

PUBLIC NOTICE
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN THAT a public hearing will be held by the City of Dana Point Planning Commission (date to be determined) to consider the following:

Description of Proposed Project: Adoption of Mitigated Negative Declaration for the General Plan Amendment, Zone Text Amendment, Zone Change, and Local Coastal Program Amendment.

The City of Dana Point is proposing to adopt a Mitigated Negative Declaration (MND) for the proposed General Plan Amendment (GPA 07-01), Zone Text Amendment (ZTA 07-02), Zone Change (ZC 07-01), and Local Coastal Program Amendment (LCPA 07-01).

The applicant, Makar Properties, LLC, is proposing to amend the land use and zoning designations of the subject property from the "Dana Point Specific Plan – Coastal Recreation Space" to the General Plan designation of "Residential/Commercial" and Zoning designation of "Residential/Commercial-22". No development is proposed at this time and the environmental analysis is for amendments to the site's land use and zoning designations. The proposed project is for General Plan Amendment (GPA07-01), Zone Text Amendment (ZTA07-02), Zone Change (ZC07-01) and Local Coastal Program Amendment (LCPA07-01).

As stated above, the General Plan Amendment is proposed to amend the subject site's designation to "Residential/Commercial". Additionally the GPA also entails addition of a new land use category "Residential/Commercial" in the Land Use Element of the General Plan.

The project also involves a Zone Text Amendment for the addition of a new zoning category, "Residential/Commercial-22 (R/C-22)", in Chapter 9.13 – Mixed Use District" of the Zoning Ordinance. The R/C-22 zoning district would allow for the development of a mixture of residential uses with commercial and office uses. The gross floor area of commercial uses is limited to a maximum of 10% of the total site area. The proposed zoning district would allow for a density of up to 22 dwelling units per acre (du/ac). The new "R/C-22" zoning district implements the City's goals, objectives and policies for the production of affordable housing, by requiring any residential project of 10 units or more to provide a minimum of 10 percent of the total units as "affordable units" as defined in the City's Housing Element.

In addition to the General Plan Amendment, Zone Text Amendment, and Zone Change described above, the project also includes a Local Coastal Program Amendment. Since the project site is located within the Coastal Overlay District, an LCPA is required for the amendment to its land use and zoning designations. The LCPA is also required for the addition of a new land use category "Residential/Commercial" designation in the Land Use Element of the General Plan and for the new zoning category of "R/C-22".

The MND concludes that with the implementation of mitigation measures, project-related impacts would be reduced to less than significant levels, in accordance with the California Environmental Quality Act.

Project Location: The subject site is located at 34202 Del Obispo Street. The U-shaped parcel is 8.86 acres in size and is located at the northeast corner of Del Obispo Street and Pacific Coast Highway. The South Coast Water District Sewage Treatment Plant is located to the north and San Juan Creek flood control channel is located to the east of the property. Existing commercial uses are located in the middle of the "U" shaped lot.

The City of Dana Point has conducted an environmental review of the proposed project and intends to adopt a Mitigated Negative Declaration. Copies of the proposed Mitigated Negative Declaration and accompanying Initial Study are available for review at the City's Community Development Department, located at 33282 Street of the Golden Lantern, Dana Point during normal business hours. The City of Dana Point will receive comments on said document during the 30-day public review period starting **October 31, 2008**, and ending on **December 1, 2008**. Please address your written comments to **Saima Qureshy**, City of Dana Point, 33282 Street of the Golden Lantern, Dana Point, CA 92629. For further information, please call (949)-248-3568 or come to the Community Development Department at the City Hall.

The site is not designated on the hazardous material list that has been compiled pursuant to Government Code Section 65962.5.

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss AFFIDAVIT OF POSTING
CITY OF DANA POINT)

I, Kyle Butterwick, Director of Community Development for the City of Dana Point, do hereby certify that I caused the above notice to be posted both in accordance with local and state regulations.

Kyle Butterwick, Director
Community Development Department