

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

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November 27, 2017  
6:04 p.m. – 7:21 p.m.

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

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**CALL TO ORDER REGULAR MEETING**

Chairman McKhann called the Regular Meeting of the Dana Point Planning Commission to order at 6:04 p.m.

**PLEDGE OF ALLEGIANCE**

John Ciampa (Senior Planner) led the Pledge of Allegiance.

**ROLL CALL**

Planning Commission Members Present: Chairman Scott McKhann, Vice-Chair Danni Murphy, Commissioner Mary Opel, Commissioner Eric Nelson, Commissioner Roy Dohner

Staff Present: Ursula Luna-Reynosa (Director), Jennifer Farrell (Deputy City Attorney), John Ciampa (Senior Planner), and Shayna Sharke (Senior Administrative Assistant)

**A: APPROVAL OF MINUTES**

**ITEM 1: Minutes of the Regular Planning Commission Meeting of November 13, 2017**

**ACTION: Motion made (Murphy) and seconded (Nelson) to approve the Minutes of the Regular Planning Commission Meeting of November 13, 2017. Motion carried 5-0-0.**

<b>AYES:</b>	Dohner, McKhann, Murphy, Nelson, Opel
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**B. PUBLIC COMMENTS**

None.

**C. CONSENT CALENDAR**

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**ITEM 2:**      **Approval of a De Minimis Project Waiver from a Coastal Development Permit (CDP17-0005 Waiver) allowing the demolition of the existing house and pool and construction of a 6,620 square-foot house and new pool located at 21 Gavina**

Applicant:      Brion Jeannette Architecture, Architect

Address:      21 Gavina (APN: 672-401-16)

Recommendation: That the Planning Commission receive and file the De Minimis Project Waiver from a Coastal Development Permit.

Environmental: The project is Categorically Exempt from the provisions set forth in the California Environmental Quality Act (CEQA) per Section 15303 (Class 3 – New Construction or Conversion of Small Structures).

Request: Reporting of a De Minimis Project Waiver from a Coastal Development Permit issued by the Director of Community Development allowing demolition of an existing 3,900 square foot, one story single family residence and pool and construct a new two story 6,620 square foot single family residence and pool.

**PUBLIC COMMENTS**

None

**ACTION:**      **Motion made (Nelson) and seconded (Dohner) to approve the Consent Calendar. Motion carried 5-0-0.**

**AYES:**              McKhann, Murphy, Opel, Nelson, Dohner  
**NOES:**              None  
**ABSENT:**          None  
**ABSTAIN:**        None

**D.      PUBLIC HEARING**

**ITEM 3:**      **Coastal Development Permit CDP17-0009 and Minor Site Development Permit SDP17-0033(M) to demolish a single-family residence and construct a new 5,502 square-foot, single-family residence, retaining wall in the rear yard setback that is over six feet in height and to locate the pool equipment in the side yard setback for a property in the Residential Single-Family 4 (RSF-4) Zone located at 107 Monarch Bay Drive**

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**Applicant:** Alan & Janet Schryer, Property Owners

**Address:** 107 Monarch Bay Drive (APN 670-111-53)

**Recommendation:** That the Planning Commission adopt the attached resolution approving Coastal Development Permit CDP17-0009, and Minor Site Development Permit SDP17-0033 (Action Document 1).

**Environmental:** Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303(a) (Class 3 – New Construction) in that the project involves the construction of one SFD in a residential zone.

**Request:** A request to demolish a single-family dwelling (SFD) and construct a new SFD, retaining wall in the rear yard setback that exceeds six feet in height, and to locate the pool equipment in the side yard setback.

**John Ciapma** (Senior Planner) presented and answered questions of the Planning Commission.

**Chairman McKhann** opened the Public Hearing at 6:24 p.m.

**Allan Teta** (Architect) stated that he is available to answer any questions of the Planning Commission. He stated that the proposed architecture improves the current decapitated conditions.

**Alan Schryer** (Homeowner) stated that he has lived in the community for three years and wants amenities in his home consistent with the neighborhood. He added that the plans have been approved by the Monarch Bay Home Owners Association.

