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Doheny Hotel Final EIR

DANA POINT · CALIFORNIA
1989

Prepared for the City of Dana Point

33282 Golden Lantern
Dana Point, California 92629

April 2014

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TABLES

FIGURES

APPENDICES

1.0 INTRODUCTION

In accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines, the City of Dana Point (City) has evaluated and responded to the comments received on the Draft Environmental Impact Report (EIR). The comments were received during the 45-day public review period for the Draft EIR that began on July 24, 2013 and ended on September 6, 2013. The revisions to the text of the Draft EIR and the Responses to Comments constitute the Final EIR of the Doheny Hotel (proposed Project).

Section 15132 of the CEQA Guidelines specifies the Final EIR should consist of the following:

1) The Draft EIR or a revision of that draft.

2) Comments and recommendations received on the Draft EIR either verbatim or in a summary.

3) A list of persons, organizations, and public agencies commenting on the Draft EIR.

4) The responses of the Lead Agency to significant environmental points raised in review and consultation process.

5) Any other information added by the Lead Agency.

1.1 Method of Organization

This Final EIR for the proposed Project contains information in response to comments during the public review period and is organized as follow:

- Chapter 1.0 describes the CEQA process and the organization of this Final EIR document.
- Chapter 2.0 describes the project location and the adoption of the Modified Option B Alternative.
- Chapter 3.0 contains a list of all persons and organizations that submitted written comments on the Draft EIR during the public review period. The chapter includes a copy of all letters received from the public and agencies and responses to the comments concerning environmental issues. This section is organized with a copy of the comment letter followed by the corresponding responses.
- Chapter 4.0 identifies text changes to the Draft EIR. Changes were made either to clarify the analysis contained in the Draft EIR or to make minor corrections. The changes do not alter the conclusions contained in the Draft EIR.

2.0 PROJECT SUMMARY

2.1 Background

The Draft EIR (SCH# 2011061041) considered the Lead project and a number of alternatives that would avoid or lessen the significant environmental impacts created by the Lead project. The City held a Planning Commission study session on November 18, 2013 to review the Lead Project and provide an opportunity for public comment. A duly noticed public hearing for the Lead Project was held on December 9, 2013 and continued to February 10, 2014, which allowed additional opportunities for public comment. Based on the analysis contained in the Draft EIR and input received from the public and the City Planning Commissioners, the Applicant decided to pursue a modified version of Alternative 4 – Option "B" considered in the Draft EIR. Many of the issues raised during the 45-day comment period were related to characteristics of the proposed Lead Project that have been eliminated or addressed through these changes. This modified option is hereby referred to as Modified Option "B" which is described more fully below.

2.1.1 Modified Option "B"

Modified Option "B" includes the 1.5-acre site for the proposed Lead Project and 0.76 acres of Lantern Bay Park located immediately south of the subject site. Modified Option "B" assumes the 0.76-acre portion of the adjacent City-owned Lantern Bay Park would be used to create an expanded driveway. Acquisition of the Lantern Bay Park land would need to occur prior to implementation of the Project. This acquisition would entail an additional 58,560 cubic yards of excavation.

Parking for Modified Option "B" includes a total of 375 on-site spaces. The Project would include access to the site from Dana Point Harbor Drive through an expanded entrance/driveway located on the 0.76-acre Lantern Bay Park land. The driveway would lead to two levels of subterranean parking beneath the hotel, and 50 public parking spaces provided at grade on-site for use by the public. For public parking, 20 of the 50 at-grade spaces would be self-parked, and the remaining 30 public parking spaces would be accessed through the valet service. The remaining parking spaces in the subterranean parking lot and porte cochere would be accessed through the valet service only.

Under Modified Option "B" the number of guest rooms would decrease to 250. Of the original 258 rooms in the Lead Project, 28 rooms would be removed in the Modified Option "B" by eliminating the fourth floor of the portion of the building that runs adjacent to Pacific Coast Highway and turns the corner at Dana Point Harbor Drive. The elimination of this portion of the building reduces the building height in this section from four stories at 48.5 feet to three stories at 38.5 feet. Another eight rooms are eliminated by the redesign of the floor plans. Construction of the newly proposed mezzanine would add 28 rooms in between the first and second levels. These reductions and additions for Modified Option "B" result in a net decrease of eight rooms from the Lead Project for a total of 250 rooms.

The overall building height of the Modified Option "B" would be similar to the proposed Lead Project; the building reaches 29.5 feet at its lowest point and 60.5 feet at its highest point (68.5 feet with mechanical equipment). However, in comparison to the Lead Project, a larger percentage of the height of the building for the Modified Option "B" is three stories (38.5 feet). This is due to the Modified Option "B" reducing sections of the building standing at 60.5 feet (five stories) and 48.5 feet (four stories). Refer to **Table 2-1** for a building height comparison between Modified Option "B" and the Lead Project.

Table 2-1
BUILDING HEIGHT PERCENTAGES

Height (feet)	Percentage of Building at Designated Height	
	Modified Option B	Lead Project
68.5[1]	9%	9%
60.5	35%	41%
48.5	6%	25%
38.5	50%	25%

The total square footage of enclosed area is 210,175 square feet, including 15,580 square feet of banquet facilities and 7,464 square feet of restaurant. Additional landscaping beyond the Lead Project would occur on the first floor.

Additional changes to Modified Option "B" include:

- An increase in the setback of the roof terrace "lobby lounge" from Pacific Coast Highway from 14 feet to 30 feet;
- Relocation of the outdoor dining area adjacent to the restaurant eliminating a need for one of the setback variances;
- An additional loading dock located at the southwestern end of the building (facing Lantern Bay Park) to reduce the volume of deliveries received at the Pacific Coast Highway loading zone; and
- Additional striping on PCH to include a 3-foot bike gore for bicyclists.

Drawings and renderings for Modified Option "B" are shown in **Figure 2-1** through **Figure 2-10**.

2.2 Statement of Objectives

Pursuant to CEQA Guidelines Section 15124(b) and as described in Section 3.2 of the Draft Environmental Impact Report, the project has the following objectives:

1) Development of a commercially viable project that is complimentary to the coastal recreational character of the community and therefore enhances the hospitality facilities and amenities available to local residents and visitors.

2) Design and construct the uses in a manner that is attractive not only to the immediate users, but also the inhabitants of the specific plan area and residents of greater Dana Point.

3) Minimize the impact of new development on the character of surrounding residential neighborhoods, so that the streetscape and quality of existing public viewsheds are preserved.

[1] Building height is 60.5 feet plus 8 feet for roof-mounted, screened mechanical equipment.

2.2.1 Design

1) Provide a building design that is consistent with the Community Design Element for the Dana Point Specific Plan/1986 Local Coastal Plan and City of Dana Point Design Guidelines (Sections II, IIIB, and VC) that provides ample landscaping, parking, services, and pedestrian amenities.

2) Utilize creative architectural design that is integrated into all facades of a new building to provide a development that enhances the built environment with attractive aesthetic quality.

3) Reinforce the architectural design through the combining and manipulation of appropriate materials, colors and forms that are integrally composed and aesthetically pleasing.

4) The project shall be contextually appropriate to the surroundings, without being deferential to or mimicking neighboring facilities.

2.2.2 Circulation

1) Accommodate automobile traffic to the project in surface parking lots and structured garages, utilizing shared parking analysis and taking into consideration the different uses, times of use, and the likely sources of users for those facilities.

2) Separate surface parking facilities in order to avoid, as much as is practicable, large expansive parking lots.

3) Provide clear and direct pedestrian linkages, along landscaped and shaded pathways, between the various elements of the project.

4) Provide reasonable pedestrian access into the project for visitors from the adjacent area.

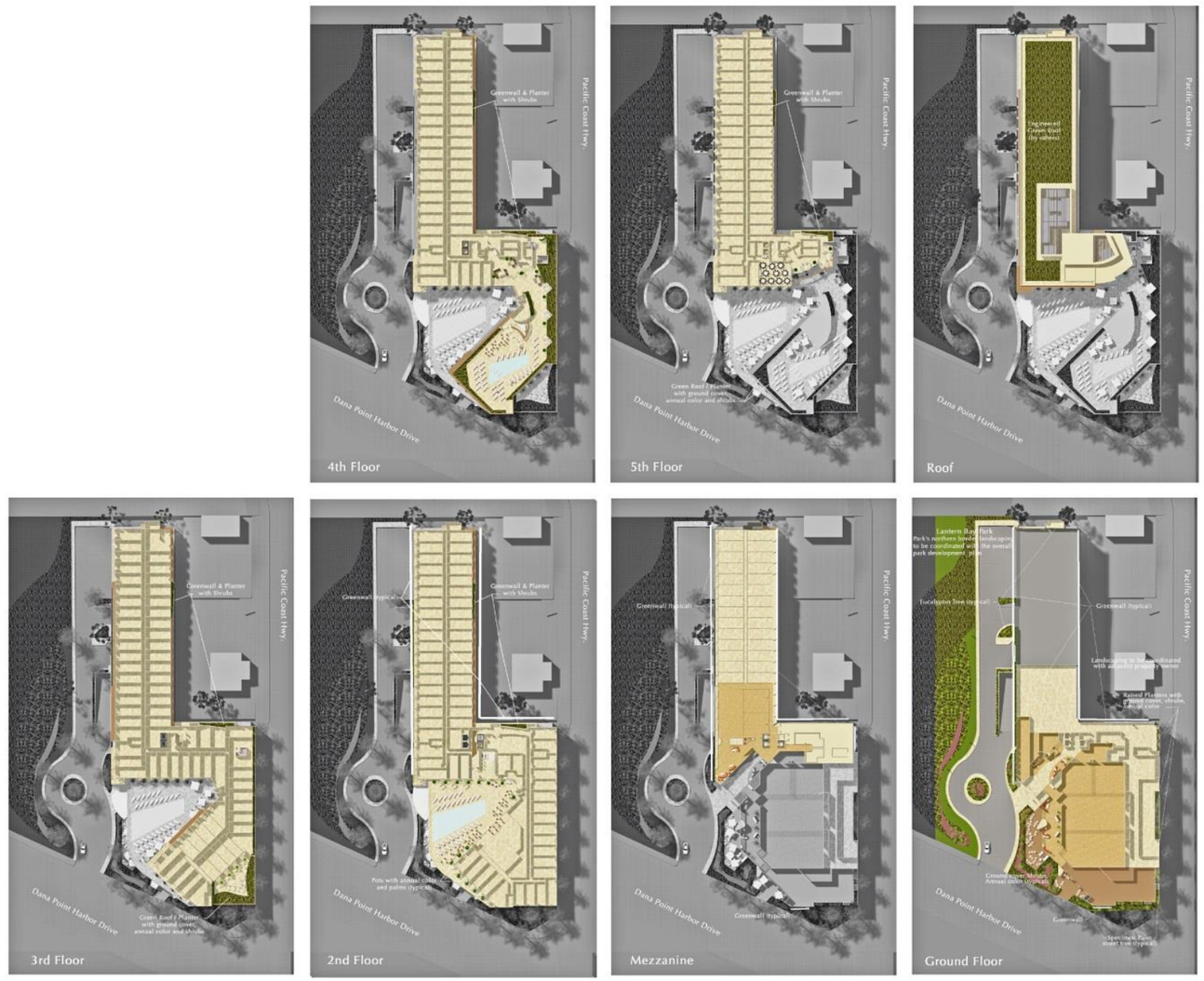
2.2.3 Environment

1) Build and operate the project in as environmentally sustainable manner as much as is practical by utilizing energy efficient technologies and sustainable design concepts, and adopting operational techniques that will insure these objectives for the subsequent life of the development.

2) Aim to achieve LEED Silver status for the hotel using measures such as, but not limited to, green roofs, dual-flush toilets, motion-activated lighting, drip watering systems, electric car charging stations, recycling programs, and development and implementation of an energy-monitoring program as part of the Building Management System.

Figure 2-1
MODIFIED OPTION "B" ELEVATIONS

Figure 2-2
LANDSCAPE CONCEPT FLOOR PLAN



LANDSCAPE CONCEPT PLANS

1" = 50'-0"

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BEVERLY HILLS HOSPITALITY GROUP

PRELIMINARY CONCEPT PLAN
THE DOHENY HOTEL
25325 DANA POINT HARBOR DRIVE
DANA POINT, CALIFORNIA 92629
COASTAL DEVELOPMENT PERMIT APPLICATION
PLANNING DEPARTMENT

REV	DATE	ISSUED FOR	REV	DATE	ISSUED FOR
				12/22/10	COASTAL APPL
				01/31/11	COASTAL APP B
				09/12/11	OPTION B
				01/30/12	OPTION B REV.
				03/15/14	MOD. OPTION B

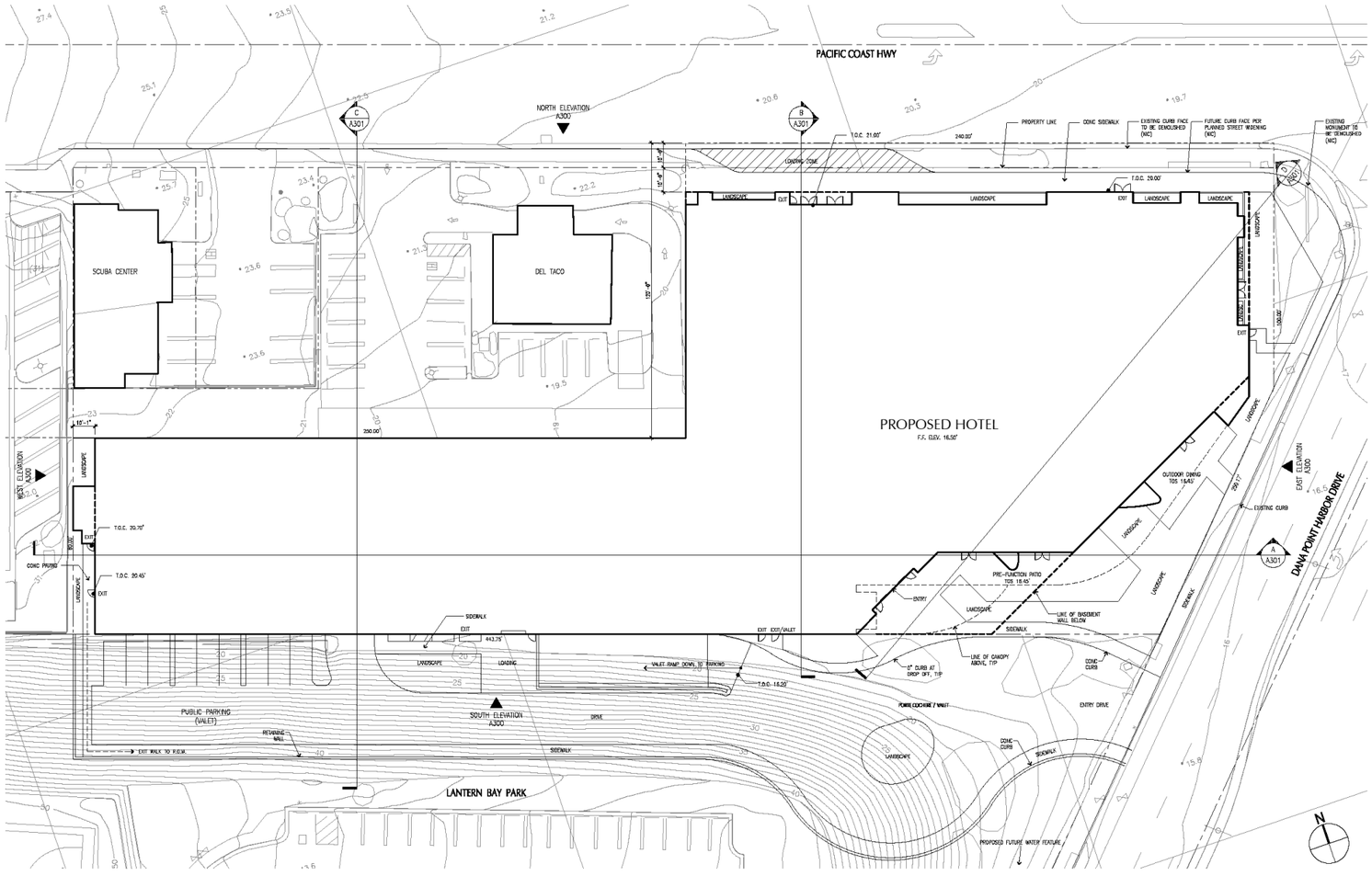
STAMP

DATE: 11/29/10 SCALE: AS NOTED
DRAWN BY: RLS
JOB NO. 1031-005 CAD TITLE: K003.DWG

SHEET TITLE:
LANDSCAPE CONCEPT FLOOR PLANS

SHEET NUMBER:
MODIFIED OPTION B
L200

Figure 2-3
SITE PLAN



SITE PLAN

XA-SITE.DWG 1/16" = 1'-0"

BUILDING AREA SUMMARY

GUEST ROOM MODULES

MEZZANINE:	28
2ND FLOOR:	84
3RD FLOOR:	73
4TH FLOOR:	44
5TH FLOOR:	41
TOTAL:	250

PARKING SUMMARY

PARKING REQUIRED	302
PARKING PROVIDED	354
PARKING BREAKDOWN	
HOTEL PARKING (VALET)	
B1 PARKING	232
B2 PARKING	72
SUB TOTAL	304
PUBLIC PARKING (VALET)	
1ST FLR/SITE PARKING	50
TOTAL	354
PORTE COCHERE/DRIVE AISLE PARKING	
VALET/TAXI—LIMO STAGING	21
GRAND TOTAL ON SITE PARKING	375

