

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Newport Beach, CA 90802-4302  
(562) 590-5071



Filed: May 15, 1998  
49th Day: July 3, 1998  
180th Day: Nov. 11, 1998  
Staff: SFR-LB *mk*  
Staff Report: Sept. 24, 1998  
Hearing Date: Oct. 13-16, 1998  
Commission Action: Approved with Conditions

**STAFF REPORT: REVISED FINDINGS**

**APPLICATION NO.:** 5-98-054

**APPLICANT:** Irvine Company

**AGENT:** David Neish

**PROJECT LOCATION:** 1200 Newport Center Drive, City of Newport Beach,  
County of Orange

**PROJECT DESCRIPTION:** Construction of 2 two story 50,400 sq. ft. (gross) office buildings for a total of 100,800 sq. ft. (gross) of office space with 386 parking spaces on an existing vacant site. The maintenance of 1.6 acres of open space. The construction of a 60" storm drain through the site which will parallel an existing 69" storm drain. Grading consists of approximately 30,000 cu. yds. which includes approximately 12,000 cu. yds. of excavation and 15,000 cu. yds. of fill including approximately 3,400 cu. yds. of import to the site.

**DATE OF COMMISSION ACTION:** June 10, 1998

**COMMISSIONERS ON PREVAILING SIDE:** Commissioners Allen, Brothers, Dettloff, Flemming, Johnson, Nava, Reilly, Staffel, Hickox, Wan, and Chairman Areias

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission adopt the following revised findings in support of the Commission's action on June 10, 1998 approving the Corporate Plaza West project with four special conditions. Special conditions contained in this staff report concern: future development, lane closures, conformance with the geological recommendations, and conformance with water quality standards.

2. Expiration. If construction has not commenced, the permit will expire two years from the date on which the Commission voted on the application, or in the case of administrative permits, the date on which the permit is reported to the Commission. Construction shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All construction must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director of the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### III. Special Conditions.

#### 1. Future Development

This coastal development permit 5-98-054 approves only the development, as expressly described and conditioned herein, for the proposed office buildings located at 1200 Newport Center Drive in the City of Newport Beach. Any future development, such as a change in the intensity of use (including a change in the number of parking spaces or a change in the use of the structure) shall require an amendment to this permit from the Coastal Commission or a new coastal development permit.

- b) The applicant shall comply with the Water Quality Management Plan for Corporate Plaza West (February 1998) prepared by the Keith Companies to prevent off-site contamination.
- c) The applicant shall comply with the requirements of State Water Resources Control Board for WDID (waste discharge identification number) 830S308494 when constructing the storm drain.

#### **IV. Findings and Declarations.**

The Commission hereby finds and declares as follows:

##### **A. Project Description and Location**

The proposed project is located at 1200 Newport Center Drive in the City of Newport Beach, County of Orange (Exhibit 1). The project site is currently vacant and totals 19.8 acres in size. Harmsworth Associates, an environmental consulting firm, on March 30, 1998 conducted a site survey which upheld previous habitat evaluations of the site concluding that the site did not possess significant habitat value. The project site is currently one lot.

The applicant proposes to construct, on ten acres of the site, 2 two story office buildings with 386 parking spaces (Exhibit 2). Each office building will total 50,400 sq. ft. (gross) for a combined total of 100,800 sq. ft. of office space (gross). Each two story office building contains 516 sq. ft. of space devoted to second story elevator shafts and stairwells. When evaluating parking demand for multi-story buildings, elevator and staircase square footage above the first floor is not counted. This leaves a total 48,884 square feet of space for each building when evaluating parking demand. Parking demand will be based on a total of 97,768 sq. ft. A total of 1.6 acres of the 19.8 acre site will be designated as open space.

Additional project components include: the construction of a 60" storm drain through the site which will parallel an existing 69" storm drain, and grading of approximately 30,000 cu. yds. which includes 12,000 cu. yds. of excavation, 15,000 cubic yds. of fill including approximately 3,400 cu. yds. of import onto the site. The imported material will come from a nearby site outside the coastal zone.

##### **B. CIOSA Development Agreement**

Corporate Plaza West is one of eleven parcels subject to the Circulation Improvement and Open Space Development Agreement (CIOSA) between the City of Newport Beach and the Irvine Company. The Commission approved this

located on Pacific Coast Highway which is a major coastal access route used by the public. The immediate project vicinity consequently experiences high vehicular and pedestrian traffic volumes during the summer months.

