

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

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November 16, 2009  
6:00 – 6:12 p.m.

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

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

**PLEDGE OF ALLEGIANCE** – Vice-Chairman Conway led the Pledge of Allegiance.

**ROLL CALL**

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

Staff Present: John Tilton (City Architect/Planning Manager), Jennifer Farrell (Deputy City Attorney), and Denise Jacobo (Planning Secretary)

**A. APPROVAL OF MINUTES**

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

**ACTION:** Motion made (Denton) and seconded (Newkirk) to approve the Minutes of the regular Planning Commission Meeting of November 2, 2009. Motion carried 4-0-1. (AYES: Denton, Fitzgerald, Newkirk, O'Connor NOES: None ABSENT: None ABSTAIN: Conway)

**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

**ITEM 2:** Antenna Use Permit AUP08-0002 and Coastal Development Permit CDP08-0010 to allow for the placement of a new cellular antenna facility (Light Standard right-of-way installation), as well as underground, accessory equipment, within the Coastal Zone adjacent to the Northeast corner of Harbor Drive, Golden Lantern and Lantern Bay Park – Revision to Project Resolution 09-11-02-27.

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Applicant: George Ramirez (The Planning Consortium on behalf of T-Mobile USA)  
Owner: City of Dana Point  
Location: Right-of-way in the vicinity of the intersection of Golden Lantern and Harbor Drive and Lantern Bay Park (APNs 682-311-04 and 682-311-05)

Recommendation: That the Planning Commission receive and file approved Resolution 09-11-02-27.

**It was the consensus of the Planning Commission to approve the Consent Calendar.**

**D. PUBLIC HEARINGS**

**ITEM 3: One-year extension of previously approved Coastal Development Permit CDP06-20 to modify the existing entryway to the Capistrano Bay District Community and add guest parking spaces and associated improvements in and around the entryway located at 35000 Beach Road.**

Applicant/ David Gutierrez  
Owner: Capistrano Bay District  
Location: 35000 Beach Road - APN: 123-060-16

Request: Allow a second one-year time extension of discretionary permits originally approved in December of 2006, to modify the existing entryway to the Capistrano Bay District Community and add guest parking spaces and associated improvements in and around the entryway.

Recommendation: That the Planning Commission approve a one-year time extension for Coastal Development Permit CDP06-20, subject to all of the conditions contained in Resolution No. 06-12-20-48.

**John Tilton** (City Architect/Planning Manager) presented the staff report.

**Chairwoman Fitzgerald opened the Public Hearing.**

**Don Russell** (Capistrano Bay District – Capistrano Beach) stated that the District has been working on the proposed project for a long time, and were close to finalizing the proposed improvements for the revised entry to the community.

**Chairwoman Fitzgerald closed the Public Hearing.**

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**ACTION:** Motion made (O'Connor) and seconded (Denton) to approve a one-year extension of previously approved Coastal Development Permit CDP06-20, subject to all of the conditions in Resolution No. 06-12-20-48. Motion carried 5-0. (AYES: Conway, Denton, Fitzgerald, Newkirk, O'Connor NOES: None ABSENT: None ABSTAIN: None)

**E. NEW BUSINESS**

There were no New Business items.

**F. STAFF REPORTS**

**John Tilton** (City Architect/Planning Manager) gave a Harbor status update.

**Jennifer Farrell** (Assistant City Attorney) gave an update regarding Medical Marijuana dispensaries in Dana Point, appealing an Orange County Superior Court ruling.

**G. COMMISSIONER COMMENTS**

**Vice-Chairman Conway** invited everyone to participate in the Ocean Institute Annual Turkey Trot (Thanksgiving Day run event) "kick off" event on Tuesday, November 17, 2009.

**Commissioner O'Connor** thanked the City staff for the repair of a "Welcome to the City" (entrance) sign located on Crown Valley Parkway.

**H. ADJOURNMENT**

**Chairwoman Fitzgerald** adjourned the meeting to the *next regular* meeting of the Planning Commission to be held on Monday, December 7, 2009, beginning at 6:00 p.m. (or as soon thereafter) in the Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

**The meeting adjourned at 6:12 p.m.**

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Liz Anderson Fitzgerald, Chairwoman  
Planning Commission