## CITY OF DANA POINT PLANNING COMMISSION AGENDA REPORT

DATE:

**SEPTEMBER 8, 2014** 

TO:

DANA POINT PLANNING COMMISSION

FROM:

URSULA LUNA-REYNOSA, DIRECTOR OF COMMUNITY DEVELOPMENT

ERICA H. DEMKOWICZ, AICP SENIOR PLANNER

SUBJECT:

COASTAL DEVELOPMENT PERMIT CDP14-0017 FOR THE INSTALLATION

OF PAY STATIONS AT SALT CREEK BEACH PARKING LOT AT STRANDS BEACH WITHIN THE COMMUNITY FACILITIES (CF) DISTRICT AT 34111

**SELVA ROAD** 

**RECOMMENDATION**: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP14-0017.

APPLICANT/OWNER:

County of Orange, Parks Department

**REQUEST:** 

A Coastal Development Permit for the installation of pay stations. The application includes the installation of a total of eight (8) individual pay stations that will be situated within the landscape areas of the existing

parking lot.

LOCATION:

34111 Selva Road

NOTICE:

Notices were mailed to property owners within 500 feet and occupants

within 100 feet of the site.

**ENVIRONMENTAL:** 

Pursuant to the California Environmental Quality Act (CEQA), the

project is found to be Categorically Exempt per Section 15311 (b)

(Class 11 - Accessory Structures).

## **ISSUES:**

- 1. Project consistency with the Dana Point General Plan, Zoning Ordinance, and Local Coastal Program.
- 2. Project satisfaction of all findings required pursuant to the Zoning Ordinance for the approval of a Coastal Development Permit.
- 3. Project compatibility with and enhancement to the site and surrounding neighborhood.

#### **BACKGROUND:**

The Salt Creek Beach Parking lot was originally constructed in the 1970's, prior to the Coastal Act. The lot encompasses 332,798 square feet and contains a total of 463 parking spaces as well as one restroom facility.

### **DISCUSSION:**

The proposed project involves the installation of eight (8) automated pay stations within the existing Selva Road parking lot serving the Strand Beach section of Salt Creek Beach County Park. The pay stations would be located within the existing landscaped medians within the existing parking lot (Supporting Document 2). Seven of the eight pay stations will be located upon pre-existing small concrete foundation pads. An additional concrete pad will be poured for the eighth pay station located near the Veteran's Memorial (Supporting Document 3). No parking stalls will be eliminated as a result of the installation of the equipment.

The installation of the equipment would result in a change of management of the lot from free to paid parking. The proposed use, a pay-and-display parking lot is similar to two other beach parking lots operated by the County of Orange within the City of Dana Point. These include Capistrano Beach County Park and Dana Point Harbor (Puerto Place lot). A pay-and-display system also already exists at a third County-operated beach parking lot - the Salt Creek Beach Parking Lot adjacent to Ritz Carlton Drive. The charging of fees at County beach locations is authorized by Orange County Codified Ordinance Section 2-5-16 and by Board of Supervisors Resolution No. 13-084. The existing hours of operation for the Salt Creek Beach Parking Lot above Strands Beach are from 5:00 am to 12:00 am and will remain unchanged. The fee for parking would be consistent with the Board approved fee schedule of \$1.00 per hour. According to the County, the fee will provide revenue for OC Parks to partially offset the costs of maintaining the parking lot and beach (Supporting Document 4).

## **COASTAL DEVELOPMENT PERMIT:**

The project is located within the Appeals Jurisdiction of the Coastal Overlay District and requires a Coastal Development Permit. Section 9.69.070 of the Dana Point Zoning Code establishes the findings required to approve a Coastal Development Permit. The proposed project will have no effect on the coastal bluffs or public views. The Coastal Overlay District requires review of new development to ensure that the proposed development: 1) will not encroach upon any public access way; 2) will not obstruct any existing public views to and along the coast; 3) will not adversely affect marine resources; 4) will not adversely affect recreational or visitor-serving facilities or coastal scenic resources; 5) will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources; 6) will minimize the alterations of natural landforms; and 7) will be visually compatible with the character of surrounding areas. The project meets the above criteria of the Coastal Overlay District as described in the attached resolution.

As of the date of this report, staff has received no public comments.

