



## Notice of Preparation and Scoping Meeting The Koll Center Residences Environmental Impact Report

**DATE:** January 4, 2017

**TO:** Reviewing Agencies and Other Interested Parties

**FROM:** City of Newport Beach, Community Development Department, 100 Civic Center Drive, Newport Beach, CA 92660

**PROJECT TITLE/SUBJECT:** The Koll Center Residences – Notice of Preparation of an Environmental Impact Report (EIR) and Public Scoping Meeting

**NOTICE OF PREPARATION REVIEW PERIOD:** January 4, 2017 to February 2, 2017

**SCOPING MEETING:** Wednesday, January 18, 2017, at 6:00 PM, Newport Beach Central Library, Friends Room, 1000 Avocado Avenue, Newport Beach, CA 92660

Pursuant to Public Resources Code Section 21165 and the California Environmental Quality Act Guidelines (CEQA Guidelines) Section 15050, the City of Newport Beach (City) is the Lead Agency responsible for preparation of an Environmental Impact Report (EIR) addressing potential impacts associated with the proposed The Koll Center Residences Project.

### **REQUEST FOR COMMENTS ON THE SCOPE OF THE EIR**

The purpose of this Notice of Preparation (NOP) is to solicit comments and suggestions regarding the scope and content of the EIR and the environmental issues and alternatives to be addressed in the EIR (CEQA Guidelines § 15082). This NOP also provides notice for the public scoping meeting. The City, as Lead Agency, respectfully requests that any Responsible or Trustee Agency responding to this notice reply in a manner consistent with State CEQA Guidelines Section 15082(b). Comments and suggestions should identify the significant environmental issues, reasonable alternatives, and mitigation measures that should be explored in the EIR, in addition to whether the responding agency will be a responsible or trustee agency for the proposed project.

The attached summary of the proposed project's probable environmental effects and alternatives is not an analysis of the project or its impacts. The project summary information is intended to provide said agencies, interested parties, and organizations with sufficient information describing the proposed project and the environmental issues that will be addressed in the EIR so that meaningful responses and comments can be provided.

### **PROJECT LOCATION**

The project site is located in the Koll Center Planned Community, at 4400 Von Karman Avenue (Assessor Parcel Numbers [APN] 445-131-04, -29, -30). The site is approximately 12.56 acres and is currently developed with surface parking lots and common landscape areas. The irregularly-shaped site is generally bordered by Birch Street to the northeast, Von Karman Avenue to the west, and existing office uses and associated surface parking lots and garages to the east and south. The project site is located northwest of the Uptown Newport mixed-use development which is currently under construction.

### **PROJECT DESCRIPTION**

The project site has a General Plan land use designation of Mixed Use Horizontal (MU-H2) and a zoning designation of Koll Center Newport Planned Community Development Plan (PC-15 Koll Center). The proposed mixed-use infill development includes 260 residential condominiums, 3,000 square feet (sf) of ground-floor retail uses, a 1-acre public park, a parking structure, and the reconfiguration of existing surface parking.

The existing office buildings located within the boundaries of the project site (4440 Von Karman, 4490 Von Karman, 4900 Birch, 4910 Birch), or immediately contiguous to the project site (5000 Birch, 4340 Von Karman,

4350 Von Karman) are not a part of the proposed development. The proposed residential units would be in three, 13-story podium buildings. The three buildings would be approximately 150 feet in height with 2 levels of above-grade parking and 2 to 3 levels of below-grade parking. The proposed one-acre public park would be located adjacent to the entrances to the project site from Birch Street.

All project parking would be provided in parking garages underneath the buildings, with additional on-site surface parking for the proposed one-acre public park and retail uses. Parking displaced by project construction activities and by the proposed development would be provided in a new parking structure to be located southeast of the 5000 Birch office tower's parking structure.

A more detailed Project Description is provided in the attached Project Summary, which is intended to provide agencies, and interested parties and organizations with sufficient information meaningful comments can be provided to the City.

