

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

December 9, 2013
6:00 – 9:45 p.m.

Dana Point Community Center
34052 Del Obispo
Dana Point, CA 92629

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

PLEDGE OF ALLEGIANCE – Commissioner Denton led the Pledge of Allegiance.

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), Mark Sutton (Building Official), Brad Fowler (Director of Public Works), Matt Sinacori (City Engineer), Matt Kunk (Senior Civil Engineer), Patrick Munoz (City Attorney), Jennifer Farrell (Assistant City Attorney), Erica Demkowicz (Senior Planner), Kurth Nelson (Senior Planner), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of November 18, 2013.

ACTION: Motion made (Denton) and seconded (Claus) to approve the Minutes of the regular Planning Commission Meeting of November 18, 2013.
Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker
NOES: None ABSENT: None ABSTAIN: None)

B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

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Chairman Newkirk announced that items were going to be taken out of order this evening. (Rearranged to hear Item #3 before Item #2.)

D. PUBLIC HEARINGS

ITEM 3: Coastal Development Permit CDP09-0004, to construct a three story, mixed-use structure with ground floor retail and restaurant space located below two residential stories containing 18 dwelling units, and three levels of enclosed parking within the structure envelope with Vesting Tentative Tract Map VTTM 17317 to allow for the sale of the dwelling units as condominiums, and Site Development Permit SDP09-0008 to allow mechanical equipment chimneys to exceed the height limit at 24622 Del Prado.

Applicant/

Property Owner: Mam Socal, Inc./Advent Dana Point, LLC

Location: 24622 Del Prado

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Vesting Tentative Tract Map VTTM 17317, Coastal Development Permit CDP09-0004, and Site Development Permit SDP09-0008.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15332 (Class 32) – In-fill Development Projects)

Request: Approval of Coastal Development Permit to develop a vacant parcel with a three story, mixed-use structure featuring retail and restaurant space located below two residential stories with 18 dwelling units, and three levels of enclosed parking within the structure envelope. A Vesting Tentative Tract Map is requested to allow for the sale of the dwelling units as condominiums, and a Site Development Permit is requested to allow mechanical equipment chimneys to exceed the height limit.

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

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ACTION: Motion made (Denton) and seconded (Claus) to adopt Resolution No. 13-12-09-28 approving Coastal Development Permit CDP09-0004, to construct a three story, mixed-use structure with ground floor retail and restaurant space located below two residential stories containing 18 dwelling units, and three levels of enclosed parking within the structure envelope with Vesting Tentative Tract Map VTTM 17317 to allow for the sale of the dwelling units as condominiums, and Site Development Permit . Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

Commissioner Denton cited a potential conflict of interest as a result of an obscure FPPC rule and unbeknownst until recently, his Homeowners Association owns some common property that is within close proximity of the project (Item 2), recused himself from the remainder of the proceedings related to this item and left the meeting at 7:00 p.m.

ITEM 2: Coastal Development Permit CDP09-0011, Variance 09-0003, Conditional Use Permit CUP09-0009 and Site Development Permit SDP 09-0032 to allow for the demolition of the existing structures and the construction of a new 248,850 square foot hotel with 258 rooms that exceeds the maximum building height limit and deviates from some of the required building setbacks and to allow for an alternative to the off-street parking regulations through implementation of a shared parking program in conjunction with the proposed hotel.

Applicant/

Property Owner: Michael Draz/Beverly Hills Hospitality Group

Location: 25325 Dana Point Harbor Drive, 34297 and 34293 Pacific Coast Highway

Recommendation: That the Planning Commission hold a public hearing and continue the public hearing to the meeting of February 10, 2014.

Environmental: An Environmental Impact Report (EIR) has been prepared in accordance with Section 15081 of the California Environmental Quality Act (CEQA) for the project for the Commission's review. The EIR was circulated on July 24, 2013 to the County Clerk, general public and the State Clearinghouse for 45 days. The review period ended on September 6, 2013.

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There were twenty (20) requests to speak on this item.

ACTION: Motion made (O'Connor) and seconded (Claus) to continue the item to the regular Planning Commission meeting February 10, 2014. Motion carried 4-0-1. (AYES: Claus, Newkirk, O'Connor, Whittaker
NOES: None ABSENT: Denton ABSTAIN: None)

E. NEW BUSINESS

There were no New Business items.

F. STAFF REPORTS

There were no Staff Reports.

G. COMMISSIONER COMMENTS

There were no Commissioner Comments.

H. ADJOURNMENT

Chairman Newkirk announced that the December 23, 2013 meeting of the Planning Commission has been cancelled due to the Christmas Holiday. The next regular meeting of the Planning Commission will be held on Monday, January 13, 2014, 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 9:45 p.m.

THESE PROCEEDINGS WERE RECORDED AND A COPY OF THE TAPE IS ON FILE WITH THE CITY OF DANA POINT PLANNING DIVISION.