### **CONCLUSION:**

The proposed project is consistent with the City of Dana Point General Plan, Zoning Ordinance and Local Coastal Program. Based on the above analysis, Staff recommends that the Planning Commission approve Coastal Development Permit CDP14-0017, allowing for the installation of pay stations Salt Creek Beach Parking Lot at Strands Beach located at 34111 Selva Road.

Erica H. Demkowicz, AICP

Senior Planner

Ursula Luna-Reynosa, Director of Community Development

## **ACTION DOCUMENTS:**

1. Draft PC Resolution #14-09-08-XX

## **SUPPORTING DOCUMENTS:**

- 2. Exhibit "A" Proposed Pay Station Colored Site Plan
- 3. Exhibit "B" Proposed Pay Station Site Plan
- 4. Exhibit "C" Proposed Pay Station Information & Description
- 5. Aerial View of Salt Creek Beach Parking Lot and surrounding properties
- 6. Site Photos
- 7. Grant Deed dated March 27, 1972 transferring title of Selva Road Parking Lot to the County of Orange Harbor District

### **RESOLUTION NO. 14-09-08-xx**



A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP14-0017 TO ALLOW THE INSTALLATION OF PAY STATIONS TO THE EXISTING SALT CREEK BEACH PARKING LOT AT STRANDS BEACH IN THE COMMUNITY FACILITIES (CF) DISTRICT AT 34111 SELVA ROAD

Applicant: Stacy Blackwood/OC Parks

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, the applicant filed a verified application for a Coastal Development Permit for the installation of pay stations to the existing Salt Creek Beach Parking Lot at Strands Beach in the Community Facilities District at 34111 Selva Road; and

WHEREAS, said verified application constitutes a request as provided by Title 9 of the Dana Point Municipal Code; and

WHEREAS, the Planning Commission did, on the 8th day of September, 2014, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Coastal Development Permit CDP14-0017;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows;

- A) The above recitations are true and correct.
- B) Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves Coastal Development Permit CDP14-0017, subject to conditions:
  - That the proposed project is consistent with the Dana Point General Plan and Local Coastal Program in that the site's General Plan designation is "Community Facilities" and the installation of pay stations within the existing parking lot is consistent with this designation as well as other County-operated parking lots within the City of Dana Point (i.e. Puerto Place lot within the County of Orange Harbor, Capistrano Beach County Park and Salt Creek Beach Parking lot adjacent to the Ritz Carlton Hotel).



- 2) That the proposed development is located between the nearest public roadway and the sea or shoreline of any body of water, and is in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act in that the proposed development would minimally impact public access and public recreation opportunities.
- That the proposed development conforms with Public Resources Code Section 21000 (the California Environmental Quality Act) in that the project qualifies for a Categorical Exemption pursuant to Section 15311, Class 11 Accessory Structures.
- That the proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in an adopted Local Coastal Program Land Use Plan, nor will it obstruct any existing public views to and along the coast from any public road or from a recreational area in that the proposed project is for the installation of pay stations within the existing parking lot. There will be no impact on public accessways or public views to and along the coast.
- 5) That the proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources in that the proposed installation of pay stations within the existing parking lot will not have any adverse impacts to sensitive habitats.
- That the proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards in that the proposed installation of pay stations will not involve any alterations to natural landforms.
- 7) That the proposed development will be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas in that the proposed installation of pay stations will located on existing concrete pad foundations within the existing landscaped medians of the parking lot. One additional pad foundation will be added to accommodate the eighth pay station; however all of the stations will be compatible with the surrounding character of the existing parking lot. The look of the pay stations will not visually degrade the area or surrounding properties.





8) That the proposed use demonstrates unusually high quality, character and/or exhibits characteristics which are highly consistent with community objectives as stated in a specific General Plan goal(s) or policy(ies) more specifically Land Use Element Policy 4.3 which states "Public access, which shall be conspicuously posted, and public recreational opportunities, shall be provided to the maximum extent possible for all the people to the coastal zone area and shoreline consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse".

