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

April 21, 2004
7:00-7:46 p.m.

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

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

PLEDGE OF ALLEGIANCE – Vice-Chairwoman O'Connor led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Chairman Norman Denton, Vice-Chairwoman April O'Connor, Commissioner Greg Powers, Commissioner J. Scott Schoeffel, and Commissioner Steven Weinberg

Staff Present: Kyle Butterwick (Director), Todd Litfin (Assistant City Attorney), Brenda Chase (Associate Planner), Robert Kain (Permit Coordinator), John Tilton (Planning Manager), and Bobbi Ogan (Planning Secretary)

A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of April 7, 2004.

ACTION: Motion made (O'Connor) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of April 7, 2004. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg 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: Annual Festival to be held at St. Edward Catholic Church at 33926 Calle La Primavera (APN 121-251-31) from Friday, May 21st to Sunday, May 23rd, 2004 which includes the on-site sale of alcohol, carnival rides, food service and games; Minor Conditional Use Permit CUP04-09M and Temporary Site Development Permit TSDP04-08.

Applicant: Rev. Steve Sallot, St. Edward Church and School

Owner: Roman Catholic Diocese of Orange

Location: 33926 Calle La Primavera

Request: Approval of an annual festival with alcohol sales from May 21st to May 23rd, 2004.

Environmental: This project is a Section 15304 (Class 4 – Minor Alterations to Land) Categorical Exemption from the provisions set forth in the California Environmental Quality Act (CEQA) because it consists of a temporary use of land which, as proposed and conditioned, will have no permanent effect on the environment.

Recommendation: That the Planning Commission adopt the attached Resolution approving Minor Conditional Use Permit CUP04-09M and Temporary Site Development Permit TSDP04-08.

Brenda Chase (Associate Planner) reviewed the staff report.

There being no requests to speak, Chairman Denton opened and closed the Public Hearing.

ACTION: Motion made (Schoeffel) and seconded (Powers) to adopt Resolution 04-04-21-18 approving Minor Conditional Use Permit CUP04-09M and Temporary Site Development Permit TSDP04-08 with an additional condition limiting the festival to one weekend per year. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

ITEM 3: A Tentative Parcel Map TPM2003-260 and Conditional Use Permit CUP04-07 to allow the conversion of an existing duplex to condominiums and the corresponding request to subdivide the airspace for condominium purposes. A Variance V04-09 is also requested to allow additions to an existing non-conforming third story and a reduced front setback to accommodate the enclosure of an existing carport.

Applicant/

Owner: Barry Venison, Octagon Village LLC

Location: 34605 Via Catalina

Request: A Tentative Parcel Map and a Conditional Use Permit to allow the addition to and conversion of an existing duplex to condominiums and the corresponding request to subdivide the airspace for condominium purposes. A Variance is also requested to allow additions to an existing non-conforming third story and a reduced front setback to accommodate the enclosure of an existing carport.

Environmental: The proposed project qualifies as Class 3 and Class 15 Categorical Exemptions (Sections 15303 and 15315) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project consists of the conversion of a duplex to a condominium and the subdivision of four (4) or fewer parcels to create condominiums consistent with the applicable General Plan designation and all applicable General Plan policies as well as the applicable zoning designation and regulations.

Recommendation: That the Planning Commission adopt the attached Resolution approving Tentative Parcel Map TPM2003-260, Conditional Use Permit CUP04-07, and Variance V04-09.

Robert Kain (Permit Coordinator) reviewed the staff report.

Chairman Denton opened the Public Hearing.

Val Morales (Irvine) stated that he was concerned about allowing any kind of Variance that would add more mass and more square footage to a home. He added that there were no other homes in the area that were the same size. He stated that he liked the architecture and the enclosed garage, but felt that the home would be a big box.

Chairman Denton closed the Public Hearing.

Commissioner Powers stated that he wanted to encourage condominium ownership and reduction of the multi-unit rentals. He added that he would like to not see the building get any larger, but that he was inclined to support the project.

Vice-Chairwoman O'Connor felt that condominium ownership creates a pride of ownership and would improve property values. She stated that the massing would be within the setbacks but that the tandem parking was not practical.

Commissioner Weinberg stated that he would support the project.

Commissioner Schoeffel felt that the proposed project would allow for some well-planned condominiums and that it will solve more problems than it creates. He stated that he would support the project.

Chairman Denton felt that the condominiums would add value to the neighborhood. He added that he liked the choice of materials proposed.

ACTION: Motion made (Schoeffel) and seconded (Weinberg) to adopt Resolution 04-04-21-19 approving Tentative Parcel Map TPM2003-260, Conditional Use Permit CUP04-07, and Variance V04-09. Motion carried 5-0. (AYES: Denton, O'Connor, Powers, Schoeffel, Weinberg NOES: None ABSENT: None ABSTAIN: None)

ITEM 4: A Coastal Development Permit CDP03-06 to allow the demolition of an existing residence, and the construction of a new two-story, 3,273 square foot residence with a 462 square foot detached garage with a Minor Site Development Permit SDP04-07M to allow retaining walls over six (6) feet in height. Variances V03-13 are requested to exceed the maximum height limit by two (2) feet, two (2) inches, and for the requirements for development adjacent to coastal bluffs. (Continued from the regular Planning Commission meeting of February 18, 2004)

Applicant: Mike Eggers
Owner: Christopher Underwood
Location: 35051 Camino Capistrano

Recommendation: There is no action required by the Planning Commission due to the fact that the property owner has withdrawn the application for development of Coastal Development Permit CDP03-06, Variance V03-13, and Minor Site Development Permit SDP04-07M.

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) stated that Staff had traveled to Santa Barbara last week to testify before the Coastal Commission on a request for an extension of time for the Headlands approval. He added that the Coastal Commission had committed to a date of June to review and approve the suggested modifications and the required legal findings for their original vote that occurred in January. He stated that if that transpires that we can expect that the City will be bringing forward those suggested modifications and findings to the Planning Commission and City Council for review and approval. He anticipated that an agenda item would be brought to the Planning Commission in July to review and conduct a public hearing on the same matter.

He reported that the City Council may be in the position to choose the consultant for the Town Center Specific Plan at their next meeting or the first meeting in May.

He stated that there had been no decisions made on the single-family home on Camino Capistrano next to Pines Park. He added that this item had been continued for a series of meetings and that the City had received another request for another thirty (30) day continuance.

He welcomed John Tilton, the City's new Planning Manager/City Architect to his first official Planning Commission meeting.

I. COMMISSIONER COMMENTS

Commissioner Schoeffel stated that based on his own personal experience that it was important for the City and the residents to realize that trees need maintenance because they can become a public health issue.

Commissioner Weinberg thanked Kyle Butterwick for running a professional organization.

Commissioner Powers felt that the City needed to find a way to encourage people to convert more multi-family homes into condominiums and that the Lantern Village in particular would benefit. He stated that the five (5) year approval of the Conditional Use Permit for the Fiesta was a terrific solution. He added that the Fiesta has proven to be something that people look forward to.

J. ADJOURNMENT

Chairman Denton announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, May 5, 2004, 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 7:46 p.m.

/s/ Norman Denton

Norman Denton, Chairman
Planning Commission