



May 29, 2019

Bryon Ward, President  
Burnham-Ward Properties  
1100 Newport Center Drive, Suite 200  
Newport Beach, CA 92660-6254

**SUBJECT: SUBSTANTIAL COMPLIANCE DETERMINATION FOR COASTAL DEVELOPMENT PERMIT CDP13-0018(I)**

Dear Mr. Ward:

The City has reviewed your requested revisions to the architectural and grading plans, parking management plan, and the Construction Management Phasing and Parking Plans that were approved in conjunction with Coastal Development Permit CDP13-0018(I) for the development otherwise referred to as the Dana Point Harbor Commercial Core and Parking Management Plan.

The approval included the phased demolition of existing commercial and boater support facilities, renovation and/or construction of new retail/restaurant/office space, 2-level parking deck, open Festival Plaza area and approval in concept for a dry stack boat storage building, circulation/street/parking area reconfigurations, installation of two new traffic signals, crosswalks and infrastructure improvements, relocation of the existing South Coast Water District Sewer Lift Station and telecommunications/SONGS towers (the "Project"). The Project also included the approval of a Parking Management Plan and Master Sign Program, and related project plans, exhibits, and technical studies.

Original approval of the Project included the following in PA 2 and PA 3 as shown in the table on the subsequent page:

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BUILDING NUMBER	EXISTING OR NEW	USE	HEIGHT	ALLOWABLE HEIGHT	INDOOR RENTABLE	OUTDOOR AREA
BUILDING 1	Existing	Restaurant	N/A*	35 Feet Max.	9,375	2,112
BUILDING 2	Existing	Restaurant	N/A*	35 Feet Max.	3,483	1,112
BUILDING 3	Existing	Retail	N/A*	35 Feet Max.	2,462	
BUILDING 4	Existing	Retail	N/A*	35 Feet Max.	3,643	
BUILDING 5A	Existing	Restaurant	N/A*	35 Feet Max.	5,337	850
BUILDING 5B	Existing	Restaurant	N/A*	35 Feet Max.	4,334	654
BUILDING 6	New	Total	56'-0"	60 Feet Max.	10,041	
		Retail (Level One)			3,332	
		Office (Level Two)			3,493	
		Office (Level Three)			3,216	
BUILDING 7	New	Total	52'-5"	60 Feet Max.	17,372	1,665
		Restaurant (Level One)			3,168	460
		Retail (Level One)			6,674	
		Restaurant (Level Two)			7,530	1,205
BUILDING 8	New	Total	54'-7"	60 Feet Max.	22,697	3,522
		Restaurant (Level One)			3,563	1,491
		Retail (Level One)			6,305	
		Restaurant (Level Two)			12,829	2,031
BUILDING 9	New	Total	58'-4"	60 Feet Max.	21,088	1,907
		Restaurant (Level One)			2,504	400
		Retail (Level One)			7,533	
		Restaurant (Level Two)			11,051	1,507
BUILDING 10	New	Restaurant	35'-0"	35 Feet Max.	10,000	1,000
BUILDING 11	New	Restaurant	31'-6"	35 Feet Max.	4,004	1,000
<b>TOTAL</b>					<b>113,836</b>	<b>13,822</b>
*BUILDING 12 (PA 3)	New	Boater Service	28'-8"	35 Feet Max.	1,660	
<b>**TOTAL</b>					<b>115,496</b>	<b>13,822</b>

\*Building 12 Boater Service Building originally located between PA 2 and PA 3, but building area allocated to PA 3.

\*\*Total building area within maximum allowed development area in Planning Area 2 is 119,000 SF per table 17-A in the Dana Point Harbor Revitalization Plan dated October 6, 2011.

Some improvements associated with the project have been implemented including street improvements on and around Dana Point Harbor Drive and both Puerto Place and Casitas Place. It should be noted that, with the exception of minimal changes to auto parking stall striping, there are no changes proposed to the dry stack storage building, surface dry stack surface spaces, and launch ramp spaces in Planning Area (PA) 1 as a part of this substantial compliance review. Improvements associated with the dry stack storage building require a separate coastal development permit (CDP) from the California Coastal Commission (CCC) prior to implementation of that part of the Commercial Core improvements.

CDP13-0018(l) approval also included minor adjustments to the Planning Area (PA) boundaries that are permitted for PA's 1, 2, and 3 as part of a CDP pursuant to Chapter II-17 of the Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&DR). The minor boundary adjustments were made to accommodate the construction of a two-level, 690 stall parking structure located in the Planning Area 2.

