

# ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT

## Lido House Hotel

June 17, 2016

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### Lead Agency:

City of Newport Beach  
100 Civic Center Drive  
Newport Beach, CA 92660  
Contact: Mr. James Campbell, Principal Planner  
Phone: (949) 644-3210  
Email: [Jcampbell@newportbeachca.gov](mailto:Jcampbell@newportbeachca.gov)

This document is designed for double-sided printing to conserve natural resources.

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**ATTACHMENTS**

1. Traffic Impact Memorandum

## **1.0 INTRODUCTION**

As Lead Agency, the City of Newport Beach prepared an Environmental Impact Report (EIR) for the Lido House Hotel Project (referred to herein as the “Approved Project”). The Newport Beach City Council certified the Lido House Hotel EIR (referred to herein as the “EIR”) (State Clearinghouse No. 2013111022) and approved the Lido House Hotel Project on September 9, 2014. After certifying the EIR, City Council granted the following project approvals:

- General Plan Amendment No. GP2012-002
- Coastal Land Use Plan Amendment No. LC2012-001
- Zoning Code Amendment No. CA2012-003
- Site Development Review No. SD2014-001
- Conditional Use Permit No. UP2014-004
- Traffic Study No. TS2014-005
- Environmental Impact Report No. ER2014-003

The Applicant is currently requesting amendments of the General Plan, Coastal Land Use Plan, Zoning Code, Site Development Review and Conditional Use Permit to increase the maximum allowed gross floor area from 98,725 square feet by 4,745 gross square feet. The new maximum would be 103,470 gross square feet. The proposed changes to the approved project are referred to herein as the “Proposed Modified Project.” This Addendum has been prepared to determine whether the proposed modified project would result in new or substantially more severe significant environmental impacts compared with the impacts disclosed in the certified EIR.

### **1.1 PROJECT LOCATION**

The project site is located in the City of Newport Beach (City), in the western portion of Orange County; refer to Exhibit 1, Regional Vicinity Map. The project involves a 4.25-acre site (3300 Newport Boulevard) located at the northeast corner of the intersection of Newport Boulevard and 32<sup>nd</sup> Street on the Balboa Peninsula in the Lido Village area of the City; refer to Exhibit 2, Site Vicinity Map.

### **1.2 PREVIOUS ENVIRONMENTAL DOCUMENT**

The City of Newport Beach prepared an EIR to analyze the potential environmental impacts that would result from the Approved Project, which included approval of a General Plan Amendment, Coastal Land Use Plan Amendment, Zoning Code Amendment, Site Development Review, and Conditional Use Permit. The EIR was prepared in conformance with CEQA (California Public Resources Code [PRC] Section 21000 et seq.); CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.); and the

rules, regulations, and procedures for implementation of CEQA, as adopted by the City. The purpose of the EIR was to review the existing conditions, analyze potential environmental impacts, and identify feasible mitigation measures to reduce potentially significant effects.

The proposed 130-room Lido House Hotel would be constructed on the site of the former City Hall; refer to Exhibit 3, *Previous Conceptual Plan*. The proposed 98,725 square foot hotel would include meeting rooms, accessory retail spaces, a restaurant, lobby bar, rooftop bar, guest pool and recreational areas, and all required appurtenant facilities including, but not limited to on-site parking, landscaping, utilities, and adjoining public improvements. The project would also provide 148 surface parking spaces and would accommodate additional parking through active parking management including valet parking service. The project also included the reconfiguration of the public parking along 32<sup>nd</sup> Street by incorporating angled parking and increasing the overall street parking spaces from 79 to 80, and to improve the flow of vehicle circulation. The proposed structures would be approximately four-stories with architectural features up to 58.5-feet in height. The project would also include public open spaces consisting of pedestrian plazas, landscape areas, and other amenities proposed to be located along Newport Boulevard and 32<sup>nd</sup> Street.

The Draft EIR for the proposed project was distributed to responsible and trustee agencies, interested groups, and organizations. The Draft EIR (State Clearinghouse No. 2013111022) was made available for public review and comment for a period of 45 days. The public review period for the Draft EIR established by the CEQA Guidelines commenced on April 29, 2014, and ended June 13, 2014. A public scoping meeting for the Draft EIR was held on November 20, 2013 at the former City Council Chambers at 3300 Newport Boulevard. The City's Planning Commission then considered the Draft EIR on August 11, 2014, and the City Council approved the EIR on September 9, 2014.

The EIR identified potential impacts that would result from the construction and operation of the project and provided measures to mitigate potential significant impacts. No significant and unavoidable impacts were identified.

On October 7, 2015, the Coastal Commission approved the proposed *City of Newport Beach Coastal Land Use Plan* (CLUP) amendment with suggested modifications. At the October meeting, the Coastal Commission also approved Coastal Development Permit No. 5-14-1785 for the Lido House Hotel. The "Notice of Intent to Issue a Permit" (the COP) included five standard conditions and eight special conditions.

Special Condition No. 6 addressed lower cost overnight accommodations mitigation and a mitigation fee of \$1,415,232.00. The fee would be paid to the Coastal Commission or other qualified entity to provide lower cost overnight accommodations in the area. The City proposed the Fostering Interest in Nature (FiiN) program as a recreation and educational program that would include overnight accommodations at the Newport Dunes Resort.

The Coastal Commission also modified the proposed CLUP land use category from Mixed Use (MU) to Visitor-Serving Commercial, Lido Village (CV-LV). Overall, the Coastal Commission approved the following:

*"Former City Hall Complex at 3300 Newport Blvd and 475 32nd Street (the site):*

- *At least 75% of the total area of the site shall be 35 feet in height or lower.*
- *Buildings and structures up to 55 feet in height with the peaks of sloping roofs and elevator towers up to 60 feet in height, provided it is demonstrated that development does not adversely impact public views.*
- *Architectural features such as domes, towers, cupolas, spires, and similar structures may be up to 65 feet in height.*
- *Buildings and structures over 35 feet in height, including architectural features, shall not occupy more than 25 percent of the total area of the site.*
- *Buildings and structures over 45 feet in height, architectural features, shall not occupy more than 15 percent of the total area of the site.*
- *With the exception of a fire station, all buildings and structures over 35 feet in height, including architectural features, shall be setback a minimum of 60 feet from the Newport Boulevard right-of-way and 70 feet from the 32nd Street right-of-way.*
- *A fire station may be located in its current location and may be up to 40 feet in height. A fire station may include architectural features up to 45 feet in height to house and screen essential equipment."*

