



Hugh Nguyen

Orange County Clerk - Recorder

P.O. Box 238 Santa Ana, CA 92702
12 Civic Center Plaza, Room 106 Santa Ana, CA 92701
Phone: (714) 834-2500
www.ocrecorder.com

RECEIVED BY
COMMUNITY
DEVELOPMENT
SEP 23 2019

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

CITY OF
NEWPORT BEACH

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 08/15/2019

It remained posted for 30 (thirty) days.

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

By: Cuevas Dulce 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 ***

POSTED

FILED

AUG 15 2019

AUG 15 2019

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



NO FEE

201985000841 3:31 pm 08/15/19

256 304 Z01

0.00 50.00 0.00 0.00 0.00 0.00 0.00

ORANGE COUNTY CLERK-RECORDER DEPARTMENT ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: DC DEPUTY BY: DC DEPUTY

Notice of Determination

To: <input checked="" type="checkbox"/> Office of Planning and Research <i>U.S. Mail:</i> P.O. Box 3044 Sacramento, CA 95812-3044 <input checked="" type="checkbox"/> County Clerk County of Orange Public Services Division Santa Ana, CA 92702	From: City of Newport Beach Planning Division 100 Civic Center Drive P.O. Box 1768 Newport Beach, CA 92658-8915 (949) 644-3200	
<i>Street Address:</i> 1400 Tenth St, Rm 113 Sacramento, CA 95814		

SUBJECT: *FILING ON* Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2016021023

Project Title: Vivante Senior Housing (PA2018-185)

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

Attention: Makana Nova, Associate Planner

Project Location – Specific: The project site is located in Newport Center, which includes residential, hospitality, and high- and low-rise office buildings surrounding the Fashion Island regional mall. The site itself is approximately 2.9 acres (126,600 square feet) and is located at 850 and 856 San Clemente Drive in Newport Center (Assessor’s Parcel Numbers 442-261-05 and 442-261-17). The project site is generally bounded by Santa Cruz Drive to the east, Santa Barbara Drive to the west, San Joaquin Hills Road to the north, and San Clemente Drive to the south.

Project Location – City: Newport Beach **Project Location – County:** Orange

Project Description: Since certification of the 2016 Museum House Certified EIR, a modified project has been contemplated for the demolition of the existing Orange County Museum of Art (23,632 square feet) and associated administrative office building (13,935 square feet) to accommodate the development of a 183,983-square-foot, six-story combination senior housing (90-unit residential dwelling units) and memory care facility (27 beds). As determined through a review of the adopted Museum House 2016 Certified EIR, the 2019 Modified Project would not involve new significant environmental effects or a substantial increase in the severity of significant effects already identified in the 2016 Certified EIR. Given this finding, an Addendum in accordance with CEQA Guidelines 15164 to the existing EIR was prepared.

The proposed project consists of the following approvals by the City of Newport Beach City Council:

- i. Adoption of Resolution No. 2019-74, A Resolution of the City Council of the City of Newport Beach, California, Certifying Environmental Impact Report Addendum No. ER2016-002, Approving a Mitigation Monitoring and Reporting Program, and Adopting California Environmental Quality Act Findings of Fact and a Statement of Overriding Considerations for the Vivante Senior Housing project located at 850 and 856 San Clemente Drive (PA2018-185);
- ii. Adoption of Resolution No. 2019-75, A Resolution of the City Council of the City of Newport Beach, California, Approving General Plan Amendment No. GP2018-003 to Change the Land Use Designation from Private Institutional (PI) to Mixed-Use Horizontal (MU-H3) for the Vivante Senior Housing Project located at 850 and 856 San Clemente Drive (PA2018-185);
- iii. Introduction of Ordinance No. 2019-13, An Ordinance of the City Council of the City of Newport Beach, California, adopting Planned Community Development Plan No. PC2018-001 amending the San Joaquin Plaza

30-2019-0814

Planned Community (PC-19) located at 850 and 856 San Clemente Drive (PA2018-185), and pass on to a second reading on September 10, 2019;

iv. Introduction of Ordinance No. 2019-14, An Ordinance of the City Council of the City of Newport Beach, California, Approving Development Agreement No. DA2018-005 for the Vivante Senior Housing project located at 850 and 856 San Clemente Drive (PA2018-185), and pass on to a second reading on September 10, 2019; and

v. Adoption of Resolution No. 2019-76, A Resolution of the City Council of the City of Newport Beach, California, approving Major Site Development Review No. SD2018-003, Conditional Use Permit No. UP2018-019, and Lot Merger No. LM2018-004, and revocation of Use Permit No. UP2005-017-017 and Modification Permit No. MD2004-059 for the Vivante Senior Housing Project located at 850 and 856 San Clemente Drive (PA2018-185).

