

HUGH NGUYEN
CLERK-RECORDER

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DEVELOPMENT

JUN 30 2021

CITY OF
NEWPORT BEACH

BIRTH AND DEATH RECORDS
FICTITIOUS BUSINESS NAMES
MARRIAGE LICENSES/RECORDS
NOTARY REGISTRATION
ORANGE COUNTY ARCHIVES
PASSPORTS
PROPERTY RECORDS

CITY OF NEWPORT BEACH
100 CIVIC CENTER DR PO BOX 1768
NEWPORT BEACH, CA 92658-8915

Office of the Orange County Clerk-Recorder
Memorandum

SUBJECT: NOTICE OF AVAILABILITY

The attached notice was received, filed and a copy was posted on 04/29/2021

It remained posted for 30 (thirty) days.

Hugh Nguyen
Clerk - Recorder
In and for the County of Orange

By: Al Obaidi Nadia Deputy

Public Resource Code 21092.3

The notice required pursuant to Sections 21080.4 and 21092 for an environmental impact report shall be posted in the office of the County Clerk of each county *** in which the project will be located and shall remain posted for a period of 30 days. The notice required pursuant to Section 21092 for a negative declaration shall be so posted for a period of 20 days, unless otherwise required by law to be posted for 30 days. The County Clerk shall post notices within 24 hours of receipt.

Public Resource Code 21152

All notices filed pursuant to this section shall be available for public inspection, and shall be posted ***** within 24 hours of receipt** in the office of the County Clerk. Each notice shall remain posted for a period of 30 days.

*** Thereafter, the clerk shall return the notice to the local **lead** agency *** within a notation of the period it was posted. The local **lead** agency shall retain the notice for not less than nine months.

Additions or changes by underline; deletions by ***



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APR 29 2021

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: NA DEPUTY

CITY OF NEWPORT BEACH

100 Civic Center Drive
Newport Beach, California 92660

949 644-3200

newportbeachca.gov/communitydevelopment

NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
(SCH No. 2020110087)
FOR THE RESIDENCES AT NEWPORT CENTER PROJECT

DATE: April 29, 2021

TO: Reviewing Agencies and Other Interested Parties

SUBJECT: Notice of Availability of a Draft Environmental Impact Report (SCH # 2020110087) for the Residences at Newport Center residential project

PROJECT APPLICANT: Newport Anacapa Associates, LLC

DRAFT REVIEW PERIOD: April 29, 2021 – June 14, 2021 (45 days)

Pursuant to the State of California Public Resources Code Section 21165 and the "Guidelines for Implementation of the California Environmental Quality Act" as amended to date, as Lead Agency, the City of Newport Beach is circulating for public review a Draft Environmental Impact Report (EIR) for the proposed Residences at Newport Center residential project.

Project Title and Activity Number

Residences at Newport Center – Activity Numbers: Planning Application File PA2020-020 / General Plan Amendment No. GP2020-001, Zoning Code Amendment No. CA2020-008, Planned Community Development Plan No. PC2020-001, Major Site Development Review No. SD2020-001, Tentative Tract Map No. NT2020-001, Development Agreement No. DA2020-001, Environmental Impact Report No. ER2021-002.

Project Location – Specific

The Residences at Newport Center residential project is located at 150 Newport Center Drive in the Newport Center area of the City of Newport Beach, in the County of Orange. The project site is located south of the Fashion Island regional shopping center and south of Newport Center Drive, west of Anacapa Drive, and northeast of an existing office park (Gateway Plaza).



According to the City's General Plan Figure LU3, Statistical Area Map, the project site is within the City of Newport Beach's Newport Center/Fashion Island Sub-Area (Statistical Area L1).

Project Location – City
Newport Beach

Project Location – County
County of Orange

Description of Nature and Purpose of Project:

The Residences at Newport Center residential project involves the proposed entitlement of a 1.26-acre property for the demolition and removal of "The Newport Beach Car Wash" and the redevelopment of the site with a proposed mid-rise residential building to consist of a 28-unit residential condominium building



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BY: NA DEPUTY

with subterranean parking. The project involves applications for a Development Agreement, a General Plan Amendment, a Zoning Code Amendment, Planned Community Development Plan, a Major Site Development Review, and a Tentative Tract Map as described below.

1. **General Plan Amendment** - to change the project site's existing land use designation from Regional Commercial Office (CO-R) to Multiple Residential (RM) and create a new Anomaly Location for the project site that authorizes a maximum development density of 28 dwelling units.
2. **Zoning Code Amendment** - to change the site's zoning classification from Office Regional (OR) to Planned Community (PC) District.
3. **Planned Community Development Plan** - to establish a planned community development plan (PCDP) over the project site that includes development and design standards for 28 residential condominium units. In order to establish a PCDP, a waiver of the minimum site area of 10 acres of developed land is necessary.
4. **Major Site Development Review** - to allow the construction of a mid-rise residential condominium building with 28 dwelling units and common open space areas over a two-level subterranean parking garage.
5. **Tentative Tract Map** - to establish a 28-unit residential condominium subdivision map on a 1.26-acre site that would allow each unit to be sold individually.
6. **Development Agreement** -to provide the project applicant with the assurance that development of the project may proceed subject to the rules and regulations in effect at the time of project approval and to provide the City with the assurance that certain obligations of the project applicant will be met.

