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

May 5, 2004  
7:00-8:06 p.m.

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

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**CALL TO ORDER** – Chairman Denton called the meeting to order.

**PLEDGE OF ALLEGIANCE** – Commissioner Weinberg 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), Todd Litfin (Assistant City Attorney), Brenda Chase (Associate Planner), Sonia Pierce (Consultant Planner), Robert Kain (Permit Coordinator), John Tilton (Planning Manager), and Bobbi Ogan (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1:** Minutes of the regular Planning Commission Meeting of April 21, 2004.

**ACTION:** Motion made (O'Connor) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of April 21, 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.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

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**D. PUBLIC HEARINGS**

**ITEM 2: Coastal Development Permit CDP04-08 to allow for a Lot Line Adjustment to merge one-half of an adjacent private walkway with an existing lot.**

Applicant: Mike Hayden, Master Remodelers  
Owner: Alice G. Crowell  
Location: 35197 Beach Road

Request: Approval of a Coastal Development Permit to allow for a lot line adjustment to merge one-half of an adjacent private walkway with an existing lot.

Environmental: This project is categorically exempt (Class 5 – Section 15305 – New Construction) from the provisions of the California Environmental Quality Act (CEQA) because it involves a minor lot line adjustment not resulting in the creation of a new parcel.

Recommendation: That the Planning Commission adopt the attached Resolution approving Coastal Development Permit CDP04-08.

**Brenda Chase** (Associate Planner) reviewed the staff report.

**There being no requests to speak on this item, Chairman Denton opened and closed the Public Hearing.**

**ACTION: Motion made (Schoeffel) and seconded (Powers) to adopt Resolution 04-05-05-20 approving Coastal Development Permit CDP04-08. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)**

**ITEM 3: A Variance to allow for the 167 square foot expansion on the third floor of a three-story building that is non-conforming due to building height and story.**

Applicant/  
Owners: John and Maryanne Phillips  
Location: 33801 El Encanto

Request: A Variance to expand an existing three-story building that is non-conforming due to building height and story (three (3) feet, six (6) inches over standard).

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Environmental: The proposed project qualifies as a Class 1 (Section 15301) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves the addition of less than 10,000 square feet to an existing single-family residential structure.

Recommendation: That the Planning Commission adopt the attached Resolution approving Variance V04-06.

**Sonia Pierce** (Planning Consultant) reviewed the staff report.

**Chairman Denton opened the Public Hearing.**

**Joseph Ruiz** (Dana Point) stated that he opposes the project for the following reasons:

1. The massive size of the home and how out of proportion he felt the home already was with the surrounding properties.
2. That the request for a Variance was being made on a basis of convenience and not a hardship.
3. That the 1<sup>st</sup> level of this home is not a garage like the other homes being referenced as a basis for comparison.

**Chairman Denton closed the Public Hearing.**

**Vice-Chairwoman O'Connor** stated that she could not perceive a hardship and felt that the addition would create massing and bulk. She added that she could not support the project.

**Commissioner Schoeffel** stated that he could not support the project.

**Commissioner Weinberg** stated that he could not support the project.

**Commissioner Powers** stated that he could not see a hardship that would support approval of the Variance.

**Chairman Denton** felt that the kitchen could be made larger within the building envelope without the addition.

**Todd Litfin** (Assistant City Attorney) stated that the property owner has asked for a continuance of the hearing.

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**ACTION:** Motion made (Powers) and seconded (Weinberg) to continue this item to the regular Planning Commission meeting of July 7, 2004. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

**E. PUBLIC MEETINGS**

**ITEM 4:** Approval of the Public Art Component for the renovation project at the Dana Point Holiday Inn Express, required as a condition of approval with the issuance of building permits.

Applicant/

Owner: Dana Point Inn LLC

Location: 34280 Pacific Coast Highway

Request: Approval of the public art component for the renovation of the Dana Point Holiday Inn Express.

Environmental: The proposed project qualifies as a Class 11 (Section 15311) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that it involves the construction of on-premise art components.

Recommendation: That the Planning Commission adopt the attached Resolution approving the proposed public art component for the Dana Point Holiday Inn renovation project.

**Robert Kain** (Permit Coordinator) reviewed the staff report.

**Commissioner Schoeffel** felt that the proposed sculpture was fine art and a high quality that would fit into our community. He added that he would support the project.

**Chairman Denton** stated that the property has become very attractive and that the proposed art would be appropriate.

**ACTION:** Motion made (O'Connor) and seconded (Schoeffel) to adopt Resolution 04-05-05-21 the public art component for the Dana Point Holiday Inn. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

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**ITEM 5: Amendment of existing Sign Program SPP92-07(I) for the multi-tenant building located at 24502 Del Prado.**

Applicant/

Owner: Muller Commercial Real Estate/Promotional Signs

Location: 24502 Del Prado

Request: An amendment of a Sign Program to modify the type and number of signs permitted at the existing multi-tenant building located at 24502 Del Prado.

Environmental: The proposed project qualifies as a Class 11 (Section 15311) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that it involves the construction of on-premise signs.

Recommendation: That the Planning Commission adopt the attached Resolution amending Sign Program SPP92-07(I).

**Brenda Chase** (Associate Planner) reviewed the staff report.

**Commissioner Powers** stated that he approves of the signage.

**Vice-Chairwoman O'Connor** felt that the chain stores already had name and sign recognition and that the additional signage was a disservice to the small businesses in Dana Point. She stated that she was opposed to the Sign Program Amendment.

**Commissioner Schoeffel** felt that the chain store signage would help the other small businesses by attracting customers to that area. He stated that he would support the amendment.

**ACTION:** Motion made (Schoeffel) and seconded (Powers) to adopt Resolution 04-05-05-22 approving the amendment to Sign Program SPP92-07(I).  
Motion carried 4-1. (AYES: Denton, Powers, Schoeffel, Weinberg  
NOES: O'Connor ABSENT: None ABSTAIN: None)

**F. OLD BUSINESS**

There was no Old Business.

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**G. NEW BUSINESS**

There was no New Business.

**H. STAFF REPORTS**

**Kyle Butterwick** (Director) stated that at the May 12, 2004 City Council meeting, that the City Council would be considering the appeal of the height Variance on Robles Drive. He added that on the same agenda that staff would be bringing forward a recommendation for the consultant for the Town Center Specific Plan.

He stated that with regard to the Headlands, that the Coastal Commission was still scheduled to conduct a public hearing in the middle of June in San Pedro and that this would be a critical meeting on the final approvals.

**I. COMMISSIONER COMMENTS**

**Commissioner Powers** stated that he was pleased to see a pedestrian friendly business coming into the Town Center.

**Chairman Denton** felt that the Town Center would be enhanced with outdoor seating.

**Commissioner Weinberg** reported that the bike trail under Pacific Coast Highway was flooded again and that there was a lot of glass in the bike lanes on Coast Highway.

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**J.     ADJOURNMENT**

**Chairman Denton** announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, May 19, 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 8:06 p.m.**

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Norman Denton, Chairman  
Planning Commission