

**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

---

September 22, 2014.  
6:02 p.m. – 8:25 p.m.

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

---

**CALL TO ORDER** – Chairwoman Claus called the meeting to order.

**PLEDGE OF ALLEGIANCE** – Commissioner Denton led the Pledge of Allegiance.

**ROLL CALL**

Commissioners Present: Chairwoman Claus, Commissioner Denton, Commissioner Newkirk, Vice-Chairwoman O'Connor, and Commissioner Whittaker

Staff Present: Ursula Luna-Reynosa (Director), John Tilton (City Architect/Planning Manager), Brad Fowler (Director of Public Works and Engineering Services), Jennifer Farrell (Deputy City Attorney), Saima Qureshy (Senior Planner), Evan Langan (Associate Planner), and Denise Jacobo (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1: Minutes of the regular Planning Commission Meeting of September 8, 2014.**

Chairwoman Claus reported that approval of minutes will be available for approval at the October 6, 2014 Planning Commission meeting.

**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**D. PUBLIC HEARINGS**

**Ursula Luna-Reynosa** (Director) recused herself from item #2 stating that she lived within the 500' radius and left the meeting at 6:05 p.m.

**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

---

September 22, 2014  
6:02- 8:25 p.m.

PAGE 2

---

**ITEM 2:**     Minor Conditional Use Permit CUP14-0001(M) to allow the service and sale of alcohol for a period of five consecutive years beginning with calendar year 2015, during the annual outdoor festival known as "Fiesta With Friends" the third weekend of May at 33926 Calle La Primavera (St. Edward the Confessor Catholic Church).

Applicant/Owner:     Roman Catholic Bishop of Orange  
Location:             33926 Calle La Primavera  
                               (St. Edward the Confessor Catholic Church)  
                               APNs 121-251-31 and 682-361-01

Request:     To allow the sale and service of alcohol at the "Fiesta with Friends" three-day special event for a period of five consecutive years beginning with calendar year 2015 and ending calendar year 2019.

Environmental:     The project is found to be Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15304 (e) (Class 4 - Minor Alterations to Land) in that the scope-of-work proposes a minor temporary use of land having a negligible or no permanent effect on the environment.

Recommendation:     That the Planning Commission adopt the Draft Resolution approving Minor Conditional Use Permit CUP14-0001(M).

**John Tilton** (City Architect/Planning Manager) gave a brief introduction.

**Evan Langan** (Associate Planner) presented the staff report.

**Robert Brooks** (Church Representative - Laguna Niguel) gave details about trash clean-up, the church staff and maintenance service to manage the entire area before and after their events. He also addressed placing signage in all places and visible areas as marked.

**Chairwoman Claus opened the Public Hearing.**

**John Balling** (Dana Point) stated his concerns about trash litter.

**Chairwoman Claus closed the Public Hearing.**

**John Tilton** (City Architect/Planning Manager) clarified that was not aware of complaints about over drinking in the past. He also stated that if complaints were received, the City will address them.

**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

---

September 22, 2014  
6:02- 8:25 p.m.

PAGE 3

**Commissioner Denton** stated that unfortunately the church surrounded by a residential zone, he hopes that the church would do their best to be a good neighbor.

**Commissioner Whittaker** stated that she would be in support.

**Vice-Chairwoman O'Connor** agreed with her fellow Commissioners and would be in favor of approving the application.

**Commissioner Newkirk** stated that the conditions of approval should correct any noise concerns. He stated that he is in favor of the proposal.

**Chairwoman Claus** stated that the church holds a great event and it serves the community.

**ACTION:** Motion made (Denton) and seconded (Newkirk) to adopt Resolution 14-09-22-31 approving Minor Conditional Use Permit CUP14-0001(M) to allow the service and sale of alcohol for a period of five consecutive years beginning with calendar year 2015, during the annual three-day outdoor festival known as "Fiesta With Friends" at 33926 Calle La Primavera (St. Edward the Confessor Catholic Church). Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT/RECUSE: None ABSTAIN: None)

**Ursula Luna-Reynosa** (Director) rejoined the meeting.

**ITEM 3:** Coastal Development Permit CDP14-0015 and Minor Site Development SDP14-0025(M) to allow the addition of 315 square feet to the first floor and 468 square feet to the second floor, in conjunction with the construction of a new, attached, 216 square foot covered patio, to an existing, non-conforming single-family dwelling located at 23571 Verrazanno Bay

Applicant/Owner: Karin & Keith Bremer  
Location: 23571 Verrazanno Bay (APN 672-081-06)

Request: Approval of a Coastal Development Permit and Minor Site Development permit for additions to a legal non-conforming, single-family dwelling that will exceed 10 percent of existing square footage, on land located within the City's Coastal Overlay District (the California Coastal Zone) and the Appeals Jurisdiction of the California Coastal Commission.