### **Conditions:**

#### A. General:

- Approval of this application is to allow the installation of eight (8) automated pay stations within the landscaped medians of Salt Creek Beach Parking Lot located at 34111 Selva Road. The pay stations will be situated on existing or new concrete foundation pads. Subsequent submittals for this project shall be in substantial compliance with the plans presented to the Planning Commission, and in compliance with the applicable provisions of the Dana Point General Plan, the Local Coastal Program, and the Dana Point Zoning Ordinance.
- 2. Approval of this application is valid for a period of twenty-four (24) months from the date of determination. If the use approved by this action is not commenced within such period of time, the application shall be terminated and shall thereafter be null and void.
- 3. The application is approved as a plan for the location and design of the uses, structures, features, and materials, shown on the approved plans. Any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director of Community Development determines that the proposed change complies with the provisions and the spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved plans, he may approve the amendment without requiring a new public hearing.





- 4. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.
- 5. The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the City, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the City, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the City's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.

The applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its offers, employees, or agents arising out of or resulting from the negligence of the applicant or the applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the City's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.

The applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation.

- 6. The applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.
- 7. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions.
- 8. All grading and drainage (if necessary) shall be in compliance with the City of Dana Point Standards. The applicant shall complete and sign a Grading Exemption Acknowledgement form prior to issuance of building permits.





- 9. During the construction phase, all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into coastal waters.
- 10. The site shall be posted with signage indicating that construction or staging activities shall not commence before 7 a.m. and must cease by 8 p.m., Monday through Friday, with grading activities allowed from 7 a.m. to 5:00 p.m., Monday through Friday, and no construction activity of any kind is permitted on Saturdays, Sundays or Federal holidays.
- 11. The applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The applicant shall provide erosion control measures and shall construct temporary desiltation/detention basins of a type, size and location as approved by the Director of Public Works. The basins and erosion control measures shall be shown and specified on the grading plan and shall be constructed to the satisfaction of the Director of Public Works prior to the start of any other grading operations. Prior to the removal of any basins or erosion control devices so constructed, the area served shall be protected by additional drainage facilities, slope erosion control measures and other methods as may be required by the Director of Public Works. The applicant shall maintain the temporary basins and erosion control devices until the Director of Public Works approves of the removal of said facilities.
- 12. Building materials, unlicensed vehicles, portable toilets, and similar items shall not be placed in the public right-of-way.



# PLANNING COMMISSION RESOLUTION NO. 14-09-08-xx CDP14-0017 PAGE 6

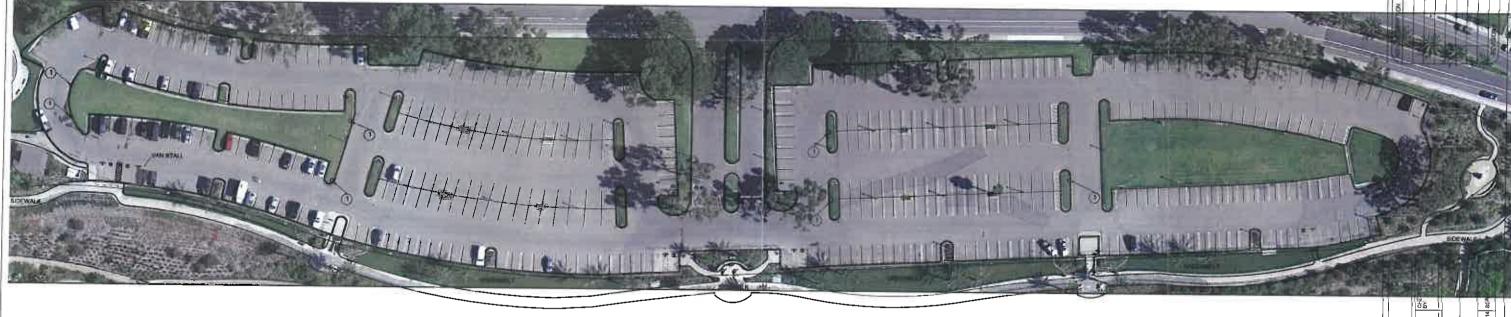


PASSED, APPROVED, Planning Commission of the City of September 2014, by the following vote,	Dana Poi	OPTED at a nt, California,	regular held on	meeting this 8 <sup>th</sup>	of the day of
AYES:					
NOES:					
ABSENT:					
ABSTAIN:					
ATTEST:				us, Chair ing Com	
Ursula Luna-Reynosa, Director Community Development Department					



EXHIBIT "A"





