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

February 1, 2006
7:00-8:42 p.m.

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

CALL TO ORDER – Chairwoman O'Connor called the meeting to order.

PLEDGE OF ALLEGIANCE – Commissioner Weinberg led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Commissioner Norman Denton, Commissioner Liz Anderson Fitzgerald, Chairwoman April O'Connor, Vice-Chairman J. Scott Schoeffel, and Commissioner Steven Weinberg

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

Chairwoman O'Connor announced that items were going to be taken out of order this evening.

E. PUBLIC HEARINGS

ITEM 6: Variance V05-08 to allow a new single-family residence to exceed the maximum allowable height by 6-feet, 9-inches; a Minor Site Development Permit SDP05-65M for retaining walls up to 6 feet; and a Coastal Development Permit for development in the Coastal Zone on a 6,004 square foot lot in the Residential Single Family (RSF 7) Zoning District at 34142 Chula Vista.

Applicant: Lynn J. Muir
Owner: Usha Gopal
Location: 34142 Chula Vista

Request: A Variance to allow a new 5,370 square foot, 3-level single-family dwelling and attached 527 square foot garage, together measuring 32 feet, 9 inches in height, instead of the maximum allowable height of 26 feet, a Minor Site Development Permit for retaining walls as high as 6 feet, and a Coastal

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Development Permit for development in the Coastal Zone on a 6,004 square foot lot in the Residential Single Family (RSF 7) Zoning District.

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 the construction of a single-family residence and associated retaining walls.

Recommendation: That the Planning Commission adopt the attached draft Resolution denying Variance V05-08, Site Development Permit SDP05-65M, and Coastal Development Permit CDP05-25.

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

ACTION: Motion made (Schoeffel) and seconded (Weinberg) to continue this item to the regular Planning Commission meeting of March 1, 2006. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

A. PRESENTATIONS

ITEM 1: Recognition of recently designated Historic Structures.

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

F. APPROVAL OF MINUTES

ITEM 2: Minutes of the regular Planning Commission Meeting of January 18, 2006.

ACTION: Motion made (Denton) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of January 18, 2006. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

G. PUBLIC COMMENTS

There were no Public Comments.

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D. CONSENT CALENDAR

ITEM 3: One-year extension of Coastal Development Permits CDP01-20 and CDP01-22 and Site Development Permit SDP01-64 for the construction of two new single-family dwellings located at 25162 and 25172 Via Elevado.

Applicant/

Owner: Clayton Robert Behling

Location: 25162 and 25172 Via Elevado

Request: Allow a third one-year time extension of discretionary permits originally approved in November 2001, which granted entitlements to construct a new dwelling on each of the lots identified above.

Recommendation: That the Planning Commission approve a one-year time extension for Coastal Development Permit CDP01-20, Coastal Development Permit CDP01-22, and Site Development Permit SDP01-64, subject to all of the conditions contained in Resolution No. 02-02-12-02 and Resolution No. 02-02-12-03.

ACTION: Motion made (Schoeffel) and seconded (Fitzgerald) to approve the request for a one-year time extension for Coastal Development Permits CDP01-20, CDP01-22, and Site Development Permit SDP01-64. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

E. PUBLIC HEARINGS

ITEM 4: Temporary Site Development Permit TSDP05-34; One Monarch Beach Resort.

Recommendation: No action is required; the project was noticed in the newspaper but the applicant has since withdrawn the request.

ITEM 5: A request to amend Conditional Use Permit CUP05-03 to allow for outdoor seating at the wine bar (Purple Feet Wines) located at 24582 Del Prado in the Town Center.

Applicant/

Owner: Bill Jonas

Location: 24582 Del Prado

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Request: Approval to allow outdoor seating at the existing wine bar (Purple Feet Wines) in the Commercial/Residential zoning district. The site is located in the Town Center at the corner of Del Prado and Violet Lantern.

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 negligible expansion of use beyond that existing.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving the amendment to Conditional Use Permit CUP05-03.

There were seven (7) requests to speak on this item.

ACTION: Motion made (Denton) and seconded (Weinberg) to adopt Resolution 06-02-01-02 approving the amendment to Conditional Use Permit CUP05-03 with additional Conditions. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

Chairwoman O'Connor recessed the meeting at 8:31 p.m. and reconvened the meeting at 8:39 p.m.

F. PUBLIC MEETINGS

There were no Public Meetings.

G. OLD BUSINESS

There was no Old Business.

H. NEW BUSINESS

There was no New Business.

I. STAFF REPORTS

Kyle Butterwick (Director) reported that the County Board of Supervisors certified the Harbor EIR. He stated that the County will be processing a Local Coastal Plan Amendment (LCPA) through the City. He added that the proposal would be coming to the Planning Commission in the next six to eight weeks.

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J. COMMISSIONER COMMENTS

Commissioner Weinberg stated that he would like for the City to make a request of the County to build a barrier to keep the walking path open along San Juan Creek.

Chairwoman O'Connor offered condolences to Doug Chotkevys and his family for the passing of his father recently.

K. ADJOURNMENT

Chairwoman O'Connor announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, February 15, 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 8:42 p.m.