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

September 7, 2005  
7:007:38 p.m.

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

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

**PLEDGE OF ALLEGIANCE** - Commissioner Powers led the Pledge of Allegiance.

**ROLL CALL**

Commissioners Present: Commissioner Norman Denton, Commissioner Greg Powers, Vice-Chairman J. Scott Schoeffel, and Commissioner Steven Weinberg

Commissioners Absent: Chairwoman April O'Connor

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

**A. APPROVAL OF MINUTES**

**ITEM 1:** Minutes of the regular Planning Commission Meeting of August 17, 2005.

**ACTION:** Motion made (Denton) and seconded (Weinberg) to approve the Minutes of the regular Planning Commission Meeting of August 17, 2005. Motion carried 4-0-1. (AYES: Denton, Powers, Schoeffel, Weinberg NOES: None ABSENT: O'Connor ABSTAIN: None)

**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR****ITEM 2: A request for Historical Resource Designation; 33959 Chula Vista.**Applicant/Owner: Barbara and Keith JohannesLocation: 33959 Chula Vista

Request: To designate a single-family residence located at 33959 Chula Vista as a historical structure and place the residence on the Dana Point Historic Resource Register.

Environmental: This project is categorically exempt (Class 31 – Section 15331 – Historical Resource Restoration/Rehabilitation) from the provisions of the California Environmental Quality Act (CEQA) because it consists of preservation of an existing historical single-family residence.

Recommendation: That the Planning Commission adopt the attached draft Resolution designating the single-family residence located at 33959 Chula Vista as a locally significant historical structure.

**ITEM 3: A request for Historical Resource Designation and participation in the Mills Act Program; 33901 El Encanto.**Applicant/Owner: Catherine WilkinsonLocation: 33901 El Encanto

Request: To designate a single-family residence located at 33901 El Encanto as a historical structure, place the residence on the Dana Point Historic Resource Register and recommend the City enter into an agreement with the property owners for participation in the Mills Act Program.

Environmental: This project is categorically exempt (Class 31 – Section 15331 – Historical Resource Restoration/Rehabilitation) from the provisions of the California Environmental Quality Act (CEQA) because it consists of preservation of an existing historical single-family residence.

Recommendation: That the Planning Commission adopt the attached draft Resolution designating the single-family residence located at 33901 El Encanto as a locally significant historical structure and recommend the City Council enter into an agreement with the property owner for participation in the Mills Act Program.

**ACTION: Motion made (Denton) and seconded (Powers) to approve the Consent Calendar. Motion carried 4-0-1. (AYES: Denton, Powers, Schoeffel, Weinberg NOES: None ABSENT: Schoeffel ABSTAIN: None)**

**D. PUBLIC HEARINGS**

**ITEM 4:** *(Continued from the regular Planning Commission meeting of August 3, 2005)* **A Variance V05-05 to allow for additional square footage and a pitched roof element to an existing single-family residence that would exceed the regulations for building height and encroach into the front yard setback at 33935 Malaga.**

Recommendation: That the Planning Commission continue this item to the regular Planning Commission meeting of October 5, 2005.

**There was a consensus of the Planning Commission to continue this item to the regular Planning Commission meeting of October 5, 2005.**

**ITEM 5:** **Coastal Development Permit CDP05-18 to allow for the replacement of an existing public restroom and concession stand and construction of a new 1,500 square foot structure to house a restroom, concession stand and storage area at Del Obispo Community Park located at 34052 Del Obispo.**

Applicant/

Owners: City of Dana Point, Public Works Department

Location: 34052 Del Obispo

Request: A Coastal Development Permit to allow for the replacement of an existing public restroom and concession stand and the construction of a new 1,500 square foot structure to house a restroom, concession stand and storage facility at Del Obispo Park.

Environmental: This project is categorically exempt (Class 3 – Section 15303 – New Construction) from the provisions of the California Environmental Quality Act (CEQA) in that the project entails the demolition of an existing restroom and the construction of a new small restroom facility.

Recommendation: That the Planning Commission approve the attached draft Resolution approving Coastal Development Permit CDP05-18.

There were no requests to speak on this item.

**ACTION:** **Motion made (Weinberg) and seconded (Denton) to adopt Resolution 05-09-07-42 approving Coastal Development Permit CDP05-18 with amendment. Motion carried 4-0-1. (AYES: Denton, Powers, Schoeffel, Weinberg NOES: None ABSENT: O'Connor 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 new single-family home on Caribbean that was approved by the Planning Commission had been appealed by the Coastal Commission. He stated that the hearing was scheduled for October.

He stated that the City Council had overturned the Planning Commission's denial of the Variance request for the building height for the single-family home on Manzanita. He added that the height Variance was reduced from seven (7) feet to three (3) feet as a result of the deliberations before the Planning Commission. He stated that the applicant was successful in working with the neighborhood following the action of the Planning Commission.

He added that the Fractional Ordinance was scheduled to be heard by the Coastal Commission at their meeting in October. He stated that Staff was working with Commission Staff trying to persuade them to support the Ordinance with modifications that would allow the City to come back and re-evaluate the Ordinance and consider any suggested modifications offered by the Commission and return the Ordinance back to them.

He stated that Staff was bringing forward a recommendation to the City Council next week to enter into a contract with a consultant to proceed with an update of the City's Housing Element.

He added that the screen check EIR for the Harbor had been completed by the County of Orange and that the draft EIR would be released for public review sometime this month.

**Brenda Chase** (Senior Planner) reported that the next Town Center Subcommittee meeting was scheduled for next Thursday, September 15, 2005 at 6:00 p.m. and that the topics on the agenda would be view impacts and building heights. She stated that they would also be meeting on Friday, September 16, 2005 at 8:00 a.m. with the business owners and property owners. She added that both meetings were open to the public.

**John Tilton** (City Architect/Planning Manager) stated that staff was preparing an RFP for the remodel of the Council Chambers. He added that one of the goals of the remodel was to update the technology in the chambers.

**I. COMMISSIONER COMMENTS**

**Commissioner Denton** stated that he was pleased that the residents of Orange County had donated 8 million dollars for the hurricane relief effort.

**Commissioner Powers** stated that his church was sending a chainsaw group to help with the hurricane clean up efforts.

**J. ADJOURNMENT**

**Vice-Chairman Schoeffel** announced that the *next regular* meeting of the Planning Commission would be held on Wednesday, September 21, 2005, 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 7:38 p.m.**