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

March 3, 2004
7:00-8:03 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.

Chairman Schoeffel announced that the Public Meetings item on the Agenda would be moved forward and would be heard after the Consent Calendar.

PLEDGE OF ALLEGIANCE – Kyle Butterwick led the Pledge of Allegiance.

ROLL CALL

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

Staff Present: Kyle Butterwick (Director), Todd Litfin (Assistant City Attorney), Brenda Chase (Associate Planner), Robert Kain (Permit Coordinator), Kurth Nelson (Planning Consultant), and Bobbi Ogan (Planning Secretary)

ITEM 1: Reorganization of the Planning Commission and presentation to outgoing Chairman J. Scott Schoeffel.

(FF# 0120-10/ PC Appointments/Resignations) [KB]

- a) Nominations and vote for Chairman to serve until the first meeting of March, 2005.
- Commissioner O'Connor nominated Norman Denton to serve as Chairman with a second by Commissioner Weinberg , and;
 - Chairman Schoeffel nominated Greg Powers to serve as Chairman with a second by Commissioner Powers

The vote was as follows:

- Commissioner O'Connor voted for Norman Denton
- Commissioner Weinberg voted for Norman Denton
- Vice-Chairman Denton voted for himself

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- Chairman Schoeffel voted for Greg Powers
- Commissioner Powers voted for himself

Therefore, Norman Denton was appointed to serve as Chairman.

- b) Nominations and vote for Vice-Chairman to serve until the first meeting of March, 2005.
- Commissioner Weinberg nominated April O'Connor to serve as Vice-Chairwoman with a second by Vice-Chairman Denton, and;
 - Commissioner Powers nominated himself to serve as Vice-Chairman with a second by Chairman Schoeffel

The vote was as follows:

- Commissioner O'Connor voted for herself
- Commissioner Weinberg voted for April O'Connor
- Vice-Chairman Denton voted for April O'Connor
- Chairman Schoeffel voted for Greg Powers
- Commissioner Powers voted for himself

Therefore, April O'Connor was appointed to serve as Vice-Chairwoman.

- c) Presentation to outgoing Chairman J. Scott Schoeffel.

Kyle Butterwick (Director) presented an engraved gavel to Commissioner Schoeffel and thanked him for his service and contribution to the City of Dana Point as Chairman of the Planning Commission.

A. APPROVAL OF MINUTES

ITEM 2: Minutes of the regular Planning Commission Meeting of February 18, 2004. (FF# 0120-10/PC Minutes/PC Secretary Binder) [BO]

ACTION: Motion made (Schoeffel) and seconded (O'Connor) to approve the Minutes of the regular Planning Commission Meeting of February 18, 2004. Motion carried 4-0-1. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: Powers)

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B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC MEETINGS

ITEM 6: A request for historical resource designation and participation in the Mills Act Program.
(FF# 0920-30/Historic Sites/Landmarks/HRA04-01/Copper Lantern, 33941) [BC]

Applicant/

Owners: James and Regina Barnes

Location: 33941 Copper Lantern

Request: To designate a single-family residence located at 33941 Copper Lantern as a historical structure, place the residence on the Dana Point Historic Resource Register and recommend the City enter into an agreement with the property owners for participation in the Mills Act Program.

Environmental: This project is categorically exempt (Class 31 – Section 15331 – Historical Resource Restoration/Rehabilitation) from the provisions of the California Environmental Quality Act (CEQA) because it consists of preservation of an existing historical single-family residence.

Recommendation: That the Planning Commission adopt a Resolution designating the single-family residence located at 33941 Copper Lantern as a locally significant historical structure and recommend the City Council enter into an agreement with the property owner for participation in the Mills Act Program.

Brenda Chase (Associate Planner) reviewed the Staff report.

There being no requests to speak, Chairman Denton opened and closed the Public Comments.

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ACTION: Motion made (O'Connor) and seconded (Powers) to adopt Resolution 04-03-03-07 designating the single-family residence located at 33941 Copper Lantern as a historical structure. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

E. PUBLIC HEARINGS

Vice-Chairwoman O'Connor recused herself from this item. She left the meeting at 7:19 p.m.

ITEM 3: Coastal Development Permit CDP03-19/Minor Site Development Permit SDP03-59M to allow construction of an addition to, and remodel of, an existing single-family residence within the Coastal Overlay District, to allow the new construction with retaining walls in excess of 30 inches in height on property located at 130 Monarch Bay Drive.

(FF# 0610-70/CDP03-19/SDP03-59M/Monarch Bay Drive, 130) [RK]

Applicant

Owner/: Phil Edmondson/Carl Nolet Jr.

Location: 130 Monarch Bay Drive

Request: A Coastal Development and Site Development Permit to allow the construction of an addition to, and remodel of, an existing single-family residence with retaining walls over 30 inches in height.

Environmental: The project is Categorically Exempt, Section 15303 (Class 1 – Existing Facilities) from provisions set forth in the California Environmental Quality Act (CEQA), in that it involves construction of an addition to an existing single-family residence of less than 10,000 square feet where the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive.

Recommendation: That the Planning Commission approve Coastal Development Permit CDP03-19 and Site Development Permit SDP03-59M.

Robert Kain (Permit Coordinator) reviewed the Staff report.

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

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Commissioner Powers stated that he would support the project as proposed.