GROSS ENCLOSED AREA SUMMARY

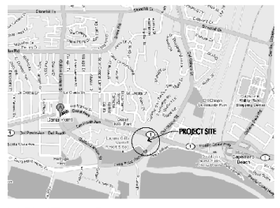
B2 BASEMENT / PARKING:	23,235 SF
B1 BASEMENT / PARKING:	55,100 SF
1ST FLOOR:	52,585 SF
MEZZANINE:	24,648 SF
2ND FLOOR:	42,520 SF
3RD FLOOR:	39,409 SF
4TH FLOOR:	25,953 SF
5TH FLOOR:	25,050 SF
TOTAL GROSS AREA:	288,510 SF

GROSS DECK / TERRACE AREA (INCLUDES POOL AREA)

POOL DECK (2ND FLR):	8,400 SF
GARDEN TERRACE (3RD FLR):	1,750 SF
ROOF TERRACE (4TH FLR):	8,650 SF
GUEST ROOM MODULES:	250
MEETING SPACE:	19,580 SF
RESTAURANT SPACE:	7,464 SF
PARKING:	354 STALLS*

*NOTE: SEE PARKING BREAKDOWN ON SHEETS A200 & A201

VICINITY MAP



SHEET INDEX

PROJECT INFO

OWNER:	BEVERLY HILLS HOSPITALITY GROUP
PROJECT ADDRESS:	23325 DANA POINT HARBOR DRIVE DANA POINT, CALIFORNIA 92629
PLANNING ACTIVITY NUMBER:	PA-09-0193
COASTAL DEVELOPMENT PERMIT NUMBER:	CDP-09-0011

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BEVERLY HILLS HOSPITALITY GROUP

PRELIMINARY CONCEPT PLAN
THE DOHENY HOTEL
25325 DANA POINT HARBOR DRIVE
DANA POINT, CALIFORNIA 92629
COASTAL DEVELOPMENT PERMIT APPLICATION
PA-09-0193 CDP-09-0011

REV	DATE	ISSUED FOR	REV	DATE	ISSUED FOR
				12/22/10	COASTAL APPL
				01/31/11	COASTAL APP R
				03/09/11	COASTAL APP R
				04/07/11	ALT 1 PROG
				09/13/11	OPTION B
				01/30/12	OPTION B REV.
				03/10/14	MOD. OPTION B

STAMP

DATE 04/07/11 SCALE AS NOTED
DRAWN BY: RLB
JOB NO. 1021-005 CAD FILE:A100.DWG

SHEET TITLE
SITE PLAN/COVER SHEET

SHEET NUMBER
MODIFIED OPTION B
A100

Figure 2-4
B1 AND B2 BASEMENT FLOOR PLANS

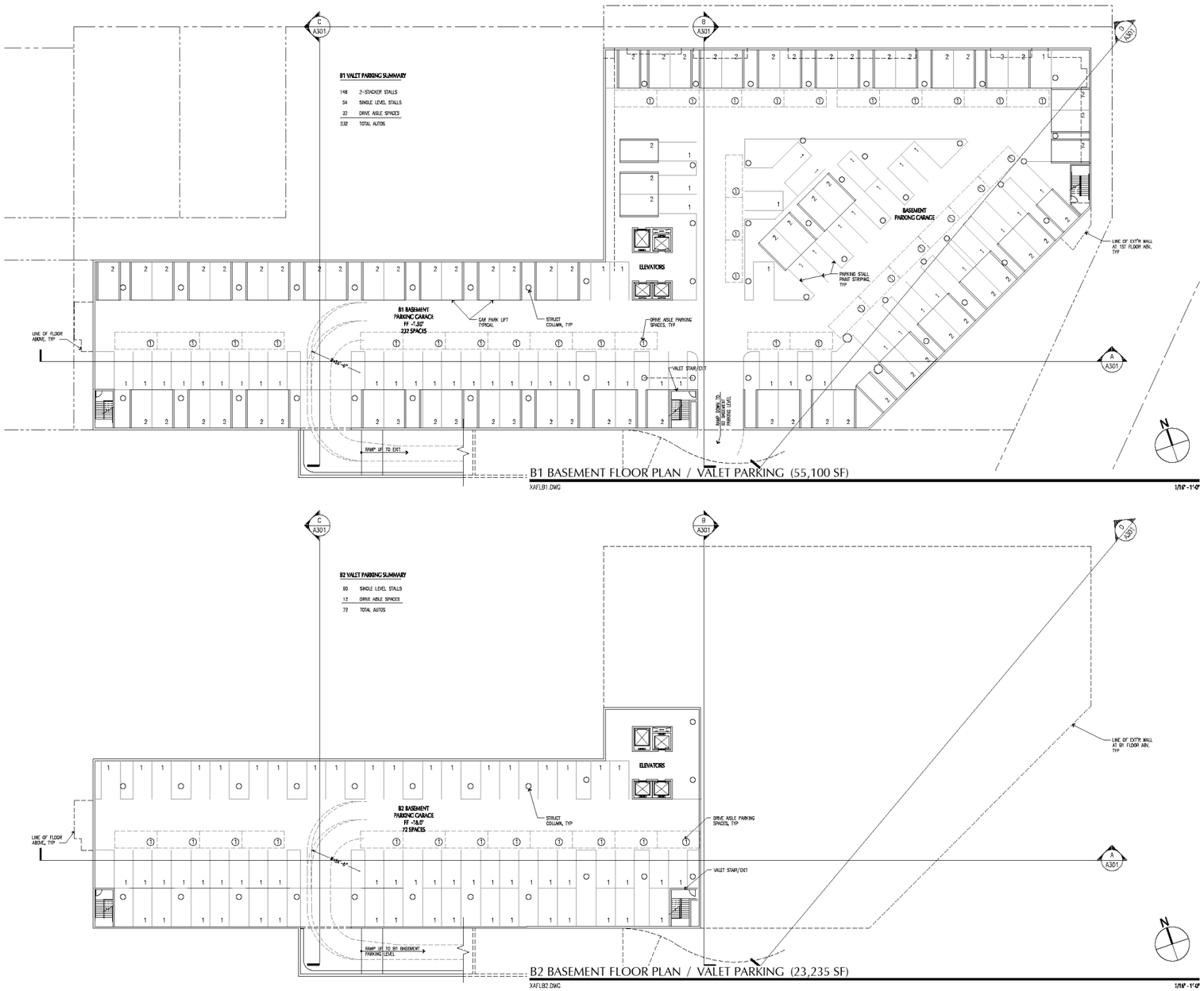
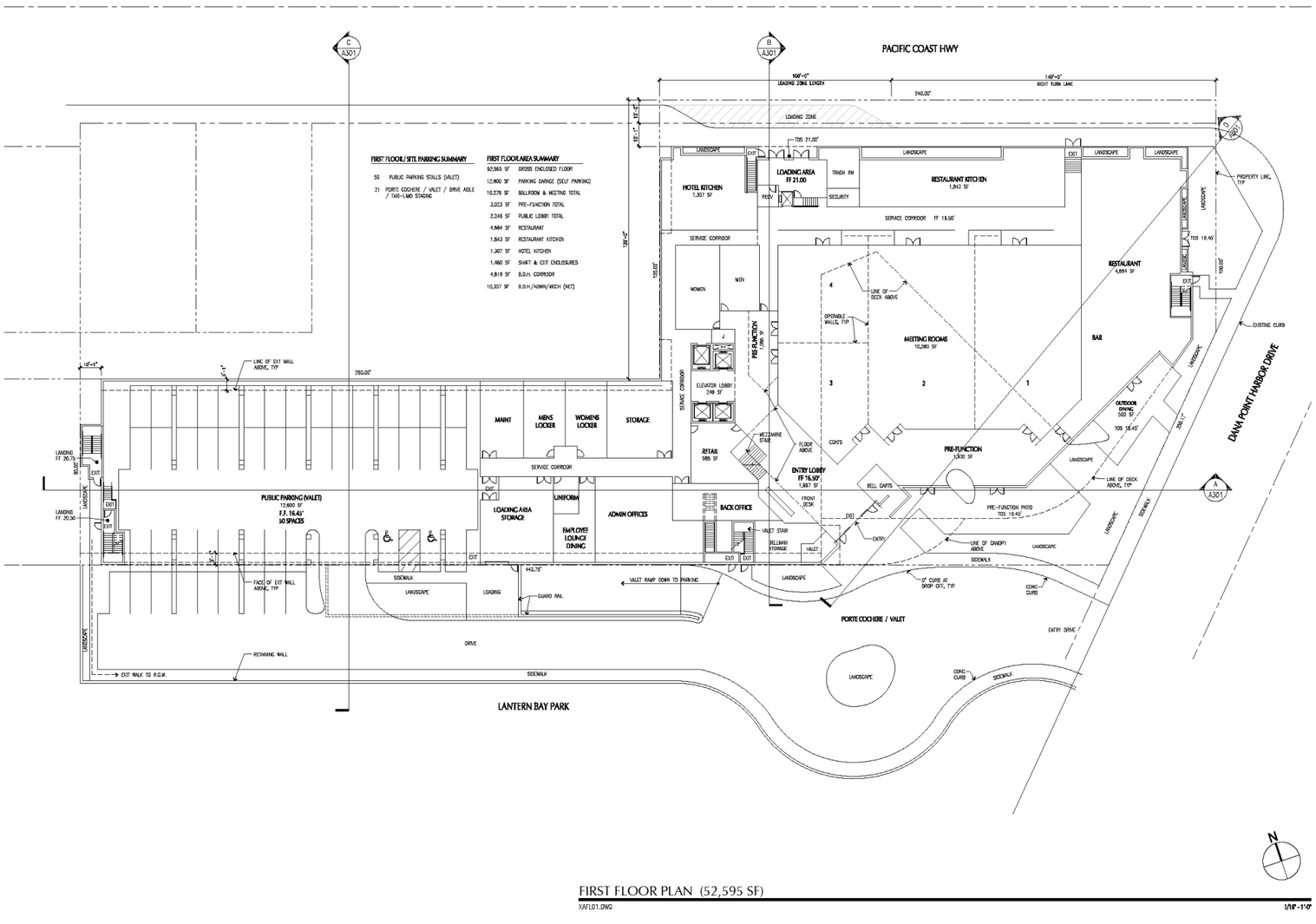


Figure 2-5
FIRST FLOOR PLAN LOADING OPTION



FIRST FLOOR PLAN (52,595 SF)
XAFL01.DWG
1/16" - 1'-0"

FIRST FLOOR / SITE PARKING SUMMARY	
50	PUBLIC PARKING STALLS (VALET)
21	PORTE COCHERE / VALET / DRIVE AISLE / TAXI-LIMO STAGING

FIRST FLOOR AREA SUMMARY	
52,595 SF	GROSS ENCLOSED FLOOR
12,600 SF	PARKING GARAGE (SELF PARKING)
10,279 SF	BALLROOM & MEETING TOTAL
3,053 SF	PRE-FUNCTION TOTAL
2,246 SF	PUBLIC LOBBY TOTAL
4,664 SF	RESTAURANT
1,843 SF	RESTAURANT KITCHEN
1,307 SF	HOTEL KITCHEN
1,460 SF	SHAFT & EXIT ENCLOSURES
4,818 SF	B.O.H. CORRIDOR
10,337 SF	B.O.H./ADMIN/MECH (NET)

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PRELIMINARY CONCEPT PLAN
THE DOHENY HOTEL
25325 DANA POINT HARBOR DRIVE
DANA POINT, CALIFORNIA 92629
COASTAL DEVELOPMENT PERMIT APPLICATION
PA2010153 CDP08-0011

REV	DATE	ISSUED FOR	REV	DATE	ISSUED FOR
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				01/24/11	COASTAL APP #1
				03/09/11	COASTAL APP #1
				04/11/11	OPTION B
				06/13/11	OPTION B
				01/30/12	OPTION B REV
				12/03/13	OPTION B R.1
				03/10/14	MOD. OPTION B

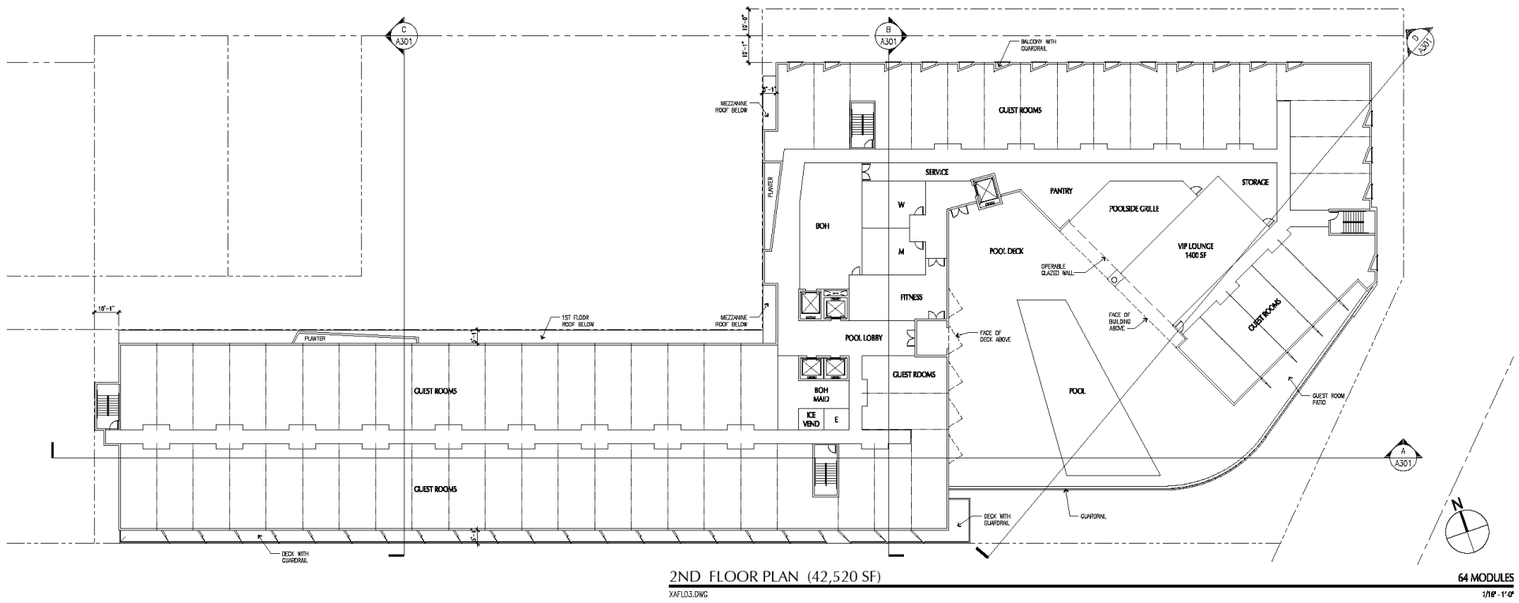
STAMP

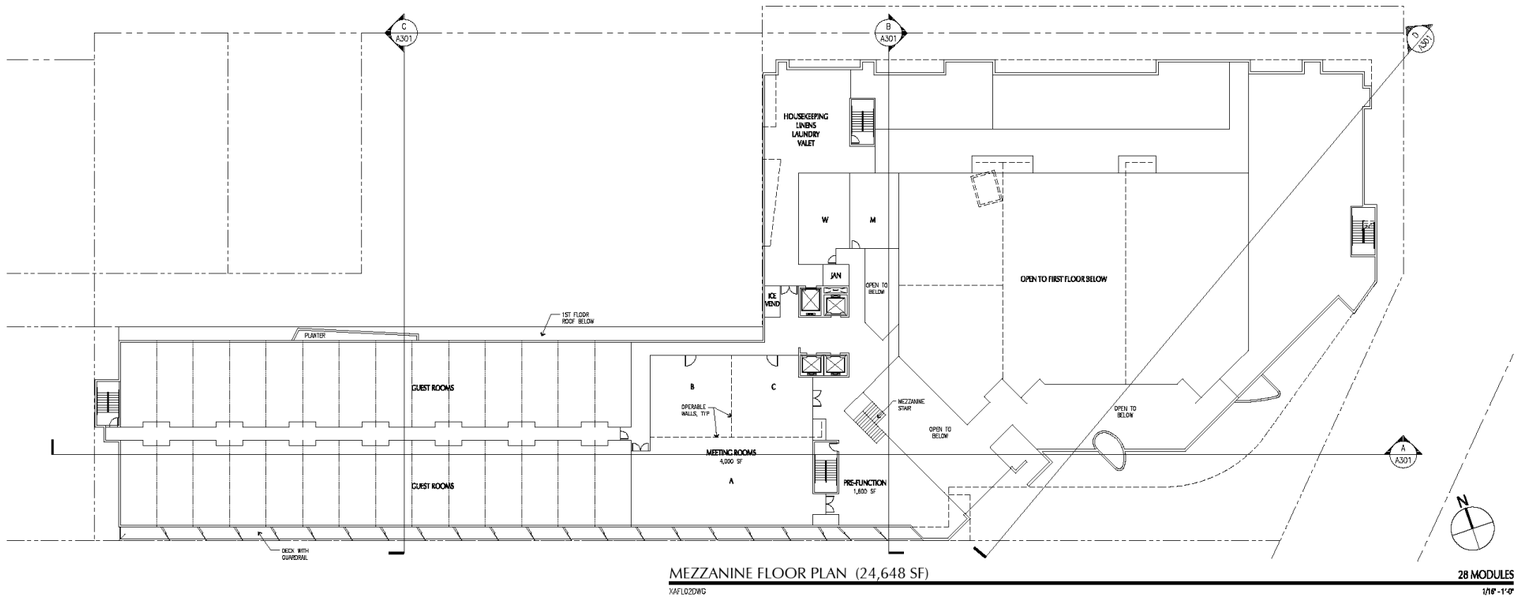
DATE 11/29/10 SCALE AS NOTED
DRAWN BY: RLS
JOB NO. 1021-300 ICAD TITLE: A201 01.DWG