Although the modified language was more restrictive than that proposed by the City, it did not change the approved Lido House Hotel project and it also would facilitate a future reconstructed fire station. As a result, the Planning Commission and staff had no concerns with the changes. When the City approved the CLUP amendment to mixed-use, the General Plan and Zoning Code were also amended. Given the change to the CLUP, the General Plan land use category and Zoning Code needed to be modified to be consistent. Given that the intensity of use did not change, there were no issues related to Charter Section 423 (Measure S). The changes to the allowed uses within the zoning district applicable to the project mirrored the CV (Commercial Visitor-Serving) zone. Staff also modified the development standards relative to the more restrictive height limits imposed by the Coastal Commission. On November 5, 2015, the Planning Commission considered the Amendments as modified by the Coastal Commission. At the conclusion of a noticed public hearing, the Commission approved the amendments and made a motion to adopt Planning Commission Resolution No. 1999 recommending City Council approval of the proposed changes to the Amendments.



\* - Project Site

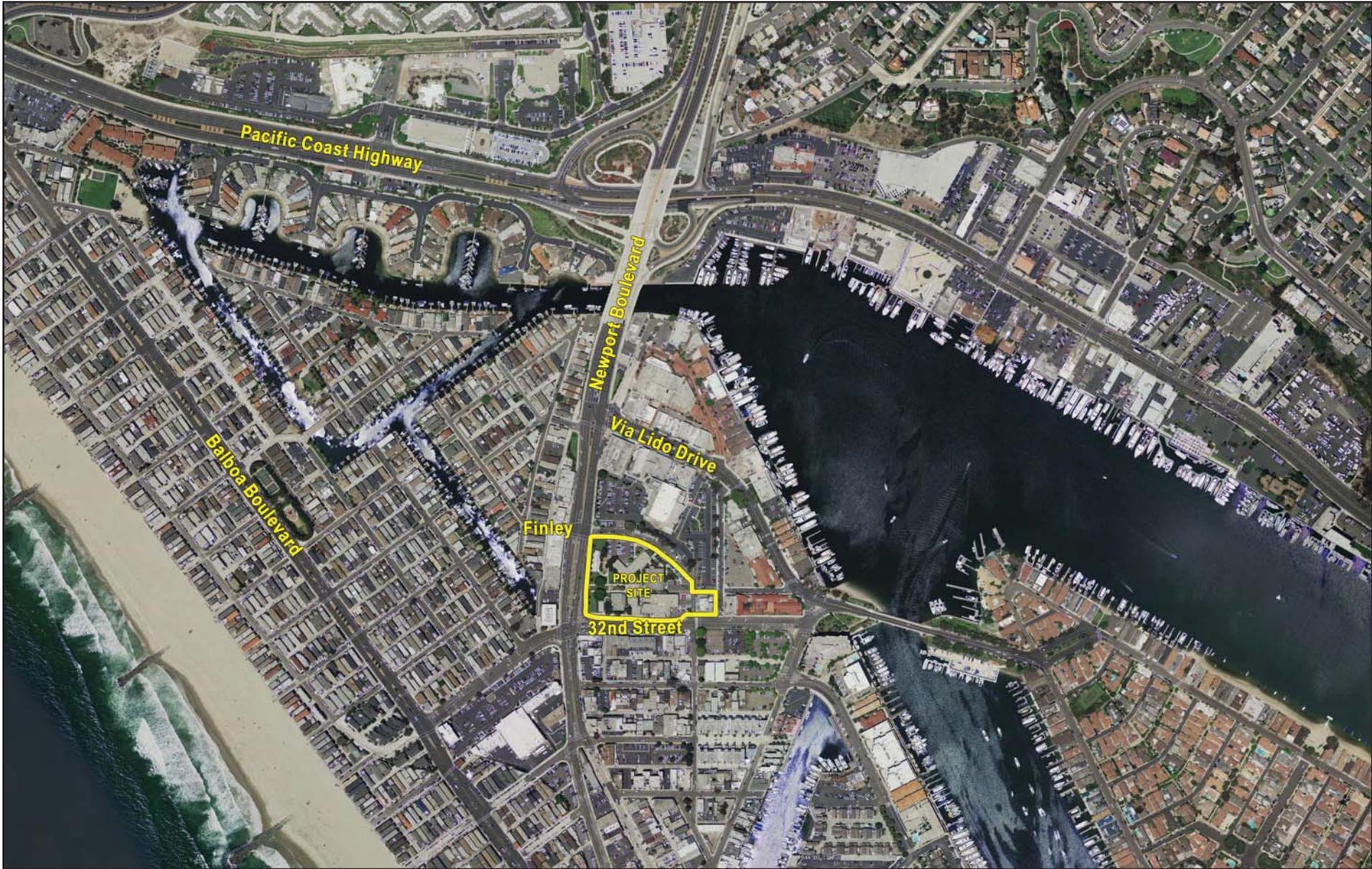
NOT TO SCALE



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LIDO HOUSE HOTEL  
ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT

# Regional Vicinity Map



Source: Eagle Aerial Imagery, 2012.

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LIDO HOUSE HOTEL  
ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT  
**Site Vicinity Map**

Exhibit 2



**FROM APPROVED CALIFORNIA COASTAL COMMISSION  
PLANS: CDP #5-14-1785**

**AREA SUMMARY:**

LEVEL 1 AREA = 30,971 SF  
 LEVEL 2 AREA = 30,873 SF  
 LEVEL 3 AREA = 24,331 SF  
 LEVEL 4 AREA = 12,550 SF  
 TOTAL = 98,725 SF  
 MAXIMUM ALLOWABLE = 98,725 SF

**GUESTROOM SUMMARY:**

LEVEL 1 = 5 Guestrooms  
 LEVEL 2 = 54 Guestrooms  
 LEVEL 3 = 48 Guestrooms  
 LEVEL 4 = 23 Guestrooms  
 TOTAL = 130 Guestrooms

**PARTIAL LEVEL 1 PROGRAM AREAS:**

RETAIL	856 SF
RESTAURANT / FOOD & BEVERAGE	3,195 SF
FUNCTION SPACE	4,453 SF
SPA & WELLNESS	1,923 SF
	<hr/>
	10,429 SF

**GUESTROOM MIX:**

STD. KING = 58  
 STD. DBL. QUEEN = 54  
 SUITES = 18

**GROUND LEVEL PARKING:**

TOTAL PROVIDED PARKING SPACES = 148



L2



L3



L4



ROOF

Source: WATG Architecture | Landscape.