### **RESPONDING TO THIS NOTICE**

The City requests your careful review and consideration of this notice, and it invites input and comments from responsible and trustee agencies, and interested persons and organizations regarding the preparation of the EIR. Pursuant to CEQA Section 21080.4, agencies must submit any comments in response to this notice no later than *30 days after receipt of this notice*. The City will accept comments from other parties regarding this notice through the close of business on February 2, 2017. If comments are submitted by e-mail with attachments, it is recommended that the attachments be delivered in writing. Virus protection measures and variety of formats for attachments can limit the ability for the attachments to be delivered. E-mail responses to this notice may be sent to RUngh@newportbeachca.gov.

All comments or other responses to this notice should be submitted in writing to:

Rosalinh Ung, Associate Planner  
City of Newport Beach  
Community Development Department  
100 Civic Center Drive  
Newport Beach, California 92660

The NOP is also available at the City of Newport Beach at the address and department noted above, and can also be accessed online at: <http://www.newportbeachca.gov/ceqadocuments>. Additionally, copies of the document are also available for review at the following City of Newport Beach public libraries:

Central Library  
1000 Avocado Avenue  
Newport Beach, CA 92660

Mariners Branch  
1300 Irvine Avenue  
Newport Beach, CA 92660

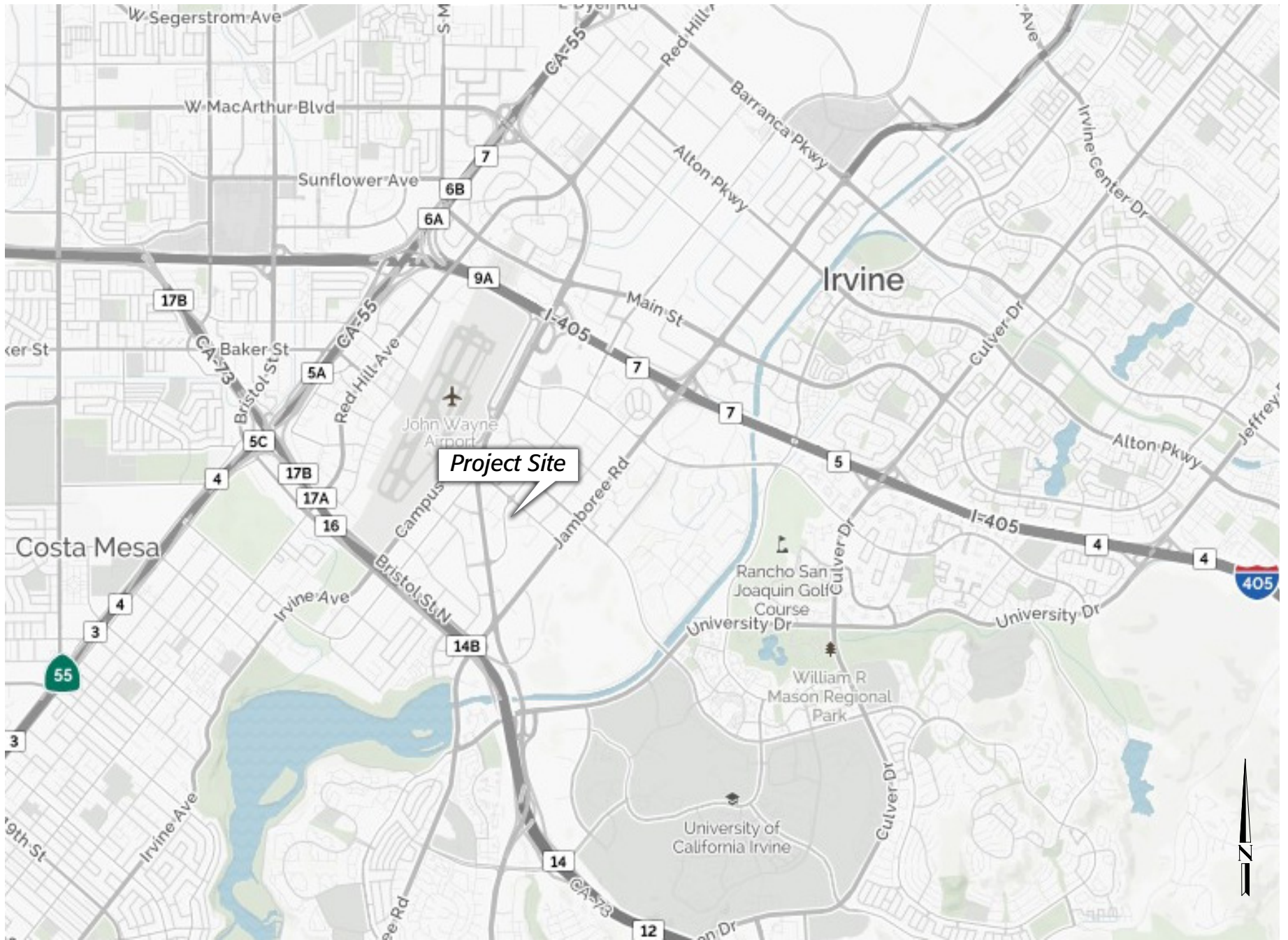
Balboa Branch  
100 East Balboa Boulevard  
Newport Beach, CA 92660

