

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

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December 8, 2014  
6:02 – 8:42 p.m.

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

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**CALL TO ORDER** – Chairwoman Claus called the Regular Meeting of the Dana Point Planning Commission to order at 6:02 p.m.

**PLEDGE OF ALLEGIANCE** – Erica Demkowicz (Senior Planner) led the Pledge of Allegiance.

**ROLL CALL**

**Planning Commission Members Present:** Chairwoman Liz Claus, Vice-Chairwoman April O'Connor, Norman Denton, and Susan Whittaker

**Planning Commission Member Absent:** Gary Newkirk

**Staff Present:** Ursula Luna-Reynosa (Director), John Tilton (City Architect/Planning Manager), Erica Demkowicz (Senior Planner), Evan Langan (Associate Planner), Jennifer Farrell (Deputy City Attorney), and Denise Jacobo (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1:** **Minutes of the regular Planning Commission Meeting of November 10, 2014.**

**ACTION:** **Motion made (Denton) and seconded (Whittaker) to approve the Minutes of the regular Planning Commission Meeting of November 10, 2014. Motion carried 3-0-1-1. (AYES: Claus, Denton, Whittaker NOES: None ABSENT: Newkirk ABSTAIN: O'Connor)**

**ITEM 2:** **Minutes of the special Planning Commission Meeting of November 17, 2014.**

**ACTION:** **Motion made (O'Connor) and seconded (Whittaker) to approve the Minutes of the special Planning Commission Meeting of November 17, 2014. Motion carried 4-0-1. (AYES: Claus, Denton, O'Connor, Whittaker NOES: None ABSENT: Newkirk ABSTAIN: None)**

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**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 of Community Development) due to close proximity of Item #3 to her personal residence, recused herself at 7:15 p.m. and left the Council Chambers.

**ITEM 3: Master Temporary Site Development Permit TSDP14-0076 to allow the placement of a tent for the purpose of temporarily housing religious services on the grounds of the St. Edwards Church (33926 Calle La Primavera)**

Project Applicant: Barbara Belavic (St. Edward the Confessor Catholic Church)  
Property Owner: St. Edward the Confessor Catholic Church  
Location: 33926 Calle La Primavera

Request: Approval of a Master Temporary Site Development Permit to allow for a maximum of four months, the placement of a tent to house worship services at the St. Edwards Catholic Church.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorical Exempt per Section 15304 (e) (Class 4 – Minor Alterations to Land) in that the project proposes a temporary use of land that would have a negligible or no permanent effect on the environment.

Recommendation: That the Planning Commission adopt the draft resolution 14-12-08-40 approving Master Temporary Site Development Permit TSDP14-0076.

There were three (3) requests to speak on this item.

**ACTION: Motion made (O'Connor) and seconded (Whittaker) to adopt Resolution No. 14-12-08-40 approving Master Temporary Site**

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**Development Permit TSDP14-0076 to allow for a period not to exceed four months, the placement of a tent for the purpose of temporarily housing religious services on the grounds of the St. Edwards Church (33926 Calle La Primavera). Motion carried 4-0-1. (AYES: Claus, Denton, O'Connor, Whittaker NOES: None ABSENT: Newkirk ABSTAIN: None)**

Ursula Luna-Reynosa (Director of Community Development) returned to the meeting.

**ITEM 4: Coastal Development Permit CDP14-0022 and Minor Site Development Permit SDP14-0028(M) to allow the demolition of an existing single-family dwelling and the construction of a new, single-story, 3,323 square foot single-family dwelling with attached, 651 square foot garage, as well as to place pool equipment within the area of a rear-yard setback at 242 Monarch Bay Drive**

Project Applicant: Scott Hudgins (Architect, Hudgins Design Group)  
Property Owners: Rich and Dorothy Costello  
Location: 242 Monarch Bay Drive

Request: Approval of a Coastal Development Permit and Minor Site Development Permit to allow the demolition of a single-family dwelling, the construction of a new single-family dwelling and the placement of pool equipment within a rear-yard setback on land located in the City's Coastal Overlay District and the Appeals Jurisdiction of the California Coastal Commission.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorical Exempt per Section 15303 (a) (Class 3 – New Construction or Conversion of Small Structures).

Recommendation: That the Planning Commission adopt Draft Resolution 14-12-08-41 approving Coastal Development Permit CDP14-0022 and Minor Site Development Permit SDP14-0028(M).

There were no requests to speak on this item.

