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

November 3, 2004
7:00 – 7:51 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.

PLEDGE OF ALLEGIANCE – Vice-Chairwoman O'Connor and Commissioner Powers led the Pledge of Allegiance.

ROLL CALL

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

Staff Present: Kyle Butterwick (Director, Patrick Munoz (City Attorney), John Tilton (City Architect/Planning Manager), Brenda Chase (Senior Planner), Kurth Nelson (Planning Consultant), and Bobbi Ogan (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: **Minutes of the regular Planning Commission Meeting of October 20, 2004.**

ACTION: **Motion made (O'Connor) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of October 20, 2004. Motion carried 5-0.** (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg **NOES:** None **ABSENT:** None **ABSTAIN:** None)

B. PUBLIC COMMENTS

There were no Public Comments.

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C. CONSENT CALENDAR

ITEM 2: A request for Historical Resource designation and participation in the Mills Act Program; 34010 Amber Lantern.

Applicant/

Owner: Mary Beth and Brian Buckles

Location: 34010 Amber Lantern

Request: To designate a single-family residence located at 34010 Amber Lantern as a historical structure, place the residence on the Dana Point Historical Resource Register and recommend the City enter into an agreement with the property owners for participation in the Mills Act Program.

Environmental: This project is categorically exempt (Class 31 – Section 15331 – Historical Resource Restoration/Rehabilitation) from the provisions of the California Environmental Quality Act (CEQA) because it consists of an existing historical single-family residence.

Recommendation: That the Planning Commission adopt a Resolution designating the single-family residence located at 34010 Amber Lantern as a locally significant historical structure and recommend the City Council enter into an agreement with the property owner for participation in the Mills Act Program.

ACTION: Motion made (Schoeffel) and seconded (Powers) to approve the Consent Calendar. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

D. PUBLIC HEARINGS

ITEM 3: A Coastal Development Permit (CDP04-04) and Conditional Use Permit (CUP04-08) to allow the development of a new swimming school facility on property located at 34232-34236 Camino Capistrano in the Commercial/Residential Zone (C/R) of Doheny Village.

Applicant/

Owner: Joy Rosello

Location: 34232-34236 Camino Capistrano

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Request: The development of a swim school facility to provide private swim lessons for a maximum of 10 students at any given time, with one instructor for every 5 students. The proposal includes the addition of a 1,520 square foot swimming pool and a 304 square foot pool equipment/restroom building on property located in the Commercial/Residential Zone of Doheny Village. The existing single-family residence on the site will be occupied by a manager of the swim school. Minor improvements to the existing single-family residence are proposed in conjunction with the development of this project.

Environmental: The proposed project qualifies as a Categorical Exempt (Section 15301 – Class 1 – Existing Facilities) pursuant to the California Environmental Quality Act (CEQA).

Recommendation: That the Planning Commission continue the hearing for Coastal Development Permit CDP04-04 and Conditional Use Permit CUP04-08 to the November 17, 2004 Planning Commission meeting.

This item was tabled. When the application is complete, staff will re-notice the Public Hearing and bring the project back to the Planning Commission at the earliest opportunity.

ITEM 4: Development Agreement DA01-01(I)

Applicant/

Owner: Headlands Reserve LLC

Location: 121.3 acres generally located at the southwest corner of Pacific Coast Highway and Street of the Green Lantern.

Request: Amendment to previously approved Development Agreement DA01-01.

Environmental: Environmental Impact Report (SCH #20011071015), dated February, 2004, and the Addendum dated September, 2004, address the impacts of the proposed project.

Recommendation: No action is required; the applicant withdrew the amendment.

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ITEM 5: A Variance V04-10 to allow the addition of second and third story decks into the required front yard to an existing, nonconforming multi-family dwelling structure at 34333 Green Lantern.

Applicant: Jeffrey Motte
Owner: Hoffman Family Trust, Jack Moons, and Larry Courtney
Location: 34333 Green Lantern

Request: A Variance to add second and third story decks to an existing nonconforming multi-family dwelling structure.

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 accessory deck areas to an existing multi-family dwelling structure.