**Tim Vermilya** (Laguna Beach) stated that he opposes the project because of the retaining wall and is concerned that approval will set a precedent. He added that privacy would be an issue for the homeowners and surrounding neighbors.

**Mary Gilmore** (Laguna Beach) agreed with Tim Vermilya and added that the grade within the community is a downslope with greater height as the properties get closer to the ocean. She stated that soil was brought in for the Monarch Bay Community when first developed to create views. Additionally, she read a letter opposing the project, written by one of her neighbors who was unable to attend the meeting.

**Yvonne English** (Landscape Architect) presented slides addressing the slope and the improvements that would be made to conditions with the proposed project.

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**John Gilmore** (Laguna Beach) spoke in opposition of the project due to privacy concerns.

**Chairman McKhann** closed the Public Hearing at 6:43 p.m.

**ACTION:** Motion made (McKhann) and seconded (Nelson) approving Resolution 17-11-27-24 approving Coastal Development Permit CDP17-0009 and Minor Site Development Permit SDP17-0033(M) to demolish an existing house and construct a new dwelling, retaining wall in the rear yard setback that exceeds six feet, and to locate the pool equipment in the side yard setback in the Residential Single Family 4 (RSF-4) Zone located at 107 Monarch Bay. Motion carried 5-0-0.

**AYES:** McKhann, Murphy, Opel, Nelson, Dohner  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**F. OLD BUSINESS**

There was no Old Business.

**F. NEW BUSINESS**

**ITEM 4:** Preliminary Review (PA17-0075) for a General Plan Amendment, Variance, Conditional Use Permit, and Tentative Parcel Map to legalize the nonconformities of the site to allow a condominium conversion for the apartments at 33950 and 33952 Copper Lantern Street and 33961 Mariana Drive

**Applicant:** Robert Williams, Studio 6 Architects

**Address:** 33950 & 33952 Copper Lantern Street and 33961 Mariana Drive  
(APN: 682-123-18)

**Recommendation:** That the Planning Commission assesses the request and provide feedback to the applicant focusing on potential issues which may be raised during consideration of a formal submittal for the project.

**Environmental:** Not applicable at this time.

**Request:** Preliminary review for a General Plan Amendment, Variance, Conditional Use Permit, and a Tentative Parcel Map to legalize the nonconformities associated

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with the property, increase the density of the site for a fourth unit, and to allow a condominium conversion for the apartments located at 33950 and 33952 Copper Lantern Street and 33961 Mariana Drive.

**Commissioner Eric Nelson** recused himself at 6:54 p.m. due to his property's proximity to the project being presented.

**John Ciapma** (Senior Planner) presented and answered questions of the Planning Commission.

**Chairman McKhann** opened the Public Hearing at 7:02 p.m.

**Robert Williams** (Architect) stated that the homeowner has owned the property for ten years and wishes to enhance the property as a condo conversion as the most financially viable option. He stated that the setback issues are the biggest hurdle. He asked for feedback from the Planning Commission.

**Robin Valles** (Lantern Village Association) spoke of her concern regarding parking in this neighborhood and asked that the Planning Commissioners examine the need for adequate parking and explore an off street parking code.

**Commissioner Eric Nelson** re-entered Council Chamber at 7:16 p.m.

**ITEM 5: Appointment of Planning Commission Member to Parking and Circulation Oversight Task Force**

**ACTION: Commissioner Eric Nelson volunteered to serve on the Parking and Circulation Oversight Task Force and received unanimous support from the Planning Commission.**

#### **H. STAFF REPORTS**

There were no Staff Reports.

#### **I. COMMISSIONER COMMENTS**

**Commissioner Dohner** stated that the harbor looks great for the holiday.

**Chairman McKhann** agreed and stated the decorations are spectacular.

**Vice-Chair Murphy** stated that she is happy to see all of the lights in the harbor.

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**Commissioner Nelson** thanked the Sheriff's for assisting him with a boating issue that he recently experienced.

**J. ADJOURNMENT**

Chairman McKhann adjourned the meeting at 7:21 p.m. and announced that the *next* Regular Meeting of the Planning Commission will be held on Monday, December 11, 2017, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

A handwritten signature in black ink, appearing to read 'S. McKhann', written over a horizontal line.

Scott McKhann  
Chair, Planning Commission