

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

April 22, 2008
7:00 – 7:53 p.m.

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

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

PLEDGE OF ALLEGIANCE – Commissioner Schoeffel led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Vice-Chairwoman Michelle Brough, Commissioner Ed Conway, Alternate Commissioner Michael Dec, Chairman Norman Denton, and Commissioner J. Scott Schoeffel

Commissioner Absent: Commissioner Liz Anderson Fitzgerald

Staff Present: Kyle Butterwick (Director of Community Development), John Tilton (City Architect/Planning Manager), Jennifer Farrell (Assistant City Attorney), Evan Langan (Associate Planner), Matthew Schneider (Associate Planner), Saima Qureshy (Senior Planner), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: **Minutes of the regular Planning Commission Meeting of April 8, 2008.**

ACTION: **Motion made (Conway) and seconded (Brough) to approve the Minutes of the regular Planning Commission Meeting of April 8, 2008. Motion carried 5-0. (AYES: Brough, Conway, Dec, Denton, Schoeffel NOES: None ABSENT: None ABSTAIN: None)**

B. PUBLIC COMMENTS

John Chaffetz (Dana Point) commended the Anaheim Ducks organization for a great season.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 2: Coastal Development Permit CDP07-23 to allow the demolition of an existing single-family residence; and the construction of a new, two-story, 5,177 square foot single-family residence at 327 Monarch Bay Drive.

Applicant/ Ben Stevens (Andrade Architects)
Owner: Leonard Shulman
Location: 327 Monarch Bay Drive (APN 670-151-35)

Request: Request for Coastal Development Permit CDP07-23 to allow the demolition of an existing single-family residence; and the construction of a new, two-story, 5,177 square foot single-family residence at 327 Monarch Bay Drive. Per adopted City Zoning Maps, the subject property is zoned as Residential Single-Family 4 (RSF-4), located within the Monarch Bay Homeowners Association, the Coastal Overlay District as well as the appeal jurisdiction of the California Coastal Commission.

Environmental: Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Community Development Department has analyzed the subject project. Staff finds the project is Categorical Exempt per Section 15303 (a) (Class 3 – New Construction or Conversion of Small Structures).

Recommendation: Adopt Planning Commission Resolution 08-04-22-xx, approving Coastal Development Permit CDP07-23 for the referenced scope of work.

Evan Langan (Associate Planner) presented the staff report.

There being no requests to speak on this item, Chairman Denton opened and closed the Public Hearing.

Commissioner Conway stated that it was beautiful project and he supports it.

Chairwoman Brough asked to verify if the staff report's measurements included the garage with the total square footage of the home.

Chairman Denton clarified that the total square footage of the home does include the garage.

ACTION: Motion made (Conway) and seconded (Dec) to adopt Resolution No. 08-04-22-10 approving Coastal Development Permit CDP07-23.

Motion carried 5-0. (AYES: Brough, Conway, Dec, Denton, Schoeffel
NOES: None ABSENT: None ABSTAIN: None)

ITEM 3: **Coastal Development Permit (CDP07-13), Minor Site Development Permit (SDP07-18M) and Minor Conditional Use Permit (CUP07-11M) to allow a new two-story, 4,773 square foot, single-family residence with an attached 426 square foot garage and 384 square foot granny flat on a sloping lot in the Coastal Overlay Zone. The subject site is located in the Residential Single-Family (RSF 7) zoning district at 34152 Chula Vista.**

Applicant/ Jon Green
Owner: John Sullivan
Location: 34152 Chula Vista; APN: 682-245-15

Request: A Coastal Development Permit, Minor Site Development Permit and Minor Conditional Use Permit to construct a new two-story, 4,773 square foot, single-family residence with an attached 426 square foot garage and detached 384 square foot granny flat on a sloping lot in the Coastal Overlay Zone. Retaining walls up to a maximum of 8-feet in height are also being proposed along the side and rear property lines; a Minor Site Development Permit and Minor Conditional Use Permit are requested for these walls.

Environmental: The proposed project qualifies as a Class 3 and Class 5 (Section 15303 & 15305) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves the construction of a single-family residence not in conjunction with the building of two or more such units and associated retaining walls and that the request will not result in the creation of any new parcel.

Recommendation: That the Planning Commission approve the attached draft resolution approving Coastal Development Permit CDP07-13, Site Development Permit SDP07-18(M) and Minor Conditional Use Permit CUP07-11(M).

