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

February 1, 2006  
7:00-8:42 p.m.

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

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

**PLEDGE OF ALLEGIANCE** – Commissioner Weinberg led the Pledge of Allegiance.

**ROLL CALL**

**Commissioners Present:** Commissioner Norman Denton, Commissioner Liz Anderson Fitzgerald, Chairwoman April O'Connor, Vice-Chairman J. Scott Schoeffel, and Commissioner Steven Weinberg

**Staff Present:** Kyle Butterwick (Director), Todd Litfin (Assistant City Attorney), John Tilton (City Architect/Planning Manager), Brenda Chase (Senior Planner), and Bobbi Ogan (Planning Secretary)

Chairwoman O'Connor announced that items were going to be taken out of order this evening.

**E. PUBLIC HEARINGS**

**ITEM 6:** **Variance V05-08 to allow a new single-family residence to exceed the maximum allowable height by 6-feet, 9-inches; a Minor Site Development Permit SDP05-65M for retaining walls up to 6 feet; and a Coastal Development Permit for development in the Coastal Zone on a 6,004 square foot lot in the Residential Single Family (RSF 7) Zoning District at 34142 Chula Vista.**

**Applicant:** Lynn J. Muir  
**Owner:** Usha Gopal  
**Location:** 34142 Chula Vista

**Request:** A Variance to allow a new 5,370 square foot, 3-level single-family dwelling and attached 527 square foot garage, together measuring 32 feet, 9 inches in height, instead of the maximum allowable height of 26 feet, a Minor Site Development Permit for retaining walls as high as 6 feet, and a Coastal

Development Permit for development in the Coastal Zone on a 6,004 square foot lot in the Residential Single Family (RSF 7) Zoning District.

Environmental: The proposed project qualifies as a Class 3 (Section 15303) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves the construction of a single-family residence and associated retaining walls.

Recommendation: That the Planning Commission adopt the attached draft Resolution denying Variance V05-08, Site Development Permit SDP05-65M, and Coastal Development Permit CDP05-25.

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

**ACTION:** Motion made (Schoeffel) and seconded (Weinberg) to continue this item to the regular Planning Commission meeting of March 1, 2006. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

**A. PRESENTATIONS**

**ITEM 1:** Recognition of recently designated Historic Structures.

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

**F. APPROVAL OF MINUTES**

**ITEM 2:** Minutes of the regular Planning Commission Meeting of January 18, 2006.

**ACTION:** Motion made (Denton) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of January 18, 2006. Motion carried 5-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

**G. PUBLIC COMMENTS**

There were no Public Comments.

**D. CONSENT CALENDAR**

**ITEM 3: One-year extension of Coastal Development Permits CDP01-20 and CDP01-22 and Site Development Permit SDP01-64 for the construction of two new single-family dwellings located at 25162 and 25172 Via Elevado.**

Applicant/

Owner: Clayton Robert Behling  
Location: 25162 and 25172 Via Elevado

Request: Allow a third one-year time extension of discretionary permits originally approved in November 2001, which granted entitlements to construct a new dwelling on each of the lots identified above.

Recommendation: That the Planning Commission approve a one-year time extension for Coastal Development Permit CDP01-20, Coastal Development Permit CDP01-22, and Site Development Permit SDP01-64, subject to all of the conditions contained in Resolution No. 02-02-12-02 and Resolution No. 02-02-12-03.

**ACTION: Motion made (Schoeffel) and seconded (Fitzgerald) to approve the request for a one-year time extension for Coastal Development Permits CDP01-20, CDP01-22, and Site Development Permit SDP01-64. Motion carried 5-0. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: Fitzgerald)**

**E. PUBLIC HEARINGS**

**ITEM 4: Temporary Site Development Permit TSDP05-34; One Monarch Beach Resort.**

Recommendation: No action is required; the project was noticed in the newspaper but the applicant has since withdrawn the request.

**ITEM 5: A request to amend Conditional Use Permit CUP05-03 to allow for outdoor seating at the wine bar (Purple Feet Wines) located at 24582 Del Prado in the Town Center.**

Applicant/

Owner: Bill Jonas  
Location: 24582 Del Prado

Request: Approval to allow outdoor seating at the existing wine bar (Purple Feet Wines) in the Commercial/Residential zoning district. The site is located in the Town Center at the corner of Del Prado and Violet Lantern.

Environmental: This project is categorically exempt (Class 1 – Section 15301 – Existing Facilities) from the provisions of the California Environmental Quality Act (CEQA) because it consists of a negligible expansion of use beyond that existing.

Recommendation: That the Planning Commission adopt the attached draft Resolution approving the amendment to Conditional Use Permit CUP05-03.

There were seven (7) requests to speak on this item.

**ACTION:** Motion made (Denton) and seconded (Weinberg) to adopt Resolution 06-02-01-02 approving the amendment to Conditional Use Permit CUP05-03 with additional Conditions. Motion carried 5-0. (AYES: Denton, O'Connor, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: Fitzgerald)

**Chairwoman O'Connor recessed the meeting at 8:31 p.m. and reconvened the meeting at 8:39 p.m.**

**F. PUBLIC MEETINGS**

There were no Public Meetings.

**G. OLD BUSINESS**

There was no Old Business.

**H. NEW BUSINESS**

There was no New Business.

**I. STAFF REPORTS**

**Kyle Butterwick** (Director) reported that the County Board of Supervisors certified the Harbor EIR. He stated that the County will be processing a Local Coastal Plan Amendment (LCPA) through the City. He added that the proposal would be coming to the Planning Commission in the next six to eight weeks.

**J. COMMISSIONER COMMENTS**

**Commissioner Weinberg** stated that he would like for the City to make a request of the County to build a barrier to keep the walking path open along San Juan Creek.

**Chairwoman O'Connor** offered condolences to Doug Chotkevys and his family for the passing of his father recently.

**K. ADJOURNMENT**

**Chairwoman O'Connor** announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, February 15, 2006, beginning at 7:00 p.m. (or as soon thereafter) in the Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

**The meeting adjourned at 8:42 p.m.**