

RESOLUTION NO. 1640

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE ENVIRONMENTAL IMPACT REPORT REGARDING THE MARINAPARK RESORT AND COMMUNITY PLAN ON THE NORTH SIDE OF BALBOA BOULEVARD BETWEEN FIFTEENTH AND EIGHTEENTH STREETS (STATE CLEARINGHOUSE NO. 200311021).

WHEREAS, Marinapark LLC (formerly Talla Sutherland Hospitality), 4500 Campus Drive, Suite 650, Newport Beach, California, has applied to the City of Newport Beach for approvals necessary to develop a 110-room luxury resort hotel, related ancillary facilities and community facilities on an 8.1 acre site on the north side of Balboa Boulevard between 15th and 18th Streets; and

WHEREAS, in accordance with CEQA requirements, a Notice of Preparation (NOP) of a Draft EIR was filed with the State Clearinghouse, which assigned State Clearinghouse Number 200311021; and

WHEREAS, the NOP and an Initial Study were distributed to all responsible and trustee agencies and other interested parties for a 30-day public review period commencing on November 4, 2003, and ending on December 3, 2003; and

WHEREAS, in accordance with CEQA requirements, a Notice of Completion (NOC) of the Draft EIR was filed with the State Clearinghouse; and

WHEREAS, the Draft EIR was distributed to agencies, interested organizations, and individuals by the City. The distribution list is available at the City of Newport Beach Planning Department; and

WHEREAS, a 45-day public review period for the Draft EIR was established pursuant to State law, which commenced on April 26, 2004 and ended on June 9, 2004; and

WHEREAS, all comments received during the public review period for the Draft EIR were responded to in the Response to Comments document dated July 2, 2004, distributed separately due to bulk and hereby designated by reference as Exhibit EIR-2 of this Resolution as if fully set forth herein. All comments and responses were considered by the Planning Commission during its review of the Environmental Impact Report; and

WHEREAS, on July 8, 2004, the Planning Commission held a public hearing at which time the Final Environmental Impact Report, comprised of the Draft Environmental Impact Report, a listing of persons and organizations that provided written comments on the Draft Environmental Impact Report during the public circulation period, a compilation of those comments, and responses to those comments, was considered. Notice of time, place and purpose of the public hearing was duly given and testimony was presented to and considered by the Planning Commission at the hearings.

WHEREAS, the Final Environmental Impact Report identifies potential significant impacts to the environment and certain mitigation measures designed to reduce or avoid these impacts.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Newport Beach does hereby find that Environmental Impact Report (State Clearinghouse Number 200311021) designated by reference as Exhibit EIR-1 of this Resolution has been prepared in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. In addition, the Planning Commission finds that the EIR adequately analyzes project-related impacts, identifies feasible mitigation measures and discusses project alternatives, and that the Final EIR reflects the independent judgment of the Planning Commission. The Planning Commission hereby recommends that the City Council certify Environmental Impact Report identified by State Clearinghouse No. 200311021, with Section 7.4 of the Draft EIR amended to read as follows: “Based on the analysis in this EIR and on the requirements of Section 15126.6(e)(2) of the CEQA Guidelines, the reduced intensity alternative would be environmentally superior to the proposed project.”

ADOPTED this 8th day of July 2004, by the following vote, to wit:

AYES:	Cole, Daigle, Eaton, McDaniel, Selich, Toerge, Tucker
NOES:	None
ABSENT	None

BY: Larry Tucker, Chairman

BY: Jeffrey Cole, Secretary

**EXHIBIT EIR-1:
ENVIRONMENTAL IMPACT REPORT**

[Distributed separately due to bulk. Available for public review at the City's Planning Department]

**EXHIBIT EIR-2:
RESPONSES TO COMMENTS ON DRAFT EIR**

[Distributed separately due to bulk. Available for public review at the City's Planning Department]