

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

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May 13, 2008  
7:00 – 8:27 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 Fitzgerald led the Pledge of Allegiance.

**ROLL CALL**

**Commissioners Present:** Vice-Chairwoman Michelle Brough, Commissioner Ed Conway, Alternate Commissioner Michael Dec, Chairman Norman Denton, Commissioner Liz Anderson Fitzgerald, and Commissioner J. Scott Schoeffel

**Staff Present:** Kyle Butterwick (Director of Community Development), John Tilton (City Architect/Planning Manager), Todd Litfin (Assistant City Attorney), Matthew Schneider (Associate Planner), Mark Sutton (Building Official), and Denise Jacobo (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1:** **Minutes of the regular Planning Commission Meeting of April 22, 2008.**

**ACTION:** **Motion made (Brough) and seconded (Conway) to approve the Minutes of the regular Planning Commission Meeting of April 22, 2008.**  
**Motion carried 4-0-1.** (AYES: Brough, Conway, Denton, Schoeffel NOES: None ABSENT: None ABSTAIN: Fitzgerald)

**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

#### **D. PUBLIC HEARINGS**

**ITEM 2:**     **A tentative parcel map and conditional use permit to allow the conversion of an approved duplex into a two unit condominium. The property is located in the residential duplex (RD 14) zone and is addressed as 26421 Via California.**

Applicant:     Michael Spraker  
Owners:       Esone LLC  
Location:     26421 Via California (A.P.N. #123-142-03)

Request:       Approval of Tentative Parcel Map TPM2007-113 and Conditional Use Permit CUP08-002 to allow the conversion of an approved duplex into a two unit condominium.

Environmental: This project is categorically exempt (Class 3 - Section 15303 - New Construction or Conversion of Small Structures) from the provisions of the California Environmental Quality Act (CEQA) because it consists of the construction of two new attached residential units. The proposed condominium map is categorically exempt (Class 15 - Section 15315 - Minor Land Divisions) because it will result in the division of property in an urbanized area zoned for residential use which will result in fewer than 4 parcels, it is consistent with the General Plan and zoning, no variances or exceptions are required, all services to the parcel to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Tentative Parcel Map TPM2007-113 and Conditional Use Permit CUP08-002.

**Matt Schneider** (Associate Planner) presented 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 (Fitzgerald) to adopt Resolution No. 08-05-13-13 approving Tentative Parcel Map TPM2007-113, Conditional Use Permit CUP08-002. Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)**

## **E. NEW BUSINESS**

### **ITEM 3: A review of recent updates to the California Building Code and Americans with Disabilities Act.**

Recommendation: That the Planning Commission receives a presentation from the City's Building Official, Mark Sutton, regarding recent updates to California Building Codes and the Americans with Disabilities Act (ADA).

**Kyle Butterwick** (Director) noted the City's recent requirements to update its building codes to comply with Federal and State statutes. The City is also actively involved in administering ADA requirements. He introduced Mark Sutton, Building Official, to share an overview and summary of the Building Code and ADA requirements.

**Mark Sutton** (Building Official) presented a short video of the Santiago Fire that occurred in October of 2007; he narrated a slide presentation on Chapter 7A of the Building Code which covers requirements for exterior fortification of structures and high fire hazard areas; and related Title 24 accessibility standards of the Building Code and ADA requirements.

## **F. STAFF REPORTS**

**Kyle Butterwick** (Director) gave an update on several City issues and projects.

- On May 8<sup>th</sup>, the Town Center Plan was approved by the California Coastal Commission by a unanimous 12-0 vote. He stated that the plan was a great model of consensus building between Coastal Commission staff and the City.
- A Request for Proposal for contract and design services to start the public improvement design phase in Town Center will be introduced to the City Council in several months.
- The Headlands project to eliminate the mid-access stairway was also considered at the California Coastal Commission on May 8<sup>th</sup>. The Commission voted 11-1 to keep the access way as originally approved.

**Chairman Denton** congratulated Kyle Butterwick, Director, and staff for their work on the Town Center. He also stated that the City has a lot to face ahead.

**G. COMMISSIONER COMMENTS**

**Commissioner Schoeffel** reported the upcoming Doheny Blues Festival event in May; and the Dana Point Grand Prix of Cycling Race in June. He encouraged everyone to kick off the summer with a great start and attend these City activities.

**Commissioner Fitzgerald** gave a special thank you on the Town Center to Chairman Denton and Commissioner Schoeffel, who served on the Planning Commission during the year under initial review; she congratulated them for their votes and approval.

**Vice-Chairwoman Brough** thanked staff for their great work on the Town Center. She also thanked Mark Sutton, City Building Official, for his nice presentation, and noted that it was very informative. She reminded everyone to join the exciting City events.

**Commissioner Conway** also thanked staff for the success on the Town Center. He also thanked Mark Sutton for his presentation.

**H. ADJOURNMENT**

**Chairman Denton** adjourned the meeting to the *next regular* meeting of the Planning Commission held on Tuesday, May 27, 2008, 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 8:27 p.m.**

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Norman Denton, Chairman  
Planning Commission