This is to advise that the City of Newport Beach, 100 Civic Center Drive, Newport Beach, CA 92660

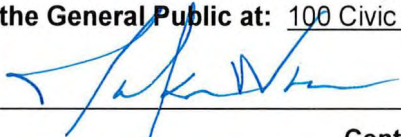
(**Lead Agency** or **Responsible Agency**)

has approved the above described project on 08/13/19 **and has made the following determinations regarding the above described project.**

1. The project (**will** **will not**) have a significant effect on the environment.
2. **An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.**
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. **Mitigation measures** (**were** **were not**) **made a condition of the approval of the project.**
4. **A mitigation reporting or monitoring plan** (**was** **was not**) **adopted for this project.**
5. **A statement of Overriding Considerations** (**was** **was not**) **adopted for this project.**
6. **Findings** (**were** **were not**) **made pursuant to the provisions of CEQA.**

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: 100 Civic Center Drive, Newport Beach, CA 92658-8915

Signature (Public Agency): _____



Name/Title: Makana Nova, Associate Planner

Contact Phone No.: 949-644-3249

Date 08/15/2019

Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference: Sections 21000-21174, Public Resources Code.

POSTED

AUG 15 2019

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: DC DEPUTY

FILED

AUG 15 2019

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: DC DEPUTY



State of California—Natural Resources Agency
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
2015 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# 30-2016 1281
STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY CITY OF NEWPORT BEACH			DATE 12/01/2016
COUNTY/STATE AGENCY OF FILING Orange			DOCUMENT NUMBER 201685001314
PROJECT TITLE MUSEUM HOUSE RESIDENTIAL PROJECT (PA2015-152)			
PROJECT APPLICANT NAME RELATED CALIFORNIA URBAN HOUSING, LLC			PHONE NUMBER (949) 644-3219
PROJECT APPLICANT ADDRESS 18201 VON KARMAN AVENUE STE 900	CITY IRVINE	STATE CA	ZIP CODE 92612

PROJECT APPLICANT (Check appropriate box):

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

CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$3,070.00	\$	3,070.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,210.25	\$	0.00
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board only)	\$850.00	\$	0.00
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,043.75	\$	0.00
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$	50.00
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Other _____		\$	_____

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other _____

TOTAL RECEIVED \$ 3,120.00

SIGNATURE x	PRINTED NAME AND TITLE HAZEL L. BENNETT, KDEPUTY CLERK
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Orange County
Clerk-Recorder's Office
Hugh Nguyen

630N Broadway Bldg. 12 Suite
101
Santa Ana, CA, 92701

County

Finalization: 20160000454806
12/1/16 12:41 PM
41 304

Item	Title	Count
1	Z02	1
Fish & Game: Environmental Impact Report		
Document ID		Amount
DOC# 201685001314		3120.00
Time Recorded 12:41 PM		
Total		3120.00
Payment Type		Amount
Check	tendered	3070.00
# 1065		
Check	tendered	50.00
# 1066		
Amount Due		0.00

THANK YOU
PLEASE RETAIN THIS RECEIPT
FOR YOUR RECORDS
www.ocrecorder.com



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 01/01/18) Previously DFG 753.5a

RECEIPT NUMBER: 30-2019 0814
STATE CLEARINGHOUSE NUMBER (If applicable) N/A

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF NEWPORT BEACH PLANNING DIVISION	LEAD AGENCY EMAIL	DATE 08/15/2019
COUNTY/STATE AGENCY OF FILING Orange	DOCUMENT NUMBER 201985000841	

PROJECT TITLE
VIVANTE SENIOR HOUSING (PA2018-185)

PROJECT APPLICANT NAME CITY OF NEWPORT BEACH	PROJECT APPLICANT EMAIL	PHONE NUMBER (949) 644-3200
PROJECT APPLICANT ADDRESS 100 CIVIC CENTER DRIVE	CITY NEWPORT BEACH	STATE CA
		ZIP CODE 92660

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) | \$3,271.00 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,354.75 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program document (CRP) | \$1,112.00 | \$ | 0.00 |

- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 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 | \$ | 0.00 |
| <input type="checkbox"/> County documentary handling fee | | \$ | 0.00 |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other
- TOTAL RECEIVED** \$ 0.00

SIGNATURE <i>X Dulce Cuevas</i>	AGENCY OF FILING PRINTED NAME AND TITLE DULCE CUEVAS, DEPUTY CLERK
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