

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

July 6, 2009
7:00 – 8:19 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 – John Chaffetz 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 (Deputy City Attorney), Kurth Nelson (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 June 15, 2009.**

ACTION: **Motion made (O'Connor) and seconded (Denton) to approve the Minutes of the regular Planning Commission Meeting of June 15, 2009.**
Motion carried 5-0. (AYES: Conway, Denton, Dec, Fitzgerald, O'Connor
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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D. PUBLIC HEARINGS

- ITEM 2: General Plan Consistency Analysis GPC09-0002 and Coastal Development Permit CDP07-20 pertaining to conditional vacation of Scenic Drive and alternate capital improvement project. (Continued from the regular Planning Commission meetings of June 1 and June 15, 2009)**

Recommendation: That the Planning Commission continue the item to the next regularly scheduled Planning Commission meeting of July 20, 2009.

There were no requests to speak on this item.

ACTION: Motion made (Denton) and seconded (Conway) to continue this item to the next regular Planning Commission meeting of July 20, 2009. Motion carried 5-0. (AYES: Conway, Dec, Denton, Fitzgerald, O'Connor NOES: None ABSENT: None ABSTAIN: None)

- ITEM 3: Coastal Development Permit CDP09-0003 to allow the demolition of an existing single-family residence, and; the construction of a new, two-story, single-family residence at 23772 Salvador Bay Drive.**

<u>Applicant/</u>	Stan Schrofer (Stan Schrofer Architects)
<u>Property Owner:</u>	Dan and Lisa McKenzie
<u>Location:</u>	23772 Salvador Bay Drive (APN 672-131-40)

Request: Approval of Coastal Development Permit CDP09-0003 to allow the demolition of an existing single-family residence; and the construction of a new, two-story, single-family residence at 23772 Salvador Bay Drive.

Environmental: Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Community Development Department has analyzed the subject project. Staff finds the project is Categorically Exempt per Section 15303 (a) (Class 3 – New Construction or Conversion of Small Structures).

Recommendation: Adopt Planning Commission Resolution No. 09-07-06-xx, approving Coastal Development Permit CDP09-0003 for the referenced scope of work.

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

ACTION: Motion made (Denton) and seconded (Fitzgerald) to adopt Resolution 09-07-06-13 to approve Coastal Development Permit CDP09-0003 for the demolition of an existing single-family residence, and; the construction of a new, two-story, single-family residence in the Residential Single-Family 7 (RSF-7) zoning district and Planned Residential Development 3 (PRD-3) overlay district at 23772 Salvador Bay Drive. Motion carried 5-0. (AYES: Conway, Dec, Denton, Fitzgerald, O'Connor NOES: None ABSENT: None ABSTAIN: None)

ITEM 4: Site Development Permit SDP07-15 to allow additions to the Ritz-Carlton Hotel totaling 30,396 square feet along with exterior hardscape, landscape, pool, and guestroom patio area improvements, Variance V07-07 to allow the new additions to be built as high as the existing structure, and Conditional Use Permit CUP98-14(M)(I) to amend the Hotel's existing Shared Parking Program. A Negative Declaration has been prepared for the proposed project.

Applicant/ Donna Jones, Sheppard Mullin (The Ritz-Carlton)
Property Owner: SHC Laguna Niguel I, LLC
Location: 1 Ritz Carlton Drive (APN 672-171-03)

Request: The applicant is requesting a Site Development Permit to allow expansions totaling 30,396 square feet and upgrades including the creation of 27 new guest rooms through the conversion of existing meeting space, infill additions between wings of the hotel, and three new detached casitas, a new meeting space, and improvements to the hotel's exterior hardscape, landscape, pool, and guestroom patio areas. A Variance from the maximum building height regulations is required to allow the new additions to be built as high as the existing structure. A Minor Conditional Use Permit is requested to amend the existing shared parking program.

Environmental: A Negative Declaration (State Clearinghouse No. 2009041125) has been prepared in accordance with the California Environmental Quality Act to address environmental impacts associated with the project.

Recommendation: That the Planning Commission adopt the attached Draft Resolutions (1) approving the project related Negative Declaration and (2) approving SDP07-15, V07-07, and Conditional Use Permit CUP98-14(M)(I).

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There were four (4) requests to speak on this item.

ACTION: Motion made (Denton) and seconded (Conway) to adopt Resolution 09-07-06-14 to approve Negative Declaration for Site Development Permit SDP07-15, Variance V07-07, and Conditional Use Permit CUP98-14(M)(I). Motion carried 5-0. (AYES: Conway, Dec, Denton, Fitzgerald, O'Connor NOES: None ABSENT: None ABSTAIN: None)

ACTION: Motion made (Denton) and seconded (Dec) to adopt Resolution 09-07-06-15 to approve Site Development Permit SDP07-15 for expansions and improvements to the Ritz-Carlton Hotel, Variance V07-07 to allow the new additions to be built as high as the existing structure, and Conditional Use Permit CUP98-14(M)(I) to amend the Hotel's existing Shared Parking Program at 1 Ritz Carlton Drive. 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 City had full crowds who attended the Fourth of July weekend fireworks display in the Dana Point Harbor, everything worked without a hitch.
- The next Public Hearing scheduled for July 20, 2009 will be held at the Dana Point Community Center at 6:00 p.m. in order to accommodate an anticipated level of interest for the continued South Shores Church project. He added that the Scenic Drive project would be first on the agenda.
- He noted that if there was any interest for the Planning Commissioners to schedule a site visit to the South Shores Church premises with City staff, to give him a call. He advised that there would be an arrangement to meet in groups of two.
- Doheny House Litigation – The property owner/developer of the Doheny House has filed a lawsuit against the City. Any contact from the property owner, the press, or any other individuals concerning this project should be referred to the City Attorney's office.

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- He provided a handout on the terms of the St. Regis foreclosure. He indicated that the foreclosure has advanced to a public auction scheduled to be held on Tuesday, July 7, 2009 at 1:00 p.m. in Santa Ana.
- He reported the St. Regis Hotel swimming pool is available to the public but noted that the hotel has factored in a (hefty) daily fee. Staff will be in contact with the hotel to remind them that they need signage on the pool gate indicating that the pool is available to the public.

G. COMMISSIONER COMMENTS

Commissioner Dec complimented John Tilton and Erica Demkowicz on their efficiency with answering questions.

Commissioner Denton thanked the City for another fantastic Fourth of July fireworks show and, based on the fact that other cities have cancelled their events this was an even bigger turnout than in past years.

Vice-Chairman Conway stated that the Fourth of July display in Dana Point was “another day in paradise”.

Chairwoman Fitzgerald reiterated that the Fourth of July display was great and, without a hitch.

H. ADJOURNMENT

Chairwoman Fitzgerald adjourned the meeting to the *next regular* meeting of the Planning Commission to be held on Monday, July 20, 2009, beginning at 6:00 p.m. (or as soon thereafter) in the Dana Point Community Center located at 34052 Del Obispo Street, Dana Point, California.

The meeting adjourned at 8:19 p.m.