

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

November 26, 2012
6:00 – 6:43 p.m.

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

CALL TO ORDER – Chairman Denton called the meeting to order.

PLEDGE OF ALLEGIANCE – John Tilton (Acting Director) led the Pledge of Allegiance.

ROLL CALL

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

Staff Present: John Tilton (Acting Director), Christy Teague (Planning Manager/Economic Development Manager), Kevin Evans (Director of Community Services and Parks), Evan Langan (Associate Planner), Jennifer Farrell (Deputy City Attorney), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: **Minutes of the regular Planning Commission Meeting of October 22, 2012.**

ACTION: **Motion made (Newkirk) and seconded (O'Connor) to approve the Minutes of the regular Planning Commission Meeting of October 22, 2012. 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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Commissioner O'Connor stated that she lived within the 500' radius of the project and recused herself at 6:03 p.m.

D. PUBLIC HEARINGS

ITEM 2: Coastal Development Permit CDP12-0005 and Minor Site Development Permit SDP12-0005(M) to allow an amendment to a previous approval by the Planning Commission, allowing the demolition of an existing single-family dwelling and the construction of a new, 4,565 square foot, single-family dwelling with free-standing front-yard walls that exceed 42 inches in height at 135 Monarch Bay Drive.

Applicant: James Conrad (Architect)
Owner: Michael McGuire
Location: 135 Monarch Bay Drive

Request: Amendment of an approved Coastal Development Permit and Minor Site Development Permit to allow demolition of an existing single-family dwelling and construction of a new single-family dwelling on land located in the City's Coastal Overlay District and the Appeals Jurisdiction of the California Coastal Commission.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303 (a) (Class 3 – New Construction of Conversion of Small Structures).

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP12-0005 and Minor Site Development Permit SDP12-0005(M).

Evan Langan (Associate Planner) presented the Staff report.

There being no requests to speak, Chairman Denton opened and closed the Public Hearing.

ACTION: Motion made (Claus) and seconded (Preziosi) to adopt Resolution 12-11-26-26 approving a major amendment to Coastal Development Permit CDP12-0005 and Minor Site Development Permit SDP12-0005(M) allowing the demolition of an existing single-family dwelling and the construction of a new, 4,565 square foot, single-family dwelling with free-standing front-yard walls that exceed 42 inches in height at 135 Monarch Bay Drive. Motion carried 4-0-1. (AYES: Claus, Denton, Newkirk, Preziosi NOES: None ABSENT: O'Connor ABSTAIN: None

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Commissioner O'Connor returned to the meeting at 6:13 p.m.

E. PUBLIC MEETINGS

ITEM 3: Proposed public art project at the Lantern Bay Park for Planning Commission's consideration.

Applicant/

Property Owner: City of Dana Point

Location: The proposed public art will be located at the Lantern Bay Park, off Dana Point Harbor Drive.

Request: Approval of the proposed public art project for Lantern Bay Park.

Environmental: The subject project qualifies for Section 15303 (e) (Class 3 – New Construction or Conversion of Existing Facilities) Categorical Exemption from the provisions set forth in the California Environmental Quality Act.

Recommendation: That the Planning Commission adopt the attached Draft Resolution recommending the approval of the proposed public art project to the City Council.

Christy Teague (Acting Planning Manager/Economic Development Manager) presented the Staff report and introduced several Arts and Culture Commissioners that are present (Chairwoman Karin Schnell and Vice-Chair Alan Wickstrom, and Commissioner Nancy Jenkins).

Kevin Evans (Director of Community Services and Parks Services) responded to a question about cost for this project and clarified that the funding comes from the Art In Public Places (AIPP) fund. In response to Commissioner O'Connor's concern, he noted that the artwork would be structured to allow visitors to walk along a designed pathway.

Christy Teague (Acting Planning Manager/Economic Development Manager) responded to a question about the AIPP fund and clarified that funding is collected from private projects as a small percentage of private development. The City has applied on submissions of arts funding grants, and plans to develop a public art master plan.

