

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

August 26, 2008
7:00 – 7:35 p.m.

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

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

PLEDGE OF ALLEGIANCE – Alternate Commissioner Dec led the Pledge of Allegiance.

ROLL CALL

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

Staff Present: Kyle Butterwick (Director of Community Development), Jennifer Farrell (Assistant City Attorney), Evan Langan (Associate Planner), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of August 12, 2008.

ACTION: Motion made (Conway) and seconded (Fitzgerald) to approve the Minutes of the regular Planning Commission Meeting of August 12, 2008. Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel 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.

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

August 26, 2008
7:00 – 7:35 p.m.

PAGE 2

D. PUBLIC HEARINGS

ITEM 2: Coastal Development Permit CDP08-0013 to allow routine beach maintenance and cleanup at the Monarch Bay Beach, located to the north of Salt Creek Beach, within the appeals jurisdiction of the Coastal Overlay District at 500 Monarch Bay Drive.

Applicant/Owner: Monarch Bay Home Owners Association
Location: 500 Monarch Bay Drive (APN: 670-151-55)

Request: Request for a Coastal Development (CDP08-0013) to allow routine beach maintenance and cleanup at the Monarch Bay Beach, located to the north of Salt Creek Beach and within the Appeals Jurisdiction Area of the Coastal Overlay District.

Environmental: The proposed project is found not to have a significant effect on the environment and is therefore exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15304, Class 4 – Minor Alterations to Land. The proposed project is for beach cleanup and maintenance using shovels, hand rakes and light weight mechanized equipment. The project is consistent with the exceptions listed in Section 15300.2 of CEQA.

Recommendation: That the Planning Commission adopt the attached Draft Resolution 08-08-26-21 approving Coastal Development Permit CDP08-0013.

Kyle Butterwick (Director of Community Development) presented the staff report.

Chairman Denton opened the public hearing.

Wayne Rayfield (Dana Point - Applicant's Representative) thanked the Commissioners for their consideration. He clarified that both the HOA and Makar (The St. Regis Hotel) shared the beach maintenance. He expressed concern that since the hotel lessened their involvement on the clean-up efforts, a shift in responsibility adversely impacted the area of public health, safety, and the environment. He stated that this exposure has led the HOA to enact the beach improvement project as it would benefit beach patrons and the environment. He added that he was available to answer any questions.

In response to *Commissioner Fitzgerald's* question about primarily placing the beach clean-up strictly under the HOA, Mr. Rayfield affirmed that it would for now, and noted that they would prefer some assistance from Makar at some point in time.

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

August 26, 2008
7:00 – 7:35 p.m.

PAGE 3

Chairman Denton closed the public hearing.

ACTION: Motion made (Schoeffel) and seconded (Brough) to adopt Resolution No. 08-08-26-21 approving Coastal Development Permit CDP08-0013 to allow routine beach maintenance and cleanup at the Monarch Bay Beach, located to the north of Salt Creek Beach, within the appeals jurisdiction of the Coastal Overlay District at 500 Monarch Bay Drive. Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

ITEM 3: Coastal Development Permit CDP08-0003 and Site Development Permit SDP08-0010 to allow the demolition of an existing single-family dwelling; and the construction of a new, two-story, 2,570 square foot single-family residence in the residential Beach Road 12 (RBR-12) Zoning and Floodplain Overlay Districts at 35537 Beach Road.

Applicant: Mark Singer (Mark Singer Architects)
Property Owner: Blaine Curtis
Location: 35537 Beach Road; (APN 691-161-09)

Request: Approval of Coastal Development Permit CDP08-0003 and Site Development Permit SDP08-0010 to allow the demolition of an existing single-family dwelling and construction of a new, two-story, 2,570 square foot single-family residence in the Residential Beach Road 12 (RBR-12) Zoning and Floodplain Overlay Districts.

Environmental: This project is categorically exempt (Class 3 - Section 15303 - New Construction) from the provisions of the California Environmental Quality Act (CEQA) because 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 adopt the attached Draft Resolution 08-08-26-22 approving Coastal Development Permit CDP08-0003 and Site Development Permit SDP08-0010.

