

## 6 ALTERNATIVES

### 6.1 Introduction

Sections 15126.6(a) and (b) of the State CEQA Guidelines (14 *California Code of Regulations* [CCR]) provide guidance on the scope of alternatives to a Proposed Project that must be evaluated. The State CEQA Guidelines state:

- (a) Alternatives to the Proposed Project. An EIR shall 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. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives, which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.
- (b) Purpose. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code § 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In selecting alternatives to the Koll Center Residences Project (Proposed Project or Project), the City of Newport Beach (City), as Lead Agency, is to consider alternatives that could feasibly attain most of the basic objectives of the Project and avoid or substantially lessen one or more of the significant effects.

### 6.2 Summary of the Proposed Project

The Proposed Project is a mixed-use infill residential and retail development. In summary, the Project would allow for the development of 260 residential condominiums, 3,000 square feet (sf) of ground-floor retail uses, a 1.17-acre public park, a free-standing parking structure, and the reconfiguration of some of the existing surface parking areas. The residences would be in three, 13-story residential buildings with a maximum building height of 160 feet. The buildings would have two levels of above-grade and two to three levels of below-grade structured parking. The public park would be located adjacent to easternmost entrance to the project site from Birch Street. The Project is described in further detail in Section 3.0, *Project Description*.

To allow for the construction of the Proposed Project, some of the existing surface parking areas and the common landscape areas would be demolished. The existing office buildings located within the boundaries of the project site (4490 Von Karman Avenue and 4910 Birch Street), or immediately

contiguous to the site (5000 Birch Street, 4340 Von Karman Avenue, 4350 Von Karman Avenue) are not a part of the proposed development. The Proposed Project includes landscape and pedestrian circulation improvements to the existing office building at 4440 Von Karman Avenue. All Project parking would be provided on site in parking structures with additional on-site surface parking.

Implementation of the Proposed Project would be phased over an approximately 4.5-year period. The Project would be constructed in four phases. Phase A includes the demolition of approximately 137 surface parking spaces and landscaping, and the construction of the 492-space, free-standing parking structure. The free-standing parking structure would be constructed prior to breaking ground on the remainder of the Proposed Project to replace surface parking temporarily and permanently displaced by site development.

Phase 1 is the construction of Building 1 with 87 dwelling units and ground-floor retail uses. The Building 1 gated parking structure would provide 426 spaces for existing office tenants (238 spaces), residents (161 spaces), and guests (27 spaces). Ten surface parking spaces for the retail uses would be provided. Phase 2 is the construction of Building 2 and Building 3 with 173 dwelling units and ground-floor retail uses. The gated parking structure for Building 2 and Building 3 would provide 369 parking spaces including 316 resident spaces and 53 guest spaces; 3 surface retail parking spaces are assumed. Phase 3 is the construction of the public park and the completion of landscaping and reconfiguration of surface parking.

The General Plan land use category for the project site is "Mixed Use Horizontal 2 (MU-H2)". The MU-H2 category specifically applies to some properties in the Airport Area. As stated in the General Plan Land Use Element, the category "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."

The project site is zoned "Koll Center Newport Planned Community (PC-15 Koll Center)". Specifically, the project site is within Professional and Business Offices Site B of PC-15 Koll Center. 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. Currently, Site B allows professional and business offices, restaurants, and support commercial uses. The Proposed Project requires amendment to PC-15 Koll Center to include provisions allowing for residential development consistent with the City of Newport Beach General Plan and the Airport Business Area Integrated Conceptual Development Plan (ICDP). PC-15 Koll Center would be amended to include up to 260 dwelling units and 3,000 sf of retail uses on Site B, as well as development standards and the identification of permitted uses. The Project also requires the approval of a transfer of development rights to transfer of up to 3,019 sf of unbuilt office/retail from Koll Center Site A to Site B.

The Applicant is also requesting the approval of Site Development Review for the development of the Project, a Tentative Tract Map for condominium purposes and a Tentative Parcel Map for finance and conveyance purposes. A Development Agreement between the Applicant and the City would also be processed concurrent with other approvals associated with this Project. Project approvals are addressed in greater detail in Section 3.0, *Project Description*.

## 6.3 Criteria for Selecting Alternatives

Several criteria were used to select alternatives to the Proposed Project. These criteria are described below.

### 6.3.1 ABILITY TO ACHIEVE PROJECT OBJECTIVES

Section 15126.6(f) of the State CEQA Guidelines (14 CCR) states:

The range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project.

For purposes of the alternative analysis, each alternative assessed in this EIR was evaluated to determine the extent to which it could attain the following objectives identified for the Proposed Project:

- Implement the goals and policies that the Newport Beach General Plan established for the Airport Area and the Integrated Conceptual Plan Development Plan.
- Develop a mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitate walking and enhance livability.
- Develop up to 3,000 square feet of retail commercial uses to serve residents, businesses, and visitors within the business park.
- Develop an attractive, viable project that yields a reasonable return on investment.
- Provide beneficial site improvements including implementing a reclaimed water system for existing and proposed uses and a first flush (storm water) water quality treatment facility on the site. Pervious surface area would be increased by approximately 0.83 acre (or 7%) from existing conditions as a result of Project implementation.
- Develop and maintain a 1-acre public park, adding additional park/open space for the City of Newport Beach.

The ability of each potential alternative to attain most of these objectives was one criterion for selection and evaluation in this EIR.

### 6.3.2 ELIMINATION/REDUCTION OF SIGNIFICANT IMPACTS

Section 15126.6(b) of the State CEQA Guidelines (14 CCR) states that “Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly”.

Therefore, the alternatives evaluated in this EIR have been selected because they are anticipated to reduce and/or eliminate one or more significant impacts associated with the Proposed Project. Potentially significant environmental impacts that would result from the Project are evaluated in Sections 4.1 through 4.15 of this EIR. With implementation of the respective Project Design Features (PDFs), Standard Conditions and Requirements (SCs), and Mitigation Measures (MMs) identified for each topical issue, many of the potentially significant impacts resulting from the Project would be reduced to a level considered less than significant. The Proposed Project impact listed below would remain significant and unavoidable even after mitigation.

### Air Quality

Threshold 4.2-1: The 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 of the Proposed Project exceeds  $\text{NO}_x$  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.

Threshold 4.2-2: Construction-related emissions would exceed the South Coast Air Quality Management District's (SCAQMD)  $\text{NO}_x$  thresholds despite the implementation of MM 4.2-1. Localized construction emissions would also exceed  $\text{PM}_{10}$  and  $\text{PM}_{2.5}$  thresholds despite the implementation of Standard Conditions.

Threshold 4.2-3: The Proposed Project would result in significant construction impacts for  $\text{NO}_x$  (a criteria pollutant precursor). Due to the exceedance of the construction  $\text{NO}_x$  threshold (despite implementation of Mitigation Measure 4.2-1) the Proposed Project would not be consistent with the 2016 AQMP, which is intended to bring the South Coast Air Basin (SCAB) into attainment for all criteria pollutants. Therefore, the Project's contribution to regional pollutant concentrations would be cumulatively considerable.

Cumulative Impacts: The Proposed Project would exceed SCAQMD construction  $\text{NO}_x$  thresholds with the implementation of MM 4.2-1. Due to the exceedance of the construction  $\text{NO}_x$  thresholds, the Proposed Project would potentially conflict with the 2016 AQMP, which is intended to bring the SCAB into attainment for all criteria pollutants. Therefore, the Project's contribution to regional pollutant concentrations would be cumulatively considerable.

### Land Use

Threshold 4.9-2: The Proposed Project requires a zoning code amendment to PC-15 Koll Center; therefore, a determination of consistency with the Airport Environs Land Use Plan (AELUP) for John Wayne Airport by the Airport Land Use Commission (ALUC) of Orange County is required in accordance with General Plan Policy LU 3.8 and the requirements outlined in the AELUP. 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 a less than significant level. 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

Thresholds 4.10-1, 4.10-3 and 4.10-4: 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. MMs 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.

Cumulative Impacts: The Project's construction activities would result in a substantial temporary increase in ambient noise levels. There would be periodic, temporary, unavoidable significant noise impacts that would cease upon completion of construction activities. The Project would contribute to significant unavoidable construction noise impacts should other development proximate to the project site occur concurrent with the Project.

### **6.3.3 FEASIBILITY**

Section 15126.6(f)(1) of the State CEQA Guidelines (14 CCR) states:

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553; see *Save Our Residential Environment v. City of West Hollywood* (1992) 9 Cal.App.4th 1745, 1753, fn. 1).

Each alternative was evaluated for its feasibility, its ability to attain the Proposed Project's objectives, and its ability to reduce and/or eliminate significant impacts associated with the Project.

## **6.4 Development Alternatives Considered But Not Carried Forward**

The following alternatives have not been carried forward in this EIR because they do not provide any substantial avoidance or minimization of impacts that are not already accommodated in the other alternatives being evaluated. Various alternatives were evaluated as part of the City of Newport Beach General Plan process. Since the City of Newport Beach City Council already took action on the General Plan and provided direction on the development concept for the site, the alternatives previously considered as part of the General Plan were not carried forward. It should also be noted that the General Plan was approved by a vote of the residents of the City of Newport Beach. In certifying the General Plan Final EIR and approving the General Plan, the City Council approved a Statement of Overriding Considerations, which notes that there are specific economic, social, and other public benefits that outweigh the significant and unavoidable impacts associated with the General Plan.

The following provides a discussion of other alternatives considered and reasons for not selecting them for further evaluation.

## 6.4.1 ALTERNATIVE SITE

The State CEQA Guidelines Section 15126.6(f)(1) and (2) require the range of alternatives to be governed by the “rule of reason” such that an EIR consider alternatives necessary to permit a reasoned choice and that be limited to one that would avoid or substantially less any of the significant effects associated with a proposed project. The alternatives may take into consideration factors including “site suitability, economic viability, availability of infrastructure, General Plan consistency, other plans or regulatory limitations, jurisdictional boundaries..., and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is owned by the proponent)....Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR”.

The General Plan land use designation for the project site is “Mixed Use 2 Horizontal (MU-H2)”. The MU-H2 designation applies to some 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. The approximately 360-acre Airport Area is bordered by Jamboree Road, Campus Drive, and Bristol Street. The project site is within the boundaries of the Airport Area. The General Plan allows for 2,200 du in the Airport Area. Of the 2,200 units, 1,650 units must replace existing development in order that 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.

When residential development is proposed within the area bordered by Birch Street, Jamboree Road and MacArthur Boulevard of the Airport Area, General Plan Policy LU 6.15.11 requires the approval of a conceptual development plan. As addressed in this EIR, the project site is within the approved the approximately 37.7-acre Airport Business Area ICDP portion of the Airport Area that includes the Uptown Newport site and the currently proposed development site for the Koll Center Residences project. 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. With respect to the Uptown Newport site, 290 units are additive, 632 units are replacement, and 322 units are density bonus units. 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.

Development of the Proposed Project on an alternative location within the Airport Area could be considered under two scenarios. Scenario One would require an amendment to the Airport Business Area ICDP and an amendment to General Plan Land Use Policy 6.15.5 to relocate the 260 additive units outside of the Airport Business Area ICDP. The 260 additive units could be reallocated to a property in the Airport Area designated MU-H2. Scenario Two would retain the 260 additive units in the Airport Business Area ICDP but would be on a different site within the Airport Business Area ICDP i.e. on the west side of Von Karman Avenue. Under both scenarios, the mixed-use development would need to be sited on a minimum of ten acres as set forth in General Plan Policy LU 6.15.6.

Residential development could occur on other sites within the Airport Area. Like the Proposed Project, development of the proposed mixed-use development would require discretionary approvals from the

City. Depending on the location, discretionary approvals could include but not limited to a General Plan Amendment, zone change, amendment to the Airport Business Area ICDP, and/or the adoption of a conceptual development plan. The proponent does not own other property in the Airport Area that meets the General Plan criteria of a minimum of ten acres and it is speculative “whether the proponent can reasonably acquire, control or otherwise have access to the alternative site”. Should the Proposed Project be located at another site in the Airport Area, it is anticipated that the mixed-use project would have similar environmental impacts that would require the City to adopt a Statement of Overriding Considerations. Significant unavoidable impacts associated with development of an alternative site could include construction-related air quality and noise impacts; and the need to override of the ALUC’s finding of inconsistency with the AELUP. Therefore, the EIR does not evaluate an alternative site because no other site in the Airport Area is known that would definitively “avoid or substantially less any of the significant effects associated with a proposed project.”

## 6.5 Alternatives for Analysis

In accordance with Section 15126.6(a) of the State CEQA Guidelines, the discussion in this section of the EIR focuses on a reasonable range of alternatives. The analysis provides a comparison of the alternatives’ varying environmental effects and their merits and/or disadvantages in relation to the Proposed Project and to each other; their feasibility and ability to achieve Project objectives are also discussed. The environmentally superior alternative is identified as required by CEQA.

The following alternatives are analyzed in this EIR:

- Alternative A: No Project/No Development (Continuation of Existing Land Uses)
- Alternative B: Reduced Height and Density
- Alternative C: Age-Restricted Residences
- Alternative D: Modified Site Plan

The evaluation of each alternative uses the same thresholds of significance identified in Sections 4.1 through 4.15. To facilitate the readers’ understanding, two tables have been developed that provide an overview and summary comparison of the alternatives. *Table 6-1* provides a comparison of the characteristics of each alternative to the Proposed Project. *Table 6-2* provides a comparison of the vehicle trips that would be generated by the Proposed Project and each of the alternatives.

**Table 6-1. Characteristic Comparison of the Alternatives**

Characteristic	Proposed Project	Alternative A	Alternative B	Alternative C	Alternative D
Residential Units	260 du	0 du	173 du	260 du	260 du
Square Feet of Retail Use	3,000 sf	0 sf	3,000 sf	3,000 sf	3,000 sf
Park Acreage	1.17 ac	0 ac	1.17 ac	1.17 ac	1.17 ac
Maximum Building Height	160 ft	–	114 ft	160 ft	160 ft
Required Parking Spaces	557 spaces	0 spaces	368 spaces	312 spaces	557 spaces
Grading Export	118,500 cy	0 cy	89,414 cy	89,414 cy	153,000 cy

du = dwelling unit; sf = square feet; ac = acres; ft = feet; cy = cubic yards

**Table 6-2. Trip Generation Comparison**

Alternative	Daily	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Proposed Project	1,207	36	113	149	94	57	151
Alternative A	0	0	0	0	0	0	0
Alternative B	843	24	76	100	64	39	103
Alternative C	1,014	19	33	52	40	28	68
Alternative D	1,207	36	113	149	94	57	151

Source: Kimley-Horn, 2017.

### 6.5.1 ALTERNATIVE A: NO PROJECT/ NO DEVELOPMENT (CONTINUATION OF EXISTING LAND USES)

#### Description of Alternative A: No Project/No Development

Alternative A is the “No Project” alternative required by the State CEQA Guidelines Section 15126.6(e) which allows the decision-makers to compare the potential impacts of the Proposed Project with the potential impacts of not approving the Proposed Project. Section 15126.6(e)(2) of the State CEQA Guidelines (14 CCR) specifies the following:

The “no project” analysis shall discuss the existing conditions at the time the Notice of Preparation [NOP] is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

Section 15126.6(e)(3)(B) of the State CEQA Guidelines indicates that when the project is not a land use or regulatory plan, the “no project” alternative:

...is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state

against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others ... this "no project" consequence should be discussed.

Alternative A assumes existing conditions on the project site as the continued use of the property for surface parking associated with Koll Center Newport with common area landscaping. The existing 4440 Von Karman Avenue office building is included as a part of the Proposed Project to allow for the inclusion of the property into the landscape plan including the provision of non-potable irrigation, as well as sidewalk improvements and the reconfiguration of accessible parking. No change in the square footage of the building would occur. Under the Alternative A scenario, no improvements to the existing office building would occur. This alternative would not require an amendment to the PC-15 Koll Center, a Tentative Tract Map, Tentative Parcel Map, transfer to retail development rights, or any of the other actions associated with the Koll Center Residences Project.

### Comparative Analysis of Environmental Impacts

#### *Aesthetics*

Under the Alternative A scenario, the existing land uses would continue and the aesthetic character of the site would not change. The project site would remain as a surface parking area associated with an existing business complex; landscape improvements identified on the Project landscape plan for the 4440 Von Karman Avenue office building would not occur. The existing buildings within the project site do not cast shadows on other structures; therefore, no shade or shadow impacts would occur. Because Alternative A would not involve development of the project site, no new sources of lighting would be provided. However, it should be noted that no significant aesthetic impacts requiring mitigation would occur with the Proposed Project.

#### *Air Quality*

With Alternative A, because there would be no development, there would be no exceedance of the assumptions used to develop the SCAQMD AQMP; Alternative A would not conflict with or obstruct implementation of the AQMP or other applicable policies of agencies with jurisdiction over the Project.

The significant unavoidable construction impacts associated with the Proposed Project would not occur. There would be no emissions that would violate any air quality standard or contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase of any criteria pollutant for which the region is in nonattainment. There would be no significant air quality impacts under this alternative, whereas the Proposed Project would have significant and unavoidable impacts during construction.

#### *Biological Resources*

This alternative would have no impacts to biological resources. Trees and other vegetation on site that currently could be used for nesting by migratory birds protected under the Migratory Bird Treaty Act (MBTA) would remain because no existing vegetation would be removed. However, all biological resource impacts associated with the Project as proposed would be mitigated to less than significant level.

