

## 5 LONG-TERM IMPLICATIONS OF THE PROPOSED PROJECT

### 5.1 Any Significant Environmental Effects Which Cannot Be Mitigated

Section 15126.2(b) of the CEQA Guidelines requires that the EIR describe any significant impacts, including those that can be mitigated but not reduced to less-than-significant levels. The environmental effects of the proposed Koll Center Residences are addressed in Sections 4.1 through 4.15 of this EIR. Implementation of the Proposed Project would result in potentially significant impacts for the following topical issues: air quality, aesthetics, biological resources, cultural and paleontological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, noise, public services and facilities, and utilities. Implementation of project design features (PDFs), standard conditions and requirements (SCs), and mitigation measures (MMs) provided in Sections 4.1 through 4.15 would reduce these impacts to levels considered less than significant with the exception of air quality impacts, land use impacts, and construction-related noise impacts.

#### **Air Quality**

The South Coast Air Quality Management District's Air Quality Management Plan (AQMP) provides controls sufficient to attain the federal and State ozone and particulate standards based on the long-range growth projections for the region. Although the Project does not exceed the assumptions in the AQMP, construction-related activities would exceed NO<sub>x</sub> thresholds. Therefore, Project construction would potentially result in an increase in the frequency or severity of existing air quality violations or delay timely attainment of air quality standards. The Project would potentially conflict with the AQMP which is intended to bring the air basin into attainment for all criteria pollutants. Therefore, the Project's contribution to regional pollutant concentrations would be cumulatively considerable. Localized construction emissions would also exceed PM<sub>10</sub> and PM<sub>2.5</sub> thresholds despite the implementation of Standard Conditions. Short-term air quality emissions would cease with completion of construction of the Project.

#### **Land Use and Planning**

The project site is approximately 0.5 mile southwest of John Wayne Airport (JWA). Because the Project requires a zoning code amendment to Koll Center Newport Planned Community (PC-15 Koll Center) Planned Community Development Standards (PC Text), a determination of consistency with the Airport Environs Land Use Plan (AELUP) by the Airport Land Use Commission (ALUC) is required.

The ALUC's consistency determination for the Project must occur prior to the Newport Beach City Council taking action on this Project. The possibility of an ALUC determination of inconsistency with the AELUP is considered potentially significant. No mitigation measures are available that would reduce this impact to less than significant. A significant unavoidable adverse impact would result and a Statement of Overriding Considerations would be required to be made by the City Council at the time action on the Project is taken.

#### **Noise**

Construction activities would result in a substantial temporary increase in ambient noise levels to various receptors adjacent to site development, including residential, office, and commercial uses. Mitigation Measures 4.10-1 through 4.10-4 are proposed to reduce noise levels. However, due to proximity

of the noise-sensitive receivers and duration of construction activities, the temporary noise increases would be significant. There would be periodic, temporary, unavoidable significant noise impacts that would cease upon completion of construction activities.

## 5.2 Significant Irreversible Environmental Changes Which Would Be Caused by the Proposed Project Should it be Implemented

Section 15126.2(c) of the CEQA Guidelines defines an irreversible impact as an impact that uses nonrenewable resources during the all phases of a project. Implementation of the Project would require the long-term commitment of natural resources and land. Development of the Project would result in the commitment of land resources with residential, commercial, and park uses. The Project includes infrastructure to support the proposed land uses, including a public park to serve future Project residents and the community at large. Construction and long-term operation of the Project would require the commitment and reduction of available nonrenewable and slowly renewable resources, including petroleum fuels and natural gas (for vehicle use, construction, lighting, heating, and cooling of structures) and lumber, sand/gravel, steel, copper, lead, and other metals (for use in building construction, piping, and roadway infrastructure). Other resources that are slow to renew and/or recover from environmental stressors would also be impacted by Project implementation; examples include air quality, through the combustion of fossil fuels and production of greenhouse gases and water supply, through the increased potable water demands for drinking, cooking, cleaning, landscaping, and general maintenance needs.

## 5.3 Growth-Inducing Impacts of the Proposed Action

Section 15126.2(d) of the State CEQA Guidelines (14 *California Code of Regulations* [CCR]) requires the evaluation of the growth-inducing impacts of a project. This section is required to determine the manner in which a project could encourage substantial economic or population growth or construction of additional housing in the surrounding area, either directly or indirectly. Growth inducement is distinguished in various ways: (1) growth that is induced as a result of construction of the project or the infrastructure needed for the project; (2) direct employment, population, or housing growth that would occur on the project site; (3) growth that is induced by lowering or removing barriers to growth; and/or (4) growth that is induced by creating an amenity or facility that attracts new population or economic activity.

Growth inducement can be defined as the relationship between a project and growth within the surrounding area. This relationship is often difficult to establish with any degree of precision and cannot be measured on a numerical scale because there are many social, economic, and political factors associated with the rate and location of development. Accordingly, the State CEQA Guidelines instruct that an EIR should focus on the ways growth might be induced. This relationship is sometimes looked at as either one of facilitating planned growth or inducing unplanned growth. Both types of growth, however, should be evaluated.

In assessing the growth-inducing impacts of a project, Section 15126.2(d) of the State CEQA Guidelines (14 CCR) indicates that the lead agency is not to assume that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment. Typically, growth-inducing impacts result from the provision of urban services and the extension of infrastructure (including roadways, sewers, or water

service) into an undeveloped area. Growth-inducing impacts can also result from substantial population increase, if the added population may impose new burdens on existing community service facilities, such as increasing the demand for service and utilities infrastructure and creating the need to expand or extend services, which may induce further growth.

