

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

September 21, 2009
7:00 – 7:46 p.m.

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

CALL TO ORDER – Chairwoman Fitzgerald called the meeting to order.

PLEDGE OF ALLEGIANCE – Dana Point Historical Society President, Carlos Olvera led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Vice-Chairman Ed Conway, Commissioner Norman Denton, Chairwoman Liz Anderson Fitzgerald, and Commissioner April O'Connor

Staff Present: John Tilton (City Architect/Planning Manager), Jennifer Farrell (Assistant City Attorney), Evan Langan (Associate Planner), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: **Minutes of the adjourned regular Planning Commission Meeting of September 9, 2009.**

ACTION: **Motion made (Denton) and seconded (Conway) to approve the Minutes of the adjourned regular Planning Commission Meeting of September 9, 2009. Motion carried 4-0. (AYES: Conway, Denton, Fitzgerald, O'Connor NOES: None ABSENT: None ABSTAIN: None)**

B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

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D. PUBLIC HEARINGS

ITEM 2: A request for Historic Resource Designation (HRA09-0003) and participation in the Mills Act Program for the property located at 34021 Amber Lantern and presentation of the plaque to the property owner.

Applicant/

Property Owner: Robert and Bonnie Beeby

Location: 34021 Amber Lantern (APN 682-282-03)

Request: To designate a single family residence located at 34021 Amber Lantern as a historic structure, place the residence on the Dana Point Historic Resource Register and recommend the City Council 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 – Historic Resource Restoration/Rehabilitation) from the provisions of the California Environmental Quality Act (CEQA) because it consists of preservation of an existing historic single-family residence.

Recommendation: That the Planning Commission adopt a Resolution designating the single-family residence located at 34021 Amber Lantern as a locally significant historic structure and recommend that the City Council enter into an agreement with the property owner for participation in the Mills Act Program and present the bronze plaque to the property owner.

Evan Langan (Associate Planner) presented the staff report.

Chairwoman Fitzgerald opened the Public Hearing.

Bob Beeby (Owner - Dana Point) stated that he and his wife have lived in the home for sixteen years because of its aesthetics. He felt honored to be a part of Dana Point's history and future.

Carlos Olvera (Dana Point Historical Society President – Dana Point) stated that the Beeby's home would be the twenty-fifth home added to the City's Historic. He acknowledged the Beeby's for taking pride in their ownership of the historic house and thanked the City for putting forth the Historic Ordinance.

Barbara Johannes (Dana Point Historical Society - Dana Point) stated that the home is a good example of Spanish Colonial style. She read an excerpt from a

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book describing the home's Spanish revival beauty. She added that this home is the eighteenth Woodruff house added to the Historic Register (out of a potential 44 buildings, 26 more to go).

Chairwoman Fitzgerald closed the Public Hearing.

Vice-Chairman Conway spoke in favor of the designation and congratulated the Beeby's on their beautiful home.

Commissioner O'Connor stated that she was in favor of the project because the request meets all the requirements for an historic designation and was appreciative of people who want to preserve the past.

Commissioner Denton was in agreement with his fellow Commissioners noting how nice it is to recognize the past, its beauty and architecture. He congratulated the Beeby's for taking on and spending sixteen years keeping the house together.

ACTION: Motion made (Denton) and seconded (O'Connor) to adopt Resolution No. 09-09-21-20 designating an existing single-family residence as a Historic Resource and placing that structure on the Dana Point Historic Resource Register (HRA09-0003) and recommending the City Council enter into an agreement for the Mills Act Program for the property located at 34021 Amber Lantern. Motion carried 4-0. (AYES: Conway, Denton, Fitzgerald, O'Connor NOES: None ABSENT: None ABSTAIN: None)

Chairwoman Fitzgerald presented the property owners with a bronze plaque in recognition of their designated Historic Structure.

ITEM 3: Coastal Development Permit CDP09-0007 to allow additions to a single-family residence within the coastal zone and appeals jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage at 23792 Salvador Bay.

Applicant/ Stan Schrofer (Stan Schrofer Architects)
Property Owner: Robert Shekell
Location: 23792 Salvador Bay Drive (APN 672-131-37)

Request: Approval of Coastal Development Permit CDP09-0007 to allow additions to a single-family residence located in the Coastal Zone and Appeals

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Jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage at 23792 Salvador Bay.

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 No. 09-09-21-xx, approving Coastal Development Permit CDP09-0007 for the referenced scope of work.

Evan Langan (Associate Planner) presented the staff report.

Chairwoman Fitzgerald opened the Public Hearing.

Stan Schrofer (Architect - Capistrano Beach) stated that he was available to answer any questions from the Commission.

Chairwoman Fitzgerald closed the Public Hearing.

Commissioner O'Connor stated that she is in support of the project, and indicated that the Homeowners Association accepted the plan and there was no opposition.

