



Agenda for the Regular Meeting of the Laguna Niguel Planning Commission

REGULAR MEETING OF
SEPTEMBER 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

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES FOR THE MEETING OF AUGUST 23, 2016

PUBLIC COMMUNICATIONS

CONSENT CALENDAR - NONE

PRESENTATIONS - NONE

NOTICED PUBLIC HEARING ITEMS - NONE

OTHER BUSINESS

1. APPEAL OF DECLARATION OF PUBLIC NUISANCE FOR 23511 CALVERTON CIRCLE MOSHFEGHI RESIDENCE - **OTHER BUSINESS** - On August 5, 2016, the Honorable Jonathan Cannon (retired judge of the Orange County Superior Court), Nuisance Abatement Hearing Officer appointed by the Laguna Niguel City Council, affirmed the Community Development Department's determination that the partially completed residential addition and remodel at 23511 Calverton Circle to constitute a public nuisance and ordered the nuisance to be abated. On August 12, 2016, property owner and builder Mohammad Ali Moshfeghi filed an appeal of the Declaration of Public Nuisance, acknowledging the existence of a nuisance and requesting a time extension of the imposed construction schedule.

Recommended Action: That the Planning Commission adopt Resolution No. 16-06 to uphold the Declaration of Public Nuisance for 23511 Calverton Circle.

REPORTS AND COMMENTS

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

ADMINISTRATIVE APPROVALS

1. **MINOR USE PERMIT UP 16-11 (30012 CROWN VALLEY PARKWAY, SUITE C - ROSETTA COFFEE BREWING COMPANY @ THE CROWN VALLEY CENTER):** A minor use permit request to establish and operate a new “Retail Food” restaurant (Rosetta Coffee Brewing Company) within a vacant 834 square-foot commercial suite (formerly Crown Donuts). The proposed restaurant would offer coffee and pastries and would primarily function as a take-out establishment.

The project is located at 30012 Crown Valley Parkway, Suite C, within The Crown Valley Center commercial center. The suite is generally located northeast of the Crown Valley Parkway and Niguel Road intersection within the “Community Commercial” (CC) Zoning District.

The project qualifies for a categorical exemption from the California Environmental Quality Act (CEQA) under Section 15301, Class 1 (Existing Facilities), of the CEQA Guidelines. This item was administratively approved on August 30, 2016. The appeal period ends on September 14, 2016.

2. **MINOR USE PERMIT UP 16-07 AND AMENDMENT NO. 3 TO MA 08-04 (- 27981 GREENFIELD DRIVE, SUITE J - TOKYO JOE’S @ THE CENTER AT RANCHO NIGUEL) -** A minor use permit request to establish and operate a new “Category I Restaurant” (Tokyo Joe’s) within a vacant 2,700 square-foot commercial suite (formerly Ichibiri Restaurant). The proposed restaurant would offer fast casual Asian-inspired food in a modern, upscale atmosphere. The project also includes a site development permit amendment to modify the center’s approved Precise Mix-of-Uses (parking model) to amend the required parking for the subject tenant space to account for the addition of an approximately 394 square-foot outdoor patio located along the frontage of the tenant suite. Staff parking counts during peak parking times at the Center at Rancho Niguel indicate that the existing parking supply would be adequate to meet the parking demand of the center’s specific mix of uses, including accounting for the parking requirements for the proposed project.

The project is located at 27981 Greenfield Drive, Suite J, within The Center at Rancho Niguel commercial center. The center is generally located northwest of the Rancho Niguel Road and Greenfield Drive intersection within the “Community Commercial” (CC) Zoning District.

The project qualifies for a categorical exemption from the California Environmental Quality Act (CEQA) under Section 15301, Class 1 (Existing Facilities), of the CEQA Guidelines. This item was administratively approved on September 6, 2016. The appeal period ends on September 21, 2016.

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
Website address 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 September 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