Evan Langan (Associate Planner) presented the staff report.

There being no requests to speak, Chairman Denton opened and closed the public hearing.

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

August 26, 2008
7:00 – 7:35 p.m.

PAGE 4

ACTION: Motion made (Conway) and seconded (Brough) to adopt Resolution No. 08-08-26-22 approving Coastal Development Permit CDP08-0003, and Site Development Permit SDP08-0010 to allow the demolition of an existing single-family dwelling and construction of a new two (2) story, 2,570 square foot single-family residence in the Residential Beach Road 12 (RBR 12) Zoning and Floodplain Overlay Districts at 35537 Beach Road. Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

ITEM 4: General Plan Consistency analysis GPC08-0001, for the vacation of an alley generally located to the west of Doheny Park Road; between Victoria Boulevard and Domingo Avenue.

Applicant/

Owner: Pickering Properties

Location: The subject alley is generally located to the west of Doheny Park Road, between Victoria Boulevard and Domingo Avenue.

Request: Request for a General Plan Consistency determination, GPC08-0001 for City's vacation of an alley generally located to the west of Doheny Park Road, between Victoria Boulevard and Domingo Avenue.

Environmental: The proposed project is found not to have a significant effect on the environment and is therefore exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15312, Class 12 – Surplus Government Property Sale. The project involves vacation of surplus property.

Recommendation: That the Planning Commission adopt the attached Draft Resolution 08-08-26-23 finding that the vacation of an alley located between Victoria Boulevard and Domingo Avenue is consistent with the Dana Point General Plan.

Kyle Butterwick (Director of Community Development) presented the staff report.

There being no requests to speak, Chairman Denton opened and closed the public hearing.

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

August 26, 2008
7:00 – 7:35 p.m.

PAGE 5

ACTION: Motion made (Fitzgerald) and seconded (Denton) to adopt Resolution No. 08-08-26-23 finding the proposed vacation of the alley generally located to the west of Doheny Park Road, between Victoria Boulevard and Domingo Avenue is consistent with the Dana Point General Plan (GPC08-0001). Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

E. NEW BUSINESS

There were no New Business items.

F. STAFF REPORTS

Kyle Butterwick (Director of Community Development) gave several updates:

- In September, the approval for the Town Center Plan final certification will be made on the next California Coastal Commission agenda held in Eureka.
- An update on the Harbor Plan is tentatively scheduled to appear before the California Coastal Commission in November.
- On the first week in September, the Draft EIR for the Doheny House will be released for a 45 day public review period.
- The next Planning Commission meeting will consist of a light agenda with a study session to recap the Code Enforcement program and/or preview forthcoming projects. He asked the Planning Commissioners to suggest any additional topics for this or the September 23, 2008 meeting.

There was consensus by the Planning Commissioners to cancel the September 9, 2008 meeting.

G. COMMISSIONER COMMENTS

Commissioner Schoeffel stated that he had attended the Heritage Park summer concert this past Sunday. He felt that it was a well turned out event and that there were both people from other cities and many locals.

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

August 26, 2008
7:00 – 7:35 p.m.

PAGE 6

Commissioner Fitzgerald stated that the summer concerts this year had the best entertainment lineup and certainly the best crowd. She gave a tremendous compliment to the City staff for putting on these events.

Chairman Denton thanked the City Park leaders for the summer concerts. He stated that the quality of the concert bands who performed this year were phenomenal. He offered a suggestion to add an extra concert weekend to end the summer on Labor Day weekend.

Vice-Chairwoman Brough also commented that the summer concerts had been great this year.

Commissioner Conway stated that he had attended Sunday's concert and was thrilled to see people of all ages having an excellent time at the concert.

Commissioner Schoeffel offered that the music's monitor level was most appropriate. He stated that in light of noise ordinance issues, the audience enjoyed it when the sound was turned up a notch.

H. ADJOURNMENT

Chairman Denton adjourned the meeting to the *next regular* meeting of the Planning Commission held on Tuesday, September 23, 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 7:35 p.m.

Norman Denton, Chairman
Planning Commission