

Notice of Determination

Appendix D

To:

Office of Planning and Research
 U.S. Mail: _____ Street Address: _____
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
 County of: Orange
 Address: 24035 El Toro Road
Laguna Hills, CA 92653

From:

Public Agency: City of Dana Point
 Address: 33282 Golden Lantern
Dana Point, CA 92629

Contact: John Ciampa, Principal Planner
 Phone: 949.248.3591

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2021070304

Project Title: Victoria Boulevard Apartments

Project Applicant: Toll Brothers Apartment Living, 23382 Mill Creek Dr, Ste 120, Laguna Hills, CA 92653

Project Location (include county): A 5.5 acre site at 26126 Victoria Boulevard

Project Description:

The project involves the demolition of the existing Capistrano Unified School District bus yard and development of a two- to five-story, 309-unit apartment complex with an attached parking structure and associated amenities in accordance with the proposed Victoria Boulevard Specific Plan. The project would be required to obtain various permits and approvals from the City, including but not limited to: General Plan Amendment, Zone Change, Specific Plan, Tentative Parcel Map, Local Coastal Plan Amendment, Coastal Development Permit, Site Development Permit, Development Agreement, Site Plan Review, Encroachment Permit, and applicable grading and building permits. In addition, the following permits/approvals may be required of other agencies: Surplus Land Act compliance from the Capistrano Unified School District, Local Coastal Plan Amendment from the California Coastal Commission, Encroachment Permit from the California Department of Transportation, NPDES Construction General Permit from the San Diego Regional Water Quality Control Board, Construction Permit from the South Coast Air Quality Management District, Voluntary Cleanup Agreement from the Department of Toxic Substances Control, and UST Removal/Remediation and Monitoring Well Destruction Permit from the Orange County Health Care Agency.

This is to advise that the City of Dana Point has approved the above
 Lead Agency or Responsible Agency

described project on 6/18/2024 and has made the following determinations regarding the above
 (date)
 described project.

- The project will will not have a significant effect on the environment.
- An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- Mitigation measures were were not made a condition of the approval of the project.
- A mitigation reporting or monitoring plan was was not adopted for this project.
- A statement of Overriding Considerations was was not adopted for this project.
- Findings were were not made pursuant to the provisions of CEQA.

FILED

JUN 19 2024

HUGH NGUYEN, CLERK-RECORDER

DEPUTY

BY: [Signature]

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

City of Dana Point Planning Division, 33282 Golden Lantern, Dana Point, CA 92629 or <https://www.danapoint.org/departments/community-development/planning/environmental/documents>

Signature (Public Agency): [Signature] Title: Principal Planner

Date: 6/18/2024 Date Received for filing at OPR: _____



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(658) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



CEQA Filing Fee No Effect Determination

Applicant Name and Address:

John Hyde
23422 Mill Creek Drive, Suite 105
Laguna Hills, CA 92653
jhyde@tollbrothers.com

FILED

JUN 19 2024

HUGH NGUYEN, CLERK-RECORDER

BY:  DEPUTY

CEQA Lead Agency: City of Dana Point Community Development Department, Planning Division

Project Title: Victoria Boulevard Apartments

CEQA Document Type: Environmental Impact Report

State Clearinghouse Number/local agency ID number: 2021070304

Project Location: The proposed Victoria Boulevard Apartments (project) site is located within an area commonly referred to as Doheny Village, which is an approximately 80-acre area located in the southeastern portion of the City of Dana Point (City). The project proposes the development of approximately 5.51-acre site located at 26126 Victoria Boulevard with up to 349 dwelling units. The project site is located on the southeast corner of Victoria Boulevard and Sepulveda Boulevard in the southeastern portion of Doheny Village. The project site is bound by Victoria Boulevard to the north, the Interstate 5 (I-5) off-ramp to Pacific Coast Highway on the east, Pacific Coast Highway on the south, and Sepulveda Avenue on the west. The project site consists of several underlying lots under one parcel number (Assessor's Parcel Number [APN] 668-361-01) owned by the Capistrano Unified School District (CUSD). Regional access to the project site is provided via I-5 and Pacific Coast Highway. Local access is provided via Victoria Boulevard and Sepulveda Avenue.

Brief Project Description: The project involves the demolition of the existing CUSD bus yard and development of a three- to five-story, 349-unit apartment complex with an attached six-story (seven levels) parking structure and associated amenities in accordance with the proposed Victoria Boulevard Specific Plan (Specific Plan). As proposed, the project would construct approximately 144,018 square feet (3.306 acres) of open space, including 46,399 square feet (1.065 acres) of public active open space, 34,719 square feet (0.797 acre) of public street and frontage open space, 44,644 square feet (1.025 acre) of private active open space, and 18,256 square feet (0.419 acre) of private passive (i.e., patio) open space. The 1.065 acres of public active open space would include Victoria Shore Park (at the southeastern corner of Sepulveda Avenue and Victoria Boulevard) as well as a Dog Park and two public paseos along the former La Playa Avenue right-of-way. Private active open space (residential common area) would include private courtyards (Doheny Garden, Salt Creek Court, Harbor Terrace, and Shower Court), as well as a rooftop garden with a fitness room, pool deck, and club house. Landscaping, streetscape, and public improvements are also proposed.

John Hyde
City of Dana Point Community Development Department, Planning Division
March 3, 2023
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Determination: Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish & G. Code, § 711.4, subd. (c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at the time of filing the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor's Office of Planning and Research (i.e., State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code section 711.4, subdivision (c)(3).

Approved by: DocuSigned by:
Jennifer Turner
C3D445ECB7C14DE Date: 3/8/2023
Signature
Jennifer Turner, Senior Environmental Scientist
(Supervisory)
Name, Title

FOR COUNTY CLERK USE ONLY

Stamp or initial inside the box to indicate acceptance of this signed No Effect Determination in lieu of a CEQA Document Filing Fee.

County Clerk Stamp or Initial

FILED

JUN 19 2024

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY

Hugh Nguyen
Orange County Clerk-Recorder
601 N. Ross Street
Santa Ana, CA 92701

County

Finalization: 20240000165369
6/19/24 11:11 am
135 SC1A

Item	Title	Count
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1	201	1
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EIR: Exempt or Previously Paid
Document ID Amount

DOC# 202485000540	50.00
Time Recorded 11:11 am	

Total	50.00
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Payment Type	Amount
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Credit Card tendered # 852144	50.00
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Amount Due	0.00
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THANK YOU
PLEASE RETAIN THIS RECEIPT
FOR YOUR RECORDS

www.ocrecorder.com