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Chairman Denton opened the Public Hearing.

Karin Schnell (Dana Point Arts & Culture Commissioner/Chairperson - Dana Point) responded to Vice-Chairman Newkirk's inquiry and noted that the funding details were based on the City's ordinance, adopted in 1994, which put in place a reserve fund. She further explained the outreach efforts, artist solicitation and the selection process. She referred to Commissioner O'Connor's inquiry, and pointed out that the artwork is site specific and will be accessible for the public to experience.

John Tilton (Acting Director) described the coating of the art surface to protect it from the environment.

Karin Schnell (Dana Point Arts & Culture Commissioner/Chairperson - Dana Point) responded to Commissioner Claus inquiry, she described the artist's background and experience. She also responded about the potential for vandalism, and described a finish intended to prevent and remove graffiti. Moreover, she indicated that the lighting at the park site, and the art piece's proximity to the Marriott Hotel were taken into consideration and assured all that the security precautions are adequate.

Kevin Evans (Director of Community Services and Parks Services) addressed the design and review of the artwork in the city park, and the intention to work collaboratively with the artist, Community Development and Public Works departmental staff to ensure that public safety requirements are met.

Chairman Denton closed the Public Hearing.

Commissioner O'Connor stated that she liked both the fact that the unique panels are visually interesting, and that the safety aspects were addressed. She stated that she has always been in support of AIPP because it beautifies Dana Point.

Commissioner Claus stated that the "Offshore Forest" name is great, and the execution of the project was wonderful, noting that its design is interesting and beautiful. She also congratulated the Arts and Culture Commission for the brilliant work.

Chairman Denton praised the Arts and Culture Commission for a good job. He added that the design celebrates the ocean along our coast which is a real triumph for the City. He noted his full agreement with this project.

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Vice-Chairman Newkirk stated that the project is diverse, interactive, engaging, and educational. He stated that the project is a great use of public arts revenue, and he applauds the efforts of the Arts and Culture Commission.

Commissioner Preziosi expressed thanks to the Arts and Culture Commission. He stated that he liked the 2-tone color layout and would have preferred more representation of the substrate underlying the kelp. He stated that he would be in favor of the project.

ACTION: Motion made (Newkirk) and seconded (Denton) to adopt Resolution 12-11-26-27 recommending City Council approval of a public art project for Lantern Bay Park. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Preziosi NOES: None ABSENT: None ABSTAIN: None

F. NEW BUSINESS

There was no New Business.

G. STAFF REPORTS

John Tilton (Acting Director) reported on the City Council meeting of November 20, 2012, regarding the approved entrance sign at the couplet of Town Center, and he invited the Commission members to attend the ground-breaking ceremony on November 27, 2012. He called attention to "The Voice" TV musical talent show to film an episode this week in Dana Point.

Christy Teague (Planning Manager/Economic Development Manager) reported an update on the November 20, 2012, City Council meeting regarding Short Term Vacation Rental. The City Council directed Staff to bring back a model ordinance for Dana Point, anticipated early 2013. She also noted that the Dana Point Historical Society would be opening their new museum at their new address on the ground level of City Hall in office suite #104.

H. COMMISSIONER COMMENTS

Chairman Denton expressed his hope that everyone had a great Thanksgiving.

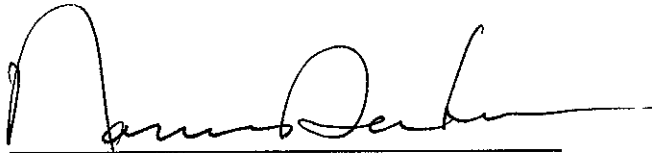
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I. ADJOURNMENT

Chairman Denton announced that the *next* meeting of the Planning Commission will be held on Monday, December 10, 2012, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.



Norman Denton, Chairman
Planning Commission

The meeting adjourned at 6:43 p.m.