**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

---

September 22, 2014  
6:02- 8:25 p.m.

PAGE 4

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15301 (e) (Class 1 – Existing Facilities) in that it proposes a nominal increase in square footage to an existing residential dwelling.

Recommendation: That the Planning Commission approve the Draft Resolution approving Coastal Development Permit CDP14-0015 and Minor Site Development Permit SDP14-0025(M).

**Evan Langan** (Associate Planner) presented the staff report and responded to questions by the Commission.

**Chairwoman Claus opened the Public Hearing.**

**Keith Bremer** (Dana Point) thanked the Planning Commission for their consideration, and he stated that he was available to answer any questions.

**Chairwoman Claus closed the Public Hearing.**

**Commissioner Newkirk** stated that he has no objections because it conforms to the code and he would be in favor of passing the proposal.

**Vice-Chairwoman O'Connor** stated that the applicants proposal for a wall under three feet is a pleasant surprise and she would be in favor.

**ACTION:** Motion made (O'Connor) and seconded (Denton) to adopt Resolution 14-09-22-32 approving Coastal Development Permit CDP14-0015 and Minor Site Development Permit SDP14-0025(M) to allow the addition of 315 square feet to the first floor and 468 square feet to the second floor, in conjunction with the the construction of a new, attached, 216 square foot covered patio, to an existing, non-conforming single-family dwelling at 23571 Verrazanno Bay . Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

**ITEM 4:** Conditional Use Permit CUP13-0006 and Site Development Permit SDP13-0013 for a new sanctuary, pre-school and gymnasium including accessory carillon tower, elevator tower and columbarium. the project also includes a shared parking program for on-site uses and the demolition of the existing fellowship hall and the conversion

**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

---

September 22, 2014  
6:02- 8:25 p.m.

PAGE 5

---

**of the current sanctuary to administration offices at Gloria Dei Lutheran Church, located at 33501 Stonehill Drive.**

Applicant/Owner: Gloria Dei Lutheran Church  
Location: 33501 Stonehill Drive

Request: A Conditional Use Permit and Site Development Permit to allow the construction of a new Sanctuary, Gymnasium, Preschool building along with a Carillon Tower, Elevator Tower; conversion of current Sanctuary into administration offices and allowance of a Shared Parking Program. The project also includes the demolition of the existing Fellowship Hall.

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 adopt the draft Resolution approving Conditional Use Permit CUP13-0006 and Site Development Permit SDP13-0013.

**Saima Qureshy** (Senior Planner) reviewed the staff report and responded to questions by the Commission.

**Chairwoman Claus opened the Public Hearing.**

**David Keitel** (Architect - San Diego) gave a Power Point presentation which provided an overview of Gloria Dei Lutheran Church and the operation, and made himself available to answer questions from the Commission.

**Donald Caskey** (Building Chair for the Church - Laguna Hills) indicated that the Church has served the community for 50 years in Dana Point without complaints and that the proposed new bells ringing will meet the City's noise requirements.

**Bill Jonas** (San Clemente) stated as a member of the church that, he is in favor of the application. He stated that he spoke with members of staff, City Council

**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

---

September 22, 2014  
6:02- 8:25 p.m.

PAGE 6

and business and community leaders and has received lots of excitement about the expansion noting that it is a nice addition to the community.

**Parag Gondhalekar** (Dana Point) stated that he received public notice a while ago noting that the proposal looks normal on the surface and he supports modernization. However he stated his concerns about the columbarium, height, traffic, and (bell) noise impacts which negatively affects nearby residents and their property values. He was concerned about negative impacts on property values due to the Columbarium and requested that the Commission not approve the columbarium.

