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**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

June 12, 2007  
7:00-7:34 p.m.

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

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**CALL TO ORDER** – Chairwoman Fitzgerald called the meeting to order.

**PLEDGE OF ALLEGIANCE** – Commissioner Denton led the Pledge of Allegiance.

**ROLL CALL**

Commissioners Present: Commissioner Michelle Brough, Commissioner Ed Conway, Chairwoman Liz Anderson Fitzgerald, Vice-Chairman Norman Denton, and Commissioner J. Scott Schoeffel, and Alternate Commissioner Michael Dec

Staff Present: Kyle Butterwick (Director of Community Development), John Tilton (City Architect/Planning Manager), Todd Litfin (Assistant City Attorney), Saima Qureshy (Senior Planner), Matthew Schneider (Associate Planner), and Denise Rios Jacobo (Interim-Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1:** Minutes of the regular Planning Commission Meeting of May 22, 2007.

**ACTION:** Motion made (Conway) and seconded (Schoeffel) to approve the Minutes of the regular Planning Commission Meeting of May 22, 2007. Motion carried 4-0-1. (AYES: Brough, Conway, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: Denton)

**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

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**D. PUBLIC HEARINGS**

**ITEM 2: A COASTAL DEVELOPMENT PERMIT (CDP07-12) AND MINOR SITE DEVELOPMENT PERMIT (SDP07-16M) TO ALLOW AN ADDITION TO AN EXISTING SINGLE-FAMILY DWELLING. THE SUBJECT SITE IS LOCATED IN THE COASTAL OVERLAY ZONE AND RESIDENTIAL SINGLE-FAMILY (RSF 4) ZONE AT 24691 EL CAMINO CAPISTRANO.**

Applicant: Andrade Architects  
Owner: Fred Neuman  
Location: 24691 El Camino Capistrano; APN: 682-202-11; Appeals jurisdiction of Coastal Commission.

Request: Request for a proposal to add 665 square feet of new habitable space and a 251 square foot carport to an existing three-story single-family residence. The proposed project includes a 317 square-foot addition at the ground level with a 251 square-foot carport and a 348 square foot addition to the second level with (3) balconies totaling 336 square feet.

Environmental: The proposed project qualifies as a Class 1 (Section 15301) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves an addition to an existing structure not resulting in an increase of 50 percent of the floor area prior to the addition, or 2,500 square feet, whichever is less.

Recommendation: That the Planning Commission approve Coastal Development Permit CDP07-12 & Minor Site Development Permit SDP07-16M.

**Matthew Schneider** (Associate Planner) presented the staff report.

**Chairwoman Fitzgerald opened the Public Hearing.**

**Bob Theel** (Dana Point) – stated that he was in favor of the project and was happy to see that the spaces were carefully thought out. He added that this was a creative floor plan. From an exterior architectural standpoint it's a nice addition to the neighborhood.

**Fred Neuman** (Dana Point - Owner) – stated that his motivating factor was to place an elevator to provide wheelchair access to allow his son to gain a greater sense of independence.

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**Chairwoman Fitzgerald closed the Public Hearing.**

**ACTION:**     Motion made (Schoeffel) and seconded (Brough) to adopt Resolution 07-06-12-12 approving Coastal Development Permit CDP07-12 and Minor Site Development Permit SDP07-16M. Motion carried 5-0.  
(AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel   NOES: None  
ABSENT: None   ABSTAIN: None)

**ITEM 3:**     A SITE DEVELOPMENT PERMIT (SDP07-07) TO ALLOW THE DEVELOPMENT OF A VACANT HILLSIDE LOT WITH A THREE STORY SINGLE-FAMILY RESIDENCE LOCATED AT 33821 MALAGA DRIVE.

Applicant/

Owner:       Michael Boudreaux

Location:   33821 Malaga Drive (APN 682-263-22)

Request:     Request for the development of a vacant hillside lot with a new three story single family residence, in accordance with the residential building height standards for hillside lots.

Environmental:     The proposed project is found not to have a significant effect on the environment and is therefore exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15303, Class 3(a) - New construction or conversion of small structures. The proposed project is for the construction of a new single family residence in an urbanized area. The project is consistent with the exceptions listed in Section 15300.2 of CEQA.

