

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

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February 2, 2009  
7:00 p.m.

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

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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL** Chairman Norman Denton, Commissioner Ed Conway, Commissioner Liz Anderson-Fitzgerald, and Alternate Michael Dec

**A. APPROVAL OF MINUTES**

**ITEM 1: Minutes of the regular Planning Commission Meeting of January 19, 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: General Plan Amendment (GPA07-01), Zone Text Amendment (ZTA07-02), Zone Change (ZC07-01), and Local Coastal Program Amendment (LCPA07-01) to amend land use designations for the property located at 34202 Del Obispo Street and for the addition of a new land use category, "Residential/Commercial", in the Land Use Element of the General Plan and a new Zoning category, "Residential/Commercial-22", in the Zoning Ordinance.**

Applicant:

Owner: Makar Properties, LLC

Location: 34202 Del Obispo Street (APN: 668-271-04)

Request: Request for General Plan Amendment GPA07-01, Zone Text Amendment ZTA07-02, Zone Change ZC07-01, and Local Coastal Program Amendment LCPA07-01 to amend the land use and zoning designations of the subject site, 34202 Del Obispo Street, from "Dana Point Specific Plan – Coastal Recreation Space" to the General Plan designation of "Residential/Commercial" and the Zoning designation of "Residential/Commercial-22". The project also involves addition of a new land use category "Residential/Commercial" in the Land Use Element of the General Plan and a new Zoning category "Residential/Commercial-22 (R/C-22)" in Chapter 9.13 – Mixed Use District of the Zoning Ordinance.

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 Mitigated Negative Declaration (MND) was issued for the project with the accompanying initial study. The MND was circulated for a thirty day public review period from February 22, 2008, to March 24, 2008. At the end of the comment period, the City received a total of 11 written comments on the project.

The initial study prepared for the project evaluated a "reasonable" development scenario that could occur as a result of the proposed amendments in the land use and zoning designations of the subject site. The development scenario that was analyzed in the MND included a possible development of a mixed use project with 150 residential units and 10,000 square feet of retail commercial space. However, staff later determined that the MND should analyze a "theoretical maximum" development scenario and therefore a more thorough analysis was conducted and the MND was revised and re-circulated for public comment.

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Recommendation: That the Planning Commission approve the attached draft resolutions recommending to the City Council approval and adoption of the proposed Mitigated Negative Declaration and the General Plan Amendment, Zone Text Amendment, Zone Change, and Local Coastal Program Amendment.

**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, March 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 30, 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*

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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.