

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

November 7, 2011
6:00 – 8:09 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 Preziosi 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), Brad Fowler (Director of Public Works), 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 17, 2011.

ACTION: Motion made (Preziosi) and seconded (Claus) to approve the Minutes of the regular Planning Commission Meeting of October 17, 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

ITEM 2: A one-year time extension of Site Development Permit SDP08-0031 to allow the construction of a new, two-story, 5,096 square foot mixed-

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use structure with offices on the first-floor and a residence and additional offices on the second floor; as well as a request for an increase in total permitted lot coverage at 26852 Calle Hermosa.

Applicant: Pat Meek (Logan Homes)
Owner: Blue Lantern LLC
Location: 26852 Calle Hermosa

Request: To grant a second (and final) one-year extension of a discretionary permit originally approved October 28, 2008, providing entitlement to construct a new, two-story, 5,096 square foot mixed-use structure with offices on the first-floor and a residence and additional offices on the second floor; as well as allowing an increase in total permitted lot coverage.

Recommendation: That the Planning Commission approve a (final) one-year time extension of Site Development SDP08-0031.

ACTION: **Motion made (Claus) and seconded (Denton) to approve the Consent Calendar. Motion carried 5-0.** (AYES: Claus, Denton, Newkirk, O'Connor, Preziosi **NOES:** None **ABSENT:** None **ABSTAIN:** None)

D. PUBLIC HEARINGS

Commissioner Claus recused herself from the following item at 6:04 p.m.

ITEM 3: **Environmental Impact Report (SCH#2010041056) and Coastal Development Permit CDP11-0003 for a major Public Works project for Pacific Coast Highway/Del Prado Phase I Streetscape Improvements within and along Pacific Coast Highway and Del Prado Avenue between the Streets of Blue Lantern and Copper Lantern.**

Applicant/Owner: City of Dana Point
Location: The proposed streetscape improvements will take place within the Town Center Plan area along and within Pacific Coast Highway and Del Prado Avenue between the Streets of Blue Lantern and Copper Lantern.

Request: A Coastal Development Permit for a Major Public Works Project for streetscape improvements along Pacific Coast Highway (PCH) and Del Prado Avenue between the streets of Blue Lantern and Copper Lantern.

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Implementation of the proposed project will re-establish two-way circulation for Pacific Coast Highway (PCH) and Del Prado Avenue between the Streets of Blue Lantern and Copper Lantern and result in additional public parking.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the lead agency, City of Dana Point, prepared a Final Project Environmental Impact Report (EIR) and a Supplemental Environmental Analysis for the proposed project (State Clearing House # 2010041056).

Copies of the Final EIR and the Supplemental Environmental Analysis are available at the City's Department of Community Development and can also be viewed on the City's website at www.danapoint.org.

The Final Project EIR and the Supplemental Environmental Analysis has identified potentially significant adverse impacts associated with the implementation of the proposed project. For each potential impact, the EIR has identified mitigation measures to reduce potential impacts, to a level of less than significant that may occur due to the project's implementation. The Mitigation Monitoring and Reporting Program (MMRP) will ensure implementation of the proposed mitigation measures.

Recommendation: That the Planning Commission adopt the attached draft Resolution No. 11-11-07-21, certifying the Final Project Environmental Impact Report No. 2010041056 and associated Mitigation Monitoring and Reporting Program (MMRP) and draft Resolution No. 11-11-07-22 approving Coastal Development Permit CDP11-0003.

There was (1) request to speak on this item.

ACTION: Motion made (Denton) and seconded (Newkirk) to adopt Resolution No. 11-11-07-21 certifying Final Project Environmental Impact Report including Supplemental Environmental Analysis (State Clearinghouse No. 2010041056) and a Mitigation Monitoring and Reporting Program for Coastal Development Permit, CDP11-0003 for Pacific Coast Highway/Del Prado Avenue Phase I Streetscape Improvements within and along Pacific Coast Highway and Del Prado Avenue between the Streets of Blue Lantern and Copper Lantern, including the modification to Exhibit C (previously identified to the Planning Commission). Motion carried 4-0-1. (AYES: Denton, Newkirk, O'Connor, Preziosi NOES: None ABSENT: Claus (Recused) ABSTAIN: None)

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Commissioner Claus returned to the meeting at 7:03 p.m.