SHEET TITLE
FIRST FLOOR PLAN
LOADING OPTION

SHEET NUMBER:
MODIFIED OPTION B
A201

Figure 2-6
MEZZANINE AND SECOND FLOOR PLANS





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PRELIMINARY CONCEPT PLAN
THE DOHENY HOTEL
25325 DANA POINT HARBOR DRIVE
DANA POINT, CALIFORNIA 92629
COASTAL DEVELOPMENT PERMIT APPLICATION
PA2014-013 CDP2014-001

REV	DATE	ISSUED FOR	REV	DATE	ISSUED FOR
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				01/31/11	COASTAL APP R
				06/13/11	OPTION B
				01/30/12	OPTION B REV.
				03/10/14	MOD. OPTION B

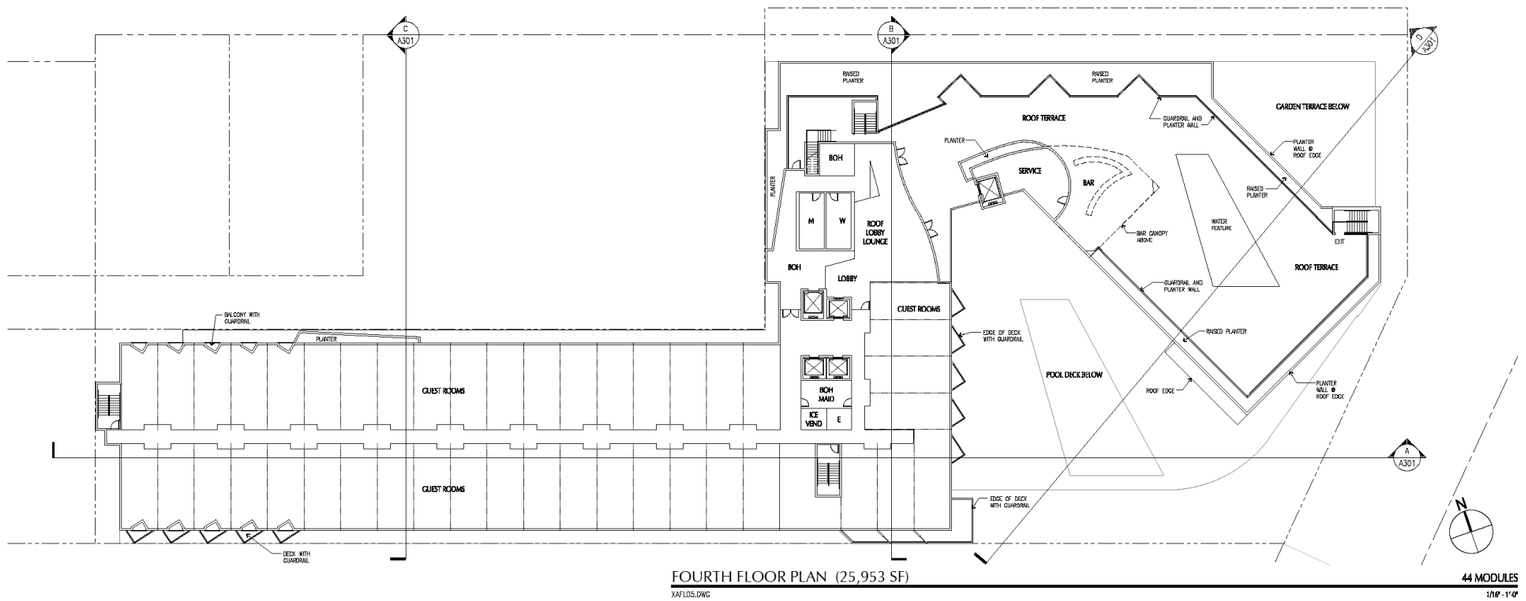
STAMP

DATE 11/29/10 SCALE AS NOTED
DRAWN BY: RLS
JOB NO. 1021-300 CAD FILE: A201.DWG

SHEET TITLE
MEZZANINE & SECOND FLOOR PLANS

SHEET NUMBER:
MODIFIED OPTION B
A202

Figure 2-7
THIRD AND FOURTH FLOOR PLANS



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BEVERLY HILLS HOSPITALITY GROUP

PRELIMINARY CONCEPT PLAN
THE DOHENY HOTEL
25325 DANA POINT HARBOR DRIVE
DANA POINT, CALIFORNIA 92629
COASTAL DEVELOPMENT PERMIT APPLICATION
PROPOSED CDP/PDP

REV	DATE	ISSUED FOR
		12/22/10 COASTAL APPL.
		05/31/11 COASTAL APP. R
		08/12/11 OPTION B
		01/30/12 OPTION B REV.
		03/10/14 MOD. OPTION B

STAMP

DATE 11/29/10 SCALE AS NOTED
DRAWN BY R.S.
JOB NO. 1021-000 CAD TITLE A203.DWG

SHEET TITLE
THIRD & FOURTH FLOOR PLANS

SHEET NUMBER:
MODIFIED OPTION B
A203

Figure 2-8
FIFTH FLOOR AND UPPER ROOF PLAN

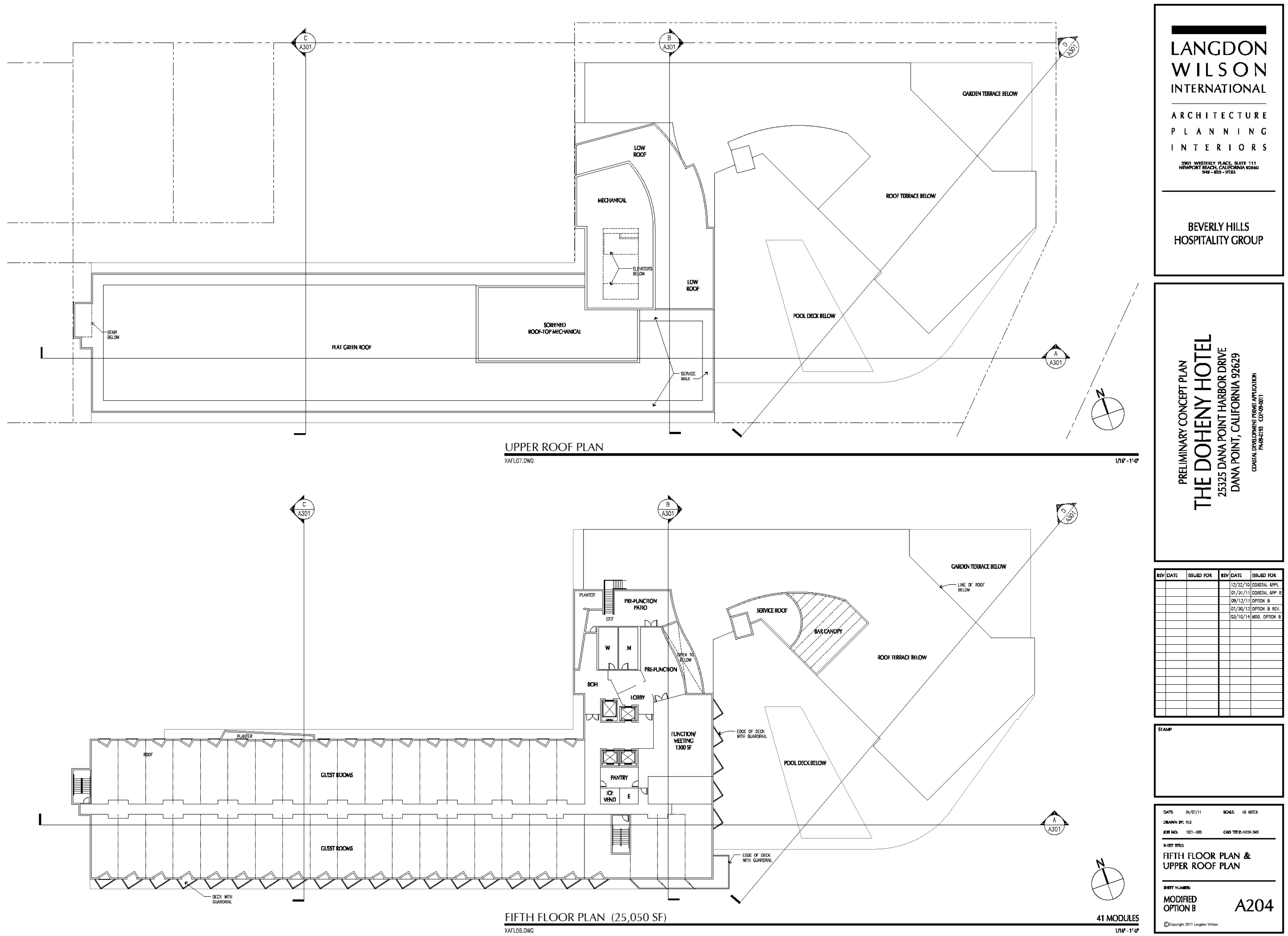
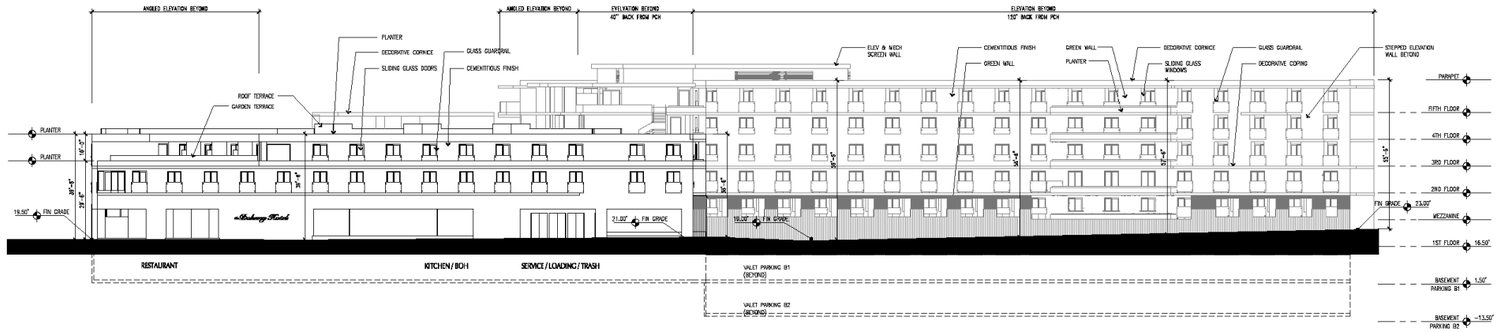
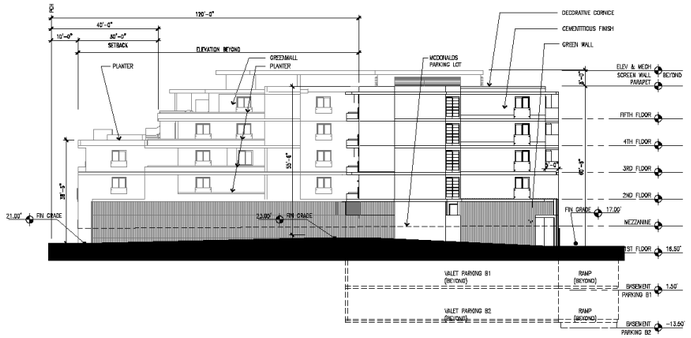


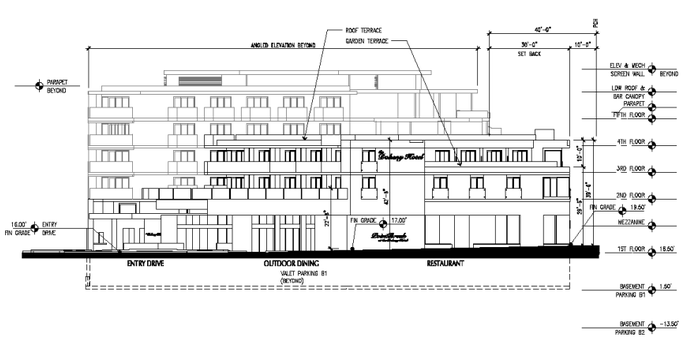
Figure 2-9
EXTERIOR ELEVATIONS



NORTH ELEVATION
XAELO1.DWG 1/16" - 1'-0"



WEST ELEVATION
XAELEV-S.DWG 1/16" - 1'-0"



EAST ELEVATION
XAELEV-S.DWG 1/16" - 1'-0"

SOUTH ELEVATION
XAELEV-S.DWG 1/16" - 1'-0"

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PRELIMINARY CONCEPT PLAN
THE DOHENY HOTEL
25325 DANA POINT HARBOR DRIVE
DANA POINT, CALIFORNIA 92629
COASTAL DEVELOPMENT PERMIT APPLICATION
PA08-0139 CDP09-0011

REV	DATE	ISSUED FOR	REV	DATE	ISSUED FOR
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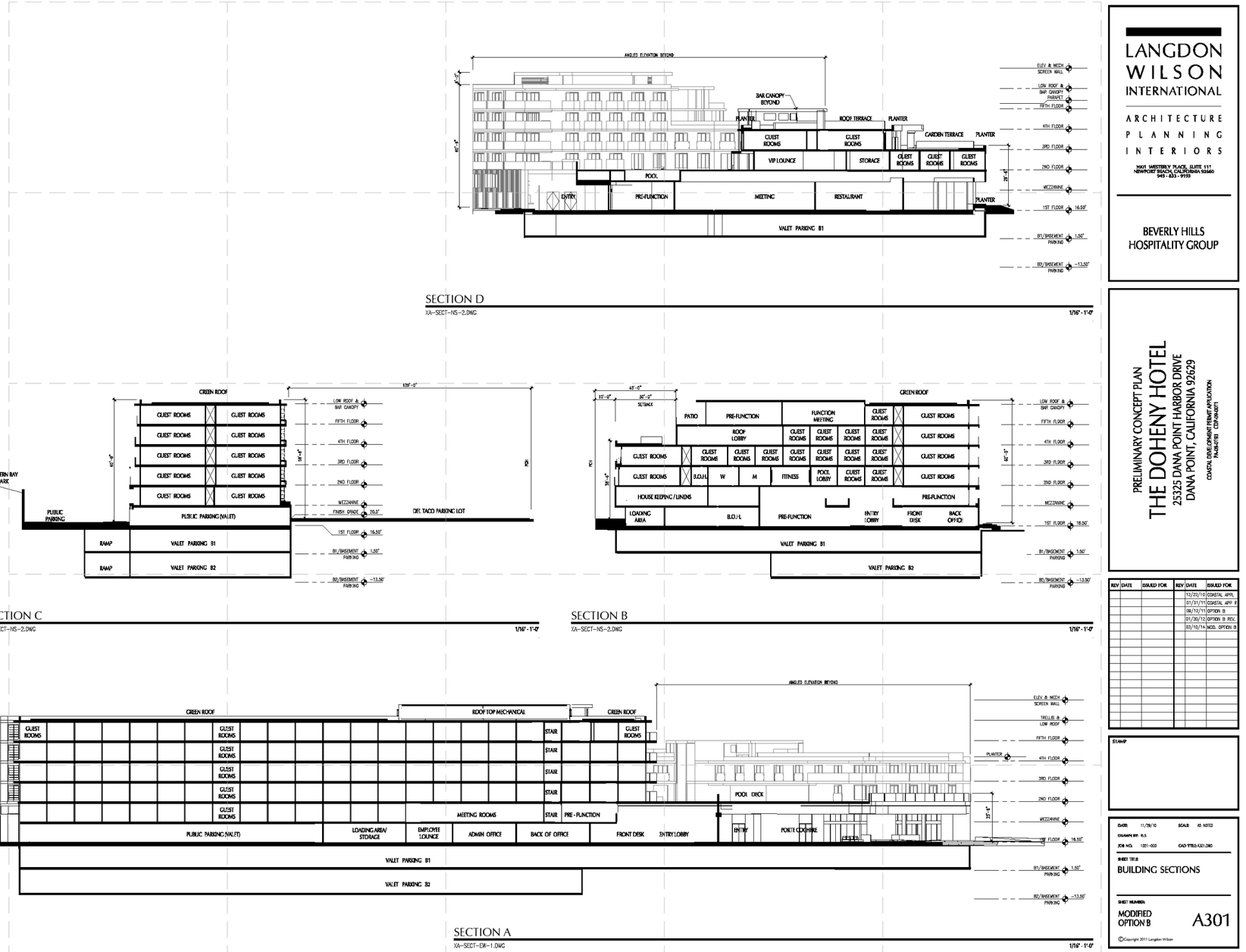
				01/31/11	COASTAL APP #2
				09/12/11	OPTION B
				01/30/12	OPTION B REV
				02/10/14	MOD. OPTION B

STAMP

DATE: 11/29/10 SCALE: AS NOTED
DRAWN BY: RLS
JOB NO. 1021-000 CAD FILE: A-300.DWG
SHEET TITLE:
EXTERIOR ELEVATIONS
SHEET NUMBER:
MODIFIED OPTION B
A300

Figure 2-10
FIRST FLOOR PLAN LOADING OPTION



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25325 DANA POINT HARBOR DRIVE
DANA POINT, CALIFORNIA 92629
COASTAL DEVELOPMENT PERMIT APPLICATION
PA-08-0193 CDP-09-0011

REV	DATE	ISSUED FOR:	REV	DATE	ISSUED FOR:
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				01/31/11	COASTAL APP R
				06/12/11	OPTION B
				01/30/12	OPTION B REV.
				03/10/14	MOD. OPTION B

STAMP

DATE: 11/28/10 SCALE: AS NOTED
DRAWN BY: R.S.
JOB NO.: 1021-000 CAD TITLE: A301.DWG

SHEET TITLE
BUILDING SECTIONS

SHEET NUMBER
MODIFIED OPTION B
A301

3.0 COMMENTS AND RESPONSES

3.1 Introduction

Section 15088 of the CEQA Guidelines states the lead agency is responsible for the evaluation of comments on environmental issues received and must prepare a written response. According to the CEQA Guidelines, the focus of responses to comments is based on "the disposition of significant environmental issues raised." Detailed responses are not required for comments that do not relate to environmental issues.