Corona del Mar Branch  
420 Marigold Ave.  
Corona Del Mar, CA 92625

All parties that have submitted their names and mailing addresses will be notified of the availability of the Draft EIR. If you wish to be placed on the mailing list, have any questions, or need additional information, please contact the person identified above at (949) 644-3208.

### **SCOPING MEETING**

The City will hold a Public Scoping Meeting to solicit comments on the scope of the EIR at 6:00 PM on January 18, 2017, in the Friends Room of Newport Beach Central Library, 1000 Avocado Avenue. Questions regarding the Scoping Meeting should be directed to Rosalinh Ung.



**Figure 1: Regional Location**





**Figure 2:** Project Vicinity



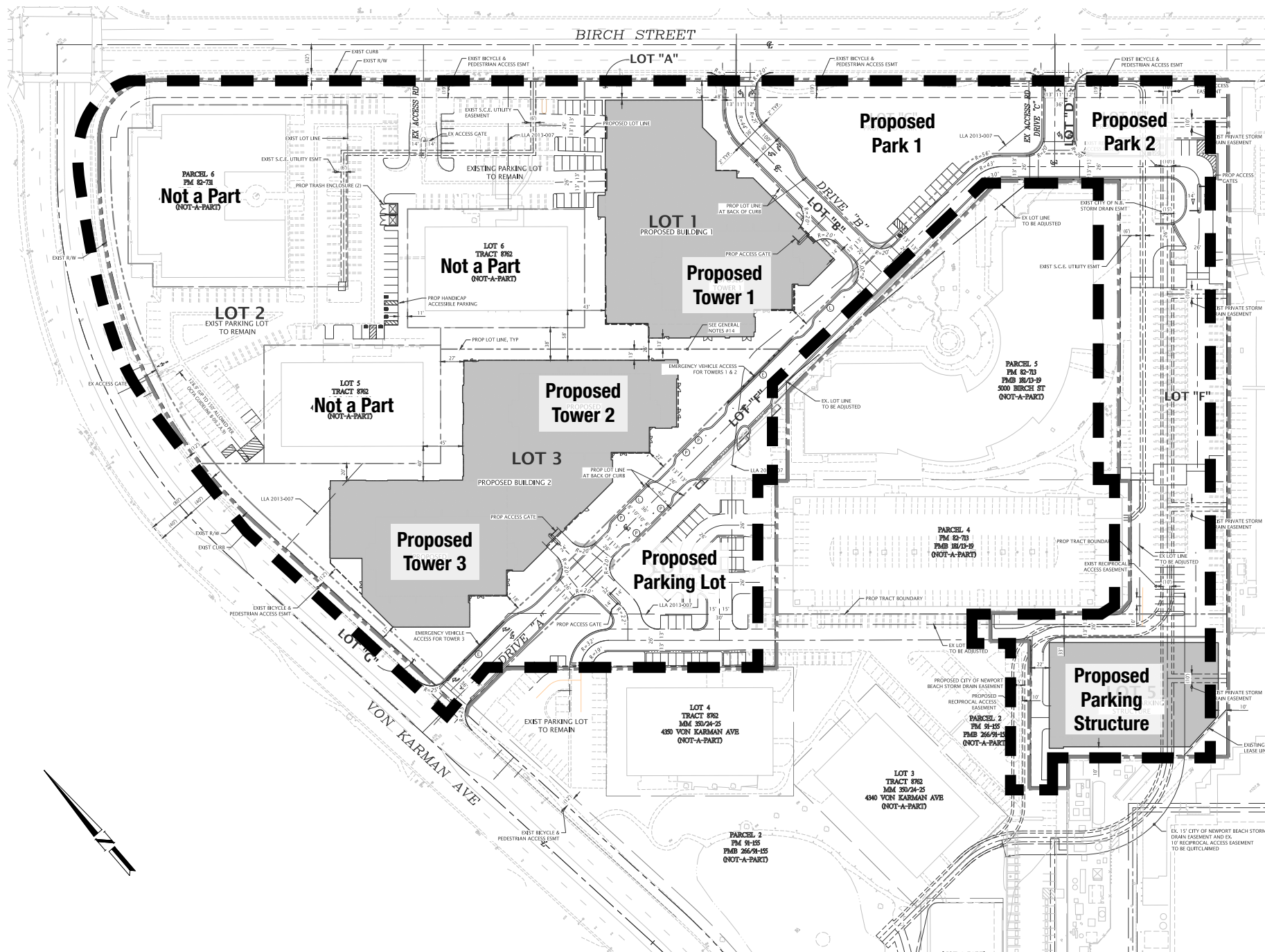


Figure 3: Conceptual Site Plan

## THE KOLL CENTER RESIDENCES

The Koll Center Residences Project (proposed project) includes 260 residential condominiums, 3,000 square feet (sf) of ground-floor retail uses, a 1-acre public park, a parking structure, and the reconfiguration of existing surface parking areas. To allow for the construction of the proposed project, existing surface parking areas and common landscape areas would be demolished. The existing office buildings located within the boundaries of the project site (4440 Von Karman, 4490 Von Karman, 4900 Birch, 4910 Birch), or immediately contiguous to the site (5000 Birch, 4340 Von Karman, 4350 Von Karman) are not a part of the proposed development. The proposed residential units would be in three, 13-story buildings. The three buildings would be approximately 150 feet in height with 2 levels of above-grade parking and 2 to 3 levels of below-grade parking. The proposed one-acre public park would be located adjacent to the entrances to the project site from Birch Street.

