

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

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August 15, 2011  
6:01 – 6:28 p.m.

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

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

**PLEDGE OF ALLEGIANCE** – Commission Newkirk led the Pledge of Allegiance.

**ROLL CALL**

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

Commissioner(s) Absent: Commissioner Tarquin Preziosi

Staff Present: John Tilton (City Architect/Planning 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 August 1, 2011.

**ACTION:** Motion made (Claus) and seconded (Newkirk) to approve the Minutes of the regular Planning Commission Meeting of August 1, 2011. Motion carried 4-0-1. (AYES: Claus, Denton, Newkirk, O'Connor, NOES: None ABSENT: Preziosi 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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**Commissioner Newkirk recused himself from the following item at 6:03 p.m.**

**D. PUBLIC HEARINGS**

**ITEM 2: A request for Historical Resource Designation (HRA11-0004) and participation in the Mills Act Program for the property located at 33942 Chula Vista.**

Applicant/Owner: Tim and Cindy Quinn  
Location: 33942 Chula Vista

Request: The applicant seeks to have a single family residence located at 33942 Chula Vista 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 historic single family residence.

Recommendation: That the Planning Commission adopt a Resolution designating the single family residence located at 33942 Chula Vista 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.

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

**Chairwoman O'Connor opened the Public Hearing.**

**Barbara Johannes** (Dana Point – Dana Point Historical Society) thanked the homeowners who had put forth the effort to restore their homes and maintain them in Dana Point. She gave a historical background on the property. She added that as a result of the distinguished designation of the neighboring homes, this Planning Commission has created a mini historic residential district of six Woodruff homes within two blocks.

**Chairwoman O'Connor closed the Public Hearing.**

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**Vice-Chairman Denton** stated that he visited the site, noted that many of the neighboring properties had beautiful homes, and was pleased with the idea of a historic district. He spoke in favor of the City in retaining its wonderful heritage from the late 1920's to the early 1930's. He added that he was in favor of continuing to support the appropriate properties and acknowledged this one at the top of the list.

**Commissioner Claus** stated that she is a proud member of the Historical Society and spoke in favor of the historic designation of the home, noting that it is the sixth home on Chula Vista. She added that she would like to see more homes that are eligible to receive the historic designation.

**Chairwoman O'Connor** agreed with her fellow Commissioner's comments. She added that she was pleased to see photographs of the original interior features which represent a peek to the past.

**ACTION:** Motion made (Denton) and seconded (Claus) to adopt the draft Resolution (No. 11-08-15-14) designating an existing single-family residence as a historic resource and placing that structure on the Dana Point Historic Resource Register (HRA11-0004) and recommend the City Council enter into an agreement for the Mills Act Program for 33942 Chula Vista. Motion carried 3-0-2. (AYES: Claus, Denton, O'Connor NOES: None ABSENT: Preziosi, Newkirk(recused) ABSTAIN: None)

**Commissioner Newkirk** rejoined the meeting at 6:16 p.m.

**ITEM 3:** Coastal Development Permit CDP11-0009 and Site Development Permit SDP11-0016(M) to allow new landscaping including ground level patio paving within 50 feet of the edge of a coastal bluff, and a 6 foot high fence in the front yard setback of an existing single family residence, located at 34691½ Camino Capistrano.

Applicant/Owner: Florentino Ortiz  
Location: 34691½ Camino Capistrano

Request: Approval of Coastal Development Permit CDP11-0009 and a Site Development Permit SDP11-0016(M) to allow (I) new landscaping comprising of an artificial turf putting green, ground level patio paving, and (II) additional paving to provide for a parking space, within 50 feet of the edge of a coastal bluff, and (III) a 6 foot high wrought iron fence located in the front yard setback of an existing single family residence.

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Environmental: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 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 approving Coastal Development Permit CDP11-0009 and Site Development Permit SDP11-0016(M).

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

**Chairwoman O'Connor opened the Public Hearing.**

**Florentino E. Ortiz** (Dana Point) stated that he was looking to making several improvements compatible with the neighboring homes. In response Chairwoman O'Connor's concern he described the pilaster and gate height features which he felt fit in with the neighborhood.

**Chairwoman O'Connor closed the Public Hearing.**

**Commissioner Newkirk** noted the unique shape of the lot, saw no potential impact and felt that the proposal was consistent with the neighborhood. He added that he was in favor of the project.

**Commissioner Claus** agreed with Commissioner Newkirk's comments. She stated that unless there was anything further to say she was prepared to make a motion.

**ACTION:** Motion made (Claus) and seconded (Denton) to adopt the draft Resolution (No. 11-08-15-15) approving Coastal Development Permit CDP11-0009 and Site Development Permit SDP11-0016(M) to allow new landscaping including ground level patio paving within 50 feet of the edge of a coastal bluff, and a 6 foot high fence in the front yard setback of an existing single family residence, located at 34691½ Camino Capistrano. Motion carried 4-0-1. (AYES: Claus, Denton, Newkirk, O'Connor NOES: None ABSENT: Preziosi ABSTAIN: None)

**E. NEW BUSINESS**

There was no New Business.

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**F. STAFF REPORTS**

There were no Staff Reports.

**G. COMMISSIONER COMMENTS**

There were no Commissioner Comments.

**H. ADJOURNMENT**

**Chairwoman O'Connor** announced that the *next regular* meeting of the Planning Commission will be held on Monday, September 19, 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 6:28 p.m.**

  
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April O'Connor, Chairwoman  
Planning Commission