

# CITY OF DANA POINT



Monday  
July 22, 2013  
6:00 p.m.

City Hall Offices  
Council Chamber (#210)  
33282 Golden Lantern  
Dana Point, CA 92629

## PLANNING COMMISSION REGULAR MEETING AGENDA

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

**ROLL CALL** Vice-Chairwoman Claus, Commissioner Denton, Chairman Newkirk, Commissioner O'Connor, and Commissioner Whittaker

### A. APPROVAL OF MINUTES

**ITEM 1:** Minutes of the regular Planning Commission Meeting of June 24, 2013.

**ITEM 2:** Minutes of the regular Planning Commission Meeting of July 8, 2013.

### B. PUBLIC COMMENTS

Anyone wishing to address the Planning Commission during the Public Comment section or on an Agenda Item is asked to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the Planning Commission Secretary prior to an individual being heard by the Planning Commission.

Any person wishing to address the Planning Commission on a subject other than those scheduled on the Agenda is requested to do so at this time. In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of 15 minutes for the Public Comments portion of the Agenda. State law prohibits the Planning Commission from taking any action on a specific item unless it appears on the posted Agenda.

### C. CONSENT CALENDAR

There are no items on the Consent Calendar.

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**D. PUBLIC HEARINGS**

**ITEM 3: General Plan Consistency Analysis GPC13-0002, Coastal Development Permit CDP11-0018 for the conditional vacation of Scenic Drive and related lot line adjustments and quitclaim deeds resulting from the street vacation and Coastal Development Permit CDP13-0009 for the construction of private improvements to be constructed subsequent and conditioned upon the City's vacation of a portion of Scenic Drive.**

Applicant/Property

Owners: City of Dana Point and the owners of three properties on Scenic Drive – Karsikko-Gassel, Plowman/Day, and Bruggeman

Location: Scenic Drive (located between 34525 to 34555 Scenic Drive)

Request: This is a request for a General Plan Consistency determination, GPC13-0002, for City's vacation of a portion of Scenic Drive; 2) for a Coastal Development Permit (CDP11-0018) for the vacation of the street and related lot line adjustments and quitclaim deeds; and 3) for a Coastal Development Permit (CDP13-0009) to allow the construction of private improvements to be constructed subsequent to and conditioned upon the City's vacation of a portion of Scenic Drive. The proposed improvements contained within CDP13-0009 include, but are not limited to, installation of a vehicular entry/pedestrian gate, replacement of existing landscaping with drought-tolerant landscaping, signage as well as the establishment of a pedestrian access easement.

Environmental (Street Vacation): The Proposed Vacation and associated lot line adjustments and quitclaim deeds contemplated by this Agenda Report is part and parcel of the Headlands Development and Conservation Plan ("HDCP"), which was previously reviewed under the California Environmental Quality Act ("CEQA"). Thus, environmental review of the Proposed Vacation was previously performed in the HDCP Final Environmental Impact Report ("EIR") SC# 2001071015 certified by the City of Dana Point on January 22, 2002 in accordance with the requirements of the CEQA, the CEQA Guidelines, and the City's local CEQA Guidelines, and for which the City of Dana Point prepared and certified an Addendum on September 22, 2004. The proposed lot line adjustment is CEQA exempt under CEQA Guidelines<sup>1</sup> section 15305(a) [minor lot line adjustments not resulting in the creation of any new parcel]. Therefore, no

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<sup>1</sup> California Code of Regulation, title 14, § 15000 et seq.

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further environmental review is necessary for any of street vacation action contemplated in this agenda report.

Environmental (Private Improvements): The proposed private improvements contemplated by the Agenda Report are categorically exempt from the California Environmental Quality Act (CEQA) per Section 15303 (e) (Class 1 – New Construction) as it comprises of the construction of accessory (appurtenant) structures. The gate is an accessory structure that will be utilized by all three (3) residences on Scenic Drive.

Recommendation: That the Planning Commission adopt resolutions: 1) finding pursuant to Government Code § 65402 that the conditional vacation of a portion of Scenic Drive is consistent with the City's General Plan; 2) rescinding of Coastal Development Permit CDP07-20; 3) approving Coastal Development Permit, CDP 11-00018, that allows for the vacation and related lot line adjustments and quitclaim deeds, subject to specific conditions; and 4) approving Coastal Development Permit, CDP13-0009, that allows for the construction of private improvements to be constructed subsequent to and conditioned upon the City's vacation of a portion of Scenic Drive.

**E. NEW BUSINESS**

There is no New Business.

**F. STAFF REPORTS**

**G. COMMISSIONER COMMENTS**

**H. ADJOURNMENT**

The next regular meeting of the Planning Commission will be held on Monday, August 12, 2013, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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**CERTIFICATION**

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )  
CITY OF DANA POINT )

**AFFIDAVIT OF POSTING**

I, Ursula Luna-Reynosa, Community Development Director of the City of Dana Point, do hereby certify that on or before Friday, July 19, 2013, I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, Dana Point Post Office and the Dana Point Library.

  
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Ursula Luna-Reynosa, Director  
Community Development Department

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3563. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.

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FF#0120-10/PC Agendas  
Agenda Sub & Posted: 7/19/13