Matthew Schneider (Associate Planner) presented the staff report.

Chairman Denton opened the Public Hearing.

Jon Green (Architect) stated he was available to answer any questions.

Chairman Denton closed the Public Hearing.

Commissioner Schoeffel stated that the project was a fine design in an area with creative designs and public controversy. He added that he supports the project because it accommodates many concerns.

Commissioner Dec concurred with Commissioner Schoeffel's statements.

Commissioner Conway stated that it's a great project, and he would like the neighbors and the developer to work out the landscaping plan.

Chairman Denton added that the project is sensitive to issues related to views. He felt that the homeowners and neighbors should work together to assure being a good neighbor and allowing tree's to grow at a height that preserves views.

ACTION: **Motion made (Schoeffel) and seconded (Dec) to adopt Resolution No. 08-04-22-11 approving Coastal Development Permit CDP07-13, Minor Site Development Permit SDP07-18M, and Minor Conditional Use Permit CUP07-11M. Motion carried 5-0. (AYES: Brough, Conway, Dec, Denton, Schoeffel NOES: None ABSENT: None ABSTAIN: None)**

ITEM 4: **Zoning Code Update Program – Zone Text Amendment ZTA08-0003.**

Applicant/

Owner: City of Dana Point – Community Development Department

Location: Citywide

Request: Request for Zone Text Amendment ZTA08-0003 to update Chapter 9.63 – “Nonconforming Uses and Structures” and Chapter 9.61 – “Administration of Zoning”.

Environmental: The proposed project is found not to have a significant effect on the environment and is therefore exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15305, Class 5 – Minor Alterations in Land Use Limitations. The proposed project involves minor amendments to the Zoning Ordinance.

Recommendation: That the Planning Commission approve the attached draft Resolution, recommending approval and adoption of the proposed Zone Text Amendment to the City Council.

Saima Qureshy (Senior Planner) reviewed the staff recommendation and provided details of the staff report for the Commissioners' consideration.

There being no requests to speak on this item, Chairman Denton opened and closed the Public Hearing.

Vice-Chairwoman Brough thanked the Staff for their work on the Zoning update, because it is making jobs easier for the property homeowner.

ACTION: **Motion made (Brough) and seconded (Schoeffel) to adopt Resolution No. 08-04-22-12 recommending the City Council approve Zone Text Amendment (ZTA08-0003) revising the City of Dana Point Zoning Ordinance to update Chapter 9.63 – Nonconforming Uses and**

Structures, and Chapter 9.61 – Administration of Zoning and to include the addendum to the staff report Zone Text Amendment (ZTA08-0003). Motion carried 5-0. (AYES: Brough, Conway, Dec, Denton, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

E. NEW BUSINESS

There were no New Business items.

F. STAFF REPORTS

Kyle Butterwick (Director) gave an update on several City issues and projects:

- Last week, the City modified the Housing Element to the State.
- The California Coastal Commission staff has reviewed the Headlands Commercial site, and they have closely looked at the hostel and its design.
- Dana Point's Town Center plan is up for final approval by the California Coastal Commission on May 8, 2008 in Marina del Rey. There were a series of suggested modifications to the staff report, and we are close to negotiating a win-win situation.
- The Coastal Commission will also consider whether developers of the Headlands project can remove Mid-Strand Vista Park Stairway, an access point to Strands Beach. There could be some debate for this proposal.

G. COMMISSIONER COMMENTS

Commissioner Conway commended the staff for their work on revising the Zoning Ordinance making it reasonable and useful. He welcomed Jennifer Farrell (Assistant City Attorney) to her first meeting. He added that he will keep his fingers crossed for the May 8th Coastal Commission meeting.

Vice-Chairwoman Brough reiterated Commissioner Conway's comments and she welcomed Jennifer Farrell.

Chairman Denton commended the staff for their work on the evenings' project; he gave his best of luck for the May 8th Coastal Commission meeting, and he stated that it is a crucial date for Dana Point's future.

Commissioner Schoeffel expressed how nice to have the Chairman back in the Chair. He added that in the month of May, there are many events in town e.g., the Bicycle Race, the Blues Festival; he also added that the City starts to light up right before Memorial Day.

H. ADJOURNMENT

Chairman Denton adjourned the meeting to the *next regular* meeting of the Planning Commission held on Tuesday, May 13, 2008, 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 7:53 p.m.

Norman Denton, Chairman
Planning Commission