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

July 21, 2004
7:02-9:25 p.m.

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

CALL TO ORDER – Chairman Norman Denton called the meeting to order.

PLEDGE OF ALLEGIANCE – Vice-Chairwoman April O'Connor led the Pledge of Allegiance.

ROLL CALL

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

Staff Present: Kyle Butterwick (Director), Todd Litfin (Assistant City Attorney), Brenda Chase (Senior Planner), Robert Kain (Permit Coordinator), (Kurth Nelson (Planning Consultant), and Denise Rios (Acting Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of July 7, 2004.

ACTION: Motion made (Schoeffel) and seconded (Powers) to approve the Minutes of the regular Planning Commission Meeting of July 7, 2004. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

B. PUBLIC COMMENTS

Richard Dietmeier (Dana Point) spoke regarding the San Juan Creek Property Phase I.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

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

July 21, 2004
7:02-9:25 p.m.

PAGE 2

D. PUBLIC HEARINGS

ITEM 2: Coastal Development Permit (CDP04-12) and General Plan Consistency (GPC04-02) for the construction of a new harbor entry at the southwest corner of Harbor Drive and Golden Lantern.

Applicant/

Owner: County of Orange/RDMD/HBP

Location: Southwest corner of Harbor Drive and Golden Lantern

Request: Approval of a Coastal Development Permit and General Plan Consistency for the construction of a new harbor entry at the southwest corner of Harbor Drive and Golden Lantern.

Environmental: The proposed project is categorically exempt under Section 15302 of the California Environmental Quality Act (CEQA) (Class 2 – Replacement or Reconstruction) because it consists of replacement of an existing facility.

Recommendation: That the Planning Commission adopt the draft Resolution approving a Coastal Development Permit and General Plan Consistency for the construction of a new harbor entry at the southwest corner of Harbor Drive and Golden Lantern.

Brenda Chase (Senior Planner) reviewed the staff report.

Chairman Denton opened the Public Hearing.

Nader Shah (Newport Beach – Project Manager for County of Orange) provided a presentation on the proposed landscaped entry of the Harbor.

Ed Ross (Dana Point) stated that he was in support of the project.

Barbara Merriman (Dana Point) stated that she was in support of the project.

William Clark (Dana Point) stated that he was in support of the project.

Chuck Di Iorio (Dana Point) stated that he was in support of the project.

Sean O'Malley (Dana Point) spoke about the height of trees.

Chairman Denton closed the Public Hearing.

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

July 21, 2004
7:02-9:25 p.m.

PAGE 3

Vice-Chairwoman O'Connor stated that she was glad to see the County and the landscaper working with the residents to replace the Torrey Pines with trees that will not grow higher than twenty-five feet.

Commissioner Weinberg stated that he wants the applicant to work with the Dana Point community.

Commissioner Schoeffel stated that he was concerned about the trees' growth and problems about maintenance being limited.

Chairman Denton stated that the public view of the Harbor was a step in the right direction.

ACTION: Motion made and seconded to adopt Resolution 04-07-21-29 approving a Coastal Development Permit (CDP04-12) and General Plan Consistency (GPC04-02). Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

ITEM 3: Coastal Development Permit (CDP04-06) and Site Development Permit (SDP04-10) to allow the demolition of an existing single-family residence and the construction of a new two (2) story, 3,385 square foot single-family residence with an attached 511 square foot garage within the Floodplain (FP-3) Overlay District.

Applicant: Robert Theel
Owner: Jefferey Lurner
Location: 35621 Beach Road

Request: A Coastal and Site Development Permit to allow the demolition of an existing single-family residence and the construction of a new two (2) story, 3,385 square foot single-family residence with an attached 511 square foot garage within the Floodplain FP-3 Overlay District.

Environmental: This project is categorically exempt (Class 3 – Section 15303 – New Construction) from the provisions of the California Environmental Quality Act (CEQA) because the project involves the construction of a new single-family residence not in conjunction with the construction of two or more such dwelling units.

Recommendation: That the Planning Commission adopt the draft Resolution approving Coastal Development Permit CDP04-06 and Site Development Permit SDP04-10.

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

July 21, 2004
7:02-9:25 p.m.

PAGE 4

Kurth Nelson (Planning Consultant) reviewed the staff report.

Chairman Denton opened the Public Hearing.

Williams Peters (Laguna Beach – Architect) stated that he was available to answer any questions that the Commission may have concerning the project.

Chairman Denton closed the Public Hearing.

Commissioner Schoeffel stated that he liked the project and that he would support it.

Commissioner Weinberg stated that he would support the project.

Vice-Chairwoman O'Connor stated that she would support the project.

Commissioner Powers stated that he would support the project.

Chairman Denton stated that it will be a nice addition to the neighborhood and that he would support the project.

ACTION: Motion made (O'Connor) and seconded (Weinberg) to adopt Resolution 04-07-21-30 approving a Coastal Development Permit (CDP04-06) and Site Development Permit (SDP04-10). Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

ITEM 4: Site Development Permit (SDP04-18M) for retaining walls that exceed 30-inches.

