
**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA**

November 5, 2003
7:04-7:46 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 – Chairman Schoeffel 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), Eugenia Garcia (Senior Planner), and Bobbi Ogan (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of October 15, 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 October 15, 2003 with amendment to the Roll Call. Motion carried 4-0-1. (AYES: Denton, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: O'Connor)

B. PUBLIC COMMENTS

There were no Public Comments.

CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA

November 5, 2003
7:04-7:46 p.m.

PAGE 2

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 2: Coastal Development Permit CDP03-13 and Site Development Permit SDP03-43 to allow a 428 square foot addition to the first floor of an existing two (2) story residence that will connect the existing residence to the existing detached garage which is nonconforming as to the front setback requirement. (FF# 0610-70/CDP03-13/SDP30-43/Verrazanno Bay, 23602) [KN]

Applicant: Andrade Architects
Owner: Walter and Gisela Maretzki
Location: 23602 Verrazanno Bay

Request: A Coastal Development Permit and Site Development Permit to allow a 428 square foot addition to the first floor of an existing two (2) story residence that will connect the existing residence to the existing detached garage which is nonconforming as to the front setback requirement.

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 construction of an addition to an existing structure of less than 50% of the existing single-family residence.

Recommendation: That the Planning Commission adopt the attached Resolution approving Coastal Development Permit CDP03-13 and Site Development Permit SDP03-43.

There were no requests to speak on this item.

ACTION: Motion made (Denton) and seconded (Weinberg) to adopt Resolution 03-11-05-51 approving Coastal Development Permit CDP03-13 and Site Development Permit SDP03-43. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg **NOES:** None **ABSENT:** None **ABSTAIN:** None)

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA**

November 5, 2003
7:04-7:46 p.m.

PAGE 3

ITEM 3: **Coastal Development Permit CDP03-16 and Minor Site Development Permit SDP03-47M for the one time ten (10) percent expansion allowing a 401 square foot addition on the landward side of the second floor of an existing two (2) story residence nonconforming as to the Floodplain (FP-3) requirements.** (FF# 0610-70/CDP03-16/SDP30-47M/Beach Road, 35241) [KN]

Applicant: William Graeber, Peterson Graeber Associates

Owner: Jeff and Cindy Troesh

Location: 35241 Beach Road

Request: A Coastal Development Permit and Minor Site Development Permit for the one time ten (10) percent expansion allowing a 401 square foot addition on the landward side of the second floor of an existing two (2) story residence nonconforming as to the Floodplain (FP-3) requirements.

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 construction of an addition to an existing structure of less than 50% of the existing single-family residence.

Recommendation: That the Planning Commission adopt the attached Resolution approving Coastal Development Permit CDP03-16 and Site Development Permit SDP03-47M.

There was one (1) request to speak on this item.

ACTION: **Motion made (O'Connor) and seconded (Powers) to adopt Resolution 03-11-05-52 approving Coastal Development Permit CDP03-16 and Site Development Permit SDP03-47M. Motion carried 5-0.** (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg **NOES:** None **ABSENT:** None **ABSTAIN:** None)

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA**

November 5, 2003
7:04-7:46 p.m.

PAGE 4

- ITEM 4:** **A Coastal Development Permit CDP94-01(I) to allow the construction of a new approximate 7,835 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 9 feet in height and Variance V03-10 to exceed the maximum height limit by 12 feet four (4) inches, and for the requirements for development adjacent to coastal bluffs.** *(Continued from the regular Planning Commission meeting of September 3, 2003)* (FF# 0610-70/CDP94-01(I)/SDP03-09/V03-10/Camino Capistrano, 35009) [KN]

Applicant: Pioneer Builders
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 to the regular Planning Commission meeting of November 19, 2003.

There was a consensus of the Planning Commission to continue this item to the next regular Planning Commission meeting of November 19, 2003.

- ITEM 5:** **A Coastal Development Permit CDP03-15, Variance V03-19, and Conditional Use Permit CUP03-22 to demolish existing Fire Station #29 and construct a new 9,012 square foot, two story, and 35-foot high Fire Station located in Doheny Village. A Temporary Site Development Permit TSDP03-42 is requested for the temporary use of the site located across the street within the Capistrano School District bus yard.** (FF# 0610-70/CDP03-15/V03-19/CUP03-22/TSDP03-42/Victoria Boulevard, 26111/26126) [GG]

Applicant/
Owner: Orange County Fire Authority (OCFA)
Location: 26126 Victoria Boulevard

Request: A Coastal Development Permit, Variance, Conditional Use Permit, and Temporary Site Development Permit to demolish an existing Fire Station and

CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA

November 5, 2003
7:04-7:46 p.m.

PAGE 5

construct a new 9,012 square foot, two-story, 35-foot high facility located in the community of Doheny Village in the City of Dana Point. The property is located in the Coastal Zone which requires a Coastal Development Permit. In addition, a Variance is required to allow the building to exceed the permitted lot coverage and for a reduction in the landscape requirements. A Conditional Use Permit is required for the construction of the new Fire Station in the Commercial/Residential zoning district. To allow the Fire Station to remain operable during the construction process, a 24' x 60' temporary trailer is proposed to be located across the street from the project site within the Capistrano Unified School District maintenance yard. A Temporary Site Development Permit is required for the temporary trailer.