### *Cultural Resources*

Under Alternative A, the project site would remain in its current condition and would therefore prevent potential impacts to cultural resources. No construction or grading activities would occur. Therefore, the potential to discover and impact previously undisturbed cultural resources, including archaeological, paleontological, and tribal resources, would not occur. Although this alternative would have no impact on cultural resources, impacts associated with the Proposed Project would be mitigated to less than significant level.

### *Geology and Soils*

No development would occur on the project site. Therefore, the potential to expose additional people or structures to adverse effects of seismic ground shaking, ground failure, landslides, expansive soils, or other unstable geologic hazards would not occur. No soil erosion or loss of topsoil would occur since the project site would remain in its existing conditions. Although this alternative would have no impact on soils and geology, impacts associated with the Project would be mitigated to less than significant level.

### *Greenhouse Gas Emissions*

Under Alternative A, there would be no construction activities or associated construction equipment operations or development of residential, park, and retail land uses. Therefore, there would be no short-term greenhouse gas (GHG) emissions from construction activities or long-term GHG emissions from vehicles or the consumption of electricity, natural gas, and water associated with operations of the land uses assumed as a part of the Proposed Project. Although this alternative would not generate additional GHG emissions, it should be noted that the Project's impact would be less than significant based on the significance criteria set forth in this EIR.

### *Hazards and Hazardous Materials*

The project site is an existing surface parking area and therefore does not generate, use, or transport any hazardous materials. The current uses on the project site also do not generate any hazardous materials that could be accidentally released into the environment. Additionally, the surface parking and landscaping do not create a safety hazard as it pertains to the AELUP for John Wayne Airport. Although this alternative would eliminate significant hazards, Project impacts would be mitigated to a less than significant level.

### *Hydrology and Water Quality*

Alternative A assumes no development would occur on the project site. Because there would be no subsurface excavation, the potential to encounter groundwater would not occur. No dewatering would be required. The existing on-site drainage pattern and runoff quantities would remain the same. As with the Proposed Project, this alternative would not deplete groundwater supplies or interfere with groundwater recharge. Additionally, the site is not within a 100-year flood hazard area or near a levee or a dam; therefore, people and structures are not exposed to flooding risks.

The project site is 27 percent pervious and 73 percent impervious; no change would occur under the Alternative A scenario. With the Proposed Project, the pervious surface area would increase because of the replacement of some of the surface parking areas with additional landscaping and the 1.17-acre public

park. However, retention of the site as a parking area would not exacerbate any existing drainage issues. Under Alternative A, no additional water quality Best Management Practices (BMPs) would be provided to allow for the treatment control of runoff before leaving the project site. Therefore, hydrology and water quality effects would be similar or slightly greater when compared to the Proposed Project but still less than significant.

### *Land Use and Planning*

Under Alternative A, the project site would remain in its present condition. As with the Proposed Project, this alternative would not physically divide an established business community through the introduction of either physical or community barriers.

Because no new development would occur, no action by the ALUC would be required. Should the ALUC find the Proposed Project to be inconsistent with the AELUP for John Wayne Airport, no mitigation measures are available that would reduce this impact to a less than significant level. 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.

This alternative would not implement the goals and objectives of the City's General Plan and the Airport Business Area ICDP. The General Plan's policies for the Airport Business Area and the Airport Business Area ICDP call for the orderly evolution of this area from a single-use office park to a mixed-use district with cohesive residential villages integrated within the existing fabric of the office, industrial, retail, and airport-related businesses. The proposed residential units could not be developed in a different location within the Airport Area without legislative or discretionary approvals.

Alternative A would avoid the Project's significant and unavoidable impact in regard to consistency with the AELUP for John Wayne Airport.

### *Noise*

With Alternative A, there would be no construction activities or associated construction equipment operations or development. Therefore, there would be no construction noise impacts. There would be no substantial temporary increase in noise levels or exposure of persons to or generation of noise levels in excess of standards. Therefore, Alternative A would avoid the Project's significant and unavoidable construction noise impact. Although this alternative would eliminate operational noise impacts associated with the Proposed Project, significant operational noise impacts would be mitigated to a less than significant level.

### *Population and Housing*

Alternative A would not create any new jobs; involve the development of additional housing; or cause increases in the resident population of the City. Therefore, there would be no impact associated with inducing substantial population growth. As with the Proposed Project, no significant impact would occur. This alternative would maintain the site in its existing condition and would not provide planned new housing in the Airport Area. 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. This alternative would not provide any housing

opportunities. The City of Newport Beach has a jobs-housing ratio (1.96) that is considered jobs-rich. The Proposed Project would slightly improve this ratio by providing 260 additional residential units.

### *Public Services*

The public services evaluated in this EIR are fire protection, police protection, schools, and libraries. Because Alternative A would not involve new development, no impacts to public services would occur. The Proposed Project cumulatively contributes to the need for a rescue ambulance with patient transport and advanced life support capabilities at Fire Station 7, which is the closest fire station to the project site. Fire Station 7 has the physical capacity to house a paramedic rescue ambulance unit and would be able to address the additional service demand. Under Alternative A, the Project would not contribute to the need for this additional equipment and staffing. Continued use of the site for parking would not preclude the City from providing equipment and staffing. Although potential impacts can be mitigated to a less than significant level, no impacts on public services would occur under this alternative scenario.

### *Recreation*

Under this alternative, there would be no increase in demand for or impacts on recreational facilities or services because there would be no increase in the residential population. Since Alternative A would not provide for the development of the public park or other recreational amenities, there would be no physical impacts associated with construction of recreational facilities or accelerated physical deterioration associated with increased use of existing facilities. Potential impacts for the public park are evaluated in the EIR as a part of the overall Project effects. Because no development would occur on the project site, this alternative does not cause the need for additional parks.

### *Traffic and Transportation*

This alternative would maintain the site in its existing condition. As previously shown in Table 6-2, Alternative A would not generate any trips, compared to the 1,207 daily trips that would be generated by the Proposed Project. Although this alternative would not generate any additional traffic when compared to the Proposed Project, based on the significance criteria set forth in this EIR, Project traffic would be less than significant.

### *Utilities and Service Systems*

The EIR evaluated potential impacts on the following: wastewater facilities, water supply, storm water facilities, solid waste, and energy consumption. Because Alternative A would not involve the generation of any new residents or associated land uses, no impacts to wastewater facilities, water supply, storm water facilities, solid waste disposal, or energy use would occur. Since this alternative would not provide new facilities or infrastructure, there would be no physical impacts associated with construction or operation of facilities or accelerated physical deterioration associated with increased usage of existing facilities. In addition, since there would be no generation of a new residential population, demand for water, wastewater facilities, and energy service would not be required and there would be no impacts associated with water supplies, wastewater treatment requirements, and infrastructure capacity. No impacts would occur compared to the Proposed Project which would generate a need for these resources. Although the Proposed Project would increase the demand, no significant impacts would occur.



## Conclusion

Alternative A would have no significant impacts in comparison to the Proposed Project. Significant unavoidable air quality construction impacts, construction noise impacts, and land use compatibility impacts associated with the AELUP for John Wayne Airport would not occur should no development occur on the project site. No mitigation would be required to reduce potential significant impacts to a less than significant level associated with the topics of biological resources, cultural resources, geology and soils, hazards and hazardous materials, and operational noise effects. No significant impacts are anticipated related to aesthetics, greenhouse gases, hydrology and water quality, population and housing, public services, recreation, traffic, or utilities. Alternative A would not require and therefore would not implement water quality BMPs that would treat runoff before leaving the project site.

### *Feasibility and Ability to Meet Project Objectives*

In the short-term, the project site could continue to provide surface parking for Koll Center Newport. When evaluating the desirability and feasibility of an alternative, it is important to evaluate the ability of that alternative to meet project objectives. An alternative does not need to meet all project objectives to be considered potentially feasible. However, Alternative A would not achieve any of the objectives of the Proposed Project, and it would not implement the goals and objectives that the City's General Plan and Airport Business Area ICDP have established for the project site. The General Plan's policies for the Airport Area and in the Airport Business Area ICDP call for the orderly evolution of this area from a single use office park to a mixed-use district with cohesive residential villages integrated within the existing fabric of office, industrial, retail, and airport-related businesses. This alternative would not provide housing proximate to jobs and supporting services, with pedestrian-oriented amenities that facilitate walking and enhance livability.

## **6.5.2 ALTERNATIVE B: REDUCED HEIGHT AND DENSITY**

### Description of the Alternative

Alternative B was developed to evaluate whether a reduction in building heights and number of dwelling units could meet Project objectives and reduce Project impacts. This alternative would reduce the number of residences and, in that respect, would incrementally reduce impacts that are associated with the Proposed Project. However, it would not avoid the significant impacts associated with the Project.

Alternative B assumes a reduction in height of Building 1, Building 2 and Building 3 from 160 feet to 114 feet (from 13 stories to 9 stories), and a reduction in residential density. The development footprint area would not change. Alternative B would also include a 1.17-acre public park, 3,000-sf of retail uses, and structured parking. When compared to the Proposed Project, Alternative B would allow for 173 dwelling units (compared to 260 dwelling units) and require 368 parking spaces (compared to 557 spaces). Surface parking that would be removed during construction and site development would be provided in a free-standing parking structure and within the Building 1 parking structure. Because fewer parking spaces are needed, the parking structures for Buildings 1, 2, and 3 would have one less level of below-grade parking when compared to the Project. Grading associated with Alternative B would require approximately 89,414 cy of export compared to approximately 118,500 cy of export associated with the Proposed Project. The timeframe for completion of Alternative B would be approximately 3.5 months shorter than the 4.5-year construction period for the Proposed Project.

Alternative B would require the same discretionary actions as noted for the Proposed Project. It is assumed that a Mitigation Program similar to what is proposed for the Project would be required for Alternative B. Although the nature of the mitigation would be the same, the mitigation requirements may be slightly less because of the reduction in development.

### Comparative Analysis of Environmental Impacts

#### *Aesthetics*

Under the Alternative B scenario, the overall building heights would be reduced by approximately 46 feet (four stories) and one less level of below-grade parking in Buildings 1 and the shared parking structure for Building 2 and Building would be provided. The architectural features and massing details, lighting plan, hardscape and landscaping improvements, 1.17-acre park, and amenities would remain the same. At 114 feet, Buildings 1, 2, and 3 would be lower in height compared to the adjacent 5000 Birch Street office building which has 10 floors and is 154 feet in height. The residential buildings would be a similar height to the 10-story (112 feet) Duke Hotel located less than 0.1 mile to the northwest of the project site but still higher than the three office buildings located within the boundaries of the project site which are two to four stories (33 feet to 60 feet).

A 46-foot reduction in the height for Buildings 1, 2, and 3 would reduce shade and shadow effects in comparison to the Proposed Project. Figures 6-1a and 6-1b, *Shade/Shadow Study Alternative B: Spring Equinox*; Figures 6-1c and 6-1d, *Shade/Shadow Study Alternative B: Summer Solstice*; Figures 6-1e and 6-1f, *Shade/Shadow Study Alternative B: Fall Equinox*; and Figures 6-1g and 6-1h, *Shade/Shadow Study Alternative B: Winter Solstice* conceptually depict shadows that would be cast based on the locations of Buildings 1, 2, and 3 in comparison to the existing shadows cast by office buildings located within the Koll Center Newport. As seen in Figures 6-1a through 6-1h, Alternative B would also cast shadows on adjacent properties but the shading would occur on a smaller portion of the properties for a shorter time period. Although the height of the buildings would be lower and off-site shadows would be less, like the Proposed Project no significant impacts associated with changes to the visual character of the site would occur.

Alternative B would have the same sources of night lighting as the Proposed Project. The alternative would incrementally reduce interior building illumination because of the 46-foot reduction in building height (from 13 stories to 9 stories). Under the Alternative B scenario, the same building materials are assumed. As with the Project, the free-standing parking structure would be screened and there would be lighting restrictions for roof level of the structure. Under both the Proposed Project and this alternative, no significant impacts would occur.

#### *Air Quality*

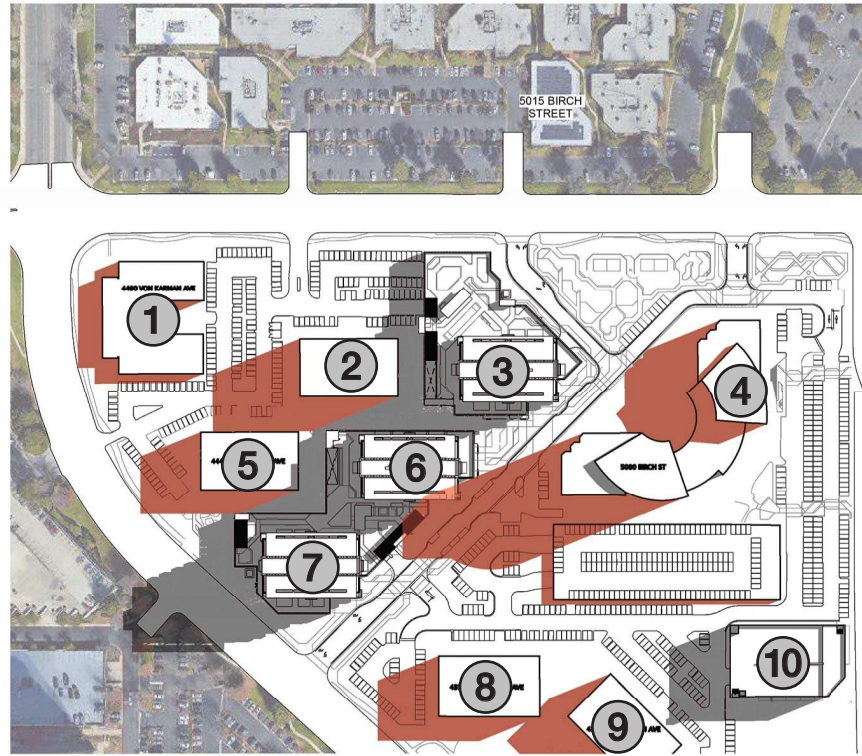
Alternative B would have less development than the Proposed Project. Construction maximum daily emissions would be the same or similar as for the Project but the construction duration would be less. Construction activities would require 3.5 fewer months than the 4.5-year timeframe assumed for the Proposed Project. Additionally, the elimination of one level of below-grade parking in the parking structure for Building 1 and the parking structure for Buildings 2 and 3 would require the excavation and export of less material when compared to the Proposed Project. Therefore, it is expected that there would be a reduction in truck haul trips during construction. Although this alternative would reduce construction time by 3.5 months and decrease truck trips generated during construction activities, this change would



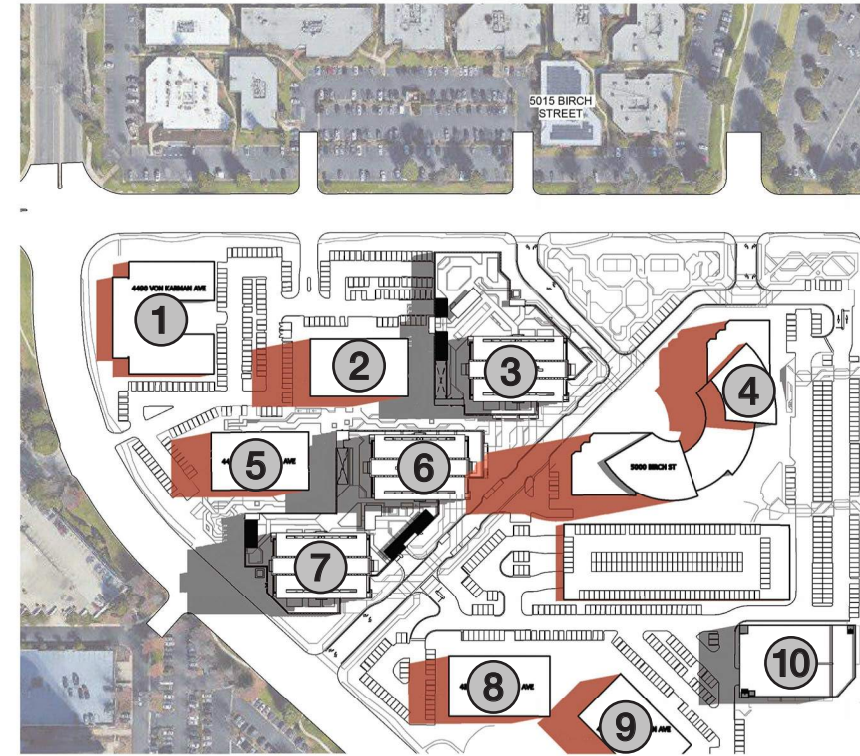
**Building Key:**

- ① 4490 Von Karman Ave
- ② 4910 Birch St
- ③ Building 1
- ④ 5000 Birch St
- ⑤ 4440 Von Karman Ave
- ⑥ Building 2
- ⑦ Building 3
- ⑧ 4350 Von Karman Ave
- ⑨ 4340 Von Karman Ave
- ⑩ Parking Structure

