



# HUGH NGUYEN

CLERK-RECORDER

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

RECEIVED BY  
COMMUNITY  
DEVELOPMENT  
MAY 12 2021  
CITY OF  
NEWPORT BEACH

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 DETERMINATION - EIR - PRIOR FILING

The attached notice was received, filed and a copy was posted on 02/11/2021

**It remained posted for 30 (thirty) days.**

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

By: Danielle Piepkorn 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 \*\*\*



State of California - Department of Fish and Wildlife  
**2021 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

**Print** **Generate** **Save**

RECEIPT NUMBER:  
 30 — 02/11/2021 — 0082  
 STATE CLEARINGHOUSE NUMBER (if applicable)  
 2006011119

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY <b>CITY OF NEWPORT BEACH</b>	LEAD AGENCY EMAIL	DATE <b>02/11/2021</b>
COUNTY/STATE AGENCY OF FILING <b>Orange</b>	DOCUMENT NUMBER <b>202185000087</b>	

PROJECT TITLE

**RESIDENCES AT 4400 VON KARMAN**

PROJECT APPLICANT NAME <b>TPG (KCN) ACQUISITIONS LLC</b>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(949) 644-3208</b>
PROJECT APPLICANT ADDRESS <b>5000 BIRCH ST STE 600</b>	CITY <b>NEWPORT BEACH</b>	STATE <b>CA</b>
		ZIP CODE <b>92660</b>

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

CHECK APPLICABLE FEES:

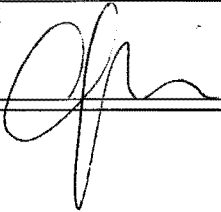
- |  |            |    |             |
|--|------------|----|-------------|
| <input type="checkbox"/> Environmental Impact Report (EIR)   | \$3,445.25 | \$ | <u>0.00</u> |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)                                    | \$2,480.25 | \$ | <u>0.00</u> |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW  | \$1,171.25 | \$ | <u>0.00</u> |
| <br>   |            |    |             |
| <input type="checkbox"/> Exempt from fee   |            |    |             |
| <input type="checkbox"/> Notice of Exemption (attach)  |            |    |             |
| <input type="checkbox"/> CDFW No Effect Determination (attach)                                       |            |    |             |
| <input checked="" type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy) |            |    |             |

- |   |          |    |                   |
|---|----------|----|-------------------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | <u>0.00</u>       |
| <input checked="" type="checkbox"/> County documentary handling fee   |          | \$ | <u>50.00</u>      |
| <input type="checkbox"/> Other  |          | \$ | <u>          </u> |

PAYMENT METHOD:

- Cash   
  Credit   
  Check   
  Other

TOTAL RECEIVED \$ 50.00

SIGNATURE <b>X</b> 	AGENCY OF FILING PRINTED NAME AND TITLE <b>DANIELLE RENEE PIEPKORN, DEPUTY CLERK</b>
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FILED

FEB 11 2021

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: \_\_\_\_\_ DEPUTY

Recorded in Official Records, Orange County  
Hugh Nguyen, Clerk-Recorder



50.00

\* \$ R 0 0 1 2 5 2 4 9 9 4 \$ \*

202185000087 4:11 pm 02/11/21

395 VitIdx Z01

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**Notice of Determination**

To: Orange County Clerk-Recorder  
601 N. Ross Street  
Santa Ana, CA 92701

From: City of Newport Beach  
Community Development Department  
100 Civic Center Drive  
Newport Beach, CA 92660

Contact: Ms. Rosalinh Ung  
Phone: (949) 644-3208

**Subject:** *Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code*

**State Clearinghouse Number:** 2006011119

**Project Title:** Residences at 4400 Von Karman

**Project Applicant:** TPG (KCN) Acquisition, LLC, 5000 Birch Street, Ste. 600, Newport Beach, California 92660

**Project Location:** 4400 Von Karman Avenue, Newport Beach, Orange County, California (APN Nos. 445-131-29, 445-131-04, 445-131-30). The approximately 13-acre project site is generally bordered by Birch Street to the northeast, Von Karman Avenue to the west, and existing office uses and associated surface parking lots and parking structures to the east and south within Koll Center Newport.

