



# Agenda for the Regular Meeting of the Laguna Niguel Planning Commission

---

**REGULAR MEETING OF  
DECEMBER 13, 2016 - 7:00 P.M.**

**COUNCIL CHAMBERS  
LAGUNA NIGUEL CITY HALL**

**30111 Crown Valley Parkway  
Laguna Niguel, California 92677**

*WELCOME TO YOUR PLANNING COMMISSION MEETING!*

*Regular meetings are held on the second and fourth Tuesday of each month at 7:00 p.m. in the Council Chambers of City Hall, 30111 Crown Valley Parkway.*

*Any person wishing to address the Planning Commission on any matter, whether or not it appears on this agenda, is required to complete a "Request to Speak" form available on the counter near the door. Please submit the completed form to the Recording Secretary prior to being heard by the Commission. Each individual will be allowed three (3) minutes, unless extended by the Chair. For each separate agenda item, the Chairman may limit the total time for public testimony. No action will be taken on any items not on the agenda, unless the Planning Commission makes a determination that an emergency exists or that there is a need for immediate action and the need to take action came to the attention of the City subsequent to the agenda being posted.*

*If you challenge the proposed action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.*

*By Planning Commission policy, no new agenda items will be commenced after 11:00 p.m. If items remain after that time, they will be automatically continued to the next regularly scheduled meeting of the Planning Commission. Any documents that are provided to the Planning Commission regarding items on this agenda less than 72 hours prior to this meeting will be available for public inspection at the public review table that is located in the reception area on the first floor of City Hall at 30111 Crown Valley Parkway, Laguna Niguel, California 92677, until 5:00 p.m. on the date of the Planning Commission meeting. After 5:00 p.m., the documents will be available at the counter that is located inside the City Council Chambers at 30111 Crown Valley Parkway, Laguna Niguel, California 92677.*

*Thank you for attending your Planning Commission meeting.*

**City Hall  
30111 Crown Valley Parkway  
949/362-4300 Fax 949/362-4340  
[www.cityoflagunaniguel.org](http://www.cityoflagunaniguel.org)**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

[APPROVAL OF MINUTES FOR THE MEETING OF OCTOBER 25, 2016](#)

PUBLIC COMMUNICATIONS

PRESENTATIONS - NONE

NOTICED PUBLIC HEARING ITEMS

1. [AMENDMENT NO. 4 TO SITE DEVELOPMENT PERMIT SP 87-148 \(25471 RANCHO NIGUEL ROAD - REGENCY THEATER AT THE CENTER AT RANCHO NIGUEL\)](#) - **CONTINUED ITEM** - A request to amend The Center at Rancho Niguel Precise-Mix-of-Uses (parking model) to facilitate the reopening of a vacant theater auditorium (Auditorium No. 1) at the Regency Theater that has been closed since 2012. The theater is located at 25471 Rancho Niguel Road in The Center at Rancho Niguel. Based on a parking observation study, the applicant is requesting an increase in the center-wide parking deficit from 272 to 372 spaces (1,361 parking spaces required, 989 spaces provided).

On October 25, 2016, the Planning Commission continued this item to the December 13, 2016 Planning Commission meeting at the request of the applicant. The applicant has indicated that additional time is needed to address questions and concerns raised at the hearing, especially related to traffic circulation associated with the Starbucks Drive-Thru and is requesting a continuance until a future meeting date to be determined.

**Recommended Action:** Staff recommends the Planning Commission continue Amendment No. 4 to Site Development Permit SP 87-148 (25471 Rancho Niguel Road - Regency Theater at The Center at Rancho Niguel) to a future meeting date to be determined and for the item to be re-noticed accordingly.

2. [TIME EXTENSION FOR TENTATIVE PARCEL MAP TPM 93-129 AND MINOR USE PERMIT UP 07-03 \(INCLUDING AMENDMENT NO. 1 TO TENTATIVE PARCEL MAP TPM 93-129 AND MINOR USE PERMIT UP 07-03\) \(O HILL RIDGE SUBDIVISION\)](#) - A request by the property owner for a 12-month time extension until October 16, 2017 to establish the subject Tentative Parcel Map and Minor Use Permit. On October 16, 2007, the Laguna Niguel City Council approved on appeal the subdivision and grading of an undeveloped 52-acre hillside property into four custom single-family estate lots. The development is located within the Bear Brand Ranch residential community, north and east of the terminus of O Hill Ridge, and adjacent to the City of San Juan Capistrano to the east. A subsequent amendment was approved by the Laguna Niguel Planning Commission on September 11, 2012 to modify conditions of approval to remove a prohibition on further subdivision of the property and modify the alignment of open space and limited development easements. The expiration date for the amendment was to coincide with the expiration of Tentative Parcel Map TPM 93-129 and Minor Use Permit UP 07-03.