The Comments and Responses section is organized as follows:

- Section 3.1 Introduction.
- Section 3.2 Matrix of Comments Received – Provides a list of agencies, organizations, and individuals that commented on the Draft EIR during the public review period. Each comment is categorized based on content.
- Section 3.3 Response to Comments – All copies of letters and e-mails received are numerically categorized. Each comment is followed immediately by a response with a corresponding number to the original letter.

In accordance with Section 15088, responses are provided for each of the written comments received during the public review period from July 24, 2013 to September 6, 2013.

3.2 Matrix of Comments Received

Letter No.	Commenter	Project Description	3.1 Aesthetics	3.2 Air Quality	3.3 Biological Resources	3.4 Cultural Resources	3.5 Geology and Soils	3.6 Greenhouse Gases	3.7 Hazards and Hazardous Materials	3.8 Hydrology and Water Quality	3.9 Land Use and Planning	3.10 Noise	3.11 Public Services	3.12 Transportation and Traffic	3.13 Utilities and Service Systems	Project Alternatives	Other
1	California Coastal Commission South Coast Area Office 200 Oceangate, Suite 1000 Long Beach, California 90802-4302													●			●
2	Richard J. Sandzimier, Director Orange County Public Works OC Planning Services 300 North Flower Street Santa Ana, California 92703	●	●								●			●			●
3	William Ramsey, Assistant Director City of San Juan Capistrano Development Services Department 32400 Paseo Adelanto San Juan Capistrano, California 92675													●			
4	Maureen El Harake, Branch Chief California Department of Transportation District 12 3347 Michelson Drive, Suite 100 Irvine, California 92612																●
5	Robert Jackson, Managing Member Dana Point, LLC 8400 Sunset Boulevard, #3A West Hollywood, California 90069		●								●	●		●		●	
6	Dan Boersma <no address provided>																●
7	Harold & Gina Burt <no address provided>		●								●			●			
8	Bill & Andi Hoff <no address provided>																●

Letter No.	Commenter	Project Description	3.1 Aesthetics	3.2 Air Quality	3.3 Biological Resources	3.4 Cultural Resources	3.5 Geology and Soils	3.6 Greenhouse Gases	3.7 Hazards and Hazardous Materials	3.8 Hydrology and Water Quality	3.9 Land Use and Planning	3.10 Noise	3.11 Public Services	3.12 Transportation and Traffic	3.13 Utilities and Service Systems	Project Alternatives	Other
9	David & Joanna Schroeder <no address provided>		●								●			●			
10	Jim & DeeDee Blair 34032 Capistrano of the Sea Dana Point, California 92629		●	●								●		●			●
10	Marie A. Boyce 24052 Bedford Lane Dana Point, California 92629		●	●								●		●			●
10	Lisa Cappelletti 34042 Capistrano by the Sea Dana Point, California 92629		●	●								●		●			●
10	Dave Clibon 34182 Capistrano by the Sea Dana Point, California 92629		●	●								●		●			●
10	Vivian Clibon 34182 Capistrano by the Sea Dana Point, California 92629		●	●								●		●			●
10	Jay Elliott 34062 Bedford Lane Dana Point, California 92629		●	●								●		●			●
10	Kenneth Fraser 34092 Cambridge Road Dana Point, California 92629		●	●								●		●			●
10	Felix Ganio 34062 Cambridge Road Dana Point, California 92629		●	●								●		●			●
10	Harriet Gardner 34151 Calle La Primavera Dana Point, California 92629		●	●								●		●			●

Letter No.	Commenter	Project Description	3.1 Aesthetics	3.2 Air Quality	3.3 Biological Resources	3.4 Cultural Resources	3.5 Geology and Soils	3.6 Greenhouse Gases	3.7 Hazards and Hazardous Materials	3.8 Hydrology and Water Quality	3.9 Land Use and Planning	3.10 Noise	3.11 Public Services	3.12 Transportation and Traffic	3.13 Utilities and Service Systems	Project Alternatives	Other
10	Ronald Gleason & Loren D. Machart 34072 Bedford Lane Dana Point, California 92629		●	●								●		●			●
10	Dennis Godlewski 34052 Calle La Primavera Dana Point, California 92629		●	●								●		●			●
10	Bradley Harstein 34132 Capistrano by the Sea Dana Point, California 92629		●	●								●		●			●
10	Susannah Horn 34142 Calle La Primavera Dana Point, California 92629		●	●								●		●			●
10	Jane Kleiser 34092 Cambridge Road Dana Point, California 92629		●	●								●		●			●
10	Philip Kress 34012 Cambridge Road Dana Point, California 92629		●	●								●		●			●
10	Cynthia K. Morales 34012 Bedford Lane Dana Point, California 92629		●	●								●		●			●
10	Steven and Joan Moss 25302 Dartmouth Lane Dana Point, California		●	●								●		●			●
10	Linda O'Brien 34112 Calle La Primavera Dana Point, California 92629		●	●								●		●			●
10	Benita O'Meara 34172 Capistrano by the Sea Dana Point, California 92629		●	●								●		●			●

Letter No.	Commenter	Project Description	3.1 Aesthetics	3.2 Air Quality	3.3 Biological Resources	3.4 Cultural Resources	3.5 Geology and Soils	3.6 Greenhouse Gases	3.7 Hazards and Hazardous Materials	3.8 Hydrology and Water Quality	3.9 Land Use and Planning	3.10 Noise	3.11 Public Services	3.12 Transportation and Traffic	3.13 Utilities and Service Systems	Project Alternatives	Other
10	Ray and Jody Payne 34192 Capistrano by the Sea Dana Point, California 92629		●	●								●		●			●
10	Eugene L. Ralph 34122 Capistrano by the Sea Dana Point, California 92629		●	●								●		●			●
10	Peter Tenger 34082 Cambridge Road Dana Point, California 92629		●	●								●		●			●
10	Barry Vaniel 25382 Village Road Dana Point, California 92629		●	●								●		●			●
10	John Williams 34112 Cambridge Road Dana Point, California 92629		●	●								●		●			●
10	Hamid Yazdani 25252 Manzanita Drive Dana Point, California		●	●								●		●			●
10	Adrianne and Ken Yoshino 34162 Cambridge Road Dana Point, California 92629		●	●								●		●			●
10	S. Yong 34052 Cambridge Road Dana Point, California 92629		●	●								●		●			●
10	William Young 34092 Calle La Primavera Dana Point, California 92629		●	●								●		●			●
11	Theresa Bovee 25262 Manzanita Drive		●	●								●		●			●

Letter No.	Commenter	Project Description	3.1 Aesthetics	3.2 Air Quality	3.3 Biological Resources	3.4 Cultural Resources	3.5 Geology and Soils	3.6 Greenhouse Gases	3.7 Hazards and Hazardous Materials	3.8 Hydrology and Water Quality	3.9 Land Use and Planning	3.10 Noise	3.11 Public Services	3.12 Transportation and Traffic	3.13 Utilities and Service Systems	Project Alternatives	Other
12	Nancy Jenkins and Richard E. Dietmeiee 34132 Cambridge Road Dana Point, California 92629		●									●		●			●
13	James R. Doyle 34012 Calle La Primavera Dana Point, California 92629		●	●								●		●			●
14	Ralph Fisco <no address provided>																●
15	James Nelson <no address provided>		●											●			
16	Ken and Adrianne Yoshino 34162 Cambridge Road Dana Point, California 92629		●					●		●		●		●			●
17	Galaxy Commercial Holding 8906 West Olympic Boulevard, Suite 200 Beverly Hills, California 90211		●														●
18	William Hamilton <no address provided>																●
19	Mary Ann Comes 2145 Via Teca San Clemente, California 92673		●											●			●
20	Jennifer Maher <no address provided>																●
21	Blake Davis 34082 Malaga Drive Dana Point, California 92629																●
22	Dennis Godlewski 34052 Calle La Primavera Dana Point, California 92629		●									●		●			

Letter No.	Commenter	Project Description	3.1 Aesthetics	3.2 Air Quality	3.3 Biological Resources	3.4 Cultural Resources	3.5 Geology and Soils	3.6 Greenhouse Gases	3.7 Hazards and Hazardous Materials	3.8 Hydrology and Water Quality	3.9 Land Use and Planning	3.10 Noise	3.11 Public Services	3.12 Transportation and Traffic	3.13 Utilities and Service Systems	Project Alternatives	Other
23	Kathy Jakary 24936 Summerwind Dana Point, California 92629		●											●			●
24	Saad Mahmood <no address provided>		●											●			
25	S. and A. Yong 34052 Cambridge Road Dana Point, California 92629		●									●		●			●
26	Diane and Mike Wheatley 25292 Dartmouth Lane Dana Point, California 92629		●	●						●				●			●
27	Gwen Layritz 25432 Sea Bluff Drive, #103 Dana Point, California 92629		●											●			●
28	Bob and Charolette Behling <no address provided>		●														●
29	David Costa <no address provided>																●
30	Patricia and Patrick Costa <no address provided>																●
31	Cherie Anderson <no address provided>																●
32	Patricia Costa <no address provided>																●
33	Heaven Sankovich <no address provided>		●								●	●		●			

3.3 Responses to Comments

Comment Letter No. 1

Sep-06-13 03:03pm From-California Coastal +5625905084 T-845 P.001/003 F-671

STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., GOVERNOR

CALIFORNIA COASTAL COMMISSION
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

FAX TRANSMITTAL FORM

Date: 9/6/13 No. of Pages (Including Cover): 3

TO: ERICA DEMKOWICZ
Fax Number: (949) 248-7372

FROM: PERNIE SY FAX Number: 562-590-5084

Subject: THE DOHENY HOTEL PROJECT CSCH# 2011061041

Comments:

CCC COMMENTS

☐ Urgent/Hand Carry ☐ Per Your Request
☐ Confidential ☐ Please Comment
☐ Information ☐ Original Will Follow

G:\FORMS\FAX.DOC REV 1/2011

Sep-06-13 03:03pm From-California Coastal +5625905084 T-845 P.002/003 F-671

STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., Governor

CALIFORNIA COASTAL COMMISSION
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

September 6, 2013

City of Dana Point
Attention: Erica Demkowicz, Senior Planner
Community Development Department
City of Dana Point
33282 Golden Lantern, Suite 209
Dana Point, CA 92629

Re: The Doheny Hotel Project
Notice of Preparation of a Draft Environmental Impact Report (SCH# 2011061041)

Dear Ms. Demkowicz,

Thank you for the opportunity to review the Draft Environmental Impact Report for the Doheny Hotel Project. The subject site is located at 25325 Dana Point Harbor Drive and 34297 and 34299 Pacific Coast Highway in the City of Dana Point, Orange County. The project includes the development of a two-to-five story hotel complex on an approximately 1.50-acre site with 258 guest rooms, business/conference rooms, a restaurant, a rooftop bar/lounge, and rooftop pool and deck area; an underground parking structure for 275 vehicles; and 50 off-site parking spaces. Building massing would be at an overall height of 86.5-feet, including roof top mechanical equipment and screening area.

The proposed project is located within the Coastal Zone in the City of Dana Point. The proposed development will require a Coastal Development Permit from the City of Dana Point.

The following comments address the issue of the proposed project's consistency with the Chapter 3 policies of the California Coastal Act of 1976. The comments contained herein are preliminary and those of Coastal Commission staff only and should not be construed as representing the opinion of the Coastal Commission itself. As described below, the proposed project raises issues related to parking and land use.

Below are the comments by Commission staff on the Draft Environmental Impact Report.

Parking

The proposed project includes 50 off-site parking spaces at the nearby South Coast Water District property.. The project should be developed so that sufficient parking for the development is provided on-site. Off-site parking may create adverse impacts upon public access. Why has the project not been developed to provide adequate parking on-site? Why was this off-site location chosen? What will the proposed off-site parking displace? 1.1

Land Use Planning

The proposed project includes the demolition of an existing 46-room motel, a lower-cost visitor and recreational facility, and construction of a new two-to-five story hotel with 258 rooms. What rates are charged for the existing hotel and what rates will be charged for the new hotel? The rates will indicate if the new rooms will be considered "higher cost" or lower cost" accommodations. Lower cost accommodations would be more affordable to a larger segment of the general population. Regarding the proposed project, the preference is to provide "lower cost" accommodations onsite in place of "higher cost" accommodations. However, if that option is not chosen, an in-lieu fee might be required. To promote and encourage provision of lower cost visitor overnight accommodations in the Coastal Zone, in association with new development of high-end facilities, the Commission has required payment of a fee to be used for lower cost visitor accommodations, such as hostels, cabins and campgrounds, in lieu of actual provision of lower cost units. 1.2 1.3

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Doheny Hotel project. Commission staff request notification of any future activity associated with this project or related projects. Please note, the comments provided herein are preliminary in nature. Additional and more specific comments may be appropriate as the project develops into final form. Please feel free to contact me at 562-590-5071 with any questions. 1.4

Sincerely,

Fernie Sy
Coastal Program Analyst II

CC: State Clearinghouse

Response No. 1
California Coastal Commission
Fernie Sy, Coastal Program Analyst II

1.1 Based on feedback from the community during the 45-day review period, the Study Session held on November 18, 2013, and the Public Hearings held on December 9, 2013 and February 10, 2014, the applicant has decided to pursue a Modified Option "B". This new alternative is a modification of Alternative 4 - Option "B" Alternative (Section 5.7.1) in the Draft EIR. The Modified Option "B" would be comprised of 250 guest rooms; 375 on-site parking spaces (20 self-park and 355 valet); 210,175 square feet of enclosed area; 15,580 square feet of meeting space and banquet facilities; 7,464 square feet of restaurant space; and 18,800 square feet of deck/terrace with rooftop amenities (pool deck, garden terrace, and roof terrace).

The overall building height of the Modified Option "B" would be similar to the proposed Lead Project; the building reaches 29.5 feet at its lowest point and 60.5 feet at its highest point (68.5 feet with mechanical equipment). However, in comparison to the Lead Project, a larger percentage of the height of the building for the Modified Option "B" is three stories (38.5 feet). This is due to the Modified Option "B" reducing sections of the building standing at 60.5 feet (five stories) and 48.5 feet (four stories). The Project would include access to the site from Dana Point Harbor Drive through an expanded entrance/driveway located on the 0.76-acre Lantern Bay Park land.

The Project site is located within the boundary of the Dana Point Specific Plan Area (DPSP Area); therefore, the Orange County Zoning Code Chapter 7-9-145 entitled Off-Street Parking Regulations applies. According to Section 7-9-145.6, motel and hotel uses are required to have one parking space for each guest unit, plus additional parking as required for accessory motel/hotel uses. The Modified Option B would be comprised of 250 guest rooms with 375 on-site parking spaces. Therefore, all guests and visitors of the proposed hotel property would be accommodated with a sufficient amount of on-site parking.

1.2 The views and concerns presented in these comment letters will be reviewed and considered by decision makers. Although CEQA only requires a written response to Draft EIR comments dealing with significant environmental issues, comments expressing personal opinion, recommendations, or concerns are still a part of the environmental record.

The commenter's inquiry regarding hotel/motel occupancy rates for the existing property and proposed Project are not a CEQA-related issue and do not validate a generated response. The City or applicant may provide an independent comment to the California Coastal Commission relative to the State's Coastal Act or other related environmental issue.

1.3 The City acknowledges the possibility of paying an in-lieu fee for lower cost visitor accommodations.

1.4 The City will provide the Commission with notification of any future activity associated with this Project or related projects.

Comment Letter No. 2

OC PublicWorks
Integrity, Accountability, Service, Trust

Ignacio G. Ochoa, P.E., Interim Director
300 N. Flower Street
Santa Ana, CA 92703

P.O. Box 4048
Santa Ana, CA 92702-4048

Telephone: (714) 667-8800
Fax: (714) 967-0896

NCL-13-036

September 6, 2013

Ms. Erica Demkowicz, Senior Planner
Community Development Department
City of Dana Point
33282 Golden Lantern, Suite 209
Dana Point, California 92629

SUBJECT: Draft Environmental Impact Report for the Doheny Hotel Project

Dear Ms. Demkowicz:

The County of Orange has reviewed the Draft Environmental Impact Report for the Doheny Hotel Project. County comments focus on three (3) key issues, as well as, several construction issues raised in the EIR. The key issues include the following:

- The size of the Hotel and the need for the City of Dana Point to grant variances to height restrictions and to adopt a Statement of Overriding Considerations, for the front, side and rear setbacks.
- Extensive new construction, reconstruction and modifications to surrounding City streets and the sizeable traffic increase in this area.
- The assumption that the developer will be able to acquire the County of Orange property, upon which the OC Dana Point Harbor entrance sign is located.

