

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

September 22, 2014.
6:02 p.m. – 8:25 p.m.

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

CALL TO ORDER – Chairwoman Claus called the meeting to order.

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

ROLL CALL

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

Staff Present: Ursula Luna-Reynosa (Director), John Tilton (City Architect/Planning Manager), Brad Fowler (Director of Public Works and Engineering Services), Jennifer Farrell (Deputy City Attorney), Saima Qureshy (Senior Planner), Evan Langan (Associate Planner), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: **Minutes of the regular Planning Commission Meeting of September 8, 2014.**

Chairwoman Claus reported that approval of minutes will be available for approval at the October 6, 2014 Planning Commission meeting.

B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

Ursula Luna-Reynosa (Director) recused herself from item #2 stating that she lived within the 500' radius and left the meeting at 6:05 p.m.

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ITEM 2: Minor Conditional Use Permit CUP14-0001(M) to allow the service and sale of alcohol for a period of five consecutive years beginning with calendar year 2015, during the annual outdoor festival known as “Fiesta With Friends” the third weekend of May at 33926 Calle La Primavera (St. Edward the Confessor Catholic Church).

Applicant/Owner: Roman Catholic Bishop of Orange
Location: 33926 Calle La Primavera
 (St. Edward the Confessor Catholic Church)
 APNs 121-251-31 and 682-361-01

Request: To allow the sale and service of alcohol at the “Fiesta with Friends” three-day special event for a period of five consecutive years beginning with calendar year 2015 and ending calendar year 2019.

Environmental: The project is found to be Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15304 (e) (Class 4 - Minor Alterations to Land) in that the scope-of-work proposes a minor temporary use of land having a negligible or no permanent effect on the environment.

Recommendation: That the Planning Commission adopt the Draft Resolution approving Minor Conditional Use Permit CUP14-0001(M).

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

ACTION: Motion made (Denton) and seconded (Newkirk) to adopt Resolution 14-09-22-31 approving Minor Conditional Use Permit CUP14-0001(M) to allow the service and sale of alcohol for a period of five consecutive years beginning with calendar year 2015, during the annual three-day outdoor festival known as “Fiesta With Friends” at 33926 Calle La Primavera (St. Edward the Confessor Catholic Church). Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O’Connor, Whittaker NOES: None ABSENT/RECUSE: None ABSTAIN: None)

Ursula Luna-Reynosa (Director) rejoined the meeting.

ITEM 3: Coastal Development Permit CDP14-0015 and Minor Site Development SDP14-0025(M) to allow the addition of 315 square feet to the first floor and 468 square feet to the second floor, in conjunction with the construction of a new, attached, 216 square foot covered patio, to an

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existing, non-conforming single-family dwelling located at 23571 Verrazanno Bay

Applicant/Owner: Karin & Keith Bremer
Location: 23571 Verrazanno Bay (APN 672-081-06)

Request: Approval of a Coastal Development Permit and Minor Site Development permit for additions to a legal non-conforming, single-family dwelling that will exceed 10 percent of existing square footage, on land located within the City's Coastal Overlay District (the California Coastal Zone) and the Appeals Jurisdiction of the California Coastal Commission.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15301 (e) (Class 1 – Existing Facilities) in that it proposes a nominal increase in square footage to an existing residential dwelling.

Recommendation: That the Planning Commission approve the Draft Resolution approving Coastal Development Permit CDP14-0015 and Minor Site Development Permit SDP14-0025(M).

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

ACTION: **Motion made (O'Connor) and seconded (Denton) to adopt Resolution 14-09-22-32 approving Coastal Development Permit CDP14-0015 and Minor Site Development Permit SDP14-0025(M) to allow the addition of 315 square feet to the first floor and 468 square feet to the second floor, in conjunction with the the construction of a new, attached, 216 square foot covered patio, to an existing, non-conforming single-family dwelling at 23571 Verrazanno Bay . Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)**

ITEM 4: **Conditional Use Permit CUP13-0006 and Site Development Permit SDP13-0013 for a new sanctuary, pre-school and gymnasium including accessory carillon tower, elevator tower and columbarium. the project also includes a shared parking program for on-site uses and the demolition of the existing fellowship hall and the conversion of the current sanctuary to administration offices at Gloria Dei Lutheran Church, located at 33501 Stonehill Drive.**

Applicant/Owner: Gloria Dei Lutheran Church

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Location: 33501 Stonehill Drive

Request: A Conditional Use Permit and Site Development Permit to allow the construction of a new Sanctuary, Gymnasium, Preschool building along with a Carillon Tower, Elevator Tower; conversion of current Sanctuary into administration offices and allowance of a Shared Parking Program. The project also includes the demolition of the existing Fellowship Hall.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorically Exempt per Section 15332 (Class 32 – In-fill Development Projects). CEQA guidelines - Section 15332 “In-fill Development Projects” provides that projects that are in-fill development projects on lots that are 5 acres or less, are surrounded by urban uses, and do not have significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality or Water Quality and can be adequately served by all required utilities and public resources are Categorically Exempt from the provisions of CEQA. The proposed project meets the necessary conditions to qualify for this exemption.

