

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

DATE: FEBRUARY 12, 2018

TO: DANA POINT PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT
URSULA LUNA-REYNOSA, DIRECTOR
SEAN NICHOLAS, AICP, SENIOR PLANNER

SUBJECT: TIME EXTENSION FOR VESTING TENTATIVE PARCEL MAP VTPM15-0002, TO MERGE TWO LOTS AND TO ALLOW INDIVIDUAL OWNERSHIP OF THE PROJECT'S COMMERCIAL COMPONENT ONLY.

RECOMMENDATION: That the Planning Commission adopt the attached Draft Resolution approving a Time Extension for VTPM15-0002.

APPLICANT/OWNER: M & A Gabae, LP

OWNER'S AGENT: George Ray (GTR Property Development)

REQUEST: Approval of a Time Extension for a Vesting Tentative Parcel Map to merge two lots and to allow individual ownership of the project's commercial units.

LOCATION: 34175 Pacific Coast Highway
Assessor Parcel Numbers (APNs):
682-322-09 and 682-322-10 (two lots)

NOTICE: Notices were posted at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, as well as the Dana Point Library on January 16, 2018.

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). Section 15332 (In-fill Development Projects) of the CEQA Guidelines provides that projects that are in-fill development projects be located on lots that are five acres or less, be surrounded by urban uses, 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. The proposed

project meets the necessary conditions to qualify for this exemption.

BACKGROUND: On February 22, 2016, The Planning Commission approved VTPM15-0002, CDP14-0012, V14-0003, SDP14-0014, and SPP16-0001 for the demolition of an existing 9,376 square foot commercial building and the construction of a new mixed-use building comprising of three-stories with ground-floor commercial and 39 residential dwelling units above. Pursuant to the Planning Commission's standard condition of approval the discretionary permits for the project become void if construction work is not commenced within two years from their date of approval or the applicant is granted a time extension. On January 4, 2018, staff received a request from the applicant seeking a time extension. The applicant is in the plan check process for building permits and needs additional time to complete the building permit review process as well as allow time for the buildings existing tenants to relocate.

DISCUSSION:

With the exception of the entitlement for the Vesting Tentative Parcel Map, all other discretionary permits associated with the project were granted a time extension administratively pursuant to Dana Point Zoning Code (DPZC) Section 9.61.130 on January 10, 2018 (Supporting Document C). However, in accordance with Dana Point Municipal Code Section (DPMC) 7.05.075 time extensions for the Tentative Map must be approved by the Planning Commission in their role as the City's designated Subdivision Committee. The Planning Commission may grant a time extension for a period of up to one year where it finds the extensions will not result in conditions or circumstances contrary to public health, safety or general welfare. Staff have prepared a draft resolution (Supporting Document X) granting a one year extension with the requisite finding.

CORRESPONDENCE: To date, no correspondence has been received regarding this project.

CONCLUSION: The requested time extension is consistent with the required finding and staff recommends the Planning Commission approve the draft Resolution approving the time extension.

Sean Nicholas, AICP
Associate Planner

Ursula Luna-Reynosa, Director
Community Development Department

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 18-02-12-xx

Supporting Documents

2. Vicinity Map
3. Approved administrative time extension of project entitlements
4. Original Planning Commission Staff Report (excerpted)
5. Vesting Tentative Parcel Map VTPM15-0002