

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

September 9, 2013
6:00 – 6:28 p.m.

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

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

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

ROLL CALL

Commissioners Present: Vice-Chairwoman Liz Claus, Commissioner Denton, 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 (Assistant City Attorney), Evan Langan (Associate Planner), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of August 12, 2013.

ACTION: Motion made (O'Connor) and seconded (Denton) to approve the Minutes of the regular Planning Commission Meeting of August 12, 2013. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

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: Coastal Development Permit CDP13-0004 and Variance V13-0001 to allow the addition of 759 square feet, the conversion of 997 square feet of former garage to habitable space, the construction of 954 square feet of new garage space, and; a Variance to construct the new garage within the required 20 foot front-yard setback, on land located within the City's Coastal Overlay District and containing a coastal bluff at 73 Monarch Bay Drive.

Applicant: Andrade Architects (Stan Andrade)
Property Owner: Peter Burke
Location: 73 Monarch Bay Drive

Request: Approval of a Coastal Development Permit to allow additions in excess of 10 percent of existing square footage on land located within the City's Coastal Overlay District (the California Coastal Zone) and the Appeals Jurisdiction of the California Coastal Commission, and a variance to permit a reduction in the property's required front-yard setback.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorically Exempt per Section 15301 (e) (Class 1 – Existing Facilities).

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP13-0004 and Variance V13-0001.

Evan Langan (Associate Planner) presented the staff report.

Chairman Newkirk opened the Public Hearing.

Stan Andrade (Architect - Dana Point) thanked staff for their diligent work on project. He stated that the project met all zoning requirements, and responded to questions from the Commission regarding landscaping requirements, garage structure, and other proposed enhancements. He stated that the home would be occupied by the homeowners.

Chairman Newkirk closed the Public Hearing.

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Commissioner Denton stated that Variances come in every shape or form, but when it comes down to allowing the homeowner the same privileges as his neighbors he supports those requests. He also noted that there are no changes to the height and no disturbances to adjacent slopes. He also stated that he can support the findings to allow the garage's 4-foot encroachment into the front setback.

Commissioner Whittaker agreed with Commissioner Denton's remarks. She stated that she is in support of the project noting that the variance is appropriate, supportable and would allow a nice improvement to the house.

Vice-Chairwoman Claus agreed with her fellow Commissioners. She stated that she was pleased to hear that the house will be lived-in by the owner because it will be properly cared for. She expressed concern about converted garages which could become habitable structures. She added that she would be prepared to support the project.

Commissioner O'Connor agreed with her fellow Commissioners. She stated that she supports the variance due to the restrictive elements of the geographic formation of the lot. She added that she was concerned about landscaping and asked to ensure that drought tolerant plants are used to avoid irrigation issues. She stated that she is in support of the project.

Chairman Newkirk stated that he agrees in general with Commissioners and could support the findings. He stated that in principal, he did not feel that a precedent has been set because of the unique size and shape of the lot.

ACTION: **Motion made (Denton) and seconded (Claus) to adopt Resolution No. 13-09-09-20 approving Coastal Development Permit CDP13-0004 and Variance V13-0001 to allow the addition of 759 square feet, the conversion of 997 square feet of former garage to habitable space, the construction of 954 square feet of new garage space, and; a variance to construct the new garage within the required 20 foot front-yard setback, on land located within the City's Coastal Overlay District and containing a coastal bluff at 73 Monarch Bay Drive. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)**

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E. NEW BUSINESS

There were no New Business items.

F. STAFF REPORTS

Ursula Luna-Reynosa (Director of Community Development) reported that staff is researching various options to preparing the “minutes” and more information will be provided to the Commission at a later meeting. In the interim, the regular minutes will continue with the regular format.

G. COMMISSIONER COMMENTS

Commissioner O'Connor suggested changing the regular meeting date for the Planning Commission from Monday to Tuesday evenings.

Commissioner Whittaker stated that she would support Tuesday nights.

Commissioner Denton also supported Tuesday night meetings.

Vice-Chairwoman Claus stated that she anticipates a conflict with Tuesday meetings because of upcoming work which could include traveling on weekdays.

Chairman Newkirk also stated that he has similar weekday travel obligations which tend to run through the weekends.

The request was tabled for consideration until the next Planning Commission meeting of September 23, 2013.

Ursula Luna-Reynosa (Director of Community Development) stated that she would look into scheduled Council Chamber meetings and possible logistics.

Commissioner Whittaker spoke about how great it is to have the Tall Ships Festival in Dana Point.

Vice-Chairwoman Claus stated that it was a spectacular weekend with the combination of the Tall Ships and the Elephants Parade art exhibition.

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Commissioner Denton echoed his fellow Commissioner comments, and “took his hat off” to Mike Killebrew (Director of Administrative Services) and the local hotels’ “Tourism Business Improvement District” (TBID) Advisory Board for bringing the Elephant Parade to town.

Chairman Newkirk also stated he had a great time with the family at the Tall Ships event.

H. ADJOURNMENT

Chairman Newkirk announced that the *next* meeting of the Planning Commission will be held on Monday, September 23, 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 6:28 p.m.



Gary Newkirk, Chairman
Planning Commission