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

November 13, 2007
7:00 p.m.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

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

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of October 23, 2007.

B. PUBLIC COMMENTS

Any person wishing to address the Planning Commission on a subject other than those scheduled on the Agenda is requested to do so at this time. In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of 15 minutes for the Public Comments portion of the Agenda. State law prohibits the Planning Commission from taking any action on a specific item unless it appears on the posted Agenda.

Anyone wishing to address the Planning Commission during the Public Comment section or on an Agenda Item is asked to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the Planning Commission Secretary prior to an individual being heard by the Planning Commission.

C. CONSENT CALENDAR

There are no items on the Consent Calendar.

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D. OLD BUSINESS

- ITEM 2:** Coastal Development Permit (CDP06-10) to allow the construction of a 5,456 square foot, two story single-family dwelling and a 1,070 square foot detached garage with a 1,196 square foot second dwelling unit with a bluff edge setback of 25 feet and a Minor Site Development Permit (SDP07-12(M) and Variance (V07-06) to allow building height to be measured from atop as much as 5.75 feet of fill as opposed to 2.5 feet of fill located at 24692 El Camino Capistrano (This item was continued from the meeting of October 9, 2007).

Applicant/ Dominy + Associates Architects
Owner: Tom and Maria Vegh
Location: 24692 El Camino Capistrano; (APN 682-203-05)

Request: A Coastal Development Permit to allow the construction of a two story single-family dwelling and a detached garage/second dwelling unit with a bluff edge setback of 25 feet and a Minor Site Development Permit to measure structure height from no more than 2.5 feet of fill and a Variance to measure structure height from atop as much as 5.75 feet of fill as opposed to 2.5 feet of fill.

Recommendation: No action required. Application withdrawn.

E. PUBLIC HEARINGS

- ITEM 3:** A request for Historical Resource Designation and participation in the Mills Act Program at 33905 El Encanto.

Applicant/ Tomas A. Prietto
Owner:
Location: 33905 El Encanto (APN 682-091-22)

Request: To designate a single-family residence located at 33905 El Encanto as a historical structure, place the residence on the Dana Point Historic Resource Register and recommend the City enter into an agreement with the property owner for participation in the Mills Act Program.

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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 historical single-family residence.

Recommendation: That the Planning Commission adopt a Resolution designating the single-family residence located at 33905 El Encanto as a locally significant historical structure and recommend that the City Council enter into an agreement with the property owner for participation in the Mills Act Program.

ITEM 4: Conditional Use Permit CUP07-02 for the conversion of a new duplex to condominiums and the corresponding Tentative Parcel Map TPM 2006-208 for the subdivision request in the Residential Duplex 14 (RD 14) Zoning District at 26471 Via Sacramento.

Applicant/ Dr. Rajesh Kadakia
Owner: Green Family Limited Partnership
Location: 26471 Via Sacramento, APN: 691-391-30

Request: A Tentative Parcel Map and Conditional Use Permit to allow the conversion of a duplex to condominiums in the Residential Duplex 14 (RD 14) Zoning District.

Environmental: The proposed project qualifies as a Class 1 (Section 15301) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves division of existing multiple family residences into common-interest ownership where no physical changes occur which are not otherwise exempt.

Recommendation: That the Planning Commission adopt the attached draft resolution approving Tentative Parcel Map TPM 2006-208 and Conditional Use Permit CUP07-02.

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ITEM 5: Coastal Development Permit CDP07-11 and Site Development Permit SDP07-56 to allow the demolition of an existing single-family dwelling and construction of a new two (2) story, 2,826 square foot single-family residence in the Residential Beach Road 12 (RBR 12) Zoning and Floodplain Overlay Districts at 35755 Beach Road.

Applicant/ Derek Wolf, McClean Design
Owner: John & Beverly Alberti
Location: 35755 Beach Road; (APN 691-331-10)

Request: Approval of a Coastal and Site Development Permits to allow the demolition of an existing single-family dwelling and construction of a new two (2) story, 2,826 square foot single-family residence in the Residential Beach Road 12 (RBR 12) Zoning and Floodplain Overlay Districts.

Environmental: This project is categorically exempt (Class 3 - Section 15303 - New Construction) from the provisions of the California Environmental Quality Act (CEQA) because the project involves the construction of a new single family residence not in conjunction with the construction of two or more of such dwelling units.

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP07-11 and Site Development Permit SDP07-56.

F. STAFF REPORTS

G. COMMISSIONER COMMENTS

H. ADJOURNMENT

The *next regular* meeting of the Planning Commission will be held on Tuesday, November 27, 2007, beginning at 7:00 p.m. (or as soon thereafter) in the Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF DANA POINT)

AFFIDAVIT OF POSTING

I, Kyle Butterwick, Community Development Director of the City of Dana Point, do hereby certify that on or before Friday, November 9, 2007, I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, Dana Point Post Office and the Dana Point Library.

Kyle Butterwick, Director
Community Development Department

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3563. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.