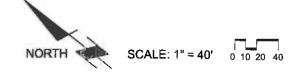
## RECEIVED

JUL 08 2014

CITY OF DANA POINT COMMUNITY DEVELOPMENT DEPARTMENT

CONSTRUCTION NOTES

1) INSTALL PAY-MACHINE



34111 SELVA ROAD DANA POINT, CA 92629 PROPOSED
PAY-STATIONS
AT SALT CREEK BEACH
SELVA PARKING LOT Sheet Reference Number **EXHIBIT A** 

**SCparks** 

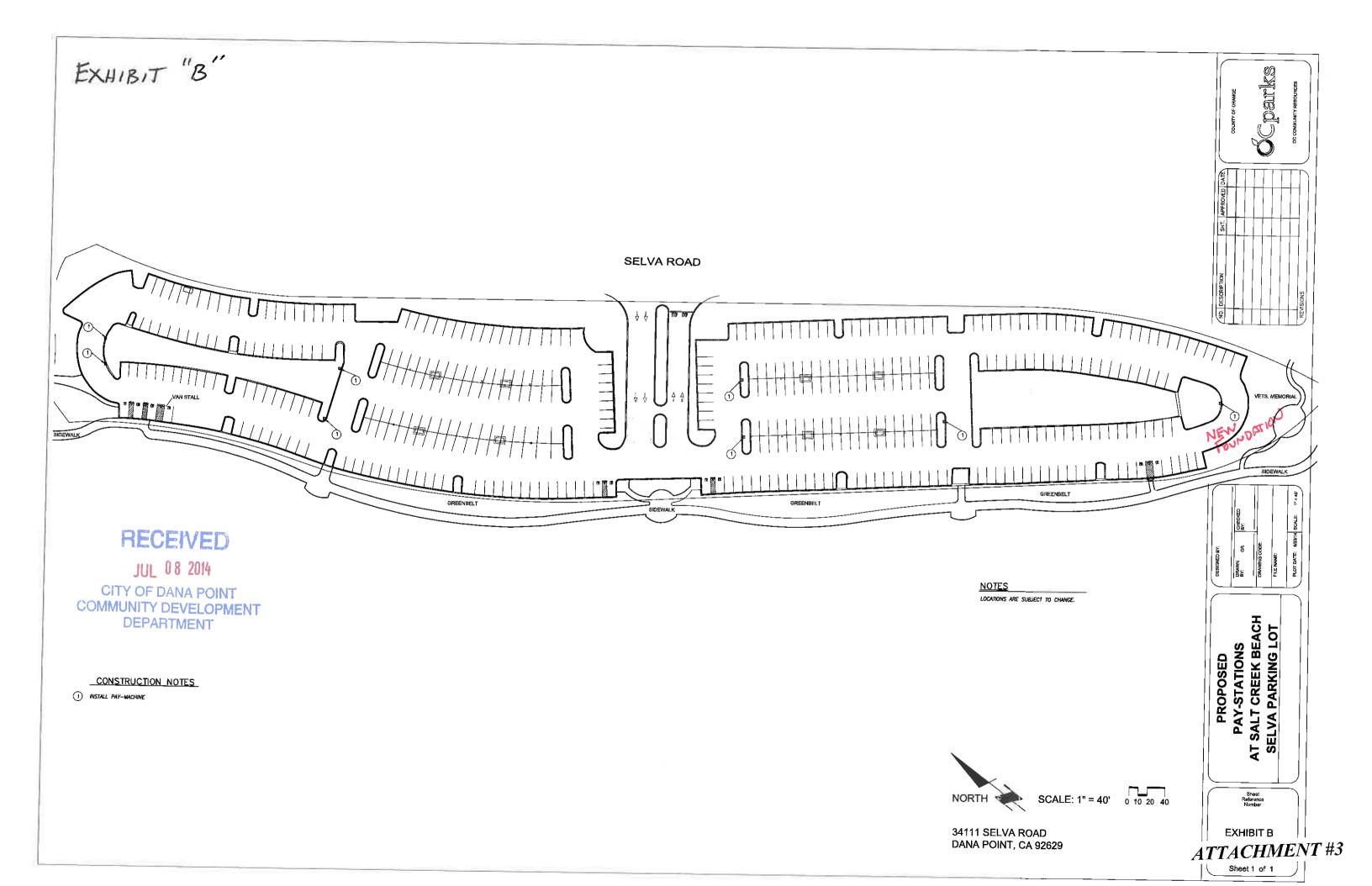


EXHIBIT "C"

