

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

February 26, 2008
7:00 – 7:31 p.m.

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

CALL TO ORDER – Chairwoman Fitzgerald called the meeting to order.

PLEDGE OF ALLEGIANCE – Mal Richardson, Deputy City Attorney, led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Commissioner Michelle Brough, Commissioner Ed Conway, Vice-Chairman Norman Denton, Chairwoman Liz Anderson Fitzgerald, Commissioner J. Scott Schoeffel, and Alternate Michael Dec

Staff Present: Kyle Butterwick (Director), John Tilton (Architect/Planning Manager), Mal Richardson (Deputy City Attorney), Erica Demkowicz (Senior Planner), and Denise Jacobo (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: **Minutes of the regular Planning Commission Meeting of February 12, 2008.**

ACTION: **Motion made (Denton) and seconded (Brough) to approve the Minutes of the regular Planning Commission Meeting of February 12, 2008. Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel 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.

D. PUBLIC HEARINGS

ITEM 2: Request for Sign Program Permit SPP07-06 to allow the creation of a sign program in conjunction with various site improvements, including an increase in the height of an existing gas-pump canopy to 18 feet and new landscaping improvements at 34306 Pacific Coast Highway.

Recommendation: That the Planning Commission continue the request to a Planning Commission meeting of March 25, 2008.

Kyle Butterwick (Director) stated that the Staff is recommending the Planning Commission move the date of the continuance to the next regularly scheduled meeting on March 11, 2008.

ACTION: Motion made (Brough) and seconded (Denton) to continue this item to the next regular Planning Commission meeting of March 11, 2008. Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

ITEM 3: Tentative Parcel Map TPM2006-149 for a proposed one-lot, 2-unit condominium project and a Minor Site Development Permit SDP06-24(M) to allow a roof deck and retaining walls in conjunction with each of the proposed units located at 34594 Camino Capistrano.

Applicant/ Mr. Gerald N. Muir
Owner: James F. Cumming
Location: 34594 Camino Capistrano (APN 691-382-11)

Request: Approval of a one-lot subdivision for Tentative Parcel Map TPM2006-149 and a Minor Site Development Permit SDP06-24(M) to permit the construction of a 2-unit condominium project. A roof deck and retaining walls are also proposed in conjunction with each of the proposed units.

Environmental: This project is Categorically Exempt (Class 15 - Section 15315 - Minor Land Divisions) because it consists of the division of property in urbanized areas zoned for residential, commercial or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning.

Recommendation: That the Planning Commission adopt the attached Draft Resolution No. 08-02-26-xx approving Tentative Parcel Map TPM2006-149 and Minor Site Development Permit SDP06-24(M).

Erica Demkowicz (Senior Planner) presented the staff report.

Chairwoman Fitzgerald expressed concern regarding the sound wall barrier between the side-by-side units and asked to identify the decibel rating the City requires given that the units are next to each other.

Kyle Butterwick (Director) clarified that the standard requirement is 45 dB(A) for acceptable interior noise levels.

Chairwoman Fitzgerald opened the Public Hearing.

Gerald Muir (San Juan Capistrano - Applicant) thanked the Staff for their recommendations on the project. He stated he was available to answer any questions.

Chairwoman Fitzgerald closed the Public Hearing.

Vice-Chairman Denton felt that the project would be a great addition to the neighborhood.

ACTION: Motion made (Denton) and seconded (Conway) to approve Resolution No. 08-02-26-05 approving Tentative Parcel Map TPM2006-149 to allow a proposed one-lot, 2-unit condominium project and a Minor Site Development Permit SDP06-24(M) to allow a roof deck and retaining walls in conjunction with each of the proposed units located at 34594 Camino Capistrano. Motion carried 5-0. (AYES: Brough, Conway, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

E. NEW BUSINESS

There was no New Business.

F. STAFF REPORTS

Kyle Butterwick (Director) reported that the Town Center Plan might be scheduled for a Coastal Commission hearing at Santa Barbara in April. He added that the City has received questions from the Coastal Commission Staff regarding details in the Plan. He reported that the City's decision to allow a wide range of uses and not all visitor serving, has raised issues with the Coastal Commission Staff.

He reported the release of the Mitigated Negative Declaration for the Makar mobile home site on Del Obispo was circulated on February 22, 2008. He expects that there will be a number of public inquiries about the document. He offered to provide copies of the release to the Planning Commissioners at the end of the meeting.

He reported the Zoning Text Amendment approved by the Planning Commission on February 12, 2008 is scheduled for the March 4, 2008, City Council meeting. He added that a second round of modifications will be brought to the Planning Commission next month.

He reported the City Staff was working to complete the City's new website.

He reported that Headlands commercial project will be coming to the Planning Commission for public hearing on March 11, 2008. He invited the Planning Commission to attend a field trip to the Headlands property on March 11, 2008, prior to the regularly scheduled meeting. He confirmed that if the Commission was available, they should meet with Staff onsite at the corner of Pacific Coast Highway and Street of the Green Lantern at 5:00 p.m.

G. COMMISSIONER COMMENTS

Vice-Chairman Denton requested an introduction of the alternate Assistant City Attorney in attendance.

Kyle Butterwick (Director) introduced Mal Richardson, Deputy City Attorney, who informed the Commission that he will represent the Planning Commission during regularly scheduled meetings on the fourth Tuesday of the month. He added that Todd Litfin will continue to be the representative during meetings occurring the second Tuesday of the month.

Vice-Chairman Denton reported that he has attended the Annual Planning Commissioners' Conference in the past, and advised that the meeting is especially worthwhile for first-time Commissioners. He found it informative and

useful, and felt there were some very good lectures with almost every City in California represented. He urged the Planning Commissioners to consider attending the Conference in Sacramento to be held in March.

Commissioner Conway stated that he was pleased with the majority of quality projects that have upgraded the community. He complimented the applicants, architects and the excellent Staff for putting forth so much time and effort.

Chairwoman Fitzgerald concurred with Vice-Chairman Denton regarding the Statewide Planning Commissioners Meeting in Sacramento. She stated that the meetings are excellent and she particularly recommended first-time Planning Commissioners to attend.

H. ADJOURNMENT

Chairwoman Fitzgerald adjourned the meeting to the *next regular* meeting of the Planning Commission would be held on Tuesday, March 11, 2008, beginning at 5:00 p.m. (or as soon thereafter) at the commercial site on the corner of Pacific Coast Highway and Street of the Green Lantern, Dana Point, California.

The meeting adjourned at 7:31 p.m.

Liz Anderson Fitzgerald, Chairwoman
Planning Commission