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

January 21, 2004
7:01-9:51 p.m.

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

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

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

ROLL CALL

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

Staff Present: Kyle Butterwick (Director), Todd Litfin (Assistant City Attorney), Kurth Nelson (Planning Consultant), Brenda Chase (Associate Planner), Eugenia Garcia (Senior Planner), and Bobbi Ogan (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of December 17, 2003. (FF# 0120-10/PC Minutes/PC Secretary Binder)
[BO]

ACTION: Motion made (Denton) and seconded (Powers) to approve the Minutes of the regular Planning Commission Meeting of December 17, 2003. 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

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 2: Coastal Development Permit CDP01-31 and Site Development Permit SDP03-57, to allow for the reconstruction of a failed multiple-family structure with a new 30 unit multiple-family structure and associated repairs and improvements including stabilization of the site, drainage system, retaining walls, and repair of the Salt Creek Regional Bicycle Trail. *(Continued from the regular Planning Commission meeting of December 17, 2003)* (FF# 0610-70/CDP01-31/SDP03-57/Crown Valley Parkway, 32468) [KN]

Applicant: Santiago de Rio, Lyon Management Companies
Owner: Lyon Management Companies
Location: 32468 Crown Valley Parkway

Request: A Coastal Development Permit and Site Development Permit for the reconstruction of a failed multiple-family structure with a new 30 unit multiple-family structure and associated repairs and improvements including stabilization of the site, drainage system, and retaining walls.

Environmental: A Negative Declaration has been prepared in accordance with Section 15070 of the California Environmental Quality Act (CEQA) for the project for the Commission's review and adoption. The Negative Declaration was circulated on November 14, 2003 to the County Clerk and the State Clearinghouse for 30 days. The review period ended December 14, 2003. Comments received after distribution of this report will be attached as an appendix to the Negative Declaration for the Commission's consideration.

Recommendation: That the Planning Commission take the following actions:

1. Adopt the attached Resolution adopting a Negative Declaration; and
2. Adopt the attached Resolution approving Coastal Development Permit CDP01-31 and Site Development Permit SDP03-57.

Kurth Nelson (Planning Consultant) reviewed the Staff report.

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Chairman Schoeffel opened the Public Hearing.

Richard Gardner (Capistrano Beach) spoke about the Salt Creek Bike Trail. He asked the Commission to continue the project to allow him time to review the negative declaration and subsequent documents.

Eric Donnelly (West Covina – Construction Manager) stated that the standing groundwater would be handled with small pipes that will be installed into the soil to relieve the pressure.

Chairman Schoeffel closed the Public Hearing.

Commissioner Powers stated that he was concerned that the grading permit area would have to be expanded once they start the project. He was also concerned that the contractor may settle for what he thinks is a competent bottom, but it isn't and that the City would have the same type of problem seven (7) years from now.

Vice-Chairman Denton stated that he was satisfied that with all of the various agencies looking at this project, that it will meet all of the environmental concerns.

Commissioner O'Connor stated that with the reduction of units and lower height than the original building, that she would support the project.

Chairman Schoeffel felt that the proposed project would allow for significant improvement in the area and that he would support.

ACTION: **Motion made (O'Connor) and seconded (Denton) to adopt Resolution 04-01-21-01 adopting a Negative Declaration for Coastal Development Permit CDP01-31 and Site Development Permit SDP03-57. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)**

ACTION: **Motion made (O'Connor) and seconded (Denton) to adopt Resolution 04-01-21-02 approving Coastal Development Permit CDP01-31 and Site Development Permit SDP03-57. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)**

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ITEM 3: **Tentative Tract Map TTM15924(I) and Minor Site Development Permit SDP00-06M(I) to allow amendments to a previously approved tract map and site retaining walls and Site Development Permit SDP03-04 to allow the construction of a two (2) story single-family residence on each of the six (6) lots with related improvements to the property located at the southwest corner of Del Obispo and Camino Del Avion.** (FF# 0600-20/TTM15924(I)/SDP03-04/SDP00-06M(I)/Del Obispo, 32741) [KN]

Applicant: Paul Douglas
Owner: N.D.A. Development
Location: 32741 Del Obispo

Request: A request to amend a previously approved tract map and site retaining walls. Minor adjustments to lot lines and sizes are proposed, but the number of lots (6) remains the same. Site retaining walls are being reconfigured to step the rear walls back adjacent to Del Obispo Street and Camino Del Avion rights-of-way at a maximum of six (6) feet. Site Development Permit SDP03-04 is requested to allow the construction of a two (2) story single-family residence on each of the six (6) lots. All residences are two (2) stories and range in area from 3,433 to 4,049 square feet.

Environmental: A Negative Declaration was previously adopted by the Planning Commission during the original approval of the subdivision in accordance with Section 15070 of the California Environmental Quality Act (CEQA). Since there have not been significant changes to the plans that would change any of the impacts of the project, the previously approved Negative Declaration is valid.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Tentative Tract Map TTM15924(I), Site Development Permit SDP03-04, and Minor Site Development Permit SDP00-06M(I).

Kurth Nelson (Planning Consultant) reviewed the Staff report.

Chairman Schoeffel opened the Public Hearing.

Paul Douglas (Dana Point) felt that the verdura wall would be very attractive once the plantings had matured.

Richard Bondurant (San Juan Capistrano) stated that his view of the ocean would be diminished if the proposed project were approved.

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B.M. Breanan (San Juan Capistrano) stated that she didn't want to have to look at the wall and tall houses.

Tom Giambone (San Juan Capistrano) stated that he was concerned about his property values being affected and his ocean view being eliminated.

Chairman Schoeffel closed the Public Hearing.

Commissioner O'Connor felt that the walls as proposed would provide some visual relief. She stated that she would support the project.

Commissioner Powers felt that the walls would be better than what was previously approved.

Vice-Chairman Denton felt that the changes as proposed were a significant step forward. He stated that he was glad that the traffic plan had not been changed. He added that the vehicular visibility should be improved with the sidewalks and walls.

ACTION: Motion made (Denton) and seconded (Weinberg) to adopt Resolution 04-01-21-03 approving Tentative Tract Map TTM15924(I), Site Development Permit SDP03-04 and Minor Site Development Permit SDP00-06M(I). Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

E. PUBLIC MEETINGS

There were no Public Meetings.

F. OLD BUSINESS

There was no Old Business.

G. NEW BUSINESS

ITEM 4: Study Session: Residential Height Overview. [BC]

Brenda Chase (Associate Planner) provided a PowerPoint presentation.

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H. STAFF REPORTS

Kyle Butterwick (Director) stated that the consultant interviews had been completed for the Town Center Specific Plan and that Staff's recommendation would be presented to the City Council at their meeting February 11, 2004.

I. COMMISSIONER COMMENTS

Commissioner Powers asked Staff for clarity on changes that are being proposed for projects with previous approvals. He stated that if the changes were indicated in bold font or italicized that it would make it much easier for the Commission and the public to recognize how the project would be changing.

J. ADJOURNMENT

Chairman Schoeffel announced that the *next* regular meeting of the Planning Commission would be held on Wednesday, February 4, 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 9:51 p.m.

J. Scott Schoeffel, Chairman
Planning Commission