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LIDO HOUSE HOTEL  
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**Previous Conceptual Plan**

**Exhibit 3**

## **2.0 DESCRIPTION OF PROJECT MODIFICATIONS**

### **2.1 ADDENDUM'S PURPOSE AND NEED**

When an EIR has been certified or a negative declaration adopted for a project, no subsequent or supplemental environmental review documentation shall be required unless one or more of the following events occurs:

- 1) Substantial changes are proposed in the project, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

When none of the above events has occurred, yet minor technical changes or additions to the previously adopted negative declaration are necessary, an addendum may be prepared (State CEQA Guidelines Section 15164[b]).

As discussed below, none of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of subsequent environmental review have occurred. This Addendum supports the conclusion that the proposed project modifications are minor or technical changes that do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, as discussed below, the proposed project modifications would not result in any new or substantially increased significant environmental impacts, no new mitigation measures, or no new alternatives that would substantially reduce significant impacts. As a result, an addendum is an appropriate CEQA document for analysis and consideration of the proposed project modifications.

Circulation of an addendum for public review is not necessary (State CEQA Guidelines Section 15164, subdivision (c)); however, the addendum must be considered in conjunction with the adopted Final EIR by the decision-making body (State CEQA Guidelines Section 15164, subdivision (d)).

CEQA requires a comparative evaluation of a proposed project and alternatives to the project, including the “No Project” alternative. The EIR addressed a reasonable range of alternatives for the project. There is no new information indicating that an alternative that was previously rejected as infeasible is in fact feasible, or that a considerably different alternative than those previously studied would substantially reduce one or more significant effects on the environment.

## **2.2 LOCATION OF PROJECT MODIFICATIONS**

The Project Modifications would apply to the same 4.25-acre project site identified and described in the EIR for the Approved Project. The project site is located at 3300 Newport Boulevard, at the northeast corner of the intersection of Newport Boulevard and 32<sup>nd</sup> Street on the Balboa Peninsula in the Lido Village area of the City.

## **2.3 COMPONENTS OF PROJECT MODIFICATIONS**

The Proposed Modified Project is depicted in Exhibit 4, *Proposed Conceptual Plan (Revised Project)*. It is identical to the Approved Project in the following respects:

- Acreage for the development would remain unchanged (4.25 acres).
- The number of guest rooms would remain unchanged (130 rooms).
- The surface parking spaces would remain unchanged (148 spaces). The reconfiguration of the public parking along 32<sup>nd</sup> Street would also remain the same.
- The proposed structures would remain largely unchanged (approximately four-stories with architectural features up to 58.5-feet in height).



Source: WATG Architecture | Landscape.

## LIDO HOUSE HOTEL DESIGN AS OF 4/1/2016

### AREA SUMMARY:

LEVEL 1 AREA = 35,219 SF  
 LEVEL 2 AREA = 30,846 SF  
 LEVEL 3 AREA = 25,160 SF  
 LEVEL 4 AREA = 12,245 SF

**TOTAL = 103,470 SF**

(AREA INCREASE FROM CDP APPROVAL = 4,745 SF)

### PARTIAL LEVEL 1 PROGRAM AREAS:

RETAIL	1,047 SF
RESTAURANT / FOOD & BEVERAGE	3,200 SF
FUNCTION SPACE	3,527 SF
SPA & WELLNESS	1,925 SF
<b>TOTAL</b>	<b>9,699 SF</b>

### GUESTROOM SUMMARY:

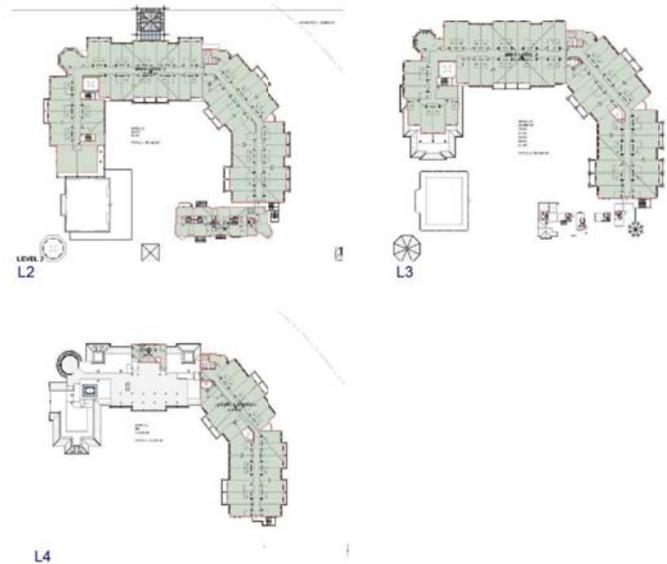
LEVEL 1 = 5 Guestrooms  
 LEVEL 2 = 54 Guestrooms  
 LEVEL 3 = 50 Guestrooms  
 LEVEL 4 = 21 Guestrooms  
**TOTAL = 130 Guestrooms**

### GUESTROOM MIX:

STD. KING = 71  
 STD. DBL. QUEEN = 44  
 SUITES = 15

### GROUND LEVEL PARKING:

TOTAL PROVIDED PARKING SPACES = 148



NOT TO SCALE

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LIDO HOUSE HOTEL  
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# Proposed Conceptual Plan (Revised Project)

Exhibit 4

- Construction phasing would be similar to the construction phasing described in the EIR.
- The spa and wellness center are would remain unchanged (1,925 square feet).
- Open space areas and setbacks would remain unchanged.
- The ground level area increase is contained within the existing covered arcade areas and the second level area increase matches the same facade profile as the approved City and Coastal Development Permit (CDP) plans.