Pursuant to general extensions for tentative maps passed by the State legislature, the discretionary approvals were set to expire on October 16, 2016. The property owner is requesting the extension to allow additional time to process improvement plans and resolve multi-jurisdictional service issues affecting water, sewer, drainage and access. No changes to the previously approved project are proposed.

**Recommended Action:** Staff recommends the Planning Commission adopt Resolution No. 16-08, approving a 12-month time extension to October 16, 2017 for Tentative Parcel Map TPM 93-129 and Minor Use Permit UP 07-03 (including Amendment No. 1 to Tentative Parcel Map TPM 93-129 and Minor Use Permit UP 07-03), subject to conditions.

## **OTHER BUSINESS - NONE**

## **REPORTS AND COMMENTS**

1. **Community Development Director**
2. **Planning Commission**

## ADMINISTRATIVE APPROVALS

1. **MINOR ADJUSTMENT MA 16-07 (24122 PASEO DEL CAMPO - KUSKE RESIDENCE)** - A request to allow a modification to the maximum fence height standard of 42 inch for a proposed 6-foot tall wall within the front setback of a residential property. Approval of the Minor Adjustment would allow a 10-foot front yard setback for the wall where a 17-foot front yard setback is required. The visibility of the wall from the streetscape is softened and enhanced by the professionally designed landscaping in the front yard. Also notable, there are several other residential properties with similar over-height walls that have been constructed over the years in this particular neighborhood at 10 feet from the front property line.

The project is located at 24122 Paseo Del Campo (Parcel 1 of Lot Line Adjustment LLA 15-01) within the RS-3 Zoning District. The property is generally located southwest of the Niguel Road and Paseo Del Campo intersection. The project qualifies for a categorical exemption from the CEQA under Section 15303, Class 3 (New Small Facilities or Structures), of the CEQA Guidelines. This item was administratively approved on December 9, 2016. The appeal period ends on January 3, 2017.

2. **MINOR ADJUSTMENT MA 16-09 (8 RIVERSTONE - KUREMATSU RESIDENCE)** - A request for a modification to the top of slope setback requirements for accessory structures. Approval of the Minor Adjustment would permit for the construction of a patio deck to extend over the property's rear-yard descending slope by approximately 12 feet. The baseline zoning provisions do not allow structures on slopes. Existing and supplemental slope landscaping would soften the visibility of the structure from surrounding residences. Other residential properties in this neighborhood have similar slope structures that have been constructed over the years, such as patio decks and retaining walls.

The project is located at 8 Riverstone (Parcel 3 of Lot Line Adjustment LLA 83-03) within the RS-2 Zoning District. The property is generally located southeast of the Camino Del Avion and Golden Lantern intersection within the Bear Brand Ranch Community Association, which has approved the project. The project qualifies for a categorical exemption from the CEQA under Section 15303, Class 3 (New Small Facilities or Structures), of the CEQA Guidelines. This item was administratively approved on December 9, 2016. The appeal period ends on January 3, 2017.

## ADJOURNMENT

**LAGUNA NIGUEL PLANNING COMMISSION**

**Chair William J. Kelley, III  
Vice Chair John Mark Jennings  
Commissioner Steve Cienfuegos  
Commissioner Karen Davis Ferlauto  
Commissioner Peter Hersh**

---

E-mail address ..... [info-ln@cityoflagunaniguel.org](mailto:info-ln@cityoflagunaniguel.org)  
Website address ..... [www.cityoflagunaniguel.org](http://www.cityoflagunaniguel.org)

*Americans with Disabilities Act - In compliance with the Americans with Disabilities Act, if you are an individual who requires accommodations to participate in this meeting, please contact the City Clerk’s Office at (949) 362-4300. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.*

*The Council Chambers is wheelchair accessible and disabled parking is available in the City Hall parking lot. Assisted Listening is available in the Council Chambers. To arrange for use of a personal listening device, please contact the City Clerk prior to the meeting.*

**AFFIDAVIT OF POSTING**

**COUNTY OF ORANGE )  
CITY OF LAGUNA NIGUEL )**

I, DALYNN ZAMPINO, COMMUNITY DEVELOPMENT DEPARTMENT SECRETARY OF THE CITY OF LAGUNA NIGUEL, hereby certify, under penalty of perjury, that I caused the posting of this agenda by 5:00 p.m. on December 9, 2016, at City Hall, 30111 Crown Valley Parkway, Crown Valley Community Park, 29751 Crown Valley Parkway, and Sea Country Senior and Community Center, 24602 Aliso Creek Road.

**POSTED BY:** \_\_\_\_\_  
**Dalynn Zampino**  
**Community Development Department Secretary**