Issue 1 – Size of the Hotel

The general scope of this project envisions a Hotel with 258 guest rooms, two (2) Restaurants and two (2) Bars all serviced by 275 on-site valet parking spaces and 50 off-site spaces. Due to its physical size, the Hotel would not comply with the site development standards prescribed in the City of Dana Point Specific Plan (DPSP). The DPSP site development standards prescribe a 35-foot maximum building height, 10-foot minimum rear building setbacks and a minimum 20-foot setback from Exterior Property line in the "Coastal Visitor Commercial Zone," (see Pages 2-16 through 2-22). The proposed Hotel exceeds the building height limit with an overall height of 85.5 feet and does not meet any of the minimum setbacks requirements. This would require the City to grant a number of Variances as well as issue a Statement of Overriding Consideration due to the Significant Environmental Impacts that cannot be mitigated. 2.1

Further, the project is not consistent with the Community Design Element of the Dana Point Specific Plan, which identifies PCH as an "Image Corridor," and recommends the development of the PCH Corridor in accordance with the Scenic Highway Act. 2.2

The project does not meet the stated Applicant Project Objectives (Section 2.5), "Minimize the impact of new development on the character of surrounding residential neighborhoods so that street scape and quality of existing public view sheds are preserved." 2.3

Issue 2 – Extensive Street Construction and Increased traffic

The implementation of this project would result in substantial increase in the Average Daily Traffic volumes along roadway segments and key intersections during morning, mid-day and evening hours, particularly on weekends and holidays, as noted in section 3.12 of the Environmental Analysis, Transportation, Traffic and corresponding tables. The Project proposes to mitigate these impacts through implementation of Project Design Features 3.12-1 through 3.12.8. These Project Design features will require approval by the City of Dana Point. They will also require the acquisition of easements over County of Orange property or the acquisition of fee ownership over the property to allow for construction. 2.4

The Hotel intends to utilize a valet-serviced underground parking system of 275 spaces and 50 off-site spaces. There is no check-in parking noted on the plans and it is reasonable to presume that during peak periods of usage, traffic could easily back up on Dana Point Harbor Drive and PCH, in both directions. 2.5 The possibility of exceeding parking capacity during peak holidays (4th of July) or during State Park or Harbor special events is not addressed in the draft EIR. 2.6 A project parking shortage has the potential to severely impact parking and traffic in the surrounding area. Both traffic mitigating Project Design Features and off-site parking rely on securing agreements with the City of Dana Point, the County of Orange and the South Coast Water District. The feasibility of these solutions is questionable as no evidence is presented to demonstrate these agreements can or will be obtained. 2.7

Issue 3 – County of Orange Property

The report assumes that the portion of property currently owned by the County and utilized for the Harbor entrance sign, can be obtained from the County. However, there is no indication that any agreement is in place to allow for this to occur. 2.8 This property would be required for the street construction and overall construction of the Hotel. The report states that a new Harbor Sign would be constructed, but no details are provided on the plans as to signage style or type. Again, there is no indication of an agreement with the County regarding the signage. 2.9

Construction Issues

Several issues are raised in the Report regarding the construction of this Hotel:

- No setback – the Hotel will be constructed on the property lines, but the draft EIR includes no mention of impacts to adjacent properties. 2.10 The draft EIR mentions of temporary cut slopes, but does not address temporary construction easements outside of the property lines. 2.11 With a majority of the basement wall sited along the property line, the approximate excavation depths ranging from 18-23 feet raise constructability concerns related to shoring and retaining wall configuration. 2.12

- The construction of the parking structure will require that the current ground water level (13 feet below ground surface) to be temporarily lowered to 23 feet below ground surface by dewatering. A substantial amount of equipment will be required in order to treat and dispose of the resulting quantity of water in compliance with NPDES regulations. There is no staging area noted on the plans to accommodate the equipment for this effort nor is there any indication that a staging area can be obtained. 2.13

- The draft EIR notes that construction of alternative Plan B would require, "An additional 58,560 cubic yards of excavation." This will generate over 2,500 semi-truck trips to remove the material. This amount of truck traffic will severely impact the surrounding streets. Also, there is no mention of the quantities associated with the excavation required for the proposed parking structure, but based on the depth of the parking structure, it can be assumed to be substantial with similar impacts to traffic. 2.14 2.15

- The plans do not identify or appear to take into account the approximately 15-foot to 20-foot high slope, that borders the project site to the southwest, that is part of the City of Dana Point Lantern Bay Park. The height and proximity of the slope is very apparent in the photo on page 26 of the EIR, noted as, "looking northeast toward project site." This slope, combined with the depth of excavation required for the basement parking structure, could result in excessive surcharge loads being placed on the walls of the parking structure. 2.16

Overall, the number of agreements to be obtained from the County, the South Coast Water District, and the City of Dana Point to mitigate the number of environmental impacts noted in the draft EIR, as well as, the need for the City to grant variances for building height and setbacks are considerable challenges for the proposed project and the County is interested in the implementation steps that will be employed to manage this effort. 2.17

If you should have any questions or need clarification, please do not hesitate to call me at (714) 667-3217.

Sincerely,

for Richard J. Sandzimier, Director
OC Planning Services

Response No. 2
Orange County Public Works
Richard J. Sandzimier, OC Planning Services Director

2.1 As described in Chapter 2.0 (Project Description) of the Draft EIR, for the Project to proceed the City would need to grant height and setback variances and adopt a Statement of Overriding Considerations. The variances apply only to the proposed Project and would not be applicable to any subsequent development within the area. Chapter 3.9 (Land Use and Planning) Section 3.9.7 (Project Requirements) of the Draft EIR concluded that the project would not comply with the City's height and setback requirements; therefore, a significant unavoidable Land Use and Planning impact was identified.

A Statement of Overriding Considerations reviews all benefits of a proposed Project and whether those benefits outweigh the unavoidable environmental impacts. The granting of a height or setback variance would comply with City of Dana Point's City Code Section 9.67.050 (Basis for Approval, Conditional Approval, or Denial of a Variance). City Code Section 9.67.050(4) states "…the granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zoning district with similar constraints." Therefore, it is anticipated that the proposed Project would not create a dangerous precedent for future development as the zoning remains unchanged and benefits of individual future projects would be reviewed on a case-by-case basis.

2.2 The Scenic Highway Element of the Dana Point Specific Plan states that a two-story height limitation should be maintained within the PCH corridor. Approval of the proposed Project would require the City to grant a variance for height and setback encroachment and adopt a Statement of Overriding Considerations. Refer to Chapter 3.1 (Aesthetics) **Table 3.1-1** (Design Guidelines Consistency) of the Draft EIR which addresses the Project's uniformity in relation to development standards.

2.3 The proposed Project has been designed to preserve public views. The use of the two-story facade at the primary corner entrance on the eastern side reduces the bulk of the building. Likewise, the third through fifth floors of the building at the corner entrance are terraced back and reduce the apparent bulk of the structure. The western end of the Project wraps behind the existing Del Taco Restaurant and creates a stepped building form. This design helps avoid long continuous wall planes and relieves the horizontal plane. The roof is flat with a coping ledge that runs along the entire roof line that adds more variation horizontally to the building facade. The flat roof allows public views to be preserved through a lower roof height.

2.4, 2.7, 2.8, 2.9, & 2.17 At this time, there is no formal agreement in place for the relocation of the County Harbor sign or roadway construction with the County of Orange. However, detailed discussions have taken place at City Staff level during the project review stage and prior to the release of this Draft EIR. If the

proposed Project is approved, Conditions of Approval requiring formal agreements between all entities would be incorporated into a Resolution of Approval. Please refer to **Appendix A** for the letter from the County of Orange Public Works.

On-Site Parking

Based on feedback from the community during the 45-day review period, the Study Session held on November 18, 2013, and the Public Hearings held on December 9, 2013 and February 10, 2014, the applicant has decided to pursue a Modified Option "B". This new alternative is a modification of Alternative 4 - Option "B" Alternative (Section 5.7.1) in the Draft EIR. Modified Option "B" would be comprised of 375 on-site parking spaces (20 self-parking and 355 valet parking spaces). The hotel operator would possess greater control over vehicle circulation since overflow parking would be available for vehicles directly on-site. Guests and visitors would not be redirected back onto road arterials to find overflow parking. The Project would include access to the site from Dana Point Harbor Drive through an expanded entrance/driveway located on the 0.76-acre Lantern Bay Park land.

The Project site is located within the boundary of the Dana Point Specific Plan Area (DPSP Area); therefore, the Orange County Zoning Code Chapter 7-9-145 entitled Off-Street Parking Regulations applies. According to Section 7-9-145.6, motel and hotel uses are required to have one parking space for each guest unit, plus additional parking as required for accessory motel/hotel uses. The Modified Option "B" would be comprised of 250 guest rooms with 375 on-site parking spaces. Therefore, all guests and visitors of the proposed hotel property would be accommodated with a sufficient amount of on-site parking.

County Harbor Signage & Roadway Construction

City Staff met with County of Orange representatives in September 2011 and discussed the potential new location of the County Harbor entrance sign as a result of the proposed Project. In this discussion it was agreed that the intersection of Pacific Coast Highway and Dana Point Harbor Drive would benefit from the conceptual widening improvements and that new signage for the Harbor entry area. County of Orange concurred with City Staff that if the proposed Project receives approval, a Condition of Approval (COA) should be placed in the Resolution which obligates the applicant to provide complete design plans and installation of both the intersection traffic improvements and the OC Dana Point Harbor monument signage.

The condition would indicate that these improvements shall meet the approval of Dana Point Harbor/OC Parks in consultation with OC Public Works. The condition would also specify that should OC Dana Point Harbor install new signs in advance of the potential future hotel development, the applicant shall be fully responsible for any repair or replacement due to future construction impacts.

2.5 According to the ULI Shared Parking Study, hotel patrons valeting their cars would pull into the porte cochere area identified on the site plan. From the porte cochere area, a valet attendant would park the car in the designated, subterranean parking lot. The parking demand for the proposed Project was forecasted to slightly exceed on-site parking of 275 spaces during the peak season from 6:00 pm to 9:00 pm on weekends only. The valet parking operation is not expected to affect traffic on Dana Point Harbor Drive or Pacific Coast Highway. Also refer to Responses 2.4, 2.7, 2.8, 2.9, & 2.17.

2.6 Refer to Responses 2.4, 2.7, 2.8, 2.9, & 2.17. With regards to the availability of peak holiday parking and traffic congestion, under Modified Option "B", the Project would possess greater control over vehicle circulation since parking requirements would be compliant with City regulations and overflow parking would be available for vehicles on-site. Guests and visitors would not be redirected back onto road arterials which would contribute to an increase in traffic congestion.

2.10 Chapter 3.9 (Land Use and Planning) addressed the proposed structure's compliance with the City's development standards (e.g. building setback requirements) and impacts on adjacent or abutting properties. Additionally, Chapter 3.1 (Aesthetics) **Table 3.1-1** (Design Guidelines Consistency) compared the Project's design with the Dana Point Design Guidelines and Scenic Highways and Community Design Elements from the Dana Point Specific Plan.

The following is a description of the setbacks on each side of the project site. The project site has two zoning designations under the Local Coastal Plan for the Dana Point Specific Plan Area. The portion of the overall subject site that faces PCH, which includes the Jack-in-the-Box and the vacant commercial/former liquor store, is zoned "Coastal Couplet Commercial" (C-CPC). The existing 46-room motel which fronts Dana Point Harbor Drive is zoned "Coastal Visitor Commercial" (C-VC).

C-CPC District Setback Requirements
The proposed building setbacks for the portion of the property within the C-CPC district (i.e., Jack-in-the-Box and vacant commercial building) are as follows:

Pacific Coast Highway (North) - The required setback for buildings along PCH is 10 feet from the edge of the property line. The Project's design would comply with this development standard.

Dana Point Harbor Drive (East) - 10 feet street side required setback; approximately 52 linear feet of the hotel facade on Dana Point Harbor Drive (closest to the corner of PCH and Dana Point Harbor Drive) would have a 10 feet setback from the property line. The Project's design would comply with this development standard.

Del Taco (West) - No setback requirement; the proposed hotel would be built on the subject site to the western-most property line shared with the

existing Del Taco restaurant with no setback requirements adjacent to Del Taco.

The proposed building setbacks are in compliance with the standards for the C-CPC District.

C-VC District Setback Requirements
The proposed building setbacks for the portion of the property within the C-VC District (i.e., existing 46-room motel) are as follows:

Dana Point Harbor Drive (East) –10 feet; Between 12 to 30 feet setback required; the hotel facade along Dana Point Harbor Drive would have a proposed front setback that would range from 12 to 30 feet.

Lantern Bay Park (South) – 0 feet; Modified Option "B" includes a 0.76-acre portion of Lantern Bay Park, located immediately south of the subject site. Modified Option "B" would include an expanded driveway entrance that would be accessed along Dana Point Harbor Drive through a portion of Lantern Bay Park. This was considered a side setback.

McDonald's (Southwest) – 10 feet; the proposed hotel would be constructed on the subject site with a 10 feet rear setback facing McDonald's restaurant. A stairwell would encroach into the 10 feet rear setback.

Del Taco & Scuba Center – 0 feet; the proposed hotel would be constructed on the subject site up to the northwestern property line that faces the rear of the existing Del Taco restaurant and existing scuba center, with no setback requirements adjacent to the Del Taco and scuba center. This was considered a side setback.

As discussed in Chapter 3.9 (Land Use and Planning) of the Draft EIR, the proposed building setbacks are not in compliance with the City's development standards for the C-VC District. The two sides and rear setbacks would require a variance permit approved and granted by the Planning Commission. Variance approval would allow the proposed building's vertical height to exceed the maximum allowable height limit of 35 feet, authorize structural encroachment into the required setbacks, and/or require a reconfigured design. As discovered in the Draft EIR, this was considered a significant unavoidable project impact and the City must adopt a Statement of Overriding Consideration.

2.11 The comment addressed impacts to neighboring establishments and safety issues. Should the Project be approved by the Planning Commission, the applicant would obtain permission from adjacent property owners for construction or limit all construction activities on the site.

For the Project to proceed, the City would need to grant height and setback variances for the proposed Project as well as adopt a Statement of Overriding Considerations. The variances apply only to the proposed Project and would not be applicable to any subsequent development within the

area. A Statement of Overriding Considerations reviews all benefits of a proposed Project and whether those benefits outweigh the unavoidable environmental impacts.

The granting of a height or setback variance must comply with City of Dana Point's City Code Section 9.67.050 (Basis for Approval, Conditional Approval, or Denial of a Variance). City Code Section 9.67.050(4) states "…the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zoning district with similar constraints." Therefore, it is anticipated that the proposed Project would not create a dangerous precedent for future development as the zoning remains unchanged and benefits of individual future projects would be reviewed on a case-by-case basis.

2.12 & 2.16 Chapter 3.5 (Geology and Soils) of the Draft EIR addressed the excavation and construction of a subterranean parking structure. As described therein, the proposed shoring consists of drilled piers and lagging. Portions of the shoring around the parking structure will be designed to be permanent and integral to the structure. Chapter 3.8 (Hydrology and Water Quality) of the Draft EIR provides a discussion of the proposed Subterranean Parking Structure and addressed issues or topics related to excavation with CWA and NPDES General Construction Permit requirements and procedures.

Should the Project be approved by the Planning Commission, as part of the City's development process, the applicant would be required to submit detailed engineering plans for the excavation and construction of the parking structure to the City. The applicant's technical consultants would design the parking structure and any shoring system requirements accounting for all surcharge conditions. The review process through the City of Dana Point Building and Safety Department would also ensure all surcharge and site conditions are taken into account.

2.13 Chapter 3.5 (Geology and Soils) of the Draft EIR addressed topics, issues, requirements, and processes related to dewatering. Also, Chapter 3.8 (Hydrology and Water Quality) of the Draft EIR discussed the proposed Subterranean Parking Structure and addressed issues or topics related to dewatering.

The applicant's dewatering consultant has stated the project will secure a separate discharge permit specific to the site from the California Regional Water Quality Control Board. Should the Project be approved by the Planning Commission, the applicant would make a submittal directly to the State Board showing the methods, staging area, and discharge point. The City of Dana Point would also review the proposed staging area as a part of the detailed grading and excavation plans.

2.14 As noted in this comment, excavation for a subterranean parking structure has the potential to increase noise levels on local roads. Construction noise and vibration was addressed in Chapter 3.10 (Noise) of the Draft EIR. It is estimated that the project would require removal of 58,560 cubic yards of

soil and its exportation to an off-site location by truck. Trucks hauling building materials to construction sites can also be a source of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes.

The City's Noise Ordinance limits the hours of noise-producing construction activities. Moreover, the anticipated haul route for the proposed project would not pass through any residential neighborhoods. Haul routes may include use of Pacific Coast Highway, Del Obispo Street, Stonehill Drive, or Golden Lantern.

Mitigation Measures (Section 3.10.8) MM 3.10-2 through MM 3.10-4 would reduce vibration levels (VdB) below the Federal Transit Administration threshold of 80 VdB. MM 3.10-1 through MM 3.10-4 would ensure that short-term noise and vibratory exposures during construction remain less than significant (See Section 3.10.6 for discussion and Section 3.10.8 for the mitigation measure language).