The following describes those minor or technical changes that comprise the Proposed Modifications. The Proposed Conceptual Plan for the Proposed Modified Project differs from the Approved Project in the following respects:

- The exterior pre-function space in front of the ballroom is proposed to be enclosed and become interior space. Similar to the pre-function space included in the CDP approved plans, this area is not calculated into the 'function space' area. The pre-function area has decreased in size from that shown in the approved CDP plans.
- The Lobby is proposed to become larger by pushing the entry doors out at both the north and south sides. This would create more circulation space within the lobby.
- The Front of House office area is proposed to be enlarged to add some Back of House offices.
- The spa sitting area is proposed to be enlarged to create a more generous relaxation space. The proposed spa square footage remains unchanged.
- The remaining level 1 proposed area increase is in the Back of House and enlarges office space as well as storage areas.
- The level 2 proposed area increase is utilized to enlarge two King Guestrooms into King Suites. No increase in the quantity of total guestrooms is proposed.

The Proposed Modified Project also requests any necessary amendments to the previously approved entitlement applications for the Lido House Hotel including Site Development Review No. SD2014-001, Conditional Use Permit No. UP2014-004, Traffic Study No. TS2014-005, and Environmental Impact Report No. ER2014-003 (State Clearinghouse No. 2013111022). The proposed changes to the project are not substantial and do not involve new approvals or amendments to the Coastal Commission's certification of LCP-5-NPB-14-0831-3.

## **2.4 ADDENDUM SCOPE OF ENVIRONMENTAL REVIEW**

As discussed in the certified EIR, the Approved Project was determined to have no impact with regard to the following impact thresholds, which are therefore not analyzed in this EIR.

- Agriculture and Forestry Resources
- Greenhouse Gas Emissions
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems

The certified EIR established that, with mitigation, the approved project would result in less-than-significant impacts related to the following environmental issue areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Traffic and Circulation

The EIR determined that there would be no significant and unavoidable impacts. This Addendum will address changes resulting from implementation of the Proposed Modified Project on each of the environmental resource areas previously analyzed in the EIR.

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### **3.0 ENVIRONMENTAL ASSESSMENT**

This comparative analysis has been undertaken to analyze whether the Proposed Modified Project would result in any new or substantially more severe significant environmental impacts as compared to the Approved Project. The comparative analysis discusses whether impacts are greater than, less than, or similar to the conclusions discussed in the certified EIR.

#### **3.1 AESTHETICS/LIGHT AND GLARE**

The certified EIR determined that the previously analyzed project would result in less than significant impacts to scenic vistas or scenic highways. However, the certified EIR analyzed potential impacts associated with the degradation of existing visual character/quality and the introduction of light and glare. The certified EIR concluded that short-term construction activities could substantially degrade the existing visual character or quality of the site and its surroundings. Impacts in this regard were determined to be less than significant with mitigation incorporated. Mitigation Measure AES-1 would reduce impacts by requiring the preparation of a Construction Management Plan, which specifies requirements for equipment and vehicle staging areas, stockpiling of materials, fencing (i.e., temporary fencing with opaque material), and haul route(s).

The Approved Project would permanently alter the existing visual character of the site by replacing the former Newport Beach City Hall Complex with the proposed hotel and associated parkways/landscaping. However, according to the certified EIR, it would not substantially degrade the visual character of the site or its surroundings, given the compatible nature of the proposed building setbacks, massing and scale, building height, and retail/restaurant and hotel uses with the surrounding land uses. The certified EIR concluded that implementation of Mitigation Measure AES-2 would ensure compliance with the Lido Village Design Guidelines.

Additionally, the certified EIR found that implementation of the Approved Project would have a less than significant impact from new sources of light or glare with implementation of Mitigation Measure AES-3 (which would reduce short-term impacts by orienting construction-related lighting away from adjacent residential areas and using minimal wattage necessary to provide safety at the construction site) and compliance with the City's Municipal Code, Section 20.30.070, which would reduce long-term (operational) light and glare impacts due to street lighting, security lights, and interior lights.

The proposed modifications would increase the square footage of the front lobby, back of house and restrooms, and retail, and the decrease in proposed square footage of the restaurant and coffee shop, function space, fitness, and guestrooms. These nominal project changes would not result in substantial changes to the overall visual character/quality of the site and its surroundings, as analyzed in the certified EIR, as the Proposed Modified Project is still proposing a hotel and associated parkways/landscaping, on a previously developed site, and within a heavily developed area. The

increase in square footage would not be visually noticeable as the ground level area increase is contained within the existing covered arcade areas and the second level area increase matches the same facade profile as the approved plans.

The proposed modifications would not substantially increase new sources of light and glare, compared to that analyzed in the certified EIR as the types and sources of lighting, lighting levels, and building materials would remain substantially the same as the Approved Project. As concluded in the certified EIR, implementation of Mitigation Measures AES-1, AES-2, AES-3 and adherence to the City's Municipal Code regulations would reduce potential impacts to less than significant levels.

Because the proposed modifications do not alter the location of the development or increase the number of rooms, or increase building height, there would be no new impacts related to scenic vistas or scenic highways. No new Mitigation Measures are required.

### **3.2 AGRICULTURE AND FORESTRY RESOURCES**

The certified EIR determined that no impact to farmland, timberland, agricultural, or forest land activity would result, as these types of resources do not exist on or near the project site.

As was the case with the Approved Project, the Proposed Modified Project would not result in any impacts to farmland, agricultural uses, or forest land. The Proposed Modified Project would result in the same land use and development as analyzed in the certified EIR, on the same project site. Therefore, no new or substantially more severe impacts have been identified.

### **3.3 AIR QUALITY**

As determined in the certified EIR, short-term construction emissions from the Approved Project would be below the South Coast Air Quality Management District's (SCAQMD) significance thresholds for all criteria pollutants, including PM<sub>10</sub> and PM<sub>2.5</sub>, even in the absence of specific dust reduction measures. Nonetheless, because the South Coast Air Basin is nonattainment for PM<sub>10</sub> and PM<sub>2.5</sub>, the certified EIR identified Mitigation Measure AQ-1 which describes SCAQMD-required dust reduction measures. The certified EIR also identified Mitigation Measure AQ-2 to reduce emissions associated with the hauling of excavated or graded material. With the implementation of AQ-1 and AQ-2, the certified EIR determined that construction emissions would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Thus, impacts were considered less than significant with the incorporation of mitigation.

