

CITY OF DANA POINT

Monday
December 7, 2009
5:30 p.m.



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

PLANNING COMMISSION SPECIAL AND REGULAR MEETING AGENDA

CALL TO ORDER

ROLL CALL Vice-Chairman Ed Conway, Commissioner Norman Denton, Chairwoman Liz Anderson-Fitzgerald, Commissioner Gary Newkirk, and Commissioner April O'Connor

PUBLIC COMMENTS

CLOSED SESSION

- A. Conference with legal counsel – anticipated litigation, significant exposure to litigation, Government Code § 54956.9 (b), (1 case)
- B. Report on Closed Session.

RECESS OF PLANNING COMMISSION MEETING UNTIL 6:00 P.M.

RECONVENE PLANNING COMMISSION MEETING – REGULAR PLANNING COMMISSION MEETING

PLEDGE OF ALLEGIANCE

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of November 16, 2009.

B. PUBLIC COMMENTS

Anyone wishing to address the Planning Commission during the Public Comment section or on an Agenda Item is asked to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the Planning Commission Secretary prior to an individual being heard by the Planning Commission.

Any person wishing to address the Planning Commission on a subject other than those scheduled on the Agenda is requested to do so at this time. In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of 15

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minutes for the Public Comments portion of the Agenda. State law prohibits the Planning Commission from taking any action on a specific item unless it appears on the posted Agenda.

C. CONSENT CALENDAR

There are no items on the Consent Calendar.

D. PUBLIC HEARING

ITEM 2: A request for Historical Resource Designation (HRA09-0005) and participation in the Mills Act Program at 26822 Vista Del Mar.

Applicant/

Owner: Fred & Karen Scuncio

Location: 26822 Vista Del Mar (APN 123-361-10)

Request: The applicant seeks to have a single-family residence located at 26822 Vista Del Mar designated as a historical structure and placed on the Dana Point Historic Resource Register. The applicant also requests a recommendation to enter into an agreement with the City for participation in the Mills Act Program.

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 historical single-family residence.

Recommendation: That the Planning Commission adopt a Resolution designating the single-family residence located at 26822 Vista Del Mar as a locally significant historical structure and recommend to the City Council that the City enter into an agreement with the property owner for participation in the Mills Act Program.

ITEM 3: Coastal Development Permit CDP09-0001 to allow the repair and re-vegetation of a coastal bluff resulting from a failure at 318 Monarch Bay Drive.

Applicant/ Todd Skenderian (Architect)

Owner: Toni King

Location: 318 Monarch Bay Drive (APNs 670-141-41 and 670-151-54)

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Request: Approval of Coastal Development Permit CDP09-0001 to allow the repair and re-vegetation of a coastal bluff resulting from a failure.

Environmental: Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Community Development Department has analyzed the subject project. Staff finds the project is Categorically Exempt per Sections 15301 (Class 1 – Existing Facilities) and 15304 (f) (Class 4 – Minor Alterations to Land). A Categorical Exemption has been prepared and will be duly filed per the requirements of the statute.

Recommendation: Adopt Planning Commission Resolution No. 09-12-07-xx, approving Coastal Development Permit CDP09-0001 for the referenced scope of work.

ITEM 4: Antenna Use Permits AUP09-0016 to AUP09-0026 to allow for the placement of new cellular antenna facilities on existing light poles, signals and utility poles at eleven (11) different locations throughout the City within the public right of way.

Applicant/ NextG Networks of California

Owner: City of Dana Point

Locations:

- AUP09-0016: Light/signal pole located at the southwest intersection of Pacific Coast Highway and Ritz Carlton Drive.
- AUP09-0017: Light pole located on Crown Valley Parkway, north of Lumeria Lane.
- AUP09-0018: Light pole located on Pacific Coast Highway in front of Sea Terrace Community Park, north of Ritz Carlton Drive.
- AUP09-0019: Light/signal pole located at the southwest intersection of Selva Road and Pacific Coast Highway.
- AUP09-0020: Utility pole located on Stonehill Drive, east of Golden Lantern.
- AUP09-0021: Utility pole located on San Marino Place behind the properties fronting Pacific Coast Highway, west of Malaga Drive.
- AUP09-0022: Utility pole located at the southwest intersection of San Marino Place and Ruby Lantern.
- AUP09-0023: Light pole located on Niguel Road in front of the Monarch Beach Golf course, north of Stonehill Drive.
- AUP09-0024: Light pole located at the northwest intersection of Stonehill Drive and Monarch Beach Drive (Private Street).
- AUP09-0025: Light pole located on Street of Golden Lantern, south of Surf Cliff Street.
- AUP09-0026: Light pole located on Santiago Drive, north of Trinidad Drive.

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Request: Approval of Antenna Use Permits AUP09-0016 to AUP09-0026 to allow the placement and installation of new cellular antenna facilities on existing light poles, signals and utility poles at eleven (11) different locations throughout the City within the public right of way with underground accessory equipment and new underground and overhead fiber optic cables.

Environmental: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Sections 15303 (d) (Class 3 – New Construction or Conversion of Small Structures). A Categorical Exemption has been prepared and will be filed per the requirements of the statute.

Recommendation: That the Planning Commission adopt the attached draft Resolution No. 09-12-07-xx, approving the proposed Antenna Use Permits.

ITEM 5: Request for Antenna Use Permit AUP09-0015 to allow the addition of three, new cellular/data transmission antennas within the façade of an existing building at 2 Ritz Carlton Drive.

Applicant/ Jeremy Siegel (Verizon Wireless Real Estate)
Owner: ARR Properties, Inc.
Location: 2 Ritz Carlton Drive (APN 672-081-63)

Request: Approval of Antenna Use Permit AUP09-0015 to allow the addition of three, new cellular/data transmission antennas within the façade of an existing building.

Environmental: The subject project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Sections 15301 (a) (Class 1 – Existing Facilities). A Categorical Exemption has been prepared and will be duly filed per the requirements of the statute.

Recommendation: That the Planning Commission adopt the attached, Draft Resolution 09-12-07-xx, approving the referenced scope-of-work.

E. NEW BUSINESS

There is no New Business.

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F. STAFF REPORTS

G. COMMISSIONER COMMENTS

H. ADJOURNMENT

The *next regular* meeting of the Planning Commission will be held on Monday, December 21, 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.

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF DANA POINT)

AFFIDAVIT OF POSTING

I, Kyle Butterwick, Community Development Director of the City of Dana Point, do hereby certify that on or before Friday, December 4, 2009, I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, Dana Point Post Office and the Dana Point Library.



Kyle Butterwick, Director
Community Development Department

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3563. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.