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

December 20, 2006
7:00-8:01 p.m.

Community Center
34052 Del Obispo
Dana Point, CA 92629

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

PLEDGE OF ALLEGIANCE – Commissioner O'Connor led the Pledge of Allegiance.

ROLL CALL

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

Staff Present: Kyle Butterwick (Director of Community Development), John Tilton (City Architect/Planning Manager), Todd Litfin (Assistant City Attorney), Scott Hutter (Assistant Planner), and Bobbi Ogan (Planning Secretary)

ITEM 1: Presentation to Council Member Steven Weinberg.

- a) Presentation to Council Member Steven Weinberg.

Chairman Schoeffel thanked Council Member Weinberg for his service on the Planning Commission and presented him with a City plaque.

A. APPROVAL OF MINUTES

ITEM 2: Minutes of the regular Planning Commission Meeting of November 15, 2006.

ACTION: Motion made (Fitzgerald) and seconded (Denton) to approve the Minutes of the regular Planning Commission Meeting of November 15, 2006. Motion carried 4-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR**ITEM 3: One-year extension of Coastal Development Permit CDP01-20 and Site Development Permit SDP01-64 for the construction of a new single-family dwelling located at 25172 Via Elevado.**Applicant/Owner: Clayton Robert BehlingLocation: 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 the lot identified above.

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

Kyle Butterwick (Director) provided a summary of the request for extension of time.

Commissioner Fitzgerald felt that the owner was trying to sell the property with the entitlements because there were for sale signs on the property. She stated that she would want this to be the last extension that is granted on this property. She added that the City should consider revising the current policy on extensions.

Commissioner Denton stated that the extensions had been granted in good faith by the Commission but that Commissioner Fitzgerald had made some valid points.

Commissioner O'Connor stated that since there were no specific conditions in the Code regarding the number of extensions that could be granted, she felt that there were no grounds to not approve the extension request.

Chairman Schoeffel stated that denying the extension request would not solve the problem. He added that the extension of time is for only one year and that the land use standards have not changed so he would support the request.

ACTION: Motion made (Fitzgerald) and seconded (Schoeffel) to approve a one-year extension for Coastal Development Permit CDP01-20 and Site Development Permit SDP01-64. Motion carried 4-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

ITEM 4: **A report to the Planning Commission regarding administrative approval of Coastal Development Permit CDP06-11A and Minor Site Development Permit SDP06-32M to allow the construction of a new 4,063 square foot one-story single-family dwelling with attached garage and retaining walls greater than thirty (30) inches in height at the subject property 32491 Caribbean Drive.**

Applicant: Brion Jeannette Architecture
Owner: Don and Laurie Dahl
Location: 32491 Caribbean Drive

Request: An Administrative Coastal Development Permit to allow the tear down of an existing 2,879 square foot single-family residence and the construction of a new 4,063 square foot one-story single-family residence and retaining walls in its place at 32491 Caribbean Drive. The building plans are attached as Exhibit "A".

Environmental: This project qualifies for a Categorical Exemption under Section 15302 Replacement or Reconstruction, as set forth in the provisions of the California Environmental Quality Act (CEQA) in that it involves the tear down of an existing single-family residence and the construction of a new single-family residence and retaining walls at the same site in an existing residentially zoned neighborhood.

Recommendation: No action is required of the Planning Commission unless two (2) or more members of the Planning Commission request that the permit not be approved administratively.

ACTION: **Motion made (Denton) and seconded (O'Connor) to approve the balance of the Consent Calendar. Motion carried 4-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel NOES: None ABSENT: None ABSTAIN: None)**

D. PUBLIC HEARINGS

ITEM 5: **Coastal Development Permit CDP06-20 to modify the existing entryway to the Capistrano Bay District Community and add guest parking spaces and associated improvements in and around the entryway in the Residential Beach Road 18 (RBR 18) Zoning District at 35000 Beach Road.**

Applicant: David Gutierrez
Owner: Capistrano Bay District
Location: 35000 Beach Road

Request: A Coastal Development Permit to modify the existing entryway to the Capistrano Bay District Community and add guest parking spaces and

associated improvements in and around the entryway in the Residential Beach Road 18 (RBR 18) Zoning District.

Environmental: The proposed project qualifies as a Class 1 (Section 15301) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves minor alteration to existing private facilities.

Recommendation: That the Planning Commission adopt the attached Resolution approving Coastal Development Permit CDP06-20.

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

Chairman Schoeffel opened the Public Hearing.

David Gutierrez (Dana Point – Representative) described the proposed project and asked for the Planning Commission to approve the project.

ACTION: Motion made (O'Connor) and seconded (Denton) to adopt Resolution 06-12-20-48 approving Coastal Development Permit CDP06-20.
Motion carried 4-0. (AYES: Denton, Fitzgerald, O'Connor, Schoeffel
NOES: None ABSENT: None ABSTAIN: None)

E. PUBLIC MEETINGS

There were no Public Meetings.

F. OLD BUSINESS

There was no Old Business.

G. NEW BUSINESS

There was no New Business.

H. STAFF REPORTS

Kyle Butterwick (Director) reported that the Town Center Plan was adopted by the City Council with the exception of the circulation system.

He stated that the City had received a long list of comments on the submittal of the Harbor Plan to the Coastal Commission. He added that staff anticipates providing a response by the end of January.

He stated that the State HCD had responded to the City's submittal of the Housing Element for certification. He added that staff was in the process of drafting a response to their comments.

I. COMMISSIONER COMMENTS

Commissioner O'Connor wished everyone a Merry Christmas.

Commissioner Denton wished everyone happy holidays.

Commissioner Fitzgerald wished everyone a warm and wonderful holiday season.

Chairman Schoeffel reported that he had a great time at the City's holiday lunch. He stated that the boat parade has become bigger, and better organized. He wished everyone happy holidays.

J. ADJOURNMENT

Chairman Schoeffel announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, January 3, 2007, beginning at 7:00 p.m. (or as soon thereafter) in the Dana Point Community Center located at 34052 Del Obispo, Dana Point, California.

The meeting adjourned at 8:01 p.m.

/s/ J. Scott Schoeffel

J. Scott Schoeffel, Chairman
Planning Commission