One of the strongest legislative mandates of the Coastal Access is the preservation of coastal access. Section 30211 of the Coastal Act mandates that development shall not interfere with the public's right of access to the sea. Section 30252 of the Coastal Act requires that new development should maintain and enhance public access to the coast by providing adequate parking. When new development does not provide adequate on-site parking, users of that development are forced to occupy public parking that could be used by visitors to the coast. A lack of public parking discourages visitors from coming to the beach and other visitor serving activities in the coastal zone. The lack of parking would therefore have an adverse impact on public access. In this case, the project site is located on Pacific Coast Highway, a major public arterial route to the Pacific Ocean and Newport Harbour. Pacific Coast Highway in the project vicinity parallels the coast about one-half mile inland. All private development must, as a consequence provide adequate on-site parking to minimize adverse impacts on public access.

The Commission has consistently found that one parking space is necessary for each 250 sq. ft. of gross general office space or personal service establishment to satisfy the parking demand generated. The proposed project is 97,768 sq. ft. in size based on excluding second story elevator shafts and stairwells. Based on the Commission's regularly imposed standard of one space for each 250 sq. ft. the parking demand totals 399 spaces. The applicant proposes 386 on-site parking spaces. Consequently the proposed development is 13 space deficient in supplying the required number of parking spaces.

The applicant submitted a traffic report through a letter dated May 8, 1998 by Pirzadeh and Associates, a transportation planning consulting firm, stating that the proposed 386 parking spaces would be sufficient based on an anticipated occupancy rate of 95%. This conclusion is based on using the office occupancy rates in Irvine and the Newport Beach Fashion Island area. Under a 95% occupancy rate, parking demand is anticipated to be 380 spaces for a surplus of 6 spaces according to Pirzadeh and Associates. The traffic consultant did not enumerate whether the comparative sites were in or outside the coastal zone.

Office space in the coastal zone may have a higher occupancy rate given the overall greater desirability of the coastal zone for working, living, and recreating. However, in this particular case two factors mitigate the need to require that the 13 parking space deficiency based on the Commission's parking guidelines be made up. First, the proposed development is close to the coastal zone boundary and is part of a larger office and retail complex (Fashion Island and Newport Center). Some portions of the retail and office complex are outside the coastal zone. This

adversely affected the Commission must impose a special condition to state that no construction which would result in lane closures on Pacific Coast Highway shall be allowed from the Friday before Memorial Day through Labor Day. However, the applicant must still submit an encroachment permit for any lane closures occurring from Labor Day through the Friday before Memorial Day. Thus, as conditioned for the submission of a revised parking plan, for a future improvements special condition, and a prohibition on lane closures affecting Pacific Coast Highway during the summer does the Commission find that the proposed development would be consistent with the development and public access policies of the Coastal Act.

#### **D. Geotechnical**

Section 30253 of the Coastal Act states, in relevant part:

*New development shall:*

- (1) *Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) *Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The proposed development involves the construction of a two story office building with substantial grading. Grading is estimated at a total of 30,000 cu. yds. with approximately 12,000 cu. yds. of excavation and 15,000 cu. yds. of fill including 3,400 cu. yds. of import. Further, the geotechnical evaluation has identified site specific concerns that require correction. The plans submitted with the application have not been reviewed by the geotechnical firm to assure that the design of the proposed structure will minimize risks to life and property. Consequently, the design of the proposed structures must be reviewed by a geotechnical firm to assure that the project will minimize risks to life and property.

To evaluate the suitability of the proposed office buildings for the proposed site, NMG Geotechnical, Inc. prepared a geotechnical report which is dated December 29, 1997. The report concludes: *"Based on the results of our field investigation and laboratory testing, review of previous geotechnical data, and analysis and review of the proposed development features, it is our opinion that the subject site is geotechnically suitable for the proposed development provided the recommendations in this report are implemented."*

Though the report concludes that the project can be undertaken, the geotechnical consultants have made recommendations which must be complied with by the applicant to assure that the project will minimize risks to life and property, and will

the Newport Bay watershed, which would include Newport Harbor, for increased scrutiny as a higher priority watershed under its new Watershed Initiative.