Environmental: The proposed project qualifies as a Class 3 (Section 15303) exemption pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves the construction of 4 buildings not exceeding 10,000 square feet, where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. The temporary use is a Class 4 (Section 15304) exemption from California Environmental Quality Act (CEQA) because the use is a minor temporary use of the land having a negligible or no permanent effect on the environment.

Recommendation: That the Planning Commission approve Coastal Development Permit CDP03-15, Variance V03-19, Conditional Use Permit CUP03-22 and Temporary Site Development Permit TSDP03-42.

There was one (1) request to speak on this item.

ACTION: Motion made (Powers) and seconded (Denton) to adopt Resolution 03-11-05-53 approving Coastal Development Permit CDP03-15, Variance V03-19, Conditional Use Permit CUP03-22 and Temporary Site Development Permit TSDP03-42. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA**

November 5, 2003
7:04-7:46 p.m.

PAGE 6

-
- ITEM 6:** **A Site Development Permit to allow construction of a duplex on a 6,800 square foot vacant lot and to allow retaining walls in excess of 30 inches in height. A Variance to permit a structural height in excess of the City standard for a structure with roof pitch of 4:12, to permit reduced front yard and side yard structural setbacks, and to permit exterior stairways extending into the side setbacks.** *Continued from the regular Planning Commission meeting of October 1, 2003 (FF# 0600-30/SDP03-34M/CUP03-11/V03-15/Via Canon, 26252) [AA]*

Applicant/

Owner: Fara Marz Shahbazian

Location: 26252 Via Canon

Environmental: This proposed project qualifies as a Class 3 (Section 15303) pursuant of the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves construction of a duplex of fewer than four dwelling units.

Recommendation: That the Planning Commission continue the hearing to the regular Planning Commission meeting of November 19, 2003.

There was a consensus of the Planning Commission to continue this item to the next regular Planning Commission meeting of November 19, 2003.

- ITEM 7:** **A Site Development Permit is required to construct a new single-family residence with 2,932 square feet of living space on two-stories and a ground story with 1,213 square feet of non-habitable space on a 3,887 square foot lot, and to allow retaining walls in excess of 30 inches in height. Variances are requested to permit reduced front and rear structural setbacks, to permit a structural height in excess of City standards, to permit a chimney extension into a side setback in excess of City standards, to permit exterior stairways extending into the side and rear setbacks in excess of City standards, and to permit a reduced stepped back distance and extent for each floor above the first floor of the structure from the floor below.** (FF# 0600-30/SDP03-52M/ V03-23/Blue Lantern, 34111) [AA]

Applicant: Robert Theel Company

Owner: James F. DeCarli

Location: 34111 Blue Lantern

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA**

November 5, 2003
7:04-7:46 p.m.

PAGE 7

Environmental: The proposed project qualifies as a Class 3 (Section 15303) – New Construction or Conversion of Small Structures Categorical Exemption pursuant to applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves construction of a single-family residence.

Recommendation: That the Planning Commission continue the hearing to the regular Planning Commission meeting of November 19, 2003.

There was a consensus of the Planning Commission to continue this item to the next regular Planning Commission meeting of November 19, 2003.

E. PUBLIC MEETINGS

There were no Public Meetings.

F. OLD BUSINESS

There is no Old Business.

G. NEW BUSINESS

There is no New Business.

H. STAFF REPORTS

There were no Staff Reports.

I. COMMISSIONER COMMENTS

Commissioner Weinberg stated that he would like to see the Farmers Market moved back into the City's center. He felt that the City should start to use the City's center for what it should be and that is pedestrian traffic and places for people to come.

CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA

November 5, 2003
7:04-7:46 p.m.

PAGE 8

Commissioner Powers asked for status on the following:

1. Ordinance for height variances or height on sloped lots.
2. Town Center consultant.
3. Planning Commissioner workshop.

Kyle Butterwick (Director) *replied that the City was currently reviewing the City's height standards and that Staff had taken a field trip to Laguna Beach to see how they apply the standards to their hillside homes. He anticipated that a draft Ordinance would be presented to the Planning Commission at their second meeting in December. He stated that the City has been able to schedule the interviews with the three (3) candidates during the second week of December. He added that the workshop to discuss a variety of topics has been tentatively scheduled for December 3, 2003 at 5:30 p.m.*

Commissioner Powers expressed his gratitude for the work that has gone into the fire station. He felt that the proposal and the work that staff has done will produce a great product that will serve everyone well.

Commissioner O'Connor asked about the City Council's decision for the map extension for Pioneer Builders.

Kyle Butterwick *replied that the City Council did not grant the extension of time for the tentative tract map and the consequence of that was to categorically deny the map itself so at the present time the applicant does not have a legitimate tract map to go forward with. He stated that a stop work order has been issued on any further activities on the property until the City can sort out the issues and decide what the next step in the process may be. He added that several Council members had expressed concern about the lack of performance and lack of responsibility of management oversight. He added that staff has held a series of meetings with representatives from the neighborhood and the property owners to examine what options might be available to the City and the property owner at this point. He stated that he didn't know where the dialog was going to lead and he felt that he would be in a better position to advise the Planning Commission at the next Planning Commission meeting.*

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA**

November 5, 2003
7:04-7:46 p.m.

PAGE 9

J. ADJOURNMENT

Chairman Schoeffel announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, November 19, 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 7:46 p.m.