All project parking would be provided in parking garages underneath the buildings, with additional on-site surface parking for the proposed one-acre public park and retail uses. Parking displaced by project construction activities and by the proposed development would be provided in a new parking structure to be located southeast of the 5000 Birch office tower's parking structure.

### Existing Setting

The project site is in the Koll Center Office Park, at 4400 Von Karman Avenue (Assessor Parcel Numbers [APN] 445-131-04, -29, -30). The site is approximately 12.56 acres and is currently developed with surface parking lots and common landscape areas. The site is relatively flat at an approximate elevation of 46 to 52 feet above mean sea level (msl). The irregularly-shaped site is generally bordered by Birch Street to the northeast, Von Karman Avenue to the west, and existing office uses and associated surface parking lots and garages to the east and south. Vehicular access to the project site is provided from driveways along Birch Street and Von Karman Avenue.

### Surrounding Land Uses

Koll Center is comprised of clusters of low-, mid-, and high-rise office buildings (from 1 to 15 stories in height) typically set back from roadways by large surface parking lots and ornamental landscaping. Three office buildings are located directly north of the proposed development and three office buildings are located directly south.

The Extended Stay America Hotel and the Fairmont Newport Beach Hotel are located on the northwest and southwest corners, respectively, of Von Karman Avenue at Birch Street. The project site is approximately 0.5 mile southwest of John Wayne Airport, and 0.3 mile northwest of the San Joaquin Freshwater Marsh Reserve, and 1.5 miles northwest of the University of California, Irvine (UCI).

