

CITY OF DANA POINT

Monday
November 15, 2010
6:00 p.m.



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

PLANNING COMMISSION REGULAR MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL Commissioner Liz Claus, Chairman Ed Conway, Commissioner Norman Denton, Commissioner Gary Newkirk, and Vice-Chairwoman April O'Connor

A. APPROVAL OF MINUTES

ITEM 1: **Minutes of the regular Planning Commission Meeting of November 1, 2010.**

B. PUBLIC COMMENTS

Anyone wishing to address the Planning Commission during the Public Comment section or on an Agenda Item is asked to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the Planning Commission Secretary prior to an individual being heard by the Planning Commission.

Any person wishing to address the Planning Commission on a subject other than those scheduled on the Agenda is requested to do so at this time. In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of 15 minutes for the Public Comments portion of the Agenda. State law prohibits the Planning Commission from taking any action on a specific item unless it appears on the posted Agenda.

C. CONSENT CALENDAR

There are no items on the Consent Calendar.

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D. PUBLIC HEARINGS

ITEM 2: Conditional Use Permit CUP10-0009(M) and Site Development Permit SDP10-0026(M) to allow the establishment of a Type 41 alcohol (beer & wine) license in conjunction with the establishment of a new restaurant ("Burger Shwak"). A Minor Site Development Permit is also required to modify the parking layout for the new use in observance of the previously approved parking demand study. The new restaurant will be located on the corner of Del Prado Avenue and Amber Lantern in the City's Town Center area and will occupy the tenant space formally occupied by Starbuck's Coffee. The subject site is located at 24502 Del Prado Avenue.

Applicant/

Owner: Richard M. Fisher ("Burger Shwak)/Sam Menzelos

Location(s): 24502 Del Prado; APN: 682-191-01

Request: A Minor Conditional Use Permit and Minor Site Development Permit to allow the establishment of a Type 41 alcohol license in conjunction with the establishment of a new restaurant. The parking layout for the site is also being modified in observance of the previously approved parking study.

Environmental: The proposed project qualifies as a Class 3 [Section 15303 (c)] Categorical Exemption pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) – New Construction or Conversion of Small Structures in that the project involves the conversion of an existing commercial tenant space from one use to another.

Recommendation: That the Planning Commission adopt the attached Resolution approving Conditional Use Permit CUP10-0009(M) and Site Development Permit SDP10-0026(M).

E. NEW BUSINESS

There is no New Business.

F. STAFF REPORTS

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G. COMMISSIONER COMMENTS

H. ADJOURNMENT

The *next regular* meeting of the Planning Commission will be held on Monday, December 6, 2010, 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.

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF DANA POINT)

AFFIDAVIT OF POSTING

I, Kyle Butterwick, Community Development Director of the City of Dana Point, do hereby certify that on or before Friday, November 12, 2010, I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, Dana Point Post Office and the Dana Point Library.

Kyle Butterwick, Director
Community Development Department

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3563. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.