

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

March 2, 2009
6:00 – 10:17 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.

ROLL CALL

Commissioners Present: Commissioner Ed Conway, Commissioner Michael Dec (arrived at 6:05 p.m.), Chairman Norman Denton, and Commissioner Liz Anderson Fitzgerald

Staff Present: Kyle Butterwick (Director of Community Development), John Tilton (City Architect/Planning Manager), Todd Litfin (Assistant City Attorney), Erica Demkowicz (Senior Planner), and Denise Jacobo (Planning Secretary)

CLOSED SESSION

Chairman Denton indicated that there was a need for a Closed Session as follows:

- A. Conference with legal counsel – anticipated litigation, significant exposure to litigation, pursuant to Government Code § 54956.9 (b)(1), (1 case)

Chairman Denton recessed the meeting into a Closed Session at 6:01 p.m. pursuant to Government Code § 54956.9 (b)(1), (1 case).

Chairman Denton reconvened the meeting at 7:00 p.m. All Planning Commissioners were present.

PLEDGE OF ALLEGIANCE –Commissioner Fitzgerald led the Pledge of Allegiance.

REPORT ON CLOSED SESSION

Chairman Denton stated that there was no report on the Closed Session.

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of February 2, 2009.

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ACTION: Motion made (Fitzgerald) and seconded (Conway) to approve the Minutes of the regular Planning Commission Meeting of February 2, 2009. Motion carried 4-0-0. (AYES: Conway, Dec, Denton, Fitzgerald NOES: None ABSENT: None ABSTAIN: None)

B. PUBLIC COMMENTS

Mary Jeffries (Dana Point) distributed a handout of photos and information to consider for upcoming art in public places' projects in Dana Point. She also submitted a document for the record relating to the Makar property.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 2: Coastal Development Permit CDP07-05 to allow the demolition of an existing single family dwelling commonly referred to as the Doheny House. The Doheny House is approximately 5,260 square feet, contains an attached three car garage and was designated as a historic structure on the City's Historic Resource Register in 1997. A Conditional Use Permit (Conditional Use Permit CUP07-07) is required to remove the house from the City's Historic Resource Register in conjunction with the proposed project. The proposed project was analyzed in an Environmental Impact Report (SCH#2006101042). The subject site is addressed as 35101 Camino Capistrano and is located in the Residential Single Family (RSF3) Zoning District.

Applicant:

Owner: Paul Douglas/Carl Grewe

Location: 35101 Camino Capistrano (APN:)

Request: The existing dwelling is a locally designated historic resource and is located on five bluff top lots in the City's local coastal zone appeal jurisdiction. The applicant is requesting a Coastal Development Permit and Conditional Use Permit to demolish the existing historic single family dwelling and attached three

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car garage in conjunction with the removal of the structure from the City's Historic Resource Register.

Environmental: Pursuant to the provisions of the California Environmental Quality Act (CEQA), an Environmental Impact Report (SCH#2006101042) was prepared for the proposed project.

Recommendation: Take public testimony, evaluate alternatives and provide staff direction as to the preferred alternative.

There were twenty seven (27) requests to speak on this item.

Chairman Denton recessed the meeting at 9:38 p.m.

Chairman Denton reconvened the meeting at 9:55 p.m.

ACTION: Motion made (Fitzgerald) and seconded (Denton) to deny Coastal Development Permit CDP07-05/Conditional Use Permit CUP07-07 and directed staff to return at the next regular meeting on March 16, 2009 to approve the recommendation. Motion carried 4-0-0. (AYES: Conway, Dec, Denton, Fitzgerald NOES: None ABSENT: None ABSTAIN: None)

E. NEW BUSINESS

There was no New Business.

F. STAFF REPORTS

Kyle Butterwick (Director of Community Development) invited the Commission to attend a workshop on "Community Dialogue on Housing our Communities" at the Norman P. Murray Community and Senior Center on March 10th from 9:30 a.m. to 12 noon.

G. COMMISSIONER COMMENTS

Chairman Denton thanked staff for their work on the project (Item #2).

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Commissioner Fitzgerald also thanked staff for their fine work and Chairman Denton. She stated that she felt that the audience was heard.

H. ADJOURNMENT

Chairman Denton announced that the *next regular* meeting of the Planning Commission will be held on Monday, March 16, 2009, 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 10:17 p.m.