

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA**

August 1, 2011
6:03 – 7:12 p.m.

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

CALL TO ORDER – Chairwoman O'Connor called the meeting to order.

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

ROLL CALL

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

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 July 18, 2011.**

ACTION: **Motion made (Preziosi) and seconded (Denton) to approve the Minutes of the regular Planning Commission Meeting of July 18, 2011. Motion carried 4-0-1. (AYES: Claus, Denton, O'Connor, Preziosi NOES: None ABSENT: None ABSTAIN: Newkirk)**

B. PUBLIC COMMENTS

Robert Theel (Dana Point) spoke about a recent Planning Commission approval of a project at 41 Monarch Bay because several of the Planning Commissioners had made comment about improvements within the twenty-five (25) foot setback, he felt that he needed to clarify that the 25-foot setback did not include any of the living area of the structure.

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION AGENDA**

August 1, 2011
6:03 – 7:12 p.m.

PAGE 2

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 2: Coastal Development Permit CDP11-0010 to allow the establishment of a marine related office use (“Nordhavn Yachts”) within an existing, vacant structure located within the boundaries of the Dana Point Harbor, the City’s Coastal Overlay District (The CA Coastal Zone) as well as the appeals jurisdiction of the CA Coastal Commission at 25001 Dana Drive.

Applicant: Dan Streech (Pacific Asian Enterprises – Nordhavn Yachts)
Owner(s): County of Orange
Location: 25001 Dana Drive

Request: Approval of Coastal Development Permit CDP11-0010 to allow the establishment of a new marine related, office use within an existing, vacant structure.

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: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP11-0010.

There were (3) requests to speak on this item.

ACTION: Motion made (Claus) and seconded (Denton) to adopt the draft Resolution (No. 11-08-01-13) approving Coastal Development Permit CDP11-0010 to allow the establishment of a marine related office use (“Nordhavn Yachts”) within an existing, vacant structure located within the boundaries of the Dana Point Harbor, the City’s Coastal Overlay District (the CA Coastal Zone) as well as the appeals jurisdiction of the CA Coastal Commission at 25001 Dana Drive with the additional condition language drafted by Assistant City Attorney Farrell. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O’Connor, Preziosi NOES: None ABSENT: None ABSTAIN: None)

**CITY OF DANA POINT
PLANNING COMMISSION
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August 1, 2011
6:03 – 7:12 p.m.

PAGE 3

E. NEW BUSINESS

There was no New Business.

F. STAFF REPORTS

Kyle Butterwick (Director) reported that the City Council rendered a final action on the Harbor Revitalization Implementation Plan which concludes the comprehensive plan.

Mr. Butterwick discussed the possibility of a brief reprieve on the Planning Commission schedule, but that since that discussion last week, several new projects have come forward. He felt that with everyone's indulgence, it would be important to fulfill the agenda with the tentatively scheduled projects for the meeting of August 15, 2011.

Commissioner Preziosi advised he would be unable to attend the August 15, 2011, Planning Commission meeting.

Jennifer Farrell (Assistant City Attorney) gave an update on the dispensary cases, specifically news about the how the attorney's fees were spent in litigating against them. She reported that all three attorney's fees motions were granted recently in the amount totaling \$550,000 that is due back from the dispensary owners in addition to civil penalties.

G. COMMISSIONER COMMENTS

There were no Commissioner Comments.

H. ADJOURNMENT

Chairwoman O'Connor announced that the *next regular* meeting of the Planning Commission will be held on Monday, August 15, 2011, 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 7:12 p.m.