To address this issue, potential growth-inducing effects are examined through analysis of the following questions:

- Would this Project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?
- Would this Project result in the need to expand one or more public services to maintain desired levels of service?
- Would this Project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
- Would approval of this Project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

*Would this Project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?*

The Project would not remove obstacles to growth through the construction or extension of major infrastructure facilities. The project site is currently used as surface parking for Koll Center Newport. The site is bordered by existing multi-story office buildings and roadways. Therefore, the area is already developed, and existing utilities and service systems (i.e., water, wastewater, solid waste, natural gas, and electricity) are available to provide services to the Project. While upgrades to the existing utilities may be necessary, major infrastructure is already present in the area. The utility improvements that are being implemented are distribution lines that would serve the land uses on site. The Project does not propose improvements that would extend services to areas that currently are not served or provide additional capacity in these infrastructure improvements, thereby facilitating new off-site development. There are no properties adjacent to the project site that would benefit by having the utilities extended.

In addition, approval of the Project would not remove any existing regulatory obstacle to growth. The Project is consistent with the General Plan category for the site. As part of the Proposed Project, PC-15 Koll Center Site B would include new overlay zones: Park and Residential, allowing for residential development consistent with the General Plan. Therefore, the Project is not considered growth inducing with respect to removal of obstacles to growth or through the provision of infrastructure.

*Would this Project result in the need to expand one or more public services to maintain desired levels of service?*

The project site is in a developed and highly urbanized area of Newport Beach. Public services and utilities are currently available at the site. Public service and utilities agencies were consulted during preparation of this EIR, including the Newport Beach Fire Department, Newport Beach Police Department,

Santa Ana Unified School District, and Irvine Ranch Water District. None of the service providers, except for the Newport Beach Fire Department, indicated that the Project would necessitate the immediate expansion of their service and facilities to maintain desired levels of service. In order to maintain appropriate level-of-service for fire protection services to the project site, a rescue ambulance with patient transport and advanced life support capabilities at Fire Station 7, which is the closest fire station to the site, is required (NBF, 2017c). Fire Station 7 currently has the physical capacity to house a paramedic rescue ambulance unit and would be able to address the additional service demand. Implementation of MM 4.12-1 would address this need. The Project would not require an expansion of the Newport Beach Fire Department service area, or require an expansion of physical facilities to house the paramedic rescue ambulance unit. Therefore, no future expansion of public services would be required to maintain existing levels of service.

*Would this Project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?*

Implementation of the Project is anticipated to have a beneficial economic effect. During construction, design, engineering, and construction-related jobs would be created. These jobs would span the planning to construction of the Project, lasting until the Project is completed and in use. This would be a direct but temporary growth-inducing impact of the Project. The Project would create employment positions associated with building operations and maintenance, retail uses, and park maintenance. Residents in the three residential buildings would purchase goods and services in the City and surrounding area, and could encourage the creation of new businesses and services.

*Would approval of this Project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?*

A project can encourage growth that has already been approved and anticipated through the General Plan process. This planned growth would be reflected in land use plans that have been developed and approved with the underlying assumption that adequate supporting infrastructure ultimately would be constructed. The project site is in the Airport Area of the City of Newport Beach. The Airport Area is approximately 360 acres bordered by Jamboree Road, Campus Drive, and Bristol Street. Within the Airport Area, properties proximate to John Wayne Airport are designated Airport Office and Supporting Uses (AO). Properties near Bristol Street at Jamboree Road, and two additional properties internal to the Airport Area are designated General Commercial. The California Superior Court Harbor Justice Center parcel is designated Public Facilities. The remainder of the Airport Area, inclusive of the project site, is designated Mixed Use Horizontal 2 (MU-H2).

The MU-H2 designation 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 sf.

Of the 2,200 units, 1,650 units must replace existing development so there is no net gain in vehicular trips. The remaining 550 units are “additive” units that can only be constructed on existing surface parking lots located east of MacArthur Boulevard in the Airport Area. The approved Airport Business Area Integrated Conceptual Development Plan (ICDP) covers that portion of the Airport Area generally bordered by MacArthur Boulevard, Jamboree Road, and Birch Street, inclusive of the project site. The Airport Business Area ICDP allows for up to 1,504 new residential units: 1,244 units on the Uptown Newport site and 260 units on the surface parking area of Koll Center Newport where the Koll Center Residences Project is proposed. All of the 260 residential units were identified as “additive” units in the Airport Business Area ICDP because no existing development uses would be removed. The remainder of the units are associated with the Uptown Newport Project.

Because the Project is consistent with the allowable development assumptions of the Airport Business Area ICDP, both the residential and retail components of the Project were anticipated land uses in this location. Approval of the Project would not change the existing restrictions on development as set forth in the *City of Newport Beach General Plan*. Additional development in the Airport Area as well as other parts of the City would be subject to environmental review and project review by the City.

The *City of Newport Beach General Plan* identifies locations within the City for expanded development and enhancements. The Airport Area is one of these areas. The General Plan refers to the Airport Area as an opportunity area for the “re-use of underperforming industrial and office properties and development of cohesive residential neighborhoods in proximity to jobs and services.” Other development within the Airport Area is dependent on the Project’s implementation to be consistent with the vision in the General Plan.

Most of the area surrounding the project site is either developed or planned for development. In summary, the Project would not remove obstacles to growth and is therefore not considered growth inducing.

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