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

June 18, 2003  
7:02-7:56 p.m.

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

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

**PLEDGE OF ALLEGIANCE** – Assistant City Attorney Todd Litfin led the Pledge of Allegiance.

**ROLL CALL**

**Commissioners Present:** Commissioner April O'Connor, Commissioner Greg Powers, Chairman J. Scott Schoeffel, and Commissioner Steven Weinberg

**Commissioner Absent:** Vice-Chairman Norman Denton

**Staff Present:** Eugenia Garcia (Senior Planner), Todd Litfin (Assistant City Attorney), Robert Kain (Permit Coordinator), Albert Armijo (Planning Consultant), and Bobbi Ogan (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1:** **Minutes of the regular Planning Commission Meeting of June 4, 2003.** (FF# 0120-10/PC Minutes/PC Secretary Binder) [BO]

**ACTION:** **Motion made (Powers) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of June 4, 2003. Motion carried 4-0-1.** (AYES: O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: Denton ABSTAIN: None)

**B. PUBLIC COMMENTS**

There were no Public Comments.

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**C. CONSENT CALENDAR**

There were no Consent Calendar items.

**D. PUBLIC HEARINGS**

**ITEM 2: Antenna Use Permit AUP03-01, Coastal Development CD84-46Z(II) and Variance V03-11 to allow for six antennas to be installed within faux chimney elements added to the existing structure, including supporting equipment.**

(FF# 0610-80/AUP03-01/CD84-46Z(II)/V03-11) [RK]

Applicant: Mike Blackwell for Cingular Wireless  
Owner: South Coast Association, Ltd.  
Location: 32241 Crown Valley Parkway

Environmental: This project qualifies as a Class 1 (Section 15301) Categorical Exemption from the provisions set forth in the California Environmental Quality Act (CEQA), in that it involves a minor addition to an existing structure.

Request: An Antenna Use Permit, Coastal Development and Variance to allow for six antennas to be installed within faux chimney elements added to the existing structure, with support equipment within an enclosure at ground level, and with a setback from a residential zoning district less than 100 feet.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Antenna Use Permit AUP03-01, Coastal Development CD84-46Z(II), and Variance V03-11.

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

**There being no requests to speak, Chairman Schoeffel opened and closed the Public Hearing.**

**ACTION: Motion made (Weinberg) and seconded (O'Connor) to adopt Resolution 03-06-18-26 approving Antenna Use Permit AUP03-01, Coastal Development CD84-46Z(II) and Variance V03-11. Motion carried 4-0-1. (AYES: O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: Denton ABSTAIN: None)**

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**ITEM 3:**     **A proposal to construct a 1,755 square-foot addition to an existing single-family residence that includes a new third story and conversion of the first story to non-habitable space, on a steeply sloping lot with a request for a Variance to increase the height of the structure to 30 feet for property located at 34022 Blue Lantern.**  
*(Continued from the regular Planning Commission meeting of June 4, 2003) (FF# 0600-30/SDP03-14M/CUP03-09/V03-03/Blue Lantern, 34022) [AA]*

Applicant:     Hannibal Petrossi, Architect  
Owner:        Mr. and Mrs. Michael Gauthier  
Location:     34022 Blue Lantern

Request:       Approval of a Site Development Permit to permit a 1,755 square foot addition, including a new third story and conversion of the first story to non-habitable space, to an existing 2,326 square foot (with garage) dwelling on a steeply sloping lot, a Conditional Use Permit to allow the expansion of a non-conforming structural setback, and a Variance to permit a structural height of thirty (30) feet, 4 feet in excess of the height limit for a structure with a 4/12 roof pitch.

Environmental:     This project is categorically exempt (Class 3 – Section 15303 – New Construction or Conversion of Small Structures) from provisions of the California Environmental Quality Act (CEQA) because it consists of an addition to an existing single-family structure of more than 50% of the existing floor area and is not made in conjunction with construction of three or more units.

Recommendation:   That the Planning Commission authorize construction of a 1,755 square foot addition, including a new third story and conversion of the first story to non-habitable space, to an existing dwelling on a steeply sloping lot, including a Variance to allow an overall height of 30 feet, a dimension 4 feet above the height limit, by adopting the attached Draft Resolution (Attachment 1) approving Site Development Permit SDP03-14M, Conditional Use Permit CUP03-09, and Variance V03-03.

**Albert Armijo** (Planning Consultant) reviewed the staff report.

**Chairman Schoeffel opened the Public Hearing.**

**Michael Gauthier** (Dana Point) stated that he was not trying to out do the neighbors that he only wanted to increase their living space. He added that he had gone to the neighbors across the street with his proposal to make sure that

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he was not going to block anyone's view. He stated that with the way his property is situated, that he could not block anyone's views.

**Paul Douglas** (Dana Point) stated that the method of height measurement for hillside conditions was the same used for flat lots and that it does not work. He added that it forced people to ask for Variances where they shouldn't need one. He hoped that this Commission would have better luck than the last Commission did in getting the Code amended.

**Diane Howard** (Dana Point) stated that she supports the applicant and the proposed project. She felt that the remodel would not match the bulk of the surrounding homes and that the project would add to the neighborhood.

**Norm Jackes** (Dana Point) stated that he supports the project and felt that it would improve the neighborhood.

**Herb Hueg** (Dana Point) stated that he supports the project and that it would help stabilize the neighborhood with a consistent profile.

**Robert Bitonte** (Dana Point) stated that he supports the project and felt that it would be an enhancement to the neighborhood.

**Chairman Schoeffel closed the Public Hearing.**

**Commissioner O'Connor** stated that she supports the Variance request.

**Commissioner Powers** stated that he was concerned with the new non-habitable space being turned into habitable rental space in the future. He added that he supports the Variance request.

