

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

January 27, 2014
6:00 – 7:55 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 – Commissioner O'Connor 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), Evan Langan (Associate Planner), Jennifer Farrell (Deputy City Attorney), Brad Fowler (Director of Public Works and Engineering), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: **Minutes of the regular Planning Commission Meeting of January 13, 2014.**

ACTION: **Motion made (Denton) and seconded (Claus) to approve the Minutes of the regular Planning Commission Meeting of January 13, 2014. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)**

B. PUBLIC COMMENTS

There were no Public Comments.

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C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. OLD BUSINESS

ITEM 2: Minor Site Development Permit SDP13-0022(M) to allow the construction of a retaining wall exceeding 72 inches in height within a rear-yard, a freestanding wall, pilasters and rolling vehicular entry-gate exceeding 42 inches in height within a front-yard at 32591 Caribbean Drive. (Public Hearing was closed January 13, 2014 and item was continued)

Applicant: Stan Schrofer and Associates (Architect)
Property Owners: Mr. and Mrs. Lawrence O'Neill
Location: 32591 Caribbean Drive

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Minor Site Development Permit SDP13-0022(M).

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15303 (e) (Class 3 – New Construction or Conversion of Small Structures) in that the project consists of the construction of accessory or appurtenant structures.

Request: Approval of a Minor Site Development Permit to allow the construction of a new site retaining wall as well as a freestanding wall, pilasters and rolling vehicular entry-gate.

There were no requests to speak on this item.

ACTION: Motion made (Denton) and seconded (O'Connor) to adopt Resolution No. 14-01-27-04 approving Minor Site Development Permit SDP13-0022(M) for proposed construction of a retaining wall exceeding 72 inches in height within a rear-yard, a freestanding wall, pilasters and rolling vehicular entry-gate exceeding 42 inches in height within a front-yard at 32591 Caribbean Drive. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

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E. PUBLIC HEARINGS

ITEM 3: Sign Program Permit SPP13-0004 for the Del Prado Arts Building located at 24682 Del Prado

Applicant: Mike Reilly/Starfish Signs & Graphics
Property Owner: Vance Collins
Location: 24682 Del Prado

Recommendation: That the Planning Commission adopt the attached draft Resolution to approve Sign Program Permit SPP13-0004 located at 24682 Del Prado.

Environmental: This project is categorically exempt (Class 1 - Section 15301 – Existing Facilities) from the provisions of the California Environmental Quality Act (CEQA) because it consists of a minor alteration of an existing structure involving no expansion of use beyond existing.

Request: Approval of a Sign Program for a multi-tenant, mixed-use commercial building located at 24682 Del Prado.

There were two (2) requests to speak on this item.

ACTION: Motion made (O'Connor) and seconded (Whittaker) to adopt Resolution No. 14-01-27-05 approving Sign Program Permit SPP13-0004 for a mixed use commercial building located at 24682 Del Prado. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: None ABSTAIN: None)

ITEM 4: An appeal of a decision by the Director of Community Development regarding Conditional Use Permit CUP13-0004(M) for live entertainment at 24582 Del Prado

Applicant: Jim Khadivi
Property Owner: Huff Meridian LLC
Location: 24582 Del Prado

Recommendation: That the Planning Commission approve the attached draft resolution denying the appeal of the Director's decision determining that the

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proposed live entertainment at 24582 Del Prado is consistent with the City's Zoning Code, General Plan and goals and policies of the Town Center Plan.

Environmental: The proposed project qualifies as a Class 1 exemption (Section 15301) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project consists of a minor alteration to an existing structure.

Request: An appeal of the Director's determination that the proposed live entertainment at the existing Luxe Restaurant is consistent with the City's Zoning Code, General Plan and goals and policies of the City's Town Center Plan.

There were twelve (12) requests to speak on this item.

ACTION: Motion made (Denton) and seconded (O'Connor) to adopt Resolution No. 14-01-27-06 denying the appeal and upholding the Director's approval of Conditional Use Permit CUP13-0004(M). Motion carried 5-0.
(AYES: Claus, Denton, Newkirk, O'Connor, Whittaker NOES: None
ABSENT: None ABSTAIN: None)

F. NEW BUSINESS

There were no New Business items.

G. STAFF REPORTS

Ursula Luna-Reynosa (Director of Community Development) invited Brad Fowler (Director of Public Works and Engineering) to give a brief overview on the rockslide that occurred on January 10, 2014 at Coast Highway. Mr. Fowler also answered questions from the Commission.

H. COMMISSIONER COMMENTS

There were no Commissioner Comments.

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I. ADJOURNMENT

Chairman Newkirk announced that the *next* meeting of the Planning Commission will be held on Monday, February 10, 2014, beginning at 6:00 p.m. (or as soon thereafter) in the Dana Point Community Center located at 34052 Del Obispo Street, Dana Point, California.

The meeting adjourned at 7:55 p.m.

THESE PROCEEDINGS WERE RECORDED AND A COPY OF THE TAPE IS ON FILE WITH THE CITY OF DANA POINT PLANNING DIVISION.