

CALIFORNIA COASTAL COMMISSION

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Th12a

ADDENDUM

February 6, 2023

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM TH12A, APPLICATION NO. LCP-5-DPT-21-0059-5 FOR THE COMMISSION MEETING OF THURSDAY, FEBRUARY 9, 2023.**

This addendum updates the record on LCP-5-DPT-21-0059-5 by supplementing it with correspondence received after the staff report was published. This addendum provides responses to the correspondence, which responses Commission staff proposes the Commission incorporate into its findings.

I. CORRESPONDENCE AND RESPONSES

On January 27, 2023, the Commission received correspondence from Aaron Simmons in opposition to the LCP Amendment, attached as **Exhibit A** and on February 3, 2023, the Commission received a second correspondence from Larry Robinson in support of the LCP Amendment, attached as **Exhibit B**.

Aaron Simmons' January 27, 2023, Correspondence

Mr. Simmons' comments are numbered below, preceding Commission staff's responses to each contention.

- 1) The amended plan removes language requiring mixed use areas to actually be mixed use. As worded, it seems that the definitions of "commercial/residential" and "commercial/Main Street" are merely suggestions rather than requirements. This could result in these areas becoming solely commercial, solely residential, or solely Main Street, an entirely NON "pedestrian-oriented business environment."

Commission response: The LUP Amendment would modify the Commercial/Residential land use designation to remove the requirement that these sites include commercial as the primary use and would allow for stand-alone residential use with no commercial land use. As intended by the City, doing so would legalize numerous existing, nonconforming residential uses and developments, including the Beachwood Mobile Home Park, 1930s historic homes, and multi-family units built in the 1980s, within the areas designated for Commercial/Residential that are already developed with standalone residential uses.

However, the proposed land use modification would allow for varying commercial, office and residential uses in the same building, on the same parcel, or within an area. The proposed Commercial/Main Street land use provides for a mixture of residential, retail, and service uses in the same building or same parcel, and commercial or residential uses above nonresidential uses. Both the Commercial/Residential and Commercial/Main Street land use designations encourage development of housing near sources of employment or commercial and professional services to reduce vehicle trips and to create a more pedestrian orientated mixed-use development pattern. As a result, the amendment would facilitate pedestrian and transit activity between these uses and minimize the use of coastal access roads.

- 2) The plan is anything but “pedestrian-oriented”. On foot, Doheny Village has a virtually impenetrable wall to the west as there’s no way to cross the river other than entering Highway 1, which is prohibited as it’s a freeway on-ramp. (In fact, the picture in figure 5.2-5 [Exhibit 8 page 2 of 3] was shot from the freeway on-ramp, which is illegal for pedestrians.) To the south is the Pacific Ocean (behind a fence). To the east is a steep hill and many miles of single family residences. And, to the north is a series of car dealerships. The plan eliminates the only grocery store in the area (Smart & Final). There’s no provision for schools, either. So, this plan necessitates car use for anyone living there.

Commission response: Despite its location inland, access to Doheny Village is available to pedestrians and by motorized or non-motorized means. In addition, the Orange County Transit Authority (OCTA) has a bus line that travels by the area and during the Summer, generally from the end of May to the beginning of September, the Dana Point Trolley Service makes a stop near the intersection of Doheny Park Road and Domingo Avenue in Doheny Village as it travels throughout the city. As such, Doheny Village is accessible to pedestrians but will be enhanced as a result of the proposed LCP Amendment which will create a more pedestrian orientated mixed-use development pattern.

As proposed, grocery stores and schools are permitted by right in Doheny Village under the “Retail Sales Uses” and “Educational Uses” in all three proposed Village Zoning Districts pursuant to the use table found in Section 9.14.020(d) Doheny Village Districts.

- 3) Figure 5 [Exhibit 4] is mislabeled: The SE corner is labeled as “community facility.” In a separate plan (Capistrano USD Specific Plan), this area is to be one of the densest, most inward facing developments in the city and will provide little, if any day-to-day benefit to the larger “community.”

