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

December 7, 2005  
7:00-8:36 p.m.

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

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**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, 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), Robert Kain (Permit Coordinator), Erica Williams (Senior Planner), Brenda Chase (Senior Planner), and Bobbi Ogan (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1: Minutes of the regular Planning Commission Meeting of November 16, 2005.**

**ACTION: Motion made (Denton) and seconded (Schoeffel) to approve the Minutes of the regular Planning Commission Meeting of November 16, 2005. Motion carried 3-0-1. (AYES: Denton, O'Connor, Schoeffel NOES: None ABSENT: None ABSTAIN: Weinberg)**

**B. PUBLIC COMMENTS**

There were no Public Comments.

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**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**D. PUBLIC HEARINGS**

**ITEM 2: Coastal Development Permit CDP05-23 to allow the demolition of an existing single-family residence and construction of a new single-family residence on a property located within the Coastal Overlay District at 11 Breakers Isle.**

Applicant: Chuck Van Cleve  
Owner: Shelly and Jennifer Singhal  
Location: 11 Breakers Isle

Request: Request for a Coastal Development Permit (CDP05-23) to allow the demolition of an existing single-family residence and construction of a new single-family residence.

Environmental: This project is categorically exempt (Class 3 – Section 15303 – New Construction) from the provisions of the California Environmental Quality Act (CEQA) because the project involves the construction of a new single-family residence not in conjunction with the construction of two or more of such dwelling units.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Coastal Development Permit CDP05-23.

There were no speakers for this item.

**ACTION: Motion made (Schoeffel) and seconded (Denton) to adopt Resolution 05-12-07-50 approving Coastal Development Permit CDP05-23. Motion carried 4-0. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)**

**ITEM 3: A request for Conditional Use Permit CUP05-08 to allow a designated area within the existing Monarch Beach Market to be utilized for wine tasting (alcohol beverage outlet) located at 24040 Camino Del Avion, Suite #G.**

Applicant: Steve Haythorne  
Owner: O'Hill Properties/Jerry Ninninger  
Location: 24040 Camino Del Avion, Suite #G

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Request: A Conditional Use Permit to allow a designated area within the existing Monarch Beach market to be utilized for wine tasting. Approval of the Conditional Use Permit would be to allow an alcohol beverage outlet in the Community Commercial/Vehicular zoning district. The site is located at the corner of Camino Del Avion and Niguel Road.

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 an interior alteration to an existing structure.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Conditional Use Permit CUP05-08 and make the required finding of public convenience and necessity.

There were three (3) requests to speak on this item.

**ACTION:** Motion made (Schoeffel) and seconded (Weinberg) to adopt Resolution 05-12-07-51 approving Conditional Use Permit CUP05-08. Motion carried 4-0. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

**ITEM 4:** 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 SDP05-06M for retaining walls up to 6-feet and a Coastal Development Permit CDP05-25 for development in the Coastal Overlay Zone at 34142 Chula Vista.

Recommendation: That the Planning Commission continue this item to a future meeting date.

There were two (2) requests to speak on this item.

**ACTION:** Motion made (Denton) and seconded (Weinberg) to continue this item to a future meeting date. Motion carried 4-0. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

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**ITEM 5: Coastal Development Permit CDP05-14 and Site Development SDP05-62 to allow for the demolition of an existing single-family residence and the construction of a new two (2) story, single-family residence within the RBR12 Zoning District and Floodplain FP-3 Overlay District at 35301 Beach Road.**

Applicant: Stan Schrofer  
Owner: Ray Taccolini  
Location: 35301 Beach Road

Request: Approval of a Coastal Development Permit and Site Development Permit to allow for the demolition of an existing single-family residence and the construction of a new two (2) story, 3,522 square foot single-family residence with an attached 474 square foot, two (2) car garage within the RBR12 Zoning District and Floodplain FP-3 Overlay District.

Environmental: This project is categorically exempt (Class 3 – Section 15303 – New Construction) from the provisions of the California Environmental Quality Act (CEQA) because the project involves the construction of a new single-family residence not in conjunction with the construction of two or more of such dwelling units.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Coastal Development Permit CDP05-14 and Site Development Permit SDP05-62.

There were no requests to speak on this item.

**ACTION: Motion made (Schoeffel) and seconded (Denton) to adopt Resolution 05-12-07-52 approving Coastal Development Permit CDP05-14. Motion carried 4-0. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)**

**E. PUBLIC MEETINGS**

**ITEM 6: (Continued from the regular Planning Commission meeting of November 16, 2005) Review and consideration of proposed Bicycle and Pedestrian Trails Master Plan.**

Recommendation: That the Planning Commission review and recommend the City Council approve the proposed Bicycle and Pedestrian Trails Master Plan.

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**ACTION:** Motion made (Weinberg) and seconded (Denton) to adopt Resolution 05-12-07-53 recommending that the City Council approve the proposed Bicycle and Pedestrian Trails Master Plan. Motion carried 4-0. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

**F. OLD BUSINESS**

There was no Old Business.

**G. NEW BUSINESS**

There was no New Business.

**H. STAFF REPORTS**

**Kyle Butterwick** (Director) reported that the City Council had agreed at their last meeting to re-organize the Community Development Department to add an Economic Development Division. He stated that the new division will be creating an economic plan to be approved by both the Planning Commission and the City Council. He added that the plan will be very encompassing in terms of various programs to help promote and advance the commercial business environment in the City.

He reported that the City Council had considered two items that had previously appeared before the Planning Commission. He stated that the gates for the Bal Harbour development were approved by the City Council. He stated that the neighborhood association was well represented and had made a compelling argument about their need for the gates. He added that the association had volunteered to provide signage that will clearly mark the trails for the public.

He stated that the height Variance for the home on Malaga was also granted by the City Council. He added that the City Council found the request to be a modest and a nice improvement to the façade.

He stated that the City had recently hired a consultant to provide a comprehensive review of the City's fees. He added that the City had not modified its fee structure in the last seven years.

**Todd Litfin** (Assistant City Attorney) reported that the Headlands Final Tract Map was approved at the last City Council meeting.

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**John Tilton** (City Architect/Planning Manager) stated that regarding the Variance on Malaga, notwithstanding the fact that the City Council had overturned the Commission's decision, they did as a whole applaud the Planning Commission's ability to scrutinize these Variances and to look at them with a critical eye and that they were sending the message to continue to do so.

He added that the Building Height Task Force has wrapped up their meetings and that now staff would be crafting a new Ordinance that would be coming to the Planning Commission after the first of the year.

**I. COMMISSIONER COMMENTS**

**Commissioner Weinberg** encouraged the Planning Commission members to attend the Town Center Subcommittee meetings.

**Commissioner Denton** thanked John Tilton and Brenda Chase for their work on the Art In Public Places and reported that the sculpture at Village Road and Del Obispo for the Bal Harbour development is attractive and well-landscaped.

**Vice-Chairman Schoeffel** stated that the dog fun zones in the City's parks have really turned out well. He added that when he is out with his dog, that he is stopped all the time by people telling him what a great idea this was and how well it was working.

**Chairwoman O'Connor** stated that despite that the Planning Commission and Planning Staff's decisions have been overturned on many occasions by the City Council, that she was proud of the work that the Commissioners and staff have done. She felt that they were making a difference and making Dana Point a better place and that they should all be happy about that.

**J. ADJOURNMENT**

**Chairwoman O'Connor** announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, December 21, 2005, 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 8:36 p.m.**