In addition, the Approved Project's operational air quality emissions would be below SCAQMD's thresholds. The certified EIR also determined that air quality impacts from the project would be less than significant with implementation of Mitigation Measures AQ-1 and AQ-2, with regard to cumulative short-term and long-term air emissions and

sensitive receptors. The Approved Project was also determined to be less than significant with regard to conflicts with an applicable Air Quality Management Plan and odors.

Construction phasing for the Proposed Modified Project would be similar to the construction activities and phasing described in the certified EIR for the Approved Project. Therefore, the construction emissions would be similar to those modeled in the certified EIR. As such, construction emissions for all criteria pollutants after incorporation of the proposed modifications would be below SCAQMD thresholds with implementation of the certified EIR Mitigation Measure AQ-1 and AQ-2. A less than significant impact would occur in this regard.

As the number of hotel guestrooms would be consistent with the certified EIR, (130 guestrooms), regional and localized operational air emissions would not change and would remain below SCAQMD thresholds. As noted in the Transportation/Circulation section of this Addendum, the certified EIR and Proposed Modified Project would generate the same number of daily trips and peak hour trips. Therefore, no new impacts have been identified and no new mitigation measures are required.

### **3.4 BIOLOGICAL RESOURCES**

The certified EIR determined that no impacts to biological resources would result as the project site is already heavily developed and landscaped with ornamental vegetation. No sensitive species or habitat were determined to be present on-site. However, the ornamental vegetation within the landscaped areas has the potential to provide suitable nesting opportunities for avian species. The certified EIR Mitigation Measure BIO-1 recommends vegetation removal activities to be scheduled outside of the nesting season (typically February 15 to August 15) or a qualified biologist may conduct a survey prior to commencement of clearing and provide an adequate buffer zone if active nests are detected. Additionally, it should be noted that the certified EIR determined that no Coastal Commission waters/wetlands are located within the project site.

According to the certified EIR, six trees on the project site have been designated by the City of Newport Beach as “special trees”. Mitigation Measures BIO-2, BIO-3, and BIO-4 provide guidance for relocating and rededicating the special trees that cannot be retained, reducing impacts to less than significant levels.

The proposed modifications would result in the same land use and development footprint as the Approved Project. Therefore, the proposed modifications would not result in additional impacts to biological resources than what was already analyzed in the certified EIR for the Approved Project. No new impacts or substantial increase in the severity of impacts have been identified.

### **3.5 CULTURAL RESOURCES**

The certified EIR determined that no impacts to historical resources would occur as a result of the Approved Project. The project site is currently developed with non-historic

structures and does not hold historical significance. Given the existing disruption from prior development and the geology of the project area, any archaeological, paleontological, and cultural resources within the project site have likely been disturbed during the construction of the former City Hall. Nonetheless, compliance with General Plan policies and implementation of Mitigation Measure CUL-1 (requiring the scientific recovery and evaluation of any resources that could be encountered during grading and construction of future development) and CUL-2 (requiring a Certified Paleontologist to be present during earth removal or disturbance activities occurring within paleontological sensitive Vaqueros, Topanga, and Monterey Formations) would reduce impacts to less than significant levels. Thus, the certified EIR determined that impacts to archaeological resources, paleontological resources, and/or human remains were less than significant with compliance with Mitigation Measures CUL-1 and CUL-2 and State and Federal regulations.

The Proposed Modified Project would result in the same site disturbance activities as that previously identified in the certified EIR. The proposed modifications would not result in any additional impacts to cultural resources, compared to the Approved Project. Therefore, no new impacts have been identified and no new mitigation measures are required.

### **3.6 GEOLOGY AND SOILS**

The certified EIR determined that implementation of the Approved Project would likely be subject to significant earthquake ground motion, given the seismic character of the southern California region and proximity to active and potentially active faults. Additionally, the certified EIR determined that the project site has a moderate potential for adverse effects of liquefaction due to seismically-induced settlement. Compliance with the City of Newport Beach grading and building requirements, including the most current California Building Code (CBC), and City's Municipal Code, as well as implementation of the certified EIR Mitigation Measure GEO-1 would reduce potential project impacts related to seismic ground shaking to a less than significant level.

The certified EIR determined that implementation of the Approved Project would result in less than significant impacts to soil erosion or loss of topsoil with implementation of Mitigation Measure AQ-1 (refer to [Section 3.3, Air Quality](#)) and compliance with NPDES requirements. With the implementation of GEO-1, impacts resulting from unstable geologic units or unstable soil, and expansive soils were also concluded to be less than significant. According to the certified EIR, on-site soils would be considered corrosive to copper unless a corrosion engineer determines otherwise. Compliance with the Building Code and Mitigation Measures GEO-1 and GEO-2 (which requires a corrosion engineer to be consulted during preparation of the Final Soils/Geotechnical Engineering Report) would reduce potential impacts associated with corrosive soils to a less than significant level. The Approved Project would not have involved the use of septic tanks or alternative wastewater disposal systems. Therefore, no impacts would result in this regard.

The proposed modifications would result in equivalent impacts regarding geology and soils, as the proposed development area would remain the same as that previously analyzed in the certified EIR. Further, the proposed modifications would not result in an increase in adverse effects involving the exposure of persons and property to seismic activity and landslides. Similar to that identified in the certified EIR, compliance with the City of Newport Beach grading and building requirements, including the most current CBC, and City's Municipal Code, as well as implementation of the certified EIR Mitigation Measures GEO-1 and GEO-2 would reduce impacts to less than significant levels. No new impacts have been identified and no new mitigation measures are required.

### **3.7 GREENHOUSE GAS EMISSIONS**

As determined in the certified EIR, the Approved Project would result in approximately 2,031.2 metric tons (MT) of carbon dioxide equivalents per year (MTCO<sub>2</sub>eq/yr) of greenhouse gas (GHG) emissions, which is below the South Coast Air Quality Management District's (SCAQMD's) 3,000 MTCO<sub>2</sub>eq/yr proposed threshold. The certified EIR determined that the project would result in a less than significant impact with regard to long-term GHG emissions.

