

CITY OF DANA POINT

PLANNING COMMISSION SPECIAL AND REGULAR MEETING AGENDA

Monday
August 11, 2014
5:45 p.m. and 6:00 p.m.



Dana Point Community Center
34052 Del Obispo
Dana Point, CA 92629

CALL TO ORDER THE SPECIAL PLANNING COMMISSION MEETING

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

A. PUBLIC COMMENTS

(Any person wishing to provide public comment on a closed session matter may do so at this time.)

B. RECESS PLANNING COMMISSION MEETING TO A CLOSED SESSION

a. Conference with legal counsel – anticipated litigation, significant exposure to litigation, Government Code § 54956.9 (b), (1 case)

C. RECONVENE PLANNING COMMISSION MEETING

a. Closed Session Report.

ADJOURN SPECIAL CLOSED SESSION MEETING UNTIL 6:00 P.M.

CALL TO ORDER THE REGULAR PLANNING COMMISSION MEETING

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

PLEDGE OF ALLEGIANCE

D. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of July 14, 2014.

ITEM 2: Minutes of the regular Planning Commission Meeting of July 28, 2014.

E. 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

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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 fifteen 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.

F. CONSENT CALENDAR

ITEM 3: Coastal Development Permit CDP13-0018 for development otherwise referred to as the commercial core project, a parking management plan, a master sign program and approvals in concept for the Dana Point Harbor.

Applicant/Owner: OC Dana Point Harbor/County of Orange

Request: Refer action on amendments to the findings and plans related to CDP13-0018 based on discussions with the California Coastal Commission to the City Council.

Recommendation: That the Planning Commission refer action on proposed amendments to Coastal Development Permit CDP13-0018 to the City Council as prescribed by Dana Point Zoning Code Section 9.69.030(b).

G. PUBLIC HEARINGS

ITEM 4: (Continued from the regular Planning Commission meeting of July 14, 2014) Tentative Tract Map TTM 17751, Coastal Development Permit CDP14-0008, Site Development Permit SDP14-0006, Conditional Use Permit CUP14-0005, and Variance V14-0004 to allow the demolition of current structures on subject properties and construction of a new three phased mixed use project featuring 30,000 square feet of retail space on the ground floors and 111 residential condominiums on three levels above, with two levels of subterranean parking, on seven non-contiguous lots at 34135 PCH, 24471 Del Prado, 34129 PCH (Phase 1); 34137 PCH, 24501 Del Prado

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(Phase 2); and 34155 PCH, 24591 Del Prado (Phase 3) located in the City's Town Center Plan area.

Applicant/Owner: Majestic Housing & Development LLC/ Peggy Tabbas
Location: Phase 1: 34135 PCH (APN 682-232-06), 24471 Del Prado (APN 682-232-07), 34129 PCH (APN 682-232-11); Phase 2: 34137 PCH (APN 682-321-01), 24501 Del Prado (682-321-14); Phase 3: 34155 PCH (APN 682-321-07), 24591 Del Prado (APN 682-321-08)

Request: Approval of Tentative Tract Map TTM 17751, Coastal Development Permit CDP14-0008, Site Development Permit SDP14-0006, Conditional Use Permit CUP14-0005 and Variance V14-0004 for the properties located at 34135 PCH, 24471 Del Prado, 34129 PCH (Phase 1); 34137 PCH, 24501 Del Prado (Phase 2); and 34155 PCH, 24591 Del Prado (Phase 3) to allow the demolition of current structures on-site and construction of a new mixed use project on seven non-contiguous lots.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorically Exempt per Section 15332 (Class 32 – In-fill Development Projects). CEQA guidelines - Section 15332 "In-fill Development Projects" provides that projects that are in-fill development projects on lots that are 5 acres or less, are surrounded by urban uses, and do not have significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality or Water Quality and can be adequately served by all required utilities and public resources are Categorically Exempt from the provisions of CEQA. The proposed project meets the necessary conditions to qualify for this exemption.

Recommendation: That the Planning Commission continue the project to its regularly scheduled meeting of September 8, 2014.

H. NEW BUSINESS

There are no New Business items.

I. STAFF REPORTS

J. COMMISSIONER COMMENTS

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K. ADJOURNMENT

The *next regular* meeting of the Planning Commission will be held on Monday, September 8, 2014, beginning at 6:00 p.m. (or as soon thereafter) in the Dana Point Community Center Gym located at 34052 Del Obispo, Dana Point, CA.

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, August 8, 2014, I caused the above notice to be posted in three (3) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, and the Dana Point Post Office.



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.