



NOTICE OF PREPARATION

From: Development Services Department
32400 Paseo Adelanto
San Juan Capistrano, California 92675

POSTED
JUN 05 2014
ORANGE COUNTY CLERK-RECORDER DEPARTMENT
BY:  DEPUTY

TO:

Capistrano Unified School District	San Juan Elementary School
California Office of Planning and Research (15)	Orange County Sheriff-Coroner Department
California Department of Transportation-District 12	Orange County Transportation Authority (OCTA)
California Department of Fish and Wildlife (CDFW)	Pacific Bell Engineering
California Department of Toxic Substances Control	Regional Water Quality Control Board District 9
City of San Clemente	San Diego Gas & Electric (San Clemente)
City of Dana Point	San Diego Gas & Electric (San Diego)
City of Mission Viejo	Southern California Association of Governments
City of Laguna Niguel	Southern California Regional Rail Authority
Local Agency Formation Commission (LAFCO)	South Coast Air Quality Management District
Mission San Juan Capistrano	South Coast Water District
Native American Heritage Commission	Southern California Gas Company
Orange County Fire Authority (OCFA)	U.S. Fish and Wildlife Service (USFWS)
Orange County Health Care Agency	U.S. Army Corps of Engineers (ACOE)
Orange County Waste & Recycling	Juaneño Band of Mission Indians (SJC)
Orange County Public Works (Planning)	Juaneño Band of Mission Indians (SJC)
Orange County Clerk-Recorder	Juaneño Band of Mission Indians (SA)
Orange County Flood Control District	Juaneño Band of Mission Indians (SA)
Orange County Public Library	

Subject: Notice of Preparation (NOP) of a Draft Subsequent Environmental Impact Report (DSEIR)

Project: The Shops at Capistrano

Lead Agency: City of San Juan Capistrano

Pursuant to Section 15082(a) of the California Environmental Quality Act (1970), the City of San Juan Capistrano will be the lead agency and will prepare a Subsequent Environmental Impact Report (SEIR) for the project described below. The City needs to know your agency's views as to the scope and content of the environmental information related to your agency's statutory authority with respect to the proposed project. Your agency will need to use the SEIR prepared by our agency when considering any applicable permits for the project. The project description and location are described herein.

On October 5, 2010, the San Juan Capistrano City Council approved the Plaza Banderas Comprehensive Development Plan (CDP), which allowed for the development of the subject 3.18-acre with a three-story, 124-room hotel, including 75,000 gross square feet. In addition, the Plaza Banderas CDP included approximately 14,500 square feet of downtown commercial land uses, including 6,509 square feet of retail commercial floor area, a 5,747 square foot restaurant, and a 1,971 square foot private office. With the approval of the land uses identified above, the City also approved the following discretionary actions:

- General Plan Amendment application to amend the land use designation of the project site from General Commercial (GC) to Planned Community (PC).
- Rezone application amending the Zone District designation from Town Center (TC) to Planned

Community (PC) Zone District and to establish a Comprehensive Development Plan (CDP) zoning document to establish land use and development standards.

- Tentative Parcel Map (TPM) to merge existing lot lines and consolidate the property into a single parcel.
- Architectural Control (AC) application for the preliminary site, architectural and related development plans for the proposed project.
- Grading Plan Modification (GPM) to accommodate grading on the site.
- Sign Program (Business Sign Regulations Permit) to establish signage and sign regulations for the development.
- Tree Removal Permit to conform to the City's regulations for tree removal.
- Floodplain Land Use Permit to evaluate any project impacts to Horno Creek.

