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**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING ACTION AGENDA**

June 7, 2006  
7:07 p.m. - 12:25 a.m.

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

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**CALL TO ORDER** – Chairman Schoeffel called the meeting to order at 7:07 p.m.

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

**ROLL CALL**

Commissioners Present: Commissioner Norman Denton, Commissioner Liz Anderson-Fitzgerald (arrived at 7:42 p.m.), Commissioner April O'Connor, Chairman J. Scott Schoeffel, and Vice-Chairman Steven Weinberg

Staff Present: Kyle Butterwick (Director), John Tilton (City Architect/Planning Manager), Todd Litfin (Assistant City Attorney), Brenda Chase (Senior Planner), Erica Williams (Senior Planner), Brad Fowler (Director of Public Works), and Bobbi Ogan (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1: Minutes of the regular Planning Commission Meeting of May 17, 2006.**

**ACTION: Motion made (O'Connor) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of May 17, 2006. Motion carried 4-0-1. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: Fitzgerald ABSTAIN: None)**

**B. PUBLIC COMMENTS**

**Bill Brooks** (San Clemente) reported that Doheny State Beach is California's first State Beach. He stated that they were going to be celebrating their 75<sup>th</sup> anniversary this year. He added that on June 24, 2006 from 9:00 a.m. to 4:00 p.m. there was going to be a huge celebrating that everyone is invited to attend that will include a surf contest, a vintage campground, food, and entertainment.

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**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**Chairman Schoeffel moved Item 4 to be heard prior to Item 2 of the Public Hearings.**

**D. PUBLIC HEARINGS**

**ITEM 4: Coastal Development Permit and Site Development permit for improvements to Sea Terrace Community Park located at the northwestern corner of Pacific Coast Highway and Niguel Road.**

Applicant/

Owner: City of Dana Point Public Works Department

Location: Northwest corner of Pacific Coast Highway and Niguel Road

Request: To approve a Coastal Development Permit and Site Development Permit and adopt the Mitigated Negative Declaration for improvements to Sea Terrace Community Park.

Environmental: A Mitigated Negative Declaration has been prepared in accordance with Section 15070 of the California Environmental Quality Act (CEQA) for the project for the Commission's review and approval. The Mitigated Negative Declaration was circulated for thirty (30) days. The MND and response to comments received are provided as Supporting Document 3.

Recommendation: That the Planning Commission approve: (1) draft Resolution adopting the Mitigated Negative Declaration, and (2) draft Resolution for Coastal Development Permit CDP06-07 and Site Development Permit SDP06-21 for improvements to Sea Terrace Community Park.

There was one (1) request to speak on this item.

**ACTION: Motion made (O'Connor) and seconded (Denton) to adopt Resolution 06-06-07-19 approving a Mitigated Negative Declaration for improvements to Sea Terrace Community Park. Motion carried 4-0-1. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: Fitzgerald ABSTAIN: None)**

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**ACTION:**     **Motion made (O'Connor) and seconded (Denton) to adopt Resolution 06-06-07-20 approving Coastal Development Permit CDP06-07 and Site Development Permit SDP06-21. Motion carried 4-0-1. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: Fitzgerald ABSTAIN: None)**

**ITEM 2:**     **Local Coastal Program Amendment (LCPA06-03) for Dana Point Harbor.**

Applicant/

Owner:        County of Orange – Dana Point Harbor Department

Location:     Dana Point Harbor

Environmental:     Program FEIR No. 591 was prepared by the County of Orange as lead agency in accordance with the California Environmental Quality Act (CEQA), as amended (Public Resources Code Section 21000, et. seq.), the CEQA Guidelines (California Code of Regulations Section 15000, et. seq.) and the County of Orange Environmental Procedures. In accordance with CEQA requirements, a Notice of Preparation (NOP) of a Draft EIR was filed with the State Clearinghouse (SCH) Office of Planning and Research (OPR) on October 29, 2003. The SCH OPR assigned SCH No. 2003101142 to the environmental documentation for the Project. The Orange County Board of Supervisors certified the Final EIR on January 31, 2006 (Resolution No. 06-014) together with Statements of Facts, Findings and Overriding Considerations and Mitigation Monitoring and Reporting Program as complete and adequate in satisfying all the requirements of CEQA for the proposed Dana Point Harbor Revitalization Plan.

Recommendation:     That the Planning Commission recommend that the City Council approve the attached draft Resolution adopting an amendment to the City's Local Coastal Program for the entire Dana Point Harbor in order for the County of Orange – Dana Point Harbor Department to implement the improvements proposed as part of the Dana Point Harbor Revitalization Plan.

There were twenty-seven (27) requests to speak on this item.

**ACTION:**     **Motion made (Schoeffel) and seconded (Fitzgerald) for Staff to bring back to the next regular Planning Commission meeting, a revised Resolution recommending City Council approval of the Plan subject to the Commission's comments and concerns. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)**

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**ITEM 3: Tentative Parcel Map TPM2005-274 and Site Development Permit SDP05-75M to allow a residential condominium subdivision and the construction of a four (4) unit multi-family development with a common driveway. The subject site is located in the Residential Duplex (RD 14) zone and is addressed as 34302-34306 Via Fortuna.**

Applicant: Frank Mirjahangir  
Owner: Tom O'Donnell  
Location: 34302-34306 Via Fortuna

Request: Approval of a residential condominium subdivision for Tentative Parcel Map TPM2005-274 and a Site Development Permit SDP05-75M to permit the construction of a four (4) unit multi-family development.

Environmental: This project is categorically exempt (Class 32 – Section 15332 – In-Fill Development) from the provisions of the California Environmental Quality Act (CEQA) because it occurs within the City limits on a site less than five (5) acres in size that is substantially surrounded by urban development and the project will not result in any significant effects.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Tentative Parcel Map TPM2005-274 and Site Development Permit SDP05-75M.

There was one (1) request to speak on this item.

**ACTION: Motion made (O'Connor) and seconded (Denton) to adopt Resolution 06-06-07-21 approving Tentative Parcel Map TPM2005-274 and Site Development Permit SDP05-75M. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)**

**E. PUBLIC MEETINGS**

There were no Public Meetings.

**F. OLD BUSINESS**

There was no Old Business.

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**G.     NEW BUSINESS**

There was no New Business.

**H.     STAFF REPORTS**

There were no Staff Reports.

**I.     COMMISSIONER COMMENTS**

There were no Commissioner Comments.

**J.     ADJOURNMENT**

**Chairman Schoeffel** announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, June 21, 2006, 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 12:25 a.m.**