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

March 1, 2006
7:03-9:29 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 Weinberg 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), John Tilton (City Architect/Planning Manager), Todd Litfin (Assistant City Attorney), Brenda Chase (Senior Planner), Kurth Nelson (Project Planner), and Bobbi Ogan (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of February 15, 2006.

ACTION: Motion made (Denton) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of February 15, 2006. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

B. PUBLIC COMMENTS

Ray Martinez (Dana Point) stated that he had questions about the enforcement of the Code that addresses setbacks and drainage that occurs between adjacent lots in his neighborhood. He added that his neighborhood has a history of flooding and that he and his neighbors had submitted a petition stating their concerns about the drainage.

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C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 2: (Continued from the regular Planning Commission meeting of February 15, 2006) Review of Public Art for Fire Station No. 29.

Recommendation: That the Planning Commission continue this item to the next regular Planning Commission meeting of March 15, 2006.

ACTION: Motion made (Schoeffel) and seconded (Denton) to continue this item to the regular Planning Commission meeting of March 15, 2006. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

ITEM 3: (Continued from the regular Planning Commission meeting of February 1, 2006) Variance V05-08 to allow a new single-family residence to exceed the maximum allowable height by 6-feet, 9-inches; a Minor Site Development Permit SDP05-65M for retaining walls up to 6 feet; and a Coastal Development Permit for development in the Coastal Zone on a 6,004 square foot lot in the Residential Single Family (RSF 7) Zoning District at 34142 Chula Vista.

Recommendation: No action is required. Due to the changes in the submitted plans, it is necessary to re-notice the Public Hearing for a later date.

ITEM 4: Coastal Development Permit CDP06-01, Administrative Modification of Standards AMS06-01 and Site Development Permit SDP06-09M to allow an addition and remodel to an existing, single-family dwelling with legal non-conforming side yard setbacks. The subject site is located in the Coastal Overlay Zone and Residential Single Family (RSF 4) zone at 6 Breakers Isle.

Applicant: Nancy Blamer-Csira
Owner: Carolyn Groves
Location: 6 Breakers Isle

Request: A Coastal Development Permit to allow the addition of a total of 791 square feet to the second floor. The proposed addition will consist of approximately 21.2% of the existing internal floor area, which exceeds the 10% exemption, thus

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requiring a Coastal Development Permit. A Site Development Permit is required because the existing structure is nonconforming as to side yard setbacks. An Administrative Modification of Standards is required to allow a minor deviation to the side yard setback along the south side of the subject property.

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 an addition to an existing structure not resulting in an increase of 50 percent of the floor area prior to the addition, or 2,500 square feet whichever is less.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Coastal Development Permit CDP06-01, Site Development Permit SDP06-09M and Administrative Modification of Standards AMS06-01.

There were no requests to speak on this item.

ACTION: Motion made (Denton) and seconded (Weinberg) to adopt Resolution 06-03-01-03 approving Coastal Development Permit CDP06-01, Administrative Modification of Standards AMS06-01, and Site Development Permit SDP06-09M. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

ITEM 5: Variance V06-01 and Minor Site Development Permit SDP04-29M(I) to allow a second story addition to an existing non-conforming, one-story, single-family dwelling to encroach four feet into the required 10-foot exterior (street) side yard setback in the Residential Single family 12 (RSF 12) Zoning District at 34596 Calle Portola.

Applicant/

Owners: Daniel and Diane Roach

Location: 34596 Calle Portola

Request: A Variance and Minor Site Development Permit to allow a 1,732 square foot, second story addition to an existing 1,579 square foot single-family dwelling to encroach four feet into the 10-foot required exterior (street) side yard setback similar to the existing first floor setback on a corner lot in the Residential Single Family 12 (RSF 12) Zoning District.

Environmental: The proposed project qualifies as a Class 3 (Section 15303) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves the new construction of a second story to an existing single-story structure.

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Recommendation: That the Planning Commission adopt the attached draft Resolution approving Variance V06-01 and Minor Site Development Permit SDP04-29M(I).

There were no requests to speak on this item.

ACTION: Motion made (Denton) and seconded (Weinberg) to adopt Resolution 06-03-01-04 approving Variance V06-01 and Minor Site Development Permit SDP04-29M(I). Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

ITEM 6: Zone Text and Local Coastal Program Amendment (ZTA06-01/LCPA06-01) to amend Dana Point Municipal Code, Section 9.61.120.

Recommendation: That the Planning Commission adopt a Resolution recommending the City Council approve Zone Text Amendment ZTA06-01 and Local Coastal Program Amendment LCPA06-01 amending Dana Point Municipal Code, Section 9.61.120.

There were no requests to speak on this item.

ACTION: Motion made (Schoeffel) and seconded (Denton) to adopt Resolution 06-03-01-05 recommending the City Council approve Zone Text Amendment ZTA06-01 and Local Coastal Program Amendment LCPA06-01 amending Dana Point Municipal Code, Section 9.61.120. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

ITEM 7: Zone Text and Local Coastal Program Amendment (ZTA06-02/LCPA06-02) to regulations for Residential Building Heights.

Recommendation: That the Planning Commission recommend that the City Council approve the attached draft Resolution for a Negative Declaration and the attached draft Resolution recommending the City Council amend the Dana Point Zoning Code to modify the building height regulations for hillside lots.

There were five (5) requests to speak on this item.

ACTION: Motion made (Schoeffel) and seconded (Denton) to adopt Resolution 06-03-01-06 recommending the City Council approve a Negative Declaration for Zone Text Amendment ZTA06-02 and Local Coastal

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Program Amendment LCPA06-02 to amend the Residential Building Height Regulations. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

ACTION: **Motion made (Schoeffel) and seconded (Denton) to adopt Resolution 06-03-01-07 recommending the City Council approve Zone Text Amendment ZTA06-02 and Local Coastal Program Amendment LCPA06-02 revising the City of Dana Point Zoning Code to amend the Residential Building Height Regulations. Motion carried 5-0.** (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

E. PUBLIC MEETINGS

There were no Public Meetings.

F. OLD BUSINESS

There was no Old Business.

G. NEW BUSINESS

There was no New Business.

H. STAFF REPORTS

Kyle Butterwick (Director) reported that the Harbor Revitalization Plan will be delayed 3-4 months before coming to the City for approval. He stated that the County was having difficulty in defining the scope of the LCPA submittal to the City and that they have not come to a consensus on their approach on how they want to proceed.

He stated that staff was expecting a draft of the new Housing Element for the City. He added that there has been some interest in scheduling a Housing Summit Session which would be a joint session with the City Council and the Planning Commission. He stated that this would be an opportunity to introduce the draft Housing Element and have a general assembly of not only the decision makers, but other experts in the housing field and the consultants who prepared the document.

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He reported that story poles had been placed on three commercial buildings in the Town Center. He stated that the story poles are 40-feet high which has been recommended by the Subcommittee. He added that the Subcommittee is looking at the poles in context to what type of rooftop accessories above the 40-foot height limit might be considered reasonable.

I. COMMISSIONER COMMENTS

There were no Commissioner comments.

J. ADJOURNMENT

Chairwoman O'Connor announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, March 15, 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 9:29 p.m.