Recommendation:   That the Planning Commission adopt the attached Draft Resolution (Attachment 1) approving Site Development Permit SDP 07-07.

**Saima Qureshy** (Senior Planner) presented the staff report.

**Chairwoman Fitzgerald opened the Public Hearing.**

**Michael Boudreaux** (Dana Point – Owner/Architect) – stated that he has reviewed the staff report and has no objections with the conditions of approval. He stated that he was available to answer any questions of the Commission.

**Chairwoman Fitzgerald** felt that an architect designing his own home is comforting with how they put it together.

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Chairwoman Fitzgerald closed the Public Hearing.

**ACTION:**     Motion made (Brough) and seconded (Schoeffel) to adopt Resolution 07-06-12-13 approving Site Development Permit (SDP07-07). Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

**ITEM 4:**     VARIANCE V04-14 TO ALLOW PORTIONS OF A DUPLEX ADDITION TO ENCROACH INTO THE MINIMUM 20-FOOT FRONT YARD SETBACK, AND SITE DEVELOPMENT PERMIT SDP05-70 TO ALLOW ADDITIONS TO AN EXISTING THREE STORY RESIDENTIAL STRUCTURE IN A HILLSIDE CONDITION IN THE RESIDENTIAL MULTIPLE FAMILY 14 (RMF 14) ZONING DISTRICT.

Applicant:     Kirk Nelson, Design Intervention, Inc.  
Owners:       Bob Seth and Dino Melrose

Location:     33912 Amber Lantern, APN: 682-091-37

Request:       A Variance to allow a portion of a duplex addition to encroach into the minimum 20-foot front yard setback, and Site Development Permit to allow additions to an existing three story residential structure in a hillside condition.

Environmental:     The proposed project qualifies as a Class 3 (Section 15303) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves installation of small equipment and facilities in small structures.

Recommendation:   That the Planning Commission adopt the attached draft resolution denying Variance 04-14 and Site Development Permit SDP05-70.

**There was a consensus of the Planning Commission to continue this item to the regular Planning Commission meeting of July 10, 2007.**

**There being no requests to speak on this item, Chairwoman Fitzgerald opened and closed the Public Hearing.**

**E.     PUBLIC MEETINGS**

There were no Public Meetings.

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**F. OLD BUSINESS**

There was no Old Business.

**G. NEW BUSINESS**

There was no New Business.

**H. STAFF REPORTS**

**Todd Litfin** reported that he attended the Mayor's conference to discuss local issues concerning the expanding diversity coming to the telecom world. In a general Land Use context, Verizon is going to use fiber optics to facilitate above ground equipment devices, such as phone poles, or if it's underground, they are going to use underground if it currently exists. Primarily, they will need above ground utility boxes to store their equipment. This might be something that the City will consider from a Land Use context. Technically, one box will be used for every three hundred residences and they are very amendable to work with the City to try and locate them as aesthetically pleasing as possible.

He reported that goods movement issues to expand the Long Beach and Los Angeles ports anticipate cargos to triple within the next ten years. This will overload containers on trains, along the Alameda corridor towards Barstow from two different lines, one in South L.A. County and one in North Orange County.

He added that there was a lot of discussion about new codes called Green Building codes, towards environmentally sensitive houses. There are different levels of certifications to come, and we'll be hearing more and more about them.

**I. COMMISSIONER COMMENTS**

**Commissioner Schoeffel** stated that he had a great time at the recent Grand Prix event. He felt that it was an amazing event for the City in terms of notoriety and was very well attended. He thanked Bob Theel and others for participating at the event.

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**Commissioner Denton** reported that we are now the owners of the Stanley Cup being the first team in California history to win. It was very good for Orange County as a whole, and he would be happy to see it come here.

**Commissioner Conway** reported that the Grand Prix was a great event, and he felt that this event will grow to be huge.

**J. ADJOURNMENT**

**Chairwoman Fitzgerald** announced that the *next regular* meeting of the Planning Commission would be held on Tuesday, June 26, 2007, beginning at 7:00 p.m. (or as soon thereafter) in the Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

**The meeting adjourned at 7:34 p.m.**

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Liz Anderson Fitzgerald, Chairwoman  
Planning Commission