Recommendation: That the Planning Commission adopt the draft Resolution approving Variance V04-10.

Kurth Nelson (Planning Consultant) reviewed the staff report.

Chairman Denton opened the Public Hearing.

Bea Moons (Dana Point) stated that she lives on the first floor of this building and that their building had a fire last May. She added that they decided to add the decks during the retrofitting and remodel of the building.

Chairman Denton closed the Public Hearing.

Commissioner Schoeffel felt that the Variance should be approved and that he would support the project.

Chairman Denton stated that he would support the project because there was a need for livable space for the residents.

Commissioner Weinberg stated that the decks would be a nice addition to the building and that he would support the project.

Commissioner Powers stated that he would support the project.

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ACTION: Motion made (Schoeffel) and seconded (Powers) to adopt Resolution 04-11-03-48 approving Variance V04-10. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

E. PUBLIC MEETINGS

ITEM 6: A proposal to modify an existing Sign Program at property located at 24901 Dana Point Harbor Drive; Sign Program Permit SPP98-01(II).

Applicant: Signs and Services Company
Owner: John Collins, Collins Holdings
Location: 24901 Dana Point Harbor Drive

Request: Approval of an amendment to a previously approved Sign Program located at Dana Marina Plaza located at 24901 Dana Point Harbor Drive.

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 of an existing structure involving no expansion of use beyond existing.

Recommendation: That the Planning Commission adopt the draft Resolution to approve the amendment to Sign Program Permit SPP98-01(II).

Brenda Chase (Senior Planner) reviewed the staff report.

Dave Terrack (Laguna Beach – Sign Contractor) stated that they were proposing to amend the signage to match with the updated architecture of the buildings.

Commissioner Powers stated that the monument sign would make a big difference for the center and that he would support the amendment.

Vice-Chairwoman O'Connor felt that the new signage would be a great addition to the harbor renovation and that she would support the amendment.

Chairman Denton hoped that the new signage would help the businesses in the center be more successful.

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ACTION: Motion made (Schoeffel) and seconded (Powers) to adopt Resolution 04-11-03-49 approving the amendment to Sign Program Permit SPP98-01(II). Motion carried 5-0. (AYES: Denton, O'Connor, Powers, 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) encouraged the Planning Commission to review the summary of the Town Center public participation process. He felt that there were some interesting results. He reported that the Coastal Commission has scheduled the Headlands for final action on November 18, 2004. He stated that the Coastal Commission is expected to certify the land use plan amendment and the suggested modifications. He added that it was anticipated that the Tentative Tract Map for the Headlands would be scheduled for the Planning Commission's first meeting in December.

Brenda Chase (Senior Planner) stated that the City Council had allocated a portion of the in-lieu art fees that have been collected from other projects to purchase art to be displayed at the new fire station in Doheny Village. She added that fifteen (15) different art proposals had been received. She stated that December 9th and 10th have been identified as the dates for the Planning Commission to preview the individual art pieces. She added that the City's art consultant would be on hand to go over the art pieces with the Commission and answer any questions. She stated that more information will be provided to the Commission regarding the preview.

I. COMMISSIONER COMMENTS

Commissioner Schoeffel welcomed Vice-Chairwoman O'Connor and Commissioner Powers back to the Planning Commission.

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Commissioner Weinberg stated that he was glad that the elections were over so that the City could get back to business.

Chairman Denton stated that he was also glad that the elections were over and he welcomed Vice-Chairwoman O'Connor and Commissioner Powers back. He added that he was looking forward to moving forward with the business of the City at hand. He thanked them for their service.

Vice-Chairwoman O'Connor stated that it had been a busy time for her and her family. She added that it was a win-win situation because she does enjoy working with everyone on the Commission.

Commissioner Powers congratulated the winners of the election and wished them the best of luck. He hoped that everyone would step up and support them and help them do their job in a way that will help our City move forward.

J. ADJOURNMENT

Chairman Denton announced that the *next regular* meeting of the Planning Commission will be held on Wednesday, November 17, 2004, 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 7:51 p.m.

Norman Denton, Chairman
Planning Commission