**Commissioner Weinberg** stated that when he visited the site that he almost missed the house because of how it is situated down off the street. He felt that the project would be a great addition to the neighborhood.

**ACTION:** **Motion made (O'Connor) and seconded (Powers) to adopt Resolution 03-06-18-27 approving Minor Site Development Permit SDP03-14M, Conditional Use Permit CUP03-09 and Variance V03-03. Motion carried 4-0-1. (AYES: O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: Denton ABSTAIN: None)**

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- ITEM 4:**     Coastal Development Permit CDP03-05, Variance V03-08 to allow construction of an addition, with a reduced front setback, to an existing single-family residence in the Niguel Shores community within the Planned residential Development Overlay (PRD 3) District.  
(FF# 0610-70/CDP03-05/V03-08/Tampico Bay, 23642) [AA]

Applicant:     Stan Andrade, Architect  
Owner:        Suzanne Enis  
Location:     23642 Tampico Bay

Environmental:     The proposed project qualifies as a Class 1 (Section 15301) Categorical Exemption pursuant to applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves construction of an addition to a single-family residence of more than 50% of the existing floor area.

Recommendation:   That the Planning Commission continue the hearing for Coastal Development Permit CDP03-05 and Variance V03-08 to the July 2, 2003 Planning Commission meeting.

**There was a consensus of the Planning Commission to continue this item to the July 2, 2003 Planning Commission meeting.**

- ITEM 5:**     Coastal Development Permit CDP03-04 and Variance V03-09 to allow for the construction of a two-story addition featuring a 548 square foot garage, a 426 square foot first story addition which includes converting the existing garage into a new quest room, bathroom and laundry room and a new 574 square foot second story bedroom and bathroom addition. A Variance is also requested to allow the new second story addition to encroach five (5) feet into the required ten (10) foot setback and to allow the garage to encroach three (3) feet into the five (5) foot required garage setback. *(Continued from the regular Planning Commission meeting of June 4, 2003)*  
(FF# 0610-70/CDP03-04/V03-09/Breakers Isle, 10) [KL]

Applicant:     Donna Olsen (Blair Ballard Architects)  
Owner:        Ben and Julie Crenshaw  
Location:     10 Breakers Isle

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 is a minor alteration to an existing structure of less than

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10,000 square feet where all public services and facilities are available to allow for maximum development permissible in the General Plan.

Recommendation: That the Planning Commission continue the hearing for Coastal Development Permit CDP03-04 and Variance V03-09 to the July 2, 2003 Planning Commission meeting.

**There was a consensus of the Planning Commission to continue this item to the July 2, 2003 Planning Commission meeting.**

**ITEM 6:**     **A Coastal Development Permit CDP94-01(I) to allow the construction of new approximate 9,638 square foot, single-family residence on a 34,630 square foot bluff-top lot with a Site Development Permit SDP03-09 to allow a garage and two (2) story configuration and retaining walls over 12 feet in height and Variance V03-10 to exceed the maximum height limit by 13 feet seven (7) inches, and for the requirements for development adjacent to coastal bluffs.** *(Continued from the regular Planning Commission meeting of June 4, 2003)*  
(FF# 0610-70/CDP94-01(I)/SDP03-09/V03-10/Camino Capistrano, 35009)  
[KN]

Applicant:     Paul Douglas  
Owner:        Collin Cooper (Pioneer Builders)  
Location:     35009 Camino Capistrano

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 a new single family residence not in conjunction with the construction of two or more of such dwelling units.

Recommendation: That the Planning Commission continue the hearing for Coastal Development Permit CDP94-01(I), Site Development Permit SDP03-09 and Variance V03-10 to the July 2, 2003, Planning Commission meeting.

**There was a consensus of the Planning Commission to continue this item to the July 2, 2003 Planning Commission meeting.**

**E.     PUBLIC MEETINGS**

There were no Public Meetings.

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**F. OLD BUSINESS**

There was no Old Business.

**G. NEW BUSINESS**

There was no New Business.

**H. STAFF REPORTS**

**Genia Garcia** (Acting Director) reported that the project on Camino Capistrano that was proposed by Harley Payne had been appealed by the neighbors. She stated that the hearing was tentatively scheduled for late July.

She also reported that staff has been diligently working on the General Plan Update.

**I. COMMISSIONER COMMENTS**

**Commissioner O'Connor** reported that her son plays in the Dana Point Youth League for baseball and that their games are played at Del Obispo Park. She stated that the league has made some complaints to her about the disrepair of the field and facilities. She added that the boys do not like to use the restrooms at the park because they are not very clean. She felt that it was important for the youth of Dana Point to be able to play in a park that is a safe and clean environment and that it should be a priority.

**Commissioner Weinberg** stated that it would be helpful to the Commission if they were provided a diagram of the building envelope on projects requesting a Variance.

**Commissioner Powers** stated that he would like the City to re-visit the slope issues in relation to Variance requests. He asked if it was a standard condition for all new homes and remodels to underground their utilities to the property line. He felt that it would make sense for the applicants to make the investment when upgrading their properties. He asked about the correspondence that had been received regarding the home on Doheny Place and if any of the complaints in the letters were valid.

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**Chairman Schoeffel** reported that the weekend users of Sea Canyon Park are breaking the rules and creating traffic situations. He asked for the City to enforce the rules of the park for the sake of the adjacent residents.

**J. ADJOURNMENT**

**Chairman Schoeffel** announced that the *next regular* meeting of the Planning Commission will be held on Wednesday, July 2, 2003, 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 7:56 p.m.**

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J. Scott Schoeffel, Chairman  
Planning Commission