

**CITY OF DANA POINT
PLANNING COMMISSION
AGENDA REPORT**

ITEM #4

DATE: AUGUST 11, 2014

TO: DANA POINT PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: 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.

RECOMMENDATION: That the Planning Commission conduct a hearing and study session to review the applicant's proposed changes to the design of the project, provide feedback to the applicant and then continue the hearing to the Planning Commission's regularly scheduled meeting of September 8, 2014.

APPLICANT/ OWNER: Majestic Housing & Development LLC/ Peggy Tabbas

REQUEST: Approval of Tentative Tract Map TTM 17751, Coastal Development Permit CDP14-0008, Site Development Permit SDP14-0006, Conditional Use Permit CUP14-0005 and Variance V14-0004 for the properties located 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) to allow the demolition of current structures on-site and construction of a new mixed use project on seven non-contiguous lots.

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).

NOTICE:

Notices of the Public Hearing were mailed to property owners within a 500-foot radius and occupants within a 100-foot radius on July 30, 2014, published within a newspaper of general circulation on July 31, 2014, and posted on August 1, 2014 at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, Dana Point Library, as well as on the City of Dana Point website.

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.

BACKGROUND / DISCUSSION: The Planning Commission, at its meeting of July 14, 2014, considered the proposed mixed-use project. After presentations from City staff and the applicant and hearing testimony from public speakers, the Commission continued the hearing to today's date to allow the applicant to consider changing to the design of the project design in light of the comments and direction received from the Commission and the public.

Staff is recommending that the Commission receive the presentation from the applicant, conduct a public hearing, provide comments and direction to the applicant as appropriate and continue the hearing to the meeting of September 8, 2014.



Saima Qureshy, AICP
Senior Planner



Ursula Luna-Reynosa
Director of Community Development

ATTACHMENTS:

1. Public Correspondence

DENISE JACOBO

From: Andrea Jones <adjones1@cox.net>
Sent: Wednesday, August 06, 2014 1:31 PM
To: DENISE JACOBO
Cc: 'Peter Macdonald'; tfox2345@aol.com; 'Delbert and Beverly Fisher'; 'Fred McConnell'; 'Juliana Dickinson'
Subject: Comments regarding Majestic Development request for variances

Dear Denise-

As President of The Dana Point Admiralty Homeowners' Association, I am writing to state our Board's strong opposition to the requested height and parking variances by Majestic Development. While we wholeheartedly support the Lantern District general plan we are adamantly opposed to the requested variances.

With homeowners living on Amber Lantern, Santa Clara and Violet Lantern, The Admiralty will be negatively impacted by the requested shared parking for both the retail and condominium proposals. We strongly believe that the insufficient tandem parking and back-in diagonal parking will result in homeowners, retail workers and shoppers opting for street parking, thereby backing up traffic onto arteries including PCH and turning our residential neighborhood into a crowded parking lot where our homeowners and their guests will not be able to park.

Granting the height variance opens the flood gates for additional commercial development that will kill the small town ambiance of Dana Point which currently sets it apart from Laguna Beach and for which many of us chose to live here. As temporary structures such as rooftop patio umbrellas and potted trees will greatly exceed the requested 42" roof deck variance, the beautiful views and gracious lines of our city will be gone forever. Compacted 8' ceilings and maximum density condominium units will devalue properties and eliminate the diverse ambiance of this beautiful residential neighborhood and Dana Point.

The Admiralty HOA strongly opposes granting the requested variances.

Respectfully,

Andrea Jones
President, The Dana Point Admiralty HOA
24552 Santa Clara Ave.
Dana Point

ATTACHMENT #1

Terry Goller
33112 Elisa Dr. DP

August 5, 2014

CITY OF DANA POINT

2014 AUG -6 P 3:10

RECEIVED
CITY CLERK'S DEPARTMENT

Planning Commission
Dana Point, Ca.

Subject: Town Center Projects: Majestic

The Town Center meeting held at the Community Center was less than adequate without the actual voices of the people being heard. The questions read sounded edited by the two speakers and did not cover all the questions and concerns from the community.

My question would be; what happened to the Town Center plans to upgrade the business buildings with a few penthouses on top? We thought the idea was for people to enjoy strolling through the town for shopping with outside eating among greenery. The plans have drastically changed toward more residences, more density, more traffic gridlock, less parking and excessive palms. Is this really Dana Point?

Another question would be addressing our inadequate water situation and how would adding 111 condos be assisting that concern.

We have to remember that Dana Point is a harbor and beach town and Town Center was to compliment that venue. Boris mentioned the hotels were complaining that there wasn't enough to do for their clients. Why would we try to satisfy the wishes of the hotels over our residents? Besides, how would adding 111 condos even be a consideration on that subject. We already have an overload of activities and our calendar filled to the brim.

We need to emphasize the strengths of Dana Point which has always been the water. We need to continue to beautify our city without high rise variances, inadequate parking and turning our city into something it is not. Please do not approve any project that looks more like a Chicago tenement building than our beautiful Dana point.

Sincerely,



Terry Goller

Cc: City Council