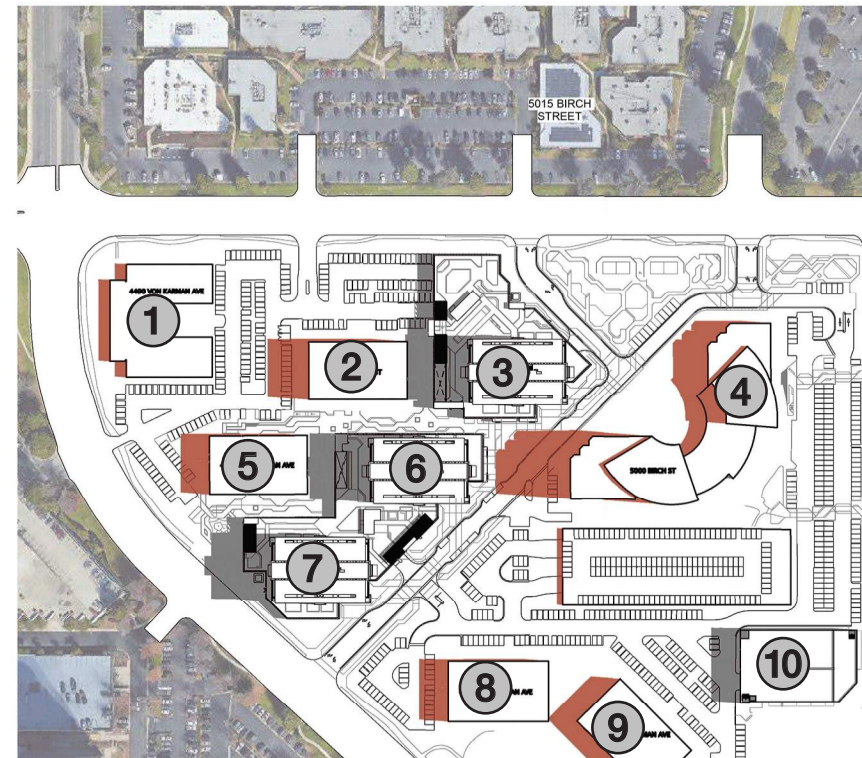
SHADOW STUDY 9 AM



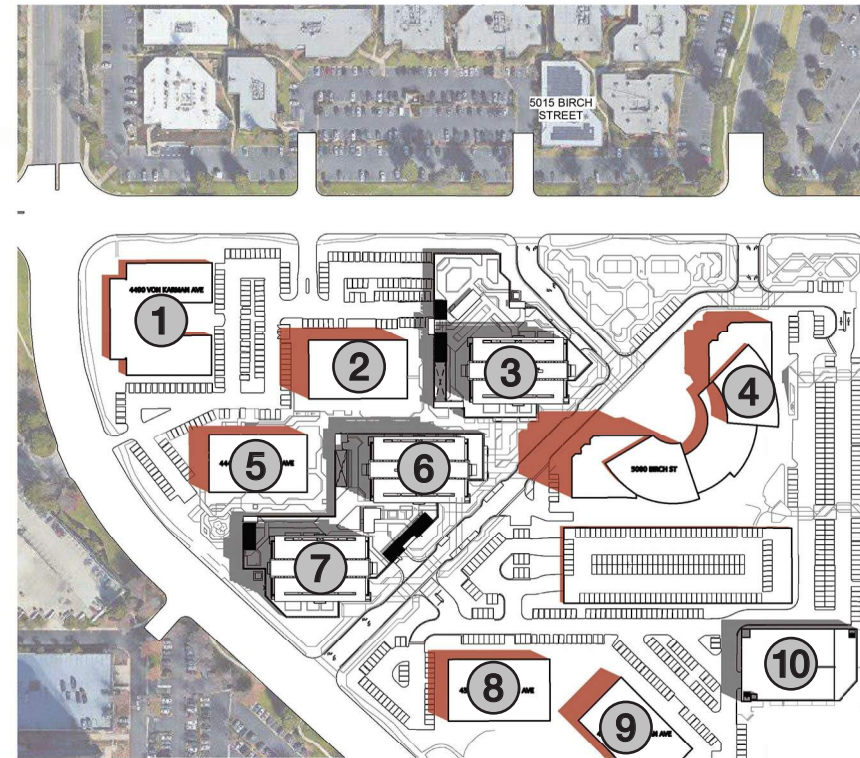
SHADOW STUDY 10 AM



SHADOW STUDY 11 AM




SHADOW STUDY 12 NOON



■ EXISTING SHADOWS  
 ■ ALT B SHADOWS

Source: MVE + Partners, 2017

**FIGURE 6-1a:** Shade/Shadow Study Alternative B: Spring Equinox  
 The Koll Center Residences Project

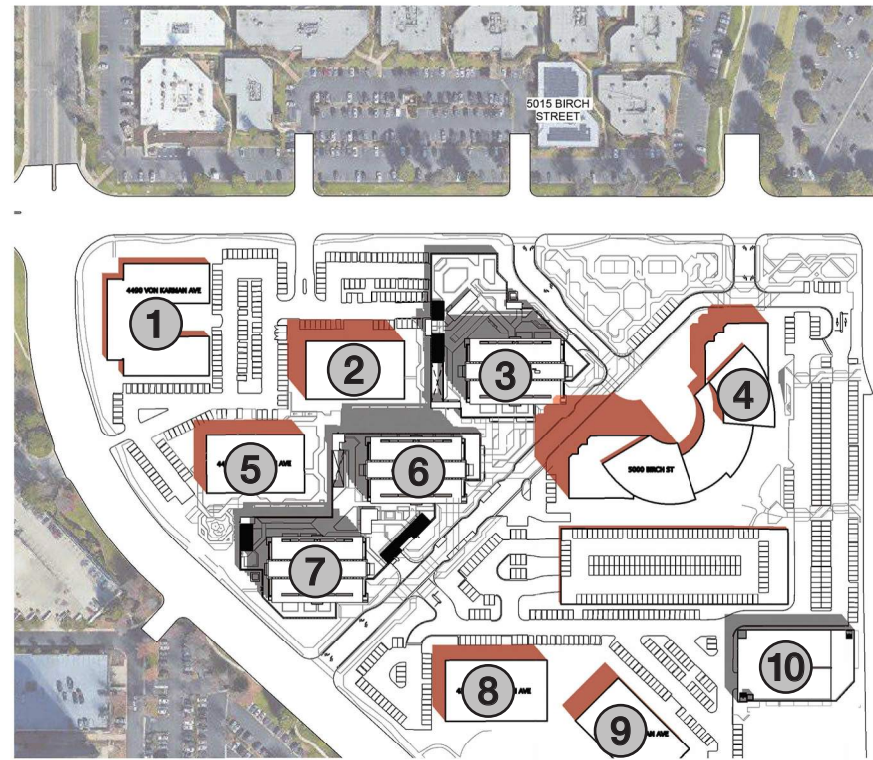
 Not to scale

**Kimley»Horn**

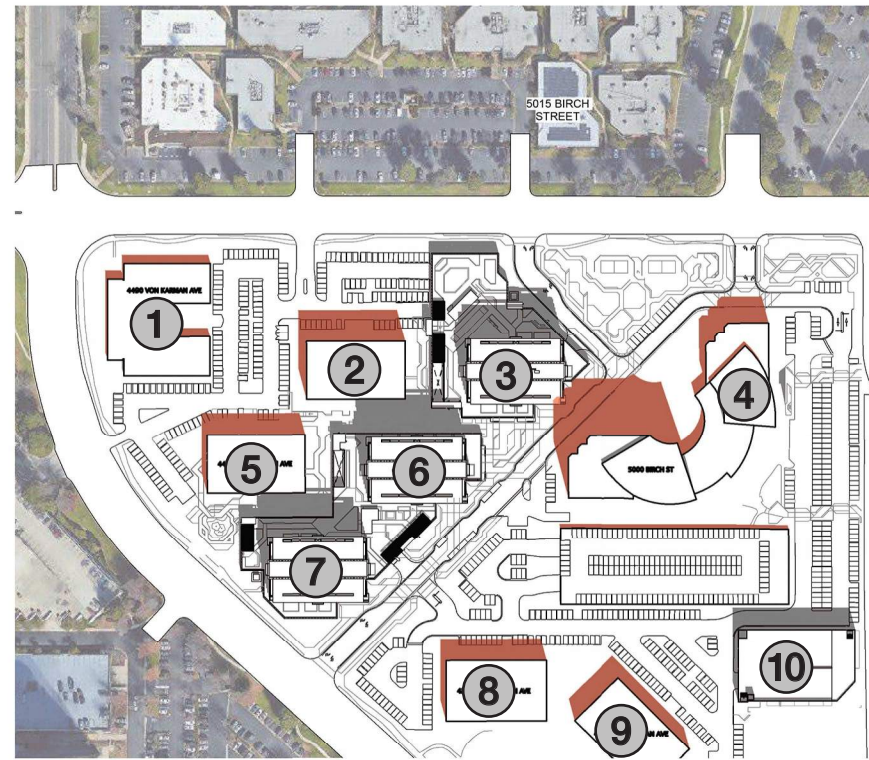




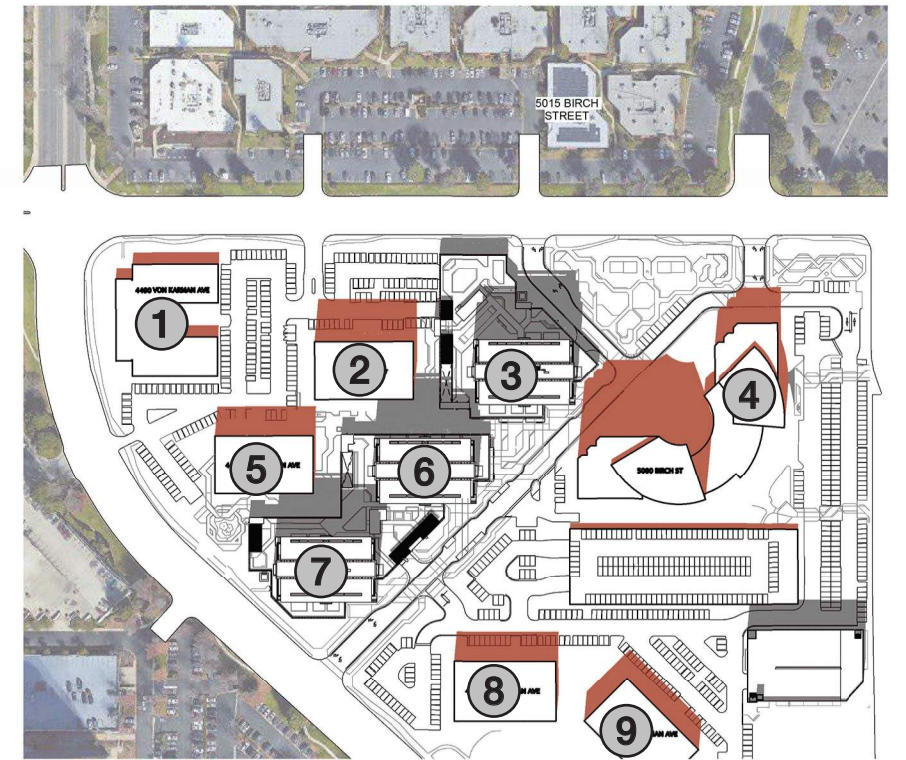
SHADOW STUDY 1 PM



SHADOW STUDY 2 PM



SHADOW STUDY 3 PM



SHADOW STUDY 4 PM



SHADOW STUDY 5 PM



**Building Key:**

- ① 4490 Von Karman Ave
- ② 4910 Birch St
- ③ Building 1
- ④ 5000 Birch St
- ⑤ 4440 Von Karman Ave
- ⑥ Building 2
- ⑦ Building 3
- ⑧ 4350 Von Karman Ave
- ⑨ 4340 Von Karman Ave
- ⑩ Parking Structure

■ EXISTING SHADOWS  
■ ALT B SHADOWS

Source: MVE + Partners, 2017

**FIGURE 6-1b:** Shade/Shadow Study Alternative B: Spring Equinox  
The Koll Center Residences Project

Not to scale

**Kimley»Horn**

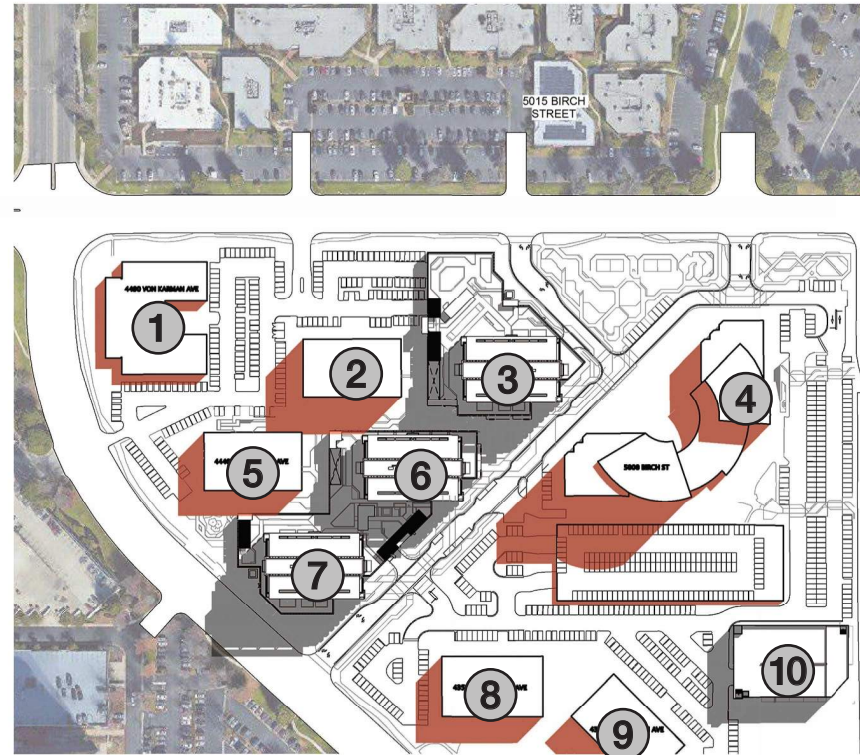




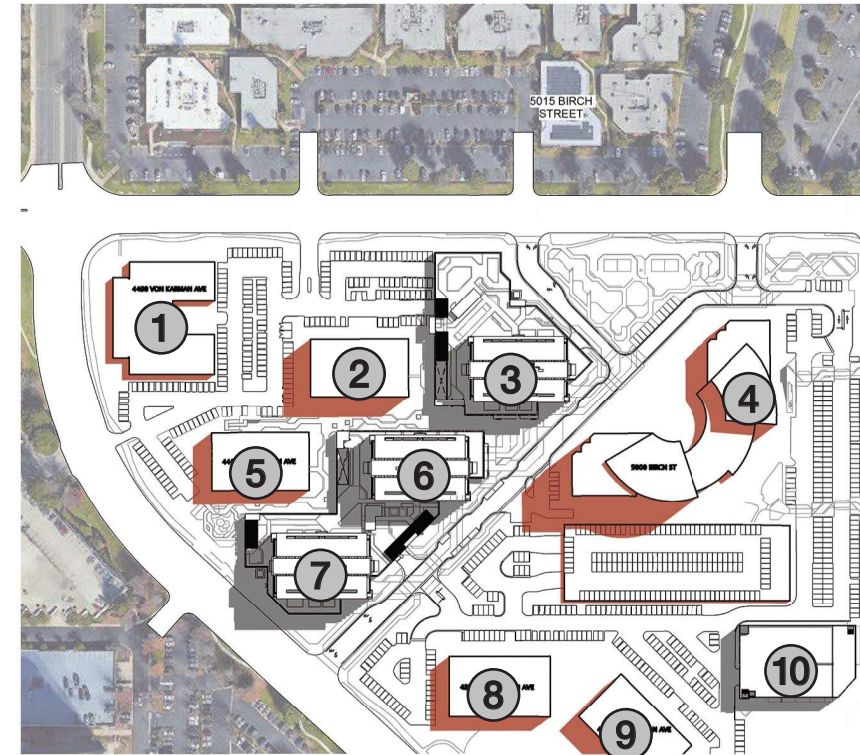
**Building Key:**

- ① 4490 Von Karman Ave
- ② 4910 Birch St
- ③ Building 1
- ④ 5000 Birch St
- ⑤ 4440 Von Karman Ave
- ⑥ Building 2
- ⑦ Building 3
- ⑧ 4350 Von Karman Ave
- ⑨ 4340 Von Karman Ave
- ⑩ Parking Structure