Commission response: Mr. Simmons is likely referring to “Exhibit 4” of the staff report which includes the location of the Capistrano School District (CUSD) bus yard and its designated land use. The land use designation of the site is identified as Community Facility and Recreation Open Space in the LUP as shown in Exhibit 4. As detailed in the staff report, the anticipated project for the site involves the demolition of the existing CUSD bus yard and development of a three- to five-story, 365-unit apartment complex called the Victoria Boulevard Apartments, with an attached six-story (seven level) parking structure and associated amenities in accordance with the Victoria Boulevard Specific Plan (not a submitted to the Commission yet and not a part of this LCPA). If the Victoria Boulevard Specific Plan were *not* to be approved, the existing land uses and zoning would remain.

- 4) Exhibit 5.2-6 [Exhibit 8 page 3 of 3] is also in error. The proposed plan allows and encourages the trailer park to be developed into a dense apartment block extending from street to street with zero setback.
- 5) The single largest and potentially most damaging change is the huge increase in density for the existing trailer park. That is the largest parcel of land, and it's already overcrowded, with parking shortages overflowing and inundating the surrounding area. Under the proposed plan, this huge swath would be increased to 50 du/net ac.

Commission response: No redevelopment of the existing mobile home park site is currently proposed. Future redevelopment of the site could result in increased residential development and higher priced rentals or condos. However, any future onsite redevelopment of the mobile home park would need to be reviewed and would require analysis of coastal issues such as parking. Because of the affordability of the housing, relative to housing costs in other areas of the City, at the mobile home park, loss of this more affordable housing is a large concern. However, the proposed Doheny Village IP and the City's Housing Element, not part of the City's certified Land Use Plan, do include policies to protect affordable housing, as discussed in the staff report. Thus, while a mobile home park may not be the long-term use at the site, the City's affordable housing policies will ensure that affordable units are not adversely impacted by the proposed density limit increase for the site.

- 6) Also, the proposed plan obscures the carve out for 2 specific properties that make up over 50% of the entire Doheny Village area: the existing trailer park and the existing shopping center (Big 5, Smart & Final). These 2 vast chunks of land could result in over half of Doheny Village being crammed full at 50 du/net ac. The massive density on these 2 large properties could negate any benefits for the rest of Doheny Village. Plus, the Capistrano USD Bus Yard has its own special, extreme-density plan.

So, this isn't a plan for Doheny Village as much as it's a plan for 3 large property owners to maximize density at the expense of the rest of the community. Those 3 properties account for roughly 60% of Doheny Village, so exempting them from density requirements makes all the other changes in this plan inconsequential.

Commission response: The Big 5/Smart & Final site is located at the northwest corner of Doheny Park Road and Victoria Boulevard and is within the Housing Incentive Overlay and can be developed to a maximum density of 35 dwelling units per acre. As stated previously, the potential future land use change to the CUSD bus yard site is not included in the subject LCPA and will be subject to a separate Specific Plan that is currently being reviewed by the City. The subject LCPA will increase housing density limits in Doheny Village. However, the increased residential density, along with retail and office space, will provide for a mixture of retail, office and residential uses in the same area and as a result of this mixture, will reduce vehicle miles traveled, reduce energy consumption, and encourage alternative modes of transportation, including walking, bicycling, and transit use. Thus, the increased density does not raise coastal resource issues, as analyzed in the staff report.

Larry Robinson's February 3, 2023, Correspondence

Mr. Robinson is in support of the proposed Doheny Village LCP Amendment. Commission staff has nothing further to add.

FW: Comments on LCP-5-DPT-21-0059-5 (Doheny Village) for Commission Meeting of February 9, 2023

SouthCoast@Coastal <SouthCoast@coastal.ca.gov>

Fri 1/27/2023 4:03 PM

To: Sy, Fernie@Coastal <Fernie.Sy@coastal.ca.gov>

From: Lego Pacific <legopacific@gmail.com>

Sent: Friday, January 27, 2023 3:52 PM

To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>

Subject: Comments on LCP-5-DPT-21-0059-5 (Doheny Village) for Commission Meeting of February 9, 2023

RE: LCP-5-DPT-21-0059-5 (Doheny Village) for Commission Meeting of February 9, 2023

The city of Dana Point is trying to solve its shortage of affordable housing by giving away development to 3 large properties and cramming the maximum density into Doheny Village.