ACTION: Motion made (O'Connor) and seconded (Conway) to adopt Resolution 09-09-21-21 to approve Coastal Development Permit CDP09-0007 for additions to a single-family residence located within the coastal zone and appeals jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage in the Residential Single-Family 7 (RSF-7) Zoning District and Planned Residential Development 3 (PRD-3) Overlay District. Motion carried 4-0. (AYES: Conway, Denton, Fitzgerald, O'Connor NOES: None ABSENT: None ABSTAIN: None)

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ITEM 4: Tentative Parcel Map TPM2009-111 and Conditional Use Permit CUP09-0004 to allow for the conversion of an existing duplex to condominium ownership at 34505 Via Verde.

Applicant/

Property Owner: Ramiro Lezama

Location: 34505 Via Verde (APN 691-381-51)

Request: Approval of TPM2009-111 and Conditional Use Permit CUP09-0004 to allow the conversion of an existing duplex to condominium ownership.

Environmental: Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Community Development Department has analyzed the subject project and finds the scope-of-work Categorically Exempt per Section 15315 (Class 15 - Minor Land Divisions).

Recommendation: Adopt Planning Commission Resolution No. 09-09-21-xx, approving Tentative Parcel Map TPM2009-111 and Conditional Use Permit CUP09-0004 for the referenced scope-of-work.

Evan Langan (Associate Planner) presented the staff report.

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

Commissioner Denton was supportive of splitting it into a condominium as originally built and was ready to approve the concept.

Vice-Chairman Conway was in agreement with Commissioner Denton and indicated that it was an upgrade to the area and the conversion would encourage long term ownership.

Commissioner O'Connor was in agreement with her fellow Commissioners and noted that there would be a pride of ownership and neighborhood beautification.

Chairwoman Fitzgerald was in agreement with her fellow Commissioners and indicated that the property looked nice, fits in with the neighborhood and would be a nice condominium project.

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ACTION: Motion made (Conway) and seconded (Denton) to adopt Resolution 09-09-21-22 to approve Tentative Parcel Map TPM2009-111 and Conditional Use Permit CUP09-0004 to allow for the conversion of an existing duplex to condominium ownership. Motion carried 4-0.
(AYES: Conway, Denton, Fitzgerald, O'Connor NOES: None
ABSENT: None ABSTAIN: None)

ITEM 5: Antenna Use Permit AUP09-0001 to allow for the placement of three, additional cellular antennas on an existing “Mono-Pine” cellular facility and new, associated ground-mounted equipment at 34381 Calle Portola (Faith Lutheran Church).

Applicant/ Cindy Leinert (Consultant for Sprint Nextel)
Property Owner: Faith Lutheran Church
Location: 34381 Calle Portola

Request: The approval of Antenna Use Permit AUP09-0001 to allow for the placement of three, additional cellular antennas on an existing “mono-pine” cellular facility, and; the placement of new, associated ground-mounted equipment.

Environmental: The subject project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Sections 15301 (e) (Existing Facilities). A Categorical Exemption has been prepared and will be duly filed per the requirements of the statute.

Recommendation: That the Planning Commission adopt Draft Resolution 09-09-21-xx, approving the referenced scope-of-work.

Evan Langan (Associate Planner) presented the staff report.

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

Commissioner Denton supported the application and felt that it would be safe for the City to expand the coverage.

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ACTION: Motion made (Denton) and seconded (O'Connor) to adopt Resolution 09-09-21-23 to approve Antenna Use Permit AUP09-0001 for the placement of three, additional cellular antennas on an existing "Mono-Pine" cellular facility, and; the placement of new, associated ground-mounted equipment. Motion carried 4-0. (AYES: Conway, Denton, Fitzgerald, O'Connor NOES: None ABSENT: None ABSTAIN: None)

E. NEW BUSINESS

There were no New Business items.

F. STAFF REPORTS

John Tilton (City Architect/Planning Manager) gave several updates:

- He announced that the consultant contract for the South Shores Church project EIR could be presented to the City Council on September 28, 2009.
- He reported that the City had received eleven (11) applications for the Planning Commission opening. He stated that the interviews will be conducted on Tuesday, October 6, 2009 in the City Council Chambers at 5 PM.
- He reported that he has met with the Commission Staff last week to discuss the suggested modifications for the Harbor Plan and hoped that there would be agreement at the next California Coastal Commission hearing.

G. COMMISSIONER COMMENTS

Commissioner O'Connor stated that she was happy that the UCLA football team won.

Commissioner Denton thanked Mr. Langan (Associate Planner) for handling the whole load of presentations, noting that he did a splendid job.

Chairwoman Fitzgerald also commended Mr. Langan (Associate Planner) on a job well done. She noted her appreciation to the staff for setting up the previous Planning Commission workshop meeting at the Community Center, stating that it was a good turnout.

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H. ADJOURNMENT

Chairwoman Fitzgerald adjourned the meeting to the *next* adjourned regular meeting of the Planning Commission to be held on Monday, October 5, 2009, 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 7:46 p.m.

Liz Anderson Fitzgerald, Chairwoman
Planning Commission