

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

December 21, 2009
6:00 – 6:51 p.m.

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

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

PLEDGE OF ALLEGIANCE – Commissioner Denton 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: Kyle Butterwick (Director), John Tilton (City Architect/Planning Manager), Jennifer Farrell (Deputy 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 December 7, 2009.

ACTION: Motion made (Denton) and seconded (O'Connor) to approve the Minutes of the regular Planning Commission Meeting of December 7, 2009. Motion carried 4-0-1. (AYES: Denton, Fitzgerald, Newkirk, O'Connor 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.

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D. PUBLIC HEARINGS

ITEM 2: A Conditional Use Permit CUP09-0005 and Site Development Permit SDP09-0020 to allow the addition of two (2) modular buildings (approximately 2,880 total square feet) to the existing church site, along with new landscaping, fencing and a new monument sign at 34381 Calle Portola in the Community Facilities (CF) district.

Applicant/

Property Owner: Dave Atkinson/Faith Lutheran Church

Location: 343481 Calle Portola; APN: 123-393-01

Request: A Conditional Use Permit and Site Development Permit to allow the addition of two (2) modular buildings (approximately 2,880 total square feet) to the existing church site. The proposed location is an unimproved dirt area on the corner of Calle Portola and Calle Juanita. The two modular buildings will be installed in this unimproved area of the church property along with new landscaping, fencing as well as a new monument sign.

Environmental: The proposed project qualifies as a Class 1 (Section 15301 (e)(2)(A)(B)) Categorical Exemption pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves an existing facility that will not result in an increase of more than 10,000 square feet and the project is in an area where all public services and facilities are available and the project is not located in an environmentally sensitive area.

Recommendation: That the Planning Commission adopt the attached Resolution approving Conditional Use Permit CUP09-0005 and Site Development Permit SDP09-0020.

John Tilton (City Architect/Planning Manager) presented the staff report on behalf of Erica Demkowicz, Senior Planner.

Chairwoman Fitzgerald opened the Public Hearing.

Dave Atkinson (Applicant – Dana Point) described the development history of the site. He stated that its been over 40 years since any work has been done to the building, and the proposed expansion and renovation would help “spruce up the corner to improve the quality for the community.”

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Curtis Goodway (Dana Point) spoke in opposition to the project, citing concerns about changes to the roof and overall height of the church, and what impact any future additions might have on neighboring views.

John Tilton (City Architect/Planning Manager) clarified that any future church expansion would require a public hearing and potential amendment of the site's CUP. He added that the proposed changes to the structure's roofline do not exceed the maximum height permitted in the property's zoning district

Chairwoman Fitzgerald closed the Public Hearing.

Commissioner Denton spoke in support, commenting that the expansion of the church to facilitate the organization's youth group would be a benefit to parishioners of the church and the entire community.

Commissioner O'Connor spoke in favor of the request, stating the use and property layout to be appropriate for the site.

Commissioner Newkirk spoke in favor of the proposal, citing a lack of foreseen impacts to onsite parking.

Vice-Chairman Conway agreed with Commissioner Denton, supporting the teen center and the addition of new landscaping.

Chairwoman Fitzgerald expressed initial concerns about potentially inadequate space for onsite parking facilities but after visiting the site, now feels there is a sufficient amount of raw land to create additional parking spaces, and is no longer concerned. She commented that she was in support of her fellow Commissioners.

ACTION: **Motion made (Denton) and seconded (Conway) to adopt Resolution No. 09-12-21-33 approving Conditional Use Permit CUP09-0005 and Site Development Permit SDP09-0020 to allow the addition of two (2) modular buildings (approximately 2,880 total square feet) to the existing church site, along with new landscaping, fencing and a new monument sign at 34381 Calle Portola in the Community Facilities (CF) District. Motion carried 5-0. (AYES: Conway, Denton, Fitzgerald, Newkirk, O'Connor NOES: None ABSENT: None ABSTAIN: None)**

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ITEM 3: A Coastal Development Permit CDP09-0009 to allow additions to a single-family residence located in the Coastal Zone and Appeals Jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage at 23561 Verrazanno Bay.

Applicant/

Property Owner: Karen and Keith Bremer

Location: 23561 Verrazanno Bay (APN 672-081-07)

Request: Approval of Coastal Development Permit CDP09-0009 to allow additions to a single-family residence located in the Coastal Zone and Appeals Jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage.

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 Section 15301 (e) (Class 1 – Existing Facilities).

Recommendation: Adopt Planning Commission Resolution No. 09-12-21-xx, approving Coastal Development Permit CDP09-0009 for the referenced scope of work.

