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

October 6, 2004  
7:03-8:48 p.m.

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

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

**PLEDGE OF ALLEGIANCE** – Vice-Chairwoman 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), John Tilton (City Architect/Planning Manager), Brenda Chase (Senior Planner), Robert Kain (Permit Coordinator), and Bobbi Ogan (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1:** Minutes of the regular Planning Commission Meeting of September 15, 2004.

**ACTION:** Motion made (O'Connor) and seconded (Schoeffel) to approve the Minutes of the regular Planning Commission Meeting of September 15, 2004. Motion carried 4-0-1. (AYES: O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: Denton)

**B. PUBLIC COMMENTS**

There were no Public Comments.

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**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**D. PUBLIC HEARINGS**

**ITEM 2: A Coastal Development Permit (CDP04-04) and Conditional Use Permit (CUP04-08) to allow the development of a new swimming school facility on property located at 34232-34236 Camino Capistrano in the Commercial/Residential Zone (C/R) of Doheny Village.**

Applicant/

Owner: Joy Rosello

Location: 34232-34236 Camino Capistrano

Request: The development of a swim school facility to provide private swim lessons for a maximum of 10 students at any given time, with one instructor for every 5 students. The proposal includes the addition of a 1,472 square foot swimming pool and a 304 square foot pool equipment/restroom building on property located in the Commercial/Residential Zone of Doheny Village. The existing single-family residence on the site will be occupied by a manager of the swim school. Minor improvements to the existing single-family residence are proposed in conjunction with the development of this project.

Environmental: The proposed project qualifies as a Categorically Exempt (Section 15301 – class 1 – Existing Facilities) pursuant to the California Environmental Quality Act (CEQA).

Recommendation: That the Planning Commission approve the Resolution for Coastal Development Permit CDP04-04 and Conditional Use Permit CUP04-08 for a new swimming school at 34232-34236 Camino Capistrano.

**ACTION: Motion made (Schoeffel) and seconded (Powers) to continue this item to later in the meeting to allow the applicant more time to arrive. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)**

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**ITEM 3: Review of Conditional Use Permit (CUP04-23) to allow outdoor entertainment at Hennessey's Tavern located at 34111 La Plaza.**

Applicant: Ara Jenichs  
Owner: Paul Hennessey  
Location: 34111 La Plaza

Request: Approval for the continuation of entertainment on the outdoor patio of Hennessey's Tavern located at 34111 La Plaza.

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 negligible expansion of use beyond that existing.

Recommendation: That the Planning Commission approve the continuation of Conditional Use Permit CUP04-23.

**There were no requests to speak on this item.**

**ACTION: Motion made (Schoeffel) and seconded (Weinberg) to adopt Resolution 04-10-06-44 approving the continuation of Conditional Use Permit CUP04-23. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)**

**ITEM 2: A Coastal Development Permit (CDP04-04) and Conditional Use Permit (CUP04-08) to allow the development of a new swimming school facility on property located at 34232-34236 Camino Capistrano in the Commercial/Residential Zone (C/R) of Doheny Village.**

Applicant/  
Owner: Joy Rosello  
Location: 34232-34236 Camino Capistrano

Request: The development of a swim school facility to provide private swim lessons for a maximum of 10 students at any given time, with one instructor for every 5 students. The proposal includes the addition of a 1,472 square foot swimming pool and a 304 square foot pool equipment/restroom building on property located in the Commercial/Residential Zone of Doheny Village. The existing single-family residence on the site will be occupied by a manager of the

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swim school. Minor improvements to the existing single-family residence are proposed in conjunction with the development of this project.

Environmental: The proposed project qualifies as a Categorical Exempt (Section 15301 – Class 1 – Existing Facilities) pursuant to the California Environmental Quality Act (CEQA).

Recommendation: That the Planning Commission approve the Resolution for Coastal Development Permit CDP04-04 and Conditional Use Permit CUP04-08 for a new swimming school at 34232-34236 Camino Capistrano.

**There were four (4) requests to speak on this item.**

**ACTION:** Motion made (Powers) and seconded (Weinberg) to continue this item to the regular Planning Commission meeting of November 3, 2004 to allow further discussion of the issues identified by the Commission and the public. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

**ITEM 4:** Coastal Development Permit (CDP04-20) for the demolition an/or removal of existing structures located in the upper Headlands nursery area.

Applicant/

Owner: Headlands Reserve LLC

Location: 34352 Dana Strands Road

Request: Approval of a Coastal Development Permit for the demolition and/or removal of three aluminum and glass greenhouses, one frame/stucco office/garage and four sheds located in the upper Headlands nursery area.

Environmental: Environmental Impact Report (SCH #20011071015), dated February, 2004, and the Addendum dated September, 2004, address the impacts of the proposed project.

Recommendation: That the Planning Commission approve the Resolution for a Coastal Development Permit for the demolition and/or removal of existing structures located in the upper Headlands nursery area.

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

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**ACTION:** Motion made (Schoeffel) and seconded (Weinberg) to adopt Resolution 04-10-06-46 approving Coastal Development Permit CDP04-20. 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) reported that Staff was anticipating final certification of the Headlands project from the Coastal Commission at their meeting in November. He stated that Staff was expecting to bring forward the Tentative Tract Map, a revised Development Agreement and the clear and grub plan to the Planning Commission at the first meeting in November.

**John Tilton** (City Architect/Planning Manager) provided an overview of the Town Center public meetings that were held last week with Roma Design.

**Kyle Butterwick** stated that Brenda Chase was in the process of compiling a summary of the comments that were received from the workshop participants and that this summary will be provided to the Commission, Council and the public.

**Brenda Chase** stated that the next steps for the Town Center Specific Plan will include Roma presenting to Staff some development options and to keep the public involved, another public forum will be scheduled for early 2005.

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**I. COMMISSIONER COMMENTS**

**Commissioner Schoeffel** stated that his meeting with Roma was very informative and that he had learned a lot from it.

**Commissioner Weinberg** felt that the Roma meeting was very beneficial.

**Vice-Chairwoman O'Connor** stated that she also met with Roma and that it was exciting to see the Town Center project starting. She added that she did have an opportunity to attend the workshop with the business owners. She added that she was surprised that the attendees were very cautious and upset that there wasn't a plan presented. She stated that as business owners that she thought that they would have been more innovative and open to change. She felt that the Town Center will be a wonderful amenity for Dana Point and that the sooner it happens, the better.

**Commissioner Powers** stated that he had attended the public meeting for the residents and that it was exciting to see so many people excited about the project. He felt that everyone had good ideas for the Town Center.

**J. ADJOURNMENT**

**Chairman Denton** announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, October 20, 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 8:48 p.m.**