To assure that the proposed development will not have an adverse impact on coastal waters, the applicant has obtained from the State Water Resources Control Board as waste discharge permit for the proposed storm drain system. The applicant has also prepared a Storm Water Pollution Prevention Plan and Water Quality Management Plan for the proposed office construction. Best Management practices include (but are not limited to): irrigation water management to avoid excess runoff, common runoff area designated to promote infiltration, trash container areas, and catch basin stenciling to inform people that the storm drains empty into the ocean, litter control, and catch basin maintenance. To assure that coastal waters will not be adversely impacted by the proposed development the Commission must impose a special condition to require that the applicant comply with Permit 830S308494 issued by the State Water Resources Control Board and the Storm Water Pollution Prevention Plan and Water Quality Management Plan prepared by the Keith Companies. Only as conditioned for compliance with these plans does the Commission find the proposed development consistent with Section 30231 of the Coastal Act regarding the protection of the marine environment.

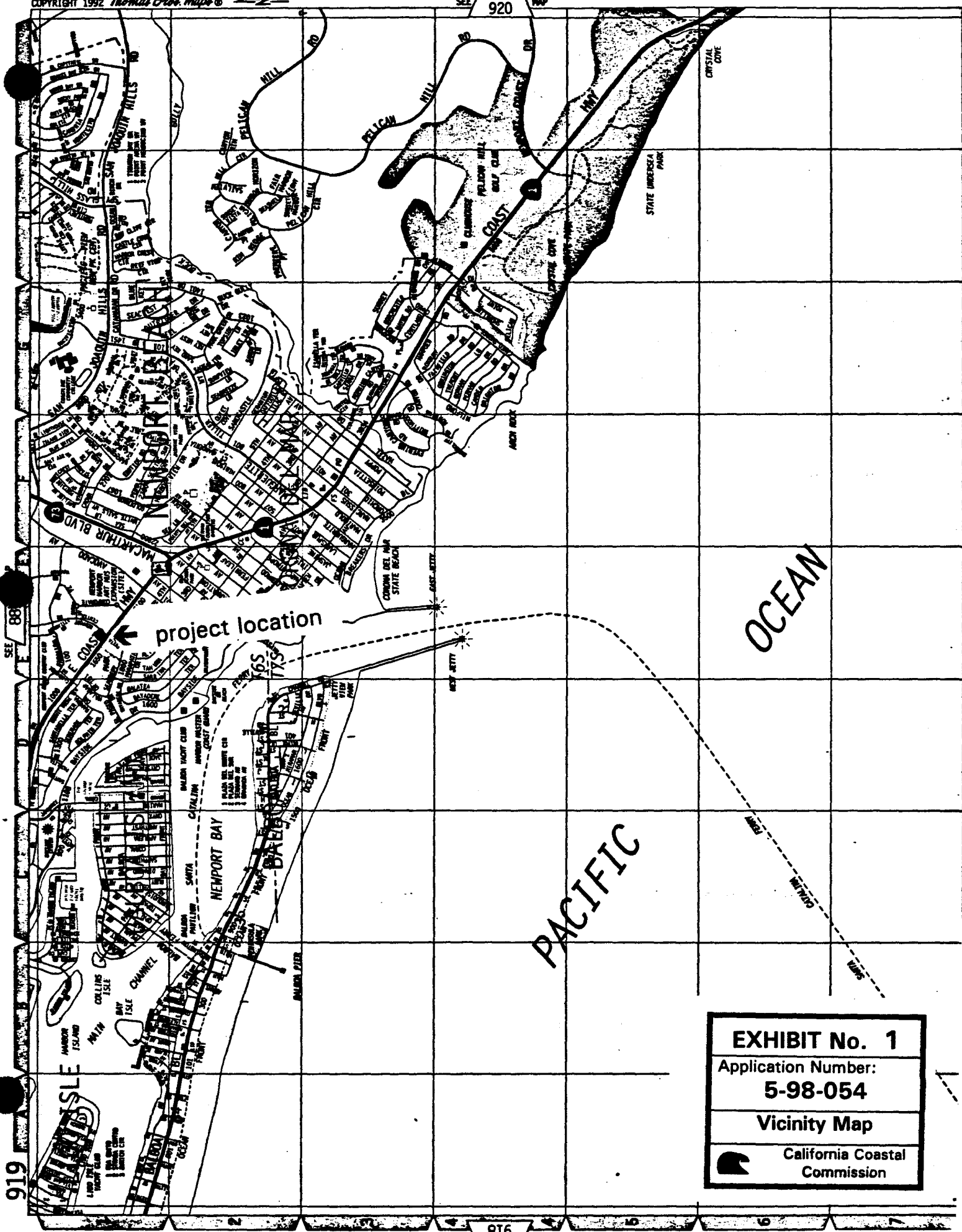
#### **F. Local Coastal Program**

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with the Chapter 3 policies of the Coastal Act.

