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

November 16, 2005  
7:04-8:22 p.m.

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

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

**PLEDGE OF ALLEGIANCE** – John Ramirez (Assistant City Attorney) led the Pledge of Allegiance.

**ROLL CALL**

**Commissioners Present:** Commissioner Norman Denton, Chairwoman April O'Connor, Commissioner Greg Powers (arrived at 7:14 p.m.), Vice-Chairman J. Scott Schoeffel

**Commissioner Absent:** Commissioner Steven Weinberg

**Staff Present:** Kyle Butterwick (Director), John Ramirez (Assistant City Attorney), Brenda Chase (Senior Planner), and Bobbi Ogan (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1: Minutes of the regular Planning Commission Meeting of November 2, 2005.**

**ACTION: Motion made (Denton) and seconded (Schoeffel) to approve the Minutes of the regular Planning Commission Meeting of November 2, 2005. Motion carried 3-0-2. (AYES: Denton, O'Connor, Schoeffel NOES: None ABSENT: Powers, Weinberg ABSTAIN: None)**

**B. PUBLIC COMMENTS**

There were no Public Comments.

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Vice-Chairman Schoeffel pulled Item 2 for discussion.

**ACTION:** Motion made (Schoeffel) and seconded (Denton) to approve all but Item 2 of the Consent Calendar. Motion carried 3-0-2. (AYES: Denton, O'Connor, Schoeffel NOES: None ABSENT: Powers, Weinberg ABSTAIN: None)

**C. CONSENT CALENDAR**

**ITEM 2:** A request for participation in the Mills Act Program; 1 Capistrano By The Sea (AKA Dolph House).

Applicant/

Owners: Neil Curtis/Fred Kiko

Location: 1 Capistrano By The Sea

Request: To recommend the City enter into an agreement with the property owner at 1 Capistrano By The Sea for participation in the Mills Act Program.

Environmental: This project is categorically exempt (Class 31 – section 15331 – Historical Resource Restoration/Rehabilitation) from the provisions of the California Environmental Quality Act (CEQA) because it consists of preservation of an existing historical single-family residence.

Recommendation: That the Planning Commission adopt a Resolution recommending the City Council enter into an agreement with the property owner at 1 Capistrano By The Sea for participation in the Mills Act Program.

There was one (1) request to speak on this item.

**ACTION:** Motion made (Denton) and seconded (Schoeffel) to adopt Resolution 05-11-16-49 recommending that the City Council enter into an agreement with the property owner at 1 Capistrano By The Sea for participation in the Mills Act Program. Motion carried 4-0-1. (AYES: Denton, O'Connor, Powers, Schoeffel NOES: None ABSENT: Weinberg ABSTAIN: None)

**ITEM 3:** A request for Historical Resource Designation and participation in the Mills Act Program; 34031 Chula Vista.

Applicant/

Owner: Michelle Hoover

Location: 34031 Chula Vista

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Request: To designate a single-family residence located at 34031 Chula Vista as a historical structure, place the residence on the Dana Point Historic Resource Register and recommend the City enter into an agreement with the property owners for participation in the Mills Act Program.

Environmental: This project is categorically exempt (Class 31 – Section 15331 – Historical Resource Restoration/Rehabilitation) from the provisions of the California Environmental Quality Act (CEQA) because it consists of preservation of an existing historical single-family residence.

Recommendation: That the Planning Commission adopt a Resolution designating the single-family residence located at 34031 Chula Vista as a locally significant historical structure and recommend the City Council enter into an agreement with the property owner for participation in the Mills Act Program.

**ITEM 4: A request for Historical Resource Designation and participation in the Mills Act Program; 34041 Chula Vista.**

Applicant/

Owner: Tim Hardy

Location: 34041 Chula Vista

Request: To designate a single-family residence located at 34041 Chula Vista as a historical structure, place the residence on the Dana Point Historic Resource Register and recommend the City enter into an agreement with the property owners for participation in the Mills Act Program.

Environmental: This project is categorically exempt (Class 31 – section 15331 – Historical Resource Restoration/Rehabilitation) from the provisions of the California Environmental Quality Act (CEQA) because it consists of preservation of an existing historical single-family residence.

Recommendation: That the Planning Commission adopt a Resolution designating the single-family residence located a 34041 Chula Vista as a locally significant historical structure and recommend the City Council enter into an agreement with the property owner for participation in the Mills Act Program.

**D. PUBLIC HEARINGS**

There were no Public Hearings.

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**E. PUBLIC MEETINGS**

**ITEM 5: Review and consideration of proposed Bicycle and Pedestrian Trails Master Plan.**

Recommendation: That the Planning Commission review and recommend the City Council approve the proposed Bicycle and Pedestrian Trails Master Plan.

There was one (1) request to speak on this item.

**ACTION: Motion made (Schoeffel) and seconded (Powers) to continue this item to the next regular Planning Commission meeting to allow for Commissioner Weinberg to participate in the discussion. Motion carried 4-0-1. (AYES: Denton, O'Connor, Powers, Schoeffel NOES: None ABSENT: Weinberg ABSTAIN: None)**

**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 Residential Building Height Task Force had reached a consensus and that their recommendation would be coming to the Planning Commission in the next six to eight weeks.

He stated that the City Council would be meeting on November 30, 2005 and one of the major items on this agenda was the Final Tract Map for the Headlands property.

He stated that the Town Center Subcommittee has continued to meet on a regular basis and that at their last meeting, the Subcommittee majority had voted to endorse maintaining of the one-way circulation system. He added that they wanted to reduce the number of lanes on Del Prado and Pacific Coast Highway to two lanes. He stated that this would allow for fifteen foot wide sidewalks in the Town Center.

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**Brenda Chase** (Senior Planner) reported that the City Council would be considering the appeal on the height Variance for the duplex on Malaga at their meeting on November 30, 2005.

**Kyle Butterwick** (Director) stated that the City Council would also be considering the request for gates at Bal Harbour.

**John Ramirez** (Assistant City Attorney) summarized the Hamilton decision received from the Court of Appeal.

**I. COMMISSIONER COMMENTS**

**Vice-Chairman Schoeffel** stated that he looks forward to the re-designed "Dog Fun Zone" in Sea Canyon Park.

He stated that he had read an article in the *Contra Costa Times* that reported that the County of Contra Costa had adopted an Ordinance that would require an owner to apply for a permit for ownership if their animal has any sort of history of reported aggression, lunging, or attacks on other animals.

**Commissioner Powers** reported that the Sea Canyon Park restrooms were in deplorable condition and asked for Staff to look into correcting the situation.

**J. ADJOURNMENT**

**Chairwoman O'Connor** announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, December 7, 2005, 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 8:22 p.m.**