**David Mattson** (Church Pastor - Dana Point) stated that the Church will be celebrating its 50th year in Dana Point. He commented about the columbarium noting that they were unaware that it was going to be a controversial issue and they wanted to accommodate the religious needs of service members.

**Brian Bousman** (Dana Point) stated that he lives across the street noting that it is a nice church. He stated his concerns with the expansion, busier events at the Church throughout the year, noise pollution and traffic issues. He also noted problems with the bell features causing noise and not enough detail about the cemetery.

**John Adams** (Dana Point) stated as a member of church that he strongly urges the Commission to approve the project. He pointed out that there has been a bell for the last 50 years, and that they are good neighbors and have never been any complaints. He noted that the columbarium, like the Ronald Regan Memorial wall, would be a small discreet memorial - away from the street. He stated that the Church worked with City staff and City Manager, further addressing needs of the community.

**Sam Pourbobak** (Dana Point) stated his concerns about the cemetery that would impact property values.

**Wayne Johnson** (San Juan Capistrano) addressed the columbarium concern and spoke about landscaping.

**Deepa Iyengar** (Dana Point) stated that she received the public hearing notice only a week ago. She stated that she did not know the details about the columbarium and the bell tower. She asked to consider part of the project - columbarium and deny it. She was in favor of approving the rest of the project.

**Chairwoman Claus closed the Public Hearing.**

**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

---

September 22, 2014  
6:02- 8:25 p.m.

PAGE 7

---

Applicant addressed condition of approval #9 citing submittal of an acoustical report to maintain noise concerns.

**Commissioner Whittaker** asked about CEQA.

**Ursula Luna-Reynosa** (Director) addressed CEQA guidelines.

**Commissioner Whittaker** stated that she likes the architecture and the commitment by church members. She had no issue with the design it will be an asset to Dana Point. She expressed concerns with bell tower and suggested limiting the use for Sunday services. She stated that her preference is to see the columbarium to be within the interior of the site (not along the residential property line). She also suggested, if possible using one wall of the structure and putting their garden adjacent to that. She also noted her concern that it will become a profit center for the Church.

**Commissioner Denton** stated that Gloria Dei Church has been a great part of the community for the last 50 years. He grew up listening to church bells in Chicago and that it becomes part of life and no one notices bell rung after they become part of that area. He agreed with the noise condition and said he wanted to know the number of how many spots will be in the columbarium. He stated that it is a beautiful project for all and he will be in favor if the columbarium is not part of it.

**Vice-Chairwoman O'Connor** stated that she liked the idea of bells and said that she loves to hear Mission bells. She stated that there is nothing wrong with calling people to church, but do not want to hear it every hour of the day. She was satisfied with traffic study, but stated that parking might not be enough. She was also in favor of the tower elements after seeing the project elevations and how the design was balanced on-site. She also was concerned the columbarium was too close to the property line.

**Commissioner Newkirk** agreed the structure, size, scale was balanced on-site and that it was a great redesign. He was satisfied with the towers height since the design was site specific and well balanced and the design worked and was appropriate for this specific architecture. He also liked hearing bells from the Mission and in Florence. He wanted the applicant to find happy medium to ease the community concerns. He liked the parking plan, the project is thoroughly designed with the exception of the columbarium. He wanted specific detailed information on the columbarium before any approval from the Commission.

**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

---

September 22, 2014  
6:02- 8:25 p.m.

PAGE 8

**Chairwoman Claus** agreed with the fellow commissioners. She wanted to see specifics on the columbarium and the bells and felt it should be planned out.

**Vice-Chairwoman O'Connor** asked if the Commission could remove the columbarium from the resolution and/or continue the item.

**Jennifer Farrell (Deputy City Attorney)** clarified that the Commission could continue the item to come back another night or take a vote on the project with one new condition and exclude columbarium from the design.

**Commissioner Denton** proposed to approve the project, instead of delaying the project. He suggested approving the project without the columbarium, and the applicant would have to come back with another CUP request in the future for the columbarium.

**Commissioner Whittaker** asked to modify condition #9 so the applicant will work with the Director of Community Development to implement more details on bells schedule.