The number of hotel guestrooms associated with the proposed modifications would be consistent with the certified EIR. As such, GHG emissions associated with the Proposed Modified Project would be the same as what was analyzed in the certified EIR. GHG emissions from the Proposed Modified Project would remain below SCAQMD's 3,000 MTCO<sub>2</sub>eq/yr proposed threshold, as disclosed in the certified EIR. Therefore, no new impacts have been identified and no new mitigation measures are required.

As originally documented in the certified EIR, the City does not currently have an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. In addition, the Proposed Modified Project would result in operational GHG emissions below the 3,000 MTCO<sub>2</sub>eq/yr proposed threshold, and a less than significant impact would occur in this regard.

### **3.8 HAZARDS AND HAZARDOUS MATERIALS**

The certified EIR determined that the Approved Project would not result in any impacts pertaining to wildland fires, given the project site's location in a heavily developed urban area. The Approved Project operations would also not result in any significant impacts involving the use, transport, or disposal of hazardous materials or the emissions or handling of hazardous materials, given that the Approved Project proposed a hotel land use. As the Approved Project proposed redevelopment of the former Newport Beach City Hall complex, built prior to 1978, the certified EIR analyzed potential accidental releases of hazardous materials that could be present on the development site, particularly during construction. The materials considered included asbestos or lead-based paint that may be present in existing on-site structures, PCBs in an on-site transformer, and contaminated fill materials. However, the certified EIR determined that with implementation of Mitigation Measures HAZ-1, HAZ-2, HAZ-3, and HAZ-4, impacts

associated with these existing on-site materials would be reduced to less than significant levels. Additionally, implementation of Mitigation Measures HAZ-5 and compliance with applicable Federal, State, and local regulatory requirements would reduce impacts to less than significant levels. Impacts pertaining to an airport land use plan or a nearby private airstrip were determined to be not significant, as the project site is located outside of the John Wayne Airport Impact Zone. The certified EIR also determined that the Approved Project would not significantly impair or physically interfere with an adopted emergency response plan or evacuation plan.

The proposed modifications would result in similar grading and construction activities as what was previously analyzed in the certified EIR. The certified EIR Mitigation Measures would still apply to the Proposed Modified Project. No substantial changes in the severity of impacts would result in this regard. As the project site location and the nature of the proposed operations would remain the same, potential impacts pertaining to the use, transport, or disposal of hazardous materials would not increase, compared to that analyzed in the certified EIR. No new impacts have been identified and no new mitigation measures are required.

### **3.9 HYDROLOGY AND WATER QUALITY**

The certified EIR determined that with implementation of Mitigation Measures HWQ-1, HWQ-2, and HWQ-3, which would ensure adherence to construction requirements per the State, potential impacts pertaining to the violation of any water quality standards or waste discharge requirements, and degradation of water quality during construction activities, would be less than significant. According to the certified EIR, drainage during construction and operations would have a less than significant impact on the existing storm drain infrastructure. Post-construction water quality impacts would be reduced to a less than significant level with implementation of Mitigation Measure HWQ-4, requiring the submittal of a Final Water Quality Management Plan (WQMP). Impacts involving seiche or mudflow, would also be less than significant. Implementation of the *City of Newport Beach Emergency Operations Plan* (EOP) would reduce potential impacts associated with the inundation by a tsunami to less than significant levels. Other impacts involving a 100-year flood plain, flooding as a result of the failure of a levee or dam, and groundwater depletion/recharge, would not result.

The proposed drainage and impervious area associated with the Proposed Modified Project would be similar to what was previously considered in the certified EIR. Like the Approved Project, the Proposed Modified Project would be required to comply with City and State regulations. The certified EIR Mitigation Measures would still apply to the Proposed Modified Project. Thus, potential impacts associated with construction activities and long-term operations would be less than significant. No new impacts or substantially more severe impacts have been identified and no new mitigation measures are required.

### **3.10 LAND USE AND PLANNING**

The certified EIR determined that implementation of the Approved Project would not result in any impacts relating to the division of an established community or conflicts with a habitat conservation plan or natural community conservation plan. The certified EIR proposed amendments to the *City of Newport Beach Coastal Land Use Plan (CLUP)* to eliminate inconsistencies (i.e., amend the land use designation from Public Facilities [PF] to Mixed-Use [MU] and increase new development bulk and height limits). The certified EIR determined that the Approved Project is not regionally significant based on the Southern California Association of Government's (SCAG) criteria. Similar to the CLUP amendments, the Approved Project included a General Plan Land Use Element and Land Use Map Amendment to update the land use designation from Public Facilities (PF) to Mixed-Use Horizontal 5 (MU-H5), which would allow for development limitations of 98,725 square feet of hotel use.

The Approved Project also required a Zone Code Amendment to create a new mixed-use zoning district, Mixed Use – Lido Village (MU-LV), in order to implement the MU-H5 land use designation at the project site. Development standards and allowed uses would also be established. The certified EIR determined that approval of a Land Use Element Amendment by the City would result in the project's compliance with the intended use and development limits for the MU-H5 designation. Lastly, the certified EIR determined that the Approved Project would not conflict with the Lido Village Design Standards. A less than significant impact would occur in regards to conflicting with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. However, the Coastal Commission modified the proposed CLUP land use category to Visitor-Serving Commercial, Lido Village (CV-LV) and made changes to Policy 4.4.3-1 making it more restrictive (not taller). The City accepted these changes subsequent to the Coastal Commission action and made the appropriate CEQA findings in a staff report for the November 24, 2015 City Council hearing.

The proposed modifications would be consistent with the land uses considered in the certified EIR. However, the proposed modifications would result in deviations to the total square footage of the hotel from 98,725 square feet to 103,470 square feet; a total increase of 4,745 square feet. Although the increase is minimal, the General Plan Land Use Element and Land Use Map amendment would need to be updated to increase the development limitations in regards to total square footage of a hotel. It should be noted that the current application is to amend the General Plan, CLUP, and Zoning to increase the maximum intensity of development by 4,745 square feet. Even with approval of the amendments, the increase to the project entitlements (site development review and Conditional Use Permit) are consistent with applicable land use plans/zoning. The added area does not change the height of the building. Therefore, the project is consistent with CLUP Policy 4.4.3-1 as certified by the Coastal Commission and adopted by the City Council. The current amendment does not include a request to modify the policy. The

General Plan Amendment would reduce impacts in this regard to less than significant levels. No new mitigation measures would be required.