Subsequent to that approval, a new application for development has been submitted to the City of San Juan Capistrano. The applicant of the proposed project, Goveia Commercial Real Estate, has submitted a Development Plan that would substantially change the approved land use plan in order to allow for the development of the 3.18-acre former Plaza Banderas Hotel project site in order to allow for the development of a retail commercial center. Due to the nature and extent of the changes to the approved Development Plan approved by the City in 2010, the City of San Juan Capistrano, as lead agency, has determined that the proposed modifications to the Original Project are significant and would meet the criteria prescribed in Section 15162 of the State CEQA Guidelines below:

Section 15162. Subsequent EIRs and Negative Declarations

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

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- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As permitted by Section 15060(d) of the State CEQA Guidelines, an initial study has not been prepared. Potentially significant environmental effects that will be evaluated in the Subsequent DEIR include:

- Aesthetics
- Biological Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use and Planning
- Public Services
- Utilities and Service Systems
- Air Quality
- Cultural Resources
- Greenhouse Gas
- Hydrology/Water Quality
- Noise
- Transportation/Traffic

Unless specific comments are received during the NOP public comment period that indicates a potential for the project to result in significant impacts for the following issues, they will not be addressed in the Draft EIR:

- Agricultural Resources
- Mineral Resources
- Population and Housing
- Recreation

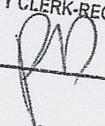
Pursuant to Section 15103 of the CEQA Guidelines, your response must be sent at the earliest date but received by our agency no later than thirty (30) days after receipt of this notice. Should you have any questions regarding the project or Notice of Preparation, please call Mr. David Contreras, Senior Planner, at (949) 443-6320 or contact by e-mail at dcontreras@sanjuancapistrano.org. Please mail your written response including any comments you may have on this project to:

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Scoping Meeting: June 16, 2014 (6:00 p.m.)

The City will also conduct a Scoping Meeting in accordance with Section 15083 (Early Public Consultation) of the State CEQA Guidelines. The Scoping Meeting will be conducted in La Sala Auditorium located at 31495 El Camino Real in San Juan Capistrano at 6:00 p.m. on June 16, 2014. The purpose of the Scoping Meeting is to "... identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth..." in te Draft SEIR.

Project Applicant: Jim Goveia, Project Manager
 Goveia Commercial Real Estate
 24855 Del Prado
 Dana Point, CA 92629

Project Location: 26871 and 26891 Ortega Highway/Northeast corner of Ortega Highway/El Camino Real (refer to attached Location Map)



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| ▪ Geology and Soils | ▪ Greenhouse Gas |
| ▪ Hazards and Hazardous Materials | ▪ Hydrology/Water Quality |
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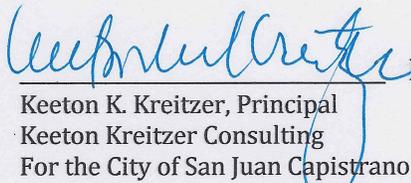
Project Description: The applicant is proposing the development of a 3.18-acre parcel at the northeast corner of Ortega Highway and El Camino Real in the City of San Juan Capistrano. The proposed project consists of a retail commercial development that consists of approximately 45,000 square feet of commercial services, retail and restaurant uses, professional office and a specialty market within four (4) single-story, free-standing buildings and one (1) two-story building located on the west side of the property, along El Camino Real. The building heights range from 22 feet to 41 feet. The project includes approximately 207 parking spaces, and vehicular access will be provided via three driveways located at Spring Street, El Camino Real, and Ortega Highway. The buildings will be constructed in a Spanish Eclectic architectural style. This project will provide pedestrian access through a plaza to encourage public use between The Shops at Capistrano and the Historic Town Center. The project will require approximately 15,000 cubic yards of fill in order to prepare the site for development.

Project implementation will require approval of the following legislative and discretionary applications, including:

- General Plan Amendment (GPA) to amend the land use designation of the subject property to "PC" (Planned Community);
- Rezone (RZ) to amend the zoning district classification from "TC" (Town Center) to "PC" (Planned Community)
- Architectural Control (AC) to include site and architectural plans for the development of the shopping center structures and improvements;
- Grading Plan Modification (GPM) to allow existing grades to be modified by two feet or more in elevation;
- Tentative Parcel Map (TPM) to consolidate several parcels into a single lot for the development of the shopping center structures and site improvements;
- Tree Removal Permit (TRP) to remove trees for the development the project;
- Flood Plain Land Use Permit (FP) to modify the grade elevations within the floodplain;
- Sign Permit to allow custom signage for the commercial shopping center.