**Jennifer Farrell (Deputy City Attorney)** suggested the following language for a condition of approval: that the applicant will work with the Director of Community Development to come up with some sort of plan that effectuates the applicants intent which is when the bell will ring for services and special occasions e.g., weddings or funerals; the applicant can provide the Director with more details as to when they see that happening, the Director can implement the applicants intent with a little bit more detail.

**ACTION:** Motion made (Denton) and seconded (Newkirk) to adopt Resolution 14-09-22-33 approving a Conditional Use Permit CUP13-0006 and Site Development Permit SDP13-0013: with the added condition of approval that; if the applicant desired to put a columbarium on the property at a later point in time, a separate Conditional Use Permit would be required; the motion also includes the additional condition of approval that would require the Applicant to work with the Director of Community Development to develop a plan or a schedule of bell ringing that would roughly be limited to services and special occasions and subject to continuing review in case there are any complaints. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

**Chairwoman Claus** (lives within the 500' radius of the project), recused herself from the following item and left the meeting at 8:10 p.m.



**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

---

September 22, 2014  
6:02- 8:25 p.m.

PAGE 9

---

**Vice-Chairwoman O'Connor** assumed Chairmanship for this segment of the Public Hearing.

**ITEM 5:**     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 (Phase 2); and 34155 PCH, 24591 Del Prado (Phase 3) located in the City's Town Center Plan area. (Continued from the regular Planning Commission meeting of July 14, 2014, August 11, 2014, and September 8, 2014)

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)

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 public hearing to a special meeting of the Planning Commission scheduled for October 6, 2014 at the Dana Point Community Center in the gym located at 34052 Del Obispo, Dana Point, California 92629.

**Ursula Luna-Reynosa** (Director of Community Development) recommended continuation until the October 6, 2014 Planning Commission meeting.

CITY OF DANA POINT  
**PLANNING COMMISSION**  
REGULAR MEETING MINUTES

---

September 22, 2014  
6:02- 8:25 p.m.

PAGE 10

**Vice-Chairwoman O'Connor** opened the item for public comment and seeing that there were no requests to speak, clarified that the Public Hearing will remain open to allow public comments to continue at the next scheduled meeting.

**ACTION:** Motion made (Newkirk) and seconded (Whittaker) to continue the Public Hearing to the regular Planning Commission meeting on October 6, 2014 at this location. Motion carried 4-0-1. (AYES: Denton, Newkirk, O'Connor, Whittaker NOES: None RECUSE: Claus ABSTAIN: None)

**Vice-Chairwoman O'Connor** recessed the Planning Commission at 8:15 p.m.

**Vice-Chairwoman O'Connor** reconvened the Planning Commission at 8:20 p.m. with all members present. **Vice-Chairwoman O'Connor** handed over the chairmanship of the meeting to Chairwoman Claus who has returned to the meeting.

**E. NEW BUSINESS**

**ITEM 6: Keeping of Chickens in Residential Areas.**

Location: City-Wide

Recommendation: That the Planning Commission receive and file the report

**Ursula Luna-Reynosa** (Director of Community Development) reported an outline about the process necessary to make revisions to the Dana Point Municipal Code.

**Chairwoman Claus** received and filed the report.

**F. STAFF REPORTS**

There were no other Staff Reports.

**G. COMMISSIONER COMMENTS**

There were no Commissioner Comments.

CITY OF DANA POINT  
**PLANNING COMMISSION**  
REGULAR MEETING MINUTES

---

September 22, 2014  
6:02- 8:25 p.m.

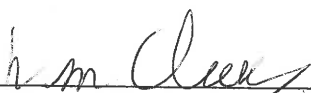
PAGE 11

---

**H. ADJOURNMENT**

**Chairwoman Claus** announced that a special meeting of the Planning Commission will be held on Monday, October 6, 2014, beginning at 6:00 p.m. (or as soon thereafter) in the Dana Point Community Center in the gym located at 34052 Del Obispo, Dana Point, CA. After the special meeting, the Planning Commission will adjourn to their regularly scheduled meeting be held on Monday, October 13, 2014, beginning at 6:00 p.m. (or as soon thereafter) in the Dana Point Community Center in the gym located at 34052 Del Obispo, Dana Point, CA.

**The meeting adjourned at 8:25 p.m.**



\_\_\_\_\_  
Liz Claus, Chairwoman  
Planning Commission