The amended plan removes language requiring mixed use areas to actually be mixed use. As worded, it seems that the definitions of “commercial/residential” and “commercial/Main Street” are merely suggestions rather than requirements. This could result in these areas becoming solely commercial, solely residential, or solely Main Street, an entirely NON “pedestrian-oriented business environment”.

The plan is anything but “pedestrian-oriented”. On foot, Doheny Village has a virtually impenetrable wall to the west as there’s no way to cross the river other than entering Highway 1, which is prohibited as it’s a freeway on-ramp. (In fact, the picture in figure 5.2-5 was shot from the freeway on-ramp, which is illegal for pedestrians.) To the south is the Pacific Ocean (behind a fence). To the east is a steep hill and many miles of single family residences. And, to the north is a series of car dealerships. The plan eliminates the only grocery store in the area (Smart & Final). There’s no provision for schools, either. So, this plan necessitates car use for anyone living there.

Figure 5 is mislabeled: The SE corner is labeled as “community facility”. In a separate plan (Capistrano USD Specific Plan), this area is to be one of the densest, most inward facing developments in the city and will provide little, if any day-to-day benefit to the larger “community”.

Exhibit 5.2-6 is also in error. The proposed plan allows and encourages the trailer park to be developed into a dense apartment block extending from street to street with zero setback.

The single largest and potentially most damaging change is the huge increase in density for the existing trailer park. That is the largest parcel of land, and it’s already overcrowded, with parking shortages overflowing and inundating the surrounding area. Under the proposed plan, this huge swath would be increased to 50 du/net ac.

Also, the proposed plan obscures the carve out for 2 specific properties that make up over 50% of the entire Doheny Village area: the existing trailer park and the existing shopping center (Big 5, Smart & Final). These 2 vast chunks of land could result in over half of Doheny Village being crammed full at 50 du/net ac. The massive density on these 2 large properties could negate any benefits for the rest of Doheny Village. Plus, the Capistrano USD Bus Yard has its own special, extreme-density plan.

So, this isn’t a plan for Doheny Village as much as it’s a plan for 3 large property owners to maximize

density at the expense of the rest of the community. Those 3 properties account for roughly 60% of Doheny Village, so exempting them from density requirements makes all the other changes in this plan inconsequential.

This plan should be rejected. Dana Point needs to go back to the drawing board and come up with a plan that benefits the whole city and the greater community rather than 3 large landowners.

Best Regards,
Aaron Simmons

FW: Public Comment on February 2023 Agenda Item Thursday 12a - City of Dana Point LCP Amendment No. LCP-5-DPT-21-0059-5 (Dana Point, Doheny Village).

SouthCoast@Coastal <SouthCoast@coastal.ca.gov>

Fri 2/3/2023 5:20 PM

To: Sy, Fernie@Coastal <Fernie.Sy@coastal.ca.gov>

For the correspondence recieved

From: Larry Robinson <larryr@barrettrobinson.com>

Sent: Friday, February 3, 2023 2:01 PM

To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>

Subject: Public Comment on February 2023 Agenda Item Thursday 12a - City of Dana Point LCP Amendment No. LCP-5-DPT-21-0059-5 (Dana Point, Doheny Village).

Dear Honorable Members of the California Coastal Commission –

Since 1987, I have been a property owner in the Doheny Village area of Capistrano Beach within the City of Dana Point.

It is an area offering a variety of commercial services and also has a mixed use residential component that adds to its unique character. It is much loved by those not only working there but living as well.

I encourage the California Coastal Commission to approve the EIR application. By so doing, clarity will be established as to any future development in regard to zoning. Managed development of the Doheny Village area will be framed in such a way to enhance its village character and ensure its vitality.

Thank you,

Larry Robinson

714 984-4142

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