The Uptown Newport project site is located southeast of the project site within the City's Airport Area. Under Phase 1 construction, Uptown Newport will include up to 1,244 residential units, 11,500 sf of neighborhood-serving retail space, and 2 acres of park space when completed. Allowed building heights for Uptown Newport are up to 150 feet.

### General Plan Land Use

The project site is designated as Mixed Use Horizontal (MU-H2) in the General Plan. The MU-H designation is intended to provide for the development of areas in a horizontally distributed mix of uses, which may include general or neighborhood commercial, commercial offices, multi-family residential, visitor-serving and marine-related uses, and/or buildings that vertically integrate residential with commercial uses. The proposed land uses are consistent with the General Plan land use designation on the property.

The MU-H2 designation specifically applies to properties located in the Airport Area. It provides for a 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.

- A maximum of 2,200 residential units are permitted as replacement of existing office, retail, and/or industrial uses at a maximum density of 50 units per adjusted gross acre, of which a maximum of 550 units may be developed as infill.
- Non-residential uses are permitted according to the limits included in General Plan Table LU2: Anomaly Locations. The project site is located within Anomaly Location 2 of Statistical Area L4. Anomaly Location 2 has a development limit of 1,052,880 square feet.

### **Existing Zoning**

The project site is zoned Koll Center Newport Planned Community Development Plan (PC-15 Koll Center). Specifically, the project site is located in Professional and Business Offices Site B of the Koll Center Newport Planned Community. The City of Newport Beach Municipal Code Section 20.35.010 states that a Planned Community (PC) District is intended to “provide for the classification and development of parcels of land as coordinated, comprehensive projects so as to take advantage of the superior environment which can result from large-scale community planning...Include various types of land uses, consistent with the General Plan, through the adoption of a development plan and text materials which set forth land use relationships and development standards.” The boundary of the existing Planned Community District (PC-15 Koll Center) includes all parcels bordered by Campus Drive to the northeast, Jamboree Road to the southeast, and MacArthur Boulevard to the southwest. PC-15 zoning permits professional and business offices, hotels and motels, retail, restaurants and entertainment, a courthouse, private clubs, and auto detailing and service stations. Site B allows professional and business offices, restaurants, and support commercial uses.

### **Proposed Zoning**

The proposed project includes a request for an amendment to the Koll Center Newport Planned Community Development Plan (PC-15 Koll Center) text to allow for residential mixed-use development in Professional and Business Offices Site B.

### **Description of Proposed Project**

The applicant proposes the demolition of existing surface parking lots and landscape improvements to accommodate the development of 260 luxury residential condominiums in three 13-story residential buildings with structured parking; 3,000 sf of ground-floor retail; a 1-acre public park; and a free-standing parking structure. Residential units are proposed as one-, two- and three-bedroom units. The units would be configured as flats ranging in size from approximately 1,240 sf to 3,160 sf with private patios/balconies. Each residence would have a semi-private access through a private lobby in each building or from a secured residents-only area of the parking garage.

Implementation of the proposed project would be phased over a four-year period with demolition and construction activities anticipated to commence in the first quarter of 2018 and construction completed in the third quarter of 2022. A free-standing parking structure would be constructed prior to the first residential building (Building 1) to accommodate surface parking temporarily and permanently displaced. Completion of the parking structure would be followed by Building 1, and then Buildings 2 and 3. The project site would be graded, and foundation excavation would require the removal of the approximately 107,000 cubic yards of soil in total.

	Building 1	Building 2	Building 3	Total
One-Bedroom Units	17	16	17	50
Two-Bedroom Units	60	60	60	180
Three-Bedroom Units	10	10	10	30
<i>Total Units</i>	<i>87</i>	<i>86</i>	<i>87</i>	<i>260</i>
Gross Building Area (sf)	238,890	447,237		686,127
Retail Space (sf)	1,768	1,232		3,000
Parking Garage within each Building	202,112	181,411		383,523
<i>Gross Floor Area (sf)</i>	<i>441,002</i>	<i>628,648</i>		<i>1,072,650</i>

Implementation of the project would displace approximately 819 parking spaces associated with the existing office buildings. While a portion of the spaces will be replaced as surface parking around the proposed residential buildings, other spaces will be permanently displaced for the three buildings, a one-acre public park, and free-standing parking structure.

