

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

January 14, 2013
6:00 – 7:16 p.m.

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

CALL TO ORDER – Vice-Chairman Newkirk called the meeting to order.

PLEDGE OF ALLEGIANCE – Commissioner O'Connor led the Pledge of Allegiance.

ROLL CALL

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

Commissioner(s) Absent: Chairman Norman Denton

Staff Present: John Tilton (Acting Director), Christy Teague (Acting Planning Manager/Economic Development Manager), Erica Demkowicz (Senior Planner), 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 December 10, 2012.**

ACTION: **Motion made (Preziosi) and seconded (Claus) to approve the Minutes of the regular Planning Commission Meeting of December 10, 2012. Motion carried 3-0-1-1. (AYES: Claus, Newkirk, Preziosi NOES: None ABSENT: Denton ABSTAIN: O'Connor)**

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

There were no Public Hearings.

E. PUBLIC MEETINGS

ITEM 2: Sign Program Permit SPP12-0001 for OC Beads/Art Gallery located at 24471 Del Prado. (Continued from the regular Planning Commission meeting of December 10, 2012.)

Applicant: Sue Osborne
Owner: Meadows Asset Management
Location: 24471 Del Prado Avenue

Request: Approval of a Sign Program for a single-tenant commercial site with multiple buildings located at 24471 Del Prado Avenue.

Recommendation: That the Planning Commission adopt the attached draft Resolution to approve Sign Program Permit SPP12-0001 located at 24471 Del Prado.

John Tilton (Acting Director) provided a brief update to the Commissioners and summarized events of the December 10, 2012 meeting. He stated that the staff recommendation for this project has not changed and that the recommended conditions of approval in the Draft Resolution address Planning Commission concerns.

In response to **Commissioner Preziosi, Jennifer Farrell** (Deputy City Attorney) identified alterations to sign features that would constitute a change in the sign program permit.

There being no requests to speak, Vice-Chairman Newkirk opened and closed the Public Comments.

Commissioner O'Connor stated that if the change in name is considered an alteration as noted in the Conditions of Approval, she would recommend approval of the program.

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Commissioner Claus stated that she is uncomfortable with the total amount of signage proposed. She stated that at some future date, she would consider the additional signage to accomplish better visibility.

Commissioner Preziosi stated that he shares Commissioner Claus' concerns about the square footage and the visibility concerns by the business owner. He noted that the signs were tasteful, but the fact that the plan includes 50% more signage than other businesses was a concern.

Commissioner O'Connor inquired which signs should be eliminated or if the square footage of all the signs should be reduced.

Commissioner Preziosi stated that he does not want to design the project, but suggested that the amount of signs needs to be reduced.

Commissioner O'Connor suggested providing the Applicant with some beneficial direction about what particular sign is out of place, and questioned which sign would need to be reduced.

Commissioner Claus suggested reducing signs to 100 square feet and let the Applicant revise accordingly.

Vice-Chairman Newkirk spoke about the uniqueness of the property, its precedence, and that he had no issue with the project as proposed.

Vice-Chairman Newkirk re-opened the Public Comments.

Sue Osborne (Applicant – Laguna Beach) ensured in regards to the proposed program that it is not a billboard-looking effect (it is not massive); the signage is not overpowering on a 9,000 square foot lot, and that the site is an artful trilogy of shops.

Commissioner Claus asked the Applicant if she could accomplish her goals with less signage.

Sue Osborne (Applicant – Laguna Beach) explained that her signs are well-balanced and fit proportionately to the site.

Commissioner O'Connor asked the Applicant for clarification regarding signage for "O.C. Beads" and from the "Art Gallery".

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Sue Osborne (Applicant – Laguna Beach) explained that she is trying to distinguish each named building and that the monument is only visible from the stop light.

Commissioner Preziosi asked if, once the adjacent lot is developed, how would that affect those signs which would no longer be visible?

Sue Osborne (Applicant – Laguna Beach) replied that once the development takes place, she will consider her options, but is focused on the present needs.

Vice-Chairman Newkirk closed the Public Comments.

Vice-Chairman Newkirk questioned the Sign Program, and noted the three buildings and their square footage to the lot. He requested clarification regarding (each) square footage to the lot, if they were leased out separately, would they each be able to apply for that amount of footage.

John Tilton (Acting Director) explained that each would be limited by its frontage which could allow more potential signage if three separate businesses were to occupy the site.

Commissioner O'Connor stated that the applicant is trying to accomplish different items: “The Art Gallery, The Bead Store, The Shed, and the Coop”. She added that she is appreciative of the fact that the business trying to accomplish all the different things.

Commissioner Preziosi asked a follow-up question to Staff on the issue with three buildings, all owned with three separate entities renting out three buildings; would they each get a certain amount of square footage of signs that would in the aggregate add up to 150 square feet.

John Tilton (Acting Director) explained that it is similar to a shopping center (one owner, with many lease holders). Each business would be allocated up to two signs, if they wanted more, they would apply for the Sign Program. In this case, it is one business requesting more than three signs which would require a sign program.

