

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

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March 11, 2008  
5:05 – 5:50 p.m.  
7:00 – 8:15 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.

Commissioners Present: Commissioner Michelle Brough, Commissioner Ed Conway, Vice-Chairman Norman Denton, Chairwoman Liz Anderson Fitzgerald, Commissioner J. Scott Schoeffel, and Alternate Michael Dec

Staff Present: Kyle Butterwick (Director of Community Development), John Tilton (City Architect/Planning Manager), and Erica Demkowicz (Senior Planner)

**A. FIELD TRIP TO THE HEADLANDS COMMERCIAL SITE LOCATED AT THE CORNER OF PACIFIC COAST HIGHWAY AND STREET OF THE GREEN LANTERN.**

**B. ADJOURNMENT**

**Chairwoman Fitzgerald** announced the *next regular* meeting of the Planning Commission will be held on Tuesday, March 11, 2008, beginning at 7:00 p.m. (or as soon thereafter) in the Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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

**PLEDGE OF ALLEGIANCE** – Kyle Butterwick (Director) led the Pledge of Allegiance.

**ROLL CALL**

Commissioners Present: Commissioner Michelle Brough, Commissioner Ed Conway, Vice-Chairman Norman Denton, Chairwoman Liz Anderson Fitzgerald, Commissioner J. Scott Schoeffel, and Alternate Michael Dec

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Staff Present: Kyle Butterwick (Director of Community Development), John Tilton (City Architect/Planning Manager), Mal Richardson (Deputy 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 February 26, 2008.

**ACTION:** Motion made (Denton) and seconded (Brough) to approve the Minutes of the regular Planning Commission Meeting of February 26, 2008.  
Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel  
NOES: None ABSENT: None ABSTAIN: None)

**D. PUBLIC COMMENTS**

There were no Public Comments.

**E. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**F. PUBLIC HEARINGS**

**ITEM 2:** Request for Sign Program Permit SPP07-06 to allow the creation of a sign program in conjunction with various site improvements, including an increase in the height of an existing gas-pump canopy to 18 feet and new landscaping improvements at 34306 Pacific Coast Highway. (Continued from the regular Planning Commission meeting of February 26, 2008)

Recommendation: That the Planning Commission table the request for Sign Program Permit SPP07-06.

**Kyle Butterwick** (Director) noted that the Applicant was still working out the details and recommend the Planning Commission table the item.

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

**ACTION:** Motion made (Schoeffel) and seconded (Conway) to table the request for Sign Program Permit SPP07-06. Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

**ITEM 3:** Coastal Development Permit CDP07-21 and Site Development Permit SDP07-61 to allow a 35,000 square foot, two-story commercial development. A Conditional Use Permit CUP07-33 to allow a shared parking program is also required in conjunction with the proposed development. The commercial building will include retail and office space, two small cafés, a restaurant, a 40-bed hostel with visitor's information center and 170 parking spaces. The proposed commercial development was originally included in the City approved Headlands Development and Conservation Plan (HDCP) and the final Environmental Impact Report (EIR) for the project.

Applicant/

Owner: David Hudson/Strand Village Partners, LLC

Location: The project site is located at the southwest corner of Pacific Coast Highway and Street of the Green Lantern in Dana Point, California.

Request: The applicant is requesting a Coastal Development Permit and Site Development Permit to allow the construction of a 35,000 square foot, two-story commercial building. The applicant is also requesting a Conditional Use Permit to allow a shared parking program in conjunction with the proposed development. The commercial building will include approximately 21,950 square feet of retail and office space, two small cafés, a restaurant, a 40-bed hostel with visitor's information center and 170 parking spaces.

Environmental: Pursuant to the provisions of the California Environmental Quality Act (CEQA), Environmental Impact Report (SCH#2001071015) was prepared and certified for the development.

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit (CDP07-21), Site Development Permit (SDP07-61) and Conditional Use Permit (CUP07-33).

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

**Chairwoman Fitzgerald opened the Public Hearing.**

**David Hudson** (Strand Village Partners, LLC - Applicant) thanked the Staff for thoroughly covering the project. He stated that the development team focused on the site as being a landmark destination. He described their intent to provide a lively pedestrian atmosphere, the right services, parking, hostel and information center and follow the resident's concerns. He stated he was available to answer any questions.

**John Grofik** (Dana Point – Regatta Homeowners Association Representative) stated that the project was exciting and he commended the design team for contacting the neighboring residents to address their concerns. He stated the potential concern of noise from the structure's roof garden. He noted the Wicked Garden Restaurant, which entertains as a night club, has been a major disturbance to nearby homeowners. He asked the Planning Commission to require proper sound barriers and limit the use of alcohol on the outdoor patios.

**Craig Williamson** (Dana Point) stated that he liked the amenities offered and he looks forward to visiting the project for dining and shopping.

**Steve Cary** (Dana Point) stated his concern about the parking lot's right-turn exit to Green Lantern. He also stated that the roof top gardens landscape material should not exceed the buildings height limit. He added that the development looks great.