**Project Description:** The project includes construction of a 5-story residential building with subterranean parking, a 1.1-acre public park, and a 5-story free-standing parking structure. The project includes 312 multi-family rental units consisting of 260 additive units and 52 density bonus units.

This is to advise that on January 26, 2021, the Newport Beach City Council took the following actions. A separate NOD was filed for the January 26, 2012 project approvals (attached)

Approved Resolution No. 2021-2, adopting Addendum No. ER2020-003, to the 2006 General Plan Update Program Environmental Impact Report (EIR) and the 2008-2014 City of Newport Beach Housing Element Update Initial Study/Negative Declaration (IS/ND) for the Residences at 4400 Von Karman Project located at 4400 Von Karman Avenue (PA2020-061).

Approved Resolution No. 2021-3, approving Major Site Development Review No. SD2020-006, Lot Line Adjustment No. LA2020-002, Affordable Housing Implementation Plan No. AH2020-003, and Traffic Study No. TS2020-001 for the Residences at 4400 Von Karman Project located at 4400 Von Karman Avenue (PA2020-061).

Introduced and approved the first reading of Ordinance No. 2021-1, approving Planned Community Development Plan Amendment No. PD2020-001 for the Residences at 4400 Von Karman Project located at 4400 Von Karman Avenue (PA2020-061).

Introduced and approved the first reading of Ordinance No. 2021-2, approving Development Agreement No. DA2020-002 for the Residences at 4400 Von Karman Project located at 4400 Von Karman Avenue (PA2020-061).

POSTED

FEB 11 2021

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: \_\_\_\_\_ DEPUTY

30-02-11/2021-0082

On February 9, 2021, the Newport Beach City Council took the following actions, which are covered by this NOD:

Approved Ordinance No. 2021-1, approving Planned Community Development Plan Amendment No. PD2020-001 for the Residences at 4400 Von Karman Project located at 4400 Von Karman Avenue (PA2020-061).

Approved Ordinance No. 2021-2, approving Development Agreement No. DA2020-002 for the Residences at 4400 Von Karman Project located at 4400 Von Karman Avenue (PA2020-061).

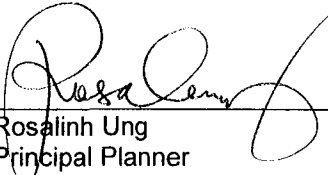
The Residences at 4400 Von Karman Addendum to the to the 2006 General Plan Update Program EIR and the 2008-2014 City of Newport Beach Housing Element Update IS/ND (collectively, General Plan Program EIR) evaluates whether the project (i.e., 312 multi-family residential units, a public park, and free-standing parking structure) would have any new significant or more severe significant adverse environmental impacts beyond those analyzed and addressed in the certified final General Plan Program EIR. The Addendum confirmed that the project would not result in new or more severe significant adverse impacts and that none of the circumstances set forth in Public Resources Code Section 21166 or CEQA Guidelines 15162(a) were present, and that no further environmental review is necessary for the project.

This is to advise that the City of Newport Beach, as Lead Agency, has made the following determinations regarding the above described project.


1. An Environmental Impact Report (SCH 2006011119) previously was prepared and certified for the General Plan Program EIR pursuant to the provisions of CEQA. An Addendum was prepared and adopted which confirmed the project did not result in new or more severe significant adverse impacts and that none of the circumstances set forth in Public Resources Code Section 21166 or CEQA Guideline 15162(a) were present.
2. Compliance with General Plan policies were made a condition of the approval of the project
3. A mitigation reporting or monitoring plan is not required for an Addendum.
4. A Statement of Overriding Considerations was not adopted for the project.
5. Findings were made pursuant to the provisions of CEQA.

