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

May 4, 2005
7:00-10:45 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 – Vice-Chairman Schoeffel led the Pledge of Allegiance.

ROLL CALL

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

Staff Present: Kyle Butterwick (Director), Todd Litfin (Assistant City Attorney), John Tilton (City Architect/Planning Manager), Erica Williams (Senior Planner), Brenda Chase (Senior Planner), and Bobbi Ogan (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of April 20, 2004.

ACTION: Motion made (Denton) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of April 20, 2005. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg **NOES**: None **ABSENT**: None **ABSTAIN**: None)

B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

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

May 4, 2005
7:00-10:45 p.m.

PAGE 2

D. PUBLIC HEARINGS

ITEM 2: Variance V05-04 to allow the construction of a new two-story single-family dwelling over an attached garage that will measure 31 feet, instead of the maximum required height of 24 feet and without the required step backs on the 2nd and 3rd levels. The subject site is located in the Residential Single Family (RSF 7) zone and is addressed as 33921 Granada Drive.

Applicant

Owner/: David Bunevith
Location: 33921 Granada Drive

Request: A Variance to allow the construction of a new 3,705 square foot single-family dwelling with two levels over an attached 1,364 square foot garage measuring 31 feet in height, instead of the maximum required height of 24 feet. The Variance includes a request to allow the construction of the dwelling without the required step backs on the second and third floor levels.

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 construction of a new single-family residence not in conjunction with two or more such units.

Recommendation: That the Planning Commission adopt the attached draft Resolution denying Variance V05-04.

There were nine (9) requests to speak on this item.

ACTION: Motion made (Schoeffel) and seconded (Weinberg) to adopt Resolution 05-05-04-19 denying Variance V05-04. Motion carried 3-2. (AYES: Denton, Schoeffel, Weinberg NOES: O'Connor, Powers ABSENT: None ABSTAIN: None)

E. PUBLIC MEETINGS

ITEM 3: Review and consideration of proposed Parks, Recreation, and Open Space Master Plan and Appendix.

Recommendation: That the Planning Commission review and recommend for approval the proposed Parks, Recreation, and Open Space Master Plan and Appendix.

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

May 4, 2005
7:00-10:45 p.m.

PAGE 3

There were eleven (11) requests to speak on this item.

ACTION: Motion made (Powers) and seconded (Schoeffel) to continue this item to the regular Planning Commission meeting of June 1, 2005 to allow staff time to incorporate the comments received by the public. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

F. OLD BUSINESS

There was no Old Business.

G. NEW BUSINESS

ITEM 4: Commission discussion regarding time limits for public testimony.

Todd Litfin (Assistant City Attorney) stated that it would be a policy directive of the Commission and what you think is appropriate. He added that legally that as long as you give everyone a fair and equal opportunity to speak that would be fine. He stated that it was okay to give an applicant more time because you are not being content biased, you would be giving that to any applicant and that if that was the direction you wanted to go that would be fine.

Chairwoman O'Connor stated that she was looking for some guidance on this to make sure that everyone feels that they are receiving a fair hearing. She added that if it is up to the discretion of what she thinks is reasonable, she just wanted to make that official so that in the future there won't be applicants stating that they weren't given enough time. She stated that she also wanted to get a sense from the Commissioners on what they think is adequate time.

Commissioner Denton felt that the applicant should be given more time to speak and that three (3) minutes was a good guideline for the rest of the public. He added that if someone was making some really good points they should be allowed to continue. He felt that for the Public Comment portion of the meeting that the three (3) minute time limit should be strictly adhered to.

Vice-Chairman Schoeffel felt that the length of time allowed for the applicant should be reasonably proportional to the size and scope of their application. He stated that what was important is that the Chairperson has considerable latitude in allowing testimony to continue as well as the ability to cut testimony off when it becomes unhelpful, irrelevant, or slanderous.

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

May 4, 2005
7:00-10:45 p.m.

PAGE 4

H. STAFF REPORTS

Kyle Butterwick (Director) reminded the Planning Commission of the upcoming joint meeting with the City Council regarding the Town Center on May 25, 2005 at the Marriott Laguna Cliffs Hotel.

Brenda Chase (Senior Planner) stated that the purpose of the joint meeting was to allow Roma to share with you the public input that has been collected from the first two workshops and then presenting the recommendation for the plan itself. She added that the idea for that night is to hear from the Planning Commission and the City Council as to the direction that staff is going in and hopefully based on that direction, following up with a draft plan sometime later in the summer. She stated that the joint meeting will be an important one.

I. COMMISSIONER COMMENTS

Commissioner Powers asked for the discussion of televising the Planning Commission meetings to be put on the Commission's agenda.

J. ADJOURNMENT

Chairwoman O'Connor announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, May 18, 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 10:45 p.m.