The Significant Effects on the Environment, if any, Anticipated as a Result of the Project:

The Draft EIR for the Residences at Newport Center residential project concludes that the proposed project would result in no impacts to the environment that cannot be reduced to below a level of significance after the consideration of project design features, compliance with applicable federal, State and local regulations, and the application of the mitigation measures identified in the Draft EIR. Mitigation measures are required under the topics of Biological Resources to address the potential for migratory nesting birds, Cultural Resources, Tribal Cultural Resources, and Geology/Soils (Paleontological Resources) to address potential inadvertent discoveries of resources beneath the surface of the site during construction activities, and Geology/Soils to address potentially unstable soils and expansive soils that may be encountered during construction activities. All of the project's impacts on the environment would be less than significant or would be mitigated to less than significant. The Draft EIR reflects the independent judgment of City of Newport Beach and recognizes project design features, previous environmental evaluations, and standard construction and engineering practices as contributing to avoidance of potential impacts. The project site does not include any sites on an Environmental Protection Agency hazardous waste site list compiled pursuant to Government Code Section 65962.5.

Lead Agency

City of Newport Beach, Planning Division

Address where copy of the Draft EIR and all documents referenced in the Draft EIR are available:

The City of Newport Beach is the Lead Agency for this Draft EIR. Copies of the Draft EIR and technical appendices are available for a 45-day public review period beginning April 29, 2021, and ending June 14, 2021 at the City of Newport Beach City Hall, Planning Division, 100 Civic Center Drive, First Floor Bay B, Newport Beach, California 92660, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Thursday, and 8:00 a.m. and 4:00 p.m. on Friday. The document can also be accessed online at:



CITY OF NEWPORT BEACH

100 Civic Center Drive
Newport Beach, California 92660

949 644-3200

newportbeachca.gov/communitydevelopment

www.newportbeachca.gov/CEQA. Additionally, copies of the document are also available for review at the following City public libraries:

Newport Beach Public Library
Corona del Mar Branch
420 Marigold Ave.
Corona Del Mar, CA 92625

Newport Beach Public Library
Balboa Branch
100 East Balboa Boulevard
Newport Beach, CA 92660

Newport Beach Public Library
Mariners Branch
1300 Irvine Avenue
Newport Beach, CA 92660

Newport Beach Public Library
Central Library
1000 Avocado Avenue
Newport Beach, CA 92660

Date of Issue:

April 29, 2021

Review Period:

45 Days

Date, Time, and Location of Public Hearing, if any:

A Planning Commission Meeting is tentatively scheduled for August 19, 2021, at 6:30 p.m. in the Council Chambers of the Newport Beach City Hall, 100 Civic Center Drive, Newport Beach, California

Contact Person

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

Liz Westmoreland, Associate Planner
Newport Beach City Hall, First Floor Bay B
100 Civic Center Drive
Newport Beach, CA 92658-9518
(949) 644-3234

The City will also accept responses to this notice submitted via e-mail received through the close of business on Monday, June 14, 2021. E-mail responses to this notice may be sent to lwestmoreland@newportbeachca.gov.

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BY: NA DEPUTY

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2020110087

Project Title: Residences at Newport Center

Lead Agency: City of Newport Beach Contact Person: Liz Westmoreland
Mailing Address: 100 Civic Center Drive Phone: 949-644-3234
City: Newport Beach Zip: 92660 County: Orange

Project Location: County: Orange City/Nearest Community: Newport Beach
Cross Streets: Newport Center Drive and Anacapa Drive Zip Code: 92660

Longitude/Latitude (degrees, minutes and seconds): 33 ° 40 ' 10 " N / 117 ° 41 ' 2.5 " W Total Acres: 1.26
Assessor's Parcel No.: 442-231-12 Section: 36 Twp.: 6S Range: 10W Base: SB
Within 2 Miles: State Hwy #: SR-1 and SR-73 Waterways: Newport Bay, Pacific Ocean
Airports: N/A Railways: N/A Schools: Harbor View ES

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other: _____
 Mit Neg Dec Other: _____

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____

Development Type:

Residential: Units 28 Acres 1.26
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW
 Educational: _____ Waste Treatment: Type _____ MGD
 Recreational: _____ Hazardous Waste: Type _____
 Water Facilities: Type _____ MGD Other: _____

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Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____

Present Land Use/Zoning/General Plan Designation:

Regional Commercial Office (CO-R) Land Use Designation/Office Regional (OR) Zoning District

Project Description: (please use a separate page if necessary)

Construction of a mid-rise residential structure that would contain 28 condominium units and common space areas over a two-level below-grade parking garage. Redevelopment of the Project site would entail demolition of the existing Newport Beach Car Wash and the other existing features on the property.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X". If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|---|
| <input type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District # <u>12</u> | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # <u>8</u> |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input checked="" type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | Other: _____ |
| <input type="checkbox"/> Health Services, Department of | Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date April 29, 2021 Ending Date June 14, 2021

Lead Agency (Complete if applicable):

Consulting Firm: <u>T & B Planning Inc.</u>	Applicant: <u>Newport Center Anacapa Associates, LLC</u>
Address: <u>3200 El Camino Real Suite 100</u>	Address: <u>901 Dove Street Ste. 270</u>
City/State/Zip: <u>Irvine, CA 92660</u>	City/State/Zip: <u>Newport Beach, CA 92660</u>
Contact: <u>Tracy Zinn</u>	Phone: <u>949-756-3200</u>
Phone: <u>714-505-6360</u>	


Signature of Lead Agency Representative:  Date: 4/29/2021

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

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