

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

April 22, 2013
6:00 – 7:30 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.

Commissioner Denton recognized Kathy Ward (City Clerk) who was present this evening to administer the Oath of Office for all the Planning Commissioners.

PLEDGE OF ALLEGIANCE – Ursula Luna-Reynosa led the Pledge of Allegiance.

ROLL CALL

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

Staff Present: Ursula Luna-Reynosa (Director), John Tilton (City Architect/Planning Manager), Jennifer Farrell (Deputy City Attorney), Evan Langan (Associate Planner), and Denise Jacobo (Planning Secretary)

ITEM 1: Reorganization of the Planning Commission.

a) Select nominations and vote for Chairman to serve until the first meeting of April, 2014.

- Commissioner Claus nominated Gary Newkirk to serve as Chairman; no other nominations were received.

ACTION: Motion made (Claus) and seconded (O'Connor) to elect Gary Newkirk to serve as Chairman of the Planning Commission. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker
NOES: None ABSENT: None ABSTAIN: None)

b) Select nominations and vote for Vice-Chairman to serve until the first meeting of April, 2014.

- Commissioner O'Connor nominated Liz Claus to serve as Vice-Chairwoman; no other nominations were received.

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

April 22, 2013
6:00 – 7:30 p.m.

PAGE 2

ACTION: Motion made (O'Connor) and seconded (Denton) to elect Liz Claus to serve as Vice-Chairwoman of the Planning Commission. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

Commissioner Denton passed the gavel to the newly elected Chairman Gary Newkirk. Chairman Newkirk presided over the meeting.

c) Recognition of outgoing Chairman Norman Denton.

Chairman Newkirk presented a plaque to Commissioner Norman Denton with gratitude for his service and dedication as Planning Commission Chairman this past year.

A. APPROVAL OF MINUTES

ITEM 2: Minutes of the regular Planning Commission Meeting of March 25, 2013.

ACTION: Motion made (O'Connor) and seconded (Claus) to approve the Minutes of the regular Planning Commission Meeting of March 25, 2013. Motion carried 4-0-1. (AYES: Claus, Denton, Newkirk, O'Connor NOES: None ABSENT: None ABSTAIN: Whittaker)

B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 3: Coastal Development Permit CDP12-0018 and Minor Site Development Permit SDP12-0026(M) to allow the demolition of an existing single-family dwelling and the construction of a new, two-story, 9,547 square foot single-family dwelling with attached, 2,810 square foot garage at 130 Monarch Bay Drive.

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

April 22, 2013
6:00 – 7:30 p.m.

PAGE 3

Applicant: Phil Edmonson
Property Owners: Carl and Janet Nolet
Location: 130 Monarch Bay Drive

Request: Approval of a Coastal Development Permit and Minor Site Development Permit to allow the demolition of a single-family dwelling and the construction of a new single-family dwelling on land located in the City's Coastal Overlay District (the California Coastal Zone) and 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 CDP12-0018 and Minor Site Development Permit SDP12-0026(M).

Evan Langan (Associate Planner) presented the staff report.

There being no requests to speak, Chairman Newkirk opened and closed the Public Hearing.

Commissioner Denton stated that he would support the project.

Vice-Chairwoman Claus stated that she would like to see the project move forward.

Commissioner O'Connor stated that the home may not be compatible to the neighborhood, and that it looks more like a retreat for large parties.

Ursula Luna-Reynosa (Director of Community Development) responded that there was no variance for such use, stating that party events could require a special event permit.

Commissioner O'Connor stated that she would support adding an additional Condition to have the Applicant comply with special event permit requirements in the event of holding any large party gatherings.

Jennifer Farrell (Deputy City Attorney) confirmed that the language will be inserted from Zoning Code Section 9.39.070.

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

April 22, 2013
6:00 – 7:30 p.m.

PAGE 4

Commissioner Whittaker stated that she drove by the site and felt that the single-family dwelling is consistent with the Monarch Bay community. She expressed concern that although the home is beautiful, the homes design looks commercial.

Commissioner Denton felt that Commissioner O'Connor's concerns were well-thought out. He suggested that the Applicant should work with the Homeowners Association with all the uses in not allowing commercial uses.

Chairman Newkirk stated that he agreed that the home does appear recreational with built-in amenities. He stated that a solution would be to add a Condition to minimize impacts resulting from commercial use.

ACTION: Motion made (O'Connor) and seconded (Denton) to adopt Resolution No. 13-04-22-05 approving Coastal Development Permit CDP12-0018 and Minor Site Development Permit SDP12-0026(M), allowing the demolition of an existing single-family dwelling and the construction of a new, two-story, 9,547 square foot single-family dwelling with attached, 2,810 square foot garage at 130 Monarch Bay, with adding the additional Condition to read "the Applicant must comply with Chapter 9.39.070 regarding special events in the event he hosts any special events at his property". Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

E. PUBLIC MEETINGS

There were no Public Meetings.