City/County location: City of San Juan Capistrano/County of Orange.

Signature:


Keeton K. Kreitzer, Principal
Keeton Kreitzer Consulting
For the City of San Juan Capistrano

Date: June 3, 2014

Attachments:

Project Location Maps
Project Plans (8½ x 11)

Regional Location

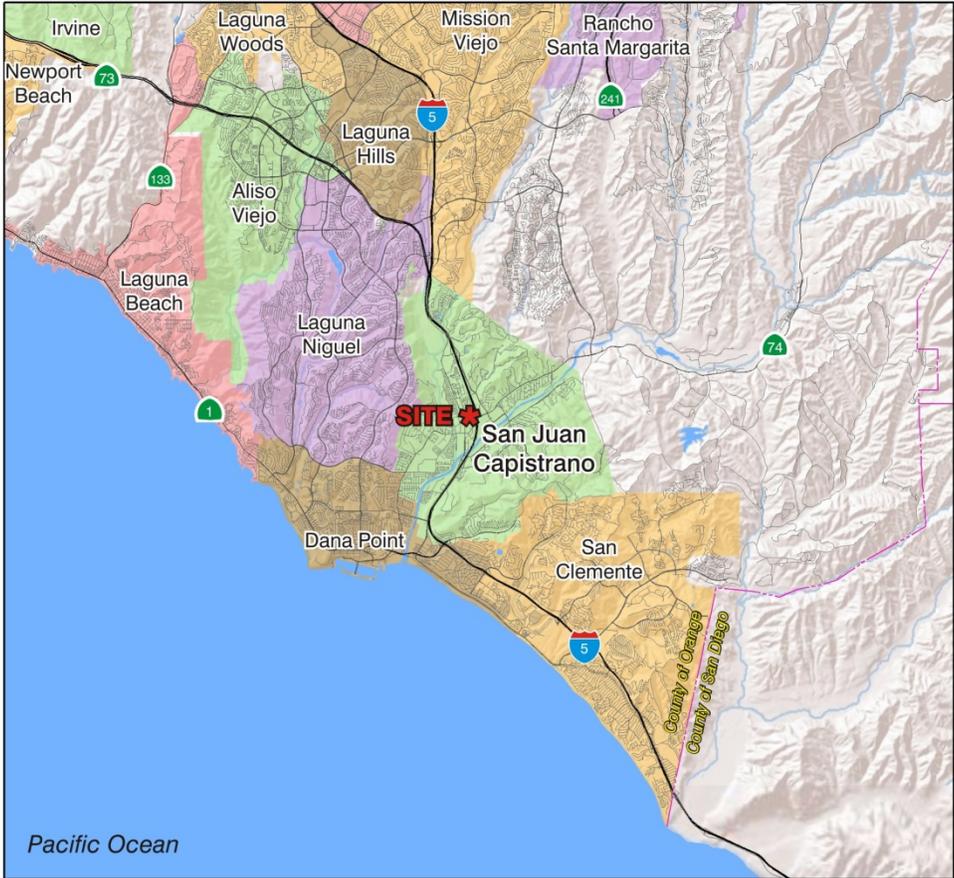
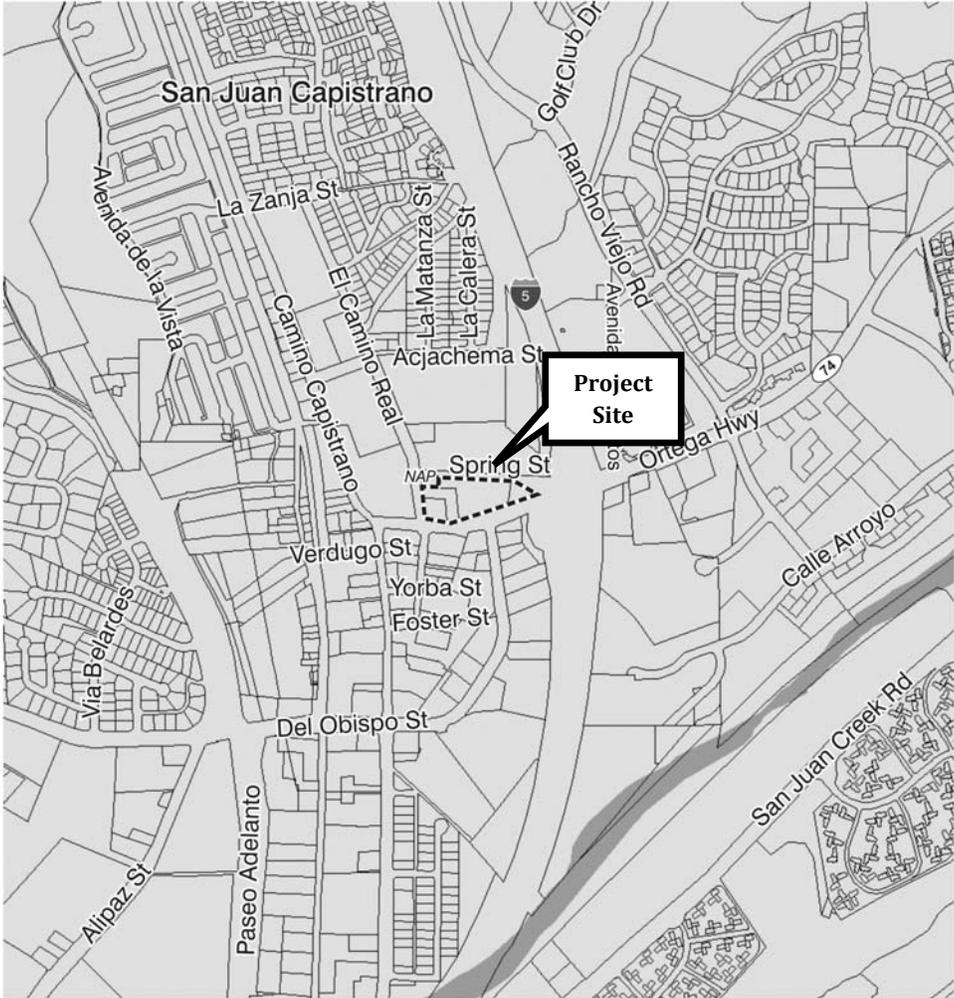