Review of the revisions by both the Planning Division and Public Works & Engineering Services conclude that the revisions substantially comply with the aforementioned discretionary permit and provide the following enhancements which are detailed further in the findings below:

- Increase parking spaces for in PA 2.
- Enhance and increase Pedestrian Promenade and Festival Plaza areas.
- Additional visitor serving facilities.
- Increased public access points to the waterfront from parking areas to Commercial Core parking facilities.

Condition No. 4 of City Council Resolution No. 14-11-18-16 for CDP13-0018(I) provides that, if any changes are proposed regarding the location or alteration to the appearance or use of any structure, the Community Development Director may authorize changes to the permits without requiring a new public hearing provided that the following findings can be made to support the proposed changes.

A. The proposed changes comply with the provisions, spirit and intent of the original approvals. The changes are detailed as follows:

1. Minor PA boundary adjustments are proposed to address changes to the parking deck (structure) design, parking lot reconfiguration in the current Mariner's alley and adjacent surface parking lots, Casitas Place street improvements already implemented, and relocation of new buildings aligned near the East Marina bulkhead (see discussion under No. 2 and 3 below). As shown in the table below, the proposed boundary revisions to PA's 1, 2, and 3 are within the five (5) percent or less total acreage change that is allowed for parking area reconfiguration and final street alignments pursuant to both Chapter II-17, as previously mentioned, as well as Chapter II-3 (Section 2. d).

**Planning Area Boundary Adjustments**

PA	Approved CDP*	Maximum Area Change	Proposed Deduction	Proposed Addition	Proposed DPHP Total	Change
1	24.10 AC	±1.21 AC	-0.50 AC	-	23.60 AC	-2.10%
2	18.60 AC	±0.93 AC	-	+0.84 AC	19.44 AC	+4.52%
3	9.50 AC	±0.48 AC	-0.34 AC	-	9.16 AC	-3.58%
<b>Total</b>	<b>52.20 AC</b>		<b>-0.84 AC</b>	<b>+0.84 AC</b>	<b>52.20 AC</b>	

\* Based on CDP13-0018(I) Planning Area Boundary Adjustment Exhibit (Sheet C-11 of Civil Engineering Plans)



2. Revisions to the Project result in the following changes in PA 2:

BUILDING NUMBER	EXISTING OR NEW	USE	HEIGHT	ALLOWABLE HEIGHTS	INDOOR RENTABLE	OUTDOOR AREA
BUILDING 1	Existing	Restaurant	35'-0"	35 Feet Max.	9,375	2,112
BUILDING 2	Existing	Restaurant	21'-7"	35 Feet Max.	3,483	1,112
BUILDING 3	Existing	Retail	20'-8"	35 Feet Max.	2,462	
BUILDING 4	Existing	Retail	30'-10"	35 Feet Max.	3,643	
BUILDING 5A	Existing	Restaurant	35'-0"	35 Feet Max.	5,337	850
BUILDING 5B	Existing	Restaurant	20'-6"	35 Feet Max.	4,334	654
BUILDING 6	New	Restaurant	54'-2"	60 Feet Max.	16,852	
BUILDING 7	New	Retail	46'-4"	60 Feet Max.	1,991	
		Restaurant			7,500	1,665
		Office			5,509	
BUILDING 8	New	Retail	52'-8"	60 Feet Max.	7,500	
		Restaurant			7,500	3,500
BUILDING 9	New	Retail	50'-0"	60 Feet Max.	9,603	
		Restaurant			12,797	1,907
BUILDING 10	New	Restaurant	35'-0"	35 Feet Max.	7,000	1,000
BUILDING 12	New	Retail	32'-0"	35 Feet Max.	4,750	
		Restaurant			3,000	1,022
		Office			1,200	
<b>TOTAL CDP13-0018(I)</b>					<b>113,836</b>	<b>13,822</b>
BUILDING 11	New	Surf Museum	35'-0"	35 Feet Max.	4,158	
*Elevator/Public Viewing Deck	New	Elevator/Viewing Deck	59'-0"	60 Feet Max.	106	
PD - Boater Services	New	Boater Service	11'-0"	35 Feet Max.	900	
<b>TOTAL Substantial Compliance Determination</b>					<b>119,000</b>	<b>13,822</b>

\*The elevator that serves floors 1-2 also includes a 106 SF observation deck which is a public amenity and not included as indoor rentable square footage. It complies with CDP 13-0018(I) chapter 5.5 (c) 3 & 4 by providing a pedestrian link to the elevator from the parking structure and includes unobstructed views of the ocean and marinas. In addition, the elevator, the elevator/observation deck does not create additional parking demand.

