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

October 23, 2007  
7:00-7:56 p.m.

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

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

**PLEDGE OF ALLEGIANCE** – Vice-Chairman Denton led the Pledge of Allegiance.

**ROLL CALL**

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

**Commissioner Absent:** Commissioner Ed Conway (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), Kurth Nelson (Project Planner), Matt Sinacori (City Engineer), and Denise Jacobo (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1:** **Minutes of the regular Planning Commission Meeting of October 9, 2007.**

**ACTION:** **Motion made (Denton) and seconded (Brough) to approve the Minutes of the regular Planning Commission Meeting of October 9, 2007. Motion carried 4-0-1. (AYES: Brough, Dec, Denton, Schoeffel NOES: None ABSENT: None ABSTAIN: Fitzgerald)**

**B. PUBLIC COMMENTS**

There were no requests to speak.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

#### D. PUBLIC HEARINGS

**ITEM 2: COASTAL DEVELOPMENT PERMIT [CDP07-01] FOR AN EROSION CONTROL PROJECT CONSISTING OF THE INSTALLATION OF SUBSURFACE DRAINS UNDER THE SUBJECT PROPERTIES FOR THE PURPOSE OF DIRECTING GROUNDWATER TO A DRAIN VAULT ON A COASTAL BLUFF AND THEN TO A CATCH BASIN AT THE BASE OF THE COASTAL BLUFF INTO THE CITY'S STORMDRAIN SYSTEM.**

Applicant/ Walter Crampton, Terra Costa Consulting Group  
Owner: Dean C. Clark, Trust, Kerstin Kopp, Frank G. & Luella Rubino, Trust, Elaine Mathes, Trust, Edward Workman  
Location: 35431, 35441, 35451, 35455, and 35461 Camino Capistrano; (APN's: 691-182-08, -17, -16, -18, and 11) – RSF 3 Zoning District.

Request: Approval of a Coastal Development Permit in the Residential Single Family 3 (RSF 3) Zoning District to construct an erosion control project consisting of the installation of several subsurface drains (hydroaugers) to collect and dispose of groundwater under the subject properties to a drain vault on the coastal bluff and then divert the groundwater to another catch basin at the base of the coastal bluff and into the City's storm drain system.

Environmental: This project is categorically exempt (Class 2 and 3 - Section 15302 and 15303 - New Construction) from the provisions of the California Environmental Quality Act (CEQA) because the project involves replacement and reconstruction of existing drainage facilities involving negligible expansion of capacity and includes the construction of new small facilities/structures related to the disposal of subsurface drainage water.

Recommendation: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP07-01.

There was one (1) request to speak on this item.

**ACTION: Motion made (Brough) and seconded (Schoeffel) to adopt Resolution No. 07-10-23-32 approving Coastal Development Permit CDP07-01 for an erosion control project consisting of the installation of subsurface drains under the subject properties for the purpose of directing groundwater to a drain vault on a coastal bluff and then to a catch basin at the base of the coastal bluff and into the City's stormdrain system. Motion carried 5-0. (AYES: Brough, Dec, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)**

**ITEM 3: VARIANCE V04-14 TO ALLOW PORTIONS OF A DUPLEX ADDITION TO ENCROACH INTO THE MINIMUM 20-FOOT FRONT YARD SETBACK, AND SITE DEVELOPMENT PERMIT SDP05-70 TO ALLOW ADDITIONS TO AN EXISTING THREE STORY RESIDENTIAL STRUCTURE IN A HILLSIDE CONDITION IN THE RESIDENTIAL MULTIPLE FAMILY 14 (RMF 14) ZONING DISTRICT.**

Applicant/ Kirk Nelson, Design Intervention, Inc.  
Owner: Bob Seth and Dino Melrose  
Location: 33912 Amber Lantern, APN: 682-091-37

Request: A Variance to allow portions of a duplex addition to encroach into the minimum 20-foot front yard setback, and Site Development Permit to allow additions to an existing three story residential structure in a hillside condition.

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 additions to an existing structure not resulting in an increase of more than 10,000 square feet and is in an area where all public services and facilities are in place to allow for the maximum development permitted by the General Plan and facilities the site is not located in a environmentally sensitive area.

Recommendation: That the Planning Commission adopt the attached draft resolution approving Variance V04-14 and Site Development Permit SDP05-70.

There was one (1) request to speak on this item.

**ACTION: Motion made (Denton) and seconded (Dec) to adopt Resolution No. 07-10-23-33 approving Variance V04-14 to allow portions of a duplex addition to encroach into the minimum 20-foot front yard setback, and Site Development Permit SDP05-70 to allow additions to an existing three story residential structure in a hillside condition in the RMF14 zoning district at 33912 Amber Lantern. Motion carried 5-0. (AYES: Brough, Dec, Denton, Fitzgerald, Schoeffel NOES: None ABSENT: None ABSTAIN: None)**

**E. STAFF REPORTS**

**Kyle Butterwick** (Director) expressed his gratitude to the staff and the applicant for reaching a very good solution to the final design on item number 3.

He encouraged the Commissioners to attend a reception hosted by the Harbor to meet the new Harbor Director at the Ocean Institute at 7:00 p.m., on Wednesday, October 24, 2007.

He reported two items to be presented to the City Council. He noted that several proposals were received to retain a Parking Management consultant to produce a comprehensive parking plan for the Town Center. He anticipates that the Planning Commission will be part of the review process for the Parking Management Plan. He anticipates seeking City Council authorization to proceed with a detailed analysis of funding strategies for the public improvements and infrastructure in Town Center.

At Chairwoman Fitzgerald's request, Kyle updated the Commission on the Harbor Plan.

**F. COMMISSIONER COMMENTS**

**Commissioner Schoeffel** expressed that his heart goes out to all the victims of the latest statewide fire crisis. He gave kudos to all who are risking their lives to help put out the fires.

**Commissioner Brough** seconded Commissioner Schoeffel's comment.

**Chairwoman Fitzgerald** also addressed the fires, and discussed making land use decisions from a Planning Commissioner perspective. She felt that the televised news reports serve as a reminder that, when dealing with residential development, the emphasis is on the single most expensive investment in applicants lives - their homes. She stated that her thoughts and prayers go to them.

She gave a heart-felt thanks to Vice-Chairman Denton for conducting the last two meetings during her absence.

**G. ADJOURNMENT**

**Chairwoman Fitzgerald** announced that the *next regular* meeting of the Planning Commission would be held on Tuesday, November 13, 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 7:56 p.m.**