2.15 Please also refer to Response 2.14. Excavation for the Modified Option "B" including the subterranean parking structure is approximately 58,560 cubic yards.

Comment Letter No. 3

From: Bill Ramsey [mailto:BRamsey@sanjuancapistrano.org]
Sent: Wednesday, August 07, 2013 1:07 PM
To: ERICA DEMKOWICZ
Cc: URSULA LUNA-REYNOSA; JOHN TILTON; Alan Oswald; Nelson Miller; Ayako Rauterkus
Subject: RE: NOA for Draft EIR for the Doheny Hotel

Ms. Demkowicz:

Our Engineering staff have reviewed the TIA for this proposed project. The TIA's trip generation only includes the hotel use and does not expressly include the "conference center" use and "restaurant" use. Thus, the study appears to assume that these uses will be 100% supported by hotel guests which given market factors, is highly unlikely. In reality, those uses are likely to require market support from both hotel guests and non-guests. Our concern is that the trip generation understates the actual anticipated traffic that will be generated by the project.

Please provide and explanation/justification for how the TIA's trip generation appropriately accounts for traffic associated with non-guest demand for the "conference center" use and the "restaurant" use. Our comments on the Draft TIA for the project can be found at the link below and include additional review comments by Alan Oswald, Senior Engineer-Traffic. Please let us know if you have any questions.

This message contains attachments delivered via ShareFile.

- Doheny Hotel-Final DEIR-TIA (SJC Comments).pdf (13.7 MB)

Download the attachments by clicking here.

William Ramsey, AICP, Assistant Director
Development Services Department
(949) 443-6334

Comments on Doheny Hotel Traffic Impact Analysis (Revised) – August 2, 2012
by the City of San Juan Capistrano – August 6, 2013

Page 11: How can this be considered opening year? It has not even started the approval process.	3.1
Page 11: This is only 12 years from today and the project is not even approved. This should be at least 2030 and preferably 2035 (OCTA current projection timeframe.)	3.2
Page 38: What about the Conference Center And Restaurant? These do not appear to be included in the tabulation. They need to be itemized in the table separate from the hotel.	3.3
Page 86: This is only 3.5% increase in 14 years, which seems low, with the lack of alternative roadways and the continued attraction of the area. Clarification of how this rate was determined should be included in the projection method.	3.4
Page 88: What is the project name for this development?	3.5
Page 124: Remove "Del Obispo Street" when naming this intersection.	3.6
Page 124: While the project trip distributions seem to indicate a "right-in/right-out" only access for the project, I did not see any mention of it in the narrative or recommendations. This should be clarified and included, unless it is not considered a requirement. If that is the case, the project entrance needs to be evaluated.	3.7
Page 124: Remove "Del Obispo Street" when naming this intersection.	3.8
Page 124: Remove "Del Obispo Street" when naming this intersection.	3.9
Page 114: Is there uncertainty that this improvement will not accomplish the desired intent?	3.10
Page 265: What is this?	3.11
Page 266: This looks to be a duplication of the main document.	3.12

Response No. 3
City of San Juan Capistrano
William Ramsey, AICP
Assistant Director, Development Services Department

3.1 Upon initiation of environmental review in 2011, the anticipated opening year of the proposed Project was 2013. Because the project is still in progress, the opening year was modified to 2015. Kunzman and Associates, which prepared the original Traffic Impact Analysis (TIA), has confirmed that the baseline conditions of 2011 are representative of the existing 2013 conditions and the findings and conclusions within the TIA remain valid (**Appendix I** of the Draft EIR).

A review by Kunzman and Associates on the AM peak hour and PM peak hour traffic data for Crown Valley Parkway at PCH shows a minor increase in volumes from 2011 to 2013. Golden Lantern at Del Prado and Golden Lantern at PCH show a decrease in volumes over the past two years. Generally, the weekday peak hour traffic volumes at these three locations have essentially remained the same over the past two years and Year 2011 traffic conditions can be considered as representative of Year 2013 existing conditions. The findings and conclusions of the TIA remain valid and relevant.

3.2 The analysis of Year 2025 traffic conditions is not meant to be representative of project buildout. The Year 2025 traffic analysis was chosen to assess the potential impacts of the proposed project within a near-term cumulative traffic setting that includes the trip generation potential of the Dana Point Harbor Revitalization, Dana Point Town Center Plan, and GPA07-01/ZTA07-02/ZC07-01/LCPA07-01.

3.3 The trip generation potential of the proposed Project was based upon ITE Land Use 310: Hotel Trip Rates, which is consistent with standard traffic engineering practices and the Project description's operational plan for both the restaurant and banquet facilities. The ITE Trip Generation for hotels assumes the inclusion of lodging, restaurants, cocktail lounges, meeting and banquet rooms or convention [center] facilities, limited recreational facilities such as pools and fitness rooms, and other retail and service shops. The project description is consistent with the definition of hotels for the ITE Trip Generation and the requested items (such as restaurant and convention center) are included within the trip generation in the TIA.

3.4 The growth rate used by Kunzman and Associates to conduct the analysis was provided by the City of Dana Point and verified by obtaining traffic counts along PCH within the study area for a 10 year period. The count traffic data supported the 0.25% annual growth.

3.5 This GPA07-01/ZTA07-02/ZC07-01/LCPA07-013 is the Makar Project. The project site is located north of Pacific Coast Highway and east of Del Obispo

Street at 34202 Del Obispo Streets and includes the development of 169 condominium units and 2,000 square feet of commercial space.

3.6 This minor correction will be made and included in Section 4.0, Errata, of the final EIR.

3.7 Due to the existing median on Dana Point Harbor Drive and the proximity to Pacific Coast Highway and Lantern Bay Park, access to the proposed Project would be provided by a "right turn in/right turn out only" driveway on Dana Point Harbor Drive. This driveway, identified as intersection 2 within the TIA (**Appendix I** of the Draft EIR), was evaluated in the August 2012 revised traffic study. The traffic study forecasts the driveway would operate at LOS B during the weekday and weekend peak hours.

3.8 This minor correction will be made and included in Section 4.0, Errata, of the final EIR.

3.9 This minor correction will be made and included in Section 4.0, Errata, of the final EIR.

3.10 The recommended improvement at Pacific Coast Highway and Del Obispo Street/Dana Point Harbor Drive includes the construction of an eastbound right-turn lane, an additional eastbound left-turn lane, and other project enhancements that would improve circulation and increase capacity at this intersection. Improvements ensure that LOS C or better conditions are achieved and maintained in a near-term, Year 2025, cumulative traffic setting. Refer to Table 9 of the August 2012 revised TIA (**Appendix I**). Hence, there is no uncertainty that the improvement will accomplish the desired intent.

3.11 PDF pages were accidentally placed at the end of this document during printing.

3.12 PDF pages were accidentally placed at the end of this document during printing.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 12
3347 MICHELSON DRIVE, SUITE 100
IRVINE, CA 92612-8894
PHONE (949) 724-2000
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Comment Letter No. 4

Flex your power!
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September 3, 2013

Ms. Erica Demkowicz, AICP
City of Dana Point
33282 Golden Lantern
Dana Point, California 92629

File: IGR/CEQA
SCH#: 2011061041
Log #: 2741C
PCH

Dear Ms. Demkowicz,

Thank you for the opportunity to review and comment on the **Draft Environmental Impact Report for the Doheny Hotel Project.** The proposed project includes the demolition existing buildings and construction of a new 2-5 story hotel with 258 rooms and 296 space subterranean parking. An additional 50 parking spaces will be provided off-site for hotel staff. The project site is comprised of three separate parcels addressed as 25325 Dana Point Harbor Drive and 34297 and 34299 Pacific Coast Highway in Dana Point, California. The nearest state route to the project site is Pacific Coast Highway (PCH) in the City of Dana Point.

The Department of Transportation (Department) is a commenting agency on this project and has no comment at this time. However, in the event of any activity in the Department's right-of-way, an encroachment permit will be required. 4.1

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to call Maryam Molavi at (949) 724-2267. 4.2

MAUREEN EL HARAKE
Branch Chief, Regional-Community-Transit Planning
District 12

C: Scott Morgan, Office of Planning and Research

"Caltrans improves mobility across California"

Response No. 4
California Department of Transportation
Maureen El Harake, Branch Chief
Regional-Community-Transit Planning, District 12

4.1 The City acknowledges that an encroachment permit would be required if any project-related activity occurs in the Department's right-of-way.

4.2 The City will keep the Department informed of this Project and any future developments which could potentially impact the State Transportation

Comment Letter No. 5

DANA POINT INN, LLC
8400 Sunset Blvd., #3A, West Hollywood, CA 90069 **(323) 656-8090**
FAX (323) 656-4158

August 7, 2013

Ms. Erica Demkowicz, Senior Planner
Community Development Department
City of Dana Point
33282 Golden Lantern, Suite 209
Dana Point, CA 92926

Re: Draft EIR – Doheny Hotel Project

Dear Ms. Demkowicz:

I am one of the Managing Members of the Dana Point Inn, LLC which owns and operates the Best Western Plus-Marina Shores Hotel located at 34280 Pacific Coast Highway in Dana Point. We have owned the property since 2001. In the time we've owned the hotel, we've spent several million dollars on renovations and upgrades to improve the property for our guests and neighbors. Our investment in the community makes us important stakeholders with regard to the impact the proposed Doheny Hotel Project will have on our business and our City of Dana Point.

I have made a quick review of the draft EIR for the Doheny Hotel Project proposed at 35325 Dana Point Harbor Drive and 34297-34299 Pacific Coast Highway and would like to go on record with the following objections:

1) While the Draft EIR seems to take into account the impact the proposed new hotel building will have on views, it appears that all the investigations revolve around the bluff-top residents surrounding the site. We believe that any building over the current codified height limit of 35 feet should not be approved in that it would change the character of the community at a very basic level. This particular project is as close to the beach as one could hope to get and such a large, tall building would undoubtedly obscure views from every nearby location except from those high up on the bluffs. I would point out that perhaps the renderings in the Draft EIR showing the suspected view blockages are not completely accurate as at least one (the view looking back from the entrance to Doheny State Beach, seems to include a tree to cover the building, but that tree doesn't exist in the current conditions photo! Any building over 35 feet would very likely block views from our property. Our hotel guests enjoy views of the trees and ocean from our second and third floor suites. It appears to us that even a 3rd story on top of the existing structure would impinge on our views entirely. Clearly anything higher than that would block our views. As we have many balcony suites overlooking the view of the park and ocean, the loss of views would seriously and negatively affect our business.

5.1
5.2
5.3
5.4
5.5

2) It appears that the traffic study concludes there would be little impact on local traffic by this massive new development. We disagree with this summary as the additional traffic at this major intersection would likely be very substantial, particularly because the proposed hotel includes spa, banquet, and meeting facilities. Besides the volume of traffic in the sense of numbers of vehicles, there would also likely be an increase volume of noise emanating from the street. We regularly have to deal with guest complaints as a result of excessive street noise, in spite of our efforts over the years to reduce noise intrusion into our guest rooms. Increased traffic would result in increased noise, again negatively affecting our business. 5.6 5.7

3) The size and scope of the project is not in keeping with the look and feel of the neighborhood. While the City does indeed host several very large hotels, this project at this location is not in keeping with the area, current codes, or City general plan guidelines and should, therefore, be scaled back. The 35 foot height limit should certainly not be waived or changed to accommodate the Doheny Hotel Project. 5.8

4) Any proposal to use any part of the City park property adjacent to the site for ingress or egress or parking for this private project is inappropriate. 5.9

We applaud the site's owners for their effort and desire to upgrade the existing Dana Point Harbor Inn, but the grand plan set forth is oversized and would create excessive traffic, traffic noise, and block the views from our property. We would encourage the City to pursue a scaled back plan that keeps with the current City General Plan, including the existing 35 foot height limit. 5.10

Very truly yours,

Robert Jackson, Managing Member
Dana Point Inn, LLC

Response No. 5
Dana Point Inn, LLC
Robert Jackson, Managing Member

5.1 There were 7 Viewpoints used for photo simulations. While Viewpoints 2-5 were taken from the bluff north of PCH, Viewpoints 1, 6 and 7 were taken from alternate locations. These Viewpoints were not from exclusive vantage points; rather; they were representative of a variety of points that are available throughout the City. The chosen viewpoints and photo simulations did not revolve around the bluff top or cater to residents surrounding the site.

Viewpoint 1 looks eastward onto the PCH roadway from the intersection of Del Prado Avenue, Copper Lantern Street, and PCH. This view is typical of what motorists and pedestrians travelling eastbound on PCH would see.

Viewpoint 6 is a view looking west at the Project site from the northeastern corner of Del Obispo Street and PCH. This view is typical of what is afforded to motorists and pedestrians travelling east along PCH and south along Del Obispo Street as they enter the City gateway.

Viewpoint 7 is a view looking north at the Project site from the southeast corner of Dana Point Harbor Drive and Park Lantern located south of the site. This view is typical of what is afforded to motorists, pedestrians, and bicyclists travelling north along Dana Point Harbor Drive as they enter the City gateway.

5.2 The views and concerns presented in these comment letters will be reviewed and considered by decision makers. Although CEQA only requires a written response to Draft EIR comments dealing with significant environmental issues, comments expressing personal opinion, recommendations, or concerns are still a part of the environmental record.

5.3 & 5.5 Chapter 3.1 (Aesthetics) Section 3.1.2 (View Simulations) **Figure 3.1-3** (View Analysis from Dana Point Specific Plan's (DPSP) Land Use Plan), of the Draft EIR, identified primary lookout points off bluffs, primary inland views to Harbor, and secondary views that are potential primary inland views. These lookout points were identified in the City's DPSP and were utilized as approximate viewpoint simulations in Section 3.1.2 (View Simulations) of the Draft EIR.

The selected viewpoints were public views and selected due to their corresponding direction to areas and scenic corridors identified within the Local Coastal Program of the Dana Point Specific Plan. **Figure 3.1-4** (Key View Locations Map) of the Draft EIR, includes a map of the locations of the key viewpoint simulations. Key viewpoints include Crystal Cove Park, the public trail adjacent to The Village at Dana Point HOA, at grade from Dana Point Harbor Drive, at grade from the intersection of Del Obispo and Pacific Coast Highway in proximity to the pedestrian bridge, views from Sea View

Park, and the cul-de-sac of Via Elevado. Furthermore, Viewpoint 4 from Sea View Park was taken along the high bluffs behind or near Best Western Plus Marina Shores Hotel (located at 34280 Pacific Coast Highway in Dana Point) and faced south towards the beaches. The existing sights from Viewpoint 4 primarily consist of non-native trees dominating the foreground and partial views of the existing property's rooftop. Since non-native trees rule the foresight of this perspective, the Pacific Ocean is almost-to-barely visible from this vantage point.

5.4 The commenter is referring to the Viewpoint 7 Photo Simulation. The proposed view shows a tree covering a portion of the hotel on the left hand side of the photo. This tree is not in the existing view because it would be planted as part of the landscape improvements associated with the proposed hotel. There are also several trees shown in the existing view that are not shown on the proposed view because they would be removed. Every photo simulation has at least minor differences in landscaping because some trees would be removed and others planted during construction.

5.6 The Traffic Study/Traffic Impact Analysis (**Appendix I** of the Draft EIR) concluded that development of the proposed Project would increase the Average Daily Traffic (ADT) volumes of roadway segments and key intersections in the vicinity. The increase in ADT volume may cause potentially significant impacts with heavier traffic conditions along these roadway segments and at key intersections during morning, midday and evening hours. Conversely, with implementation of Project Design Features (refer to Section 3.12.7) PDF 3.12-1 through PDF 3.12-8 listed in Chapter 3.12 (Transportation and Traffic) of the Draft EIR would lower impacts to local roadway segments and key intersections to less than significant effects.

Project Design Features would provide intersection design enhancements that include:

- Expansions to primary and major arterial widths,
- Construct an eastbound right turn lane at the intersection of Del Obispo Street/Dana Point Harbor Drive,
- Modify the intersection of Dana Point Harbor Drive at Park Lantern to allow for southbound U-turns (currently prohibited),
- Provide sufficient on-site hotel parking,
- Sight distance at the project access should be reviewed,
- On-site traffic signing and striping, and
- Periodic review of traffic operations by City of Dana Point

The project applicant would be required to implement Project Design Features to reduce cumulative impacts to less than significant and provide acceptable levels of service (LOS) at impacted intersections.

The TIA is based upon existing traffic data, locally accepted national trip generation rates, and regional methodologies.

5.7 Chapter 3.10 (Noise) Section 3.10.6(ii)(c) of the Draft EIR discusses traffic-related noise impacts from the proposed Project. Mitigation Measures 3.10-1 through 3.10-4 would ensure that short-term noise and vibratory exposures during construction remain less than significant (refer to Section 3.10.6 for a discussion on project impacts and Section 3.10.8 for the mitigation measure language). Project Design Features 3.10-1 through 3.10-6 are recommended in the detailed design of the hotel to reduce the roadway noise exposure to hotel guests to less than significant noise levels (refer to Section 3.10.6 for discussion and Section 3.10.9 for the project design feature language). Other long-term operational impacts from on-site noise impacts such as air conditioning units and special outdoor events are less than significant (refer to Section 3.10.6).

Currently, the site is presently developed for general commercial uses. The increase in vehicle trips generated by project operation would not perceptibly increase noise levels along local roadways above current conditions so it is not considered significant. Thus, there would not be a significant increase in ambient noise levels that confirms a perceivable difference in noise intensity with regard to traffic. This data is available in **Table 3.10-11** (Proposed Project Average Daily Traffic Volumes) of the Draft EIR.

