
PUBLIC NOTICE
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Description of Proposed Project: General Plan Amendment GPA07-01, Zone Text Amendment ZTA07-02, Zone Change ZC07-01, and Local Coastal Program Amendment LCPA07-01.

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 "Dana Point Specific Plan – Coastal Recreation Space" to the General Plan designation of "Commercial/Residential" and Zoning designation of "Residential/Commercial-22". The General Plan Amendment will also entail update to the description of "Commercial/Residential" designation in the Land Use Element.

The project also involves a Zone Text Amendment for the addition of a new zoning category, "Residential/Commercial-22 (R/C-22)", in 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 in the same building or on the same parcel. Uses permitted in this zoning district would include commercial and office uses that are typically permitted in the Visitor/Recreation Commercial (V/RC) districts. The commercial component will be permitted only as an accessory use to the residential uses. 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 entails a Local Coastal Program Amendment (LCPA). The project site is located within the Coastal Overlay District and also within the Coastal Commission's appeal jurisdiction. An LCPA is required for the new land use and zoning designations for any property located within the Coastal Overlay District. The LCPA is also required for the update to the "Commercial/Residential" designation in the Land Use Element of the General Plan and for the new zoning category of R/C-22. The updated General Plan designation and the new zoning category are applicable citywide.

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 site is currently vacant; however it was previously used as a 90-space mobilehome park. The Dana Point Harbor and Pacific Ocean are located approximately 0.25 miles south of the site.

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 **February 22, 2008**, and ending on **March 24, 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.

Kyle Butterwick, Director
Community Development Department