Figure 1

Local Vicinity



----- Site Boundary
NAP Not A Part



Figure 2

Aerial Photograph

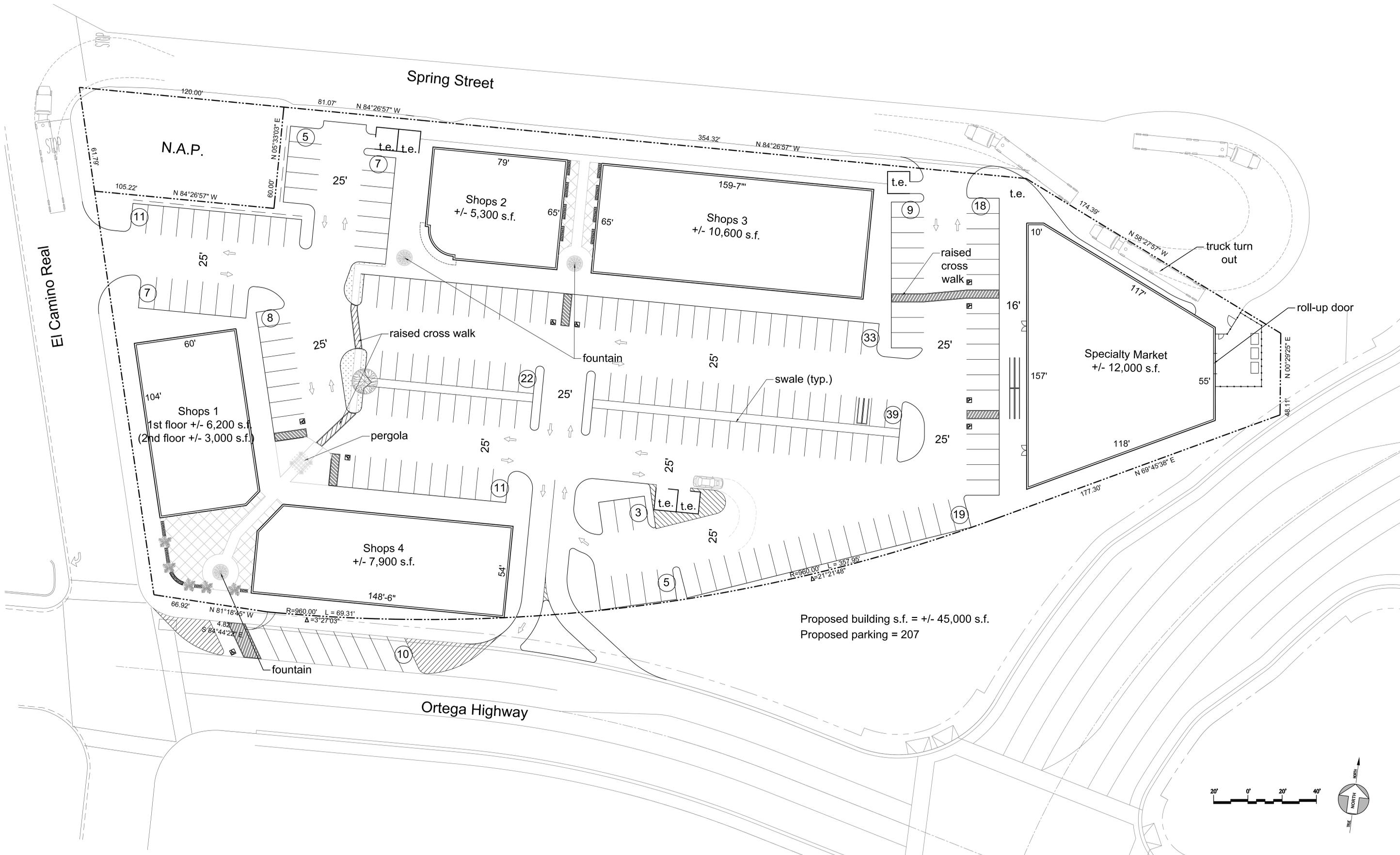


— Site Boundary



Source: Google Earth Pro 2010

Figure 3



Proposed building s.f. = +/- 45,000 s.f.
 Proposed parking = 207

Project Architect:
BICKEL UNDERWOOD
 JAMES S. BICKEL, JR., ARCHITECT
 A CALIFORNIA CORPORATION
 3600 Birch Street, Suite 120, Newport Beach, CA 92660
 949-757-0411 architecture@bickelunderwood.com

The Shops at Capistrano

San Juan Capistrano, California

Proposed Site Plan
 Scale: 1" = 20'-0"
 May 19, 2014
 P:\13\13980 - SJC, Plaza Bandera\Binder\3 Architecture\Shops at Capistrano - Standard\Site plan SJC, Shops at Capistrano.dwg
The plans, sheets, arrangements and designs indicated or represented by this drawing are owned by, and are the property of BICKEL UNDERWOOD, and were created and developed solely for use on, and in connection with the specific project, and shall not be used in whole or in part, for any purpose for which they were not originally intended without written permission from BICKEL UNDERWOOD © 2009.



Shops 2 & 3 South



Shops 1 West

Shops 1, 2 & 3

Scale: 1'-0" = 1/16"

The Shops At
Capistrano

Intersate 5 & Ortega Highway
 San Juan Capistrano, CA



Shops 4 South

Shops 4
Scale: 1'-0" = 1/16"

The Shops At
Capistrano
Interstate 5 & Ortega Highway
San Juan Capistrano, CA



Specialty Market South



Specialty Market Entry West

Specialty Market

Scale: 1'-0" = 1/16"

The Shops At
Capistrano

Interstate 5 & Ortega Highway
 San Juan Capistrano, CA