### **3.11 MINERAL RESOURCES**

The certified EIR determined that the Approved Project would result in no impacts pertaining to the loss of availability of a known mineral resource that would be of value to the region or the state or to the loss of availability of a locally-important mineral resource.

As discussed in the certified EIR, the project site is not located within an area of known mineral resources, either of regional or local value. The project location remains unchanged. No new impacts have been identified and no new mitigation measures are required.

### **3.12 NOISE**

Short-term construction noise impacts were determined to be less than significant in the certified EIR with implementation of Mitigation Measure N-1 and compliance with the City's allowable construction hours (Municipal Code *Section 10.28.040*). Similarly, the certified EIR determined that operational noise impacts would be less than significant. The Approved Project is not subject to an airport land use plan or private airstrip; therefore, no impacts result in this regard.

The project footprint and construction activities for the Proposed Modified Project would be similar to those described in the certified EIR. As such, short-term construction noise would be less than significant with implementation of Mitigation Measure N-1, and compliance with the City's allowable construction hours.

The Proposed Modified Project would have a similar footprint as the Approved Project; therefore, the guestrooms would not be more impacted by traffic noise along Newport Boulevard and 32<sup>nd</sup> Street. Additionally, the operational noise characters would remain the same as the Proposed Project Modifications would not change the characteristics or function of the Approved Project and no additional traffic trips would be created. No new impacts have been identified and no new Mitigation Measures are required.

### **3.13 POPULATION AND HOUSING**

The certified EIR determined that implementation of the Approved Project would result in no impact to population growth. The proposed modifications would result in the same development of the Lido House Hotel. The net increase in square footage is primarily related to Back of House space and minor functional areas which would not increase the number of anticipated employees and would not lead to an increase in population growth beyond what was analyzed in the certified EIR. Thus, no new impacts have been identified and no new Mitigation Measures are required.

### **3.14 PUBLIC SERVICES**

The certified EIR determined that the development of the Lido House Hotel and associated amenities would not increase the need for additional public services. Compliance with the provisions of the California Building Code, applicable State, City, and County code, and ordinance requirements for fire protection, as well as the General Plan Safety Element would reduce impacts to fire protection services during construction activities to less than significant levels. Additionally, the payment of statutory fees would reduce impacts to less than significant levels in regards to local school facilities.

The Proposed Modified Project would increase the square footage of the front lobby, back of house and restrooms, and retail, and decrease the proposed square footage of the restaurant and coffee shop, function space, fitness, and guestrooms. These modifications are nominal and would not increase potential impacts to public services or facilities (i.e., fire protection services, police services, etc.) at the project site beyond that analyzed in the certified EIR.

### **3.15 RECREATION**

The certified EIR determined that implementation of the Approved Project would result in less than significant impacts in regards to recreational facilities. The Approved Project includes public open spaces consisting of pedestrian plazas, landscape areas, and other amenities, as well as recreational amenities (i.e. pool and workout room, etc.) for hotel guests. The certified EIR determined that the Approved Project did not require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

The proposed modifications do not result in changes to land use or square footage of proposed public open spaces, landscape areas, and other amenities. The proposed decrease in square footage to the fitness center is nominal and would not induce additional impacts to recreational facilities. As concluded in the certified EIR, the Proposed Modified Project would not require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. No new significant impacts have been identified and no new mitigation measures are required.

### **3.16 TRANSPORTATION/CIRCULATION**

The certified EIR determined that with the implementation of Mitigation Measure TRA-1 (implementation of a construction management plan), construction-related traffic impacts would be reduced to a less than significant level. Additionally, the certified EIR determined that the Approved Project was estimated to result in 1,062 average daily trips (69 a.m. peak hour trips and 78 p.m. peak hour trips), resulting in less daily trips than the former City Hall Complex generated.

As discussed in the certified EIR, the study intersections are forecast to continue to operate at an acceptable Level of Service (LOS D or better) for existing plus project

conditions according to agency performance criteria. Based on the City of Newport Beach and Costa Mesa performance criteria, a significant project impact occurs at a signalized study intersection when the addition of project-generated trips causes the peak hour level of service of the study intersection to change from an acceptable operation (LOS A, B, C, or D) to a deficient operation (LOS E or F). The certified EIR determined that the increase in trips would not result in conflicts with an existing plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, or conflicts with an applicable congestion management program. Implementation of a Parking Management Plan (Mitigation Measure TRA-2) that includes restricted parking, time limit parking, parking guide signage, and addresses staff parking would ensure that parking is managed on-site and would result in a less than significant impact. Impacts to public transit/alternative transportation modes and emergency access was determined to be less than significant. No impacts are anticipated in regards to air traffic patterns or design hazards due to a design feature or incompatible uses.

The proposed modifications would not change the Approved Project's proposed site access location, off-site circulation features, parking configuration, or trip generation (as the project modifications would result in the same number of hotel guestrooms as the Approved Project); refer to Attachment A, Traffic Impact Memorandum. Thus, no changes to the impacts previously identified would result. Thus, no new impacts have been identified and no new mitigation measures are required.

### **3.17 UTILITIES AND SERVICE SYSTEMS**

The certified EIR determined that the Approved Project would result in less than significant impacts pertaining to wastewater treatment exceedances, the need for new water or wastewater treatment facilities, water supplies, adequate capacity by the wastewater treatment provider, landfill capacity (with continued compliance with the City's Source Reduction and Recycling Elements [SRRE]). Further, the certified EIR determined that with implementation of Standard Conditions and Mitigation Measure HWQ-1 through HWQ-4, the Approved Project would result in less than significant impacts pertaining to the construction of new storm water drainage facilities or expansion of existing facilities.

As the proposed modifications would not result in an increase in guestrooms at the project site compared to the Approved Project, the Proposed Modified Project would result in the same demand on utilities and service systems as compared to what was analyzed in the certified EIR. Additionally, the proposed drainage and impervious area would be similar to that previously considered in the certified EIR. Thus, no new impacts to water demand, the wastewater treatment capacity, or landfill capacity as a result of solid waste generation would result. No new impacts have been identified and no new Mitigation Measures are required.