5.8 The Draft EIR determined that there would be unavoidable significant adverse impacts to Aesthetics and Land Use. The Project proposes a structure that exceeds the height limit and does not meet the minimum setback requirements in the Dana Point Specific Plan. If the City decides to approve the Project, it must not only approve the appropriate variances allowing deviation from the existing requirements, but it also must adopt a Statement of Overriding Considerations.

5.9 Based on feedback from the community during the 45-day review period, the Study Session held on November 18, 2013, and the Public Hearings held on December 9, 2013 and February 10, 2014, the applicant has decided to pursue a Modified Option "B" Alternative. This new alternative is a modification of Alternative 4 - Option "B" Alternative (Section 5.7.1) in the Draft EIR. Modified Option "B" is a new stand-alone alternative with revised site design plans and elevations available as an addendum to this Final EIR.

Modified Option "B" proposes the inclusion and acquisition of 0.76-acre of land from City-owned Lantern Bay Park located south of and adjacent to the Project site. Modified Option "B" would include vehicular access to the hotel property via Dana Point Harbor Drive with an expanded entrance/driveway that would be located on the said portion of Lantern Bay Park. The driveway would provide vehicles with direct access into a two-level subterranean parking structure located beneath the hotel property.

With regards to parking, 50 public parking spaces would be available on-site at level grade for public-use in a parking lot. 20 parking spaces, out of 50 public parking spaces, would be reserved for guests/visitors to self-park. The remaining 30 public parking spaces would be allocated and accessed

through the hotel property's valet service. All other remaining hotel parking spaces (e.g. subterranean parking structure) would be accessed through the hotel's valet service. Vehicle parking for Modified Option "B" includes a total of 375 parking spaces that would be available exclusively on-site.

5.10 The views and concerns presented in these comment letters will be reviewed and considered by decision makers. Although CEQA only requires a written response to Draft EIR comments dealing with significant environmental issues, comments expressing personal opinion, recommendations, or concerns are still a part of the environmental record.

Comment Letter No. 6

ERICA DEMKOWICZ

From: Dan Boersma <danboersma1@gmail.com>
Sent: Thursday, August 15, 2013 7:23 AM
To: ERICA DEMKOWICZ
Subject: RE: Doheny Hotel

Erica,

I am a long time Dana Point resident. I think the proposed Doheny Hotel is a great idea. The city spent $1M on a walkway welcoming visitors to Dana Point coming from the South. Only for them to fist see a Dennys, gas station, an open lot with someone selling strawberries (which I sometimes buy) and a boarded up liquor store. There is also a large homeless and/or transient population. The removal of the trailer park was a good start as well as the widening of PCH...and don't forget the new welcome sign at the divide of PCH and Del Prado. However, a lot can be done to improve the southern gateway. So much money has been spent on the Northern entrance (palm trees in the medians, complete overhaul of Sea Terrace Park). It really makes Monarch Beach look like a completely different city versus Dana Point. In addition to vastly improving the southern gateway aesthetics the new hotel would create jobs, tax revenue for city and a new place for residents to go. It may also energize the southern gateway and influence future development. Lastly, regarding the height restrictions: The hotel is nestled under a high hill which houses a parking lot and the driveway to the Marriott. The hill on the East side of PCH is much higher so it's doubtful the views of the residents will be affected by the hotel. I am very much for the building of the Doheny Hotel. 6.1 6.2

Regards,
Dan Boersma
Dana Point, CA

1

Response No. 6
Dan Boersma

6.1 The views and concerns presented in these comment letters will be reviewed and considered by decision makers. Although CEQA only requires a written response to Draft EIR comments dealing with significant environmental issues, comments expressing personal opinion, recommendations, or concerns are still a part of the environmental record.

6.2 The comment addresses building height restrictions and viewpoints. Please refer to Response 6.1 for building height restrictions comment. Viewpoint 6 was identified as the location east of Pacific Coast Highway (PCH). Visual Simulations (refer to Section 3.1.2) included in Chapter 3.1 (Aesthetics) of the Draft EIR illustrated before and after views surrounding the Project site. Below is a summary of the findings from Viewpoint 6:

Viewpoint 6
Viewpoint 6 is a view looking west at the Project site from the northeastern corner of Del Obispo Street and PCH. This viewpoint is considered the east entrance of the City. The Marriott Resort would no longer be visible from this vantage point after implementation of the proposed Project. Similarly, several non-native trees would be removed to accommodate the hotel Project, and would be replaced by palm trees along the perimeter of the Project.

Comment Letter No. 7

-----Original Message-----
From: burt525@cox.net [mailto:burt525@cox.net]
Sent: Thursday, August 15, 2013 11:24 AM
To: ERICA DEMKOWICZ
Subject: The Doheny Hotel Project

Re: The Doheny Hotel Project

Hello Erica,

As 25 year Dana Point home owners, we are not opposed to the project in general, but have some questions:

1. Two to five stories is too vague. Is the rooftop bar/Lounge an additional story? The entire project should not exceed Three stories, that would include the rooftop bar/Lounge and any parking structures. 7.1

2. Where would the entrances and exits be placed? Any exit or entrance coming directly off of PCH at that location would have major traffic implications - especially for visitors new to the area. 7.2

Thank you for the opportunity to comment. Please continue to keep us posted. 7.3

Harold & Gina Burt
E-mail: Burt525@cox.net

Response No. 7
Harold and Gina Burt

7.1 Based on feedback from the community during the 45-day review period, the Study Session held on November 18, 2013, and the Public Hearings held on December 9, 2013 and February 10, 2014, the applicant has decided to pursue a Modified Option "B". This new alternative is a modification of Alternative 4 - Option "B" Alternative (Section 5.7.1) in the Draft EIR. The Modified Option "B" would be comprised of 250 guest rooms; 375 on-site parking spaces (20 self-park and 355 valet); 210,175 square feet of enclosed area; 15,580 square feet of meeting space and banquet facilities; 7,464 square feet of restaurant space; and 18,800 square feet of deck/terrace with rooftop amenities (pool deck, garden terrace, and roof terrace).

The overall building height of the Modified Option "B" would be similar to the proposed Lead Project; the building reaches 29.5 feet at its lowest point and 60.5 feet at its highest point (68.5 feet with mechanical equipment). However, in comparison to the Lead Project, a larger percentage of the height of the building for the Modified Option "B" is three stories (38.5 feet). This is due to the Modified Option "B" reducing sections of the building standing at 60.5 feet (five stories) and 48.5 feet (four stories). The Project would include access to the site from Dana Point Harbor Drive through an expanded entrance/driveway located on the 0.76-acre Lantern Bay Park land.

As described in Chapter 2.0 (Project Description) of the Draft EIR, for the Project to proceed the City would need to grant height and setback variances and adopt a Statement of Overriding Considerations. The variances apply only to the proposed Project and would not be applicable to any subsequent development within the area. Chapter 3.9 (Land Use and Planning) Section 3.9.7 (Project Requirements) of the Draft EIR concluded that the project would not comply with the City's height and setback requirements; therefore, a significant unavoidable Land Use and Planning impact was identified.

The parking for the hotel would be located beneath the building in a new subterranean level. This level is not included in the overall height.

7.2 The entrance to and exit from the hotel would be along Dana Point Harbor Drive. There would be no vehicular access off of Pacific Coast Highway. Under Modified Option "B", the Project would include access to the site from Dana Point Harbor Drive through an expanded entrance/driveway located on the 0.76-acre Lantern Bay Park land.

7.3 The City will keep interested parties posted as the Project progresses.

Comment Letter No. 8

ERICA DEMKOWICZ

From: Bill Hoff <billhoff@coldwellbanker.com>
Sent: Thursday, August 15, 2013 2:35 PM
To: ERICA DEMKOWICZ
Subject: Proposed Hotel

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Demkowics,

An unequivocal YES to the proposed hotel! 8.1

Knowing you're busy, I'll keep this as short and to the point as possible.

I have lived in Dana Point for 30+ years, and resided on Selva Road when we voted overwhelmingly to become a part of Dana Point. From 1990 til the present I have resided at my current home.

I remember the decades it took to finally reach agreement on the Headlands; we now have a beautiful nature area where my wife, family and friends so often go to walk or run.

More recently, I remember the back-and-forth nightmare Laguna Beach gave Montage when the idea of a luxury resort replacing the trailer park at Treasure Island first came up. Laguna ow has a 4-5 star resort that offers amazing public access as well as a hefty amount of tax revenue coming to the city.

Both represent two great ideas that came close to being voted down, only to prove themselves having succeeded in becoming wonderful destinations for locals and visitors alike.

For quite some time, Dana Point has been in need of an overhaul, and I have attended a couple of meetings where the design of a "new" look coming to the Coast Highway/Del Prado downtown area has been discussed. From both being a visually stunning as well as a wonderful new base of tax revenue, my family feels the proposed hotel is exactly what our town needs. With regards to the argument that the traffic impact would be detrimental t the area, I would argue that if the hotel was filled to capacity, and with the amount of cars that would be added by the natural random coming and going of vehicles of visitors, staff and maintenance workers, the impact at worst would be minimal. 8.2 8.3

I would hope that our mayor and council members can positively focus on the vision of the future and vote 'Yes" on the proposed Doheny Hotel. 8.4

Sincerely,

Bill and Andi Hoff
3306 Sun Harbor
Dana Point, CA 92629
(949) 697-5388

1

Response No. 8
Bill and Andi Hoff

8.1 The views and concerns presented in these comment letters will be reviewed and considered by decision makers. Although CEQA only requires a written response to Draft EIR comments dealing with significant environmental issues, comments expressing personal opinion, recommendations, or concerns are still a part of the Project's environmental record.

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8.3 The Traffic Study/Traffic Impact Analysis (refer to **Appendix I** of the Draft EIR) concluded that development of the proposed Project would increase the Average Daily Traffic (ADT) volumes of roadway segments and key intersections in the vicinity. The increase in ADT volume may cause potentially significant impacts with heavier traffic conditions along these roadway segments and at key intersections during morning, midday and evening hours. Conversely, with implementation of Project Design Features (refer to Section 3.12.7) PDF 3.12-1 through PDF 3.12-9 listed in Chapter 3.12 (Transportation and Traffic) of the Draft EIR the impacts to local roadway segments and key intersections would be less than significant.

8.4 The views and concerns presented in these comment letters will be reviewed and considered by decision makers. Although CEQA only requires a written response to Draft EIR comments dealing with significant environmental issues, comments expressing personal opinion, recommendations, or concerns are still a part of the Project's environmental record.

Comment Letter No. 9

ERICA DEMKOWICZ

From: David Schroeder <chester.love1@gmail.com>
Sent: Thursday, August 15, 2013 11:38 AM
To: ERICA DEMKOWICZ
Subject: Doheny Hotel Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

An upscale hotel at the proposed location is a great idea. However, the scale of this particular project is much to large for the area. Just look at the size of the Marriott overlooking the harbor with around 375 rooms in a much larger geographic setting. Traffic is already heavy and a real problem on most week ends (Friday, Saturday & Sundays) to and from the harbor area. In addition, the size/height of this proposed hotel just do not fit into the ambiance of the harbor area. 9.1 9.2 9.3

Great idea for improving the area. But much to large a project. Reduce it down to say 100 - 150 rooms, two - three stories high at most, and it may fit better into area. Don't get swayed by the revenue/tax that will be generated by such a large project. Keep the community as well as the users and visitors to the harbor area upper most in mind. 9.4 9.5

Sincerely,

Dave & Joanna Schroeder

1

Response No. 9
David and Joanna Schroeder

9.1, 9.3, & 9.4 The Draft EIR determined that there would be unavoidable significant adverse impacts to Aesthetics and Land Use. The Project proposes a structure that exceeds the height limit and does not meet the minimum setback requirements in the Dana Point Specific Plan. If the City decides to approve the Project, it must not only approve the appropriate variances allowing deviation from the existing requirements, but it also must adopt a Statement of Overriding Considerations.

9.2 The Traffic Study/Traffic Impact Analysis (**Appendix I** of the Draft EIR) concluded that development of the proposed Project would increase the Average Daily Traffic (ADT) volumes of roadway segments and key intersections in the vicinity. The increase in ADT volume may cause potentially significant impacts with heavier traffic conditions along these roadway segments and at key intersections during morning, midday and evening hours. Conversely, with implementation of Project Design Features (refer to Section 3.12.7) PDF 3.12-1 through PDF 3.12-9 listed in Chapter 3.12 (Transportation and Traffic) of the Draft EIR the impacts to local roadway segments and key intersections would be less than significant.

9.5 The views and concerns presented in these comment letters will be reviewed and considered by decision makers. Although CEQA only requires a written response to Draft EIR comments dealing with significant environmental issues, comments expressing personal opinion, recommendations, or concerns are still a part of the Project's environmental record.

Comment Letter No. 10

August 15, 2013

To: City of Dana Point Council Members

Re: Proposed Doheny Hotel

Dear Council Members:

I strongly oppose the approval of the proposed five story Doheny Hotel at the corner of PCH and Dana Point Harbor Drive. This monstrosity is **double the legal height** limit our city has enacted to protect the character and scale of our town. An approved variance sets a dangerous precedent for future commercial ventures and we will be forced to endure the results. 10.1

Please consider the following ways DP citizens' quality of life is threatened:

- **Traffic** To add the traffic generated by a 258 room hotel to our already overcrowded intersection would create gridlock. The parking issues with this project are a nightmare. Employees, vendors, and guests who want to avoid parking charges will use all available side streets--which means the harbor, neighborhoods and other businesses. 10.2 10.3
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- **Aesthetics** Dana Point is home to several world-class hotels that add beauty and prestige to our city. This ugly structure would have the opposite effect, creating a tunnel effect through the gateway of our city. 10.6

Council members, you have the opportunity to create an entrance to this city that equals the improvements implemented and proposed elsewhere in town. Every single resident of Dana Point as well as a every visitor is impacted by how this project proceeds. Thank you for considering our objections to this project. 10.7

Sincerely,

Signature Jim & DeeDee Blair

Name Jim & DeeDee Blair

Address 34032 Calistrano by the Sea Dana Pt 92629

Email dee dee darlene at gmail.com

Phone 949 338 8106

Comment Letter No. 10

August 15, 2013

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Sincerely,

Signature Marie A. Boyce

Name MARIE A. BOYCE

Address 34052 BEDFORD LN

Email toni boyce 1 @ cox.net

Phone 949-496-4912

Comment Letter No. 10

August 15, 2013

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Sincerely,

Signature

Name LISA CAPPELLETTI

Address 34042 CAMINITO BY THE SEA, DANA POINT

Email LCAPPELLETTI@COX.NET

Phone 949.240.7770

Comment Letter No. 10

August 15, 2013

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Sincerely,

Signature [signature]

Name Dave Clibon

Address 34182 CAPISTRANO BY THE SEA

Email dclibon22@cox.net

Phone 949 493-2795

Comment Letter No. 10

August 15, 2013

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Sincerely,

Signature Vivian C. Clibon

Name VIVIAN CLIBON

Address 34182 CAPISTRANO BY THE SEA

Email VCLibon@COX.NET

Phone 949-493-2795

Comment Letter No. 10

RECEIVED
SEP 06 2013
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

August 15, 2013

To: City of Dana Point Council Members

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Sincerely,

Signature _____

Name JAY Elliott

Address 34062 BEDFORD LN, DANA POINT

Email JREDDS @ COX.Net

Phone _____

Comment Letter No. 10

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SEP 06 2013
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

August 15, 2013

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Sincerely,

Signature Kenneth S Fraser

Name KENNETH S. FRASER

Address 34092 CAMBRIDGE RD, DANA POINT, CA. 92629

Email N/A

Phone (9) 248-2996

Comment Letter No. 10

August 15, 2013

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Sincerely,

Signature Felix Gavio Nancy J. Gavio

Name Felix GAVIO

Address 34062 CAMBRIDGE Rd 34062 Cambridge Rd.