F. OLD BUSINESS

There was no Old Business.

G. NEW BUSINESS

ITEM 4: Sign Program Permit SPP13-0001 for "Coast Marketplace" Commercial Center located at 34212 Pacific Coast Highway.

Applicant: Mark Frank
Owner: Joe Scala

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

April 22, 2013
6:00 – 7:30 p.m.

PAGE 5

Location: 34212 Pacific Coast Highway

Environmental: This project is categorically exempt (Class 1 - Section 15301 – Existing Facilities) from the provisions of the California Environmental Quality Act (CEQA) because it consists of a minor alteration (addition of signs) for an existing structure involving no expansion of use beyond existing.

Request: Approval of a Sign Program for a recently remodeled commercial center with multiple tenants located at 34212 Pacific Coast Highway.

Recommendation: That the Planning Commission adopt the attached draft Resolution to approve Sign Program Permit SPP13-0001 for “Coast Marketplace” commercial center located at 34212 Pacific Coast Highway (Attachment 1).

John Tilton (City Architect/Planning Manager) presented the staff report.

Chairman Newkirk opened the Public Hearing.

Mark Frank (Applicant's Representative – Long Beach) addressed questions about the Sign Guidelines, the logos 18” lettering height, the need to have two signs, one located at Malaga Drive, and one at Alcazar Drive. He indicated that the light intensity at the back of the building could be adjusted by adding a dimmer.

Chairman Newkirk closed the Public Hearing.

Commissioner O'Connor stated that she would support the proposal as discussed regarding Item #10, the dimming of lighted signage facing residential homes, and reducing the main light to a lower wattage.

Vice-Chairwoman Claus stated that she would be supportive of the proposed plan, and expressed her appreciation with the current owner for their ability to work with the City.

Commissioner Whittaker stated that she agreed because the addition enhances Dana Point. She commended the sign designer for working with limitations, proposing the use of a timer, and installing a lower wattage.

Commissioner Denton stated that the project is excellent noting that he would like to see the business succeed. He felt that the applicant was very flexible in their approach on suggesting dimming lights.

Chairman Newkirk stated that he agreed with the comments, especially about the adjustments with the lighting for the safety of its employees at closing hours.

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

April 22, 2013
6:00 – 7:30 p.m.

PAGE 6

Commissioner Whittaker inquired about the sign program's ability to be adjusted once the Resolution is approved, and whether the City needed a Condition or a Statement implying the need.

John Tilton (City Architect/Planning Manager) proposed a Condition that states that the City would retain the ability to require adjustments to the lighting, once it's been reevaluated for impacts.

ACTION: **Motion made (O'Connor) and seconded (Denton) to adopt Resolution No. 13-04-22-06 approving Sign Program Permit SPP13-0001 for a commercial center, Coast Marketplace, located at 34212 Pacific Coast Highway, including the following four changes:**

1. **A Condition of Approval saying that the City retains the authority to monitor the lighting on the signs facing the residential area.**
2. **The lighting relating to the signs that are facing the parking lot or the residential area should be turned off within an hour after the close of business.**
3. **The change on Page 3, Item 10 (to one square foot, instead of 10%).**
4. **The deletion of Item #7, on Page 5.**

Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

H. STAFF REPORTS

John Tilton (City Architect/Planning Manager) congratulated all the returning Planning Commissioners for being reappointed, Chairman Newkirk and Vice-Chairwoman Claus on their elections. He welcomed new Planning Commissioner Whittaker.

I. COMMISSIONER COMMENTS

Commissioner O'Connor congratulated Chairman Newkirk and Vice-Chairwoman Claus. She welcomed the new Community Development Director, Ursula Luna-Reynosa, and Commissioner Whittaker on her appointment. She thanked Commissioner Denton for his leadership while he was Chairman.

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

April 22, 2013
6:00 – 7:30 p.m.

PAGE 7

Commissioner Claus also congratulated everyone pointed out by Commissioner O'Connor. She added that she attended the State of the City, and that it was a great event.

Commissioner Whittaker thanked everyone for their warm welcome, and looked forward to working with the Planning Commission. She also welcomed the new Director.

Chairman Denton congratulated Chairman Newkirk and Vice-Chairwoman Claus. He welcomed Director Luna-Reynosa, and new Commissioner Whittaker, and stated that it is going to be a good year.

Vice-Chairman Newkirk thanked everyone for their vote of confidence, and stated that that he looks forward to the year.

J. ADJOURNMENT

Chairman Newkirk announced that the *next* meeting of the Planning Commission will be held on Monday, May 13, 2013, 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 7:30 p.m.

Gary Newkirk, Chairman
Planning Commission