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CITY OF DANA POINT

To: City Council Members

Hearing Date: June 2, 2015

2015 MAY 29 P 1:24

City of Dana Point

RECEIVED
CITY CLERK'S DEPARTMENT

33282 Golden Lanterns, Suite 203

Dana Point, CA 92629-3568

ATTN: City Clerk Kathy Ward (Please forward to DPCC members and appropriate staff)

REF: Appeal of Coastal Development Permit CDP04-11; Conditional Use Permit CUP04-21; Site Development Permit SDP04-31; and Final Environmental Impact Report for South Shores Church Master Plan Project located at 32712 Crown Valley Parkway, City of Dana Point, SCH No. 200904112

PLEASE CONFIRM THIS PROJECT WILL NOT CONTAIN A FOR PROFIT SCHOOL OTHER THAN THE PRESCHOOL

LENGTH OF PROJECT

Ten years is **absolutely unacceptable**. Please put this into perspective remembering that we are in an established quiet residential area—a bedroom city if you will—whose bedrooms will be invaded by noise for ten years if this is approved!!! Please, please do not allow this time limit. If this timetable is approved, our 11 year old 5th grade granddaughter will be graduating from college when this is finished. **That is cruel and unusual punishment, and inflicted upon the tax-paying residents of Dana Point.** The dirt, the noise, the pollution of construction is difficult enough—ten years is untenable!!! The St. Regis was built in 2-3 years. Why would you allow this project to defy the building rules of our city? Please remember that this is a **private** construction project, not a municipal one!

In considering wildlife, please note that the first 2-3 years of this project are being devoted to demolition and excavation. Daily noise, dirt and large equipment will be impactful. Migratory animals and birds and butterflies will avoid the area and establish new areas to live away from this treasured bird and wildlife sanctuary. Construction debris will bring in more crows, which will decimate the small bird population.

NOISE and LIGHT:

We live directly across the Salt Creek Corridor from South Shores Church. There is nothing but air in between us and the current Sanctuary and education buildings. The rear play area has been added in recent years without an approval by the City, and has added much negative noise and lighting impact to our home and to those of our neighbors. The canyon acts as an amphitheater—like Hollywood Bowl.

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The canyon echoes and amplifies. We heard the constant din of construction noise while the sanctuary was being built. We can hear complete sentences as well as the screaming and shrieking that comes along with a children's play area. While we love children, the decibel level gets extremely high, and we anticipate this being a greater problem with more and more education buildings (read that school buildings) proposed in this building plan. **There must be sound walls and plantings to shield the tranquility and peaceful nature of Salt Creek.** All areas around this Church are quiet residential, as well as nature trails, bike trails and a public golf course. The tranquility of the area is what drew us and numerous migratory birds and animals. **Sound walls during construction would also be helpful to the surrounding residents.**

There must also be lighting requirements consistent with a **dark sky environment**—that is the order of the Monarch Beach Specific Plan. The lighting in our community (Corniche sur Mer) and along Crown Valley Parkway conforms to the dark sky requirement. The church should too. Please also remember that the church is higher elevation than the homes on Cassis, Cortina, Costa del Sol and all of Ritz Pointe. A simple hood over lighting will not suffice when there is an elevation difference. We propose that the lighting be entirely covered and that no lighting can point directly out into the canyon. In no instance should the LED lighting be cooler temperature than 2700K. It should be 2700K or below 2700K, and completely veiled. **We have not seen a lighting schedule for this project published, or a noise abatement plan for during building or after completion.**

BUILDINGS AND PLAYGROUND ON THE BRINK

Please notice that on this revised plan all education buildings and the preschool building have been pushed back towards the canyon. This puts more stress on the canyon rim, which is a confirmed slide area. I'm sure William Lyons didn't think the Monarch Beach Apartments would slide down the hill—but they did. They are adjacent and north of the proposed education buildings. I'm quite sure that General Lyons had an EIR and geological study that supported his desire to build. Five or six years ago CPH (Capital Pacific Holdings) wanted to build on the slope below Monarch Beach Villas, just to the south of this proposed project. They tested the hill—we watched them do it—and they decided not to build. We do not understand why the Church is ignoring the warning signs of an unstable slope. They plan to cut 23,000 cubic yards of dirt (and haul it through city streets) to place these buildings on the brink of the canyon. We can't imagine putting children at risk in this manner. Bluebird Canyon is another example of building weight bringing down a canyon wall. The next El Nino is just around the corner!

INDEMNIFY

It is extremely important to indemnify this project against damages to any surrounding area, residence or living being. If neighbors are damaged, they should be made whole. If the canyon is damaged, it should be repaired in a timely and high quality manner. We ask the City to require a bond from the Church to ensure neighbor and neighborhood protection.

We would also ask the City of Dana Point to require a completion bond by the Church.

PARKING AND TRAFFIC FALLACY

The EIR by LSA did not use viable traffic usage and projections. They analyzed as if the membership or usage were to remain the same. Obviously there will be higher usage when the new facility is built. Then add a very busy Crown Valley Parkway! The bottom line is that the congregation has already declined to use the parking lot. We believe it is because of the limited access to ingress and egress. That is not being changed, so there is no reason to believe that the parishioners will use this new larger parking structure. **The impact upon Crown Valley will be severe, and more dangerous traffic situations will be present.**

HEALTH AND TOXINS

The amount of dirt and toxins in the area can create life-threatening situations for the elderly or infirmed. Those with asthma and allergies will be greatly impacted. Care should be taken to minimize airborne contaminants. Environmental testing should be daily, and paid for by the church. Air quality is another reason to shorten the construction time.

ZONING

According to my real estate purchase documents this area is zoned for a church. Not a school, not a mega-church, not a community center—a church. We were fine with a church in our back yard. But a school was never documented, except for a preschool which was to be located along Crown Valley Parkway. When did the zoning change, and why weren't we notified? Again, please confirm this isn't going to be a K-8 or K-12 school!

THANKS FOR THE WARNING!!

The notice we received stated that the Church project may affect our property. Since we realize the City wouldn't warn us of increased property values or increased enjoyment of our home, we can simply deduce the City anticipates the **damages that will be caused by this project.**

PRESCHOOL DURING CONSTRUCTION

We strongly take issue with the Church's intention to continue the preschool on site during this construction process. The danger of construction projects is very real. The dirt, the toxins, the noise and the heavy machinery involved makes this a constant hazard for children. **The preschool should be required to move off-site for the duration of the project.**

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