

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

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September 20, 2010  
6:00 – 6:27 p.m.

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

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

**PLEDGE OF ALLEGIANCE** – Lauren O'Connor led the Pledge of Allegiance.

**ROLL CALL**

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

Commissioner Absent: Commissioner Gary Newkirk

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

**A. APPROVAL OF MINUTES**

**ITEM 1:** Minutes of the regular Planning Commission Meeting of August 16, 2010.

**ACTION:** Motion made (Claus) and seconded (O'Connor) to approve the Minutes of the regular Planning Commission Meeting of August 16, 2010.  
Motion carried 4-0-1. (AYES: Claus, Conway, Denton, O'Connor NOES: None ABSENT: Newkirk 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: Antenna Use Permits AUP10-0004 to AUP10-0006 to allow for the placement of new cellular antenna facilities on two existing light poles, and a utility pole at three (3) different locations throughout the City within the public right of way.**

Applicant: NextG Networks of California  
Owner: City of Dana Point  
Location(s): AUP10-0004: Light pole located on Las Vegas Avenue, west of Doheny Park Road.  
AUP10-0005: Utility pole located on Via California, north of Via San Juan and south of Via Fortuna.  
AUP10-0006: Light pole located on Camino Capistrano, to the east of Paseo Pinzon.

Request: Approval of Antenna Use Permits AUP10-0004 to AUP10-0006 to allow the placement and installation of new cellular antenna facilities on two existing light poles, and a utility pole at three (3) different locations throughout the City within the public right of way with underground accessory equipment and new underground and overhead fiber optic cables.

Environmental: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (d) (Class 3 – New Construction or Conversion of Small Structures). A Categorical Exemption has been prepared and will be filed per the requirements of the statute.

Recommendation: That the Planning Commission adopt the attached draft Resolution No. 10-09-20-14, approving the proposed Antenna Use Permits.

**John Tilton** (City Architect/Planning Manager) reviewed the staff report.

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

**ACTION: Motion made (O'Connor) and seconded (Claus) to adopt Resolution No. 10-09-20-14 approving Approval of Antenna Use Permits AUP10-0004 to AUP10-0006 to allow for the placement of new cellular antenna facilities on two existing light poles, and a utility pole at three (3) different locations throughout the City within the public right of way. Motion carried 4-0-1. (AYES: Claus, Conway, Denton, O'Connor NOES: Newkirk ABSENT: None ABSTAIN: None)**

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**ITEM 3: Coastal Development Permit CDP10-0007 to allow additions to a single-family residence located in the Coastal Zone and Appeals Jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage at 23781 Salvador Bay Drive.**

Applicant: Bob Kelly (Developer/Contractor)  
Owner: Cocco Family Trust  
Location: 23781 Salvador Bay Drive (APN 672-131-42)

Request: Approval of Coastal Development Permit CDP10-0007 to allow additions to a single-family residence located in the Coastal Zone and Appeals Jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage.

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 Categorically Exempt per Section 15301 (e) (Class 1 – Existing Facilities).

Recommendation: Adopt Planning Commission Resolution No. 10-09-20-15, approving Coastal Development Permit CDP10-0007 for the referenced scope of work.

**Evan Langan** (Associate Planner) reviewed the staff report.

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

**ACTION: Motion made (Claus) and seconded (Denton) to adopt Resolution No. 10-09-20-15 approving Coastal Development Permit CDP10-0007 to allow additions to a single-family residence located in the Coastal Zone and Appeals Jurisdiction of the California Coastal Commission in excess of 10 percent of existing square footage at 23781 Salvador Bay Drive. Motion carried 4-0-1. (AYES: Claus, Conway, Denton, O'Connor NOES: Newkirk ABSENT: None ABSTAIN: None)**

**E. NEW BUSINESS**

There was no New Business.

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**F. STAFF REPORTS**

**Kyle Butterwick** (Director) reported the following updates:

- The second reading of the Ordinance approving a revision to the California Coastal Commission's suggested modifications to the Dana Point Local Coastal Plan amendment for the Land Use component of the Dana Point Harbor Revitalization Plan will take place at the City Council meeting next week.

He indicated that he and John Tilton (City Architect/Planning Manager) are working on the implementation plan, meeting with the Commission staff, and the County. A meeting with the Commission staff will be held this Thursday to get closer details on the planning process. He added that the best case scenario of the final phase hearing will be in November. He noted that the Coastal Commission's deadline for a decision on the plan is March of next year.

- He indicated that the ROMA design group will meet with staff next week on the Doheny Village Plan for the purpose of discussing technical studies, constraints, property ownership, easements, and encumbrances. He added that a public outreach process will take place next year as the Doheny Plan evolves.
- He spoke of a project moving forward at Coast Highway and Dana Point Harbor Drive, consisting of a mixed use with a hotel with commercial retail, restaurant(s), and public amenities that would revitalize a corner that currently consists of an abandoned liquor store and hotel. He added that the proposal includes public parking in conjunction with the renovation of the existing Lantern Bay park site for park visitors.

**Jennifer Farrell** (Assistant City Attorney) gave an update on the marijuana outlet cases and reported the Court has granted the City's preliminary injunction for motion which basically requests to shut down a dispensary pending final outcome of the case. She indicated that if a notice of appeal is filed within 2-3 days, enforcement of the injunction will be upheld until the appeal gets resolved.

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**G. COMMISSIONER COMMENTS**

**Commissioner Denton** stated that the Toshiba Tall Ship Festival was a wonderful event this year, and is growing into a bigger and better event every year.

**Commissioner Claus** indicated that the Tall Ship Festival and the summer concerts series of performances were magnificent and the best they've had. She expressed parking issues at a few of the concerts at the park, and felt it was abysmal.

**Vice-Chairwoman O'Connor** indicated that watching the tall ships was spectacular and a great event to have in town. She stated that her family has participated at the Dana Point Emergency Preparedness Expo, and noted that being prepared for emergencies is important. She suggested having emergency kits from the Red Cross ([www.Redcross.org](http://www.Redcross.org)) or to give to family and friends. She commented that she is proud that Dana Point is able to offer a great event.

**H. ADJOURNMENT**

**Chairman Conway** announced that the *next regular* meeting of the Planning Commission will be held on Monday, October 4, 2010, beginning at 6:00 p.m. (or as soon thereafter) in the Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

**The meeting adjourned at 6:27 p.m.**

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Ed Conway, Chairman  
Planning Commission