

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

July 9, 2012
6:00 – 6:47 p.m.

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

CALL TO ORDER – Chairman Denton called the meeting to order.

PLEDGE OF ALLEGIANCE – Commissioner O'Connor led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Commissioner Liz Claus, Chairman Norman Denton, Vice-Chairman Gary Newkirk, Commissioner April O'Connor

Commissioner(s) Absent: Commissioner Tarquin Preziosi

Staff Present: Kyle Butterwick (Director), Evan Langan (Associate Planner), Jennifer Farrell (Deputy City Attorney), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of June 25, 2012.

ACTION: Motion made (Claus) and seconded (O'Connor) to approve the Minutes of the regular Planning Commission Meeting of June 25, 2012. Motion carried 3-0-1-1 (AYES: Claus, Denton, O'Connor, NOES: None ABSENT: Preziosi ABSTAIN: Newkirk)

B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

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

July 9, 2012
6:00 – 6:47 p.m.

PAGE 2

D. PUBLIC HEARINGS

ITEM 2: Coastal Development Permit CDP12-0008 and Minor Site Development Permit SDP12-0015(M) to allow the demolition of an existing single-family dwelling and the construction of a new, two-story, 6,373 square foot single-family dwelling with retaining walls in the rear yard exceeding 60 inches in height at 70 Monarch Bay Drive.

Applicant: Andrade Architects (Stan Andrade)
Property Owner: Patrick Byrne
Location: 70 Monarch Bay Drive

Request: Approval of a Coastal Development Permit and Minor Site Development Permit to allow the demolition of an existing single-family dwelling and the construction of a new single-family dwelling on land located within the City's Coastal Overlay District as well as the Appeals Jurisdiction of the California Coastal Commission.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorically Exempt per Section 15303 (a) (Class 3 – New Construction or Conversion of Small Structures).

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP12-0008 and SDP12-0015(M).

Evan Langan (Associate Planner) presented the staff report.

There being no requests to speak on this item, Chairman Denton opened and closed the Public Hearing.

ACTION: Motion made (O'Connor) and seconded (Claus) to adopt Resolution 12-07-09-17 approving Coastal Development Permit CDP12-0008 and Minor Site Development Permit SDP12-0015(M) to allow the demolition of an existing single-family dwelling and the construction of a new, two-story, 6,373 square foot single-family dwelling with retaining walls in the rear yard exceeding 60 inches in height at 70 Monarch Bay Drive. Motion carried 4-0-1. (AYES: Claus, Denton, Newkirk, O'Connor, NOES: None ABSENT: Preziosi ABSTAIN: None)

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

July 9, 2012
6:00 – 6:47 p.m.

PAGE 3

E. PUBLIC MEETINGS

ITEM 3: A request for Historical Resource Designation (HRA12-0002) and participation in the Mills Act Program for the property located at 34091 Pacific Coast Highway.

Applicant/

Owner: Michael Robinson/American Commercial Equities Three, LLC

Location: 34091 Pacific Coast Highway

Request: The applicant seeks to have a commercial building located at 34091 Pacific Coast Highway designated as a historical structure and placed on the Dana Point Historic Resource Register. The applicant also requests a positive recommendation for the City to enter into an agreement for participation in the Mills Act Program.

Recommendation: That the Planning Commission adopt a Resolution designating the commercial building located at 34091 Pacific Coast Highway as a locally significant historical structure and recommend to the City Council that the City enter into an agreement with the property owner for participation in the Mills Act Program.

Evan Langan (Associate Planner) reviewed the Staff report.

Chairman Denton opened the Public Comments.

Carlos Olvera (Dana Point – President of the Dana Point Historical Society) provided additional history of the “Blue Lantern Service Station and Fountain Lunch” and reviewed the architectural details. He stated that he supports the recommended action.

Kyle Butterwick (Director) clarified that once the building is on the Historic Register and Mills Act contract any renovation of the building would have strict guidelines and there would not be any compromise on the important historic elements of the building. He noted that as part of the normal review process, Staff solicits comments/recommendations from the Historical Society.

Chairman Denton closed the Public Comments.

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

July 9, 2012
6:00 – 6:47 p.m.

PAGE 4

Vice-Chairman Newkirk stated that he would like to thank the Dana Point Historical Society, City Staff, and especially the owners for taking the efforts to preserve the structure for all to enjoy. He also noted that the building is the gateway to Town Center.

Commissioner Claus stated that a favorite aspect of being a Planning Commissioner is reviewing the Historical Society's finds.

Commissioner O'Connor stated that she was impressed to hear about Anna Walters, a woman developer in 1925. She stated that the building deserved a Historical Designation and would recommend the City Council to allow the building to participate in the Mills Act Program.

Chairman Denton stated that he would follow his fellow Commissioner's comments. He thanked the Historical Society and pointed out that we have one of the finest Historical Societies in Southern California.

ACTION: Motion made (Denton) and seconded (Newkirk) to adopt Resolution 12-07-09-18 designating a commercial building as a historic resource, placing that structure on the Dana Point Historic Resource Register (HRA12-0002) and recommending the City Council enter into an agreement for the Mills Act Program for the property located at 34091 Pacific Coast Highway. Motion carried 4-0-1. (AYES: Claus, Denton, Newkirk, O'Connor NOES: None ABSENT: Preziosi ABSTAIN: None

Chairman Denton presented a framed photograph of the historic building, taken in 1928, to Mr. Olvera, who received the recognition of the designated historic structure.

F. STAFF REPORTS

Kyle Butterwick (Director) reported that the new single-family dwelling proposed at 32461 Seven Seas had been appealed. He added that the appeal would be heard at a Council meeting in late September.

He also reported an update that staff has been working on a public opinion survey concerning vacation rentals, and that the City Council would be revisiting the issue. In response to Commissioner Claus, a packet of the subject materials will be provided to the Planning Commission.

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

July 9, 2012
6:00 – 6:47 p.m.

PAGE 5

He reminded the Planning Commission that the meeting of August 27, 2012 will be cancelled to allow a short summer recess.

G. COMMISSIONER COMMENTS

Vice-Chairman Newkirk stated he felt happy to return home to Dana Point, after visiting the record heat, humidity, storm, and power outages in Washington DC, noting that the wonderful weather in our City should not be taken for granted.

Commissioner Claus commended the City for the fine fireworks display, stating that it was the best show ever.

Chairman Denton stated that he was thankful that the fireworks show went without a glitch, and how pleased he was to see the Sheriff's comments in the newspaper about how safe the event went in Dana Point.

H. ADJOURNMENT

Chairman Denton announced that the *next* meeting of the Planning Commission will be held on Monday, July 23, 2012, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

The meeting adjourned at 6:47 p.m.

Norman Denton, Chairman
Planning Commission