ACTION: Motion made (Schoeffel) and seconded (Powers) to adopt Resolution 04-03-03-08 approving Coastal Development Permit CDP03-19 and Minor Site Development Permit SDP03-59M. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

Vice-Chairwoman O'Connor returned to the meeting at 7:25 p.m.

ITEM 4: Coastal Development Permit CDP03-20, and Site Development Permit SDP03-62 to allow for the demolition of an existing single-family residence and the construction of a new two (2) story 3,959 square foot single-family residence with an attached 978 square foot, four (4) car garage within the Floodplain FP-3 Overlay District. (FF# 0610-70/CDP03-20/SDP03-62/Beach Road, 35195) [KN]

Applicant: Mike Hayden, Master Remodelers
Owner: Lonnie Laster
Location: 35195 Beach Road

Recommendation: That the Planning Commission continue the hearing for Coastal Development Permit CDP03-20 and Site Development Permit SDP03-62 to the March 17, 2004, Planning Commission meeting.

There was a consensus of the Planning Commission to continue this item to the regular Planning Commission meeting of March 17, 2004.

ITEM 5: A Coastal and Site Development Permit to allow the conversion of an existing 4,185 square foot racquetball building into a 7,385 square foot retail and office building by adding a second floor within the current building envelope. A Conditional Use Permit is requested to allow office space in the rear units on the first floor of the building. (FF# 0610-70/CDP04-02/CUP04-10/SDP04-05/Del Prado, 24470) [KN]

Applicant: Bruce Moore, Architect
Owners: Florentino Ortiz
Location: 24470 Del Prado

Request: A Coastal Development and Site Development Permit to allow the conversion of an existing 4,185 square foot racquetball building into a 7,385 square foot retail and office building by adding a second floor within the current building

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envelope. A Conditional Use Permit is requested to allow office space in the rear units on the first floor of the building.

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 conversion of an existing small structure from one use to another where only minor modifications are made to the exterior of the structure.

Recommendation: That the Planning Commission approve Coastal Development Permit CDP04-02, Conditional Use Permit CUP04-10, and Site Development Permit SDP04-05.

Kurth Nelson (Planning Consultant) reviewed the Staff report.

Chairman Denton opened the Public Hearing.

Florentino Ortiz (San Juan Capistrano – Property Owner) stated that he has been working on this project for almost one (1) year. He added that he was trying to comply with everything the City requires. He felt that this project would add something to Dana Point and the Town Center.

Chairman Denton closed the Public Hearing.

Vice-Chairwoman O'Connor felt that this was a good project. She stated that it would create new office space and will bring the building up to code. She added that she would support the project as proposed.

Commissioner Weinberg felt that bigger windows should be designed in the front of the building to help the visibility from the sidewalk.

Commissioner Schoeffel stated that this would be an appropriate use for the building and that he would support the project. He supported Commissioner Weinberg's comments regarding larger windows in the front.

Chairman Denton stated that he would support the project and encouraged the property owner to make the building as attractive as possible.

Kyle Butterwick (Director) recommended that conditions of approval be included that will ensure that the trash will be enclosed and require a revision to the north elevation that would show an increase in the window/doorway area subject to review and approval by the Director of Community Development.

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ACTION: Motion made (Schoeffel) and seconded (O'Connor) to adopt Resolution 04-03-03-09 approving Coastal Development Permit CDP04-02, Conditional Use Permit CUP04-10, and Site Development Permit SDP04-05 with the addition of two (2) new conditions regarding windows/doorways and the trash enclosure. 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

There was no New Business.

H. STAFF REPORTS

Kyle Butterwick reported that the City Council had adopted the Sign Ordinance at their last meeting which will become effective in April. He stated that the Ordinance will allow the City to enforce some additional restrictions with respect to window signs and the placement and size of banners.

He asked the Planning Commissioners to calendar the upcoming joint City Council/Planning Commission workshop which is scheduled for Wednesday, March 24, 2004. He stated that the time and place would be confirmed after the details are finalized.

He stated that Staff was still attempting to solicit additional proposals for the Town Center Specific Plan consultant. He added that Staff was anticipating that the City Council would make a selection by the end of April.

I. COMMISSIONER COMMENTS

Commissioner Powers thanked Commissioner Schoeffel for the work he has done and the great leadership he has provided to the Commission. He congratulated Chairman Denton and Vice-Chairperson O'Connor on their new appointments.

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He encouraged Staff to put as much effort as possible into choosing a consultant for the Town Center to help us ensure that the City will have a Town Center that we can be proud of.

Commissioner Weinberg thanked Commissioner Schoeffel for his service as Chairman. He congratulated Chairman Denton and Vice-Chairperson O'Connor.

Commissioner Schoeffel thanked Staff for the assistance they have provided to him. He thanked the Commissioners for their kind words.

Chairman Denton thanked Commissioner Schoeffel for his past guidance.

Vice-Chairperson O'Connor thanked Commissioner Schoeffel for his leadership and he congratulated Chairman Denton on his appointment.

She thanked VIP Scotty Smith for putting together the "News Clips" each week. She stated that it saves her the trouble of looking for the articles on Dana Point in the newspaper.

J. ADJOURNMENT

Chairman Denton announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, March 17, 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 8:03 p.m.

April O'Connor, Vice-Chairwoman
Planning Commission