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

January 18, 2006
7:05-8:09 p.m.

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

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

PLEDGE OF ALLEGIANCE – Commissioner Denton led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Commissioner Norman Denton, Commissioner Liz Anderson Fitzgerald, Chairwoman April O'Connor, Vice-Chairman J. Scott Schoeffel, and Commissioner Steven Weinberg

Staff Present: Kyle Butterwick (Director), Patrick Munoz (City Attorney), John Tilton (City Architect/Planning Manager), Robert Kain (Permit Coordinator), and Bobbi Ogan (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: **Minutes of the regular Planning Commission Meeting of December 21, 2005.**

ACTION: **Motion made (Denton) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of December 21, 2005. Motion carried 5-0. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: Fitzgerald)**

B. PUBLIC COMMENTS

There were no Public Comments.

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C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 2: Coastal Development Permit CDP05-22, Variance V05-07, Site Development Permit SDP05-59M, and Conditional Use Permit CUP05-13M to allow for the demolition of an existing single-family residence and the construction of a new single-family residence within the Coastal Overlay Zone at 50 Monarch Bay Drive.

Applicant: Brion Jeannette Architecture
Owner: Graham and Bahara Stapleberg
Location: 50 Monarch Bay Drive

Request: Approval of a Coastal Development Permit to allow for the demolition of an existing 3,083 square foot single-family residence and the construction of a new 5,610 square foot single-family residence within the Coastal Overlay Zone. Additionally, a Variance is requested to allow the construction of a pool/spa in the front yard, a Site Development Permit is requested for retaining walls in excess of 30-inches in height and a Conditional Use Permit is requested for walls/fences in excess of 42-inches in height in the front yard setback.

Environmental: This project is categorically exempt (Class 3 – Section 15303(a) – New Construction or Conversion of Small Structures) in that the project involves construction of a single-family residence of less than 10,000 square feet where the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive. Additionally, the project is Categorically Exempt (Class 5 – Section 15305(a) – Minor Alteration in Land Use Limitations), in that the project requires a Variance from the setback requirements to allow a pool/spa in the front yard setback pursuant to the applicable provisions of the California Environmental Quality Act (CEQA).

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Coastal Development Permit CDP05-22, Variance V05-07, Site Development Permit SDP05-59M, and Conditional Use Permit CUP05-13M.

Chairwoman O'Connor recused herself from this item as she lives within 500 feet of the property. She left the meeting at 7:09 p.m.

Robert Kain (Permit Coordinator) reviewed the staff report.

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Vice-Chairman Schoeffel opened the Public Hearing.

Brion Jeannette (Newport Beach – Architect) stated that because the lot was extremely pie-shaped that the pool had to be designed in the front.

Vice-Chairman Schoeffel closed the Public Hearing.

Commissioner Denton stated that the proposal had beautiful design features, but that he was concerned about the size of the home and pushing the pool to the front. He felt that he could not support the Variance.

Commissioner Fitzgerald stated that she could support the Variance for the pool and felt that it was a well-designed project.

Commissioner Weinberg stated that the footprint of the home was not increasing by more than 100 feet and felt that it would be more disruptive to the neighbors to put the pool in the rear of the property. He added that he would support the project.

Vice-Chairman Schoeffel felt that the hardship was there to support the Variance for the pool and that he would support the project.

ACTION: Motion made (Weinberg) and seconded (Fitzgerald) to adopt Resolution 06-01-18-01 approving Coastal Development Permit CDP05-22, Variance V05-07, Site Development Permit SDP05-59M, and Conditional Use Permit CUP05-13M. Motion carried 5-0. (AYES: Fitzgerald, Schoeffel, Weinberg NOES: Denton ABSENT: O'Connor ABSTAIN: None)

Chairwoman O'Connor re-joined the meeting at 7:49 p.m.

E. PUBLIC MEETINGS

There were no Public Meetings.

F. OLD BUSINESS

There was no Old Business.

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G. NEW BUSINESS

There was no New Business.

H. STAFF REPORTS

Kyle Butterwick (Director) reported that the County Planning Commission reviewed the Harbor Revitalization Plan and has recommended certification of the document to the County Board of Supervisors. He stated that the Board of Supervisors would be considering the proposal on January 31, 2006.

He stated that the City continues to make progress on the Town Center Plan. He added that staff had conducted a focus meeting with residents on Tuesday night.

He stated that at the City Council meeting next week that the Council will be considering the County's 800 MHz antenna proposal in Waterford Pointe as well as a proposed revocation of the planning approval for the DeCarli residence.

I. COMMISSIONER COMMENTS

Vice-Chairman Schoeffel stated that the Dog Fun Zones were bringing neighbors together that don't normally talk to each other. He felt that the Fun Zones were a great idea.

Commissioner Denton wished everyone a happy New Year. He stated that Creekside Park has got to be one of the most popular kid parks and that no matter the time of day when he drives by that it is always full.

Commissioner Weinberg asked for everyone's help to increase the participation at the Farmers Market on Saturdays in La Plaza by reminding their neighbors and friends. He stated that with the way the holidays fell this year, that the attendance had dropped off at the market and that he would like to make sure that the market stays in the Town Center.

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J. ADJOURNMENT

Chairwoman O'Connor announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, February 1, 2006, 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 8:09 p.m.

April O'Connor, Chairwoman
Planning Commission