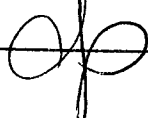
This is to certify that the General Plan Program EIR, Residences at 4400 Von Karman Addendum to the General Plan Program EIR, and the record of the project is available to the general public at the City of Newport Beach, Community Development Department, 100 Civic Center Drive, Newport Beach, CA 92660. Because City Hall is currently closed to the public due to COVID-19, please first contact the City (contact information is provided on page one).

Name/Title: Rosalinh Ung, Principal Planner

  
\_\_\_\_\_  
Rosalinh Ung  
Principal Planner

Date: February 9, 2021

**FILED**  
**FEB 11 2021**  
ORANGE COUNTY CLERK/RECORDER DEPARTMENT  
BY:  DEPUTY

**POSTED**  
**FEB 11 2021**  
ORANGE COUNTY CLERK/RECORDER DEPARTMENT  
BY:  DEPUTY



50.00

\* \$ R 0 0 1 2 4 8 5 5 3 0 \$ \*

202185000055 2:34 pm 02/01/21

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POSTED

FILED

FEB 01 2021

FEB 01 2021

HUGH NGUYEN, CLERK-RECORDER

HUGH NGUYEN, CLERK-RECORDER

Notice of Determination

BY: [Signature] DEPUTY

BY: [Signature] DEPUTY

To: Orange County Clerk-Recorder  
601 N. Ross Street  
Santa Ana, CA 92701

From: City of Newport Beach  
Community Development Department  
100 Civic Center Drive  
Newport Beach, CA 92660

Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

Contact: Ms. Rosalinh Ung  
Phone: (949) 644-3208

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

State Clearinghouse Number: 2006011119

Project Title: Residences at 4400 Von Karman

Project Applicant: TPG (KCN) Acquisition, LLC, 5000 Birch Street, Ste. 600, Newport Beach, California 92660

Project Location: 4400 Von Karman Avenue, Newport Beach, Orange County, California (APN Nos. 445-131-29, 445-131-04, 445-131-30). The approximately 13-acre project site is generally bordered by Birch Street to the northeast, Von Karman Avenue to the west, and existing office uses and associated surface parking lots and parking structures to the east and south within Koll Center Newport.

Project Description: The project includes construction of a 5-story residential building with subterranean parking, a 1.1-acre public park, and a 5-story free-standing parking structure. The project includes 312 multi-family rental units consisting of 260 additive units and 52 density bonus units. The project required the following approvals by the City of Newport Beach City Council:

Introduction of Ordinance No. 2021-1, approving Planned Community Development Plan Amendment No. PD2020-001 for the Residences at 4400 Von Karman Project located at 4400 Von Karman Avenue (PA2020-061). The City Council approved the first reading of Ordinance No. 2021-1 on January 26, 2021, with the second reading scheduled for the City Council hearing on February 9, 2021.

Approval of Resolution No. 2021-2, adopting Addendum No. ER2020-003, to the 2006 General Plan Update Program Environmental Impact Report (EIR) and the 2008-2014 City of Newport Beach Housing Element Update Initial Study/Negative Declaration (IS/ND) for the Residences at 4400 Von Karman Project located at 4400 Von Karman Avenue (PA2020-061). The City Council approved Resolution No. 2021-2 on January 26, 2021.

Approval of Resolution No. 2021-3, approving Major Site Development Review No. SD2020-006, Lot Line Adjustment No. LA2020-002, Affordable Housing Implementation Plan No. AH2020-003, and Traffic Study No. TS2020-001 for the Residences at 4400 Von Karman Project located at 4400 Von Karman Avenue (PA2020-061). The City Council approved Resolution No. 2021-3 on January 26, 2021.

