

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

October 4, 2010
6:00 – 6:48 p.m.

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

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

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

ROLL CALL

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

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

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of September 20, 2010.

ACTION: Motion made (Denton) and seconded (Claus) to approve the Minutes of the regular Planning Commission Meeting of September 20, 2010. Motion carried 4-0-1. (AYES: Claus, Conway, Denton, O'Connor NOES: None ABSENT: None ABSTAIN: Newkirk)

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: Coastal Development Permit CDP10-0006 and Site Development Permit SDP10-0016 to allow additions to an existing, single-family residence in excess of 10 percent of existing square footage in the Residential Beach Road (RBR-12), Coastal and Floodplain Overlay Districts at 35827 Beach Road.

Applicant: Daniel Martinez (Architect)
Owner: Roy P. Disney
Location(s): 35827 Beach Road (APN 691-330-05)

Request: Approval of Coastal Development Permit CDP10-0006 and Site Development Permit SDP10-0016 to allow improvements to an existing single-family residence in the Coastal and Floodplain Overlay Districts.

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 15301 (e) (Class 1 – Existing Facilities).

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP10-0006 and Site Development Permit SDP10-0016.

Vice-Chairwoman O'Connor disclosed that she visited the site in which Commissioner Newkirk was also present. She advised that they have not discussed the application and made it clear that there was no violation of the Brown Act.

Evan Langan (Associate Planner) gave the staff report and addressed questions about the homeowner's association approval process, and described the vertical wood siding used along the wall.

John Tilton (City Architect/Planning Manager) stated that the property manager of the Capistrano Beach Community has previously indicated that they like to be made aware of new projects, but have not asked staff to require evidence of their approval prior to the City considering them.

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Chairman Conway opened the Public Hearing.

Daniel Martinez (Applicant – Laguna Beach) addressed concerns in terms of the proposed finishes to mitigate the height on the west side of the building. He described undulations on the west façade. He explained the color schemes, and gave emphasis on the shadow lines cast by daylight to mitigate the overall appearance of height. He clarified that he would not be able to restructure the second or third floor of the building because the redesign work would affect the project's budget and due to structural constraints of the existing building.

Chairman Conway closed the Public Hearing.

Commissioner Newkirk stated that he visited the property and noted that the look needed a facelift. He stated that he was in support of the project because the plan fits well using the existing structure and it's a good improvement for the area.

Commissioner Claus considered Beach Road an important asset of the City that with structures that are built on solid footing, in terms of the horrors of the ocean. She stated that she was in support of the project because of its unique and innovative structure, it is within their budget, it mitigates some of the mass presence and overall it is a good project.

Vice-Chairwoman O'Connor expressed concerns regarding the aesthetics of the west side wall. She stated that she opposed the project due to that wall and its incompatibility with other structures in the neighborhood.

Commissioner Denton shared Vice-Chairwoman O'Connor's concerns about the appearance of the west wall and urged the applicant to soften it architecturally. He stated that the home may not be the most attractive on Beach Road, but he was pleased that the 'sails' were trimmed down to modernize the home's design. He indicated that from the southeast point of view, the property is gorgeous, and was supportive of the project.

Vice-Chairwoman O'Connor offered a recommendation that the Planning Commission suggest that the applicant brainstorm to soften the massing impacts of the west wall and bring back a project that is compatible with the existing neighborhood residences.

Commissioner Claus stated that she felt comfortable to support the project noting that she believed that once the project is complete it could look better than the renderings shown.

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Chairman Conway was in agreement with Commissioner Claus noting that the project is not quite as bad as it might look and will be a positive asset for the community. He stated he was in support of the project, with a suggestion that the applicant add some relief on the west side wall.

Commissioner Newkirk also agreed with Commissioner Claus, he added that the proposed stainless steel relief is a good solution.

ACTION: Motion made (Newkirk) and seconded (Claus) to adopt Resolution No. 10-10-04-16 approving Coastal Development Permit CDP10-0006 and Site Development Permit SDP10-0016 to allow additions to an existing, single-family residence in excess of 10 percent of existing square footage in the Residential Beach Road (RBR-12), Coastal and Floodplain Overlay Districts at 35827 Beach Road. Motion carried 4-1-0. (AYES: Claus, Conway, Denton, Newkirk NOES: O'Connor ABSENT: None ABSTAIN: None)

NEW BUSINESS

There was no New Business.

STAFF REPORTS

John Tilton (City Architect/Planning Manager) reported the City Council has approved the second reading for LCPA Harbor Plan modification regarding community height. He stated that City staff hopes for a November public hearing at the Coastal Commission to enter into the second phase of the revitalization plan.

COMMISSIONER COMMENTS

Vice-Chairwoman O'Connor reported that she did not get a chance to attend the Dana Point Historical Society Home Tour, however her son was a docent and he said that there were a lot of people and the homes were spectacular. She added that the home tour is another wonderful event in Dana Point

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Commissioner Claus stated that she was a docent in the Historical Home Tour for the last six years. She added that the A frame home is something that grows on people. Some will either love or hate it, but always respect it.

E. ADJOURNMENT

Chairman Conway announced that the *next regular* meeting of the Planning Commission will be held on Monday, October 18, 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 6:48 p.m.

Ed Conway, Chairman
Planning Commission