

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

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June 22, 2015  
6:03 – 7:03 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 Regular Meeting of the Dana Point Planning Commission to order at 6:03 p.m.

**PLEDGE OF ALLEGIANCE**

Commissioner McKhann led the Pledge of Allegiance.

**ROLL CALL**

Planning Commission Members Present: Chairwoman April O'Connor, Vice-Chairman Eric Nelson, Commissioner Liz Claus, Commissioner Scott McKhann, and Commissioner Danni Murphy

Staff Present: Ursula Luna-Reynosa (Community Development Director), John Tilton (City Architect/Planning Manager), Kurth Nelson (Senior Planner), Alisha Patterson (Deputy City Attorney), and Bobbi Ogan (Deputy City Clerk).

**A: APPROVAL OF MINUTES**

**ITEM 1: Minutes of the regular Planning Commission Meeting of June 6, 2015.**

**ACTION: Motion made (Claus) and seconded (Murphy) to approve the Minutes of the Regular Planning Commission Meeting of June 8, 2015. Motion carried 4-0-1. (AYES: Claus, Murphy, Nelson, and O'Connor NOES: None ABSENT: None ABSTAIN: McKhann)**

**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**ITEM #1**

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**D. PUBLIC HEARINGS**

**ITEM 2: Coastal Development Permit CDP15-0002 to demolish an existing single-family dwelling and construct a new two-story, single-family dwelling and Minor Site Development Permit SDP15-0018(M) to allow retaining and site walls over six (6) feet in height in the required side yards and hedges exceeding 42 inches in height in the required front yard at 319 Monarch Bay Drive.**

Applicant          James Conrad, Architect

Location:          319 Monarch Bay Drive (APN: 670-151-07)

Recommendation: That the Planning Commission adopt a draft resolution approving Coastal Development Permit CDP15-0002 and Minor Site Development Permit SDP15-0018(M) (Action Document 1).

Environmental: This project is categorically exempt (Class 3 - Section 15303 – New Construction) from the provisions of the California Environmental Quality Act (CEQA) since the project involves the construction of a single-family residence and associated retaining walls in a residential zone.

Request: A request to demolish an existing 1,820 square foot, single story, single-family dwelling and construct a new two-story, 3,216 square foot single-family dwelling with retaining and site walls over six (6) feet in height in the required side yards and hedges over 42 inches in height in the required front yard.

Kurth Nelson (Senior Planner) provided a staff report and responded to questions of the Commission.

There were no requests to speak on this item, but Chairwoman O'Connor opened the Public Hearing to allow the Commissioners to ask questions of the project architect.

Chairwoman O'Connor closed the Public Hearing.

Commissioner Claus stated that she loved the Monarch Bay area and felt that everything was always done right and well. She added that the proposed project was interesting and elegant and that she would support approval of the project.

Commissioner McKhann felt that the proposed design was fantastic and that it fit the criteria and setbacks. He stated that he appreciated the effort to comply with the Code.

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Vice-Chairman Nelson felt that it was a great use of space and that a nice job had been done with the design despite the tough topography. He stated that he would support approval of the project.

Commissioner Murphy stated that she was concerned whether the issues listed in the staff report had been addressed.

Kurth Nelson (Senior Planner) replied that the issues had been articulated in the Resolution. He stated that the project would create no impact to scenic parks or views, that this was an in-fill development in a built out community. He added that the project meets all of the requirements of the Coastal Act. He stated that the findings for the Site Development Permit to exceed the height restriction can be made.

John Tilton (City Architect) added that the walls were mostly below existing grade and there would be no impact on the neighbors.

Chairwoman O'Connor stated that she was worried about the height of the shrubs because homeowners associations are not always good at enforcing the rules. She asked if there was a height restriction.

Kurth Nelson (Senior Planner) replied that the Site Development Permit would allow for the shrubs to be over 42 inches in height but there was not a set limit on overall height listed in the Resolution. He stated that *Western Garden* indicated that the shrubs would mature to five to six feet in height.

Chairwoman O'Connor asked if it was possible to put a maximum height limit on the trees.

John Tilton (City Architect) replied that there has not been many times where the Commission has put a height limit on the landscaping. He suggested asking the applicant what they would consider.

Commissioner McKhann stated that the deck is on the front of the home and the first 30 inches of the shrubs would only screen the footings.

James Conrad (Architect) stated that the street has a lot of pedestrian traffic and that the privacy on the deck was important since the home does not have a backyard. He added that the homeowner will not want the shrubs to grow too high as it would block their views. He felt that a maximum of five to six feet would be the right height.

Chairwoman O'Connor felt that there should be a maximum height of eight feet for the landscaping.

Alisha Patterson (Deputy City Attorney) suggested modifying Condition A1 on page 4 of the Resolution "...hedges over 42 inches but not to exceed eight feet".

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Chairwoman O'Connor received a consensus from the Commission for the modification to add the height limit.

**ACTION:** Motion made (Claus) and seconded (McKhann) to adopt Resolution No. 15-06-22-15, approving Coastal Development Permit CDP15-0002 to demolish an existing single-family dwelling and construct a new two-story, single-family dwelling and Minor Site Development Permit SDP15-0018(M) to allow retaining and site walls over six (6) feet in height in the required side yards and hedges exceeding 42 inches but not to exceed eight feet in height in the required front yard at 319 Monarch Bay Drive. Motion carried 5-0. (AYES: Claus, McKhann, Murphy, Nelson, and O'Connor NOES: None ABSENT: None ABSTAIN: None)

**E. OLD BUSINESS**

There was no Old Business.

**F. NEW BUSINESS**

There was no New Business.

**G. STAFF REPORTS**

Director Luna-Reynosa reported that she has received a number of requests for her to provide a "Pipeline" presentation which summarizes the projects that will be coming to Dana Point in the future. She stated that if the Planning Commission was interested, she could provide the presentation at a future meeting.

Director Luna-Reynosa suggested cancelling one of the August meetings to allow for summer vacations similar to the City Council which plans to go dark in August. She stated that if there was an urgent matter, a meeting could be scheduled. There was a consensus of the Commission to cancel the August 10<sup>th</sup> meeting.

Director Luna-Reynosa announced that the trolley kicks off at 3:00 p.m. on Friday. She asked the Commission to encourage their friends and family to ride the trolley as the City will need the ridership to continue the program in the future.

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**H. COMMISSIONER COMMENTS**

Commissioner McKhann asked when the Town Center parking plan was to be heard by the City Council.

Director Luna-Reynosa replied that the plan was scheduled for the July 21<sup>st</sup> City Council meeting.

Commissioner McKhann asked if it was typical for the maximum height of a home to be based on the subterranean excavation.

City Architect Tilton provided an explanation on how heights are measured when a wall is exposed.

Director Luna-Reynosa added that if there was more interest on this topic, a workshop could be scheduled.

Chairwoman O'Connor felt that the Town Center/Lantern District was looking fabulous and that she could not believe that the improvements were almost complete.

**I. ADJOURNMENT**

Chairwoman O'Connor adjourned the meeting at 7:03 p.m. and announced that the *next* Regular Meeting of the Planning Commission would be held on Monday, July 13, 2015, 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 7:03 PM.**

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April O'Connor, Chairwoman  
Planning Commission