY OF

NEWPORT BEACH

City Council Staff Report

October 12, 2021
Agenda Item No. 3

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Ordinance Nos. 2021-19 and 2021-20: Zone Change and
Development Agreement for a Residential Project at 150 Newport
Center Drive (PA2020-020)

ABSTRACT:

For the City Council's consideration are two ordinances for adoption to change the existing zoning district from "Office Regional (OR)" to "Planned Community (PC-61)" and approve a Development Agreement between the City of Newport Beach (City) and Newport Center Anacapa Associates, LLC for the Residences at Newport Center, located at 150 Newport Center Drive. The attached ordinances were introduced and considered at the September 28, 2021, City Council Meeting.

RECOMMENDATION:

- a) Find that the Residences at Newport Center project Environmental Impact Report (EIR) No. ER2021-002 (SCH No. 2020110087) certified by the City Council on September 28, 2021, by Resolution No. 2021-90 was prepared for the project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and City Council Policy K-3;
- b) Conduct second reading and adopt Ordinance No. 2021-19, *An Ordinance of The City Council of the City of Newport Beach, California, Approving Development Agreement No. DA2020-001 for the Residences at Newport Center Located at 150 Newport Center Drive (PA2020-020)*; and
- c) Conduct second reading and adopt Ordinance No. 2021-20, *An Ordinance of the City Council of the City of Newport Beach, California, Approving Zoning Code Amendment No. CA2020-008 and Planned Community Development Plan No. PC2020-001 Establishing the Residences at Newport Center Located at 150 Newport Center Drive (PA2020-020)*.

DISCUSSION:

On September 28, 2021, the City Council heard a presentation to change the general plan to allow 28 residential units at the property located at 150 Newport Center Drive. At the meeting, the City Council introduced and passed to a second reading and adoption Ordinance No. 2021-20, which changes the existing Zoning District from “Office Regional (OR)” to “Planned Community (PC-61)”. The City Council also introduced and passed to second reading and adoption Ordinance No. 2021-19, which approves a Development Agreement between the City and Newport Center Anacapa Associates, LLC.

FISCAL IMPACT:

A voluntary Development Agreement has been requested by Newport Center Anacapa Associates, LLC. As part of the Development Agreement, the applicant has agreed to pay a public benefit fee to the City in the sum of \$2,500,000, or \$89,285.71 per residential dwelling unit. The developer is required to pay the public benefit fee to the City at the time of the City’s issuance of the first building permit for the project.

The Development Agreement allocates the total fee into the following categories:

- \$1,875,000 for any public purpose that the City determines to be in the public interest
- \$325,000 for affordable housing
- \$150,000 to fund services for those experiencing homelessness
- \$150,000 to fund public safety

ENVIRONMENTAL REVIEW:

EIR No. ER2021-002 (SCH No. 2020110087) was prepared in accordance with the implementing guidelines of CEQA, the State CEQA Guidelines, and the City Council Policy K-3, which included an analysis of the proposed zoning changes and Agreement. The City Council certified the EIR on September 28, 2021, by Resolution No. 2021-90.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENTS:

Attachment A – Ordinance No. 2021-19 (DA)

Attachment B – Ordinance No. 2021-20 (PC)