**Richard Dietmeier** (Dana Point – South Coast Water District Representative) stated the project's shape and form were nice. He highlighted on the importance of restaurants installing grease interceptors. He encouraged the Planning Commission to establish retrofitting grease interceptors in the new development.

**David Hudson** (Strand Village Partners, LLC - Applicant) addressed the community's concerns. He stated that to buffer noise, the team designed a planter wall made with a glass partition in conformance with noise standards. He stated that the roof top garden is comprised to create a garden setting. He noted the plumbing issue as a familiar topic and assured they would install grease interceptors. He stated that the parking lot exits are both right turns on Green Lantern and Shoreline Drive.

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**Vice Chairman Denton** asked if there would be limited use of the Eco Garden after hours.

**David Hudson** (Strand Village Partners, LLC - Applicant) replied that the hostel will retain a live-in manager to help monitor and secure the open space above the hostel. He also mentioned that they are in the process of drafting a security plan for the site, which will include securing all eco garden/deck areas upon closure of the restaurant.

**Chairwoman Fitzgerald** asked Staff to describe the traffic signal configuration.

**Erica Demkowicz** (Senior Planner) stated that the traffic signal configuration serves two purposes, commercial and residential traffic. She added that the signal on Shoreline Drive would also serve to slow traffic on Pacific Coast Highway entering the Town Center.

**Chairwoman Fitzgerald closed the Public Hearing.**

**Commissioner Conway** stated that he toured the site and verified that the height, lighting, and noise concerns were addressed. He felt it was a magnificent site and he sees the project as a gateway to Town Center.

**Commissioner Brough** concurred with Commissioner Conway and commended the developer for creating a cordial relationship while addressing many of the neighbors' concerns. She added it was a nice job.

**Vice Chairman Denton** concurred and commended the developer for addressing the neighbors' and being a good neighbor to nearby residents. He stated that it's a beautiful and exciting project, the beginning of a landmark in years to come and the entrance and gateway to Town Center. He stated it is a job well done and supported the project.

**Commissioner Schoeffel** agrees with all that's been said. He expressed the concerns and fears heard from the citizens during the evening, based on amplified music. He was pleased to hear from the proponent about not utilizing live music and securing the open space after businesses are closed. He noted the good points made about grease interceptors. He added that he would be happy to endorse the project.

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**Chairwoman Fitzgerald** concurred with her fellow Commissioners, and she motioned in support of the project with the assumption that the grease and noise issue would be added in the conditions.

**Commissioner Schoeffel** suggested a condition of approval to be securing the publicly accessible spaces after the business hours of the establishment. He added that this would go a long way to assist the operator.

**ACTION:** Motion made (Fitzgerald) and seconded (Denton) to approve Resolution No. 08-03-11-06 approving Coastal Development Permit CDP07-21 and Site Development Permit SDP07-61 to allow a 35,000 square foot, two-story commercial development and a Conditional Use Permit CUP07-33 to allow a shared parking program in conjunction with the proposed development with the added condition that the upper public deck areas be secured after hours. Motion to approve with one added condition carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

**G. NEW BUSINESS**

There were no New Business items.

**H. STAFF REPORTS**

**Kyle Butterwick (Director)** addressed the Wicked Garden's noise activities and stated that Code Enforcement will follow up on the matter.

He reported that the Mitigated Negative Declaration for the Mobile Home Park site has been in circulation. He added that Staff is preparing their written responses received on the Environmental document to be part of the Staff Report coming to the Planning Commission Public Hearing in approximately six weeks.

He reported that he appeared and testified before the Coastal Commission last week concerning the proposed extension of time for proposed modifications to the Headlands trails and mid-strand accessway. The Coastal Commission did continue it for twelve (12) months, but they will try to bring this item to a hearing within 60-90 days.

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He reported the Town Center Plan is getting closer; the Coastal Commission is meeting in Santa Barbara in April.

**John Tilton (City Architect/Planning Manager)** stated that Wicked Garden would need to apply for a special use permit for its activities.

**I. COMMISSIONER COMMENTS**

**Commissioner Schoeffel** congratulated Staff for an outstanding presentation on such an important project (Item #3).

**Vice-Chairman Denton** concurred with Commissioner Schoeffel. He reported that the Harbor Plan Meeting is scheduled to present an update of the Marina layout at 7:00 p.m. on Wednesday, March 12, 2008.

**Commissioner Conway** stated that he has lived in Dana Point nearly 30 years, and was happy to see the Headlands developing nicely.

**Chairwoman Fitzgerald** commended Erica Demkowicz (Senior Planner) on handling the finest presentation on a very difficult project.

**J. ADJOURNMENT**

**Chairwoman Fitzgerald** adjourned the meeting to the *next regular* meeting of the Planning Commission will be held on Tuesday, March 25, 2008, 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 8:15 p.m.**

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Liz Anderson Fitzgerald, Chairwoman  
Planning Commission