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

October 9, 2007
7:00-7:32 p.m.

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

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

PLEDGE OF ALLEGIANCE – Commissioner Brough led the Pledge of Allegiance.

ROLL CALL

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

Commissioner Absent: Chairwoman Liz Anderson Fitzgerald (seat on Commission taken by Alternate Dec for this meeting).

Staff Present: Kyle Butterwick (Director), John Tilton (City Architect/Planning Manager), Todd Litfin (Assistant 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 September 11, 2007.**

ACTION: **Motion made (Brough) and seconded (Schoeffel) to approve the amended Minutes of the regular Planning Commission Meeting of September 11, 2007. Motion carried 5-0. (AYES: Brough, Conway, Dec, Denton, Schoeffel NOES: None ABSENT: None ABSTAIN: None)**

ITEM 2: **Minutes of the regular Planning Commission Meeting of September 25, 2007.**

ACTION: Motion made (Brough) and seconded (Schoeffel) to approve the amended Minutes of the regular Planning Commission Meeting of September 25, 2007. Motion carried 5-0. (AYES: Brough, Conway, Dec, Denton, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

B. PUBLIC COMMENTS

There were no requests to speak.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 3: A request for historical resource designation and participation in the Mills Act Program at 33912 El Encanto.

Applicant/ Jean Gulick & Philip Reichelsdorf
Owner:
Location: 33912 El Encanto (APN 682-103-40)

Request: To designate a single-family residence located at 33912 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 a Resolution designating the single-family residence located at 33912 El Encanto as a locally significant historical structure and recommend that the City Council enters into an agreement with the property owner for participation in the Mills Act Program.

Erica Demkowicz (Senior Planner) narrated a slide presentation featuring photographs of the subject site, including an explanation of the criteria used to evaluate properties, and provided background information regarding Designation on the City's Historic Register.

Commissioner Schoeffel stated that Sydney Woodruff achieved his fame for developing Hollywood structures but was not as prominent in Dana Point because of the New York Stock Exchange (NYSE) incident of that era. He asked about Sydney Woodruff's ability to proceed developing several more structures in Dana Point.

Erica Demkowicz (Senior Planner) confirmed that despite the NYSE crash, there were a couple more homes built, and that the subject home was designed prior to the incident.

Commissioner Schoeffel expressed that the house was lovely.

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

Commissioner Brough acknowledged that the project is great. She felt that the property owners are definitely within their right with a great opportunity to have something historic in the City.

ACTION: Motion made (Brough) and seconded (Denton) to adopt Resolution No. 07-10-09-31 designating the single-family residence located at 33912 El Encanto as a historical structure. Motion carried 5-0.
(AYES: Brough, Conway, Dec, Denton, Schoeffel NOES: None
ABSENT: None ABSTAIN: None)

E. NEW BUSINESS

ITEM 4: Coastal Development Permit (CDP06-10) to allow the construction of a 5,456 square foot, two story single-family dwelling and a 1,070 square foot detached garage with a 1,196 square foot second dwelling unit with a bluff edge setback of 25 feet and a Minor Site Development Permit (SDP07-12(M)) and Variance (V07-06) to allow building height to be measured from atop as much as 5.75 feet of fill as opposed to 2.5 feet of fill located at 24692 El Camino Capistrano. (Returning from the regular Planning Commission meeting of September 11, 2007 and September 25, 2007.)

Applicant/ Dominy + Associates Architects
Owner: Tom and Maria Vegh
Location: 24692 El Camino Capistrano; (APN 682-203-05)

Request: Approval of a Coastal Development Permit to allow the construction of a 5,456 square foot, two story single-family dwelling and a 1,070 square foot

detached garage/1,196 square foot second dwelling unit with a bluff edge setback of 25 feet and a Minor Site Development Permit to allow structures to be measured from no more than 2.5 feet of fill and Variance to allow building height to be measured from atop as much as 5.75 feet of fill as opposed to 2.5 feet of fill located at 24692 El Camino Capistrano; (APN 682-203-05).

Environmental: This project is categorically exempt (Class 3 - Section 15303 - New Construction) from the provisions of the California Environmental Quality Act (CEQA) because the project involves the construction of a new single-family residence not in conjunction with the construction of two or more of such dwelling units. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

Recommendation: That the Planning Commission approve the attached Draft Resolution thereby approving Coastal Development Permit CDP06-10 and Minor Site Development Permit SDP07-12(M), and denying Variance V07-06.

Kyle Butterwick (Director – Community Development) briefly recounted the September 25, 2007 public hearing, he stated that the Planning Commission voted to approve the CDP and SDP as submitted by the applicant with denial of the variance, and postponed the ratification until a final action on the resolution this evening. He stated that the applicant submitted a request today to continue the item to allow additional time to meet with the neighbors. He indicated that he would not be available for a continued meeting until November, 2007. Staff therefore is recommending that the item be continued to the regular meeting on November 13, 2007.

Commissioner Schoeffel stated that it makes a great deal of sense to move the item to November 13, 2007, to give the residents a chance to work it out.

ACTION: Motion made (Schoeffel) and seconded (Brough) to approve the continuance of this item to the regular Planning Commission meeting of November 13, 2007, per the applicant's request. Motion carried 5-0. (AYES: Brough, Conway, Dec, Denton, Schoeffel NOES: None ABSENT: None ABSTAIN: None)

Todd Litfin (Assistant City Attorney) advised that the record should reflect that the Planning Secretary confirmed that there are no requests for public comments.

Chairman Denton confirmed that there were no requests for public comments.

F. STAFF REPORTS

Kyle Butterwick (Director) encouraged the Planning Commission to attend the Planning Directors Forum of Orange County; and he handed out fall courses for continuing education at UCLA offering Public Policy Programs.

He announced that the County has appointed a new Harbor Director and stated that recruiting of the position was at an extremely critical time with the redevelopment of the Harbor and Marina; the new Director brings strong credentials and solid experience.

He reported that the City Council recently ratified the Planning Commission approval of the Headlands LCPA.

G. COMMISSIONER COMMENTS

Commissioner Conway stated that he was not able to attend the Public Art Dedication at Fire Station #29. He stated that he frequently drives by the "Recovery – Giant Sea Bass" sculpture and it brings him to smile, he felt that the artist really captured the theme of Dana Point.

Commissioner Brough felt sorry that she too missed the Giant Sea Bass dedication at Fire Station #29.

H. ADJOURNMENT

Vice-Chairman Denton announced that the *next regular* meeting of the Planning Commission would be held on Tuesday, October 23, 2007, 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 7:32 p.m.

Liz Anderson Fitzgerald, Chairwoman
Planning Commission