The Newport Beach Land Use Plan was certified on May 19, 1982. The project as conditioned is consistent with the Chapter 3 policies of the Coastal Act. The proposed development will not prejudice the City's ability to prepare a Local Coastal Program for Newport Beach that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

#### **G. California Environmental Quality Act**

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.



**EXHIBIT No. 1**

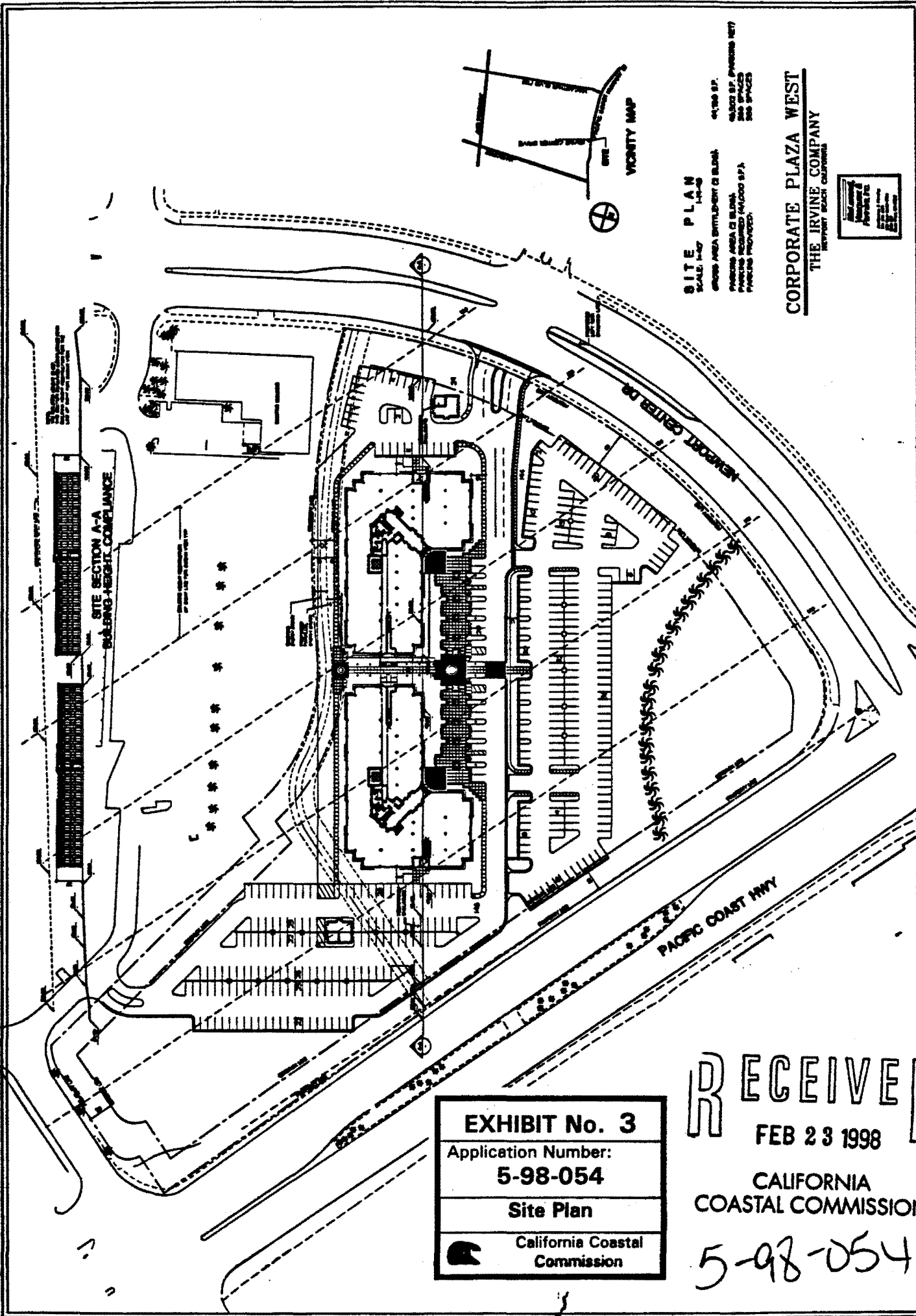
Application Number:

