

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

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October 19, 2009  
5:30 – 6:15 p.m.  
7:05 – 7:53 p.m.

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

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**CALL TO ORDER**

Commissioners Present: Vice-Chairman Ed Conway, Commissioner Norman Denton, Chairwoman Liz Anderson-Fitzgerald, and Commissioner Gary Newkirk

Commissioner(s) Absent: Commissioner April O'Connor

Staff Present: Kyle Butterwick (Director), Jennifer Farrell (Assistant City Attorney), and Erica Demkowicz (Senior Planner)

A. **Site visit to the circa-1926 schooner “Curlew”, an Historic Vessel located in Dana Point Harbor- (Gangway 5 adjacent to Dana Wharf Sportfishing) in Dana Point Harbor, CA**

B. **ADJOURNMENT**

The *next regular* meeting of the Planning Commission will be held on Monday, October 19, 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 site visit adjourned at 6:15 p.m.**

**CALL TO ORDER** – Chairwoman Fitzgerald called the meeting to order.

**PLEDGE OF ALLEGIANCE** – Commissioner Newkirk led the Pledge of Allegiance.

**ROLL CALL**

Commissioners Present: Vice-Chairman Ed Conway, Commissioner Norman Denton, Chairwoman Liz Anderson-Fitzgerald, and Commissioner Gary Newkirk

Commissioner(s) Absent: Commissioner April O'Connor

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

---

October 19, 2009

5:30 – 6:15 p.m.

PAGE 2

7:05 – 7:53 p.m.

---

Staff Present: Kyle Butterwick (Director of Community Development), Jennifer Farrell (Assistant City Attorney), Erica Demkowicz (Senior Planner), and Denise Jacobo (Planning Secretary)

**C. APPROVAL OF MINUTES**

**ITEM 1:** Minutes of the regular Planning Commission Meeting of October 5, 2009.

**ACTION:** Motion made (Denton) and seconded (Conway) to approve the Minutes of the regular Planning Commission Meeting of October 5, 2009. Motion carried 3-0-1-1. (AYES: Conway, Denton, Fitzgerald NOES: None ABSENT: O'Connor ABSTAIN: Newkirk)

**D. PUBLIC COMMENTS**

There were no Public Comments.

**E. CONSENT CALENDAR**

**ITEM 2:** Recommendation: Adopt a resolution changing the regular Planning Commission meeting times from 7:00 p.m. to 6:00 p.m.

**ACTION:** Motion made (Conway) and seconded (Denton) to approve Resolution No. 09-10-19-24 changing the starting time for regular meetings of the Planning Commission. Motion carried 4-0-1. (AYES: Conway, Denton, Fitzgerald, Newkirk NOES: None ABSENT: O'Connor ABSTAIN: None)

**F. PUBLIC HEARING**

**ITEM 3:** (Follow up from the regular Planning Commission site visit of October 19, 2009) A request for Historical Resource Designation (HRA09-0004) for the schooner Curlew, an Historic Vessel located in Dana Point Harbor and Presentation of the plaque to the property owner.

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

---

October 19, 2009

5:30 – 6:15 p.m.

PAGE 3

7:05 – 7:53 p.m.

---

Applicant/Owner: Robert A. Harrison

Location: 34671 Puerto, Dana Point Harbor (approximate location)

Request: To designate a 1926 schooner Curlew as a historic structure and place it on the Dana Point Historic Resource Register. The vessel is presently berthed on Gangway 5 at Dana Wharf Sportfishing in Dana Point Harbor.

Environmental: This project is categorically exempt (Class 31 - Section 15331 – Historical Resource Restoration/Rehabilitation) from the provisions of the California Environmental Quality Act (CEQA) because it consists of preservation of an existing historic vessel/boat or ship.

Recommendation: That the Planning Commission adopt a Resolution designating the historic structure situated in Dana Point Harbor as a locally significant historical structure and present the bronze plaque to the property owner.

**Erica Demkowicz** (Senior Planner) presented the staff report.

**Chairwoman Fitzgerald opened the Public Hearing.**

**Robert Harrison** (Owner/Applicant, San Clemente) thanked City staff and the Dana Point Historical Society for their hard work. He stated that the Curlew fits with historic “port” character of Dana Point and described it as part of the sailing identity of Dana Point.

**Carlos Olvera** (Dana Point Historical Society President, Dana Point) stated that the Curlew brings historic significance to Dana Point. He read a quote from an article in the Orange County Register and added that he is looking forward to (the ship) gaining National designation.

**Chairwoman Fitzgerald closed the Public Hearing.**

**Vice-Chairman Conway** spoke in favor of the request, stating that the ship was beautiful. He also noted that sailing in Dana Point is a huge hobby and the City needs to have the Curlew in the Harbor.

**Commissioner Denton** spoke in favor expressing his excitement to broaden the scope at including the ship as a historic structure; he noted that Dana Point was a sailing harbor and was proud to support its designation.

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

---

October 19, 2009

5:30 – 6:15 p.m.

PAGE 4

7:05 – 7:53 p.m.

---

**Commissioner Newkirk** spoke in favor stating that the designation sets a precedent for the City and creates ties to its nautical heritage.

**ACTION:** Motion made (Denton) and seconded (Newkirk) to adopt Resolution 09-10-19-25 designating an Historic Vessel known as the Curlew located in Dana Point Harbor and placing that structure on the Dana Point Historic Resource Register (HRA09-0004). Motion carried 4-0-1.  
(AYES: Conway, Denton, Fitzgerald, Newkirk NOES: None ABSENT: O'Connor ABSTAIN: None)

**Chairwoman Fitzgerald** presented the applicants with a plaque in recognition of their designated historic structure.

**G. STAFF REPORTS**

**Kyle Butterwick** (Director) gave several updates:

- He summarized the key results of the Dana Point Harbor Local Coastal Plan hearing that was before the California Coastal Commission on October 8th.

**Jennifer Farrell** (Assistant City Attorney) discussed the legalities of medical marijuana dispensaries located both in Dana Point and throughout Southern California.

**Kyle Butterwick** (Director) (updates continued):

- Concerning the Town Center: several mixed-use projects are currently under review by the Planning staff. Progress is being made on the Town Center design for streetscape improvements (streets 2-way, sidewalks, and public amenities). After review, the final step in the process will be to prepare a focused EIR for these public improvements. He stated some dedications of easements will be necessary to pursue some of the improvements.
- He introduced and welcomed newly appointed Planning Commissioner Gary Newkirk.

**H. COMMISSIONER COMMENTS**

**Vice-Chairman Conway** welcomed Mr. Newkirk to the Commission and stated that he is looking forward to serving with him for the next couple of years.

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

---

October 19, 2009

5:30 – 6:15 p.m.

PAGE 5

7:05 – 7:53 p.m.

---

**Commissioner Denton** echoed Commissioner Conway's comments and described Mr. Newkirk's background as a real plus.

**Commissioner Newkirk** appreciated the Planning Commissioners warm welcome and expressed that he was looking forward to working on fun and fruitful projects coming to the City. He also thanked the City Council for entrusting him to serve as Planning Commissioner.

**Chairwoman Fitzgerald** also welcomed Mr. Newkirk to the Commission and is looking forward to his participation on doing some great things for the City.

**I. ADJOURNMENT**

The next regular meeting of the Planning Commission will be held on Monday, November 2, 2009, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

**The meeting adjourned at 7:53 p.m.**

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Liz Anderson Fitzgerald, Chairwoman  
Planning Commission