

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA**

April 18, 2011
6:03 – 6:48 p.m.

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

CALL TO ORDER – Chairwoman O'Connor called the meeting to order.

PLEDGE OF ALLEGIANCE – Commissioner Preziosi led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Commissioner Liz Claus, Vice-Chairman Norman Denton, Commissioner Gary Newkirk, Chairwoman April O'Connor, and Commissioner Tarquin Preziosi

Staff Present: Kyle Butterwick (Director), John Tilton (City Architect/Planning Manager), Christy Teague (Economic Development Manager), Jennifer Farrell (Assistant City Attorney), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of April 4, 2011.

ACTION: Motion made (Claus) and seconded (Denton) to approve the Minutes of the regular Planning Commission Meeting of April 4, 2011. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Preziosi 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: Environmental Impact Report (SCH# 2010041056) and Coastal Development Permit CDP11-0003 for a major Public Works project for Pacific Coast Highway/Del Prado Phase I streetscape improvements within and along Pacific Coast Highway and Del Prado Avenue between the Streets of Blue Lantern and Copper Lantern. *(Continued from the regular Planning Commission meeting of March 21, 2011).*

Applicant/

Owner: City of Dana Point

Location(s): The proposed streetscape improvements will take place within the Town Center Plan area along and within Pacific Coast Highway and Del Prado Avenue between the Streets of Blue Lantern and Copper Lantern.

Recommendation: That the Planning Commission table the agenda item. The project will be re-noticed after preparation and recirculation of the supplement to the Environmental Impact Report.

THERE WAS A CONSENSUS OF THE PLANNING COMMISSION TO TABLE THIS ITEM.

ITEM 3: Antenna Use Permit AUP06-04 (Major) for the co-location of new commercial wireless antennas on an existing stealth, freestanding, monopine wireless communications facility and accompanying equipment structure with a Variance V06-07 to increase the height of the 50 foot monopine by eight (8) feet ten (10) inches.

Applicant: Royal Street Communications

Owner: Faith Lutheran Church of Capistrano Beach

Location(s): 34381 Calle Portola (APN 123-392-01)

Request: A request to allow co-locate new commercial wireless antennas on an existing stealth, freestanding, monopine wireless communications facility and accompanying equipment structure with a Variance to increase the height of the 50 foot monopine by eight (8) feet ten (10) inches.

Environmental: This project is categorically exempt (Class 1 - Section 15301 – Existing Facilities) from the provisions of the California Environmental Quality Act

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(CEQA) because the project involves the minor alteration of an existing public facility involving negligible expansion of an existing investor-owned utility used to provide a public utility service.

Recommendation: That the Planning Commission continue Antenna Use Permit AUP06-04 (Major) and Variance V06-07 to the next regularly scheduled Planning Commission meeting of May 2, 2011.

ACTION: Motion made (Denton) and seconded (Claus) to continue this item to the regular Planning Commission meeting of May 2, 2011. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Preziosi NOES: None ABSENT: None ABSTAIN: None)

E. NEW BUSINESS

ITEM 4: Housing Element Annual Status Report

Location(s): Citywide

Request: To review the Annual Housing Element Progress Report for 2010 required by State Law to show progress on the General Plan Housing Element.

Environmental: In accordance with CEQA, A Negative Declaration was prepared for the Housing Element as required for adoption of the Housing Element and certification from the California Housing & Community Development Department. The Annual Housing Element Progress Report does not require further action.

Recommendation: That the Planning Commission review the Annual Housing Element Progress Report and Receive and File the 2010 Housing Element Annual Status Report.

CONSENSUS

By consensus, the Planning Commission Received and Filed the 2010 Housing Element Annual Status Report.

F. OLD BUSINESS

There was no Old Business.

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G. STAFF REPORTS

Kyle Butterwick (Director) announced the 2011 “State of the City” address is scheduled for April 21, 2011 at the Laguna Cliffs Marriott Hotel.

He reported that he and Mr. Tilton attended the California Coastal Commission meeting last Wednesday and stated that it was a “big” milestone for the City and the County. He noted Mr. Tilton’s forthcoming management of the approved Harbor Plan and coastal development permit process for Harbor development. He asked Mr. Tilton to provide an overview of what transpired at the meeting.

John Tilton (City Architect/Planning Manager) stated that the California Coastal Commission acted on the Harbor Revitalization Plan Implementation Plan (allowed uses e.g., building regulations, parking, heights, etc.) which were approved by the Coastal Commission. He stated that the suggested modifications will be brought back to the City Council within the next few weeks. If accepted, the final document will then need Coastal Commissions Director’s confirmation that the City has accepted all the modifications to the Plan for Certification; the City becomes the administrator with respect to all Coastal Development Permits to the Harbor. The Harbor is presently preparing a Request for Proposal (RFP) for architects and designs for the Harbor (land side). Once the City reviews the applications, the proposals will be presented at the Planning Commission meeting public hearings.

Kyle Butterwick (Director) added that the water side component of the Harbor Plan is directly processed through the State Coastal Commission. He stated that the County’s proposed Environmental Impact Report (EIR) should be released in a few months.

Christy Teague (Economic Development Manager) reported on the Tourism Business Improvement District (“TBID”) process made up of the four largest Dana Point hotels (Doubletree Guest Suites Doheny Beach, St. Regis Monarch Beach Resort & Spa, Ritz Carlton Laguna Niguel, and Laguna Cliffs Marriott Resort & Spa) to collectively levy assessments (\$3.00 per room) towards a marketing and branding plan for Dana Point as an overnight destination. She added that she would update the Commission on the marketing development process.

Jennifer Farrell (Assistant City Attorney) gave an update about a recent \$2.4 million judgment against a dispensary and noted that the collection proceedings

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will start as soon as possible. She added that the City is seeking civil penalties from two other dispensaries. On the negative side, one of the dispensaries has filed a lawsuit against the City.

H. COMMISSIONER COMMENTS

Commissioner Claus stated that she is looking forward to the Dana Point (Grand Prix of Cycling) Bike Race and the configuration on Saturday, April 30th and Sunday, May 1st.

I. ADJOURNMENT

Chairwoman O'Connor announced that the *next regular* meeting of the Planning Commission will be held on Monday, May 2, 2011, 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 6:48 p.m.