

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

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May 13, 2013  
6:00 – 7:53 p.m.

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

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

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

**Commissioner Whittaker** requested a moment of silence in honor of fallen U.S. Army Soldier, Specialist Brandon J. Prescott, who lost his life in the line of duty on May 4<sup>th</sup> in Afghanistan.

**ROLL CALL**

Commissioners Present: Vice-Chairwoman Liz Claus, Commissioner Denton, Chairman Gary Newkirk, Commissioner April O'Connor, and Commissioner Susan Whittaker

Staff Present: Ursula Luna-Reynosa (Director), John Tilton (City Architect/Planning Manager), Jennifer Farrell (Deputy City Attorney), Kurth Nelson (Senior Planner), Saima Qureshy (Senior Planner), Erica Demkowicz (Senior Planner), Jason Geldert (Sr. Civil Engineer), Denise Jacobo (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1: Minutes of the regular Planning Commission Meeting of April 22, 2013.**

**ACTION: Motion made (Denton) and seconded (Claus) to approve the Minutes of the regular Planning Commission Meeting of April 22, 2013. Motion carried 5-0.** (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None )

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**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**D. PUBLIC HEARINGS**

**ITEM 2: Conditional Use Permit CUP13-0002 and Minor Site Development Permit SDP03-60(M)(I) to locate private recreational use structures in the open space portion of a 14.66 acre vacant lot with an associated request to amend a previously approved Minor Site Development Permit for retaining walls and the relocation of proposed structures within the property at 32354 Caribbean Drive.**

Applicant: Black Swan Advisors  
Owner: Caribbean Dana Point Investors, LLC  
Location: 32354 Caribbean Drive

Request: A Conditional Use Permit to locate private recreational use structures in the Open Space portion of a 14.66 acre vacant lot with an associated request to amend a previously approved Minor Site Development Permit for retaining walls and the relocation of proposed structures within the Residential Single Family 2 portion of the same lot.

Environmental: A Mitigated Negative Declaration (MND) was prepared for and approved by the Planning Commission at a hearing during their July 6, 2005, meeting.

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Conditional Use Permit CUP13-0002 & Minor Site Development Permit SDP03-60(M)(I).

There were six (6) requests to speak on this item.

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**ACTION:** Motion made (O'Connor) and seconded (Denton) to adopt Resolution No. 13-05-13-07 approving Coastal Use Permit CUP13-0002 and Minor Site Development Permit SDP03-60(M)(I) to locate private recreational use structures in the Open Space Zoned portion of a 14.66 acre vacant lot with an associated request to amend a previously approved Minor Site Development Permit for retaining walls and the relocation of proposed structures within the property at 32354 Caribbean Drive, with modifications to Condition 8. Motion carried 4-1. (AYES: Claus, Denton, Newkirk, O'Connor NOES: Whittaker ABSENT: None ABSTAIN: None)

**ITEM 3:** Coastal Development Permit CDP13-0002 and Site Development Permit SDP13-0001 to demolish existing structures on two adjoining lots, and a corresponding lot line adjustment to allow construction of a new, two-story, single-family dwelling with attached garage space, and a two-story, detached accessory structure and six (6) foot high wall in the front yard at 35475 and 35481 Beach Road.

Applicant: Smith Brothers Construction  
Owner: Muller-Aloha LLC  
Location: 35475 and 35481 Beach Road

Request: Approval of Coastal and Site Development Permits to demolish existing structures on separate adjoining lots, and a corresponding lot line adjustment allowing the construction of a new single-family dwelling and detached accessory structure and related exterior improvements on the merged lots located in the City's Floodplain 3 (FP-3) and Coastal Overlay Districts.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorically Exempt per Section 15303 (a) (Class 3 – New Construction or Conversion of Small Structures) since the project involves the construction of one single-family residence and an associated detached accessory structure.

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP13-0002 and Site Development Permit SDP13-0001.

There was one (1) request to speak on this item.

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**ACTION:**     Motion made (Claus) and seconded (Denton) to adopt Resolution No. 13-05-13-08 approving Coastal Development Permit CDP13-0002 and Minor Site Development Permit SDP13-0001 to demolish existing structures on two adjoining lots, and a corresponding lot line adjustment to allow construction of a new, two-story, single-family dwelling with attached, garage space, and a two-story, detached accessory structure and six (6) foot high wall in the front yard at 35475 and 35481 Beach Road. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

**ITEM 4:**     Site Development Permit SDP12-0020 and Tentative Tract Map TTM17493 to amend the previously approved project SDP91-07/TTM14589 to allow a for new lot configuration, and architectural design for six residential units/ three duplex buildings on Lot 13 of Tract 14589 within the Monarch Beach Resort Specific Plan Area.

Applicant/

Property Owner:     Michael Gagnet/ City Ventures Home Building LLC

Location:             Current golf course maintenance facility located on the west side of Niguel Road; Lot 13 of Tract 14589

Request:             Approval of Site Development Permit SDP12-0020 and Tentative Tract Map TTM17493 to amend the previously approved lot configuration and architectural design of residential units for Lot 13 of Tract Map 14589.

Environmental:     A Mitigated Negative Declaration (SCH No. 91121010) was prepared in accordance with Section 15070 of the California Environmental Quality Act (CEQA) for the Monarch Beach Resort Specific Plan as adopted by City Council Resolution No. 92-02-25-2

Recommendation:     That the Planning Commission adopt the attached draft resolution approving Site Development Permit SDP12-0020 and Tentative Tract Map TTM17493.

There was one (1) request to speak on this item.

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**ACTION:**     Motion made (Claus) and seconded (Denton) to adopt Resolution No. 13-05-13-09 approving Site Development Permit SDP12-0020 and Tentative Tract Map TTM 17493 to amend previously approved SDP91-07/TTM14589 to allow for a new lot configuration, and architectural design for six residential units/ three duplex buildings on Lot 13 of Tract 14589 in the Monarch Beach Resort Specific Plan Area. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker 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**

**Commissioner O'Connor** reported that she attended the Bike Race and felt that it was a great event for the community.

**Chairman Newkirk** reported that he attended the Bike Event stating that the race was good.

**H.     ADJOURNMENT**

**Chairman Newkirk** announced that the *next* meeting of the Planning Commission will be held on Monday, June 10, 2013, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

**The meeting adjourned at 7:53 p.m.**