**Phase A** includes the demolition of approximately 137 surface parking spaces to allow for the construction of a 490-stall parking structure. The approximately 50-foot-high parking structure would include three levels of below-ground parking and five levels of above-ground parking and roof deck parking. Valet parking is proposed for the use of office employees and visitors during the construction of the parking structure. Phase A would begin in advance of breaking ground on the remainder of the residential buildings. Grading associated with the parking structure would be approximately 24,726 cubic yards (CY) of cut with approximately 24,139 CY of export from the project site. Construction activities are anticipated to occur over an approximate 10-month timeframe.

**Phase 1** includes the demolition of approximately 307 surface parking spaces to allow for the construction of the first residential building. Accessible parking spaces for the 4440 Von Karman office building and the trash enclosure would be relocated from the south to north side of the building, and surface parking improvements adjacent to the building would be provided.

Building 1 would be located adjacent to Birch Street and adjacent to the office building located at 4910 Birch Street within the boundaries of the project site. Building 1 includes 87 residential units with 5 levels of parking (2 levels above-grade and 3 levels of below-grade parking), and approximately 1,768 sf of retail uses on the ground level of Building 1. The parking garages within the buildings would be gated. The displaced parking is replaced in the new free-standing parking structure and at Building 1. Construction activities are anticipated to occur over an approximate 22-month timeframe.

**Phase 2** includes the demolition of approximately 243 office parking spaces to allow for the construction of Building 2 and Building 3. Building 2 would be located adjacent to and south of Building 1. Building 3 would be located southwest of Building 2. Buildings 2 and 3 include 86 and 87 residential units, respectively, 4 levels of parking (2 levels above-grade and 2 levels of below-grade parking), and approximately 1,232 sf of retail on the ground level of Building 2. The displaced parking is replaced in the new free-standing parking structure and Phase 1 parking garage in Building 1. Buildings 1 and 2 would require approximately 103,005 CY of cut with approximately 97,926 CY of export from the project site. Construction activities are anticipated to occur over an approximate 22-month timeframe.

**Phase 3** includes the demolition of approximately 132 parking spaces to allow for the construction of the public park and the reconfiguration of on-site surface parking and access. The displaced parking is



replaced in the new free-standing parking structure. Construction activities are anticipated to occur over an approximate 6- to 9-month timeframe.

### **Parking, Circulation, and Access**

Parking would be provided in the new free-standing parking structure, a parking garage within Building 1, and a shared parking garage within Buildings 2 and 3. Additional parking would be provided in surface lots and along private streets. Ingress and egress into the project site, as well as the existing office buildings, would be provided from three locations on Birch Street and two locations on Von Karman Avenue.

### **Open Space and Landscaping**

The project would include construction of a one-acre public park with dedicated parking in the location of the existing surface parking area adjacent to Birch Street. Recreational uses within the park may include a pickleball court; lawn; park plaza with picnic area; recreation area with seating; and botanical gardens.

In addition to the public park, a plaza lounge with seating and a water feature would front the retail space along the main private street through the site. An elevated “Marsh Walk” would connect existing office buildings to the northeast with the proposed residential buildings. Parking lots and sidewalks would be landscaped.

Atop the podium of each building, private open space could include a club room, pool, spa, pool deck with shower and restroom, lawn, amenity courtyard, fitness area, and bocce ball courts. Private patios/balconies would also be provided for each residential unit.

### **Utilities**

The proposed project would connect to existing utility systems. The project site is within the service area of the Irvine Ranch Water District. The City of Newport Beach collection system serves the project site and conveys wastewater to the Orange County Sanitation District. Storm water drainage is managed by the City and the Orange County Flood Control Division of the Orange County Public Works Department. Dry utilities—Southern California Edison for electricity, Southern California Gas Company for natural gas, AT&T for telephone service, and Cox Communications for cable television and data transmission—would be extended to the new buildings.

