

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

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April 6, 2009  
7:00 – 9:17 p.m.

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

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

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

**ROLL CALL**

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

**Staff Present:** Kyle Butterwick (Director of Community Development), 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 March 16, 2009.**

**ACTION:** **Motion made (Fitzgerald) and seconded (Conway) to approve the Minutes of the regular Planning Commission Meeting of March 16, 2009. Motion carried 4-0. (AYES: Conway, Dec, Denton, Fitzgerald NOES: None ABSENT: None ABSTAIN: None)**

**B. PUBLIC COMMENTS**

**Mary Jeffries** (Dana Point) spoke regarding concerns she has with the St. Regis Hotel. She reported the lack of signs for public walkway access on the premises, and the absence of the community conference center for general public use. She advised the Commission to resolve the deficiencies before granting the developer any permits to build.

**Kyle Butterwick** (Director) recommended that Ms. Jeffries provide him with a written letter to investigate and follow up accordingly.

**C. CONSENT CALENDER**

There were no items on the Consent Calendar.

**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. (Continued from the regular Planning Commission meeting of February 2, 2009)**

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 proposal also involves 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 Chapter 9.13 – Mixed Use District of the Zoning Ordinance.

Environmental: The City conducted an environmental review of the proposal 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 concludes that, with the implementation of the mitigation measures, project-related impacts would be reduced to less than significant levels, in accordance with CEQA requirements.

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

There were twelve (12) requests to speak on this item.

**Chairman Denton recessed the meeting at 8:32 p.m. and reconvened the meeting at 8:40 p.m.**

**ACTION:** Motion made (Denton) and seconded (Fitzgerald) to continue this item to the regular Planning Commission meeting of May 4, 2009 to allow staff time to research additional issues 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 were no New Business items.

**F. STAFF REPORTS**

**Kyle Butterwick** (Director) gave several updates:

- The City has received the State's Certification on the City's Draft Housing Element. Staff is preparing the Environmental documentation for public review and circulation. It is anticipated that staff will present a General Plan Amendment in conjunction with the newly proposed Housing Element to the Commission in May 2009.
- The Harbor Revitalization Plan appears that it will be scheduled in June to go before the California Coastal Commission in Marina Del Rey.

**Todd Litfin** (Assistant City Attorney) noted that the State certified Housing Element would provide legal protection from housing-related lawsuits.

**G. COMMISSIONER COMMENTS**

**Commissioner Fitzgerald** reported that she attended the Town Center meeting and it was nice to see that it was very well attended.

**Chairman Denton** reported that he also attended the Town Center meeting stating that it was a good turnout. He noted that this is a classic case of the Citizens coming together.

H. **ADJOURNMENT**

**Chairman Denton** announced that the *next regular* meeting of the Planning Commission will be held on Monday, April 20, 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 9:17 p.m.**

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