

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

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December 11, 2007  
7:00 – 7:45 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.

**PLEDGE OF ALLEGIANCE** – Vice-Chair Denton led the Pledge of Allegiance.

**ROLL CALL**

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

**Commissioner Absent:** Commissioner Michelle Brough (seat on Commission taken by Alternate Dec for this meeting).

**Staff Present:** Kyle Butterwick (Director), John Tilton (City Architect/Planning Manager), Todd Litfin (Assistant City Attorney), and Denise Jacobo (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1:** **Minutes of the regular Planning Commission Meeting of November 27, 2007.**

**ACTION:** **Motion made (Conway) and seconded (Denton) to approve the Minutes of the regular Planning Commission Meeting of November 27, 2007. Motion carried 5-0. (AYES: Conway, Dec, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)**

**B. PUBLIC COMMENTS**

**Richard Dietmeier** (South Coast Water District) voiced concern about an L.A. Times article that noted water conservation in the City of Los Angeles was not producing the desired results. While water usage was down 1%; the Mayor wants a decrease of 10% that will be met using the water cop approach (i.e.;

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writing ticket citations). They could even cease issuing will-serve permits for new construction and, if it worsens, they will not serve renovations. He reported that the conservation programs here are effectively achieving results with usage down 15% over the last two years. He reported that the District dedicated a new ground water facility, and they are working on additional reclaimed water. He urged the Commission to carry the message, not only to the citizens but to City staff and the building industry, to take water conservation seriously in order to avoid more draconian measures.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**D. PUBLIC HEARINGS**

**ITEM 2: One-year extension of Coastal Development Permit CDP01-20 and Site Development Permit SDP01-64 for the construction of a new single-family dwelling located at 25172 Via Elevado.**

Applicant/

Owner: Clayton Robert Behling

Location: 25172 Via Elevado (APN#682-151-38)

Request: Allow a fourth one-year time extension of discretionary permits originally approved in November 2001, which granted entitlements to construct a new dwelling on the lot identified above.

Recommendation: That the Planning Commission approve a one-year time extension for Coastal Development Permit CDP01-20 and Site Development Permit SDP01-64, subject to all of the conditions contained in Resolution No. 02-02-12-02 (Attachment 2).

There were two (2) requests to speak on this item.

**ACTION: Motion made (Denton) and seconded (Dec) to approve a one-year extension for Coastal Development Permit CDP01-20 and Site Development Permit SDP01-64 for the construction of a new single-family dwelling located at 25172 Via Elevado. Motion carried 5-0. (AYES: Conway, Dec, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)**

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**ITEM 3: Coastal Development Permit CDP07-18 and Site Development SDP07-40(M) for an addition to an existing non-conforming single family residence located within the Floodplain Overlay District in the Coastal Zone at 35591 Beach Road.**

Applicant/

Owner: Drew Liddle/France Bass

Location: 35591 Beach Road (APN 691-161-24)

Request: Request for a Coastal Development Permit (CDP 07-18) and a Site Development Permit (SDP 07-40(m)) to allow a 249 square foot addition and interior remodel for an existing non-conforming single family residence located within the Floodplain Overlay District in the Coastal Zone, consistent with the limited exception of a one time, ten percent square footage improvement on the inland side of the structure.

Environmental: The proposed project is found not to have a significant effect on the environment and is therefore exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15303, Class 3 – New Construction or Conversion of Small Structures. The proposed project is an addition and remodel of an existing single family residence located in a residential zone, in an urbanized area. The project is consistent with the exceptions listed in Section 15300.2 of CEQA.

Recommendation: That the Planning Commission approve Coastal Development Permit CDP07-18 and Site Development Permit SDP07-40(m).

There were no requests to speak on this item.

**ACTION: Motion made (Schoeffel) and seconded (Denton) to adopt Resolution No. 07-12-11-38 approving Coastal Development Permit CDP07-18 and Site Development SDP07-40(M) to allow an addition to an existing non-conforming single family residence located within the Floodplain Overlay District in the Coastal Zone at 35591 Beach Road. Motion carried 5-0. (AYES: Conway, Dec, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)**

**E. NEW BUSINESS**

There was no Old Business.

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**F. STAFF REPORTS**

**Kyle Butterwick** (Director) announced that at the recent City Council meeting, the Council appointed the new Mayor, Joel Bishop; and reconfirmed Mayor Pro Tem, Lisa Bartlett. Mr. Butterwick summarized the City Council's accomplishments of the past year and identified key objectives for 2008 pertinent to Community Development.

- The Town Center Plan is tentatively scheduled for a Coastal Commission hearing in February 2008.
- The Town Center parking management plan is currently being prepared by a consultant.
- A consultant is also preparing a study of financing opportunities for Town Center public improvements.
- Completion of Sea Terrace Park, currently at the grading stage, is to be completed by February and the Park's improvements are expected to be completed by the summer.
- Televising the Planning Commission meetings to live broadcast is anticipated in 2008.
- City staff is working with State officials on the Housing Element in order to achieve certification. Modifications will be brought to the Planning Commission and then to Council in the spring to complete that process.
- The County's efforts are continuing on the Harbor Revitalization plan with environmental documents for the Marina being prepared.
- The City's website is being renovated to achieve substantial improvement. It will be more comprehensive, more informative and faster, with user friendly features and is expected to be completed by April.

Mr. Butterwick stated that the City has met with several developers who are eager to begin several spectacular projects in Town Center. He noted that one of the projects, at the corner of Pacific Coast Highway and Green Lantern, has been filed with the City. He added that the item will be brought to the Planning Commission in February/March for Coastal and Site Development Permits.

He stated that the developers of the Dana Point Inn Hotel are also anxious to proceed with the Planning process in anticipation of the approval of the Town Center plan by the Coastal Commission.

**Todd Litfin** (Assistant City Attorney) briefly commented on high profile Brown Act cases in the news lately, specifically the school district. He cautioned

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everyone to be sure they comply with the Brown Act. He stated that he was available to answer any questions.

**G. COMMISSIONER COMMENTS**

**Commissioner Schoeffel** noted that over the years, there has been a decline in the number of Christmas tree lots; he saw it as both a significant and positive sign for the future. He stated that he looks forward to great times next year.

**Chairwoman Fitzgerald** stated that she and Vice-Chair Denton had attended the Harbor FEIR workshop on Saturday, December 8, 2007, concerning environmental issues. She stated that it was excellently presented by Mr. Gross, Harbor Director. She added that there had been speculation as to whether the Marina Plan would then come before the City's Planning Commission for input.

In response to Chairwoman Fitzgerald's inquiry, Mr. Butterwick stated that he would reply to the Commission via email as soon as he receives clarification from the County.

**H. ADJOURNMENT**

**Chairwoman Fitzgerald** announced that the *next regular* meeting of the Planning Commission would be held on Tuesday, January 8, 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 7:45 p.m.**