\*\*Maximum allowed development area in planning area 2 is 119,000 SF per table 17-A in the local coastal program for Dana Point Harbor Revitalization Plan dated October 6, 2011.

The table above demonstrates that the use mix and area totals for the retail, office and restaurant uses, although apportioned amongst the buildings differently, are consistent with those from CDP13-0018(I). The Day Use Commercial (PA 2) land use and maximum square footages are detailed in the Dana Point Harbor Revitalization Plan Statistical Table 17-A, contained in Chapter 17 of the DPHRP&DR. As shown in the table chronicling CDP13-0018(I) approval, the 113,836 SF of total building area in PA 2 was less than the 119,000 square foot maximum allowed for PA 2 in Table 17-A. The revisions include additional square footage in PA 2 due to the relocation of the boater service building (formerly on the border between PA's 2 and 3) on the first level (900 SF) of the redesigned parking structure and the inclusion of two new visitor serving facilities: a 4,158 SF surf museum, and a 106 SF viewing deck/elevator. Including the area of these boater and visitor serving structures is in compliance with the 119,000 square foot limit prescribed in the Dana Point Harbor Revitalization Plan

The revisions to the commercial buildings also comply with the maximum height limitations for buildings designed to meet both the 35-foot maximum, and exceptions to the maximum height limit permitted up to 60 feet (see table above). Updated architectural elevation drawings, renderings, and roof plans illustrate that the proposed new buildings are consistent with the character of the community, especially recently approved development, relative to architectural form, bulk and height including other structures within one-half mile of the OC Dana Point Harbor (Harbor) LCP boundary. In addition, the proposed new buildings also contain a practicable quantity of the *Architectural Elements* identified and prescribed in Subsection 5.5 e) of Dana Point Harbor District Regulations (DPHDR) as follows:

1. Roof overhangs, canopies, and attached patio cover architectural design elements – Buildings 6, 7, 8, 9, 12, and Viewing Deck.
2. Minimally reflective glass – Buildings 6, 7, 9, and 11.
3. The use of courtyards, patios, terraces, balconies, verandas, covered walkways and other defined outdoor spaces – Buildings 6 – 10, 11, and 12.
4. Avoidance of blank walls – Buildings 6, 7, 8, and 12.
5. Buildings segmented into smaller parts reducing perceived height and bulk of the structures through the use of openings, finish materials, fully roofed patio covers – Buildings 6, 7, 8, and 12.
6. Sloped roofs – Buildings 6 – 10.
7. Building clusters of commercial businesses/restaurants around three pedestrian scaled Festival Plaza areas connected by an enhanced Pedestrian Promenade – Buildings 7, 8, and 10 – 12.
8. The use of adjacent landscaped plazas and patio covers and second story deck structures to break up building long buildings walls and create important architectural elements such as stair towers – Buildings 6 – 10, and Viewing Deck.

Buildings 6 through 9 are designed in compliance with all applicable height limits, and demonstrate compliance with additional requirements of Subsections 5.5 c) 1 - 7 as follows:

1. The applicant has provided the view analysis included as part of CDP13-0018(I) and duplicated that view analysis with graphic portrayals of the newly designed and sited buildings. The graphic depictions provide comparisons of the revised and approved site and architectural design along with landscape improvements proposed in PA 2, and illustrate that massing of buildings at the southern terminus of the Golden Lantern has been reduced with shorter, less massive buildings (7 & 8) and the removal of the parking deck and ramping design proposed as part of CDP13-0018(I). Proposed Buildings 6 through 9 are within the 60-foot height limit and are now reoriented around Festival Plaza A at the Golden Lantern terminus, and are generally shorter than the buildings (7 through 10) approved under CDP13-0018(I) in similar locations. Overall, the updated view analysis illustrates that revised site and building designs result in negligible changes from the views analysis approved as part of CDP13-0018(I).
2. Buildings 7 and 8 designs include segmented floorplans with staggered footprints and smaller sectioned roof elements resulting in less massing to a more pedestrian scale when viewed from the adjacent Festival Plaza A and the adjacent East Marina. Buildings 6 and 7 include more traditional, rectangular footprints, but incorporate recessed or offset elements in the floor plan, coupled with large surface area for openings breaking up the Festival Plaza A/East Marina fronting building facades. These buildings also contain strong gable roof

elements (one reminiscent of a raised monitor barn roof) and patio cover elements that further assist in breaking up the façade also assist in breaking up building mass.