## 2013 venSTATION Automated Pay Station

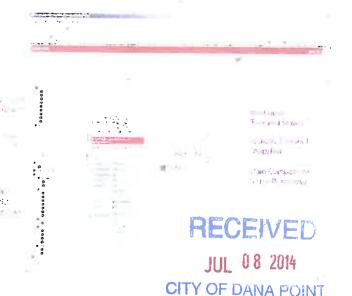
## introducing A Compact And Cutting Edge Pay Station

The 2013 venSTATION incorporates The Latest in Automated Pay Station Technology



- Pay & Display/Pay By Space And Gate Applications
- 1000 Capacity Bill Validator W/Locking Cassette
- High Speed Thermal Printer
- Large Graphical Display
- Coin Acceptor/U.S. N.D.Q & \$1 Coin
- Cell Phone Payment Capable
- Hand Held Ticket Writing Interface
- ADA Compliant
- PCI-DSS Level 1 Certified
- Fastest Transaction Time On The Market (Based On Independent Study)
- Electronic Coupon Access-Keypad Or Card
- Manufactured In California, USA
- Web-Based Online Host Software
- Multi-Lingual
- AC Or Optional Solar Power
- Optional Bills Back In Change
- Pay On Foot Capable
- High Security Cabinet With Anti-Rust Under Coat

Each pay station is accessible via a web-based Internet accessible host software called "venVUE ®". Using venVUE® a revenue network can be monitored in real-time and from remote locations at any time day or night.



COMMUNITY DEVELOPMENT
DEPARTMENT

venVUE® provides a window into the network of meters via the Central Control Unit (CCU) and the system database. With venVUE® users can view status and transactional data in real-time, render reports to support audits and generate an array of statistical data.

# EXHIBIT "C" (CONTINUED)

All transactional and statistical data is uploaded to the CCU in real-time. This provides a second level of audit control for revenue collected at each terminal, as-well-as a much more extensive suite of audit and reconciliation reporting from venVUE®. All transaction detail is automatically uploaded to the CCU and is instantly available through a number of standard reports. Each audit period is also automatically closed through the cash collection process. and reports are generated at both the terminal level and through the CCU. Custom reports are available; however the system comes standard with a variety of reports that provide detailed information regarding revenue, enforcement, terminal details, statistics and sales transactions. venVUE® generates all reports in PDF format. Optionally, venVUE® can export any of the existing report data fields into a variety of other file formats.



There are a multitude of installation options including surface mount, in-ground, on islands, walk-up or drive up and security convenient sites near emergency phones, under lighting and near elevator lobbies.



Manufactured In California, USA With Nearly 55 Years Of History In Pay Station Technology. All Technical Support From Right Here In California.



## "Certified" Secure Credit Card Processing.

The venSTATION Pay Station comes from a certified PCI-DSS Level 1 Service Provider. PCI-DSS data security standards have been created in order to help merchant credit card processors prevent credit card fraud hacking and various other security vulnerabilities and threats.

For more information please contact:



PAGIFIC PARTING SYSTEMS, INC.
TOTAL PARKING SOLUTIONS®
(800) 563-7008 TOLL FREE
216 C TECHNOLOGY DRIVE
IRVINE, CA 92618

MADE IN THE USA

**Environmental Setting** 

24.



Aerial view of Selva Parking lot and surrounding properties.

## **Environmental Setting**

23.



Existing restroom structure at North End of parking lot.

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CITY OF DANA POINT COMMUNITY DEVELOPMENT DEPARTMENT

## **Environmental Setting**

## 24. continued



Residential developments to the EAST of Selva Parking lot.



Residential developments to the NORTH of Selva Parking lot

## **Environmental Setting**

## 24. continued



Residential developments to the WEST of Selva Parking lot.



Residential developments to the SOUTH of Selva Parking lot.

## APN ATTACHMENT (1 0 = 4)

21660

FREE

County Dept. of Real Property Services 400, Civic Center Drive Weet: Sonta Ano, Colifornia 92703

## 10052 PAGE 738

RECORDED AT REQUEST OF TITLE INS. & TRUST CO. IN OFFICIAL RECORDS OF DRANGE COUNTY, CALIF.