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Commissioner Comments:

Vice-Chairman Newkirk stated that he agrees with Staff's recommendation.

Commissioner O'Connor stated that she agreed with Vice-Chairman Newkirk. She also spoke in regards to basing her decision on land usage noting its numerous uses (beads, art gallery, coop), the square footage would be adequate.

Commissioner Claus stated that she still feels that there is too much signage and does not want to approve excess signage; and would not be prepared to approve the Sign Program Permit.

Commissioner Preziosi stated that he would not be comfortable with 148 square feet of signage; would be more comfortable without signs on the rear elevation, but does not want to design the project for the Applicant.

***John Tilton** (Acting Director) suggested asking the Applicant what options she might accept.*

Vice-Chairman Newkirk asked the Applicant for a preference of what direction she is willing to move forward.

Chairman Newkirk re-opened the Public Comments:

Sue Osborne (Applicant – Laguna Beach) stated that she needs both signs on the rear elevation of both buildings, and prefers to stick with her proposal as submitted. She added that every case is unique, the codes were put in place and the Sign Program is special for the small business owner. In response to Commissioner Claus she stated that her signs were not too big, and insisted on keeping the proposed plan with its minimal lettering, and that reducing the letters would not allow visibility.

Commissioner O'Connor suggested that since it is a divided vote, a full Commission should consider the Sign Program suggested, and the Planning Commission continue the item to the next available meeting.

Vice-Chairman Newkirk closed the Public Comments.

Jennifer Farrell (Deputy City Attorney) advised the Commission to reopen the Public Hearing and continue to a date certain.

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ACTION: Motion made (O'Connor) and seconded (Newkirk) to continue Item #2 to February 11, 2013 Planning Commission meeting for a full Commission presence. Motion carried 4-0-1. (AYES: Claus, Newkirk, O'Connor, Preziosi NOES: None ABSENT: Denton ABSTAIN: None

ITEM 3: A request for Historic Resource Designation (Historic Resource Application HRA12-0006) and participation in the Mills Act for the property located at 24401 Santa Clara Avenue

Applicant/

Owners: Robert and Denise Morrison

Location: 24401 Santa Clara Avenue (Assessor Parcel Number 682-234-13)

Request: To list the subject property and the structures it contains as Historic Resources and to list such on the City's Historic Register.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorically Exempt per Section 15331 (Class 31 - Historical Resource Restoration/Rehabilitation).

Recommendation: That the Planning Commission adopt the attached draft resolution designating the residential structure located at 24401 Santa Clara Avenue as a locally significant Historic Resource and recommend to the City Council that the City enter into an agreement with the property owner for participation in the Mills Act.

Evan Langan (Associate Planner) presented the Staff Report.

Vice-Chairman Newkirk opened the Public Comments:

Barbara Johannes (Dana Point) spoke about the structure and its historical significance.

Vice-Chairman Newkirk closed the Public Comments.

Commissioner Claus commented on the spectacular nature of the property.

Commissioner O'Connor commented on the maintenance of these historic structures and how they are so well preserved.

Vice-Chairman Newkirk stated that he applauds the work of the Historical Society and the Morrisons for stepping forward and obtaining the designation.

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ACTION: Motion made (Claus) and seconded (O'Connor) to approve Historic Resource Application HRA12-0006, designating a single-family residential structure as a Historic Resource, placing that structure on the Dana Point Historic Resource Register and recommending that the City Council enter into an agreement under the Mills Act for the property located at 24401 Santa Clara Avenue. Motion carried 4-0-1. (AYES: Claus, Newkirk, O'Connor, Preziosi NOES: None ABSENT: Denton ABSTAIN: None

The Historic Plaque was presented to Barbara Johannes to give to the Property Owner.

F. NEW BUSINESS

There was no New Business.

G. STAFF REPORTS

John Tilton (Acting Director) extended a "Happy New Year" greeting to all, stating that he is looking forward to working with the Commission this year. He gave a reminder that Chairman Denton and Commissioner O'Connor terms were expiring this year, and if anyone was interested in reapplying to contact the City Clerk's office.

Christy Teague (Acting Planning Manager/Economic Development Manager) stated that she distributed a handout for the Housing Element Workshop to be held at the January 28th Planning Commission meeting.

H. COMMISSIONER COMMENTS

Commissioner O'Connor wished everyone a Happy New Year. She also stated that the vibrant debate that took place this evening is what she appreciates while serving on the Planning Commission, and values how well the Commission works with each other.

Vice-Chairman Newkirk wished everyone a Happy New Year stating that he looks forward to a busy year ahead.

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I. ADJOURNMENT

Vice-Chairman Newkirk announced that the *next* meeting of the Planning Commission will be held on Monday, January 28, 2013, 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.

The meeting adjourned at 7:16 p.m.

Gary Newkirk, Vice-Chairman
Planning Commission