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

February 4, 2004
7:07-8:25 p.m.

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

CALL TO ORDER – Chairman Schoeffel called the meeting to order.

PLEDGE OF ALLEGIANCE – Bobbi Ogan led the Pledge of Allegiance.

ROLL CALL

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

Staff Present: Kyle Butterwick (Director), Todd Litfin (Assistant City Attorney), Kurth Nelson (Planning Consultant), Albert Armijo (Planning Consultant), Brenda Chase (Associate Planner), Eugenia Garcia (Senior Planner), and Bobbi Ogan (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of January 21, 2004. (FF# 0120-10/PC Minutes/PC Secretary Binder) [BO]

ACTION: Motion made (Denton) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of January 21, 2004. Motion carried 4-0-1. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: Powers ABSTAIN: None)

Commissioner Powers arrived at 7:09 p.m.

B. PUBLIC COMMENTS

There were no Public Comments.

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

February 4, 2004
7:07-8:25 p.m.

PAGE 2

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

**ITEM 2: Coastal Development Permit CDP03-22 allowing a remodel not exceeding ten percent (10%) of the value of the structure of an existing two (2) story residence non-conforming as to the Floodplain (FP-3) requirements. (FF# 0610-70/CDP03-22/Beach, Road, 35087)
[KN]**

Applicant: C.J. Light Associates
Owner: Laurel Underwood-Wiley
Location: 35087 Beach Road

Request: A Coastal Development Permit allowing a remodel not exceeding ten percent (10%) of the value of the structure of an existing two (2) story residence non-conforming as to the Floodplain (FP-3) requirements.

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 includes interior and/or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Coastal Development Permit CDP03-22.

ACTION: Motion made (O'Connor) and seconded (Weinberg) to adopt Resolution 04-02-04-04 approving Coastal Development Permit CDP03-22. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

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

ITEM 3: Conditional Use Permit CUP03-25 to add packaged liquor retail sales to an existing market. (FF# 0610-55/CUP03-25/La Plaza, 34065) [AA]

Applicant: Victor Miranda Espinoza
Owner: Lee Tacy Thatcher

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

February 4, 2004
7:07-8:25 p.m.

PAGE 3

Location: 34065 La Plaza

Request: Approval of a Conditional Use Permit to allow the addition of packaged retail beer and wine sales to an existing market.

Environmental: This project is Categorically Exempt (Class 1 – Section 15301 – Existing Facilities) from provisions of the California Environmental Quality Act (CEQA) because it involves a minor interior alteration of an existing structure.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Conditional Use Permit CUP03-25.

There were no requests to speak on this item.

ACTION: Motion made (Powers) and seconded (Denton) to adopt Resolution 04-02-04-05 as amended approving Conditional Use Permit CUP03-25. Motion carried 4-0-1. (AYES: Denton, O'Connor, Powers, Schoeffel NOES: None ABSENT: None ABSTAIN: Weinberg)

ITEM 4: A Coastal Development Permit CDP03-06 to allow the demolition of an existing residence, and the construction of a new two-story, 3,273 square foot residence with a 462 square foot detached garage with a Minor Site Development Permit SDP04-07M to allow retaining walls over six (66) feet in height. Variances V03-13 are requested to exceed the maximum height limit by two (2) feet, two (2) inches, and for the requirements for development adjacent to coastal bluffs. (FF# 0610-70/CDP03-06/V03-13/SDP04-07M/Camino Capistrano, 35015) [KN]

Applicant: Paul Douglas
Owner: Christopher Underwood
Location: 35015 Camino Capistrano

Request: A Coastal Development Permit to allow the demolition of an existing residence, and the construction of a new two-story, 3,273 square foot residence with a 462 square foot detached garage with a Minor Site Development Permit to allow retaining walls over six (6) feet in height and Variances to exceed the maximum height limit by two (2) feet, two (2) inches, and for the requirements for development adjacent to coastal bluffs.

Environmental: The proposed project qualifies as a Class 3 (Section 15303) pursuant to the applicable provisions of the California Environmental Quality Act

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

February 4, 2004
7:07-8:25 p.m.

PAGE 4

(CEQA) in that the project involves the construction of a new single-family residence not in conjunction with the construction of two or more of such dwelling units.

Recommendation: That the Planning Commission deny Coastal Development Permit CDP03-06, Variance V03-13, and Minor Site Development Permit SDP04-07M.

This item will be re-noticed for the regular Planning Commission meeting of February 18, 2004.

ITEM 5: ZTA03-03/LCPA03-03 Discussion of Height Regulations. (FF# 0610-15/ZTA03-03/LCPA03-03/Citywide) [BC]

Applicant/

Owner: City of Dana Point

Location: Citywide

Request: To discuss amending the City's Zoning Code to modify height regulations.

Environmental: A Negative Declaration was prepared for the Zone Text Amendment and Local Coastal Program Amendment for the Commission's review. Based on the Initial Study prepared for this project, it was determined that there would be no significant environmental impacts associated with the project.

Recommendation: That the Planning Commission discuss options for amending the regulations for measuring residential building height and re-notice the public hearing for a later date.

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

There was a consensus of the Planning Commission to table this item.

E. PUBLIC MEETINGS

There were no Public Meetings.

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

February 4, 2004
7:07-8:25 p.m.

PAGE 5

F. OLD BUSINESS

There was no Old Business.

G. NEW BUSINESS

There was no New Business.

H. STAFF REPORTS

Kyle Butterwick (Director) announced Genia Garcia's new career opportunity. He stated that she had made a valuable contribution to the City and the Community Development Department during a challenging period. He stated that she was going to be missed by the Staff and wished her luck and success in her new position.

He reported that the City Council had supported the Planning Commission's decision on the new single family home on Blue Lantern, but that they did allow the stepback Variance.

He stated that next week the appeal of the new home near Pines Park would be heard by the City Council.

He stated that after a series of conference calls with various parties, that the Coastal Commission Staff will be in a position to assemble the action on the part of the State Coastal Commission. He added that they have set a tentative date of April to return to the Coastal Commission for the final approval and ratification of the suggested modifications and the proper findings. He stated that after final approval by the Commission, the package would be brought back to the Planning Commission and City Council to be ratified at the local level.

Genia Garcia stated that it has been a pleasure working with everyone here at the City. She added that she was looking forward to her new challenge, but that she has enjoyed her time in Dana Point.

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

February 4, 2004
7:07-8:25 p.m.

PAGE 6

I. COMMISSIONER COMMENTS

Commissioner Powers stated that he was disappointed to see Genia leave because they have had many discussions about the plans for the City and that he was hoping to have Genia help guide the City through it.

Commissioner Weinberg congratulated Genia on her new position. He stated that his new mission was to bring the Farmers Market back to La Plaza to help bring foot traffic back to downtown.

Commissioner O'Connor stated that she would miss Genia and thanked her for her help in making the transition onto the Planning Commission. She added that it was great to see a woman advance her career.

Vice-Chairman Denton congratulated Genia. He stated that he would miss her energy and leadership that she had brought to the City.

Chairman Schoeffel stated that he appreciated the experience that Genia brought to the City. He wished her the best and added that her service was appreciated.

J. ADJOURNMENT

Chairman Schoeffel announced that the *next* regular meeting of the Planning Commission will be held on Wednesday, February 18, 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 8:25 p.m.