Introduction of Ordinance No. 2021-2, approving Development Agreement No. DA2020-002 for the Residences at 4400 Von Karman Project located at 4400 Von Karman Avenue (PA2020-061). The City Council approved the first reading of Ordinance No. 2021-2 on January 26, 2021, with the second reading scheduled for the City Council hearing on February 9, 2021.

The Residences at 4400 Von Karman Addendum to the to the 2006 General Plan Update Program EIR and the 2008-2014 City of Newport Beach Housing Element Update IS/ND (collectively, General Plan Program EIR) evaluates whether the project (i.e., 312 multi-family residential units, a public park, and free-standing parking

30-0210120110054

structure) would have any new significant or more severe significant adverse environmental impacts beyond those analyzed and addressed in the certified final General Plan Program EIR. The Addendum confirmed that the project would not result in new or more severe significant adverse impacts and that none of the circumstances set forth in Public Resources Code Section 21166 or CEQA Guidelines 15162(a) were present, and that no further environmental review is necessary for the project.

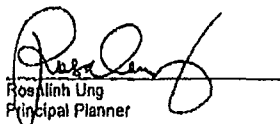
This is to advise that the City of Newport Beach, as Lead Agency, approved the above described project at the January 26, 2021 City Council meeting, and has made the following determinations regarding the above described project.

1. An Environmental Impact Report (SCH 2006011119) previously was prepared and certified for the General Plan Program EIR pursuant to the provisions of CEQA. An Addendum was prepared and adopted which confirmed the project did not result in new or more severe significant adverse impacts and that none of the circumstances set forth in Public Resources Code Section 21166 or CEQA Guideline 15162(a) were present.
2. Compliance with General Plan policies were made a condition of the approval of the project
3. A mitigation reporting or monitoring plan is not required for an Addendum.
4. A Statement of Overriding Considerations was not adopted for the project.
5. Findings were made pursuant to the provisions of CEQA.

This is to certify that the General Plan Program EIR, Residences at 4400 Von Karman Addendum to the General Plan Program EIR, and the record of the project is available to the general public at the City of Newport Beach, Community Development Department, 100 Civic Center Drive, Newport Beach, CA 92660. Because City Hall is currently closed to the public due to COVID-19, please first contact the City (contact information is provided on page one).

Name & Title: Rosalinh Ung, Principal Planner

Signature:

  
Rosalinh Ung  
Principal Planner

Date: January 27, 2021



# CITY OF NEWPORT BEACH

3300 Newport Boulevard - P.O. Box 1768  
Newport Beach, CA 92658-8915  
(949) 644-3200

Recorded in Official Records, Orange County  
Tom Daly, Clerk-Recorder

NO FEE

200685000744 09:07am 07/26/06

90 67 Z01

0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00

## NOTICE OF DETERMINATION

To:

Office of Planning and Research  
P.O. BOX 3044  
Sacramento, CA 95812-3044

County Clerk, County of Orange  
Public Services Division  
P.O. Box 238  
Santa Ana, CA 92702

From: City of Newport Beach  
Planning Department  
3300 Newport Boulevard - P.O. Box 1768  
Newport Beach, CA 92658-8915  
Orange County)

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Date received for filing at OPR:

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

**FILED**

JUL 26 2006

TOM DALY, CLERK-RECORDER DEPUTY

Name of Project: *Comprehensive Update of the General Plan*

Project Proponent: *City of Newport Beach, 3300 Newport Boulevard,  
Newport Beach, Ca. 92663*

State Clearinghouse Number:	Contact Person:	Telephone No.:
<u>2006011119</u>	<u>Patricia L. Temple, Planning Director</u>	<u>949-644-3200</u>

Project Location: *City of Newport Beach - citywide*

Project Description: *A comprehensive update of the City's General Plan*

This is to advise that the *City of Newport Beach* has approved the above described project on July 25, 2006, and has made the following determinations regarding the above described project:

**POSTED**

JUL 26 2006

TOM DALY, CLERK-RECORDER DEPUTY

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 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 final EIR and record of project approval is available for review at the Planning Department of the City of Newport Beach, 3300 Newport Boulevard, Newport Beach, CA 92658-8915; 949/644-3200.

