

2. New Construction:

The applicant proposes to construct a two-story worship center consisting of a choir room on the lower level and a temporary sanctuary on the upper level. Four hundred ninety-three (493) fixed seats will be located within the sanctuary. The structure will be utilized as the main sanctuary until such time as the necessary permits are acquired and the permanent sanctuary is constructed. The existing sanctuary will be converted to an educational facility and the proposed temporary sanctuary will revert to administration uses.

The applicant also proposes a 1,245 square foot, single-story addition with roof terrace to the existing Christian education building. The design of the addition is compatible with the existing structure.

3. Off-Street Parking:

Parking calculations for churches are based on the number of fixed seats provided within the main sanctuary (1 space for each 3 fixed seats; Orange County Zoning Code, Section 7-9-145. Based on the aforementioned criteria, 164 off-street parking spaces are required (230 spaces provided) of a church containing 493 fixed seats. The existing pre-school and education facilities are utilized mainly during the week; therefore, their parking demands will not likely conflict with the maximum parking demand which is on Sunday mornings. The applicant provided information (see attached letter) regarding the use of the Church facilities during a typical Sunday morning. According to the submitted letter, concurrent use of church facilities does not occur during the period of maximum parking demand. Staff visited the site on a typical Sunday morning; and, concurs with the submitted information.

The applicant will be required to dedicate and improve Crown Valley Parkway to Major Arterial Highway standards. The submitted plan is designed to reflect these improvements. Other recommended improvements from EMA/Transportation Programs Division have been incorporated into the plan or applied as conditions of approval to this report. Final written conditions of approval from EMA/Transportation Programs Division are not available at the time of preparation of this report. However, conditions of approval will be provided at the Public Hearing.

4. Site Landscaping:

As shown on the submitted landscape plan, the entire site will be landscaped including complete automatic irrigation system. The landscaping will not only enhance the aesthetics of the site but will prevent erosion of the existing hillside. A landscape condition has been applied to this report.

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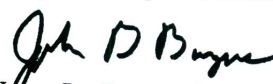
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RECOMMENDATION

Subject to the review of this report and any additional information received at the Public Hearing, EMA/Current Planning Division recommends approval of Coastal Development Permit CD 88-13P subject to the attached findings and conditions:

Respectfully submitted,



John B. Buzas, Manager
Current Planning Division

PMM:

- Attachments:
- A. Recommended Findings
 - B. Conditions of Approval
 - C. Correspondence from South Shores Baptist Church
 - D. Environmental Documentation

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FINDINGS

(Attachment A)

- I. That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.
- II. That Final EIR 316 and Addendum IS 88-083 were considered prior to approval of the project. Together they were determined adequate to serve as a Program EIR for this project and satisfy all the requirements of CEQA. The Program EIR is hereby certified for this project and the findings readopted.
- III. That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.
- IV. That the locations, size, design and operating characteristics of the proposed use will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental, or incompatible with other permitted uses in the vicinity.
- V. That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.
- VI. That the property to which the permit applies is not located in a fire station or library fee area as that term is defined in Section 7-9-702.
- VII. That the development project proposed by the application conforms with the certified Local Coastal Program.
- VIII. That approval of the application will result in no modification to the requirements of the certified Laguna Niguel Planned Community land use plan.

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ATTACHMENT B

CD 88-13P
(Conditions)

1. Approval of this permit application constitutes approval of the proposed project to the extent of its compliance with the applicable zoning regulations, but does not include any action or finding as to compliance or approval of the project regarding any other applicable ordinance, regulation or requirements.
2. This approval is valid for a period of 24 months from the date of final determination. If the use approved by this action is not established within such period of time, the permit shall be terminated and shall thereafter be null and void.
3. This application is approved as a precise plan for the location of the uses and structures shown on the approved plot plan. Any relocation, alteration or addition of any structure or use not specifically approved will nullify the approving action for this permit. If any changes are proposed regarding the location or alteration of any use or structure, a changed plan shall be submitted to the Director of Planning, EMA, for approval. If the Director of Planning, EMA, determines that the proposed change complies with the provisions and the spirit and intent of this approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.
4. Applicant shall defend at his/her sole expense any action brought against the City of Dana Point because of issuance of this permit or, in the alternative, the relinquishment of such permit. Applicant will reimburse the City for any court costs and attorney's fees which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve applicant of his/her obligations under this condition.
5. Failure to abide and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.
6. Prior to the issuance of any precise grading permits, the following drainage studies shall be submitted to and approved by the Manager, Subdivision Division.
 - A. Detailed drainage studies indicating how the site grading in conjunction with the drainage conveyance systems, including applicable swales, channels, street flow, catch basins, storm drains and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.

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*See minutes for changes & additions
to these conditions*

7. Prior to the issuance of any precise grading permits, the applicant shall design the following improvements and provide necessary dedications in a manner meeting the approval of the Manager, Subdivision Division.
 - A. All provisions for surface drainage; and
 - B. All necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff.

Prior to to issuance of certificates of use and occupancy, said improvements shall be constructed in a manner meeting the approval of the Manager, EMA/Construction Division.

8. Prior to the issuance of a grading permit, the project applicant shall provide written evidence to the Chief, EMA/Regulation/Grading Section, that a County-certified paleontologist has been retained to observe grading activities and salvage and catalogue fossils as necessary. The paleontologist shall be present at the pregrading conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If major paleontological resources are discovered, which require long-term halting or redirecting of grading, the paleontologist shall report such findings to the project developer and to the Manager, Harbors, Beaches and Parks/Program Planning Division. The paleontologist shall determine appropriate actions, in cooperation with the project developer, which ensure proper exploration and/or salvage. Excavated finds shall be offered to the County of Orange, or its designee, on a first-refusal basis. Applicant may retain said finds if written assurance is provided that they will be properly preserved in Orange County, unless said finds are of special significance, or a museum in Orange County indicates desire to study and/or display them at this time, in which case items shall be donated to County, or designee. These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the Manager, Harbors, Beaches and Parks/Program Planning Division. The paleontologist shall submit a follow-up report for approval by the Manager, Harbors, Beaches and Parks/Program Planning Division, which shall include the period of inspection, a catalogue and analysis of the fossils found, and present repository of the fossils.
9. Prior to the issuance of a certificate of use and occupancy, all lighting, interior and exterior, shall be designed and located to confine direct rays to the premises meeting the approval of the Manager, EMA/Building Inspection Division. Except for necessary security lighting, all lights shall remain off during non-business hours.

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