Applicant: Alan Fox, Gloria Dei Church

Owner: Gloria Dei Church

Location: 33501 Stonehill Drive

Request: For retaining walls over 30-inches in height in conjunction with the redevelopment and expansion of an existing parking lot on the Gloria Dei Church property.

Environmental: The proposed project is categorically exempt under Section 15304 of the California Environmental Quality Act (Class 4 – Minor Alterations to Land).

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

July 21, 2004
7:02-9:25 p.m.

PAGE 5

Recommendation: That the Planning Commission adopt the draft Resolution approving Site Development Permit SDP04-18M for retaining walls on an existing church site.

Robert Kain (Permit Coordinator) reviewed the staff report.

Chairman Denton opened the Public Hearing.

Paul Krey (Dana Point) stated that the expanded parking area was needed to accommodate the church's growth. He added that the traffic on Stonehill has increased over the years and it has become dangerous to make the left and right hand turns into the driveway.

Alan Fox (Mission Viejo) stated that the church has done everything that the City has requested for this project and that relocating the driveway was a safety issue and not just a church improvement project.

Chairman Denton closed the Public Hearing.

Commissioner Schoeffel stated that he recognizes the safety issue and that relocating the signal would be more sensible. He added that he was in support of the project.

Commissioner Weinberg stated that it makes sense to put the church driveway where the signal is and that he was in support of the project.

Vice-Chairwoman O'Connor stated that she liked the open soil construction on the retaining wall because it will allow the plant material to hang down and soften the visual impact of the wall. She added that she was in favor of the project.

Commissioner Powers stated that it was exciting that the church needs more parking and that he would support the project.

Chairman Denton stated that he supports the project.

ACTION: Motion made (Powers) and seconded (Schoeffel) to adopt Resolution 04-07-21-31 approving a Site Development Permit (SDP04-18).
Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

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

July 21, 2004
7:02-9:25 p.m.

PAGE 6

ITEM 5: Site Development Permit SDP04-38M/Variance V04-06 to allow the construction of a 167 square foot kitchen expansion to the third floor of an existing single-family dwelling. A Site Development Permit is required to expand a single-family dwelling that is nonconforming. A Variance is required to allow the expansion on the third floor and to exceed the City's 24-foot height limit by three (3) feet, six (6) inches.

Applicant/

Owners: John and Maryanne Phillips

Location: 33801 El Encanto

Request: A Site Development Permit to expand a nonconforming single-family dwelling. Variance to expand the third floor of an existing three story building that is nonconforming as to the City's story and height regulations by three (3) feet, six (6) inches.

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 the addition of less than 10,000 square feet to an existing single-family residential structure.

Recommendation: That the Planning Commission adopt the draft Resolution approving Variance V04-06 and Site development Permit SDP04-38M.

Brenda Chase (Senior Planner) reviewed the staff report.

Chairman Denton opened the Public Hearing.

Maryanne Phillips (Dana Point – Owner) thanked the Commission for the continuance because it allowed them to work out the issues with the neighbors.

Robert Theel (Dana Point – Owner Representative) stated that after the last hearing, they had met with a designer to make modifications to the plans. He added that they had met with the neighbors to discuss the project and had received a letter of support from them. He asked for approval of the project.

Chairman Denton closed the Public Hearing.

Vice-Chairwoman O'Connor commended the Phillips for working with their neighbors and felt that the home would be an improvement to the neighborhood. She stated that she would support the project.

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

July 21, 2004
7:02-9:25 p.m.

PAGE 7

Commissioner Powers thanked the owners for working with the neighbors and felt that the added architectural relief that has been added to the back of the property will help the rear view of the property. He stated that he would support the project.

Chairman Denton stated that he would support the project.

Commissioner Weinberg felt that the revisions to the project will help the view from the front and the back of the property. He stated that he would support the project.

ACTION: Motion made (Schoeffel) and seconded (Weinberg) to adopt Resolution 04-07-21-32 approving Variance V04-06 and Site Development Permit SDP04-38M. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, 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) thanked Denise Rios for filling in as Planning Secretary at the meeting. Mr. Butterwick introduced Erica Williams as the City's new Senior Planner. He added that Ms. Williams is a Cal Poly Pomona graduate with a degree in City Planning. Mr. Butterwick stated that the Headlands was still scheduled to return to the Coastal Commission for final action the second week of August. He added that the meeting will be held in the Los Angeles area and that if anyone would like to attend, let him know. He reported that the City's

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

July 21, 2004
7:02-9:25 p.m.

PAGE 8

consultant was diligently working on the Town Center Specific Plan and that they were in the data collection phase.

I. COMMISSIONER COMMENTS

Vice-Chairwoman O'Connor stated that she was very excited about the Harbor renovation and felt that it was important that the County was working with the residents of Dana Point even if it did slow down the process because in the long term everyone will be happy with the result.

Commissioner Powers agreed that it was nice to see the County moving forward with the actual project and that it would be great if the City could take over the Harbor to take control of that process.

J. ADJOURNMENT

Chairman Denton announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, August 4, 2004, 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 9:25 p.m.

Norman Denton, Chairman
Planning Commission