

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

October 14, 2013
6:00 – 6:30 p.m.

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

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

PLEDGE OF ALLEGIANCE – Vice-Chairwoman Claus led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Vice-Chairwoman Liz Claus, Commissioner Denton, Chairman Gary Newkirk, Commissioner April O'Connor, and Commissioner Susan Whittaker

Staff Present: Ursula Luna-Reynosa (Director), John Tilton (City Architect/Planning Manager), Jennifer Farrell (Assistant City Attorney), Erica Demkowicz (Senior Planner), DyAnne Weamire (Administrative Secretary), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of September 23, 2013.

ACTION: Motion made (Denton) and seconded (Claus) to approve the Minutes of the regular Planning Commission Meeting of September 23, 2013. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

B. PUBLIC COMMENTS

Barbara Johannes (President of Dana Point Historical Society – Dana Point) spoke on the success of the Dana Point Historical Society, Thirteenth Annual Home Tour. She commended the Planning Commission for designating historic properties in Dana Point. She encouraged everyone to visit the Dana Point Historical Society Museum in City Hall (Suite 104) where the Woodruff exhibit is currently displayed.

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C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 2: General Plan Consistency GPC13-0003, for the vacation of two easements, located along the south and south easterly property lines of 34215 Pacific Coast Highway.

Applicant:

Property Owner: J. Kelly Ware

Location: The easements are located to the north of Del Prado, south of Pacific Coast Highway, along the south and south easterly property lines of 34215 Pacific Coast Highway.

Request: Request for a General Plan Consistency determination, GPC13-0003 for the City's vacation of two easements generally located along the south and south easterly property lines of 34215 Pacific Coast Highway.

Environmental: The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15305, Class 5 – Minor Alterations in Land Use Limitations in that the project involves the vacation of two City easements that will not result in any changes in land use or density.

Recommendation: That the Planning Commission adopt the attached Draft Resolution (Attachment 1) finding that the vacation of two City easements located along the south and south easterly property lines of 34215 Pacific Coast Highway are consistent with the Dana Point General Plan.

Erica Demkowicz (Senior Planner) summarized the staff report, referring to the information contained therein, gave a PowerPoint presentation, and answered questions from the Planning Commission.

Following a lengthy discussion regarding the ingress and egress for the property without the easement and (future one-way, two-way) traffic circulation on Pacific Coast Highway, Commissioner Whittaker asked for clarification on whether the parcel would be accessible, and requested information regarding the alley and access from it.

Jennifer Farrell (Deputy City Attorney) clarified that the issue is whether or not the vacation is consistent with the General Plan. The City Council will make the ultimate determination as to whether or not to actually vacate the easement.

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John Tilton (City Architect/Planning Manager) added that whether or not the easement is present, the action taken this evening will have no effect on the ability of the property to provide itself access. Removal of the easement would not prevent the owner from having a driveway in the future.

Ursula Luna-Reynosa (Director of Community Development) noted that Staff would be happy to address more specific questions related to this matter, but would need the assistance of the Traffic Engineer.

Commissioner Whittaker clarified that she understands that the adjacent alley no longer exists and it is not going to be an opportunity for this parcel.

There being no requests to speak on this item, Chairman Newkirk opened and closed the Public Hearing.

Commissioner O'Connor stated that the easement is not a driveway, vehicular, or property access, and that the ownership or legal rights' has nothing to do with vehicular access in the future. She felt that she can find that this fits with the General Plan and is in favor to vacate the easement.

Vice-Chairwoman Claus stated that the proposal tonight is consistent with the General Plan and felt comfortable with the project.

Commissioner Denton stated that he agrees with his fellow Commissioners and believes the project is consistent.

Chairman Newkirk also stated that he is in agreement with the other fellow Commissioners who spoke.

ACTION: Motion made (O'Connor) and seconded (Whittaker) to adopt Resolution No. 13-10-14-22 finding the proposed vacation of two easements located along the south and south easterly property lines of 34215 Pacific Coast Highway are consistent with the Dana Point General Plan (GPC13-0003). Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

E. NEW BUSINESS

There were no New Business items.

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F. STAFF REPORTS

Ursula Luna-Reynosa (Director of Community Development) reminded the Commission that the Planning Commission meeting for November is rescheduled from its regularly scheduled date of November 25th to November 18th. She noted that the next meeting would be adjourned to the November 18th meeting at 5:30 p.m.

Jennifer Farrell (Deputy City Attorney) gave a brief update on the settlement of the Holistic Health dispensary case.

G. COMMISSIONER COMMENTS

Vice-Chairwoman Claus thanked the City Attorney for their victory on the Holistic Health settlement. She also reminded everyone that she will not be present at the next Planning Commission meeting.

Chairman Newkirk thanked everybody involved for the Historical Society Home Tours.

H. ADJOURNMENT

Chairman Newkirk announced that the *next* meeting of the Planning Commission will be held on Monday, October 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 6:30 p.m.


Gary Newkirk, Chairman
Planning Commission