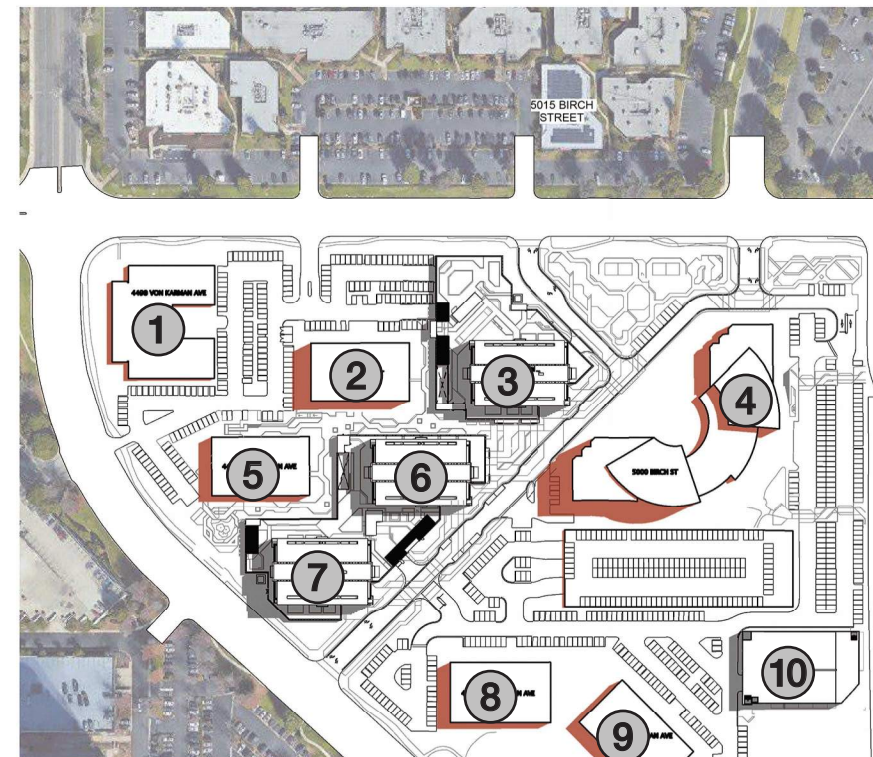
SHADOW STUDY 9 AM



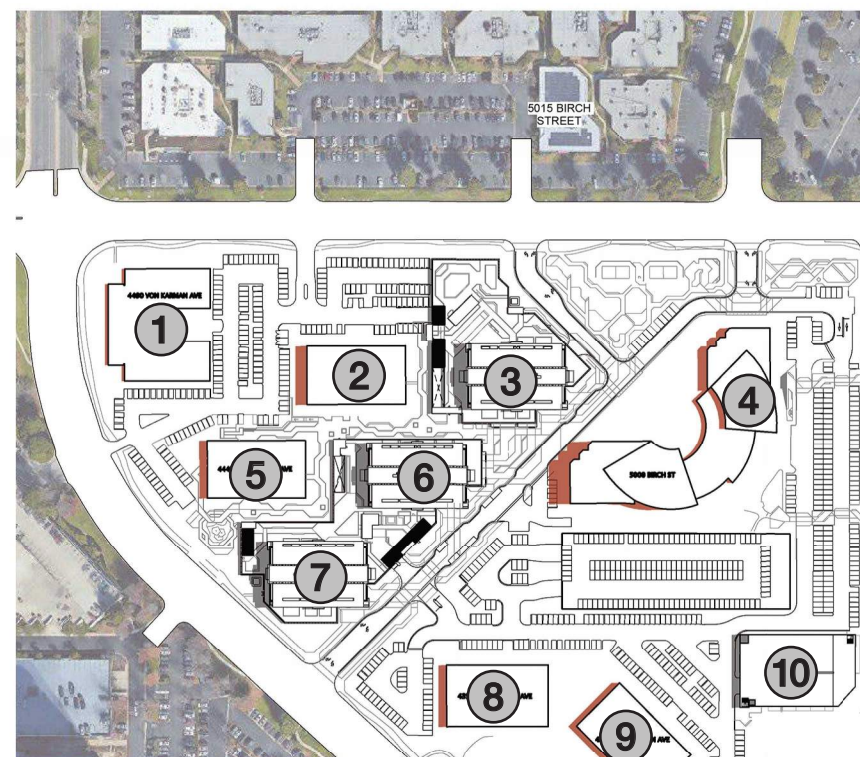
SHADOW STUDY 10 AM



SHADOW STUDY 11 AM



SHADOW STUDY 12 NOON



■ EXISTING SHADOWS  
■ ALT B SHADOWS

Source: MVE + Partners, 2017

**FIGURE 6-1c: Shade/Shadow Study Alternative B: Summer Solstice**  
The Koll Center Residences Project

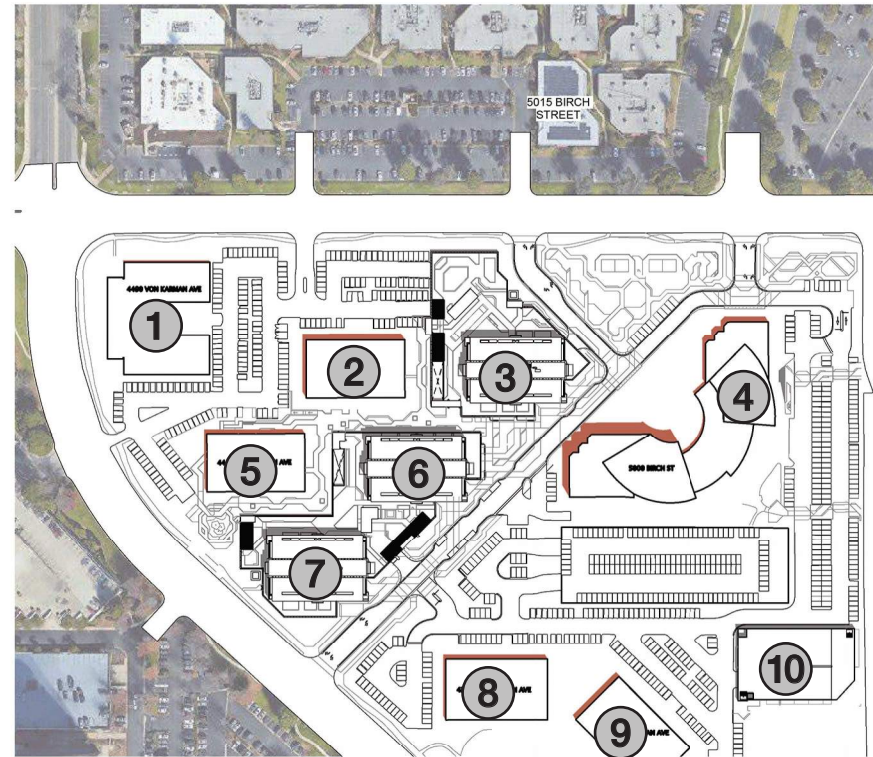
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Kimley»Horn

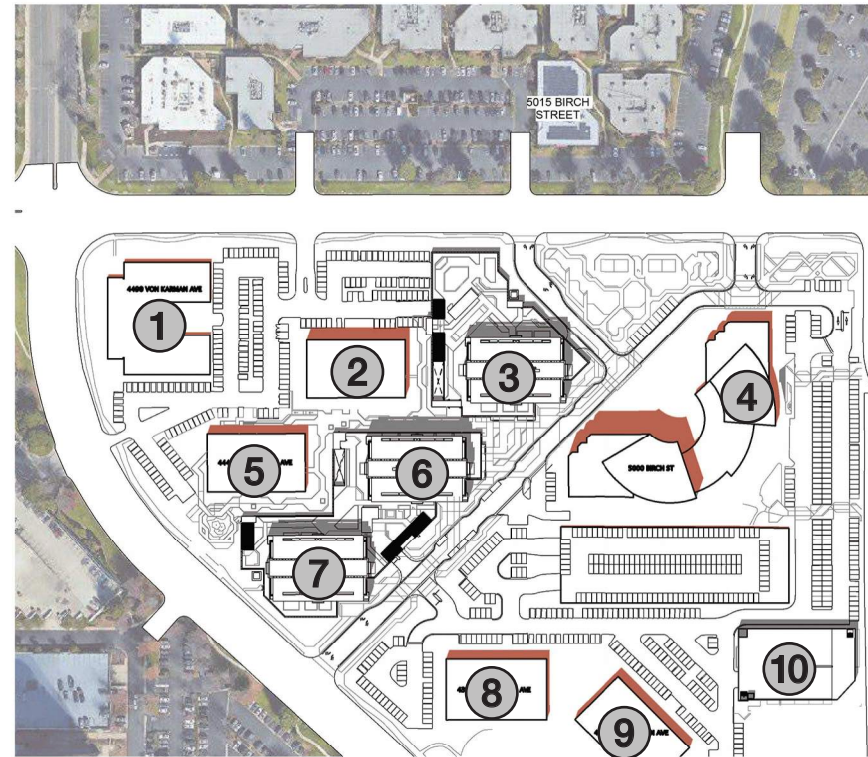




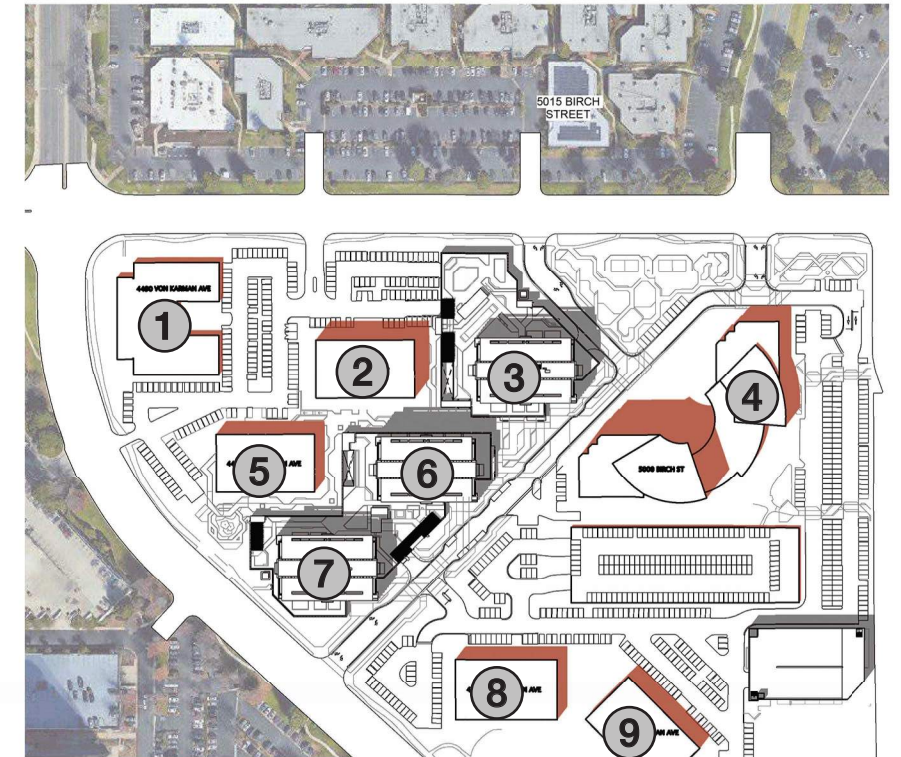
SHADOW STUDY 1 PM



SHADOW STUDY 2 PM



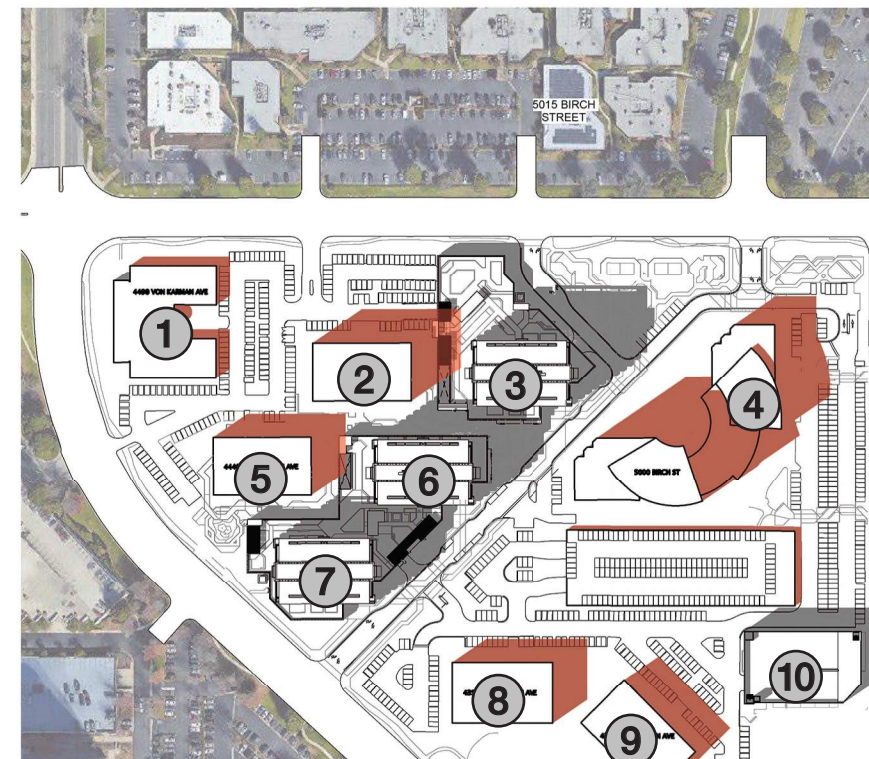
SHADOW STUDY 3 PM



SHADOW STUDY 4 PM



SHADOW STUDY 5 PM



**Building Key:**

- ① 4490 Von Karman Ave
- ② 4910 Birch St
- ③ Building 1
- ④ 5000 Birch St
- ⑤ 4440 Von Karman Ave
- ⑥ Building 2
- ⑦ Building 3
- ⑧ 4350 Von Karman Ave
- ⑨ 4340 Von Karman Ave
- ⑩ Parking Structure

■ EXISTING SHADOWS  
 ■ ALT B SHADOWS

Source: MVE + Partners, 2017

**FIGURE 6-1d:** Shade/Shadow Study Alternative B: Summer Solstice  
The Koll Center Residences Project

Not to scale

**Kimley»Horn**

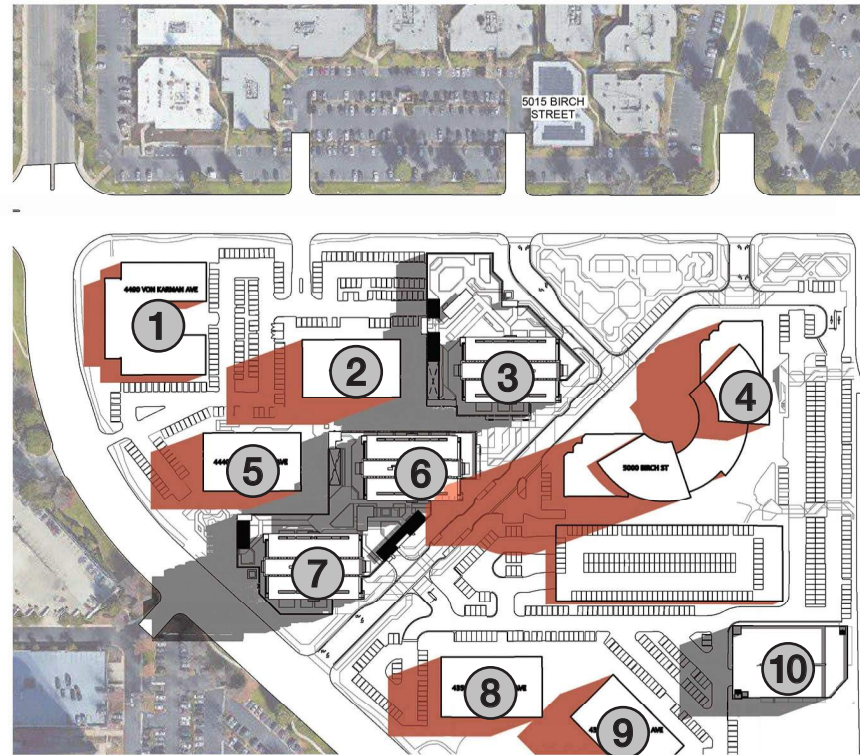




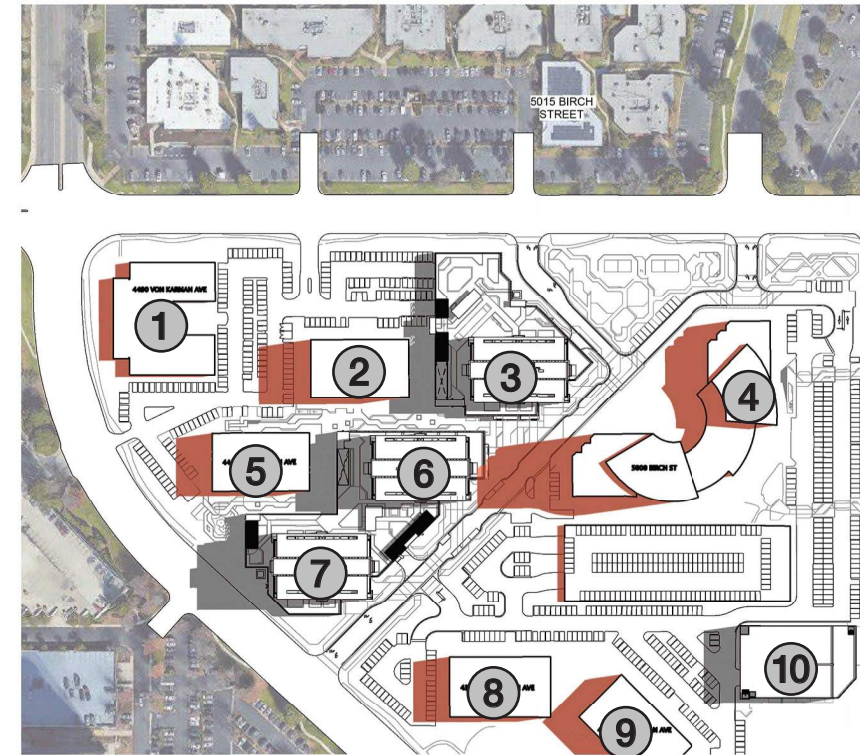
**Building Key:**

- ① 4490 Von Karman Ave
- ② 4910 Birch St
- ③ Building 1
- ④ 5000 Birch St
- ⑤ 4440 Von Karman Ave
- ⑥ Building 2
- ⑦ Building 3
- ⑧ 4350 Von Karman Ave
- ⑨ 4340 Von Karman Ave
- ⑩ Parking Structure

