

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

---

February 2, 2009  
7:00 – 10:02 p.m.

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

---

**CALL TO ORDER** – Chairman Denton called the meeting to order.

**PLEDGE OF ALLEGIANCE** – Alternate Commissioner Dec led the Pledge of Allegiance.

**ROLL CALL**

Commissioners Present: Commissioner Ed Conway, Chairman Norman Denton, Commissioner Liz Anderson Fitzgerald, and Alternate Commissioner Michael Dec

Staff Present: Kyle Butterwick (Director of Community Development), John Tilton (City Architect/Planning Manager), Todd Litfin (Assistant City Attorney), Saima Qureshy (Senior Planner), and Denise Jacobo (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1:** Minutes of the regular Planning Commission Meeting of January 19, 2009.

**ACTION:** Motion made (Fitzgerald) and seconded (Conway) to approve the Minutes of the regular Planning Commission Meeting of January 19, 2009. Motion carried 4-0. (AYES: Conway, Dec, Denton, Fitzgerald NOES: None ABSENT: None ABSTAIN: None)

**B. PUBLIC COMMENTS**

**Mary Jeffries** (Dana Point) described a monument from Shelter Island in San Diego that fosters relaxation with a water fountain that's "earthy and Zen-like." She suggested that the Architect be considered for future work on upcoming projects in Dana Point; and she offered to provide the City his contact information.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

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

---

February 2, 2009  
7:00 – 10:02 p.m.

PAGE 2

---

**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.

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

---

February 2, 2009  
7:00 – 10:02 p.m.

PAGE 3

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.

There were fourteen (14) requests to speak on this item.

**Chairman Denton recessed the meeting at 9:03 p.m.**

**Chairman Denton reconvened the meeting at 9:14 p.m.**

**ACTION:** Motion made (Conway) and seconded (Fitzgerald) to continue this item to the regular Planning Commission meeting of April 6, 2009 to allow staff time to conduct further review of the project based on the Commission's direction. Motion carried 4-0. (AYES: Conway, Dec, Denton, Fitzgerald **NOES:** None **ABSENT:** None **ABSTAIN:** None)

**E. NEW BUSINESS**

There was no New Business.

**F. STAFF REPORTS**

There were no Staff Reports.

**G. COMMISSIONER COMMENTS**

There were no Commissioner Comments.

**H. ADJOURNMENT**

**Chairman Denton** announced that 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.

**The meeting adjourned at 10:02 p.m.**