

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

October 17, 2011
6:00 – 6:35 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 Newkirk 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: John Tilton (City Architect/Planning Manager), Jennifer Farrell (Deputy City Attorney), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of October 3, 2011.

ACTION: Motion made (Newkirk) and seconded (Claus) to approve the Minutes of the regular Planning Commission Meeting of October 3, 2011. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Preziosi 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.

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

October 17, 2011
6:00 – 6:35 p.m.

PAGE 2

D. PUBLIC HEARINGS

ITEM 2: A Coastal Development Permit CDP10-0017 to remediate a slope failure, repair and replace damaged improvements as a result of the slope remediation and construct new improvements to mitigate subsurface water on a coastal bluff lot at 34885 Doheny Place.

Applicant: Philip Landaas
Owner: John H Kinney Jr. Trust
Location: 34885 Doheny Place

Request: A request to remediate a slope failure on a coastal bluff lot, repair and replace damaged improvements as a result of the slope remediation and construct new improvements to mitigate subsurface water.

Environmental: This project is categorically exempt (Class 1 - Section 15301 – Existing Facilities) from the provisions of the California Environmental Quality Act (CEQA) in that the project consists of the restoration and rehabilitation of damaged existing private structure involving negligible or no expansion of the beyond that existing at the time of the determination of exemption.

Recommendation: That the Planning Commission adopt the attached Resolution approving Coastal Development Permit CDP10-0017.

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

Chairwoman O'Connor opened the Public Hearing.

Earl Wessell (Capistrano Beach) expressed concern with the placement of pipes/tubes situated over the edge of the street curb. He asked City staff to explain its purpose because he felt that they were visibly unappealing to the neighborhood.

Chairwoman O'Connor closed the Public Hearing.

John Tilton (City Architect/Planning Manager) responded that the pipes that Mr. Wessell described were being used to provide the ability to collect the drainage from the site to the street preventing rain flow over the bluff.

Chairwoman O'Connor re-opened the Public Hearing.

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

October 17, 2011
6:00 – 6:35 p.m.

PAGE 3

Philip Landaas (Applicant - Capistrano Beach) clarified that the reason the current pipes were running over the top of the curb was to sump pump release pipes to the street while the encroachment permit with the City Engineering Division is being processed. He also clarified that the homeowner will absorb all costs for the curb improvements, and will also have the pipes go directly through the curb so that they will no longer be visible.

Chairwoman O'Connor closed the Public Hearing.

Commissioner Newkirk stated that he applauds the City and the homeowner for their prompt action in closing Pacific Coast Highway for the safety of the community, and having the project rolling beyond the normal scope. He gave kudos to all involved.

Commissioner Claus stated that she agreed with Commissioner Newkirk's comments. She stated that she was delighted that the City responded quickly and is hoping that the property maintains itself.

Vice-Chairman Denton stated that he also agreed with his fellow-Commissioners and felt that the setback is absolutely mandatory. He also applauds the City for doing a wonderful job in moving very rapidly to mitigate the problem. He stated the importance of everyone to remain mindful of setbacks and the reason this is a classic case as to why 40-50 feet is a minimum.

Commissioner Preziosi stated that he also agreed with his fellow-Commissioners. He stated that he applauds the City for their careful use of hydro-seed mixture, utilizing native plants, and is hoping that there would be no future slides.

Chairwoman O'Connor expressed that her heart goes out to the family for having to deal with such a tragedy and was glad that the City was able to move as swiftly as possible. She stated that she would be in favor of approving the project so that the family can move on.

ACTION: Motion made (Claus) and seconded (Denton) to adopt Resolution No. 11-10-17-20 approving Coastal Development Permit CDP10-0017 to remediate a slope failure, repair and replace damaged improvements as a result of the slope remediation and construct new improvements to mitigate subsurface water on a coastal bluff lot located at 34885 Doheny Place. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Preziosi NOES: None ABSENT: None ABSTAIN: None)

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

October 17, 2011
6:00 – 6:35 p.m.

PAGE 4

E. NEW BUSINESS

There was no New Business.

F. STAFF REPORTS

John Tilton (City Architect/Planning Manager) reported that the California Coastal Commission certified the Dana Point Harbor Implementation Plan on October 6, 2011.

He reported that City Staff is presenting the Doheny Village Public Workshop on Saturday, November 5, 2011 at 9:00 a.m. at Calvary Church. He encouraged the community to attend and review the presentation given by the ROMA Design Group.

G. COMMISSIONER COMMENTS

Commissioner Preziosi asked for clarification about changing the Planning Commission meeting dates.

Mr. Tilton clarified that the City Council will be considering changing the meeting dates of the City Council and Planning Commission on Monday's City Council meeting.

H. ADJOURNMENT

Chairman O'Connor announced that the *next regular* meeting of the Planning Commission will be held on Monday, November 7, 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 6:35 p.m.

/s/ April O'Connor

April O'Connor, Chairwoman
Planning Commission