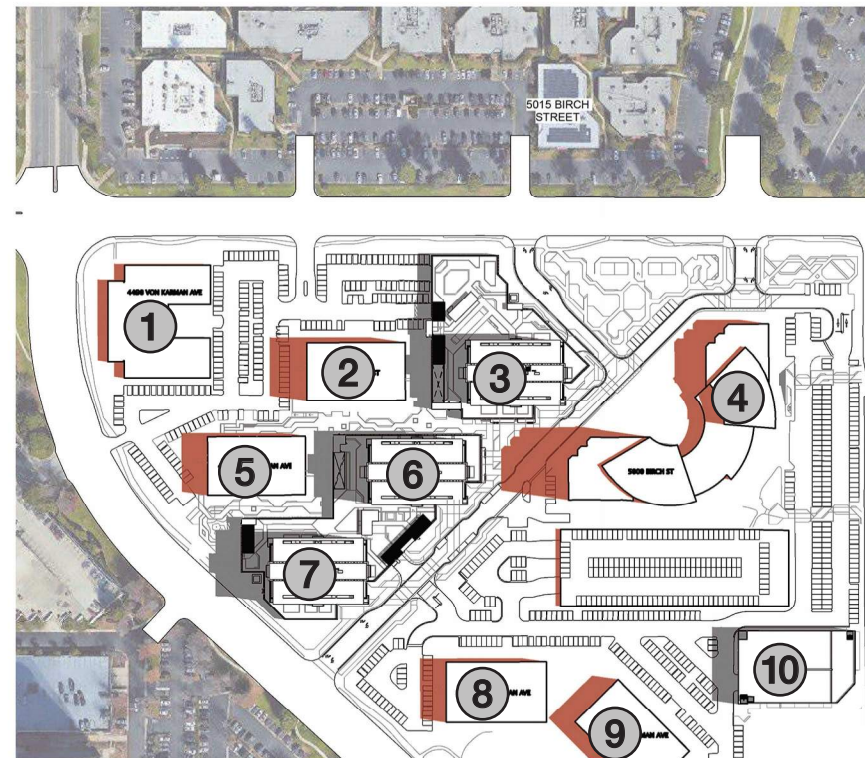
SHADOW STUDY 9 AM



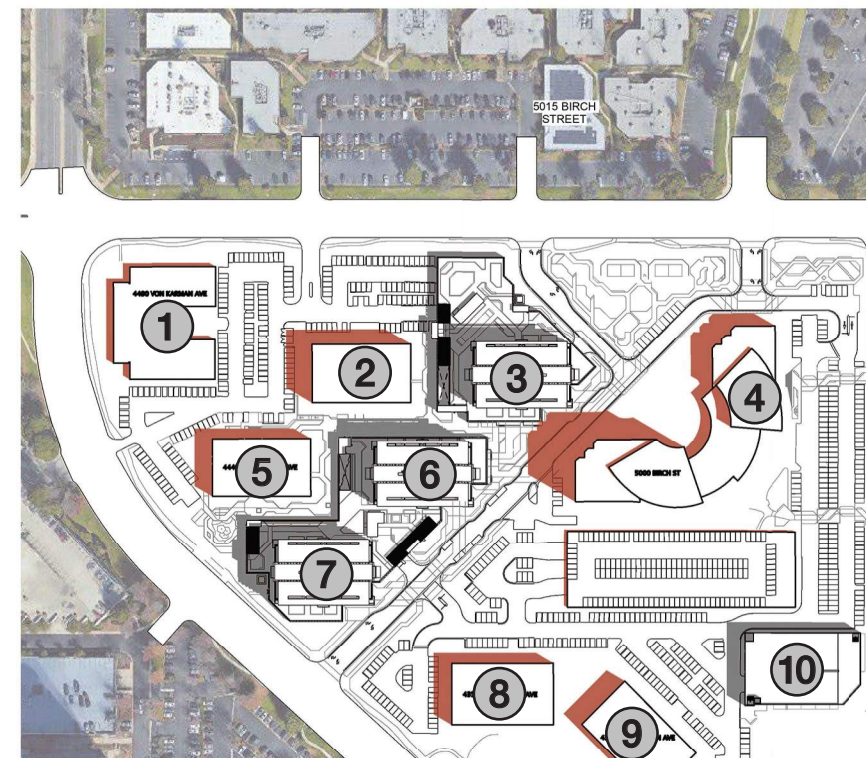
SHADOW STUDY 10 AM



SHADOW STUDY 11 AM



SHADOW STUDY 12 NOON



■ EXISTING SHADOWS  
 ■ ALT B SHADOWS

Source: MVE + Partners, 2017

**FIGURE 6-1e:** Shade/Shadow Study Alternative B: Fall Equinox  
 The Koll Center Residences Project

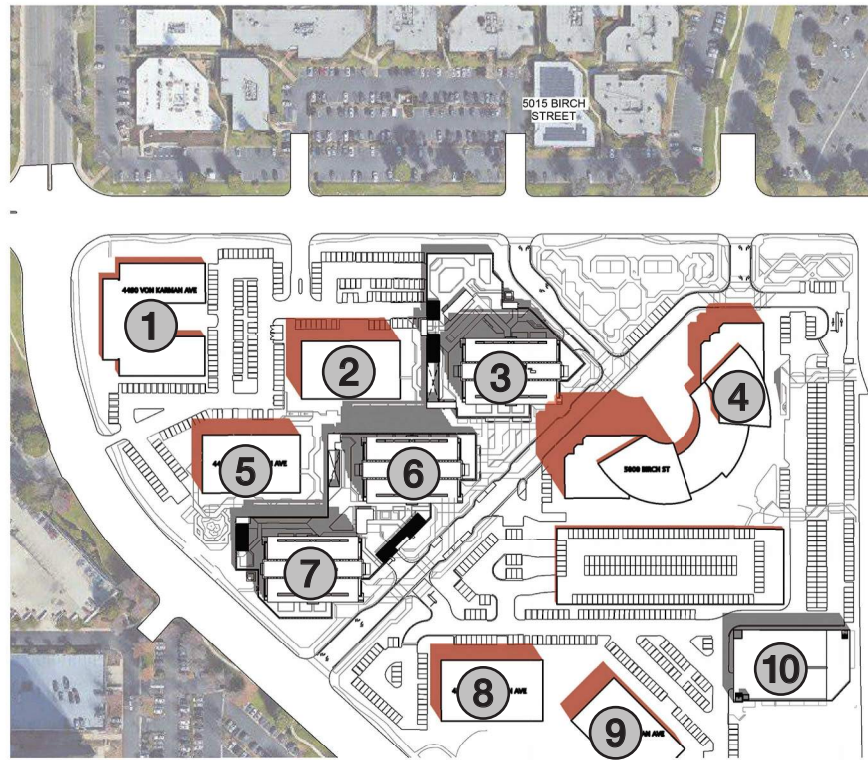
 Not to scale

Kimley»Horn

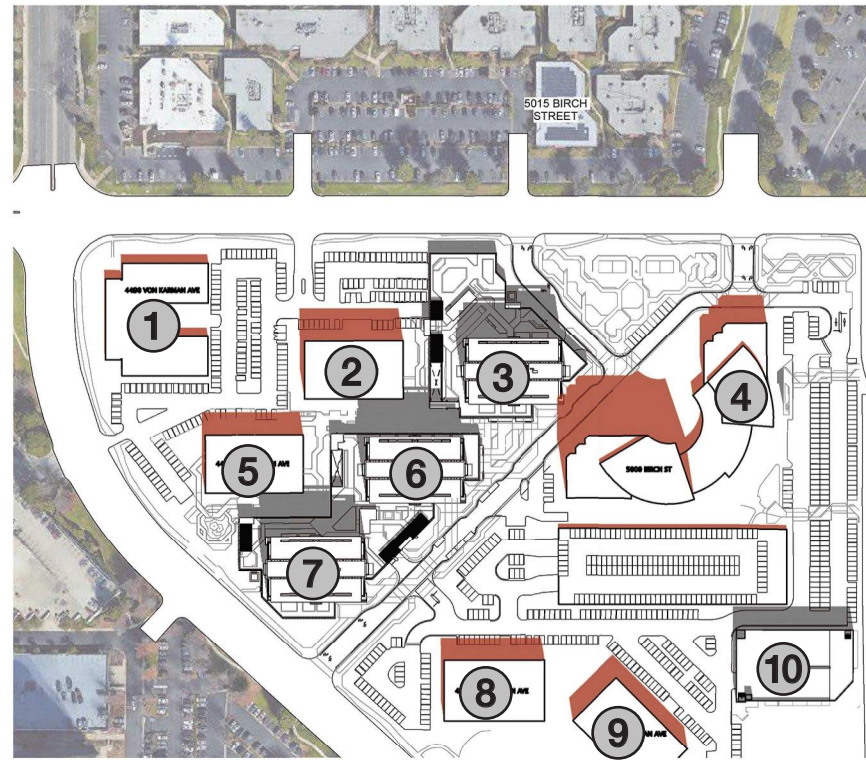




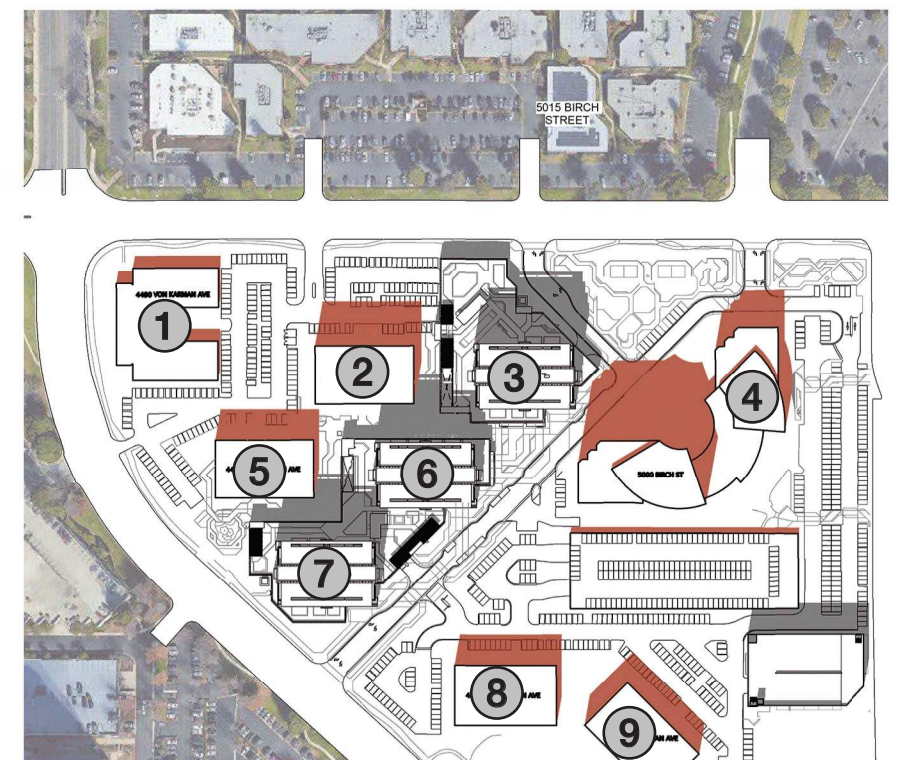
SHADOW STUDY 1 PM



SHADOW STUDY 2 PM



SHADOW STUDY 3 PM



SHADOW STUDY 4 PM



SHADOW STUDY 5 PM



**Building Key:**

- ① 4490 Von Karman Ave
- ② 4910 Birch St
- ③ Building 1
- ④ 5000 Birch St
- ⑤ 4440 Von Karman Ave
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- ⑦ Building 3
- ⑧ 4350 Von Karman Ave
- ⑨ 4340 Von Karman Ave
- ⑩ Parking Structure

■ EXISTING SHADOWS  
■ ALT B SHADOWS

Source: MVE + Partners, 2017

**FIGURE 6-1f:** Shade/Shadow Study Alternative B: Fall Equinox  
The Koll Center Residences Project

Not to scale

**Kimley»Horn**

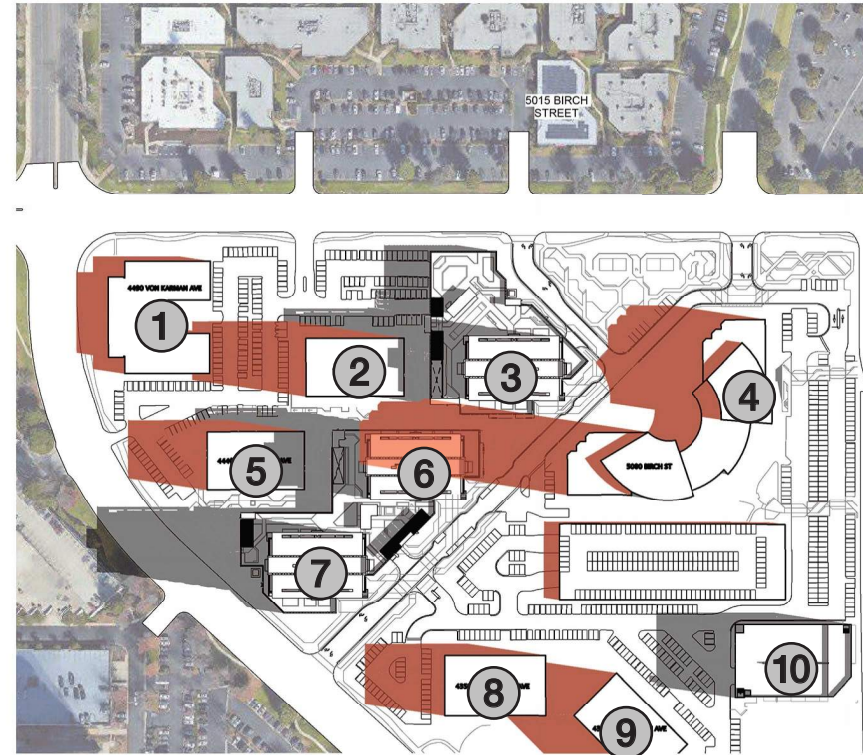




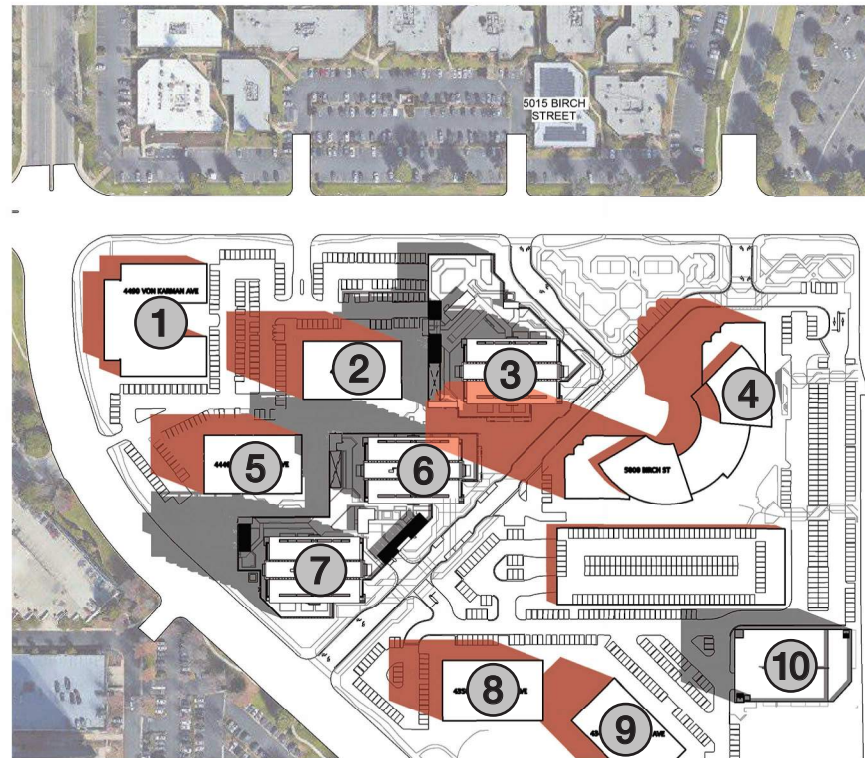
**Building Key:**

- ① 4490 Von Karman Ave
- ② 4910 Birch St
- ③ Building 1
- ④ 5000 Birch St
- ⑤ 4440 Von Karman Ave
- ⑥ Building 2
- ⑦ Building 3
- ⑧ 4350 Von Karman Ave
- ⑨ 4340 Von Karman Ave
- ⑩ Parking Structure

