NOTICE OF DETERMINATION

To: Office of Planning and Research
   1400 Tenth Street, Room 121
   Sacramento, CA 95814

   County Clerk, County of Orange
   Public Services Division
   630 N. Broadway Building 12, Room 106
   Santa Ana, CA 92701

From: City of Newport Beach
   Planning Division
   3300 Newport Boulevard
   Newport Beach, CA 92658
   Orange County

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Name of Project: Uptown Newport
Applicant: The Shopoff Group, L.P., 2 Park Plaza, Suite 700, Irvine, CA 92614

State Clearinghouse Number: 2010051094
City Contact Person: Rosalinh Ung, Associate Planner
Telephone No.: (949) 644-3208

Project Location: 25.05-acre project site is within the Airport Business Area of the City of Newport Beach at 4311-4321 Jamboree Road, between Birch Street and the intersection of Von Karman Avenue and MacArthur Boulevard

Project Description: The proposed Uptown Newport project will consist of mixed uses with up to 1,244 residential units, 11,500 square feet of neighborhood-serving retail space, and approximately two acres of park space. Residential product types would be a mix of townhomes, mid- and high-rise condominiums, and affordable housing. Proposed buildings would range from 30 to 75 feet in height; with residential towers up to 150 feet high. Two acres totaling approximately two acres would be developed and accessible to the public. Vehicle access to the site would be from Jamboree Road, Birch Street, and Von Karman Avenue. The project will be developed in two phases. Phase 1 will involve demolition of the existing single-story office building at 4311 Jamboree Road to accommodate approximately 680 residential units, 11,500 square feet of neighborhood-serving commercial development, and a one-acre park. The TowerJazz Semiconductor facility (4321 Jamboree Road) will continue operating during construction and initial operation of Phase 1. Development of Phase 1 is projected to start in 2013 and be completed in 2018. Phase 2 will include demolition of the TowerJazz facility and construction of the remaining 364 residential units and a one-acre park. Timing for Phase 2 would be contingent on the existing lease of the TowerJazz building, which is currently set to expire in March 2017, but could be extended to as late as March 2027.

This is to advise that on March 12, 2013, the City Council of the City of Newport Beach conducted second reading and adopted (1) Ordinance No. 2013-5 approving Planned Community Development Plan Amendment No. PC2011-003 to remove the subject property from the Koll Center Newport Planned Community, and approving Planned Community Development Plan Adoption No. PC2012-001 to establish the allowable land uses, general development regulations, and implementation and administrative procedures, which serves as the zoning document for the project; and (2) Ordinance No. 2013-6 approving Development Agreement No. DA2012-003 for the project (collectively, the “Project Ordinances”).

The City Council made the following determinations regarding the approval of the Project Ordinances:
1. The City is ☑ Lead Agency ☐ Responsible Agency for the project.
2. The project ☑ will ☐ will not have a significant effect on the environment.
3. ☑ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
4. ☑ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
5. Mitigation measures ☑ were ☐ were not made a condition of the approval of the project.
6. A Statement of Overriding Considerations ☑ was ☐ was not adopted for this project.
7. Findings ☑ were ☐ were not made pursuant to the provisions of CEQA.

The Environmental Impact Report and record of project approval is available for review at the Planning Division of the City of Newport Beach, 3300 Newport Boulevard, Newport Beach, CA 92658; 949/644-3200.

Rosalinh Ung, Associate Planner

Date: 3/13/13