**5-98-054**

**Vicinity Map**

California Coastal  
Commission





**SITE PLAN**  
 SCALE: 1/4" = 1'-0"  
 GROSS AREA: 1,111,000 S.F.  
 PARKING AREA: 1,111,000 S.F.  
 PARKING REQUIRED: 14,000 S.P.  
 PARKING PROVIDED: 14,000 S.P.  
 41,700 S.F.  
 41,700 S.F. (PARKING LOT)  
 41,700 S.F. (PARKING LOT)  
 41,700 S.F. (PARKING LOT)

**CORPORATE PLAZA WEST**  
 THE IRVINE COMPANY  
 REVERLY BEACH, CALIFORNIA



<b>EXHIBIT No. 3</b>
Application Number: <b>5-98-054</b>
<b>Site Plan</b>
California Coastal Commission

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 FEB 23 1998  
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 5-98-054



# PIRZADEH

**& ASSOCIATES**

*Transportation Planning,  
Engineering & Project Management*

May 8, 1998

RECEIVED  
MAY 11 1998

CALIFORNIA  
COASTAL COMMISSION

Mr. Stephen Rynas, AICP  
California Coastal Commission  
South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302

Subject: Coastal Development Permit Application ——— (The Irvine Company)  
Corporate Plaza West

Dear Mr. Rynas:

In response to staff comments regarding the parking requirements for the subject project, I have been asked to evaluate the parking needs at the project site. Based on the review of the project and the amount of parking provided on-site, it is my opinion that the proposed office building will meet or exceed the parking demand for the site. Also, the number of parking spaces provided for the project is consistent with the City of Newport Beach requirements for similar facilities.

The typical parking demand and trip generation rate for a project is based on the expected use of that portion of the facility that generates daily trip making activity. For example, trip generation rate for a commercial/office facility is based on the gross leaseable area. Therefore, the application of parking demand rates should consider an adjustment factor for the occupancy of the building and those portions of the building, such as mechanical equipment rooms and elevator shafts, that do not generate any trip making activity.

When parking a demand rate is applied to the gross square footage of the building, a reasonable adjustment factor should be applied based on the typical occupancy rate of the similar facilities in the area. The highest office building occupancy rate in the Irvine and Newport Beach Fashion Island area is at about 95%. This occupancy rate is about the highest achievable level for typical office buildings due to the normal tenant turn over and tenant improvement activities. Therefore, when using a gross area parking demand rate, similar to the rate utilized by the Coastal Commission, the project area should be adjusted to reflect the typical occupancy rate.

17801 Cartwright Road  
Suite D  
Irvine, CA 92614  
Telephone 714 851 1367  
Facsimile 714 851 5179

**EXHIBIT No. 5**

Application Number:

**5-98-054**

**Pirzadeh Letter**



California Coastal  
Commission

**PIRZADEH****& ASSOCIATES***Transportation Planning,  
Engineering & Project Management***May 4, 1998**

**Mr. John Morgan**  
Vice President, Development  
Irvine Industrial Company  
550 Newport Center Drive  
P.O. Box 6370  
Newport Beach, CA 92658-6370

**Subject : Newport Center, Corporate Plaza West**


**Dear John:**

In response to the Coastal Commission staff's question regarding the existing level of service along Newport Center Drive and the proposed project driveway, we have reviewed the data presented in the February 11, 1998 signal analysis conducted by Austin-Foust Associates, Inc. The information presented in the report indicates that the proposed signal at the project access will not cause a significant delay along Newport Center Drive.

The existing level of service along Newport Center Drive in the vicinity of the project driveway is "B." The level of service will change to "C" with the development of the proposed project. This level of service is consistent with the performance level adopted by the California Coastal Commission for CIOSA.

Please call me if you have any questions, or if you need any additional information.

Sincerely,



**Peter K. Pirzadeh, P.E.**  
Principal

Corporate Plaza West, Newport Beach, CA 92658-6370

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MAY 5 1998

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**EXHIBIT No. 6**

Application Number:

**5-98-054**

**Pirzadeh Letter**



**California Coastal  
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