ITEM 4: A Coastal Development Permit CDP11-0007 and Minor Site Development Permit SDP11-0017(M) to allow the demolition of an existing, single-family dwelling, the construction of a new, two-story, single-family dwelling as well as a new retaining wall proposed in excess of 30 inches in height on a coastal bluff located at 35141 Camino Capistrano. Variance V11-0001 is requested to permit development within the coastal bluff edge setback.

Applicant: Robert Theel (Robert Theel Company)
Owner: Daniel Rodriguez and Debra Liebert
Location: 35141 Camino Capistrano

Request: Approval of Coastal Development Permit CDP11-0007, V11-0001 and SDP11-0017(M) to allow the demolition of an existing residential dwelling, the construction of a new, two-story, single-family dwelling as well as a retaining wall proposed in excess of 30 inches in height.

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 15303 (a) (Class 3 – New Construction or Conversion of Small Structures).

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP11-0007, Variance V11-0001 and Minor Site Development Permit SDP11-0017(M).

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

ACTION: Motion made (O'Connor) and seconded (Newkirk) to adopt Resolution No. 11-11-07-23 approving Coastal Development Permit CDP11-0007, Variance V11-0001 and Minor Site Development SDP11-0017(M) to allow the demolition of an existing, single-family dwelling, the construction of a new, two-story, single-family dwelling as well as a new retaining wall proposed in excess of 30 inches in height on a coastal bluff located at 35141 Camino Capistrano. A Variance is requested to permit development within a coastal bluff edge setback, including the proposed change to Condition of Approval Number 15. Motion carried 5-0. (AYES: Claus, Denton, Newkirk, O'Connor, Preziosi NOES: None ABSENT: None ABSTAIN: None)

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E. NEW BUSINESS

There was no New Business.

F. STAFF REPORTS

Kyle Butterwick (Director)

- He acknowledged that staff will be scheduling a workshop with the Planning Commission to discuss bluff-top development issues.
- The City Council made changes to the Municipal Code in order to change the meeting days to the 1st and 3rd Tuesday of each month and changed the Planning Commission meeting days to the 2nd and 4th Monday of each month. This change will take effect in January, 2012.
- He noted that due to the fact that the second November regular meeting date falls on the week of Thanksgiving, the Commission needed to consider holding the meeting. It was the consensus of the Planning Commission to cancel the next Regular Meeting of November 21, 2011 due to the Thanksgiving Holiday.
- Reported that the California Coastal Commission public hearing was held for the Del Obispo Rezone Coastal Plan Amendment on November 2, 2011, and continued the hearing to the next scheduled meeting to be held next month in San Francisco.
- He provided a brief update on the Doheny Village Public Workshop which was held on Saturday, November 5, 2011 at the Calvary Church. He added that the next stage will be a joint workshop with the Planning Commission and the City Council to summarize the recommendations from the public workshop and to review important elements of the new plan.
- He reported that the County has released the draft Environmental Impact Report on the Marina Improvement Project of the Harbor. He stated that they have extended the length of time to accept public comments.
- He noted that the Grant awarded to the City was going to absorb the expenses for the preparation of the Doheny Village Plan. He added that the City has pursued another Grant application pertaining to transportation efficiency, concentrating on development around existing urban areas. He briefed the Planning Commission that the City has been able to qualify for \$125,000 to allow the three urban area villages (e.g., Town Center, the

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Harbor, and Doheny Village) to help both pedestrian and vehicular connections to combine the areas as a whole.

G. COMMISSIONER COMMENTS

Commissioner Newkirk acknowledged the City historian, Doris Walker-Smith family and expressed condolences.

Commissioner Claus echoed the condolences to the Walker-Smith family. She commented that Ms. Walker-Smith developed the concept of saving the history of Dana Point.

Vice-Chairman Denton noted that the Walker-Smith memorial service will be held on Saturday, November 26, 2011 at 6:00 p.m. at the Dana Point Senior Center.

Commissioner Preziosi also offered condolences to the Walker-Smith family.

Chairwoman O'Connor offered condolences to the Walker-Smith family, as well as the Glass family.

H. ADJOURNMENT

Chairman O'Connor announced that the *next regular* meeting of the Planning Commission will be held on Monday, December 5, 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 8:09 p.m.