3. The reoriented buildings are aligned parallel to the East Marina bulkhead and with the newly proposed visitor serving facility (viewing deck/elevator) and the inclusion of the second level outdoor deck that extends from Building 6 to Building 9, increased unobstructed viewing areas to the ocean and marinas are provided than were provided from the original Commercial Core buildings (page 7A Substantial Compliance Packet). Surface level pedestrian walkways and vehicular drive and parking aisles provide direct vehicular and pedestrian access to the Day Use Commercial amenities (see pages 12A and 12B Substantial Compliance Packet).
4. Not applicable. No new buildings proposed in the Dana Wharf area.
5. The revised roof plans for Buildings 6 through 9 illustrate that the buildings comply with the 50 and 25 percent total roof area limitations when the buildings exceed 40 and 50 feet in height respectively (see pages 9A and 9B Substantial Compliance Packet).
6. The revised Construction Phasing and Construction Management Parking Plan demonstrate that public/boater access to the dry boat storage/public boat launching facilities are maintained throughout construction of and upon completion of the improvements proposed in PA's 1 and 2 of CDP13-0018(I).
7. Architectural elements identified in DPHDR Section 5.5 (e) are discussed in the preceding paragraph.

The alignment of the new buildings along the East Marina bulkhead and the public space between the buildings and the East Marina result in a redesign of the waterfront public access and the public plazas within the Commercial Core. This waterfront access and the connected gathering areas are referred to as the Pedestrian Promenade and the Festival Plaza respectively. The Pedestrian Promenade extends from Casitas Place to Dana Wharf (Land Use Plan (LUP) Policy 5.1.1-3), but is further enhanced by creating additional public access by expanding it along the waterfront on the western side of the Dana Wharf. The Pedestrian Promenade includes an additional extended structural setback (15 foot minimum width) from the waterfront edge along both the East Marina and western Dana Wharf bulkheads (LUP Policy 8.6.7-5), creating additional public access and views (Page 14 Substantial Compliance Packet). The Festival Plaza has been broken up into three different plaza areas (A, B, and C) along the Pedestrian Promenade totaling 2.7 acres: tripling the 35,000 square feet identified by LUP Policy 6.1.1-10. The open Festival Plazas create enhanced access and views to the waterfront and the largest (70,567 SF) located at the southern terminus of the Golden Lantern provides the enhanced paving, informal seating areas and large enough area to serve as the central gathering areas for Harbor-wide events as envisioned by LUP Policy 6.1.1-10. The new siting of the Commercial Core buildings, including the new visitor serving viewing deck and surf museum when coupled with the enlarged Pedestrian Promenade and Festival Plaza areas greatly improve the water orientation of the visitor serving land uses and integrate it more with the merchants on Dana Wharf furthering LUP Policy 5.1.1-4.

3. The design of the entire Harbor, as specified in the LUP, is based on a "California Coastal" design theme. This theme is a hybrid-style based on historic coastal village combined with California open

space and outdoor living traditions. The model envisions coastal areas that appears to be built over time while allowing diverse buildings based on users and distinctive business.

The newly proposed building architecture meets this vision more closely than the previous buildings by including variations in building form, footprint, and roof elements (predominately sloped but also employing flat and curved elements). It follows the principles of the DPHRP&DR by incorporating common roofing and exterior stone and wood siding materials, with variations as to color, texture and pattern while sharing cool colors with bright accents and contrasting trim and building body elements. As with CDP13-0018(I), the exterior improvements to the finishes of the existing buildings (Buildings 1 - 5B) in Dana Wharf are also proposed, but revised to use similar roofing and siding materials corresponding to those used for the new buildings.

As with many development projects, staff acknowledges that field changes to finish colors and materials and architectural detailing can and will occur. In that light, staff understands that revisions to architectural finishes may occur and informs the applicant that those revisions are also subject to Condition No. 4 of City Council Resolution No. 14-11-18-16. Revisions to finished architecture must be submitted to the Community Development Director to ensure that the changes comply with the provisions of Condition No. 4 of the Project.

