

**CITY OF DANA POINT
PLANNING COMMISSION
SPECIAL MEETING ACTIONS
REGULAR MEETING ACTIONS**

August 11, 2014
5:45 – 6:00 p.m.
6:00 – 8:01 p.m.

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

CALL TO ORDER – Chairwoman Claus called the Special Meeting of the Dana Point Planning Commission to order at 5:45 p.m.

ROLL CALL

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

A. PUBLIC COMMENTS

There were no Public Comments.

B. RECESS PLANNING COMMISSION MEETING TO A CLOSED SESSION

Chairwoman Claus recessed the Planning Commission meeting to a Closed Session at 5:47 p.m. pursuant to Government Code § 54956.9

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION pursuant to Government Code § 54956.9 (b), (1 case).

C. RECONVENE PLANNING COMMISSION MEETING – CALL TO ORDER

Chairwoman Claus reconvened the Planning Commission meeting at 6:05 p.m. with all members present.

STAFF PRESENT: Ursula Luna-Reynosa (Director of Community Development), John Tilton (City Architect/Planning Manager), Saima Qureshy (Senior Planner), Brad Fowler (Director of Public Works and Engineering Services), Jennifer Farrell (Deputy City Attorney), and Denise Jacobo (Planning Secretary)

CLOSED SESSION ANNOUNCEMENT:

Deputy City Attorney Farrell stated that she had no announcement.

PLEDGE OF ALLEGIANCE – Commissioner Whittaker led the Pledge of Allegiance.

D. APPROVAL OF MINUTES

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

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ACTION: Motion made (Denton) and seconded (O'Connor) to approve the Minutes of the regular Planning Commission Meeting of July 14, 2014. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

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

ACTION: Motion made (O'Connor) and seconded (Denton) to approve the Minutes of the regular Planning Commission Meeting of July 28, 2014. Motion carried 4-0-1. (AYES: Claus, Denton, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: Newkirk)

E. PUBLIC COMMENTS

There were no Public Comments.

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).

ACTION: Motion made (Denton) and seconded (Whittaker) to refer action on amendments to Coastal Development Permit CDP13-0018 to the City Council as prescribed by Dana Point Zoning Code Section 9.69.030(b). Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

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Chairwoman Claus stated that she lives within the 500 foot radius of the project and recused herself from the following item and left the meeting at 6:07 p.m. Vice-Chairwoman O'Connor assumed Chairmanship for the remaining portion of the meeting.

G. PUBLIC HEARINGS

ITEM 2: (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 (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

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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.

There were seventeen (17) requests to speak on this item.

ACTION: Motion made (Denton) and seconded (Whittaker) to continue the Public Hearing to the regular Planning Commission meeting on September 8, 2014 at this location. Motion carried 4-0-1. (AYES: Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: Claus ABSTAIN: None)

H. NEW BUSINESS

There were no New Business items.

I. STAFF REPORTS

There were no Staff Reports.

J. COMMISSIONER COMMENTS

There were no Commissioner Comments.

K. ADJOURNMENT

Vice-Chairwoman O'Connor announced that the *next* 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, California.

The meeting adjourned at 8:01 p.m.