

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

June 15, 2009
7:00 – 8:36 p.m.

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

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

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

ROLL CALL

Commissioners Present: Vice-Chairman Ed Conway, Commissioner Michael Dec, Commissioner Norman Denton, Chairwoman Liz Anderson Fitzgerald, and Commissioner April O'Connor

Staff Present: Kyle Butterwick (Director of Community Development), John Tilton (City Architect/Planning Manager), Jennifer Farrell (Assistant City Attorney), Erica Demkowicz (Senior Planner), Jason Geldert (Senior Civil Engineer), and Denise Jacobo (Planning Secretary)

Chairwoman Fitzgerald disclosed that approximately two years ago, she had spoken to the pastor and the architect about the South Shores Church project.

Commissioner Denton disclosed that he had also spoken to the applicant approximately two years ago.

Vice-Chairman Conway also disclosed that he has had a conversation with the applicant approximately nine months ago.

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of June 1, 2009.

ACTION: Motion made (Denton) and seconded (O'Connor) to approve the Minutes of the regular Planning Commission Meeting of June 1, 2009.
Motion carried 5-0. (AYES: Conway, Denton, Dec, Fitzgerald, O'Connor
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: *(Continued from the regular Planning Commission meeting of June 1, 2009)* General Plan Consistency Analysis GPC09-0002 and Coastal Development Permit CDP07-20 pertaining to conditional vacation of Scenic Drive and alternate capital improvement project.

Recommendation: That the Planning Commission adopt resolutions: 1) finding pursuant to Government Code § 65402 that the conditional vacation of a portion of Scenic Drive is consistent with the City's General Plan; and 2) approving a Coastal Development Permit, CDP 07-20, that allows for the vacation, a related lot line adjustment, and an "Alternate Project" if the conditions of the vacation are not satisfied as discussed in the June 1, 2009 staff report.

Kyle Butterwick (Director) stated that the purpose of the continuance from the last meeting was to allow the property owners time to review particular details of the CC&R's and other elements. Staff recommends a continuance to the next regularly scheduled meeting of July 6, 2009 in order to allow for additional review time.

ACTION: Motion made (O'Connor) and seconded (Denton) to continue this item to the next regular Planning Commission meeting of July 6, 2009.
Motion carried 5-0. (AYES: Conway, Dec, Denton, Fitzgerald, O'Connor
NOES: None ABSENT: None ABSTAIN: None)

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ITEM 3: A Coastal Development Permit CDP04-11 and Site Development Permit SDP04-31 to allow an expansion of the existing South Shores Church by adding a net floor area of 46,817 square feet which includes a preschool/administration building, a Community Life Center (Fellowship Hall/Gymnasium) and two Christian education buildings. upon completion, the Church will encompass a total floor area of 89,362 square feet. A new two-level parking structure will also be constructed in conjunction with the proposed expansion. The parking structure will provide a total of 421 parking spaces. A Conditional Use Permit CUP04-21 to allow a parking management plan is also required in conjunction with the proposed development. The expansion project is proposed to be constructed in phases over a 10-year period. A Mitigated Negative Declaration has been prepared to address the environmental impacts associated with the project.

Applicant/:

Owner South Shores Baptist Church
Location: 32712 Crown Valley Parkway

Request: The applicant is requesting a Coastal Development Permit and Site Development Permit to allow an expansion of the existing church through the addition of a net floor area of 46,817 square feet. The project is proposed to occur in phases over 10 years. The applicant is also requesting a Conditional Use Permit to allow a Parking Management Plan in conjunction with the proposed development. The proposed expansion will include a Preschool/Administration building, a Community Life Center and two Christian Education buildings. A new two-level parking structure for 421 vehicles will also be constructed in conjunction with the proposed expansion.

Environmental: Pursuant to the provisions of the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration was prepared for the development.

Recommendation: That the Planning Commission adopt the attached Draft Resolutions approving the Mitigated Negative Declaration, Coastal Development Permit (CDP04-11), Conditional Use Permit (CUP04-21) and Site Development Permit (SDP04-31).

Kyle Butterwick (Director) gave a brief background on long term phases of the project and introduced the number of consultants who participated in reviewing

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details of the project, e.g. soils and geology, air quality, noise, and a variety of construction impacts. Some of the experts were in attendance to answer questions.

Erica Demkowicz (Senior Planner) presented the staff report.

*There were eighty eight (88) requests to speak on this item. **Mr. Butterwick** (Director) announced that the chamber's maximum seating capacity has been exceeded. He recommended a meeting recess to assemble proper accommodations for all of the meeting attendees.*

Chairwoman Fitzgerald recessed the meeting at 7:50 p.m. and reconvened the meeting at 8:07 p.m.

ACTION: Motion made (Denton) and seconded (Dec) to postpone the public hearing to a larger venue and a time to be determined by the City staff and directed staff to provide proper re-notification. Motion carried 5-0. (AYES: Conway, Dec, Denton, Fitzgerald, O'Connor NOES: None ABSENT: None ABSTAIN: None)

E. NEW BUSINESS

There were no New Business items.

F. STAFF REPORTS

Kyle Butterwick (Director) provided the Commission with several updates:

- The Coastal Commission, at their meeting last Thursday, decided to postpone the Harbor Plan agenda item until the Commission's meeting on October 7-9, in the City of Oceanside.
- The St. Regis Hotel's financial news was disconcerting due to the fact that it is one of the major four resorts in Dana Point. Should a new owner purchase the hotel, there is an expectation that business would remain as usual.
- Staff was able to confirm that a portion of the ground floor office space at the Prudential office building on Coast Highway and Niguel Road is required to be available for public meetings on a reservation system. There was a condition of approval that required the owner of the Prudential office building (not Makar) to provide notification of its availability to the general public. He further noted that the St. Regis Hotel was in compliance with essentially all of

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- their conditions of approval with one exception, i.e. the public's accessibility to the swimming pool; City staff is meeting with the Makar representatives to meet this requirement.
- Unfortunately, two of the three resident Starbuck businesses will be closing their doors, namely the one on Del Prado (which is frustrating for the Town Center Plan) and the one on Coast Highway and Niguel Road. There has been an interest in establishing a business improvement district in Town Center to help generate and provide assistance for merchants to keep businesses successful.

G. COMMISSIONER COMMENTS

Vice-Chairman Conway commended Senior Planner Erica Demkowicz for all her work on the South Shores Church report.

Commissioner O'Connor reported her participation on the "Build-a-Boat" Challenge at the Ocean Institute.

Chairwoman Fitzgerald reported that she attended the California Coastal Commission meeting on June 11, 2009. She also attended the "Build-a-Boat" charity event, and stated she appreciates Ms. Demkowicz's work on the South Shores Church item.

H. ADJOURNMENT

Chairwoman Fitzgerald adjourned the meeting to the *next regular* meeting of the Planning Commission to be held on Monday, July 6, 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 8:36 p.m.

Liz Anderson Fitzgerald, Chairwoman
Planning Commission