4. The parking structure in PA 2 has been redesigned increasing the 776 parking spaces serving the Commercial Core land uses approved as part of CDP13-0018(I) to a total of 968 spaces through the addition of a third level. The parking structure redesign provides the direct access from Golden Lantern and adjacent Harbor surface parking areas, but also incorporates the third level contemplated by DPHDR Section 5.5 f) for PA 2. The overall height of the redesigned parking structure would be slightly higher than 29 feet; six feet below the 35-foot height maximum in PA 2. Consequently, the redesigned parking structure complies with the development standards identified in Chapter II-5 of the DPHDR, and results in an increase of 192 parking spaces within the proposed parking structure (see discussion in Item No. 5 below).
5. Due to the increase in the proposed parking supply (new parking structure and reconfiguration of surface auto parking areas), and the additional building area in PA-2, an update to the Parking Management Plan (PMP) prepared for the entire Harbor and approved as part of CDP13-0018(I) was necessary. Walker Parking Consultants (Walker) prepared the original PMP dated December 2013 (Revised April 2014), that was necessary as part of the initial CDP as specified by the DPHRP&DR. The PMP accounted for the existing parking supply throughout the Harbor at the time of preparation, divided the Harbor in into parking zones, established the long-term future parking assessment and shared parking methodology for non-priority land uses within PA's 1, 2, and 11. The PMP also discussed design and operational elements citing provisions of the DPHRP&DR, discussed construction management phasing, and provided recommendations.

Walker has prepared an Addendum dated May 2019, chronicling the new parking structure, revised site plan, updated existing parking supply counts, shared parking analysis, and revisions to designated boater parking areas. Walker also revised the "Parking Zone" boundary between their Parking Zones 1 and 2 to more align with the PA boundary adjustment between PA's 2 and 3 proposed as part of the revisions to the Project.

The Walker Addendum concluded that the 2014 PMP shared parking projection of 1,034 ± spaces (page 53 of the 2014 PMP) to serve the commercial uses (excluding boater uses) in the Commercial

Core, plus nine (9) additional spaces to account for the visitor serving facility/surf museum use, brings the total recommended parking serving Commercial Core uses to 1,043± spaces. As illustrated on the Figure 7 of Walker's Addendum, 1,563 parking spaces will be provided to the serve Commercial Core uses.

Additionally, the 1,563 spaces proposed to serve the commercial uses in PA 2 also exceeds the 1,328 spaces required (per Chapter II-14 of the DPHRP&DR) for the commercial uses in PA 2 (shown in Table 2 on page 10). Parking areas outside of the PA 2 will not be needed to accommodate parking demand associated with the commercial uses in the PA 2. Priority uses (designated boater parking, boat launch ramp and surface boat storage) within the Commercial Core are maintained throughout construction of the project and discussed further in Item No. 6 below.

Lastly, the PMP Addendum states and Conceptual Site Plan Sheets C1.1-C1.3 verifies that the location of the designated boater parking areas are no greater than 600 feet from the land/dock connection point of the docks they serve as stipulated in Chapter II-14 (Sections 14.2 i) and 14.6 d) 3)) of the DPHDR.

6. Approval of CDP13-0018(l) also included separate construction phasing and construction parking management plans related to implementation of the improvements related to the Project and designated parking areas for both priority (designated boater parking, boat launch ramp and surface boat storage) and non-priority uses. The *Dana Point Harbor Revitalization Construction Management Parking Plan (CMPP - Tab M of CDP13-0018(l))* was included as one of the original technical studies for the project, while the *Dana Point Harbor Commercial Core Project Implementation Phasing Schedule (Phasing Schedule)* dated September 2014 was included as an exhibit to City Council's final approval of the Project on November 18, 2014.

Due to the changes in the surface and parking structure configurations, updated parking supply counts, and phasing changes from the original approval, a combined Construction Phasing & Construction Management Parking Plan (CP&CMPP) has been prepared by the applicant. The CP&CMPP is included as part of both the PMP Memorandum, and the Substantial Compliance Packet for the revisions to the Project.

The phased construction of the proposed improvements associated with proposed revisions are scheduled to occur over a period of three (3) years, whereas the *Phasing Schedule* approved for CDP13-0018(l) forecast a five-year phased construction schedule. The *Phasing Schedule* also included the dry stack boat storage building, docks, jib crane and other infrastructure improvements in proximity to the dry stack boat storage building, that the revised construction phasing plan does not include.