8:00 AM MAR 27 1972 J. WYDIE CARLYLE, Commity Recorder

TRANSFER TAX S COMPUTED ON FULL VALUE OF PROPERTY CONVEYED.

CORRECTED ON LATE ANTHE FERN FIRMS WID COMPORTABLES RESEARCH AT THE CF OALS.

Project No Project: Percel No.

GA 1018

3.01, 5, 6.01, 7.01, 8.03, 9.01, 10.02

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

AVCO COMMUNITY DEVELOPERS, INC.

do es hereby GRANT to

ORANGE COUNTY HARBOR DISTRICT

the real property in the County of Orange, State of California, described as:

#### Parcel No. GA 1018-3.01 Selva Road Parking Lot

That certain parcel of land, located in the County of Orange, State of California, shown as Parcel No. 1 on a map recorded in Book 40, pages 19 thru 24 inclusive of Parcel Maps in the office of the County Recorder of said County.

## Parcel No. GA 1018-5 Selva Road Access Path

That certain parcel of land, located in the County of Orange, State of California, shown as Parcel No. 2 on a map recorded in Book 40, pages 19 thru 24 inclusive of Parcel Maps in the office of the County Recorder of said County.

Mail Tax Statement to Branco Addings Above

672-09 PAGE 1 OF 2 \* PRIVATE STREET (2 of 4) ATTACHMENT ASSESSOR'S MAP BOOK 672 PAGE 09 COUNTY OF ORANGE 685-24 RICHARD HEWRY DANA ELEMENTARY SCHOOL (6) M.37 AC NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES  $\overline{\sim}$ (88) 22 **\*** å 8 POR. SECS. 15 & 22. T 8 S. R. 4 NO. 11799 30 59 M. M. 504-44 TO 48 INC. M. M. 521-38 TO 41 INC. P. M. 40-19 P. M. 45-35 PROJECT 939-4/ 034-40/ (1) 19.88AC NO. 11985 (694) SEE PAGE 2 7.043 AC. €> (260) TRACT NO 11799 TRACT NO 11985 PARCEL MAP PARCEL MAP 65 <u>ω</u>/ 64 THIS WE WAS PREPARED FOR DORNORE CHARLY ASSESSING FIPE, HIPPOSSS DAY Y THE ASSESSING MAKEN SOUNDAINTEE AN 'TO THE ASSESSING MAKEN STONES AND AT LIBBLITY FOR OTHER DAYS TO BE THE PRODUCED. ALL ARREST FOR THE PRODUCED OF THE PRODUCED. MARCH 1971

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## PARCEL MAP

IN UNINCORPORATED TERRITORY OF ORANGE COUNTY, CALIFORNIA.

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ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE APRIL 12, 1875,
AND A PORTION OF TRACTS 6950 AS PER MAP RECORDED IN BOOK 257, PAGES 38 THRU 40; TRACT
6953 AS PER MAP RECORDED IN BOOK 256, PAGES 25 THRU 29; TRACT 6988 AS PER MAP RECORDED
IN BOOK 265, PAGES 46 THRU 47; TRACT 6990 AS PER MAP RECORDED IN BOOK 266, PAGES 27 THRU 30;
AND TRACT 7203 AS PER MAP RECORDED IN BOOK 282, PAGES! THRU 3, ALL MISCELLANEOUS MAPS,
RECORDS OF SAID COUNTY.

SURVEYOR'S CERTIFICATE
This map was Prapared by Ma or under My
Direction and is Based upon a Field Survey
In Conformaca with the Requirement of the
Subdivision Map Act at the Requirement of County
of Orange in NOV., 1971
I Hereap Certify that all Provisions of
Applicable Store Lew and Lazed Orthogracy
have been Compiled with

BASIS OF BEARING
N43"32'51"W FOR THE CENTERLINE
OF PACIFIC COAST HIGHWAY PER
TRACT 6933,MM 256/25-29,RECORDS
OF ORANGE COUNTY.

MONUMENT NOTE
O SET 2°1.R WITH ALUMINUM CAP
MARKED ORANGE COUNTY SURVEYOR.

NUS MAPS,

COUNTY SURVEYOR'S CERTIFICATE
This may have been exemined tals TM day
of Machine, 1927, for Conformance
with the Requirements of Section 11575 of
the Subdivizion Map Act. DA

L. Mc CONVILLE

the SULL LAND

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