Recommendation: That the Planning Commission adopt the draft Resolution approving Conditional Use Permit CUP13-0006 and Site Development Permit SDP13-0013.

There were ten (10) request to speak on this item.

ACTION: Motion made (Denton) and seconded (Newkirk) to adopt Resolution 14-09-22-33 approving a Conditional Use Permit CUP13-0006 and Site Development Permit SDP13-0013: with the added condition of approval that; if the applicant desired to put a columbarium on the property at a later point in time, a separate Conditional Use Permit would be required; the motion also includes the additional condition of approval that would require the Applicant to work with the Director of Community Development to develop a plan or a schedule of bell ringing that would roughly be limited to services and special occasions and subject to continuing review in case there are any complaints. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

Chairwoman Claus (lives within the 500' radius of the project), recused herself from the following item and left the meeting at 8:10 p.m.

Vice-Chairwoman O'Connor assumed Chairmanship for this segment of the Public Hearing.

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ITEM 5: **Tentative Tract Map TTM 17751, Coastal Development Permit CDP14-0008, Site Development Permit SDP14-0006, Conditional Use Permit CUP14-0005, and Variance V14-0004 to allow the demolition of current structures on subject properties and construction of a new three phased mixed use project featuring 30,000 square feet of retail space on the ground floors and 111 residential condominiums on three levels above, with two levels of subterranean parking, on seven non-contiguous lots at 34135 PCH, 24471 Del Prado, 34129 PCH (Phase 1); 34137 PCH, 24501 Del Prado (Phase 2); and 34155 PCH, 24591 Del Prado (Phase 3) located in the City's Town Center Plan area.** (Continued from the regular Planning Commission meeting of July 14, 2014, August 11, 2014, and September 8, 2014)

Applicant/Owner: Majestic Housing & Development LLC/ Peggy Tabbas
Location: Phase 1: 34135 PCH (APN 682-232-06), 24471 Del Prado (APN 682-232-07), 34129 PCH (APN 682-232-11); Phase 2: 34137 PCH (APN 682-321-01), 24501 Del Prado (682-321-14); Phase 3: 34155 PCH (APN 682-321-07), 24591 Del Prado (APN 682-321-08)

Environmental: Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorically Exempt per Section 15332 (Class 32 – In-fill Development Projects). CEQA guidelines - Section 15332 “In-fill Development Projects” provides that projects that are in-fill development projects on lots that are 5 acres or less, are surrounded by urban uses, and do not have significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality or Water Quality and can be adequately served by all required utilities and public resources are Categorically Exempt from the provisions of CEQA. The proposed project meets the necessary conditions to qualify for this exemption.

Recommendation: That the Planning Commission continue the public hearing to a special meeting of the Planning Commission scheduled for October 6, 2014 at the Dana Point Community Center in the gym located at 34052 Del Obispo, Dana Point, California 92629.

ACTION: **Motion made (Newkirk) and seconded (Whittaker) to continue the Public Hearing to the regular Planning Commission meeting on October 6, 2014 at this location. Motion carried 4-0-1. (AYES: Denton, Newkirk, O'Connor, Whittaker NOES: None RECUSE: Claus ABSTAIN: None)**

Vice-Chairwoman O'Connor recessed the Planning Commission at 8:15 p.m.

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Vice-Chairwoman O'Connor reconvened the Planning Commission at 8:20 p.m. with all members present. Vice-Chairwoman O'Connor handed over the chairmanship of the meeting to Chairwoman Claus who has returned to the meeting.

E. NEW BUSINESS

ITEM 6: Keeping of Chickens in Residential Areas.

Location: City-Wide

Recommendation: That the Planning Commission receive and file the report

Chairwoman Claus received and filed the report.

F. STAFF REPORTS

There were no other Staff Reports.

G. COMMISSIONER COMMENTS

There were no Commissioner Comments.

H. ADJOURNMENT

Chairwoman Claus announced that a special meeting of the Planning Commission will be held on Monday, October 6, 2014, beginning at 6:00 p.m. (or as soon thereafter) in the Dana Point Community Center in the gym located at 34052 Del Obispo, Dana Point, CA. After the special meeting, the Planning Commission will adjourn to their regularly scheduled meeting be held on Monday, October 13, 2014, beginning at 6:00 p.m. (or as soon thereafter) in the Dana Point Community Center in the gym located at 34052 Del Obispo, Dana Point, CA.

The meeting adjourned at 8:25 p.m.