The revised Construction Management Parking Plan, as did the previously approved *CMPP*, temporarily (nine (9) months) utilizes surplus parking on the east and west basin island parking lots for merchant and sport fishing parking areas displaced during construction of the new parking structure. Shuttle service to and from the east and west island parking lots and the sport fishing docks and Mariner's Village/Alley commercial areas during the nine-month construction of the parking structure.



The revised CP&CMPP maintains the higher priority designated boater parking, public boat launch ramp facility, and surface boat storage uses in the Commercial Core as follows:

- It maintains a minimum of 222 (as approved for CDP13-0018(I)) designated boater parking spaces (related to boat slip parking demand in the East Marina) in PA 2 for the Project at all times throughout construction phasing. Upon completion, 92 designated boater parking spaces will be permanently provided on the first level of the new parking structure and 130 designated boater parking spaces will be temporarily provided in the PA 2 surface parking lot (former Mariner's Alley) until the redevelopment of the hotel in PA 3 is approved through a separate CDP.
- Public boat launch ramp facilities maintain a minimum of 334 vehicle with trailer parking spaces adjacent to the public boat launch ramp on a continual basis in PA's 1 and 2 throughout the construction of the improvements in the PA 2. The permanent vehicle with trailer parking space configuration will be included as part of the CDP submittal to the CCC for the dry stack storage building. Any temporary restriping of these areas shall be provided to the Planning Division for review and approval prior to implementation.
- The revised CP&CMPP indicates that up to 493 surface dry boat storage spaces will be provided during the construction of improvements in PA 2. Although a former OC Parks maintenance complex will be used to provide additional dry boat storage areas in the Marine Services Commercial area (PA 1), and as was forecast with the approval of CDP13-0018(I), a temporary off-site dry boat storage lot is necessary to maintain the minimum 493 dry boat storage spaces during construction and until implementation of the dry stack boat storage building. As was the case with the approval of CDP13-0018(I), the nearby South Coast Water District (SCWD) property is anticipated to be the principal location utilized for additional off-site dry boat storage.

B. That the action would have been the same for the amendment as for the approved plans:


Based on the City Council's approval of the project, it is staff's opinion that the modifications proposed, which result in an increase of 238 parking spaces in PA 2 of the Commercial Core while maintaining the CDP13-0018(I) approved parking for priority users, would also have been approved. Similarly, the proposed changes to the buildings' design and location comply with the prescribed square footage allowed in PA 2, create additional visitor serving facilities (surf museum and viewing deck), increase pedestrian public access points to the waterfront from Commercial Core parking facilities, enhance the waterfront public access and views through enchantments and enlargement of the Pedestrian Promenade and the Festival Plaza – all of which are integral features required of Commercial Core revitalization, and likewise would have been approved by the City Council. Changes to the parking facilities and the increase in building area in the Commercial Core have resulted in an addendum to the PMP approved as part of CDP13-0018(I), and a corresponding Construction Phasing & Construction Management Parking Plan which ensures adequate parking for priority designated boater parking, boat launch ramp and surface boat storage is available throughout all phases of Project construction. The "California Coastal" theme derived from historic coastal village combined with Californian open space and outdoor living traditions envisioned for the Harbor is furthered through the proposed revisions while satisfying the development regulations and policies in the DPHRP&DR related to Commercial Core revitalization. Consequently, the proposed revisions substantially comply with the original CDP13-0018(I) approval.

All conditions of approval included in City Council Resolution No. 14-11-18-16 for CDP13-0018(I) and any subsequent revisions shall remain in effect and applicable, except as may be modified by this substantial compliance determination. Compliance issues related to development standards in the DPHRP&DR including, but not limited to building height, pedestrian and vehicular access from parking areas to the Day Use Commercial amenities, layout and design of the Pedestrian Promenade and associated Festival Plaza areas, and the location and number of parking spaces for priority and non-priority uses within the Commercial Core, will be confirmed through the building and grading plan check process.

The revisions are memorialized in the Substantial Compliance Packet, full sized development plans, and PMP Addendum which are date stamped by the City on May 29, 2019, and contain a "Substantial Compliance" stamp, signed and dated May 29, 2019. Copies of the Substantial Compliance Packet, reduced 11" x 17" development plans, and the PMP Addendum are attached to this letter for your records.

Should you have any questions regarding this determination, please contact Kurth B. Nelson III at (949) 248-3572.

Sincerely,



Matt Schneider  
Director of Community Development

C: CDP13-0018(I) Case file

Attachments:

1. Substantial Compliance Packet
2. Reduced Size Development Plans
3. PMP Addendum