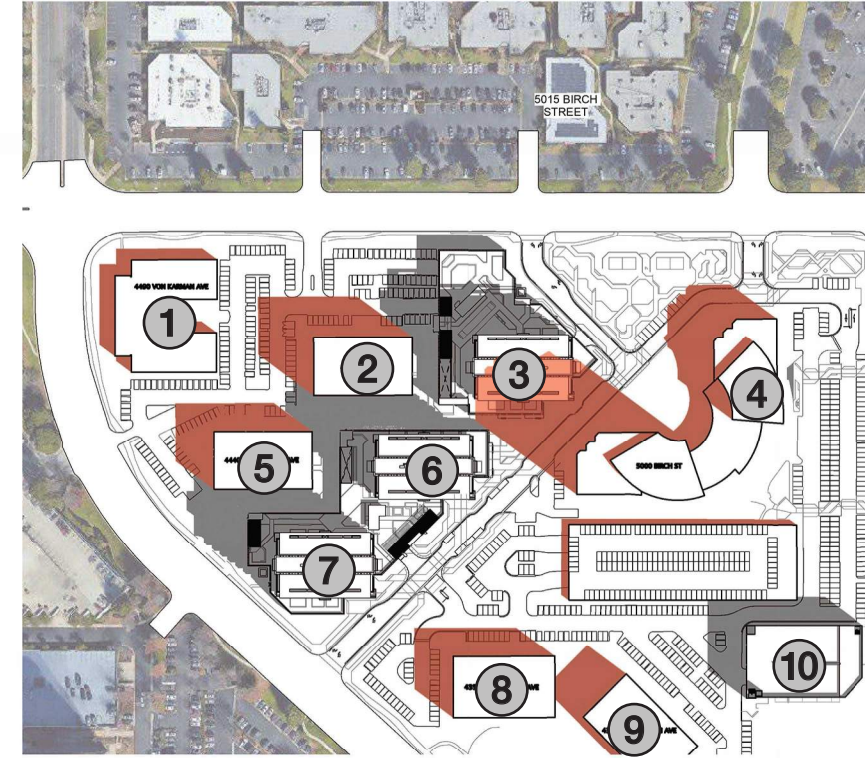
SHADOW STUDY 10 AM



SHADOW STUDY 11 AM



SHADOW STUDY 12 NOON



■ EXISTING SHADOWS  
 ■ ALT B SHADOWS

Source: MVE + Partners, 2017

**FIGURE 6-1g:** Shade/Shadow Study Alternative B: Winter Solstice  
 The Koll Center Residences Project

Not to scale

**Kimley»Horn**

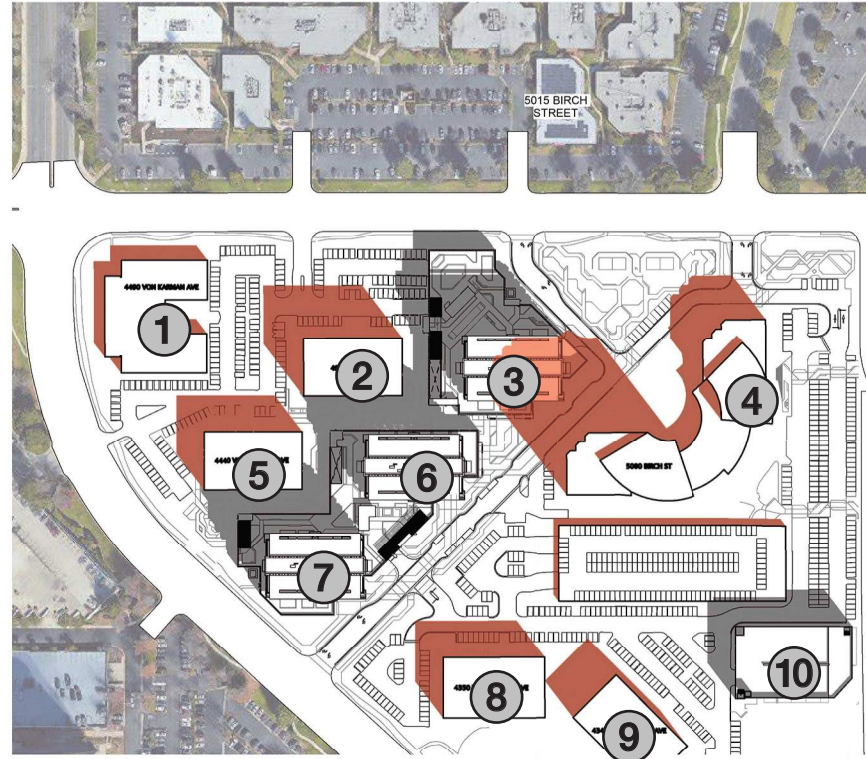




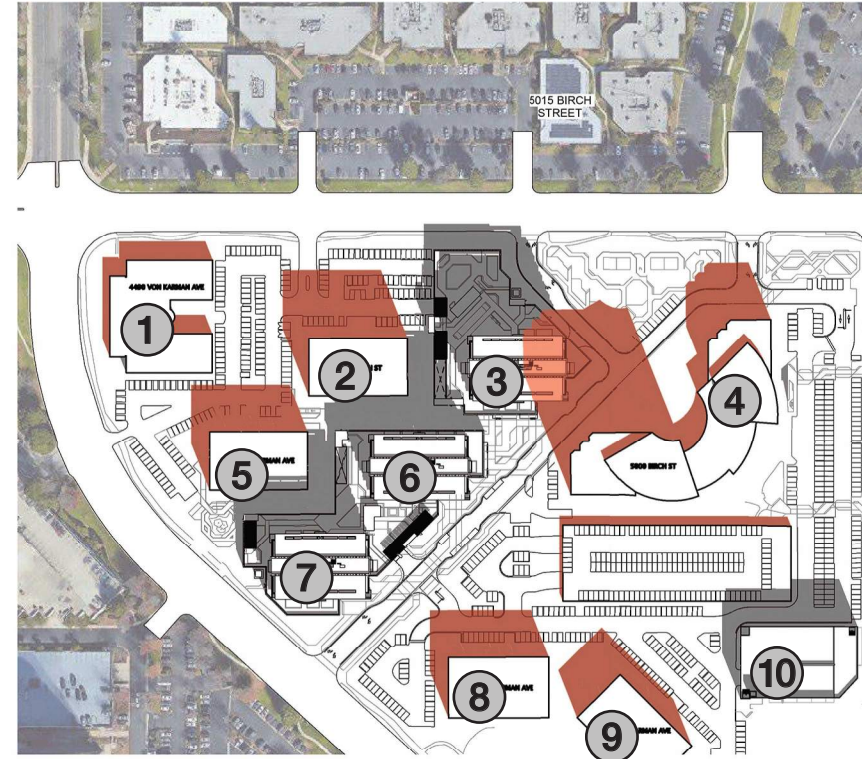
**Building Key:**

- ① 4490 Von Karman Ave
- ② 4910 Birch St
- ③ Building 1
- ④ 5000 Birch St
- ⑤ 4440 Von Karman Ave
- ⑥ Building 2
- ⑦ Building 3
- ⑧ 4350 Von Karman Ave
- ⑨ 4340 Von Karman Ave
- ⑩ Parking Structure

SHADOW STUDY 1 PM



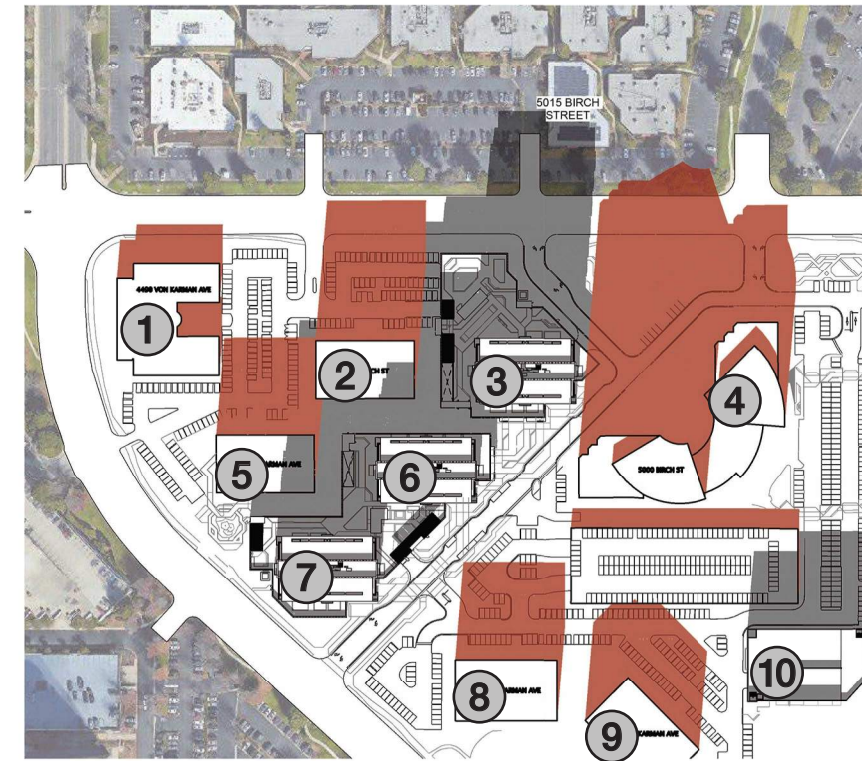
SHADOW STUDY 2 PM



SHADOW STUDY 3 PM



SHADOW STUDY 4 PM



■ EXISTING SHADOWS  
■ ALT B SHADOWS

Source: MVE + Partners, 2017

**FIGURE 6-1h:** Shade/Shadow Study Alternative B: Winter Solstice  
The Koll Center Residences Project

 Not to scale

Kimley»Horn



decrease construction-related emissions but they would still exceed the SCAQMD NO<sub>x</sub> threshold. Therefore, Alternative B would reduce but not eliminate the significant unavoidable construction air quality impacts associated with the Proposed Project.

Operational emissions associated with this alternative would also incrementally decrease. Alternative B is estimated to have approximately 364 fewer daily vehicle trips when compared to the Proposed Project's 1,207 daily vehicle trips (Table 6-2). This reduction is associated fewer residential units. Alternative B would not significantly reduce stationary emission sources from mechanical equipment (e.g., HVAC units) and landscaping equipment for site maintenance. This alternative would reduce the Proposed Project's operational impacts, but as with the Project, operational impacts would be less than significant.

### *Biological Resources*

Impacts to biological resources would be the same as those identified for the Proposed Project because the development footprint would be the same. Trees and other vegetation on site could be used for nesting by migratory birds protected under the MBTA. As with the Proposed Project, development under this alternative would remove all existing landscaping. Development would be required to mitigate potential impacts to active nests in and near the project site. As with the Proposed Project, biological resource impacts associated with Alternative B would be less than significant with mitigation.

### *Cultural Resources*

Alternative B would have less subsurface excavation when compared to the Proposed Project. However, the depth of excavation is not expected to substantially effect the potential for site development to impact archeological or paleontological resources. Although the project site has been disturbed, the project area is potentially sensitive for these resources. Cultural resources impacts would be the same or similar to the Proposed Project and the same mitigation program would be applicable. As with the Proposed Project, potential impacts associated with Alternative B can be mitigated to a less than significant level.

### *Geology and Soils*

Geology and soil impacts would be similar to the Project because it would be developed within the same footprint and under the same geologic unit and soil conditions. However, because less excavation is associated with Alternative B, the need for dewatering decreases. The potential for seismic ground shaking, fault rupture, liquefaction, or collapse would be the same or similar. Development under this alternative would also be required to comply with California Building Code standards and applicable construction and operational BMPs to reduce impacts related to geologic hazards. Development would be required to implement mitigation requiring geotechnical evaluation to identify appropriate engineering design measures to reduce potential impacts relative to strong seismic ground shaking to less than significant as addressed in Section 4.5, *Geology and Soils*. Overall, impacts would be less than significant and slightly reduced when compared to the Proposed Project.

### *Greenhouse Gas Emissions*

This alternative would have 87 fewer residential units than the Proposed Project and a shorter construction schedule. Both Alternative B and the Proposed Project would result in direct emissions of GHGs from construction activities. The approximate quantity of daily GHG emissions generated by construction equipment would be the same or similar to the Proposed Project but would occur over a



shorter time period. Once construction is complete, the generation of these GHG emissions would cease. The SCAQMD recommends that construction emissions be amortized over a 30-year project lifetime. Therefore, projected GHGs from construction are quantified and amortized over 30 years. The amortized construction emissions are added to the annual average operational emissions.

Operational emission sources include energy, vehicles, waste, water, and wastewater. Amortized construction emissions are added to operational emissions to identify a project's annual carbon dioxide equivalent (CO<sub>2</sub>e). The reduction in residential units would result in 364 fewer daily vehicle trips. This decrease would incrementally reduce vehicle trips and associated emissions. Like the Proposed Project, Alternative B would not exceed SCAQMD's bright-line threshold of 3,000 MTCO<sub>2</sub>e (million metric tons of carbon dioxide equivalents). Impacts associated with Alternative B and the Proposed Project would be less than significant.

#### *Hazards and Hazardous Materials*

Impacts related to hazards and hazardous materials would be similar to the Proposed Project. The project site is not on the Cortese list of hazardous materials sites and is not located in a designated fire hazard zone. Similar to the Proposed Project, this alternative is not anticipated to be exposed to airport hazards, affect aircraft operations, or create an airport safety hazard for Project residents. Because this alternative would have less below-ground parking, the potential for encountering hazardous materials associated with prior uses at the adjacent Uptown Newport site may be reduced. Overall, impacts would be similar and less than significant with mitigation under both scenarios.

#### *Hydrology and Water Quality*

The development footprint for Alternative B and the Proposed Project would be the same. Therefore, under both development scenarios, the amount of pervious surface would increase by providing a 1.17-acre public park and increasing the amount of landscaping and open space on the site. Construction and operational BMPs, including low impact development, detailed in the Project's Preliminary Water Quality Management Plan (WQMP) would also be implemented under this alternative to detain and treat surface runoff and reduce water quality impacts to a less than significant level.

#### *Land Use and Planning*

As with the Proposed Project, the Alternative B development scenario would not physically divide an established business community. Additionally, the Proposed Project and this alternative would not introduce any roadways or infrastructure that would bisect or transect the existing business park uses. The massing and heights of the proposed buildings for this alternative would not create a significant visual barrier or separation within Koll Center Newport.

Land uses assumed under Alternative B would be consistent with the General Plan MU-H2 land use designation. This alternative would provide 173 residential units compared to 260 units identified for the 12.7-acre Koll site in the Airport Business Area ICDP. General Plan Policy LU 6.15.9 and the Airport Business Area ICDP require a minimum density of 30 dwelling units per net acre and a maximum density of 50 dwelling units per net acre. Alternative B would have a density of approximately 20 dwelling units per net acre based on 8.51 net acres (inclusive of Buildings 1, 2, and 3; access, parking; utilities; landscaping). Therefore, the alternative would be inconsistent with General Plan Policy LU 6.15.9 and the Airport

Business Area ICDP. Both the Proposed Project and this alternative would require an amendment to PC-15 Koll Newport to include provisions allowing for residential development consistent with the City of Newport Beach General Plan and the Airport Business Area ICDP. However, unlike the Project, Alternative B provides residential development at a lower density than assumed in the noted General Plan policy and in the Airport Business Area ICDP.

Both the Proposed Project and Alternative B require a zoning code amendment to PC-15 Koll Center. Therefore, a determination of consistency with the AELUP for John Wayne Airport by the ALUC would be required prior to Newport Beach City Council action on the alternative. Under the Alternative B development scenario, building heights would not exceed 114 feet (160 feet for the Project). Compared to the Proposed Project, the reduction in residential building height may reduce concerns of the ALUC regarding residential development in the Airport Area. However, because neither the Proposed Project nor Alternative B has been reviewed by the ALUC, it would be speculative to determine their findings. Should the ALUC find that Alternative B is consistent with the AELUP for John Wayne Airport, the City Council would not be required to take action to override the findings of the ALUC. No significant unavoidable land use impact would occur. However, if the ALUC find that Alternative B is inconsistent with the ALUC, the City Council would be required to override ALUC's findings. Should that be required, both Alternative A and the Proposed Project would have a significant unavoidable land use impact even though the height of Buildings 1, 2, and 3 are lower.

### *Noise*

Alternative B would have a 3.5-month shorter construction period than the 4.5-year period for the Proposed Project; the development footprint for both scenarios would be the same. During construction, construction noise levels would be similar or the same as those associated with the Proposed Project; however, it would occur over a reduced time period. The types of equipment and the daily use of the equipment is anticipated to be the same. This alternative also includes excavation for the construction of subterranean parking associated with Buildings 1, 2, and 3, which would cause similar construction vibration effects from excavation and grading activities.

Currently, the closest sensitive receptors are multi-family residences located on the northeast corner of Campus Drive at Jamboree Road, approximately 1,410 feet northeast of the project site. Phase I of the Uptown Newport development is under construction and could have occupied residences during construction of Alternative B. Additionally, future residents would occupy Building 1 while Building 2 and Building 3 are under construction. As such, residents in Building 1 are anticipated to be exposed to Phase 2 construction noise for a shorter period of time than under the Project development scenario. The timeframe for completion of Alternative B would be approximately 3.5 months shorter than the 4.5-year construction period for the Proposed Project; a portion of that time would be associated with the construction of Building 2 and Building 3. Tenants in the office buildings to the west and south of Building 1 would be exposed to elevated noise levels during all construction phases. Noise levels would likely be notable and disruptive at times, especially when equipment is operating at maximum power. Noise levels would be higher during the demolition, site preparation, and excavation activities. Although the duration of construction would be less, because of the proximity to existing and planned development and the total duration of construction, construction impacts would remain significant and unavoidable.

Operational noise impacts would be similar to the Proposed Project. Operational noise sources from vehicle trips or stationary sources (e.g., HVAC units and landscaping equipment) would not be significantly reduced under this alternative because of the reduction in residential units. Operational noise impacts for Alternative B and the Proposed Project can be mitigated to a less than significant level.

### *Population and Housing*

Both the Project and Alternative B could generate seven new permanent employment opportunities. With 173 units, this alternative would potentially generate 386 residents compared to 580 new residents for the Proposed Project. As with the Project, population, housing, and employment growth assumptions for Alternative B are within the growth forecasts for the City and the County. Although Alternative B would provide fewer housing opportunities in the Airport Area, no impacts would occur associated with either development scenario.

### *Public Services*

Alternative B would have approximately 33 percent fewer dwelling units when compacted to the Proposed Project (260 units for the Project compared to 173 units for Alternative B). Therefore, the associated demand for public services (police, fire, schools, and libraries) would be incrementally reduced. The City requires the payment of the required Property Excise Tax to the City of Newport Beach, as set forth in the Municipal Code (§ 2.12 et seq.), for public improvements and facilities associated with the City of Newport Beach Fire Department, the City of Newport Beach Public Library, and City of Newport Beach public parks. Like the Proposed Project, Alternative B would incrementally contribute to the need for a rescue ambulance with patient transport and advanced life support capabilities at Fire Station 7, which is the closest fire station to the project site. Fire Station 7 has the physical capacity to house a paramedic rescue ambulance unit and would be able to address the additional service demand. MM 4.12-1 is applicable to the Project and Alternative B and would reduce impacts related to fire protection services to a less than significant level. MM 4.12-1 requires the Applicant's payment to the City for the Project's pro-rata share of the cost for purchasing and equipping the new rescue ambulance. The Applicant is also required to participate, on a pro-rata basis, in any City-approved funding program for the additional six firefighter/paramedic personnel to staff the new paramedic unit. Lastly, MM 4.12-1 requires that the rescue ambulance be located and operational at the Santa Ana Heights Fire Station No. 7 prior to the issuance of a certificate of occupancy for the first residential unit for the Project. Overall, public service impacts would be reduced in comparison to the Proposed Project, and like the Project, these impacts would be less than significant with mitigation.