Email None

Phone 949-248-7413

Comment Letter No. 10

August 15, 2013

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Sincerely,

Signature Harriet Gardner

Name Harriet Gardner

Address 34151 Calle La Primavera

Email hgardner65@gmail.com

Phone 949 493-8536

Comment Letter No. 10

August 15, 2013

RECEIVED
SEP 06 2013
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

To: City of Dana Point Council Members

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Sincerely,

Signature Ronald J. Gleason
Loren D. Machart

Name RONALD J. GLEASON
LOREN D. MACHART

Address 34072 Bedford Lane Dana Point 92629

Email roxgleason@mac.com

Phone (949)248-8875

Comment Letter No. 10

August 15, 2013

To: City of Dana Point Council Members

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Sincerely,

Signature _____

Name Dennis Godlewski

Address 34052 CALLE LA PRIMAVERA

Email dennis@UpUpdisplay.com

Phone 949-240-6480

SEE ATTACHED

Comment Letter No. 10

August 15, 2013

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Sincerely,

Signature

Name Bradley S. Hartstein

Address 34132 Capistrano By The Sea / Dana Point 92629

Email bradhaway@aol.com

Phone 949.939.5992

Comment Letter No. 10

RECEIVED
SEP 03 2013
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

August 15, 2013

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Sincerely,

Signature Susannah B. Horn, Donald Horn

Name Susannah B. Horn J. Donald Horn

Address 34142 Calle la Primavera

Email Susannahdu@me.com

Phone 949-496-2904

Comment Letter No. 10

RECEIVED
SEP 06 2013
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

August 15, 2013

To: City of Dana Point Council Members

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Sincerely,

Signature Jane L Kleiser

Name JANE L. KLEISER

Address 34092 CAMBRIDGE RD. DANA POINT CA 92629

Email janieK77@hotmail.com

Phone (9) 292-0634

Comment Letter No. 10

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Re: Proposed Doheny Hotel

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Council members, you have the opportunity to create an entrance to this city that equals the improvements implemented and proposed elsewhere in town. Every single resident of Dana Point as well as a every visitor is impacted by how this project proceeds. Thank you for considering our objections to this project. 10.7

Sincerely,

Signature _____

Name Philip Kress

Address 34042 Cambridge Road, Dana Point, CA 92629

Email PKress@aol.com

Phone (714) 914-2624 Cell

Comment Letter No. 10

August 15, 2013

RECEIVED
2013 SEP -4 P 2:41
CITY OF DANA POINT

To: City of Dana Point Council Members

Re: Proposed Doheny Hotel

Dear Council Members:

I strongly oppose the approval of the proposed five story Doheny Hotel at the corner of PCH and Dana Point Harbor Drive. This monstrosity is **double the legal height** limit our city has enacted to protect the character and scale of our town. An approved variance sets a dangerous precedent for future commercial ventures and we will be forced to endure the results. 10.1

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Sincerely,

Signature Cynthia K. Morales

Name CYNTHIA K. MORALES

Address 34012 Bedford Ln DANA POINT

Email

Phone 949 240 6129

Comment Letter No. 10

Re: Proposed Doheny Hotel

Dear Council Members:

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Sincerely,

Signature [signature] & Joan Moss

Name Steven + Joan Moss

Address 25302 Dana Vista Dr Ln Dana Point

Email smca18@aol.com

Phone 949 443 1030

Comment Letter No. 10

RECEIVED
SEP 06 2013
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

August 15, 2013

To: City of Dana Point Council Members

Re: Proposed Doheny Hotel

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Sincerely,

Signature _____

Name Linda O'Brien

Address 34112 Calle La Primavera, Dana Point, CA 92629

Email Lepbeach@AOL.com

Phone 949-463-0611

Comment Letter No. 10

August 15, 2013

To: City of Dana Point Council Members

Re: Proposed Doheny Hotel

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Sincerely,

Signature B H O'Meara

Name Benita O'Meara

Address 34172 Capistrano by the Sea

Email Dana Point, CA 92629

Phone

Comment Letter No. 10

August 15, 2013

To: City of Dana Point Council Members

RECEIVED
CITY OF DANA POINT
COMMUNITY DEVELOPMENT DEPT
2013 AUG 26 P 5:03

Re: Proposed Doheny Hotel

Dear Council Members:

I strongly oppose the approval of the proposed five story Doheny Hotel at the corner of PCH and Dana Point Harbor Drive. This monstrosity is **double the legal height** limit our city has enacted to protect the character and scale of our town. An approved variance sets a dangerous precedent for future commercial ventures and we will be forced to endure the results. 10.1

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Sincerely,

Signature

Name RAY PAYNE & JODY PAYNE

Address 34192 CAPISTRANO BY THE SEA

Email JODY.PAYNE@COX.NET

Phone 949-493-6953

Comment Letter No. 10

August 15, 2013

To: City of Dana Point Council Members

Re: Proposed Doheny Hotel

Dear Council Members:

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Sincerely,

Signature Eugene L Ralph

Name Eugene L. Ralph

Address 34122 Cape By The Sea Dana Pt CA 92629

Email _____

Phone _____

Comment Letter No. 10

RECEIVED
SEP 0 6 2013
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

August 15, 2013

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Sincerely,

Signature Peter Tenger

Name Peter Tenger

Address 34082 CAMBRIDGE RD

Email TENGER@EARTHLINK.NET

Phone 949-487-7700

Comment Letter No. 10

August 15, 2013

To: City of Dana Point Council Members

Re: Proposed Doheny Hotel

Dear Council Members:

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Sincerely,

Signature Barry Vaniel

Name BARRY VANIEL

Address 25382 VILLAGE RD.

Email BARRYVANIEL@GMAIL.COM

Phone 949-661-7065

Comment Letter No. 10

August 15, 2013

RECEIVED
SEP 0 6 2013
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

To: City of Dana Point Council Members

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Sincerely,

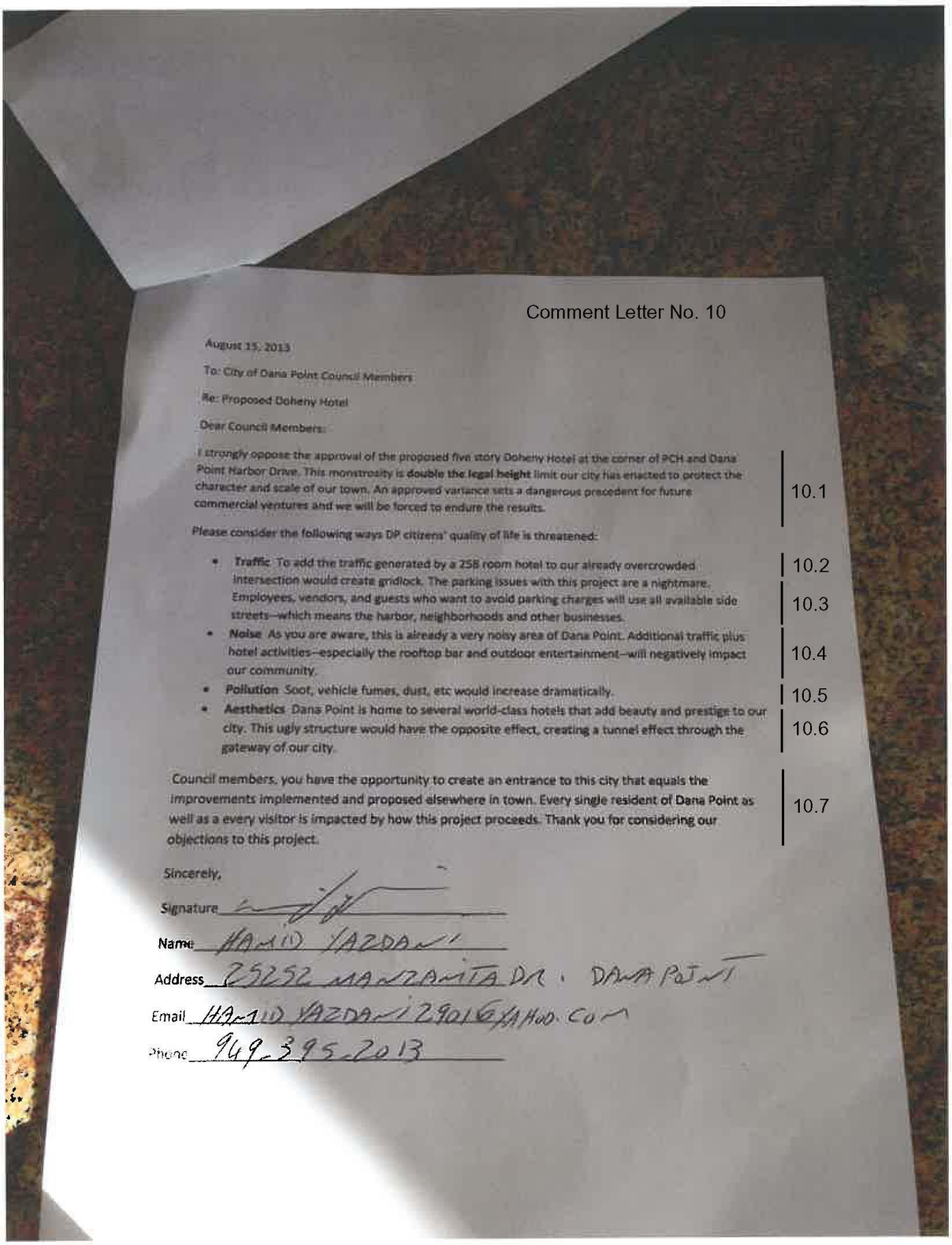
Signature

Name - John R Williams

Address - 34112 Cambridge Rd, Dana Point, CA 92629

Email: williamsjohnr@yahoo.com

Phone - 949-487-0909



Comment Letter No. 10

August 15, 2013

To: City of Dana Point Council Members

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Sincerely,

Signature

Name HAMID YAZDANI

Address 25252 MANZANITA DR. DANA POINT

Email HAMID.YAZDANI29016@YAHOO.COM

Phone 949.395.2013

Comment Letter No. 10

RECEIVED
SEP 06 2013
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

August 15, 2013

To: City of Dana Point Council Members

Re: Proposed Doheny Hotel

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Signature S Yong

Name S. YONG

Address 34052 CAMBRIDGE RD

Email

Phone 949.249.5125

Comment Letter No. 10

RECEIVED
SEP 06 2013
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

August 15, 2013

To: City of Dana Point Council Members

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Sincerely,

Signature Adrianne Yoshino / Ken, DRT

Name Adrianne Yoshino / Ken Yoshino

Address 34162 Cambridge Rd, Dana Point

Email andieyoshino@yahoo.com

Phone 949-742-0695

Comment Letter No. 10

August 15, 2013

To: City of Dana Point Council Members

Re: Proposed Doheny Hotel

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Sincerely,

Signature William Young

Name WILLIAM YOUNG

Address 34092 Calle La Primavera

Email W.H.YOUNG1AT YAHOO.COM

Phone 949 493 5062

Response No. 10

10.1 For the Project to proceed, the City would need to grant height and setback variances for the proposed Project as well as adopt a Statement of Overriding Considerations. The variance applies only to the proposed Project and would not be applicable to any subsequent development within the area. A Statement of Overriding Considerations reviews all benefits of a proposed Project and whether those benefits outweigh the unavoidable environmental impacts. The granting of a height or setback variance shall comply with City of Dana Point's City Code Section 9.67.050 (Basis for Approval, Conditional Approval, or Denial of a Variance). City Code Section 9.67.050(4) states "…the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zoning district with similar constraints." Therefore, it is anticipated that the proposed Project would not create a dangerous precedent for future development as the zoning remains unchanged and benefits of individual future projects would be reviewed on a case-by-case basis.

10.2 As discussed in Section 3.12.7 (Transportation and Traffic) of the Draft EIR, roadway segments adjacent and near the Project site are expected to experience an increase in Average Daily Traffic (ADT) ranging between 0 to 1,300 vehicles across weekday, Saturday, peak season, and non-peak season times. The following locations were considered in the Draft EIR:

- Del Obispo Street/Dana Point Harbor Drive at PCH
- Del Obispo Street/Dana Point Harbor Drive at Project Driveway
- Del Obispo Street/Dana Point Harbor Drive at Park Lantern
- I-5 southbound ramps/PCH
- I-5 northbound ramps/PCH

The project has been designed to address projected increase in vehicle trips and ensure adequate circulation is maintained. Project Design Features (PDF) 3.12-1 through PDF 3.12-8 would reduce traffic impacts and ensure traffic flow will not be significantly impacted by implementation of the Project. In the year 2025, all study area roadway and intersection segments would operate at acceptable levels of service with implementation of the PDFs.

10.3 Based on feedback from the community during the 45-day review period, the Study Session held on November 18, 2013, and the Public Hearings held on December 9, 2013 and February 10, 2014, the applicant has decided to pursue a Modified Option "B". This new alternative is a modification of Alternative 4 - Option "B" Alternative (Section 5.7.1) in the Draft EIR. Modified Option "B" would be comprised of 375 on-site parking spaces (20 self-parking and 355 valet parking spaces). The hotel operator would possess greater control over vehicle circulation since overflow parking would be available for vehicles directly on-site. Guests and visitors would not be redirected back onto road arterials to find overflow parking. The Project would include access to the site from Dana Point Harbor Drive

through an expanded entrance/driveway located on the 0.76-acre Lantern Bay Park land.

The Project site is located within the boundary of the Dana Point Specific Plan Area (DPSP Area); therefore, the Orange County Zoning Code Chapter 7-9-145 entitled Off-Street Parking Regulations applies. According to Section 7-9-145.6, motel and hotel uses are required to have one parking space for each guest unit, plus additional parking as required for accessory motel/hotel uses. The Modified Option "B" would be comprised of 250 guest rooms with 375 on-site parking spaces. Therefore, all guests and visitors of the proposed hotel property would be accommodated with a sufficient amount of on-site parking.

10.4 With regards to the availability of peak holiday parking and traffic congestion, under Modified Option "B", the Project would possess greater control over vehicle circulation since parking requirements would be compliant with City regulations and overflow parking would be available for vehicles on-site. Guests and visitors would not be redirected back onto road arterials which would contribute to an increase in traffic congestion. The original project description exceeded its parking capacity by limiting the availability of parking spaces on-site and did not comply with City parking requirements on-site which would contribute to an increase in traffic congestion. Therefore, Modified Option "B" would not exceed its parking capacity nor would it contribute to traffic in the surrounding area due to the availability of parking on-site. Please refer to Response 10.3 as well.

Chapter 3.10 (Noise) Section 3.10.6 (Project Impacts) of the Draft EIR addressed (ii) Long-Term Noise Impacts (during its operation phase) from the Project. Mitigation Measures (Section 3.10.8) MM 3.10-5 and MM 3.10-6 would ensure that long-term noise from the Project's rooftop bar and outdoor activities would remain less than significant (refer to Section 3.10.6 for discussion and Section 3.10.8 for the mitigation measure language). Project Design Features 3.10-1 through 3.10-6 are recommended in the detailed design of the hotel to reduce noise from the roadway, rooftop bar, and outdoor activities to less than significant noise levels (See Section 3.10.6 for discussion and Section 3.10.9 for the project design feature language). Other long-term operational impacts from on-site noise impacts such as air conditioning units and special outdoor events are less than significant (See Section 3.10.6).

10.5 Chapter 3.2 (Air Quality) addressed topics related to air quality. During its construction (short-term) phase, the Project's air quality impacts (refer to **Table 3.2-8** of the Draft EIR) would be less than significant after Mitigation Measures (Section 3.2.8) MM 3.2-1 through MM 3.2-3 are incorporated during construction. During its operational (long-term) phase, the analysis indicated that daily emission rates (refer to **Table 3.2-9** of the Draft EIR) would not exceed SCAQMD thresholds and impacts to Air Quality would be less than significant without mitigation measures required.

The maximum daily cumulative construction phase emission rate for NO_X was the only pollutant to exceed SCAQMD's thresholds (refer to **Table 3.2-10** of the Draft EIR). Incorporation of Mitigation Measure MM 3.2-4 (refer to Section 3.2.8 of the Draft EIR) would reduce NO_X emission rates by 38-39% making Air Quality impacts during the construction phase less than significant. The daily total cumulative operational phase emission rates (refer to **Table 3.2-11** of the Draft EIR) exceeds most of SCAQMD's thresholds. The inclusion of two additional projects exceeds pollutant emission rates. Independently, the Project only contributes 16% or less of cumulative pollutant emission rates compared to all three projects. Hence, independently the Project is below SCAQMD thresholds, air quality impacts would be less than significant, and no mitigation measures would be required. The Air Quality Analysis was available in **Appendix B** of the Draft EIR.

10.6 The Project attempts to minimize the height and bulk by incorporating specific design elements. The Project uses a two-story facade at the primary corner entrance on the eastern side along Dana Point Harbor Drive to reduce the bulk of the building. The third and fifth floors are terraced back, and the placement of a garden roof area on the second floor reduces the overall mass of the structure and provides architectural relief. The western end creates a stepped asymmetrical building form, which relieves the horizontal plane.

10.7 The views and concerns presented in these comment letters will be reviewed and considered by decision makers. Although CEQA only requires a written response to Draft EIR comments dealing with significant environmental issues, comments expressing personal opinion, recommendations, or concerns are still a part of the environmental record.

Comment Letter No. 11

August 15, 2013

To: City of Dana Point Council Members

Re: Proposed Doheny Hotel

Dear Council Members:

I strongly oppose the approval of the proposed five story Doheny Hotel at the corner of PCH and Dana Point Harbor Drive. This monstrosity is **double the legal height** limit our city has enacted to protect the character and scale of our town. An approved variance sets a dangerous precedent for future commercial ventures and we will be forced to endure the results. 11.1

Please consider the following ways DP citizens' quality of life is threatened:

- **Traffic** To add the traffic generated by a 258 room hotel to our already overcrowded intersection would create gridlock. The parking issues with this project are a nightmare. Employees, vendors, and guests who want to avoid parking charges will use all available side streets--which means the harbor, neighborhoods and other businesses. 11.2 11.3
- **Noise** As you are aware, this is already a very noisy area of Dana Point. Additional traffic plus hotel activities--especially the rooftop bar and outdoor entertainment--will negatively impact our community. 11.4
- **Pollution** Soot, vehicle fumes, dust, etc would increase dramatically. 11.5
- **Aesthetics** Dana Point is home to several world-class hotels that add beauty and prestige to our city. This ugly structure would have the opposite effect, creating a tunnel effect through the gateway of our city. 11.6

Council members, you have the opportunity to create an entrance to this city that equals the improvements implemented and proposed elsewhere in town. Every single resident of Dana Point as well as a every visitor is impacted by how this project proceeds. Thank you for considering our objections to this project. 11.7

Sincerely,

Signature Th Bav

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* I am sure that the Regis & other hotels would have liked to build 3+ stories but were not allowed to. If you allow them to build 3+ stories you are opening the door for others. 11.8