

RESOLUTION NO. 14-04-14-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR SCH#2011061041) FOR COASTAL DEVELOPMENT PERMIT (CDP09-0011), VARIANCE (V09-0003), CONDITIONAL USE PERMIT (CUP09-0009) AND SITE DEVELOPMENT PERMIT (SDP09-0032)

Applicant: Michael Draz/Beverly Hills Hospitality Group

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, the applicant, Michael Draz/Beverly Hills Hospitality Group, has filed a verified application for a Coastal Development Permit, Variances, Conditional Use Permit, and Site Development Permit for the demolition of existing structures and the construction of a new 248,850 square foot hotel with 250 rooms that will range from two to five stories in height and for Variances to exceed the maximum allowable building height and to deviate from required building setbacks ("Project"). The subject site, Assessor Parcel Nos. 682-166-21, 682-166-22 and 682-166-08, is located at the southwest corner of Dana Point Harbor Drive and Pacific Coast Highway in the Coastal Couplet Commercial (C-CPC) and Coastal Visitor Commercial (C-VC) zones of the Dana Point Specific Plan; and

WHEREAS, an accordance with the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's local CEQA Guidelines, the City prepared a Draft and Final Environmental Impact Report (EIR), SC# SCH#2011061041; and

WHEREAS, the Planning Commission held a duly noticed public hearing as prescribed by law on April 14, 2014; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments of all persons desiring to be heard, the Commission considered all factors relating to Coastal Development Permit CDP09-0011, Variance V09-0003, Conditional Use Permit CUP09-0009 and Site Development Permit SDP09-0032, including potential environmental impacts; and

WHEREAS, the Planning Commission has prior to its approval, received, reviewed and considered the Final EIR as the supporting environmental documentation for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Dana Point as follows:

- A. That the above recitations are true and correct; and

- B. The Commission has reviewed and considered the Final EIR with regard to the analysis of the Project. Based on this review, and pursuant to CEQA Guidelines section 15090, the Commission hereby certifies the Final EIR and finds that
- (i) as the decision making body for the Project, the Commission has reviewed and considered the information contained in the EIR, and finds that the EIR was prepared in compliance with CEQA;
 - (ii) the City complied with CEQA's procedural and substantive requirements;
 - (iii) the Commission has independently reviewed and analyzed the EIR and finds that the EIR is an accurate and objective statement that fully reflects the independent judgment of the Commission; and
 - (iv) the EIR was presented to the Commission, and the Commission reviewed and considered the information contained in the EIR prior to taking any approval actions concerning the Project.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 14th day of April, 2014, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary Newkirk, Chairman
Planning Commission

ATTEST:

Ursula Luna-Reynosa, Director
Community Development Department