Evan Langan (Associate Planner) presented the staff report.

There being no requests to speak on this item, Chairwoman Fitzgerald opened and closed the Public Hearing.

Commissioner O'Connor favored the proposal for reducing the height size.

Commissioner Newkirk agreed with Commissioner O'Connor and said that he applauds the homeowner for reducing the size and for being considerate of the neighbors.

Commissioner Denton agreed stating that it is a wonderful design that would be a great addition to the neighborhood.

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ACTION: Motion made (O'Connor) and seconded (Conway) to adopt Resolution 09-12-21-34 approving Coastal Development Permit CDP09-0009 to allow additions to a single-family residence located in the Coastal Zone and Appeals Jurisdiction of the California Coastal commission in excess of 10 percent of existing square footage at 23561 Verrazanno Bay. Motion carried 5-0. (AYES: Conway, Denton, Fitzgerald, Newkirk, O'Connor NOES: None ABSENT: None ABSTAIN: None)

ITEM 4: A Coastal Development Permit CDP09-0010 to allow additions to a single-family residence located in the Coastal Zone and Appeals Jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage at 102 Monarch Bay Drive.

Applicant/ William Stoffregen
Property Owner: John Santaniello
Location: 102 Monarch Bay Drive (APN 670-121-04)

Request: Approval of Coastal Development Permit CDP09-0010 to allow additions to a single-family residence located in the Coastal Zone and Appeals Jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage.

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 Section 15301 (e) (Class 1 – Existing Facilities).

Recommendation: Adopt Planning Commission Resolution No. 09-12-21-xx, approving Coastal Development Permit CDP09-0010 for the referenced scope of work.

Evan Langan (Associate Planner) presented the staff report. He added that one of the conditions would be revised to require the applicant to submit evidence of project approval by the neighborhood's HOA.

Chairwoman Fitzgerald opened the Public Hearing.

William Stoffregen (Applicant - Laguna Hills) stated that he would provide an update from the HOA.

Chairwoman Fitzgerald closed the Public Hearing.

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Commissioner O'Connor clarified that before obtaining a building permit, the applicant would have to obtain a new approval from the architecture committee.

ACTION: Motion made (Conway) and seconded (Denton) to adopt Resolution No. 09-12-21-35 approving Coastal Development Permit CDP09-0010 to allow additions to a single-family residence located in the Coastal Zone and Appeals Jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage at 102 Monarch Bay Drive in the Residential Single-Family 4 (RSF-4) Zoning District as revised. 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

Kyle Butterwick (Director) gave updates on several development projects:

- The approved Harbor Land Use Plan's suggested modifications are still being refined by the California Coastal Commission's staff. The follow up action for the implementation plan portion of the land side improvements would involve a separate public hearing before the Coastal Commission possibly in April.
- He stated that a South Shores Church public scoping meeting is to be held by the EIR consultant, tentatively at the Dana Point Community Center in February. A draft EIR is anticipated for review and circulation some time in the Fall 2010.
- An official application has been filed for a new hotel on the corner of Coast Highway and Dana Point Harbor Drive; the project may involve variances for height and set backs.
- The Headlands public amenities (trails and parks) opened recently offering magnificent views. The signage at the accessways regarding the hours set for public use may require a Coastal Development Permit.
- He stated that the City offices would be closed to observe the holidays beginning on Thursday, December 24th through the New Year, and would reopen on Monday, January 4th. The Planning Commission meeting of the 4th would be cancelled since it's the first day back from the break. He wished the Planning Commission a safe and happy holiday season, and New Year 2010.

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Jennifer Farrell (Assistant City Attorney) clarified that the City's filing of a demure for the Doheny House litigation case has been sustained by the trial Court which means that the case may be dismissed.

G. COMMISSIONER COMMENTS

Commissioner O'Connor wished everyone a Merry Christmas and a happy and safe holiday.

Vice-Chairman Conway wished everyone a happy holiday season.

Commissioner Denton wished Staff and fellow Commissioners a happy holiday.

Commissioner Newkirk wished everyone a happy holiday and a great New Year.

Chairwoman Fitzgerald stated that she has enjoyed walking the Headlands trails and watching the stunning views and added that the City did an excellent job. She was looking forward to the New Year.

H. ADJOURNMENT

Chairwoman Fitzgerald adjourned the meeting to the *next regular* meeting of the Planning Commission to be held on Monday, January 18, 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.

Liz Anderson Fitzgerald, Chairwoman
Planning Commission

The meeting adjourned at 6:51 p.m.