**ACTION: Motion made (Denton) and seconded (Whittaker) to adopt Resolution No. 14-12-08-41 approving Coastal Development Permit CDP14-0022 and Minor Site Development Permit SDP14-0028(M) to allow the demolition of an existing single-family dwelling and the construction of a new, 3,323 square foot single-family dwelling with attached, 651 square foot garage, as well as to place pool equipment within the area**

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**of a rear-yard setback on land located at 242 Monarch Bay Drive. Motion carried 4-0-1. (AYES: Claus, Denton, O'Connor, Whittaker NOES: None ABSENT: Newkirk ABSTAIN: None)**

**ITEM 5: Coastal Development Permit CDP14-0014, Variance V14-0002, Site Development Permit SDP14-0017 and Minor Conditional Use Permit CUP14-0004(M) to allow the demolition of an existing boat storage facility and the construction of a new, single-story, 4,900 square foot commercial structure at 34215 Pacific Coast Highway (PCH) within the City's Town Center/Lantern District. Variances are requested to locate on-grade parking within the first 40 feet of frontage as well as to permit driveways from PCH and Del Prado Streets; a Minor Conditional Use Permit is requested to allow the establishment of a new bank use.**

Project Applicant: Patterson Development Company, LLC  
Property Owner: Marquerite Katherine Seiler-Ware Trust  
Location: 34215 Pacific Coast Highway

Request: Approval of a Coastal Development Permit, Variance, Site Development Permit and Minor Conditional Use Permit.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15332 (Class 32 – Infill Development Projects) in that the subject properties measure five acres or less in area, are surrounded by urban uses and that the project would not result in 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.

Recommendation: That the Planning Commission adopt Draft Resolution 14-12-08-42 approving Coastal Development Permit CDP14-0014, Variance14-0002, Site Development Permit SDP14-0017 and Minor Conditional Use Permit CUP14-0004(M).

There was one (1) request to speak on this item.

**ACTION: Motion made (Whittaker) and seconded (Denton) to adopt Resolution No. 14-12-08-42 approving Coastal Development Permit CDP14-0014, Variance V14-0002, Site Development Permit SDP14-0017 and Minor Conditional Use Permit CUP14-0004(M) to allow the demolition of an existing boat storage facility and the construction of a new, single-**

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**story, 4,900 square foot commercial structure at 34215 Pacific Coast Highway (PCH) within the City's Town Center/Lantern District. Variances are requested to locate on-grade parking within the first 40 feet of frontage as well as to permit driveways from PCH and Del Prado Streets; a Minor Conditional Use Permit is requested to allow the establishment of a new bank use. Motion carried 4-0-1. (AYES: Claus, Denton, O'Connor, Whittaker NOES: None ABSENT: Newkirk ABSTAIN: None)**

**ITEM 6: A Negative Declaration, Zone Text Amendment ZTA14-0001, and Local Coastal Program Amendment LCPA14-0001 to amend the City's Zoning Ordinance to allow poultry in all single family residential zoning districts.**

Project Applicant: City of Dana Point  
Location: Citywide

Request: Request for approval and adoption of a Negative Declaration, Zone Text Amendment ZTA14-0001 and Local Coastal Program Amendment LCPA14-0001 to amend the City's Zoning Ordinance to allow poultry in all single family residential districts.

Environmental: The City conducted an environmental review of the proposed project pursuant to the provisions of the California Environmental Quality Act (CEQA). As a result of that review, a Negative Declaration (ND) was issued for the project with the accompanying initial study. The ND was circulated for a twenty day public review period from November 14, 2014 to December 3, 2014. At the end of the comment period, the City received a total of ten (10) written comments.

The ND, its accompanying initial study and the comment letters are attached to this report as Exhibits 6 and 7.

Recommendation: That the Planning Commission takes one of the following actions:

1. Adopt Resolution No. 14-12-08-XX recommending that the City Council adopt a Negative Declaration for the Zone Text Amendment (ZTA14-0001) and Local Coastal Program Amendment (LCPA14-0001) and Adopt Resolution No. 14-12-08-XX recommending that the City Council amend the City's Zoning Ordinance for the allowance of poultry in all single family residential districts.

**OR**

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2. Make a motion to not recommend approval to the City Council for the Zone Text Amendment (ZTA14-0001) and Local Coastal Program Amendment (LCPA14-0001) to amend the City's Zoning Ordinance for the allowance of poultry in all single family residential districts.

There were six (6) requests to speak on this item.

**ACTION:** Motion made (Whittaker) and seconded (Denton) to continue and re-open the Public Hearing to the meeting of February 9, 2015. Motion carried 4-0-1. (AYES: Claus, Denton, O'Connor Whittaker NOES: None ABSENT: Newkirk ABSTAIN: None)

**E. OLD BUSINESS**

There was no Old Business.

**F. NEW BUSINESS**

There was no New Business.

**G. STAFF REPORTS**

There were no Staff Reports.

**H. COMMISSIONER COMMENTS**

**Commissioner Whittaker** wished everybody a Merry Christmas and Happy Holidays.

**Vice-Chairwoman O'Connor** acknowledged the wonderful Dana Point IlluminOcean Holiday lighting extravaganza at the Harbor.

**Commissioner Denton** wished everyone a Merry Christmas and he encouraged everyone to see IlluminOcean Festival of Lights and the annual Boat Parade.

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**I. ADJOURNMENT**

**Chairwoman Claus** announced that the *next* regular meeting of the Planning Commission will be held on Monday, January 12, 2014, 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.

**The meeting adjourned at 8:42 p.m.**