### **Alternatives to the Proposed Project**

CEQA Guidelines Section 15126.6(a) requires that, “an EIR 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 anticipated range of alternatives to be addressed for the project will include alternatives that are specifically required (i.e., No Project; No Action/No Development) by CEQA. Additional land use alternatives to be addressed could include a reduced development/reduced density alternative and a design alternative.

### **Anticipated Discretionary Project Approvals**

City of Newport Beach discretionary actions that could be approved based on the certification of the Final EIR would include the following:

- **Planned Community Development Standards Text Amendment:** An amendment to the Koll Center Newport Planned Community Development Plan (PC-15 Koll Center) to allow for residential mixed uses in Professional and Business Offices Site B.

- **Development Agreement:** A development agreement between the applicant and the City describing development rights and public benefits for the residential development pursuant to Newport Municipal Code Section 15.45.020.A.2.a (development of 50 or more residential units).
- **Traffic Study:** A traffic study pursuant to Municipal Code Chapter 15.40 (Traffic Phasing Ordinance).
- **Site Development Review:** Site development must be in accordance with applicable Planned Community and Municipal Code development standards and regulations pursuant to Newport Municipal Code Section 20.52.80 (Site Development Reviews).
- **Tentative Tract Map:** For condominium purposes including five numbered lots for development and seven lettered lots for the public park, parking, and private streets.
- **Tentative Parcel Map:** For finance and conveyance purposes.
- **Transfer of Development Rights:** Transfer of 3,019 sf of unbuilt office/retail from Koll Center Site A to Site B.

In addition to the approvals identified above, the proposed project would be subject to other discretionary and ministerial actions by the City as part of project implementation. Additional City approvals include but are not limited to site development permits, grading permits, a Water Quality Management Plan and Stormwater Pollution Prevention Plan, use permits, sign permits, and building permits.

The proposed project would require permits and/or approvals from the following agencies:

- **Orange County Airport Land Use Commission (ALUC):** Due to the proposed amendment to the Zoning Code (amendment to the PC-15 Koll Center regulations to permit residential development), the City of Newport Beach will refer the project to the ALUC for determination of project consistency with the Airport Environs Land Use Plan (AELUP) for John Wayne Airport.
- **Federal Aviation Administration (FAA):** Based on the location of the project site and the anticipated height of the buildings, the project applicant will file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA. The FAA will use information provided in Form 7460-1 and other data to conduct an aeronautical review for the proposed Project.

### **Probable Environmental Effects of the Proposed Project**

The proposed Project has the potential to have significant impacts on several environmental factors. Using the City of Newport Beach Environmental Checklist as a guide, at least one impact area has been identified as having a “Potential Significant Impact” in the following areas, and will be addressed in the EIR:

Aesthetics and Visual Resources	Air Quality
Biological Resources	Cultural Resources
Geology and Soils	Greenhouse Gas Emissions
Hazards and Hazardous Materials	Hydrology and Water Quality
Land Use and Planning	Noise
Population and Housing	Public Services
Recreation	Transportation and Circulation
Utility and Service Systems	

The topics identified on the City's Environmental Checklist that are not required for assessment in the EIR are Agricultural and Forestry Resources, and Mineral Resources. The project site is fully developed and does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No portion of the project site is covered by a Williamson Act Contract. The project site is not zoned for agriculture or forestry use, and it is not designated as forest land. The project site does not contain regionally or locally-important mineral resources, and there are no locally-important mineral resource recovery sites in the project site vicinity. The proposed Project would have no impact to these resources.

### **Anticipated Schedule**

The Project schedule, as currently envisioned, anticipates a Draft EIR to be available for public review in Spring 2017. A 45-day public review period will be provided, after which responses to environmental comments received will be prepared. Public hearings before the Planning Commission and City Council are expected to start in Summer 2017.