Patricia L. Temple  
Patricia L. Temple, Planning Director

7.25.06  
Date



CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

- A. Name and Address of Project Proponent: City of Newport Beach  
3300 Newport Boulevard  
P.O. Box 1768  
Newport Beach, Ca. 92659-1768
- B. Project Description: A comprehensive update of the City's General Plan
- C. Project Location: City of Newport Beach - Citywide

D. Findings:

The City of Newport Beach has an Environmental Impact Report to evaluate the project's potential for adverse environmental impacts, and considering the record as a whole there is no evidence before this agency that the proposed project will have the potential for an adverse effect on wildlife resources or the habitat upon which wildlife depends. On the basis of the evidence in the record, this agency finds that the presumption of adverse effect contained in Section 753.5(d) of Title 14 of the California Code of Regulations (CCR) has been rebutted. Therefore, the proposed project qualifies for a De Minimis Impact Fee Exemption pursuant to Section 753.5(c) of Title 14, CCR.

E. Certification:

I hereby certify that the lead agency has made the above findings of fact and that based upon the initial study and hearing record the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

7-25-06  
July 25, 2006

**POSTED**

**JUL 26 2006**

By [Signature] TOM DALY, CLERK-RECORDER DEPUTY

Patricia L. Temple  
Patricia L. Temple, Planning Director  
City of Newport Beach

**FILED**

**JUL 26 2006**

By [Signature] TOM DALY, CLERK-RECORDER DEPUTY





STATE OF CALIFORNIA - THE RESOURCES AGENCY  
 DEPARTMENT OF FISH AND GAME  
 ENVIRONMENTAL FILING FEE CASH RECEIPT  
 (FG 757-647-03)

277898

Lead Agency: City of Newport Beach Date: 7/26/04  
 County / State Agency of Filing: Orange Document No.: 2004-000114  
 Project Title: Comprehensive Update of the General Plan  
 Project Applicant Name: City of Newport Beach Phone Number: (714) 520-3200  
 Project Applicant Address: 3300 Newport Blvd, Newport Beach, CA 92665  
 Project Applicant (check appropriate box): Local Public Agency  School District  Other Special District   
 State Agency  Private Entity

CHECK APPLICABLE FEES:

- ( ) Environmental Impact Report \$850.00 \$ \_\_\_\_\_
- ( ) Negative Declaration \$1,250.00 \$ \_\_\_\_\_
- ( ) Application Fee Water Diversion (State Water Resources Control Board Only) \$850.00 \$ \_\_\_\_\_
- ( ) Projects Subject to Certified Regulatory Programs \$850.00 \$ \_\_\_\_\_
- County Administrative Fee \$25.00 \$ ex
- ( ) Project that is exempt from fees

TOTAL RECEIVED \$ ex

Signature and title of person receiving payment: \_\_\_\_\_

WHITE-PROJECT APPLICANT      YELLOW-DFG/FASB      PINK-LEAD AGENCY      GOLD/IRON-STATE AGENCY OF FILING

Orange County  
Clerk-Recorder's Office  
Hugh Nguyen

601 N. Ross Street  
92701

County

Finalization: 20210000081479  
2/11/21 4:11 pm  
395 VitIndx

Item	Title	Count
1	201	1
EIR: Exempt or Previously Paid Document ID		Amount
DOC# 202185000087		50.00
Time Recorded 4:11 pm		

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Total 50.00

Payment Type	Amount
Check tendered # 5710K	50.00

Amount Due 0.00

THANK YOU  
PLEASE RETAIN THIS RECEIPT  
FOR YOUR RECORDS

[www.ocrecorder.com](http://www.ocrecorder.com)