### *Recreation*

The reduction in residential units relative to the Proposed Project would reduce the project-generated need for recreational facilities. Like the Proposed Project, Alternative B assumes a 1.17-acre public park on the project site. This alternative would generate a population of 386 residents, requiring a total of 1.93 acres of park, which would require an additional 0.74 acre of parkland. Like the Proposed Project, this alternative could achieve the park requirement with the payment of in-lieu fees and through the provision of common recreational amenities on the project site. Neither the Project nor Alternative B would have significant impacts related to the topic of recreation.

### *Traffic and Transportation*

Alternative B is projected to generate 843 daily trips, 100 trips during the AM peak hour, and 103 trips during the PM peak hour (Table 6-2). Compared to the Proposed Project, this alternative would generate 193 fewer daily trips, 49 fewer trips during the AM peak hour, and 48 fewer trips during the PM peak hour. Both this alternative and the Project allow for residential and retail uses proximate to employment and commercial centers that would encourage residents to walk or bike to work or shop, rather than drive. Traffic generation associated with this alternative would be less than the Proposed Project; however, as with the Proposed Project, traffic impacts would be less than significant.

### *Utilities and Service Systems*

When compared to the Proposed Project, the reduction in development associated with Alternative B would result in an incremental reduction in the demand on utilities. Infrastructure improvements would be similar to those needed for the Proposed Project. Utility and service demands would be reduced roughly proportionately for wastewater treatment, water supply, solid waste collection and disposal, electricity, and natural gas. As with the Proposed Project, it is anticipated that impacts would be less than significant without mitigation.

### Conclusion

Alternative B is would incrementally reduce significant impacts associated with the intensity of development as well as the reduced timeframe for construction. Building heights would be reduced by 46 feet. When compared to the Proposed Project, Alternative B would reduce but not eliminate significant unavoidable air quality construction impacts, construction noise impacts, and land use compatibility impacts associated with the AELUP for John Wayne Airport. Mitigation measures would be required to reduce potential significant impacts to a less than significant level associated with the biological resources, cultural resources, geology and soils, hazards and hazardous materials, and operational noise effects. No significant impacts are anticipated related to the topics of aesthetics, greenhouse gases, hydrology and water quality, population and housing, public services, recreation, traffic, or utilities.

### *Feasibility and Ability to Meet Project Objectives*

With 173 residential units, 3,000 sf of retail uses, and a 1.17-acre public park as part of a mixed-use development, this alternative would meet several of the Project objectives. It would provide 3,000 sf of retail uses thereby achieving the objective to provide retail commercial uses to serve residents, business, and visitors in Koll Center Newport. Alternative B would create a mixed-use community that provides jobs, residential, and supporting services with pedestrian-oriented amenities that facilitate walking and enhance livability. It would also provide several of the beneficial impacts of the Proposed Project, including implementing a reclaimed water system for existing and proposed uses and a first flush (storm water) water quality treatment facility on the project site.

Alternative B It would be consistent with several of the goals and policies of the General Plan for the Airport Business Area. However, Alternative B would be inconsistent with General Plan Policy LU 6.15.9 and the Airport Business Area ICDP which require a minimum density of 30 dwelling units per net acre and a maximum density of 50 dwelling units per net acre. Alternative B would have a density of approximately 20 dwelling units per net acre. Because Alternative B would have 173 dwelling units compared to 260 units for the Project may have a lower direct return on investment. Whether the cost

for the construction and operation of a project under this alternative development scenario is feasible is uncertain. CEQA Guidelines Section 15126.6(b) states "...the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." Section 15126.6(a) of the State CEQA Guidelines requires that the alternatives "feasibly attain most of the basic objectives of the project". Since Alternative B is able to meet most of the Project objectives, it is considered a potentially feasible alternative.

### 6.5.3 ALTERNATIVE C: AGE-RESTRICTED RESIDENCES

#### Description of the Alternative

Alternative C was developed to evaluate whether age-restricting the residential units could meet Project objectives and reduce Project impacts. This alternative would reduce the number of vehicular trips and parking requirements and, in that respect, would incrementally reduce impacts that are associated with the Proposed Project. However, it would not avoid the significant impacts associated with the Project.

Alternative C assumes that all residential units would be age-restricted to 55 years of age or older. As with the Proposed Project, Alternative C assumes 260 for-sale residential units, 3,000 sf of retail uses, and a 1.17-acre public park. The development footprint and the building heights would be the same. The City requires fewer parking spaces for senior housing: 1.2 parking spaces per unit. The Project proposes 2.1 parking spaces per unit. Therefore, the number of required parking spaces associated with Alternative C would decrease from 557 to 312 spaces. Surface parking that would be removed during by construction and site development would be provided in a free-standing parking structure and within the Building 1 parking structure. Fewer required residential spaces would eliminate one level of below-grade parking in the parking structure for Building 1 and parking structure for Building 2 and Building 3. Grading associated with Alternative C would require approximately 89,414 cy of export compared to approximately 118,500 cy of export associated with the Proposed Project. The timeframe for completion of Alternative C would be 1.5 months shorter than the 4.5-year construction period for the Project.

Alternative C would require the same discretionary actions as the Proposed Project. It is assumed that a Mitigation Program similar to what is proposed for the Project would be required for Alternative C. Although the nature of the mitigation would be the same, the mitigation requirements may be slightly less because of the incremental changes associated with an age-restricted development.

#### Comparative Analysis of Environmental Impacts

##### *Aesthetics*

Under the Alternative C development scenario, there would be no visible differences between the alternative and the Proposed Project because the building heights, architectural features and massing details, lighting plan, hardscape and landscaping improvements, recreational uses and amenities would be the same. The elimination of one level of below-grade parking; would not change the visual character of the project site. As with the Proposed Project, aesthetic impacts would be less than significant.



### *Air Quality*

Construction maximum daily emissions would be the same or similar as for the Project but the construction duration would be less. Construction activities would require 1.5 fewer months than the 4.5-year timeframe assumed for the Proposed Project. Additionally, the elimination of one level of below-grade parking in the parking structure for Building 1 and the parking structure for Buildings 2 and 3 would require the excavation of fewer cubic yards of material when compared to the Proposed Project. Therefore, it is expected that there would be a reduction in truck haul trips during construction. Although this alternative would reduce construction time by 1.5 months and decrease vehicle trips generated during construction activities, this change would decrease construction-related emissions but they would still exceed the SCAQMD NO<sub>x</sub> threshold. Therefore, Alternative C would reduce but not eliminate the significant unavoidable construction air quality impacts associated with the Proposed Project.

Operational emissions associated with this alternative would also incrementally decrease. As noted on Table 6-2, Alternative C is estimated to have 1,014 daily trips, which is 193 daily vehicle trips fewer daily trips when compared to the Proposed Project. This reduction is associated with a lower trip generation rate assumed for senior housing units. Alternative B would not reduce stationary emission sources from HVAC units and landscaping equipment for site maintenance. This alternative would reduce the Proposed Project's operational impacts, but as with the Project, operational impacts would be less than significant.

### *Biological Resources*

Impacts to biological resources would be the same as those identified for the Proposed Project because the development footprint would be the same. Trees and other vegetation on site could be used for nesting by migratory birds protected under the MBTA. As with the Proposed Project, development under this alternative would remove all existing landscaping. Development would be required to mitigate potential impacts to active nests in and near the project site as set forth in Section 4.3, *Biological Resources*. As with the Proposed Project, biological resource impacts associated with Alternative C would be less than significant with mitigation.

### *Cultural Resources*

Alternative C would have less subsurface excavation when compared to the Proposed Project. However, the depth of excavation is not expected to substantially effect the potential for site development to impact archeological or paleontological resources. Although the project site has been disturbed, the project area is potentially sensitive for these resources. Cultural resources impacts would be the same or similar to the Proposed Project and the same mitigation program would be applicable. As with the Proposed Project, potential impacts associated with Alternative C can be mitigated to a less than significant level.

### *Geology and Soils*

Geology and soil impacts would be similar to the Project because it would be developed within the same footprint under the same geologic unit and soil conditions. However, because less excavation is associated with Alternative C, the need for dewatering decreases. The potential for seismic ground shaking, fault rupture, liquefaction, or collapse would be the same or similar. Development under this alternative would also be required to comply with California Building Code standards and applicable construction and operational BMPs to reduce impacts related to geologic hazards. Development would be required to implement mitigation requiring geotechnical evaluation to identify appropriate engineering design

measures to reduce potential impacts relative to strong seismic ground shaking to less than significant as addressed in Section 4.5, *Geology and Soils*. Overall, impacts would be less than significant and slightly reduced when compared to the Proposed Project.

#### *Greenhouse Gas Emissions*

This alternative would have 193 fewer daily vehicle trips than the Proposed Project and a shorter construction schedule. Both Alternative C and the Project would result in direct emissions of GHGs from construction activities. The approximate quantity of daily GHG emissions generated by construction equipment would be the same or similar to the Proposed Project but would occur over a shorter time period. Once construction is complete, the generation of these GHG emissions would cease. The SCAQMD recommends that construction emissions be amortized over a 30-year project lifetime. Therefore, projected GHGs from construction are quantified and amortized over 30 years. The amortized construction emissions are added to the annual average operational emissions.

Operational emission sources include energy, vehicles, waste, water, and wastewater. Amortized construction emissions are added to operational emissions to identify a project's annual CO<sub>2</sub>e. The lower trip generation rate for senior housing would result in 193 fewer daily vehicle trips. This decrease would incrementally reduce vehicle trips and associated emissions. Like the Proposed Project, Alternative C would not exceed SCAQMD's bright-line threshold of 3,000 MTCO<sub>2</sub>e. Impacts associated with Alternative C and the Project would be less than significant.

#### *Hazards and Hazardous Materials*

Impacts related to hazards and hazardous materials would be similar to the Proposed Project. The project site is not on the Cortese list of hazardous materials sites and is not located in a designated fire hazard zone. Like the Proposed Project, this alternative is not anticipated to be exposed to airport hazards, affect aircraft operations, or create an airport safety hazard for Project residents. Because this alternative would have less below-ground parking, the potential for encountering hazardous materials associated with prior uses at the adjacent Uptown Newport site may be reduced. Overall, impacts would be similar and less than significant with mitigation under both scenarios.

#### *Hydrology and Water Quality*

The development footprint for Alternative C and the Project would be the same. Therefore, under both development scenarios, the amount of pervious surface would increase by providing a 1.17-acre public park and increasing the amount of landscaping and open space on the site. Construction and operational BMPs, including low impact development, detailed in the Preliminary WQMP would also be implemented under this alternative to detain and treat surface runoff and reduce water quality impacts to a less than significant level.

#### *Land Use and Planning*

As with the Proposed Project, Alternative C would not physically divide an established business community through the introduction of either physical or community barriers. Additionally, the Project and alternative would not introduce any roadways or infrastructure that would bisect or transect the existing business park uses. The massing and heights of the proposed buildings for this alternative would not create a significant visual barrier or separation within Koll Center Newport.

Land uses assumed under Alternative C would be consistent with the General Plan MU-H2 land use designation and the Airport Business Area ICDP. General Plan Policy LU 6.15.9 and the Airport Business Area ICDP require a minimum density of 30 dwelling units per net acre and a maximum density of 50 dwelling units per net acre. Both the Project and Alternative A would provide residences at an approximate density of 31 units per net acre. Like the Proposed Project, this alternative would require an amendment to PC-15 Koll Newport to include provisions allowing for residential development consistent with the City of Newport Beach General Plan and the Airport Business Area ICDP.

As with the Project, Alternative C requires a determination of consistency with the AELUP for John Wayne Airport by the ALUC. The ALUC's consistency determination must occur prior to the Newport Beach City Council taking action on Alternative C. 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 a less than significant level. 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 Alternative C is taken. Since this alternative would have the same number of residential units and same building heights as the Project, AELUP consistency finding would be expected to be the same.

### *Noise*

Alternative C would have a slightly shorter construction duration (1.5 months less) than the Proposed Project; the development footprint for both scenarios would be the same. Because fewer parking spaces for senior housing are required, the number of required parking spaces associated with Alternative C would decrease from 557 to 312 spaces and require less below-ground parking levels in the structures. During construction, construction noise levels would be similar or the same as those associated with the Proposed Project; it would occur over a reduced time period. The types of equipment and the daily use of the equipment is anticipated to be the same.

However, this change would not substantially decrease construction noise impacts because of the proximity to existing and planned on-site and off-site development and the total duration of construction. Further, this alternative would still require construction of subterranean garages associated with Buildings 1, 2, and 3, which would cause similar construction vibration impacts from excavation and grading activities. Construction noise impacts would be less than for the Project because the duration of the impact would decrease from 54 months to 52.5 months. However, because of the proximity to existing and planned development and the total duration of construction, construction impacts would remain significant and unavoidable. Operational noise impacts would be similar to the Proposed Project. Operational noise sources from vehicle trips or stationary sources (e.g., HVAC units and landscaping equipment) would not be significantly reduced under this alternative because of the reduction in vehicular traffic. Operational noise impacts for Alternative C and the Proposed Project can be mitigated to a less than significant level.

### *Population and Housing*

Both the Proposed Project and Alternative C could generate seven new permanent employment opportunities. This alternative would provide the same number of residential units as the Project and with up to 580 residents; however, it would be expected that the number of residents per age-restricted unit would be less than associated with the Project (i.e., 2.32 persons per unit). As with the Proposed Project,

population, housing, and employment growth assumptions for Alternative C are within the growth forecasts for the City and the County. No impacts would occur associated with either development scenario.

### *Public Services*

Demand on public services would be different than the Project because of the age restrictions for the 260 residential units. Service demand for police and library services would be similar to the Project. The demand for emergency services may be greater when compared to the Proposed Project due to the age of potential residents. The demand on schools and libraries would be lower because of the age restrictions and anticipated reduction in residents associated with the alternative. The City requires the payment of the required Property Excise Tax to the City of Newport Beach, as set forth in its Municipal Code (§ 2.12 et seq.), for public improvements and facilities associated with the fire protection services, libraries, and public parks. Like the Project, Alternative B would incrementally contribute to the need for a rescue ambulance with patient transport and advanced life support capabilities at Fire Station 7, which is the closest fire station to the project site. Fire Station 7 has the physical capacity to house a paramedic rescue ambulance unit and would be able to address the additional service demand. MM 4.12-1 is applicable to the Project and Alternative C and would reduce impacts related to fire protection services to a less than significant level.

### *Recreation*

This alternative would have the same requirement for recreational facilities as the Proposed Project. As with the Project, Alternative C includes the 1.17-acre park. Like the Proposed Project, this alternative could achieve the park requirement with the payment of in-lieu fees. Overall, recreation impacts for this alternative would be the same as the Project. Neither the Project nor Alternative C would have significant impacts related to the topic of recreation.

### *Traffic and Transportation*

Alternative C is projected to generate 1,014 daily trips, 52 trips during the AM peak hour, and 68 trips during the PM peak hour (Table 6-2). Compared to the Proposed Project, this alternative would generate 193 fewer daily trips, 97 fewer trips during the AM peak hour, and 83 fewer trips during the PM peak hour, based on the trip generation rates for Senior Adult Housing-Attached from the Institute of Transportation Engineers, *Trip Generation Manual*, 9<sup>th</sup> Edition. Both this alternative and the Project allow for residential and retail uses proximate to employment and commercial centers that would encourage residents to walk or bike to work or shop, rather than drive. Traffic generation associated with this alternative would be less than the Proposed Project; however, as with the Project, traffic impacts would be less than significant.

### *Utilities and Service Systems*

The number of residential units and retail development would be the same for both the Project and Alternative C. Utility and service demands would be similar for wastewater treatment, water supply, solid waste collection and disposal, electricity, and natural gas. As with the Proposed Project, it is anticipated that impacts would be less than significant without mitigation.

## Conclusion

Alternative C is would incrementally reduce significant impacts because of the nature of age-restricted development as well as the reduced timeframe for construction. When compared to the Proposed Project, Alternative C would reduce but not eliminate significant unavoidable air quality construction impacts, construction noise impacts, and land use compatibility impacts associated with the AELUP for John Wayne Airport. Mitigation would be required to reduce potential significant impacts to a less than significant level associated with the biological resources, cultural resources, geology and soils, hazards and hazardous materials, and operational noise effects. No significant impacts are anticipated related to the topics of aesthetics, greenhouse gases, hydrology and water quality, population and housing, public services, recreation, traffic, or utilities. Although not a significant impact, Alternative C would generate less vehicular traffic and reduce the demand on schools.

### *Feasibility and Ability to Meet Project Objectives*

With 260 residential units, 3,000 sf of retail uses, and a 1.17-acre public park as part of a mixed-use development, this alternative would meet the Project objectives. It would be consistent with the goals and policies of the General Plan for the Airport Area and would be consistent with the Airport Business Area ICDP. It would provide retail uses thereby achieving the objective to provide retail commercial uses to serve residents, business, and visitors in Koll Center Newport. Alternative C would create a mixed-use community that provides jobs, residential, and supporting services with pedestrian-oriented amenities that facilitate walking and enhance livability. It would also provide several of the beneficial impacts of the Proposed Project, including implementing a reclaimed water system for existing and proposed uses and a first flush (storm water) water quality treatment facility on the project site.

