

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

January 19, 2009
7:00 p.m.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL Vice-Chairwoman Michelle Brough, Commissioner Ed Conway, Chairman Norman Denton, Commissioner Liz Anderson-Fitzgerald, and Alternate Michael Dec

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of January 5, 2009.

B. 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 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 15 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.

C. CONSENT CALENDAR

There are no items on the Consent Calendar.

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D. PUBLIC HEARINGS

ITEM 2: Conditional Use Permit CUP08-0014 to allow the establishment of an educational learning center within a vacant office suite in the Town Center district at 34189 Pacific Coast Highway.

Applicant: Orange County Department of Education
Owner: DownUnder II LLC
Location: 34189 Pacific Coast Highway (APN 682-301-31)

Request: Request for Conditional Use Permit CUP08-0014 to allow the Orange County Department of Education to establish an "Educational Learning Center" within a vacant office suite (No. 201) at 34189 Pacific Coast Highway.

Environmental: Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Community Development Department has analyzed the subject project. Staff finds the subject project categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 (a) – Existing Facilities. A Categorical Exemption has been prepared and will be duly filed per the requirements of the statute.

Recommendation: That the Planning Commission adopt Planning Commission Resolution No. 09-01-19-xx approving Conditional Use Permit CUP08-0014

ITEM 3: Tentative Parcel Map TPM2006-237 and Conditional Use Permit CUP06-21 to allow the conversion of an existing four unit apartment complex to condominiums including the addition of 1,165 square feet to the structure at the property addressed 33412 Cheltam Way and located in the Residential Multiple Family 14 zoning district.

Applicant: Matrix Seismic Corp.
Owner: Cheltam 33412 LLC
Location: 33412 Cheltam Way: APN; 673-231-04

Request: A Tentative Parcel Map and Conditional Use Permit to allow the conversion of an existing four unit apartment complex to condominiums including the addition of 1,165 square feet to the structure at the property addressed 33412 Cheltam Way and located in the Residential Multiple Family 14 Zoning District.

Environmental: The proposed project qualifies as a Class 1 (Section 15301 – Existing Facilities) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project consists of an addition to an existing structure not resulting in an increase of more than 50 percent of the floor

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area of the existing structure and the division of existing multiple family residences into common-interest ownership..

Recommendation: That the Planning Commission adopt the attached Resolution approving Tentative Parcel Map TPM2006-237 and Conditional Use Permit CUP06-21.

E. NEW BUSINESS

There is no New Business.

F. STAFF REPORTS

G. COMMISSIONER COMMENTS

H. ADJOURNMENT

The *next regular* meeting of the Planning Commission will be held on Monday, February 2, 2009, beginning at 7:00 p.m. (or as soon thereafter) in the Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF DANA POINT)

AFFIDAVIT OF POSTING

I, Kyle Butterwick, Community Development Director of the City of Dana Point, do hereby certify that on or before Friday, January 16, 2009, I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, Dana Point Post Office and the Dana Point Library.

Kyle Butterwick, 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.