## **4.0 DETERMINATION/ADDENDUM CONCLUSION**

As detailed in the analysis presented above, this Addendum supports the conclusion that the changes to the Approved Project considered in the certified EIR constitute minor or technical changes and do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. No new information has become available and no substantial changes to the circumstances under which the project was being undertaken since the certification of the EIR has occurred. In addition, because the certified EIR determined that the Approved Project would not result in any potentially significant environmental impacts, no new mitigation measures or alternatives that would substantially reduce significant impacts have been identified.

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## **5.0 ADDENDUM PREPARATION SOURCES/REFERENCES**

California Coastal Commission, *Addendum to the Item W9a, Application No. 5-14-1785 (RD Olson Development) for the Commission Meeting of Wednesday, October 7, 2015*, October 1, 2015.

*California Environmental Quality Act*, 1970, as amended, Public Resources Code Sections 21000-21178.

City of Newport Beach, *Former City Hall Complex Land Use and Zoning Amendments for the Lido House Hotel Located at 3300 Newport Boulevard and 475 32nd Street, and Authorization of Fostering Interest in Nature Program*, November 24, 2015.

Google Earth Maps, <http://maps.google.com>, accessed May 2016.

Michael Baker International, *Lido House Hotel EIR Addendum Traffic Impact Memorandum*, June 15, 2016.

RBF Consulting, *Lido House Hotel Final Environmental Impact Report*, August 2014.

RBF Consulting, *Lido House Hotel Public Review Draft Environmental Impact Report*, April 2014.

WATG Architecture, *Area Summary: Approved CDP Plans Vs. Proposed Plans*, May 7, 2016.

WATG Architecture, *Exhibit 2 – Design as of 4/1/2016 in Conformance with Approved Overall Plans*, May 7, 2016.

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**Attachment A – Traffic Impact Memorandum**



MEMORANDUM

**To:** Eddie Torres, Michael Baker International  
**From:** Tom Huang, TE, Michael Baker International   
**Date:** June 15, 2016  
**Subject:** Lido House Hotel EIR Addendum – Traffic Impact Memorandum

**Introduction**

The Project Applicant is currently requesting amendments of the General Plan, Coastal Land Use Plan, Zoning Code, Site Development Review and Conditional Use Permit to increase the maximum allowed gross floor area from 98,725 square feet by 4,745 gross square feet. The new maximum floor area would be 103,470 gross square feet. However, the number of guestrooms remains unchanged at 130 rooms. The proposed changes to the approved project are referred to herein as the “Proposed Modified Project.” This Traffic Impact Memorandum has been prepared to determine whether the proposed modified project would result in new or substantially more severe significant traffic related impacts compared with the impacts disclosed in the certified EIR.

**Traffic Analysis**

The certified EIR determined that with the implementation of Mitigation Measure TRA-1 (implementation of a construction management plan), construction-related traffic impacts would be reduced to a less than significant level. Additionally, the certified EIR determined that the Approved Project was estimated to result in 1,062 average daily trips (69 a.m. peak hour trips and 78 p.m. peak hour trips), resulting in less daily trips than the former City Hall Complex generated; refer to Table 1, Trip Generation Rates and Table 2, Project Trip Generation.

**Table 1  
Trip Generation Rates**

Land Use (ITE Code)	Units	AM Peak Hour Rates			PM Peak Hour Rates			Daily Trip Rate
		In	Out	Total	In	Out	Total	
Hotel (310)	Room	0.31	0.22	0.53	0.31	0.29	0.60	8.17
Source: ITE Trip Generation Manual, 9 <sup>th</sup> Edition, 2012.								

**Table 2  
Project Trip Generation Comparison**

Land Use	AM Peak Hour Trips			PM Peak Hour Trips			Daily Trips
	In	Out	Total	In	Out	Total	
City Hall Complex <sup>1</sup>	118	20	138	17	116	133	1,121
130-room Hotel <sup>2</sup>	40	29	69	40	38	78	1,062
<b>Net Trip Generation</b>	<b>-78</b>	<b>9</b>	<b>-69</b>	<b>23</b>	<b>-78</b>	<b>-55</b>	<b>-59</b>

<sup>1</sup>Source: City of Newport Beach City Hall Reuse Project, Keeton Kreitzer Consulting, November 2012.  
<sup>2</sup>Source: Approved Project trips estimated based on trip generation rates in Table 2.

As noted above, for a hotel use, the trip generation is calculated on a per room basis, as all of the other features (i.e., retail, restaurant, spa, function space, and back of house) are ancillary functions that support the overall use of the hotel and do not generate additional trips of their own. As the proposed modifications would not change the Approved Project’s room count of 130 rooms, there would be no additional trips generated beyond what was projected in the certified EIR which are shown in line 2 of Table 3. As discussed in the certified EIR, the study intersections are forecast to continue to operate at an acceptable Level of Service (LOS D or better) for existing plus project conditions according to agency performance criteria. Based on the City of Newport Beach and Costa Mesa performance criteria, a significant project impact occurs at a signalized study intersection when the addition of project-generated trips causes the peak hour level of service of the study intersection to change from an acceptable operation (LOS A, B, C, or D) to a deficient operation (LOS E or F). The certified EIR determined that the change in trips would not result in conflicts with an existing plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, or conflicts with an applicable congestion management program. Implementation of a Parking Management Plan (Mitigation Measure TRA-2) that includes restricted parking, time limit parking, parking guide signage, and addresses staff parking would ensure that parking is managed on-site and would result in a less than significant impact. Impacts to public transit/alternative transportation modes and emergency access was determined to be less than significant. No impacts are anticipated in regards to air traffic patterns or design hazards due to a design feature or incompatible uses.

**Conclusion**

The proposed modifications would not change the Approved Project’s room count. As the room count would remain unchanged, there would be no additional trips generated beyond what was analyzed in the certified EIR. As no additional trips would be generated by the Proposed Modified Project, there would be no required changes to the approved site access location, off-site circulation features, or parking configuration. Thus, there would be no changes to the impacts previously identified in the certified EIR, no new impacts have been identified, and no new mitigation measures are required.