This alternative would potentially be a viable project that could yield a reasonable return on investment because it would allow for the same amount of development as the Project. Whether an age-restricted development is as desirable or as economically viable as the Proposed Project is not known. Section 15126.6(a) of the State CEQA Guidelines requires that the alternatives “feasibly attain most of the basic objectives of the project”. Since Alternative C would meet most of objectives of the Project and reduce environmental impacts associated with the Project, it is considered a potentially feasible alternative.

## **6.5.4 ALTERNATIVE D: MODIFIED SITE PLAN**

### Description of the Alternative

Alternative D is proposed to reduce the duration of on-site construction. Constructed in three phases rather than four phases, the estimated duration of construction would decrease from approximately 4.5 years to 3 years. As with the Proposed Project, Alternative D assumes 260 residential units, 3,000 sf of retail uses, and a 1.17-acre public park. However, Alternative D assumes that all surface parking removed by the construction and operation of the Proposed Project would be provided in the parking structure for Building 1. The free-standing parking structure would not be constructed and therefore the development footprint for Alternative D would be smaller than for the Project. The size of the project site would decrease from 13.16 acres to approximately 12.46 acres. The area proposed for the parking structure would remain as surface parking for Koll Center Newport. Because the free-standing parking structure would not be constructed prior to the start of grading and construction for Building 1, valet and/or shuttle

parking to another location(s) within and/or outside Koll Center Newport would be required until all of the parking spaces are available within the residential buildings' parking structures.

Figure 6-2, *Alternative D Site Plan*, depicts the site boundary and plan for Alternative D. Alternative D would require a larger subsurface building footprint to allow for the construction of additional below-ground parking for the Project uses and the removed surface parking used by existing tenants and guests. The same number of below-grade levels of parking would be provided as for the Project. However, additional excavation would be required to create a larger horizontal footprint for parking structures. Grading associated with Alternative D would require approximately 153,000 cy of export compared to approximately 118,500 cy of export associated with the Proposed Project. While the subterranean footprint would be larger, no changes would be visible above the ground surface. Buildings 1, 2, and 3 would be situated in the same locations and be the same height as the Proposed Project.

Alternative D would require the same discretionary actions as the Proposed Project. It is assumed that a Mitigation Program similar to what is proposed for the Project would be required for Alternative D. Although the nature of the mitigation would be the same, the mitigation requirements may be slightly different due to the changes associated with the alternative.

### Comparative Analysis of Environmental Impacts

#### *Aesthetics*

Alternative D does not include a free-standing parking structure located at the southeast corner of the project site. No additional lighting associated with a parking structure in this location adjacent to planned residential uses in Uptown Newport would occur. While the subterranean footprint would be larger, no changes would be visible above the ground surface. Buildings 1, 2, and 3 would be sited in the same locations and be the same height as the Proposed Project. Under the Alternative D development scenario, there would be no visible differences between the alternative and the Project associated with the buildings, public park, and recreational/open space areas because the building heights, architectural features and massing details, lighting plan, hardscape and landscaping improvements, recreational uses and amenities would be the same.

#### *Air Quality*

Construction maximum daily emissions would be the same or similar as for the Project but the construction duration would be substantially less. Construction activities would require 3 years rather than 4.5 years for the Proposed Project. However, the larger subsurface footprint for parking for Buildings 1, 2, and 3 would require the approximately 153,000 cy of export compared to approximately 118,500 cy of export with the Project. This additional export would increase the number of trucks haul trips. Although this alternative would reduce the construction timeframe, daily emissions would be the same or greater because of additional truck trips from the project site. Construction activities associated with the alternative would be expected still exceed the SCAQMD NO<sub>x</sub> threshold. Therefore, Alternative D would but not eliminate the significant unavoidable construction air quality impacts associated with the Project.

Operational emissions associated with this alternative would be the same or similar to the Project. This alternative is anticipated to generate the same number of daily trips. Alternative D may reduce stationary emission sources from mechanical equipment because of the removal of the free-standing parking





Source: MVE + Partners, 2017

**FIGURE 6-2:** Alternative D Site Plan  
The Koll Center Residences Project



Not to scale





structure from the project. This alternative would have similar operational impacts as the Proposed Project, and they would be less than significant, as with the Proposed Project.

### *Biological Resources*

Impacts to biological resources under this alternative would be less than the Proposed Project, since they would remove existing landscaping from the project site. This alternative does not include the free-standing parking structure and would therefore remove 304 trees compared to 339 trees with the Project. Trees and other vegetation on site could be used for nesting by migratory birds protected under the MBTA. As with the Proposed Project, development under this alternative would remove all existing landscaping. Development would be required to mitigate potential impacts to active nests in and near the project site as set forth in Section 4.3, *Biological Resources*. Biological resource impacts associated with the Project and Alternative D would be less than significant with mitigation.

### *Cultural Resources*

The potential for impacts to cultural resources would be similar to the Project. Although Alternative D does not include construction of a free-standing parking structure, the alternative requires a larger subsurface horizontal footprint for parking structures associated with Buildings 1, 2, and 3. Recommended mitigation would be the same as the Proposed Project. As with the Project, potential impacts associated with Alternative D can be mitigated to a less than significant level.

### *Geology and Soils*

Geology and soil impacts would be similar to the Project. The development would have a larger subsurface footprint but would eliminate the free-standing parking structure. As with the Project, dewatering may be required. With respect to the potential for seismic ground shaking, fault rupture, liquefaction, or collapse, the impacts would be similar. Development would be required to implement mitigation requiring geotechnical evaluation to identify appropriate engineering design measures to reduce potential impacts relative to strong seismic ground shaking to less than significant as addressed in Section 4.5, *Geology and Soils*. Overall, impacts would be similar when compared to the Proposed Project.

### *Greenhouse Gas Emissions*

This alternative would have the same number of daily vehicle trips as the Project. Both Alternative D and the Project would result in direct emissions of GHGs from construction activities. The approximate quantity of daily GHG emissions generated by construction equipment would be the same or similar to the Proposed Project but would occur over a shorter time period (3 years compared to 4.5 years). Once construction is complete, the generation of these GHG emissions would cease. The SCAQMD recommends that construction emissions be amortized over a 30-year project lifetime. Therefore, projected GHGs from construction are quantified and amortized over 30 years. The amortized construction emissions, which would be less than for the Project, are added to the annual average operational emissions.

Operational emission sources include energy, vehicles, waste, water, and wastewater. Amortized construction emissions are added to operational emissions to identify a project's annual CO<sub>2</sub>e. Operational impacts would be expected to be the same as the Project. Neither the Project or Alternative D would exceed SCAQMD's bright-line threshold of 3,000 MTCO<sub>2</sub>e. GHG impacts associated with Alternative D and the Project would be less than significant.

### *Hazards and Hazardous Materials*

Impacts related to hazards and hazardous materials would be similar to the Proposed Project. The project site is not on the Cortese list of hazardous materials sites and is not located in a designated fire hazard zone. Like the Proposed Project, this alternative is not anticipated to be exposed to airport hazards, affect aircraft operations, or create an airport safety hazard for Project residents. Because this alternative would have less below-ground parking, the potential for encountering hazardous materials associated with prior uses at the adjacent Uptown Newport site may be reduced. Overall, impacts would be similar and less than significant with mitigation under both scenarios.

### *Hydrology and Water Quality*

The Alternative D project site would be smaller than the site for the Project because of the elimination of the free-standing parking structure. No changes to the site of the free-standing parking structure would occur that would substantially change site drainage or water quality; the site would remain a surface parking area. Like the Project, the amount of pervious surface would increase because of the construction of a 1.17-acre park and the increase in landscaping and open space. Construction and operational BMPs, including low impact development, detailed in the Preliminary WQMP would also be implemented under this alternative to detain and treat surface runoff and reduce water quality impacts to a less than significant level.

### *Land Use and Planning*

Neither the Project or Alternative D would physically divide an established business community. As with the Proposed Project, the alternative would not introduce any roadways or infrastructure that would bisect or transect the existing business park uses. The massing and heights of the proposed buildings for this alternative would not create a significant visual barrier or separation within Koll Center Newport.

Land uses assumed under Alternative D would be consistent with the General Plan MU-H2 land use designation and the Airport Business Area ICDP. General Plan Policy LU 6.15.9 and the Airport Business Area ICDP require a minimum density of 30 dwelling units per net acre and a maximum density of 50 dwelling units per net acre. Alternative D would have a density of approximately 34 dwelling units per net acre based on 7.59 net acres (inclusive of Buildings 1, 2, and 3; access, parking; utilities; landscaping). The Project would provide residences at an approximate density of 31 units per net acre. Like the Proposed Project, this alternative would require an amendment to PC-15 Koll Newport to include provisions allowing for residential development consistent with the City of Newport Beach General Plan and the Airport Business Area ICDP.

Both the Project and Alternative D would require a determination of consistency with the AELUP for John Wayne Airport by the ALUC. The ALUC's consistency determination must occur prior to the Newport Beach City Council taking action on the alternative. 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 a less than significant level. 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 Alternative D is taken. Since this alternative would have the same number of residential units and same building heights as the Project, AELUP consistency finding would be expected to be the same.

### *Noise*

During construction, construction noise levels would be similar or the same as those associated with the Proposed Project; it would occur over a reduced time period. The types of equipment and the daily use of the equipment is anticipated to be the same. Alternative D would reduce the duration of construction from 4.5 years to 3 years. Therefore, the alternative would substantially reduce the duration of construction noise. However, because of the proximity to existing and planned development and the total duration of construction, construction impacts would remain significant and unavoidable. Operational noise impacts would be similar to the Project. Operational noise sources from vehicle trips or stationary sources (e.g., HVAC units and landscaping equipment) would be similar and can be mitigated to a less than significant level under both the Project and alternative scenarios. Overall, noise impacts of this alternative would be less than the Proposed Project because of the shorter construction time period and the elimination of the free-standing parking structure in the southeast portion of the project site proximate to Uptown Newport. However, as with the Proposed Project, impacts would be significant and unavoidable even with mitigation.

### *Population and Housing*

This alternative would provide the same number of residential units as the Project and generate an estimated 580 residents and approximately seven new permanent employment opportunities. As with the Proposed Project, the alternative's population, housing, and employment growth are within the overall forecasts for the City and the County. As with the Proposed Project, population, housing, and employment growth assumptions for this alternative are within the growth forecasts for the City and the County. No impacts would occur associated with either development scenario.

### *Public Services*

This alternative would be expected to have the same demand on public services because the number of residential units, retail uses, and park and recreational amenities would be the same. As with the Project, all impacts would be less than significant with the exception of fire service. Mitigation is provided that would mitigate impacts related to the provision of fire protections services to a less than significant level.

### *Recreation*

This alternative would have the same project-generated need for recreational facilities as the Proposed Project and would also provide a 1.17-acre public park and recreational amenities and open space. Like the Project, this alternative could achieve the park requirement with the payment of in-lieu fees. Neither the Project nor Alternative D would have significant impacts on recreational facilities or services.

### *Traffic and Transportation*

Alternative D would generate the same daily and peak hour traffic as the Project (Table 6-2). Neither the Project nor Alternative D would have significant traffic impacts.

### *Utilities and Service Systems*

Utility and service demands would be similar or less for Alternative D as for the Project. With the elimination of the free-standing parking structure, there would be no increase in electrical use or water

for irrigation. As with the Proposed Project, it is anticipated that impacts would be less than significant; no mitigation is required.

### Conclusion

Alternative D would incrementally reduce significant impacts associated with the reduced timeframe for construction from 4.5 years to 3 years because the free-standing parking would not be constructed. When compared to the Proposed Project, Alternative D would reduce but not eliminate significant unavoidable air quality construction impacts and construction noise impacts. Mitigation would be required to reduce potential significant impacts to a less than significant level associated with the biological resources, cultural resources, geology and soils, hazards and hazardous materials, and operational noise effects. No significant impacts are anticipated related to the topics of aesthetics, GHG, hydrology and water quality, population and housing, public services, recreation, traffic, or utilities. While not identified as a significant impact, GHG and air quality emissions would be reduced because of the shorter construction period.

One major difference between the Proposed Project and Alternative D is that the alternative would not provide replacement parking prior to initiation to construction of Building 1. The Proposed Project estimates that construction activities for Building 1 would remove 331 surface parking spaces. For Alternative D, more spaces would be removed because the subsurface development footprint would be larger. Parking within the Building 1 parking structure would not be available for existing office tenants and visitor as well as new residents until Building 1 is completed. Until that time, parking would need to be provided in other parts of Koll Center Newport or outside of the boundary Koll Center Newport because there would not be enough available parking spaces to meet the parking demand and the number of spaces required by the Koll Center Newport Planned Community.

Upon completion of this development under this alternative scenario, both replacement parking and required parking for new development would be provided. The loss of parking during construction would be an inconvenience to tenants and visitors to the office buildings but would not cause a significant physical impact on the environment because parking could be made available. When compared to Alternative D, the Project would provide a parking structure prior to the construction of Building 1 which would reduce the inconvenience to office tenants and visitors.

### *Feasibility and Ability to Meet Project Objectives*

Alternative D would meet the objectives identified for the Project. This alternative “feasibly attain[s] most of the basic objectives of the project” and may be considered to be a potentially feasible alternative.

## **6.6 Environmentally Superior Alternative**

CEQA requires the identification of an environmentally superior alternative. Section 15126.6(e)(2) of the State CEQA Guidelines identifies that if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

Based on the evaluation contained in this EIR, Alternative C, Age-Restricted Residences, would be the environmentally superior alternative. Alternative C would allow for the same land uses as the Proposed Project. Although this alternative would not eliminate the significant impacts identified for the Project, it

would incrementally reduce significant impacts because of the nature of age-restricted development as well as the very small reduction (1.5 months) in the timeframe for construction. When compared to the Project, Alternative C would reduce but not eliminate significant unavoidable air quality construction impacts, construction noise impacts, and land use compatibility impacts associated with the AELUP for John Wayne Airport. Alternative C would generate less vehicular traffic and have an incremental reduction in operational air quality and noise impacts, and would reduce the demand on schools. This alternative meets the Project objectives and is consistent with the General Plan and the Airport Business ICDP. However, when compared to Alternative D, Alternative C has only a nominal decrease in the timeframe for construction.

Alternative D, Modified Site Plan, would not eliminate the significant unavoidable impacts identified for the Project but would reduce the construction period by 1.5 years while allowing for the same land uses as the Project. Therefore, the duration of construction-related impacts would occur over a shorter time period. This alternative meets the Project objectives and is consistent with the General Plan and the Airport Business ICDP. While this alternative would cause a greater inconvenience to office tenants and visitors because parking would not be replaced until Building 1 is completed. The Project and Alternatives B and C would provide on-site replacement parking a free-standing parking structure before the initiation of construction of Building 1. This factor would need to be weighed against the reduction in time to complete the development.

*Table 6-3* summarizes the environmental impacts of each alternative compared to the Proposed Project, and *Table 6-4* summarizes each alternative's ability to achieve the Project objectives.

Topic	Proposed Project	Alternative A	Alternative B	Alternative C	Alternative D
Aesthetics	LS	-	-	=	=
Air Quality <i>Construction</i>	S/U	*	-	-	-
<i>Operation</i>	LS	-	-	-	=
Biological Resources	LS/M	-	=	=	-
Cultural Resources	LS/M	-	=	=	-
Geology and Soils	LS/M	-	=	=	=
Greenhouse Gas Emissions	LS	-	-	-	-
Hazards and Hazardous Materials	LS/M	-	=	=	=
Hydrology and Water Quality	LS	-	=	=	=
Land Use and Planning	S/U	*	=	=	=
Noise <i>Construction</i>	S/U	*	-	-	-
<i>Operation</i>	LS/M	-	-	-	=
Population and Housing	LS	-	=	=	=
Public Services	LS/M	-	-	=	=
Recreation	LS	-	-	=	=
Traffic and Transportation	LS	-	-	=	=
Utilities and Services Systems	LS	-	-	=	=

LS = Less than Significant  
 LS/M = Less than Significant with Mitigation  
 S/U = Significant Unavoidable Impact  
 (-) The alternative would result in less of an impact than the Proposed Project or no impact.  
 (+) The alternative would result in greater impacts than the Proposed Project.  
 (=) The alternative would result in the same/similar impacts as the Proposed Project.  
 (\*) The alternative would reduce/eliminate a significant and unavoidable impact.

Objective	Proposed Project	Alternative A	Alternative B	Alternative C	Alternative D
Implement the goals and policies that the Newport Beach General Plan established for the Airport Area and the Integrated Conceptual Plan Development Plan.	Yes	No	No	Yes	Yes
Develop a mixed-use community that provides jobs, residential, and supporting services, with pedestrian-oriented amenities that facilitate walking and enhance livability.	Yes	No	Yes	Yes	Yes
Develop up to 3,000 sf of retail commercial uses to serve residents, businesses, and visitors within the business park.	Yes	No	Yes	Yes	Yes
Develop an attractive, viable project that yields a reasonable return on investment.	Yes	No	Unknown	Unknown	Unknown
Provide beneficial site improvements including implementing a reclaimed water system for existing and proposed uses and a first flush (storm water) water quality treatment facility on the site. Previous surface area would be increased by approximately 0.83 acre (or 7%) from existing conditions as a result of Project implementation.	Yes	No	Yes	Yes	Yes
Develop and maintain a 1-acre public park, adding additional park/open space for the City of Newport Beach.	Yes	No	Yes	Yes	Yes

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